

THE BALOCHISTAN PUBLIC HEALTH ENGINEERING DEPARTMENT
DRAFTSMAN AND TRACERS (B-1 TO 15)
SERVICE RULES, 2011

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'THE BALOCHISTAN PUBLIC HEALTH ENGINEERING DEPARTMENT
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SERVICE RULES, 2011

NOTIFICATION

[29" October, 2011]

No. S.0.(R-ID (20)6/201 1-S&GAD/3740-89. In exercise of the powers conferred by Section 25 of the Balochistan Civil Servants Act, 1974? (Act No. IX of 1974), the Government of Balochistan is pleased to make the following rules regulating the recruitment to the Balochistan Public Health Engineering Department, Draftsman and Tracer's (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 Public Health Engineering Department, Draftsman and Tracer,s (B-1 to 15) Service Rules, 2011.

(2) They shall come into force at once.

2. Definitions. (1) In these rules, unless there is anything repugnant in the subject or context:—

(a) "Act" means the Balochistan Civil Servants Act, 1974? (Act No. IX of 1974);

(b) "Appendix" means the Appendix to these Rules;

(c) "Appointing Authority" means the appointing authority as specified in rule 4;

(d) "Board" means a Board of Intermediate and 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 purpose of these Rules;

(e) "Commission" means the Balochistan Public Service Commission?;

(f) "Department" means the Balochistan Public Health Engineering Department;

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

(h) "initial recruitment" means appointment made other than by Promotion or transfer from another Service / Department / Post;

" These rules have been issued by the Services and General Administration Department, Government of Balochistan, vide its

No. SOR-II(2)4/S&GAD-87/48-83, dated 7" January, 1989; and published in the Balochistan Gazette (Extraordinary) No. 265, January, 1989.

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

Commission constituted under the Balochistan Public Service Commission Act, 1989 (Act II of 1989) and published in the Balochistan Gazette (Extraordinary) No. 88, dated 23" May, 1989; and earlier to that constituted under the Balochistan Ordinance 1978 (repealed) and the Balochistan Act IV of 1974 (repealed).

(i) "Post" means a post specified in Column 2 of the Appendix and such other post in the Balochistan Public Health Engineering Department, Draftsman and Tracer Service, as may be specified by the Government from time to time for the purpose of these Rules;

(Gj) "recognized Institute" means any institute incorporated by law in Pakistan or any other institute declared by the Government in consultation with the Commission to be a recognized Institute for the purpose of these Rules;

(k) "recognized University" means any university incorporated by law in Pakistan or any other university declared by the Government in consultation with the Commission to be a recognized University for the purpose of these Rules;

(1) "Rules" means Balochistan Public Health Engineering Department, Draftsman and Tracer's (B-1 to 15) Service Rules, 2011;

(m) "Service" means the Balochistan Public Health Engineering Department, Draftsman and Tracer's (B-1 to 15) Service; and

(n) "Selection/Promotion Committee" means Selection/Promotion Committee constituted by or under orders of Government.

(2) Words and expressions used but not defined herein above sub-section (1), unless the context otherwise requires, shall have the same meanings as assigned to them in the Act.

PART II— RECRUITMENT

3. Eligibility and Composition of the Service.— (1) No person who is married to a foreign national shall be eligible to appointment to the Service;

(2) The restriction imposed by sub-rules (1) above may be relaxed by Government in case of a person who is married or proposed to marry a foreign national of any country recognized by the Federal Government.

(3) the Service shall comprise of the posts as specified in Column 2 of the Appendix and such other posts as may be determined by Government from time to time.

4. Appointing Authority.— The authorities competent to make appointment to the Service shall be as specified in rule 4 of the Balochistan Civil Servants (Appointment, Promotion and Transfer) Rules, 2009!.

5. Method of Recruitment. (1) The Method for appointment to the posts in the Service shall be as specified in column 4 of the Appendix.

(2) Vacancies in the posts for initial recruitment shall be filled from amongst the candidates domiciled / local of Balochistan.

6. Age.— (1) No person, who is less than 18 years or more than 30 years of age shall be appointed to the Service by initial recruitment:

Provided that—

Gazette (Extraordinary) No. 165, dated 27" October, 2009.

(i) in the case of a person who is already in Government Service, the upper age limit shall be 35 years; and

(11) in case of a person whose services under the Government have been terminated for want 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—

(a) where recruitment is to be made on the basis of written examination, as on the first January of the year in which the examination is proposed to be held; and

(b) in all other cases, as on the last date fixed for submission of application 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 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 persons / gazetted officers, not being his relatives and who are well acquainted with his character and antecedents.

(3) No person shall be appointed by initial recruitment to the Service unless he is declared to be physically fit by the Medical Board constituted by the Government for the purpose or a Government Medical Officer not below the rank of District Health Officer, as the case may be.

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 higher post may be allowed to count towards the period of probation.

(2) If the work or conduct of any 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), either 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 during or on the expiry of such period as it could have passed during or on the expiry of the initial probationary period.

Explanation— If no orders have been made by the day following 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 the provisions of section 7, sub-section (5) of the Act!.

(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 the 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 or pass any departmental examination as mentioned in 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 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 inter se seniority of the members of the Service in various grades there of shall be determined—

(a) in the case of members appointed by initial recruitment, 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 officials, if not junior to the younger official or officials in the next below grade shall rank senior to the younger official or officials.

Explanation— 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 fixation of his seniority in higher grade.

Explanation— II. If a junior official in the 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.

Balochistan; and published in the Balochistan Gazette (Extraordinary) No. 41 dated 20" July, 1974.

Explanation— IT. A junior official appointed to higher grade shall be deemed to have superseded a senior official only, if both the junior and senior officials were considered for 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 officials 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 case of an official appointed by initial recruitment and to the date of continuous appointment against such vacancies in the case of an 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 regular 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.

10. Liability to Transfer and Serve— = The member of the Service shall be liable to—

(a) transfer anywhere in Balochistan; and
(b) to serve in any department of Government or any local authority or statutory body

setup 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.

11. General Rules.— In all matters not expressively provided for in these rules, members of the Service shall be governed by such rules as have been or may hereafter be prescribed by the Government and made applicable to them.

12. Relaxation.— Any of these rules, for reasons to be recorded in writing, may be relaxed in individual cases if Government is satisfied that a strict application of these 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.

14. Repeal.— The Balochistan Public Health Engineering Department, Draftsman, Tracer and Computer Analysts (Civil, Technical and Electrical) Service Rules, 1988! are hereby repealed.

BY ORDER OF
GOVERNOR BALOCHISTAN

CHIEF SECRETARY
BALOCHISTAN

(See Appendix on next page)

1 Rules issued by the Government of Balochistan, Services and General Administration Department, vide its notification No. S

2/S&GAD-87/752-90, dated 12° September, 1988; published in the Balochistan Gazette (Extraordinary) No. 156, dated 12" Se

1988; and now repealed by rule 14.

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APPENDIX

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

Nomenclature and Minimum qualification for Method of recruitment
pay scale of the post appointment by initial
recruitment

Divisional Head By promotion from amongst
Draftsman the members of the Service
(B-13) holding the post of Draftsman
(B-11) having at least three
years service as such, on
seniority cum fitness basis.

Draftsman Three year's Diploma of Associate | (i 50% by initial
Engineers in the relevant field of recruitment ; and
(B-11) .
draftsmanship fromarecogn

◦ .
i z ed University / Institute. 50% by promotion from

amongst the members
of the Service holding
the post of Tracer (B-5)
having at least six years
service as such, on
seniority cum fitness
basis.

Secondary School Certificate from | By initial recruitment.
a recognized Board.