

**A  
BILL**

further to amend the Khyber Pakhtunkhwa  
Service Tribunals Act, 1974.

**WHEREAS** it is expedient further to amend the Khyber Pakhtunkhwa Service Tribunals Act, 1974 (Khyber Pakhtunkhwa Act No. I of 1974), for the purposes 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 Service Tribunals (Amendment) Act, 2024.

(2) It shall come into force at once.

**2. Amendment of section 3 of the Khyber Pakhtunkhwa Act No. I of 1974.**---In the Khyber Pakhtunkhwa Service Tribunals Act, 1974 (Khyber Pakhtunkhwa Act No. I of 1974), hereinafter referred to as the "said Act", in section 3,-

(a) in sub-section (3), for clause (b), the following shall be substituted, namely:

“(b) six members, three of whom shall be from amongst District and Sessions Judges and three from amongst civil servants in BPS-20 or above.”; and

(b) after sub-section (6), the following new sub-section shall be added, namely:

“(7) At any time when the Chairman of the Tribunal is unable to perform the functions of his office, due to any cause or the office of the Chairman is vacant, the senior most judicial member of the Tribunal shall act as Chairman, till the Chairman resumes his office or a regular Chairman is appointed, as the case may be.”.

**3. Amendment of section 7 of the Khyber Pakhtunkhwa Act No. I of 1974.**---In the said Act, in section 7,-

(a) in sub-section (2),-

(i) in clause (b), after the semi colon, appearing at the end, the word “and” shall be added;

(ii) in clause (c), the semi colon and the word “and” shall be replaced with full stop; and

(iii) clause (d) shall be deleted; and

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- (b) after sub-section (3), the following new sub-section shall be added, namely:

“(4) All the executions, pending before the Tribunal, shall be disposed of in a manner as may be determined by Government.”.

**4. Insertion of new sections 7A in the Khyber Pakhtunkhwa Act No. I of 1974.**---In the said Act, after section 7, the following new section shall be inserted, namely:

**“7A. Review.**---(1) Any party, considering himself aggrieved by judgment or order of the Tribunal, from which an appeal is allowed under this Act, but no such appeal has been preferred, may file a review petition to the Tribunal, within thirty days of the judgment or order, so passed, on the following grounds:

- (a) discovery of new and important matter or evidence, which, after exercise of due diligence, was not within the knowledge of the petitioner or could not be produced by him at the time, when the order was passed;
- (b) on account of some mistake or error, apparent on the face of record; or
- (c) for any other sufficient cause.

(2) The Tribunal shall decide the review petition within sixty days.

(3) The Tribunal, while disposing of the review petition, may confirm, set aside, vary or modify its judgment or order.”.

#### STATEMENT OF OBJECTS AND REASONS

It is desirable further to amend the Khyber Pakhtunkhwa Service Tribunal Act, 1974 (Khyber Pakhtunkhwa Act No. I of 1974), in the best interest of Government. Hence this Bill.

Peshawar,  
dated the  
,2024.

  
MINISTER-IN-CHARGE.

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