

BALUCHISTAN POPULATION WELFARE DEPARTMENT
(BASIC PAY SCALE 16 AND ABOVE) (TECHNICAL SERVICE)
RULES, 2004

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RULES

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"BALUCHISTAN? POPULATION WELFARE DEPARTMENT
(BASIC PAY SCALE 16 AND ABOVE) (TECHNICAL SERVICE)
RULES, 2004

1 These rules have been issued by the Services and General Administration Department vide its notification No. SOR-II

(19)3/S&GAD/423-511, dated 27 May, 2004; and published in the Baluchistan Gazette (Extraordinary) No. 50, dated 27" May, 2004.

2 Spelling of the word "Baluchistan", wherever it appears in these rules, is corrected by insertion of letter "o" instead of "u"; as

Government of Baluchistan, S&GAD's Notification No. SORI (4) 6/ S&GAD-89, dated 18" June, 1989.

NOTIFICATION

[27th May, 2004]

No. SOR-II (19)3/S&GAD/423-511/. In exercise of the powers conferred by Section 25 of the Balochistan Civil Servants Act, 1974¹, (IX of 1974), the Government of Balochistan is pleased to make the following rules regulating recruitment to the Balochistan Population Welfare Department(Basic Pay Scale 16 and above.) Technical 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 Population Welfare Department (Basic Pay Scale 16 and above) (Technical Service) Rules, 2004.

(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 theses; rules.

(b) “Appointing Authority” means the appointing authority specified in rule 4.

(c) “Board” means a Board of Secondary Education established by law in Pakistan or any other educational authority or institution declared by Government to be a Board for the purposes of these rules;

(d) “Commission” means the Balochistan Public Service Commission²;

(e) “Government” means the Government of Balochistan;

(f) “Initial recruitment” means appointment made otherwise than by promotion or transfer from another 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;

(h) “Scheduled Castes” means the castes, races or tribes and parts of group within castes, races or tribes, declared to scheduled castes, under any law in force in Pakistan or as declared by Government for the purposes of these rules;

(i) “Service” means the Balochistan Population Welfare Department (Basic Pay Scale 16 and above) Technical Service.

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 20th 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).

PART I — 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 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. Appointing Authority.— Appointment to the Service shall be made by Government.

5. Method of Recruitment.— | Appointment to the posts in the Service shall be made as

specified in the Appendix.

6. Age.— (1) No person, who is less than 21 years and more than 30 years of age shall be appointed to a post in service by initial recruitment or as specified by the Government from time to time.

(2) For the purpose of this rule, age shall be reckoned as on the last date fixed for submission of application.

7. Qualification. (1) No persons shall be appointed to a post in the Service by initial recruitment unless he possesses the qualification 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, not being his relatives, 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 physical fit by Medical Board.

PART I — 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 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 service if he has been appointed by initial recruitment and if he has been appointed by initial recruitment and if he has been appointed otherwise, revert him, to

(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.

(c) extend the period of probation as provided in the Civil Servants Act, 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.

(a) In case he has been appointed by initial recruitment, dispenses with his services; or

(b) In case he has been appointed otherwise, revert him to his former post, and if there is not such post, dispense with his services.

9. Seniority— (1) The inter seniority of the member 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 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 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 higher grade, it would no adverse by affect the interest of his seniors in the fixation of his seniority in the higher grade.

Explanation- IT \f a junior officer in a lower grade is promoted to a higher grade be superseding a senior officer and subsequently that officer is also promoted to the same grade the officer promoted first shall rank senior to the officer promoted subsequently.

(2) The seniority in the various grades of the Service of the members thereof appointed by initial recruitment vis-d-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,

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

or both have been appointed against temporary vacancies, will reference to the date of appointment to such vacancy in the case of an officer appointed by initial recruitment and to the date of continuous appointment against such vacancies in the case of the an officer appointed otherwise; provided that if the two dates are same the officer appointed otherwise shall rank senior to the officer appointed 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 officer appointed by initial recruitment shall rank senior to the officer appointed otherwise; and

(c) in case of the officer appointed otherwise is appointed against 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 Balochistan; and

(b) serve in any department of Government or any local authority or statutory body

set up or established by Government as provided in Section 10 of the Balochistan Civil Servants Act, 1974¹;

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 to be less favorable than those to which he would have been entitled if he had not been so required to serve.

11. General Rules.— In all matter 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 mad 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 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.

BY ORDER OF
GOVERNOR BALOCHISTAN

CHIEF SECRETARY

¹ 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.

GOVERNMENT OF BALOCHISTAN

(See Appendix on next page)

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APPENDIX

{See rules 2 (1) (a) 3 (2), 5 and 7 (1)}

Nomenclature of
the post.

Deputy Director

(Tech)/Deputy
Director (Medical)
(B-18)

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Minimum qualification
prescribed

for appointment initial
recruitment.

(a) (i) MBBS

(11) 5 years
experience

(111) Registration with
Pakistan Medical
and Dental Council.

Candidates with the
qualification of post
graduate degree/Post
graduate diploma in any
branch of medical science
(preferably preventive
medicine or obstetrics
gynecology would be

Method of recruitment.

By promotion from amongst
the members of the service
holding post of Deputy
Director (Tech)/Medical (B-
18) with at least 12 years
service in B-17 on the basis
of seniority cum fitness and
above or 7 years service in
case of officers who joined
service by initial recruitment
in B-18.

OR

By transfer of officer from other departments in case no suitable officer for promotion is available.

50% By initial recruitment.

50% by promotion from amongst the members of the service holding the post of Assistant Director, (Tech)/Field Medical Officer/Deputy District Population Welfare Officer (Tech/Med) (B-17) with 5 years service.

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Assistant Director
(Tech)
(Female)/Field
Medical Officer
(Female)/Deputy
District Population
Welfare Officer
(Tech/Med)

Field Technical
Officer/Family
Welfare Supervisor
(B-16).

M.B.B.S Degree from a Initial recruitment.
recognized University or

equivalent qualification

recognized by Pakistan

Medical and Dental Council.

By promotion from amongst
the Family Welfare
Counselor (B-11) with
at least three years service as
such.