

THE '[?KHYBER PAKHTUNKHWA ROAD TRANSPORT
BOARD] REMOVAL OF UNDESIRABLE
EMPLOYEES ORDINANCE, 1965.

(WEST PAKISTAN ORDINANCE NO. VIII OF 1965.)
[17TM May, 1965.]

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3 Substituted vide Khyber Pakhtunkhwa Act, No. V of 1974.

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AN
ORDINANCE

to provide for the termination of services of undesirable employees of the
7 "[Khyber Pakhtunkhwa] Road Transport Board]

WHEREAS, it is expedient to make provision for the termination of the
services of undesirable employees of the * *[Khyber Pakhtunkhwa] Road
Transport Board], in the manner hereinafter appearing;

AND WHEREAS, the Provincial Assembly of West Pakistan is not in
session and the Governor of West Pakistan is satisfied that circumstances exist
which render immediate legislation necessary;

NOW, THEEFORE, in exercise of the powers conferred on him by
clause (1) of Article 79 of the Constitution, the Governor of West Pakistan is
pleased to make and promulgate the following Ordinance:—

1. (1) This Ordinance may be called the "[*[Khyber Pakhtunkhwa,] Road
Transport Board] Removal of Undesirable Employees Ordinance, 1965.

(2) It shall come into force at once.

°[2. —In this Ordinance unless the context otherwise requires, the following

expressions shall have the meaning hereby respectively assigned to them, that is
to say—

' Substituted vide Khyber Pakhtunkhwa Act, No. V of 1974.

* Substituted vide Khyber Pakhtunkhwa Act, No.1V of 2011.

3 Substituted vide Khyber Pakhtunkhwa Act, No. V of 1974.

4 Substituted vide Khyber Pakhtunkhwa Act, No.1V of 2011.

5 Substituted vide Khyber Pakhtunkhwa Act, No. V of 1974.

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7 Substituted vide Khyber Pakhtunkhwa Act, No. V of 1974.

8 Substituted vide Khyber Pakhtunkhwa Act, No.1V of 2011.

° Substituted vide Khyber Pakhtunkhwa Act, No. V of 1974.

Preamble.

Short title and
commencement.

Definitions.

(a)

(b)

(o)

(a)

(e)

3. If in the

“appropriate authority” means.—

(i) Government in the case of employees appointed by Government, or person whose services have been transferred by Government to the Board;

(ii) Board in the case of employees by the Board; and

(iii) General Manager in the case of employees appointed by an authority or officer subordinate to the Board;

“Board” means the '[7[Khyber Pakhtunkhwa], Road Transport Board] established under section 70 of the West Pakistan Motor Vehicles Ordinance 1965 (W. P. Ord. No. XIX of 1965);

“employee” means any person serving in connection with the affairs of the Board, including a person whose services have been transferred to the Board, but does not include a person on deputation from a Government Department;

“General Manager” means the General Manager of the Board; and

“Government” means the Government of the *[Khyber Pakhtunkhwa.]

opinion of the appropriate authority any employee is

undesirable and it is expedient, in the public interest, to terminate his services, the appropriate authority may, notwithstanding anything to the contrary, contained in any law, rule or instrument having the force of law—

(i) after giving such employee a reasonable opportunity to show cause against the action proposed to be taken against him, terminate his services; and

(ii) direct that such gratuity or Provident Fund as may be admissible to such employee under the rules and specified in the order be paid to him.

' Substituted vide Khyber Pakhtunkhwa Act, No. V of 1974.

? Substituted vide Khyber Pakhtunkhwa Act, No. IV of 2011.

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

Termination of
services.

4. (1) Any employee in respect of whom an order terminating his services has been made under section 3 by the [General Manager] or the *[Board], may, within fifteen days of the communication to him of the order, appeal against the order to Government, and the order made in appeal shall be final.

(2) Where an order of retirement under section 3 has been made by Government, no appeal shall lie against such order, but the person in respect of whom such an order has been made, may, within fifteen-days of the communication to him of such order, apply for review of the order to Government and any order passed in review shall be final.

5. No suit, prosecution or other legal proceedings shall lie against Government, the “[Board] or any other officer or servant of the “[Board] for anything in good faith done or intended to be done under this Ordinance.

' Substituted vide Khyber Pakhtunkhwa Act, No. V of 1974.

? Substituted vide Khyber Pakhtunkhwa Act, No. V of 1974.

3 Substituted vide Khyber Pakhtunkhwa Act, No. V of 1974.

4 Substituted vide Khyber Pakhtunkhwa Act, No. V of 1974.

Appeal.

Protection taken
under the Ordin-
ance.