

RULES

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THE BALOCHISTAN FINANCE DEPARTMENT (ACCOUNTS CELL) (B-16 AND ABOVE) SERVICE RULES, 2012

CONTENTS

Preamble.

PART I— GENERAL

Short title and commencement.

Definitions.

PART II— RECRUITMENT

Eligibility and Composition of the Service.
Appointing Authority.

Method of Recruitment.

Age.

Qualifications.

PART II — CONDITIONS OF SERVICE

Probation.

Seniority.

Liability to Transfer and Serve.
General Rules.

Relaxation.

Delegation.

Appendix.

THE BALOCHISTAN FINANCE DEPARTMENT
(ACCOUNTS CELL) (B-16 AND ABOVE) SERVICE

RULES, 2012

NOTIFICATION

[29th March, 2012]

NO. S.O (R-ID (5)9/2012-S&GAD /486-535. In exercise of the powers conferred by Section 25 of the Balochistan Civil Servant Act, 1974? (Act No. IX of 1974), the Government of Balochistan is pleased to make the following rules regulating the recruitment to the Balochistan Finance Department, (Accounts Cell) (B-16 and above) Service, and prescribing conditions of services for the persons appointed thereto, namely: —

PART I— GENERAL

1. Short title and commencement. (1) These rules may be called “the Balochistan Finance Department, (Accounts Cell) (B-16 and above) Service Rules, 2012”.

(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, 1974? (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) “Commission” means the Balochistan Public Commission?;

(e) “Department” means the Balochistan Finance Department;

(f) “Government” means the Government of Balochistan;

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

(h) “Post” means a post specified in column 2 of the Appendix and such other post in the Service, as may be sanctioned by the Government from time to time;

These Rules have been made by the Government of Balochistan, Services and General Administration Department, vide its Notification No. S.O (R-ID(5)9/2012-S&GAD/486-535, dated 29th March, 2012; and published in the Balochistan Gazette (extraordinary) No. 17, dated 29th March, 2012.

That is Balochistan Act [IX of 1974; passed by the Provincial Assembly of Balochistan 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 Baloc

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No. 88, dated 23" May, 1989; and earlier to that constituted under the Balochistan Ordinance II of 1974 (repealed) and the Balochistan Act IV of 1974 (repealed).

(i) "recognized Institute" means any institute incorporated 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;

(Gj) "recognized University" means any university incorporated by law in Pakistan or any other university declared by the Government in consultation with Commission to be a recognized University for the purpose of these Rules;

(k) "Rules" means Balochistan Finance Department, (Accounts Cell) (B-16 and above) Service Rules, 2012; and

(1) "Service" means the Balochistan Finance Department, (Accounts Cell) (B-16 and above) Service;

(2) Words and expression used but not defined herein above sub-section (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 herein above by sub-rule (1), may be relaxed by the Government in case of a person who is married or proposed to marry a foreign national of any country recognized by Federal 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.

4. Appointing Authority — Appointment to the posts as 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 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 candidate domicile/local in any part of Balochistan.

6. Age.— (1) No person, who is less than eighteen (18) years or more than thirty (30) years of age shall be appointed to the Service by initial recruitment: Provided that—

(i) in the case of a person who is already in Government Service, the upper age limit shall be 35 years; and
(11) in case of a person whose services under the Government have

been terminated for want of a vacancy, the period of service

Rules issued by the Services and General Administration Department, Government of Balochistan; and published in the Balochistan Gazette (Extraordinary) No. 165, dated 27" October, 2009.

already rendered by him shall, for the purpose of upper age limit under this rule be excluded from his age.

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

(a) where recruitment is to be made on the basis of written examination, as on the first January of the years in which the examination is proposed to be held; and

(b) in all other cases, as on the last date fixed for submission of application

for appointment.

7. Qualifications.— (1) No person shall be appointed to a post in the 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 or a Government Medical Officer not below the rank of District Health Officer, as the case may be.

PART II — CONDITION 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 higher post may be allowed to count towards the period of probation.

(2) If the work or conduct of any member of the Service during the period of probation has, in the opinion of appointing authority, not been satisfactory, the appointing authority may notwithstanding that the period of a probation has not expired, dispense with his service 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 the completion of the period of probation of a member of the service, the appointing authority may, subject to the provisions of sub-rule (4), either confirm him in his appointment, 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 service; 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 service; or

(c) extend the period of probation by a period not exceeding two years in all during or on the expiry of such period 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 following completion of the initial probationary period, the period of probation shall be deemed to have been extended.

Explanation— II. 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 section 7, sub-section (5) of the Act.

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

(5) If a member of the Service whether appointed by initial recruitment or otherwise, fails to complete successfully any training or pass any departmental examination as mentioned hereabove in sub-rule (4), within such period or in such number of attempts as may be prescribed by the Government, the appointing authority may—

(a) in case he has been appointed by initial recruitment, dispense with his service; 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 members of the Service appointed to posts in same grade shall be determined,—

(a) in the case of members appointed by initial recruitment, in accordance with the order of merit, assigned by the Selection Authority:

Provided that, members selected for appointments to the service and grade in an earlier selection shall rank senior to the members selected in a later selection; and

(b) in the case of members appointed otherwise, with reference to the dates of their continuous appointment in the grade:

Provided that if the date of continuous appointed in the case of two or more members of the service appointed to grade is the same, the older officer, if not junior to the younger officer in the next below shall rank senior to the younger officer.

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 to the fixation of his seniority in higher grade.

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

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

(2) The seniority in the various grade of the Service of the members thereof appointed by initial recruitment vis-a-vis those appointed otherwise shall be determined—

(a) in case both officers 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 an officer appointed by initial recruitment and to the date of continuous appointment against such vacancies in the case of an officer appointed otherwise:

Provided that if the two dates are the same the officer 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, 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 regular vacancy and the officer appointed by initial recruitment is appointed against a temporary vacancy, the officer appointed otherwise shall rank senior to the officer appointed by initial recruitment.

10. Liability to Transfer and Serve |— The member 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 favorable than those to which he would have been entitled, if he has not been so required to serve.

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

12. Relaxation.— Any 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 these 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.

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

any officer subordinate to it.

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BY ORDER OF
GOVERNOR BALOCHISTAN

CHIEF SECRETARY
GOVERNMENT OF BALOCHISTAN

(See Appendix on next page)

Nomenclature and
basic pay scale
(BPS) of the post

Chief Accounts
officer

(BPS-18)

Accounts Officer
(BPS-17)

APPENDIX

Minimum qualification
for initial recruitment

MBA (Major in Finance)
or M. Com from a
recognized University with
at least five (5) years
experience in the relevant
field against a responsible
post.

MBA (Major in Finance)
or M. Com _§ from
recognized University with
two years experience in the
relevant field.

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

Method of recruitment

(a) 25% by initial recruitment; and

(b) 75% by promotion:

(i)

from amongst the
members of the Service
holding the post of
Accounts Officer (BPS-
17) having at least five
years service and such, on
seniority cum fitness
basis; and

if no Accounts officer
(BPS-17) is available then
by transfer from amongst

the BPS-18 employees of
the Treasury
Establishment of the
Finance Department
having at least three years
experience in dealing with
subjects such as ways and
means, Foreign Loans,
Provincial Taxes, Civil
Accounts, State Trading
Scheme, NFC Awards.

(a) 50% by initial recruitment; and

50% by transfer from amongst
the BPS-17 Officers of the
Treasury Establishment of the
Finance Department having at
least three years experience
with minimum qualification of
M. A. and having passed the

Treasury/

Accounts

Departmental Examination.