

EXTRAORDINARY
GOVERNMENT



REGISTERED NO. P.III
G A Z E T T E

KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, WEDNESDAY, 12th AUGUST, 2020.

PROVINCIAL ASSEMBLY SECRETARIAT KHYBER PAKHTUNKHWA

NOTIFICATION

Dated Peshawar, the 12th August, 2020.

No. PA/Khyber Pakhtunkhwa/Bills-108/2020/3260.— The Federally Administered Tribal Areas Development Authority Regulation (Repeal) Bill, 2020 having been passed by the Provincial Assembly of Khyber Pakhtunkhwa on 28th July, 2020 and assented to by the Governor of the Khyber Pakhtunkhwa on 10th August, 2020 is hereby published as an Act of the Provincial Legislature of the Khyber Pakhtunkhwa.

THE FEDERALLY ADMINISTERED TRIBAL AREAS DEVELOPMENT AUTHORITY REGULATION (REPEAL) ACT, 2020. (KHYBER PAKHTUNKHWA ACT NO. XXIX OF 2020)

*(First published after having received the assent of the Governor of the
Khyber Pakhtunkhwa in the Gazette of the Khyber Pakhtunkhwa,
(Extraordinary), dated the 12th August, 2020).*

AN ACT

*to repeal the Federally Administered Tribal Areas Development Authority
Regulation, 2006*

WHEREAS the Federally Administered Tribal Areas Development Authority, established under the Federally Administered Tribal Areas Development Authority Regulation, 2006 and continues to function under the Khyber Pakhtunkhwa Continuation of Laws in Erstwhile Federally Administered Tribal Areas Act, 2019 (Khyber Pakhtunkhwa Act No. XXIV of 2019), after the merger of erstwhile Federally Administered Tribal Areas with the Khyber Pakhtunkhwa Province through the Constitution (Twenty-fifth Amendment) Act, 2018 (Act No. XXXVII of 2018);

AND WHEREAS it is expedient to repeal the Federally Administered Tribal Areas Development Authority Regulation, 2006, in order to dissolve the Federally Administered Tribal Areas Development Authority, in the manner as hereinafter provided:

It is hereby enacted as follows,-

1. Short title and commencement.---(1) This Act may be called the Federally Administered Tribal Areas Development Authority Regulation (Repeal) Act, 2020.

(2) It shall come into force at once.

2. Definitions.---In this Act, unless the context otherwise requires,-

- (a) **“assets”** mean all properties and funds at the disposal of the Authority, and all properties, funds and due exchanged for, derived from, or otherwise attributable to the said properties and funds, cash, investments, accounts, receivables, loans granted, inventory, buildings, vehicles, furniture, plant, machinery, joint ventures and official record, which are under the administrative control of the Authority before the promulgation of this Act;
- (b) **“Authority”** means the Federally Administered Tribal Areas Development Authority, established under the repealed Regulation;
- (c) **“employees”** mean duly qualified persons, appointed against regular posts of the Authority, except those employed under Article 14 of the Federally Administered Tribal Areas Development Authority (Appointment against Project Posts) Standing Order, 2011;
- (d) **“Government”** means the Government of Khyber Pakhtunkhwa;
- (e) **“project employees”** mean the persons, who were appointed against project posts, and presently working in the ongoing projects under the control of the Authority; and
- (f) **“repealed Regulation”** means the Federally Administered Tribal Areas Development Authority Regulation, 2006, as repealed under section 3 of this Act.

3. Repeal.---The Federally Administered Tribal Areas Development Authority Regulation, 2006, is hereby repealed and as a corollary thereof, the Federally Administered Tribal Areas Development Authority, established thereunder, shall stand dissolved.

4. Employees of the Authority.--- On promulgation of this Act, employees of the Authority shall be deemed to have been declared surplus and placed at the disposal of the Establishment Department of Government for adjustment or posting as per policy. The Establishment Department of Government shall be the successor for resolving issues of human resources or litigations etc:

Provided that the project employees shall continue their services till the completion of projects of the Authority and thereafter their services shall be deemed to be terminated.

5. Assets and liabilities of the Authority.--- On the promulgation of this Act, all the assets and liabilities of the Authority, upon its dissolution, shall stand transferred in the following manner:

- (a) ongoing projects of the Authority alongwith project employees shall be handed over to concerned Administrative Departments of Government; and
- (b) headquarter building, located at Phase-V, Hayatabad, Peshawar and moveable assets of closed projects of the Authority shall be handed over to the Administration Department of Government.

6. Removal of difficulties.---The Chief Minister, Khyber Pakhtunkhwa may setup a committee, consisting of such members as deemed appropriate, which shall be responsible to resolve any difficulty arising out of the dissolution of the Authority, not inconsistent with the provisions of this Act and make recommendations for appropriate action.

7. Repeal of the Khyber Pakhtunkhwa Ordinance No. VII of 2020.- The Federally Administered Tribal Areas Development Authority Regulation (Repeal) Ordinance, 2020 (Khyber Pakhtunkhwa Ordinance No. VII of 2020) is hereby repealed.

BY ORDER OF MR. SPEAKER
PROVINCIAL ASSEMBLY OF KHYBER
PAKHTUNKHWA

(NASRULLAH KHAN KHATTAK)
Secretary
Provincial Assembly of Khyber Pakhtunkhwa