

THE BALOCHISTAN PUBLIC HEALTH ENGINEERING DEPARTMENT

ENGINEERS (B-16 AND ABOVE) SERVICE
RULES, 1989

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'THE BALOCHISTAN PUBLIC HEALTH ENGINEERING
DEPARTMENT ENGINEERS (B-16 AND ABOVE) SERVICE

RULES, 1989

NOTIFICATION

[26" June, 1990]

No. SOR-II (2)5/S&GAD. 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/appointment to the Balochistan Public Health Engineering Department, Engineers °>[****] (B-16 & 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 Public Health Engineering Department Engineers 3>[****] (B-16 & above) Service Rules, 1989.

(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) "Commission" means the Balochistan Public Service Commission'.

(d) "Department" means the Balochistan Public Health Engineering Department.

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

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

(g) "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;

These rules have been issued by the Services and General Administration Department, Government of Balochistan, vide its Notification No. SOR-II(2)5/S&GAD, dated 26" June, 1989; and published in the Balochistan Gazette (Extraordinary) No. 109, dated 26" 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.

The parenthesis with the words and a comma "(Civil, Electrical and Mechanical)" omitted by the Government of Balochistan, Services and General Administration Department vide its Notification No. S.O.(R-ID(20)1/2013-S&GAD/1739-88, dated 18" November, 2013; published in the Balochistan Gazette (Extraordinary) No. 125, dated 18" November, 2013.

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 II of 1978 (repealed) and the Balochistan Act IV of 1974 (repealed).

(h) "Recognized Institute/School" means any such institute School incorporated by law in Pakistan or any other Institute/School declared by Government to be a recognized institute/School for the purpose of these rules;

(i) "Service" means the Balochistan Public Health Engineering Department Engineers Civil, Electrical and Mechanical (B-16 & above) 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-rules (1) above may be relaxed by Government in 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. Appointing Authority.— Appointment to the Service shall be made by the Government.

5. Method of Recruitment.— (1) Appointment to the Service shall be made as specified in the Appendix.

(2) All persons who, immediately before the coming into force of these rules, were members of other services are appointed in their existing posts under these rules.

6. Age.— No person shall be appointed to the service by initial recruitment, who is less than twenty one years or more than twenty-eight years of age.

(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 rule be excluded from his age.

(ii) Upper age limit for appointment in the service by initial recruitment shall be relaxed according to the Government instructions in force.

(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 1 of 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 as the qualifications prescribed for the post 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 relative 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 a Government Medical Officer not below the rank of a District Health Officer.

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 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 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), 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 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 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 completed 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 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.

9. Seniority— (1) The inter-se 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 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 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 affect the interest of his seniors in fixation of his seniority in the higher grade.

Explanation— II. If a junior officer in the lower grade is promoted to a higher grade by superseding a senior officer and subsequently that officer is also promoted to the same grade officer promoted first shall rank senior to the officer promoted subsequently.

Explanation— III. A junior officer appointed to higher grade shall be deemed to have superseded a senior officer only if both the junior and senior officer 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 thereof 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 case of an 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 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.

10. Liability to transfer and serve.— Member of the service shall be liable to: —

- (a) Transfer any where in the Province of Balochistan; and
- (b) serve in any department of Government or any local authority or

statutory body setup or established by Government.

11. General Rules.— In all matters not expressively provided for in these rules the holders of posts shall be governed by such rules as have been or thereafter 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 individual cases if Government is satisfied that strict application of the rule 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
BALOCHISTAN

(See Appendix on next page)

Nomenclature of the post.

Chief Engineer
(B-20).

Superintending
Engineer

(B-19).

Executive Engineer
(B-18).

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

Minimum Qualification
Prescribed for Initial
Recruitment.

Method of Recruitment.

By selection from amongst members of the Service holding the post of Superintending Engineer on the basis of seniority-cum-fitness having at least 17 years service in B-17 and above.

By selection on the basis of seniority-cum-fitness having at least 12 years service in B-17 and above from amongst members of the Service holding the post of Executive Engineer having a degree in Engineering.

80% by promotion on the basis of seniority-cum-fitness having at least 5 years service in B-17 from amongst the graduate members of the service ?[***] holding the post of Assistant Engineer.

20% by promotion on the basis of seniority-cum-fitness having at least five years service in B-17 from amongst the members of the service

2r***] holding the post of

Substituted vide the Government of Balochistan, Services and General Administration Department's notification No. SOR-II(20)1/S&GAD-1866-1976, dated 23% August, 1997; published in the Balochistan Gazette (Extraordinary) No. 60, dated 23%

1997, for the existing Appendix.

For the earlier Appendix, See S&GAD notification No. SOR-II(2)5/S&GAD, dated 26" June,1990; published in the Balochistan Gazette (Extraordinary) No. 109, dated 26" June, 1990.

The words "in the relevant field" omitted by the Government of Balochistan, Services and General Administration Department Notification No. SOR-II(20)1/S&GAD/11540-90, dated 21s' October, 2010; published in the Balochistan Gazette (Extraordinary)

A, dated 21 October, 2010.

Assistant Engineer,
(BPS-17).

(a) Bachelor's Degree at least in Second Division in = Civil, Electrical, Mechanical Technology from a _- recognized University, and.

Registration as Professional Engineer

Assistant Engineer holding Diploma of Associate Engineer or B-Tech (Hons).

10% by promotion from amongst the members of the Service holding the post of Sub Engineer (BPS-11) with Bachelor's of Engineering Degree from a_ recognized University prior to induction in the Service, having at least five (5) years service as such,

with Pakistan if. . Engineering Council. on seniority cum fitness basis; gineering

10% by promotion from amongst the members of the Service holding the post of Sub Engineer (BPS-11) acquiring the Bachelor's of Engineering Degree from a

recognized University during

the service, having at least five (5) years service as such, on seniority cum fitness basis

17% by promotion from amongst the members of the service holding the post of Sub Engineer (BPS-11) having three (3) years diploma of Associate Engineering from a recognized University and having at least five (5) years service as such, on seniority cum fitness basis;

10% by promotion from amongst the members of the Service holding the post of Sub Engineer (BPS-11) having Degree of B-Tech (Honours) from a recognized University and having at least

1 The entries at S. No. 4 substituted by the Government of Balochistan, Services and General Administration Department, vide

notification No. SO(R-ID(20)1/2015-S&GAD/3126-75, dated 19" November, 2015; published in the Balochistan Gazette (Extraordinary) No. 222, dated 19 November, 2015.

For the earlier substitutions, see—

- (i) S&GAD notification No. SOR-IH(20)1/S&GAD-1866-1976, dated 23" August, 1997; published in the Balochistan Gazette (Extraordinary) No. 60, dated 23% August, 1997.
- (ii) S&GAD notification No. SOR-II/20-1/S&GAD/188-223, dated 9" March, 2006; published in the Balochistan Gazette (Extraordinary) No. 20, dated 9* March, 2006.
- (iii) S&GAD notification No. SOR-II(20)1-Vol-II/S&GAD/424-524, dated 14 June, 2007; published in the Balochistan Gazette (Extraordinary) No. 75, dated 14" June, 2007.
- (iv) S&GAD notification No. S.0.(R-II)(20)1/2013-S&GAD/1739-88, dated 18 November, 2013; published in the Balochistan Gazette (Extraordinary) No. 125, dated 18 November, 2013.

five (5) years service as such,
on seniority cum fitness basis;
and

(e) 53% by initial recruitment.

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