

**GOVERNMENT OF THE ¹[Khyber Pakhtunkhwa]
INDUSTRIES, COMMERCE, MINERAL DEVELOPMENT, LABOUR
AND TECHNICAL EDUCATION DEPARTMENT.**

NOTIFICATION
Dated 17th January, 2006.

No. SOII(IND)I-13/97/722. In exercise of the powers conferred by section 37 of the ²[Khyber Pakhtunkhwa] Small Industries Development Board Act, 1972 (³[Khyber Pakhtunkhwa] Act No. II of 1973), the Government of the ⁴[Khyber Pakhtunkhwa] is pleased to make following rules normally:

**THE ⁵[Khyber Pakhtunkhwa] SMALL INDUSTRIES
DEVELOPMENT BOARD SERVICE RULES, 2005**

1. Short title and commencement.--- (1) These rules may be called the ⁶[Khyber Pakhtunkhwa] Small Industries Development board Service Rules, 2005.

(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 an Appendix to these rules;
- (b) "appointing authority" means the authority competent to make appointments with respect to a post specified in column 3 of Appendix-I;
- (c) "Departmental Selection Committee" means a Committee constituted by the appointing authority for the purpose of making selection for initial appointment or promotion to a post in BPS-16 or a Committee for posts in BPS 1 to 15 as the case may be;
- (d) "employee" means an employee of the Board appointed on regular basis, but does not include:
 - (i) a person who is on deputation to the Board from the Federal or any of the Provincial Governments or other Authority;

¹ Sub by the Khyber Pakhtunkhwa Act No. IV of 2011.

² Sub by the Khyber Pakhtunkhwa Act No. IV of 2011.

³ Sub by the Khyber Pakhtunkhwa Act No. IV of 2011.

⁴ Sub by the Khyber Pakhtunkhwa Act No. IV of 2011.

⁵ Sub by the Khyber Pakhtunkhwa Act No. IV of 2011.

⁶ Sub by the Khyber Pakhtunkhwa Act No. IV of 2011.

- (ii) a person who is employed on contract, or on work charged basis or who is paid from contingencies; or
 - (iii) a person who is “workman” as defined in the Factories Act, 1934 (Act-XXX of 1934), or the Workman’s Compensation Act, 1923 (Act VIII of 1923); and
 - (iv) a person employed against a project post.
- (e) “family” means wife or wives of an employee or husband, as the case may be, and includes:
- (i) male children who are less than 21 years of age and are wholly dependent upon the employee; and
 - (ii) un-married daughters wholly dependent upon the employee;
- (f) “initial recruitment” means appointment made otherwise than by promotion or transfer;
- (g) “month” means a calendar;
- (h) “pay” means the amount drawn monthly by an employee as pay, and includes special pay, personal pay and any other emolument declared by Government as pay, but does not include allowances;
- (i) “permanent post” means a post sanctioned without limit of time;
- (j) “Selection Committee” means a Committee constituted by the Board for the purpose of making selection for initial appointment or promotion to posts in BPS-17 and above;
- (k) “transferring authority” means the authority competent to transfer an employee with respect to a post specified in column 3 of Appendix-II; and
- (l) “temporary post” means a post other than a permanent post.

3. **Method of Appointment.**--- (1) Appointment to various posts in connection with the affairs of the Board shall be made by initial recruitment, promotion or by transfer in the manner laid down in column 5 of Appendix-III.

(2) The qualification and other conditions applicable to a post shall be such as laid down in columns 3 and 4 of Appendix-III.

4. **Appointment by initial recruitment or by promotion.**--- (1) Initial appointment or appointment by promotion to posts shall be made by the appointing authority, as specified in column 5 of Appendix-III---

- (a) on the recommendations of Selection Committee in the case of posts in BPS 17 and above; or
- (b) on the recommendations of the Departmental Selection Committee concerned in the case of posts in BPS 16 or in BPS 15 and below, as the case may be,

After the vacancies have been advertised in at least two daily newspapers of repute in case of initial recruitment.

(2) Subject to sub-rule (3) a candidate for initial appointment to a post must possess the qualifications and experience and must be within the age limit as laid down in Appendix-III for the post.

(3) The appointing authority shall have the powers to relax the upper age limit upto one year and the Board upto three years, subject to the condition that a certificate to this effect may be recorded that no eligible candidate within the prescribed age limit was available.

5. **Service Structure.**--- (1) The service of the Board shall comprise the following cadres;

- (a) Combined cadre;
- (b) Executive cadre;
- (c) Accounts cadre;
- (d) Civil Engineering cadre;
- (e) Misc. cadre.

(2) Each cadre shall consist of the posts specified in column 2 of Appendix III under the respective cadres and such other posts as may, from time to time, be added to it.

6. **Seniority.** --- (1) The appointing authority shall maintain a proper seniority List for each cadre of its employees and will notify the same once in every calendar year, preferably in the month of January.

(2) the seniority inter se of the employees in the respective cadres shall be determined:

- (a) in the case of persons appointed by initial recruitment, in accordance with the order of merit assigned by the Board; provided that persons selected for appointment in an earlier selection shall rank senior to the person selected in a later selection; and
- (b) in the case of persons appointed otherwise, with reference to the dates of their continuous regular appointment to the post; provided that persons

selected for promotion to a higher post in one batch shall, on their promotion to the higher post, retain their inter se seniority as in the post; and

- (c) seniority inter se of the employees in the respective of appointed by initial recruitment vis-a-vis those appointment otherwise shall be determined with reference to the determined of their regular appointment to a post in that cadre, provided that if the two dates are the same date, the person appointed otherwise shall rank senior to the perins appointed by initial recruitment.

7. **Eligibility.**--- (1) A candidate for appointment shall be a citizen Pakistan bonafide resident of the ⁷[Khyber Pakhtunkhwa].

(2) No person, who has been married with a foreign national, shall be appointed to a post under these rules; provided that this restriction may be relaxed by the Government in the case of a person who has married a citizen of India.

(3) No, person, not already in Government Service or the service of the Board, shall be appointed to a post 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 responsible persons not being his relatives, who are well acquainted with his character and antecedents.

(4) No candidate shall be appointed to a post by initial recruitment, unless he is found after such medical examination by a Medical Officer as the Board may prescribe, to be in good mental and bodily health and free from physical defect likely to interfere in the efficient discharge of his duties.

(5) An employee shall stand retired from service of the Board on attaining the sixtieth years of his age.

(6) Where a person appointed by initial recruitment to a post under these rules fails to produce any documentary proof regarding his age, the Board may send him to its Medical Officer or to any other Registered Medical Practitioner, selected by the Board for this purpose and his opinion with regard to the age of the employee shall be final. Age of the employee as registered at the time of his employment shall be recorded as final and will not be questioned by the employee. Retirement and other rues will also be applicable to him in accordance with his age so recorded.

8. **Probation.**--- (1) A person appointed to a post in the prescribed manner 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, provided that if his work or conduct during the period of probation has, in the opinion of appointing authority, not been found satisfactory, the appointing authority may, notwithstanding that the period of probation has not been expired.-

⁷ Sub by the Khyber Pakhtunkhwa Act No. IV of 2011.

- (a) dispense with his service, if he has been appointed by initial recruitment; or
- (b) revert him to his former post, if he has been appointed otherwise or if there will be no such post, dispense with his services; or
- (c) extend the period of probation for a period not exceeding one year in all and during or on the expiry of such extended period, pass such orders as it could have passed during or on the expiry of the initial probationary period.

Explanation.--- Officiating service or service spent on deputation to a corresponding or a higher post may be allowed to count towards the period of probation.

(2) 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, and if no orders of probation expires, the probationer shall be deemed to have satisfactorily completed his period of probation.

9. **Confirmation.** --- On satisfactory completion of the probationary period, an employee shall be confirmed against a regular post, if available.

10. **Resignation.**---

- (a) An employee who wishes to resign from the service of the Board shall give one month's notice in writing failing which he will be liable to pay the Board an amount equal to one month's salary in lieu of the notice or such portion of one month's salary by which the notice falls short. In case the Board terminates the services of an employee for want of a vacancy, it shall give one months notice or one months pay in lieu of the notice.
- (b) No employee shall tender his resignation or give notice of resignation while he is on leave. In such case, he will be treated to have left the Board's service without notice on the day he proceeded on leave.

11. **Salary and Allowances.**--- An employee of the Board shall be entitled to such salary, allowances and other benefits, including pension/gratuity, as may, from time to time, be sanctioned by the Board, provided that no employee inducted into the service of the Board on or after 1st July, 2001 shall be entitled to pension and gratuity.

12. **Other matter.** --- In all other matters not specifically provided for in these rules, the rules made by Government on those matters for civil servants shall be deemed to apply mutatis mutandis to the employees of the Board.

Appendix I

S. No	Name/Scale of Post	Appointing Authority
1.	Managing Director	Provincial Government
2.	Director Finance BPS-19	Provincial Government
3.	All posts in BPS-17 and above including posts in the SIDB Projects (other than 1 & 2 above)	Board of Directors
4.	All posts in BPS-16 and below	Managing Directors
5.	All posts in BPS-15 and below	Deputy Managing Director
6.	Technical posts in BPS-15 and below in the projects of SIDS	Project Manager (BPS-18/19)

Appendix II

S. No	Name/Scale of Post	Appointing Authority
1.	Managing Director	Provincial Government
2.	Director Finance BPS-19	Provincial Government
3.	All post from BPS-1 to BPS-19 including project posts (other than 1&2 above)	Managing Director
4.	All posts in BPS-15 and below including project post	Deputy Managing Director
5.	Technical posts in BPS-15 and below in the projects of SIDS	Project Director/Project Manager concerned within the project.

Appendix III**COMBINED CADRE**

S. No	Nomenclature of posts	Minimum qualification for appointment by initial recruitment	Age limit for initial recruitment	Method of recruitment
1	2	3	4	5
1.	Managing Director	--	--	By transfer on deputation from Provincial Government.
2.	Director Finance	--	--	By transfer on deputation from Provincial Government.
3.	Deputy Managing Director	--	--	By promotion on the basis of seniority-cum-fitness, from amongst the holders of the post of Joint Director having at least

				seven years service as such. For the purpose of promotion to the post of Deputy Managing Director the seniority of all the Joint Directors of three cadres i.e Executive, Accounts & Civil Engg. Shall be maintained Jointly.
4.	Joint Director	--	--	By promotion on the basis of seniority-cum-fitness, from amongst the holders of the post of Deputy Director (Executive Cadre/Accounts Cadre .Civil Engg. Cadre) having at least five years service as such. For the purpose of promotion to the post of Joint Director, the seniority of all the Deputy Director of three cadres i.e Executive, Accounts & Civil Engineer shall be maintained jointly.

EXECUTIVE CADRE

1	2	3	4	5
1.	Deputy Director BPS-17	At least 2 nd class Master's Degree in Economics/ Commerce/Business Administration	22 to 32 years	a. 25 % by initial recruitment b. 75 % by promotion on the basis of Seniority-cum-fitness from amongst the holders of the post of Assistant Director/Private Secretary (Executive Cadre having at least five years service as such.)
2.	Assistant Director BPS- 16	At least 2 nd class Master's Degree in Business Administration/ Economics/Commerce/Mathematics.	22 to 32 years	a. 25 % by initial recruitment b. 75% by

				<p>promotion on the basis of seniority-cum-fitness from amongst the holders of the post of Office Assistant having at least five years service as such.</p>
3.	Private Secretary BPS- 16	--	--	<p>By promotion on the basis of seniority-cum-fitness from amongst the holders of the post of Senior Scale Stenographer (BPS-15) have at least five years service as such.</p> <p>The seniority of Junior/Senior Scale Stenographer will be maintained separately till they reach the rank of Private Secretary (BPS-16.).</p> <p>The seniority of the Private Secretary in BPS-16 will be merged with Assistant Directors of Executive Cadre for the purpose of promotion to the rank of Deputy Director in BPS-17.</p>
4.	Senior Scale Stenographer BPS-15	At least Bachelor's Degree or equivalent qualifications from recognized University; and a speed of 100 words per minute in Shorthand in English & 40 words per minute in typing.	18 to 32 years	<p>By promotion on the basis of seniority-cum-fitness from amongst the holders of the post of Junior Scale Stenographer (BPS-12) having at least five years service as such provided that if no suitable candidate is available for promotion</p>

				then by initial recruitment.
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EXECUTIVE CADRE

1	2	3	4	5
5.	Junior Scale stenographer BPS- 12	At least Intermediate or equivalent qualifications from recognized Board; and a speed of 50 words per minute in Shorthand in English % 35 words per minute in typing and knowledge of computer in using MS words & MS Excel.	18 to 32 years	By initial recruitment
6.	Computer Operator BPS-14	At least Bachelor's Degree in Computer Sciences.	18 to 32 years	By initial recruitment
7.	Office Assistant BPS-11	At least 2 nd class Bachelor's Degree.	18 to 32 years	a. 25% by initial recruitment b. 75% by promotion on the basis of seniority-cum-fitness from amongst the holders of the post of Senior Clerk having at least five years service as such.
8.	Senior Clerk BPS-7	--	--	By promotion on the basis of seniority-cum-fitness from amongst the holders of the post of Junior Clerk with two years service as such.
9.	Junior Clerk BPS-5	Matriculation or equivalent qualification from a recognized Board and a speed of 30 words per minute in typing.	18 to 32 years	a. 67% by initial recruitment. b. 33% by promotion from amongst Naib Qasid/Mali/Choqkidar/Sweeper including other equivalent posts with 2-years service who have passed SSC examination.

ACCOUNT CADRE

1	2	3	4	5
1.	Deputy	At least 2 nd class Master's	22 to 32	a. 25% by initial recruitment

	Director (Accounts) BPS-17	Degree in Business Administration (with major in Finance)/ Commerce.	years	b. 75% by promotion on the basis of seniority-cum-fitness from amongst the holders of the post of Assistant Director (Accounts) having at least five years service as such.
2.	Assistant Director (Accounts) BPS-16	At least 2 nd class Master's Degree in Business Administration (with major in Finance)/ Commerce.	22 to 32 years	a. 25% by initial recruitment b. 75% by promotion on the basis of seniority-cum-fitness from amongst the holders of the post of Account Assistant having at least five years service as such.
3.	Account Assistant BPS-11	At least 2 nd class Bachelor's Degree in Commerce/ Business Administration.	18 to 32 years	a. 25% by initial recruitment b. 75% by promotion on the basis of seniority-cum-fitness from amongst the holders of the post of Senior Accounts Clerk having at least five years service as such.
4.	Senior Accounts Clerk BPS-7	--	--	By promotion on the basis of seniority-cum-fitness from amongst the holders of the post of Junior Clerk with two years service as such.

CIVIL ENGINEERING CADRE

1	2	3	4	5
1.	Deputy Director (Civil Engg) BPS-17	At least 2 nd class B.Sc Engineering in Civil	22 to 32 years	By initial recruitment.
2.	Draftsman	At least Diploma in Civil Technology from recognized Institute.	18 to 32 years	By initial recruitment.

MISC. CADRE

1	2	3	4	5
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1.	Drivers BPS-4	Literate having LTV driving license issued by the competent authority. Preference will be given to those who have sufficient experience in driving, repair and maintenance of vehicles.	18 to 32 years	By initial recruitment.
2.	Naib Qasid BPS-1	Literate	18 to 32 years	a. 50% by initial recruitment. b. 50% by transfer from the other BPS-1 employees i.e. Chowkidar/Malis.
3.	Mali BPS-1	Literate and two years working experience as Malik.	18 to 32 years	By initial recruitment.
4.	Chowkidar BPS-1	Literate with sound physique.	18 to 32 years	By initial recruitment.
5.	Sweeper BPS-1	Literate	18 to 32 years	By initial recruitment.

Secretary to Government of
⁸[Khyber Pakhtunkhwa]
Industries Department.

⁸ Sub by the Khyber Pakhtunkhwa Act No. IV of 2011.