

Dated Quetta, the 5th, February, 1984

NOTIFICATION.

No. SOR(2) 145/S&G AD-82. In exercise of ^{the} powers conferred by Section 25 of the Baluchistan Civil Servants Act, 1974 (IX of 1974), the Government of Baluchistan is pleased to make the following rules regulating recruitment to the Baluchistan Civil Service (Executive Branch) 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 Baluchistan Civil Service (Executive Branch) Rules, 1984.

(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 4;
- (b) "Attached Department" means an attached Department as defined in rule 2(1) (ii) of the Rules of Business of the Government of Baluchistan, 1976;
- (c) "Commission" means the Baluchistan Public Service Commission;
- (d) "Government" means the Government of Baluchistan;
- (e) "Initial recruitment" means appointment made otherwise than by promotion or transfer from another Service/Department/Post;
- (f) "Recognised University" means any University incorporated by law in Pakistan or any other University which may be declared by Government in consultation with the Commission to be a recognised University for the purpose of these rules;
- (g) "Service" means the Baluchistan Civil Service (Executive Branch).

PART-II RECRUITMENT.

Eligibility and Composition of Service- (1) No person who is married to a foreign national shall be eligible for appointment to the Service.

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(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.

(3) The service shall comprise of such posts as may be determined by Government from time to time.

4. Appointing Authority. Appointments to the Service shall be made by the Government.

5. Method of Recruitment. (1) Recruitment to the Service shall be made in the following manner :-

- a) by initial recruitment on the recommendations of the Commission based on the result of a competitive examination conducted by it in accordance with Appendix 'A' to these rules; or
- b) by promotion.

(2) Fifty percent of the vacancies in the Service shall be filled by initial recruitment and the rest by promotion.

(3) Vacancies to be filled by promotion shall be filled as follows :-

- a) 87½ per cent of such vacancies shall be filled from among members of the Baluchistan Tehsildari Service whose names appear in the Select List 'A' to be maintained in accordance with the provisions of clause (a) of sub-rule (4).

- b) The remaining 12½ per cent of such vacancies shall be filled from among persons whose names appear in Select List 'B' to be maintained in accordance with clause (b) of sub-rule (4) of this rule.

(4) Government shall maintain -

- a) a Select List 'A' in form I ~~XXXX~~ annexed to these rules, which shall be prepared in consultation with the Board of Revenue, of the Tehsildars who are considered fit for promotion to the Service;
- b) a Select List 'B' in form 2 appended to these rules of persons who hold substantive posts of Superintendents, Personal Assistants, Stenographers, working in the Baluchistan Secretariat, Attached Departments, Commissioners Office and Subordinate Offices and who are considered fit for promotion to the Service.

(5) Selection of Officers for being brought on the Select Lists referred to in sub-rule 4 shall be strictly on merit with particular reference to fitness for higher responsibilities.

(6) No entry shall be made in the Select List ~~XXXX~~ to be maintained under the provisions of sub-rule (4) of this rule nor shall an entry appearing in the Lists be removed or the order in which the names appear in the Select List without the previous approval of the Commission.

(7) In making an appointment from among the persons whose names appear in the Select List to be maintained under the provisions of sub-rule (4), the

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Private
Secretaries

order in which the names appear in the Select List, as far as may be followed.

(8) Promotion against the departmental quota shall be made first and the vacancies meant for initial recruitment shall be filled later; provided that under no circumstances the quota fixed for initial requirement shall be filled in by promotion.

6. Age - (1) No person shall be appointed to the Service by initial recruitment who is less than twenty one years or more than twenty five years of age;

(2) For the purpose of this rule, age shall be reckoned -

(a) where recruitment is to be made on the basis of a written examination on the 1st of January of the year in which the examination is held; and

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

Provided that -

(i) Upper age limit for appointment to the Service by initial recruitment shall be relaxable for three years upto 31.12.1984 according to Government of Baluchistan Services & General Admin: Department Notification No.S-III-27(127)/S.G.A.D-74, dated 8.12.1979.

(ii) in the case of persons serving in connection with the affairs of the Federation, who are domicile in Baluchistan and persons serving in connection with the affairs of the Province of Baluchistan with at least four years service as such, the upper age limit shall be thirty five years.

7. Qualification - (1) No person shall be appointed to the Service by initial recruitment unless he is a graduate from a recognised University;

(2) No person not already in Government service, shall be appointed to the Service unless he produces a certificate from the principal academic officer of the academic institution last attended, and also certificate 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.

8. Probation - (1) Persons appointed to the Service against substantive vacancies 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.

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(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, 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 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; or
- (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 the appointment from the date on which he was appointed XX to the post subject to provision of sub-section 5 of Section 7 of Baluchistan 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 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; and
- (b) in case he has been appointed otherwise, revert him to his former post, and if there be no such post, dispense with the services.

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9. Seniority - (1) The inter-se seniority 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 Commission; 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 date of their continuous appointment therein; provided that if the date of continuous appointment in respect of two or more officers 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 that 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, the officer promoted first shall rank senior to the officer promoted subsequently.

Explanation-III- A junior officer appointed to a higher grade shall be deemed to have superseded a senior officer only if both the junior and the 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 members appointed by initial recruitment vis-a-vis those appointed otherwise shall be determined as under -

- (a) in case both the officer appointed by initial recruitment and the officer appointed ~~XXXXXXXX~~ otherwise have been appointed against substantive vacancies or both have been appointed against temporary vacancies ~~XXXXXXXX~~ 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 the officer appointed otherwise; provided that if the 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, and
- (c) in case the officer appointed otherwise is appointed against a substantive vacancy and the officer appointed by initial recruitment is appointed against temporary vacancy, the officer appointed otherwise shall rank senior to the officer appointed by initial recruitment.

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Liability to transfer and serve- Members of the Service shall be liable -

- (a) to transfer any where in Baluchistan; and
- (b) to 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 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 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 framed 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 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.

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 Civil Service (~~XXXXX~~ Executive Branch) Rules, 1964, in their application to the Province of Baluchistan are hereby repealed.

BY ORDER OF
GOVERNOR BALUCHISTAN

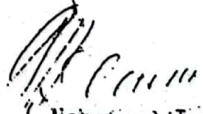
CHIEF SECRETARY
GOVERNMENT OF BALUCHISTAN.

No. SOR(5)96/S&GAD-81/

Dated Quetta, the

Copy for information to :-

1. The Additional Chief Secretary (Development), Planning and Development Department, Baluchistan, Quetta.
2. All the Administrative Secretaries, Government of Baluchistan, Quetta.
3. The Chairman, Baluchistan Public Service Commission, Quetta.
4. All the Under Secretaries/Section Officer in Services and General Admin. Department, Quetta.
5. The Manager, Government XX Printing XXX Press, Quetta.


(Mohammad Islam)
Section Officer (Reg: II)