نجانب سرداراور تكزيب صاحب ركن صوبائي اسيلي جواب كياوزر ايكسائيز ايندفيكسيشن ارشادفر مايين سيركمه (الف) ہاں محکہ حدانے حال ہی میں ڈرائیوراور کلاس فور کی زون وائز بجرتیاں کیس ہیں۔اشتہار (۱) آیا بیدوست ہے کہ حال ہی میں محکمہ نے ڈرائیوراور کلاس فور کی زون وائز مجرتیال کیس ہیں؟ کی کا لیالف ہے۔ ب) اگرالف كاجواب اثبات من موتوز (١) ذكوره بحرتيال كس طريقة كاركة تحت كي كني -(۱۱) ند کوره محرتیوں کے سلسلے میں زون جار، پانچ ہے جمع شدہ درخواست کی نمبروار ، کیڈر دوائز تفصیل KP Civil Servants ، KP Civil Servant Act 1973 (i) சி (Appointment, Promotion and Trasfer) rules 1989 (iii) زون جاراورزون پانچ نے ڈرائيوروں كى پوسٹ پر بحرتی شده سيت تمام بحرتی شده افراد ك Excise & Taxation Service Rules 2018 کت کا گائے۔ (ii) فدكوره بحرتيل كسليط من زون جار، پانچ سے جمع شد ودرخواست كى تبروار، كيذروائر تفصيل نام، ؤوسياك، اشتبار كمطابق قابليت اورد يكرتهام وستاديزت كى كايول كالنعيل فرايم ك (iii) زون چاراورزون پانچ سے ڈرائیورول کی پوسٹ پر بحرتی شدہ سیت تمام بحرتی شدہ افرادے نام، اشتبار كے مطابق قابليت اور ديكر تمام دستاويزت كى كابيوں كتفصيل لف ب-

> ار گیترمزل کا ایکسائیز تیکسیشن اینڈ نارکوئیس کنٹرول۔ دیبر پختون خواہ، پٹاور

ڈائریکٹوریٹ جنرل ایکسٹائز' ٹیکسیشن و نارکاٹکس کنٹرول خیبر پختونفوا

اشتهار برائے بھرتی

محکمہ ایکسائز ، فیکسیشن اینڈ نار کا ٹکس کنٹرول خیبر پختونخو ایس درج ذیل خالی آ سامیوں پر بھر تی کیلئے صوبہ خیبر پختونخو اے امیدواروں سے زول کویہ کے مطابق درخواشیں مطلوب ہیں

		ن سوبين	
حدثمر	لتعليمي قابليت ربيشه درانه مهارت	آسای	نبرثار
ال-32 تال	i - كى بھى تىلىم شدە بورۇ آ ف انٹر مىڈىپ و	ڈرائیور(بی پی ایس۔6)	1
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	II_امِل في وي (LTV) ذرائيونك السنس		
	بمعدتين سال ڈرائيونگ کاعملی تجربہ		
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شرانط و هدایت: 1-مندرجہ بالا آسامیوں کیلئے درخواسیں بزریدرجٹر ڈ ڈاک ڈائر کیٹریٹ جز ل ایکسائز بھیکسیشن و تارکا کئس کنٹرول اوق فر مسلک کے بہتر کئی ہوئے نو ایٹا اور کو بجوائی جا ئیں۔ ان آسامیوں کیلئے درخواست فارم محکمہ کی ویب سائٹ www.kpexcise.gov.pk ہے ڈاؤن لوڈ کیا جا سکتا ہے۔ 2۔ درخواست فارم جمع کرنے کی آخری تاریخ آوری مصدقہ کیا جا سکتا ہے۔ 2۔ در خواست فارم جمع کرنے کی آخری تاریخ اور کی تاریخ کی مصاور آخری مصدقہ نقو لات کو درخواست فارم جمع کرنے کی آخری تاریخ کی تاریخ کی کا فی مسلک کریں۔ 4۔ حاضر سروی امیدوار اپنے محکمے کے قوسط سے درخواستی موجھیں کے دورجہ چیارم (Class-IV) کی آسامیوں کیلئے جن اصاباع میں ایم پلائشنٹ ایک بھیجیں۔ 5۔ درجہ چیارم (Employment Exchange) کے دفاتر قائم درخواسی کی آسامی کیلئے چیشہ دورانہ اور اور درخواست فارم کے ساتھ متعلقہ ایم پلائم کے گئی رجٹریشن کا پی مسلک کریں۔ 6۔ ڈرائیور کی آسامی کیلئے چیشہ دورانہ اطلاع میں ان اصلاع کے امیدواران درخواست بن کر اے گا تو اسلام کے دورجہ کی اس اور اور درخواست بن کر اے گی تو مسلم کے دورجہ کی اس اور اور کو کیلئے آب سے کہ اورجہ کی اس کی کیلئے چیشہ دورانہ کی دورجہ کی دورجہ کی دورجہ کی اورجہ کیلئے کی دورجہ کی د

ڈائریکٹر جزل'ا کیسائز ٹیکسیشن ونار کاٹکس کنٹرول خیبر پختونخوا

THE ¹KHYBER PAKHTUNKHWA CIVIL SERVANTS (APPOINTMENT, PROMOTION &TRANSFER) RULES, 1989

PART-I

GENERAL

- 1. Short title and commencement: (1) These rules may be called the ²[Khyber Pakhtunkhwa] Civil Servants (Appointment, Promotion and Transfer) Rules, 1989.
 - (2) They shall come into force at once.
- Definitions:-(1) In these rules, unless the context otherwise requires:-
 - (a) "Appointing Authority" in relation to a post, means the persons authorized under rule 4 to make appointment to that post;
 - (b) "Basic Pay Scale" means the Basic Pay Scale for the time being sanctioned by Government, in which a post or a group of posts is placed;
 - (c) "Commission" means the ³[Khyber Pakhtunkhwa] Public Service Commission;
 - ⁴(d) "Departmental Promotion Committee" means a committee constituted for making selection for promotion or transfer to such posts under a Department, or offices of Government, which do not fall within the purview of the Provincial Selection Board;
 - 5(dd)"Departmental Selection Board" means a Board constituted for the purpose of making selection for initial recruitment /appointment to posts under a Department or office of Government in Basic Pay Scale 17 not falling within the purview of the Commission:

Provided that more than one such committees may be constituted for civil servants holding different scales of pay".

- (e) "Departmental Selection Committee" means a committee constituted for the purpose of making selection for initial appointment to posts under a department, or office of Government [in Basic Pay Scale 17 and below not falling within the purview of the Commission];
- (f) "Post" means a post sanctioned in connection with the affairs of the Province, but not

¹ For the words "NWFP" or "North-West Frontier Province", wherever occurred, the words "Khyber Pakhtunkhwa" substituted by the Khyber Pakhtunkhwa Laws (Amendment) Act, 2011 (Khyber Pakhtunkhwa Act No. IV of 2011) published in the Khyber Pakhtunkhwa Government Gazette Extraordinary dated 2nd April, 2011

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

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

⁴ Substituted by Clause (d) of sub-rule (1) of Rule 2 vide Notification No. SOR-I (S&GAD) 4-1/80 (Vol-II) dated 14-01-92.

⁵ Clause (dd) added by Notification No. SOR-III (S&GAD) 2-7/86, dated 8-12-1994

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

PART-III

INITIAL APPOINTMENT

- 10. Appointment by Initial Recruitment:-(1) Initial appointment to posts ²⁵[in various basic pay scales] shall be made-
 - if the post falls within the purview of the Commission, on the basis of Examination or test to be conducted by the Commission; or
 - (b) if the post does not fall within the purview of the Commission, in the manner as may be determined by Government.
- ²⁶(2) Initial recruitment to posts which do not fall within the purview of the Commission shall be made on the recommendation of the Departmental Selection Committee, after vacancies have been advertised in newspapers.
- ²⁷Provided that nothing contained in this sub-rule shall apply to the household staff of the Chief Minister House Peshawar, ²⁸[Khyber Pakhtunkhwa] House Islamabad, ²⁹[Khyber Pakhtunkhwa] Rest Houses Bannu, Swat and Abbottabad, ³⁰[Khyber Pakhtunkhwa] House Nathia Galli and Shahi Mehman Khana, Peshawar and any other House to be established by the Government:
- ³¹Provided further that the appointment in Basic Pay Scale-³²[3 to 5] shall be made on the recommendations of the Departmental Selection Committee through the District Employment Exchange concerned, ³³[or, where in a District, the office of the Employment Exchange does not exist, after advertising the posts in the leading newspapers] ³⁴[]

The words in basic pay scale-16 to 21 substituted by Notification No. SOR-I(S&GAD)1-117/91 (C), dated 12-10-1993.

²⁶ Sub rule (2) of Rule-10 substituted by Notification No. SOR-I(S&GAD) 1-117/91 (C), dated 12-10-1993.

²⁷ Proviso added vide Notification No. SOR-VI(E&AD)1-3/2003 (VI) dated 03-07-2003.

²⁸ Sub.by the Khyber Pakhtunkhwa Act No. IV of 2011.

²⁹ Sub.by the Khyber Pakhtunkhwa Act No. IV of 2011.

³⁰ Sub.by the Khyber Pakhtunkhwa Act No. IV of 2011.

³¹ Proviso added vide Notification No. SOR-VI(E&AD)1-3/2003 (VI) dated 16-03-2004

³² Substituted by Notification No. SO(R-VI)E&AD/1-3/2015, dated April 19, 2016.

³³ Sentence added in the Proviso vide Notification No. SOR-VI(E&AD)1-3/2003 (VI) dated 23-01-2006.

³⁴ 2_{nd} Proviso in sub- rule (2) of Rule 10 was deleted vide Notification No. SOR-VI(E&AD)1-3/2008 dated 09-05-2008 and added again vide Notification No. SOR-VI(E&AD)1-3/2008 dated 03-11-2008.

- (3) A candidate for initial appointment to a post must possess the educational qualification or technical qualifications and experience and except as provided in the rules framed for the purpose of relaxation of age limit, must be within the age limit as laid down for the post, provided that-
 - (i) 35 where recruitment is to be made on the basis of written examination, then, notwithstanding anything to the contrary contained in any other rules for the time being inforce, age shall be reckoned on 1st January of the year in which the examination is proposed to be held;
 - in other cases as on the last date fixed for submission of applications for appointment.
- ³⁶[4 Where a civil servant dies or is rendered incapacitated or invalidated permanently during service or retired on medical board, notwithstanding the procedure provided for in sub-rule (2), the appointing authority may appoint one of the children of such civil servant or if the child has not attained the age prescribed for appointment in Government service, the widow or wife as the case may be, of such civil servant, to a posts in any of the basic pay scales 3 to 11 in Provincial cadre post and basic pay scales 3 to 12 in District cadre posts:

Provided that the child or the widow or wife, as the case may be, possesses the minimum qualification prescribed for appointment to the post:

Provided further that if there are two widows or wives of the deceased civil servant, as the case may be, preference shall be given to the elder widow or wife:

Provided also that appointment under this sub-rule is subject to availability of a vacancy and if more than one vacancies, in different pay scales, are available at a time and the child or the widow or wife, as the case may be, possesses the qualifications eligible for appointment in more than one post, such child or the widow or wife, as the case may be, shall ordinarily be appointed to the post carrying higher pay scale:

Provided also that the provision of this sub-rule shall not be applicable to posts falling within the purview of the Commission.]

³⁷(5) Notwithstanding anything contained in any rule for the time being in force, two percent of all posts in each basic pay scale to be filled in by initial recruitment shall be reserved for disabled candidates and ten percent of all posts meant for initial recruitment shall be reserved for female candidates:

Explanation-I---For the purpose of reservation under this sub-rule "disability" does not include such disability which hampers in the smooth performance of the duties required of a disabled candidate.

³⁵ Clause (i) substituted vide Notification No. SOR-I(S&GAD)4-1/80, dated 17-5-1989.

³⁶ Substituted by Notification No. SO(R-VI)E&AD/1-3/2015, dated April 19, 2016.

³⁷ Sub rule (5) substituted vide Notification No. SOR-VI (E&AD)1-10/03 (VI), dated 04-12-2007.

Explanation-II---Ten per cent quota reserved above shall be in addition to the posts exclusively reserved for female candidates.

- ³⁸(6) Notwithstanding anything contained in any rule for the time being in force, five per cent of all posts in each basic pay scale to be filled in by initial recruitment shall be reserved for candidates hailing from earthquake affected areas of District Mansehra, Battgram, Shangla, Kohistan and Abbottabad (Calamity hit area) for a period of three years commencing from Ist February, 2006.
- ³⁹(7) Notwithstanding anything contained in any rule for the time being in force, ⁴⁰[three] percent of all the posts in each basic pay scale to be filled in by initial recruitment shall be reserved for candidates belonging to minorities in addition to their participation in the open merit:

Provided that, the reservation shall not apply to-

- (i) the percentage of vacancies reserved for recruitment on merit;
- (ii) short term vacancies likely to last for less than one year; and
- (iii) isolated posts in which vacancies occur only occasionally.
- 11. Eligibility. (1) A candidate for appointment shall be a citizen of Pakistan and bona fide resident of the 41 [Khyber Pakhtunkhwa].

Provided that for reasons to be recorded in writing, Government may, in a particular case, relax this restriction.

⁴²[(2)]

- (3) No person, not already in Government service, shall be appointed to a post unless he produces a certificate of character from the principal, academic officer of the academic institution last attended and also certificates of character from two responsible persons, not being his relatives, who are well acquainted with his character and antecedents.
- (4) Notwithstanding anything contained in sub-rule (3), an appointment by initial recruitment shall be subject to the verification of character and antecedents of the candidate or the person appointed, to the satisfaction of appointing authority.
- (5) No candidate shall be appointed to a post unless he is found, after such medical examination as Government may prescribe, to be in good mental and bodily health and free from physical defect likely to interfere in the efficient discharge of his duties.

³⁸ Sub rule (6) inserted vide Notification No. SOR-VI(E&AD)1-3/03 (VI), dated 01-02-2006

³⁹ Sub rule (7) added vide Notification No. SOR-VI(E&AD)1-3/08, dated 06-01-2009

⁴⁰ Subs. vide Notification No. SORIV/E&AD/1-10(Minority)/2008, dated 08.01.2014.

⁴¹ Subs.by the Khyber Pakhtunkhwa Act No. IV of 2011.

⁴² Sub rule (2) of rule-11 deleted vide Notification No. SOR-VI(E&AD)1-3/08, dated 17-06-2008

12. Zonal and Divisional representation: - (1) Except as otherwise specifically provided in any rule for the time being in force, initial recruitment to posts in Basic Pay Scales 16 and 17 and other posts in Basic Pay Scales 3 to 15 borne on Provincial cadre shall be made in accordance with the Zonal quota specified by Government from time to time:

⁴³Provided that initial recruitment to the post of Civil Judge/Judicial Magistrate/Allaqa Qazi (BPS-18) shall also be made in accordance with the zonal quota specified by the Government from time to time.

- (2) Initial recruitment to posts in Basic Pay Scales 3 to 15 borne on divisional or district cadre shall be made from amongst bona fide residents of the division or district concerned, as the case may be.
- (3) Initial recruitment to posts in Basic Pay Scales ⁴⁴[3 and 5] or equivalent shall ordinarily be made on local basis.

PART-IV

AD HOC APPOINTMENT

- 13. **Requisition to Commission:-**When under any rule for the time being in force, a post is required to be filled in through the Commission, the appointing authority shall forward a requisition on the prescribed form to the Commission immediately after it is decided to fill in the post, or if that is not practicable and the post is filled on ad hoc basis as provided in rule 14, within two months of the filling of the post.
- 14. Ad hoc Appointment:-(1) When the appointing authority considers it to be in the public interest to fill in a post falling within the purview of the Commission urgently, it may, pending nomination of a candidate by the Commission, proceed to fill in such post on ad hoc basis for a period not exceeding ⁴⁵[one year] by advertising the same in accordance with the procedure laid down for initial appointment in Part-III of these rules.
- (2) Short term vacancies in the posts falling within the purview of the Commission and vacancies occurring as a result of creation of temporary posts for a period not exceeding ⁴⁶[one year], may be filled in by appointing authority otherwise than through the Commission on a purely temporary basis after advertising the vacancy.

PART-V

⁴³ Proviso to rule-12 added vide Notification No. SOR-VI(E&AD)1-27/08, dated 03-07-2008

⁴⁴ Substituted by Notification No. SO(R-VI)E&AD/1-3/2015, dated April 19, 2016.

⁴⁵ The words six months replaced with the words one year vide Notification No. SOR-VI(E&AD)1-3/08, dated 17-01-2009.

⁴⁶ The words six months replaced with the words one year vide Notification No. SOR-VI(E&AD)1-3/08, dated 17-01-2009.

PROBATION AND CONFIRMATION

- ⁴⁷15. <u>Probation.</u> ---- (1) Persons appointed to posts by initial recruitment, promotion or transfer shall be on probation for a period of one year.
- (2) The appointing authority, if considers necessary, may extend the probation period for one year as may be specified at the time of appointment.
- ⁴⁸(3) On the successful completion of probation period, the appointing authority shall, by specific order terminate the probation of the officer or official concerned within two months after the expiry of probation period prescribed in sub-rule(1):

Provided that if no specific order regarding termination of the probation period of the official or officer concerned is issued within two months, the period of probation shall be deemed to have been extended under sub-rule (2):

Provided further that if no specific order is issued on the expiry of the extended period of probation, the period of probation shall be deemed to have been successfully completed."

16. **Confirmation:**-After satisfactory completion of the probationary period, a civil servant shall be confirmed; provided that he holds a substantive post, provided further that a civil servant shall not be deemed to have satisfactorily completed his period of probation, if he has failed to pass an examination, test or course or has failed to complete successfully a training prescribed within the meaning of sub-section (3) of Section 6 of the ⁴⁹[Khyber Pakhtunkhwa] Civil Servants Act, 1973.

PART-VI

SENIORITY

- 17. Seniority:-(1) the seniority inter se of civil servants ⁵⁰(appointed to a service, cadre or post) shall be determined:-
 - (a) in the case of persons appointed by initial recruitment, in accordance with the order of merit assigned by the Commission ⁵¹[or as the case may be, the Departmental Selection Committee;] provided that persons selected for appointment to post in an earlier selection shall rank senior to the persons selected in a later selection; and
 - (b) in the case of civil servants appointed otherwise, with reference to the date of their continuous regular appointment in the post; provided that civil servants selected for promotion to a higher post in one batch shall, on their promotion to the higher post,

⁴⁷ Rule-15 substituted vide Notification No. SOR-VI/E&AD/1-3/2009/Vol-VIII dated 16-2-2010.

⁴⁸ Sub rule (3) substituted vide Notification No. SOR-VI (E&AD)1-3/2012 dated 28-12-2012.

⁴⁹ Subs.by the Khyber Pakhtunkhwa Act No. IV of 2011.

⁵⁰ Substituted for the words appointment to a post in the same basic pay scale in a cadre by Notification No. SOR-I(5&GAD)4-1/80, dated 17-05-1989.

⁵¹ The words inserted by Notification No. SOR-I(S&GAD)4-1/80/II, dated 04-02-1996.

THE ¹[KHYBER PAKHTUNKHWA]CIVIL SERVANTS ACT, 1973. ²[KHYBER PAKHTUNKHWA] ACT NO. XVIII OF 1973)

[11th November, 1973].

CONTENTS

PREAMBLE

SECTIONS

1. Short title, extend and commencement.

CHAPTER-I

PRELIMINARY

2. Definitions.

<u>CHAPTER-II</u> TERMS AND CONDITIONS OF SERVICE OF SERVANTS

- Terms & conditions.
- 4. Tenure of office of civil servants.
- Appointment.
- 6. Probation.
- 7. Confirmation.
- 8. Seniority.
- 9. Promotion.
- Posting and transfers.
- 11. Termination of services.
- ³[11A. Absorption of civil servants rendered surplus.]
- ⁴[11B. Absorption or appointment of Federal employees.]
- 12. Reversion to a lower post.

Substituted vide Khyber Pakhtunkhwa Act. IV of 2011. Substituted vide Khyber Pakhtunkhwa Act. IV of 2011. Inserted vide Khyber Pakhtunkhwa Ordinance No.VI of 2001. Inserted vide Khyber Pakhtunkhwa Act No. XXXVIII of 2015.

- ¹[12A. Certain persons to be liable to removal or reversion.]
- ²[13. Retirement from service.]
- ³[13A. Protection of certain acts.]
- 14. Employment after retirement.
- 15. Conduct.
- 16. Disciplinary action.
- 17. Pay.
- 18. Leave.
- 19. Pension and gratuity.
- 20. Provident Fund.
- 21. Benevolent Fund and Group Insurances.
- 22. Right of appeal or representation.

CHAPTER-III

MISCELLANEOUS

- 23. Saving.
- ⁴[23A. Indemnity.]
- ⁵[23-B. Jurisdiction barred.]
- 24. Removal of difficulties.
- 25. Appointment of persons on contract, etc.
- 26. Rules.
- 27. Repeal.

THE ¹[KHYBER PAKHTUNKHWA]CIVIL SERVANTS ACT, 1973.

[11th November, 1973].

²|KHYBER PAKHTUNKHWA|ACT NO. XVIII OF 1973)

(Received the assent of the Governor of the 3 [Khyber Pakhtunkhwa] on 11th November, 1973).

AN ACT

to regulate the appointment of persons to, and the terms and conditions of service of persons in the service of the 4 [Khyber Pakhtunkhwa].

WHEREAS it is expedient to regulate by law, the appointment of persons Preamble. to and the terms and conditions of service of person in the service of the 5[Khyber Pakhtunkhwa], and to provide for matters connected therewith or ancillary thereto;

It is hereby enacted as follows:-

- (1) This Act may be called the ⁶[Khyber Pakhtunkhwa] Civil Servants Act, 1973.
- This section and section 25, shall apply to persons employed on contract, or on work charged basis, or who are paid from contingencies, and the remaining provisions of this Act including this section, shall apply to all civil servants wherever they may be.
 - (3)It shall come into force at once.

CHAPTER-1 PRELIMINARY.

(1) In this Act, unless the context otherwise requires the following Definitions. expressions shall have the meanings hereby respectively assigned to them, that is to say, -

> (a) "adhoc appointment" means appointment of a duly qualified person made otherwise than in accordance with the prescribed

Substituted vide Khyber Pakhtunkhwa Act.IV of 2011. Substituted vide Khyber Pakhtunkhwa Act.IV of 2011.

Substituted vide Khyber Pakhtunkhwa Act.IV of 2011. Substituted vide Khyber Pakhtunkhwa Act.IV of 2011.

Substituted vide Khyber Pakhtunkhwa Act.IV of 2011. Substituted vide Khyber Pakhtunkhwa Act.IV of 2011.

method of recruitment, pending recruitment in accordance with such method.

- (b) "civil servant" means a person who is member of a civil service of the Province, or who holds a civil past in connection with the affairs of the Province, but does not include-
 - a person who is on deputation to the Province from the Federation or any other Province or other authority;
 - a person who is employed on contract, or on workcharged basis or who is paid from contingences; or
 - (iii) a person who is "worker" or "workman" as defined in the Factories Act, 1934 (Act XXV of 1934), or the Workman's Compensation Act, 1923 (Act VIII of 1923);
- (c) "Government" means the Government of the ¹[Khyber Pakhtunkhwa];
- (d) "initial appointment" means appointment made otherwise than by promotion or transfer;
- (e) "pay" means the amount drawn monthly by a civil servant as pay, and includes special pay, personal pay and any other emoluments declared by the prescribed authority to be pay;
- (f) "permanent post" means a post sanctioned without limit of time;
- (g) "prescribed" means prescribed by rules;
- (h) "Province" means the ²[Khyber Pakhtunkhwa];
- (i) "rules" means rules made or deemed to have been made under this Act;
- (j) "selection authority" means the ³[Khyber Pakhtunkhwa] Public Service Commission, a departmental selection board, departmental selection committee or other authority or body on

the recommendation of, or in consultation with which any appointment or promotion, as may be prescribed, is made;

- (k) "temporary post" means a post other than a permanent post.
- 2. For the purpose of this Act, 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.

CHAPTER - II

TERMS AND CONDITIONS OF SERVICE OF SERVANTS

3. The terms and conditions of service of a civil servant shall be as provided in this Act and the rules.

Terms & conditions.

4. Every civil servant shall hold office during the pleasure of the Governor.

Tenure of office of civil servant.

Appointment.

5. Appointments to a civil service of the Province or to a civil post in connection with affairs of the Province shall be made in the prescribed manner by the Governor or by a person authorized by the Governor in that behalf.

6. (1) An initial appointment to a service or post referred to in section 5, Probation. not being an adhoc appointment, shall be on probation as may be prescribed.

- (2) Any appointment of a civil servant by promotion or transfer to a service or post may also be made on probation as may be prescribed.
- (3) 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 a civil servant 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.

- A person appointed on probation shall on satisfactory completion of Confirmation. his probation, be eligible for confirmation in a service or, as the case may be, a post as may be prescribed.
- A civil servant promoted to a post [* * *] on regular basis shall be eligible for confirmation, after rendering satisfactory service for the period prescribed for confirmation therein.
 - There shall be no confirmation against any temporary post.
- A civil servant 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 merely by reason of such retirement, be refused confirmation in such service or post or any benefits accruing therefrom.
- Confirmation of civil servant 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 officiation, in such service or post, whichever is later.
- For proper administration of service, cadre or ²[post] the appointing authority shall cause a seniority list of the members for the time being of such service cadre or 3[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 4[post] as the case may be.

Seniority.

- Subject to the provisions of sub-section (1), the seniority of a civil servant shall be reckoned in relation to other civil servants belonging to the same service or 5[cadre] whether serving in the same department or office or not, as may be prescribed.
- Seniority on initial appointment to a service, ⁶[Cadre] or post shall (3) be determined as may be prescribed.
- ⁷[(4) Seniority in a post, service or cadre to which a civil servant is promoted shall take effect from the date of regular appointment to that post:

The word "or grade" omitted by Khyber Pakhtunkhwa Ord.No.IV of 1985 Section 2.

The word "Grade" substituted by Khyber Pakhtunkhwa Ord. No.IV of 1985 Section 2.

The word "Grade" substituted by Khyber Pakhtunkhwa Ord. No.IV of 1985 Section 3.

The word "Grade" substituted by Khyber Pakhtunkhwa Ord. No.IV of 1985 Section 2.

The word "Grade" substituted by Khyber Pakhtunkhwa Ord. No.IV of 1985 Section 3.

The word "Grade" substituted by Khyber Pakhtunkhwa Ordinance No.IV of 1985 Section 3.

The word "Grade" substituted by Khyber Pakhtunkhwa Ord No.IV of 1985 Section 3.

Substituted vide Khyber Pakhtunkhwa ordinance No. IV of 1985 Section 3.

Amendments made vide Khyber Pakhtunkhwa Ordinance No. IV of 1985, has been given effect from the first day of July,

Provided that civil servants who are selected for promotion to a higher post in one batch shall, on their promotion to the higher post retain their interse seniority as in the lower post."]

- ¹[(5) The seniority lists prepared under sub-section (1) shall be revised and notified in the official Gazette at least once in a calendar year, preferably in the month of January.]
- A civil servant possessing such minimum qualification as may be (1) prescribed shall be eligible for promotion to a ²[higher] post for the time being reserved under the rules for departmental promotion in ³[* * *] the service or cadre to which he belongs.

Promotion.

- A post referred to in sub-section (1) may either be a selection post or a non-selection post to which promotion shall be made as may be prescribed -
 - (a) in the case of a selection post, on the basis of selection on merit; and
 - (b) in the case of a non-selection post, on the basis of seniority cum- fitness.
- Every civil servant shall be liable to serve anywhere within or outside the Province in any post under the Federal Government, or any Provincial Government or local authority, or a corporation or body set up or established by any such Government:

Posting and transfers.

Provided that nothing contained in this section shall apply to a civil servant recruited specifically to serve in a particular area or region:

Provided further that where a civil servant 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 favourable than those to which he would have been entitled if he had not been so required to serve.

11. (1) The service of civil servant may be terminated without notice,-

Termination of services.

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

Provided that, where such civil servant is appointed by promotion on probation or, as the case may be, is transferred from one 4[service] cadre or post to

Added vide Khyber Pakhtunkhwa Act No.1 of 1989.

The word "higher" inserted vide Khyber Pakhtunkhwa Ord.No.V of 1985 Section 4.
The words "the higher grade of" omitted by Khyber Pakhtunkhwa Ord.No. IV of 1985 Section 4.
The word "Grade", substituted by Khyber Pakhtunkhwa Ord.No.IV of 1985.

another [service] as he holds a lien against his former post in such 2[service] or cadre but he shall be reverted to his former 3[service] cadre or post, as the case may

- on the expiry of the initial or extended period of his (ii) employment; or
- if the appointment is made ad hoc terminable on the (iii) appointment of a person on the recommendation of the selection authority, on the appointment of such person.
- Where, on the abolition of a post or reduction in the number of post in a cadre or grade, the services of a civil servant are required to be terminated, the person whose services are terminated shall ordinarily be the one who is the most junior in such cadre or grade.
- Notwithstanding the provisions of sub-section (I), but subject to the provisions of sub-section (2) the service of a civil servant in temporary employment or appointed ad hoc shall be liable to termination on fourteen days notice or pay in lieu thereof.

⁴[11A. Notwithstanding anything contained in this Act, the rules made thereunder, any agreement, contract or the terms and conditions of service, a civil servant who is rendered surplus as a result of re-organization or abolition of a department, office or abolition of a post in pursuance of any Government 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 qualifications and fulfills other conditions applicable to that post:

Absorption of civil servants rendered surplus.

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 civil servant 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.]

⁵[11B. (1) Notwithstanding anything contained in this Act, all those employees of Absorption the Federal Government, who are holding various posts in Federal Government entities on regular basis, before the commencement of the Constitution (Eighteenth Amendment) Act, 2010 (X of 2010) and the said entities being devolved to Province in pursuance of aforesaid amendment, shall be deemed to be the civil employees

appointment of Federal

The word "Grade", substituted by Khyber Pakhtunkhwa Ord.No.IV of 1985.
The word "Grade", substituted by Khyber Pakhtunkhwa Ord.No.IV of 1985.
Amendments made vide Khyber Pakhtunkhwa Ordinance No. IV of 1985, has been given effect from the first day of July, 1983.
The word "Grade", substituted by Khyber Pakhtunkhwa Ord.No.IV of 1985. Note:

Inserted vide Khyber Pakhtunkhwa Ordinance No.VI of 2001. Inserted vide Khyber Pakhtunkhwa Act No.XXXVIII of 2015

Amendments made vide Khyber Pakhtunkhwa Ordinance No. IV of 1985 has been given effect from the first day of July, 1983. Note:

servants of the Province for all intents and purposes under this Act.

- All such Federal Government employees,-
 - (a) if their relevant cadre is available in Government, shall be absorbed in the said cadre in the prescribed manner; and
 - (b) if no relevant cadre is available in Government, shall be deemed to have been appointed on regular basis to various cadres posts to be created for this purpose:

Provided that on such appointment or absorption, as the case may be,-

- their seniority shall be determined in accordance with the (i) provision of this Act; and
- (ii) their liabilities with regard to pension, gratuity, group insurance, benevolent fund and leave encashment shall be proportionally shared between the Federal Government and Government in such a manner as may be agreed upon.
- Government shall constitute a committee consisting of Secretary to Government, Establishment Department, Secretary to Government, Finance Department, Secretary to Government, Law, Parliamentary Affairs and Human Rights Department, Secretary to Government, Inter Provincial Coordination Department and Secretary of the concerned Department to remove difficulties, if any, in implementation of this section.]
- A civil servant appointed to a higher post or ¹[To a higher post or before the Reversion to 12. the commencement of the ²[Khyber Pakhtunkhwa] Civil Servants (Amendment) Ordinance, 1985 to a higher ³[grade] adhoc or on temporary or officiating basis shall be liable to reversion to his lower post 4[* * *] without notice.

a lower [post.]

Notwithstanding anything contained in his terms and conditions of service a civil servant appointed or promoted during the period from first day of January, 1972 to the fifth day of July, 1977, may be removed from service or reverted to his lower post ⁶[* * *] as the case may be without notice by the the Governor or a person authorized by him in this behalf on such date as the Governor or as the case may be, the person so authorized may, in the public interest, direct.]

Certain persons to be liable to removal or reversion

Inserted by Khyber Pakhtunkhwa Ord.No.IV of 1978. Substituted vide Khyber Pakhtunkhwa Act.IV of 2011.

Substituted vine Knyber Pakhtunkhwa Ad. IV of 2011.

In the margin the word "Grade or sevice" substituted by Khyber Pakhtunkhwa Ord.No.IV of 1985.

The word "Grade" omitted by Khyber Pakhtunkhwa Ord.No.IV of 1985.

Section 12-A, inserted by Khyber Pakhtunkhwa Ord.No.IV of 1978.

The word "Grade" omitted by Khyber Pakhtunkhwa Ord.No.IV of 1985 Section 2.

¹[13. (1) A Civil Servant shall retire from service on the completion of sixtieth (60th) year of his age.

Retirement from service.

- (2) A Civil Servant may opt to retire early from service, after completion of twenty five (25) years of qualifying service or attaining the age of fifty five (55) years, whichever is later.
- (3) Notwithstanding anything contained in sub-section (1) and (2), the competent authority may in the public interest, direct that a Civil Servant may retire from service, from such date, as may be determined by the competent authority, after he has completed twenty (20) years of service, qualifying for pension or other retirement benefits, in the manner as may be prescribed:

Provided that no direction under this sub-section shall be made until the Civil Servant has been informed in writing of the grounds on which it is proposed to make the direction, and has been given a reasonable opportunity of showing cause against the said direction.

Explanation.- In this section, the expression "competent authority" means the appointing authority prescribed in rule 4 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989.]

²[13A. (1) All the Civil Servants, who were conditionally retired from service on or after 31st day of July, 2019 shall, for all intents and purposes, be deemed to have been regularly retired from service on the date of attaining sixtieth (60th) years of age.

Protection of certain acts.

- (2) Any Civil Servant, who has completed sixty (60) years of age but is not retired from service, by virtue of or in pursuance of the Khyber Pakhtunkhwa Civil Servants (Amendment) Act, 2019, shall be deemed to have been retired from service from the date when such Civil Servant has completed sixty (60) years of age.
- (3) Any salary, allowances and other ancillary benefits received or drawn by such Civil Servant under this section on or after 31st day of July, 2019 shall be deemed to be validly received and drawn.]
- 14. (1) A retired civil servant shall not ordinarily be re-employed under Government, unless such re-employment is necessary in the public interest and is made with the prior approval of the authority next above the appointing authority:

Employment after retirement

¹ Substituted vide Khyber Pakhtunkhwa Act No. XI of 2021.

² Inserted vide Khyber Pakhtunkhwa Act No. XI of 2021.

Provided that, where the appointing authority is the Governor, such reemployment may be ordered with the approval of the Governor.

Subject to the provisions of sub-section (1) of section 3 of the Ex-Government Servants (Employment with Foreign Governments) (Probation) Act, 1966 (Act XII of 1966), a civil servant may during leave preparatory to retirement, or after retirement from Government service, seek any Private employment:

Provided that, where employment is sought by a civil servant while on leave preparatory to retirement or within two years of the date of his retirement, he shall obtain the prior approval of the prescribed authority.

15. The conduct of a civil servant shall be regulated by rules made or instructions Conduct. issued by Government or a prescribed authority whether generally or in respect of a specified group or class of civil servants.

A civil servant shall be liable to prescribed disciplinary action and penalties in accordance with the prescribed procedure.

Disciplinary action.

Civil servant appointed to a post 1[* **] shall be entitled, in accordance with with the rules, to the pay sanctioned for such post 2[* * *]:

Provided that, when the appointment is made on a current charge basis or by way of additional charge, his pay shall be fixed in the prescribed manner:

Provided further that where civil servant 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.

A civil servant shall be allowed leave in accordance with the leave rule Leave. 18. 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.

³[19. (1) On retirement from service, a civil servant shall be entitled to receive such pension or gratuity as may be prescribed.

Pension and

The word "grade" omitted by Khyber Pakhtunkhwa Ord. No. IV of 1985 Section 8. The word "grade" omitted by Khyber Pakhtunkhwa Ord. No. IV of 1985. Substituted vide Khyber Pakhtunkhwa Act No.III of 2013.

Note:-

Substitution of section 19 has been given effect from 30th day of June, 2001.

Amendments made vide Khyber Pakhtunkhwa Ordinance No. IV of 1985 has been given effect from the first day of July, Note:-

- In the event of the death of a civil servant, whether before or after retirement, his family shall be entitled to receive such pension or gratuity, or both as may be prescribed.
- No pension shall be admissible to a civil servant who is dismissed or removed from service for reasons of discipline, but government may sanction compassionate allowance to such civil servant, not exceeding two-third of the pension or gratuity which would have been admissible to him had he been invalided from service on the date of such dismissal or removal.
- If the determination of the amount of Pension or gratuity admissible to a civil servant 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 civil servant which qualifies for pension or gratuity, and any over payment on such provisional payment shall be adjusted against the amount of pension or gratuity finally determined as payable to such civil servant or his family:

Provided that those who are appointed in the prescribed manner to a service or post on or after the 1st July, 2001 till 23rd July, 2015 on contract basis shall be deemed to have been appointed on regular basis:

Provided further that the amount of contributory Provident Fund subscribed by the civil servant shall be transferred to his General Provident Fund.

- In case any difficulty arises in giving effect to any of the provisions of this section, the Secretary to Government, Establishment Department shall constitute a committee comprising of the Secretary to Government, Finance Department, Secretary to Government Law Department and Accountant General, Khyber Pakhtunkhwa for removal of the difficulty.]
- Before the expiry of the third month of every financial year, the Provident 20. (1) Accounts Officer or other officer required to maintain provident fund accounts shall Fund. furnish to every civil servant subscribing to a provident fund the account of which he is required to including the interest accruing thereon, if any and withdrawals or advances from, his provident fund during the preceding financial year.

- Where any subscription made by a civil servant to his provident fund has not been shown credited in the account by the Accounts Officer or other officer required to maintain such account such subscription shall be credited to the account of the civil servant on the basis of such evidence as may be prescribed.
- 21. All civil servants and their families shall be entitled to the benefits Benevolent

admissible under the West Pakistan Government Employments Welfare Fund Ordinance, 1969 (W.P. Ord I of 1969) or the ¹[Khyber Pakhtunkhwa] Government Servants Benevolent Fund Ordinance, 1972 ²[Khyber Pakhtunkhwa] Ord. VII of 1972), and the rules made thereunder.

Insurances.

Where a right to prefer an appeal or apply for review in respect of 22. any order relating to the terms and conditions of his service is provided to a civil servant under any rules applicable to him, such appeal or application shall, except as may be otherwise prescribed be made within thirty days of the date of such order.

appeal or representation.

Where no provisions for appeal or review exists under the rules in respect of any order or class of orders, a civil servant aggrieved by any such order may within thirty days of the communication to him of such order make a representation against it to the authority next above the authority which made the

Provided that no representation shall lie on matters relating to the determination of fitness of a person to hold a particular post or to be promoted to a higher post or grade.

CHAPTER - III MISCELLANEOUS.

Nothing in this Act or in any rule shall be construed to limit or abridge the Saving. power of the Governor to deal with the case of any civil servant in such manner as may appear to him to be just and equitable:

Provided that where this Act or any rule is applicable to the case of a civil servant the case shall not be dealt with in any manner less favourale to him than that provided by this Act or such rule.

³[23A. No suit, prosecution or other legal proceedings shall lie against a civil Indemnity. servant for anything done or intended to be done in good faith in his official capacity under this Act or the rules, instructions or direction made or issued thereunder.

Save as provided under this Act and the Service Tribunal Act, 1974 Jurisdiction (Khyber Pakhtunkhwa Act No.I of 1974), or the rules made thereunder, no order barred. made or proceedings taken under this Act, or the rules made thereunder by the

Substituted vide Khyber Pakhtunkhwa Act. IV of 2011. Substituted vide Khyber Pakhtunkhwa Act.IV of 2011 Inserted vide Khyber Pakhtunkhwa Ordinance No.XIV of 2002. rules made thereunder.]

If any difficulty arises in giving effect to any of the provisions of this Act, the Governor may make such order, not inconsistent with the provisions of this Act, difficulties. as may appear to him 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 this Act.

The Governor or any person authorized by the Governor in that behalf may, Appointment of on such terms and conditions as he may specify in each case, appoint persons on contract basis, or on work charged basis or who are paid out of contingencies:

persons on contract, etc.

Provided that all such employees who were working in any such capacity ' immediately before the commencement of this Act shall continue to be so employed on the same terms and conditions on which they were appointed.

The Governor or any person authorized by the Governor in this Rules. behalf, may make such rules as appear to him to be necessary or expedient for carrying out the purposes of this Act.

- Any rules, orders or instructions in respect of any terms and conditions of service of civil servants duly made or issued by an authority competent to make them and in force immediately before the commencement of this Act shall, in so far as such rules, orders or instructions are not inconstant with the provisions of this Act, be deemed to be rules made under this Act.
- 27. The [Khyber Pakhtunkhwa] Civil Servants Ordinance 1973 (2[Khyber Repeal. Pakhtunkhwa] Ordinance No. VI of 1973) is hereby repealed.

Substituted vide Khyber Pakhtunkhwa Act. IV of 2011. Substituted vide Khyber Pakhtunkhwa Act. IV of 2011.

KMYBER PAKHTUNKHWA GOVERNMENT GAZETTE, EXTRAORDINARY, 20th FEBRUARY, 2018. 1090

23	Sub-inspector (BPS-14).		74483	By promotion, on the basis of seniority cum-fitness, from amongst the Assistant Sub inspectors with at least five years service as such.
24	Assistant Sub-Inspector (BPS-11).	(i) At least Second Class Intermediate or equivalent qualification from a recognized Board; and		(a) Forty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Excise and Taxation Constables having Secondary School Certificate from a recognized Board with at least five years service as such, and
		(ii) (Height5`7") (Chest33" with expansion of 1½ inches).		(b) sixty per cent by initial recruitment.
25	Excise and Taxation Constable (BPS-07).	(i) At least Second Class Secondary School Certificate from a recognized Board; and (ii) (Height5'7") (Chest33 with expansion of 1 ½ inches).	years.	 (a) Twelve percent by promotion, on the basis of seniority-cum-fitness, from amongst the Class-IV employees having SSC qualification with at least seven years service; (b) three percent by promotion, on the basis of seniority-cum-fitness, from amongst the Drivers having SSC qualification with at least seven years service; (c) eighty five percent by initial recruitment.
26	Wireless Operator (BPS-07).	(i) At least Second Class Secondary School Certificate from a recognized Board; and (ii) Certificate in Telecommunication from a recognized Polytechnic / Vocational Institution or equivalent qualification from a recognized institute.	years.	By initial recruitment.
27	Driver (BPS-06).	At least Second Class Secondary School Certificate from a recognized Board and		By initial recruitment.

1091 KHYBER PAKHTURKHWA GOVERNMENT GAZETTE, EXTRAORDINARY, 2011 FEBRUARY, 2018

28	Distillery Security Guard (BPS-03).	At least Second Class Secondary School Ce from a recognized Board.	18-40 years.	By initial recruitment.
29	Daftri/Qasid (BPS-04).			By promotion form amongst the Naib Qasids and Chowkidars.
30	NaibQasid (BPS-03).	Preferably literate.	18-40 years.	By initial recruitment.
31	Chowkidar/Mali/Swee per (BPS-03).	Preferably literate.	18-40 years.	By initia: recruitment.

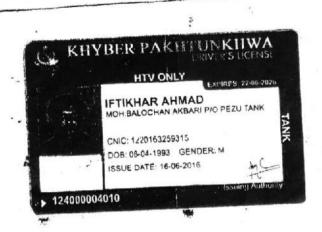
SECRETARY TO
GOVERNMENT OF THE KHYBER PAKHTUNKHWA,
EXCISE, TAXATION AND NARCOTICS CONTROL
DEPARTMENT.

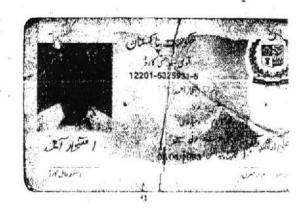
7-5-11		Zone-IV	
S.No	Cadre	Total Applications	Eligible
1	Drivers	780	169
2	Sweeper	259	87

Total App	olications Receive	ed For Zone-V for the Post of Zone€V	Drivers and Sweeper
S.No	Cadre	Total Applications	Eligible
1	Drivers	620	120
2	Sweeper	47	23
	Total	667	143

Sno.	Zone	Name of Drivers Appointed	Remarks
1	IV	Iftikhar Ahmed	
2		Zafar Aziz	Duni
3		Muhammad Imran	Photocopies
4		Sajjad Ahmad	o" documen attached
5		Faisal Latif	attaisned
6		Shahzad Mir Khan	-
1		Ethesham Khan	
2	1	Muhammad Tanveer	Photocopies
.3	1 v	Sohail Mehmood	of documen
4	7	Zulgarnain	attached
5		Nazakat Abbasi	attached
6		Haseeb Shafif	

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POMICILE CERTIFICATE

•	133	Indectare that I was born of parents who are permanently domiciled in	300
	(3)	N.W.F.P having belonged to it by birth / settled in it.	80
	38	I belong by birth to Village / Mohallah BALOCH AKBARI	28
	83	Tehsil TANK District TANK	20 20 20
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	196		₹.
	63	Signature of the applicant	୍ଧୁ
	300	Thumb Impression	35
	33	Dated: 27 106 12009	
	100	Pursuance to the declaration dated 77 6 1 bg	305
	SS	filed by IFTIKHAR - AHMAD	경화) 경화) -
	130	son / daughter of WAHEED KHAN domiciled in the	Ž!
	2075	N.W.F.P it is hereby certified that the said	\$3!
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	(3)		
		the above declaration is true and certify.	364 364
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DERA ISMAIL KHAN (Khyber Pakhtunkhwa) PAKISTAN. SECONDARY SCHOOL CERTIFICATE EXAMINATION	3
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This is to certify that	
Son/Daubher of WAHLD KHAN	-
and a student of Govt: H/School Akbari Tank	1
Secondary School Certificate Examination of the	
Secondary Education, Dera Island	
Pagular / Fry / Brivata candidate. He / She obtained	
and has been placed in Grade C Representing Good	
The Candidate Passed the following Subjects:- 7. Figs. cs 1. English 3. Islamiyat 5. Maths 7. Figs. cs	
Chemistry 8. Maries	
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