

THE BALOCHISTAN ENQUIRIES AND ANTI-CORRUPTION
ESTABLISHMENT (BPS-16 AND ABOVE) SERVICE
RULES, 2016

Service Rules No. XXXVUH of 2016

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'THE BALOCHISTAN ENQUIRIES AND ANTI-CORRUPTION
ESTABLISHMENT (BPS-16 AND ABOVE) SERVICE

" These rules have been issued by the Services and General Administration Department, Government of Balochistan, vide its Notification No. SOR-II (22)76/2016-S&GAD/3630-79, dated 28" November, 2016; published in the Balochistan Gazette (Extraordinary) No. 178, dated 28" November, 2016.

RULES, 2016

NOTIFICATION

[28th November, 2016]

No. SOR-II (22)76/2016-S&GAD/3630-79. In exercise of powers conferred by Section 25 of the Balochistan Civil Servants Act, 1974¹, (Act No. IX of 1974) the Government of Balochistan is pleased to make the following rules regulating the recruitment to the Balochistan Enquiries and Anti-Corruption Establishment (BPS-16 and above) Service, and prescribing conditions of service for the persons appointed thereto, namely: —

THE BALOCHISTAN ENQUIRIES AND ANTI-CORRUPTION
ESTABLISHMENT (BPS-16 AND ABOVE) SERVICE
RULES, 2016

Service Rules No. XXXVIH_ of 2016

PART I— GENERAL

1. Short title and commencement.— (1) These rules may be called "the Balochistan Enquiries and Anti-Corruption Establishment (BPS-16 and above) Service Rules, 2016".

(2) They shall come into force at once.

2. Definitions. — (1) In these rules, unless there is anything repugnant in the subject

or context, —

(a) "Act" means the Balochistan Civil Servants Act, 1974² (Act No. IX of 1974);

(b) "Appendix" means the Appendix annexed to these rules;

(c) "Appointing Authority" means the appointing authority as specified in rule 4;

(d) "Board" means a Board of Intermediate and Secondary Education established by law in Pakistan or any other educational authority or institution declared by Government in consultation with Commission to be a Board for the purpose of these rules;

(e) "Basic Pay Scales (BPS)" means the Basic Pay Scale of a post as specified in column 2 of the Appendix and such other post in the Service as may be specified by the Government from time to time for the purpose of these rules;

(f) "Commission" means the Balochistan Public Service Commission³;

¹ Balochistan Act IX of 1974; passed by the Balochistan Assembly on 19th June, 1974; assented to by the Governor of Balochistan; and published in the Balochistan Gazette (Extraordinary) No. 41 dated 20th July, 1974.

³ Commission constituted under the Balochistan Public Service Commission Act, 1989 (Act II of 1989); published in the

Balochistan Gazette (Extraordinary) No. 88, dated 23" May, 1989; and earlier to that constituted under the Balochistan Ordinance II of 1978 (repealed) and the Balochistan Act IV of 1974 (repealed).

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(g) "Establishment" means the Enquiries and Anti-Corruption Establishment constituted under Section 3 of the Balochistan Enquiries and Anti-Corruption Act, 2010);

(h) "Government" means the Government of Balochistan;

(i) "Initial recruitment" means appointment made otherwise than by promotion or transfer from another Service/ Department/Post;

(Gj) "Post" means a post specified in column 2 of the Appendix and such other post in the Service as may be specified by the Government from time to time for the purpose of these rules;

(k) "Provincial Selection Board" means a Board constituted by Government under rule 6-A of the Balochistan Civil Servants (Appointment, Promotion and Transfer) Rules, 20097;

(1) "Recognized Institute" means any institute established by law in Pakistan or any other Institute declared by the Government in consultation with the Commission to be a recognized Institute for the purpose of these rules;

(m) "Recognized University" means any University established by law in Pakistan or any other University declared by the Government in consultation with the Commission to be a recognized University for the purpose of these rules;

(n) "Rules" means the Balochistan Enquiries and Anti-Corruption Establishment (BPS-16 and above) Service Rules, 2016;

(o) "Service" means the Balochistan Enquiries and Anti-Corruption Establishment (BPS-16 and above) Service; and

(p) "Subordinate Service" means the Balochistan Anti-Corruption Establishment Ministerial Subordinate (BPS-1 to 15) Service®.

(2) Words and expressions used but not defined herein above sub-rule (1), unless the context otherwise requires, shall have the same meanings as assigned to them in the Act.

PART II— RECRUITMENT

3. Eligibility and Composition of the Service. — (1) No person who is married to a foreign national shall be eligible for appointment to the Service.

(2) The restriction imposed hereinabove sub-rule (1), may be relaxed by Government in case of a person who is married or proposed to marry a foreign national of any country recognized by the Government of Pakistan.

(3) The Service shall comprise of the posts as specified in column 2 of the Appendix and such other posts as may be determined by Government from time to time.

That is Balochistan Act XII of 2010; published in Balochistan Gazette (Extraordinary) No. 98, dated 18" October, 2010.

Rules issued by the Services and General Administration Department, Government of Balochistan, vide its Notification No. SORI-5(13)1/S&GAD/2007/1857-1956, dated 27" October, 2009; and published in the Balochistan Gazette (Extraordinary) No. 165, dated 27" October, 2009.

For Service Rule see Service Rules No. XV of 2016 issued by the Services and General Administration Department vide its Notification No. SOR-II(22)1/2016-S&GAD/2408-57, dated 4" November, 2016; published in Balochistan Gazette Extraordinary No. 144 dated 4° November, 2016.

4. Appointing Authority. — Appointment to the posts in the Service shall be made by the appointing authority as specified in rule 4 of the Balochistan Civil Servants (Appointment, Promotion and Transfer) Rules, 2009!.

5. Method of Recruitment.— (1) The appointment to the posts and Basic Pay Scales of the post in the Service shall be as specified in column 4 of the Appendix.

(2) All the posts for initial recruitment shall be filled from amongst the candidates domiciled/local of Balochistan.

6. Age. —No person, who is less than 18 years or more than 28 years of age shall be appointed to the Service by initial recruitment:

Provided that only the upper age limit may be relaxed in terms of rules 3 and 4 of the Balochistan Government Initial Appointment to Civil Service Posts (Age and Relaxation of Upper Age Limit), Rules, 20127.

7. Qualification. — (1) No person shall be appointed to a post and Basic Pay Scale in Service by Initial recruitment, unless he possesses the qualifications prescribed for the post in column 3 of the Appendix.

(2) No person, not already in Government Service, shall be appointed to the Service unless he produces a certificate of character from the Principal/Academic Officer of the academic institution last attended and also certificates of character from two other responsible persons/gazetted officers, not being his relatives and who are well acquainted with his character and antecedents.

(3) No person shall be appointed by initial recruitment to the Service unless he is declared to be physically fit by the Medical Board constituted by the Government for the

purpose.

PART II — CONDITIONS OF SERVICE

8. Probation.— A person appointed to a post in the Service on regular basis shall remain on probation for a period as prescribed in rule 2-A of the Balochistan Civil Servants (Confirmation) Rules, 2012.

9. Confirmation. — After satisfactory completion of the probationary period, a civil servant appointed on probation under rule 8, provided that he holds a substantive post, shall be eligible for confirmation in service or a post or a Basic Pay Scale as prescribed in rule 20 of the Balochistan Civil Servants (Appointment, Promotion and Transfer) Rules, 20094 and in rule 3 of the Balochistan Civil Servants (Confirmation) Rules, 2012!.

10. Seniority. — (1) The inter se seniority of the members of the Service appointed to the posts in the same Basic Pay Scale shall be determined as prescribed in rule 21

Rules issued by the Services and General Administration Department, Government of Balochistan, vide its Notification No. SORI-5(13)1/S&GAD/2007/1857-1956, dated 27" October, 2009; and published in the Balochistan Gazette (Extraordinary) No. 165, dated 27" October, 2009.

Rules issued by the Services and General Administration Department, Government of Balochistan, vide its Notification No. S.O.

(R-D 3 (12)/2013-S&GAD/808-907, dated 25" February, 2013; and published in the Balochistan Gazette (Extraordinary) No. 35, dated 25" February, 2013.

Rules issued by the Services and General Administration Department, Government of Balochistan, vide its Notification No. S.O. (R-1)1(16)/2012-S&GAD/961-1060, dated 16" April, 2012; and published in the Balochistan Gazette (Extraordinary) No. 29, dated 16" April, 2012.

Rules issued by the Services and General Administration Department, Government of Balochistan, vide its Notification No. SORI-5(13)1/S&GAD/2007/1857-1956, dated 27" October, 2009; and published in the Balochistan Gazette (Extraordinary) No. 165, dated 27" October, 2009.

of the Balochistan Civil Servants (Appointment, Promotion and Transfer) Rules, 2009? and in the Balochistan Civil Servants (Seniority) Rules, 2008'.

11. Liability to Transfer and Serve.— The members of the Service shall be liable to

(a) transfer anywhere in Balochistan; and

(b) to serve in any department of Government or any local authority or statutory

body setup or established by Government:

Provided that where a member of the Service is required to serve in a post outside his Service or cadre, his terms and conditions of service as to his pay shall not be less favourable than those to which he would have been entitled, if he has not been so required to serve.

12. General Rules. — In all matters not expressly provided for in these rules, members of the Service shall be governed by such rules as have been or may hereafter be prescribed by the Government and made applicable to them.

13. Relaxation. — Any provision of these rules, for reasons to be recorded in writing, may be relaxed in individual cases, if Government is satisfied that a strict application of the rules would cause undue hardship to the individual concerned:

Provided that wherever such relaxation involves a question on which consultation with the Commission is mandatory, the Commission shall be consulted before the relaxation is made.

14. Delegation. — The Government may delegate all or any of its powers under these rules, to any officer subordinate to it.

15. Repeal. — The Balochistan Enquiries and Anti-Corruption Establishment (BPS-16 and above) Service Rules, 2011, are hereby repealed.

BY ORDER OF
GOVERNOR BALOCHISTAN

CHIEF SECRETARY
GOVERNMENT OF BALOCHISTAN

(See Appendix on next page)

1 Rules issued by the Services and General Administration Department, Government of Balochistan, vide its Notification

No.SORI.1(17)S&GAD/2007/929-1030 dated 25th August, 2008; and published in the Balochistan Gazette (Extraordinary) No. 222, dated 25th August, 2008.

? These rules were issued by the Services and General Administration Department, Government of Balochistan, vide its Notification No. SO(R-II)(22)76/2011-S&GAD/3869-39, dated 17th November, 2011. Now repealed by R. 15.

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Nomenclature and
basic pay scale (BPS)

of the Post

Director,

(BPS-19).

Deputy Director
(Investigation),

(BPS-18).

Deputy Director
(General),
(BPS-18).

Assistant Director
(Admn),
(BPS-17).

Assistant Director
(Technical),

(BPS-17).

Assistant Director
(Legal),

(BPS-17).

APPENDIX

{See rule 2 (1) (b) 3 (3), 5 & 7(DkL

Minimum qualification for
initial recruitment

Method of recruitment

By _ posting/transfer from
amongst the members of the
BCS and BSS.

By _ posting/transfer from
amongst the members of the
BCS and BSS.

By _ posting/transfer from
amongst the members of the
BCS and BSS.

By promotion from amongst the members of the Service holding the post of Superintendent (BPS-17) having at least three (3) years service as such, on seniority cum fitness basis.

By transfer from amongst the SDO (BPS-17) members of the Service of C&W, PHE, I&P and Local Government Department having the Degree in (Civil Engineering) from a recognized University.

By promotion from amongst the members of the Service holding the post of Prosecuting Inspector (BPS-16) having at least three (3) years service as such, on seniority cum fitness basis.

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Assistant Director
(Investigation),

(BPS-17).

Superintendent,

(BPS-17).

Investigation Officer,

(BPS-16).

Bachelor's Degree at least in
Second Division from a
recognized University;

preference will be given to
the person having
qualification of LL.B/
Criminology/Criminal

Investigation.

By promotion from amongst
the members of the Service
holding the post of
Investigation Officer (BPS-
16) having at least three (3)
years service as such, on
seniority cum fitness basis.

75% by promotion from
amongst the members
of the Service holding
the post of Assistant
(BPS-16) having at
least three (3) years'
service as such, on
seniority cum fitness
basis; and

25% by promotion from
amongst the members
of the Ministerial
Service holding the post
of Stenographer (BPS-
14) having at least three
(3) years' service as
such, on seniority cum
fitness basis.

(a) 20% by transfer from amongst the officers of the equivalent grade/rank of the Service of Police/Levies and FIA Department, possessing the Bachelor's Degree at least in Second Division from a recognized University;

30% by promotion from amongst the members of the Miunisterial Service holding the post of Assistant Investigation Officer (BPS-14) having at least three (3

service as such, on
seniority cum fitness
basis; and

50% by initial
recruitment.

Prosecuting Inspector, | Bachelor's Degree at least in 50% by transfer from
(BPS-16). Second Division in Law amongst the members
(LL.B) from a recognized of the equivalent grade
University; of the Services of Law/
Prosecution and Police

Department; and

50% by initial
recruitment.

Assistant, Bachelor's Degree 50% by promotion from

(BPS-16). from a_ recognized amongst the members

University; and of the Ministerial
Service holding the post
of Senior Clerk (BPS-
14) having at least three
(3) years' service as
such, on seniority cum

fitness basis; and

having at least three
months office
Automation Certificate
in computer operations
from a_ recognized
Institute.

50% by initial

recruitment.