

THE BALOCHISTAN FOREST DEPARTMENT,

SOIL CONSERVATION WING (GRADE 16 AND ABOVE) SERVICE

RULES

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RULES, 1982

CONTENTS

Preamble.

PART I— GENERAL.

Short title and commencement.

Definitions.

PART II— RECRUITMENT.

Eligibility and Composition of Service.

Appointing Authority.

Method of recruitment.

Age.

Qualifications.

PART III— CONDITIONS OF SERVICE.

Probation.

Seniority.

Liability to transfer and serve.

General Rules.

Relaxation.

Delegation.

Repeal.

Appendix.

'THE *BALOCHISTAN FOREST DEPARTMENT,
SOIL CONSERVATION WING (GRADE 16 AND ABOVE) SERVICE
RULES, 1982

NOTIFICATION

[S" September, 1982]

No. SOR (2)123/S&GAD-81. 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; regulating recruitment to the Balochistan Forest Department, Soil Conservation Wing (Grade 16 and above) Service Rules, 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 Forest Department, Soil Conservation Wing (Grade 16 and above) Service Rules, 1982.

(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 an appendix to these rules;

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

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

(d) "Department" means the Forest Department Balochistan;

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

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

(g) "Recognized Institute' means any institute recognized by Government in consultation with the Commission to be a recognized Institute for the purposes of these rules;

These rules have been issued by Government of Balochistan, Services and General Administration Department vide its notification No. SOR (2)123/S&GAD-81, dated 7" September, 1982; and published in the Balochistan Gazette (Extraordinary) No. 151, dated 8" September, 1982.

Spelling of the word "Baluchistan", wherever it appears in these rules, is corrected by insertion of letter 'u' by the Government of Balochistan, S&GAD's Notification No. SORI (4) 6/ S&GAD-89, dated 18" June, 1989.

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.

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 constituted under the Balochistan Ordinance II of 1978 (repealed) and the Balochistan Act IV of 1974 (repealed).

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(e)

instead of “u’, as per

(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 purposes of these rules;

(j) "Service" means the Balochistan Forest Department Service (Soil Conservation Wing) (Grade 16 and above);

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

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 the Government from time to time.

4. Appointing Authority — Appointments to the Service shall be made by the Government.

5. Method of recruitment.— Appointments to the Service shall be made as specified in the Appendix.

6. Age.— (1) No person, who is less than twenty one years or more than thirty two years of age shall be appointed to the Service by initial recruitment;

Provided that—

(i) for upper age limit for appointment to the Service by initial recruitment shall be relaxed for three years up to 31.12.1984, according to the Government of Balochistan, Notification No. S-HI-27(127)/S&GAD/74, dated 8.12.1979.

(11) in the case of a person whose services under Government has 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.

(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 prescribed for the post in column 3 of 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 institute 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.

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 been unsatisfactory, the appointing authority may, notwithstanding that the period of probation has not expired, dispense with his services 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 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;

(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 orders as it could have passed during or on the expiry of his 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— I. — 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 the period of probation was last extended or may be deemed to have been so extended.

(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 against a substantive vacancy or otherwise 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 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 inter-se seniority of the members 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 Commission; 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 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 official or officers.

Explanation— 1— 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 effect the interest of his seniors in the fixation of his seniority in the higher grade.

Explanation— I — 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 first shall rank senior to the officer promoted subsequently.

Explanation— II — A junior officer appointed to a higher grade shall be deemed to have superseded a senior officer only if both the junior and the 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 appointed by initial recruitment vis-a-vis those appointed otherwise shall be determined:—

- (a) in case both the officer 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 the case of the officer 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 officer appointed otherwise shall rank senior to the officer appointed by initial recruitment;

- (b) in case of 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 official appointed by

initial recruitment shall rank senior to the official 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 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 favourable 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 to 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 the rule would cause undue hardship to the individual concerned.

13. Delegation. Government my delegate all or any of its powers under these rules to any officer subordinate to it.

14. Repeal.— The West Pakistan Agriculture Service (Soil Conservation Wing) (Class II) Rules, 1963 in their application to the Province of Balochistan are hereby repealed

BY ORDER OF
GOVERNOR BALOCHISTAN

CHIEF SECRETARY
GOVERNMENT OF BALOCHISTAN

(See Appendix on next page)

APPENDIX

{See Rules 3 (3) 5 & 7 (1)}

Nomenclature for Minimum qualification Method of recruitment
the post prescribed for appointment by
initial recruitment or by
transfer

Soil Conservation | M.Sc. (Agric:) (2TM Division) or 50% by initial
Officer M.Sc. (Forestry) from a recruitment.

(NPS- 17). recognized University. 50% by promotion from

amongst Soil
Conservation Assistants
having at least 5 years
experience as such and
possessing a degree in
Agriculture/ Forestry.

Soil Conservation | (a) B.Sc. (Agric:) (2TM Division) | By initial recruitment.
Assistant from a recognized University

(NPS- 16). or

B.Sc. (Hons) in Agriculture
from a recognized
University; or

B.Sc. (Forestry) from a
recognized University or
Institute.