

THE DIRECTORATE OF TOURISM BALOCHISTAN
(BPS-16 AND ABOVE) SERVICE

RULES, 2009

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'THE DIRECTORATE OF TOURISM BALOCHISTAN
(BPS-16 AND ABOVE) SERVICE

RULES, 2009

NOTIFICATION

[20" January, 2009]

No. S.O(R-ID/12 (2) S&GAD/232-280. In exercise of the powers conferred by Section 25 of the Balochistan Civil Servants Act, 1974? (IX of 1974), the Government of Balochistan is pleased to make the following rules regulating the recruitment to *[the Directorate of Tourism Balochistan (BPS-16 and above) Service, and prescribing conditions of service for the persons appointed thereto, namely:—

PART I— GENERAL

1. Short title and commencement.— qd) These rules may be called the Directorate of Tourism Balochistan (BPS-16 and above) Service Rules, 2009.

(2) They shall come into force at once.

2. Definitions— (1) 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 appointing authority as specified in rule 4;

(c) "Board" means a Board of Secondary Education established by Law in Pakistan or any other educational authority or institution which may be declared by Government in consultation with the Commission to be a Board for purpose of these rules;

(d) "Commission" means the Balochistan Public Service Commission';

(e) "Directorate" means the Directorate of Culture and Tourism Balochistan;

(f) "Department" means Culture, Tourism and Archives Department,
Government of Balochistan;

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

These rules have been issued by the Services and General Administration Department vide its notification No. S.O(R-II)/12 (2)

S&GAD/232-280, dated 20" January, 2009; and published in the Balochistan Gazette (Extraordinary) No.8, dated 20 January, 2009.

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.

Substituted by Services and General Administration Department vide its notification No. SOR-II (12)2/ S&GAD /12366-415, dated 20" December, 2010; and published in the Balochistan Gazette (Extraordinary) No. 125, dated 20 December, 2010, for words "the Directorate of Culture and Tourism Balochistan".

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 under the Balochistan Ordinance II of 19 (repealed) and the Balochistan Act IV of 1974 (repealed).

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

(i) "Recognized University" means any university incorporated 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;

Gg) "Schedule Casts" means the castes, races or tribes and parts or groups within castes, races or tribes declared to be schedule casts, under any Law in force in Pakistan or as declared by Government for the purposes of these rules;

(k) | "Service" means the Directorate of Culture and Tourism Balochistan (BPS- 16 and above) Service.

PART I — RECRUITMENT

3. Eligibility and Composition of Service.— dd) No person who is married to a foreign national shall be eligible for appointment to the Service.

(2) The restriction imposed by sub-rule (1) above may be relaxed by Government in the case of a person who is married to a citizen of India or Bangladesh.

(3) The Service shall comprise of the post 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 as specified in rule 4 of the Balochistan Civil Servants (Appointment, Promotion and Transfer) Rules 1979'.

5. Method of Recruitment.— — Appointment to the Service shall be made as specified in the Appendix.

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

(i) In the case of a person whose service under the Government have been terminated for want of a vacancy, the period of service already rendered by him shall, for the purpose of the upper age limit under this rule be excluded from his age.

(ii) Upper age limit for appointment to the Service by initial recruitment in case of candidates from scheduled castes or under developed areas shall be relaxed as per Government instruction in force.

7. Qualifications.— dd) No person shall be appointed to a post in the Service by initial recruitment unless he possesses the qualification prescribed for the post in column3 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 of the Academic Institution last

237-79-SO-ARC/S&GAD, dated 26" June, 1979; published in the Balochistan Gazette (Extraordinary) No. 73, dated 10" July, 1979; and now repealed by the Balochistan Civil Servant (Appointment, Promotion and Transfer) Rules, 2009, Rule 23.

For the Balochistan Civil Servant (Appointment, Promotion and Transfer) Rules, 2009, See Balochistan Gazette (Extraordinary) No. 165, dated 27" October, 2009.

attended and also certificates of character from two other responsible persons, not being his relatives and who are well acquainted with the 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 III - CONDITIONS OF SERVICE

8. Probation (1) A person appointed to the Service against a substantive vacancy, shall remain on probation for a period of 2 years if appointed by initial recruitment, and for a period of 1 year, if appointed otherwise.

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 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 provision of sub-rule (4), either 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, 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— II. 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 sub-section (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 and pass any departmental examination prescribed under subrule (4) within such period or in such number of attempts as may be prescribed by Government the appointing authority may: —

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.

(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 inter se seniority of the members of the Service in 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 member selected for the service in an earlier selection shall rank senior to the member 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 member 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 the higher grade, it would not adversely affect the interest of his seniors in the fixation of his seniority in higher grade.

Explanation— II. If a junior officer in a lower grade is promoted to a higher grade by 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.

Explanation— IIT. qd) A junior officer appointed to a higher grade shall be deemed to have superseded a senior officer only, if both the junior and senior officers were considered for the higher grade and the junior officer was appointed in preference to the senior officer.

(2) The seniority in the various grades of the Service of the members thereof appointed by initial recruitment viz-a-viz those appointed otherwise shall be determined;

(a) in case both the officer appointed by initial recruitment and officer 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 by initial recruitment and to the date of continuous appointment against such vacancy in the case of officer appointed otherwise;

Provided that if the two dates are the same the officer appointed otherwise shall rank senior to the officer appointed by initial recruitment;

(b) in case 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.

(c) in case, the officer appointed otherwise is 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) 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 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 these rules would cause undue hardship to the individual concerned.

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
GOVERNMENT OF BALOCHISTAN

(See Appendix on next page)

APPENDIX

{See rule 3 and 5}

Serial

No.

Nomenclature of the
post.

Minimum qualification
prescribed for
appointment by initial
recruitment.

Method of recruitment.

3

4

Director

(B-19)

Deputy Director
Tourism

(B-18)

By promotion from amongst the
members of the Service holding
the post of Deputy Director
Tourism (BPS-18) having at least
twelve years service in B-17
including 3 years service in B-18,
on seniority cum fitness basis.

By promotion from amongst the
members of the Service holding
the post of Assistant Director
Tourism (B-17) having at least 5-
years service as such, on seniority
cum fitness basis.

1B.

Assistant Director
Tourism

(B-17)

Tourist Information
Officer

(B-16)

Master's Degree
Preferably in Tourism or
Geography from a
recognized University.

By promotion from amongst the
members of the Service
holding the post of Tourist
Information Officer(B-16)and
Superintendent (B-16) having at
least 3 years service as such on
seniority cum fitness basis.]

(a) 50% by initial recruitment.

(b) 50% by promotion from
amongst the members of the
subordinate Service holding
the post of Tourist Guide (B-
11) having at least 5-years
service as such on seniority
cum fitness basis.

Superintendent

(B-16)

By promotion from amongst the
members of the subordinate
Service holding the post of
Assistant (B-11) having at least 5-
years service as such on seniority

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cum fitness basis.