

**THE WEST PAKISTAN AUQAF DEPARTMENT
(KHATEEBES AND IMAMS) SERVICE RULES, 1968**

[The 11th October, 1968]

No. 4 (I)-Auqaf O.S.D./66.- In exercise of the powers conferred by section 21 of the West Pakistan Waqf Properties Ordinance, 1961 (Ordinance XXVIII of 1961) the Governor of West Pakistan is pleased to make the following rules, namely:--

1. Short title, commencement and application.—(1) These rules may be called the West Pakistan Auqaf Department (Khateebes and Imams) Service Rules, 1968.

(2) They shall come into force at once.

(3) They shall apply to all incumbents of the posts of Khateebes and Imams (including District and Zonal Khateebes) under the Auqaf Department whose pay is Writable to the Auqaf Fund, whether appointed before or after the coming into force of these rules.

2. Definitions.-- In these rules, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them, that is to say--

(a) "Administrator" means an Administrator appointed by Government under section 4 of the Ordinance;

¹(b) "Competent authority" means the Chief Administrator in the case of District Khateebes, Zonal Khateebes and Khateebes/Imams drawing pay in the pay scale of Rs. 250-15-400 or above and in the case of other members of services, the Administrators/Deputy Administrators, the Zonal Khateebes and District Khateebes concerned, according to the powers delegated to them;

(c) "Board" means the West Pakistan Auqaf Advisory Board;

(d) "Chief Administrator" means the Chief Administrator of Auqaf, West Pakistan;

(e) "Competent authority" means the Chief Administrator in the case of District Khateebes, Zonal Khateebes and the Khateebes and Imams of such mosques as be specified by the Chief Administrator and in the case of other members of the service the Administrator concerned;

(f) "Dars-i-Nizami" means a course of the said name passed from a Darul-Uloom;

(g) "Dawat-o-Irshad Course" means the Dawat-o-Irshad course of the Jamia Islamia;

¹ Substituted by Notification No. 4(1)A/OSD/65, dated 11.8.1970.

- (h) "District Khateeb" means a Khateeb appointed by the Chief Administrator of Auqaf as a District Khateeb;
- (i) "Fazil-i-Arabi" means a course of studies of that name prescribed by a recognised University in Pakistan;
- (j) "Jamia Islamia" means the Jamia Islamia, Bahawalpur;
- (k) "Khateeb-cum-Imam" means an Imam who is required to perform the duties of a Khateeb in addition to his own duties, under the orders of the appointing authority;
- (l) "Misconduct" means--
- (i) breach of service discipline or instructions issued by the Chief Administrator;
- (ii) committing offences involving moral turpitude;
- (m) "Nazim-i-Masajid" means a Nazim-ul-Masajid of the Auqaf Department appointed by Chief Administrator of Auqaf;
- (n) "Ordinance" means the West Pakistan Waqf Properties Ordinance, 1961 (No. XXVIII of 1961);
- (o) "Prescribed authority" means the authority empowered to impose a penalty under these rules on a member of the service;
- (p) "Shahadat-e-Almia" means the course of that name of the Jamia Islamia;
- (q) "Service" means the West Pakistan Auqaf Department (Khateeb and Imams) Service;
- (r) "Takhassus-fil-Fiqah-o-Qanoon" means the course of that name of the Jamia Islamia;
- (s) "Zonal Khateeb" means a Khateeb appointed for an Auqaf Zone.

Part II RECRUITMENT

3. Constitution and composition of Service.- The service shall comprise the posts of Khateeb, Imams, Khateeb-cum-Imams, District Khateeb, Zonal Khateeb under the Auqaf Department.

4. Appointing Authority.- Appointments to the service shall be made by the Chief Administrator:

Provided that an Administrator may, subject to the approval of the Chief Administrator, appoint a Khateeb or Imam in his zone provisionally for a period not exceeding six months:

Provided further that Zonal Khateeb and District Khateeb may make appointment, transfer, dismissal, removal of a Khateeb and Imam and other mosques functionaries within the powers delegated to them by the Chief Administrator of Auqaf.

5. Scale of pay.— The members of the service shall be given pay according to the different scales of pay fixed by the Chief Administrator:

Provided that the appointing authority may reward a member of the service for any meritorious, exceptional or outstanding work connected with his duties performed by such member by granting him additional salary not exceeding in a year three months pay of such member.

6. Method of appointment.— Appointment to the various posts of the service shall be made by the following methods :--

- (i) In the case of Khateeb and Imams. --
 - (a) The post shall be advertised in the press;
 - (b) Applications received for the post shall be considered by a selection committee appointed by the Chief Administrator from time to time;
 - (c) The committee shall interview the candidates and submit its recommendations to the Chief Administrator who may, if he so desires, consult the board before passing final orders:

Provided that the above the procedure shall not apply to a provisional appointment made by an Administrator under rule 4,

- (ii) In the case of District Khateeb by selection from amongst the Khateeb and Khateeb-cum-Imam already in service, keeping in view their suitability, experience and qualifications;
- (iii) In the case of Zonal Khateeb, by selection from amongst the District Khateeb, keeping in view their suitability, merit, experience and qualification:

Provided that the Chief Administrator may, whenever he so considers it necessary, make appointments without following the above procedure.

7. Qualification.--

A. For the post of Khateeb.
(I) Compulsory.—

- (a) A sanad of successful completion of Dars-i-Nizami;
- (b) Proficiency in Tafseer and Hadith;
- (c) Proficiency in Khitabat and public speaking;
- (d) Physical and mental fitness of a high standard;
- (e) Liberality of views on religious affairs and freedom from sectarian bias;
- (f) Age, between 30 and 45 years,
- (g) Un-blamished good moral character;

(II) Preferable-

- (a) Hafiz-e-Quran;
- (b) Proficiency in Qirat;
- (c) Higher mundane education;
- (d) Good general knowledge;
- (e) Capability of writing articles of a high standard on religious and social affairs;
- (f) Is married;
- (g) A sanad in Dawat-o-Irshad course or a degree in Takhasus-fil-Quanoon;
- (h) A certificate of having passed the middle school examination-

B. For the post of Imam.

I. Compulsory-

- (a) Either a Sanad in Dars-e-Nizami or a sanad of Fazil-i-Arabi.
- ²(b) Physical and mental fitness;
- (c) Freedom from sectarian bias;
- (d) Age between 25 and 30 years;
- (e) Unblamished good moral character.

II. Preferable-

- (a) Proficiency in Qirat;
- (b) Hafiz-e-Quran;
- (c) A sanad in Shafiadat-e-Almia from the Jamia Islamia;
- (d) Capability of delivering khutabs in the absence of the Khateeb;
- (e) Is married.
- ³(f) Certificate of having passed primary class examination.

² Added and notified by Notification No. 4(1)A/OSD/66, dated 28.8.1970.

³ Added by modified by Notification No. 4(1)A/OSD/66, dated 28.8.1970.

8. Duties.- The Zonal Khateeb, the District Khateeb, the Khateeb and the Imams shall perform such duties as may be specified by the Chief Administrator from time to time.

Part III

LEAVE, INCREMENT ETC.

9. Leave— Members of the service shall be governed by the West Pakistan Auqaf Department Leave Rules, 1964, as amended from time to time.

10. Increments.- Increments shall not be drawn by the members of the service as a matter of course, but shall depend on the specific orders of the competent authority.

Part IV

DISCIPLINARY MATTERS

11. Where a member of the service is, in the opinion of the competent authority—

- (a) is guilty of misconduct; or
- (b) is corrupt, or of immoral character, or may reasonably be considered corrupt or of immoral character, or has a reputation of being corrupt or of immoral character; or
- (c) is engaged, or is reasonably suspected of being engaged in subversive activities, or is reasonably suspected of being associated with others engaged in subversive activities, and whose retention in service is in the circumstances, considered prejudicial to national security; or
- (d) is engaged in sectarianism, or is reasonably suspected to be associated with others engaged in sectarian activities, likely to spread hatred among the various sects of Islam;

The competent authority may, subject to the provision of sub-rule (3) of rule 12 impose one or more of the penalties described in that Rule.

- 12.** (1) Following penalties may be imposed on a member of the service-
- (a) Censure;
 - (b) With-holding of one or more increments with or without cumulative effect, where the member of the service is in a time-scale;
 - (c) Removal from service; and
 - (d) Dismissal from service.

Explanation:— With-holding of increment for failure to pass any departmental examination or to successfully complete any course of training which may be prescribed by the Chief Administrator for the member of the service or any section thereof shall not be deemed a penalty under these rules.

(2) Removal does not, but dismissal does disqualify from future employment under the Auqaf Department.

(3) For misconduct (depending upon the severity of the case) any penalty specified in sub-rule (i) may be imposed and for corruption, immoral character, subversion or sectarianism the penalty to be imposed shall be as set out in clause (c) i or clause (d) of sub-rule (1).

13. Abandonment/Discontinuance of Service.- (1) No member of the service shall abandon or discontinue his service without first giving to the appointing authority one month's notice in writing of his intention to do so, in default of which he shall forfeit one month's pay.

(2) Notwithstanding anything contained in these rules, the appointing authority may dispense with the services of any member of the service by giving him one month's notice or one month's pay in lieu thereof.

14. Enquiry procedure.— (1) Where it is proposed to impose a penalty under these rules on a member of the service (hereinafter referred to as the accused person), the competent authority shall appoint an Inquiry Officer, who shall prepare a charge-sheet against him, and cause it to be served on him after obtaining the approval of the appointing authority.

(2) The accused person shall be given fourteen clear days within which to reply to the charge-sheet.

(3) The Inquiry Officer shall on receipt of a reply to the charge-sheet or if within the period specified in sub-rule (2) no reply has been received from the accused person, on the expiry of the said period, fix the date, time and venue for the inquiry, intimate the same to the accused person and the prosecution and defence witnesses, and hold an inquiry; and on completion of the inquiry, submit his report, alongwith all the record or the evidence and relevant documents, to the competent authority within fifteen days after the conclusion of the inquiry.

(4) Before imposing a penalty under the rules, the competent authority shall require the accused person in writing to show cause within seven days why the proposed penalty should not be imposed and if any cause is shown by the accused person within the said period, the competent authority shall consider the same before passing final orders.

(5) An appeal against an order passed by the District Khateeb under sub-rule (4) shall lie to the Zonal Khateeb and an appeal against the orders passed by the Zonal Khateeb under the said rule shall lie to the Provincial Khateeb.

(6) An accused person shall have a right to file a review petition to the Chief Administrator of Auqaf in respect of any original or appellate order passed by him within thirty days or the said order.

(7) The inquiry mentioned in sub-rule (3) may be held *in camera*, if in the opinion of the Inquiry Officer it is necessary to do so.

15. Suspension.— If considered expedient the Chief Administrator may suspend any member of the service pending an inquiry against him.

Part V

SERVICE AND CHARACTER RECORD

16. Service book.— A service book shall be maintained in respect of each member of the service, showing therein all incidents and particulars relating to his service, such as pay, leave, punishment, warnings, confirmation etc. The service book shall be maintained by the authorising specified by the Chief Administrator in this behalf.

17. Character roll.— The character roll of the members of the service shall be maintained in the form and in accordance with the rules prescribed by Government for its own servants.

Part VI

MISCELLANEOUS

18. Relaxation— Any of these rules may, for reasons to be recorded in writing, be relaxed in individual case if the Chief Administrator is satisfied that a strict application of the rule would cause undue hardship to the individual concerned.