

BALUCHISTAN IRRIGATION AND POWER DEPARTMENT ENGINEERS
(CIVIL, ELECTRICAL AND MECHANICAL GRADE 16 AND ABOVE) SERVICE

RULES, 1981

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NOTIFICATION

[7 March, 1981]

No. SOR (2)110/S&GAD-80. In exercise of the powers conferred by section 25 of the Balochistan Civil Servant Act, 1974? (Act No. IX of 1974), and in supersession of previous rules on the subject in this behalf, the Government of Balochistan is pleased to make the following rules regulating recruitment/appointment to the Balochistan Irrigation and Power Department Engineer (Civil, Electrical and Mechanical grade 16 and above) 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 Irrigation and Power Department Engineers (Civil, Electrical and Mechanical grade 16 and above) Service Rules, 1981.

(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 authority specified in rule 4;

(c) "Committee" means the Selection Committee constituted by the Government;

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

(e) "Department" means the Irrigation and Power Department of the Government;

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

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

(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 recognized University for the proposes of these rules;

These rules have been issued by the Services and General Administration Department vide its notification No. SOR(2)110/S&GAD-80, dated 7" March, 1981; and published in the Balochistan Gazette (Extraordinary) No. 32, dated 7" Mar 1981.

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.

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 under the Balochistan Ordinance II of 1978 (repealed) and the Balochistan Act IV of 1974 (repealed).

(i) "Recognized Institute/School" means any such Institute/School incorporated by Law in Pakistan or any other Institution/School declared by Government to be a recognized Institution/School for the purposes of these rules;

(j) "Service" means the Balochistan Irrigation and Power Department Engineers (Civil, Electrical and Mechanical grade 16 and above) Service.

PART II — RECRUITMENT

3. Composition of Service.— The service shall consist of posts specified in column-2 of the Appendix and such other posts as may be prescribed by the Government from time to time.

4. Appointing Authority.— Appointment to the service shall be made by the Government.

5. Method of Recruitment.— Appointment to the service shall be made on the

recommendation of Committee in the case of promotion and on the recommendation of the Commission in the case of initial recruitment in the manner prescribed in column-4 of the

Appendix.

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

Provided that:—

(i) for the upper age limit for appointment to the service by initial

recruitment shall be relaxable for three years upto 31.12.1984 according to Government of Balochistan Notification No. S.IJH-27 (127) S&GAD/74 dated 8.12.79; and

(ii) 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 the upper age limit under this rule, be excluded from his age.

(2) For the purpose of this rule, age shall be reckoned:—

(a) Where recruitment is to be made on the basis of written examination 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 applications for appointment.

7. Qualifications.— (1) No person shall be appointment to a post in the service

by initial recruitment unless he possesses the minimum qualification prescribed in column-3 of the Appendix.

(2) No person, not already in Government Service, shall be appointed by initial recruitment 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 not being his relatives, who are well acquainted with his character and antecedents.

PART I — CONDITIONS OF SERVICE

8. Probation. (1) A person appointment 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 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 been 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 the period of probation was last extended or 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 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 seniority interse 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 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 officers or 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 affects the interest of his seniors in the fixation of his seniority in the 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, the officer promoted first shall rank senior to the officer promoted subsequently.

Explanation— IL. 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 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 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; 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 anywhere in the Province of Balochistan; and

(b) serve in any department of Government or any local authority or statutory body set up or established by Government.

11. General Rules.— In all matters not expressly provided for in these rules, the holders of posts shall be governed by such rules as have been or 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 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.

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)

Nomenclature of
the posts.

Chief Engineer.

Superintending
Engineer.

Executive Engineer.

Assistant Engineer.

APPENDIX (See Rules 2 (k) 3 & 5)

Minimum qualifications
prescribed for
appointment by Initial
recruitment.

Degree in the relevant field,
ie. Civil, Electrical or
Mechanical, from a
recognized University or
equivalent qualification
recognized by the
Government.

Method of recruitment.

By selection on merit from amongst
four Senior most Superintending
Engineers, seniority being considered
only in the case of officers of
practically the same standard of merit.

By selection on merit from amongst
the Executive Engineers or holder of
equivalent posts in the relevant field
(i.e. Civil, Electrical or Mechanical),
in which the vacancy occurs, with at
least twelve years service in grade 17
& 18, seniority being considered only
in the case of officers of practically
the same standard of merit.

By selection on merit with due regard
to seniority from amongst Assistant
Engineers, who are Engineering
graduates in the relevant field (i.e.
Civil, Electrical or Mechanical) in
which the vacancy occurs, with at
least six years service as such;

(a) Seventy percent by initial recruitment.

(b) Ten percent by selection on merit with due regard to seniority from amongst Sub Engineers of the relevant field (Civil, Electrical or Mechanical) in which the vacancy occurs, who hold a degree in the relevant field, provided that in case of non-availability of such Engineers, holding degree in the relevant field, the remaining vacancies reserved for them, shall be added

to the 20% posts reserved under
(c) below.

Twenty percent by selection on
merit with due regard to seniority

from amongst Sub Engineers of
the relevant field in which the
vacancy occurs, who hold a
diploma and have at least 10
years service as such.

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