

MARKET COMMITTEES EMPLOYEES SERVICE BYE-LAWS, 1984.

1. (1) These Bye-Laws may be called the “Market Committee Employees Service Bye-Laws, 1984”
(2) They shall come into force at once.
(3) They shall apply to all employees.
2. In these Bye-laws, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them that is to say-

DEFINITIONS

- (a) “APPOINTING AUTHORITY” means the market committee;
- (b) “CHAIRMAN” means the Chairman of the Market Committee
- (c) “EMPLOYEE” means and employee of the Market Committee other than a member of the Sindh Market Committee unified Grade;
- (d) “INITIAL APPOINTMENT” means the appointment made otherwise than by promotion;
- (e) “MARKET COMMITTEE” means the _____ Market Committee;
- (f) “POST” means a post in the Market Committee in Basic Scale 10 or below;
- (g) “SCHEDULE” means the schedule to these bye-laws;
- (h) “SELECTION COMMITTEE” means the selection committee constituted under these Bye-laws;

METHOD OF APPOINTMENT

3. Appointment to a post shall be made by promotion or by initial appointment on the recommendations of the selection committee in accordance with these bye-laws.

SELECTION COMMITTEE

4. For the purpose of selection for appointment by promotion or initial appointment the Market Committee may constitute a selection committee consisting of at least three members, one of whom shall be the Vice Chairman of the Committee

APPOINTMENT BY PROMOTION

5. (1) For the purpose of appointment by promotion the names of the employees shall be furnished to the selection Committee in accordance with their seniority along with their service record relevant to the determination of their fitness.

(2) The Selection committee shall, after scrutinizing the record and marking such inquiries as it deems fit, make its recommendations to the market Committee.

APPOINTMENT BY INITIAL RECRUITMENT

6. (1) All post to be filled in by initial appointment may be advertised in at least two newspapers by the Chairman and on receipt of the applications, the Selection committee shall be required to consider the suitability of the candidates by subjecting them to a written test or interview or both and to make recommendation of the names of candidates fit for appointment in the order of merit.

(2) A candidate for appointment to a post by initial recruitment shall be a citizen of Pakistan domiciled in the district and shall possess the minimum qualification specified in the Schedule.

(3) No person shall be appointed to a post by initial appointment who is less than eighteen years or more than twenty five years of age; provided that the upper age limit may be relaxed by the Market Committee up to two years.

CHARACTER AND MEDICAL CERTIFICATES

7. No person, not already in the service of Government or statutory body shall be appointed to post unless-

(i) He produces a certificate of character from two responsible persons (not being his relatives) who are well acquainted with such person;

(ii) After such medical examinations the Market Committee may prescribe he is found to be in good mental and bodily health and free from any physical defect likely to interfere with the discharge of his duties.

ADHOC APPOINTMENT

8. (1) when the appointing authority considers it to be in the public interest to fill in a post urgently it may, pending selection of a candidate by the Selection Committee, proceed to fill in such post on adhoc basis for a period not exceeding six months.

(2) the posts shall be advertised and the procedure laid down for initial appointment shall be followed

PROBATION

9. A person appointed to a post by initial appointment shall be on probation for two years and a person appointed otherwise shall be on probation for one year.
Explanation: - Service on deputation to an equivalent or higher post shall count towards the period of probation.

CURTAILMENT OR EXTENSION OF PROBATION PERIOD

10. The market committee may, for reasons to be- recorded in writing

(i) curtail the period of probation;

(ii) extend the period of probation pending one year at a time, and during or on the expiry of the extended period, pass such orders as are passed during or on the expiry of the initial probationary period, provided that if no orders are passed by the day following the completion of-

(a) the initial probationary period the Period of Probation shall be deemed to have been extended by one year;

(b) the extended period of probation, the appointment shall be deemed to be continued until further orders.

PASSING OF DEPARTMENTAL EXAMINATION

11. Where in respect of any post, the satisfactory completion of probation includes

the passing of an examination test or course or successful completion of any training specified by the Market Committee, a person appointed on probation to such 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 the course or the training shall, except as may be directed otherwise-

(a) If he was appointed to such post by initial appointment, be discharged; or

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

Explanation: - If no examination, course, or training is specified held the employee shall be deemed to have completed his probationary period successfully.

CONFIRMATION

12. Confirmation of an employee in permanent post shall follow successful completion of probationary period.

CONFIRMATION IN ORDER OF SENIORITY

13. Confirmation of an employee shall be made in the order of seniority in a permanent post on which no other employee holds any lien.

ELIGIBILITY OF CONFIRMATION

14. An employee eligible for confirmation in more than one post shall be confirmed first in the lower post and then in the higher post from the dates he is due for confirmation in such posts.

DEPARTMENT OF CONFIRMATION

15. If an employee becomes due for confirmation his confirmation shall not be deferred unless a disciplinary action is pending against him or the Market committee for reasons to be recorded in writing defers his confirmation Provided that if during the deferment of the confirmation of an employee his junior become due for confirmation, the post in which such senior employee is due for confirmation shall be kept vacant and the junior employee shall be confirmed in the next available post

TERMINATION OF LIEN

16. On confirmation of an employee in a post, his lien, if any on any other post shall stand terminated.

SENIORITY

17. (1) In each post/cadre there shall be a separate seniority list of a group of employee doing similar duties and performing similar functions.
- (2) The seniority of an employee shall be reckoned from the date of his continuous appointment in the post/cadre.
- (3) The inter-se-seniority of the employee in a post/cadre shall be determined:-
- (a) In the case of persons, appointed by initial appointment in the order of merit assigned by the Selection Committee; provided that person selected earlier shall rank senior to that selected later,
- (b) In the case of persons appointed by promotion on the basis of their inter-se-seniority in the lower grade;
- (c) In the case of persons appointed by initial appointment vis-à-vis persons appointed by Promotion in a batch or on the same date, on the basis that the persons appointed by promotion shall rank senior to those appointed by initial recruitment in the case of person not covered otherwise on the basis that order in age shall rank senior to the younger in age.
- (4) The Market Committee shall, in the month of January every year, cause to be prepared or, as the case may be, revised the seniority list under sub-bye-law (1),

(5) An employee who is not promoted on his turn on the ground

(a) his seniority is under dispute or is not determined;

(b) he is on deputation, training or leave;

(c) disciplinary proceedings are pending against him; or

(d) he is not considered fit for promotion for any reason other than his unfitness for promotion; shall, on subsequent promotion and subject to any order made by the Market Committee in this behalf for the purpose of inter-seniority in the higher grade, be deemed to have been promoted on the same date as his junior.

18. Gratuity (1) A member of the service who has after the constitution of the service ceased to be such member on account of superannuating. Compulsory OR voluntary retirement, termination, removal, resignation, invalidation or death, but not on account of dis-missal, and has before a ceasing completed five years' service in the case of invalidation or death & ten years' service in other case, shall be entitled to receive gratuity at the rate of one month's pay last drawn for each completed year of service.

Provided that the member of the service who has been removed or entitled compulsorily after completing fifteen years of services shall be entitled to two-third of the total amount of the gratuity.

(2) In the case of the death of a member of the service. The amount of the gratuity shall be paid to the nominee, if any, of the deceased for distribution amongst the heirs, and, if there be no nominee, to the heirs of the deceased.

SCHEDULE

(See bye-law 2 (g))

Serial No	Name of Post/Scale.	Minimum qualification for
<i>Initial Recruitment</i>		
1.	Office Assistant, BS-10	Graduate from a recognized University.
2.	Senior Fee Collector, BS-8 “A” class market Committee	Intermediate from a recognized University.
3.	Inspector Market Committee BS-8 “c” Class Market.	Intermediate from a recognized University.
4.	Typist, BS-5	Metric with typing speed 35 W.P.M.
5.	Junior Clerk BS-5	Metric with typing speed 25 W.P.M.
6.	Assistant Fee collector/ Auctioneer Bs-5	Metric.
7.	Dispatch Rider/Driver BS-4	Primary having driving licences vehicle/Motor Cycle and experience of two years.
8.	Daftri/Qasid, BS-I	Middle Class Preferably Ex-Serviceman.
9.	NaibQasid BS-I	Primary
10.	Chowkidar, BS-I	Deleted

