

**A
Bill**

to provide for the regularization of the services of the contract/fixed employees of the Capacity Building of Planning & Development Department, Government of Khyber Pakhtunkhwa.

Preamble, --- WHEREAS the Planning & Development Department, Khyber Pakhtunkhwa has appointed nine (09) employees on contract/fixed basis in the Capacity Building of Planning & Development Department created under Annual Development Programme (ADP) Project;

AND WHEREAS it is expedient to provide for the regularization of services of these nine (09) contract/fixed pay employees on regular basis, in the public interest;

It is hereby enacted as follows:

1. **Short title and commencement** ---- (1) This Act may be called the Khyber Pakhtunkhwa, Capacity Building, Planning & Development Department Employees (Regularization of Services) Act, 2017.

(2) It shall come into force at once.

2. **Definitions.** ___ (1) In this Act, unless the context otherwise requires:-

(a) "ADP" means Annual Development Programme Project, falls against the code "20535", having the name "Capacity Building of Planning & Development Department in the Department";

(b) "Department" means the Planning & Development Department of Government of Khyber Pakhtunkhwa;

(c) "employees" mean these nine employees who were appointed before January, 2008 on contract basis/fixed pay in the Capacity Building project created under ADP;

(d) "Government" means the Government of the Khyber Pakhtunkhwa;

(e) "law or Rules" means the law or rule for the time being in force governing the selection and appointment of civil servants; and

(f) "position" means the post of Research/Planning Officer (BPS-17) (03 No), Computer/Data Entry Operator (BPS-16) (2 No), Driver (01 No), and Naib Qasid (03 No) in the Capacity Building of Planning & Development Department.

(g) "post" means following posts lying vacant in the Planning & Development Department.

Research/Planning Officer (BPS-17) (03 No), Computer/Data Entry Operator (BPS-16) (2 No), Driver (01 No), and Naib Qasid (03 No)

(2) The expressions "contract appointment" shall have the same meaning as respectively assigned to them in the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No: XVIII of 1973)

3. **Regularization of services of employees:-** Notwithstanding any thing contained in any law or rules, all employees, appointed on contract basis/fixed pay before January, 2008 and holding the position in the

Capacity Building Project in the Planning & Development Department till the commencement of this Act, under the ADP, shall be deemed to have been validly appointed to those post on regular basis from the date of their initial appointment:

Provided that such employees possess the qualification and experience prescribed for the posts to which they are appointed on regular basis.

4. **Determination of seniority.**---- (1) The inter-se-seniority of the employees whose services are regularized under this Act shall be determined on the basis of their continuous officiating in service and their contract/fixed/project service shall be considered to their seniority.

Provided that if the date of continuous officiating in the case of two or more employees is the same, the employee older in age shall rank senior to the younger one.

5. **Overriding effect.** ---- Notwithstanding anything to the contrary contained in any other law or rules, the provisions of this Act shall have an overriding effect and the provisions of any such law or rules to the extent of inconsistency to this Act, shall cease to have effect.

STATEMENTS OF OBJECTS AND REASONS

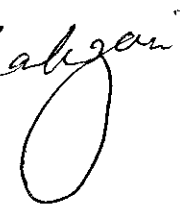
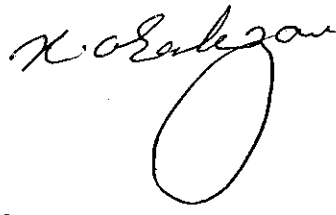
The bill is proposed to regularize the services of the existing staff of Capacity Building Project of Planning & Development Department working for the last nine (09) years on contract basis. Following are the reasons for the promulgation of the above bill.


1. These employees are working for the last nine years and have gained vast experience in the P&D Department. The Government has invested huge time and resources on their expertise and their services needs to be regularized in the public interest. They are well versed with all the responsibilities on the developmental side and are working to the utmost satisfaction of the Government.
2. These employees responsibilities are of regular nature and due to this fact, Government has given regular extension to their services, which shows Government require their services on regular basis. With the regularization of these employees, Government would have an experienced human resource available.
3. These employees worked to their best for the last nine years and have become overage to apply for other regular jobs. Hence discontinuing their services would be injustice to these employees.

- 1) Noor Saleem Malik
- 2) Jufey Rehman
- 3) Sander Hussain Babar
- 4) Asbab Waseem Hayat
- 5) Mahmood Ahmad
Khan Bhattani
- 6) Sardar Anwar Zeb

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