

**¹[Khyber Pakhtunkhwa] Public Service Commission
Officers and Servants (Terms and Conditions of Service Regulations), 1985**

[Gazette of ²[Khyber Pakhtunkhwa], Extraordinary, Page No. 114-117, 31st July, 1985]

No. SORI(S&GAD)4-4/80, dated 11-06-1985.---In exercise of the powers conferred by clause (b) of the sub-section (2) of Section 3 of the ³[Khyber Pakhtunkhwa] Public Service Commission Ordinance, 1978 (⁴[Khyber Pakhtunkhwa] Ord. No. XI of 1978), the Governor of the ⁵[Khyber Pakhtunkhwa] is pleased to make the following regulations, namely:--

PART-1 --- GENERAL

1. Short title and commencement.---(1) These regulations may be called the ⁶[Khyber Pakhtunkhwa] Public Service Commission Officers and Servants (Terms and Conditions of Service Regulations), 1985.

(2) These shall come into force at once.

2. Definitions.---In these regulations, unless the context otherwise requires, the following expressions shall have the meaning hereby respectively assigned to them, that is to say--

- (a) "Appendix" means the Appendix to these regulations;
- (b) "Board" means a Board of Intermediate and Secondary Education established by law in Pakistan or any other educational authority or institution declared by Government in consultation with the Commission to be a Board for the purpose of these rules;
- (c) "Chairman" means the Chairman of the Commission.
- (d) "Commission" means the ⁷[Khyber Pakhtunkhwa] Public Service Commission;
- (e) "Departmental Promotion Committee" means the Committee constituted by or under order of Government for making selection for promotion to a post;
- (f) "Government" means the Government of ⁸[Khyber Pakhtunkhwa];
- (g) "Governor" means the Governor of the ⁹[Khyber Pakhtunkhwa];

¹ Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.

² Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.

³ Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.

⁴ Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.

⁵ Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.

⁶ Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.

⁷ Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.

⁸ Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.

⁹ Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.

- (h) “Initial Recruitment” means the appointment made otherwise than by promotion or transfer from another Department / Service / Post;
- (i) “Post” means a post specified in the Appendix;
- (j) “Recognised University” means any University incorporated by law in Pakistan or any other University declared by Government in consultation with the Commission to be the recognised University for the purpose of these regulations;
- (k) “Secretary” means the Secretary of the Commission; and
- (l) “Service” means the Commission’s service.

PART-II --- RECRUITMENT

3. Constitution and Composition of Service.---The service shall comprise the posts specified in column 2 of the Appendix and such other posts as may be specified by Government from time to time.

4. Appointing Authority.---Appointments to posts shall be made by the authority mentioned against each such post in column 3 of the Appendix.

5. Method of Recruitment.---The posts shall be filled by initial recruitment, promotion, transfer or deputation as indicated in column 7 of the Appendix in the manner and subject to the conditions specified in columns 3 to 6 thereof.

6. Zonal Representation.---Initial recruitment shall be made in accordance with the quota reserved for various zones under any order or notification of Government for the time being in force.

7. Eligibility.---(1) No person who has married a foreign national shall be eligible for appointment to a post.

(2) The restriction imposed by sub-clause (1) may be relaxed by Government in the case of a person who is married to a citizen of India.

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 4 of the Appendix:---

- (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 the case of a person whose service under Government has been terminated for want of a 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 a written examination, as on the first of January of the year in which the examination is proposed to be held; and
 - (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 5 of the Appendix.

(2) No person, not already in Government services, shall be appointed to a post unless he produces a certificate of character from principal academic officer of the institution last attended and also certificates of character from two other responsible persons not being his relatives, who are acquainted with his character and antecedents.

PART-III --- CONDITIONS OF SERVICE

10. Probation.---(1) Persons appointed to the posts against substantive vacancies, other than those appointed by transfer or on deputation, shall remain on probation for a period of two years if appointed by initial recruitment and for a period of one year if appointed by promotion.

Explanation.---Officiating service and service spent on deputation to a corresponding or a higher post may be allowed to count toward the period of probation.

(2) If the work and conduct of a member of the 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 services 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 completion of the period of probation of a member of the Service, the appointing authority may, subject to the provisions of sub-clause (4), confirm him in his appointment, or if his work and conduct has, in the opinion of such authority, no 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 two years 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 probationary period, the period of probation shall be deemed to have been extended.
- (ii) If no orders have been made by the day on which the maximum period of probation expires, the probationer shall, subject to sub-clause (4), be deemed to have been confirmed in his appointment.
- (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 the provisions of sub-clause (3) (c) of this clause, the date of confirmation shall, subject to the other provisions of this clause, be the date on which the period of probation was last extended.

(4) No person shall be confirmed in the Service unless he successfully completes such training and passes such departmental examinations may be prescribed by the Commission from time to time.

(5) If a member of the Service fails to complete successfully any training or pass any departmental examination prescribed under sub-clause (4) within such period or in such number of attempts as may be prescribed by the Commission, the appointing authority may—

- (a) in case he has been appointed by initial recruitment, dispense with his services; 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 services.

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

- (a) in the case of persons appointed by initial recruitment, in accordance with the order of merit assigned by the Commission, if the appointment is made on the basis of a competitive examination, and in other cases, in accordance with the order of merit assigned by the appointing authority;

provided that persons selected for service in an earlier selection shall rank senior to the persons selected in the later selection; and

- (b) in the case of persons appointed by promotion, with reference to the dates of their continuous appointment therein; provided that if the date of continuous appointment in the case of two or more persons is the same, the older official if not junior to the younger official or officials 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.
 - (ii) If a junior official in a lower scale / post is promoted to a higher scale / post by superseding a senior official and subsequently that senior official is also promoted, the official promoted first shall rank senior to the official promoted subsequently;
 - (iii) A junior official appointed to a higher scale / post shall be deemed to have superseded a senior official only if both the junior and senior official were considered for the higher scale / post and the junior official was appointed in preference to the senior official.
- (2) The seniority of holders of posts 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 and 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 appointment by initial recruitment and to the date of continuous appointment against such vacancy in case of the official appointed otherwise; provided that, if the two dates are the same, the official appointed by promotion shall rank senior to the official appointed by initial recruitment;
 - (b) in case the official appointed by initial recruitment has been appointed against a substantive vacancy and the official appointed by promotion has been appointed against a 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. Liability to Transfer.---Members of the Service shall be liable to:---

- (a) transfer anywhere in the ¹⁰[Khyber Pakhtunkhwa]; and
- (b) serve in any department of Government or any local authority or statutory body set up or established by Government.

13. General Regulation.---In all matters not expressly provided for in these regulations, members of the Service shall be governed by such rules / regulations as have been or may hereafter be made by Government and made applicable to them.

14. Relaxation.---Any of these regulations may, for reason to be recorded in writing, be relaxed in individual cases, if the Governor is satisfied that a strict application of the regulation would cause undue hardship to the individual concerned; provided that where such relaxation involves a question on which consultation with the Commission is mandatory, the Commission shall be consulted before the relaxation is made.

15. Delegation.---Governor may delegate all or any of its powers under these regulations to any officer subordinate to him.

APPENDIX
[See regulation 2 (a), 3, 4,5,6]

S. No.	Nomenclature of Post	Appointing Authority	Age	Qualification	Minimum Experience	Method of Recruitment
1	2	3	4	5	6	7
1	Secretary	Governor in consultation with the Chairman.	---	---	Five years' experience of a responsible post in BPS-17 and above.	By temporary transfer of an officer in BPS-18 or above.
2	Psychologist	Governor in consultation with the Chairman.	25-35 years	Second Class Master's Degree in Psychology from recognised	Five years experience gained after Master Degree in Psychology as specified	At the discretion of the appointing authority:--- (a) by initial recruitment;

¹⁰ Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.

1	2	3	4	5	6	7
				University.	<p>below:--</p> <p>(a) Field Specialization : Counselling Psychologist, personnel Psychologist, Psychometricians of Clinical Psychologist.</p> <p>(b) Nature of Experience: Teaching Experience / Professional Research in test construction, measurement and evaluation, vocational counselling, personnel selection and placement, job analysis and related areas.</p> <p>Provided that a candidate holding first class Master's Degree in Psychology with three years experience as above shall also be</p>	<p>or</p> <p>(b) by promotion from the holder of the post of Assistant Psychologists; or</p> <p>(c) by transfer on deputation.</p>

1	2	3	4	5	6	7
					eligible for appointment.	
2A.	Director Examination / Director Recruitment	Governor in consultation with the Chairman.	---	Bachelor's Degree from a recognised University	Five years service as such.	(i) By promotion, on the basis of seniority-cum-fitness, from amongst the Deputy Secretary / Controller of Examination; or (ii) By temporary transfer from a Government Department, if no suitable officer is available]
3	Deputy Secretary	Governor in consultation with the Chairman.	---	---	Ten years' administrative experience.	By promotion on the basis of seniority-cum-fitness from amongst the holders of the posts of Registrar Examinations / Superintendents / Private Secretaries to the Chairman.
4	Assistant Psychologist	Governor in consultation with the Chairman.	22-32 years	(a) First Class Master's Degree in Psychology from a	Experience in the relevant field is preferable	(i) By initial recruitment; or (ii) By temporary

1	2	3	4	5	6	7
				recognised University with special emphasis on theory and practice of test construction, its use and interpretation and / or statistical methods of research and techniques; or		transfer or deputation at the discretion of the appointing authority.
				(b) Second class Master's Degree in Psychology from a recognised university with the emphasis at (a) above.	Two years' teaching / research experience at college level.	
4A.	Controller of Examination	Governor in consultation with the Chairman.	---	---	Ten years administrative experience.	(i) By promotion on the basis of seniority-cum-fitness from amongst the holders of the post of Registrar Examinations / Superintendents / Private Secretary to

1	2	3	4	5	6	7
						<p>the Chairman; or</p> <p>(ii) By transfer, or on deputation at the discretion of the appointing authority in consultation with the Chairman. .</p>
5.	Registrar / Superintendent / Private Secretary to the Chairman.	Chairman in consultation with the Departmental Promotion Committee.	---	---	Five years' service as Assistant / Senior Scale Stenographer.	<p>By promotion on the basis of seniority-cum-fitness from amongst the holders of the posts of Assistant / Senior Scale Stenographers .</p> <p>Note: A common seniority list shall be maintained for Assistants and Senior Scale Stenographers for the purpose of promotion to the post of Superintendent / Private Secretary; provided that where the date of</p>

1	2	3	4	5	6	7
						continuous appointment of Assistant and Senior Scale Stenographer is the same, the Assistant shall be deemed to be senior to the Senior Scale Stenographer.
6	Statistical Investigator	Chairman	21-25 years	M.A Statistics 2nd Class or B.A/ B.Sc. 2nd Class with Statistics as one of the subjects from a recognised University.	Two years' practical experience of Statistical work.	By initial recruitment.
7.	Senior Scale Stenographer.	Secretary	18-25 years	(i) Secondary School Certificate or equivalent qualification from a recognised Board; and (ii) A speed of 120 words per minute in English Short-hand and 40 words per	Five years service as Junior Scale Stenographer in case of promotion.	(a) By promotion on the basis of seniority-cum-fitness from amongst the holders of the post of Junior Scale Stenographers; or (b) If no suitable Junior Scale Stenographer is available for

1	2	3	4	5	6	7
				minute in English typing.		promotion, then by initial recruitment.
8.	Junior Scale Stenographer	Secretary	18-25 years.	(i) Secondary School Certificate or equivalent qualification from a recognised Board; and (ii) Minimum speed of 80 words per minute in English Short-hand and 30 words per minute in English typing.		By initial recruitment provided that 10 percent of the posts shall be reserved for ex-servicemen of the Armed Forces of Pakistan and one percent for disabled persons.
9	Assistant	Secretary	18-25 years	Degree from a recognised University	Three years experience as Senior Clerk.	(a) Fifty percent by initial recruitment out of which ten percent shall be reserved for ex-servicemen of the Armed Forces of Pakistan and one percent for disabled

1	2	3	4	5	6	7
						persons; and (b) Fifty percent by promotion on the basis of seniority-cum-fitness from amongst the holder of the posts of Senior Clerks.
¹¹ 9A.	Librarian (Junior Scale)	Chairman.	20-30 years	Degree from a recognised university with Diploma in Library Science.	---	By initial recruitment.
10	Senior Clerk.	Secretary	---	---	Two years' experience as Junior Clerk.	By promotion on the basis of seniority-cum-fitness, from amongst holders of the post of Junior Clerks.
11.	Junior Clerk	Secretary	18-25 years	(i) Secondary School Certificate or equivalent qualification from a recognised Board; and (ii) A speed	---	By initial recruitment; provided that ten percent of the posts shall be reserved for ex-servicemen of the Armed Forces of Pakistan, one percent for

¹¹ . Inserted by Notification No. SORI (S&GAD) 4-4/80 and amended by Notification No. SORI(S&GAD)4-4/80, (Vol. I) dated 11-12-1985 and 04-05-1995 respectively.

1	2	3	4	5	6	7
				of 30 words per minute in English typing.		disabled persons and twenty percent for Daftaries and Naib Qasids who possess Secondary School Certificate or equivalent qualification from a recognised Board.
12.	Daftari	Secretary	18-25 years	Middle standard.	---	<p>By initial recruitment:</p> <p>(a) Fifty percent by initial recruitment; provided that ten percent of the posts shall be reserved for ex-servicemen of the Armed forces of Pakistan and one percent for disabled persons; and</p> <p>(b) Fifty percent by promotion on the basis of seniority-cum-fitness from amongst holders of</p>

1	2	3	4	5	6	7
						the posts of Naib Qasid having middle standard education.
13	Drivers	Secretary	18-40 years	Possessing a valid Driving Licence, preference will be given to literate.	---	By initial recruitment.
14	Naib Qasid / Chowkidar / Mali / Bahishti	Secretary	18-40 years	Preferably literate.	---	By initial recruitment.
15	Sweeper	Secretary	18-40 years	Preferably literate	---	By initial recruitment.
