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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 3rd December, 2019

THE GILGIT-BALTISTAN (INDUCTION/REGULATIRZATION OF SAP SCHOOL TEACHERS) ACT, 2019
(ACT NO.IX OF 2019)

ALA-1(1)/2019/GBLA.—To provide for the induction /appointment of the teachers appointed in Social Action Program (SAP) under the Northern Areas Education Project who are currently serving under the administrative control of National Education Foundation, Ministry of Federal Education, Islamabad subject to transfer of their services along with the assets and Endowment Fund from National Education Foundation, Ministry of Federal Education, Islamabad to Education Department, Gilgit-Baltistan.

Preamble.—Whereas it is expedient to provide for induction/ appointment of the teachers appointed in Social Action Program (SAP) under the Northern Areas Education project who are currently serving under the administrative control of National Education Foundation, Ministry of Federal Education, Islamabad subject to transfer of their services alongiwth the assets and Endowment Fund from National Education Foundation Ministry of Federal Education, Islamabad to Education Department, Gilgit-Baltistan.

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It is hereby enacted as follows:—

1. **Short title and commencement**.— (1) This act may be called the Gilgit-Baltistan (Induction /Appointment of SAP School Teachers) Act, 2019.

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

(a) "**Government**" means the Government of Gilgit-Baltistan;

(b) **"SAP School"** means the existing school buildings constructed under the Northern Areas Education Project with the aid of World Bank and /or by the community and are under the administrative control of National Education Foundation, Ministry of Education, Islamabad;

(c) **"SAP School Teacher"** means a teacher working in a SAP School;

(d) **"Department"** means the Education Department of Government of Gilgit-Baltistan;

(e) **"Hard Areas"** means Hard Areas already notified by Education Department, Gilgit-Baltistan for appointment of teachers;

(f) **"Departmental Selection Committee"** means a Departmental Selection Committee constituted for making selection for initial appointment through walk-in-interviews in Education Department, Gilgit-Baltistan;

(g) **"Employee"** means those duly qualified persons who were appointed as Teacher in the SAP School under the Northern Areas Education Project and are currently serving as SAP School Teacher in the SAP School under the administrative control of National Education Foundation, Ministry of Federal Education, Islamabad;

(h) **"Law or rules"** means the law or rules for the time being enforced governing the selection, appointment and induction of SAP School Teachers in Education Department, Gilgit-Baltistan;

(i) **"Post"** means a post of Matric Trained Teacher (BS-09) created in Education Department, Gilgit-Baltistan for induction of SAP School Teachers.

(2) All other terms shall have the same meaning as respectively assigned to them in the Gilgit-Baltistan Civil Servants Act, 2011.

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3. **Induction of SAP School Teachers.**—(1) Notwithstanding anything contained in any other law or rules, the employees appointed and currently serving in SAP Schools shall be deemed to have validly appointed on regular basis from the day of commencement of this Act:

Provided that;

i. SAP School Teachers who were appointed in the schools constructed by the community under Northern Areas Education Project (NAEP) with support of World Bank and technical assistance /supervision of Education Department Gilgit-Baltistan, and are currently serving shall be inducted in Education Department, Gilgit-Baltistan against 750 created posts of M.T Teachers (BS-09) as per procedure with approval of competent authority. Only the employees appointed in SAP School Buildings constructed by the Northern Areas Education Project (NAEP) shall be considered excluding Non-Formal Teacher Working in the SAP Schools and remaining SAP/BECS School Teachers will be considered if any post remains vacant out of 750 posts and on creation of additional post of M.T Teachers (BS-09).

ii. The Department shall have the sole responsibilities /authority for distortion of posts in District based on the actual strength of teachers and existence of SAP Schools.

iii. Induction of SAP Schools Teachers shall be made on Tehsil level (for both male and female) except in Hard Areas where induction shall be made on Hard Area basis. However further posting/transfer of the teaches shall be made as per policy of the department. The production of domicile by the SAP teacher shall be mandatory.

iv. For induction of SAP School Teacher the minimum enrollment required in a SAP School shall not be less than 20 students. The requirement of minimum enrollment shall be relaxed to 15 students per school in Hard Areas.

v. The maximum age limit for induction of a SAP School Teacher in Education Department, Gilgit-Baltistan shall be 50 years as on commencement of this Act.

vi. The Teachers who are overaged i.e., above 50 years of age as on commencement of this act shall be granted lump sum payment of Rs. 0.6 Million and their services shall stand concluded /terminated thereafter.

vii. Minimum qualified required Matriculation.

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viii. The Education Department, Gilgit-Baltistan shall prepare and maintain a merit list/seniority list of the already serving SAP School Teachers on the basis of continuous length of services (without any break) and if two or more teachers have same length of services, the teacher older in age shall be deemed senior.

ix. The following committees shall have mandate for induction of SAP School Teachers against the created posts in the department and for transfer of Assets and Endowment Funds from National Education Foundation, Ministry of Federal Education, and Islamabad:-

(a) Committees under the chairmanship of the Divisional Directors Education having the representatives of the Services and Finance Department as members shall be notified by the Department for induction of SAP School Teacher in the department.

(b) A Complaints Redressal Committee headed by the Director General Education (Schools), Gilgit-Baltistan with representation of Deputy Secretaries of Services, Finance and Law Department as members shall also be notified by the department.

(c) To take over the Assets of SAP School and endowment fund lent to National Education Foundation, Ministry of Federal Education by the Government and for mutation/transfer of all SAP School buildings in the name of Education Department Gilgit-Baltistan, the following Committee shall be notified:-

Committee for Transfer of Buildings /Land and other infrastructure

1.	Deputy Director Education of relevant district.	*Chairman*
2.	Representative of District Administration.	*Member*
3.	Representative of National Education Foundation, Gilgit-Baltistan.	*Member*
4.	Representative of Area /Village Education Committee.	*Member*

Committee for Transfer of Endowment Fund

1.	Director General Education (School), GB.	*Member*
2.	Deputy Secretary Finance Department (Dev).	*Member*

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3. Deputy Secretary (Development) Education.
Department Gilgit-Baltistan. *Member*

4. Director National Education Foundation, Gilgit-Baltistan. *Member*

x. The orders for induction/regularization of SAP School Teachers shall only be issued after transfer of assets/building to Education Department, Government of Gilgit-Baltistan.

4. **Determination of Seniority.—** (1) The employees who are inducted against the posts in Education Department under this Act or in the process of attaining service at the commencement of this Act shall rank junior to a Civil Servant 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 Committee made before the commencement of this Act, or to be appointed to the respective service or cadre, irrespective of the actual date of appointment.

(2). **The seniority interest of the employee**, who are inducted 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 in the same cadre, the employee older in age shall rank senior to the younger one.

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

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

FIDA MUHAMMAD NASHAD,
Speaker.
Gilgit-Baltistan Assembly.

RAJA JALAL HUSSAIN MAQPOON,
Governor.
Gilgit-Baltistan.

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