

122

GOVERNMENT OF PAKISTAN
CABINET SECRETARIAT
CABINET DIVISION

No.9/8/2004-TK

Islamabad, the 25th June, 2007

OFFICE MEMORANDUM

Subject:- **PROCEDURE FOR THE ACCEPTANCE AND DISPOSAL OF GIFTS.**

In supersession of this Division's O.M.No.9/4/97-TK, dated 21st August, 2001 and all other instructions issued on the subject from time to time, the undersigned is directed to state that the Government of Pakistan has made the following procedure for acceptance and disposal of gifts received by Government/Public functionaries.

- (1) The responsibility for reporting the receipt of the gifts shall devolve on the individual recipient. All gifts received by the Government/Public functionaries irrespective of their prices, must be reported and deposited immediately in Toshakhana of the Cabinet Division, Government of Pakistan. If it is found, on checking, that an individual has not reported the receipt of a gift, appropriate action will be taken against him under the relevant rules.
- (2) If the Chief of Protocol, Ministry of Foreign Affairs, or his representative has been attached to a visiting dignitary or a foreign delegation, it shall be his responsibility to supply the list of the gifts received, together with the names of the recipients, to the Cabinet Division. In the case of other delegations or visiting dignitaries with whom the Chief of Protocol or his representative is not associated, the Ministry sponsoring the visit shall be responsible to supply the details of gifts received and the list of recipients to the Cabinet Division. In the case of outgoing delegations or visits abroad of our dignitaries, it shall be the responsibility of the Ambassador of Pakistan and/or Head of the Pakistan mission in the country concerned to report the receipt of the gifts, together with the name of the recipients, to the Cabinet Division through the Ministry of Foreign Affairs.

- (3) Government/Public functionaries, except those in BPS 1 to BPS 4, are prohibited from receiving cash awards offered by the visiting foreign dignitaries. Such gifts may be politely refused. In case, however it becomes impossible to refuse without causing offence to the visiting dignitary, the amount shall be immediately deposited in the Government treasury and copy of Treasury Challan shall be provided to the Toshakhana Incharge, Cabinet Division.

- (4) Government/Public functionaries, except the President and the Head of the Government, are prohibited from receiving gifts of any kind for their person or for members of their families from diplomats, consular and other foreign government representatives who are stationed in Pakistan or from any public organization or private individual and firm within the country. However, if due to very exceptional reasons the gift cannot be declined, it shall invariably be deposited in the Toshakhana. These instructions do not apply to gifts and donations made to institutions.

- (5)
 - (i) Cabinet Division will get the value of the gifts assessed from Government Sector experts in CBR, Taxila Museum, National Council of the Arts depending upon the nature of the gifts. Cabinet Division will also get the value of gifts assessed by the private appraisers borne on its approved panel.

 - (ii) If the difference in value of gifts assessed by two categories of appraisers is less than 25% the high value will be accepted. However, if the difference in value is 25% or more, a Committee to be constituted by the Cabinet Secretary shall decide the final value.

 - (iii) Private Appraisers borne on the approved panel of the Cabinet Division and the nominee of the All Pakistan Jewellery and Gem Stones Association will be paid 2% of the evaluation cost of each gift or Rs.2000/-, whichever is less.

- (6) The monetary limits upto which the gifts can be retained by the recipients are as follows:-
 - (i) Gifts upto a value of Rs. 10,000/- (Rupees ten thousand only) may be retained free of cost by the recipient subject to the provision of these rules.

 - (ii) Gifts valued above Rs. 10,000/- may be allowed to be retained by the recipient on payment of 15% of the value exceeding the basic exemption of Rs.10,000/-.

- (iii) Gifts valued at Rs.400,000/- or more shall not be retained by the recipient, except the President and the Head of the Government. However the recipient of gift comprising distinct articles but gifted in a single transaction having collective value of Rs. 4 lac or more shall have an option to retain any article(s) upto the collective value of less than Rs. 4 lac only subject to the condition that part of an article will not be allowed to be taken. This exemption shall however not be available in case of antiques and gifts of intrinsic historical value.
 - (iv) Different gift articles given by a single dignitary to a functionary at one occasion will be treated as single gift for the purpose of valuation.
 - (v) The maximum monetary limit to be allowed for retention of gifts in one calendar year for any functionary other than the President or the Prime Minister should not exceed Rupees one million. However the gifts having value in excess of the limit of Rupees one million can be retained by the recipient on payment of 65% of the assessed value of the gifts.
 - (vi) The recipient should collect the gifts after payment of retention price within four months failing which it will become the property of the Toshakhana and will be disposed of as per Toshakhana Rules.
- (7) The Head of Account of Toshakhana in which the amounts are to be deposited is "1300000- Others (NES)Misc. Receipt of Darbar Presents (Central)", Retention Cost of the gift should be deposited within four months failing which the recipient will lose the right to have it.
- (8) Gifts deposited in the Toshakhana which are fit for display, shall be properly catalogued and then displayed in the public rooms of the Foreign Office/Cabinet Division and in the residences of the Head of the State and the Head of the Government. Such articles shall be properly entered in the Toshakhana register and in the stock registers of the respective offices.
- (9) An annual physical verification shall be carried out in respect of such articles by an authorized officer of the Cabinet Division in the first quarter of each calendar year.

- (10) Gifts which are not fit to be retained or displayed shall be disposed of by periodical sales to be arranged by the Cabinet Division, Government of Pakistan. These sales shall be held once or twice a year. The list of gifts to be sold shall be circulated to all Federal Government officers and officers of the Armed Forces. The articles not purchased in two consecutive auctions by the Government servants should be disposed of to the public through sealed bids.
- (11) Antique items and vehicles shall not be allowed to be purchased by the recipients. Antiques shall be placed in the museums or displayed in official building owned by the Government. Vehicles shall be given to the Central Pool of Cars of the Cabinet Division.
- (12) Gifts, other than those in the nature of antiques or of intrinsic historical value, given to but not retained by the President, the Head of the Government and the Governors, will be sold in accordance with sub-para (10) above. The gifts in the nature of antiques or of intrinsic historical value shall be put on display in accordance with sub-para (8) above.
- (13) The procedure shall apply to the President/Head of the Government and their family members, Chairman Senate, Speaker National Assembly, Chief Justice of the Supreme Court, Governors of the Provinces, Members of the Federal Cabinet, Attorney General for Pakistan, Ministers of State, Deputy Chairman Senate, Deputy Speaker National Assembly, Dignitaries holding ministerial status, Members of Provincial Cabinets, Judges of Supreme Court, Chief Justice/Judges of the High Courts, Parliamentarians and other elected representatives, all Government servants (Civil and Military) as well as employees of the Government controlled corporations, autonomous and semi-autonomous bodies and their spouse/dependents, members of the Provincial Governments, other members of public visiting abroad as members of official delegation.

2. The above procedure has the concurrence of Finance and Law, Justice & Human Rights Divisions.

Bilal Anwar
 (Bilal Anwar)
 Joint Secretary(Admn)