



# KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, WEDNESDAY, 18<sup>th</sup> NOVEMBER, 2020.

## RIGHT TO PUBLIC SERVICES COMMISSION (RTPSC) GOVERNMENT OF KHYBER PAKHTUNKHWA

### NOTIFICATION

Dated Peshawar, the 13<sup>th</sup> November, 2020.

**No. SEC/RTPSC/Reg/03/2020 (Amendment):** In exercise of the powers conferred by Section 27 of the Khyber Pakhtunkhwa Right to Public Services Act, 2014 (Khyber Pakhtunkhwa Act No. IV of 2014), the Khyber Pakhtunkhwa Right to Public Services Commission is pleased to direct that in the Khyber Pakhtunkhwa Right to Public Services Employees (Terms and Conditions of Service) Regulations, 2018, the following further amendments shall be made, namely:

### AMENDMENTS

1. In the preamble, after the words "conferred under", the words "Section 17 sub Section (2) and" shall be deleted;
2. In the preamble, after the words "section 27 of the Khyber Pakhtunkhwa Right to Public Services", the word "Commission" shall be deleted;
3. In the preamble, after the word "Rules", the word "(Amendment)" shall be added;
4. In Part-I, in Regulation 1, in sub-Regulation (1), after the words "(Terms and Conditions of Service)" the word "(Amendment)" shall be added;
5. In Part-I, in Regulation 2, for the word "Rules" the word "Regulations" shall be substituted;
6. In Part-I, in Regulation 2 (a), the word "Contract" shall be deleted and for the words "as such as per term of reference" the words "under these regulations" shall be substituted;
7. In Part-I, in Regulation 2 (d), after the word "Rules", the word "(Amendment)" shall be added;
8. In Part-I, in Regulation 2, after sub-regulation (k), the following sub-Regulation (l) shall be added:  

“(l) “Absorption” means absorption of a deputationist in the same pay scale;”
9. In Part-I, in Regulation 2, so as renumbered, in sub-Regulation (n), after the words "(Terms and Conditions of Service)" the word "(Amendment)" shall be added;
10. In Part-I, in Regulation 2, so as renumbered, after sub-regulation (r), the following sub-Regulations (s) and (t) shall be added:

“(s) In matters, not expressly provided in these regulations, the rules as applicable to Civil Servants of government of Khyber Pakhtunkhwa, not inconsistent with the Act, Rules and Regulations of the Commission, shall, mutatis mutandis, be applicable to the employees of the Commission.”

“(t) “Competent Authority” means Chief Commissioner Right to Public Services Commission, Government of Khyber Pakhtunkhwa.”

11. In Part-II, in Regulation 3, after the marginal heading, for the word “authorities”, the word “authority” shall be substituted;

12. In Part-II, in Regulation 3, in row no.2, column no.3, after the words “Selection and Promotion Committee” the comma and words “headed by a Commissioner, so nominated.” shall be added;

13. In Part-II, in Regulation 4, in column no.1, for the figures “1, 2, 3, 4 and 5”, the words “a, b, c, d & e” shall be substituted;

14. In Part-II, in Regulation 6, the following sub-Regulation (ii) shall be added;

“(ii) Absorption: Commission may absorb any deputationist against a vacant post in the same pay and scale.”

15. In Part-II, in Regulation 7, for sub-Regulations number “(1), (2), (3), (4), (5), (6), (6), (7), (8), (9), (10), (11), (12) and (13)”, sub Regulations Roman numbers “(i), (ii), (iii), (iv), (v), (vi), (vii), (viii), (ix), (x), (xi), (xii), (xiii) and (xiv)” shall be substituted;

16. In Part-II, in Regulation 7, so as renumbered, in sub-Regulation (xiii), after the word “higher post” the word “or scale” shall be added;

17. In Part-II, in Regulation 7, so as renumbered, in sub-Regulation (xiv), for the word “persons” the word “employees” shall be substituted;

18. In Part-II, in Regulation 7, the following sub-Regulation (xv) shall be added;

“(xv) Timescale promotion for similar scale, posts and nomenclature. In case of non-availability of post in the next higher scale an employee may be placed in the next higher scale after seven (07) years of service with same designation for other posts specific to the Commission and as notified from time to time, as per appendix.”

19. In Part-II, in Regulation 8, after the full stop the following shall be added;

“His services will be subject to terms and conditions contained in the offer letter. Provided that the services of such contract employee may also be terminated by the competent authority without assigning any reason.”

20. In Part-II, in Regulation 9, for sub-Regulation number “(1)”, sub Regulations Roman numbers “(i)” shall be substituted;

21. In Part-II, in Regulation 9, in sub-Regulation (i), for the words “under any order or notification of Government for the time being in force” the words “as per policy of Government” shall be substituted;

22. In Part-II, in Regulation 9, in sub-Regulation (2) and (3) shall be deleted.

23. In Part-II, in Regulation 9, the following sub-Regulation (ii) shall be added;

“(ii) Quota for Female, disabled Persons and Minorities: - As per Government policy.”

24. In Part-II, in Regulation 11, for sub-Regulations number “(1), (2), (3), (4) and (5)”, sub Regulations Roman numbers “(i), (ii), (iii), (iv) and (v)” shall be substituted;

25. In Part-II, in Regulation 11, in sub-Regulation (iii), for sub-Regulations Roman number “(i), (ii), (iii) and (iv)”, sub Regulations alphabetical numbers “(a), (b), (c) and (d)” shall be substituted;

26. In Part-II, in Regulation 11, in sub-Regulation (iii), for the words “The Government of Khyber Pakhtunkhwa Policy regarding recruitment, upgradation of posts, age relaxation, experience and other matters, ancillary and incidental thereto the service, may be applicable to the employees of



the Khyber Pakhtunkhwa Right to Public Services Commission but shall not be inconsistent with the Khyber Pakhtunkhwa Right to Public Services Employees (Terms and Conditions of Service) Regulations, 2018" the following words shall be substituted:

"The Government of Khyber Pakhtunkhwa policy and rules of recruitment, upgradation of posts, age limit, age relaxation, gender, minorities, disabled quota, experience and other matters, ancillary and incidental thereto shall be applicable, mutatis mutandis, to the employees of the Khyber Pakhtunkhwa Right to Public Services Commission."

27. In Part-II, in Regulation 11, in sub-Regulation (iv) (b), after the words "Selection shall" the word "also" shall be added:

28. In Part-II, in Regulation 11, in sub-Regulation (iv) (b), for sub-Regulations Roman number "(i), and (ii)", sub Regulations alphabetical numbers "(c) and (d)" shall be substituted:

29. In Part-II, in Regulation 11, in sub-Regulation (iv) (d), before the words "academic qualifications" the words "Experience and" shall be deleted;

30. In Part-II, in Regulation 11, in sub-Regulation (iv) (d), after the words "academic qualification" the words "from the respective Boards, Universities and other institutions" shall be added:

31. In Part-II, in Regulation 11, in sub-Regulation (iv), the following sub-Regulation (e) shall be added:

"(e) Verification of experience from the respective Institution."

32. In Part-II, in Regulation 11, in sub-Regulation (v), for the words "is certified to be medically fit by:" the words "produces a medical certificate from:" shall be substituted;

33. In Part-II, in Regulation 11, in sub-Regulation (v) (a), for the words "a standing Medical Board, in relation to a post by initial recruitment in BPS-17 and above; or" the words "Services Hospital Peshawar," shall be substituted:

34. In Part-II, in Regulation 11, in sub-Regulation (v) (b), for the words "the Medical superintendent of Services Hospital, Peshawar, in relation to a post in BPS-16 and below," the words "Medical superintendent DHQ of respective district," shall be substituted:

35. In Part-III, in Regulation 12, for sub-Regulation number "(2)", sub Regulation alphabetical numbers "(d)" shall be substituted:

36. In Part-III, in Regulation 13, for sub-Regulations number "(1), (2) and (3)", sub Regulations Roman numbers "(i), (ii), and (iii)" shall be substituted:

37. In Part-III, in Regulation 14, for sub-Regulations number "(1) and (2)", sub Regulations Roman number "(i) and (ii)" shall be substituted:

38. In Part-III, in Regulation 14, after the explanation part, in sub-Regulation (ii) for the word "regular", the word "initial" shall be substituted:

39. In Part-IV, in Regulation 15, after the marginal heading, the words "Subject to Government policy, as revised from time to time," shall be added:

40. In Part-IV, in Regulation 16, for sub-Regulations number "(1), (2), (3), (4) and (5)", sub Regulations Roman numbers "(i), (ii), (iii), (iv) and (v)" shall be substituted:

41. In Part-IV, in Regulation 17, for sub-Regulations number "(1), (2), (3) and (4)", sub Regulations Roman numbers "(i), (ii), (iii) and (iv)" shall be substituted:

42. In Part-IV, in Regulation 17, in sub-Regulation (i), for the word "procedure", the words "Provision contained in Regulation 18 (ii)" shall be substituted:

43. In Part-IV, in Regulation 17, sub-Regulations (ii) and (iii) shall be deleted;

44. In Part-V, from the major heading, "GENERAL RULES" the word "RULES" shall be deleted;

45. In Part-V, in Regulation 18, after the marginal heading, the following sub-Regulation (i) shall be added:

"(i) Competent authority means the appointing authority as specified in regulation 3 of these regulations."

46. In Part-V, in Regulation 18, in sub-Regulation (ii), after the words "The provisions", the words "and procedures" shall be added;

47. In Part-V, in Regulation 18, in sub-Regulation (ii), after the word "applicable", the word "comma mutatis mutandis" shall be added;

48. In Part-V, in Regulation 19, for sub-Regulations number "(1) and (2)", sub Regulations Roman numbers "(i) and (ii)" shall be substituted;

49. In Part-V, in Regulation 19, in sub-Regulation (i), for the words "in addition to other", the words "and other emoluments" shall be substituted;

50. In Part-V, in Regulation 19, the following sub-Regulation (iii) shall be added;

"(iii) The Commission will frame regulations for creation and management of CP Fund and Gratuity for the employees of the Commission under section 27 of the Act, 2014."

51. In Part-V, in Regulation 21, after the words all persons employed by the Commission, the words "subject to fulfillment of requirements for the post" shall be added.

52. In Part-V, in Regulation 21, for the words "as per their Terms of Reference (ToRs) of appointment unless, modified, amended, or altered through appropriate legal instruments", the following words shall be substituted:

"under these Regulations with the status of public servants as defined under section 18 of the Right to Public Services Act, 2014"

53. In Part-V, in Regulation 22, after the word "Rules", the word "(Amendment)" shall be added

54. In Part-V, in Regulation 23, after the word "matter", the words "in respect of matters under these regulations" shall be deleted;

55. In Part-V, in Regulation 24, for sub-Regulations number "(1) and (2)", sub Regulations Roman numbers "(i) and (ii)" shall be substituted;

56. In Part-V, in Regulation 24, for the words "abolition, re-designation and readjustments of posts as austerity measures and as per requirements of the Commission, from time to time.", the words "of posts. The Commission may abolish, re-designate and readjust posts as austerity measures and requirements of the Commission." shall be substituted;

57. In Appendix, at S. No.1, in Column No.6, after the words "five years' service", the words "as such" shall be deleted and the words "and experience in Administration, Financial, Coordination and Monitoring" shall be added.

58. In Appendix, at S. No.1, in Column No.6, for the words "recruitment/Deputation/transfer", the words "recruitment or deputation or transfer" shall be substituted, and the words "Deputation shall be governed as per provisions of Section 10 of Act, Rule No.13 of RTS Rules and policy of the government" shall be deleted.



59. In Appendix, at S. No.3, in Column No.6, after the words "office Assistant (BPS-16)", the words "Assistant to Chief Commissioner (BPS-16), Assistant to Commissioners (BPS-16), Assistant to Secretary (BPS-16)" shall be added.
60. In Appendix, at S. No.5, in Column No.2, for the nomenclature of the post "Assistant Registrar", the nomenclature "Monitoring and Coordination Officer" shall be substituted.
61. In Appendix, at S. No.5, in Column No.4, for the qualification "At least 2<sup>nd</sup> Class LLB Degree", the qualification "Master (or equivalent) in Law, sociology, developmental Studies and MBA/MPA" shall be substituted.
62. In Appendix, at S. No.5, in Column No.6, before the words "By initial Recruitment/Deputation", the words "By promotion, on the basis of seniority-cum fitness, from amongst the Assistants and DMOs (BPS-16) with five years' service as such: Provided that if no Suitable official is available for promotion then" shall be added.
63. In Appendix, at S. No.6, in Column No.4, for the words "in one of the", the words "in Computer science, IT and" shall be substituted.
64. In Appendix, at S. No.6, in Column No.6, for the words "By initial Recruitment/Deputation", the words "By promotion, on the basis of seniority-cum fitness, from LT Assistant (BPS-16) with three years' service as such: Provided that if no suitable official is available for promotion then by Initial recruitment/deputation." shall be substituted.
65. In Appendix, at S. No.7, in Column No.6, for the words "Junior Clerks/Assistants (BPS-11)", the words "Senior Clerks" shall be substituted.
66. In Appendix, at S. No.8, in Column No.4, after the words "Non-government organization", the words "with experience of IT and Electronic Media" shall be added and in Column No.6, the word "Deputation" shall be deleted.
67. In Appendix, at S. No.8 to 21, in Column No.6, the word "Deputation" shall be deleted.
68. In Appendix, at S.No. 10, in column No.4, the words "**Note:** 33% of the qualifying ten (10) years' service will be placed in BPS-17 (Next higher scale)." shall be deleted
69. In Appendix, at S. No.13, in Column No.6, for the words "Junior Clerks/Assistants (BPS-11) with five years' service", the words "Senior Clerks with three years' service" shall be substituted.
70. In Appendix, at S. No.15, in Column No.4, for the qualification "At least 2<sup>nd</sup> Class Matriculation", the qualification "FA/F.Sc with second division" shall be substituted.
71. In Appendix, at S. No.15, in Column No.6, for the words "50% By promotion, on the basis of seniority-cum fitness, from amongst the Naib Qasids with five years' service as such and 50% by initial by Recruitment: Provided that if no Suitable official is available for promotion then by Initial recruitment/Deputation." The following words shall be substituted:  
  
"10% By promotion, subject to availability of post on the basis of seniority-cum fitness, from amongst the Naib Qasids with Two years' service as such, who have passed FA/F.Sc Examination or its equivalent qualification form a recognized Board: and 60%by Initial Recruitment: Provided that if no Suitable official is available for promotion then all by initial recruitment"
72. In Appendix, at S. No.16, in Column No.3, for the figure "7" The figure "8" shall be substituted.

SECRETARY

KHYBER PAKHTUNKHWA RIGHT TO PUBLIC SERVICES COMMISSION  
GOVT OF KHYBER PAKHTUNKHWA