

**A  
BILL**

*further to amend the Khyber Pakhtunkhwa  
Civil Servants Act, 1973.*

**WHEREAS** it is expedient further to amend the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No. XVIII of 1973), for the purpose hereinafter appearing;

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

**1. Short title and commencement.**---(1) This Act may be called the Khyber Pakhtunkhwa Civil Servants (Amendment) Act, 2022.

(2) It shall come into force with effect from the date to be notified by the Government.

**2. Amendment of section 19 of the Khyber Pakhtunkhwa Act No. XVIII of 1973.**---In the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No. XVIII of 1973), for section 19, the following shall be substituted, namely:

**“19. Pension and gratuity.**---(1) On retirement from service, a civil servant, appointed on regular basis in the prescribed manner, before the commencement of the Khyber Pakhtunkhwa Civil Servants (Amendment) Act, 2022, shall be entitled to receive such pension or gratuity, as are admissible to him under the pension rules for the time being in force:

Provided that in the event of death of such a civil servant as provided in this sub-section, whether before or after retirement, his family shall be entitled to receive such pension or gratuity or both, as admissible under the said rules.

(2) A person to be appointed on regular basis to a service or post in the prescribed manner, on or after the commencement of the Khyber Pakhtunkhwa Civil Servants (Amendment) Act, 2022, shall, for all intents and purposes, be civil servant, except for the purpose of pension and gratuity. Such a civil servant shall, in lieu of pension and gratuity, be entitled to receive such amount contributed by him towards the Contributory Provident Fund, along with the contributions, made by Government to his account in the said Fund, in the prescribed manner:

Provided that in the event of death of such a civil servant as provided in this sub-section, whether before or after retirement, his family shall be entitled to receive the amount of Contributory Provident Fund, if it has already not been received by such deceased civil servant.

(3) No pension to a civil servant, who is otherwise entitled under sub-section (1), shall be admissible to him, if he is dismissed or removed from service for reasons of discipline, but Government may sanction compassionate allowance to such civil servant, not exceeding two-third of the pension or gratuity, which would have been admissible to him, had he been invalided from service on the date of such dismissal or removal:

Deputy Secretary  
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Provided that a civil servant, referred to in sub-section (2), in case of such dismissal or removal, may, in addition to his own contributions to the Contributory Provident Fund, be allowed, on account of such compassionate allowance, a sum not exceeding two-third of Government contributions in his account.

(4) If the determination of the amount of pension or gratuity, admissible to a civil servant as specified in sub-section (1), is delayed beyond one month of the date of his retirement or death, he or his family, as the case may be, shall be paid provisionally such anticipatory pension or gratuity, as may be determined by the prescribed authority, according to the length of service of the civil servant, which qualified for pension or gratuity and any over payment, on such provisional payment, shall be adjusted against the amount of pension or gratuity, finally determined as payable to such civil servant or his family.”

### STATEMENT OF OBJECTS AND REASONS

It is desirable to amend the Khyber Pakhtunkhwa Civil Servants Act, 2022 (Khyber Pakhtunkhwa Act No. XVIII of 1973). Hence, this Bill.



**MINISTER-IN-CHARGE.**

**Peshawar,  
dated the  
09, 03, 2022.**