THE BALOCHISTAN COMMUNICATION WORKS PHYSICAL PLANNING AND HOUSING DEPARTMENT ENGINEERS (BPS-16 AND ABOVE) SERVICE RULES, 2015

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[1]THE BALOCHISTAN COMMUNICATION WORKS PHYSICAL PLANNING AND HOUSING DEPARTMENT ENGINEERS (BPS-16 AND ABOVE) SERVICE RULES, 2015

N O T I F I C A T I O N

[*29th April, 2015*]

No. SO(R-II) (3)12/2015-S&GAD/1176-99. In exercise of the powers conferred by Section 25 of the Balochistan Civil Servants Act, 1974[2] (Act No. IX of 1974), the Government of Balochistan is pleased to make the following rules regulating the recruitment to the Balochistan Communication Works Physical Planning and Housing Department Engineers (BPS-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 Works Physical Planning and Housing Department Engineers (BPS-16 and above) Service Rules, 2015".

(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, 1974[2] (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 the Commission to be a Board for the purpose of these rules;

(e) **"Commission"** means the Balochistan Public Service Commission;

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[1] These rules have been issued by the Services and General Administration Department, Government of Balochistan, vide its Notification No. SO(R-II) (3)12/2015-S&GAD/1176-99, dated 29th April, 2015; and published in the Balochistan Gazette (Extraordinary) No. 52, dated 29th April, 2015.

[2] Balochistan Act IX of 1974; passed by the Provincial Assembly of Balochistan on 19th July, 1974; and published in the Balochistan Gazette (Extraordinary) No. 41, dated 20th July, 1974.

(f) **"Department**" means the Balochistan Communication, Works, Physical Planning and Housing Department, Government of Balochistan;

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

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

(i) **"Post"** means a post specified in column 2 of the Appendix and such other post in the Service is may be specified by the Government from time to time for the purpose of these rules;

(j) **"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;

(k) **"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;

(l) **"Rules"** means the Balochistan Communication, Works, Physical Planning and Housing Department Engineers (BPS-16 and above) Service Rules, 2015;

(m) **"Service"** means the Balochistan Communication, Works, Physical Planning and Housing Department Engineers (BPS-16 and above) Service;

(n) **"Selection/Promotion Committee"** means Selection/ Promotion Committee constituted by or under the orders of the Governments; *and*

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

(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 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[1], 2009.

5. **Method of Recruitment.**— (1) The appointment to the posts 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 of age shall be appointed to the Service by initial recruitment:

Provided that the upper age limit may be relaxed in terms of Rule 4 of the Balochistan Government Initial Appointment to Civil Service Posts (Age and Relaxation of Upper Age Limit), Rules[2], 2012.

7. **Qualifications.**— (1) No person shall be appointed to a post in the Service by initial recruitment unless he/she 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 civil servant 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[3], 2012.

9. **Confirmation.**— After satisfactory completion of the probationary period, provided that he holds a substantive post, a civil servant appointed on probation under rule 8; shall be eligible for confirmation in the service on a post or a grade; as prescribed in rule 20 of the Balochistan Civil Servants (Appointment, Promotion and Transfer) Rules[1], 2009 and in rule 3 of the Balochistan Civil Servants (Confirmation) Rules[3], 2012.

10. **Seniority.**— The inter se seniority of the members of the Service appointed to posts in the same grade shall be determined as prescribed in rule 20 of the Balochistan Civil

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[1] Rules issued by the Services and General Administration Department, Government of Balochistan; and published in the Balochistan Gazette (Extraordinary) No. 165, dated 27th October, 2009.

[2] Rules issued by the Services and General Administration Department, Government of Balochistan; and published in the Balochistan Gazette (Extraordinary) No. 35, dated 25th February, 2013.

[3] Rules issued by the Services and General Administration Department, Government of Balochistan; and published in the Balochistan Gazette (Extraordinary) No. 29, dated 16th April, 2012.

Servants (Appointment, Promotion and Transfer) Rules[1], 2009, and in the Balochistan Civil Servants (Seniority) Rules[2], 2008.

11. **Liability to Transfer and Serve.**— The member 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 expressively 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 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 these 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 Balochistan Communication, Works, Physical Planning and Housing Department, Civil , Mechanical, Electrical, Electronics and Gas Engineers (BPS-17 and above) Service Rules,1986[3] are hereby repealed:

Provided that all the actions taken, appointment made, orders passed, notifications issued or any other thing done under any of the provision of the repealed rules, shall deem to be taken, made, passed, issued or done under the provision of these rules, unless otherwise, altered, replaced, cancelled or withdrawn by the Competent Authority.

BY ORDER OF

GOVERNOR BALOCHISTAN

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[1] Rules issued by the Services and General Administration Department, Government of Balochistan; and published in the Balochistan Gazette (Extraordinary) No. 165, dated 27th October, 2009.

[2] Rules issued by the Services and General Administration Department, Government of Balochistan; and published in the Balochistan Gazette (Extraordinary) No. 222, dated 25th August, 2008.

[3] Rules issued by the Services and General Administration Department, Government of Balochistan vide notification No. SOR-II(2)31/S&GAD-79, dated 1st June 1986; appendix whereof was substituted by notifications No. SOR-II (3)12/ S&GAD/1533-1643, dated 23rd August 1997 and further amended by notifications No. SOR-II(3)12/ S&GAD/ 113-212, dated 16th January, 2003 and No. SOR (3)11/ S&GAD/449-83, dated 3rd May, 2006; and now repealed by these Rules, r. 15.

It repealed the earlier rules i.e. The Balochistan Communication and Works Department Civil, Electrical and Mechanical Engineers (Grade 16 and above) Service Rules, 1981; published in the Balochistan Gazette (Extraordinary) No. 41 dated 26th March, 1981; issued by S&GAD vide its notification No. SOR(2)31/S&GAD-79, dated 24th March 1981.

CHIEF SECRETARY

BALOCHISTAN

(*See **Appendix** on next page*)

APPENDIX

{See rules 2 (1) (b), 3 (3), 5 and 7 (1)}

Serial No.	Nomenclature and basic pay scale (BPS) of the post	Minimum qualification for initial recruitment	Method of recruitment
1.	**2.**	**3.**	**4.**
1.	(a) Chief Engineer, (BPS-20); *and* (b) Chief Quality Control Specialist (BPS-20)	---	By promotion from amongst the members of the service holding the posts of Superintending Engineer (BPS-19), Director Road Maintenance Unit (BPS-19), Director Planning and Design Cell (BPS-19) and Quality Control Specialist (BPS-19) having at-least 17 years service in BPS-17 years service in BPS-17 and above, on seniority cum fitness basis.
2.	(a) Superintending Engineer (BPS-19); (b) Director Road Maintenance Unit, (BPS-19); (c) Director Planning and Design Cell (BPS-19); *and* (d) Quality Control Specialist (BPS-19).	---	By promotion from amongst the members of the service holding the posts of Executive Engineer (BPS-18), Deputy Director Road and Building (BPS-18), Deputy Director Road Maintenance Unit (BPS-18), Senior Technical Officer (BPS-18) and Senior Research Officer (BPS-18) having at least 12 years service in BPS-17 & above, on seniority cum fitness basis.
3.	(a) Executive Engineer (BPS-18);	---	By promotion from amongst the members of

	(b) Deputy Director Road and Building (BPS-18); (c) Deputy Director Road Maintenance Unit (BPS-18); (d) Senior Technical Officer (BPS-18); *and* (e) Senior Research Officer (BPS-18).		the service holding the posts of Sub Divisional Officer (BPS-17), Assistant Engineer (BPS-17), Assistant Director Road and Building (BPS-17), Assistant Director Road Maintenance Unit (BPS-17), Research Officer (BPS-17), Assistant Research Officer (BPS-17), Technical Officer (BPS-17) and Statistical Investigator (BPS-17) having at-least five (5) years service, on seniority-cum-fitness basis.
4.	(a) Sub Divisional Officer (BPS-17); (b) Assistant Engineer (BPS-17); (c) Assistant Director Road and Building (BPS-17); (d) Assistant Director Road Maintenance Unit (BPS-17); (e) Research Officer (BPS-17); (f) Assistant Research Officer (BPS-17); (g) Technical Officer (BPS-17); *and* (h) Statistical Investigator (B-17).	(a) Bachelor's Degree (Second Division) in Engineering in Civil or, Mechanical or Electrical Technologies from a recognized University; *and* (b) Registration as Professional Engineer with Pakistan Engineering Council.	(a) 10% by promotion from amongst the members of the service holding the post of Sub Engineer (BPS-11) with Bachelor's of Engineering Degree in the relevant filed from a recognized University prior to induction in the Service, having at least five (5) years service as such, on seniority-cum-fitness basis; (b) 10% by promotion from amongst the members of the service holding the post of Sub Engineer (BPS-11) acquiring the Bachelor's of Engineering Degree in the relevant filed from a recognized University during the Service, having at-

			least five (5) years service as such, on seniority-cum-fitness basis; (c) 17% by promotion from amongst the members of the service holding the post of Sub Engineer (BPS-11) having three (3) years Diploma of Associate Engineering in the relevant filed from a recognized University and having at least five (5) years service as such, on seniority-cum-fitness basis; (d) 3% by promotion from amongst the members of the Service holding the post of Sub Engineer (BPS-11), having Degree of B-Tech (Honours) in the relevant field from a recognized University and having at-least five (5) years service as such, on seniority-cum-fitness basis; *and* (e) 60% by initial recruitment.

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