

GOVERNMENT OF <sup>1</sup>[Khyber Pakhtunkhwa]  
**SERVICES AND GENERAL ADMINISTRATION DEPARTMENT.**

(BENEVOLENT FUND CELL).

NOTIFICATION

4th May, 1988.

No. S&GAD/BF/41-72-Vol:II.—In exercise of the powers conferred by Section 9 of the <sup>2</sup>[Khyber Pakhtunkhwa] Government Servants Benevolent Fund Ordinance, 1972 (<sup>3</sup>[Khyber Pakhtunkhwa] Ord. VII of 1972), the Government of the <sup>4</sup>[Khyber Pakhtunkhwa] is pleased to make the following rules, namely:—

THE <sup>5</sup>[Khyber Pakhtunkhwa] BENEVOLENT FUND SERVICE RULE, 1988.

1. *Short title and commencement.* —(1)These rules may be called the <sup>6</sup>[Khyber Pakhtunkhwa] Benevolent Fund Service Rules, 1988.

(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 3;
- (c) "B P S" means the basic pay scales prescribed for various posts under Government;
- (d) "Board" means a Board of Management constituted under Section 6 of the Ordinance;
- (e) "Board of Secondary Education" means a Board of Intermediate and Secondary Education established by Law in Pakistan or any other educational authority or institution declared as such by Government;
- (f) "Chairman" means Chairman of the Board concerned;

<sup>1</sup> Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.

<sup>2</sup> Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.

<sup>3</sup> Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.

<sup>4</sup> Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.

<sup>5</sup> Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.

<sup>6</sup> Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.

- (g) "Government" means the Government of the <sup>7</sup>[Khyber Pakhtunkhwa];
- (h) "initial recruitment" means appointment made otherwise than by promotion or transfer from other service Department or post;
- (i) "post" means a post in connection with the affairs of the Board as specified in the Appendix and such other post as may be determined by the Board from time to time;
- (j) "Secretary" means the Secretary of the Board concerned; and
- (k) "Selection Committee" means the Committee constituted by the Board for selection of persons for appointment to various posts under these rules.

3. *Appointing authority.*—(1) Appointments to the posts shall be made—

- (a) in the case of a post in Basic Pay Scale 5 or above, by the Chairman; and
  - (b) in other cases, by the Secretary,
- (2) Appointments shall be made on the recommendations of the selection Committee.

4. *Method of recruitment.*--- Appointments to various posts shall be made by initial recruitment, by promotion or by transfer on deputation, as specified in column 5 of the Appendix.

Provided that appointment by transfer shall be made from amongst persons holding appointment on regular basis in the same scale in which the post intended to be filled by transfer exits.

5. *Eligibility.*--- No person shall be eligible for appointment to a post, who---

- (a) is not a citizen of Pakistan a domicile of the <sup>8</sup>[Khyber Pakhtunkhwa], unless he is at the time of such appointment already in the service of Pakistan; or
- (b) has married a foreign national; provided that the restriction imposed under this sub-rule may be relaxed by Government in the case of a person who has married a citizen of India.

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<sup>7</sup> Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.

<sup>8</sup> Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.

6. *Age.*--- (1) No person shall be appointed to a post by initial recruitment who is not within the age limits specified in column 4 of the Appendix.

(2) For the purposes of sub –rule (1), age shall be reckoned with reference to the last date fixed for submission of the application for appointment to a post;

Provided that the Board may relax the upper age limit in individual cases.

7. *Qualification.* ---(1) No person shall be appointed to a post by initial recruitment, unless he possess the qualifications prescribed for the post in column 2 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 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.

8. *Seniority.*--- (1) The Seniority *inter se* of the holders various posts shall be determine---

- (a) in the case of person appointed by initial recruitment in accordance with the order of merit assigned by the Selection Committee, if the appointment is made on the recommendations of the Selection Committee, and in other cases in accordance with the order of merit assigned by the appointing authority; provided that persons selected in an earlier selection shall rank senior to the persons selected in a later selection; and
- (b) in the case of person appointed otherwise, with reference to the date of their continuous appointment therein; provided that if the date of continuous appointment in the case of two or more persons 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 the senior official and subsequently that official is also promoted to the same grade, the official promoted first shall rank senior to 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 officials were considered for the higher grade and the junior official was appointed in preference to the senior official.

(2) Seniority of holders of posts in various scales appointed by initial recruitment *vis-à-vis* those appointed otherwise shall be determined with reference to the dates of their continuous regular appointment to the post; provided that if the two dates are the same, the person appointed otherwise shall rank senior to the person appointed by initial recruitment.

9. *Termination of Service.*--- The appointing authority may terminate the services of a holder of a post at any time without assigning any reason on fifteen day's notice or on payment fifteen day's pay in lieu thereof. A holder of post may also resign from service on fifteen day's notice or on payment fifteen day's pay in lieu thereof.

10. *Retirement.*--- A holder of post shall retire from service on the completion of the sixtieth year of his age.

11. *Scale of pay.*--- A holder of post shall be entitled to such pay and allowance as the Board may, time to time, prescribe in respect of the post to which he is appointed.

12. *Pension.*--- No employee shall be entitled to any pension or gratuity under the Board's service, but the Board shall establish a Contributory Provident Fund for the benefit of its employees. All employees must compulsarily subscribe to this Fund. The monthly subscription of the employees to the Fund shall be at the rate of 12 <sup>1/2</sup> percent of his pay to which the Board shall contribute an equal amount, to be credited to the employee's account on monthly basis.

13. *General Rules.*--- In all matters, not expressly provided for in these rules, the holders of posts shall, so far as may be, governed by rules prescribed for Civil Servants, under the <sup>9</sup>[Khyber Pakhtunkhwa] Civil Servants Act, 1973.

Sd/- X X X  
Chief Secretary, <sup>10</sup>[Khyber Pakhtunkhwa]

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<sup>9</sup> Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.

<sup>10</sup> Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.

## APPENDIX.

Serial No.	Nomenclature of posts	Minimum qualifications for appointment by initial recruitment or by transfer.	Age	Method of recruitment.
1	2	3	4	5
1.	Superintendent	(i) Bachelor's Degree from recognised University; and  (ii) Seven year's experience in accounts matters in a Government or Semi-Government Organization.	18 to 30 years.	a) By promotion, on the basis of seniority-cum-fitness, from amongst holders of the post of Accounts Assistant and Care Taker with at least five years service as such; or  (b) if no suitable person is available for promotion, by initial recruitment or by transfer.
2.	Care Taker/ Accounts Asstt:	(i) Bachelor's Degree from a recognised University; and  (ii) Three years experience in office work.	18 to 28 years	By initial recruitment.
3.	Electrician	Proficiency Certificate.	18 to 28 years.	By initial recruitment.
4.	Junior Clerk	(a) Secondary School Certificate or equivalent qualification from a recognized Board of Secondary Education; and  (b) a speed of 30 words per minute in typewriting.	18 to 25 years.	By initial recruitment.
5.	Plumber.	Certificate of Proficiency for the Job.	18 to 25 years.	By initial recruitment.
6.	Lift Operator.	Certificate of Proficiency for the job.	18 to 25 years.	By initial recruitment.
7.	Naib Qasid	..	18 to 40 years.	By initial recruitment.
8.	Mali	One year's experience in Gardening.	18 to 40 years.	By initial recruitment.
9.	Chowkidar	Preferably Ex-serviceman.	18 to 40 years.	By initial recruitment.
10.	Electrician Helper	..	18 to 25 years.	By initial recruitment.
11.	Tube well operator.	..	18 to 25 years.	By initial recruitment.
12.	Sweeper	..	18 to 25 years.	By initial recruitment.