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PART I

Acts, Ordinances, President's Orders and Regulations

GOVERNMENT OF GILGIT-BALTISTAN

LAW AND PROSECUTION DEPARTMENT
(Gilgit-Baltistan Secretariat)

Gilgit, the 24th June, 2020

The Gilgit-Baltistan Employees (Regularization of Services) Act, 2020

(ACT No. VIII OF 2020)

AN

ACT

To provide for the appointment and regularization of services of certain employees appointed on contract basis against civil posts and contract basis against project posts and contingent paid services.

WHEREAS, it is expedient to provide for the appointment and regularization of services of certain employees appointed on contract basis against civil posts, contract Basis against project post and contingent paid basis in the province of Gilgit-Baltistan;

481(1—4)

[5702(2020)/Ex Gaz.]

Price : Rs. 6.00

It is hereby enacted as follows:

1. **Short title, application and commencement.**—(1) This Act may be called the Gilgit-Baltistan Employees (Regularization of Services) Act, 2020.

(2) It shall come into force at once and applicable only for one time.

2. **Definition.**—(1) In this Act, unless the context otherwise requires;

(a) “Contract appointment” means appointment against civil post and completed at least two (02) years of contract services and also appointed on contract basis through Prime Minister’s assistance package for families of Government employees who die in service;

(b) “Civil Post” means a civil post under Government or in connection with the affairs of Government to be filled in on the recommendation of the commission;

(c) “Departmental Selection Committee” means a Departmental Selection Committee, constituted for purpose of making selection for initial recruitment to civil post under a Government Department or office of Government;

(d) “Government” means the Government of Gilgit-Baltistan;

(e) “Employees” means duly qualified persons, who are appointed against any civil post, appointed against project post or contingent paid services; “Deputationist” means an employee of the Federal Government or any provincial government whose services have been requisitioned and placed at the disposal of GB Government.

(f) “Law or rule” means the law or rule, for the time being in force, governing the selection and appointment of civil servants;

(g) “Project” means a perpetual nature project, the continuation of which and conversion to regular budget is essential for service delivery duly identified by the Departments;

(h) “Project employees” means an employee working in project, HR (human resource) and on contract basis implement by the GB Government either locally or federally funded holding domicile of Gilgit-Baltistan.

3. Regularization of services of contract employees.— Notwithstanding anything contained in any law or rules, the employees appointed on contract basis and completed two years service shall be deemed to have been validly appointed on regular basis, from the date of commencement of this Act, subject to verification of their qualifications and other credentials by the concerned Government Department. Deputationists having GB domicile, who are regular employees of federal or any provincial government, may be offered one time dispensation as to whether they opt to get absorbed permanently in the government of GB or to get repatriated to the parent department/organization.

4. Regularization of services of project employees.— Notwithstanding anything contained in any law or rules, the employees working in project which are funded Locally or Federal funded and completed 01 years continuous services shall be deemed to be validly appointed on regular basis against available vacant positions. Provided that the Department shall manage to adjust the incumbent of project employees against the available vacant positions in the same nomenclature, BPS and Cadre.

- (i) In case of non-available vacant posts for the employees of project, the concerned Department shall regularize their services as and when creation of the post on approval of PC-IV in the same project.

5. Regularization of services of Contingent Employees.— All such contingent employees who are working in different Departments of GB appointed before July, 2016 and biometrically verified shall be regularized after creation of regular/permanent posts after getting concurrence/approval from Federal Finance Ministry through GB Finance Department.

6. General condition for regularization.—for the purpose of regularization of the employees under this Act, the following general condition shall be observed:

- (i) The services promotion quota of all services cadres shall not be affected;
- (ii) The employees shall possess the same qualification and experiences as required for a regular post;
- (iii) The employees have not resigned from their services or terminated from service on account of misconduct, inefficiency or any other grounds before the commencement of this Act;

7. **Seniority.**—(1) All employees whose services are regularized under this Act or in the process of attaining service at the commencement of this Act, shall rank junior to all civil servants belonging to the same service or cadre, as the case may be, who are in service on regular basis on the commencement of this Act, and shall also rank junior to such other persons, if any, who, in Selection Committee, as the case may be, made before the commencement of this Act, are to be appointed to the respective service or cadre, irrespective of their actual date of appointment.

(2) The seniority inter-se of the employees, whose services are regularized under this Act within the same service or cadre, shall be determined on the basis of their continuous officiation in such service or cadre;

(3) provided that if the date of continuous officiation in the case of two or more employees is the same, the employee older in age shall rank senior to the younger one.

8. **Removal of difficulties.**—If any difficulty arises in giving effect to any of the provisions of this Act, the Government may make such order not inconsistent with provisions of this Act as may appear to it to be necessary for the purpose of removing such difficulty:

Provide that no such powers shall be exercised after the expiry of one year from the coming into force of this Act.

Further provided that the appeals and public petitions submitted to the Special Parliamentary Committee on (Regularization of Services) by the aggrieved employees of various Government Departments may be redressed by the GB Assembly Standing Committee on Services and General Administration Department Gilgit-Baltistan in consultation with the relevant authorities.

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

FIDA MUHAMMAD NASHAD,
Speaker,
Gilgit-Baltistan Assembly.

RAJA JALAL MAQPOON,
Governor,
Gilgit-Baltistan.