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PART-I

SINDH INSTITUTE OF OPHTHALMOLOGY AND VISUAL SCIENCES

Hyderabad dated the 20th September, 2021.

NOTIFICATION

No. 3390/SIOVS/(Rules)2021:- In exercise of the powers conferred by section 24 of the Sindh Institute of Ophthalmology and Visual Sciences Act, 2013 (**as amended from time to time**), the Board of Directors of the Institute with the approval of Government of Sindh, are pleased to make the following rules, namely:-

1. **Short title and commencement.** (1) These rules may be called the Sindh Institute of Ophthalmology and Visual Sciences Employees (Terms and Conditions of Service) Rules, 2021.

(2) These rules shall come into force at once.

2. **Application.-** (1) Except as otherwise provided, these rules will apply to all employees of the Sindh Institute of Ophthalmology and Visual of Sciences, except the following:-

- Any employee between whom and the Institute, a specific contract of agreement of service subsists;
- Any person in the service of a Provincial or Federal Government or any other Institute or Organization on deputation to this Institute on special terms and conditions.
- Any employee or class of employees for whom the Board may, by general or special order, direct that these Rules shall not apply in whole or in part.

3. **Definitions.-** (1) In these rules, unless there is anything repugnant in the subject or context -

- "Act" means the Sindh Institute of Ophthalmology and Visual Sciences Act, 2013 (Sindh Act No.XXVI of 2013);
- "appointing authority" means the authority competent to make appointment to a post as provided under rule 4(5);
- "Basic Pay Scale" means the Basic Pay Scale for the time being sanctioned by the Institute, in which a post or a group of posts is placed;
- "Board" means the Board of Directors constituted under the Act;
- "cadre" means a part of the Institute service sanctioned as a separate unit;

- (f) "competent authority" means the authority by virtue of delegation, exercise the powers of appointing authority under these rules;
- (g) "contract appointment" means appointment of a duly qualified person for a specific period made otherwise than in accordance with the prescribed method of recruitment, pending recruitment in accordance with such method;
- (h) "deputation" means the temporary transfer on lien of the services of any person from or to the Institute;
- (i) "Executive Director" means the Executive Director of the Institute;
- (j) "employee" means the officer, the teacher and other staff serving under the Institute;
- (k) "Foreign Service" means Service in which an employee receives his pay with the sanction of the Institute from any source other than the Institute fund;
- (l) "Government" means the Government of Sindh;
- (m) "HEC" means Higher Education Commission of Pakistan;
- (n) "honorarium" means a recurring or non-recurring payment granted to an employee from the Institute fund as remuneration for special work of an occasional character;
- (o) "initial recruitment" means recruitment made otherwise than by promotion or transfer;
- (p) "Institute" means Sindh Institute of Ophthalmology and Visual Sciences, Hyderabad;
- (q) "lien" means the title of employee to hold substantively either immediately or on the termination of a period or periods of absence, permanent or tenure post to which he being appointed substantively;
- (r) "ministerial staff" means an employee of a subordinate service whose duties are entirely clerical and any other class of employee specially defined as such by general or special order of a Board;
- (s) "officiate" means performing of the duties of a post on which another person holds a lien. The competent authority, may, however, also appoint an employee to officiate in a vacant post on which no other employee holds a lien;
- (t) "pay" means the amount drawn monthly by an employee as pay, and includes technical pay, special pay, personal pay and any other emoluments declared by the prescribed authority to be pay;
- (u) "PMDC" means the Pakistan Medical and Dental Council;
- (v) "permanent post" means a post sanctioned without limit of time;
- (w) "promotion" means promotion from lower to higher scale;
- (x) "Promotion Committee" means a Committee constituted for the purpose of selection for promotion to a post in the Institute;
- (y) "post" means a teaching and non-teaching post sanctioned in connection with the affairs of the Institute;

- (z) "Selection Board" means Selection Board constituted under section 15 of the Act;
- (aa) "Selection Committee" means a committee constituted for the purpose of making selection for initial appointment for the posts in the Institute;
- (bb) "temporary post" means a post other than permanent post;
- (cc) "tenure post" means a permanent post which an individual employee may not hold for more than a limited period;
- (dd) "Service" means the service of the Institute;

(2) For the purpose of these Rules, an appointment, whether by promotion or otherwise, shall be deemed to have been made on regular basis if it is made in the prescribed manner.

4. Terms and Conditions.- (1) The terms and conditions of service of a employee shall be as provided in these rules.

(2) The terms and conditions of service of any person to whom these rules apply shall not be varied to his disadvantage.

(3) Subject to provisions of these rules, the appointing authorities of the employee shall be as mentioned below: -

- (i) Board in the case of employees appointed to the posts of BPS-17 and above.
- (ii) Executive Director in the case of all other employee of BPS-1 to BPS-16.
- (iii) Other officers to whom the Executive Director may delegate the powers of appointment of employees of BPS-1 to 11.

5. Age of Entry into Service.- No person, who is less than eighteen years or more than fifty years of age, shall be appointed in the service by initial recruitment; provided that the competent authority may in the interest of Institute waive the upper age limit subject to physical fitness.

6. Age of Superannuation.- An employee shall retire from service -

- (i) on such date, after he has completed twenty-five years qualifying service for pension or other retirement benefits, as the competent authority may direct; or
- (ii) where no direction is given under Rule 1, on the completion of (60) sixty years, of age.

7. Physical Fitness Certificate.- (1) Every employee shall have to produce Physical Fitness Certificate from the Medical Board in his initial appointment. No person can be appointed to a post in service without a medical certificate of health. This certificate must be affixed to the first pay bill to be submitted to the audit officer or salary branch as the case may be.

(2) The Medical Board may prescribe the form in which the medical certificates are to be prepared and the particular medical officer or other officer by whom they can be signed. The Institute, may, however, in individual cases, dispense with the production of a certificate, and may by general orders exempt any specified class of employee from the operation of these rules.

(3) Once a person has been asked to produce a medical certificate of fitness and has actually been examined and declared unfit, it is not open to the Institute to use its discretion to ignore the certificate that has been produced.

8. Medical examination during the course of Service.- (1) Where an authority competent to fill the post held by the employee, is of the opinion that the employee is suffering from a disease which renders him unfit for the proper and efficient discharge of his duties or from a disease which is communicable and is likely to endanger the health of the other employees, the employee concerned may be required to appear before the medical authority for medical examination. If the medical authority concerned, after examining the employee, certifies that he requires a period of absence from duty for the purpose of rest and recreation and that there is a reasonable

prospect of recovery, the competent authority may grant him leave including extraordinary leave for such period as the medical authority recommends. The leave will be granted if it is due and admissible to the employee and in a manner as if the employee had himself applied for the leave.

(2) In case the medical authority examining the employee certifies that he is permanently incapacitated for service, the finding of the medical authority should be communicated to the employee immediately.

(3) The employee may within seven days of the receipt by him of the official intimation of the findings of medical authority, apply to the Executive Director for review of his case by second Medical Board. Such an application should be accompanied by a fee, the amount of which will be fixed by the Director-General, Health. The Director-General then should arrange for convening of a reviewing Medical Board which should consist of persons who were not the members of the first Medical Board. If the reviewing Medical Board also certifies that the employee is incapacitated for further service, the competent authority may require the employee to retire from service and grant to him such invalid pension or gratuity as may be admissible under the relevant rules. This will be granted as if the employee had himself applied for an invalid pension.

(4) In case the reviewing Medical Board is of the opinion that the employee is fit for service, he should be reinstated forthwith and the period of absence treated as duty. If, however, the Reviewing Medical Board certifies that the employee is not fit but there is a reasonable prospect of his recovery he may be granted such leave as is recommended by the board and is due and admissible to him.

(5) Where an employee does not apply for review of his case within seven days of the receipt of the official intimation of the findings of the first Medical Board, the competent authority may require him to retire from service and grant to him invalid pension or gratuity as admissible under the rules.

9. Qualification.- (1) The minimum qualification and experience for appointment of teaching staff shall be in accordance with the PMDC/HEC Rules/Criteria which may be changed/amended from time to time.

(2) Minimum Qualification and experience for employees, other than teachers shall be in accordance with the Recruitment Rules of Sindh Government / Federal Government which may be changed/amended from time to time.

(3) In case of an employee already appointed or appointed as a special case, shall not be confirmed till he fulfills the prescribed conditions of minimum qualification and experience, unless the deficiency is condoned by the competent authority.

10. General rules for appointment.- (1) All appointments in the Institute, whether the concerned competent authority is, Board, Executive Director, or any other Officer, Body or Committee under the administration of Institute, shall be made by an open merit policy, giving an equal opportunity to all the applicants, save for special posts allocated for women or disabled or minorities.

(2) The appointment of differently abled persons, women and minority shall be made against the quota as reserved by Government from time to time; provided that if such suitable candidate is not available the appointment shall be made from other candidates on merit.

(3) All appointments in the Institute, where a special pay is prescribed shall also be made by the competent authorities, by an open merit policy, giving an equal opportunity to all the applicants, as outlined in the Rule/Regulations and the Schedule, save for special posts allocated for women or disabled, and special posts as outlined in these Rules.

(4) All appointments to the post in the Institute shall be made after proper advertisement and publicity in the leading newspapers.

(5) There shall be no disparity in the condition of work, facilities, and salaries of different employees of the same rank and status, and different employees working with the same title of the post, as outlined in the Rules and Regulations, save for the provision of the special pay outlined in Pay and Allowances Rules of Institute.

(6) All qualification considered equivalent in determining the eligibility for appointment to a post, shall also be considered equivalent for all other purposes as well.

11. Bar against revising qualifications prescribed for the posts in the Recruitment Rules.- (1) It should be ensured that qualifications and other conditions prescribed for various posts in the Recruitment Rules are strictly adhered to. If for any reasons these qualifications and conditions are required to be modified, the revised qualifications should be settled in consultation with the Selection Board before requisitions are placed with the Selection Board. The post advertised by the Institute should not be revised.

(2) Condition of age, qualification and experience prescribed under eligibility for the appointment/promotion of statutory posts, teaching posts and administrative positions cannot be relaxed under any circumstances. The post if necessary with relaxed condition shall have to be re-advertising and if this is not done the candidate who fulfill the relaxed conditions may go to a court of law against the selections made by the Selection Board on the ground of having been denied the opportunity to compete for the post under the relaxed conditions.

12. Checking the genuineness of educational certificates/ qualifications etc.- (1) It is necessary to check thoroughly the genuineness of certificates where the bona-fides of persons employed are in doubt. One method of checking is to make a reference to the universities who issue the certificates. If this method does not prove to be successful, cross examination (and other suitable methods which may be possible according to the merits of the case) of the individuals concerned by the appointing authorities themselves may be resorted to. The candidates concerned may also be required to produce two certificates from gazetted officers in support of their claim to educational qualifications.

(2) There may also be cases where the certificates produced are genuine but there is a reasonable doubt that they do not relate to the persons producing them. In such cases the matter will have to be referred to the District Police authorities for investigation and report.

(3) Where interviews/tests are conducted by the Selection Board/Selection Committee, the original age and educational certificates submitted by the candidates with their applications are fully checked and necessary enquiries made in all doubtful cases. But, as regards to promotion, the candidates are not generally required to submit their original certificates with their applications and only attested copies are called for. In these cases, it is essential for the appointing authorities to verify the claims of the candidates as regards to age and educational qualifications in the same manner in which their antecedents are verified before appointment. If it is found that a forged certificate has been produced or that the individual, producing a certificate, is not the one to whom it was issued, suitable disciplinary action must be taken against the person concerned, including dismissal from service, (if the persons are in the Sindh Institute of Ophthalmology and Visual Sciences service) and a ban on future employment. In specific cases the matter should be reported to the Police for criminal prosecution.

(4) Generally, candidates for recruitment made by selection are required to send passport size copies of their photographs with their applications. But this is not compulsory. It is considered desirable to ask all candidates to submit such photographs with their applications.

13. Alteration in the date of birth, Domicile/PRC, Medically fit and Contract appointment.- (1) The date of birth once recorded at the time of joining the service shall be final and thereafter no alteration in the date of birth of an employee shall be permissible.

(2) A candidate for appointment shall be a citizen of Pakistan and permanent resident of Province of Sindh.

(3) A candidate for appointment must be in good mental and physical health and free from any physical defect likely to interfere with the discharge of his duties. A candidate who after such medical examination as Institute may prescribe, is found not to satisfy these requirements, shall not be appointed.

(4) Contract appointment shall be made initially for the period of six months which will be extendable with the minor break of one or two days. If the services of contractual employee found satisfactory by the concerned department his services shall be regularized by the Board on the recommendations of Departmental Promotion Committee or Selection Board, as the case may be, after the completion of three years of satisfactory services.

(5) Persons appointed by initial appointment shall be on probation for period of one year in case of non-teaching staff and two years for teaching staff.

14. **Probation.-** (1) A person appointed in the service as a teacher or an employee other than a teacher against a substantive vacancy shall remain on probation for a period of one year in case of non-teaching position and two years in case of teaching faculty.

(2) An initial appointment to a service of post referred to in rule sub-rule (5) of rule 13, not being a temporary/contract appointment, shall be on probation as may be determined by the Board.

(3) Any appointment of employee by promotion or transfer to a service or post may also be made on probation as may be determined by the Board.

(4) Where, in respect of any service or post, the satisfactory completion of probation includes the passing of a prescribed examination, test or course or successful completion of any training, a person appointed on probation to such service or post who, before the expiry of the original or extended period of his probation, has failed to pass such examination or test or to successfully complete course or the training shall, except as may be prescribed otherwise -

- (a) if he was appointed to such service or post by initial recruitment, be discharged; or
- (b) if he was appointed to such service or post by promotion or transfer, be reverted to the service or post from which he was promoted or transferred and against which he holds a lien or if there be no such service or post, be discharged:

Provided that, in the case of initial appointment to a service or post, an employee shall not be deemed to have completed his period of probation satisfactorily until his character and antecedents have been verified as satisfactory in the opinion of the appointing authority.

(5) Where the appointment is on probation, this should be clearly stated in the order, along-with the probationary period in clear terms. This period will vary according to the nature of the posts, and should be judiciously fixed, but once fixed, it should be rigidly adhered to. In other words, the question whether the probationer's services are to be terminated, or his period of probation is to be extended in accordance with the order of appointment, or he is to be confirmed in his appointment should be examined and decided sufficiently in advance of the completion of the current period of probation. This will avoid creating false impression that, if the period of probation is completed without any orders being passed, the probationer's service must necessarily have been accepted as satisfactory and justifying confirmation. The retention of such persons on probation after the completion of the maximum term of probation provided in the appointment order is most undesirable, and will be tolerated only in the most exceptional circumstances, e.g., where it is absolutely essential to keep the post filled and a substitute is not available.

(6) An average report though sufficient for retention in service does not qualify an officer for promotion to the next higher Scale.

(7) Against permanent and quasi-permanent vacancies are required to be placed on probation for one year before they can be considered for confirmation. However, the appointing authority has the discretion of extending the said period of probation or terminating it before one year, for good and sufficient reasons which should be recorded in writing. However the probationary period can be curtailed by the competent authority at his discretion, but it cannot be waived altogether.

15. **Confirmation.-** (1) A person appointed on probation shall, on satisfactory completion of his probation, be eligible for confirmation in a service.

(2) An employee promoted to a post on regular basis shall be eligible for confirmation after rendering satisfactory service for the period prescribed for confirmation therein.

(3) There shall be no confirmation against any temporary post.

(4) An employee, who, during the period of his service, was eligible to be confirmed in any service or against any post retires from service before being confirmed shall not morally be reason of such retirement, is refused confirmation in such service or post or any benefits accruing there from.

(5) Confirmation of an employee in a service or post shall take effect from the date of occurrence of permanent vacancy in that service or post or from the date of continuous officiating, in such service or post, whichever is later.

(6) The authority to confirm the employee, shall be as below:-

(i) In case of all the employees appointed to posts of BPS-17 and above, the Board;

(ii) in case of all the employees BPS-1 to 16, the Executive Director.

16. General Principles of confirmation.- (1) An employee initially appointed to a post, on probation including an employee promoted or appointed to a post on transfer, shall on satisfactory completion of his probation, be eligible for confirmation in that post:

Provided that the confirmation shall be made only against a permanent post:

Provided further that two or more employees shall not be confirmed in the same post and at the same time or in a post on which another employee holds a lien.

(2) An employee shall not be confirmed on two or more posts at the same time.

(3) An employee shall be considered for confirmation strictly in order of his seniority.

(4) No confirmation shall be made against the post vacated on dismissal, removal or compulsory retirement of an employee until his appeal against such dismissal or, as the case may be, removal or retirement is finally decided.

17. Seniority.- (1) For proper administration of a service, cadre or post, the appointing authority shall cause a seniority list of the members for the time being of such service, cadre or post to be prepared, but nothing herein contained shall be construed to confer any vested right to a particular seniority in such service, cadre or post as the case may be.

(2) Subject to the provisions of sub-rule (1), the seniority of employees shall be reckoned in relation to other employees belonging to the same service or cadre whether serving in the same department or Section, as prescribed in these rules.

(3) Seniority on initial appointment to a service, cadre or post shall be determined as prescribed in these rules.

(4) Seniority in a post, service or cadre to which an employee is promoted shall take effect from the date of regular appointment of such employees to that post, service or cadre:

Provided that employees who are selected for promotion to a higher post in one batch shall, on their promotion to the higher post, retain their inter-seniority as in the lower post.

18. Seniority on initial appointment.- (1) Person initially appointed on the recommendations of the Selection Board/ Departmental Promotion Committee through an earlier open advertisement shall rank senior to those appointed through a subsequent open advertisement.

(2) If two or more persons are recommended in open advertisement by the selection authority, then it shall be determined in order of merit assigned by the selection authority, and if such authority is either not competent to assign such order of merit or has omitted to do so and is unable to overcome the omission for reasons beyond its control, the seniority shall be determined by the appointing authority:

Provided that a person selected in earlier selection shall rank senior to a person selected in a later selection.

(3) If only one candidate is recommended in open advertisement by the selection authority, his seniority shall be counted from -

- (a) the date of recommendation by the selection authority, if he was already holding the same post;
- (b) the date of his joining the post after being recommended by the selection authority if he was not already holding the same post;
- (c) in the case of persons appointed by promotion on the basis of their inter-se seniority in the lower grade;
- (d) in case of person appointed by initial recruitment vis-a-vis person appointed by promotion, on the basis that the persons appointed by a promotion shall rank senior to the persons appointed by initial recruitment;
- (e) in the case of person not covered by sub- rule (a) to (d) on the basis that persons elder in the age shall rank senior to persons younger in age.

19. **Seniority on promotion.**- Seniority in a service, cadre or post to which an employee is promoted shall take effect from the date of regular promotion to that service, cadre or posts:

Provided that -

- (a) an employee selected for promotion to higher posts on an earlier date shall be senior to those selected for such promotion on a later date;
- (b) an employee selected for promotion to higher posts in one batch shall on their promotion to the higher post, retain their seniority as in the lower post;
- (c) the seniority of employees belonging to different cadres of service and selected for promotion to a post in higher pay scale in one cadre of service shall, on their promotion, be reckoned from the date of their regular appointment to the immediate lower pay scale in their respective cadre of service, where such date is same, the person older in age shall rank senior;
- (d) the employee of different cadre of service who opts for promotion in other cadre of service shall, on his promotion as such in one batch, be placed junior to the cadre of service opted; and
- (e) an employee who is not promoted on his turn on the ground that -
 - (i) his seniority is under dispute or is not determined;
 - (ii) he is on deputation, training or leave: or
 - (iii) disciplinary proceeding are pending against him; or
 - (iv) he is not considered by the Selection Authority in advertently,

shall, subject to any order made by the competent authority in this behalf, on promotion, be deemed to have been promoted in the same batch with his juniors promoted earlier.

20. **Inter seniority of employee appointed in the same calendar year.** Persons appointed by transfer in a particular calendar year shall, as a class, be senior to those appointed by promotion or by initial appointment to such posts in that year, and persons promoted to higher posts in a particular calendar year shall, as a class, be senior to those appointed by initial appointment to such posts in that year.

21. **Deputation.**- (1) A person in service of Institute or another autonomous or semi-autonomous organization, who possesses minimum educational qualification, experience and other prescribed conditions of service, shall be eligible for appointment on deputation with the Institute for a period of three years on mutually agreed terms and conditions between the lending and borrowing organizations.

(2) Pension contribution shall be made by the borrowing organization for the period of deputation.

(4) Maximum period of deputation shall be as under:-

- (a) The normal period of deputation for all categories of employees would be three years. This would be extendable by two years with the prior approval of the competent authority.

- (b) All cases of initial deputation of employees holding posts in BPS-17 and above would be referred to Board for approval. The initial deputation in the case of employees holding posts in BPS-16 and below would be approved by the Executive Director.
- (c) The competent authority to grant extension in deputation beyond the initial period of 3 years would be as below:-
 - (i) employees in BPS-1 and BPS-16, the Executive Director;
 - (ii) employee in BPS-17 to **BPS-21**, the Board.
- (d) On completion of the maximum period of five years both the borrowing and the lending organizations should ensure immediate repatriation of the deputationist.
- (e) In case it is not possible to repatriate a person to his parent organization for compelling reasons, the case should be referred to the Board before the expiry of the maximum period of 5 years, fully explaining the circumstances due to which immediate repatriation is not possible and measures taken to obtain or groom a replacement as early as possible.

(5) Immediate action may be taken to specify the period of appointment in those cases where it has not been specified. It should be ensured that in future no officer is appointed on contract, re-employment, and secondment or on deputation without specifying the period of appointment. On the expiry of the specified period the officer should be relieved of his assignment forthwith unless the period has already been extended by the competent authority.

(6) Failure to report back, unless specifically authorized otherwise by the Institute, will be construed as 'misconduct' and make him liable to disciplinary action under the Efficiency and Discipline Rules of the Institute.

22. Terms and Conditions in respect of employment abroad.-

(1) An employee should be a confirmed employee of the Institute and normally should have put in at-least five years continuous service in the Institute.

(2) Foreign employment leave of five years may be granted in one or at the most two installments. In case, an employee avails some part of foreign employment leave and then return back, he will have to serve the Institute for at least one calendar year before he may be considered for service abroad for the remaining period.

(3) Total number of teachers granted foreign employment leave should not exceed 5% of the total strength of the Institute teaches and that of non-teachers should not exceed 2% of the total strength of non-teachers at a time.

(4) During foreign employment the lien of the employee will be retained on the substantive post on which he was serving immediately before his transfer to foreign employment. Lien can be terminated or suspended on the express desire of the employee and with the approval of the Board.

(5) Foreign employment leave shall not be claimed as a matter of right and shall always be at the discretion of the Board.

(6) An employee of the Institute, while in foreign employment shall not be entitled to any other leave from the Institute.

(7) An employee shall not be entitled to receive any annual increment for the period he is in foreign employment.

(8) In case any employee fails to return within the stipulated time, necessary disciplinary action will be taken under the Efficiency and Discipline Rules of the Institute.

23. **Lien.**- (1) The service of employees may be -

- (a) **acquisition of lien:** An employee on substantive appointment to any permanent post shall acquire a lien on that post and shall cease to hold any lien previously acquired on any other post;
- (b) **Retention of lien:** An employee holding substantively a permanent post shall retain his lien on that post as under:-
 - (i) while performing the duties of the post;
 - (ii) while holding another temporary or tenure post of officiating in another post;
 - (iii) while serving in another organization or any Government Organization with the prior permission of competent authority having kept his lien in this Institute, for the period of three years. This period may under certain condition be able to be extending to a maximum period of five years with the approval of Board;
 - (iv) while on leave; and
 - (v) while under suspension.

(2) The holding of lien shall be one time facility during entire service of employee.

24. **Termination of lien.**- (1) The lien of an employee who is reduced in rank or reverted to a lower post as a consequence of action taken against him under the Efficiency and Discipline Rules of the Institute, shall be terminated against the post from which he is reduced in rank or, as the case may be, reverted to a lower post:

Provided that such employee shall acquire a lien against the lower post.

(2) An employee shall cease to hold lien against a post if he takes up an appointment on selection in an autonomous body under the control of Federal Government, Provincial Government, local authority or private organization, and is absorbed there.

(3) A confirmed employee who, of his own accord, joins some other service, post or cadre on regular basis shall have, after being selected through a regular selection process, the right of reversion to the previous post against which he shall hold lien only during the period of his probation on his new service, post or cadre, not exceeding two years.

(4) An employee who takes appointment within or outside the country and is confirmed in the Service of Institute shall be granted lien for a period of three years. Subject to written request, this period may be under certain conditions being extended to a maximum of five years by the Board.

(5) If an employee does not join the Institute, after the expiry of the lien period, his service will be deemed to have been terminated and he will be responsible for the payment of all liabilities, if any.

(6) Two or more employees cannot be appointed substantively to the same permanent post at the same time. Likewise an employee cannot be appointed substantively, except as a temporary measure, to two or more permanent posts at the same time. If an employee holds a lien on a certain post, no other employee can be appointed substantively to a permanent post. When an employee is appointed to a permanent post in a substantively capacity, he acquires a lien on that post and simultaneously ceases to hold lien previously acquired on any other post. From the administrative point of view, when it is proposed to confirm an employee in a certain post he should be asked to give in writing that he agrees to the termination of his lien on any other permanent post held by him in substantive capacity.

(7) An employee holding a permanent post substantively retains a lien on the post under the following circumstances:-

- (a) While performing the duties of that post;
- (b) While on Foreign Service or holding a temporary post or officiating in another post;
- (c) During joining time on transfer to another post; unless he is transferred substantively to a post on lower pay, in that case his lien will be transferred to the lower post from the date of his relief; and

(d) While under suspension.

(8) An employee sent on deputation to another office retains a lien on his permanent post on his parent Department and as such he is governed by the rules of the lending Department in respect of pay, leave and pension etc., which have a right to recall him from deputation. The lending agency have accordingly a right to determine in consultation with the borrowing agency the terms and conditions of his employment under the latter and those terms should not be varied by the borrowing agency without first consulting the lending agency. In accordance with this principle a convention has been established between the different organization and the Institute that no increase in pay or improvements in other service prospects should be offered to any officer without consulting the lending agency.

(10) A competent authority suspends the lien of an employee holding a permanent post in a substantive capacity, whenever he is appointed substantively against a tenure post, or to a permanent post outside the cadre on which he is borne or if he is appointed in a provisional substantive capacity against a post on which another employee would hold a lien, if his lien had not been suspended. The competent authority may also, at his option, suspended the lien of an employee holding a permanent post substantively if he is deputed out of Pakistan or goes on foreign employment, or is transferred in a substantive or officiating capacity to a post in another cadre; provided that there is a reason to believe that the period of deputation out of Pakistan, foreign employment or, appointment to another post respectively would not be less than three years.

(11) An employee's lien on a tenure post cannot be suspended in any circumstances. If he is appointed in a substantive permanent capacity to another permanent post, the lien on the tenure post must be terminated.

(12) If an employee's lien on a permanent post is suspended, the post can be filled substantively and the employee appointed to the post in a substantive capacity acquires a lien on this post. But if the suspended lien is revived at a later stage, the consequential arrangements will have to be reversed. The appointments of this nature are termed as provisional appointments. Nevertheless, the lien acquired in this manner too can be suspended in accordance with the foregoing provisions of the rules.

(13) If an employee's lien is suspended due to his substantive appointment to a tenure post, or to a post outside the cadre or to a post on which another employee holds a lien, the suspended lien will revive as soon as he ceases to hold a lien against any one of these posts. Similarly, if an employee ceases to be on deputation out of Pakistan or on foreign employment or to hold a post in another cadre, the suspended lien will revive. If, however, an employee, while on deputation out of Pakistan or on foreign employment or holding a post in another cadre, takes leave and there is reason to believe that on the expiry of leave, the employee concerned would continue to be on deputation out of Pakistan, or on foreign employment or to hold a post in another cadre and the total period of absence on duty will not fall short of three years, the lien may not be revived.

(14) If an employee, on transfer to a post outside his cadre, is due to retire on superannuation pension within three years of his transfer, his lien on the permanent post cannot be suspended.

(15) If an employee is substantively appointed to a permanent post outside the cadre on which he is borne, his lien or suspended lien on his previous post can be terminated on the employee's concerned written request for the termination of the lien and not otherwise.

(16) Subject to the provisions of these rules, the lien of an employee, even if it has been suspended, can be transferred to another permanent post in the same cadre, if he is not performing the duties of the post to which the lien relates.

(17) As in the existing rules, the period of lien shall not be treated as qualifying service for pension but only as a bridge between the two periods of qualifying service.

25. Conduct.- The conduct of employees shall be regulated by separate rules made, or instructions issued, by Board or a competent authority, whether generally or in respect of a specified group or class of employees.

26. Secrecy of Confidential record/official business.- All employees must maintain secrecy about confidential official record and/or confidential decisions, until those are officially announced are made public by or under orders of the competent authority or authorities.

27. **Efficiency and Discipline.**- An Employee shall be liable to prescribed disciplinary action and penalties in accordance with the prescribed procedure as mentioned in the Efficiency and Discipline Rules of the Institute.

28. **Bar against accepting any other engagement.**- (1) No whole time employee of the Institute shall, except with the prior permission of the appointing authority engage himself directly or indirectly in any trade, occupation, business or calling other than his official duties under the Institute; provided that such prohibition shall not prevent an employee from accepting the examination work of other universities or institutes.

(2) The teachers may obtain permission from their appointing authority for doing any professional consultancy work after working hours, which does not affect their official duties:

Provided that 30% of their earnings from the consultancy work will have to be paid to the Institute:

Provided further that they shall not do this work with any firm or contractor engaged by the Institute for any job or work until one year after its termination/completion.

(3) An employee shall, however, be eligible to receive without special permission, any award offered by or through the Federal or Provincial Government of Authority Body, Public Endowment or Trust in recognition of his merit, distinction, research or any other achievement.

(4) The competent authority may appoint an employee to hold temporarily or to officiate in one or more post or posts at a time; provided that the duties of his substantive post do not suffer.

29. **Leave.**- An Employee shall be allowed leave in accordance with the leave rules applicable to him; provided that the grant of leave will depend on the exigencies of service and be at the discretion of the competent authority. Leave of employees shall be governed under relevant Leave Rules of the Institute.

30. **Method of appointment to non-teaching posts.** The appointments to the non-teaching post shall be made by any of the following methods namely:-

- (a) By initial recruitment;
- (b) by promotion;
- (c) by transfer;
- (d) by up-gradation;
- (e) by acting charge;
- (f) by current charge;
- (g) by officiating charge.

31. **Appointing Authority.**- The appointing authorities in respect of the employment in the Institute shall be as mentioned below:-

- i) Board in case of the employees appointed to posts of BPS-17 and above.
- ii) Executive Director in case of all employees of BPS-1 to BPS-16.

(2) The appointing authority may subject to general or special orders delegate its powers to any of the officers of the Institute.

32. **Direct Appointment.**- (1) All posts reserved for direct appointment in BPS-1 and above shall be made on the basis of test/interview by the appropriate authority after advertisement of the vacancies in newspapers/SIOVS Web site.

(2) A candidate for direct appointment to a post should possess such educational qualification and experience as may be prescribed. HEC/PMDC Rules shall apply in the case of teaching faculty and in case of non-teaching candidate Government of Sindh/Federal Government Recruitment Rules shall be applicable and such candidates must be within the age limit as laid down for each post.

(3) A candidate for the direct appointment must be a citizen of Pakistan and domiciled in the Sindh Province. He should also be in good mental and bodily health for which he is required to produce medical certificate.

(5) Any direct appointment shall be subject to verification of character and antecedents of the candidate to the satisfaction of the appointing authority.

(6) Notwithstanding anything contained in any Rules to the contrary, whenever an employee of the SIOVS dies while in service or is declared invalidated/incapacitated for further service, one of his children may be employed against a post falling under the share of direct appointment subject to fulfillment of conditions and prescribed qualification and experience. Such candidate may be given 10% additional marks in the aggregate by the Selection Committee.

33. Criteria of Selection for Initial recruitment.- The following shall be the criterial for initial recruitment:-

(i) for the posts in BPS-1 to BPS-4 -

- (a) Literate but Metric will be preferred;
- (b) Skill/experience relevant to the post;
- (c) The posts in BPS-1 to BPS-4 shall be filled in from among the local persons of District Hyderabad and adjoining districts/areas.

(ii) for posts in BPS-5 and above -

(a) weightage of academic qualification shall be calculated from the qualification prescribed for the post;

(b) the marking/weightage of the additional relevant qualification, relevant higher qualification and relevant experience will be decided by the Selection Committee in the light of information made available by the establishment Branch of the Institute.

Explanations.- (a) The weightage for academic qualification (Matric to the qualification prescribed for the post) of the candidates shall be done as shown at eligibility for the appointment/promotion of non-gazetted positions.

(b) Where typing is prescribed in the rules as a part of qualification after Matriculation, all persons possessing the prescribed speed shall be considered as equal.

(c) Experience shall be counted prescribed experience in the relevant recruitment rules, if any. If not specifically provided otherwise in the relevant Service Rules, "experience" will mean in the line and only that experience is considered which has been acquired after the acquisition of minimum qualification prescribed for the post.

(d) The equation of grades versus class is as follows: -

Grade A & B	=	1 st Class
Grade C & D	=	2 nd Class
Grade E	=	3 rd Class

Note: Below 45% marks obtained in Grade-D will be considered as 3rd Class.

(e) In case where no division / grade are given in the respective Certificate, it is worked out on the basis of secured marks of candidates as follows: -

60% and above marks	1 st Class
45% - 59% marks	2 nd Class
Below 45% marks	3 rd Class

34. Selection/Promotion Committee.- The recruitment/promotion against posts BPS-16 and below in the Institute shall be filled on the recommendation of the Selection/Promotion Committee to be constituted by the Executive Director from time to time to initiate the process of appointment and promotion of non-gazetted post as and when required.

35. Initial appointment.- (1) Initial appointments in the BPS-17 and above or equivalent shall be made on the recommendations of Selection Board after the vacancies have been advertised in three leading English, Sindhi and Urdu newspapers.

(2) The recommendation of the Selection Board shall be placed before the Board for its approval.

(3) Persons appointed by direct recruitment must possess the educational qualification and experience in accordance with Sindh Government/Federal Government Recruitment Rules and must be within the age limit as mentioned against the post concerned in eligibility criteria for the appointment/promotion of non-teaching positions.

36. Posts to be filled through Selection Board: (1) The method of appointment and the qualifications and other conditions applicable to a post shall be in accordance with the eligibility criteria as laid down in Recruitment Rules framed by Sindh Government/Federal Government for the appointment/promotion of teaching and non-teaching positions.

(2) Only those vacancies of BPS-17 and above should be filled by initial appointment by the Selection Board which falls in direct appointment quota.

(3) In the absence of recruitment rules the post should not be referred to the Selection Board.

(4) The vacancies falling in direct recruitment must be advertised through newspapers.

(5) Nominee(s) of Selection Board shall normally be accepted by the Board. However in any case Board does not accept the nomination(s) it shall communicate to the Selection Board the reasons for the non-acceptance and after the Selection Board has expressed its further views in the matter the case shall be submitted for a decision to the competent authority in a self-contained summary through the Executive Director.

(6) If the Board has approved the appointment of the candidates recommended by the Selection Board their appointment shall be notified immediately. However the other codal formalities with regard to fitness, verification of documents shall be followed before issuing notification.

37. Compulsory employment of disabled persons.- (1) Not less than quota fixed by the Government from time to time of the total number of persons employed by the Institute at any time shall be disabled persons provided Medical Board declared such person as a fit for work.

(2) The disabled persons employed against any post in pursuance of rule 10 shall be entitled to the terms and conditions which are not less favorable than those of the other persons employed by the Institute against similar posts.

(3) When calculating the percentage of the posts in the Institute for the purpose of employment of disabled persons, the fraction of 0.5 and above shall count as a whole number.

38. Appointment against the Deceased Quota.- (1) Notwithstanding anything contained in these rules the appointing authority may appoint one of the children of an employee who **dies during service** to a post in any of the BPS-1 to BPS-16; provided that the child possesses the minimum qualification prescribed for appointment to that post.

(2) The appointment as aforesaid shall be subject to the availability of a vacancy and where two or more vacancies in different pay scales are available at a time and the child possesses the qualification to make him eligible for appointment to more than one post he will preferably be appointed to the post carrying higher pay scale.

(3) Where the employee dies while in service or is declared invalidated or incapacities for further service one of his children shall be provided job on any of the BPS-1 to BPS-16 in the Institute in which the deceased employee was working without observance of the prescribed formalities if such child is otherwise eligible for the post.

39. Reservation of 10% quota for employment of women in the Institute Service.- (1) The quota for employment of women as prevailing in, and fixed by, Government shall be applicable to all posts across in the Institute to be filled by direct recruitment, in addition to their participation in the open merit.

(2) The above reservation will not apply to:

(i) the percentage of vacancies reserved for recruitment on the basis of merit;

(ii) recruitment made by promotion or transfer in accordance with the relevant rules;

(iii) short term vacancies likely to last for less than six months, and

(iv) isolated posts in which vacancies occur only occasionally;

(3) The vacancies reserved for women for which qualified women candidate are not available shall be carried forward and filled by women.

40. Reservation of vacancies for the minorities and scheduled cast.- (1) Five percent (5%) of the quota fixed by Government, from time to time, of all vacancies (as distinct from posts) to be filled by direct recruitment in gazetted and non-gazetted (including ministerial services) to which recruitment is made on Sindh Province basis shall be reserved for the Minorities and Scheduled Castes candidates.

(2) The reservation referred to above will not apply to -

(a) recruitment made by promotion or transfer in accordance with the relevant rules;

(b) services and posts which are excluded specifically from the purview of these rules with the concurrence of the Board on the ground that they require highly technical or special qualifications, or isolated posts in which vacancies occur only very occasionally; and

(c) temporary vacancies likely to last for less than three months.

(3) The percentage prescribed will be applied to vacancies in each BPS or cadre of service to which recruitment is made separately; provided that more than one BPS with the same or approximately the same pay and prospects may be combined together for this purpose, with the concurrence of the Board.

(4) In all cases a minimum standard of qualification will be prescribed for candidates of various communities alike and the reservation for the minorities and scheduled castes candidates will be subject to this condition.

(5) If duly qualified minorities and scheduled caste candidates are not available to fill the vacancies reserved for them, the vacancies not filled by them will be treated as unreserved and filled through other methods.

41. Posting and Transfer.- Every employee shall be liable to serve anywhere within or outside the Institute main hospital, in any equivalent or higher post in any Institute/Eye Hospital or Eye Clinic established under the administrative control of the Institute:

Provided that nothing contained in this rule shall apply to the employee recruited specifically to serve in a particular department:

Provided further that where an employee 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 favorable than those to which he would have been entitled if he had not been so required to serve

Mode of other short Term Appointments.

42. Current Charge.- (1) All appointments by promotion in higher posts are to be made through regular selection process i.e. with the approval of the Selection Board/Departmental Promotion Committee and the authority competent to make appointment to the pay scale in which the vacancy exists. However, in those cases where as vacancy in a higher post occurs for less than two months and it is considered impossible for good reasons to make arrangements for day today work of that post to be carried on otherwise, the current charge of the duties of that post may be given temporarily, with the approval of the authority competent to make appointments to the said post, to the senior most officer in the cadre present at the place or in the Institute where the vacancy may have occurred if he is otherwise fit and eligible for promotion.

(2) Where higher posts have to be filled urgently for short periods independently of the normal promotion and appointment procedure which takes time, the Institute has been pleased to delegate the power to make current charge appointments as follows: -

For BPS-17 to BPS-20	Chairperson on behalf of the Board
For BPS-16 and below	Executive Director

(3) The exercise of the powers as delegated shall be subject to the observance of the following conditions:-

(a) the arrangement should not be made for a period of less than one month and should not exceed three months. However, it may be extended by another three months with the approval of the Board;

(b) As soon as the current charge is given, a proposal for regular appointment should be initiated and referred to Selection Board/Selection Committee, as the case may be, within a month; and

- (c) In making current charge arrangement, the senior most officers available in the Institute and present at the place where the vacancy may have occurred, if he is otherwise fit and eligible for promotion, should be considered.

(4) An officer appointed to hold current charge of a higher post shall be allowed, in terms of pay in his own grade plus additional pay equal to 20% of his pay scale or as prescribed by Board.

(5) For the purpose of making current charge arrangements it is not necessary to insist on completion the length of service as prescribed for promotion.

(6) The current charge arrangement is made as a temporary measure pending appointment of a person to the post on a regular basis. It is expected that case for regular appointment will be simultaneously initiated and finalized within the period of six months which is considered sufficient for the purpose. Normally, therefore, there should be no occasion for extending current charge arrangement beyond six months. In those cases only where it is necessary to continue the current charge arrangement beyond these period cases should be referred to the Board. Such cases should indeed be rare and stating what action was taken to fill the post on a regular basis the reasons why it has not be impossible to make a regular appointment within the prescribed period of six months and full justification for further extension of temporary arrangement. The period for further extension should be as short as possible necessary to make regular arrangements.

(7) The proposal to continue payment of additional pay beyond six months will also require approval from the Board.

43. Correct designation of officers holding current charge of higher posts: An officer holding a higher post on current charge basis may use the designation of that post in relation to a duty attached to that post.

44. Procedure and Remuneration for Additional Charge Appointments: (1) The additional charge appointment should be made as a temporary arrangement, subject to the following conditions:-

- (i) that combination of appointments should be made as a temporary measure and should not ordinarily be made for a period of more than six months;
- (ii) the work of the vacant post, as far as possible, is distributed among more than one employee of the same status and designation available in the Institute;
- (iii) where the distribution of the work among more than one employee is not feasible, the charge of the vacant post may be entrusted, in its entirety, to another employee. This arrangement should not be made for a period less than one month and should not exceed six (6) months and it should be allowed with specific approval of the Executive Director;
- (v) immediately on the expiry of six months of the full additional charge of the particular vacant post, the post shall be treated as having been abolished and its duties automatically becoming part of the normal duties of the other existing posts of the same category in the Institute. The post so treated as abolished shall not be revived without the concurrence of the Board.

(2) In order to afford sufficient compensation to the employee entrusted with the additional charge of an identical post with the approval of the competent authority as a temporary arrangement, special allowance shall be admissible at a uniform of rate of 20% of the basic pay not exceeding Rs.12000/- (twelve thousand) apart from the pay admissible to him.

(3) Necessary measures to fill up a post on a whole-time basis should be taken as soon as it falls vacant and every possible effort should be made to make a whole-time appointment within the period of six months. If, in any case, it is necessary to continue the full additional charge or current charge arrangement beyond this period, the case should be referred to the syndicate stating the steps taken to fill the post on a whole-time basis the reasons why it was not possible to appoint a whole-time officer within the prescribed period and giving full justification for further continuance of the temporary arrangement.

45. Combination of Appointments.- The work of the vacant post, as far as possible, is distributed among more than one employee of the same status and designation available in the Institute.

(2) Where the distribution of the work among more than one employee is not feasible, the charge of the vacant post may be entrusted, in its entirety, to another employee. This arrangement should not be made for a period less than one month and should not exceed six

(6) months and it should be allowed with specific approval of the Executive.

(3) Immediately on the expiry of six months of the full additional charge of the particular vacant post, the post shall be treated as having been abolished and its duties automatically becoming part of the normal duties of the other existing posts of the same category in the Institute. The post so treated as abolished shall not be revived without the concurrence of the Board.

46. Acting Charge.- (1) Where the appointing authority considers it to be in the public interest to fill a post reserved under the rules for departmental promotion and the most senior employee belonging to the cadre who is otherwise eligible for promotion does not possess the specified length of service the authority may appoint him to that post on acting charge basis.

(2) In the case of a post in BPS-17 to BPS-20 and equivalent, reserved under the rules to be filled by initial appointment, where the appointing authority is satisfied that no suitable officer drawing pay in basic pay scale in which the post exists is available in that category to fill the post and it is expedient to fill the post, it may appoint to that post on acting charge basis the most senior officer otherwise eligible for promotion in the organization, cadre or service, as the case may be, in excess of the promotion quota.

(3) Acting charge appointment shall be made against posts which are likely to fall vacant for a period of six months or more. Against vacancies occurring for less than six months, current charge appointment may be made according to the orders issued from time to time.

(4) Appointment on acting charge basis shall be made on the recommendations of the Board.

(5) Acting charge appointment shall not amount to appointment by promotion on regular basis for any purpose including seniority.

(6) Acting charge appointment shall not confer any vested right for regular promotion to the post held on acting charge basis.

(7) An employee, on appointment to hold a post on acting charge basis, shall-

- (a) assume full duties and responsibility of the post and exercise all statutory, administrative and financial powers vested in the regular incumbent of the post; and
- (b) during the period of such appointment, be entitled to draw fixed pay equal to the minimum stage of the pay at which his pay would have been fixed had he been appointed to that post on regular basis. Service rendered on acting charge basis in the scale applicable to the post shall not count for purposes of drawl of increments in that BPS. It shall, however, count towards increments in the scale of pay held immediately before appointment on acting charge basis so that on reversion from acting charge appointment his pay in the lower grade should be fixed at the same stage which he would have reached, but for appointment to the higher grade:

Provided that if at any time during his appointment on acting charge basis, his substantive pay exceeds his

pay fixed on acting charge appointment, he will draw his substantive pay.

(8) Officiating pay drawn in a post held on regular basis continuously for three years (including period of leave) or which would have been drawn for that period but for appointment on acting charge basis shall be treated as substantive pay.

(9) The service rendered on acting charge basis shall be counted towards the pay scale applicable to the post for the purposes of accrual of increments subject to fulfillment of the following: -

- (a) In case of acting charge appointments to posts carrying BPS-18, the incumbents shall have completed at least 03 years' service in BPS-17.
- (b) In case of acting charge appointments to posts carrying BPS-19 and above the incumbents shall have completed the prescribed length of service for respective posts as under:-
 - (a) Posts in BPS-19 07 years' service in BPS-17 and above.
 - (b) Posts in BPS-20 12 years' service in BPS-17 and above.

47. Appointment by promotion on officiating basis.- (1) Where the post falls vacant as a result of deputation, posting outside cadre, leave, suspension or appointment on acting charge basis of the incumbent of such a post, the appointing authority may fill in the post by promotion on officiating basis of a person who is otherwise eligible and such promotion is approved by the Selection Board.

(2) An officiating promotion shall not confer any right of promotion on regular basis and shall be liable to be terminated as soon as regular incumbent becomes available.

48. Procedure for up-gradation of certain posts.- (1) The up-gradation of posts shall be considered in the following cases only:-

- (a) when it is considered necessary to up-grade certain posts in order to rationalize the administrative structure of the Department/Section/Wing of the Institute to make it more effective or to bring about uniformity of pay scales of similar posts in different organizations and sister Institutes;
- (b) where the duties and responsibilities attached to a post have considerably increased;
- (c) where pay scale of a post is considered grossly incommensurate with the qualifications and experience prescribed for appointment to that post;
- (d) up-gradation of a post on personal basis may not be allowed except if any officer, already holding on regular basis a higher grade post, is posted against a post, carrying lower grade, due to exigencies of service.

(2) Subject to the observance of the parameters referred to in clauses (a) to (d) of sub-rule (1), the future proposals for the up-gradation/re-designation of posts shall be processed as under:-

- (a) The cases for up-gradation/re-designation of the posts in BPS-1 to BPS-19 will be recommended by the Administration to the Executive Director in consultation with the Finance Branch. However, the final decision about the proposed up-gradation/re-designation of posts in BPS-17 to BPS-19 will be taken at the level of Board on the recommendation of Selection Board in case of BPS-16 to BPS-19 and Departmental Promotion Committee in case of BPS-1 to BPS-16.
- (b) Cases of up-gradation/re-designation of posts in BPS-1 to BPS-16 will be submitted to the Executive Director for his approval subject to seeking the concurrence of Finance Branch.

(3) When the competent authority approves the up-gradation of a post in the situations mentioned in clause (a), (b) and (c) of sub-rule (1), appointment to the up-graded post should be made in accordance with the provisions of the relevant / specific Rules of the Institute.

(4) The up gradation of post implies abolition of the existing post and creation of a new post higher grade. Up-gradation of post does not mean automatic upgradation of its incumbent. Appointment to the upgraded post will have to be made in the manner prescribed for the post under the existing rules. If a post is upgraded with immediate effect, the incumbent would be left without any post (in his pay scale) until he is approved for appointment to higher grade.

(5) It is mandatory that while sanctioning upgradation of the existing posts, it should be clearly provided in sanction letter that up gradation of the posts would take effect from the date the post is actually filled by a person in the higher grade. This would ensure that until the existing incumbent is formally appointed to higher grade the post and the incumbent would continue to be in lower grade.

(6) If the incumbents working against the posts which have been upgraded do not possess the requisite qualifications/experience of the upgraded post they will continue to work in their present basic pay scale and they will be allowed to improve their qualifications within a period of five years falling which their grade would be a dying cadre.

(7) The incumbents of posts of BPS-1 to BPS-15 will continue to draw their pay in their present scales as personal to them so long they hold the post and that would be a dying cadre.

49. **Contract Appointment.-** (1) Where the appointing authority is of the view that selection/appointment of a suitable employee against a vacant post is likely to take six months or more, it may fill in such a post on contract basis subject to revocation at any time.

(2) Contractual appointment should be made of a person who is otherwise qualified and eligible for the vacant post.

(3) Contract appointment shall not confer any right in the matter of regular appointment or counting of such period towards seniority.

(4) The appointment is subject to revocation at any time.

50. **Procedure of regularization of contractual employees.-** (1) All cases concerning to regularization of service of the contractual employees working in pay scale equivalent to BPS-1 to BPS-16 shall be placed before the Board for its appropriate decision to regularize the service of the concerned employees after observing the following procedure:-

- (a) An employee who has completed satisfactory services of three years with (Ignoring minor break of up to 2-3 days);
- (b) Satisfactory performance report from Head of Department under whom employee currently work;
- (c) Employees will be adjusted against the post keeping in view their academic qualifications and experience;
- (d) No disciplinary action against the employees has been taken in last three (3) years.
- (e) Employee shall be required to pass test/interview to be conducted by a committee to be constituted by the Board before regularization of the service after putting in satisfactory three (03) years contract service.
- (f) Persons engaged other than contractual appointment shall not be eligible for regularization.

51. **Notice of Discharge.-** (1) In case of temporary employees or such permanent employees whose posts are retrenched with the approval of Board, reasonable notice shall be given by the Institute for termination of their services as detailed below or pay them equivalent amount of salary in lieu thereof:-

- | | |
|---|--------------|
| (a) Permanent Employees | One month |
| (b) Temporary Employees: | |
| (i) For an employee with one year service or more but less than two years. | One month |
| (ii) For an employee with six months service or more but less than one year | Fifteen days |
| (iii) For an employees with less than six months service. | Seven days |

(2) If an employee wishes to leave the Service, he shall give notice for the period as mentioned in (b) above or pay an amount equal to the salary for that period:

Provided that appointing authority may, at its discretion, waive the condition of notice in special cases on reasons to be recorded. The period of notice shall start from the date on which an employee gives notice in writing to the Institute.

52. **Termination of Service.-** (1) The service of employee may be terminated without notice -

- (a) during the initial or extended period of his probation:

Provided that where such employee is appointed by promotion on probation or, as the case may be, is transferred from one, cadre or post to another cadre or post, his service shall not be so terminated so long as he holds a lien against his former post in such a cadre or post but he shall be reverted to his former, cadre or post as the case may be;

- (b) on the expiry of the initial or extended period of his employment; or

- (c) if the appointment is made on adhoc/contract terminable on the appointment of a person on the recommendation of the selection authority, on the appointment of such person.

(2) Where on the abolition of a post or reduction in the number of posts in a cadre or the services of the employees are required to be terminated, the person whose services are terminated shall ordinarily be the one who is the most junior in such cadre.

(3) Notwithstanding the provisions of sub-rule (1), but subject to the provisions of sub-rule (2), the service of an employee in temporary employment or appointed contract shall be liable to termination on fourteen days' notice or pay in lieu thereof.

(4) No such employee as aforesaid shall be dismissed or removed from service, or reduced in rank, until he has been given a reasonable opportunity of showing cause against the action proposed to be taken against him:

Provided that this sub-section shall not apply -

- (a) where an employee is dismissed or removed from service or reduced in rank on the ground of conduct which has led to his conviction on a criminal charge; or
- (b) where the Board or any person authorized by it under the rules is satisfied, for reasons to be recorded in writing, that in the interest of the security of Pakistan or any part thereof, it is not expedient to give to that employee such an opportunity.

53. Absorption of employee rendered surplus.- (1) Notwithstanding anything contained in these rules, the rules, agreement, contract or the terms and conditions of service, an employee who is rendered surplus as a result of re-organization or abolition of a department/Section/Wing/ Office or abolition of a post in pursuance of any decision may be appointed to a post, carrying basic pay scale equal to the post held by him before such appointment, if he possesses the qualification and fulfills other conditions applicable to that post:

Provided that where no equivalent post is available he may be offered a lower post in such manner, and subject to such conditions, as may be prescribed and where such employee is appointed to a lower post, the pay being drawn by him in the higher post immediately preceding his appointment to a lower post shall remain protected.

(2) Where it is brought to the notice of the appointing authority that appointment of a person to a Institute post was made without observing the prescribed procedure or without fulfilling the prescribed qualification, experience and age limit, it may send a reference to the Selection Board or Selection Committee, as case may be, for

determination whether he is fit to hold the post to which he was appointed and, if not, whether he is fit to hold any other post compatible with his qualification and experience.

(3) On receipt of the advice of the Selection Board or Selection Committee, as case may be, on a reference made under sub-rule (2), the appointing authority may pass such order of appointment or termination of service as may be considered by it to be just and equitable:

Provided that if it is proposed to pass order of termination of service in the light of the advice of the Selection Board or Selection Committee, as case may be, a reasonable opportunity of showing cause against the order of termination shall be provided.

(4) Where an order of appointment is made on the advice of the Selection Board or Selection Committee, as case may be, it shall be treated as a case of fresh appointment and seniority of such an appointee shall be determined in accordance with the relevant Seniority Rules of the Institute.

54. Reversion to Lower Post etc.- (1) An employee appointed to a higher post on contract, temporary or officiating basis shall be liable to reversion to his lower post.

(2) No Employee shall be dismissed or removed from service or reduced in rank by an authority subordinate to that by which he was appointed.

(3) No such employee as aforesaid shall be dismissed or removed from service, or reduced in rank, until he has been given a reasonable opportunity of showing cause against the action proposed to be taken against him:

Provided that these sub-rules shall not apply -

- (i) where an employee is dismissed or removed from service or reduced in rank on the ground of conduct which has led to his conviction on a criminal charge; or

- (ii) where the Board or Executive Director, as the case may be, or any officer authorized by it or him under the rules is satisfied, for reasons to be recorded in writing, that in the interest of the security of Pakistan or any part thereof, it is not expedient to give to that employee such an opportunity.

55. Appointment beyond the age of Superannuation.- No employee will be retained in service beyond the age of superannuation without the approval of the Board.

Provided, further that in case of the deputation from the Government Service and the employees on loan from other bodies, the age of retirement shall be governed by the rules of the parent departments of the employees or the bodies concerned.

Re-Appointment:

56. Employment after retirement policy and procedure.- (1) It is emphasized that re-employment beyond superannuation should be an exception and not the rule. It may be recommended only in cases where the Institute considers that the experience gained by the retiring person is of vital importance and can be gainfully utilized, particularly in fields where suitably qualified and experienced persons are not available.

(2) For achievement of the objective mentioned above, the Institute would frame a policy for re-employment of employees and cases for re-employment would, in future, be considered in accordance with the following criteria:-

- (a) Non availability of suitably qualified or experienced officers/teachers to replace the retiring officer/teachers;
- (b) the officer/teachers are a highly competent person with distinction in their profession/field;
- (c) the re-employment does not cause appointment/promotion block of the employees already working in the Institute; and
- (d) the retention of the retiring officer/teachers, for a specified period, is in the public interest.

(3) Proposals for re-employment are required to be accompanied with the following documents/information: -

- (a) The proposal duly signed by Executive Director is placed before the Board, six months before the officer/teachers is due to attain the age of superannuation;
- (b) the steps taken to train the substitute, if any;
- (c) ACRs with photograph, ICP chart and bio-data on prescribed proforma; and
- (d) certificate that the officer/teacher is medically fit.

(4) Re-employment beyond the age of superannuation in all cases requires the approval of the Board.

57. Re-employment of employees after compulsory retirement or termination of service: (1) A person, whose services have been terminated as a result of a disciplinary action against him, or retrenched due to winding up of department/Section/ Wing (where he was serving) on grounds of his having been set up irregularly, will not be re-employed without obtaining the orders of the Board.

(2) Such cases for re-employment of persons, in all pay scales, should be submitted by the Institute (together with its recommendations and bio-data of the proposed person), through the Administration Wing, to the Board through Executive Director, as case may be, for orders. Such a proposal shall be made in the form of a "Summary", containing the approval of the Executive Director.

(3) As a matter of policy, re-employment, beyond superannuation, may not be initiated as the period of refused L.P.R. gives ample time to find out replacement of the retiring officer/teacher. In exceptional cases, where re-employment beyond superannuation is inevitable, the reasons therefore may specifically be brought out in the "Summary for the Board, as the case may be. The approval of the Board would be necessary in all cases of re-employment after the age of superannuation in Institute. According to

the re-employment policy the age of superannuation of all employees should be sixty years.

(4) The procedure for employment of Institute after retirement should be strictly followed. It should particularly be ensured that all proposals for re-employment beyond the age of sixty or for extension of the period of current re-employment are made at least six months before the date of attaining the age of superannuation or the date of expiry of the current period of re-employment, as the case may be.

(5) In case a proposal for re-employment has been submitted and no decision has been received by the date on which the employee concerned attains the age of sixty or completes the current period of re-employment, it is the responsibility of the Institute Authorities to ensure that the employee relinquishes the charge on such date.

(6) It is re-emphasized that re-employment of employees beyond superannuation is allowed in exceptional cases to meet the shortage of experienced and competent persons where replacements from present cadres are not available. Proposals for re-employment, to be submitted by the Institute through the Executive Director to the Government/Board as case may be, are to indicate reasons for non-availability of substitute, steps taken to train a substitute and that the re-employment/extension is not likely to block the promotion prospects of other officers.

(7) As per existing policy of the Institute, re-employment of a retired employee beyond superannuation is not encouraged except in cases when an employee possesses such expertise that his services are irreplaceable. The requests for re-employment of ex-employee who have voluntarily retired from service shall be summarily rejected.

58. Guard against unauthorized overstay after superannuation/on expiry of the period of contract re-employment.- (1) No officer/teacher shall be allowed to continue in office after superannuation or on expiry of the period of contract re-employment unless prior approval of the competent authority is obtained in advance. In case of unauthorized overstay, the financial liability for such an irregularity shall rest upon the authority allowing such overstay.

(2) If it is intended to get the retiring person re-employment on contract in public interest to get his contract extended, a proposal in the form of a summary for the Executive Director should be submitted about six months in advance from the date of his retirement from service/expiry of the contract so that the Board could have sufficient time to process it.

(3) The proposal for re-employment on contract/extension in contract should invariably contain the following information:-

- (a) A brief report on the performance of the officer during the period of his contract re-employment (only for the cases for extension in contract);
- (b) Certificate that the proposed re-employment/ extension in contract will not create promotion blockade for the departmental officers;
- (c) Steps taken to train a substitute of the officer and a statement of circumstances in which no officer could be groomed to take up the assignment.

(4) No request for grant of ex-post-facto approval to the contract re-employment/ extension in contract, in any circumstances, will be entertained.

(5) While making appointment on contract basis the Institute's authorities should specifically justify why it is not possible to fill in a vacancy in accordance with the procedure laid down in the relevant appointment, promotion and transfer rules of the Institute.

(6) The widow/widower or a child of an employee who dies during service and wife/husband or a child of a serving employee who becomes "permanently disabled during service" and he takes retirement from service will have to apply for contract appointment within one year after the death of an employee or retirement of a permanently disabled employee. In case of a minor child of an employee, the one-year period will start from the date he attains the age of 18 years.

(7) All contract appointments against non-gazetted post shall be made by Executive Director on recommendation of Selection Committee.

(8) All contract appointment against faculty members and gazetted administrative officers shall be made with the approval of the Board.

(9) The period of contract shall not be extended beyond two years but in exceptional cases where it is considered necessary to extend such appointments beyond the period of two years, the advice/concurrence of the Board may be sought at least six months in advance of expiry of the period of original appointment.

(10) A retired employee, re-employed on a post equivalent to the post from which he retired, may be allowed the pay, allowances and perquisites sanctioned for the post. His pay may be fixed at that stage of the time scale of the post at which he was drawing his pay before retirement.

(11) Retired Institute's employees or retired officers of the any other organization, re-employed against a higher post in the Institute, may be allowed the last pay drawn plus allowances and perquisites sanctioned for the post.

(13) The terms and conditions proposed above should have no bearing on the pension to which a retired employee of the Institute or a retired officer of the other organization maybe entitled in accordance with the applicable law and the rules.

(14) In the case of tenure posts, appointment to which is regulated by specific provisions of a law, rule and policy instructions, contract appointments may be made in the manner prescribed in the applicable law, rules and policy guidelines/directions issued by the Board from time to time.

(15) For projects which have a limited life, appointments may be made on contract basis by the Board or prescribed authority after open advertisement of the vacancies. The advertisement should

indicate prescribed academic and professional qualifications, experience, age, Sindh Provincial, special quotas etc. where applicable, as per rules/Institute's policy.

(16) For posts other than those mentioned at (14) and (15) above contract appointments should be made only subject to fulfillment and observance of the following conditions:-

- (a) where the nature of a particular job/vacant position requires contract appointment for a specific period, standing instructions should be issued by the Executive Director with the approval of the Board, specifying such posts and the parameters governing appointment on contract basis against such posts;
- (b) Selection should be made through regularly constituted special Selection Committees.
- (c) The contract appointment, where justified, may be made for a period of two years initially, on standard terms including termination clause of one month's notice or one month's pay in lieu thereof. Extension may be made on two yearly bases.

59. Appointment of Consultants.- To ensure that the best persons are transparently and competitively appointed in a cost-effective manner, only when a consciously and formally identified need for consultants exists.

60. Determination of need for Consultants.- (1) Need identification is a pre-requisite for any organization planning to obtain services of consultants, who are normally required to tender advice, being experts/specialists, on specific (generally technical) issues/projects to -

- (a) address on uncommon problems;
- (b) provide technical supervisions; or
- (c) introduce innovative practices/solutions.

(2) Consultancies would generally fall in to two broad categories:-

- (a) **Project Consultancy:-** to provide technical support/supervision by filling vacuum of technical expertise, specific to the project and funded out of development funds; and

- (b) **General/Management Consultancy:-** to provide expert advice, unavailable in the Institute to introduce innovative solutions to Financial/Human Resources Management/Technical issues or to act as agents of change for status-quo oriented permanent employees and commonly paid for out of non-development budget.

(3) A consultancy would, therefore, always be assignment specific and time bound and should be preferred only when it is considered value effective to hire services of a consultant compared to developing in-house expertise.

(4) As a first step, the Institute is required to ascertain as to whether or not the required expertise is available within the Institute. In case the expertise is available in the Institute, reasons for not undertaking the assignment internally may be spelled out and detailed justification, including the following, may be given for hiring the consultant:

- (a) Terms of reference/specific tasks to be accomplished by the consultant;
- (b) Details of the outputs required of the consultant.
- (c) Anticipated benefits from the proposed assignment.
- (d) Professional expertise and experience required for the task to be undertaken.
- (e) Approximate time required for completion of the job.
- (f) Cost estimates.

61. Appointments of Faculty members.- (1) The appointment to the teaching cadre shall be governed by Terms and Conditions prescribed by the Institute in the light of eligibility criteria of Higher Education Commission of Pakistan and Pakistan Medical & Dental Council.

(2) All the vacant positions of teaching faculty i.e Senior Registrar, Assistant Professor, Associate Professors and Professors shall be filled by direct recruitment through Selection Board with approval of Board.

(3) All the vacant positions of the teaching faculty shall be advertised in three leading daily newspaper of English, Sindhi and Urdu languages.

62. Interview.- (1) The fraction of experience less than six months shall be ignored, while experience of six months or more shall be considered equal to one year.

(2) When a near relative of Selection Board Member, is being interviewed the member shall not be present during the interview of such candidates.

(3) If the marks given by one or more of the member of the selection committee falls 33.3% outside the average marks of all the members, he will be given a chance to review his marks, or his marks will be declared null and void.

63. Experience.- (1) When experience is laid down as part of qualification, the following principles shall be followed in determining the experience:-

- (a) Candidates with experience gained during appointment on adhoc or contract basis shall be counted towards eligibility.
- (b) Period of practical training undergone by a candidate for becoming eligible for the award of actual Degree shall be counted as Experience before the prescribed level of post-graduation and shall not be eligible for experience marks.

64. Eligibility List/Recommendation.- (1) The Scrutiny Committee shall prepare draft eligibility lists as per the marks indicated on the evaluation sheets and submit the cases to the Selection Board.

The Scrutiny Committee shall be notified by approval of the Executive Director.

(2) Eligibility list shall be prepared keeping in view the marks secured by various candidates and will be displayed on notice board of the Institute prior to interview.

65. **Proceedings of the Selection Board.-** (1) The members of the Selection Board shall record interview marks with pen.

(2) When two or more than two candidates have secured equal marks in aggregate, the candidate who has secured higher marks in the interview shall be marked senior. In case the marks in aggregate and also the marks in the interview are the same, the candidate who has more marks in research shall be marked senior. In case all the above mentioned factors are the same, marks obtained in the final MBBS examination shall be the deciding factor.

66. **Advertisements.-** (1) The posts, which are to be filled in, shall be advertised in the leading newspapers in accordance with the eligibility criteria prescribed by the PM&DC/Higher Education Commission in the following manner:-

- (a) Number/Nature of vacancies & Pay Scales.
- (b) Citizenship and Domicile.
- (c) Age limit.
- (d) Qualification and experience.
- (e) Required permission from the Government in the case of candidates married to foreigners.
- (f) Determination of qualification, experience and age limit on the last date fixed for receipt of applications for in country candidates if not provided otherwise in the relevant Service Rules.
- (g) Last date for receipt of applications, which shall be at least three to four weeks for in country candidates and four weeks for candidates applying from abroad.
- (h) Additional posts if received before the completion of preliminaries in an earlier requisition shall be added to the posts already advertised by notifying the addition in the press by way of corrigendum, mentioning additional post and extension of last date of application.
- (i) Where a requisition is withdrawn after the post has been advertised, a notice canceling such advertisement shall be published.

67. **Submission of applications by the candidates and admission of applications.-** (1) An application by an eligible candidate shall be submitted in the Establishment Department of the Institute on prescribed form along with prescribed processing fee and Qualification and experience certificates and supporting documents.

(2) All applications completed in all respect must reach the Establishment Department on or before closing date and time.

(3) All the applicants will be entitled for receipt of their application.

(4) The Diary Branch shall receive all the applications submitted by hand or by post and shall submit the same to the Administrative officer on the same day, who will record his initial with date on each application and return these to the Diary Branch on the same day or a day after. On return, the Diary Branch shall register each application in the diary register and shall handover all the applications to the Administrative Officer within two days and obtain their signatures. An application received after the closing date will be stamped "Late" by the diary branch after registering the same.

(5) Unless otherwise altered and notified, the closing date for receipt of applications from the candidates shall be as declared in the advertisement. Normally such dates shall be three to six weeks from the date of publication of the advertisement. If the closing date fixed for the receipt of the application falls on an official holiday, the next working day shall be considered as the closing date. An application received after the closing time and date shall stand rejected.

(6) Calls for interview shall only be sent to eligible candidates, whose applications are found to be complete in all respects.

(7) Duly attested/Photostat copies of the documents will be acceptable on the condition that the candidates would bring the originals if and when they are called for interview.

(8) Date of birth shall ordinarily be date of birth endorsed on the Matriculation/equivalent certificate or, where such certificate is not available on account of unavoidable circumstances, then school leaving certificate shall be considered. If the candidate becomes over age even by one day after adding the actual date of his birth to his age on the last date for receipt of application, he shall be considered ineligible. When an application received from the candidate who claims age concessions under various categories allowed by the Government from time to time, he shall be allowed.

(9) When any post is re-advertised before finalizing the earlier case with the direction that the candidates who had already applied do not apply again, the age will be calculated as under:-

- (a) For calculating age of those candidates who had applied in response to the original advertisement the date would be the closing date of that advertisement;
- (b) For calculating the age of those candidates who apply in response to subsequent advertisement, the date would be the closing date of the subsequent advertisement; and
- (c) Candidates who had applied in response to the original advertisement and were found underage would be eligible if they attain the requisite lower age limit on the closing date of the subsequent advertisement.

68. Disqualification.- (1) Canvassing in any form will disqualify the candidate.

(2) The candidate may be disqualified and/or excluded from interview and/or criminally prosecuted/debarred from employment if he -

- (a) knowingly furnishes particulars which are false;
- (b) suppresses material information;
- (c) submits forged certificates/documents;
- (d) attempts to influence the Members of the Board/Committee, the officers and officials of the Board/Committee, Advisors and Departmental Representative called to assist the selection panel in the interview;
- (e) attempts to obtain support for his candidature by improper means;
- (f) tampers with the entries in his age and academic certificates;
- (g) misbehaves in the interview.

69. Academic Qualification.- (1) Only the Qualification and experience possessed on the closing date of the application shall be taken into consideration.

(2) A candidate who has been declared to have passed a particular Degree/Diploma examination may be considered provisionally on the basis of provisional certificates signed by the Controller of Examinations provided that he will have to produce proper degree/PMDC certificate to the Selection Board before/on the day of his interview.

(3) The grade or marks of the recognized foreign Degrees/Diplomas shall be assessed by the Selection Board on individual merit.

(4) The eligibility of a candidate claiming to be in possession of equivalent qualification if not specifically laid down in the service rules shall be decided by the Selection Board on the merits of each case and on the production of respective HEC/PMDC (Pakistan) certificates.

70. Citizenship/Domicile Certificate/Photograph.- (1) The candidates shall invariably attach Computerized National Identity Card as a token of possessing citizenship. In case National Identity Card is not produced, the candidate will explain the reasons of its non-availability with authentic proof for having applied to the concerned authority for its issuance but it was not issued till date.

(2) The candidates both male/female will have to attach PRC and Domicile of the Province of Sindh alongwith three attested passport size photographs with their applications.

71. Probation.- (1) A person appointed in the Institute's service as a faculty member against a substantive vacancy shall remain in probation for period of two (2) years. No faculty member shall be confirmed in his post till he fulfills the condition of minimum qualification and experience fixed for the posts.

(2) If the work or conduct of employee during the period of probation has not been satisfactory, the appointing authority may, notwithstanding that the period of probation has not expired, terminate his service.

(3) On completion of the period of probation of faculty member, the appointing authority may, subject to the provisions of these rules, confirmed him in his posts; but if his work or conduct has, in the opinion of such authority, not been satisfactory he may extend the period of probation up to two (2) years.

Note: Eligibility criteria for appointment of teaching faculty are subject to change/amend from time to time by Pakistan Medical & Dental Council and Higher Education Commission.

PROMOTION OF NON-TEACHING EMPLOYEES

72. Promotion.- (1) An employee possessing such minimum qualification as may be prescribed shall be eligible for promotion to a higher post for promotion the time being reserved under the rules for departmental promotion in the service or cadre to which he belongs.

(2) In case a suitable candidate is not available for promotion, the post may be filled by direct recruitment.

(3) In case of teaching posts (Senior Registrar, Assistant Professor, Associate Professor and Professor) of BPS-18 and above, vacancies shall be filled by direct recruitment through Selection Board of advertising vacant faculty position in daily newspapers.

(4) A post referred to in sub-rule (3) may either be a selection post or a non-selection post to which promotion shall be made -

(a) In the case of selection post, on the basis of selection on merit; and in the case of a non-selection post, on the basis of seniority cum-fitness.

(b) Every employee shall be liable to serve anywhere within or outside the Institute in any post under Institute:

Provided that nothing contained in this rule shall apply to a SIOVS employees recruited specifically to serve in a particular department;

Provided further that, where an employee 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 favorable than those to which he would have been entitled if he had not been so required to serve.

73. Appointment by Promotion.- (1) Vacant posts in BPS-1 to BPS-16 reserved for promotion quota shall be placed before the Departmental Promotion Committee for recommendation to promotion in next higher scale.

(2) Vacant posts in BPS-16 and above reserved for promotion quota shall be placed before Selection Board for recommendation to promotion in next higher scale.

74. Quota/Ratio for Direct Recruitment and Promotion.- (1) The following rules shall govern the promotion of non-teaching staff:-

- i. Posts in BPS-19 and BPS-20
100% by promotion on seniority cum merit basis
- ii. Posts in BPS-17 and BPS-18,
70% by promotion on seniority cum merit basis,
30% by direct recruitment through advertisement.
- iii. Posts in BPS-16
40% by promotion on seniority-cum-merit basis,
60% by direct recruitment.
- iv. Posts in BPS-11
70% by promotion on seniority-cum-merit basis,
30% by direct recruitment.

Note: All vacant posts of Office Superintendents in BPS-16 will be filled in by promotion, from amongst the staff on seniority-cum fitness basis.

- iv. Posts in BPS-07 to BPS-15
70% by promotion on seniority-cum-merit basis &
30% by direct recruitment
- v. Ordinarily all clear posts of Dataries and other similar posts shall be filled in by promotion from the lower cadre after taking into consideration overall seniority-cum-suitability of the employee.

(2) All Grades 1 to 4 employees shall be eligible for promotion to the next higher cadre/junior clerk; provided that they are Intermediate and possess proficiency in or working knowledge of typing with 30 words per minute or are acquainted with or have experience of handling scientific equipment, if promoted on technical post.

Note: In case of suitable candidate is not available for promotion, the post may be filled by direct recruitment.

75. Appointment by transfer.- (1) Appointment by transfer shall be made from amongst the persons holding appointment on regular basis in the same pay scale, in which the posts to be filled, exists.

(4) Persons possessing such qualification and fulfilling such conditions as laid down under these rules shall be considered for transfer by the Selection Committee or the Selection Board, as the case may be.

(3) Where first appointment of a person other than a person covered by proviso (i) was made to Institute's service in BPS 16 or below, one-half of the service in BPS-16 and one fourth in BPS-15 and below may be counted as service in BPS-17 for computing length of service for the purpose of promotion only.

76. Promotions to departmental quota to be made first and direct recruitment made later.- (1) The Institute should first promote the deserving individuals against the quota fixed for promotion and then throw open the remaining posts for open competition. In accordance with this procedure, no one who has been rejected by the **Selection Board** or has not faced any competition will be promoted. This is evidently sound in principle.

(2) No promotion on regular basis shall be made to posts in Basic Pay Scale 1 to 16 of the Ministerial or secretarial staff cadre, as the case may be, unless the official concerned has completed minimum length of service as prescribed hereunder:-

- (a) In case of promotion to posts carrying BPS-16, the incumbents shall have completed four (4) years' service in BPS-14 or BPS-15 as the case may be, in their respective cadres.
- (b) In case of promotions to posts carrying BPS-17 the incumbents shall have completed four (4) years of service in BPS-16 in their respective cadre;
- (c) In case of one step up gradation (personal grade) in BPS-2 to BPS-15 the incumbents shall have completed five (5) years' service in their respective grades.

77. General instructions regarding Promotions.- (1) Candidates rejected by the Selection Board in open competition or selection should not be absorbed in vacancies meant for departmental promotion quotas, but the procedure in the following provisions should be adopted.

(2) Where a cadre has definite quotas reserved for departmental promotions and direct recruitment, promotions against the departmental quota should be made first and the posts reserved for direct recruitment filled later. These orders, however, will have no effect on those cadres where recruitment is made solely by direct recruitment or where all appointments are made only by promotion.

(3) Necessary provision regarding the above should be made in all recruitment rules already framed or framed hereafter.

(4) In the case of isolated posts, a roster should be maintained in Establishment Branch to ensure the observance of the prescribed percentage for departmental promotions and direct recruitment.

78. Counting of adhoc/temporary/contract service for the purpose of promotion.- (1) Service rendered on adhoc, temporary or contract basis does not reckon for the purpose of seniority. However a service rendered on adhoc basis in a post under the Institute, followed by regular appointment to a post in the same pay scale shall be counted towards length of service prescribed for promotion to a higher post provided there is no break between adhoc and regular appointments to the post concerned.

(2) Length of service for promotion from BPS-16 to BPS-18 where there is no intermediate post in BPS-17 should be dealt in accordance with conditions of the minimum length of service laid down in the recruitment rules relating to posts in BPS-18 for the purpose of promotion from BPS-16 to BPS-18 should be kept as the basis for such promotions.

(3) In case there is no such provision in the recruitment rules, action should be taken by the Establishment Branch of the Institute to include such a provision in the recruitment rules subject to the approval of the Board.

79. Possession of prescribed minimum length of service does not confer a right to promotion over senior persons.- (1) The prescribed minimum length of service is a condition for eligibility for promotion and does not confer a right to promotion. Where a senior person has not done prescribed service, the junior, as a rule, should not be considered even if he fulfills the prescribed length of service condition. Employees have to be considered in the order of their seniority.

(2) The Selection Board or Departmental Promotion Committee, as case may be, is only the recommending body to determine the initial suitability of persons eligible for promotion. Whereas the seniority list of employees eligible for promotion shall be maintained in establishment branch. The competent authority is empowered to add or subtracting the name of candidates from the seniority list if any discrepancies are found at any stage.

(3) While considering promotion case, the Selection Board/Departmental Promotion Committee, as the case may be, should follow the following guidelines strictly:-

- (a) Confidential reports will be given due importance but will not be the sole criterion for promotion to selection posts.
- (b) Performance evaluation as reflected in the confidential reports will be quantified according to prescribed formula enunciated in the enclosed guidelines and weightage will be given to more recent appointments.
- (c) employee, once superseded for promotion will be eligible for reconsideration only after he earns one more confidential report.
- (d) The panel for promotion should comprise a minimum of two officers for each vacancy in BPS-17 to BPS-18 and of three officers for each vacancy in BPS-19 to BPS-21.
- (e) The minimum length of service prescribed for promotion for various pay scales will continue to apply.
- (f) An employee will only be promoted within his own cadre.

(2) Those posted against ex-cadre posts will be considered for promotion on their turn but if selected, the actual promotion will take place only when they rejoin their parent cadre. This will also apply to the employees serving on ex-cadre posts in other Government Department.

(3) An employee on deputation to a foreign government, international agency or a private organization abroad will be considered for promotion only on his return to Pakistan. He will be given intimation and asked to return to Pakistan before his case comes up for consideration for promotion in accordance with his seniority position, if he fails to return he will not be considered for promotion. Such an officer will have to earn at least one Confidential Report after his return to Pakistan before he is considered for promotion. The clearance/ approval already accorded in the past to promote a deputationist would lapse automatically if he fails to return on expiry of the deputation period.

Procedure of Departmental Promotion Committees/Selection Board.

80. **General.-** (1) The Selection Board/Departmental Promotion Committee, as the case may be, shall consider the cases of eligible employee in order of seniority and either -

- (a) recommend the employee for promotion to the next higher post; or
- (b) recommend an employee for supersession; or
- (c) defer consideration of an employee promotion; provided that this step should be taken only if -
 - (i) disciplinary or departmental proceedings are pending against the employee whose promotion case comes up for consideration before the Departmental Promotion Committee/Selection Board; or
 - (ii) the employee is on deputation abroad to a foreign agency, private organization or international agency; or
 - (iii) the employee does not possess the requisite length of service; or
 - (iv) the employee has not undergone the prescribed training or passed the departmental examination for reasons beyond his control; or
 - (v) the employee inter-se seniority is sub-judice.

(2) If an employee is superseded he will not be considered for promotion unless he has earned PERs for two full years. If he is again superseded, he shall lose eligibility for further consideration.

(3) The employee whose promotion has been deferred will be considered as soon as the reason on the basis of which deferment took place ceases to exist, provided that an employee falling in the category mentioned in sub-rule (1)(c)(iii) above will be considered for promotion only on his return to country. If such an officer fails to return on expiry of his approved deputation period, he will have to earn at least one PER after his return to country before he is considered for promotion.

(4) For the purpose of consideration by the Departmental Promotion Committee/Selection Board the PERs will be quantified according to the prescribed formula as applicable to the civil servants of Sindh Government/Federal Government regarding performance evaluation/Annual Confidential report in respect of employees. The employee who fails to come up to the qualifying score shall not normally be considered for promotion. Relaxation of this condition may only be recommended by the Departmental Promotion Committee/Selection Board after recording detailed reasons for the approval of the competent authority.

81. Promotions on seniority-cum-fitness basis.- (1) The posts carrying basic pay scale 16 or below are non-selection posts. Promotions to these posts are to be processed by the Selection Committee on the basis of seniority-cum-fitness. Fitness would be assessed primarily on the official's work in the lower post.

(2) For promotion to a post in BPS-17, however, an employee must fulfill the following additional requirement:-

- (a) qualifying Service means the employee must possess four year service in BPS-16
- (b) eligibility threshold: attain a minimum score of 14 marks for his CRs in accordance with a formula given in the addendum.

(3) If only two (2) reports or less have been recorded on an employee work against a post in BPS-17 the report earned by him in the next lower posts should also be included in the quantification.

82. Promotion to Selection Posts.- (1) Posts in basic pay scale 18 or above are selection posts. Promotions to these posts are to be processed through the Selection Board.

(2) In order to ensure that selection by Board does not amount to a mere elimination of the unfit, the Institute shall place a larger panel of eligible officers before the Boards, depending on the availability of eligible officers in a cadre, the number of officers to be included in the panel.

(3) For selection posts, entries under, "quality and output of work" and "Integrity" in all the ACRs recorded on the employee during his service as an officer will also be quantified in accordance with formula given in prescribed PE's rules and instructions issued by Government of Sindh/Federal Government from time to time. These Marks shall be a crucial factor in determining comparative merit of officers for promotion to selection posts.

(4) Posts carrying basic pay scale 18 are generally supervisory posts. Supervision can be effective only if the supervisor has the relevant experience. These officers are also required to make contribution to policy-making at the lowest rung of the policy-making hierarchy. For promotion to these posts, therefore, an employee must fulfill the following requirements:-

- (a) **Qualifying Service:** possess 5 years' service as an officer in BPS-17.
- (b) Eligibility threshold attain a minimum score of sixty (60) marks in the PERs in accordance with the formula given in prescribed relevant rules.
- (c) **Qualifications:** as prescribed by the relevant recruitment rules.
- (d) **Relevance of Experience:** Possess experience relevant to the functions of the post to which promotion is being made.
- (e) **"Quality and Output of Work" and "Integrity"** marks calculated in accordance with the formula in PER's rules of the Institute or rules applicable to civil servants, shall be important factors in determining the comparative merit of an officer.

(5) Posts carrying basic pay scale 19 are middle management posts. It is, therefore, essential in addition to the relevance of experience these officers must also have a sufficient variety and width of experience so that they can lend pragmatism to policy formulation in assignments at the Institute.

(6) For promotion to middle management posts, an employee must fulfill the following requirements:-

- (a) **Qualifying Service:** possess twelve (12) years' service as an officer in BPS-17.
- (b) **Eligibility threshold:** attain a minimum score of 60 marks in the CRs. in accordance with the formula given in the relevant PER's.
- (c) **Qualifications:** as prescribed by relevant recruitment rules.
- (d) **Relevance of Experience:** possess experience as prescribed in the relevant recruitment rules.

- (e) **"Quality and Output of Work" and "Integrity":**

marks calculated in accordance with the formula in the Addendum shall be a crucial factor in determining the comparative merit of an officer.

- (f) **Variety of experience:** the Selection Board should give due consideration to the nature of duties, duration and location of posts previously held by the officer. Depending on the post to be filled, an officer possessing well rounded experience should normally be preferred particularly if he has served with distinction in unattractive areas. While some exposure to other department or ex-cadre assignment may be considered a positive feature, this would not be so where an officer has stayed away from his parent cadre for too long.

- (g) **Training:** should have successful completion any training course shall be the additional advantage.

(7) Posts carrying basic pay scale 20 fall in senior management involving important policy-making or extensive administrative jurisdictions. In addition to the circulation value and variety of experience the incumbents must possess proven analytical competence, breadth of vision, emotional maturity and such other qualities as determine the potential for successfully holding posts in top management. This potential cannot be judged by mathematical formula. The Selection Board will have to apply its collective wisdom to determine the same. An employee must fulfill the following conditions for promotion to senior management post:-

- (a) **Qualifying Service:** possess 17 years' service as an officer in BPS-17.
- (b) **Eligibility threshold:** attain a minimum score of sixty (60) marks in CRs in accordance with the formula given in the relevant PER's rules.
- (c) **Qualifications:** as prescribed by relevant recruitment rules.
- (d) **Relevance of Experience:** possess experience relevant to the functions of the post being filled in accordance with recruitment rules.
- (e) **"Quality and Output of Work" and "Integrity":** marks calculated in accordance with the formula in the PER's rules shall be a crucial factor in determining the comparative merit of an officer.
- (f) **Variety of Experience:** the Selection Board should give careful consideration to the nature of duties, duration and location of posts previously held by the officer. At this level, a proper assessment under the criterion may require some distinction between hard or taxing assignments (on account of work load or its complexity) viz-a-viz relatively routine duties particularly in the Institute. Depending on the posts to be filled, an officer possessing well rounded experience with adequate exposure to difficult assignments should normally be preferred.
- (g) **Top Management Potential:** since officers promoted to this level may be called upon to hold independent charge in the Institute, the Board should satisfy itself about the

officer's maturity, balance and ability to assume such top management positions even at short notice.

83. Proposals for Promotions.- The Establishment Branch in consultations with Executive Director should furnish the following complete information in all cases of promotion to Department departmental Promotion Committee/ Selection Board, as the case may be:-

- (a) List of total posts.
- (b) Number of posts filled by promotion and initial recruitment.
- (c) list of eligible incumbent and their particulars.

84. Departmental Promotion Committee/Selection Board as the case may be to make selection on the basis of record.- The Department Promotion Committee/Selection Board should make their selections in the light of past record of the persons concerned (where available) and the quality of their present work, and with due regard to seniority where other considerations are equal.

(2) No promotion on regular basis shall be made to posts in Basic Pay Scale 17 and above of the non-teaching cadre, unless the officer concerned possess master degree or equivalent and has completed minimum length of service as prescribed hereunder:-

- (a) In case of appointments to posts carrying BPS-18, the incumbents shall have completed five years' service in BS-17 on regular basis.
- (b) In case of appointments to posts carrying BPS-19 and above the incumbents shall have completed the prescribed length of service for respective posts as under:-

(a) For posts in BS-19	12-years' service in BPS-17 and above.
(b) For posts in BS-20	17-years' service in BPS-17 and above.
(c) For posts in BS-21	22-years' service in BPS-17 and above.
- (c) Where initial appointment of a person takes place in a post, on the recommendations of the SIOVS Selection Board, in BPS-18, 19 or 20, the length of service specified above shall be reduced by the following periods:

First appointment in	Reduced by;
(a) Grade/BPS 18	5-years.
(b) Grade/BPS 19	12-years.
(c) Grade/BPS 20	17-years.

85. Selection Board/Departmental Promotion Committee not competent to recommend demotion.- The function of Departmental Promotion Committees is to make recommendations in respect of promotions and there is nothing else and Departmental Promotion Committee/Selection Board is not empowered to suggest/recommend the demotion of an officiating officer. What Departmental Promotion Committees should do is to prepare a list of officers whom they consider

fit for promotion. They should revise this list periodically which means that they can either add to, or subtracts from it. An officer who has been substantively promoted to a higher grade will not of course figure in this list. Similarly, an officer who has been promoted to officiate in a substantive vacancy for an indefinite period should not appear in the list because he is for all practical purposes to continue in the higher grade. In other words, the officers whose names will be shown in the list maintained in the record of Departmental Promotion Committee/ Selection Board will be those who have not been promoted to higher grade in any capacity or who have officiated off and on or who are officiating against leave vacancies or in temporary posts of short duration and are, therefore, liable to revert in the normal course to the lower grade.

86. Names of the selected persons to be arranged in the order of seniority.- In accordance with General principles of seniority, persons approved by the competent authority, on regular basis for promotion to higher posts in the same batch shall retain the same seniority on the higher grade as they were enjoying in the lower grade.

87. **Departmental Promotion Committee/Selection Board can interview candidates.**- Departmental Promotion Committee/Selection Board if so desires can conduct the test/interviewing with a candidates who's cases for Promotion are place before the Departmental Promotion Committee/Selection Board as the case may be.

88. **Promotion Policy-cases where disciplinary or departmental proceedings are pending.**- Department Promotion Committee/Selection Board is required to defer consideration for promotion of officers/official against whom disciplinary or departmental proceedings are pending.

89. **Re-appointment of posts within the purview of Selection Board.**- If there appointment of an officer to a post took place after more than one year of the reversion from that post the case should be placed before the Selection Board for determining the continued fitness of the officer to hold the post. After approval of the Selection Board, it would not be necessary to refer the case to the Board again.

90. **Promotions in absentia.**- (1) The promotions in absentia of persons serving on deputation with other organizations, or in ex-cadre posts as a matter of course on the sole ground that the deputationist had been approved for promotions by the Departmental Promotion Committee/Selection Board, of the parent Department and a person junior to him had been promoted. This has resulted in the deputationists serving away from their parent Department or cadre for unduly long periods as such persons not only enjoy better emoluments while on deputation but also feel secure that their interests are being fully protected in their own Department.

(2) The intention underlying 'promotions in absentia' is to protect the interests of the employees only in circumstances where the employee is required to serve away from his parent cadre because of a definite requirement of public interest and not merely to suit his own interest. Normally, therefore, a deputationist, as soon as he becomes due for promotion should be required to revert to his parent Department or cadre so that he is promoted to the next higher post for which he may have been declared fit. In case an offer of promotion is made to him and he declines to revert, he may be allowed to remain in the outside post on the clear understanding that he will not ask for 'promotion in absentia'. Only in exceptional cases where the borrowing Department or organization expresses its inability to spare the officer, and the Head of the parent Department records in writing why he considers it necessary to keep the employee on deputation in the ex-cadre appointment, may promotions in absentia be made. Even in such cases the period for which the officer is allowed to continue to remain on deputation, with the benefit of promotion in absentia, should be judiciously fixed so that the officer reverts to his cadre and is appointed to the post for which he has been approved for promotion, as early as possible. Such period should not normally exceed six months. All cases where 'promotions in absentia' are allowed for a period exceeding six months should be reported to the Board with full justification.

(3) Whenever the Institute sends an officer or member of the staff on deputation to an ex-cadre post, or another department, they should settle in advance the period of deputation with the borrowing office/organization on the expiry of which the employee should revert to his parent cadre. While selecting persons for deputation, care should also be taken not to depute officers who would soon becoming up or promotion to the next rank in their own cadre and may have to be recalled. In the majority of cases, the **officers and staff** are sent on deputation on their application or request. They should be warned that in case they fall due for promotion, they will have to revert to their parent cadre and they will not be allowed promotions in absentia.

(4) The above rule does not apply to senior appointments in international organizations such as the United Nations, etc. to which officers are nominated by the Institute having regard to their qualifications, experience and suitability. In such cases, it may be presumed that the services of the officer have been placed on deputation with the foreign organization in the public interest, and 'promotion in absentia' when called for, may be made.

(5) A permanent ministerial staff of the Institute who is temporarily transferred from one office to another in the public interest should be considered for promotion to a higher grade in his parent office as and when a vacancy occurs in the higher grade and if he is selected for promotion in accordance with the relevant rules, he should be appointed in absentia to the higher grade so that when he reverts to his parent office he can count, for seniority and increments in the higher grade, the period for which he remained on deputation. No

monetary benefit in respect of his promotion in absentia in the parent office shall be allowed to him while he is on deputation. Promotion in absentia in such cases should be made with effect from the date determined in accordance with the 'next below rule' and not from any earlier date.

(6) The Officers obtained on deputation should be reverted to their parent department on the expiry of the period of deputation. The period of deputation should normally be three years in the case of officers in Grade 17 and above five years in the case of staff in Grade 15 and below.

91. Promotion policy governing employees on training abroad:- The employees who are otherwise eligible for promotion but for their being on training abroad, shall therefore be considered for promotion by the competent Promotion Committees/Selection Board; provided that they fulfill the prescribed criteria of promotion. However,

on approval by the competent authority, the promotion of these officers, shall actualize only on the successful completion of foreign training and on their return to their parent department in Pakistan.

92. Promotion of an Officer/Official during LPR.- LPR is one of the types of leave to which an Institute servant is entitled. As he continues to be an employee and can be called even for duty, he can, therefore, be considered for promotion against a higher post during LPR.

93. Bar against promotion of contractual/temporary appointees.- The terms and conditions regulating appointments as contained in these rules are not applicable to the contractual/temporary employees:-

- (i) Persons appointed on contractual basis should possess the required qualifications and experience prescribed for posts;
- (ii) contractual appointments is for a specific period and should not be equated to that of regular appointment;
- (ii) Persons appointed on a contractual basis should not be promoted to higher post.

94. Pay Scale and allowances.- An employee appointed to any post shall be entitled, in accordance with Basic Pay Scheme, to the pay and allowances sanctioned for such post.

Provided that, when in exigencies of service, the appointment for temporary period is made to higher post the appointing authority may direct that the appointee shall, instead of drawing the pay of such higher post draw the pay of the lower post he held immediately before such appointment, with such special pay as may be prescribed, but where the appointment made on acting charge basis or by way of current or additional charge the pay of the appointee shall be fixed in the prescribed manner.

Provided further that where an employee has, under an order which is later set aside, been dismissed or removed from service or reduced in rank, he shall, on the setting aside of such order, be entitled to such arrears of pay as the authority setting aside such order may determine.

95. Annual increments.- The normal annual increments shall be drawn automatically unless withheld by the appointing authority in writing.

96. Grant of merit increments.- Merit increments to the teaching faculty shall be granted on possession of higher qualification and meritorious services.

97. Grant of advance increments.- An appointing authority may grant a premature increment or increments to an employee in a time scale of the reasons to be recorded in writing. This shall be granted only in the following circumstances:-

- (a) On initial appointment in view of special circumstances.
- (b) Meritorious services.
- (c) In case of hardship on promotion from a lower post to a higher post.

98. Payment of honorarium.- As remuneration for work performed, which is occasional in character and is of such a special

merit so as to justify a special reward, an honorarium subject to not more than one salary in a year as sanctioned by the Board, may be paid to an employee.

99. Examination work.- Teachers of the Institute may be called upon to do any examination work for the Institute for which remuneration will be paid. However, in case of examination work of other universities, institutes and organizations, prior permission of the Executive Director shall be necessary in case of practical, viva-voce examinations work and invigilation duties.

100. Permission for taking examination.- With the prior permission of the appointing authority, the employee, irrespectively of their post and grade, can get themselves registered as external/private candidate and take any examination of any other universities, institutes or organizations.

Provided that in those classes which are held in the evenings, the employee can, with prior permission of the appointing authority, be admitted as regular student on the condition that their official work does not suffer. No employee can claim the permission as a right.

101. Traveling and Daily Allowances.- While travelling on Institute's duties, the employee shall be allowed Travelling and Daily allowance at the rate as admissible to civil servants of Federal Government or Provincial Government.

102. Pension and Gratuity.- (1) On retirement from service, an employee shall be entitled to receive such pension or gratuity may be given in accordance with the relevant Pension and Gratuity Rules of the Institute or where no such rules are framed, as admissible to civil servants of Government/Federal Government.

(2) In the event of the death of an employee, whether before or after retirement, his family shall be entitled to receive such pension, or gratuity, or both, in accordance with the Pension rules of the Institute.

(3) No pension shall be admissible to an employee who is dismissed or removed from service for reasons of discipline, but the Board may sanction compassionate allowance to such employee, not exceeding two-thirds of the pension or gratuity which would have been admissible to him had he been invalidated from service on the date of such dismissal or removal.

(4) If the determination of the amount of pension or gratuity admissible to an employee is delayed beyond one month of the date of his retirement or death, he or his family, as the case may be, shall be paid provisionally such anticipatory pension or gratuity as may be determined by the prescribed authority, according to the length of service of the employee which qualifies for pension or gratuity; and any over payment consequent on such provisional payment shall be adjusted against the amount of pension or gratuity finally determined as payable to such employee or his family.

103. Provident Fund.- (1) Before the expiry of the third month of every financial year, the accounts officer or other officer required to maintain provident fund accounts shall furnish to every employee subscribing to a provident fund the account of which he is required to maintain a statement under his hand showing the subscriptions to, including the interest accruing thereon, if any, and withdrawals or advances from, his provident fund during the preceding financial year.

(2) Where any subscription made by an employee to his provident fund has not been shown or credited in the account by the accounts or other officer required maintaining such account, such subscription shall be credited to the account of the employees on the basis of such evidence as may be prescribed by relevant Provident Fund of the Institute.

104. **Saving.**- Nothing in these rules or in any rule shall be construed to limit or abridge the power of the Board to deal with the case of any employee in such manner as may appear to it to be just and equitable:

Provided that, where these rules or any rule is applicable to the case of an employee, the case shall not be dealt with in any manner less favorable to him than that provided by these rules **or such a rule.**

105. **Removal of difficulties.**- If any difficulty arises in giving effect to any of the provisions of these rules, the Board may make such order, not inconsistent with the provisions of the Act and these rules as may appear to it to be necessary for the purpose of removing the difficulty:

Provided that no such power shall be exercised after the expiry of one year from the coming into force of these rules.

Note:- Where there are no specific regulations or rules of the Institute are silent about a particular issue involving conditions of Service and/or service rules, the relevant regulations and rules of the Government of Sindh/Federal Government will be followed.

106. **Repeal.** Any legal instrument(s) governing the terms and condition of employees, existing immediately before the commencement of these rules, on coming into force of these rules, shall stand repealed, but the repeal thereof shall not affect any action taken or anything done or suffered there under.

EXECUTIVE DIRECTOR