

GOVERNMENT OF <sup>1</sup>[Khyber Pakhtunkhwa]

## LOCAL GOVERNMENT, ELECTION AND RURAL DEVELOPMENT DEPARTMENT

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 Notification

24th April, 1988

No. SO (LG-II) 3-5/86.--- In exercise of the powers conferred by section 172 of the <sup>2</sup>[Khyber Pakhtunkhwa] Local Government Ordinance, 1979 (<sup>3</sup>[Khyber Pakhtunkhwa] Ord. IV of 1979), read with section 46 thereof, the Government of <sup>4</sup>[Khyber Pakhtunkhwa] is pleased to make the following rules, namely:---

**THE LOCAL COUNCILS PROVINCIAL UNIFIED GROUP OF FUNCTIONARIES  
(REGULARIZATION OF SERVICES) RULES, 1988**

**1. Short title and commencement.** ---(1) These rules may be called the Local Councils Provincial Unified Group of Functionaries (regularization of Services) Rules, 1988.

2. They shall come into force at once.

**2. Definitions.**--- In these rules, unless the context otherwise requires:---

- (a) “ad hoc appointment” means appointment of a duly qualified person made otherwise than in accordance with the method of recruitment prescribed in respect of the post, pending recruitment in accordance with such method;
- (b) “Commission” means the <sup>5</sup>[Khyber Pakhtunkhwa] Public Service Commission;
- (c) “Government” means the Government of <sup>6</sup>[Khyber Pakhtunkhwa]; and
- (d) “post” means a post covered by clause (a) of sub-rule (3) of rule 9 of the Local Councils (Provincial Unified Group of Functionaries) Service Rules, 1981.

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<sup>1</sup> Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.

<sup>2</sup> Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.

<sup>3</sup> Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.

<sup>4</sup> Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.

<sup>5</sup> Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.

<sup>6</sup> Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.

**3. Regularization of services of certain *ad hoc* appointees:---** Notwithstanding anything contained in clause (a) of sub-rule (3) of rule 9 of the Local Councils (Provincial Unified Group of Functionaries) Rules, 1981, all persons holding *ad hoc* appointment to post, on or before 23rd January, 1988 and continuing as such till the commencement of these rules, 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 these rules:

**Provided that---**

- (i) the services of such holders of posts shall be deemed to have been regularized under these rules only on the publication of their names in the official Gazette;
- (ii) such holders of posts possess the qualification and experience for the time being prescribed for appointment to the post; and
- (iii) the Commission has in respect of the posts held by them not recommended any other person on or before the commencement of these rules.

**4. Determination of seniority.---** (1) The holders of posts whose services are regularized under these rules shall rank junior to all persons belonging to the same service or cadre, as the case may be, who are in service on regular basis on the commencement of these rules, 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 these rules, are to be appointed to the respective service or cadre, irrespective of their actual date of appointment.

2. The seniority interse of the holders of posts, whose service are regularized under these rules shall be determination on the basis of their continuous officiation in such services or cadre; provided that if the date of continuous officiation in the case of two or more holders of posts in the same, the holders of post older in age shall rank senior to the younger person.

**5. Ban on recruitment on *ad hoc* basis.---** Notwithstanding the provision contained in rules 23 and 24 of the Local Councils (Provincial Unified Group of Functionaries) Services Rules, 1981, there shall be no recruitment by way of *ad hoc* appointment for a period of ten years from the commencement of these rules.

Sd/- X X X

Secretary to Government of <sup>7</sup>[Khyber Pakhtunkhwa]

Local Government, Elections and Rural Development Department.

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<sup>7</sup> Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.