

BALUCHISTAN EXCISE AND TAXATION DEPARTMENT
(GRADE 1 to 15)
SERVICE RULES, 1982

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RULES

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'BALOCHISTAN² EXCISE AND TAXATION DEPARTMENT
(GRADE 1 to 15)
SERVICE RULES, 1982

NOTIFICATION

[22nd November, 1982]

No. SOR(2)16//S&GAD/79. In exercise of the power 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 Excise and Taxation Department Grade-1 to 15 Service and prescribing conditions of services for the persons appointed thereto, namely:—

PART I— GENERAL

1. **Short title and commencement.**— (1) These Rules may be called the Balochistan Excise and Taxation Department (Grade 1 to 15) Services Rules, 1982.

(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) "**Appendix**" means the appendix to these rules.

(b) "**Appointing Authority**" means the 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 to consultation with the Commission to be a Board for the purposes of these rules;

(d) "**Cadre**" means a group of posts sanctioned as separate unit;

(e) "**Government**" means the Government of Balochistan.

(f) "**Initial recruitment**" means appointment made otherwise than by promotion or transfer from another service/department/post;

(g) "**Recognised University**" means any University incorporated by law in Pakistan or any other University declared by Government in consultation with the Commission to be a recognised University for the purposes of these rules.

¹ These rules have been issued by the Services and General Administration Department, Government of Balochistan, vide its notification No. SOR(2)16//S&GAD/79, dated 22nd November, 1982; and published in the Balochistan Gazette (Extraordinary) No. 185, dated 22nd November, 1982.

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 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.

- (h) "**Selection/Promotion Committee**" means the Selection / Promotion Committee constituted by or under orders of Government
- (i) "**Service**" means the Balochistan Excise and Taxation Department (Grade 1 to 15) Service.

PART II — RECRUITMENT

3. **Eligibility and Composition of Service.**— (1) No person who is married to 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 be comprised of 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.**— The appointments to the service shall be made by the Appointing Authority as specified in Rule 4 of the Balochistan Civil Servants (Appointment, Promotion and Transfer) Rules, 1979¹.

5. **Method of recruitment.**— Appointments to the various posts shall be made as specified in the Appendix.

6. **Age.**—(1) No persons, who is less than Eighteen years or more than twenty five years of age, shall be appointed to a post in the Service by initial recruitment;

Provided that:—

- (i) for upper age limit for appointment to the Service by initial recruitment shall be relaxed for three years upto 31.12.1984, according to the Government of Balochistan Notification No. S-III-27(127)/S&GAD/ 74, dated 8.12.1979;
- (ii) in the 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 purposes of the upper age under this rule, be excluded from his age.

(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 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 a post unless he produces a certificate of character from the Principal Academic Officer of the Academic Institution last

¹ Now the Balochistan Civil Servants (Appointment, Promotion and Transfer) Rules, 2009; published in the Balochistan Gazette (Extraordinary) No. 165, dated 27th October, 2009.

attended, and also certificate of character from two other responsible persons, not being his relatives, who are well acquainted with the character and antecedents.

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 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 a higher post may be allowed to count toward 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 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 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 of 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 provisions of Sub-Section (5) of Section 7 of the Balochistan Civil Servants Act 1974¹.

(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 whether appointed against a substantive vacancy or otherwise fails to complete successfully any training or pass any departmental examination prescribed under sub-rules (4), within such period or in such number of attempts as may be prescribed by Government, the Appointing Authority may:—

¹ 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.

- (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 *interse* seniority of the members of the service in the various grades thereof shall be determined:—

- (a) in case of members appointed by initial recruitment, in accordance with the order of merit assigned by the Selection Committee, if the appointment is made on the recommendation of the Selection Committee and in other cases in accordance with the order of merit assigned by the appointed Authority, as the case may be;

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 dates of their continuous appointment therein;

Provided that if the dates 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 officials or officials in the next below grade, shall rank senior to the younger official or officials.

Explanation— I. If a junior official 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 the higher grade.

Explanation— II. If a junior official in a lower grade is promoted to a higher grade by superseding a senior official and subsequently that official is also promoted, to the same grade, the official promoted first shall rank senior to the official promoted subsequently.

Explanation— III. A junior official appointed to a higher grade shall be deemed to have superseded a senior official only if both the junior and senior officials were considered for the higher grade and the junior official was appointed in preference to the senior officials.

(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 official 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 official appointed by initial recruitment and to the date of continuous appointment against such vacancy in the case of the official appointed otherwise; provided that if the two dates are the same, the official appointed otherwise shall rank senior to the official 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 official appointed by initial recruitment shall rank senior to the officer appointed otherwise; *and*
- (c) in case the official appointed otherwise is appointed against a substantive vacancy and the officer appointed by initial recruitment is appointed against a temporary vacancy, the official appointed otherwise shall rank senior to the official 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 been or may thereafter 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 the rule would cause undue hardship to the individual concerned.

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 Excise and Taxation Department Ministerial Service (Division) Rules, 1963 and West Pakistan Excise and Taxation Department Subordinate Service Rules, 1966, in their application to the Province of Balochistan are hereby repealed.

BY ORDER OF GOVERNOR

BALUCHISTAN

CHIEF SECRETARY

GOVERNMENT OF BALUCHISTAN

(See **Appendix** on next page)

¹APPENDIX

{See Rule 3 (3), 5 & 7(1)}

No.	Nomenclature of the post with grade	Minimum qualification for initial recruitment	Method of recruitment.
1	2	3	4
1.	Excise and Taxation Inspector (B-14)	Bachelor Degree from a recognized University	² [(a) 40% by initial recruitment; <i>and</i> (b) 60% by promotion with following ratio:- (i) 20% by promotion from amongst the members of the Service holding the post of Senior Clerk (B-9) with at least three years service as such, on seniority-cum-fitness basis; <i>and</i> (ii) 40% by promotion from amongst the members of the Service holding the post of Head Constable (B-7) possessing the Secondary School Certificate having at least six years service as such, on seniority-cum-fitness basis; <i>and</i> (iii) If no Head Constable (B-7) is found eligible under clause (b) (ii) above, then by promotion from amongst the members of the Service holding the post of Constable (B-5) possessing the Secondary School Certificate having at least nine years service as such, on seniority

¹ Substituted vide the Services and General Administration Department, Balochistan's notification No. SOR-II (2)2/S&GAD/1487-586, dated 31st May, 2010, for the existing Appendix.

For the earlier Appendix and the amendments made therein, *See*-

- i. S&GAD notification No. SOR(2)16//S&GAD/79, dated 15th December, 1982.
- ii. S&GAD notification No. SOR (2)16/S&GAD/79, dated December, 1985.
- iii. S&GAD notification No. SOR-II(2)2/S&GAD/1184-1233, dated 3rd November, 2007.
- iv. S&GAD notification No. S.O.R -II(2)2/S&GAD/1580-1680, dated 26th December, 2007.

² Substituted vide the Services and General Administration Department, Balochistan's notification No. S.O. (R-II)(2)4/2011-S&GAD/3280, dated 5th October, 2011, for Sr. No.1.

			<p>cum fitness basis.</p> <p>For the purpose of promotion a seniority list of Head Constable (B-7) and Constable (B-5) will be maintained separately with reference to their dates of acquiring Secondary School Certificate: Provided that:-</p> <p>(i) if two more officials have acquired the Secondary School Certificate on the same date, the official having longer service shall be rank senior to other.</p> <p>(ii) if the date of continues appointment in the case of two or more members of the Service is the same, the older official, if not junior, shall rank senior to the younger official; and</p> <p>(iii) if an employee possesses Secondary School Certificate prior to induction in Service, shall be entitled for seniority from the date of appointment.]</p>
2.	Assistant (B-14)	Bachelor Degree from a recognized University	25% by initial recruitment; <i>and</i> 75% by promotion from amongst the members of the Service holding the post of Senior Clerk (B-9) with at least three 3 years service as such, on seniority-cum-fitness basis.
3.	Junior Scale Stenographer (B-12)	(I) Intermediate or equivalent qualification from a recognized University or Board; <i>and</i> (ii) having speed of 80 words per minute in short hand in English and 30 words per minute in typing.	By initial recruitment.
4.	Senior Clerk	---	By promotion from amongst the members of the Service holding the

	(B-9)		post of Junior Clerk (B-7) with at least two years service as such, on seniority-cum-fitness basis.
5	Junior Clerk (B-7)	Matriculation or an equivalent qualification from a recognized University or Board.	80% by initial recruitment; <i>and</i> 20% by promotion from amongst the Naib Qasid, and other employees (B-1 to 4) possessing the Secondary School Examination Certificate and having two years service as such, on seniority cum fitness basis. A common seniority list of Naib Qasid and other employees (B-1 to 4) with reference to their dates of acquiring Secondary School Certificate shall be maintained for the purpose of promotion provided that; (i) if two or more officials have acquired the Secondary School Certificate on the same date, the official having longer service shall be rank senior to other; <i>and</i> (ii) where a senior official does not possess the requisite qualification at the time of filling up the vacancy, the official next junior to him possessing requisite qualification shall be promoted.
6.	Head Constable (B-7)	---	By promotion from amongst the members of the Service holding the post of Constable (B-5) having three years service as such, on seniority-cum-fitness basis.
7.	Constable (B-5)	Matriculation or equivalent qualification from a recognized University or Board.	By initial recruitment.
8.	Driver (B-4)	Holding a valid Driving License.	By initial recruitment.
9.	Naib Qasid (B-1)	---	By initial recruitment.
