

THE BALOCHISTAN PUBLIC HEALTH ENGINEERING DEPARTMENT
(NON-ENGINEERING) (BPS-16 AND ABOVE)
SERVICE RULES, 2010

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'THE BALOCHISTAN PUBLIC HEALTH ENGINEERING

" These rules have been issued by the Services and General Administration Department, Government of Balochistan, vide its No. SOR-II (20)7/S&GAD/2009/492-540, dated 14 April, 2010; and published in the Balochistan Gazette (Extraordinary) No. 4 14 April, 2010.

DEPARTMENT (NON-ENGINEERING) (BPS-16 AND ABOVE)
SERVICE RULES, 2010

NOTIFICATION

[14" April, 2010]

No. SOR-II (20)7/S&GAD/2009/492-540. In exercise of the powers conferred by Section 25 of the Balochistan Civil Servants Act, 1974! (Act IX of 1974), the Government of Balochistan is pleased to make the following rules regulating the recruitment to the Balochistan Public Health Engineering Department (Non-Engineering) (B-16 and above) Service and prescribe conditions of service for the persons appointed thereto, namely: —

PART I— GENERAL

1. Short title and commencement.— (1) These rules may be called the Balochistan Public Health Engineering Department (Non-Engineering) (BPS-16 and above) Service Rules, 2010.

(2) They shall come into force at once.

2. Definitions.— In these rules, unless there is anything repugnant in the subject or context;

(a) "Appendix" means the Appendix to these rules;

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

(c) "Commission" means the Balochistan Public Service Commission';

(d) "Department" means the Balochistan Public Health Engineering Department;

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

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

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

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

(i) "Scheduled Castes" means the castes, races or tribes and parts or groups within castes, races or tribes declared to be scheduled castes, under any law in force in Pakistan or as declared by Government for purposes of these rules;

(Gj) "Service" means the Balochistan Public Health Engineering Department (Non-Engineering) (BPS-16 and above) Service;

1 That is Balochistan Act IX of 1974; passed by the Provincial Assembly of Balochistan on 19" June, 1974; assented to by the

Governor of Balochistan; and published in the Balochistan Gazette (Extraordinary) No. 41 dated 20" July, 1974.

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

(k) "Selection Board" means the Selection Board constituted by Government for appointments to the posts of various categories which are to be filled other than through Commission; and

(1) "Selection Committee" means the Departmental Selection Committee constituted under rule 5 of the Balochistan Civil Servants (Appointment, Promotion and Transfer) Rules, 2009", for the purpose of these rules.

PART II— RECRUITMENT

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

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

(3) The service shall comprise 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. The authorities competent to make appointments to the various posts of the Service shall be as specified in rule 4 of the Balochistan Civil Servants (Appointment, Promotion and Transfer) Rules, 2009!.

5. Method of Recruitment. _—_(1) Appointment to the Service shall be made as specified in the Appendix.

(2) Vacancies in the posts shall be filled from amongst the candidates domiciled in any part of Balochistan.

6. Age.— (1) No person, who is less than twenty one years or more than thirty years of age provided that:

(a) In the case of a person who is already in government service with at least two years standing as such, the upper age limit shall be thirty five years:

(b) In case of a person whose Service under the Government have been terminated for want of a vacancy, the period of service already rendered by him shall, for the purpose of the upper age limit under this rule be excluded from his age; and

(c) For upper age limit for appointment to the Service by initial recruitment in case of candidates from schedules castes or under developed areas, age shall be relaxed as per policy of the Government issued from time to time.

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

(a) Where the recruitment is to be made on the basis of a written examination, as on the 1% January of the year 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.

Gazette (Extraordinary) No. 165, dated 27" October, 2009.

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7. Qualification.— (1) No person shall be appointed to a post 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 the Service unless he produces a certificate of character from the Principal 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 physical fit by a Government Medical Officer not below the rank of District Health Officer or Medical Board constituted by Government for the purpose as the case may be.

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

(2) If the work or conduct of a 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 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), 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 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; or

(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 following the 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 the provisions of sub-section (5) of section 7 of the Balochistan Civil Servant Act, 1974".

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

(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 fails to complete successfully any training or pass any departmental examination prescribed under sub-rule (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 service; and
- (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 in various grades there of shall be determined: —

(a) in the case of persons appointed by initial recruitment in accordance with the order of merit assigned by the Commission; if the appointment is made on the recommendation of the Commission and in other cases in accordance with the order of merit, assigned by the appointing authority;

Provided that persons selected for the Service in an earlier selection shall rank senior to the persons selected in a 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 persons of the Service is the same, the older officer if not junior to the younger officer or officers in the next below grade, shall rank senior to the younger officer or officers.

Explanation—I. If a junior officer in the 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 fixation of his seniority in higher grade.

Explanation— II. If a junior officer in the lower grade 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— IIT. (1) 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 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 thereof appointed by initial recruitment vis-a-vis those appointed otherwise shall be determined as under: —

(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 case of an officer appointed by initial recruitment and to the date of continuous appointment against such vacancies

in the case of the officer appointed otherwise;

Provided that if the two dates are the same the officer appointed otherwise, shall rank senior to 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 substantive 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.— Members of the service shall be liable to:

- (a) transfer anywhere in Balochistan; and
- (b) 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 the Service shall be governed by such rules as have been or may thereafter be prescribed by the Government, and made applicable to them.

12. Relaxation. Any of these rules, 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 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.

BY ORDER OF
GOVERNOR BALOCHISTAN

CHIEF SECRETARY
BALOCHISTAN

(See Appendix on next page)

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

Nomenclature of the
posts with grade

Minimum qualification for
initial recruitment

Deputy
Finance

(BPS-18).

Deputy Director

(Admn.)
(BPS-18).

Deputy Director

(Claim)
(BPS-18).

Assistant Director
Management
Information System

(B-17)

M.C:S or equivalent Degree
from a recognized University

Assistant Director i) BA. LLB from
Claim recognized —_ University:
(B-17) and
three years experience as
an Advocate

Method of recruitment

By promotion from amongst the
members of the Service holding
the post of Accounts Officer (BPS-
17) and Audit Officer (BPS-17)
having at least (5) five years
service as such, on seniority cum
fitness basis.]

By promotion from amongst the
members of the Service holding
the post of Administrative Officer
(BPS-17) having at least five (5)
years service as such, on seniority
cum fitness basis.

By promotion from amongst the
members of the Service holding

the post of Assistant Director
(Claim) (BPS-17) having at least
five (5) years service as such, on
seniority cum fitness basis.]

By initial recruitment.

a | By initial recruitment.

Community Relation By promotion from amongst the

Officer members of the Service holding

(B-17) the post of | Community
Development Officer (B-16)
having at least five years service as
such on ___ seniority-cum-fitness
basis.

5. Administrative Officer By promotion from amongst the
(B-17 member of the Service holding the

1 Substituted by the Government of Balochistan, Services and General Administration Department, vide its notification No. S.O (20)7/2013-S&GAD/1382-1431, dated 22TM August, 2013; published in the Balochistan Gazette (Extraordinary) No. 95, dated 2013, for the entries at S. No. 1.

2 New entries S. No. 1-A and 1-B inserted, *ibid*.

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Accounts Officer Master's Degree (Second

Division) in Commerce or
(BPS-17) Business Administration, from
a recognized University.

Computer Programmer | 2TM Class Master's Degree in

(B-17) Computer Science or
equivalent qualification from a
recognized University.

Audit Officer Master's Degree (Second

Division) in Commerce or
Business Administration, from
a recognized University.

(BPS-17).

Private Secretary

(BPS-16).

Computer Operator 24 Class Bachelor's Degree
with Computer Science from a

(B-16) . oer
recognized University.

3

post of Superintendent (B-16)
having at least five years service as
such, on _ seniority-cum-fitness
basis.

(3) 25% by initial recruitment;
and

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

50% by initial recruitment;
and

50% by promotion from
amongst the members of the
Service holding the post of

Computer Operator (B-16)
having at least five years
service as such, on seniority-
cum-fitness basis.

50% by initial recruitment;
and

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

By promotion from amongst the
members of the Service holding
the posts of Personal Assistant
(BPS-15) and Senior Scale
Stenographer (BPS-15) having at
least three (3) years service as
such, on seniority cum fitness
basis.]

(7) 50% by initial recruitment;
and

Substituted by the Government of Balochistan, Services and General Administration Department, vide its notification No. S.O.

(20)7/2013-S&GAD/1382-1431, dated 22TM August, 2013; published in the Balochistan Gazette (Extraordinary) No. 95, dated

2013, for the entries at S. No. 6.

4 New entries S. No. 7-A and 7-B inserted, *ibid*.

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Planning Officer
(B-16)

Community
Development Officer

(B-16)

Superintendent
(B-16)

Master's Degree in Economics
or Statistics from a recognized
University

2nd4 Class Bachelor's Degree in
Sociology or Social Work
from a recognized University

(ii) 50% by promotion from
amongst the members of the
Service holding the post of
Assistant Computer Operators
(B-12) having at least five
years service as such, on
seniority-cum-fitness basis.

By initial recruitment.

(7) 50% by initial recruitment;
and

(ii) 50% by promotion from
amongst the members of the
subordinate Service holding
the post of Community
Development Worker (B-11)
having at least five years
service as such, on seniority-
cum-fitness basis.

By promotion from amongst the

members of the subordinate
Service having at least five years
service as such, on seniority-cum-
fitness basis as under: —

Circle Officer Cadre
(i) Head-Clerk

(11) Junior Scale
Stenographer

Head Officer/Zonal
Cadre

(i) Assistant

(11) Senior Scale
Stenographer