

THE BALOCHISTAN INDUSTRIES DEPARTMENT
(ENGINEERING)
(GRADE 5 TO 11)
SERVICE RULES, 1982

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RULES

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'THE BALOCHISTAN? INDUSTRIES DEPARTMENT
(ENGINEERING)
(GRADE 5 TO 11)
SERVICE RULES, 1982

NOTIFICATION

[28" December, 1982]

No. SOR (2)186/S&GAD-82. In exercise of powers conferred by Section 25 of the Balochistan Civil Servants Act, 19743 (IX of 1974), the Government of Balochistan is pleased to make the following rules regulating recruitment to the Balochistan Industries Department (Engineering) (Grade 5 to 11) Service and 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 Balochistan Industries Department (Engineering) (Grade 5 to 11) Service Rules, 1982.

(2) They shall come into force at once.

2. Definitions.— In these rules, unless the context otherwise required the following

expression shall have the meaning hereby respectively assigned to them, that is to say:—

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

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

(c) "Board" means a Board of Secondary Education established by Law in Pakistan or any other educational authority or institution declared by Government in consultation with the Commission to be a Board for the purposed of these rules;

(d) | "Commission" means the Balochistan Public Service Commission;

(e) "Department" means the Department of Industries, Balochistan;

(f) "Director" means the Director of Industries, Balochistan;

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

(h) "Initial recruitment" means appointment made otherwise than by promotion or transfer from another service/department/post;

(i) "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;

* These rules have been issued by the Services and General Administration Department vide its notification No. SOR (2)186/S&GAD-82, dated 28" December, 1982; and published in the Balochistan Gazette (Extraordinary) No.200, dated 28" December, 1982.

2 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.

3 Passed by the Provincial Assembly of Balochistan on 19" July, 1974; and published in the Balochistan Gazette (Extraordinary) No. 41, dated 20" July, 1974.

(Gj) "Scheduled Castes" means the castes, races or tribes or parts of groups within castes, races or tribes declared to be scheduled castes, under any Law in force in Pakistan, or so declared by Government for the purpose of these rules;

(k) "Service" means the Balochistan Industries Engineering (Grade 5 to 11) Service.

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.

(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.— Appointment to the service shall be made as specified in rule 4 of the Balochistan Civil Servants (Appointment, Promotion and Transfer) Rules, 19791,

5. Method of Recruitment.— | Appointment to the posts in the Service shall be made as specified in the Appendix.

6. Age.— (1) No person, who is less than eighteen years or more than twenty-five years of age shall be appointed to the Service by initial recruitment:

Provided that—

(i) 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.

(11) for upper age limit for appointment in service by initial recruitment in the case of candidate from scheduled castes or under developed areas, shall be relaxed for three years up to 31-12-1984, as laid down in the Government of Balochistan, S&GAD's Notification No.S-IH-27(127)/ S&GAD-74, dated 8.12.1979.

(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 of 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. Qualifications.— (1) No person shall be appointed to a post in the Service by initial recruitment unless he possesses the qualifications prescribe 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 institutions last attended and also certificates of character from two other responsible persons, not being his relatives, who are well acquainted with his character and antecedents.

1 Now the Balochistan Civil Servants (Appointment, Promotion and Transfer) Rules, 2009, 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.

(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.

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 of 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 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 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 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 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 order have been made by the day following the

completion of the initial probationary period, the period of probationer shall be deemed to have been extended.

Explanation— II.— _ If no order has been made by the day on which the maximum period of probation expires, probationer shall be deemed to have been confirm in his appointment from the date on which he was appointed to the post subject to provision of sub section (5) of section 7 of Balochistan Civil Servants Act, 1974'.

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

(5) If a member of the Service fails to complete successfully any training and 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.

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

9. Seniority. (1) The interse seniority of the member of the Service in the 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 Selection Committee, if the appointment is made on_ the recommendation of the Selection Committee, and in other cases in accordance with the order of merit assigned by the appointing authority, provided that members selected for the service 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 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 official if not junior to the younger official or officials in the next below grade; shall rank senior to the younger official or officials.

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

Explanation— TI.— A junior official appointed to a higher grade shall be deemed to have superseded a senior official only if both the junior and senior officials were considered for the higher grade and the junior official was appointed in preference to the senior official.

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

(a) in case both the official appointed by initial recruitment and the official 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 official appointed by initial recruitment and to the date of continuous appointment against such vacancy in the case of the official appointed otherwise; provided that if the two dates are the same the official appointed otherwise shall rank senior to the official appointed by initial recruitment;

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

(c) in case the official appointed otherwise is appointed against a substantive vacancy and the official appointed by initial recruitment is appointed against a temporary vacancy, the official 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 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
BALOCHISTAN

(See Appendix on next Page)

APPENDIX

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

Nomenclature of Minimum qualification Method of recruitment
the post with grade. | prescribed for appointment by

initial recruitment

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Sub Engineer
(Grade-11)

Drafts-man (Grade-
11)

Tracer
(Grade-5)

Matriculation from a
recognized University or
Board; and

Diploma in Civil or
Mechanical Technology
from a recognized
Institute.

Matriculation from a
recognized University or
Board; and

Diploma in Draftsman-
ship from a recognized
Institute.

Matriculate from a
recognized University or
Board with Science and
Drawing as subject.

50% by initial
recruitment.

50% by promotion from
amongst the members
holding the post of
Draftsman.

50% by initial
recruitment.

50% by promotion from amongst the members holding the post of Tracer having not less than 8 years experience as such.

By initial recruitment.