

THE DIRECTORATE OF CULTURE BALOCHISTAN
(BPS-16 AND ABOVE) SERVICE

RULES, 2010

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‘THE DIRECTORATE OF CULTURE BALOCHISTAN
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NOTIFICATION

[20" December, 2010]

No. SOR-II(12)26/S&GAD/2010/2265-315. 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 rules to regulate the recruitment to the Directorate of Culture, Balochistan (BPS-16 and above) Service and to prescribing conditions of service for the persons appointed thereto, namely: —

PART I— GENERAL

1. Short title and Commencement.— (1) These rules may be called the Directorate of Culture Balochistan (BPS-16 and above) Service Rules, 2010.

(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) “Appendix” means the Appendix to these Rules;

(b) “Appointing Authority” means the Authority specified in rule 4;

(c) “Board” means a Board of Intermediate and Secondary Education established By Law in Pakistan or any other educational authority or institution which may be declared by Government in consultation with the Commission to be a Board for the purpose of these rules;

(d) “Commission” means the Balochistan Public Service Commission?;

(e) “Department” means the Culture Department Government of Balochistan;

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

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

(h) “Recognized Institute” means any institution recognized by Government in consultation with the Commission to be recognized Institute for the purpose of these rules;

1 These rules have been issued by the Services and General Administration Department vide its notification No. SOR-11(12)26/S&GAD/2010/2265-315, dated 20" December, 2010; and published in the Balochistan Gazette (Extraordinary) No. 1 dated 20" December, 2010.

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); published in the Balochistan Gazette (Extraordinary) No. 88, dated 23" May, 1989; and earlier to that under the Balochistan Ordinance II of 19 (repealed) and the Balochistan Act IV of 1974 (repealed).

(i) "Recognized University" means any University incorporated by the Law in Pakistan or any other University which may be declared by Government in consultation with the Commission to be recognized University for the purpose of these rules;

(j) "Service" means the Directorate of Culture Balochistan Subordinate (BPS-16 and above) Service;

(k) "Selection Committee" means the Selection Committee constituted by or under orders of Government;

(1) "Schedule Casts" means the castes, races or tribes and parts or groups within castes, declared by Government for the purposes of these rules;

(m) "Sub-ordinate service" means that Directorate of Culture, Balochistan.

PART II — RECRUITMENT

3. Eligibility and Composition of Service.— (1) No person who is married to a foreign 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 or Bangladesh.

(3) The Service shall comprise of the post 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 Service shall be made 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 by initial recruitment as specified in the Appendix.

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

6. Age.— (1) No person who is less than eighteen years or more than thirty years of age shall be appointed to the service by initial recruitment; provided that:—

(a) in the case of a person who is already in Government Service the upper age limit shall be thirty five years;

(b) in the 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 scheduled 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:-

1 Rules issued by the Services and General Administration Department, Government of Balochistan; and published in the

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

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

(b) in 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 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 a District Health Officer, or a Medical Board constituted by Government for the purpose as the case may be.

PART II — 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 work or 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 provision 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 provision of section 7(1) of the Balochistan Civil Servants Act, 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 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 and pass any Departmental examination prescribed under 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 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 interse seniority of the members of the Service in various grades thereof shall be determined:—

(a) in the case of members appointed by initial recruitment, in accordance with the order of merit assigned by the Commission/Selection Committee; Provided that member selected for the service in an earlier selection shall rank senior to the member 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 members 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 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 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 to the same grade, the officer promoted first, shall rank senior to the officer promoted subsequently.

Explanation— III. (1) 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 the 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 viz-a-viz those appointed otherwise shall be determined as under:

(a) in case both the officer appointed by initial recruitment and officer appointed otherwise have been appointed against

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.

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 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.

(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 any where 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 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 hereafter 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.

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
GOVERNMENT OF BALOCHISTAN

(See Appendix on next page)

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APPENDIX

{See rule 2(a), 3(3), 5(1) and 7(1)}

Nomenclature of the Minimum Method of Recruitment
Qualification for
appointment by initial
Recruitment

Director By transfer from BSS/BCS and
(BPS-19) DMG Officers.

Deputy Director By promotion from amongst the

(BPS-18) members of the Service holding
the posts of Administrative
Officer (BPS-17)/Programme
Officer (BPS-17) /Assistant
Director Drama (BPS-17)/
Instructor Fine Arts (BPS-17)/
Assistant Director Literature
(BPS-17)/ Assistant Director Set
Design (BPS-17) having at least
five (5) years service as such, on
seniority cum fitness basis.]

Administrative 2" Class Master's 25% by initial recruitment;
Officer Degree in Public and

Administration from a

(B-17) recognized University.

75% by promotion from
amongst the members of the
Service holding the post of
Assistant Accounts Officer
(B-16) having at least 3
years service as such on

seniority-cum-fitness basis.

Programme Officer, 2" Class Master's 50% by initial recruitment.

(B-17) Degree in Social
Sciences from a
recognized University.

50% by promotion from
amongst the members of the
service holding the post of
Press and _ Publication
Officer (B-16)/ Assistant
Program Officer (B-16)

having at least 3 years
service as such on seniority-
cum-fitness basis.

1 Inserted by Services and General Administration Department Notification No. S.O (R-ID (12) 26/2012-S&GAD/2119-68, dated

October, 2012; published in the Balochistan Gazette (Extraordinary) No. 107, dated 18" October, 2012.

Assistant Director
(Drama)

(B-17)

Instructor Fine Arts

(B-17)

Assistant Director
Literature

(B-17)

Assistant Director Set
Design

(BPS-17)

Assistant Accounts
Officer (B-16)

Press and Publication
Officer

(B-16)

Assistant Programme
Officer,

(B-16)

Superintendent (BPS-
16)

2 Class _—— Master's
Degree in Film and T.V
or equivalent
qualification from a
recognized University.

2TM4 Class Master's
Degree in Fine Art or
equivalent qualification
from a recognized
University.

2" Class Master's
Degree in English or
Urdu or regional
Languages from a
recognized University.

Master's Degree
(Second Division) from

a recognized College of Arts in the relevant field.

2TM Class B.B.A or equivalent qualification from a recognized University.

Master's Degree in Mass Journalism or Mass Communication from a recognized University.

Graduation in Mass Communication from a recognized University.

By Initial Recruitment.

By Initial recruitment.

By Initial recruitment.

By initial recruitment;]

50% by Initial recruitment; and

50% by promotion from amongst the members of the service holding the post of Assistant (B-14) having at least 3 years service as such on seniority-cum-fitness basis.

By Initial recruitment.

By Initial recruitment.

75% by promotion from amongst the members of the Subordinate Service holding the post of Assistant (B-14) having at least three years'

1 Inserted by Services and General Administration Department Notification No. S.O (R-ID) (12) 26/2012-S&GAD/2119-68, dated October, 2012; published in the Balochistan Gazette (Extraordinary) No. 107, dated 18" October, 2012.

2 Added by Services and General Administration Department Notification No. S.O (R-ID) (12) 26/2012-S&GAD/2119-68, dated October, 2012; published in the Balochistan Gazette (Extraordinary) No. 107, dated 18" October, 2012.

service as such, on seniority
cum fitness basis.

25% by promotion from
amongst the members of the
Subordinate Service holding

the post of Junior Scale
Stenographer (BPS-12),
having at least three years'
service as such, on seniority
cum fitness basis.]