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PART-I

LIVESTOCK & FISHERIES DEPARTMENT

Karachi dated the 12th November 2021

NOTIFICATION

NO. SO(I)/L&F/SIAH(R-Rules)/2-2020:- In exercise of powers conferred by section 29 of the Sindh Institute of Animal Health at Karachi Act, 2017 (Sindh Act No.XXIX of 2018), the Government of Sindh are pleased to make the following rules, namely:-

PART-I
GENERAL

Short title, commencement and application.

1. (1) These rules may be called the Sindh Institute of Animal Health Employees (Probation, Confirmation and Seniority) Rules, 2020.

(2) They shall come into force at once.

(3) These rules shall not apply to all employees of the Institute wherever they may be.

Definitions.

2. (1) In these rules, unless there is anything repugnant in the subject or context –

(a) "employee" means an employee of the Authority;

(b) "confirmation" means the declaration of an employee as permanent on a permanent post;

(c) "initial appointment" means appointment made by otherwise than by promotion or transfer;

(d) "lien" means title of an employee to hold substantively permanent post including a tenure post to which he has been appointed substantively;

(e) "post" means a post sanction by the Institute.

(2) Words and expressions used but not defined in these rules shall have the same meaning as assigned to them in the

Explanation:- Service on deputation to an equivalent or higher post shall count towards the period of probation.

(2) The appointing authority may, for reasons to be recorded in writing curtail the period of probation.

4. If the work and conduct of an employee during the period of probation has been found unsatisfactory, the appointing authority may, notwithstanding that the period of probation has not expired -

(a) if the employee has been appointed by initial appointment, dispense with his services without notice;

(b) if he has been appointed otherwise, revert him to his former post, or, if there be no such post, dispense with his services.

5. If the work or conduct of an employee, on completion of the period of probation, is found unsatisfactory, the appointing authority may -

(a) in case the employee has been appointed by initial appointment dispense with his services without notice; or

(b) in case he has been appointed otherwise, revert him to his former post, and if there be no such post dispense with his services; or

(c) extend the period of probation by an additional period of not more than one year at a time and not more than two years in all.

6. (1) Subject to the provisions of sub-rule (2) –

(a) on completion of the period of probation by an employee, if his work or conduct has not been found unsatisfactory, the appointing authority may pass orders declaring that he has completed his probationary period;

(b) if no such orders have been made by the appointing authority by the day following the completion by the employee of the initial period of probation, the said period shall be deemed to have been extended by two years, unless specially terminated earlier by the appointing authority on receipt of a satisfactory performance report regarding the employee from the concerned officer;

(c) if no order has been made by the date on which the maximum additional period of probation expires, the employee's probationary period shall be deemed to have been terminated with effect from the date on which the period of probation was last extended or deemed to have been so extended.

(2) (a) No person shall be declared to have completed the probation period satisfactorily, unless he successfully completes such training and passes such departmental examination as may be prescribed by the Board.

PART-III
CONFIRMATION

Confirmation.

7. (1) A person appointed on probation shall, on satisfactory completion of his probation, be eligible for confirmation in a post.

(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 against any post retires from service before being confirmed shall not, merely by reason of such retirement, be refused confirmation in such post or any benefits accruing therefrom.

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

Confirmation in order of seniority.

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

Eligibility of confirmation.

9. 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 post.

Bar on deferment of confirmation.

10. If an employee becomes due for confirmation, his confirmation shall not be deferred unless a disciplinary action is pending against him or the appointing authority for reasons to be recorded in writing defers his confirmation:

Provided that if during the deferment of the confirmation of an employee his junior becomes 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.

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

Service for increment.

12. No employee who holds a lien on any post in the Institute shall be confirmed in any post in other department, office or organization, unless his consent and the consent of the Institute where he holds such lien, has been obtained in writing.

Bar on confirmation.

13. Two or more employees shall not be appointed substantively to the same permanent post at the same time.

PART-IV
SENIORITY

Seniority.

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

(3) On amalgamation of two or more cadres, the seniority of each incumbent of various posts in the amalgamated cadres will count from the date of his regular continuous appointment to such post.

Preparation of seniority list.

15. (1) In each cadre there shall be a separate seniority list of a group of employees doing similar duties and performing similar functions and for whose appointment same qualifications and experience have been laid down.

(2) The appointing authority shall, in the month of January every year, cause to be prepared, or, as the case may be, revise the seniority list under sub-rule (1).

(3) The seniority of an employee shall be reckoned from the date of his regular appointment.

(4) No appointment made on adhoc or contract basis shall be regularized retrospectively.

Inter-se seniority.

16. Inter-se seniority of employee appointed in a batch or on the same date shall be determined –

(a) in the case of persons appointed by initial recruitment, in the 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 an earlier selection shall rank senior to a person selected in a later selection;

(b) in the case of persons appointed by promotion on the basis of their inter-se seniority in the lower post;

(c) in the case of persons appointed by initial recruitment vis-à-vis persons appointed by promotion, on the basis that the person appointed by promotion shall rank senior to the persons appointed by initial recruitment;

(d) in the case of persons not covered by clauses (a) to (c), on the basis that persons older in age shall rank senior to persons younger in age.

Seniority of employee not promoted on turn.

17. (1) An employee, who is not promoted on turn on the ground that -

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

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

(iii) disciplinary proceedings are pending against him; or

(iv) he is not considered for promotion for any reason other than his unfitness for promotion,

shall, on subsequent promotion, subject to any order made by the competent authority in this behalf for the purpose of inter-se seniority in the higher grade, be deemed to have been promoted in the same batch as his juniors.