



KHYBER PAKHTUNKHWA

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PROVINCIAL ASSEMBLY SECRETARIAT KHYBER PAKHTUNKHWA

NOTIFICATION

Dated Peshawar, the 13th October, 2022.

No. PA/Khyber Pakhtunkhwa/Bills-255/2022/6192.— The Khyber Pakhtunkhwa Regularization of Services of Employees of District Governance and Community Development Project Bill, 2022 having been passed by the Provincial Assembly of Khyber Pakhtunkhwa on 20th September, 2022 and assented to by the Governor of the Khyber Pakhtunkhwa on 10th October, 2022 is hereby published as an Act of the Provincial Legislature of the Khyber Pakhtunkhwa.

THE KHYBER PAKHTUNKHWA REGULARIZATION OF SERVICES OF EMPLOYEES OF DISTRICT GOVERNANCE AND COMMUNITY DEVELOPMENT PROJECT ACT, 2022. (KHYBER PAKHTUNKHWA ACT NO. XLV OF 2022)

*(First published after having received the assent of the Governor of the
Khyber Pakhtunkhwa in the Gazette of the Khyber Pakhtunkhwa.
(Extraordinary), dated the 13th October, 2022).*

AN ACT

to provide for the appointment and regularization of services of employees of District
Governance and Community Development Project in the
Province of Khyber Pakhtunkhwa.

WHEREAS it is expedient to provide for the appointment and regularization of services of employees of District Governance and Community Development Project in the Province of Khyber Pakhtunkhwa;

It is hereby enacted by the Provincial Assembly of Khyber Pakhtunkhwa as follow:

1. Shot title, application and commencement.---(1) This Act may be called the Khyber Pakhtunkhwa Regularization of Services of Employees of District Governance and Community Development Project Act, 2022.

(2) It shall apply to all the employees as defined in clause (e) of section 2 of this Act.

(3) It shall come into force at once.

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

- (a) **“Commission”** means the Khyber Pakhtunkhwa Public Service Commission;
- (b) **“contract appointment”** means the appointment of duly qualified person, for a specific period, made against a project post;
- (c) **“Department”** means the Local Government, Elections and Rural Development Department of Government;
- (d) **“Departmental Selection Committee”** means a Departmental Selection Committee, constituted for the purpose of making selection for initial recruitment to civil post under the Department;
- (e) **“employee”** means an employee, appointed on contract basis in the project, who possesses the required qualification and experience;
- (f) **“Government”** means the Government of Khyber Pakhtunkhwa;
- (g) **“law or rule”** means the law or rule, for the time being in force, governing the selection and appointment of civil servants;
- (h) **“project”** means the Khyber Pakhtunkhwa District Governance and Community Development Project (ADP No. 130567); and
- (i) **“project post”** means a post in project.

3. **Appointment and regularization of services of employees.**---(1) Notwithstanding anything contained in any other law or rules for the time being in force, the employees, who hold project posts till the commencement of this Act, shall be deemed to have been validly appointed on regular basis from the commencement of this Act, subject to verification of their qualifications and other credentials by the Department under sub-section (4).

(2) For the purpose of regularization of the employees under this Act, the following general conditions shall be observed:

- (a) the service promotion quota of all service cadres shall not be affected;
- (b) the employees shall possess the same qualification and experience as required for a regular post;
- (c) the employees have not resigned from the service or terminated from service on account of misconduct, inefficiency or any other grounds before the commencement of this Act; and
- (d) the services of such employees shall be deemed to have been regularized only on the publication of their names in the official Gazette.

(3) The employees, on their regularization under this Act, shall, in lieu of pension and gratuity, be entitled to receive such amount contributed by them towards the Contributory Provident Fund, along with the contributions made by Government to their account in the said Fund, as prescribed under the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No. XVIII of 1973).

