

RULES

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THE BALOCHISTAN PROSECUTION DEPARTMENT (MINISTERIAL STAFF) (B-16 AND ABOVE) SERVICE RULES, 2015

CONTENTS

Preamble.

PART I— GENERAL

Short title and commencement.

Definitions.

PART II— RECRUITMENT

Eligibility and composition of the Service.

Appointing Authority.

Method of Recruitment.

Age.

Qualifications.

PART I — CONDITIONS OF SERVICE

Probation.

Confirmation.

Seniority.

Liability to Transfer and Serve.

General Rules.

Relaxation.

Delegation.

Appendix.

'THE BALOCHISTAN PROSECUTION DEPARTMENT
(MINISTERIAL STAFF) (B-16 AND ABOVE) SERVICE
RULES, 2015

NOTIFICATION

[25% January, 2016]

No. SO (Legal-II) Pros: /1-6/2014/887-102. In exercise of powers conferred by Section 15 read with Sub Section (2) of Section 6 of the Balochistan Prosecution Service (Constitution, Function and Powers) Act, 2003? (Act No.VI of 2003), the Government of Balochistan is pleased to make the following rules regulating recruitment to the Balochistan Prosecution Department (Ministerial Staff) (B-16 and above) Service Rules, 2015 and to prescribe 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 Prosecution Department (Ministerial Staff) (B-16 and above) Service Rules, 2015”.

(2) They shall come into force at once.

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

(a) “Act” means the Balochistan Prosecution Act, 2003;
(b) “Appendix” means the Appendix annexed 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 Prosecution Department;
(g) “Government” means the Government of Balochistan;

(h) “Initial Recruitment” means appointment made otherwise than by promotion or transfer from another Service / Department / Post;

1 These rules have been issued by Government of Balochistan, Prosecution and Anti-Narcotics Department vide its notification SO (Legal-II) Pros: /1-6/2014/887-102, dated 25" January, 2016; and published in Balochistan Gazette (Extraordinary) No. 15, dated 25" January, 2016.

Balochistan Act VI of 2003, passed by the Balochistan Assembly on 7" October, 2003: assented to by the Governor of Balochi

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).

(Gj) "Post" Means a post specified in column 2 of the Appendix and such other post in the service as may be specified by the Government from time to time for the purpose of these rules;

(k) "Provincial Selection Board" means a Board constitute by Government under rule 6-A of the Balochistan Civil Servants (Appointment, Promotion and transfer) Rules, 2009;

(i) "Recognized Institute" means any institute established 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;

(1) "Recognized University" means any University established 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;

(m) "Rules" means the Balochistan Prosecution Department (Ministerial Staff) (B-16 and above) Service Rules, 2015;

(n) "Service" means the Balochistan Prosecution Department (Ministerial Staff) (B-16 and above) Service Rules, 2015;

(o) "Subordinate Service" the Balochistan Prosecution Department (Ministerial Staff) (B-1 to B-15) Service Rules, 2009.

(2) Words and expressions used but not defined in hereinabove sub-rule (1), unless the context otherwise requires shall have the meanings 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 for appointment to the Service;

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

(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 — Appointment to the post in the Service shall be made by the Government as specified in rule 4 of the Balochistan Civil Servants (Appointment, Promotion and transfer) Rules, 20097.

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

1 Rules issued by the Services and General Administration Department, Government of Balochistan; and published in the Balochistan Gazette (Extraordinary) No. 165, dated 27" October, 2009.

? Rules issued by the Services and General Administration Department, Government of Balochistan; and published in the

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

6. Age.— No person, who is less than 18 years or more than 28 years of age shall be appointed to the Service by initial recruitment:

Provided that the upper age limit may be relaxed in terms of rule 4 of the Balochistan Government Initial Appointment to Civil Service Posts (Age and Relaxation of Upper Age Limit) Rules, 2012'.

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 officer, 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 physically fit by the Medical Board constituted by the Government for the purpose.

PART II — CONDITIONS OF SERVICE

8. Probation.— A person appointed to a post in the Service on regular basis shall remain on probation for a period as prescribed in rule 2-A of the Balochistan Civil Servants (Confirmation) Rules, 2012.

9. Confirmation.— After satisfactory completion of the probationary period:

Provided that he holds a substantive post, a civil servant appointed on probation under rule 8, shall be eligible for confirmation in the Service on a post or a grade as prescribed in rule 20 of the Balochistan Civil Servants (Appointment, Promotion and Transfer) Rules, 2009? and in rule 3 of the Balochistan Civil Servants (Confirmation) Rules, 2012+.

10. Seniority. The inter-se seniority of the members of the Service appointed to posts in the same grade shall be determined as prescribed in rule 21 of the Balochistan Civil Servants (Appointment, Promotion and Transfer) Rules, 2009! and in the Balochistan Civil Servants (Seniority) Rules, 2008°.

11. Liability to Transfer and Serve.— The member of the Service shall be liable to:—

(a) Transfer anywhere in Balochistan; and

Rules issued by the Services and General Administration Department, Government of Balochistan; and published in the Balochistan Gazette (Extraordinary) No. 35, dated 25" February, 2013.

Rules issued by the Services and General Administration Department, Government of Balochistan; and published in the Balochistan Gazette (Extraordinary) No. 29, dated 16" April, 2012.

Rules issued by the Services and General Administration Department, Government of Balochistan; and published in the Balochistan Gazette (Extraordinary) No. 165, dated 27" October, 2009.

Rules issued by the Services and General Administration Department, Government of Balochistan; and published in the Balochistan Gazette (Extraordinary) No. 29, dated 16" April, 2012.

Rules issued by the Services and General Administration Department, Government of Balochistan; and published in the

(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.

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 the Government and made applicable to them.

13. Relaxation Any provision 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.

14. Delegation. The 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)

APPENDIX

{See Rules 2 (1)(b) 3(3), 5 & 7 (1)}

Nomenclature and Qualification for Method of Recruitment
basic pay scale (BPS) Appointment by Initial
of the Post Recruitment

Administrative Master's Degree at least in | By initial recruitment.
Officer, second Division in Public
Administration or Business
BPS-17). ee
() Administration / BBA or
equivalent qualification from

Private Secretary, By promotion from amongst
the members of the service
(BPS-17). holding the post of Assistant
Private Secretary (BPS-16)
having at least three (3)
years service as such, on
seniority cum fitness basis.

Superintendent, By promotion from amongst
the members of the Service
(BPS-17). holding the post of Assistant
(BPS-16) having at least
three (3) years service as
such, on seniority cum
fitness basis.

Assistant Private By promotion from amongst
Secretary the members of _ the

Subordinate Service holding
the post of Stenographer
(BPS-14) having at least
three (3) years service as
such, on seniority cum
fitness basis.

(B-16).