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PART I

Acts, Ordinances, President's Orders and Regulations

GOVERNMENT OF GILGIT-BALTISTAN
GILGIT-BALTISTAN SECRETARIAT
(LAW AND PROSECUTION DEPARTMENT)

Gilgit, the 25th September, 2021

No. ALA-1(1)/2021-GBA.—Gilgit-Baltistan Health Department (Regularization of services of Doctors/Paramedics) Act-2021.

(ACT NO. III OF 2021)

AN

ACT

To provide for the regularization of the services of Medical Officers Male/Female (BS-17) appointed on contract basis against the clear vacant posts and Consultants BS-18 and paramedics in various specialties after fulfilling all codal formalities through DSC on contract basis who are currently working/ serving in Health Department Gilgit-Baltistan.

Preamble.—Whereas it is expedient to provide for regularization of Services of Doctors / Paramedics, appointed on contract basis in Health Department, Government of Gilgit-Baltistan;

(1183)

Price: Rs. 10.00

[1881 (2021)/Ex. Gaz.]

It is hereby enacted as follows:—

1. **Short title of Commencement.**— (1) This act may be called the Gilgit-Baltistan Health Department (Regularization of Services of Doctors / Paramedics) Act-2021.

It shall come into force at once.

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

- (a) “Government” means Government of Gilgit-Baltistan;
- (b) “Commission” means Federal Public Service Commission
- (c) “Department” means Health Department Government of Gilgit-Baltistan
- (d) “Essential Services” include the services of Medical Doctors and Dental Doctors, with degree of MBBS, BDS or post-graduate recognized by Pakistan Medical and Dental Council (PMDC).
- (e) “Departmental Selection Committee” means a Departmental Selection Committee constituted for making selection for initial appointment through walk-in interviews in Health Department Gilgit-Baltistan.
- (f) “Employee” means those duly qualified persons:—
- (g) Who were appointed as consultants medical and dental officers on contract basis by Government of Gilgit-Baltistan through walk-in-interview against the clear vacant posts and who have degrees of MBBS/BDS or Post-graduate Degrees recognized by Pakistan Medical and Dental Council and relevant diplomas required for the paramedics according to prescribed recruitment rules.
- (h) The expression (contract appointment) have the same meaning as respectively assigned them in Gilgit-Baltistan Civil Servant Act 2011.
- (i) “Law or rules” means the law or rules for the time being enforced governing the selection and appointment of medical officers;
- (j) “Post” means a post occupied by employee and is required to be filled in through this Act.

3. The expression “contract appointment” shall have the same meaning as respectively assigned to them in the Gilgit-Baltistan Civil Servant Act-2011.

4. **Regularization of services of employees.**—(1) Notwithstanding anything contained in any other law or rule, the employees appointed on contract basis continues services holding the post at the commencement of this Act.

Provided that:

- I. The services of such employees shall be deemed to have been regularized only on the publication of their names in the Official Notification from Government of Gilgit-Baltistan.
- II. The employees shall hold a domicile of Gilgit-Baltistan.
- III. On the availability of posts in the relevant specialist, BPS and Cadre with the Department of Health Gilgit-Baltistan, the services of doctors / paramedics will be regularized. This dispensation will be for one time only.
- IV. The cases of Specialist doctors against available vacant posts in relevant specialty / cadre (BS-18) against the only direct quota will be considered.
- V. Being the services of Doctors as essential service, west Pakistan Essential Services (Maintenance) Act 1958 shall apply to the employment of Doctors.
- VI. Availability of posts of Medical Officers and Dental Officer BS-17 is mandatory for regularization of contract doctors. Only those cases will be considered where clear vacant posts of Doctors of Medical Officers BS-17 and Dental Officers BS-17 are available.
- VII. This will be one time exercise in the relevant basic pay-scale/ specialty at the time of commencement of this Act.
- VIII. All those Specialist doctors, who had cleared FPSC exam of Health Department Gilgit-Baltistan in relevant specialty/cadre who want to join Health Department Gilgit-Baltistan, shall be allowed to join as fresh appointee, and be given one time chance and this shall not be against any rule or law of FPSC or Health Department Gilgit-Baltistan.

- IX. Only those contract Para-medical staff will be eligible for regularization who have been appointed after advertisement of posts, on the recommendation of notified DSC and with the approval of competent authority if vacant posts are available / creation in relevant category and BPS.
- X. The specialist doctors, previously terminated/ removed/ resigned from service and are willing to rejoin shall be deemed to have validly appointed as a fresh appointees, However clear vacant posts of Specialist BS-18 direct recruitment quota of relevant specialty is mandatory for re-instatement in case of unavailability of posts in relevant specialty no such case shall be considered and this dispensation is for one time only.
- XI. The specialist doctors previously terminated / removed / resigned from service shall show their willingness to rejoin services as fresh appointees within 90 days of commencement of this Act.
- XII. Only those contract doctors will be eligible for regularization who have been appointed through Walk-in-Interview strategy and on the recommendation of notified DSC and with the approval of competent authority if vacant posts are available/ creation in relevant category/BPS.

5. **“Determination of Seniority”**.— (1) the employees whose services are regularized under this Act or in the process of attaining services at the commencement of this Act shall rank junior to all Civil Servants belonging to 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 pursuance of their recommendations of the commission made before the commencement of this Act, or to be appointed to the respective service of cadre, irrespective of the actual date of appointment, and shall also rank junior to all Civil Servants belonging to the same service or cadre who will be promoted in the same calendar year.

(2) The seniority interest 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 officiating in such service or cadre:

Provided that if the date of continuous officiating in the case of two or more employees is the same, the employee older in age shall rank senior to the younger one.

6. **Removal of difficulties.**—if any difficulty arises in giving effect to any of the provision of this Act, the Department may give such directions as it may consider necessary for the removal of such difficulty.

7. **Overriding effect.**—Notwithstanding anything to the contrary contained in any other law or rules, 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.

SYED AMJAD ALI ZAIDI,
Speaker.
Gilgit-Baltistan Assembly

RAJA JALAL HUSSAIN MAQPOON,
Governor.
Gilgit-Baltistan