

BALOCHISTAN EXCISE AND TAXATION DEPARTMENT

(GRADE 16 AND ABOVE)
SERVICE RULES, 1983

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"BALOCHISTAN? EXCISE AND TAXATION DEPARTMENT
(GRADE 16 AND ABOVE)

SERVICE RULES, 1983

NOTIFICATION

[28" March, 1983]

No. SOR (2)/96/S&GAD/-79 — In Exercise of the powers conferred by Section 25 of the Balochistan Civil Servants Act, 1974? (IX of 1974), the Government of Balochistan is pleased to make the following rule, regulating recruitment to the Balochistan Excise and Taxation Department (Grade 16 and above) Service and prescribing conditions of service for the persons appointed thereto, namely:-

PARTI — GENERAL

1. Short title and commencement.— (1) These rules may be called the Balochistan Excise and Taxation Department (Grade 16 and above) Service Rules, 1983.

(2)

They shall come into force at once.

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)
(b)
(c)
(d)
(e)

(f)

(g)

"Appendix" means the Appendix to these rules;

"Appointing Authority" means the authority specified in rule 4;

"Commission" means the Balochistan Public Service Commission;

"Government" means the Government of Balochistan;

"Initial Recruitment" means appointment made otherwise than by promotion or transfer from another Service/ Department/ Posts;

"Post" means a post specified in column 2 of the Appendix or such other posts in the Department as may be specified by Government from time to time;

"Recognized University" means any University incorporated by Law in Pakistan or any other University declared by Government in consultation with the Commission to be recognized University for the purposes of these rules;

These rules have been issued by the Services and General Administration Department, Government of Balochistan, vide its n

S.O. R(2)96/S&GAD-79, dated 28" March, 1983; and published in the Balochistan Gazette (Extraordinary) No. 76 , dated 28" I

Spelling of the word "Baluchistan", wherever it appears in these rules, is corrected by insertion of letter "o" instead of "u"; as per

Government of Balochistan, S&GAD's Notification No. SORI (4) 6/ S&GAD-89, dated 18" June, 1989.

Balochistan Act IX of 1974; passed by the Provincial Assembly of Balochistan on 19" July, 1974; and published in the Balochis

(Extraordinary) No. 41, dated 20" July, 1974.

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(h) "Service" means the Balochistan Excise and Taxation Department (Grade 16 and above)

Service.

PART IT— RECRUITMENT

3. Eligibility and Composition of Service.— (1) No person who is married to assign

national shall be eligible for appointment to the Service.

(2) The restriction imposed by sub-rule (1) above may be relaxed by Government in the case of a person who is married to a citizen of India.

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

4. Appointing Authority. Appointments to the posts shall be made by the Government.

5. Method of Recruitment.— | Appointments to the posts shall be made in the manner described in the Appendix.

6. Age. (1) No persons who is less than Twenty one years or more than thirty years of age,

shall be appointed to a post in the Service by initial recruitment; provided that—

(i) for upper age limit for appointment to the Service by initial recruitment in case of candidates from schedule castes or under developed areas, shall be relaxed for three years up to 31.12.1984, according to the Government of Balochistan, Notification No. 8.111-27 (127)/ S&GAD-74, dated 8.12.1979.

(11) in the case of a person whose services under the Government have been Terminated for want of a vacancy, the period of service already rendered by him shall, for the purposes of the upper age under this rule, be excluded from his age.

(2) For the purpose of this rule, age shall be reckoned—

(i) where recruitment is to be made on the basis of a written examination as on the 1st of January the year in which the examination is proposed to be held; and

(11) in other cases, as on the last date fixed for submission of applications for appointment.

7. Qualification.— (1) No person shall be appointed to a post in the Service by initial

recruitment unless he possesses the qualification prescribed for the post in Column 3 of the appendix.

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

(3) No person shall be appointed by initial recruitment to the Service unless he is declared to be physically fit by a Government Medical Officer not below the rank of a District Health Officer.

PARTI CONDITIONS OF SERVICE

8. Probation. (1) A person appointed to the Service against a substantive vacancy, shall remain on probation for a period of two years if appointed by initial recruitment, and for a period of one year, if appointed otherwise.

Explanation. Officiating service and service spent on deputation to a corresponding or a higher post may be allowed to count towards the period of probation.

(2) If the conduct of a member of the Service during the period of probation has, in the opinion of the appointing authority not been satisfactory the appointing authority may, notwithstanding that the period of probation has not expired, dispense with his services, if he has been appointed by initial recruitment, and if he has been appointed otherwise, revert him to his former post, or if there be no such post, dispense with his services,

(3) On completion of the period of probation of a member of the Service the appointing authority may, subject to the provisions of sub-rule (4), confirm him in his appointing or if his work or conduct has, in the opinion of such authority, not been satisfactory:—

(a) in case he has been appointed by initial recruitment, dispense with his services;

or

(b) in case of he has been appointed otherwise, revert him to his former posts, and if

there be no such post, dispense with his services;

(c) extend the period of probation by a period not exceeding two years in all, and during or on the expiry of such period pass such orders as it could have passed during or on the expiry of the initial probationary period.

Explanation- I. If no orders have been made by the day on which the maximum period of probation expires, the probationer shall be deemed to have been confirmed in his appointment from the date on which he was appointed to the post subject to provisions of sub-section (5) of Section 7 of the Balochistan Civil Servants Act, 1974).

(4) No person shall be confirmed in the Service unless he successfully completes training and passes such departmental examinations as may be prescribed by Government from time to time.

(5) If a member of the Service whether appointed against a substantive vacancy or otherwise fails to complete successfully any training or pass any departmental examination under sub-rules (4), within such period or in such number of attempts as may be prescribed by Government, the appointing authority may:—

(a) in case he has been appointed by initial recruitment, dispense with his services;

or

(b) in case he has been appointed otherwise, revert him to his former post, and if

there be no such post, dispense with his services.

9. Seniority— (1) The inter-se seniority of the member of the Service in the various grades there of shall be determined—

Balochistan Act IX of 1974; passed by the Provincial Assembly of Balochistan on 19th July, 1974; and published in the Balochi (Extraordinary) No. 41, dated 20th July, 1974.

(a) in case of members appointed by initial recruitment, in accordance with the order of merit assigned by the Commission; provided that members selected for the Service in an earlier selection shall rank senior to the members selected in later selection; and

(b) in the case of members appointed otherwise with reference to the dates of their continuous appointment therein; provided that if the date of continuous appointment in the case of two or more members of the Service is the same, the older officer, if not junior to the younger officers or officers in the next below grade shall rank senior to the younger officer or officers.

Explanation- I. If a junior officer in a lower grade is promoted to a higher grade temporarily in the public interest, even though continuing later permanently in the higher grade, it would not adversely affect the interest of his seniors in the fixation of his seniority in the higher grade.

Explanation- II, If a junior officer in a lower grade is promoted to a higher grade by superseding a senior officer and subsequently that officer is also promoted, the officer promoted first shall rank senior to the officer promoted subsequently.

Explanation- II. A junior officer appointed to a higher grade shall be deemed to have superseded a senior officer only if both the junior and senior officers were considered for a higher grade and the junior officer was appointed in preference to the senior officer.

(2) The Seniority in the various grades of the Service of the members appointed by initial recruitment vis-a-vis those appointed otherwise shall be determined.

(a) in case both the officer appointed by initial recruitment and the officer appointed otherwise, have been appointed against substantive vacancies, or both have been appointed against temporary vacancies, with reference to the date of appointment to such vacancy in the case of the officer appointed by initial recruitment and to the date of continuous appointment against such vacancy in the case of the officer appointed otherwise; provided that if the two dates are the same; the officers appointed otherwise shall rank senior to the officer appointed by initial recruitment;

(b) in case the officer appointed by initial recruitment has been appointed against a substantive vacancy and the officer appointed otherwise has been appointed against a temporary vacancy, to the officer appointed by initial recruitment shall rank senior to the officer appointed otherwise; and

(c) in case the officer appointed otherwise is appointed against a substantive vacancy and the officer appointed by initial recruitment is appointed against a temporary vacancy, to the officer appointed otherwise shall rank senior to the officer appointed by initial recruitment.

10. Liability to transfer and serve. — Members of the Service shall be liable to:-

(a) transfer any where in Balochistan; and

(b) serve in any department of Government or any local authority or statutory body set up 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 be less favourable than those to which he would have been entitled if he had not been so required to serve.

11. 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 thereafter be prescribed by Government and made applicable to them.

12. Relaxation. Any of these rules may for reasons to be recorded in writing be relaxed in individual cases, if Government is satisfied that a strict application of these rules would cause undue hardship to the individual concerned; Provided that shall be consulted where ever such relaxation involves a question on which consultation with the Commission mandatory, the commission before the relaxation is made.

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

14. Repeal.— The West Pakistan Excise and Taxation Service (Class-I) Rules, 1963, and West Pakistan Excise and Taxation (Service Class H) Rules, 1965 in their application to the Province of Balochistan are hereby repealed.

BY ORDER OF GOVERNOR
BALOCHISTAN

CHIEF SECRETARY
GOVERNMENT OF BALOCHISTAN

(See Appendix on next page)

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'APPENDIX

{See Rules 3 (3), 5 & 7 (1)}

Nomenclature of the | Minimum qualification Method of recruitment.
for initial recruitment

Director General, Excise By promotion from amongst the
and Taxation members of the Service holding the
post of Director, Excise and Taxation
(B-19) having at least five (05) years
service as such or 17 years service in
B-17 and above, on seniority cum

(B-20)

fitness basis. In case of non-
availability of such an officer, by
transfer from amongst suitable officer
belonging to DMG/ BSS/ BCS
cadre. |

Director, Excise and (a) 67% by promotion from amongst

Taxation the members of the Service

(B-19) holding the post of Senior Excise
and Taxation Officer (B-18)
having at least 12 years service in
B-17 and above, on seniority-
cum-fitness basis; and

33% by transfer from amongst
the Officers of BCS, BSS &
DMG (B-19).

Senior Excise and By promotion from amongst the
Taxation Officer members of the Service holding the

Substituted vide the Services and General Administration Department, Balochistan's notification No. SOR-II(2)5/S&GAD/387-
31 May, 2010, for the existing Appendix.

For the earlier Appendix and amendments made therein, See—

- i S&GAD notification No. SOR (2)/96/S&GAD/-79, dated 28" March, 1983.
- ii. S&GAD notification No. SOR-II(2)5/S&GAD/1094-1194, dated Quetta the 29th May, 2000.
- iii. S&GAD notification No. SOR-II(2)5/S&GAD/1094-1194, dated Quetta the 15" June, 2002.
- iv. S&GAD notification No. SOR-(2)5/S&GAD/1486-1586, dated 10the December, 2002.
- v. S&GAD notification No. SOR-II(2)5/S&GAD/2006/1341-90, dated 23"! September, 2006.
- vi. S&GAD notification No. SOR-II (2)5/S&GAD/71120-1180, dated 1st October, 2007.

Substituted vide the Services and General Administration Department, Balochistan's notification No. SOR-II(21)4/S&GAD/26-
January, 2011, for Sr. No. 1.

Excise and Taxation Master Degree (Second Officer Division) from a

(B-17) recognized University.

Accounts Officer M.Com/M.B.A with

(B-17) Second Division from a

recognized University.

Superintendent

(B-16)

post of Excise and Taxation Officer

(B-17) having five years service as such, on seniority-cum-fitness basis.

(a) 20% by initial recruitment;

(b) 65% by promotion from amongst the members of the Service holding the post of Assistant Excise and Taxation Officer (B-16) having three years service as such, on seniority-cum-fitness basis; and

15% by promotion from amongst the members of the Service holding the post of Superintendent (B-16) with at least 3 years service as such, on seniority-cum-fitness basis.

50% by promotion from amongst the members of Service holding the post of Superintendent (B-16) having at least three 3 years service as such, on seniority-cum-fitness basis; and

50% by initial recruitment or by deputation from other Government Departments.

70% by promotion from amongst the members of the subordinate Service holding the post of Assistant (B-14) having five years service as such, on seniority-cum-fitness basis; and

30% by promotion from amongst the members of the subordinate Service holding the post of Junior Scale Stenographers (B-12) having five years service as such, on seniority-cum-fitness basis.

(a) 25% by initial recruitment; and

Taxation Officer Division) from a (b) 75% by promotion from amongst recognized University. the members of the Service

(B-16) ; ,
holding the post of Excise and

Taxation Inspector (B-14) having

five years service as such, on seniority-cum-fitness basis.

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