

**THE BALOCHISTAN ADVOCATE GENERAL'S ESTABLISHMENT
(BPS-16 AND ABOVE) SERVICE
RULES, 2017**

Service Rules No. XI of 2017

CONTENTS

RULES

Preamble.

PART I – GENERAL

1. Short title and commencement.
2. Definitions.

PART II – RECRUITMENT

3. Eligibility and Composition of the Service.
4. Appointing Authority.
5. Method of Recruitment.
6. Age.
7. Qualification.

PART III – CONDITIONS OF SERVICE

8. Probation.
 9. Confirmation.
 10. Seniority.
 11. Liability to Transfer and Serve.
 12. General Rules.
 13. Relaxation.
 14. Delegation.
 15. Repeal.
- Appendix.

**THE BALOCHISTAN ADVOCATE GENERAL'S ESTABLISHMENT
(BPS-16 AND ABOVE) SERVICE**

¹ These rules have been issued by the Services and General Administration Department, Government of Balochistan, vide its Notification No. SOR-II (16)1/2017-S&GAD/573-623, dated 7th February, 2017; published in the Balochistan Gazette (Extraordinary) No. 32, dated 7th February, 2017.

RULES, 2017

NOTIFICATION

[7th February, 2017]

No. SOR-II (16)1/2017-S&GAD/573-623. In exercise of powers conferred by Section 25 of the Balochistan Civil Servants Act, 1974¹, (Act No. IX of 1974), the Government of Balochistan is pleased to make the following rules regulating the recruitment to the Balochistan Advocate General's Establishment (BPS-16 and above) Service, and prescribing conditions of service for the persons appointed thereto, namely: —

THE BALOCHISTAN ADVOCATE GENERAL'S ESTABLISHMENT (BPS-16 AND ABOVE) SERVICE RULES, 2017

Service Rules No. XI of 2017

PART I – GENERAL

1. **Short title and commencement.** — (1) These rules may be called "the Balochistan Advocate General's Establishment (BPS-16 and above) Service Rules, 2017".
 - (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, 1974² (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 Commission to be a Board for the purpose of these rules;
 - (e) "**Basic Pay Scales (BPS)**" means the Basic Pay Scale of a post as specified in column 2 of the Appendix and such other post in the Service as may be specified by the Government from time to time for the purpose of these rules;
 - (f) "**Commission**" means the Balochistan Public Service Commission²;

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

² Commission 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).

- (g) "**Department**" means the Law and Parliamentary Affairs Department¹ Government of Balochistan;
- (h) "**Government**" means the Government of Balochistan;
- (i) "**Initial recruitment**" means appointment made otherwise than by promotion or transfer from another Service/ Department/Post;
- (j) "**Post**" means a post specified in column 2 of the Appendix and such other post in the Service as may be specified by the Government from time to time for the purpose of these rules;
- (k) "**Provincial Selection Board**" means a Board constituted by Government under rule 6-A of the Balochistan Civil Servants (Appointment, Promotion and Transfer) Rules, 2009²;
- (l) "**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;
- (m) "**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;
- (n) "**Rules**" means the Balochistan Advocate General's Establishment (BPS-16 and above) Service Rules, 2017;
- (o) "**Service**" means the Balochistan Advocate General's Establishment (BPS-16 and above) Service; *and*
- (p) "**Subordinate Service**" means the Balochistan Advocate General's Ministerial (BPS-1 to 15) Service³.

(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 the 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.

¹ An Administrative Department of the Government of Balochistan, *see* S. No. 22, Schedule II of the Balochistan Government Rules of Business, 2012, published in Balochistan Gazette (Extraordinary) No. 115, dated 14th December, 2012.

² Rules issued by the Services and General Administration Department, Government of Balochistan, vide its Notification No. SORI-5(13)1/S&GAD/2007/1857-1956, dated 27th October, 2009; and published in the Balochistan Gazette (Extraordinary) No. 165, dated 27th October, 2009.

³ For service rules *see* Balochistan Service Rule No. X of 2017; published in the Balochistan Gazette (Extraordinary) No. 31, dated 7th January, 2017. Which repealed the earlier Service Rules issued by the Services and General Administration Department, Government of Balochistan, vide its Notification No. SOR(2)125/S&GAD, dated 19th July, 1982.

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, 2009¹.

5. **Method of Recruitment.** — (1) The appointment to the posts and Basic Pay Scales of the post 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 or more than 28 years of age shall be appointed to the Service by initial recruitment:

Provided that only the upper age limit may be relaxed in terms of rules 3 and 4 of the Balochistan Government Initial Appointment to Civil Service Posts (Age and Relaxation of Upper Age Limit), Rules, 2012¹.

7. **Qualification.** — (1) No person shall be appointed to a post and Basic Pay Scale in 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/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 person 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, 2012².

9. **Confirmation.** — After satisfactory completion of the probationary period, a civil servant appointed on probation under rule 8, provided that he holds a substantive post, shall be eligible for confirmation in service or a post or a Basic Pay Scale as prescribed in rule 20 of the Balochistan Civil Servants (Appointment, Promotion and Transfer) Rules, 2009³ and in rule 3 of the Balochistan Civil Servants (Confirmation) Rules, 2012¹.

10. **Seniority.** — (1) The *inter se* seniority of the members of the Service appointed to the posts in the same Basic Pay Scale shall be determined as prescribed in rule 21

¹ Rules issued by the Services and General Administration Department, Government of Balochistan, vide its Notification No. S.O. (R-I) 3 (12)/2013-S&GAD/808-907, dated 25th February, 2013; and published in the Balochistan Gazette (Extraordinary) No. 35, dated 25th February, 2013.

² Rules issued by the Services and General Administration Department, Government of Balochistan, vide its Notification No. S.O. (R-I)1(16)/2012-S&GAD/961-1060, dated 16th April, 2012; and published in the Balochistan Gazette (Extraordinary) No. 29, dated 16th April, 2012.

³ Rules issued by the Services and General Administration Department, Government of Balochistan, vide its Notification No. SORI-5(13)1/S&GAD/2007/1857-1956, dated 27th October, 2009; and published in the Balochistan Gazette (Extraordinary) No. 165, dated 27th October, 2009.

of the Balochistan Civil Servants (Appointment, Promotion and Transfer) Rules, 2009² and in the Balochistan Civil Servants (Seniority) Rules, 2008¹.

11. **Liability to Transfer and Serve.** — The 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 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 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 the Government and made applicable to them.

13. **Relaxation.** — Any provision 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 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.

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 Advocate General's Establishment (B-16 & above) Service Rules, 1989², are hereby repealed.

BY ORDER OF
GOVERNOR BALOCHISTAN

CHIEF SECRETARY
GOVERNMENT OF BALOCHISTAN

(See *Appendix* on next page)

¹ Rules issued by the Services and General Administration Department, Government of Balochistan, vide its Notification No.SORI.I(17)S&GAD/2007/929-1030 dated 25th August, 2008; and published in the Balochistan Gazette (Extraordinary) No. 222, dated 25th August, 2008.

² These rules were issued by the Services and General Administration Department, Government of Balochistan, vide its Notification No. SOR-II(2)97/S&GAD, dated 11th December, 1989. Now repealed by R.15.

APPENDIX

{See rule 2 (1) (b) 3 (3), 5 & 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.	Senior Executive Officer, (BPS-18).	---	By promotion from amongst the members of the Service holding the post of Executive Officer (BPS-17)/ Executive Officer Judicial (BPS-17) having Degree in Law from a recognized University with at least five (5) years' service, on seniority cum fitness basis.
2.	Executive Officer, (BPS-17).	(a) Bachelor's Degree in Law (LL.B) at least in Second Division from a recognized University; <i>and</i> (b) Three (3) years' experience as Prosecuting Inspector or three (3) years' practice at Bar.	(a) 50% by promotion from amongst the members of the Service holding the posts of Superintendent (BPS-17) having L.L.B Degree from a recognized University with at least three (3) years' Service as such, on seniority cum fitness basis. If no suitable candidate is available for promotion the post shall be filled by initial recruitment; <i>and</i> (b) 50% by initial recruitment.
3.	Executive Officer Judicial, (BPS-17).	(a) Bachelor's Degree in Law (LL.B) at least in Second Division from a recognized University; <i>and</i>	(a) 50% by promotion from amongst the members of the Service holding the posts of Superintendent (BPS-17) having L.L.B

		(b) Three (3) years' experience as Prosecuting Inspector or three (3) years' as an practicing Lawyer.	Degree from a recognized University with at least three (3) years' Service as such, on seniority cum fitness basis. If no suitable candidate is available for promotion the post shall be filled by initial recruitment; <i>and</i> (b) 50% by initial recruitment.
4.	Executive Officer Accounts, (BPS-17).	(a) Bachelor's Degree at least in Second Division in Commerce from a recognized University; <i>or</i> (b) Degree at least in Second Division in Cost and Management Accounting (CMA) from a recognized Institute of Cost and Management Accounts of Pakistan; <i>or</i> (c) ACCA qualification from a recognized Association of Chartered Certified Accountants/ Institute; <i>or</i> (d) Bachelor's Degree at least in Second Division in Business Administration from a recognized University.	(a) 50% by promotion from amongst the members of the Service holding the posts of Assistant Accounts Officer (BPS-16) having at least three (3) years' Service as such, on seniority cum fitness basis; <i>and</i> (b) 50% by initial recruitment.
5.	Research Officer, (BPS-17).	(a) Bachelor's Degree in Law (LL.B) at least in Second Division from a recognized University; <i>and</i> (b) Three (3) years' experience as an Advocate of High Court.	By initial recruitment.
6.	Senior Librarian,	---	By promotion from amongst

	(BPS-17).		the members of the Service holding the post of Librarian (BPS-14) having at least five (5) years' Service as such, on seniority cum fitness basis.
7.	Private Secretary, (BPS-17).	---	By promotion from amongst the members of the Service holding the post of Assistant Private Secretary (BPS-16) having at least three (3) years' Service as such, on seniority cum fitness basis.
8.	Superintendent, (BPS-17).	---	By promotion from amongst the members of the Service holding the post of Assistant (BPS-16) having at least three (3) years' Service as such, on seniority cum fitness basis.
9.	Assistant Accounts Officer, (BPS-16).	---	By promotion from amongst the members of the Service holding the post of Accounts Assistant (BPS-14) having at least three (3) years' Service as such, on seniority cum fitness basis.
10.	Assistant Private Secretary, (BPS-16).	---	By promotion from amongst the members of the Service holding the post of Stenographer (BPS-14) having at least three (3) years' Service as such, on seniority cum fitness basis.
11.	Computer Operator, (BPS-16).	Bachelor's Degree at least in Second Division in Computer Science or in IT or equivalent qualification in the relevant subject from a recognized University.	(a) 75% by promotion from amongst the members of the Service holding the post of Assistant Computer Operator (BPS-12) having at least three (3)

			<p>years' Service as such, on seniority cum fitness basis; <i>and</i></p> <p>(b) 25% by initial recruitment.</p>
12.	Assistant, (BPS-16).	<p>(a) Bachelor's Degree from a recognized University; <i>and</i></p> <p>(b) having at least three months Office Automation Certificate in computer operations from a recognized Institute.</p>	<p>(a) 70% by promotion from amongst the members of the Service holding the post of Senior Clerk (BPS-14) having at least three (3) years' Service as such, on seniority cum fitness basis; <i>and</i></p> <p>(b) 30% by initial recruitment.</p>
