

THE ESTABLISHMENT OF BALOCHISTAN DISTRICT ATTORNEYS
(BPS-1 TO 15) SERVICE
RULES, 2017

Service Rules No. IX of 2017

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'THE ESTABLISHMENT OF BALOCHISTAN DISTRICT
ATTORNEYS (BPS-1 TO 15) SERVICE

1 These rules have been issued by the Services and General Administration Department, Government of Balochistan, vide its Notification No. SOR-II (16)6/2017-S&GAD/776-825, dated 7th February, 2017; published in the Balochistan Gazette (Extraordinary) No. 30, dated 7 February, 2017.

RULES, 2017

NOTIFICATION

[7th February, 2017]

No. SOR-II (16)6/2017-S&GAD/776-825. In exercise of powers conferred by Section 25 of the Balochistan Civil Servants Act, 1974¹, (Act No. IX of 1974), the Government of Balochistan is pleased to make the following rules regulating the recruitment to the Establishment of Balochistan District Attorneys (BPS-1 to 15) Service, and prescribing conditions of service for the persons appointed thereto, namely: —

THE ESTABLISHMENT OF BALOCHISTAN DISTRICT
ATTORNEYS (BPS-1 TO 15) SERVICE
RULES, 2017

Service Rules No. IX of 2017

PART I— GENERAL

1. Short title and commencement. — qd) These rules may be called "the Establishment of Balochistan District Attorneys (BPS-1 to 15) Service Rules, 2017".

(2) They shall come into force at once.

2. Definitions. — (1) In these rules, unless there is anything repugnant in the subject or context, —

(a) "Act" means the Balochistan Civil Servants Act, 1974² (Act No. IX of 1974);

(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 Commission to be a Board for the purpose of these rules;

(e) "Basic Pay Scales (BPS)" means the Basic Pay Scale of a post as 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;

(f) "Commission" means the Balochistan Public Service Commission³;

+ Balochistan Act IX of 1974; passed by the Balochistan Assembly on 19th June, 1974; assented to by the Governor of Balochistan; and published in the Balochistan Gazette (Extraordinary) No. 41 dated 20th July, 1974.

? Commission 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).

(g) "Department" means the Balochistan Law and Parliamentary Affairs Department;

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

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

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) "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;

(0) "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 Establishment of Balochistan District Attorneys (BPS-1 to 15) Service Rules, 2017;

(n) "Service" means the Establishment of Balochistan District Attorneys (BPS-1 to 15) Service; and

(0) "Selection/Promotion Committee" means the Selection/ Promotion Committees constituted by the Department under the rule 5 of the

Balochistan Civil Servants (Appointment, Promotion and Transfer) Rules, 2009?;

(2) Words and expressions used but not defined herein above sub-rule (1), unless the context otherwise requires, shall have the same meanings as 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), may be relaxed by Government in case of a person who is married or proposed to marry a foreign national of any country 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 posts in the Service shall

be made by the appointing authority as specified in rule 4 of the Balochistan Civil Servants (Appointment, Promotion and Transfer) Rules, 2009'.

That is an Administrative Department of the Government of Balochistan, see S. No. 22, Schedule II of the Balochistan Government Rules of Business, 2012, published in Balochistan Gazette (Extraordinary) No. 115, dated 14 December, 2012. Rules issued by the Services and General Administration Department, Government of Balochistan, vide its Notification No. SORI-5(13)1/S&GAD/2007/1857-1956, dated 27th October, 2009; and published in the Balochistan Gazette (Extraordinary) No. 165, dated 27th October, 2009.

5. Method of Recruitment.— (1) The appointment to the posts and Basic Pay Scales of the post in the Service shall be as specified in column 4 of the Appendix.

(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 only the upper age limit may be relaxed in terms of rules 3 and 4 of the Balochistan Government Initial Appointment to Civil Service Posts (Age and Relaxation of Upper Age Limit), Rules, 2012'.

7. Qualification. — qd) No person shall be appointed to a post and Basic Pay Scale in 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 officers, not being his relatives and 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 or a Government Medical Officer not below the rank of District Health Officer, as the case may be.

PART III — 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, 20127.

9. Confirmation. — After satisfactory completion of the probationary period, a civil servant appointed on probation under rule 8, provided that he holds a substantive post, shall be eligible for confirmation in service or a post or a Basic Pay Scale 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. — qd) The inter se seniority of the members of the Service appointed to the posts in the same Basic Pay Scale 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+.

Rules issued by the Services and General Administration Department, Government of Balochistan, vide its Notification No. S.O. (R-I) 3 (12)/2013-S&GAD/808-907, dated 25 February, 2013; 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, vide its Notification No. S.O. (R-1)1(16)/2012-S&GAD/961-1060, dated 16" April, 2012; 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, vide its Notification No. SORI-5(13)1/S&GAD/2007/1857-1956, dated 27th October, 2009; and published in the Balochistan Gazette (Extraordinary) No. 165, dated 27th October, 2009.

Rules issued by the Services and General Administration Department, Government of Balochistan, , vide its Notification No.SORI.1(17)S&GAD/2007/929-1030 dated 25th August, 2008; and published in the Balochistan Gazette (Extraordinary) No. 222, dated 25th August, 2008.

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11. Liability to Transfer and Serve.— [The members of the Service shall be liable to

(a) transfer anywhere in Balochistan; and

(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 favourable 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 the 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.

15. Repeal. — The Establishment of Balochistan District Attorneys (B-1 to 15) Service Rules, 1999!, are hereby repealed.

BY ORDER OF
GOVERNOR BALOCHISTAN

CHIEF SECRETARY
GOVERNMENT OF BALOCHISTAN

(See Appendix on next page)

+ These rules were issued by the Services and General Administration Department, Government of Balochistan, vide its

Notification No. SOR-II(16)6/S&GAD/337-447, dated 22TM March, 1999. Now repealed by R.15.

APPENDIX

{See rule 2 (1) (b) 3 3), 5&7 (Dk

Serial. | Nomenclature and | Minimum qualification for Method of recruitment
No. basic pay scale initial recruitment
(BPS) of the Post

1. Stenographer, Bachelor's Degree from a | By initial recruitment.
recognized University;

(BPS-14).
typing skill in English
and Urdu with a speed of
at least 35 words per
minute;

short hand skill with a
speed of at least 80 words
per minute; and

having at least three
months Office
Automation Certificate in
computer operations from
a recognized Institute.

2. Senior Clerk, --- By promotion from amongst
(BPS-14). the members of the Service
holding the post of Junior
Clerk (BPS-11) having at
least three (3) years' service
as such, on seniority cum
fitness basis; however, the
members promoted as Junior
Clerk from (BPS-1 to 5)
having qualification of
Higher Secondary Schools

Certificate will be
considered for promotion as
Senior Clerk;

Provided that the
members unable to acquire
Higher Secondary Schools
Certificate shall not be
eligible for promotion and if
deferred twice for promotion

3. Accountant,

(BPS-14).

Bachelor's Degree in
Commerce (B.Com) from
a recognized University;

or

Bachelor's Degree in
Business Administration
(B.B.A) from a
recognized — University;

and

having at least three
Office
Automation Certificate in
computer operations from
a recognized Institute.

months

by the competent forum will
stand superseded.

By initial recruitment.

4. Assistant Computer
Operator,
(BPS-12).

(a) (i) Higher

Secondary
School Certificate from
a recognized Board;
and

having one year's
Diploma in Computer
Science or IT, from a
recognized Institute; or

ICS from a recognized
Institute /Board; and

typing skill on
computer with a speed
of at least 60 words per
minute in English and

Urdu.

By initial recruitment.

5. Junior Clerk,
(BPS-11).

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Higher Secondary School
Certificate from a
recognized Board;

skill in English

typing
and Urdu with a speed of
at least 30 words per
minute; and

preference will be
accorded to those who

(a) 20% by promotion
from amongst the
members of the Service
holding the posts of
(BPS-1 to BPS-5)
having at least three (3)
years service as such,
possessing the
Secondary School
Certificate with typing

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have experience in
Computer / IT software
applications English and
Urdu typing skill.

skill in English and
Urdu having a speed of

at

least 30 words per

minute;

For the purpose of

promotion a common
seniority list of all
employees (BPS-1 to
BPS-5) with reference

to

their dates of

acquiring Secondary
School Certificate will
be maintained:

Provided that:

(i) if two or more
officials having
acquired the

(ii)

(ii) if an employee

Secondary School
Certificate on the
same date, the
official having
longer service shall
be ranked senior to
the other;

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, shall be
ranked senior to the
younger official; and

possesses the
Secondary School
Certificate prior to
induction in Service,
shall be entitled for
seniority from the
date of appointment;

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and

(b) 80% by initial
recruitment.

Driver,

(BPS-4).

Naib Qasid,

(BPS-1).

Chowkidar,

(BPS-1).

(a) Middle pass Certificate
from a recognized Board/
Institute;

(b) possessing a valid HTV/
LTV driving _ licences;
issued from the Licensing
Authority; and

(c) having at least two years'
experience as driver.

Literate

Literate

By initial recruitment.

By initial recruitment.

By initial recruitment.