

BALUCHISTAN EXCISE AND TAXATION DEPARTMENT

(COMPUTER CELL) (B-1 TO 15)
SERVICE RULES, 2009

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'BALOCHISTAN EXCISE AND TAXATION DEPARTMENT
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NOTIFICATION

[S" August, 2009]

No. SOR-II/2(4)/S&GAD/2009/2581-2630. In exercise of the powers conferred by the Section 25 of the Balochistan Civil Servants Act, 1974? (IX of 1974), the Government of Balochistan is pleased to make the following rules regulating recruitment to the Balochistan Excise and Taxation Department (Computer Cell) (B-1 to 15) 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 Excise and Taxation Department (Computer Cell) (B-1 to 15) Service Rules, 2009.

(2) They shall come into force at once.

2. Definitions.— In these rules, unless the context otherwise requires, the following expressions, shall have the meanings hereby respectively assigned to them that is to say:—

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

(b) "Appointing Authority" means the appointing authority specified in rules 4:

(c) "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;

(d) "Department" means the Excise and Taxation Department;

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

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

(g) "Post" means a post specified in column 2 of 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 which may be declared by Government in

* These rules have been issued by the Services and General Administration Department vide its notification No. SOR-II 12(4)/S&GAD/2009/2581-2630, dated 8" August, 2009; and published in the Balochistan Gazette (Extraordinary) No. 119, dated 8" August, 2009.

2 Balochistan 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.

consultation with the Commission to be a recognized University for the purpose of these rules;

(1) "Recognized Institute" means an institute registered and recognized by Government.

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 the posts specified in column 2 of the Appendix and such other posts as may be determined by Government from time to time.

PART If —RECRUITMENT

4. Appointing Authority. The appointments to the service shall be made as specified in rule 4 of the Balochistan Civil Servants (Appointment Promotion and Transfer Rules. 1979.

5. Method of recruitment.— Appointment to the posts in the service shall be made as specified in the Appendix.

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

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

(11) The age under clauses (1) shall be reckoned on the last date fixed for receipt of applications for appointment through Board.

7. Qualifications.— (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 persons, not already in Government Service, shall be appointed to the post 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, not being his relatives, who are well acquainted with his character.

(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 District Health Officer.

PART I — CONDITIONS OF SERVICE

8. Probation. (1) A person appointed to a post 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.

ARC/S&GAD, dated 26" June, 1979; published in the Balochistan Gazette (Extraordinary) No. 73, dated 10" July, 1979; and n
by the Balochistan Civil Servant (Appointment, Promotion and Transfer) Rules, 2009, Rule 23.

For the Balochistan Civil Servant (Appointment, Promotion and Transfer) Rules, 2009, See Balochistan Gazette (Extraordinary
No. 165, dated 27" October, 2009.

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 the holder of a post 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 holder of a post 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 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 provisions of sub-section (5) of section 7 of the Balochistan Civil Servants Act. 1974¹.

(4) No person shall be confirmed in the post 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 against a substantive vacancy or otherwise fails to complete successfully any training or pass any departmental examination prescribed 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 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 interse seniority of the members of the Service in various grades thereof shall be determined:—

(a) in the case of persons appointed by initial recruitment, in accordance with the order of merit assigned by the Board: provided that persons selected for posts

¹ That is Balochistan Act IX of 1974; passed by the Provincial Assembly of Balochistan on 19th July, 1974; and published in the

Balochistan Gazette (Extraordinary) No. 41, dated 20" July, 1974.

in an earlier selection shall rank senior to the persons selected in a later selection; and

(b) in the case of persons appointed otherwise, with reference to the dates or their continuous appointment therein; provided that if the dates of continuous appointment in the case of two or more persons is the same, the elder 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.

(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 terminated with reference to the date of regular appointment to such vacancy;

Provided that if the dates of regular appointment of the member of the service appointed by initial recruitment and the member appointed otherwise are the same the member appointed otherwise shall rank senior to member 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 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 thereafter be prescribed by 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 the 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 official 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 3 (3), 5 and 7 (1))

Nomenclature of Minimum Qualification Method of recruitment

the post prescribed for the Post

Assistant Computer | Intermediate with one year | By Initial Recruitment.

Operator, Diploma in Computer Science

B12 or ICS.

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