

**THE WEST PAKISTAN BUILDINGS AND ROADS
DEPARTMENT (CIRCLE) MINISTERIAL SERVICE RULES,
1963**

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**THE WEST PAKISTAN BUILDINGS AND ROADS DEPARTMENT (CIRCLE)
MINISTERIAL SERVICE RULES, 1963**

Service and General Administration Department

The 20th December, 1963

NOTIFICATION

No. SOXVIII-1-4/62.- In exercise of the powers conferred by clause (2) of Article 178 of the Constitution of the Republic of Pakistan, the Governor of West Pakistan, is pleased to make the following rules regulating recruitment to the West Pakistan Buildings and Roads Department (Circle) Ministerial Service and prescribing conditions of service for the persons appointed thereto, namely: -

PART 1- GENERAL

1. Short title and commencement.- (1) These rules may be called the West Pakistan Buildings and Roads Department (Circle) Ministerial Service Rules, 1963.

(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 in consultation with the Commission to be a Board for the purposes of these rules;
- (d) "Chief Engineer" means the Chief Engineer Buildings and Roads Department;
- (e) "Circle" means the whole of the area under the charge of a Superintending Engineer;
- (f) "Commission" means the West Pakistan Public Service Commission;
- (g) "Department" means the Buildings and Roads Department, West Pakistan;
- (h) "Government" means the Government of West Pakistan;
- (i) "initial recruitment" means appointment made otherwise than by promotion or transfer from another Service/Department/Post;
- (j) "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;
- (k) "region" means the whole of the area under the charge of a Chief Engineer;
- (l) "Scheduled Castes" means the castes, races or tribes, or parts or groups within castes, races or tribes, declared to be scheduled castes

under any law in force in West Pakistan, or so declared by Government for the purposes of these rules;

- (m) "Selection Board" means the Selection Board constituted by or under orders of Government under rule 20 of the West Pakistan Rules of Business, 1962, for the circle where a vacancy in the Service exists or is to be filled;
- (n) "Service" means the West Pakistan Buildings and Roads Department (Circle) Ministerial Service;
- (o) "Superintending Engineer" means the Superintending Engineer, Buildings and Roads Department; and
- (p) "Under Developed Areas" means Quetta and Kalat Divisions, Lasbella District of Karachi Division, the Tribal Areas of Dera Ismail Khan and Peshawar Divisions, and such other areas as Government may declare to be under-developed areas for the purposes of these rules.

PART II-RECRUITMENT

3. Constitution and composition of Service.- (1) The Service shall consist of circle cadres, members of one cadre not being eligible, save as provided in rule 10, for appointment to a post borne on any other cadre of the Service.

(2) Each cadre at Service shall comprise the posts specified in column 2 of the Appendix and such other posts in the Department as may be determined by Government from time to time.

4. Appointing Authority.- Appointments to the Service shall be made:

- (a) in the case of Superintendents, by the Chief Engineer in charge of the region where the vacancies occur; and
- (b) in other cases by the Superintending Engineer in charge of the circle where the vacancies occur.

5. Method of recruitment.- (1) Recruitment to the service shall be made by initial recruitment.

(2) Vacancies in the cadre post of Superintendents, Head Clerks/Assistants Accounts Clerks and Senior Clerks shall be filled by promotion.

(3) Vacancies in the cadre posts of Junior Clerks and Steno-typists shall be filled by initial recruitment.

(4) Vacancies in the cadre posts of Stenographers may, at the discretion of the appointing authority, be filled by initial recruitment or by promotion.

Provided that in the case of newly created circles the cadre posts in circles may be filled by transfer of suitable members of any other cadre of the service eligible for appointing or promotion to corresponding posts in their respective cadres.

(5) Appointments by initial recruitment to the posts in the service carrying an initial salary of Rs.215 per mensem and above and appointments by promotion to the posts carrying an initial salary of Rs.325 per mensem and above shall be made on the recommendation of the Selection Board.

(6) Vacancies to be filled by initial Recruitment shall be reserved for *bona fide* residents of the circle where the vacancies occur.

(7) Vacancies to be filled by promotion shall be filled in the following manner:-

- (i) ninety percent of much vacancies shall be filled by selection on merit with due regard to seniority form among members of the service eligible for promotion to such vacancies in accordance with the provisions contained in column 4 of the Appendix; and
- (ii) the remaining ten percent of such vacancies shall form a merit quota and shall be filled by selection on merit from among members of the Service eligible for promotion to such vacancies in accordance with the provisions contained in column 4 of the Appendix, who:
 - (a) have an outstanding record;
 - (b) are below thirty-two years of age; and
 - (c) posses sound health.

(8) Where a person with the qualification specified in clause (ii) of sub rule (7) is not available for appointment to vacancies referred to in that clause, the vacancy may be filled in the manner provided in clause (i) of sub rule (7)

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

Provided that:-

- (i) for a period of ten years from the coming into force of these rules the upper age limit in the case of a candidate from the Scheduled Castes or Under-Developed Areas shall be twenty-eight years; and
 - (ii) in the case of a person whose services under 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.
- (2) For the purposes 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 or by transfer 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.

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 towards the period of probation.

(2) If the work or conduct of a member of the Service during the period of probation has been unsatisfactory, 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 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 the period of probation was last extended or may be deemed to have been so extended.

(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 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 seniority *inter se* 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 Selection Board if the appointment is made on the recommendations of the Selection Board and in other cases, in accordance with the order of merit assigned by the appointing authority 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 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 official 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, 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 the senior official were considered for the higher grade and the junior official was appointed in preference to the senior official.

(2) The seniority in the various grades of the Service of the members appointed by initial recruitment *vis-à-vis* these appointed otherwise shall be determined:

- (a) in case both the official appointed by initial recruitment and the official 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 official appointed by initial recruitment has been appointed against a substantive vacancy and the official appointed otherwise has been appointed against a temporary vacancy, the official appointed by initial recruitment shall rank senior to the official appointed otherwise; and
- (c) in case the official appointed otherwise is appointed against a substantive vacancy and the official appointed by initial recruitment is

appointed against 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 anywhere in West Pakistan; and
- (b) serve in any department of Government or any local authority or statutory body set up or established by Government.

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 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:

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 Powers of Governor to safeguard rights of Government servants.- Whenever in the application of these rules, the terms and conditions of service of any person serving in connection with the affairs of the Province of West Pakistan, as guaranteed by any law for the time being in force, are likely to be adversely affected, the Governor of West Pakistan, shall make appropriate orders to safeguard the constitutional and legal rights of such persons.

APPENDIX

[see rules, 3 (2), 5 (7) and 7(1)]

Serial No.	Nomenclature of the posts	Minimum Qualifications prescribed for appointment by initial recruitment or by transfer	Method of Recruitment
1	2	3	4
1	Superintendents	-	By promotion from among members of the Service, in the Circle where the vacancies occur, holding: Posts of Assistants/Head Clerks with at least five years' experience as such; and Posts of Stenographers with at least five years' experience as such, who have passed the departmental examinations, if any, prescribed for Assistants under sub-rule (4) of rule 8.
2	Head Clerks/ Assistants	-	By promotion from among members of the Service holding posts of Accounts Clerks in the Circle, where the vacancies occur, with at least three years' service as such.
3	Accounts Clerks	-	By promotion from among members of the Service holding posts of Senior Clerks in the Circle, where the vacancies occur who have passed the prescribed examination in accounts.
4	Senior Clerks	----	By promotion from among members of the Service holding posts of Junior Clerks in the Circle where the vacancies occur, with at least two years' service as such.
5	Junior Clerks	Matriculation or equivalent from a recognized University or Board.	By initial recruitment
6	Stenographers	Matriculation or equivalent from a recognized University or Board; and A speed of 100 words per minute in Shorthand in English and 40 words per minute in Typing.	By initial recruitment. By promotion from among members of the Service holding posts of Junior Clerks in the Circle where the vacancies occur.
7	Steno-typists	Matriculation or equivalent from a recognized University or Board; and A speed of 80 words per minute in Shorthand in English and 35 words per minute in Typing.	By initial recruitment.

Note-A: Common seniority list shall be maintained of Assistants/Head Clerks and Stenographers for the purpose of promotion to the posts of Superintendents: provided that, notwithstanding anything contained in the proviso to clause (b) of sub-rule (1) of rule 9, where the date of continuous appointment of an Assistant/Head Clerk and a Stenographer is the same, the Assistant/Head Clerk shall be deemed to be senior to the Stenographer.

(As amended by S&GA Deptt. Notification No.SOX. VIII-2-1/04, dated: 07.05.1965.)