

**GOVERNMENT OF KHYBER PAKHTUNKHWA  
CHILD PROTECTION & WELFARE COMMISSION  
SOCIAL WELFARE, SPECIAL EDUCATION & WOMEN  
EMPOWERMENT DEPARTMENT**

**NOTIFICATION**

**Peshawar, dated the 11th January 2012**

No. CPWC/CPO/2012-182.- In exercise of powers conferred by sub-section (2) of Section 62 of the Khyber Pakhtunkhwa Child Protection and Welfare Act, 2010 read with sub-section (2) of Section 4 thereof, the Khyber Pakhtunkhwa Child Protection and Welfare Commission is pleased to make the following regulations, namely:

**THE KHYBER PAKHTUNKHWA CHILD PROTECTION AND WELFARE  
COMMISSION EMPLOYEES (TERMS AND CONDITION OF SERVICE)  
REGULATIONS, 2012.**

**PART-I  
GENERAL**

**1. Short title, application and commencement.**--- (1) These Regulations may be called the Khyber Pakhtunkhwa Child Protection and Welfare Commission Employees (Terms and Conditions of Service) Regulations, 2012.

(2) These Regulations shall apply to all the employees including those employed before the Notification of these Regulations.

(3) It shall come into force at once.

**2. Definition.** --- In these Regulations, unless the context otherwise requires, the following expression shall have the meaning hereby respectively assigned to them that is to say,-

- (a) "Act" means the Khyber Pakhtunkhwa Child Protection and Welfare Act, 2010;
- (b) "Appendix" means the Appendix-I to these Regulations;
- (c) "Chairman" means the Chairman of the Commission;
- (d) "Chief Protection Officer" means a person appointed by the Government in accordance with provision of Section 5 of the Act;
- (e) "Commission" means the Khyber Pakhtunkhwa Child Protection and Welfare Commission established under Section 3 of the Act;
- (f) "Employees" mean the employees of the Commission.
- (g) "Government" means the government of the Khyber Pakhtunkhwa;

- (h) "initial recruitment" means the appointment made otherwise than by promotion or transfer;
- (i) "post "means a post specified in the Appendix-I;
- (j) "Selection and Promotion Board" means the Selection and Promotion Board constituted for the purpose of making selection for initial appointment and promotion/ transfer/deputation to posts in Basic Pay Scale 17 and above;
- (k) "Selection and Promotion Committee" means a Selection and Promotion Committee constituted for the purpose of making selection for initial appointment and promotion/transfer/deputation to posts in Basic Pay Scale 16 and below;
- (l) "service" means the service of the Commission.

## PART-II RECRUITMENT

**3. Composition of service.**--- The Service shall comprise of the posts specified in column 2 of the Appendix-I and such other posts as may be added to it subsequently, by the Commission from time to time.

**4. Appointing Authority.** — The Authority Competent to make appointment to posts in various Basic Pay Scales shall be as follows:

S. No.	Posts.	Recommending Authority	Appointing Authority.
1	2.	3.	4.
1.	Posts in Basic Pay Scale 17 and above.	Selection and Promotion Board.	Chairman.
2.	Posts in Basic Pay Scale 16 and below.	Selection and Promotion Committee.	Chief Protection Officer.

**5. Selection and Promotion Board.**— (1) A Selection and Promotion Board shall be chaired by Secretary to Government of the Khyber Pakhtunkhwa Social Welfare, Special Education and Women Empowerment Department, for appointment and promotion to Basic Pay Scale 17 and above including the following members:

1.	Additional Secretary,	Member
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	Government of the Khyber Pakhtunkhwa, Social Welfare and Women Development Department;	
2.	Chief Protection Officer.	Member
3.	One member of the Commission to be nominated by the Chairman.	Member

**6. Selection and Promotion Committee.** --- A Selection and Promotion Committee shall be chaired by Member of the Commission, to be nominated by the Chairman, for appointment to Basic Pay Scale 16 and below including the following members:

1.	Deputy Chief (Child Protection); Khyber Pakhtunkhwa Child Protection Commission;	Member
2.	Assistant Chief (Child Protection), Khyber Pakhtunkhwa Child Protection Commission;	Member

**7. Method of Appointment** --- Appointment to posts shall be made by any of the following methods, namely:

- (a) by initial recruitment in accordance with the provisions contained in the Appendix-I and every vacant post of any grade which falls under direct recruitment quota shall be advertised in at least two leading newspapers and selection will be made on the basis of merit, giving due weightage to the educational qualification, experience, aptitude and permanency of tenure; and
- (b) by promotion

**8. Age.**--- (1) No person shall be appointed to a post by initial recruitment unless he is within the age limit prescribed for each post in column 3 of the Appendix-I.

- (i) candidates belonging to scheduled castes and backward areas shall be entitled to such relaxation in the upper age as admissible to them under any order or notification of government for the time being in force; and
  - (ii) in case of person whose service under Government has terminated for want of vacancy, the period of service already rendered by him shall for the purpose of upper age limit under these regulations, be excluded from his age,
- (2) For the purpose of these regulations, age shall be reckoned:

- (i) where recruitment is to be made on the basis of written examination or interview, as on the first January of the year in which the examination or interview is proposed to be held;
- (ii) in other cases, as on the last date fixed for receipt of applications for appointment.

**9. Qualification:**

- (1) No person shall be appointed by initial recruitment to a post unless he possesses the qualification prescribed for such post in column 4 of the Appendix-I
- (2) No person, if not already in Government service, shall be appointed to a post unless he/she produces a certificate of character from the Principal Academic Officer of the academic institution last attended and also certificate from two other responsible persons not being his/her relatives, who are well-acquainted with his/her character and antecedents.

**PART-III**

**CONDITIONS OF SERVICE**

**10. Probation.**--- (1) A person appointed to the post against substantive vacancies, other than those appointed by transfer, shall remain on probation for a period of one year, if appointed by initial recruitment or by promotion.

**Explanation.** Officiating service spent on deputation to corresponding or a higher post may be allowed to conduct towards the period of probation.

(2) If the work and conduct of the member of service, during the period of probation has not been satisfactory, the appointing authority may, notwithstanding that the period of probation has not expired, dispense with his service, if he has been appointed by initial recruitment and revert him to his former post if appointed by promotion or dispense with his services, if there be no such post

(3) On the completion of the period of probation of member of a service, the appointing authority may, subject to the provision of sub-clause (4), confirm him in his appointment, or of his work and conduct has, in the ' opinion of such authority has been satisfactory.

- (a) in case he has been appointed by initial recruitment, dispense with his service; or
- (b) in case he has been appointed by promotion, revert him to his former post and if there be no such post dispense with his service; or
- (c) extend the period of probation by a period not exceeding one year in all, and during or on the expiry of such period pass such orders as it could have passed during or on the expiry of the initial probationary period

***Explanation-I:*** If no orders have been made by the day following the completion of the initial probation period, the period of probation shall be deemed to have been extended for further one year.

***Explanation-II:*** If no orders have been made by the day on which the maximum period of probation expires, the probationer shall be deemed to have been confirmed in his appointment.

**Explanation-III:** A probationer who has satisfactorily completed his period of probation, shall be confirmed with effect from the date of his continuous appointment in the service in a substantive vacancy; provided that where the period of his probation has been extended under provision of sub clause (3)(c) be the date on which the period of probation was last extended.

**11. Seniority.**---(1) The seniority inter-se of the holders of the same shall be determined-

- (a) in the case of person appointed by initial recruitment, in accordance with the order of merit assigned by the Commission; and
- (b) In the case of person appointed by promotion, with the reference to the dates of their continuous appointment there in provided that if the date of his continuous appointment in the case of two or more person is the same, the older official or official in the next below scale shall rank senior to the younger official or officials.

**Explanation-I:**if a junior official is promoted to a higher scale/post temporarily in the public interest even though continuing later permanently in the higher scale/post. It would not adversely affect the interest of his seniors in the fixation of his seniority in the higher scale/post

**Explanation-II:** If a junior officer in lower scale/post is promoted to higher post super-standing a senior official promoted first shall rank senior to the official promoted subsequently.

**Explanation-III:** A junior officer to the higher scale/post shall be deemed to have superseded senior official only if both the junior and senior official were considered for the highest scale/post and the junior official was appointed in preference to the senior official.

(2) The seniority of holder of the post in various scales appointed by initial recruitment vis-a-vis those appointed by promotion shall be determined.

- (a) in case both the official appointed by initial recruitment of the official appointed by promotion have been appointed against substantive vacancies, or both have been appointed against temporary vacancies with reference to the date of regular appointment to such vacancy in the case of official appointed by initial recruitment and to the date of continuous appointment against such vacancy in the case of official appointed by promotion rank senior to the official appointed by initial recruitment;
- (b) in case official appointed by initial recruitment has been appointed against substantive vacancy and the official appointed by promotion has been appointed against temporary vacancy, the official appointed by initial recruitment shall rank senior to the official appointed by promotion; and
- (c) in case the official appointed by promotion is appointed against a substantive vacancy and the official appointed by initial recruitment is appointed against a temporary vacancy, the official appointed by promotion shall rank senior to the official appointed by initial recruitment.

**12. Salary and Allowances:**--- The employees of the Commission shall be entitled to such pay and allowances, as may be determined by the Commission.

**13. General Rules.** --- In all matters not expressly provided for in this Regulation an employee of the service shall be governed by such rules/legislations as have been or may hereafter be made by Government and made applicable to them.

**14. Relaxation.** --- Any of the provision of these Regulations may, for reasons to be recorded in writing, be relaxed in individual cases, if Commission is satisfied that a strict application of the rules would cause undue hardship to the individual concerned.

**CHAIRMAN**  
**THE KHYBER PAKHTUNKHWA**  
**CHILD PROTECTION & WELFARE**  
**COMMISSION**

**APPENDIX-I**

<b>S. No.</b>	<b>Nomenclature of the posts.</b>	<b>Age.</b>	<b>Qualification</b>	<b>Method of recruitment.</b>
1	2	3	4	5
1.	Deputy Chief (Child Protection) (BPS-18).	25 to 40 years	i. M.A/ MSc (Social Sciences)/LLB degree from a recognized University. ii. 5 years relevant experience in matters relating to Child Rights	By initial recruitment;
2.	Assistant Chief (Child Protection) (BPS-17).	22 to 40 years	i. B.A/BSc degree from a recognized University, ii. 3 years relevant experience in the matters relating to Child Rights	By initial recruitment.
3.	Accountant (BPS-14).	21 to 40 years.	i. BBA Finance/ B. Com from recognized university, ii. One year relevant experience	By initial recruitment
4.	Office Assistant BPS-14).	21 to 40 years	Second Class Bachelor's Degree from a recognized University.	By initial recruitment.
5.	Computer Operator (BPS- 12).	21 to 35 years	Second Class Intermediate Certificate from a recognized Board and at least six months Certificate in Computer Automation from a recognized Institution.	By initial recruitment
6.	Junior Clerk (BPS-07).	18 to 25 years	FA/FSc	By initial recruitment.
7.	Driver (BPS-04).	18 to 40 years	(i) Matric (ii) Having a valid LTV Driving License.	By initial recruitment
8.	Naib Qasid/Mali/ Chowkidar/Dak Runner/ Sweeper (BPS-01).	18 to 45 years	Preferably Literate/ experienced	By initial recruitment.