

THE BALOCHISTAN COMMUNICATION AND WORKS
DEPARTMENT
(NON TECHNICAL POSTS) (GRADE 16 AND ABOVE)
SERVICE RULES, 1982

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'THE 7BALOCHISTAN COMMUNICATION AND WORKS DEPARTMENT
(NON TECHNICAL POSTS) (GRADE 16 AND ABOVE)
SERVICE RULES, 1982

NOTIFICATION

[234 January, 1983]

No. SOR (2)95/S&GAD-80. 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 recruitment to the Balochistan Communication and Works Department (Non Technical Posts) (Grade 16 and 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 Communication and Works Department (Non-Technical posts) (Grade 16 and above) Service Rules, 1982.

(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 annexed to these rules;

(b) "Appointing authority" means the authority specified in rule 4;

(c) "Commission" means the Balochistan Public Service Commission;

(e) "Department" means the Communication & Works Department? Government of Balochistan.

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

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

(h) "Recognized University" means any University incorporated by law in Pakistan or any other University declared by Government in consultation

" These rules have been issued by the Services and General Administration Department, Government of Balochistan, vide its Notification No. SOR (2)106/S&GAD-80, dated 25" September, 1980; and published in the Balochistan Gazette (Extraordinary) No. 205, dated 25" September, 1980.

Spelling of the word "Baluchistan", wherever it appears in this Act, 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.

3 The Government of Balochistan changed the nomenclature of the Communication and Works Department as

"Communication, Works, Physical Planning and Housing Department" vide notification No. SO (O&M)1(134)/2013-

S&GAD/804-900, dated 28th October, 2013; published in the Balochistan Gazette (Extraordinary) No. 118 dated 28th October, 2013.

with the Commission to be a recognized University for the purposes of these rules;

(i) "Service" means the Balochistan Secretariat Ministerial Service.

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

5. Method of Recruitment— = Appointment to the post in the Service shall be made

as prescribed in the Appendix.

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

(i) For upper age limit for appointment in the Service by initial recruitment shall be relaxable for three years upto 31-12-1984, according to the Services and General Administration Department Notification No.S-II-27(127)-/S&GAD-74, dated 08-12-1979.

(11) In the case of a person whose service 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 this rules, he excluded from his age.

(2) For the purposes of this rule, age shall be reckoned—

(i) Where recruitment is to be made on the basis of a written examination, on the 1* of January of the year in which the examination is proposed to be held; and

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

7. Qualification. (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 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 a Government Medical Officer not below the rank of a District Health Officer.

PART- IIT 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 been unsatisfactory, 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 services.

(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-IT. — 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 subsection (5) of Section 7 of the Balochistan 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 fails to complete successfully any training or pass any departmental examination prescribed 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 seniority interse 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 order of merit assigned by the appointing authority; 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 official if not junior to the younger official or officials 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-I.— 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, the official promoted first shall rank senior to the official promoted subsequently.

Explanation-I.— (1) A junior official appointed to a higher grade

shall be deemed to have superseded a senior official only if both the junior and the 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 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 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 the case of the officer appointed otherwise provided that if the two dates are the same the officer appointment otherwise shall rank senior to the officer appointed by initial recruitment and to the date of continuous appointment against such vacancy in the case of the officer appointed by initial recruitment;

(b) in the 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 the officer appointed otherwise if appointed against a 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.

Provided that where a member of the Service is required to service in a post outside his service or cadre, his terms and conditions of service as to his pay shall not be less favourable than those to which he would have been entitled, if he had not been so required to serve

11. 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.

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 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.

14. Repeal. The West Pakistan Buildings and Roads Department Ministerial Service (Regional) Rules, 1962, in their applications to the Province of Balochistan are hereby repealed.

BY ORDER OF

GOVERNOR BALOCHISTAN.

CHIEF SECRETARY

GOVERNMENT OF BALOCHISTAN.

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(see Appendix on next page)

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APPENDIX

See Rule 3(3), 5 and 7 (1)

Nomenclature Minimum Qualification Method of Recruitment.
and basic pay prescribed for
scale (BPS) of the | appointment by initial
post. recruitment or by
transfer.

Deputy Director By promotion from amongst the

(Claim) (BPS-18) members of the service holding the
post mentioned at S. No. 2 with
atleast five years service as such.

Assistant Director | M.A in any subject from a 50 % by initial recruitment
(Claim) (BPS-17) | recognized University. and

50% by promotion from
amongst members of
Administrative
Officer/Accounts Officer in
the Headquarters Office
having atleast five years
service as such on seniority
cum fitness.

Administrative
Officer (BPS-16)

By promotion from amongst the
members of the Service holding the
posts of Superintendents in the
Headquarters Office / Circle Office
having atleast five years service as
such on the basis of seniority cum
fitness.

Accounts Officer By promotion from amongst the
(BPS-16) members of the Service holding the
post of Superintendents in the
Headquarter Office / Circle Office
having atleast five years service as
such on the basis of seniority cum

fitness

Superintendent By promotion from amongst the
(BPS-16 members of the Service holding the

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(Headquarters
Office)

Superintendent
Circle Office
(BPS-16)

post of Assistant / Stenographers
serving in the Headquarters Office
having atleast five years service as
such on the basis of seniority cum
fitness

By promotion from amongst
members of the Service holding the
posts of Assistant /Head Clerks /
Stenographers serving in the Circles
having atleast five years service as

such on the basis of seniority cum
fitness