

THE BALOCHISTAN ADVOCATE GENERAL'S ESTABLISHMENT
(BPS-16 AND ABOVE) SERVICE
RULES, 2017

Service Rules No. XI of 2017

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THE BALOCHISTAN ADVOCATE GENERAL'S 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 (16)1/2017-S&GAD/573-623, dated 7" February, 2017; published in the Balochistan Gazette (Extraordinary) No. 32, dated 7" February, 2017.

RULES, 2017

NOTIFICATION

[7" February, 2017]

No. SOR-II (16)1/2017-S&GAD/573-623. In exercise of powers conferred by Section 25 of the Balochistan Civil Servants Act, 1974', (Act No. IX of 1974), the Government of Balochistan is pleased to make the following rules regulating the recruitment to the Balochistan Advocate General's Establishment (BPS-16 and above) Service, and prescribing conditions of service for the persons appointed thereto, namely: —

THE BALOCHISTAN ADVOCATE GENERAL'S ESTABLISHMENT
(BPS-16 AND ABOVE) SERVICE
RULES, 2017

Service Rules No. XI of 2017

PART I— GENERAL

1. Short title and commencement.— (1) These rules may be called "the Balochistan Advocate General's Establishment (BPS-16 and above) Service Rules, 2017".

(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) "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 Commission';

1 Balochistan Act IX of 1974; passed by the Balochistan Assembly 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); published in the

Balochistan Gazette (Extraordinary) No. 88, dated 23rd 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) "Department" means the Law and Parliamentary Affairs Department!
Government of Balochistan;

(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;

(l) "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 Advocate General's Establishment
(BPS-16 and above) Service Rules, 2017;

(o) "Service" means the Balochistan Advocate General's Establishment
(BPS-16 and above) Service; and

(p) "Subordinate Service" means the Balochistan Advocate General's
Ministerial (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.

Rules of Business, 2012, published in Balochistan Gazette (Extraordinary) No. 115, dated 14 December, 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 27th October, 2009; and published in the Balochistan Gazette (Extraordinary) No. 165, dated 27th October, 2009.

For service rules see Balochistan Service Rule No. X of 2017; published in the Balochistan Gazette (Extraordinary) No. 31, dated 7th January, 2017. Which repealed the earlier Service Rules issued by the Services and General Administration Department, Government of Balochistan, vide its Notification No. SOR(2)125/S&GAD, dated 19th July, 1982.

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, 2012!.

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 or a Government Medical Officer not below the rank of District Health Officer, as the case may be.

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, 2009° 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. S.C. (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. 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.

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 Advocate General's Establishment (B-16 & above) Service Rules, 19897, 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.SOR.I.1(17)S&GAD/2007/929-1030 dated 25th August, 2008; and published in the Balochistan Gazette (Extraordinary) No 222, dated 25" August, 2008.

? These rules were issued by the Services and General Administration Department, Government of Balochistan, vide its Notification No. SOR-II(2)97/S&GAD, dated 11" December, 1989. Now repealed by R.15.

APPENDIX

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

Nomenclature and Minimum qualification for Method of recruitment
basic pay scale initial recruitment
(BPS) of the Post

Senior Executive By promotion from amongst
Officer, the members of the Service
holding the post of
Executive Officer (BPS-17)/
Executive Officer Judicial
(BPS-17) having Degree in
Law from a_ recognized
University with at least five

(BPS-18).

(5) years' service, on
seniority cum fitness basis.

Executive Officer, Bachelor's Degree in Law | (a) 50% by promotion
(BPS-17). (LL.B) at least in Second from amongst the
Division from a members of the Service
recognized § University; holding the posts of
and Superintendent (BPS-
17) having LL.B
Degree from a
recognized University
with at least three (3)
years' Service as such,
on seniority cum fitness

Three (3) years'
experience as Prosecuting
Inspector or three (3)
years' practice at Bar.

basis. If no suitable
candidate is available
for promotion the post
shall be filled by initial
recruitment; and

50% by initial
recruitment.

Executive Officer | (a) Bachelor's Degree in Law 50% by promotion
Judicial, (LL.B) at least in Second from amongst the

Division from a members of the Service
recognized § University; holding the posts of

and Superintendent (BPS-

having L.L.B

(BPS-17).

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Executive Officer | (a)
Accounts,
(BPS-17).

Research Officer,
(BPS-17).

Three (3) years'
experience as Prosecuting
Inspector or three (3)
years' as an_ practicing
Lawyer.

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

Degree at least in Second
Division in Cost and
Management Accounting
(CMA) from a recognized
Institute of Cost and
Management Accounts of
Pakistan; or

ACCA qualification from
a recognized Association
of Chartered Certified
Accountants/ Institute; or

Bachelor's Degree at least
in Second Division in
Business Administration
from a recognized
University.

Bachelor's Degree in Law
(LL.B) at least in Second
Division from a
recognized § University;

and

Three (3) years'
experience as an
Advocate of High Court.

Degree from a
recognized University
with at least three (3)
years' Service as such,

on seniority cum fitness basis. If no suitable candidate is available for promotion the post shall be filled by initial recruitment; and

50% by initial recruitment.

50% by promotion from amongst the members of the Service holding the posts of Assistant Accounts Officer (BPS-16)

having at least three (3)

years' Service as such, on seniority cum fitness basis; and

50% by initial recruitment.

By initial recruitment.

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(BPS-17).

Private Secretary,

(BPS-17).

Superintendent,
(BPS-17).

Assistant Accounts
Officer,

(BPS-16).

Assistant Private
Secretary,

(BPS-16).

Computer
Operator,

(BPS-16).

Bachelor's Degree at least in

Second Division in Computer
Science or in IT or equivalent

qualification in the relevant
subject from a
University.

recognized

the members of the Service
holding the post of Librarian
(BPS-14) 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
Private Secretary (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 post of Assistant (BPS-16) having at least three (3) years' Service as such, on

fitness basis.

seniority cum

By promotion from amongst the members of the Service holding the post of Accounts Assistant (BPS-14) 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 post of Stenographer (BPS-14) having at least three (3) years' Service as such, on seniority cum fitness basis.

(a) 75% by
from amongst the
members of the Service
holding the
Assistant
Operator

promotion

post of
Computer
(BPS-12)
having at least three (3

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Assistant,

(BPS-16).

Bachelor's Degree from a | (a)

recognized § University;

and

having at least three
months Office
Automation Certificate in
computer operations from
a recognized Institute.

years' Service as such,
on seniority cum fitness
basis; and

25% by initial
recruitment.

70% by promotion
from amongst the
members of the Service
holding the post of
Senior Clerk (BPS-14)
having at least three (3)
years' Service as such,
on seniority cum fitness
basis; and

30% by initial
recruitment.