#### BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

#### Service Appeal No. 15611/2020

<b>BEFORE:</b>	SALAH UD DIN	 'MEMBER(J)
	MIAN MUHAMMAD	 MEMBER(E)

Shafi Ullah SST S/o Allah Dad Khan R/o Village Daulat Khel District Lakki Marwat...... (Appellant)

#### <u>VERSUS</u>

- 1. Secretary Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
- 2. Director, Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
- 3. Secretary, Finance Department Khyber Pakhtunkhwa Peshawar.
- 4. District Education Officer, District Lakki Marwat.
- 5. District Accounts Officer, District Lakki Marwat...... (Respondents)

#### Present:

ZAHIR SHAH MARWAT, Advocate

-- For Appellant.

#### MUHAMMAD RIAZ KHAN PAINDAKHEL, Assistant Advocate General --- For respondents.

#### JUDGEMENT

**MIAN MUHAMMAD, MEMBER(E):-** The appellant has instituted the instant Service appeal by invoking jurisdiction under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 with the prayer that "on Acceptance of this appeal the appellant may be dealt in accordance with law and the direction may kindly be issued to provide back benefits to the appellant from 01.01.2009 as per law." 02. Brief facts of the case, as gathered from the memo of appeal, are that the appellant was initially appointed as SET for six months on contract basis vide Notification dated 01.02.2007. His contract period was subsequently extended from time to time until 10.03.2008. He was re-employed as SET for one year on 06.09.2018. The appellant therefore, opted for the post of PST and was absorbed permanently as regular PST (BS-07) vide appointment order dated 06.03.2009. Seeking benefits of the contractual period, the appellant filed writ petition No. 411/2010 before the honourable Peshawar High Court. His writ petition was however, disposed of with observations vide order dated 09.05.2012 in the following manner;

"The learned Deputy Advocate General agreed that let the case be sent to the Secretary Education, Government of Khyber Pakhtunkhwa to look into the matter and if Similarly placed persons have been given the same benefits for which prayer has been made in this writ petition then, the petitioner shall not be made an exception".

03. The respondents department, in the light of above directions of the honourable Peshawar High Court, regularized the services of appellant as SST with immediate effect vide notification dated 27.06.2012. Feeling aggrieved, the appellant filed department appeal for back benefits, on 20.07.2020 which was not responded within the statutory period hence the instant Service appeal was submitted on 18.11.2020.

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04. Notices were issued to the respondents, who submitted their comments, wherein they refuted the assertions raised by the appellant in his appeal. We have heard arguments of learned counsel for the appellant as well as learned Assistant Advocate General Attorney for the respondents and have gone through the record with their valuable assistance.

05. Learned counsel for the appellant, at the outset of his arguments contended that the appellant has not been treated in accordance with law and Rules on the subject. He has rather been discriminated because the contract service of other similarly placed persons had been regularized w.e.f 01.01.2009 vide notification Endst. No. 3319-26/A-14/SET (M) Regularization SST contract, dated 27.06.2012 whereas the contract service of the appellant was regularized with immediate effect vide Notification Endst No. 3319-26/A-14/Set (M) regularization SST contract dated 27.06.2012. He vehemently contended that the contract period of the appellant was not regularized for the purpose of back benefits, under the Khyber Pakhtunkhwa Employees (Regularization of Services) Act, 2009 as well as directions of the honourable Peshawar High Court passed on his writ petition No. 411-2010 dated 09.05.2012. It was further argued that the appellant was regularly submitting applications to the respondent requesting for back benefits of the contract period but all his efforts did not bear fruit and were in vain. So much so that departmental appeals of the appellant to respondents No.2 and respondents No.1 were not responded within the statutory period restraining the appellant to

approach the Service Tribunal for redressal of his grievances. The acts on part of the respondents are contrary to law, rules and regulations, norms of natural justice and are clear violation of Articles 4 and 25 of the constitution, the service appeal may therefore be allowed and the respondents may be directed to grant the appellant back benefits, he concluded.

06. Learned Assistant Advocate General on the other hand, controverted assertions of the appellant raised in the service appeal as well as arguments of the learned counsel for appellant. He raised preliminary objection on maintainability of the instant service on the ground of limitation and contended that the appellant is aggrieved of the impugned Notification dated 27.06.2012 which was assailed through departmental appeal after 08 long years on 20.07.2020. Therefore, when departmental appeal is time barred then subsequent service appeal is also considered as time barred. He next argued that the impugned notification was issued on the directions of honourable Peshawar High Court and in case of any grievance, the appellant was required to have filed petition for COC proceedings against the respondents before the honourable Peshawar High Court but he kept silent for 08 years. Moreover, the appellant joined the department as regular PST (BS-07) on 06.03.2009 subsequently to his contract appointment as SET and that too with break in service, therefore, his case was not at part or identical with those who joined the service as SST on contract basis and their services were regularized under Khyber Pakhtunkhwa Employees (Regularization of Services) Act, 2009 w.e.f.

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01.01.2009. The instant service appeal being devoid of merits as well as hit by limitation, is liable to be dismissed in favour of the respondents, he concluded.

07. The departmental appeal of the appellant is badly time barred. The settled proposition of law dictates that when an appeal of the civil servant is time barred before the appellate authority, then the appeal before the service Tribunal is also not competent and maintainable. Reliance is placed on PLD 1990 Supreme Court 951, 2006 SCMR 453 and 2007 SCMR 513. This Tribunal can take merits of the case into consideration only when the appeal is within time. August Supreme Court of Pakistan in its judgement reported as 1987 SCMR 92 has held that when an appeal is required to be dismissed on the ground of limitation then its merits need not to be discussed.

08. As a sequel to the foregoing discussion, the instant service appeal being not maintainable stands dismissed. Parties are left to bear their own costs. File be consigned to the record room.

09. Pronounced in open court at Peshawar and given under our hands and seal of the Tribunal this  $9^{th}$  day of December, 2022.

(SALAH UD DIN)

MEMBER (J)

(MIAN MUHAMMAD) MEMBER (E)

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ORDER 09.12.2022

Mr. Zahir Shah Marwat, Advocate for the appellant present. Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for the respondents present. Arguments heard and record perused.

02. Vide our detailed judgement of today separately placed on file consisting (05) pages, the instant service appeal being not maintainable stands dismissed. Parties are left to bear their own costs. File be consigned to the record room.

03. Pronounced in open court at Peshawar and given under our hands and seal of the Tribunal this  $9^{th}$  day of December, 2022.

(SALAH UD DIN) MEMBER (J) (MIAN MUHAMMAD) MEMBER (E) 06.12.2022

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Appellant in person present. Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for the respondents present.

Learned Member (Judicial) Mr. Salah-ud-Din is on leave, therefore, order could not be announced. Adjourned. To come up for order on 09.12.2022 before the D.B.

> (Mian Muhammad) Member (E)

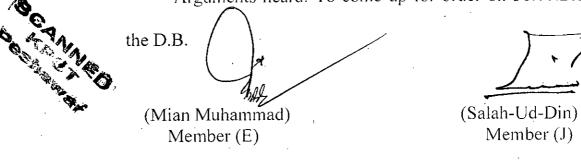
> > ₹.<sup>64</sup>

Proper DB nat anislabale The care is adjourned To 24-11-22 9-9-22 Ronde

24.11.2022

Appellant alongwith his counsel present. Mr. Behramand, Assistant Director alongwith Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for the respondents present.

Arguments heard. To come up for order on 30.11.2022 before



30.11.2022

Appellant in person present. Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for the respondents present.

As learned Member (Executive) Mr. Mian Muhammad was not feeling well and has proceeded on short leave, therefore, order could not be announced. Adjourned. To come up for order on 0**6**.12.2022 before the D.B.

(Salah-Ud-Din) Member (J)



01.12.2021

Counsel for the appellant present.

Mr. Asif Masood Ali Shah, Deputy District Attorney for respondents present.

Former made a request for adjournment being not prepared the brief. Adjourned. To come up for arguments on 15.03.2022 before D.B.

(Atiq Ur Rehman Wazir) Member (E)

(Rozina Rehman) Member (J)

15.03.2022

Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 20.6.2022 for the same as before.

20.06.2022 (Lounse) avas felephonica (Lounse) Nemo for the appellant. Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present.

Previous date was changed on Reader Note, therefore, notice for prosecution of the appeal be issued to the appellant as well as his counsel through registered post and to come up for arguments on 09\_09.2022 before the D.B.

(Mian Muhammad) Member (E) (Salah-ud-Din) Member (J) 06.04.2021

Due to demise of the Worthy Chairman the Tribunal is defunct, therefore, case is adjourned to 13.07.2021 for the same as before.

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#### 13.07.2021

Nemo of behalf of the appellant. Mr. Hussain Abbas, Assistant for respondents No. 1 to 3 alongwith Mr. Kabirullah Khattak, Addl. AG for the respondents present.

Respondent Nos. 1 to 3 have furnished reply/comments. Learned AAG is required to contact the remaining respondents for submission of written reply/comments in office within 10 present and mepty days, positively. If written reply/comments are not submitted been not been Grant within the stipulated time, or extension of time is not sought through written application with sufficient cause, the office shall submit the file with a report of non-compliance. File to come up for arguments on 01.12.2021 before the D.B.

P.S 28.07.2021

Learned Addl. A.G be reminded about the omission and for submission of Reply/comments within extended time of 10 days.

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#### Form-A

#### FORM OF ORDER SHEET

Court of 15611 2020 Case No. Date of order Order or other proceedings with signature of judge S.No. proceedings 2 3 1 The appeal of Mr. Shafiullah resubmitted today by Mr. Zahir Shah 07/12/2020 1-Marwat Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please. This case is entrusted to  $\check{S}_{\xi}$ Bench for preliminary hearing to be put 2up there on 18 01 207 CHAIRMAN Appellant present in person. Preliminary argumens, heard. 18.01.2021 File perused. Points raised need consideration. Admitted to regula, hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to respondents for written Appellant Deposited reply/comments. To come up for written reply/comments on cess Fee Secu 06.04.2021 before S.B. (Rozipa ehnian)-Member (J)  $[\mathcal{L}]$ 

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The appeal of Mr. Shafiullah SST son of Allah Dad Khan r/o Village Daulat Khel Lakki Marwat received today i.e. on 18.11.2020 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Copy of order of appellant as PST mentioned in para-1 of the memo of appeal (Annexure-A) is not attached with the appeal which may be placed on it.
- 2- Annexure-D, page no. 27 & 28 of the appeal are illegible which may be replaced by legible/better one.

No. 3863 /S.T.

Dt. 20 /11 /2020.

REGISTRAR,

The above mentioned objections are removed,

file completed as per objections and resubmitted

SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR.

> Zahir Shah Marwood, Advocate.

4/15-12020

Mr. Zahir Shah Marwat Adv. Pesh.

Respected Sir.

### BEFORE THE HON'BLE CHAIRMAN SERVICE TRIBUNAL KP, PESHAWAR

Service Appeal No.\_\_\_\_\_2020

Shafi Ullah.....(Appellant)

#### Versus

Secretary, Elementary & Secondary Education KP, Peshawar and others ......(Respondents).

<u> </u>	Description of Documents	Annex	Pages
S.No.	Orsunda of Appeal		1-5
<u>l.</u>	Grounds of Appeal		6
2.	Affidavit	+	7
3.	Addresses of the parties	<u> </u>	0 17
4.	Copies of Orders	<u>A</u>	8-17
5.	Copies of Judgment dated	B&C	
5.	09/05/2012 and Notification dated		18-21
			-
	27/06/2012 Ocrus of Notification dated		22
6.	Copy of Rothloadors		66
	27/06/2012		27.70
7.	Copy of applications	E	23-28
<b>┣</b> ────	Copy of departmental Appeal	F_	29
8.			30
9.	Wakalat Nama		
[	App	pellant	*

Through

Dated: 17/11/2020

Zahir Shah Marwat 85 Zahid Rasheed Advocates, High Court Peshawar.

Cell No. 0313-9851385

INDEX

#### BEFORE THE HON'BLE CHAIRMAN SERVICE TRIBUNAL KP, PESHAWAR Khyber Patchtukhwa Service Tribunat

Service Appeal No. 1561 2020

Diary No. 15076 Dated 18/11/2020

Shafi Ullah SST S/o Allah Dad Khan R/o Village Daulat Khel, District Lakki Marwat......

Versus

- 1. Secretary, Elementary & Secondary Education KP, Peshawar.
- 2. Director, Elementary & Secondary Education KP, Peshawar.
- 3. Secretary, Finance Department KP, Peshawar
- 4. District Education Officer, District Lakki Marwat.
- 5. District Account Officer, District Lakki Marwat......(Respondents).

## SERVICE APPEAL U/S 4 OF THE KP SERVICE TRIBUNALS ACT 1974 FOR PROVIDING BACK BENEFIT TO THE APPELLANT FROM 01/01/2009.

#### PRAYER:

On acceptance of this appeal the appellant may be dealt in accordance with law and the direction may kindly be issued to provide back benefits to the Appellant from 01/01/2009 as per law.

Re-submitted to -day and filed. Registrar 7/12/2020

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## **Respectfully Sheweth:-**

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appointed on initially appellant was the That 01/02/2007 as SST on contract basis for period of six months. The tenure was further extended for a period of six month vide order dated 18/10/2007. Once again the period of contract was further extended for another of term of six month vide order dated 10/03/2008. On the expiry of that tenure the appellant was re-employed as SET for a period of one year on contract basis, however due to long contractual services the appellant opted for PST, where he was absorbed as permanently as regular employee.(Copies of Orders are attached as Annexure "A")

That in the meantime "THE REGULARIZATION OF CONTRACTUAL EMPLOYEE'S SERVICE ACT, 2009" came in to force and persons who opted for PST while posted as SET on contract basis were given the benefit of permanent employees as SET while the appellant was discriminated, therefore, the appellant approached the Hon'ble Peshawar High Court, Peshawar and the service of the appellant was regularized as SET vide Notification dated 27/06/2012. (Copies of Judgment dated 09/05/2012 and Notification dated 27/06/2012 are attached annexure "B & C") That similarly placed persons were given the back benefits who were regularized vide Notification dated 27/06/2012 but the appellate was discriminate and no back benefits were given to the appellant.(Copy of Notification dated 27/06/2012 is attached as annexure "D")

That the appellant approached the respondent No.2 so many time but every time they assured by applying formula of the delay tactics and lastly the appellant submitted application on 24/01/2020 for providing the back benefits to the appellant from 01/01/2009. The appellant waited for the result but no response was given to the appellant. (Copy of applications are attached as annexure "E")

That thereafter, the appellant filed department appeal before the respondent No.1 on 20/07/2020 and wait for long time for the result of the appeal but the respondent No.1 also did not give any response to the appellant. (Copy of Appeal is attached as annexure "F")

6. That being aggrieved the appellant prefers this Service Appeal on the grounds inter-alia as follow:-

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3.

#### **GROUNDS:**-

C.

- A. That the appellant has not been treated according to law and rules and his rights secured under the law and constitution are badly violated.
- B. That the omission of the respondent by not providing the back benefits to the appellant is the clear violation of Art. 4 and 25 of the constitution of Islamic Republic of Pakistan, 1973, which guaranteed the fundamental rights of the appellant.
  - That the appellant being the eligible one was intentional ignored from has due rights thus this omission and commission of the respondents is contrary to the law, rules and regulation governing the subject matter.
  - D. That the actions and inactions of the respondents particularly of the respondents No. 1 & 2 are against the norms of justices, moreover the appellant was

intentionally discriminated and this act and omission of the respondents is clear violation of his powers/ duties.

E. That the appellant would like to offer some other additional grounds during the course of arguments where the stance of the respondents is known to the appellant.

It is therefore humbly prayed that the instant appeal may graciously be accepted as prayed for the above.

Any other relief as deemed appropriate in the circumstances of case not specifically asked for may also be granted to the appellant.  $\frac{1}{2}$ 

Appellar

Through

Dated: 17/11/2020

Zahir Shah Marwat

& **Zahid Rasheed** Advocates, High Court Peshawar

### <u>BEFORE THE HON'BLE CHAIRMAN SERVICE TRIBUNAL KP,</u> PESHAWAR

Service Appeal No	2020		

Shafi Ullah.....(Appellant)

Versus

Secretary, Elementary & Secondary Education KP, Peshawar and others ......(Respondents).

#### AFFIDAVIT

I, Shafi Ullah SST S/o Allah Dad Khan R/o Village Daulat Khel, District Lakki Marwat, do hereby affirm and declare on oath that the contents of the accompanying appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.

11201-0369736-5

ATTESTER



### BEFORE THE HON'BLE CHAIRMAN SERVICE TRIBUNAL KP, PESHAWAR

Service Appeal No.\_\_\_\_\_2020

Shafi Ullah.....(Appellant)

Versus

Secretary, Elementary & Secondary Education KP, Peshawar and others ......(Respondents).

### ADDRESSES OF THE PARTIES

#### **PETITIONER:**

Shafi Ullah SST S/o Allah Dad Khan R/o Village Daulat Khel, District Lakki Marwat.

#### **RESPONDENTS:**

- 1. Secretary, Elementary & Secondary Education KP, Peshawar.
- 2. Director, Elementary & Secondary Education KP, Peshawar.
- 3. Secretary, Finance Department KP, Peshawar
- 4. District Education Officer, District Lakki Marwat.
- 5. District Account Officer, District Lakki Marwat.

#### Appellant

Through

Dated: 17/11/2020

Zahir Shah Marwa & Zahid Rasheed

Advocates, High Court Peshawar

SIET(m) sc:

#### Directorate of Schools & Literacy NWFP Peshawar

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#### Notification <sup>\*</sup>

Consequent upon the approval of the competent authority; the following candidates are hereby appointed as SET(Male/Science) on contract basis for a ported of (six months) or till the arrival of the recommendees of the NWFP, Public Service Commission/Departmental whichever is learlier with immediate offect and post them against the vacant post in the schools as noted against their names:-

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		- 7875 7	Yasir Ali Khan	Muhammad Ashraf	Abbetlabad ,	Homo/Street :70933 PO :Nawenshahr Village/Town :Nia	GHS Nambal Abbottabad
1		2462	ZIA. UR .REHIMAN	OAZI .SAIF. UR. REHMAN	Abbollabad	Home/Siroot 21A, UR, REHMAN, H # 1972 † DHODIAL, PO :NAVYANSHEHR Village/Town :DHODIAL, ABBOTTABAD/ABBOTTABAD/ABBOTTABAD	GHS Serhan Abbottabad
3		5232	Syod Abbas Shah	Syed Fageer Shah	Abboliabad	Nome/Sireet :c.b.h.960 moh haji khan baz PO :pof havellan. cantt Villoge/Town :sulanpur UC/Tehsil/District :cantt arsa/havellar/abbotlabad	GHSS Zairat Abbottabad
	  .   .	7957	Nuhammad Basharat	Muhammad Yaqoob	Abbellabad	Mome/Street:Qalandarabad PO Qalandarabad Village/Town:Qalandarabad UC/Tehsi/District;Banda Pir Khar/Abbollabad/Abgollabad	GHSS Berote Abbottabad
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	5	7018	Shaliq-ur-Rohman Abbasi	Amir Abdullah Khan	Abbottabad	Home/Subet :Governent High School Nammal PO :Nammal 	GHS Seer 15 Abbottabad
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	7	· 4167	Niamat Khan	Shanwari Khan	Abbottabad	Home/Street:House # 1702 PQ:abbottabad Vätage/Town :Mohaliah Diggi UC/Tehsit/District:urban city/Abbottabad/Abbottabad	GHS Khara Gall Abbottabad
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· · ·	8	7234	Munir Ahmad	Noor Mohammad	Abboltabad .	Homo/Street H, No 109, Mohaltah Naliah (PO ;GPO Abboliatad Villogeffown :Upper Matik Puris ABBOTTABAD UC/Tehsi/Distriet /Abboliabad/Abboliabad	GHSS Lora
	به . 19	7809	NASIR MEHMOOD	MOHAMMAD ASLAM	Abbottabad	Home/Street:TC/HOUSE NO-760 MOHALLAH HAJI ABAD PO:HAVELIAN VilagoTown :HAVELIAN CITY UC/Tohsil/District :HAVELIAN URBAN/ABBOTTABA D/ABBOTTABAD	GHS Ghari Noor Pur Abbottabad
1 1 1	10	4761	MUHAMMAD QAISAR KHAN	MISAL KHAN	Abboliabad	Home/Sireel :H#2 OFFICER COLONY PO :BALDHER Village/Town :KHYBER TEXTILE MILLS BALDHER UC/Tohsil/District :BAGRA/HARIPUR/HARIPUR	GHS Hadora Bandi Abbottabad
•	<u> </u>	 سور سر - ا			- <u> </u>	Home/Street :Nii PO :Muslimabad Village/Town Willage Lail	
		.1383	Muhammad Nawaz	Muhammad Miskeen	Abbottabad	Gah UC/Tehsil/District :Salhad/Abbottabad/Abbottabad	GHS Bagan: Abbottabad
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,	13	7826	GUL SHAH	SYED HADAIT SHAH	Abbottabad	Home/Street: C/O BILAL CLOTH HOUSE LIQUAT MARKET MAIN BAZAR HAVELIAN PO Haveilan Valage/Town ' HAVELIAN UC/Tensil/District [ HAVELIAN/ABBOTTABAD/ABBOTTABAD	GHS Bagh

Attested ATTESTED SULT

Page 1 of 14

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	ID -	Applicant Name	Falher Name	District		Address			1/2
58	3704	Muhammad Abid	Muhammad Saleh	Haripur	1	Home/Street :NA PO :Kol Najibullah Village/Town :Gunla	Posted A	A	Æ
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59 ]	7942	Muanimud Ibrahim	Shah Zaman	Harlpur		Homo/Street :Nil PO :Kachhi Village/Town :Village Kachhi UC/Tehsil/District :Boer/Harlpur/Harlpur	GHS Joze 4: 2	Battegram	
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 60	5309	Javeed Gul Sbakeel	Hassan Din	Variana	<u> </u>	Home/Street: Moonan PO :Srari Saleh Village/Town		• • • • • • • • • •	•
	•			Haripur		:Moonan UC/Tehsil/District :Harlpur/Harlpur/Harlpur	GHS Kannal	Battagram	
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61 ÷	4410	Zahid Alzal	Malik Muhammad Alzal	Haripur		Home/Stroet :Mang PO :Mang Village/Town :Villege/Post Office Mang UC/Tehsi/District :Sirya/Haripur/Haripur	GHS Neleshang	Battagram	1
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62 ; -	1917	Muhammad Abid	Shaliq ur Rehman	Haripur	. <u> </u>	Home/Street : Mohallah Babu, Near Makki Misjid PO	GHS Pichari	<u>, , , , , , , , , , , , , , , , , , , </u>	ł
		Shafiq				:Haripur Village/Town :Haripur UC/Tohs#District :Cit 	y GHS Pichari	Battagram	
		,		-   ·					
63	6069	Ejaz Ahmed	Abdul Aziz	Haripur		Home/Street house # 308, Azam Chowk Sec 2 PO house 308, Azam Chowk Soc 2 Village/Town hLs haripur	GHS Pashto 1 (12)	Batlagram	] ·
	; .	• •				UC/TehsI/District : Ohenda/haripur/haripur			
.54	7918	RASHID NAWAZ	AJMAL KHAN	Haripur		Home/Street:SARAISALEH PO:SARAISALEH Village/Town:SARAISALEH UC/Tehsil/District	GHS Palmal Sharif	Battagram	•
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65	5322	Waheed Abbas	Muhammad Sadig			Home/Sizeet :Mang PO :Mang Village/Town :Mang			ļ
•		-		Haripur		UC/Tehsil/District:Sirya/Haripur/Haripur	GHS Rashang	Battagram	j
·									]• · ·
66	6767	Jamair Khan	Shoukat Zaman •	Haripur		Home/Street :H.No 1071 K.T.S Sector 4 PO :Khalabat Village/Town :Vitage Phooldar Khalabat Town Ship	GHS Shingi Payee	Battagram	].
$\alpha$	^					UC/TohsWDistrict:Khalabat/Haripur/Haripur			
167	5684	Shafi Ullah Khan	Allah Dad Khan	Laldi		Home/Street :Daulat Khel PO :Isak Khel Village/Town	GHS Khan Khel	Lakki	
			<u>+</u>			:Daulat Khoi UC/Tehsik/District :Isak Khok/akki marwat/ak marwat	Mandozal		$ \cdot\rangle$
: 168 '	2778	Zain Ullah	Habib Ullah			Home/Street : Gul Baol PO : Gomal Bazar Village/Town :K		!	-
1				Tank		Haji Golzar UC/Tehsil/District ;Dabara/Tank/Tank	GHS Kol Khadak	Tank	· .
	r 	··· ·· · · ·							ŀ
169	897	Muhammad Ali	Inayatuliah Khan	Tank		Home/Street :House No PO :2 Near Trible Textile Mills PC Village/Town :Baccha Abad Village/Town UC/Tehsil/Distr	net   Gho Nin Marwau	Tank	].
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1/0	5475	AKHTAR SALIM	ABDUL MALIK	Tank	<u> </u>	Homo/Street :NAZAR KHEL PO :MULLAZAI Village/Tow	GHS No.2 Tank	i I Teak	
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	L	ահան ու համարդ հաղորդությանը։				· _			] <sup>.</sup> .
171	6685	MUHAMMAD RAMZAN	ABDULLAH JAN	Tank		Home/Street 1 PO :RANAWAL Village/Tewn :BARA KHE UC/Tehsil/District :RANAWAL/TANK/TANK	GHS Gara Shahbaz	Tank	]
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1						<u>т</u> р н						· · · · ·
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	of	issue.	cices of the INV	VFP P.S.	.C/Departmental which	never is ea	rlier. 1	re made on contract basis for a per This order will automatically stand	terminated :	ays (six) months or	till arrival	
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	- coi	nditions	lidate will sign a mentioned in si	an agree	ment with the	) (S&I	.) (	omerned and their ser	vices will be	Del 191		
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17.7	: 3.1	nersala	try is subject to	execution	on of agreement deed	containing	the te	erms and conditions of the agreen	) Nent		1	·
122	<b>4.</b> 1	heir sen	vices will be lial	ble to ter	mination without power	, 						
42	ilhe	ir one m	onth pay plus u	usual allo	wances will be forfeite	eason duri: Id.	ng the	e currency of this agreement. In ca	ise of resign	ation without prior no	lice	
50'd 73	5.T	ho anno	intees shall ion	1 lhoir na	sete willight atte					11 - 21 - 21 - 21 - 21 - 21 - 21 - 21 -		
	sta	nd cance	elled and will be	s replace	ed on meril from the m	of the issuerit lief	lance	of this order otherwise after the de	adline date	the appointment and	erwill	· · · • • • • • • • • • • • • • • • • •
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S.No JD	Applicant Name	Father Name	District		Address		Posted At
9. Their ar 10.The in	opointment is specific : -service candidatos sh	school base and non to nall not be allowed to jo	ransferable du	uring currency of	agreement period.	•	

To the above order will take effect with immediate effect in respect of candidates/appointed in the schools of plain areas while it will take effect from the date of re-opening of schools of hilly areas after winter vacations (i.e. in March, 2007) in respect of candidates/appointed in the hilly areas. Though they are directed to compile the contracts and other documontation.

12. They will get pay in BPS-16 plus usual allowances as admissible under the rules.

13.No TA/DA is allowed.

14. Charge report should be submitted to all concerned.

Endst: No.5967-6415/DD(E) Dated 01/02/2007

Copy forwaded for information and necessary action to the:-1. Accountant General NWFP, Peshawar 2. Executive District Officers (Schools & Literacy) 3. Distr: Accounts officers concerned 4. Principal/Headmistress concerned 5. Candidates concerned 6. PS to the Minister for Education NMCD

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- 6. PS to the Minister for Education NWFP
- 7. PS to Secretary to Govt: of NWFP

MULLI t. 25

Director Schools & Literacy NWFP, Peshawar.

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Syed Manzar Jan Sajid Deputy Director (Establishment) Schools & Literacy NWFP Peshawar.

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Page 14 of 14 .

REX AL OFFICE OF THE DIRECTOR SCHOOLS AND WRP WAR Notification: Consequent upon the approval of the competent authority, the period of appointment of the following SETs (M&F) made on contract basis of 180 days vide Endst: NO./date(s):-50066 - 5966 dated: 1-02-2007 1. 4763 – 5005 3794 – 4762 2. -do-3. -do 4. 5967 - 6415 -do-5. 909-15 09-05-2007 Corrigendum: a. 8739 – 45 dated: 21-02-2007 b. 8626 - 68 -doć. 8696 – 728 <sup>.</sup> -dod. 9622 - 26 c. 9637 - 42 27-02-2007 -do-1-9632 - 36 -do-2. 9627 - 31 -doh. 9639 - 58 28-02-2007 i. 947 - 68 08-03-2007

22-03-2007 k. 8689 - 95 21-02-2007

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is hereby extended for further period of 180 days (6 months) after expiry of their contract appointment purely on their good performance basis.

The terms and conditions will remain in-tact as already mentioned in their

appointment order /contract/agreement:-

#### SET (F) Mardan

		a
S.No:	Name of SET (Contract 180 days)	Present station
1	Miss. Nasira Shaheen SET	GGMS Qutab Gar Mardan
2.	Miss. Safia Begum SET	GGMS Dheri Katlang
3.	Miss. Salma SET	GGMS Matta Jadeed
4.	Miss. Naheed Rehman SET	GGMS Koper Banda
5.	Miss. Abida Mumtaz SET	GGHS Kati garhi
6.	Miss.Shabnam SET	GGMS Alam Gunj
7.	Miss. Rani Gul	GGCMS Jaffar Khan Killi
8.	Miss.Tahira Nazli	GGMS Bhai khan
9	Miss. Shagufta Rohi SET	GGCMS Khali Rokhar
10.	Miss. Ambreen Gul SET	GGHSS Rustam
11.	Miss: Salma Begum SET	GGHS Mian Khan
12.	Miss. Fouzia SET	GGHS Palo Dheri
13.	Miss. Sara Munir SET	GGCMS Gadbano Killi
14:	Miss. Shabnam Zaristan SET	GGMS Landay Chaghar Zai
15.	Miss. Abida Bano SET	GGMS Alo
16.	Miss. Naseema Manzoor SET	GGCMS Said Abad
17	Miss. Saima Haq SET	GGMS Kot Jungara
18.	Miss. Salia Naz SET	GGMS Pipal
19	Miss. Bushra Naz SIEF	GGCMS Attigullah Banda
20.	Asia Bibi SET	GGMS Baringan Rustam
21.	Miss. Ambareen Jan SET	GGHSS Katlong
22.	Miss. Maryam Bibi SET	GGMS Ghala
23.	Miss. Roheena Gul	GGCMS Gulshan Abad
24.	Miss, Taubeed Anwar SET	GGMS Babo Zai
. 25.	Miss. Mehnaz Bahadar SET	GGHS Maday Baba
26.	Nausheen Jamshed SET	GGMS Baba Killi
27.	Miss. Zainab Bibi SE?	GGMS Murcha Khan
28.	Miss. Nascem Bibi Si/T	GGMS Anar Maig

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	181.	Muhammad Abid Khan		GI-IS Khawrai	$\mathcal{U}$
e ito ey	182	Muhammad Arif SET		GHS Samandar Garhi	
	1.8.3	Fida Muhammad SET		GHSS Manki Sharif	4 Lot
	184	Zia ul Haq SET		GHS Kheshgi Bala	M.
	185.	Masam Khan SET		GHS Nol Nowshera Kalan	
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			12(A:144 6XAN9;34 5;4		
		· · · · · · · · · · · · · · · · · · ·		GMS Bahader Landiwah	7
	188.	Bibi Saadia		GGHS Dallo Khel	
	189.	Rahal Maheen	· · · ·	GMS Kotka Ahmad Khan	-
1	190.	Shazia Bano		GGCMS Wanda Amir	
	191	Zubaida Habib		GGMS Bachkan Ahmad Zai	
	192.	Shakila Akhtar	· · · · · · · · · · · · · · · · · · ·	GGMS Nawar Khel	
	193	Fozia Ajmal		GGHSS Titter khel	
	194.	Shamshad Bibi		GGCMS Hati khan Langer Khel-,	
	195.	Sadaf Nayab Latafat Mehreen	··· ·· ·· ·· ·· ·· ·· ·· ·· ·· ·· ·· ··	GGMS Teri Khan Landiwan V	
	196.	Fazilat Samreen		GGMS Kotka Gider	
	197.	Fozia Gul		GGMS Mash Habib Ullah	_
	198.	Rugia Rahim		GGHS Dara Pezu	
	200.	Husna Bibi		GGCM\$ Land Ahmad Khel	
	200.	Shaista Gilani		GGHS No1 Naurang	
	201.	Zubaida Khanum	••••	GGMS Abba Khel	
		Farzana Begum	· · · · · · · · · · · · · · · · · · ·	GGHS Dallo Khel	
	203.	Bibi Amina		GGHS Gandi Khan Khel	<u> </u>
		Shaheen Akhtar	······································	GGMS Isak Khel	
	205.	Amna Igbal		OGCMS Abba Khel	
	206.		······	GGHS No.1 Lakki	·
i	207.	Robina Begum Farzana Bibi		GGMS Sarwar Mama Khel	
•	208.			GGHS Ghazni Khel	
	209.	Jamila Anjam		GGCMS Nar Kala Khan	
	210	Anjam Ara		GGCMS Gandi Umer Chikar	
1	211	Gulfam Bibi			

# SET (M) Lakki Marwat

		<u> </u>
		GMS Abbas Khattak Lakki
212.	Rehmat Ullah SET (G)	OTTO White What Mando Zaiter
	Shafr Ullah Khan (Sc)	GHS Khan Khel Mando Zai
· · · · · · · · · · · · · · · · · · ·	Sharronan Khan (807	

# SET (M) Kohat

•		GHSS Shakardurra	ł
01.4	Muhammad Arif SET		
214.	Wunanning File View S171	GHS Tora Stana	
215.	Muhammad Irshad Khan SET Muhammad Nadeem Khan SET	GHS Tora Stana	<u>.</u>
216.	Muhammad Nadeeni Khut ob	GHS Marai Payan	
· 217.	Muhammad Jaffar SET	GMS Borakka	—Y
218.	Anjum Alam SET	GMS Ghourzandi	
219.	Muhammad Israr Khan SET	GHS Chikarkot Bala	
220.	Zarwali Khan SET	CHIS CHIKAKOUDANA	

# SET (F) Kohat

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	14 M.				
	·	(1121)		GGMS Chorlaki	
ſ	221.	Rifat Naz SET		GGMS Darmalak	
ļ	222	Sadia Mehmood	· · · · · · · · · · · · · · · · · · ·	Cicityis Darminas	and a second
4				GGMS Banda Patch I	vnan
	223.	Shabana Hanif SET			

- NOTE
  - In case of transfer to other Districts (made through corrigendum) out of the above Ι. SETs, coordination between previous District and present District is must to avoid double drawl of the salaries. 2.



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- Those SETs (M&F) whose contract appointment has been extended but also selected/appointed in current appointment orders may be let free to work against anyone post of SET (i.e. current appointment or extension) whichever beneficial/acceptable to them.
- 3. They will not claim for further extension or regularization in their contract .

6630 6575-

Director Schools and Literacy, NWFP, Peshawar

Endst: A-14/SETVM&F/Contract 180 Days, Dated Copy to the:

- 1. PS to secretary (S&L) Deptt. NWFP Peshawar
- 2. Executive District Officers (S&L) concerned
- 3. District Accounts Officers concerned 4
- Principals/Head masters/Head mistress concerned
- 5. SETs concerned 6.
- PA to Director (S&L) Local Office 7. Master File

Deputy Director (Estb), Schools and Literacy, NWFP

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SNO (214) MO Wa 6

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OFFICE OF THE DIRECTOR SCHOOLS AND LITERA ΆR 'FP Notification:

Consequent upon the approval of the competent authority, the period of appointment of the following SETs (M&F) made on contract basis of 180 days vide Endst: NO./date(s):-

L	1211	. 14(),/ume(s).	-		•
	1	50066 - 590	56 da	ted: 1-02-	2007
	2.	4763 - 500	5.	-do-	. 1
•	3	3794 - 476	2	-do-	•
		5967 = 641		🖌 -do-	
	5.	909 - 15		09-05-	2007
				· · · ·	
	C	orrigendum:			•
		8739 - 45	dated	1:21-02-2	.0.07
		8626 - 68		-do-	
		8696 - 728	•	-do-	
		9622 - 26	•	27-02-2	007
	1.7.1	9637 - 42		-do-	1
		9632 - 36		-do-	ı
		9627 - 31	• • *	-do-	
		9639 - 58		28-02-20	07
		947 - 68	•	08-03-20	07
•				22-03-20	)07
		. 8689 - 95	• .	21-02-20	
	1.1			1 A A A A A A A A A A A A A A A A A A A	

already extended up to 31/01/2008 is hereby extended for further period of 180 days (6 months) with effect from 16-02-2008 purely on their good performance basis.

The terms and conditions will remain in-tact as already mentioned in their appointment order /contract agreement:-

### SET (F) Mardan

S.No:	Name of SET (Contract 180 days)	Present station
	Miss. Nasira Shaheen SET	GGMS Qutab Gar Mardan
2.	Miss. Safia Begum SET	GGMS Dheri Katlang
2.	Miss. Salma SET	GGMS Matta Jadeed
4.	Miss. Naheed Rehman SIT	GGMS Koper Banda
	Miss. Abida Mumtaz SET	GGHS Kati garhi
<u>J.</u>	Miss.Shabnam SET	GGMS Alam Guni
6.	Miss. Rani Gul	GGCMS Jaffar Khan Killi
7	Miss.Tahira Nazli	GGM\$ Bhai khan
8.	Miss. Shagufta Rohi SET	GGCMS Khali Rokhar
9.	Miss. Ambreen Gul SET	GGI-ISS Rustam
10.	Miss. Salma Begum SET	GGHS Mian Khan

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198.	Fazilat Samreen	GGMS Kotka Gider
199.	Fozia Gul	GGMS Mash Habib Ullah
200.	Ruqia Rahim	GGHS Dara Pezu
201.	1-lusna Bibi	GGCMS Land Ahmad Khel
202.	Shaista Gilani	GGHS No1 Naurang
203.	Zubaida Khanum	GGMS Abba Khel
. 204.	Farzana Begum	GGHS Dallo Khel
205.	Bibi Amina	GGHS Gandi Khan Khel
206.	Shaheen Akhtar	GGMS Isak Khel
207.	Amna Iqbal	GGCMS Abba Khel
208.	Robina Begum	GGHS No, I Lakki
209.	Farzana Bibi	GGMS Sarwar Mama Khel
210.	Jamila Anjam	GGHS Ghazni Khel
211.	Anjam Ara	GGCMS Nar Kala Khan
212.	Gulfam Bibi	GGCMS Qandi Umer Chikar

# SET (M) Lakki Marwat

E.

213. Rehmat Ullah SET (G)	GMS Abbas Khattak Lakki
2143/ Shafi Ullah Khan (Sc)	GHS Khan Khel Mando Zai
and the second	

# SET (M) Kohat

215.	Muhammad Arif SET	GUSS Shakardarra
216.	Muhammad Irshad Khan SET	GHS Tora Stana
217.	Muhammad Nadeem Khan SET	GHS Tora Stana
218.	Muhammad Jaffar SET	GHS Marai Payan
219.	Anjum Alam SET	GMS Borakka
220.	Muhammad Israr Khan \$ET	GMS Ghourzandi
221.	Zarwali Khan SET	GHS Chikarkot Bala

# SET (F) Kohat

222.	Rifat Naz SET	GGMS Chorlaki
223.	Sadia Mehmood	GGMS Darmalak
224.	Shabana Hanif SET	GGMS Banda Fateh Khan
225.	Naima Zafar SET	GGHS Sherkot
226,	Sania Aman SET	GGMS Marai Bala
227.	Alia Bibi SET	GGMS Ghourzai Payan
228.	Tania Baksh SET	GGMS Pershai
229.	Momina Begum SET	GGMS Ali Zai
230.	Faiza Bibi	GGI-IS Kharmatoo
231.	Nasim Akhter	GGHS Bori Saghří

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#### SET (F) Abbottabad

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	Hitzun Nisa		GGMS Berote	_ ~ ~ ~		
464	Sadaf Zareen		GGHS K/Raiki	<u> </u>		•
465	Syed Attia Zahoor		GGMS Chamhad			1
467	Zobia Rani		GGMS Ali Abad	المرار المستحالين	·····	••
467	Nazhaat Bahar		GGMS Takia Hall			
469	Naseem Akhtar		GGMS Chando Maira			
470	Shahida Mustafa		GGMS Barseen			ł
471	Humira Malik		GGHS Rajoya			-
472	Moheen Akhtar		GGMS Namal		<u></u>	' ا
				•.		

#### NOTE:

- 1. A fresh contract will be made with those serving SETs, only whose performance has been found satisfactory during the last six months.
- 2. They will not claim for the extension/regularization on the basis of their previous contract.
- 3. They will be bound not to challenge the break/gape, made in their instant extension in contract appointment (180 days).
- 4. Terms and conditions laid down in their first appointment order will remain intact in letter & spirit.
- 5. SETs (M&F) whose resignations have been accepted or under process or whose services have been ceased due to any disciplinary action may be considered as deleted from the above list.

Director Schools and Literacy, NWFP, Peshawar

专名

Endst No: 4925-35/A-14/SET/M&F/Contract 180 Days, Dated: 10/05/2008 Copy to the:

1. PS to secretary (S&L) Deptt. NWFP Peshawar w/r to Letter No: SOG/S&L/

- 1-90/2007 Dated 19-02-2008
- 2. Account General, NWFP, Peshawar 3. Executive District Officers (S&L) concerned
- 4. District Accounts Officers concerned
- 5. Principals/Head masters/Head mistress concerned
- 6. SETs concerned
- 7. PA to Director (S&L) Local Office
- 8. Master File

10/3/08

Deputy Director (Estb), Schools and Literacy, NWFP

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Page 15

OFFICE OF THE DIRECTOR ELEMENTARY AND SECONDARY EDUCATION N.W.F.P, PESHAWAR.

#### CORRIGENDUM:

Consequent upon the approval of the Competent Authority Corrigendum in the Re-appointment order of SETs (Male & Female) Science/General made on contract basis for the period of one year vide Endst.No.5139-5197 dated 16,09.2008 to remove the omission/errors took place due to oversight in respect of the following SETs (Male/Female) is hereby ordered in the interest of public service.

S#	Name of SET	Read as	Instead of	Remarks
1.	Mohammad Khan SET(M)S.No.21	GHS,Chattar Plan,Mansehra	GHS, H <sub>ad</sub> ora Bangi, ATD	
2.	Shemshaa Bano SET(F)/S.No.615	Read Name as Shamshad Bana	Saeega Bibi	•
3.	Hayat Khan, SET S.No.326	GHS, Maisan Bandai, Dir(L)	GHS, parora pir (U)	
4.	/Inayatullah,SET(	M) GHS, Tangora Buner	GMS, Bahie Kili, Byner	
3.	Shafiullah Khan SET(M) S.No.504	GHS, Jhang Khel Lakki		iz Khan

Note: No. T.A./DA is allowed.

Charge Report should be submitted to all concerned.

DIRECTOR ELEMENTARY AND SECONDARY EDU: N.W.F.P, PESHAWAR

Endst.No.

Io. \_\_\_\_\_/F.No.318/A-14/SET(M/F) contract One Year Dated 24/ 9/08. Copy forwarded to: Executive District Officers Concerned. District Accounts Officer, Concerned. Principals/Headmasters/Headmistress concerned.

Senior English Teachers (SETs) (Male/Female)\_ concerned.

PA to Director E&SE NWFP, Peshawar. Master File.

DEPUTY DIRECTOR (ESTAB:) DIRECTORATE OF E&SE NWFP, PESHAWAR.

Seter (Establ) 11 A Plan and K ert Padraan

#### OFFICE OF THE EXECUTIVE DISTRICT OFFICER (E & S) EDUCATION LAKKI MARW

#### APPOINTMENT ORDER:

Consequent upon the recommendation of District Selection Committee, the below named candidates are hereby appointed as Primary School Teacher in BPS-07(Rs 3530-190-9230), plus usual allowances admissible under the rules on regular basis under the provision of Establishment & Administration Department circular bearing No. SOR – 6 (E&AD) 13-1/2005 dated 10-8-2005 on the terms & condition noted below in the interest of public service from the date of taking over charge.

S.No	Name	Father Name & Address	To be posted at	Remarks
1	Mujeeb Ur Rehman	Ghani Ur Rehman R/O Tajori	GPS Gul Amir Baqer khel	Newly Created Post
2	Safi Ullah	Saadullah R/o Tajori	GPS Iqbal Bazu Khel Tajori	-do-
3	Farman Ullah	Zereen Shah R/o Kheru khel pacca	GPS Sher Nawaz Sheri khel	-do-
4	Asif Khan	Qasim Khan R/O Khery khel	GPS Pahar khel Pacca	Retirement of Hayat khan
5	Masood khan	Abdullah Khan R/o Kaka khel	GPS No.2 Kaka Khel	Retirement of Ajab khan
6	Fazal-e-Yezdan	Ghulam Jailani R/o Țittér khel	GPS Ghazi Khel No.1	Retirement of Abi Zar
7	Inayat Ullah	Abdullah Khan R/o Masha Mansoor	GPS Azim Killa Masha Mansoor	Retirement of Muhammad Aslam
8	Farooq Jamshed	Gul Mar Jan R/o Tajazai	GPS Bega Tajazai	Vacated by Abdul Jalil
9	Jamshed Iqbal	Muhammad Iqbal R/o Dabak Mandra khel	GMPS Wanda Amir No.1	Death of Abid Ullah Jan
10	Tanveer Ali	Amir Nawaz UC Mela Shahab khel	GPS Shahab khel	Retirement of Syed Badshah
11	Zafarullah	Habib Khan R/O Abba khel	GPS Shah Sahib Abba khel	Retirement of Ghazimar Jan
12	Rafi Ullah	Ghulam Sakhi Jan UC Pahar khel Thall	GPS Yar Ahmad Michen Khel	Retirement of Abdul Baqi
	Muhammad Anwar	Ghulam Nabi Lakki City	GPS Toti Abad No.1 Lakki	Out District transfer of Saif Ur Rehman
	Muhammad Ismail	Shadi Khan R/o Lakki City	GMPS Shumar Khel Michen khel	Retirement of Ahmad Ghulam
	Sher Zaman	Raees khan UC Isak khel	GPS No.2 Langer khel Hathi khan	Newly Created Post
	Shafi Ullah	Allah Dad khan UC Isak khel	GPS No.2 Langer Khel Hathi kitan	-do-
	Sher Taj Khan	Attaullah Khan UC Takhti khel	GPS Tarkha Bazi Khel	Retirement of Liaqat Ali
	Muhammad Akram	Pasham Khan UC Dara Pezu	GPS Sarga Kheru khel	Retirement of Ghulam Saeed

#### **UNION COUNCIL WISE LIST**

Attastad District off EBSE Deptt: Lakki Marwat.

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#### TERMS AND CONDITIONS:

- 1. Their appointment will be considered regular without pension and gratuity in terms of section 19 of NWFP Civil Servant Act 1973, as amended vide NWFP Civil Servant (Amendment) Act, 2005. They will however be entitled to contributory provident fund in such a manner and at such rate as may be prescribed by the Govt.
- 2. Their services will be liable to termination on one-month notice from either side. In case of resignation with out notice, one-month pay/allowance shall be refunded to the Govt.
- 3. His services will be governed by such rules and the Govt may issue regulations as from time to time.
- 4. Their services can be terminated at any time in case their performance is found unsatisfactory during probationary period, in case of misconduct they will be proceeded against the NWFP removal from service (special power) ordinance, 2000 and the rules framed from time to time.
- 5. Charge report should be submitted to all concerned.
- 6. No TA/DA is allowed to any one.
- 7. Candidates who have obtained PTC certificate other than Elementary colleges/Allama Iqbal Open University will produce surety bond that they will be under gone three months refresher course from Elementary Colleges of Govt: of NWFP or their own expenses.
- 8. Drawing and disbursing Officers are directed to check and verified the Certificates/ Degrees of the above candidates from the concerned Board/University before the drawl of his pay.
- 9. The appointment is liable to termination, if the appointee failed to take over charge with in (15) days of the commencement date
- 10. The undersigned reserves the rights of amendment in this appointment order in case of any mistake.
- 11. The appointees are required to produce his Health and Age Certificates from the Medical Supdt: DHQ Hospital (Tajazia) Lakki Marwat.

(Muhammad Khan)

Executive District Officer (E & S) Education Lakki Marwat

Endst: No 2143-2168 dated Lakki Marwat the 06-03-2009 Copy of the above is forwarded to the:

- 1. Director (E & S) Education Department N W F P Peshawar.
- 2. District Co-ordination Officer Lakki Marwat
- 3. Medical Superintendent DHQ Lakki Marwat
- 4. District Accounts Officer Lakki Marwat
- 5. Deputy District Officer male Local office
- 6. Head teacher concerned
- 7. Candidates concerned

District Officer (M) (E & S) Education Dept(Makki Marwat District Officer (Marwat E&SE Deptt: Lakki Marwat.

Attested

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IN THE PESHAWAR HIGH COURT, PESHAWAR

etitioner

W.P No. \_\_\_\_/2010

Shafiullah Khan S/o Allah Dad Khan R/o Daulat Khel, Tehsil and District, Lakki Marwat.....

### VERSUS

- Secretary, Elementary & Secondary Education, Govt of NWFP, Peshawar
- Director, Elementary & Secondary Education, NWFP, Peshawar

WRIT PETITION UNDER ARTICLE 199 OF THE CONSTITUTION OF ISLAMIC REPUBLIC OF PAKISTAN, 1973

### **Respectfully Sheweth:**

This writ petition inmates from the following circumstances:

That on 01.02.2007, the writ petitioner was appointed on 01.02.2007 as SST/ SET (Science) on contract basis for a period of 6 months. The tenure was lateron extended for another period of 6 months vide order dated 18.10.2007. The period of his contract was further extended by the respondents for another tenure of 6 months vide order dated 10.03.2008, whereafter the petitioner was re-employed as SET for a period of 1 year vide

# PESHAWAR HIGH COURT, PESHAWAR

# FORM OF ORDER SHEET

Court of.....

Case No.....of.....

Date of Order of Proceedings	Order of other Proceedings with Signature of Judge.
1	2
09.05.2012	W.P.No. 411/2010 with C.M.No. 269-P/2012.
	Present: Mr. Ashraf Ali Khattak, Advocate, for the petitioner.
	Barrister Waqar Ali, DAG, for the respondents.
	DOST MUHAMMAD KHAN, C.J The grievance of the
· · ·	petitioner is that he was contractual employee and posted
	as SET (Science), however, due to long contractual
	service, he opted for PST where he was absorbed
· ,	permanently as regular employee while in the meanwhile
	the Regularization of Contractual Employees' Services
	Act 2009 came into force and that similarly placed
	persons, who opted for PST while posted as SET on
	contract basis, have been given the benefit of permanent
- <b>f</b> -	employees as SET but he is being discriminated.
	2. The learned Deputy Advocate General agreed that
	let the case be sent to the Secretary Education, $\rho$
	Government of Khyberd Pakhtunkhwa to look into the

matter and if similarly placed persons have been given the same benefit for which prayer has been made in this writ petition then, the petitioner shall not be made an exception.

With these observations, this petition stands disposed of.

sell Dost Mub id kla sell Miftah ud Din Kl TSlice CERTIFIED TO DE TRUE COPY Xaminer war High Court Peshawa horised Under Article 87 he Qanun-c-Shahadat Order 1984 Atts 15525 Dairvie Nu of Pages \_\_\_\_ Copying fee Urgent Fe eived Hy\_

/\*Saif \*/

#### ATION KHYBER PAKHTUNKHWA, & SECONDARY EDUC DIRECTORATE OF EI PESHAWAR

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#### NOTIFICATION

Consequent upon the judgements of the Peshawar High Court dated 9-5-2012, the competent authority has been pleased to regularize the services of the following Adhoc/contract employee against the post of SST (M) (BPS-16) with immediate effect, under the NWFP Employees (Regularization of services) Act, 2009 on the terms & conditions given at the end of this Notification:-

S.No.	Name of SST	Date of joining other service	School address	No. & date of the current contract apptt: order
Vi	Shafiullah Khan SST S/O Allah Dad Khan	Joined PST post on 7-3-2009	Ex-SET GHS Jhang Khel Lakki	No.5139-5197 dated 16-9-2008

## Terms and conditions of their appointment

- His services will be considered as regular but without pension and gratuity in terms of Section-19 of 1 NWFP, Civil Servants Acts, 1973 as amended vide NWFP, Civil Servants (Amendment) Act 2005. He will, however, be entitled to Contributory Provident Fund in such a manner and at such rates as prescribed by the Government.
- 2 His seniority will be determined according to Section-4 of NWFP, Employees (Regularization of service) Act, 2009.
- He will be required to furnish copies of all his certificates/degrees alongwith original receipts and 3 photo stat copies thereof, pertaining to verification fee of the concerned examining Body (Board & University) to the Executive Distt: Officers (E&SE) concerned.

/A-14/SET(M) Regularization SST contract Dated Pesh: the 📿

The Executive Distt: Officer (E&SE) concerned is directed not to release his pay until the 4 verification of their documents.

Director Elementary & Secondary Education, Khyber Pakhtunkhwa Peshawar

Endst: No. 3331 44 Accountant General Khyber Pakhtunkhwa, Peshawar 1.

- Executive Distt: Officers E&SE concerned 2.
- Distt: Accounts Officers concerned 3.
- 4. Principals/ Headmasters concerned
- Assistant Director (Litigation) local Directorate. 5.
- Assistant Director (Litigation) local Directorate. 6.
- 7 Teachers concerned
- PA to the Director E&SE Khyber Pakhtunkhwa, Peshawar. g,

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Debuty Director (Establishment) E&SE Khyber Pakhtunkhwa Peshawar

16/2012

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#### NTARY'S SECONDARY FOUNTATION KEYBER FAKETUNKEIWA **PFSHAWAR**

### NOTIFICATION

"«Consequent upon the judgements of the Peshawar High Court dated 29-5-2010 &, the Supreme Courf of Pakistan dated 17-5-2012, the competent authority has been pleased to regularize the services of the following Adhoe/contract employees against the post of SST (M) (BPS-16) with effect from the date noted against their names, under the NWFP limple ees (Regularization of services) Ac 2009 on the terms & conditions given at the end of this Notification.-

S.No.	Name of SST	Father's name	School address	No. & date c "the current cont: .et apott: order	Date of regularization
·	ljaz Khan SST	Mir Wali Khan	GHS Trail Hangu	No.5139-5157 dated 25-11-2008	1-1-2009
. 2.	Muhammad Younas SST	Sar Anjam Khan	GHS Showeki Kohai	No.5139-515 dated 16-9-2-08	-1-1-2009
3	Khalid Rasul SST	Nayab Rasu.	GHS Sianawari Hangu	No.5139-519 dated 25-11- 008	1-1-2009
• <b>.</b>	Tariq Mehmood SST	Mirullah Ayaz Khan	GHS Mamoon Banda Hangu	No.5139-519 dated 25-11- 008	1-1-2009

Terms and conditions of their appointment

1 Their services will be considered as regular but without pension and gratuity in terms of Section-19 of NWFP, Civil Servants Acts, 1973 as amended vide NWFP. Civil Servants (Amendment) Act 2005. They will, however, be entitled to Contributory Provident Fund in such manaer and at such rates as prescribed by the Government.

The seniority will be determined according to Section-4 of NWFP, Employees (Regularization of service) Act, 2009.

They will be required to furnish copies of all their certificates degrees alongw? h original receipts and photo stat copies thereof, pertaining to verification fee of the concerned er unining Body (Board & University) to the Executive Distr: Officers (E&NE) concerned. 4

The Executive Dist: Officers (E&SE) concerned are directed not to release th in pay until the verification of their documents.

37319-26

Director

Elementary & Secondary Education, Khyber Pakhtunkhwa Peshawar

Endst: No.

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\_/A-14/SET(M) Regulari tation SST contract Dated Pesh: the

- Accountant General Khyber Pakhtu: shwa. Peshawar
- Executive Distt: Officers E&SE con-erned
- Distt: Accounts Officers concerned
- Principals/ Headmasters concerned
- Assistant Director (Litigation) local Directorate.
- Assistant Director (Litigation) local Directorate.
- **Teachers** concerned

PA to the Director E&SE Khyber Pathtunkhwa, Peshawar,

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Deputy Director (#sta lis/ament)

E&SE Khyber Pakhti, kilwa, Peshawar



## nnexure

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#### DIRECTOR OF ELEMENTARY AND SECONDARY EDUCATION, KHYBER PAKHTUNKHWA, PESHAWAR

#### NOTIFICATION:

Consequent upon the judgment of the Peshawar High Court, dated 29th, 2010 & the Supreme Court of Pakistan dated 17/05/2012, the competent authority has been pleased to regularize services of the following Adhoc/contract employees against i.e. post of SST (M) BPS-16) with effect from the date noted against their names, under the NWFP Employees (Regularization of services) Act 2009 on the terms & conditions given at the end of this Notification:

S.	Name of	Father's	School	No. & date of the	Date of
No.	SST	Name	address	current contract	regularization
		_		apptt: order	
1.	ljaz Khan	Mir Wali	GHS Thall	No. 5139-5197	1/1/2009
	SST	Khan	Hangu	Dated 25/11/2008	
2.	Muhammad	Sar Anjam	GHS	No. 5139-5197	1/1/2009
	Yousaf SST	Khan	Showeki	Dated 16/09/2008	
			Kohat		
3.	Khalid	Nayab Rasul	GHS	No. 5139-5197	1/1/2009
	Rasul SST		Shanwari	Dated 25/11/2008	
	На		Hangu		
4.	Tariq	Mirullah	GHS	No. 5139-5197	1/1/2009
	Mehmood Ayaz Khan		Mamoon	Dated 25/11/2008	
	SST		Banda		
			Hangu		

Terms and conditions of their appointment:

- 1. Their services will be considered as regular but without pension and gratuity in terms of Section-19 of NWFP, Civil Servant Acts, 1973 as amended vide NWFP, Civil Servants Amendment) Act 2005. They will, however, be entitled to Contributory Provident Fund in such member and at such rules as prescribed by the Government.
- 2. The seniority will be determined according to Section-4 of NWFP, Employees (Regularization of Service) Act, 2009.
- 3. They will be required to furnish copies of all their certificates, degrees alongwith original receipts and photo state copies thereof, pertaining to verification fee of the concerned examining Body (Board & University) to the Executive Distt: Officers (E&SE) concerned.
- 4. The Executive Distt: Officers (E&SE) concerned are directed not to release their pay until the verification of their documents.

Director Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.

Endst: No. 3319-26/ A-14/SET(M) Regularization SST contract Dated Pesh: the 27/6/2012

- 1. Accountant General Khyber Pakhtunkhwa, Peshawar.
- 2. Executive Distt: Officer E&SE concerned.
- .3. Distt: Accounts Officers concerned.
- Principals/ Headmasters concerned.
   Assistant Director (Litigation) local Directorate.
- 6. Assistant Director (Litigation) local Directorate.
- 7. Teachers concerned.
- 8. PA to the Director E&SE Khyber Pakhtunkhwa, Peshawar.

Deputy Director (Establishment) E&SE Khyber Pakhtunkhwa, Peshawar.

Attested

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) LAKKI MARWAT

\* \*\*\*\*\*

Dated. 24/07/2017

ANNOX -E

The Director, Elementary & Secondary Education, Khyber Pakhtunkhwa Peshawar.

Subject:- <u>APPLICATION FOR BACK BENEFIT.</u> Memo:-

No.

Τo,

Enclosed please find herewith an application in respect of Shafi Ullah SST GHS Isak Khel District Lakki Marwat which self explanatory is submitted for further necessary action as per rules/policy.

District Education Officer

(Male) Lakki Marwat. (Male) Lakki Marwat. (Male) Lakki Marwat.

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Attorted SC-?



The Director, Elementary & Secondary Education, Khyber PakhtunKhwa Peshawar.

Subject:

## BACK BENEFIT OF THE APPLICANT AS UNDER.

Respected Sir.

' It is stated in your honor that I was appointed as SST in the light of the Judgment of the honorable Peshawar High Court Dated: 09-05-2012 while End: No 3337-44/A-14/SET(M) regularization SST Contract dated: Pesh: the 27-06-2012 by deputy Director establishment.

So the same notification while End: No End: 400 3319-26/A-14/SET(M) ) regularization SST Contract dated: Pesh: the 27-06-2012 by deputy Director establishment and all these SSTs have been availed the back benefits from 01-01-2009. While I have been the deprived from this benefits.

Therefore, it is requested that my request to may be considered and I may be allowed the same benefits with back date.

Thanking you in Anticipation.

Dated: 05-07-2017

Your Obediently,

Shafi Ullah Khan SST, GHS Isak Khel Lakki Marwat. 0313-2728237

Recommender and forwarded to the D.FO (M) for forourable Consideration Please

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Note:

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OFFICE C	F THE DISTRICT EDU	JCATION OFFIC	ER (MALE	LAKKIM	ARWAT
No. 3	78	ž	Dated.	0-01-	2019
To,					
	The Director,	•7	•	•	•
•	Elementary & Secon	dary Education,			

Khyber Pakhtunkhwa Peshawar.

Subject:-APPEAL FOR BACK BENEFIT

Memo:-

Reference your office letter No.6184/F.No.01/SST (M) Court cases/KP dated.18-10-2018, on the subject cited above.

Enclosed please find herewith the requisite information/documents i.e Court Judgment in respect of Shafi Ullah SST (Bio/Chem) GHS Isak Khel District Lakki Marwat is submitted for further necessary action.

District Education Officer (Male) Lakki Marwat

Attanted

The Director, Elementary & Secondary Education, Peshawar Khyber Pakhtunkhwa.

APPEAL FOR BACK FENEFIT. Subject: Respected sir,

It is stated in your nonor that I was appointed as SST in the light of the Judgment of the honorable Peshe war High Court dated; 09-05-2012 while Endst: No; 3337-44/A-14/SET(M) regularization SST contract dated; Pesh: the 27-06-2012 by Deputy Director Establishment.

So the same notification while End; No 3319-26/A-TA/SET(M) regularization SST contract dated: Pesh: the 27-06- 012 by Deputy Director Establishment and all these SSTs have been availed the back benefits from 01-01-2009. While I have been the deprived from this benefits.

Therefore, it is requested that my request to may be considered and I may be allowed the same benefits with blick date from 01-01-2009.

Thanking you in Anticipat in.

Dated: 20-10-2018

Yours Obediently,

Shafi Allah Khan SST.

GHS Isak Khel Lakki Marwat 0313-2728237

Note: Both Appointment order copy and court copy are attached Aller

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Recommended & for under to the DED(M/F) faverable Consideration pl-



The Director, Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar,

Subject -

10

APPLICATION FOR THE GRANT OF BACK BUNLED ONA/C OF REGULÁRIZATION OF S.S.L STRVICTS OF THEPETITIONER WITH ELFECT FROM 61.01.2009EQUALLENT TO OTHER 04 NO. COLLEAGLES PURLEYIN ACCORDANCE WITH JUDGMENT OF 1111HONORABLE PESHAWAR HIGH COURT, PESHAWAR ASWELL K.P EMPLOYEES (REGULARIZATION OFSERVICE) ACT 2009SUBJECT TO DEDUCTION /RECOVERY OF SALARIES OF P.S.T PERTAINING FO THEPERIOD FROM 07.03.2009 TO 28.06.2012.

Respectfully Sheweth.

With profound respects and deepest veneration it is abmitted for layor of kind information and further appropriate letton that the Periorner had initially been appointed as S S T wielffrom 01 02:2007 purely on contract basis for a period of 06 months. The tenure was extended for a further period of 05 months, wide order dated 18:10:2007. Once again the period was extended by the competent authority for further 06 months vide order dated 10:03:2008. Later on the Petitioner was re-employed as S.E.T for a period of one year. However due to long Contractual Services, the Petitioner opted for P S T where T was absorbed permanently as Regular Employee.

In the meantime the Regularization of Contractual Employee's Services Act 2009 came into force and that similarly placed persons who opted for P.S.T while posted as S E T on contract basis, had also been given the bench of Permanent employees as S E.T but the Petitioner was discriminated. Hence the Petitioner was compel to file a Writ Petition No 411/2010 before the Honorable Peshawar. High Court Peshawar, which was later on decided in favor of the applicant vide Judgment dated 09:05:2012 (copy of Judgment enclosed).

It is also pertinent to mention here that 04 No: other Colleagues of the Petitioners namely (1) Ijaz Khan S.S.T. (2) Muhammad Younas S.S.T. (3) Khalid Rasool S.S.T & (4) Tariq Mehmood S.S.T had also been filed similar nature Writ Petitions before the said Apex Peshawar High Court Peshawar, which were also decided in favor of the Petitioners vide Judgment dated 29.09.2010 (Copy of Judgment enclosed)

Attended <u>Contid: Next Page.2</u>

1

The Director, Elementary and Secondary Education, Khyber Pakhtunkhwa, Peshawar.

Subject; APPLICATION FOR THE GRANT OF BACK BENEFIT ON ACCOUNT OF REGULARIZATION OF SST SERVICE OF THE PETITIONER WITH OTHER 04 NO. EFFECT FROM 01/01/2009 EQUALENT ΤO COLLEGUES FAVORLY IN ACCORDANCE WITH JUDGMENT OF THE HONOURABLE PESHAWAR HIGH COURT PESHAWAR AS WELL KP EMPLOYEES (REGULARIZATION OF SERVICE ) ACT 2009 SUBJECT TO DEDUCTION/RECOVERY OF SALARIES OF PST Attested PERTAINING TO THE PERIOD FROM 07/03/2009 TO 28/06/2012.

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## Respectfully Sheweth,

With profound respects and deepest veneration it is submitted for favor of kind information and further appropriate action that that the petitioner had initially been appointed as SST w e from 01/02/2007 purely on contract basis for a period of 06 months. The tenure was extended for a further period of 06 months vide order dated 18.10.2007. once again the period was extended by the competent authority for further 06 months vide order dated 10/03/2008. Later on the petitioner was re-employed as S.E.T for a period of one year. However due to long contractual services the petitioner opted for PST where I was absorbed permanently as regular employee.

In the mean time the Regularization of Contractual Employee's Services Act 2009 came into force and that similarly placed person who opted for PST while posted as SET has also been given benefit of permanent employees as SET but the petitioner was discriminated hence the petitioner was compel to file a writ petition No. 411/2010 before the Hon'ble Peshawar High Court Peshawar. Which was later on decided in favor of the applicant vide judgment dated 09/05/2012 (Copy of judgment enclosed)

It is also pertinent to mention here that 04 No. other colleagues of the petitioner namely (1) Ijaz Khan S.S.T (2) Mehmood Younas S.S.T (3) Khalid Rasool S.S.T & (4) Tariq Mehmood S.S.T had also been filed similar nature Writ Petitions before the said Apex Peshawar High Court, Peshawar, which was also decided in favor of the petitioners vide judgment dated 29-09-2010. (Copy of Judgment enclosed)

То

In comphance with Judgment of the Honorable Peshawar High Court Peshawar, the competent authority was kind enough to issue Motification with regard to Regularization of S.S.T. Services of all the afore-named Colleagoes of the Petitioner with effect from 01.01.2009 vide Notification bearing Endost No.3319-26/A-14/S.E.T(M) Regularization Contract-doted 27:06:2012 (Copy enclosed) as against on issuance of similar Notification from the competent authority bearing Endost. No.3337-44/A-14/S.S.T(M): Regularization SS.T. Contract dated 27:06:2012 (Copy enclosed) the S.S.T. Services of the Petitioner were notified to be regularized with immediate effect i.e. <u>from 27:06:2012 instead</u> of the date of Retrospective effect i.e. 01:01:2009, which not only tantamount for depriving off the Petitioner of his fundamental rights but is also clear cut violation of the Judgment of Honorable Peshawar High Court Peshawar as well-quite contradiction to the K.P. Employee's (Regularization Services) Act; 2009;

Keeping in view of the facts, circumstances and evidential proofs, it is therefore earnestly requested that a Revised Notification with regard to the Regularization of S.S.T Services of the Petitioner with effect <u>from 01.01.2009</u> <u>subject to deduction/recovery of salaries of P.S.1 Period i.e. from 07.03.2009</u> to 28.06.2012, may very kindly be issued and obliged enabling the Petitioner to claim the Back Benefit of Regular S.S.T Services from 01.01.2009 till 28.06.2012 also with Refund/recovery of <u>P.S.T Period from 07.03.2009</u> till 28.06.2012 which act of kindness, the Petitioner will remain Pray for your long life and prosperity please.

Dated: 24.01.2020.

Your s Most Obediently,

(SHATI ULLAH KHAN) SSIT BP S-16) Govi: High School Isak Khel. Lakki Marwal

Alterteg

Forrished and recommended Forrished Sympathic Considered

Héad Master H.S.Isak Khe Lakki Marwet In compliance with judgment of the Peshawar High Court, Peshawar, the competent authority was kind enough to issue Notification with regard to regularization of S.S.T Services of all the afore named colleagues of the petitioner with effect from 01/01/2009 vide Notification bearing Endost No.3319-26/A-14/S.E.T(M) Regularization Contract dated 27/06/2012 (Copy enclosed) as against on issuance of similar Notification from the competent authority bearing Endost No.3337-44/A-14/S.S.T (M) Regularization SST contract dated 27/06/2012 (Copy enclosed) the SST Services of the petitioner were notified to be regularized with immediate effect i.e. from 27/06/2012 instead of the date of retrospective effect i.e. 01/01/2009, which not only tantamount for depriving of the petitioner of his fundamental rights but is also clear cut violation of the judgment of the Hon'ble Peshawar High Court, Peshawar as well as quite contradiction to the KP Employee's (Regularization of Services) Act, 2009.

Keeping in view of the facts, circumstances and evidential proofs, it is therefore, earnestly requested that a Revised Notification with regard to the Regularization of SST Services of the petitioner with effect from 01/01/2009 subject to deduction /recovery of salaries of PST Period i.e. from 07/03/2009 to 28/06/2012, may very kindly be issued and obliged, enabling the petitioner to claim the Back Benefit of Regular SST Service from 01/01/2009 till 28/06/2012 also with refund /recovery of PST Period from 07/03/2009 till 28/06/2012 for which act of kindness the petitioner will remain pray for your longer life and prosperity please.

Dated 24/01/2020

Your's Most Obediently,

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Shafi Ullah Khan SST(BPS-16) Govt: High School Isak Khel, Lakki Marwat

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The Secretary,

Elementary and Secondary Education Khyber Pakhtunkhwa, Peshawar.

Subject: APPEAL FOR BACK BENEFIT

Respected Sir,

То

/ It is stated in your honour that I was appointed as SST in the light of the Judgment of the Honourable Peshawar High Court dated: 09/05/2012 while Endst: No, 3337-44/A-14/SET(M) regularization SST contract dated: Peshawar the 27/06/2012 by Deputy Director Establishment Khyber Pakhtunkhwa Peshawar.

So the same notification while Endst: No 3319-26/A-14/SET (M) regularization SST contract dated: Peshawar: the 27/06/2012 by Deputy Director Establishment Khyber Pakhtunkhwa Peshawar and all these SSts have been availed the back benefits from 01/01/2009. While I have been the deprived from this benefits.

Therefore, it is requested that my requested to may be considered and I may be allowed the same benefits with back date from 01/01/2009.

Note: I have applied three times to Director Elementary and Secondary Education Peshawar, but not result.

Both Appointment Order Copies and Court Copy are attached.

Thanking you in anticipation.

Dated: 18/07/2020

Yours Obediently,

Shafi Ullah Khan SST GHS Isak Khel Lakki Marwat 0313-2728237 Attack

-قيت 50رديا 66298 الموكيف: <u>' طا بر شار مرمة</u> بپتاور بارایسوسی ایشن، خیبر پختونخواه بارکوس/ ایسوی ایش نمبر<u>) 23 ہے جسم</u> Be-دابط نبر: <u>کے 1388 - 138 - 150</u> 5/32 بعدالت جنا i'du منجانب. د عولى: علت نمبر: لورخه *:*7 تحانه اعث تحرير مقدمه مندرج عنوان بالاميس این طرف ہے داسطے پیروی وجواب دہی کا روائی متعلقہ آن مقام ل مرم المليخ ط) اس الم الم المهر مراجع مراجع مقرر د مربع المعادي من المعالي من المعاد المعاد المعاد المعادية ولي ما حد د موف كومقده كي كل كار داني كا كامل اختيار چوگا، نيز وليل ما حد كركي اقراركنا خاتات كتصاحيه بر حلف د است جواف دعویٰ اقبال دعوٰیٰ اور درخواست از تجزیم کی تصدیق راضي نامه كرم خُ وتُقرّ رثالت وفيه ، نوخی، نیز یورت عدم پیردی یا ڈگری کیطرفہ یا پیل کی برآ مڈگن اور کمپن <u>نے کا آختیار ہوگا، نیز ت</u>ق زري پردستخط کرا دائر کرنے ایکل بل ان دنظر ثانی و پیروی کر دنے کا مختار ہوگا اور بصورت ضرورت مقدہ مذکورہ کے کن یاجز دی اهاات بتجابخ تقرركا اختبار بوكا ادرصاحه کاردائی کے داسطے اور دکم بالحتار قانوني كواية ل بول گاوران کاساخته پرداخته منظور دقبول بوگا مقررشده كودبي جملا س مولا کوئی تاریخ بیش مقام دورده یا حد سے لأمقن ا دوران مقدمه مين جوخر سیسیم کا میم بابندنه بول بیگ که پیروی ندکوره کرین ،لېذاد کالت نامه کهدیا تا که سندر باهر بوتو وكيل ع الرقوم: WAR BAR ASSOCIAN الع مقام نوث: اس دكالت نامدكى فو نوكاني نا قابل تبول موكى -

## BEFORE THE HONORABLE KHYBER PAKHATUNKHWA SERVICE TRIBUNAL PESHAWAR.

## Service Appeal No: 15611/2020

Shafi Ullah SST B-16 District Lakki Marwat......Appellant.

## VERSUS

Secretary E&SE Department, Khyber Pakhtunkhwa & others......Respondents

## JOINT PARAWISE COMMENTS FOR & ON BEHALF OF RESPONDENTS No: 1-4.

## Respectfully Sheweth:-

The Respondents No.1 to 4 submit as under:-

### PRELIMINARY OBJECTIONS.

- 1 That the Appellant has got no cause of action/locus standi.
- 2 That the instant Service Appeal is badly time barred.
- 3 That the Appellant has concealed material facts from this Honorable Tribunal in the instant service appeal.
- 4 That the instant Service Appeal is based on mala-fide intentions.
- 5 That the Appellant has not come to this Honorable Tribunal with clean hands.
- 6 That the Appellant is not entitled for the relief he has sought from this Honorable Tribunal.
- 7 That the instant Service Appeal is against the prevailing law & rules.
- 8 That the instant Appeal is based on mala fide intentions just to put extra pressure on the Respondents for gaining illegal service benefits.
- 9 That the instant Service Appeal is not maintainable in its present form.
- 10 That the instant Service Appeal is bad for mis-joinder & non-joinder of the necessary parties.
- 11 That the instant Service Appeal is barred by law.
- 12 That the Appellant is not competent to file the instant appeal against the Respondents.

13 That the appellant is a habitual litigant against the Respondent Department on mela fide intentions.

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14 That the appellant is not entitled for the grant of back service benefits against the SST post w.e.f. 01/01/2009 under the Rules.

## ON FACTS.

- That Para-1 is correct to the extent that vide Notification dated 01/02/2007, the appellant was appointed against the SST B-16 post on purely contract basis in the Respondent Department. However, his job contract against the said post has been extended from time to time till 10/03/2008 by the Respondent Department & a copy of the said Notification is Ann-A for ready reference.
- 2 That Para-2 is correct to the extent of the enactment of the regularization of services Act 2009 whereas, rest of the para is relates to the record of the Honorable Peshawar High Court Peshawar, whereby, the services of the appellant has been regularized vide Notification dated 27/06/2012 in view of the Judgment dated 09/05/2012 of the Honorable Peshawar High Court Peshawar in W.P # 411/2010 with C.M # 269-P/2012 & copies whereof are attached as Ann-B & C for ready reference.
- 3 That Para-3 is incorrect as the appellant has been treated as per the mandatary provision of APT Rules 1989 by the Respondent Department, hence, the claim of the appellant is illegal & liable to be dismissed in favor of the Respondent Department.
- 4 That Para-4 is also incorrect as the appellant has been treated as per Law & Rules ,whereby, the appellant has been made not entitled for the grant of back service benefits against the SST B-16 post w.e.f. 01/01/2009 by the Respondent Department.
- 5 That Para-5 is also incorrect & denied as no Departmental appeal has been filed by the appellant to the Respondent No.1, hence, the Notification dated 27/06/2012 has got finality against the appellant under the relevant provision of Law Rules in field in the Respondent Department.
- 6 That Para-6 needs no comments, however, the Respondents further submit on the following grounds inter alia:-

## **GROUNDS.**

A <u>Incorrect & not admitted</u>. The appellant has been treated as per Law & Rules vide the order & Notification dated 27/06/2012 by the Respondent Department & has been made not entitled for the grant of back service benefits against the SST post w.e.f. 01/01/2009 under the Rules.

- B Incorrect & not admitted. The stand of the appellant is without cogent reason & legal justification liable to be rejected by this Honorable Bench as act of the Respondent Department for non-grant of back benefits is legal having no question of violating the provision of Articles-4 & 25 of the 1973 constitution.
- C Incorrect & not admitted. The appellant is misleading the issue as he has treated in accordance with Law & Rules as he has concealed material facts from this Honorable Tribunal.
- D <u>Incorrect & not admitted</u>. Hence, needs no further comments as detail reply to this grounds has being given in the above mentioned paras.
- E <u>Incorrect & not admitted</u>. Hence, needs no further comments, however, the Respondents seek leave of this Honorable Tribunal to submit additional grounds case Law & record of the time of arguments on the date fixed.

Therefore, it is humbly requested that the appeal in hand may kindly be dismissed in favor of the Respondents in the interest of justice please.

Dated: 15/03/2021.

SECR

Finance Department Khyber Pakhtunkhwa, Peshawar (Respondent No: 3)

E&SE Department Khyber Pakhtunkhwa, Peshawar. (**Respondents No: 2 & 4**)

EXSE Department Khyber Pakhtunkhwa, Peshawar (**Respondent No: 1**)

## **AFFIDAVIT**

**I, Dr. Hayat Khan Asstt: Director (Litigation-II)** E&SE Department Khyber Pakhtunkhwa, do hereby solemnly affirm & declare on oath that the contents of the instant Parawise Comments in the titled appeal are true & correct to the best of my knowledge & belief.

Deponent

# Directorate of Schools & Literacy NWFP Peshawar.

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## Notification

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Consequent upon the approval of the competent authority, the following candidates are hereby appointed as SET(Male/Science) on contract basis for a pollod of (strainmiths) of the recommendees of the NWFP, Public Service Commission/Departmental whichever is learlier with immediate officer and post them applies the vacant post in the schools as noted against their names:-

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51 794	Muanmad Ibrahim	Shah Zaman	Harlpur	Home/Street :Nil PO :Kachhi Village/Town :Village Kachhi , UC/Tehsil/District :Boct/Hariput/Apriour	GHS Joze 4 State Ballagram	{· · ·
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163 606	9 Ejaz Ahmed	Abdul Aziz	Harlput	Home/Street thouse # 308, Azam Chowk Sec 2 PO thouse 308, Azam Chowk Sec 2 Village/Town tk La harbur UC/Tehsil/District :Ohendamarbur/harbur	GHS Pashty 19 Battagram	
164 791	8 RASHID NAWAZ	AJMAL KHAN	Haripur	Home/Suset:SARAISALEH PO:SARAISALEH Villege/Town:SARAISALEH: UC/Tehsi/District SARAISALEH/HARIPUR/HARIPUR	GHS Paimal Sharif Battagram	
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165 532	2 Waheed Abbas	Muhammad Sadiq	Haripur	Home/Street :Mang PO :Mang Village/Town :Mang UC/Tehsll/District :Sivya/Haripur/Haripur	GHS Rashang Battagram	
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166 676	7 Jamair Khan	Shoukat Zaman *	Haripur	Home/Streot :H.No 1071 K.T.S Sector 4 PO :Khalabal Village/Town :Village Phooidar Khalabat Town Ship UC/Tehai/District :Khalebal/Hariput/Hariput	GHS Stulng Payeen Battagram	].
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167 568	4 Shahupah Khannese	Aliah Dad Khan	Lakki	Home/Street :Daulat Khel PO :Isak Khel Villaga/Town :Daulat Khel UC/Tehsil/District :Isak Khel/akki marwatiak marwati	ki GHS Khan Khei Lakki Mandozai	
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169 89	7 Muhammad Ali	Inayatullah Khan	Tank	Home/Street :House No PO :2 Near Trible Taxiile Mills Pi Village/Town :Baccha Abad Village/Town UC/Tehsi/Dist		
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9. Their appointment is specific school	ol base and non	transferable dur	ing currency o			Posted At	5
10.The in-service candidates shall r	not be allowed to j	oin and shall no	l be handod o	vor charge by the l			1
11. The above order will take effect to rom the date of re-opening of schoo Though they are directed to compile	with immediate ef	fect in respect o	f candidates/a	•			fiect ly area
2.They will get pay in BPS-16 plus			-				
3.No TA/DA is allowed.						· · · · · · · · · · · · · · · · · · ·	i
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4.Charge report should be submitte	ed to all concerne	d.					:
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2. Executive District Officers (Se	chools & Literae	v) .	÷				
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<ul> <li>Principal/Headmistress conce Candidates concerned</li> </ul>	erned						;
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OFFICE OF THE DIRECTOR SCHOOLS AND LITERA NWFP, PESHAWAR Notification:

Consequent upon the approval of the competent authority, the period of appointment of the following SETs (M&F) made on contract basis of 180 days vide Endst: NO./date(s):-

1. 50066 - 5966 dated: 1-02-2007 2. 4763 - 5005 -do-3. <sup>i</sup> 3794 – 4762 -do--dov

4 5067 6415 5. 909 - 15 09-05-2007 <u>Corrigendum:</u> a. 8739 – 45 dated: 21-02-2007 b. 8626 - 68 -doc. 8696 - 728 · -dod. 9622 - 26 27-02-2007 e. 9637 – 42 -do-

i: 9632 - 36 -dog. 9627 - 31 -doĥ. 9639 - 58 28-02-2007 1. 947 - 68 08-03-2007 j. 3273 – 81 22-03-2007 k. 8689 - 95 21-02-2007

is hereby extended for further period of 180 days (6 months) after expiry of their contract appointment purely on their good performance basis.

The terms and conditions will remain in-tact as already mentioned in their appointment order /contract agreement:-

## SET (F) Mardan

S.No:	Name of SET (Contract 180 days)	Present station
1.	Miss. Nasira Shaheen SET	GGMS Qutab Gar Mardan
2.	Miss. Safia Begum SET	GGMS Dheri Katlang
3.	Miss. Salma SET	GGMS Matta Jadeed
4.1	Miss. Naheed Rehman SET	GGMS Koper Banda
5.	Miss. Abida Mumtaz SET	OOHS Kati garhi
6.	Miss.Shabnam SET	GGMS Alam Gunj
7.	Miss. Rani Gul	GGCMS Jaffar Khan Killi
8.	Miss.Tahira Nazli	GGMS Bhai khan
9.	Miss. Shagufta Rohi SET	GGCMS Khali Rokhar
10.	Miss. Ambreen Gul SET	GGHSS Rustam
11.	Miss. Salma Begum SET	GGHS Mian Khan
12.	Miss. Fouzia SET	GGHS Palo Dheri
13.	Miss. Sara Munir SET	GGCMS Gadbano Killi
14,	Miss. Shabnam Zaristan SET	GGMS Landay Chaghar Zai
· 15.	Miss. Abida Bano SET	GGMS Alo
16.	Miss. Naseema Manzoor SET	GGCMS Said Abad
17.	Miss. Saima Hag SET	GGMS Kot Jungara
18.	Miss. Safia Naz SET	GGMS Pipal
19.	Miss. Bushra Naz SET	GGCMS Attigullah Banda
20.	Asia Bibi SET	GGMS Baringan Rustam
21.	Miss. Ambureen Jan SET	GGHSS Katlong
22.	Miss. Maryam Bibi SET	GGMS Ghala
23.	Miss. Roheena Gul	GGCMS Gulshan Abad
24.	Miss, Tanheed Anwar SET	GGMS Babo Zai
25.	Miss. Mehnaz Bahadar SET	GGHS Maday Baba
26.	Nausheen Jamshed SET	GGMS Baba Killi
27.	Miss. Zainab Bibi SET	GGMS Murcha Khan
28.	Miss. Nascem Bibi SET	GGMS Anar Baig

			(17)(18)
	181.	Muhammad Abid Khan	GI-IS Khawrai
9	182	Muhammad Arif SIT	GHS Samandar Garhi
	183.	Fida Muhammad SET	GHSS Manki Sharif
	184.	Zia ul Haq SET	GHS Kheshgi Bala
	185.	Masam Khan SET	GHS Nol Nowshera Kalan
		SET (F) No	owshera
[ <u>}</u>	186	Zailam Nisa SET	GCMS Mandori
-	187	Asma Haneef SUT	KisManwar 7
- <u> </u>	188.	Bibi Saadia	GMS Bahader Landiwah
	189.	Rahat Maheen	GGHS Dallo Khel
<u> </u>	190.	Shazia Bano	GMS Kdika Ahmad Khan
<b> -</b>	191.		GGCMS Wanda Amir
- I-	191.	Shakila Akhtar	GGMS Bachkan Ahmad Zai
<b>[</b>		Fozia Ajmal	GGMS Nawar Khel
	193.	Shamshad Bibi	GGHSS Titter khel
. ! -	194.	Sadaf Nayab	GGCMS Hati khan Langer Khel-:
` <b>]</b> -	195.	Latufat Mehreen	GGMS Teri Khan Landiwah Y
-  -	196.	Fazilat Samreen	GGMS Kotka Gider
Ļ	1197.	Fozia Gul	GGMS Mash Habib Ullah
	198.		GGHS Dara Pezu
	199.	Ruqia Rahim	GGCM\$ Land Ahmad Khel
]	200.	Husna Bibi	GGHS No1 Naurang
	201.	Shaista Gilani	GGMS Abba Khel
	202.	Zubaida Khanum	GGHS Dallo Khel
	203.	Farzana Bogum	GGHS Gandi Khan Khel
	204.	Bibi Amina	GGMS Isak Khel
	205.	Shaheen Akhtar	CICIVIS ISIR KIICI
	206.	Amna Iqbal	OGCMS Abba Khel
¦   ;	200.	Robina Begum	GGHS No.1 Lakki
		Farzana Bibi	GGMS Sarwar Mama Khel
	208.		GGHS Ghazni Khel
:	209.	Jamila Anjam	GGCMS Nar Kala Khan
	210.	Anjam Ara	GGCMS Gandi Umer Chikar
1	211.	Gulfam Bibi	
•		SE	r (M) Lakki Marwat
	<u>.</u>	D. L. LILLAN SET (G)	GMS Abbas Khattak Lakki
	212	Rehmat Ullah SET (G)	GHS Khan Khel Mando Zai
	213	Shaff Ullah Khan (Sc)	
	<u> </u>	SE	T (M) Kohat
		LAUbrand AHESPE	GHSS Shakardurra
	21.		GHS Tora Stann
	21		SET ONS TOTA Stand
	21	6. Munammad Nadechi Khan	
	1. 21		GMS Borakka
	the second se		
	21	S. Anjum Alam SET	r GMS Ghourzandi
•	21	S. Anjum Alam SET 19. Muhammad Israr Khan SE 20. Zarwali Khan SET	

## SET (F) Kohat

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·	GGMS Chorlaki
221.	Rifat Naz SET GGMS Dacmalak
222.	Sadia Mehmood
223.	Shabana Hanif SET

NOTE:

 In case of transfer to other Districts (made through corrigendum) out of the above SETs, coordination between previous District and present District is must to avoid double drawl of the salaries.

Those SETs (M&F) whose contract appointment has been extended but also selected/appointed in current appointment orders may be let free to work against anyone post of SET (i.e. current appointment or extension) whichever the beneficial/acceptable to them.

3. They will not claim for further extension or regularization in their contract appointment.

6575-6630

Director Schools and Literacy, NWFP, Peshawar

Endst: A-14/SET7M&F/Contract 180 Days, Dated Copy to the:

- 1. PS to secretary (S&L) Deptt. NWFP Peshawar
- 2. Executive District Officers (S&L) concerned
- 3. District Accounts Officers concerned
- 4. Principals/Head masters/Head mistress concerned
- 5. SETs concerned
- PA to Director (S&L) Local Office
   Master File

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Deputy Director (Estb), Schools and Literacy, NWFF

S.NO anstu -2008 OFFICE OF THE DIRECTOR SCHOOLS AND LITERACY NWFP, PESHAWAR Notification: Consequent upon the approval of the competent authority, the period of appointment of the following SETs (M&F) made on contract basis of 180 days vide Endst: NO./date(s):-1.+ 50066 - 5966 dated: 1-02-2007 -do-2. 4763 - 5005 <u> 3794 - 4762</u> -do-3. AV 5967-6415 09-05-2007 5. 909-15 Corrigendum: dated: 21-02-2007 a. 8739 – 45 -dob. 8626 – 68 -doc. 8696 – 728 27-02-2007 d, 9622 – 26 -doe. 9637 - 42 -dof. 9632 – 36 -dog. 9627 - 31 28-02-2007. h. 9639 – 58 08-03-2007 i. 947 – 68 -22-03-2007 j. 3273 – 81 k. 8689 – 95 21-02-2007 already extended up to 31/01/2008 is hereby extended for further period of 180 days (6 months) with effect from 16-02-2008 purely on their good performance

basis. The terms and conditions will remain in-tact as already mentioned in their

## appointment order /contract agreement:-

## SET (F) Mardan

!'	Name of SET (Contract 180 days)	Present station
<u>S.No:</u>	Name of SET (Contract Too days)	GGMS Qutab Gar Mardan
1.	Miss. Nasira Shaheen SET	GGMS Dheri Katlang
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4	Miss, Naheed Rehman SET	GGHS Kati garhi
5.	Miss. Abida Mumtaz SET	GGMS Alam Gunj
6.	Miss.Shabnam SE'l	GGCMS Jaffar Khan Killi
7.	Miss, Rani Gul	GGM\$ Bhai khan
8.	Miss.Tahira Nazli	GGWis Bhai Khali Rokhur
9.	Miss. Shagufta Rohi SET	GGCMS Khali Rokhar
10.	Miss. Ambreen Gul SET	GGHSS Rustam
	Miss. Salma Begum SET	GGHS Mian Khan

Page 1

198.	Fazilat Samreen GGMS Kotka Gider	
199.	Fozia Gul	GGMS Mash Habib Ullah
200.	Ruqia Rahim 🔺	GGHS Dara Pezu
201.	Husna Bibi	GGCMS Land Ahmad Khel
202.	Shaista Gilani	GGHS No1 Naurang
203.	Zubaida Khanum	GGMS Abba Khel
204.	Farzana Begum GGHS Dallo Khel	
205.	Bibi Amina GGHS Gandi Khan Khel	
206.	Shaheen Akhtar GGMS Isak Khel	
207.	Amna Igbal GGCMS Abba Khel	
208.	Robina Begum GGHS No, 1 Lakki	
209.	Farzana Bibi . GGMS Sarwar Mama Khel	
210.	Jamila Anjam GGHS Ghazni Khel	
211.	Anjam Ara	GGCMS Nar Kala Khan
.212.	Gulfam Bibi GGCMS Gandi Umer Chika	

# SET (M) Lakki Marwat

A.Z.

and a second	
213. Rehmat Ullah SET (G)	GMS Abbas Khattak Lakki
(214) Shafi Ulah Khan (Sc)	GUS Khan Khel Mando Zai

## SET (M) Kohat

Г	215.	Muhammad Arif SET	GHSS Shakardarra	
	216.	Muhammad Irshad Khan SET	GHS Tora Stana	
F	217.	Muhammad Nadeem Khan SET	GHS Tora Stana	
	218.	Muhammad Jaffar SET	GHS Marai Payan	
	219.	Anjum Alam SET	GMS Borakka	
	220.	Muhammad Israr Khan \$ET	GMS Ghourzandi	
Γ	221.	Zarwali Khan SET	GHS Chikarkot Bala	

## SET (F) Kohat

222.	Rifat Naz SET	GGMS Chorlaki
223.	Sadia Mehmood	GGMS Darmalak
224.	Shabana Hanif SET	GGMS Banda Fateh Khan
225.	Naima Zafar SET	GGHS Sherkot
226,	Sania Aman SET	GGMS Marai Bala
227.	Alia Bibi SET	GGMS Ghourzai Payan
228.	Tania Baksh SET	GGMS Pershai
229.	Momina Begum SET	GGMS Ali Zai
230.	Faiza Bibi	GGHS Kharmatoo
231.	Nasim Akhter	GGHS Bori Saghri

ATTETED

Page 7

fr'

## SET (F) Abbottabad

· · ·	· · · · ·	GGMS Berote
464	Hilzun Nisa	GGHS K/Raiki
465	Sadaf Zareen	
466	Syed Attia Zahoor	GGMS Chamhad
467.	Zobia Rani	GGMS Ali Abad
468	Nazhaat Bahar	GGMS Takia Hall
469	Naseem Akhtar	GGMS Chando Maira
	Shahida Mustafa	GGMS Barseen
470	Humira Malik	GGHS Rajoya
471		GGMS Namal
472	Moheen Akhtar	

#### NOTE:

- 1. A fresh contract will be made with those serving SETs, only whose performance has been found satisfactory during the last six months.
- They will not claim for the extension/regularization on the basis of their previous 2.
- 3. They will be bound not to challenge the break/gape, made in their instant contract.
- extension in contract appointment (180 days).
- 4. Terms and conditions laid down in their first appointment order will remain intact in letter & spirit.
- 5. SETs (M&F) whose resignations have been accepted or under process or whose services have been ceased due to any disciplinary action may be considered as deleted from the above list.

Director Schools and Literacy. NWPP, Peshawar

Endst No: 4925-35/A-14/SET/M&F/Contract 180 Days, Dated: 10/03/2008 Copy to the:

1. PS to secretary (S&L) Deptt. NWFP Peshawar w/r to Letter No: SOG/S&L/

- 1-90/2007 Dated 19-02-2008
- 2. Account General, NWFP, Peshawar
- 3. Executive District Officers (S&L) concerned
- 4. District Accounts Officers concerned
- 5. Principals/Head masters/Head mistress concerned
- 6. SETs concerned
- 7. PA to Director (S&L) Local Office
- 8. Master File

10/3/08

Deputy Director (Estb), Schools and Literacy, NWI

Page 15

OFFICE OF THE DIRECTOR ELEMENTARY AND SECONDARY EDUCATION N.W.F.P, PESHAWAR.

ANN-

## CORRIGENDUM:

Consequent upon the approval of the Competent Authority Corrigendum in the Re-appointment order of SETs (Male & Female) Science/General made on contract basis for the period of one year vide Endst.No.5139-5197 dated 16,09.2008 to remove the omission/errors took place due to oversight in respect of the following SETs (Male/Female) is hereby ordered in the interest of public service.

S#	Name of SET	Read as	Instead of	Remarks
:1.	Mohammad Khan SET(M)S.No.21	GHS,Chattar Plan,Mansehra	GHS,H <sub>ad</sub> ora Bangi,ATD	
5•	Shamshaa Bano SET(F) S.No.61	Read Name as Shamshad Bang	Saceda Bibi	· · ·
3.	Hayat Khan, SET S.No.326	GHS, Maisan Bandai, pir(L)	GHS, parora pir (U)	•
4.	Inayatullah,SE S.No.123	T(M) GHS, Tangora Buner	GMS, Bahie Kili, Buner	
5	Shafiullah Kha SET(M) S.No.504	n GHS, Jhang Khe Lakki	l GHS, paraka Lekki	Aziz Khan
				/

Note:

No. T.A./DA is allowed.

Charge Report should be submitted to all concerned.

DIRECTOR ELEMENTARY AND SECONDARY EDU: N.W.F.P, PESHAWAR

Endst.No.

/F.No.318/A-14/SET(M/F) contract One Year Dated<u>\$4/</u>9/08.

Copy forwarded to: Executive District Officers Concerned. District Accounts Officer, Concerned. Principals/Headmasters/Headmistress concerned. Senior English Teachers (SETs) (Male/Female)\_concerned.

PA to Director E&SE NWFP, Peshawar. Master File.

> DEPUTY DIRECTOR (ESTAB:) DIRECTORATE OF E&SE NWFP, PESHAWAR.

Fa Id stabit 112 3.7 - 5 Production.  $\mathbf{V}$  $\leq 1$ 

## OFFICE OF THE EXECUTIVE DISTRICT OFFICER (E & S) EDUCATION LAKKI MAR

## APPOINTMENT ORDER:

Consequent upon the recommendation of District Selection Committee, the below named candidates are hereby appointed as Primary School Teacher in BPS-07(Rs 3530-190-9230), plus usual allowances admissible under the rules on regular basis under the provision of Establishment & Administration Department circular bearing No. SOR - 6 (E&AD) 13-1/2005 dated 10-8-2005 on the terms & condition noted below in the interest of public service from the date of taking over charge. ANN- FO

## **UNION COUNCIL WISE LIST**

S No	S.No Name Father Name & Addross To be noted at the					
O.INU	Name	Father Name & Address	To be posted at	Remarks		
1	Mujeeb Ur			- 3		
		Ghani Ur Rehman R/O Tajori	GPS Gul Amir	Newly Created Post		
	Rehman		Baqer khel			
2	Safi Ullah	Saadullah R/o Tajori	GPS Iqbal Bazu	-do-		
		·	Khel Tajori			
3	Farman Ullah	Zereen Shah R/o Kheru khel	GPS Sher Nawaz	-do-		
		pacca	Sheri khel			
4	Asif Khan	Qasim Khan R/O Kheru khel	GPS Pahar khel	Retirement of Hayat khan		
			Pacca	Returbined of Hayat Khan		
5	Masood khan	Abdullah Khan R/o Kaka khel	GPS No.2 Kaka	Retirement of Ajab khan		
			Khel	Remement of Ajao knan		
6	Fazal-e-Yezdan	Ghulam Jailani R/o Titter khel	GPS Ghazi Khel			
		Gindiam sanam 100 1 http://kiter		Retirement of Abi Zar		
7	Inayat Ullah	Abdullah Khan R/o Masha	No.1			
			GPS Azim Killa	Retirement of Muhammad		
8	Farooq Jamshed	Mansoor	Masha Mansoor	Aslam		
0	raiooq jamsned	Gul Mar Jan R/o Tajazai	GPS Bega Tajazai	Vacated by Abdul Jalil		
9	Jamshed Iqbal	Muhammad Iqbal R/o Dabak	GMPS Wanda	Death of Abid Ullah Jan		
		Mandra khel	Amir No.1	Death of Abid Ullah Jan		
10	Tanveer Ali	Amir Nawaz UC Mela	GFS Shahab khel			
		Shahab khel	Gro Shahad Khel	Retirement of Syed		
11	Zafarullah	Habib Khan R/O Abba khel		Badshah		
	Catarantan	Habio Khali K/O Abba Khei	GPS Shah Sahib	Retirement of Ghazimar		
12	Rafi Ullah		Abba khel	Jan		
12	Kan Unan	Ghulam Sakhi Jan UC Pahar	GPS Yar Ahmad	Retirement of Abdul Baqi		
13	Muhammad	khel Thall	Michen Khel	jan		
13.	1 !	Ghulam Nabi Lakki City	GFS Toti Abad	Out District transfer of		
14	Anwar		No.1 Lakki .	Saif Ur Rehman		
14	Muhammad	Shadi Khan R/o Lakki City	GMPS Shumar	Retirement of Ahmad		
	Ismail	·	Khel Michen khel	Ghulam ·		
15	Sher Zaman	Raees khan UC Isak khel	GPS No.2 Langer	Newly Created Post		
			khel Hathi khan	J		
16	/Shafi Ullah	Allah Dad khan UC Isak khel	GPS No.2 Langer	-do-		
·V			Khel Hathi khan			
17	Sher Taj Khan	Attaullah Khan UC Takhti khel	GPS Tarkha Bazi Khel	Retirement of Liaqat Ali		
10	_			-		
18	Muhammad	Pasham Khan UC Dara Pezu	GPS Sarga Kheru	Retirement of Ghulam		
	Akram		khel	Saeed		

District Of E&SE Deptt: Lakki Marw

## TERMS AND CONDITIONS:

- 1. Their appointment will be considered regular without pension and gratuity in terms of section 19 of NWFP Civil Servant Act 1973, as amended vide NWFP Civil Servant (Amendment) Act, 2005. They will however be entitled to contributory provident fund in such a manner and at such rate as may be prescribed by the Govt.
- 2. Their services will be liable to termination on one-month notice from either side. In case of resignation with out notice, one-month pay/allowance shall be refunded to the Govt.
- 3. His services will be governed by such rules and the Govt may issue regulations as from time to time.
- 4. Their services can be terminated at any time in case their performance is found unsatisfactory during probationary period, in case of misconduct they will be proceeded against the NWFP removal from service (special power) ordinance, 2000 and the rules framed from time to time.
- 5. Charge report should be submitted to all concerned.
- 6. No TA/DA is allowed to any one.
- 7. Candidates who have obtained PTC certificate other than Elementary colleges/Allama Iqbal Open University will produce surety bond that they will be under gone three months refresher course from Elementary Colleges of Govt: of NWFP on their own expenses.
- 8. Drawing and disbursing Officers are directed to check and verified the Certificates/ Degrees of the above candidates from the concerned Board/University before the drawl of his pay.
- 9. The appointment is liable to termination, if the appointee failed to take over charge with in (15) days of the commencement date
- 10. The undersigned reserves the rights of amendment in this appointment order in case of any mistake.
- 11. The appointees are required to produce his Health and Age Certificates from the Medical Supdt: DHQ Hospital (Tajazia) Lakki Marwat.

(Muhammad Khan) Executive District Officer (E & S) Education Lakki Marwat

Endst: No 2143-2168 dated Lakki Marwat the 06-03-2009 Copy of the above is forwarded to the:

1. Director (E & S) Education Department N W F P Peshawar.

- 2. District Co-ordination Officer Lakki Marwat
- 3. Medical Superintendent DHQ Lakki Marwat
- 4. District Accounts Officer Lakki Marwat
- 5. Deputy District Officer male Local office
- 6. Head teacher concerned
- 7. Candidates concerned

District Officer (M) (E & S) Education Dept(185 kki Marwat District Deptt: Lakki Marwat. E&SE Deptt: Lakki Marwat.

## PESHAWAR HIGH COURT, PESHAWAR

## FORM OF ORDER SHEET

Court of.....

Case No... .....of......

Date of Order of Proceedings	Order of other Proceedings with Signature of Judge.
1	• 2
09.05.2012	W.P.No. 411/2010 with C.M.No. 269-P/2012.
	Present: Mr. Ashraf Ali Khattak, Advocate, for the petitioner.
ANN-	Barrister Waqar Ali, DAG, for the respondents.
	<b>DOST MUHAMMAD KHAN, C.J</b> The grievance of the
	petitioner is that he was contractual employee and posted
4	as SET (Science), however, due to long contractual
	service, he opted for PST where he was absorbed
	permanently as regular employee while in the meanwhile
	the Regularization of Contractual Employees' Services
	Act 2009 came into force and that similarly placed
	persons, who opted for PST while posted as SET on
	contract basis, have been given the benefit of permanent
	employees as SET but he is being discriminated.
	2. The learned Deputy Advocate General agreed that
25.9	let the case be sent to the Secretary Education,
	Government of Khyber Pakhtunkhwa to look into the

matter and if similarly placed persons have been given the same benefit for which prayer has been made in this writ petition then, the petitioner shall not be made an exception.

With these observations, this petition stands disposed of.

sell Dost Mub dikbon sell Miftah ud Din Kher This RULLED TO DE TRUE CORY Xaminer awar High Court Peshawa Thorised Under Article 87 Adoll Ne The Qanun-c-Shahadat Order 1984

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#### BER PAKHTUNKHWA. EMENTARY & SECONDARY EDUCATIO DIRECTORATE OF PESHAWAR

Annex-E

### NOTIFICATION

Consequent upon the judgements of the Peshawar High Court dated 9-5-2012, the competent authority has been pleased to regularize the services of the following Adhoc/contract employee against the post of SST (M) (BPS-16) with immediate effect, under the NWFP Employees (Regularization of services) Act, 2009 on the terms & conditions given at the end of this Notification:-

S.No.	Name of SST	Date of joining other service	School address	No. & date of the current contract apptt: order
I	Shafiullah Khan SST	Joined PST post	Ex-SET GHS	No.5139-5197
	S/O Allah Dad Khan	on 7-3-2009	Jhang Khel Lakki	dated 16-9-2008

## Terms and conditions of their appointment

- His services will be considered as regular but without pension and gratuity in terms of Section-19 of NWFP, Civil Servants Acts, 1973 as amended vide NWFP, Civil Servants (Amendment) Act 2005. 1 He will however, be entitled to Contributory Provident Fund in such a manner and at such rates as prescribed by the Government.
- 2 His senjority will be determined according to Section-4 of NWFP, Employees (Regularization of service) Act, 2009.
- He will be required to furnish copies of all his certificates/degrees alongwith original receipts and 3 photo stat copies thereof, pertaining to verification fee of the concerned examining Body (Board & University) to the Executive Distt: Officers (E&SE) concerned.
- The Executive Distt: Officer (E&SE) concerned is directed not to release his pay until the 4 verification of their documents.

Endst: No. 3737

Director Elementary & Secondary Education, Khyber Pakhtunkhwa Peshawar

/A-14/SET(M) Regularization SST contract Dated Pesh: the 27/6

- Accountant General Khyber Pakhtunkhwa, Peshawar 1.
- Executive Distt: Officers E&SE concerned 2.
- Distt: Accounts Officers concerned 3.
- Principals/ Headmasters concerned 4.
- Assistant Director (Litigation) local Directorate. 5.
- Assistant Director (Litigation) local Directorate. 6.
- Teachers concerned 1.
- PA to the Director E&SE Khyber Päkhtunkhwa, Peshawar. 8,

/2012

Deputy Director (Establishment) E&SE Klyber Pakhtunkhwa, Þeshawar

16/2012