

THE KHYBER PAKHTUNKHWA TEACHERS (APPOINTMENT AND
REGULARIZATION OF SERVICES) ACT, 2022.
(KHYBER PAKHTUNKHWA ACT NO. XLI OF 2022)

CONTENTS

PREAMBLE

1. Short title, application and commencement.

Definitions

Regularization of services of teachers.

FY N

Overriding effect.

THE KHYBER PAKHTUNKHWA TEACHERS (APPOINTMENT AND
REGULARIZATION OF SERVICES) ACT, 2022.
(KHYBER PAKHTUNKHWA ACT NO. XLI OF 2022)

(First published after having received the assent of the Governor of the
Khyber Pakhtunkhwa in the Gazette of the Khyber Pakhtunkhwa,
(Extraordinary), dated the 20th September, 2022).

AN
ACT

to provide for the appointment and regularization of the services of certain
teachers appointed on ad-hoc/ contract basis in the Elementary and Secondary
Education Department in the Province of Khyber Pakhtunkhwa

WHEREAS, it is expedient to provide for the appointment and
regularization of the services of certain teachers appointed on ad-hoc/contract
basis in the Elementary and Secondary Education Department in the Province
of Khyber Pakhtunkhwa, in the public interest;

It is hereby enacted by the Provincial Assembly of Khyber Pakhtunkhwa
as follows:

1. Short title, application and commencement.---(1) This Act may be
called the Khyber Pakhtunkhwa Teachers (Appointment and Regularization of
Services) Act, 2022.

(2) — It shall apply to all the teachers, as defined in clause (d) of
sub-section (1) of section 2 of this Act.

(3) — It shall come into force at once.

2. Definitions.--- (1) In this Act, unless the context otherwise requires,-

(a) "Government" means the Government of Khyber
Pakhtunkhwa;

(b) "law or rules" means the law or rules, for the time being in
force, governing the selection and appointment of civil
servants;

(c) "post" means a post of teacher in the Elementary and

Secondary Education Department; and

(d) "teachers" mean duly qualified persons, who are appointed
as Primary School Teachers, Certified Teachers, Drawing
Masters, Physical Education Teachers, Theology Teachers,
Arabic Teachers, Qari/Qaria Teachers, Certified Teachers
IT, Primary Teachers and Secondary School Teachers,
having different pay scales, in the Elementary and
Secondary Education Department, on ad-hoc/contract
basis, through National Testing Service/the Khyber

Pakhtunkhwa Educational Testing and Evaluation Agency (ETEA) or any other testing service, but does not include the teachers engaged on work charge basis or who are paid out of contingencies or engaged by Parent Teachers Council.

(2) The expressions "ad-hoc appointment" shall have the same meaning as is respectively assigned to them in the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No. XVIII of 1973).

3. Regularization of services of teachers.---(1) Notwithstanding anything contained in any law or rules, for the time being in force, all the teachers, who are holding various posts from 08.03.2017 till the commencement of this Act, shall be validly appointed, on regular basis, from the date of their initial appointment; provided that,-

(a) they possess the same qualification and experience required for a regular post;

(b) they have not resigned from their services or terminated from services on account of misconduct, inefficiency or any other ground, before the commencement of this Act;

(c) the service promotion quota of all service cadres shall not be affected; and

(d) they shall be entitled for seniority and pay from the date of their initial appointment on ad-hoc basis.

(2) The services of the teachers shall be deemed to have been regularized only on the publication of their names in the official Gazette.

4. Overriding effect.--- Notwithstanding anything to the contrary contained in any other law or rules for the time being in force, the provisions of this Act shall have an overriding effect and the provisions of any such law or rules, to the extent of inconsistency to this Act, shall cease to have effect.