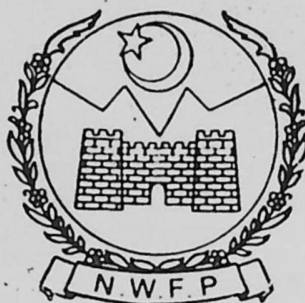


EXTRAORDINARY

GOVERNMENT



REGISTERED NO. P. 111

G A Z E T T E

North-West Frontier Province

Published by Authority

PESHAWAR, TUESDAY, 16TH APRIL, 2002.

GOVERNMENT OF THE NORTH-WEST FRONTIER PROVINCE,
LAW DEPARTMENT.

NOTIFICATION.
16th April, 2002.

No. LEGIS:I(4)/2000.—The following Ordinance by the Governor of the North-West Frontier Province is hereby published for general information:—

THE NORTH-WEST FRONTIER PROVINCE
AMENDMENT IN THE N.-W.F.P. REMOVAL FROM SERVICE
(SPECIAL POWERS) ORDINANCE, 2000.

N.-W.F.P. ORDINANCE NO. VIII OF 2002.

AN ORDINANCE

*further to amend the North-West Frontier Province
Removal from Service (Special Powers) Ordinance, 2000.*

WHEREAS it is expedient further to amend the North-West Frontier Province Removal from Service (Special Powers) Ordinance, 2000 (N.-W.F.P. Ord. V of 2000), for the purpose hereinafter appearing;

AND WHEREAS the Governor of the North-West Frontier Province is satisfied that circumstances exist which render it necessary to take immediate action;

NOW, THEREFORE, in pursuance of the Proclamation of Emergency of the fourteenth day of October, 1999, as amended upto date, and the Provisional Constitution Order No. I of 1999, read with Article 4 of the Provisional Constitution (Amendment) Order No. 9 of 1999, and in exercise of all powers enabling him in that behalf, the Governor of the North-West Frontier Province is pleased to make and promulgate the following Ordinance:

1. ***Short title and commencement.***—(1) This Ordinance may be called the North-West Frontier Province Removal from Service (Special Powers) (Amendment) Ordinance, 2002.

(2) It shall come into force at once.

2. Amendment of section 3 of N.-W.F.P. Ord. No. V of 2000.—In the North-West Frontier Province Removal from Service (Special Powers) Ordinance, 2000 (N.-W.F.P. Ord. No. V of 2000), hereinafter referred to as the said Ordinance, in section 3, in sub-section (1), for the existing text below clause (e), the following shall be substituted, namely:

“the competent authority, after inquiry by an Inquiry Officer or the Inquiry Committee appointed under section 5, may, notwithstanding anything contained in any law or the terms and conditions of service of such person, by order in writing, dismiss or remove such person from service, compulsorily retire him from service or reduce him to lower post or pay scale, or recover from pay, pension or any other amount payable to him, the whole or a part of any pecuniary loss caused to the organization in which he was employed or impose one or more minor penalties as prescribed in the North-West Frontier Province Government Servants (Efficiency and Discipline) Rules, 1973, made under section 26 of the North-West Frontier Province Civil Servants Act, 1973 (N.-W.F.P. Act No. XVIII of 1973).”.

3. Insertion of new section 14A and 14B to N.-W.F.P. Ord. V of 2000.—In the said Ordinance, after section 14, the following new sections shall be inserted, namely:

“14A. Indemnity.—No suit, prosecution or other legal proceedings shall lie against the competent authority or an officer or authority authorised by it for anything which is in good faith done or intended to be done under this Ordinance or the rules, instructions or directions made or issued thereunder.

14B. Jurisdiction barred.—Save as otherwise provided, no order made or proceedings taken under this Ordinance, or the rules made thereunder by the competent authority or an officer or authority authorised by it shall be called in question in any court and no injunction shall be granted by any court in respect of any decision made or proceedings taken in pursuance of any power conferred by, or under, this Ordinance, or the rules made thereunder.”.

Peshawar,
dated the
12th April, 2002.

Lt. Gen. (Rtd.) IFTIKHAR HUSSAIN SHAH,
Governor of the North-West Frontier Province.

SALIM KHAN,
Secretary to Government of North-West Frontier Province,
Law Department.

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