

EXTRAORDINARY
GOVERNMENT



REGISTERED NO. P.III

G A Z E T T E

KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, TUESDAY, 23rd FEBRUARY, 2021.

GOVERNMENT OF THE KHYBER PAKHTUNKHWA
LAW, PARLIAMENTARY AFFAIRS AND HUMAN RIGHTS
DEPARTMENT

NOTIFICATION

Peshawar, dated the 23rd February, 2021.

No. LEGIS: 1(10) 2017--- The following Ordinance by the Governor of the Khyber Pakhtunkhwa is hereby published for general information:

**THE PESHAWAR DEVELOPMENT AUTHORITY (AMENDMENT)
ORDINANCE, 2021**

(KHYBER PAKHTUNKHWA ORDINANCE NO. I OF 2021)

AN
ORDINANCE

to amend the Peshawar Development Authority Act, 2017.

WHEREAS it is expedient to amend the Peshawar Development Authority Act, 2017 (Khyber Pakhtunkhwa Act No. XXXI of 2017), for improving the criteria of appointment of the Director General of the Peshawar Development Authority and for allied purposes hereinafter appearing;

AND WHEREAS the Provincial Assembly is not in session and the Governor of the Province of the Khyber Pakhtunkhwa is satisfied that circumstances exist which render it necessary to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred under Clause (1) of Article 128 of the Constitution of the Islamic Republic of Pakistan, the Governor of the Khyber Pakhtunkhwa is pleased to make and promulgate the following Ordinance:

1. Short title and commencement. ---(1) This Ordinance may be called the Peshawar Development Authority (Amendment) Ordinance, 2021.

(2) It shall come into force at once.

2. Amendment of section 9 of the Khyber Pakhtunkhwa Act No. XXXI of 2017.--
-In the Peshawar Development Authority Act, 2017 (Khyber Pakhtunkhwa Act No. XXXI of 2017), hereinafter referred to as the said Act, in section 9,-

(a) for sub-sections (1) and (2), the following shall respectively be substituted, namely:

“(1) The Chief Minister may either-

- (a) post a suitable officer of Government of BS-19 or above, by transfer from a panel of three (03) Government officers, duly proposed by the Local Government, Elections and Rural Development Department of Government, to act as the Director General of the Authority; or
- (b) appoint the Director General, by initial recruitment from open market, after widely advertising the position in the prescribed manner, for a term not exceeding three (03) years.

(2) In case of appointment by initial recruitment, under clause (b) of sub-section (1), the qualification, experience and other terms and conditions of the Director General shall be as follows:

- (a) he possesses a Master's Degree or equivalent qualification from a recognized University in the field of engineering, public administration, law, accounting, business administration or finance; and

(b) he has fifteen or more years experience, of which at least five years shall be at a senior managerial position, in any local area authority, a public or private sector corporation or autonomous or semi-autonomous body or entity.”; and

(b) in sub-section (3), for the word “Government”, the words and commas “Chief Minister, Khyber Pakhtunkhwa,” shall be substituted.

3. Amendment of section 10 of the Khyber Pakhtunkhwa Act No. XXXI of 2017.---In the said Act, in section 10, for the word “Government”, the words and comma “Chief Minister, Khyber Pakhtunkhwa” shall be substituted.

4. Insertion of new section to the Khyber Pakhtunkhwa Act No. XXXI of 2017.--
-In the said Act, after section 51, the following new section shall be added, namely:

“52. Immunities to the actions of past Director General.--- Before the commencement of the Peshawar Development Authority (Amendment) Ordinance, 2021, any action taken, decision made, proceedings conducted or any other official business of the Authority run by any of its past Director Generals, shall not be called in question, merely for want of any deficiency in his qualification or experience.”.

**Peshawar,
Dated the 23rd February, 2021**

SHAH FARMAN
Governor of the Khyber Pakhtunkhwa

MASOOD AHMAD
Secretary to Government of the Khyber Pakhtunkhwa
Law, Parliamentary Affairs and Human
Rights Department.