

**THE ¹[KHYBER PAKHTUNKHWA], ad hoc CIVIL SERVANTS
(REGULARIZATION OF SERVICES) ACT, 1987.
19th March, 1987.**

²[KHYBER PAKHTUNKHWA] ACT NO. II OF 1987.

**AN
ACT**

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¹ Substituted vide Khyber Pakhtunkhwa Act. No. IV of 2011.

² Substituted vide Khyber Pakhtunkhwa Act. No. IV of 2011.

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*[First published after having received the assent of the Governor of the ³[Khyber
Pakhtunkhwa] in the Gazette of ⁴[Khyber Pakhtunkhwa]
(Extraordinary), dated the 19th March, 1987],*

**AN
ACT**

to provide for regularization of services of certain civil servants appointed on Ad hoc basis.

WHEREAS it is expedient in the public interest to provide for regularization of the service of certain civil servants appointed on ad hoc basis;

Preamble.

It is hereby enacted as follows:—

1. (1) This Act may be called the ⁵[Khyber Pakhtunkhwa] Ad hoc Civil Servants (Regularization of Services) Act, 1987.

Short title and commencement.

(2) It shall come into force at once.

2. (1) In this Act unless the context otherwise requires,—

Definitions.

(a) "Commission" means the ⁶[Khyber Pakhtunkhwa] Public Service Commission;

(b) "Government" means the Government of the ⁷[Khyber Pakhtunkhwa];

(c) "law or rule" means the law or rule for the time being in force governing the selection and appointment of civil servants; and

(d) "post" means a post under Government or in connection with the affairs of Government to be filled in on the recommendation of the Commission.

¹ Substituted vide Khyber Pakhtunkhwa Act. No. IV of 2011.

² Substituted vide Khyber Pakhtunkhwa Act. No. IV of 2011.

³ Substituted vide Khyber Pakhtunkhwa Act. No. IV of 2011.

⁴ Substituted vide Khyber Pakhtunkhwa Act. No. IV of 2011.

⁵ Substituted vide Khyber Pakhtunkhwa Act. No. IV of 2011.

⁶ Substituted vide Khyber Pakhtunkhwa Act. No. IV of 2011.

⁷ Substituted vide Khyber Pakhtunkhwa Act. No. IV of 2011.

(2) The expressions "ad hoc appointment" and "Civil Servants" shall have the same meaning as respectively assigned to them in the ¹[Khyber Pakhtunkhwa] Civil Servants Act, 1973 (²[Khyber Pakhtunkhwa] Act No. XVIII of 1973).

3. Notwithstanding anything contained in any law or rule, or in any decree, order or judgment of a court, all Civil Servants holding ad hoc appointment to a post on or before 20th September, 1986, and continuing as such till the commencement of this Act, shall be deemed to have been validly selected and appointed to the posts held by them on regular basis with effect from the date of commencement of this Act;

Regularization of services of certain civil servants.

Provided that:—

- (i) the services of such civil servants shall be deemed to have been regularized under this Act, only on the publication of their names in the official Gazette;
- (ii) such civil servants possess the qualification and experience prescribed for the posts; and
- (iii) the Commission has in respect of the posts held by such civil servants not recommended any other person on or before the commencement of this Act.

4. (1) The civil servants whose services are regularized under this Act shall rank junior to all civil servants belonging to the same service or cadre, as the case may be, who are in service on regular basis on the commencement of this Act, and shall also rank junior to such other persons, if any, who, in pursuance of the recommendation of the Commission made before the commencement of this Act, are to be appointed to the respective service or cadre, irrespective of their actual date of appointment.

Determination of seniority.

(2) The seniority inter se of the civil servants, whose services are regularized under this Act within the same service or cadre, shall be determined on the basis of their continuous officiation in such service or cadre; provided that if the date of continuous officiation in the case of two or more civil servants is the same, the civil servant older in age shall rank senior to the younger civil servant.

5. The ³[Khyber Pakhtunkhwa] ad hoc Civil Servants (Regularization (Regularization of Services) Ordinance, 1987 (⁴[Khyber Pakhtunkhwa] Ordinance No. I of 1987) is hereby repealed.

Repeal.

¹ Substituted vide Khyber Pakhtunkhwa Act. No. IV of 2011.

² Substituted vide Khyber Pakhtunkhwa Act. No. IV of 2011.

³ Substituted vide Khyber Pakhtunkhwa Act. No. IV of 2011.

⁴ Substituted vide Khyber Pakhtunkhwa Act. No. IV of 2011.