

Balochistan Bar Council 3<sup>rd</sup> floor,  
High Court Building, Quetta.  
Dated Quetta, the \_\_\_\_\_, 2004.

### **NOTIFICATION.**

No. \_\_\_\_\_ In exercise of the powers conferred by sub clause (d) of section 56 of the Legal Practitioners & Bar Council Act, 1973. The Provincial Bar Council Quetta, is pleased to make the following Rules recruitment to the Balochistan Bar Council Service and prescribing conditions of Service for the Staff appointed there to namely:-

#### **PART –I GENERAL.**

**1. Short title and commencement.** (1) These rules may be called the Balochistan Bar Council ( B-1 to B-15 ) Service Rules, 2004

(2) They shall come into force at once.

**2. Definitions.** 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) “Appointing Authority” means the appointing authority specified in rules.
- (b) “Appendix” means the appendix to these rules ;
- (c) “Bar Council” means the Balochistan Bar Council;
- (d) “Executive Committee”, means the Executive Committee of the "Balochistan Bar Council"
- (e) “Chairman ; means the Chairman of an Executive Committee;
- (f) “Employee” means an employee of the Balochistan Bar Council .

2. All words and expressions used in these rules, but not defined shall unless the context otherwise requires have the same meanings as in the Legal Practitioners and Bar Council Act, 1973.

#### **PART-II RETIREMENT.**

3. Eligibility and composition of Service;

(1) The qualifications required for the various categories of posts and pay Scales shall be as specified in the Appendix :

Provided that the Bar Council may allow special pay to an employee who has been drawing the maximum of his grade for the last two years, or.

(2) The employees shall be given preference in the matter of appointment but in the event of non-availability of suitable person , the vacancy shall be filled up by direct recruitment after public advertisements.

(3) No person who has been dismissed from service or convicted of an offence involving moral turpitude shall be eligible for appointment.

(4) The minimum age for employment shall be 18 years . The maximum age should not be more than 30 years but in suitable cases the Bar Council has power to relax the age for a period which may extend to 5years.

(5) The retirement age of an employee shall be 60 years; provided that the Bar Council may, in a suitable case, extend the age of retirement for a further period of one year. Provided further that the Bar Council may retire an employee earlier on the ground of his being found medically unfit to perform his duties.

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### **CHAPTER III CONDITIONS OF SERVICE.**

4. Appointing Authority appointment to the Service shall be made by the Balochistan Bar Council.

(1) A person joining on initial appointment shall remain on probation for a period of one year and an employee who is promoted shall remain on probation for six months.

(2) If the work and the conduct of an employee during the period of probation has been unsatisfactory, the appointing authority, notwithstanding, that the period of probation has not expired, may if he has been, appointed by initial recruitment dispense with his service and if he has been appointed by promotion, revert him to his substantive post:-

(a) In case he has been appointed by initial recruitment, dispense with his service;

(b) In case he has been appointed by promotion revert him to his substantive post;

(c) Extend the period of probation by a period not exceeding one year in case of initial recruitment, and Six months in case of appointment by promotion 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;

Provided that if no orders have been made by the day following the completion of initial probationary period, the period of probation shall be deemed to have extended.

Provided further that 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.

3.4 The seniority inter se of the employees in a grade shall be determined with reference to their date of appointments to the grade:

Provided that if the date of appointment of more than one employee is same, the seniority shall be determined by the date of birth .

established would call for any one or more penalties provided in clause (i)

, (ii) and (iii) of Rule 6.2, the Appointing Authority shall make the allegations against the employee in writing and call upon him to explain his conduct within 7 days of the receipt thereof and on consideration of the explanation of the employee, if any, submitted within the specified time and after giving him an opportunity of being heard may award the penalty provided in Rule 6.2 Clause (i), (ii) and (iii).

6.4. When an employee is to be proceeded against under Clause (b) or (c) of Rule 6.1, and the appointing authority is of the opinion that the allegation if established would call for a penalty provided in clauses (iv) to (vii) of Rule 6.2, the following procedure shall be observed namely:-

- i) The appointing Authority shall frame charge and communicate it to the employee together with the statement of allegation and any other circumstances which are proposed to be taken into consideration,
- ii) The appointing Authority shall require the employee to put in a written defense within 10 days from the day, the charge has been communicated to him stating at the same time, whether he desires to be heard in person or not.
- iii) If the written defense submitted by the employee is found to be unsatisfactory, the Appointing Authority shall appoint an Inquiry Officer to hold an inquiry into the allegations.
- iv) The Inquiry Officer, shall, after the inquiry in which the employee shall be entitled to be heard, submit his report within two months of the commencement of his inquiry to the appointing Authority.
- v) The appointing authority shall consider the report and if upon such consideration it is of the opinion that a penalty should be imposed upon the employee, it shall provisionally determine the penalty to be imposed and shall at so inform the employee and supply him with a copy of the report and call upon him to show Cause within 7 days of the communication thereof why the penalty proposed should not be imposed.
- vi) The appointing authority shall take into consideration any cause shown by the employee and pass a final order thereafter.

6.5 An employee against whom proposed action is to be taken under clause (b) or (c) of Rule 6.1, may be placed under suspension provided that he shall be subject to such orders in relation to attendance or non-attendance of the Office as may be made by the Appointing Authority.

6.6 In the event of the employee being exonerated of the charges, he shall be entitled to payment of the salary for the period of suspension in addition to such allowance to which he is entitled, accounting for any payments made during suspension.

6.7 An employee to whom penalty is imposed, shall have the right of appeal to the Bar Council where the appointing authority is other than the Bar

Council. In case where the appointing authority is the Bar Council the Employee shall have the right of review /representation to the Bar Council.

( Zahoor Ahmed Shahwani )  
Vice Chairman Balochistan Bar Council.

**APPENDIX TO RULE 2**

S.No. Name of Post .	MINIMUM QUALIFICATION .	METHOD OF RECRUITMENT.
1 .Accountant . Cum-Superintend. B-12	B.A. B.Com. From recognized University.	50% by initial recruitment 5% by promotion from amongst U.D.C. having at least 5 years service as such on Seniority Cum fitness basis.
2 U.D.C B-7.	F.s.c /FA in 2 <sup>nd</sup> Division a recognized Board.	50% by initial recruitment. 50% by promotion from amongst L.D.C having 3 years service 3 years as such on Seniority Cum fitness basis.
3. L.D.C B-5	i) Matriculation ii) Typing 40 W.P.M.	
4. Peon. B-1.		By Initial recruitment.

**Drafted & Compared by :**

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