

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No. 15611/2020

BEFORE: 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*)

VERSUS

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.

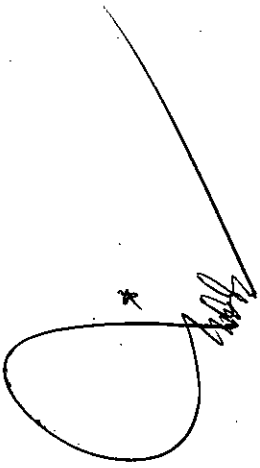
MUHAMMAD RIAZ KHAN PAINDAKHEL,
Assistant Advocate General --- For respondents.

Date of Institution.....18.11.2020
Date of Hearing.....30.11.2022
Date of Decision.....09.12.2022

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.

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.

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.

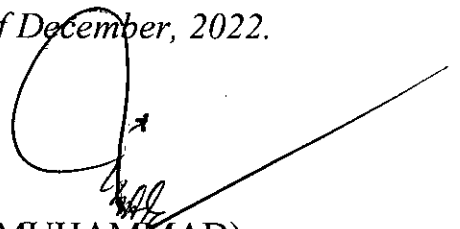
07. The departmental appeal of the appellant is badly time barred. The settled proposition of law dictates that when an appeal of the civil servant is time barred before the appellate authority, then the appeal before the service Tribunal is also not competent and maintainable. Reliance is placed on 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 9th day of December, 2022.*



(SALAH UD DIN)
MEMBER (J)



(MIAN MUHAMMAD)
MEMBER (E)

ORDER

09.12.2022

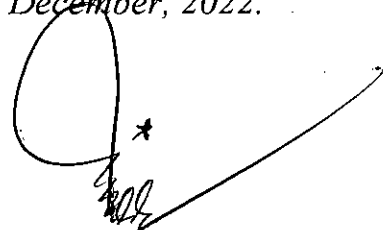
Mr. Zahir Shah Marwat, Advocate for the appellant present. Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for the respondents present. Arguments heard and record perused.

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 9th day of December, 2022.*



(SALAH UD DIN)
MEMBER (J)

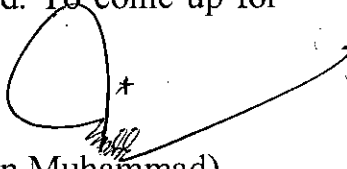


(MIAN MUHAMMAD)
MEMBER (E)

06.12.2022

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)

9-9-22

Proper DG not available the case is
adjourned TO 21-11-22

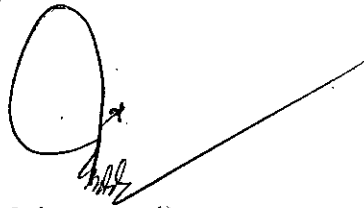
Reader

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

the D.B.



(Mian Muhammad)
Member (E)



(Salah-Ud-Din)
Member (J)

SCANNED
KROJ
Peshawar

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 06.12.2022
before the D.B.



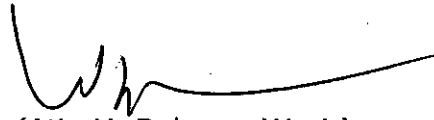
(Salah-Ud-Din)
Member (J)

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.

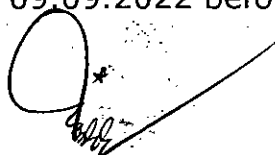


Reader.

20.06.2022

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)

Counsel was informed telephonically for the date fixed on 09/09/2022

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.


READER

13.07.2021

Nemo on 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 days, positively. If written reply/comments are not submitted 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.


Chairman

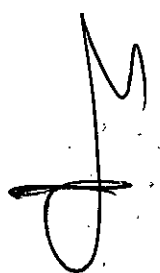
P.S

28.07.2021

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


Chairman

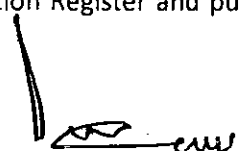

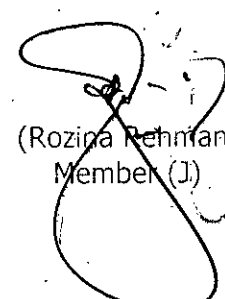
Stipulated period has passed and reply has not been submitted



FORM OF ORDER SHEET

Court of _____

Case No. - 15611 /2020

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	07/12/2020	<p>The appeal of Mr. Shafiullah resubmitted today by Mr. Zahir Shah Marwat Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	18.01.2021	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>18/01/2021</u></p> <p style="text-align: right;"> CHAIRMAN</p> <p>Appellant present in person. Preliminary arguments heard. File perused.</p> <p>Points raised need consideration. Admitted to regular 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 reply/comments. To come up for written reply/comments on 06.04.2021 before S.B.</p> <p style="text-align: right;"> (Rozina Rehman) Member (J)</p>


Appellant Deposited Security & Process Fee
18/1/21

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,

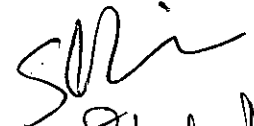
Dt. 20/11 /2020.


REGISTRAR,
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Zahir Shah Marwat Adv. Pesh.

Respected Sir,

The above mentioned objections are removed, file completed as per objections and resubmitted


Zahir Shah Marwat,

Advocate.

4/12/2020

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).

I N D E X

S.No.	Description of Documents	Annex	Pages
1.	Grounds of Appeal		1-5
2.	Affidavit		6
3.	Addresses of the parties		7
4.	Copies of Orders	A	8-17
5.	Copies of Judgment dated 09/05/2012 and Notification dated 27/06/2012	B&C	18-21
6.	Copy of Notification dated 27/06/2012	D	22
7.	Copy of applications	E	23-28
8.	Copy of departmental Appeal	F	29
9.	Wakalat Nama		30

Appellant

Through

Dated: 17/11/2020


Zahir Shah Marwat

&


Zahid Rasheed

Advocates, High Court
Peshawar.

Cell No. 0313-9851385

①

BEFORE THE HON'BLE CHAIRMAN SERVICE TRIBUNAL KP,
PESHAWAR

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 15076

Dated 18/11/2020

Service Appeal No. 15611 2020

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

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.*

Filed to-day

ew,
Registrar

18/11/2020

Re-submitted to -day
and filed.

ew,
Registrar

7/12/2020

②

Respectfully Sheweth:-

1. That the appellant was initially appointed on 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")

2. 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")

3. 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")

4. 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")

5. 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:-

4

GROUND:-

- 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.
- C. That the appellant being the eligible one was intentional ignored from his 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 justice, moreover the appellant was

(5)

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.

Appellant 

Through

Dated: 17/11/2020


Zahir Shah Marwat

&


Zahid Rasheed

Advocates, High Court
Peshawar

(6)

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).

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.


DEPONENT

11201-0369736-5

ATTESTED



7

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 Marwat

&

Zahid Rasheed

Advocates, High Court

Peshawar

Directorate of Schools & Literacy NWFP Peshawar.

SET(m) SC

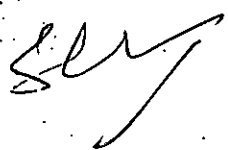
~~S.No 967~~

Annexure A

Notification

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

S.No	ID	Applicant Name	Father Name	District	Address	Posted At
1	7875	Yasir Ali Khan	Muhammad Ashraf	Abbottabad	Home/Street:70983 PO:Nowanshehr Village/Town:Nilah Mohallah Nowanshehr UC/Tehsil/District:Nowanshehr/Abbottabad/Abbottabad	GHS Nambal Abbottabad
2	2462	ZIA. UR. REHMAN	QAZI. SAIF. UR. REHMAN	Abbottabad	Home/Street:ZIA. UR. REHMAN. H # 1972 DHODIAL PO:NAWANSHEHR Village/Town:DHODIAL. NAWANSHEHR UC/Tehsil/District:ABBOTTABAD/ABBOTTABAD/ABBOTTABAD	GHS Serhan Abbottabad
3	5232	Syed Abbas Shah	Syed Faqeer Shah	Abbottabad	Home/Street:c.b.h.960 moh haji khan baz PO:po/havelian. cantt. Village/Town:sultanpur UC/Tehsil/District:cantt area/havelian/abbottabad	GHSS Zalrai Masoom Abbottabad
4	7957	Muhammad Basharat	Muhammad Yaqoob	Abbottabad	Home/Street:Qalandarabad PO:Qalandarabad Village/Town:Qalandarabad UC/Tehsil/District:Banda Pir Khan/Abbottabad/Abbottabad	GHSS Berote Abbottabad
5	7018	Shafiq-ur-Rohman Abbasi	Amir Abdullah Khan	Abbottabad	Home/Street:Government High School Nammal PO:Nammal Village/Town:Nammal UC/Tehsil/District:Nammal/Abbottabad/Abbottabad	GHS Seer Abbottabad
6	5419	zia mehmoood khan	Daryafat khan	Abbottabad	Home/Street:House No.369 Mohallah Bega PO:Havelian Village/Town:Havelian UC/Tehsil/District:Havelian/Havelian/Abbottabad	GHS Majuhian Abbottabad
7	4167	Niamat Khan	Shanwari Khan	Abbottabad	Home/Street:House # 1702 PO:abbottabad Village/Town:Mohallah Diggil UC/Tehsil/District:urban city/Abbottabad/Abbottabad	GHS Khara Gali Abbottabad
8	7234	Munir Ahmad	Noor Mohammad	Abbottabad	Home/Street:H. No 109, Mohallah Nallah PO:GPO Abbottabad Village/Town:Upper Malik Purra ABBOTTABAD UC/Tehsil/District:Abbottabad/Abbottabad	GHSS Lora Abbottabad
9	7809	NASIR MEHMOOD	MOHAMMAD ASLAM	Abbottabad	Home/Street:TCHOUSE NO-760 MOHALLAH HAJI ABAD PO:HAVELIAN Village/Town:HAVELIAN CITY UC/Tehsil/District:HAVELIAN URBAN/ABBOTTABA D/ABBOTTABAD	GHS Ghari Noor Pur Abbottabad
10	4761	MUHAMMAD. QAISAR KHAN	MISAL KHAN	Abbottabad	Home/Street:H#2 OFFICER COLONY PO:BALDHER Village/Town:KHYBER TEXTILE MILLS BALDHER UC/Tehsil/District:BAGRAHARIPUR/HARIPUR	GHS Hadora Bandi Abbottabad
11	1383	Muhammad Nawaz	Muhammad Miskeen	Abbottabad	Home/Street:Nil PO:Muslimabad Village/Town:Village Lail Gah UC/Tehsil/District:Sahad/Abbottabad/Abbottabad	GHS Bagan Abbottabad
12	4938	nadeem sohail khan	khan alsar khan	Abbottabad	Home/Street:anjum enterprises PO:havelian Village/Town:havelian UC/Tehsil/District:havelian urban/havelian/abbottabad	GHS Moolia Abbottabad
13	7826	GUL SHAH	SYED HADAIT SHAH	Abbottabad	Home/Street:CO BILAL CLOTH HOUSE LIQUAT MARKET MAIN BAZAR HAVELIAN PO:Havelian Village/Town:HAVELIAN UC/Tehsil/District:HAVELIAN/ABBOTTABAD/ABBOTTABAD	GHS Bagh Abbottabad

Attested


M-1

9 5

8

ID	Applicant Name	Father Name	District	Address	Posted At
158	3704 Muhammad Abid	Muhammad Saleh	Haripur	Home/Street:NA PO:Kot Najibullah Village/Town:Ganja UC/Tehsil/District:Kot Najibullah/Haripur/Haripur	GHS Hill Battagram
159	7942 Muhammad Ibrahim	Shah Zaman	Haripur	Home/Street:NI PO:Kachhi Village/Town:Village Kachhi UC/Tehsil/District:Boori/Haripur/Haripur	GHS Joza Battagram
160	5309 Javed Gul Shakeel	Hassan Din	Haripur	Home/Street:Moona PO:Srai Saleh Village/Town:Moona UC/Tehsil/District:Haripur/Haripur/Haripur	GHS Kannal Battagram
161	4410 Zahid Afzal	Malik Muhammad Afzal	Haripur	Home/Street:Mang PO:Mang Village/Town:Village/Post Office Mang UC/Tehsil/District:Sirya/Haripur/Haripur	GHS Neleshang Battagram
162	1917 Muhammad Abid Shafiq	Shafiq ur Rehman	Haripur	Home/Street:Mohallah Babu, Near Makki Masjid PO:Haripur Village/Town:Haripur UC/Tehsil/District:City North/Haripur/Haripur	GHS Pirhan Battagram
163	6069 Ejaz Ahmed	Abdul Aziz	Haripur	Home/Street:house # 308, Azam Chowk Sec 2 PO:house # 308, Azam Chowk Sec 2 Village/Town:La haripur UC/Tehsil/District:Dhenda/Haripur/Haripur	GHS Pashit Battagram
164	7918 RASHID NAWAZ	AJMAL KHAN	Haripur	Home/Street:SARISALEH PO:SARISALEH Village/Town:SARISALEH UC/Tehsil/District:SARISALEH/HARIPUR/HARIPUR	GHS Palmal Sharif Battagram
165	5322 Wahed Abbas	Muhammad Sadq	Haripur	Home/Street:Mang PO:Mang Village/Town:Mang UC/Tehsil/District:Sirya/Haripur/Haripur	GHS Rashang Battagram
166	6767 Jamair Khan	Shoukat Zaman	Haripur	Home/Street:H.No 1071 K.T.S Sector 4 PO:Khalabal Village/Town:Village Phooldar Khalabal Town Ship UC/Tehsil/District:Khalabal/Haripur/Haripur	GHS Shingl Payeen Battagram
167	5684 Shafiq Ullah Khan	Allah Dad Khan	Lakki	Home/Street:Daulat Khel PO:Isak Khel Village/Town:Daulat Khel UC/Tehsil/District:Isak Khel/Lakki marwal/Lakki marwal	GHS Khan Khel Mandozal Lakki
168	2778 Zain Ullah	Habib Ullah	Tank	Home/Street:Gul Baqi PO:Gomal Bazar Village/Town:Kot Haj Gulzar UC/Tehsil/District:Dabara/Tank/Tank	GHS Kot Khadak Tank
169	897 Muhammad Ali	Inayatullah Khan	Tank	Home/Street:House No PO:2 Near Tribie Textile Mills PO Village/Town:Baccha Abad Village/Town UC/Tehsil/District:Tank Road Kurale UC/Tehsil/District/Dera Ismail Khan/Dera Ismail Khan	GHS Kiri Marwal Tank
170	5476 AKHTAR SALIM	ABDUL MALIK	Tank	Home/Street:NAZAR KHEL PO:MULLAZAI Village/Town:MULLAZAI UC/Tehsil/District:MULLAZAI/TANK/TANK	GHS No.2 Tank Tank
171	6685 MUHAMMAD RAMZAN	ABDULLAH JAN	Tank	Home/Street:1 PO:RANAWAL Village/Town:BARA KHEL UC/Tehsil/District:RANAWAL/TANK/TANK	GHS Gara Shahbaz Tank
172	5992 Ihsan Ullah Khan	Faiz Ullah Khan	Tank	Home/Street:Ihsan Ullah PO:P.T.I Village/Town:Gulshane Hameed Colony D.I.Khan UC/Tehsil/District:Deewalla D.I.Khan/D.I.Khan	GHS Kaka Khel Tank
173	680 Tariq masood	allaf hussain	Tank	Home/Street:diyal house PO:ranwal Village/Town:ranwal UC/Tehsil/District:ranwal/tank/tank	GHS RANWAL Tank

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ID	Applicant Name	Father Name	District	Address	Posted At
8105	Mahmood Ijaz	Rahmat Jan	Dir Upper	Home/Street :Village Dislower PO :Wari Village/Town :Dislower UC/Tehsil/District :Dislower/wari/Dir upper	GHS Ganori Dir Upper
1643	Shakeel Khan	Khial Janan	Hangu	Home/Street :Village, Mardukhel Banda Hangu PO :P/O PTC Hangu Village/Town :Village, Mardukhel Banda Hangu UC/Tehsil/District :Tehsil Hangu/District Hangu/District Hangu	GHS Karbogha Hangu
1103	abdul muhammad	abdul mat khan	Hangu	Home/Street : PO :GPO, D.I.KHAN Village/Town :pusha pull, bannu road UC/Tehsil/District :D.I.KHAN/D.I.KHAN	GHS Darsamand Hangu
2590	fazal haqem	fazal malik	Hangu	Home/Street :shabab clinical laboratory PO :doaba Village/Town :doaba UC/Tehsil/District :doaba/thall/hangu	GHS Tora Wari Hangu
5467	SHOAIB GUL	KHUJAT GUL	Hangu	Home/Street :Nil PO :Sarozai Village/Town :Sharawan Banda UC/Tehsil/District :Naryab/Hangu/Hangu	GHS SHANAWARI HANGU
2052	Noor Mohammad	Khial Asghar	Hangu	Home/Street :dist & tehsil Hangu PO :Hangu Village/Town :Mirobak Banda UC/Tehsil/District :katch /Hangu/Hangu	GHS M.Khawaja Hangu
7208	khial dar khan	ahmad shah	Hangu	Home/Street :nil PO :hangu Village/Town :shnawari UC/Tehsil/District :shnawari/hangu/hangu	GHS Togh Sral Hangu
3349	Akbar Ali	Muhammad	Shangla	Home/Street :NIL PO :Bilkani Village/Town :Smasty UC/Tehsil/District :Pir Khana/Alpuri/Shangla	GHS Shahpur Shangla
4270	Habibullah	All Haidar	Shangla	Home/Street :Village PO :puran Village/Town :munkori UC/Tehsil/District :puran/puran/shangla	GHS Opri Shangla
6381	Zubair Ahmad	Mahajirullah	Shangla	Home/Street : Khairi Cham (Rahath Abad Colony) PO :Malla Village/Town :Khairi Cham UC/Tehsil/District :Khairi/Malla/Swat	GHS DEHRA ALPURI Shangla

Terms and conditions of their appointments

1. The appointment of the above named candidates against SET posts are made on contract basis for a period of 180 days (six) months or till arrival of the selectees of the NWFP P.S.C/Departmental whichever is earlier. This order will automatically stand terminated after 180 days from the date of issue.
2. The candidate will sign an agreement with the EDO (S&L) concerned and their services will be governed by the terms and conditions mentioned in such agreement.
3. Their salary is subject to execution of agreement deed containing the terms and conditions of the agreement.
4. Their services will be liable to termination without any reason during the currency of this agreement. In case of resignation without prior notice their one month pay plus usual allowances will be forfeited.
5. The appointees shall join their posts within fifteen days of the issuance of this order otherwise after the deadline date the appointment order will stand cancelled and will be replaced on merit from the merit list.
6. The EDOs(SL) concerned shall furnish a certificate to the effect that the appointees have joined the posts or otherwise after fifteen days of the issuance of this order.
7. Their services can be terminated at any time in case their performance is found unsatisfactory. In case of misconduct they will be proceeded against under the removal from services (Special powers) Ordinance 2000 and ED rules 1973.
8. They shall be required to furnish attested copies of all their certificates/degrees to EDO(SL) concerned. The EDO(SL) concerned should check their original certificates/degrees before handing over charge.

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S.No	ID	Applicant Name	Father Name	District	Address	Posted At
9.						Their appointment is specific school base and non transferable during currency of agreement period.
10.						The in-service candidates shall not be allowed to join and shall not be handed over charge by the EDO(SL) concerned.
11.						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 documentation.
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.

**Director Schools & Literacy
NWFP, Peshawar.**

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

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



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

original B

~~Extension Annexure B~~

(11)

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 ✓
2. 4763 - 5005 -do-
3. 3794 - 4762 -do-
4. ~~5967 - 6415~~ -do- ✓
5. 909 - 15 09-05-2007

S No (213)

Corrigendum:

- a. 8739 - 45 dated: 21-02-2007
- b. 8626 - 68 -do-
- c. 8696 - 728 -do-
- d. 9622 - 26 27-02-2007
- e. 9637 - 42 -do-
- f. 9632 - 36 -do-
- g. 9627 - 31 -do-
- h. 9639 - 58 28-02-2007
- i. 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 Outab 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 Bhuhi 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. Safia Naz SET	GGMS Pipal
19.	Miss. Bushra Naz SET	GGCMS Attiqullah 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. Tauheed 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

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181.	Muhammad Abid Khan	GHS Khawrai
182.	Muhammad Arif SET	GHS Samandar Garhi
183.	Fida Muhammad SET	GHSS Manki Sharif
184.	Zia ul Haq SET	GHS Kheshgi Bala
185.	Masam Khan SET	GHS No.1 Nowshera Kalan

SET (F) Nowshera

186.	Zaitun Nisa SET	GGHS Jalozi
187.	Asma Haneef SET	GCMS Mandori

SET (G) Lakki Marwat

188.	Bibi Saadia	GMS Bahader Landiwah
189.	Rahat Maheen	GGHS Dallo Khel
190.	Shazia Bano	GMS Kotka Ahmad Khan
191.	Zubaida Habib	GGCMS Wanda Amir
192.	Shakila Akhtar	GGMS Bachkan Ahmad Zai
193.	Fozia Ajmal	GGMS Nawar Khel
194.	Shamshad Bibi	GGHSS Titter khel
195.	Sadia Nayab	GGCMS Hati Khan Langer Khel
196.	Latifat Mehreen	GGMS Teri Khan Landiwah
197.	Fazilat Samreen	GGMS Kotka Gider
198.	Fozia Gul	GGMS Mash Habib Ullah
199.	Ruqia Rahim	GGHS Dara Pezu
200.	Husna Bibi	GGCMS Land Ahmad Khel
201.	Shaista Gilani	GGHS No.1 Naurang
202.	Zubaida Khanum	GGMS Abba Khel
203.	Farzana Begum	GGHS Dallo Khel
204.	Bibi Amina	GGHS Gandhi Khan Khel
205.	Shaheen Akhtar	GGMS Isak Khel
206.	Amna Iqbal	GGCMS Abba Khel
207.	Robina Begum	GGHS No.1 Lakki
208.	Farzana Bibi	GGMS Sarwar Mama Khel
209.	Jamila Anjum	GGHS Ghazni Khel
210.	Anjam Ara	GGCMS Nar Kala Khan
211.	Gulfam Bibi	GGCMS Gandhi Umer Chikar

SET (M) Lakki Marwat

212.	Rehmat Ullah SET (G)	GMS Abbas Khattak Lakki
213.	Shafi Ullah Khan (Sc)	GHS Khan Khel Mando Zai

SET (M) Kohat

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

SET (F) Kohat

221.	Rifat Naz SET	GGMS Chorlaki
222.	Sadia Mehmood	GGMS Darmyalak
223.	Shabana Hanif SET	GGMS Banda Patch Khan

Accepted
S.E.
ATTACHED

NOTE:

1. 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.
2. 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 appointment.

6575-6630

Director Schools and Literacy,
NWFP, Peshawar

Encls: A-14/SET/M&F/Contract 180 Days, Dated 18/10/07

Copy to the:

1. PS to secretary (S&L) Dept. 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

Deer 18/10
Deputy Director (Estb),
Schools and Literacy, NWFP

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S. NO (214)

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~~End Extension~~
wef 16-2-2008

~~Annexure (C)~~

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 ✓
2. 4763 - 5005 -do-
3. 3794 - 4762 -do-
4. ~~5967 - 6415~~ -do-
5. 909 - 15 09-05-2007

Corrigendum:

- a. 8739 - 45 dated: 21-02-2007
- b. 8626 - 68 -do-
- c. 8696 - 728 -do-
- d. 9622 - 26 27-02-2007
- e. 9637 - 42 -do-
- f. 9632 - 36 -do-
- g. 9627 - 31 -do-
- h. 9639 - 58 28-02-2007.
- i. 947 - 68 08-03-2007
- j. 3273 - 81 22-03-2007
- k. 8689 - 95 21-02-2007

already extended upto 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
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 Kuti 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

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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 Gandhi Khan Khel
206.	Shaheen Akhtar	GGMS Isak Khel
207.	Amna Iqbal	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 Qandi Umer Chikar

SET (M) Lakki Marwat

213.	Rehmat Ullah SET (G)	GMS Abbas Khattak Lakki
214.	Shafiq Ullah Khan (Sc)	GHS Khan Khel Mando Zai

SET (M) Kohat

215.	Muhammad Arif SET	GISS 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 SET	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	GGHS Kharmatoo
231.	Nasim Akhter	GGHS Bori Saghri

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SET (F) Abbottabad

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

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

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

ATTACHED

[Signature]
10/3/08

Deputy Director (Estb),
Schools and Literacy, NWFP

[Signature]
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(17)

**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, Chattr Plan, Mansehra	GHS, Harora Bangai, ATD	
2.	Shamshaa Bano SET(F) S.No.615	Read Name as Shamshaa Bano	Saeeda Bibi	
3.	Hayat Khan, SET S.No.326	GHS, Mairan Bangai, Dir(L)	GHS, Darora Dir (U)	
4.	Inayatullah, SET(M) S.No.123	GHS, Tangora Buner	GMS, Bahie Kili, Buner	
5.	Shafiullah Khan SET(M) S.No.504	GHS, Jhang Khel Lakki	GHS, Daraka Aziz Khan Lakki.	

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. 7020-27 /F.No.318/A-14/SET(M/F) contract One Year Dated 24/9/08.

Copy forwarded to:
1. Executive District Officers Concerned.
2. District Accounts Officer, Concerned.
3. Principals/Headmasters/Headmistress concerned.
4. Senior English Teachers (SETs) (Male/Female) concerned.
5. PA to Director E&SE NWFP, Peshawar.
6. Master File.

Accessed
M.H.S.T.
Lakki
24/9/08

[Signature]
DEPUTY DIRECTOR (ESTAB.)
DIRECTORATE OF E&SE NWFP, PESHAWAR.

[Signature]
Deputy Director (Estab.)
Directorate of E&SE NWFP, Peshawar.

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.

UNION COUNCIL WISE LIST

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 Kheru 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 Titter 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 Meja 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 jan
13	Muhammad Anwar	Ghulam Nabi Lakki City	GPS Toti Abad No.1 Lakki	Out District transfer of Saif Ur Rehman
14	Muhammad Ismail	Shadi Khan R/o Lakki City	GMPS Shumar Khel Michen khel	Retirement of Ahmad Ghulam
15	Sher Zaman	Raees khan UC Isak khel	GPS No.2 Langer khel Hathi khan	Newly Created Post
16	Shafi Ullah	Allah Dad khan UC Isak khel	GPS No.2 Langer Khel Hathi khan	-do-
17	Sher Taj Khan	Attaullah Khan UC Takhti khel	GPS Tarkha Bazi Khel	Retirement of Liaqat Ali
18	Muhammad Akram	Pasham Khan UC Dara Pezu	GPS Sarga Kheru khel	Retirement of Ghulam Saeed

Attested

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District Officer (M)
E&SE Deptt: Lakki Marwat.

TERMS AND CONDITIONS:

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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 Deptt Lakki Marwat

District Officer (M)
E&S Deptt: Lakki Marwat.

Attested
SUI

Annex-B^v

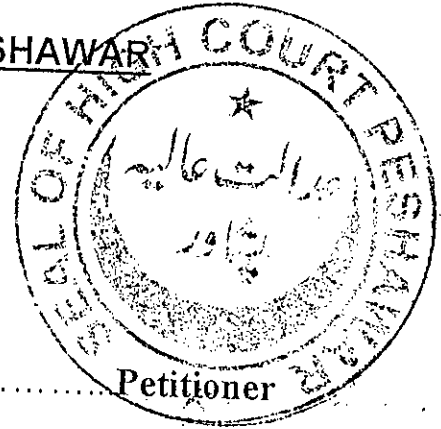
18

11

IN THE PESHAWAR HIGH COURT, PESHAWAR

W.P No. 411 /2010

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



V E R S U S

1. Secretary,
Elementary & Secondary Education,
Govt of NWFP, Peshawar
2. Director,
Elementary & Secondary Education,
NWFP, Peshawar
3. Secretary Finance,
Govt of NWFP, Peshawar..... Respondents

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

Respectfully Sheweth:

This writ petition inmates from the following circumstances:

1. 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 later on 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

Attested
ATTESTED

19

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	<p><u>W.P.No. 411/2010 with C.M.No. 269-P/2012.</u></p> <p>Present: Mr. Ashraf Ali Khattak, Advocate, for the petitioner.</p> <p>Barrister Waqar Ali, DAG, for the respondents.</p> <p>***</p> <p><u>DOST MUHAMMAD KHAN, C.J.-</u> 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 employees as SET but he is being discriminated.</p> <p>2. The learned Deputy Advocate General agreed that let the case be sent to the Secretary Education, Government of Khyber Pakhtunkhwa to look into the</p>

[Handwritten mark]

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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.

sd/ Dost Mub
sd/ Miftah ud Din Khan

Justice

CERTIFIED TO BE TRUE COPY

Adoll Registrar
1975
Examiner
Peshawar High Court Peshawar
Authorized Under Article 87
The Qanun-e-Shahadat Order 1984

Attested

Date *15/5/25*
No of Pages *3*
Copying fee *12/5/12*
Urgent Fee *1*
Total *6*
Date of Preparation of *17-5-12*
Date Given *17-2-12*
Date of *17-5-12*
Received By *du 16*

Office
19/5

Annex-C² (21)

DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION KHYBER PAKHTUNKHWA,
PESHAWAR

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 appt: order
1	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

- 1 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. 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.
- 3 He will be required to furnish copies of all his certificates/degrees alongwith original receipts and photo stat 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: Officer (E&SE) concerned is directed not to release his pay until the verification of their documents.

Director
Elementary & Secondary Education,
Khyber Pakhtunkhwa Peshawar

Endst: No. 3337-44 /A-14/SET(M) Regularization SST contract Dated Pesh: the 27/6 /2012

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

Attested
Deputy Director (Establishment)
E&SE Khyber Pakhtunkhwa, Peshawar
27/6/2012
27/6/2012

Annex-D

22

DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION KHYBER PAKHTUNKHWA, PESHAWAR

NOTIFICATION

Consequent upon the judgements of the Peshawar High Court dated 29-3-2010 & the Supreme Court of Pakistan dated 17-5-2012, the competent authority has been pleased to regularize the services of the following Adhoc/contract employees against the 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.No.	Name of SST	Father's name	School address	No. & date of the current contract/ appmt. order	Date of regularization
1	Ijaz Khan SST	Mir Wali Khan	GHS Tmail Hangu	No.5139-517 dated 25-11-2008	1-1-2009
2	Muhammad Younas SST	Sar Anjum Khan	GHS Showeki Kohat	No.5139-517 dated 16-9-2008	1-1-2009
3	Khalid Rasul SST	Nayab Rasul	GHS Saanawari Hangu	No.5139-517 dated 25-11-2008	1-1-2009
4	Tariq Mehmood SST	Mirullah Ayaz Khan	GHS Mamoon Banda Hangu	No.5139-517 dated 25-11-2008	1-1-2009

Terms and conditions of their appointment

1. Their services will be considered as regular but without pension and gratuity on the 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 manner and at such rates 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 stat 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. Officers E&SE concerned
3. Distt. Accounts Officers concerned
4. Principals/ Headmasters concerned
5. Assistant Director (Litigation) local Directorate.
6. Assistant Director (Litigation) local Directorate.
7. Teachers concerned
8. PA to the Director E&SE Khyber Pakhtunkhwa, Peshawar.

Attested
Deputy Director (Establishment)
E&SE Khyber Pakhtunkhwa, Peshawar
27/6/2012

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. No.	Name of SST	Father's Name	School address	No. & date of the current contract appt: order	Date of regularization
1.	Ijaz Khan SST	Mir Wali Khan	GHS Thall Hangu	No. 5139-5197 Dated 25/11/2008	1/1/2009
2.	Muhammad Yousaf SST	Sar Anjam Khan	GHS Showeki Kohat	No. 5139-5197 Dated 16/09/2008	1/1/2009
3.	Khalid Rasul SST	Nayab Rasul	GHS Shanwari Hangu	No. 5139-5197 Dated 25/11/2008	1/1/2009
4.	Tariq Mehmood SST	Mirullah Ayaz Khan	GHS Mamoon Banda Hangu	No. 5139-5197 Dated 25/11/2008	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 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.
4. Principals/ Headmasters concerned.
5. 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
[Signature]

Annex - E

23

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) LAKKI MARWAT

No. 6384

Dated. 24/07/2017


To,

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

Subject:- APPLICATION FOR BACK BENEFIT.

Memo:-

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.
District Edu: Officer
(Male) Lakki Marwat

Attor Saad

5/7/17

To

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

24

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 ~~3337~~ 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

*Recommended and forwarded to the D.E.O (M)
for favourable consideration please*

Shafiq
HEAD MASTER
G.H.S Isak Khel
Lakki Marwat

Attested

SC

Note:

25

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) LAKKI MARWAT

No. 378

Dated. 10-01-2019

To,


The Director,
Elementary & Secondary 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.

Attended
guy

26

To

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

Subject: APPEAL FOR BACK BENEFIT.

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 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-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 from 01-01-2009.

Thanking you in Anticipation.

Dated: 20-10-2018

Yours Obediently,

[Signature]
Shafi Ullah Khan SST,
GHS Isak Khel Lakki Marwat,
0313-2728237

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

Recommended & forwarded to the DEO(M/F) for favorable consideration pl.

[Signature]
Abdul Basit
District Education Officer
Peshawar

17/10/18
1543
27/10/18

AE-1
27/10/18

27

To,

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

Subject -

APPLICATION FOR THE GRANT OF BACK BENEFIT ON
ACC OF REGULARIZATION OF S.S.T SERVICES OF THE
PETITIONER WITH EFFECT FROM 01.01.2009
EQUALENT TO OTHER 04 NO. COLLEAGUES PURELY
IN ACCORDANCE WITH JUDGMENT OF THE
HONORABLE PESHAWAR HIGH COURT, PESHAWAR AS
WELL K.P EMPLOYEES (REGULARIZATION OF
SERVICE) ACT 2009 SUBJECT TO DEDUCTION /
RECOVERY OF SALARIES OF P.S.T PERTAINING TO THE
PERIOD FROM 07.03.2009 TO 28.06.2012.

Respectfully Sheweth.

With profound respects and deepest veneration it is submitted for favor of kind information and further appropriate action that the Petitioner had initially been appointed as S S T 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 P.S.T where I 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 benefit 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)

Attested
SW

Contd: Next Page:2

BETTOR COPY

To

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 EFFECT FROM 01/01/2009 EQUALENT TO OTHER 04 NO. 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 PERTAINING TO THE PERIOD FROM 07/03/2009 TO 28/06/2012.

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)

Attested
S/S

In compliance with Judgment of the Honorable 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 S.S.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. 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 Honorable Peshawar High Court Peshawar as well quite contradiction to the K.P. 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 S.S.T Services of the Petitioner with effect from 01.01.2009 subject to deduction/recovery of salaries of P.S.T 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 S.S.T Services from 01.01.2009 till 28.06.2012 also with Refund/recovery of P.S.T Period from 07.03.2009 till 28.06.2012, for which act of kindness, the Petitioner will remain Pray for your long life and prosperity please.

Dated: 24.01.2020.

Your's Most Obediently,

(Signature)
 (SHAFI ULLAH KHAN)
 S.S.T (B.P.S-16)
 Govt. High School Isak Khel,
 Larki Marwat

JW

*Forwinded and recommended
 for favorable & sympathetic consideration pl*

*Attested
 S/S*

(Signature)
 Head Master
 G.H.S Isak Khel
 Larki Marwat

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,

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

Attested

Annex - A

29

9210480 SC

9210526 821

To

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

W
20/7/20

Subject: **APPEAL FOR BACK BENEFIT**

Respected Sir,

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

Attested
SUK

قیمت 50 روپے	66298			
ایڈویکٹ: طاہر شاہ مہر		پشاور بار ایسوسی ایشن، خیبر پختونخواہ		
بار کونسل ایسوسی ایشن نمبر: 232-59-Be				
رابطہ نمبر: 851385-313-0				

بعدالت جناب: سر سید شمس الدین صبر پختونخواہ

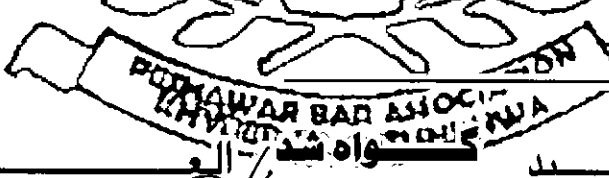
منجانب: اپیل سٹ	دعویٰ: اپیل
 <p>بنام پشاور بار ایسوسی ایشن</p>	علت نمبر:
	مورثہ:
	جرم:
	تھانہ:

باعث تحریر آنگہ

کشفیج الٹہ علیہ اللہ حداد کلین علی مہر

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کاروائی متعلقہ آن مقام (پشاور) کے لیے طاہر شاہ مہر کو وکیل مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا، نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ برحلف دینے جو اپنی دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی، نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو وہی جملہ مذکورہ باختیارات حاصل ہوں گے اور این کا ساختہ پرداختہ منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سند رہے

Accepted



الرقوم:

مقام کے لیے منظور ہے

نوٹ: اس وکالت نامہ کی فوٹو کاپی ناقابل قبول ہوگی۔

**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.

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.

1 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 mandatory 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:-


GROUND.


A **Incorrect & not admitted.** 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 **Incorrect & not admitted.** Hence, needs no further comments as detail reply to this grounds has being given in the above mentioned paras.
- E **Incorrect & not admitted.** 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.

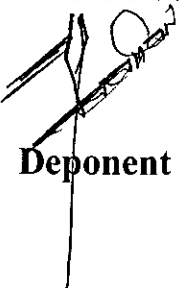

SECRETARY
Finance Department Khyber
Pakhtunkhwa, Peshawar
(Respondent No: 3)


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


SECRETARY
E&SE 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

SET(m) SC:
~~S.A.O. 967~~

RUN

Directorate of Schools & Literacy NWFP Peshawar.

Annexure: A

Notification

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

S.No	ID	Applicant Name	Father Name	District	Address	Posted At
1	7875	Yasir Ali Khan	Muhammad Ashraf	Abbottabad	Home/Street: 70943 PO: Nawanshehr Village/Town: Nla Mohlah Nawanshehr UC/Tehsil/District: Nawanshehr/Abbottabad/Abbottabad	GHS Nambal Abbottabad
2	2462	ZIA. UR. REHMAN	OAZI. SAIF. UR. REHMAN	Abbottabad	Home/Street: ZIA. UR. REHMAN: H # 1972 DHODIAL PO: NAWANSHEHR Village/Town: DHODIAL NAWANSHEHR UC/Tehsil/District: ABBOTTABAD/ABBOTTABAD/ABBOTTABAD	GHS Serhan Abbottabad
3	5232	Syed Abbas Shah	Syed Faqeer Shah	Abbottabad	Home/Street: c.b.n.960 moh hajj khan baz PO: ipof havellian cantt Village/Town: sultanpur UC/Tehsil/District: cantt area/havellian/abbottabad	GHSS Zairai Masoom Abbottabad
4	7957	Muhammad Basharat	Muhammad Yaqoob	Abbottabad	Home/Street: Qalandarabad PO: Qalandarabad Village/Town: Qalandarabad UC/Tehsil/District: Banda Pir Khan/Abbottabad/Abbottabad	GHSS Berole Abbottabad
6	7018	Shafiq-ur-Rehman Abbasi	Amir Abdullah Khan	Abbottabad	Home/Street: Government High School Nammal PO: Nammal Village/Town: Nammal UC/Tehsil/District: Nammal/Abbottabad/Abbottabad	GHS Seer Abbottabad
6	5419	zia mehmood khan	Daryafat khan	Abbottabad	Home/Street: House No.369 Mohallah Bega PO: Havellian Village/Town: Havellian UC/Tehsil/District: Havellian/Havellian/Abbottabad	GHS Majuhlian Abbottabad
7	4167	Niamat Khan	Shanwar Khan	Abbottabad	Home/Street: House # 1702 PO: abottabad Village/Town: Mohallah Diggil UC/Tehsil/District: urban city/Abbottabad/Abbottabad	GHS Khara Gali Abbottabad
8	7234	Munir Ahmad	Noor Mohammad	Abbottabad	Home/Street: H. No 169, Mohallah Nallah PO: GPO Abbottabad Village/Town: Upper Malik Purra ABBOTTABAD UC/Tehsil/District: /Abbottabad/Abbottabad	GHSS Lora Abbottabad
9	7809	NASIR MEHMOOD	MOHAMMAD ASLAM	Abbottabad	Home/Street: TC/HOUSE NO-760 MOHALLAH HAJI ABAD PO: HAVELIAN Village/Town: HAVELIAN CITY UC/Tehsil/District: HAVELIAN URBAN/ABBOTTABA D/ABBOTTABAD	GHS Ghari Noor Pur Abbottabad
10	4761	MUHAMMAD QAISAR KHAN	MISAL KHAN	Abbottabad	Home/Street: #W2 OFFICER COLONY PO: BALDHER Village/Town: KHYBER TEXTILE MILLS BALDHER UC/Tehsil/District: BAGRA/HARIPUR/HARIPUR	GHS Hadora Bandi Abbottabad
11	1383	Muhammad Nawaz	Muhammad Miskeen	Abbottabad	Home/Street: Nil PO: Muslimabad Village/Town: Village Laili Gah UC/Tehsil/District: Sahad/Abbottabad/Abbottabad	GHS Bagan Abbottabad
12	4938	nadeem sohail khan	khan afsar khan	Abbottabad	Home/Street: anjum enterprises PO: havellian Village/Town: havellian UC/Tehsil/District: havellian urban/havellian/abbottabad	GHS Moolia Abbottabad
13	7826	GUL SHAH	SYED HADAIT SHAH	Abbottabad	Home/Street: C/O BILAL CLOTH HOUSE LIQUAT MARKET MAIN BAZAR HAVELIAN PO: Havellian Village/Town: HAVELIAN UC/Tehsil/District: HAVELIAN/ABBOTTABAD/ABBOTTABAD	GHS Bagh Abbottabad

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ID	Applicant Name	Father Name	District	Address	Posted At
158	3704 Muhammad Abid	Muhammad Saleh	Haripur	Home/Street :NA PO :Kot Najibullah Village/Town :Ganja UC/Tehsil/District :Kot Najibullah/Haripur/Haripur	GHS Hill Battagram
159	7942 Muhammad Ibrahim	Shah Zaman	Haripur	Home/Street :Nil PO :Kachhi Village/Town :Village Kochhi UC/Tehsil/District :Soer/Haripur/Haripur	GHS Jozz Battagram
160	5309 Javeed Gul Shaheed	Hassan Din	Haripur	Home/Street :Moonan PO :Sriat Saleh Village/Town :Moonan UC/Tehsil/District :Haripur/Haripur/Haripur	GHS Kannal Battagram
161	4410 Zahid Alzal	Malik Muhammad Alzal	Haripur	Home/Street :Mang PO :Mang Village/Town :Village/Post Office Mang UC/Tehsil/District :Sriya/Haripur/Haripur	GHS Nelesjang Battagram
162	1917 Muhammad Abid Shafiq	Shafiq ur Rehman	Haripur	Home/Street :Mohallah Babu, Near Makki Masjid PO :Haripur Village/Town :Haripur UC/Tehsil/District :City North/Haripur/Haripur	GHS Pirhan Battagram
163	6069 Ejaz Ahmed	Abdul Aziz	Haripur	Home/Street :house # 308, Azam Chowk Sec 2 PO :house # 308, Azam Chowk Sec 2 Village/Town :Ls Haripur UC/Tehsil/District :Dhenda/Haripur/Haripur	GHS Pashtu Battagram
164	7918 RASHID NAWAZ	AJMAL KHAN	Haripur	Home/Street :SARAI SALEH PO :SARAI SALEH Village/Town :SARAI SALEH UC/Tehsil/District :SARAI SALEH/HARIPUR/HARIPUR	GHS Paimal Sharif Battagram
165	5322 Waheed Abbas	Muhammad Sadiq	Haripur	Home/Street :Mang PO :Mang Village/Town :Mang UC/Tehsil/District :Sriya/Haripur/Haripur	GHS Rashang Battagram
166	6767 Jamair Khan	Shoukat Zaman	Haripur	Home/Street :H.No 1071 K.T.S Sector 4 PO :Khalabal Village/Town :Village Phoodar Khalabat Town Ship UC/Tehsil/District :Khalabal/Haripur/Haripur	GHS Shingl Payest Battagram
167	5684 Muhammad Khan	Allah Dad Khan	Lakki	Home/Street :Dautal Khel PO :Isak Khel Village/Town :Dautal Khel UC/Tehsil/District :Isak Khel/Lakki Marwal/Lakki Marwal	GHS Khan Khel Mandozai Lakki
168	2778 Zain Ullah	Habib Ullah	Tank	Home/Street :Gul Baqi PO :Gomal Bazar Village/Town :Kot Haji Gulzar UC/Tehsil/District :Debara/Tank/Tank	GHS Kot Khadak Tank
169	897 Muhammad Ali	Inayatullah Khan	Tank	Home/Street :House No PO :2 Near Trible Textile Mills PO Village/Town :Baccha Abad Village/Town UC/Tehsil/District :Tank Road Kurale UC/Tehsil/District :Dera Ismail Khan/Dera Ismail Khan	GHS Kiral Marwal Tank
170	5475 AKHTAR SALIM	ABDUL MALIK	Tank	Home/Street :NAZAR KHEL PO :MULLAZAI Village/Town :MULLAZAI UC/Tehsil/District :MULLAZAI/TANK/TANK	GHS No.2 Tank Tank
171	6685 MUHAMMAD RAMZAN	ABDULLAH JAN	Tank	Home/Street :1 PO :RANAWAL Village/Town :BARA KHEL UC/Tehsil/District :RANAWAL/TANK/TANK	GHS Gara Shahbaz Tank
172	5992 Ihsan Ullah Khan	Faiz Ullah Khan	Tank	Home/Street :Ihsan Ullah PO :P.T.I Village/Town :Gulshana Hameed Colony D.I.Khan UC/Tehsil/District :Deewalia /D.I.Khan /D.I.Khan	GHS Kaka Khel Tank
173	680 tariq masood	ataf hussaln	Tank	Home/Street :diyul house PO :ranwal Village/Town :ranwal UC/Tehsil/District :ranwal/tank/tank	GHS RANWAL Tank

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ID	Applicant Name	Father Name	District	Address	Posted At
8105	Mahmoud Ijaz	Rahmat Jan	Dir Upper	Home/Street: Wiling Dislower PO: Wari Village/Town: Dislower UC/Tehsil/District: Dislower/wari/Dir upper	GHS Ganori Dir Upper
1643	Shakeel Khan	Khial Janan	Hangu	Home/Street: Village, Mardukhel Banda Hangu PO: P/O PTC Hangu Village/Town: Village, Mardukhel Banda Hangu UC/Tehsil/District: Tehsil Hangu/District Hangu/District Hangu	GHS Karbogha Hangu
1103	abdul muhammad	abdul mal khan	Hangu	Home/Street: PO: GPO, D.I.KHAN Village/Town: pusha pull, bannu road UC/Tehsil/District: D.I.KHAN/D.I.KHAN	GHS Darsamand Hangu
2590	fazal haqcom	fazal malik	Hangu	Home/Street: shobab clinical laboratory PO: doaba Village/Town: doaba UC/Tehsil/District: doaba/hall/hangu	GHS Tora Wori Hangu
5467	SHOAIB GUL	KHUJAT GUL	Hangu	Home/Street: Nil PO: Sarozai Village/Town: Shorawan Banda UC/Tehsil/District: Naryab/Hangu/Hangu	GHS SHANAWARI HANGU Hangu
2052	Noor Mohammad	Khial Asghar	Hangu	Home/Street: dist & tehsil Hangu PO: Hangu Village/Town: Mirobak Banda UC/Tehsil/District: katch/Hangu/Hangu	GHS M.Khawaja Hangu
7208	khial dar khan	ahmad shah	Hangu	Home/Street: nil PO: hangu Village/Town: shnawari UC/Tehsil/District: shnawari/hangu/hangu	GHS Togh Srel Hangu
3349	Akbar Ali	Muhammad	Shangla	Home/Street: Nil PO: Bilkanl Village/Town: Smasty UC/Tehsil/District: Pir Khana/Alpuri/Shangla	GHS Shangpur Shangla
4278	Hakimullah	Alli Haq	Shangla	Home/Street: Colony PO: jama Village/Town: sindol UC/Tehsil/District: the para/parat/hangla	GHS Opul Shangla
6381	Zubair Ahmad	Mahajrullah	Shangla	Home/Street: Khariri Cham (Rahath Abad Colony) PO: Malla Village/Town: Khariri Cham UC/Tehsil/District: Khariri/Malla/Swat	GHS DEHRAI ALPURAL Shangla

Terms and conditions of their appointments

- The appointment of the above named candidates against SET posts are made on contract basis for a period of 180 days (six) months or till arrival of the selectees of the NWFP P.S.C/Departmental whichever is earlier. This order will automatically stand terminated after 180 days from the date of issue.
- The candidate will sign an agreement with the **EDO (S&L) concerned** and their services will be governed by the terms and conditions mentioned in such agreement.
- Their salary is subject to execution of agreement deed containing the terms and conditions of the agreement.
- Their services will be liable to termination without any reason during the currency of this agreement. In case of resignation without prior notice their one month pay plus usual allowances will be forfeited.
- The appointees shall join their posts within fifteen days of the issuance of this order otherwise after the deadline date the appointment order will stand cancelled and will be replaced on merit from the merit list.
- The EDOs(SL) concerned shall furnish a certificate to the effect that the appointees have joined the posts or otherwise after fifteen days of the issuance of this order.
- Their services can be terminated at any time in case their performance is found unsatisfactory. In case of misconduct they will be proceeded against under the removal from services (Special powers) Ordinance 2000 and ED rules 1973.
- They shall be required to furnish attested copies of all their certificates/degrees to EDO(SL) concerned. The EDO(SL) concerned should check their original certificates/degrees before handing over charge.

ATTACHED

S.No	ID	Applicant Name	Father Name	District	Address	Posted At
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9. Their appointment is specific school base and non transferable during currency of agreement period.

10. The in-service candidates shall not be allowed to join and shall not be handed over charge by the EDO(SL) concerned.

11. 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 documentation.

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.

**Director Schools & Literacy
NWFP, Peshawar.**

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

Copy forwarded for information and necessary action to the:-

1. Accountant General NWFP, Peshawar
2. Executive District Officers (Schools & Literacy)
3. Distt: Accounts officers concerned
4. Principal/Headmistress concerned
5. Candidates concerned
6. PS to the Minister for Education NWFP
7. PS to Secretary to Govt. of NWFP



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

OFFICE OF THE DIRECTOR SCHOOLS AND LITERACY N.W.F.P. 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. 3794 - 4762 -do-
4. ~~5007 - 6415~~ -do- ✓
5. 909 - 15 09-05-2007.

Corrigendum:

- a. 8739 - 45 dated: 21-02-2007
- b. 8626 - 68 -do-
- c. 8696 - 728 -do-
- d. 9622 - 26 27-02-2007
- e. 9637 - 42 -do-
- f. 9632 - 36 -do-
- g. 9627 - 31 -do-
- h. 9639 - 58 28-02-2007
- i. 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 Outab Gur Mardan
2.	Miss. Safia Begum SET	GGMS Dheri Katlang
3.	Miss. Salma SET	GGMS Matta Jaleed
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. Fahira 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. Safia Naz SET	GGMS Pipal
19.	Miss. Bushra Naz SET	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. Tanheed Anwar SET	GGMS Baba 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. Naseem Bibi SET	GGMS Anar Baig

S NO 213

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181.	Muhammad Abid Khan	GHS Khawra
182.	Muhammad Arif SET	GHS Samandar Garhi
183.	Fida Muhammad SET	GHSS Manki Sharif
184.	Zia ul Haq SET	GHS Kheshgi Bala
185.	Masam Khan SET	GHS No.1 Nowshera Kalan

SET (F) Nowshera

186.	Zaitun Nisa SET	GGHS Jalozai
187.	Asma Haneef SET	GCMS Mandori

SET (F) Lakki Marwat

188.	Bibi Saadia	GMS Bahader Landiwah
189.	Rahat Maheen	GGHS Dallo Khel
190.	Shazia Bano	GMS Kotka Ahmad Khan
191.	Zubaida Habib	GGCMS Wanda Amir
192.	Shakila Akhtar	GGMS Bachkan Ahmad Zai
193.	Fozia Ajmal	GGMS Nawar Khel
194.	Shamshad Bibi	GGHSS Titter khel
195.	Sadaf Nayab	GGCMS Hati Khan Langer Khel
196.	Latufat Mehreen	GGMS Teri Khan Landiwah
197.	Fazilat Samreen	GGMS Kotka Gider
198.	Fozia Gul	GGMS Mash Habib Ullah
199.	Ruqia Rahim	GGHS Dara Pezu
200.	Husna Bibi	GGCMS Land Ahmad Khel
201.	Shaista Gilani	GGHS No.1 Naurang
202.	Zubaida Khanum	GGMS Abba Khel
203.	Farzana Begum	GGHS Dallo Khel
204.	Bibi Amina	GGHS Gandhi Khan Khel
205.	Shaheen Akhtar	GGMS Isak Khel
206.	Amna Iqbal	GGCMS Abba Khel
207.	Robina Begum	GGHS No.1 Lakki
208.	Farzana Bibi	GGMS Sarwar Mama Khel
209.	Jamila Anjam	GGHS Uhapni Khel
210.	Anjam Ara	GGCMS Nar Kala Khan
211.	Gulfam Bibi	GGCMS Gandhi Umer Chikar

SET (M) Lakki Marwat

212.	Rehmat Ullah SET (G)	GMS Abbas Khattak Lakki
213.	Shafi Ullah Khan (Sc)	GHS Khan Khel Mando Zai

SET (M) Kohat

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

SET (F) Kohat

221.	Rifat Naz SET	GGMS Chorlaki
222.	Sadia Mehmood	GGMS Darmalak
223.	Shabana Hanif SET	GGMS Banda Fatch Khan

ATTN

NOTE:

1. 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.
2. 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 appointment.

6575-6630

Director Schools and Literacy,
NWFP, Peshawar

Endst: A-14/SET/M&F/Contract 180 Days, Dated: 18/11/07

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

Deer 18/11/07
Deputy Director (Estb),
Schools and Literacy, NWFP

S. NO

(214)

ANN-6

(14)

(13)

~~End Extension~~
~~Wef 16-2-2008~~

~~Annexure~~

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 ✓
2. 4763 - 5005 -do-
3. 3794 - 4762 -do-
4. 5967 - 6415 -do-
5. 909 - 15 09-05-2007

Corrigendum:

- a. 8739 - 45 dated: 21-02-2007
- b. 8626 - 68 -do-
- c. 8696 - 728 -do-
- d. 9622 - 26 27-02-2007
- e. 9637 - 42 -do-
- f. 9632 - 36 -do-
- g. 9627 - 31 -do-
- h. 9639 - 58 28-02-2007
- i. 947 - 68 08-03-2007
- j. 3273 - 81 22-03-2007
- k. 8689 - 95 21-02-2007

already extended upto 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
1.	Miss. Nasira Shaheen SET	GGMS Qutab Gar Mardan
2.	Miss. Safia Begum SET	GGMS Dheri Katlang
3.	Miss. Salma SET	GGMS Matra Jadeed
4.	Miss. Naheed Rehman SET	GGMS Koper Banda
5.	Miss. Abidu Muntaz 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

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 Gandhi Khan Khel
206.	Shaheen Akhtar	GGMS Isak Khel
207.	Amna Iqbal	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 Qandi Umer Chikar

SET (M) Lakki Marwat

213.	Rehmat Ullah SET (G)	GMS Abbas Khattak Lakki
214.	Shafiq Ullah Khan (Sc)	GHS Khan Khel Mando Zai

SET (M) Kohat

215.	Muhammad Arif SET	GISS 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 SET	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	GGHS Kharmatoo
231.	Nasim Akhter	GGHS Bori Saghri

SET (F) Abbottabad

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

NOTE:

1. A fresh contract will be made with those serving SET's, 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

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

ATTACHED

[Signature]
10/3/08

Deputy Director (Estb).
Schools and Literacy, NWFP

17

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

ANN-D

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, Chattr Plan, Mansehra	GHS, Harora Banji, ATD	
2.	Shamshad Bano SET(F) S.No.615	Real Name as Shamshad Bano	Saeeda Bibi	
3.	Hayat Khan, SET S.No.326	GHS, Mainan Banaji, Dir(L)	GHS, Darora Dir (U)	
4.	Inayatullah, SET(M) S.No.123	GHS, Tangora Buner	GMS, Bahie Kili, Buner	
5.	Shafiullah Khan SET(M) S.No.504	GHS, Jhang Khel Lakki	GHS, Daraka Aziz Khan Lakki	

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. 7020-27 /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.

Accepted
S.S. Khan
D. G. Khan
L. M. H. S. P.

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

Handwritten signature and stamp of Deputy Director (Estab:)
Directorate of E&SE NWFP, Peshawar.

(18) (17A) (8)

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

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.

UNION COUNCIL WISE LIST

Ann-10

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	Farmah Ullah	Zereen Shah R/o Kheru khel pacca	GPS Sher Nawaz Sheri khel	-do-
4	Asif Khan	Qasim Khan R/O Kheru 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 Titter 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 Meja 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 Jan
13	Muhammad Anwar	Ghulam Nabi Lakki City	GPS Toti Abad No.1 Lakki	Out District transfer of Saif Ur Rehman
14	Muhammad Ismail	Shadi Khan R/o Lakki City	GMPS Shumar Khel Michen khel	Retirement of Ahmad Ghulam
15	Sher Zamian	Raees khan UC Isak khel	GPS No.2 Langer khel Hathi khan	Newly Created Post
16	Shafi Ullah	Allah Dad khan UC Isak khel	GPS No.2 Langer Khel Hathi Khan	-do-
17	Sher Taj Khan	Attaullah Khan UC Takhti khel	GPS Tarkha Bazi Khel	Retirement of Liaqat Ali
18	Muhammad Akram	Pasham Khan UC Dara Pezu	GPS Sarga Kheru khel	Retirement of Ghulam Saeed

[Signature]
District Officer (M)
 E&S Deptt: Lakki Marwat.

(19) 178

TERMS AND CONDITIONS:

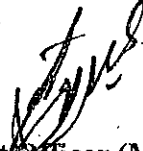
1. Their appointment will be considered regular without pension and gratuity in terms of section 19 of NWFP Civil Servant Act 1973, as amended vide NWFP Civil Servant (Amendment) Act, 2005. They will however be entitled to contributory provident fund in such a manner and at such rate as may be prescribed 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 Deptt Lakki Marwat
District Officer
E&SE Deptt: Lakki Marwat

(19) (20)

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
<p>09.05.2012</p> <p>ANN-F</p>	<p><u>W.P.No. 411/2010 with C.M.No. 269-P/2012.</u></p> <p>Present: Mr. Ashraf Ali Khattak, Advocate, for the petitioner.</p> <p>Barrister Waqar Ali, DAG, for the respondents.</p> <p>***</p> <p><u>DOST MUHAMMAD KHAN, C.J.-</u> 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 employees as SET but he is being discriminated.</p> <p>2. The learned Deputy Advocate General agreed that let the case be sent to the Secretary Education, Government of Khyber Pakhtunkhwa to look into the</p>

[Handwritten signature]

(24) (21)

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.

sd/ Dost Mub
sd/ Miftah ud Din Khan

Office

CERTIFIED TO BE TRUE COPY

Adoll
1975
Examiner
Peshawar High Court Peshawar
Authorized Under Article 87
The Qanun-e-Shahadat Order 1988

Office
19/5

Date of Registration	15.5.25
No of Pages	3 p. 12/5/12
Copying Fee	
Urgent Fee	
Total	6
Date of Preparation of	17-5-12
Date Given to Draw	17-2-12
Date of	17-5-12
Received By	dw 16

Annex-61 (22)

DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION KHYBER PAKHTUNKHWA,
PESHAWAR

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
1	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

- 1 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. 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.
- 3 He will be required to furnish copies of all his certificates/degrees alongwith original receipts and photo stat 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: Officer (E&SE) concerned is directed not to release his pay until the verification of their documents.

Director
Elementary & Secondary Education,
Khyber Pakhtunkhwa Peshawar

Endst: No. 3337-44 /A-14/SET(M) Regularization SST contract Dated Pesh: the 27/6 /2012

1. Accountant General Khyber Pakhtunkhwa, Peshawar
2. Executive Distt: Officers E&SE concerned
3. Distt: Accounts Officers concerned
4. Principals/ Headmasters concerned
5. 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

27/6/2012