

**BALUCHISTAN AGRICULTURE ENGINEERING DEPARTMENT
TECHNICAL (BASIC PAY SCALE 16 AND ABOVE) SERVICE**

RULES, 1984

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RULES

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**¹BALUCHISTAN² AGRICULTURE ENGINEERING DEPARTMENT
TECHNICAL (BASIC PAY SCALE 16 AND ABOVE) SERVICE
RULES, 1984**

NOTIFICATION

[4th July, 1984]

No. SOR (2) 171/S&GAD— 81. In exercise of the powers conferred by Section 25 of the Balochistan Civil Servants Act, 1974³ (IX of 1974), the Government of Balochistan is pleased to make the following rules regulating recruitment to the Balochistan Agricultural Engineering Department Technical (Basic Pay Scale 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 Agricultural Engineering Department Technical (Basic Pay Scale 16 and Above) Service Rules 1984.

(2) They shall come into force at once.

2. **Definitions.**— (1) In these rules, unless the context otherwise requires the following expression shall have the meanings hereby respectively assigned to them, that is to say—

- (a) “**Appendix**” means the Appendix to these rules;
- (b) “**Appointing Authority**” means the appointing authority specified in rule 4;
- (c) “**Board**” means a Board of 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 purposes of these rules;
- (d) “**Commission**” means the Balochistan Public Service Commission⁴;
- (e) “**Department**” means the Agriculture Engineering Department, Balochistan;
- (f) “**Government**” means the Government of Balochistan;
- (g) “**Initial recruitment**” means appointment made other than by promotion or transfer from another Service/Department/Post;

¹ These rules have been made by the Government of Balochistan, Services and General Administration Department, vide its Notification No. SOR (2) 171/S&GAD— 81, dated 6th May, 1984; and published in the Balochistan Gazette (Extraordinary) No.192, dated 4th July, 1984.

² 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 18th June, 1989.

³ That is Balochistan Act IX of 1974; passed by the Provincial Assembly of Balochistan on 19th June, 1974; assented to by the Governor of Balochistan; and published in the Balochistan Gazette (Extraordinary) No. 41 dated 20th July, 1974.

⁴ Constituted under the Balochistan Public Service Commission Act, 1989 (Act II of 1989); published in the Balochistan Gazette (Extraordinary) No. 88, dated 23rd May, 1989; and earlier to that constituted under the Balochistan Ordinance II of 1978 (repealed) and the Balochistan Act IV of 1974 (repealed).

- (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;
- (j) “**Schedule Castes**” means the castes, races, or tribe and parts or groups within castes, races or tribes declared to be scheduled castes, under any law in force in Pakistan or as declared by Government for the purposes of these rules;
- (k) “**Service**” means the Balochistan Agricultural Engineering Department Technical (Basic Pay Scale 16 and above) Service.

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 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 the posts specified in Column 2 of the Appendix and such other 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.**— Appointments to the Service shall be made as specified in the Appendix.

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

Provided that —

- (i) in case of a person whose services 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) for 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 for three years up to 31.12.1984, as laid down in the Government of Balochistan, S&GAD Notification No. S-III-27 (127)/S&GAD-74, dated, 8-12-1979.
- (2) For the purpose of this rule, age shall be reckoned —
- (i) where recruitment is to be made on the basis of a written examination, as on the 1st of January of the year in which the examination is proposed to be held; *and*
 - (ii) in other cases, as on the last date fixed for submission of applications for appointment.

7. **Qualifications.**— (1) No person shall be appointed to a post in the 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, 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.

PART III — CONDITION OF SERVICE

8. **Probation.**— (1) A person appointed to the Service against a substantive vacancy, shall remain on probation for a period of two years if appointed by initial requirement, and for a period of one 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 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 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 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 his appointment from the date on which he was appointed to the post subject to provision of Sub-section (5) of Section 7 of Balochistan Civil Servants Act, 1974¹.

¹ That is Balochistan Act IX of 1974; passed by the Provincial Assembly of Balochistan on 19th June, 1974; assented to by the Governor of Balochistan; and published in the Balochistan Gazette (Extraordinary) No. 41 dated 20th July, 1974.

(4) No person shall be confirmed in the Service unless he successfully complete such training and passes such departmental examinations as may be prescribed by Government from time to time.

(5) If a member of the Service whether appointed by initial recruitment or otherwise fails to complete successfully any training and 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;

- (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 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 member selected for the Service in an earlier selection shall rank senior to the members 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 members of the Service is the same the older official, 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 temporary 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— 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 senior officers were considered for the higher grade and the junior officer was appointed in performance to the senior officer.

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

- (a) in case both the officer appointed by initial recruitment and the 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 the 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;
and
- (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 any where in Balochistan; *and*
- (b) 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 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.

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 official subordinate to it.

14. **Repeal.** The West Pakistan Agriculture Service (Class-I) Rules, 1965 and the West Pakistan Agriculture Engineering (Class-II) Rules, 1963 in their application to the Province of Balochistan are hereby repealed.

BY ORDER OF
GOVERNOR BALOCHISTAN

CHIEF SECRETARY
GOVERNMENT OF BALOCHISTAN

(See Appendix on next page)

¹APPENDIX

{See Rules 3 (3), 5 and 7 (1)}

S. No.	Nomenclature of the Post.	Minimum qualification prescribed for appointment by initial recruitment.	Method of recruitment.
² [1.	Director General (B-20)	---	By promotion on seniority-cum-fitness basis from amongst Director/Superintending Engineer (B-19) having 17 years service in B-17 and above.]
³ [2.	Director/ Superintending Engineer (B-19)	---	By promotion on seniority – cum – fitness basis amongst the Agriculture Engineers (B-18) having 12 years service in B-17 and above and possessing the qualification of B.Sc. Agriculture Engineering, B.E. Agriculture, B.Sc. Agric: (Hons) in Agricultural Engineering B.E. Mechanical.]
3	Agricultural Engineer/ Deputy Director (Admn.) (B-18).	---	By promotion from amongst the members of the service holding the post of Assistant Agricultural Engineer / Mechanical Cultivation Officer on the basis of seniority-cum-fitness basis having at least five years service as such.
⁴ [4.	Assistant Agricultural Engineer / Mechanical Cultivation Officer (B-17).	1. B.Sc. Agric: Engineering <i>OR</i> 2. B.E. Agric: from a recognized University.	a) 70% by initial recruitment. b) 17% by promotion on seniority cum fitness basis from amongst the members of the service holding the post of Sub-

¹ Substituted vide the Government of Balochistan, Services and General Administration Department's notification No. SOR-II(I)-8/SGA&D/726-826, dated 7th November, 2002; and published in the Balochistan Gazette (Extraordinary) No. 81, dated 7th November, 2002, for the existing Appendix.

For the earlier Appendices and amendments, See —

i. S&GAD Notification No. SOR (2) 171/S&GAD— 81, dated 6th May, 1984; and published in the Balochistan Gazette (Extraordinary) No.192, dated 4th July, 1984.

ii. S&GAD Notification No. SOR-II(I)-8/S&GAD/1594-1704, dated 18th May, 1998; published in the Balochistan Gazette (Extraordinary) No. 33, dated 18th May, 1998.

² Substituted for the existing entries, by S&GAD Notification USR-II(I)-8/SGA&D/756-856, dated 30th May, 2005; published in the Balochistan Gazette (Extraordinary) No. 200, dated 30th May, 2005.

³ Substituted, *ibid*.

⁴ Substituted for the existing entries, by S&GAD Notification SOR-II(I)-8/SGA&D/622-57, dated 1st July, 2006; published in the Balochistan Gazette (Extraordinary) No. 108, dated 1st July, 2006.

		<p><i>OR</i></p> <p>3. Equivalent qualification</p> <p><i>AND</i></p> <p>4. Registration with Pakistan Engineering Council.</p>	<p>Engineer (B-11) having three years Diploma in Associate Engineers with ten years service as such.</p> <p>c) 8% by promotion from amongst the members of the service holding the post of workshop Superintendent/Assistant Mechanical Cultivation Officer (B-16) on seniority cum fitness basis and having three years service as such.</p> <p>d) 5% by promotion from amongst Store Officer, Foreman, supervisor (Unit & Training), Sub Engineer, Oversees and Training Instructor on seniority cum fitness basis possessing the qualification prescribed for the initial recruitment of the post of Assistant Agricultural Engineer having three year service as such.</p>
¹ [5.	Workshop Superintendent/ Assistant Mechanical Cultivation Officer (B-16)	---	<p>(i) 60% by promotion on seniority-cum-fitness-basis from amongst the members of the service holding the post of Foreman (B-11), having ten years experience as such.</p> <p>(ii) 40% by promotion on seniority-cum-fitness basis from amongst the members of the service holding the post of Supervisor (B-9) (unit & training) and having ten years experience as such.]</p>

¹ Substituted for the existing entries, by S&GAD Notification SOR-II(1)8/S&GAD/877-950/, dated 16th April, 2008; published in the Balochistan Gazette (Extraordinary) No. 42, dated 16th April, 2008.

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¹ S. No. 6 deleted by the Government of Balochistan, Services and General Administration Department, vide its Notification No. SOR-II (1)8/S&GAD/622-57, dated 1st July, 2006; published in the Balochistan Gazette (Extraordinary) No. 108, dated 1st July, 2006.