

BALOCHISTAN IRRIGATION AND POWER DEPARTMENT
REVENUE ESTABLISHMENT (GRADE 1 TO 15) SERVICE RULES,
1983

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RULES

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"BALOCHISTAN? IRRIGATION AND POWER DEPARTMENT
REVENUE ESTABLISHMENT (GRADE 1 TO 15)
SERVICE RULES, 1983

NOTIFICATION

[23 November, 1983]

No. SOR (2)126/S&GAD-81. In exercise of the powers conferred by Section 25 of the Balochistan Civil Servant Act, 19743 (IX of 1974), the Government of Balochistan is pleased to make the following rules regulating recruitment to the Balochistan Irrigation and Power Department Revenue Establishment (Grade 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 Irrigation and Power Department Revenue Establishment (Grade 1 to 15) Service Rules, 1983.

(2) They shall come into force at once.

2. Definitions— In these rules, unless the context otherwise requires the following expression 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 rule 4;

(c) "Board" means a Board of Secondary Education establishment 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 purpose of these rules;

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

(e) "Department" means the Balochistan Irrigation and Power Department;

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

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

(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 purpose of these rules;

These rules have been issued by the Services and General Administration Department vide its notification No. SOR(2)126/S&GAD-81, dated 23" November, 1983; and published in the Balochistan Gazette (Extraordinary) No. 409, dated November, 1983.

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) "Scheduled castes" means the castes, or tribes and parts or grounds within castes, races or tribes declared to be scheduled castes, under any Law in force in Pakistan or as declared by Government for the purpose of these rules;

(j) "Service" means the Balochistan Irrigation Department Revenue Establishment (Grade 1 to 15) 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. Appointment Authority | Appointment 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 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 services 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.

(ii) for upper age limit for appointment in the Service by initial recruitment in the case of candidates from scheduled castes or under developed areas, shall be relaxed for three years upto 31-12-1984, as laid down in the Government of Balochistan, S&GAD's Notification No. S-II]-27 (127)/ S&GAD-74, dated the 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

(ii) in other cases, as on the last date fixed for submission of applications for appointment.

1979; and now repealed 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.

7. Qualifications.— (1) No person shall be appointment to a post in the service by initial recruitment unless he possesses the qualifications 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, Academic officer of the academic institution last attended and also certificates of character from two other responsible person, not being his relatives, who are well acquainted with his character and antecedents.

(3) No person shall be appointment 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 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 appointment 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 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 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 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 sub-section (5) of section 7 of Balochistan Civil Servants Act, 1974¹.

1 That is Balochistan Act IX of 1974; passed by the Provincial Assembly of Balochistan on 19th June, 1974; assented to by the

Governor of Balochistan; and published in the Balochistan Gazette (Extraordinary) No. 41 dated 20" July, 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 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.

10. 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 carder of merit assigned by the Selection Committee; 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— III. 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 Service 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 appointed to such vacancy in the case of the official appointed by initial recruitment and to the date of continuous appointed 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 otherwise shall rank senior to the official appointed by initial recruitment.

11. 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 has not been so required to serve.

12. 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.

13. 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.

14. Delegation.— Government may delegate all or any of its powers under these rules to any officer subordinate to it.

15. Repeal.— The West Pakistan Irrigation and Power Department Canal Divisional Patwaries Service Rules, 1962. The Irrigation Department Divisional Clerk Service 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)

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APPENDIX

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

Nomenclature of Minimum qualifications Method of recruitment
the post with grade | prescribed for appointment
by Initial recruitment

Zalladar By promotion from amongst

(BPS-No.14) members of the service holding
posts of Revenue Clerk with 3 years
service as such and having six
months regular canal training as
may be prescribed by the
Department from time to time.

Revenue Clerk i) 50 % by promotion form

(BPS-No.07) amongst members of the
service holding posts' of
Vernacular Clerk / Assistant
Vernacular Clerk with at least
3 years service as such.

50 % by promotion form
amongst members of the
service holding posts of Canal
Patwaries / Abdar with at least
3 years service as such.

Vernacular Clerk i) Matriculates from a | By initial recruitment.
/Assistant recognized University or

Vernacular Clerk Board.

(BPS-No.05)

'Canal Patwaries i) Matric Examination; or | By initial recruitment.
(BPS-05) preferably Patwar

Examination from = a

Patwar School

Constituted in accordance

with paragraph 3-10 of

Land record manual.

* Substituted by S&GAD Notification No. S.0.(R-ID(11)4/2014-S&GAD/1593-1643 dated 26" August, 2014; published in the Balochistan Gazette (Extraordinary) No. 115 dated 26" August, 2014.