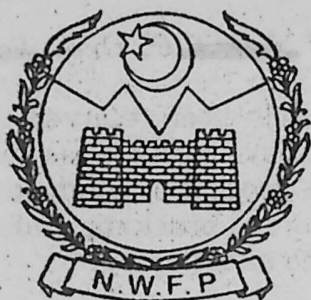


EXTRAORDINARY

GOVERNMENT



REGISTERED NO. P. 111

GAZETTE

North-West Frontier Province

Published by Authority

PESHAWAR, MONDAY, 20TH OCTOBER, 2003.

PROVINCIAL ASSEMBLY OF N.-W.F.P.

NOTIFICATION

20th October, 2003.

No. PANWFP/Legis:1/2003/30219.—The North-West Frontier Province Removal from Service (Special Powers) (Amendment) Bill, 2003 having been passed by the Provincial Assembly of North-West Frontier Province on the 29th September, 2003 and assented to by the Governor of the North-West Frontier Province on 13th October, 2003 is hereby published as an Act of the Provincial Legislature of the North-West Frontier Province.

THE NORTH-WEST FRONTIER PROVINCE REMOVAL FROM SERVICE (SPECIAL POWERS) (AMENDMENT) ACT, 2003.

(N.-W.F.P. ACT NO. XII OF 2003)

*[First published after having received the assent of the
Governor of the North-West Frontier Province in the Gazette of
the N.-W.F.P. (Extraordinary) dated the 20.10.2003]*

AN
ACT

*further to amend the North-West Frontier Province
Removal from Service (Special Powers) Ordinance, 2000.*

Preamble.—WHEREAS it is expedient further to amend the North-West Frontier Province Removal from Service (Special Powers) Ordinance, 2000.

It is hereby enacted as follows:

1. *Short title and commencement.*—(1) This Act may be called the North-West Frontier Province Removal from Service (Special Powers) (Amendment) Act, 2003.

(2) It shall come into force at once.

2. **Amendment of section 3 of N.-W.F.P. Ord. No. V of 2000.**—In the North-West Frontier Province Removal from Service (Special Powers) Ordinance, 2000 (N.-W.F.P. Ord. No. V of 2000), hereinafter referred to as the said Ordinance, in section 3, in sub-section (2), in the proviso, in clause (ii), for the words “or removed from service or reduced in rank on ground of conduct which has led to a sentence of fine or of imprisonment”, the words, brackets and figures “under clause (a) of sub-section (2) of section 3A” shall be substituted.

3. **Insertion of section 3A to N.-W.F.P. Ord. No. V of 2000.**—In the said Ordinance, after section 3, the following new section shall be added, namely:

“3A. **Procedure in case of conviction by a court of law.**—(1) Where a person in Government service or in corporation service on conviction by a court of law is sentenced to imprisonment or fine, the competent authority shall examine the facts and the grounds on which the order convicting such person was passed by a court of law.

(2) Where on examination the competent authority finds that order of imprisonment or fine is based on—

- (a) established charges of corruption or moral turpitude, it shall pass order of dismissal from service of the delinquent person in Government service or in corporation service which shall be effective from the date of his conviction by a court of law; or
- (b) charges other than corruption or moral turpitude it may, in the light of the facts and circumstances of the case, decide as to whether it is a fit case for taking departmental action under this Ordinance, and if it so decides it may, subject to the provisions of sub-section (2) of section 3, impose any penalty provided by this Ordinance as it may deem fit.”.

BY ORDER OF MR. SPEAKER
PROVINCIAL ASSEMBLY OF
NORTH-WEST FRONTIER PROVINCE.

NAZIR AHMAD
SECRETARY,
PROVINCIAL ASSEMBLY OF NWFP.