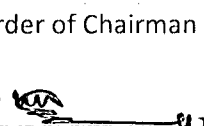


Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- _____ 1226/2022

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	15/08/2022	<p>The appeal of Mr. Sabir Khan resubmitted today by Mr. Noor Muhammad Khattak Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on _____. Notices be issued to appellant and his counsel for the date fixed.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

The appeal of Mr. Sabir Khan, Naib Qasid, P&D Dptt., Peshawar received today i.e. on 05.08.2022 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

1. Index of the appeal is not attached with the appeal.
2. Memorandum of the appeal is unsigned which may be signed by the appellant and learned counsel.
3. Checklist is not attached with the appeal.
4. Appeal has not been flagged/marked with annexure marks.
5. Annexures of the appeal may be attested.
6. Affidavit attested by the Oath Commissioner is not attached with the appeal.
7. Certificate be given to the effect that appellant has not been filed any service appeal earlier on the subject matter before this Tribunal.
8. Copies of Annexure A, B, C, D and E are not attached with the appeal which may be placed on it.
9. Five more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 2367 /S.T,

Dt. 10/8 /2022

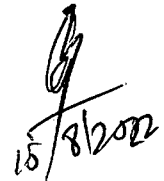


ASSISTANT REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Noor Muhammad Khattak Adv. Pesh.

R-8K

Re-submitted After compliance.



15/8/2022

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

CHECK LIST

Case Title:

Sabin Khan

v/s

P Z D Department

S#	CONTENTS	YES	NO
1	This Appeal has been presented by: _____	✓	
2	Whether Counsel/Appellant/Respondent/Deponent have signed the requisite documents?	✓	
3	Whether appeal is within time?	✓	
4	Whether the enactment under which the appeal is filed mentioned?	✓	
5	Whether the enactment under which the appeal is filed is correct?	✓	
6	Whether affidavit is appended?	✓	
7	Whether affidavit is duly attested by competent Oath Commissioner?	✓	
8	Whether appeal/annexures are properly paged?	✓	
9	Whether certificate regarding filing any earlier appeal on the subject, furnished?	x	✓
10	Whether annexures are legible?	✓	
11	Whether annexures are attested?	✓	
12	Whether copies of annexures are readable/clear?	✓	
13	Whether copy of appeal is delivered to AG/DAG?	✓	
14	Whether Power of Attorney of the Counsel engaged is attested and signed by petitioner/appellant/respondents?	✓	
15	Whether numbers of referred cases given are correct?	✓	
16	Whether appeal contains cutting/overwriting?	x	✓
17	Whether list of books has been provided at the end of the appeal?	✓	
18	Whether case relate to this court?	✓	
19	Whether requisite number of spare copies attached?	✓	
20	Whether complete spare copy is filed in separate file cover?	✓	
21	Whether addresses of parties given are complete?	✓	
22	Whether index filed?	✓	
23	Whether index is correct?	✓	
24	Whether Security and Process Fee deposited? On _____	✓	
25	Whether in view of Khyber Pakhtunkhwa Service Tribunal Rules 1974 Rule 11, notice along with copy of appeal and annexures has been sent to respondents? On _____	✓	
26	Whether copies of comments/reply/rejoinder submitted? On _____	✓	
27	Whether copies of comments/reply/rejoinder provided to opposite party? On _____	✓	

It is certified that formalities/documentation as required in the above table have been fulfilled.

Name: Noor Muhammad Khattak

Signature: _____

Dated: _____



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

APPEAL NO. 1226 /2022

SABIR KHAN

VS

P & D DEPTT:

INDEX

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5.	Notification Dated 06-06-2013	C	15
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APPELLANT

THROUGH:

NOOR MOHAMMAD KHATTAK
ADVOCATE

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Khyber Pakhtunkhwa
Service Tribunal

APPEAL NO. _____/2022

Diary No. 937

Dated 05/08/2022

Mr. Sabir Khan, Naib Qasid (BPS-04),
Planning & Development Department, Civil Secretariat, Khyber
Pakhtunkhwa, Peshawar.

.....**APPELLANT**

VERSUS

- 1- The Secretary to Government of Khyber Pakhtunkhwa,
Planning & Development Department, Civil Secretariat,
Peshawar
- 2- The Secretary Finance Department, Khyber Pakhtunkhwa,
Peshawar.
- 3- The Secretary Establishment, Civil Secretariat, Khyber
Pakhtunkhwa, Peshawar.

.....**RESPONDENTS**

APPEAL UNDER SECTION-4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974
AGAINST THE INACTION OF THE RESPONDENTS BY
NOT COUNTING CONTRACT PERIOD TOWARD
REGULAR SERVICE FOR THE PURPOSE OF PENSIONARY
BENEFITS ALONG WITH FRINGE BENEFITS AND
AGAINST NOT DECIDING THE DEPARTMENTAL APPEAL
WITHIN THE STATUTORY PERIOD OF NINETY DAYS.

PRAYER:

That on acceptance of the appeal the impugned inaction of the respondents by not counting contract period toward regular service for the purpose of pensionary benefits along with fringe benefits may be declared as illegal and unlawful. That the respondents may please be directed to count the contract period toward regular service for the purpose of pensionary benefits along with fringe benefits. Any other relief which this Hon'able Tribunal may deem fit may also be granted in favour of the appellant .

R/SHEWETH:

ON FACTS:

- 1) That the appellant was initially appointed as Computer Operator (BPS-11) as project employee in the project namely "Capacity Building Project (P&D) Department, Khyber Pakhtunkhwa. Copy of the appointment order is attached as annexure**A.**
- 2) That after renderings service as project employee for almost 15 years i.e. till 2018, on the promulgation of the Khyber Pakhtunkhwa Regularization Act, 2018 the services of the

appellant were regularized w.e.f 02-03-2018. Copy of the Regularization Act is attached as Annexure**B**

- 3) That it is pertinent to mention here that no standard procedure has been adopted for regularization of different categories of contract employees as such the staff from BPS 1 to BPS-16 of the project post of the erstwhile FATA were regularized through Governor's directive. Copy of Notification dated 06-06-2013 is attached as annexure**C.**
- 4) That similarly the project/contract based employees of the Sports, Tourism, Archaeology Culture and Youth Affairs Department were also regularized by order of the august supreme court of Pakistan; simultaneously their previous service were also counted vide Notification dated 17-06-2019 . Copy of notification is attached as Annexure**D.**
- 5) That apart from the above, the project employees of the project namely "Strengthening of P&D" of the erstwhile FATA were also regularized vide Notification dated 04-08-2020 w.e.f 18-0-2006 and their previous service were counted. Copy of Notification dated 04-08-2020 is attached as Annexure**E.**
- 6) That the appellant has time and again approached the respondents department to look into the matter thoroughly and regularize the services of the appellant and subsequent counting of previous service on the analogy of other similar employees but in vain.
- 7) That the appellant feeling aggrieved from the inaction of the respondent department has filed departmental appeal but the same has not been decided within the statutory period of ninety days. *Copy of departmental appeal is attached — F.*
- 8) That the appellant after being highly aggrieved from the inaction of the respondent department having no other alternative remedy filed the instant service appeal on the ground inter alia as under:-

GROUND:

- A- That the inaction of the respondents by not counting previous service of the appellant in light of the prevailing law and rules on the subject is against the law, facts and norms of natural justice, hence not tenable in the eye of law.
- B- That the appellant has not been treated in accordance with law and rules by the respondent Department on the subject noted above and as such the respondents violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.

- C- That despite the fact the appellant has served the respondent Department with zeal and zest and up to the entire satisfaction of his superiors, however the respondent department has erred not to keep in mind unblemished service record of the appellant and has thus violated the law and norms of justice.
- D- That in light of the Rule 2.3 of the West Pakistan Pension Rules, 1963 the appellant is entitled for the subject relief.
- E- That although the Hon'able august court has tendered its verdict in favour of the contract employees of the project and has awarded regularization and counting of previous service of some many employees but the appellant has been deprived its even then the appellant has not been awarded this financial facility in accordance with law .
- F- That the action and inaction of the respondents is based on arbitrary and malafide intention and as such the inaction of the respondents is against the law and rules.
- G- That according to Article 38(e) of the Constitution state is bound to reduced disparity in the income and earning of individual including persons in the civil service of the Federation.
- H- That appellant seeks permission to advance other grounds and proofs at the time of hearing.

It is therefore, most humbly prayed that the appeal of the appellant may be accepted as prayed for.

Dated: 05.08.2022

APPELLANT

SABIR KHAN

THOROUGH:


NOOR MOHAMMAD KHATTAK
ADVOCATE SUPREME COURT


KAMRAN KHAN


UMAR FAROOQ


MUHAMMAD AYUB

& 
KHANZAD GUL
ADVOCATES

BEFORE THE KHYBER PAKHTUKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. _____/2022

SABIR KHAN

VS

P & D DEPARTMENT

AFFIDAVIT

I, Mr.Sabir Khan, Naib Qasid (BPS-04),Planning & Development Department, Civil Secretariat, Khyber Pakhtunkhwa, Peshawar do hereby solemnly affirm that the contents of this **APPEAL** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.


DEPONENT

SABIR KHAN



GOVERNMENT OF KHYBER PAKHTUNKHWA
PLANNING & DEVELOPMENT DEPARTMENT

A-5

Dated Peshawar, June 08, 2018.

NOTIFICATION:

NO. 90 (P&D/S-1/Reg/Projects/2018): In compliance of the Khyber Pakhtunkhwa Employees (Regularization of Services) Act, 2018, the Provincial Government is pleased to notify regularization of services of the following (87) employees of the project titled "Capacity Building of Planning & Development" with effect from 02.03.2018 as provided under Section-4 of the Act ibid, subject to the condition that it shall not affect the service promotion quota of all service cadres:-

S#	Name of Officer	BPS	Designation
1.	Engr. Asif Shahab	18	Assistant Chief
2.	Amin Khan Bangash	18	Assistant Chief
3.	Miss. Paiwasha Rehman	18	Assistant Chief
4.	Dr. Kashif Nazir	18	Assistant Chief
5.	Mr. Rafiq Jan	18	Assistant Chief
6.	Mr. Tehsil Zaman	18	Assistant Chief
7.	Mr. Muhammad Ayaz	18	Assistant Chief
8.	Mr. Abdul Aziz Abbasi	18	Assistant Chief
9.	Mr. Faazil Arbab	17	Research Officer
10.	Engr. Nasir Khan	17	Research Officer
11.	Engr. Naveed Ishtiaq	17	Research Officer
12.	Mr. Ali Hussain	17	Research Officer
13.	Mr. Waqas Ghaus	17	Research Officer
14.	Engr. Muhammad Tariq	17	Research Officer
15.	Mr. Shahbaz Khan	17	Research Officer
16.	Mr. Junaid	17	Research Officer
17.	Muhammad Irfan	17	Research Officer
18.	Mr. Tahir Aman	17	Research Officer
19.	Pir Bilal Muhammad	17	Research Officer
20.	Mian Ayub Gul	17	Research Officer
21.	Mr. Asim Javed	17	Research Officer
22.	Mr. Taimur Arbab.	17	Research Officer
23.	Engr. Yasir Adnan	17	Research Officer
24.	Engr. Qazi Muhammad Zohaib	17	Research Officer
25.	Ms. Zainab Khatoon	17	Research Officer
26.	Syed Shoaib Ali Shah	17	Research Officer
27.	Muhammad Shoaib	17	Research Officer
28.	Mr. Mukhtar Ahmad	17	Research Officer
29.	Muhammad Tariq	17	Research Officer
30.	Mr. Hizbullah Khan	17	Research Officer

Section Officer (Establishment),
P&D Department.

12/6/2018

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31.	Mr. Ozair Rahim	17	Research Officer
32.	Mr. Arbab Wajid Khan	17	Research Officer
33.	Mr. Arbab Wajid Khan	17	Research Officer
34.	Mr. Arbab Wajid Khan	17	Research Officer
35.	Mr. Sajid Ali	16	Computer Operator
36.	Mr. Farhad Ali	16	Computer Operator
37.	Muhammad Rehan	16	Computer Operator
38.	Mr. Sohail Khan	16	Computer Operator
39.	Mr. Irfan Alam	15	Assistant
40.	Mr. Asad Kamran	16	Assistant
41.	Muhammad Kashif	16	Assistant
42.	Mr. Nek Abbas	16	Assistant
43.	Mr. Akhter Ali	7	Telephone Operator
44.	Mr. Niaz Ali	6	Driver
45.	Mr. Niaz Ali	6	Driver
46.	Mr. Ajmal Khan	6	Driver
47.	Mr. Khan Ghalib	6	Driver
48.	Mr. Irshad	6	Driver
49.	Muhammad Siyar	6	Driver
50.	Muhammad Kamran	6	Driver
51.	Muhammad Ismail	6	Driver
52.	Mr. Mukamil Shah	6	Driver
53.	Mr. Amjad Ali	6	Driver
54.	Mr. Noor Hassan	6	Driver
55.	Mr. Naik Mall Khan	6	Driver
56.	Mr. Ghulam Akbar	6	Driver
57.	Mr. Abdul Basit Khan	6	Driver
58.	Mr. Waqas Ahmad	5	Electrician
59.	Mr. Shahezad Khan	7	Generator Operator
60.	Mr. Shahezad Khan	7	Generator Operator
61.	Mr. Shahezad Khan	7	Generator Operator
62.	Mr. Shahezad Khan	7	Generator Operator
63.	Muhammad Ibrahim	3	N/Q
64.	Mr. Akhtar Gul	3	N/Q
65.	Muhammad Khalid	3	N/Q
66.	Mr. Javed Khan	3	N/Q
67.	Mr. Syed Zulfiqar Ali Jafri	3	N/Q
68.	Mr. Niamat Ullah	3	N/Q
69.	Mr. Asim Khan	3	N/Q
70.	Mr. Masood Shah	3	N/Q
71.	Mr. Farooq Ahmad	3	N/Q
72.	Syed Rasool Shah	3	N/Q
73.	Mr. Jawad Ahmad	3	N/Q

Section Officer (Research & Development)
F&D Department

2003/01/10

2003/01/10

2003/01/10

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74.	Mr. Ahsan Ullah	3	N/Q
75.	Mr. Wajid Ali	3	N/Q
76.	Mr. Haleemullah	3	N/Q
77.	Mr. Haseeb Ahmad	3	N/Q
78.	Mr. Akhtar Sher	3	N/Q
79.	Ms. Farhada	3	N/Q
80.	Mr. Salman Khan	3	N/Q
81.	Mr. Mehrab Hussain	3	N/Q
82.	Mr. Ijaz Ahmad	3	Chowkidar
83.	Mr. Zahoor Khan	3	Chowkidar
84.	Mr. Ifikhar Khan	3	Chowkidar
85.	Mr. Zar Shah	3	Chowkidar
86.	Mr. Fazle Elahi	3	Chowkidar
87.	Mr. Sharoon	3	Sweeper

ADDITIONAL CHIEF SECRETARY
P&D DEPARTMENT

Endst: No. & date even.

Copy forwarded to the:-

- 1 Principal Secretary to Chief Minister, Khyber Pakhtunkhwa, Peshawar.
- 2 Accountant General, Khyber Pakhtunkhwa.
- 3 PSO Chief Secretary, Khyber Pakhtunkhwa.
- 4 Secretary to Govt. of Khyber Pakhtunkhwa, Establishment Department.
- 5 Secretary to Govt. of Khyber Pakhtunkhwa, Finance Department.
- 6 Project Director, Capacity Building Project, P&D Department.
- 7 Assistant Chief (B&A), P&D Department.
- 8 Manager, Government Printing Press for publication in the official gazette at an early date.
- 9 PS to Additional Chief Secretary, P&D Department.
- 10 PS to Secretary, P&D Department.
- 11 Officers/ officials concerned.

Section Officer (Est)

08/06/18

Section Officer (Establishment),
P&D Department.

11/6/18

11-6-18

B-8

Khyber Pakhtunkhwa

ESTA CODE

With

Services Laws

[Up-to-date with all Amendments]

Edition, 2018

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9

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Khyber Pakhtunkhwa Employees (Regularization of Services) Act, 2018

(2) The seniority inter-se of those employees, whose services are regularized under this Act within the Cadre, shall be determined on the basis of their continuous service in Cadre:

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

5. **Overriding effect.**--- Notwithstanding anything to the contrary contained in any other law or rules for the time being in force, 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.

=====

**Khyber Pakhtunkhwa Employees
(Regularization of Services) Act, 2018**

Khyber Pakhtunkhwa Act No. X of 2018

AN ACT to provide for the appointment and regularization of services of certain employees appointed on adhoc basis against civil posts and contract basis against project posts in the Province of Khyber Pakhtunkhwa

2nd Mar 2018

WHEREAS it is expedient to provide for the appointment and regularization of services of certain employees appointed on adhoc basis against civil posts and contract basis against project posts in the Province of Khyber Pakhtunkhwa;

It is hereby enacted as follows:

1. Short title, application and commencement. - (1) This Act may be called the Khyber Pakhtunkhwa Employees (Regularization of Services) Act, 2018.

(2) It shall apply to all the employees as defined in clause (e) of sub-section (1) of section 2 of this Act.

(3) It shall come into force at once.

2. Definitions. - (1) In this Act, unless the context otherwise requires;

(a) "Commission" means the Khyber Pakhtunkhwa Public Service Commission;

- (b) "contract appointment" means the appointment of a duly qualified person, for a specific period, made against project posts, in a prescribed manner;
- (c) "Departmental Selection Committee" means a Departmental Selection Committee, constituted for the purpose of making selection for initial recruitment to civil post under a Government Department or office of Government;
- (d) "Government" means the Government of Khyber Pakhtunkhwa;
- (e) "employees" mean duly qualified, -
 - (i) one hundred and fifty-eight (158) District Specialists of Health Department, who are appointed on adhoc basis against civil posts w.e.f. 4th July, 2017 and holding such civil posts till the commencement of this Act; and
 - (ii) persons, who are appointed in the projects on contract basis in accordance with the project policy;
- (f) "Government Department" means a Government Department, as defined in the Khyber Pakhtunkhwa Government Rules of Business, 1985;
- (g) "law or rule" means law or rule, for the time being in force governing the selection and appointment of civil servants;
- (h) "project" means a perpetual nature project, the continuation of which and conversion to regular budget is essential for service delivery duly identified by the Departments and reflected in the Schedule;
- (i) "civil post" means a civil post under Government or in connection with the affairs of Government to be filled in on the recommendation of the Commission;
- (j) "project post" means a post in the project; and
- (k) "Schedule" means a Schedule appended to this Act.

(2) The expression "adhoc appointment" shall have the same meaning as is assigned to it in the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No. XVIII of 1973).

3. Regularization of services of adhoc employees.---

Notwithstanding anything contained in any law or rules, the employees at sub-clause (i) of clause (e) of sub-section (1) of section 2 of this Act, appointed on adhoc basis against civil posts and holding such civil posts till the commencement of this Act, shall be deemed to have been validly appointed on regular basis, from the date of commencement of this Act, subject to verification of their qualifications and other credentials by the concerned Government Department.

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4. Regularization of services of project employees.---

Notwithstanding anything contained in any law or rules, the employees of sub-clause (ii) of clause (e) of sub-section (1) of section 2 of this Act, appointed on contract basis against project posts and holding such project posts till the commencement of this Act, shall be deemed to have been validly appointed on regular basis from the date of commencement of this Act, subject to verification of their qualifications and other credentials by the concerned Government Department:

Provided that the terms and conditions of services of employees reflected at S. No. 5 of the Schedule shall further be governed under the National Disaster Management Authority Act, 2010 (Act XXIV of 2010) and Regularization made thereunder, and the terms and conditions of services of employees reflected at S. No. 6 & 7 of the Schedule shall be governed under the Khyber Pakhtunkhwa Emergency Rescue Services Act, 2012 (Khyber Pakhtunkhwa Act No. XV of 2012).

5. General conditions for regularization.---

For the purpose of regularization of the employees under this Act, the following general conditions shall be observed:

- (i) the service promotion quota of all service cadres shall not be affected;
- (ii) the employees shall possess the same qualification and experience as required for a regular post;
- (iii) the employees have not resigned from their services or terminated from service on account of misconduct, inefficiency or any other grounds before the commencement of this Act; and
- (iv) the service of such employees shall be deemed to have been regularized only on the publication of their names in the Official Gazette.

6. Seniority. - (1)

Except the employees mentioned in the proviso to section 4 of this Act, whose services are to be regulated by their respective laws and rules, all other employees whose services are regularized under this Act or in the process of attaining service at the commencement of this Act, shall rank junior to all civil servants belonging to the 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 the recommendation of the Commission or Departmental Selection Committee, as the case may be, made before the commencement of this Act, are to be appointed to the respective service or cadre, irrespective of their actual date of appointment.

(2) The seniority inter-se 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 officiation in such service or cadre:

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

7. Removal of difficulties. – If any difficulty arise in giving effect to any of the provisions of this Act, the Chief Minister may make such order not inconsistent with the provisions of this Act as may appear to it to be necessary for the purpose of removing such difficulty;

Provided that no such powers shall be exercised after the expiry of one year from the coming into force of this Act.

8. Overriding effect. – Notwithstanding anything to the contrary contained in any other law or rule for the time being in force, the provisions of this Act shall have an overriding effect and the provisions of any such law or rule to the extent of inconsistency to this Act shall cease to have effect.

Schedule
See section 2(1)(h)(k)

1. Capacity Building of Planning and Development Department.
2. Establishment of M&E System in Khyber Pakhtunkhwa.
3. Sustainable Development Unit, Planning and Development Department.
4. Urban Policy Unit, Planning and Development Department.
5. Provincial Reconstruction, Rehabilitation & Settlement Authority under Provincial Disaster Management Authority.
6. Establishment of Emergency Rescue Services (Rescue 1122) in 16 Districts.
7. Establishment of Planning, Monitoring & Evaluation Wing in ERS (Rescue 112) Headquarter.
8. Roll Back Malaria Control Program.
9. Prime Minister's Program for prevention and control of Hepatitis.
10. Establishment of Financial Management Cell in Health Department.
11. Establishment of Safe Blood transfusion.
12. Strengthening of TB Control Program Khyber Pakhtunkhwa.
13. Establishment of Procurement Cell in office of DG Health Service, Peshawar.
14. Mother, Neonatal and Child Health (MNCH) Program in Khyber Pakhtunkhwa.
15. Social Health Protection Initiative for Khyber Pakhtunkhwa.
16. Establishment of Bacha Khan Medical College, Mardan.

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17. Integrated HIV, Hepatitis and Thalasemia Control Program.
 18. Construction of Shaheed Mohtarama Benazir Bhutto Children Hospital Mardan.
 19. Higher Education Management Information System (HEMIS) Cell.
 20. Project Management Unit (PMU) for Implementation of BS Program and Special Initiatives.
 21. Computerization of Arms License.
 22. Prison Management Information System.
 23. Development of Common Application for Government Departments.
 24. ICT Infrastructure for Government of Khyber Pakhtunkhwa.
 - 24A. IT Support for Improvement of Health Service Delivery, Khyber Pakhtunkhwa.
 - 24B. IT Professional Training Centre.
 25. Strengthening of Planning Cell at elementary & Secondary Education Department.
 26. Provision of free text book at all students of Khyber Pakhtunkhwa. Upto Intermediate level (Phase-XIV).
 27. Strengthening of Planning Cell at Industries Department.
 28. Establishment of Special Media Cell in the Directorate of Information.
 29. Strengthening of Information Department.
 30. Establishment of three FM Stations at Kohat, Swat and Abbottabad.
 31. Establishment of Planning Cell at Local Government and Rural Development Department.
 32. Retirement Benefit and Death Compensation Cell.
 33. Automation of Pension Payment System (APPS).
 34. Energy Monitoring Unit.
 35. Establishment of Planning Cell in Food Department.
 36. Automation of Food Department.
 37. Operationalization of Redesigned Energy and Power Department.

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Khyber Pakhtunkhwa Employees (Regularization of Services) Act, 2018

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38. Establishment of Planning Cell In Energy and Power Department.
39. Computerization of Land Record.
40. Creation of MRS Cell In C&W Department.
41. Enhancement of existing facilities In MIS /GIS for C&W Department.
42. Strengthening of Planning Cell and Monitoring of Development Projects of Agriculture Department
43. Project Coordination Unit (PCU) for Implementation of Law and Order Initiative in Khyber Pakhtunkhwa.
44. Afghan Management and Repatriation Cell at Home Department.
45. Traffic Control Management System and FM Radio 693120173.
46. Strengthening of Prosecution Directorate, PCMC and Planning Cell at Home Department.
47. Establishment of 100 Family Welfare Centers.
48. Establishment of Population and Research Training Institute and Social Mobilization.
49. Value Addition / Research and Development works on Ore Minerals in Khyber Pakhtunkhwa.
50. Establishment of Model Coal Mine at Shahkot District Nowshera.
51. Establishment of Zoo for Peshawar Division.
52. Development and Management of National Park in Khyber Pakhtunkhwa.
53. Conservation and Management of Wildlife In Central and Northern Division.
54. Establishment of monitoring, Evaluation, Grievance and Inquiry Cell in Administrative Department.
55. Establishment of Climate Change Cell for Multilateral Environmental Agreements.
56. Carbon Stock Assessment In Khyber Pakhtunkhwa.
57. Introduction of Range Management Initiatives In Khyber Pakhtunkhwa.
58. Establishment of Engineering Wing In Sports, Tourism, Archeology, Youth Affairs and museums Department.

=====

C-15



FATA SECRETARIAT
Planning and Development Department
 Warsak Road, Peshawar

Secy/P&D/FS/Admn/2012-13 / 218-

Dated: 06/06/2013

NOTIFICATION

In compliance with the Section Officer-I, Governor's Secretariat, Khyber Pakhtunkhwa, Peshawar letter No.SO-1/1-1/GS/2012/10935-52 dated 25th May 2013, ~~the Government of Khyber Pakhtunkhwa has been pleased to approve regular appointment of the following persons from the date of their initial appointment against the posts in the relevant scale & category with immediate effect:~~

S#	Name & F.Name of the Employee	Nomenclature of the Regular Post	Date of Appointment	Place of Posting
1	Mehboob Ali S/O Ayub Khan	Office Assistant (BPS-14)	12/2/1995	P&D Dep't, FATA Sec't:
2	Sohail Zaman S/O Muhammad Saleem	Office Assistant (BPS-14)	9/2/1995	-do-
3	Muhammad Ayub Khan S/O Masani Khan	Office Assistant (BPS-14)	12/2/1995	-do-
4	Khalid Hassan S/O Awal Sheer	Sr. Scale Stenographer (BPS-16)	12/2/1995	-do-
5	Muhammad Ayaz S/O Saad Muhammad	Stenographer (BPS-14)	12/2/1995	-do-
6	Tariq Hassan S/O Ahmad Hassan	Data Entry Operator (BPS-12)	12/2/1995	-do-
7	Masood Ur Rehman S/O Gul Rehman	Data Entry Operator (BPS-12)	2/12/2004	-do-
8	Shakir Ullah S/O Sohail Khan	Junior Clerk (BPS-7)	14/2/1995	-do-
9	Muhammad Zubair S/O Sartaraz Khan	Junior Clerk (BPS-7)	12/2/1995	-do-
10	Faiz Niaz S/O Shahzad Mir	Junior Clerk (BPS-7)	4/1/1995	-do-
11	Rahim Dad S/O Khalid Dad	Junior Clerk (BPS-7)	22-05-1996	-do-
12	Abdul Wahid S/O Zameer Gul	Junior Clerk (BPS-7)	12/2/1995	-do-
13	Imdadullah S/O Hakeem Fazal Meera	Driver (BPS-5)	1/1/1997	-do-
14	Sohail Khan S/O Awal Khan	Driver (BPS-5)	1/1/1997	-do-
15	Muhammad Zahoor S/O Shahzad Gul	Driver (BPS-5)	12/2/1995	-do-
16	Imdad S/O Khalid Gul	Naib Casid (BPS-3)	3/2/1995	-do-
17	Hani S/O Faqir Muhammad	Naib Casid (BPS-3)	12/2/1995	-do-
18	Abdul Ghaffar S/O Saigyan Khan	Naib Casid (BPS-3)	4/1/1995	-do-
19	Mustafa Khan S/O Dilbar Khan	Naib Casid (BPS-3)	12/2/1995	-do-
20	Samir Jan S/O Abdur Raul	Naib Casid (BPS-3)	12/2/1995	-do-

Sd/-
 Section Officer-I

Enlist No. & date as given

- AGPR, Sub-Office, Peshawar.
- Section Officer-I, Governor's Secretariat, Khyber Pakhtunkhwa w/r to her letter quoted above.
- PS to Additional Chief Secretary (FAT/1)
- PS to Principal Secretary to Governor, Khyber Pakhtunkhwa, Peshawar.
- PS to Secretary, P&D Department, FATA Secretariat.
- PS to Secretary, AI&C Department, FATA Secretariat.
- Officials concerned.

EXTRAORDINARY
GOVERNMENT



REGISTERED NO. PIII
GAZETTE

D-16

KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, MONDAY, 17th JUNE, 2019.

GOVERNMENT OF KHYBER PAKHTUNKHWA,
SPORTS, CULTURE, TOURISM, ARCHAEOLOGY, MUSEUMS &
YOUTH AFFAIRS DEPARTMENT.

13-A Khyber Road, Peshawar. Phone # 091-9211169.

NOTIFICATION

Dated 11th June, 2019.

No. SO(C)1-1/2017/Establishment/5196-5225:- In pursuance of the Judgment of the Apex Appellate Court of Pakistan in Criminal Appeal No. 5-P of 2018 dated 08-05-2019 titled "Azam Khan Chief Secretary etc. Versus Ghulam Rasool and others" and in supersession of this Department Notification No. SO(C)1-1/2017/Establishment/5196-5225 dated 11-08-2017, the Competent Authority has been pleased to regularize the following contract employees of the Nishkar Hall Peshawar with effect from the date of their initial appointment as mentioned against each:-

S No	Name of Employee.	Post with BPS.	Initial date of appointment
1	Mr. Muhammad Karim	Technical Assistant (BPS-14).	20-02-1994
2	Mr. Muhammad Javed Khan.	Stage Supervisor (BPS-14).	01-04-1996
3	Mr. Zahid Hussain	Junior Clerk (BPS-11).	11-06-2003
4	Mr. Ghulam Rasool	Security Supervisor (BPS-11)	23-07-1992
5	Mr. Munir Khan	Security Incharge (BPS-08).	13-06-1996
6	Mr. Muhammad Jamil	Haib Qasid (BPS-03)	01-06-1992
7	Mr. Muhammad Yaqoob Khan	Security Head (BPS-05)	16-07-1992
8	Mr. Faqir Hussain	Mechanical Helper (BPS-03).	20-11-1996
9	Mr. Fazl	Chowkidar (BPS-03)	01-06-1992
10	Mr. Beharzeb Khan.	Security Guard (BPS-03)	25-05-1998
11	Mr. Muhammad Raaz	Security Guard (BPS-03).	16-07-1992
12	Mr. Ghulam Khan.	Security Guard (BPS-03).	21-06-1992
13	Mr. Javed Iqbal	Sweeper (BPS-03).	09-06-1992
14	Mr. Muhammad Kamran	Security Guard (BPS-03)	06-03-2007
15	Mr. Zahidullah Shah.	Electric Helper (BPS-03).	31-12-2009
16	Ms. Maryam Marfha	Sweeper (BPS-03).	20-09-2005
17	Mr. Ghazi Marjan	Security Guard (BPS-03)	01-12-1992

SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA,
SPORTS, CULTURE, TOURISM, ARCHAEOLOGY,
MUSEUMS & YOUTH AFFAIRS DEPARTMENT

1451

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GOVERNMENT OF KHYBER PAKHTUNKHWA
PLANNING & DEVELOPMENT DEPARTMENT

E-17

Dated Peshawar, August 04, 2020.

NOTIFICATION:

NO.SO(E)P&D/071/19-39/2019: The Competent Authority is pleased to regularize the services of the following Assistant Chiefs (BS-18) of the project "Strengthening of P&D" of erstwhile FATA with effect from 18.05.2006 through Summary:

1. Mr. Jamshed Ali Khan.
2. Mr. Abid Noor.


2. Consequent upon the above, the officers concerned are hereby inducted/included into the Provincial Planning Service Cadre on the analogy of other officers (BS-17 and above) of different projects of P&D Department vide this department notification of even number, dated 09.01.2020.

SECRETARY
P&D Department.

Endst: No. & date even.

Copy forwarded to the:

1. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
2. Secretaries to Govt of Khyber Pakhtunkhwa, Establishment, Finance and Law, Parliamentary Affairs & Human Rights Departments.
3. Accountant General, Khyber Pakhtunkhwa, Peshawar.
4. Assistant Chief (B&A), P&D Department.
5. PS to Additional Chief Secretary, Khyber Pakhtunkhwa.
6. PS to Secretary, P&D Department.
7. PA to Additional Secretary-I, P&D Department.
8. PA to Deputy Secretary-II, P&D Department.
9. Officers concerned.


(SONA KHAN)
Section Officer (Estt.)

To

The Additional Chief Secretary,
Planning Development Department
Government of Khyber Pakhtunkhwa

PS TO ACS P&D DEPTT:

Diary No. 605 wle

Dated 11-04-22

F-18

SUBJECT: - APPEAL REGARDING COUNTING OF LEFT OVER PREVIOUS SERVICES LENGTH (WITH BACK BENEFITS)

Dear Sir,

With due respect it stated that I was initially appointed as Computer Operator (BS-11) as project employee in the "Capacity Building Project P&D Department Phase-II" on 06/12/2005 (copy attached). I rendered services as project employee till 1st March, 2018 (12 years).

The service of the undersigned was regularized w.e.f. form 02-03-2018 vide Khyber Pakhtunkhwa Regularization Act 2018 (Copy attached).

It is pertinent to mention here that no standard procedure has been adopted for regularization of different categories of contract employees: -

- i. The lower staff i.e. BPS-1 to BPS-16 of "Projects Post" of erstwhile FATA were regularized through Governor Directive (Copy attached). Subsequently their services were terminated. Later on the Supreme Court of Pakistan regularized them (previous service counted) through notification dated 14-07-2015 (Copy attached).
- ii. The project/contract based employees of "Sports, Tourism, Archaeology, Culture & Youth Affairs Department" through a Supreme Court of Pakistan judgment were regularized (previous service counted) through notification dated 17th June 2019 (Copy attached).
- iii. Similarly, the project employee of "Strengthening of P&D" erstwhile FATA were also regularized on 04-05-2020 from 18-05-2006 (previous service counted) (Copy attached).

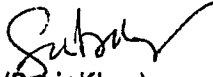
At present I attain age of 41 years while on regularization w.e.f. 02-03-2018, I have a service length of only 04 years which is a great loss to me.

In view of foregoing, it is therefore, earnestly requested that on the analogy of above mentioned precedents, my left over service of around 12 years may also counted and regularization of my service with back benefits be notified as of 02-03-2018.

Tanking in anticipation

Dated: - 11-04-2022

Yours Truly


(Sabir Khan)
Naib Qasid
(P&D Department)

VAKALATNAMA

BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR

APPEAL NO: _____ OF 2022

Sabir Khan

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

P-7 D.

(RESPONDENT)
(DEFENDANT)

I/We Sabir Khan

Do hereby appoint and constitute **NOOR MOHAMMAD KHATTAK, Advocate, Peshawar** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

Dated. ___/___/2022

Sabir Khan

CLIENT

Sabir Khan

ACCEPTED

NOOR MOHAMMAD KHATTAK

KAMRAN KHAN

UMAR FAROOQ

MUHAMMAD MAAZ MADNI

HAIDER KHAN
ADVOCATES

OFFICE:

Flat No.(TF) 291-292 3rd floor
Deans trade centre Peshawar cantt:
Mobile No. 0334-5277323