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PART II

Statutory Notifications (S. R. O.)

GOVERNMENT OF PAKISTAN

NATIONAL HISTORY AND LITERARY HERITAGE DIVISION

NOTIFICATION

Islamabad, the 20th November, 2018

S. R. O. 1446(I)/2018.—In exercise of the powers conferred by Section-11 of the Scheme for the administration of Archaeology and Literary Heritage Endowment Fund, National History & Literary Heritage Division and with the approval of the Board, following BYE-LAWS are made:—

1. **Short title and commencement.**—(1) These Bye-Laws shall be called the Archaeology and Literary Heritage Endowment Fund Bye-Laws, 2018.

(2) They shall come into force at once.

2. **Definitions.**—(1) In these Bye-Laws, unless there is anything repugnant in the subject or context,—

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- (a) "Board" means the Board of Governors constituted under Section 5 of the S.R.O.1333(I)/2017 dated 29th December, 2017;
- (b) "Chairman" means the Chairman of the Board;
- (c) "Division" means the Division to which subject matter of this scheme stands allocated;
- (d) "Executive Committee" means the Executive Committee constituted under section-8 of the scheme;
- (e) "Fund" means the Archaeology and Literary Heritage Endowment Fund;
- (f) "Minister" means the Federal Minister-in-Charge of Division to which subject matter of this scheme stands allocated;
- (g) "Managing Director" means Managing Director of the Fund as defined at section 8 (2) of S.R.O.1333(I)/2017 dated 29th December, 2017;
- (h) "Secretary" means Federal Secretary, NH&LH Division as defined at section 2(h) of S.R.O.1333(I)/2017 dated 29th December, 2017 of the scheme of administration;
- (i) "Treasurer" means Treasurer of the Fund;

(2) All the terms and expressions used but not defined herein shall have the same meaning as are assigned to them under the Act.

3. Constitution of the Board.—(1) For management and administration of the Fund, the Minister shall, by notification in the official Gazette, constitute a Board of Governors for a period of three years consisting of the following members, namely:—

- (a) Minister or Adviser to the Prime Minister on Division concerned; *Chairman*
- (b) Secretary of the Division; *Ex-officio Member*
- (c) Joint Secretary of the Division; *Ex-officio Member*

- (d) Financial Adviser of the Division concerned; Ex-officio *Member*
- (e) Six to ten eminent persons representing various fields, including eminent scholars, writers and archaeologists; and *Members*
- (f) An officer not below the rank of Deputy Secretary of the Division concerned. Ex-officio *Member-Cum-Secretary of the Board*

(2) With the approval of Prime Minister being the Minister-in-Charge of Ministry of Information, Broadcasting, National History & Literary Heritage the composition of Board has been notified *vide* National History & Literary Heritage Division's Notification of even number dated 2nd May, 2018.

4. **Convening of meetings.**—(1) The meetings of the Board shall be convened by and under the directions of the Chairman. The Chairman may direct convening of a meeting of the Board at any time, on any matter requiring a decision by the Board.

(1) In case the Chairman is absent or his office is vacant for any reason, the Secretary, NH&LH Division shall chair the meetings of the Board.

(2) A meeting held and attended through video-conferencing shall be a valid meeting, as long as proceedings are properly recorded and requirements specified by the Act and Bye-Laws are met.

(3) In case of death, resignation or removal of a Member another person may be appointed by the Minister in-charge as a Member for the term specified under Section -5 of the Scheme.

(4) No person shall be appointed or continued as a Member if he,—

- (a) has been convicted of an offence involving moral turpitude; or
- (b) has been or is adjudged insolvent;
- (c) is incapable of discharging his duties by reason of physical or mental unfitness and has been declared so by a registered medical practitioner of the Federal Government, and;

- (d) deemed incapable of carrying out his responsibilities for any other reason.

5. **Frequency of meetings.**—(1) The Board shall meet as often as may be necessary for the performance of its functions but it shall meet not less than Two times in a calendar year.

(2) *The Executive Committee shall meet as often as necessary but not less than once in each quarter of a year.*

6. **Agenda of meetings.**—(1) The Member/Secretary of the Board & Executive Committee shall prepare agenda of respective meeting in consultation with the Chairman;

(2) The agenda of meetings shall be prepared in light of the functions of the Board prescribed under Section-6 of the Scheme;

(3) The Board & Executive Committee may adopt any other agenda item during meeting with permission of the Chairman;

7. **Notice of meetings.**—(1) Written notices of meetings, including the agenda and working papers duly approved by the Chairman, shall be circulated among all the Members not less than 15 days before the meeting, except in case of emergency meetings for disposal of urgent business, where the notice period may be reduced or waived by the Chairman:

Provided that for disposal of urgent matter requiring immediate decisions, agenda and notice may be circulated among all the Members through phone, fax or email.

(2) A notice shall also specify the date, time and place of meeting.

8. **Quorum:**—(1) A simple majority of the total membership, with not less than 02 non-official member, shall constitute the quorum for a meeting of the Board & Executive Committee;

(2) agenda of the meeting shall be officially presented by the Secretary only once the quorum is complete;

(3) in the absence of quorum, at any stage of meeting, any business transacted or decisions made, shall be null and void;

(4) if any *ex-officio* Member of the Board is absent or is unable to attend a meeting of the Board, he may authorize an officer, not below the rank of **BS-19**;

(5) in case any member is unable to attend a meeting of the Board, the Secretary may request that leave of absence may be allowed to such Member;

9. **Adoption of decisions.**—(1) The decision in the Board & Executive Committee shall be adopted by simple majority of the Members present and voting.

(2) The Chairman shall, in the event of a tie, have a casting vote.

(3) The Board & Executive Committee may seek opinion of any expert or officer of the National History & Literary Heritage Division on a specific item of the agenda.

(4) The decisions and their implementation status shall invariably be reported to the Board in the following meetings.

10. **Order of business of meetings.**—(1) The order of business of meetings shall be as follows:

- (a) Recitation from the Holy Quran;
- (b) Attendance of members present;
- (c) Opening remarks by the Chair;
- (d) Adoption of the agenda;
- (e) Ratification of the minutes of the preceding meeting;
- (f) Unfinished business, if any from the previous meeting;
- (g) Consideration of new business as per agenda; and
- (h) Concluding remarks by the Chair.

11. **Minutes of meetings.**—(1) The Secretary of Board & Executive Committee shall be responsible for recording minutes of meeting;

(2) the Chairman shall ensure that minutes of meetings are properly recorded by approving them under his signature;

(3) the proceedings of the meetings may be recorded in electronic devices, with permission of the Chair;

(4) the minutes of meetings shall be circulated after approval of the Chairman, to members present at the meeting for confirmation with or without correction/rectification and to Members not present at the meeting for information, not later than fifteen days thereof;

(5) the members shall have fifteen days from circulation of the minutes to convey their confirmation or objections, if any. The correction/rectification made by the members shall be recorded in the minutes;

(6) if no objections are received within time stipulated it shall be considered acquiesce;

(7) the minutes shall be presented to the Board in the following meeting for consideration and ratification;

(8) after adoption, the Secretary and the Chairman shall sign each page of the minutes of meeting;

(9) the Heritage Section of the National History & Literary Heritage Division shall be responsible for safe custody of record and approved minutes of all meetings in original;

12. **Committees of the Board.**—(1) The Board may with the approval of chair constitute one or more Committees comprising not less than three members assigning specialized tasks with written term of reference.

(2) The Committees constituted by the Board shall meet as often as it may be necessary and at such time and place as it may be convenient to committee.

(3) The Committees shall report their performance to the Board.

13. **Executive Committee.**—(1) For administration of day-to-day business of the Fund, the Minister shall, by notification in the official Gazette, constitute an Executive Committee consisting of following members, namely:—

(a)	Secretary, NH&LH Division;	<i>Chairman</i>
(b)	Joint Secretary (A&H), NH&LH Division;	<i>Member</i>
(c)	Financial Adviser of the Division;	<i>Member</i>
(d)	six members to be nominated from the Board keeping in view their experience in national history, literature, management and fund raising;	<i>Member</i>
(e)	Deputy Secretary of the Division.	<i>Member-cum-secretary</i>

14. **Powers and functions of the Executive Committee.**—(1) Subject to other provisions of this scheme, the Executive Committee shall have following powers:—

- (a) To determine and recommend the percentage of total return of the Fund for utilization and its re-investment.
- (b) To utilize, apply and invest the Fund and its income in such manner as it may consider appropriate.
- (c) To examine in general and recommend the proposals / schemes /plans /programme /activities to be funded from the income of Fund for approval of BoG
- (d) With the approval of Chair to constitution of sub-committee(s) for specific task(s) relating to the schemes/plans/programme/activities to be funded from the Fund.

15. **Accounting procedure.**—(1) Proper cash book will be maintained in prescribed manner. Transactions relating to the Fund should be kept in books of accounts in the personal custody of the treasurer in a form complying with the terms and conditions of Fund. The securities, if any, deposited with him should be dealt with in accordance with instruction contained in Chapter IX of the Government Securities Manual.

(2) The books of accounts should be supported by a short statement descriptive of the nature and obligation of the Fund, with reference to the documents bearing upon it, that any other Government officer on receiving charge may know by reference to it exactly what his obligations are in this matter.

(3) The accounts should be balanced and closed every 30th day of June, they should also be balanced and closed when the Government officer acting as the Treasurer makes over Charge of his office to a successor or substitute, a balance sheet being appended to the charge report and signed both by the officer receiving and the officer giving over charge.

(4) The accounts will be subject to such audit check as may be prescribed by government.

16. **Financial Discipline.**—Project Director/Recipient of the grant out of the Fund shall be responsible for:—

- (a) Sound and feasible proposals involving non-recurring expenditures as per policy guidelines of the Executive Committee with defined responsibility of executing agency.
- (b) Financial position to be presented before Board in every meeting.
- (c) Proper utilization of the Fund as per Standards of Financial Propriety.
- (d) Monitoring and evaluation of the project/activity within stipulated time period.
- (e) Post activity completion report dully supported by the statements of accounts

17. **Financial Incentives.**—(1) The members of the Board and Executive Committee shall be entitled for attending the meeting:—

- (a) An incentive of Rs.20,000/- per meeting.
- (b) Traveling Allowance & Accommodation equivalent to BS-22 officer for outstation Members attending the meeting.

(2) Dealing Section Officer, Section Officer (F&A) and Treasurer of the Fund, each shall be entitled to an incentive of Rs.10,000/- per meeting for arranging & convening the meetings of the Board and Executive Committee.

whereas, staff members of the dealing section (maximum three) shall be entitled to receive Rs. 5,000/- per meeting.

[F.No.3-4/2016-H-II.]

MUHAMMAD BAKHSH SANGI,
Deputy Secretary (Admn).