

THE BALOCHISTAN COMMUNICATION AND WORKS
DEPARTMENT
SUBORDINATE ENGINEERING
(CIVIL, ELECTRICAL AND MECHANICAL)
SERVICE RULES, 1979

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RULES

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NOTIFICATION

[7" February, 1980]

No. SOR (2)45/S&GAD-79. In exercise of the powers conferred by Section 25 of the Balochistan Civil Servants Act, 1974, (Balochistan 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 Subordinate Engineering Service (Civil, Electrical and Mechanical) 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 Subordinate Engineering (Civil, Electrical and Mechanical) Service Rules, 1979.

(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) "Appointing Authority" means the authority specified in rule 5;

(b) "Chief Engineer" means the Chief Engineer Communication and Works Department.

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

(d) "Department" means the Communication and Works Department?.

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

(f) "Initial Recruitment" means the appointment made otherwise than by promotion or transfer from another service/Department/Post;

(g) "Recognized Institute" means any institute recognized by Government in consultation with the Commission to be a recognized institute for the purpose of these rules

7 These rules have been issued by the Services and General Administration Department, Government of Balochistan, vide its Notification No. SOR (2)45/S&GAD-79, dated 7 February, 1980; and published in the Balochistan Gazette (Extraordinary) No. 28, dated 7" February, 1980.

Spelling of the word "Baluchistan", wherever it appears in these rules, 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.

The nomenclature of the Communication and Works Department was changed to "the Communication, Works, Physical Planning and Housing Department" vide S&GAD, Government of Balochistan's notification No. SO (O&M)1(134)/2013-S&GAD/804-900

dated 28" October, 2013; and published in the Balochistan Gazette (Extraordinary) No. 118, dated 28" October, 2013.

(h) "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;

i "Region" means the whole of the area under the charge of the Chief Engineer.

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(j) "Selection Board" means the selection Board constituted by or under orders of Government under Balochistan Rules of Business 1976, for the region where a vacancy in the service exists or is to be filled.

(k) "Service" means the Balochistan Communication and Works Department Subordinate Engineering (Civil, Electrical and Mechanical) Service.

PART- IIT RECRUITMENT

3. Constitution and composition of Service.— (1) The Service shall consist of Regional cadre.

(2) The cadre posts of the service shall be posts of Sub Engineers (Civil, Electrical and Mechanical) and such other posts in the Department as may be determined by Government from time to time.

(3) Members of one cadre shall not be eligible, save as provided in rule 11, for appointment to a post borne on any other cadre of the service.

4. Eligibility. (1) No person who has married a foreign national shall be eligible for appointment to the service.

(2) The restriction imposed sub rule (1) may be relaxed by Government in the case of a person who has married a citizen of India.

5. Appointing Authority — Appointment to the service shall be made by the Senior Most Officer in the office of the Chief Engineer and in his absence by the Chief Engineer himself and the Chief Engineer of the region incharge will be the appellate authority.

6. Method of Recruitment— (1) Recruitment to the Service shall be made by initial recruitment.

(2) Appointment to the cadre posts in the service carrying an initial salary of Rs.410/00 per mensem (or as may be prescribed by Government from time to time) and above all shall be made on the recommendation of the Departmental Selection Board.

(3) Vacancies in the service shall be reserved for bonafide residents of the Balochistan where the vacancies occurs.

7. Age.— (1) No person shall be appointed to the post in the service, who is less than eighteen years or more than twenty five years of age.

(a) where recruitment is to be made on the basis of a written examination, on the 1* January of the year in which the

examination is proposed to be held; and

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

(c) 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, for the purpose of the upper age limit under this rule, be excluded from his age.

8. Qualifications.— (1) No person shall be appointed to a post in the service on initial recruitment unless he has passed the Overseas examination from the Government recognized School of Engineering or holds a diploma (3 years course) in Civil, Electrical and Mechanical Engineering from the Nadirshaw Edudji Dinshaw, Government Engineering College Karachi or Government Polytechnic Institute, Quetta, or an equivalent or a higher qualification from a recognized University or Institute..

(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.

PART- IIT CONDITIONS OF SERVICE

9. Probation.— (1) A person appointed to the service against a substantive vacancy shall remain on probation for a period of two years.

Explanation.— Officiating service and 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 a member of the service during the period of probation has in the opinion of the appointing authority not been satisfactory the appointing authority may notwithstanding that the period of probation has not expired, 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 provision 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) Dispense with his service, or

(b) 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.

Explanation-IHI. — A probationer who has satisfactory completed his period

of probation shall be confirmed with effect from the date of his continuous appointment in the service in a substantive vacancy provided that where the period of his probation has been extended under the provision of clause (b) of this sub rule, the date of confirmation shall be the date on which the period of probation was last extended.

(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 dispense with his service.

10. Seniority— (1) The seniority interse of the members of the service in the various grades thereof shall be determined in accordance with the order of merit assigned by Departmental Selection Board if the appointment is made on the recommendation of the Departmental Selection Board and in other cases 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.

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-IT.— 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.

11. Liability to transfer and serve— Members of the service shall be liable to—

- (a) Transfer any where in Balochistan and
- (b) Serve in any department of Government or any local authority or statutory body

setup or established by Government.

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 Government and made applicable to them.

13. 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.

14. 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