


04.12.2018

Counsel for the appellant present. Mr. Kabirullah Khattak, Addl: AG for respondents present. Junior to counsel for the appellant seeks adjournment on the ground that his senior counsel is not available today. Granted. To come up for arguments on 06.12.2018 before D.B.

(Ahmad Hassan)
Member


(M. Amin Khan Kundi)
Member

06.12.2018

Junior to counsel for the appellant present. Mr. Kabirullah, Addl: AG for respondents present. Junior to counsel for the appellant seeks adjournment as counsel for the appellant was busy before the Hon'ble Peshawar High Court. Adjourned. Case to come up for arguments on 10.12.2018 before D.B.


(Ahmad Hassan)
Member



(M. Amin Khan Kundi)
Member

10.12.2018

Mr. Javed Iqbal Gulbela, Advocate, counsel for the appellant and Mr. Ziaullah, Deputy District Attorney for the respondents present.

Vide our detailed judgment of today passed in Appeal No. 1233/2015 this appeal is dismissed. Parties are left to bear their respective costs. File be consigned to the record room.


Member



Chairman

Announced:
10.12.2018

04.07.2018

Clerk to counsel for the appellant present. Mr. Muhammad Jan, DDA for respondents present. Clerk to counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 30.08.2018 before D.B.


(Ahmad Hassan)
Member


(Muhammad Amin Kundi)
Member

30.08.2018

Clerk of the counsel for appellant and Mr. Kabirullah Khattak, Additional AG alongwith Mr. Murad Khan, Superintendent for the respondents present. Clerk of the counsel for appellant seeks adjournment on the ground that learned counsel for the appellant is busy before the Hon'ble Peshawar High Court. Adjourned. To come up for arguments on 19.10.2018 before D.B.


(Ahmad Hassan)
Member


(Muhammad Amin Khan Kundi)
Member

19.10.2018

Counsel for the appellant present. Mr. Kabirullah Khattak, Addl: AG for respondents present. Counsel for the appellant seeks adjournment. Adjourned. Case to come up for arguments on 04.12.2018 before D.B.


(Hussain Shah)
Member


(Ahmad Hassan)
Member

10.01.2018


Clerk of counsel for the appellant and Mr. Kabir Ullah Khattak, Addl: AG for the respondents present. Clerk of counsel for the appellant seeks adjournment as counsel for the appellant is not in attendance. Adjourned. To come up for arguments on 13.03.2018 before D.B.



Member


Chairman

13.03.2018

Clerk to counsel for the appellant and Mr. Usman Ghani, learned District Attorney for the respondents present. Clerk to counsel for the appellant seeks adjournment as learned counsel for the appellant is not available. Adjourn. To come up for arguments on 19.04.2018 before D.B


(M.Amin Khan Kundi)
Member


(Muhammad Hamid Mughal)
Member

19.04.2018

Clerk of the counsel for appellant present. Mr. Kabirullah Khattak, Additional AG alongwith Mr. Murad Khan, Superintendent for the respondents also present. Clerk of the counsel for appellant stated that learned counsel for the appellant has gone to Saudi Arabia for performing of Umera. Adjourned. To come up for arguments on 04.07.2018 before D.B.


(Ahmad Hassan)
Member


(Muhammad Amin Khan Kundi)
Member

11.05.2017

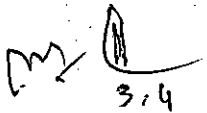
Clerk to counsel for the appellant and Mr. Ziaullah, GP for official respondents present. Clerk to counsel for the appellant requested for time to file rejoinder. Request accepted. To come up for rejoinder and arguments on 04.09.2017 before D.B.



(Ahmad Hassan)
Member


(Muhammad Amin Khan Kundi)
Member

04.09.2017

Since 4th September, 2017 has been declared as Public Holiday on account of Eid-UI-Azha. Therefore the case is adjourned for the same on 09/10/17 before D.B. Parties be informed accordingly.


3.4


(Reader)

9/10/2017

Clerk of counsel for the appellant and Mr. Kabirullah Khattak, AAG for the respondents present. Clerk of counsel for the appellant seeks adjournment as his counsel is busy in Peshawar High Court. Adjourned. To come up for arguments on 10/1/2018 before DB.


Member

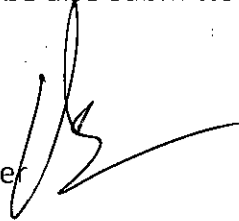

Chairman

1314/15


23.08.2016

Counsel for the appellant and Addl. AG for the respondents present. Informed the Tribunal that identical appeals, nine in numbers (appeal No. 1233/15 etc) are fixed before the D.B on 26.12.2016. To be heard alongwith the said service appeals on 26.12.2016 before the D.B. Rejoinder be also submitted on or before the date fixed.

Member



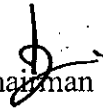
Chairman



26.12.2016

8/1/17
Clerk to counsel for the appellant and Mr. Murad Khan, Supdt. alongwith Mr. Ziaullah, GP for respondents present. Arguments could not be heard due to incomplete bench. Case adjourned to 11.05.2017 for rejoinder and arguments before D.B.

Chairman



23.11.2015

Appellant Deposited
Security & Process Fee



Counsel for the appellant present. Learned counsel for the appellant argued that the appellant is serving as Lecturer and initially appointed on contract basis. That the services of the appellant were regularised vide NWFP Employees (Regularization of Services) Act, 2009 with effect from 1.1.2009. That vide corrigendum dated 2.5.2011 the said regularisation date was substituted from 1.1.2009 to 24.9.2009. That the appellant submitted Writ Petition alongwith others for retrospective seniority with effect from the date of initial appointment which was dismissed vide order dated 5.3.2015 where against appeal before the Supreme Court was also dismissed. That the appellant thereafter submitted department appeal claiming seniority with effect from 1.1.2009 vide departmental appeal dated 27.7.2015 which was rejected on 23.9.2015 and hence the service appeal on 22.10.2015.

That the appellant is entitled to regularisation of services with the effect from the date of Regularization Act 2009 i.e 1.1.2009.

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 2.3.2015 before S.B.


Chairman

02.03.2016




None present for appellant. Mr. Murad Khan, Supdt. alongwith Addl: A.G for respondents present. Written reply not submitted. Requested for adjournment. Last opportunity granted. To come up for written reply/comments on 10.5.2016 before S.B.


Chairman

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 1239/2015


S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	05.11.2015	<p>The appeal of Mr. Noor Muhammad Khan resubmitted today by Mr. Javed Iqbal Gulbela Advocate may be entered in the Institution register and put up to the Worthy Chairman for proper order.</p> <p style="text-align: right;"> REGISTRAR</p>
2		<p>This case is entrusted to S. Bench for preliminary hearing to be put up thereon <u>23-11-2015</u></p> <p style="text-align: right;"> CHAIRMAN</p> 

The appeal of Mr. Noor Muhammad Khan Lecturer in Biology received to-day i.e. on 22.10.2015 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

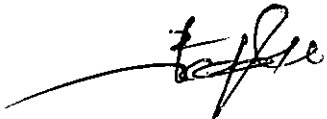
- 1- ✓ Memorandum of appeal may be got signed by the appellant.
- 2- ✓ Copies of corrigendum dated 02.05.2009 and 02.05.2001 mentioned in para 4 of the memo of appeal are not attached with the appeal which may be placed on it.
- 3- ✓ Page Nos. 25 to 28 of the appeal are illegible which may be replaced by legible/better one.
- 4- ④ Copy of judgment of Supreme Court of Pakistan mentioned in para 6 of the memo of appeal is not attached with the appeal which may be placed on it.
- 5- ⑤ Copy of departmental appeal is not attached with the appeal which may be placed on it.

No. 1652 /S.T,

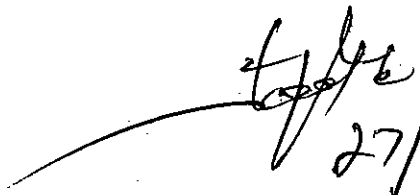
Dt. 26/10 /2015


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Javed Iqbal Gulbella Adv. Pesh.

Respected Sir,
Resubmitted after necessary completion.


Note: Corrigendum is dated: 02-05-2011 & the same had erroneously been written as 02-05-2008 & 02-05-2001, which is rectified now. Moreover copies of judgment of August S.C & that of departmental Appeal are not available.


27/10/2015

**BEFORE THE HONOURABLE SERVICES TRIBUNAL KHYBER
PAKHTUNKHWA PESHAWAR**

In Re S.A No 1239/2015

Noor Muhammad Khan **Vs** Govt of Khyber Pakhtunkhwa etc

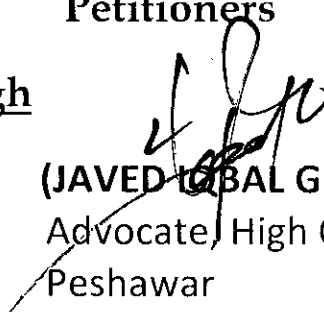
INDEX

S#	Description of Documents	Annexure	Page#
1	Petition		1-18
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3.	Addresses of Parties		10
4.	Copies of personal record	"A"	11-12
5.	Copies of the Regularization Act & Notifications	"B & C"	13-31
6.	Copy of the Corrigendum	"D"	32-33
7.	Copies of W.P & Judgment dated 05-03-2015	"E & F"	34-49
8.	Copy of CPLA	"G"	50-58
9.	Copies of departmental appeal & Impugned order dated 23-09-2015	"H & I"	59-60
10	Other documents		—
11.	Wakalat Nama		61

DATED 20-10-2015

Petitioners

Through


(JAVED IQBAL GULBELA)
Advocate, High Court,
Peshawar

11

BEFORE THE HON'BLE SERVICES TRIBUNAL KHYBER
PAKHTUNKHWA PESHAWAR

In Re S.A No 1239/2015

S.W.F. Province
Service Tribunal
Diary No. 285
Dated 22-10-2015

Noor Muhammad Khan, Lecturer in Biology at GDC, Landi Jalandar
Bannu.

.....Appellant

VERSUS

1. Govt of Khyber Pakhtunkhwa Through Chief Secretary KPK
Peshawar
2. Secretary Higher Education Department Khyber Pakhtunkhwa
Peshawar
3. Director Higher Education Khyber Pakhtunkhwa Peshawar
4. Deputy Director, Establishment, Higher Education Department
KPK, Peshawar.

.....Respondents

SERVICE APPEAL U/S 04 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974
AGAINST THE IMPUGNED OFFICE ORDER NO :
24063-76, DATED 23-09-2015 OF THE OFFICE
OF THE RESPONDENTS NO. 3 & 4 WHEREBY
APPEAL AGAINST THE IMPUGNED
CORRIGENDUM NO : SO(COLLEGES)/2-
5/2009, DATED : 02-05-2011 WAS DISMISSED
IN A CLASSICALLY, CURSORY AND WHIMSICAL
MANNER.

Filed to-day
10/10/15
Registrar

RESPECTFULLY SHEWETH,

re-submitted to-day
and filed.

Registrar
5/11/15

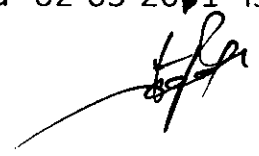
1. That the appellant is a civil servant in BPS- 17 and is a
lecturer in Biology discipline, presently posted at Govt.
Degree Collage Landi Jalandar Bannu. (Copies of Service
record are annexed herewith as Ann "A")

2

2. That in fact initially the appellant was appointed to the subject slot on contract basis on 27-02-2007 which contractual period was kept on constant extension and thus the pendulum remained intact till the promulgation of Regularization Act 2009.

3. That the service of the appellant along with others were got regularized under the N.W.F.P Employees (Regularization on Service) Ordinance 2009 (NWFP Ordinance No. VII of 2009); the same was later on replaced by NWFP Employees (Regularization of Service) Act 2009 (NWFP Act No. XVI 2009) and thus the service of the appellant was declared to be a regular one w.e.f. 01-01-2009. (Copies of Regularization Act and Notifications are annexed herewith as Annexure B & C, respectively)

4. That after having regularizing the service of the appellant with effect from 01-01-2009 vide Notification No : SO(COLLEGES)/2-5/2009, Dated : 18-03-2010 the respondents issued a Corrigendum No. SO (COLLEGES)/2-5/2009, dated 02-05-20~~00~~²⁰¹¹ whereby the service of the appellant was declared to be regularize with effect from 24-09-2009 instead of 01-01-2009 in an illegal, unlawful and unwarranted manner and the same is a clear cut violation of the letter and spirit of the Regularization Act 2009. (Copy of the Corrigendum dated 02-05-20~~00~~²⁰¹¹ is annexed herewith as Ann - "D")



5. That it is pertinent to mention here that the appellant had earlier filed a Writ Petition No. 938-P/2014 with the sole

(3)

prayer of declaring the service of the appellant regular w.e.f. initial induction of the appellant into service i.e. dated : ~~27-02-2007~~. The same Writ Petition was dismissed by the August Peshawar High Court Peshawar vide impugned Judgment and Order dated : 05-03-2014. (Copies of the Writ Petition and impugned Judgment and Order Dated : 05-03-2015 are annexed herewith as Ann "E & F" , respectively)

6. That feeling aggrieved the appellant preferred CPLA No 1115 of 2015 in the Apex Court of Pakistan, but the same was also turn down vide Judgment and Order dated 02-07-2015 (Copies of CPLA is annexed herewith as Ann- "G")
7. That both the August High Court as well as the Supreme Court of Pakistan directed the appellant to approach this Hon'ble Tribunal viz-a-viz Corrigendum, which was never a subject matter before any of the Superior Courts, nor any relief was ever sought with respect to the instant subject matter; while rest of the claim of the appellant was dishonored by both the Superior Courts. So by virtue of the aforementioned dictums as laid down by the superior courts, the appellant preferred a departmental appeal, but the same was turn down vide the impugned Office Order No . 24063-76, dated 23-09-2015 in a classically cursory and whimsical manner. (Copies of the Appeal and impugned office order dated 23-09-2015 are annexed herewith as annexure "H & I", respectively)

- (4)
8. That feeling aggrieved the appellant prefers the instant appeal for set aside the impugned office order dated 23-09-2015 upon the following grounds, inter alia:-

GROUNDS:-

- A. That the impugned office order 23-09-2015 is against facts of the case, law governing the subject and a blatant violation of the Regularization Act in itself.
- B. That the Departmental Appeal of the appellant was dismissed by holding that "I am directed to refer to your application received through Principal of your respective college on the subject cited above and to inform you that your application has been examined and regretted in light of judgment of Peshawar High Court Peshawar." Now the Hon'ble Peshawar High Court Peshawar never ever dishonored the claim of the appellant viz-a-viz the Corrigendum in question or the act of taking effect the date of regularization and its illegal substitution from 01-01-2009 to 24-09-2009. Now the appellant has never ever raised or sought relief in terms of Corrigendum from the August High Court Peshawar; so the very basis and foundation of dismissing the appeal of the appellant is groundless and unwarranted.
- C. That the Regularization Act provides vide Section-3 which reads as "Regularization of Services of certain employees: All Employees including recommended of the High Court appointed on contract or adhoc basis and holding that post on 31st December 2008 having the

5

same qualification and experience for a regular post.” Now this particular provision of law provides in a crystal clear manner that the “cut-off” date for regularizing any contractual service is 31-12-2008; so obviously the first date from which the regularization is to be reckoned is 01-01-2009 and by virtue of the same established phenomenon the respondent department issued the Regularization Notifications dated : 18-03-2010, 20-03-2010 and 15-06-2010 which all were duly issued and where under the services of the contractual lecturers were regularized and the same were declared to be so w.e.f. 01-01-2009.

D. That the aforementioned notifications were quiet in conformity with Regularization Act 2009 and its substitution by any subsequent alleged Corrigendum is not only illegal, unwarranted; but as well as violative to the provisions of the Regularization Act 2009 that by substituting the date of taking effect of regularization from 01-01-2009 to 24-09-2009 is not only illegal, but has caused much financial loss, rather constant loss to the appellant and because of the same, the same Corrigendum is liable to be cancelled.

E. That the Learned Appellate Authority without visualizing the outcome of the Corrigendum in question and without diluting upon the case of the appellant and without considering the merits of the case of the

(b)

appellant and above even without any speaking order dismissed the appeal of the appellant which is illegal, unwarranted and ineffective upon the rights of the appellant.

F. That before issuing the impugned Corrigendum in question neither the appellant was ever issued any notice, nor was allowed to be heard in spite of being deprived from financial gain and even being a financial matter, nor was ever intimated any prior information; so the whole episode of issuing the Corrigendum and its promulgation is illegal and unwarranted.

G. That the August High Court as well as the Hon'ble Apex Court directed the appellant to recourses to this Hon'ble Tribunal in the matter of the Corrigendum in question and substitution of date of Regularization and deprivation of the appellant of the financial gain/benefits.

H. That where similar placed persons are to be dealt with in terms of treatment to be meted out to them, must always be on equal footing, must always be just, fair & transparent without any sort of discrimination and where so many other employees in past & even in present have been extended seniority & back benefit since their initial regularization, then in no case the

(17)

appellant can be deprived of the same in stricto sense of Art- 25 of the Constitution.

- I. That from all prospective & from all four facets of law, the appellant has every right to be dealt with accordance to the law & constitution and to be certainly meted out fair and just treatment.
- J. That from all four corners of law the appellant is equally entitled to be extended their date of regularization from 24-09-2009 to that of 01-01-2009 and be extended all the back benefits in terms of arrears, seniority and promotion.
- K. That the provisions pertaining to the seniority & that of regularization can safely be interpreted & stretched enough to encompass, swayed- in & bring into its ambit the case of the appellant, who is fully entitled for the required relief.
- L. That any other ground not raised here specifically may kindly be allowed to be raised at the time of arguments.

It in, therefore, most humbly prayed that on acceptance of the instant appeal the office order No-24063-76, Dated : 23-09-2015 of the office of the Respondent No – 3 & 4 be set aside and the Corrigendum issued vide impugned No – SO(COLLEGES)2-5/2009, Dated : 02-05-2011 be declared as illegal and non-existent and further prayed that the

(3)

appellant be declared to be regular Civil Servant w.e.f 01.01.2009 in terms of Seniority, promotion and arrears and be extended all the arrears thereof.

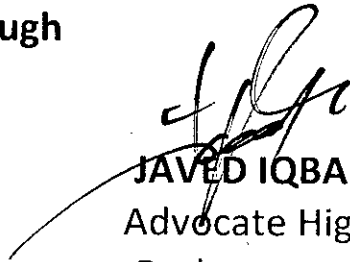
Any other relief not specifically asked for may also graciously be extended in favour of the appellant in the circumstances of the case.

DATED 20-10-2015



Appellant

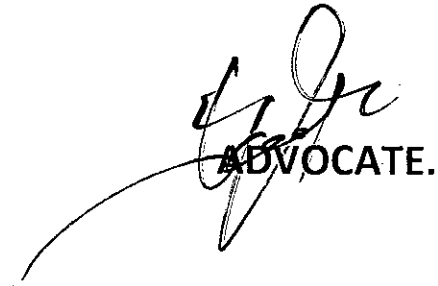
Through



JAVED IQBAL GULBELA
Advocate High Court,
Peshawar

Note :

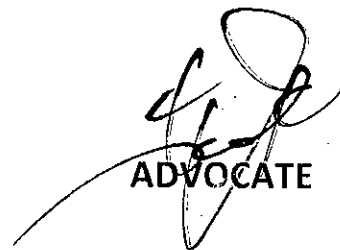
No such like appeal for the same appellant has earlier been filed by me, upon the subject matter, prior to the instant one, before this Hon'ble Tribunal.



ADVOCATE.

List of Books Referred:

1. Constitution of the Islamic Republic of Pakistan
2. Regularization Act- 2009 and the previous such like Notifications
3. Case Laws
4. Any other book as per need.



ADVOCATE

9

BEFORE THE HONOURABLE SERVICES TRIBUNAL KHYBER
PAKHTUNKHWA PESHAWAR

In Re S.A No -----/2015


Noor Muhammad Khan

Versus

Govt of Khyber Pakhtunkhwa & Others

AFFIDAVIT

I, Amir Nawaz Advocate Counsel for appellant do hereby solemnly affirm and declare on oath that as per information furnished by my client, all the contents of the Instant appeal are true and correct to the best my knowledge and belief and nothing has been concealed from this honorable Tribunal.


DEPONENT



(10)

**BEFORE THE HONOURABLE SERVICES TRIBUNAL KHYBER
PAKHTUNKHWA PESHAWAR**

In Re S.A No -----/2015

Noor Muhammad Khan

VS

Govt of Khyber Pakhtunkhwa etc

ADDRESSES OF PARTIES

ADDRESS OF APPELLANT

Noor Muhammad Khan, Lecturer in Biology at GDC, Landi Jalandar
Bannu.

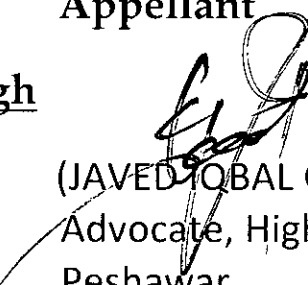
ADDRESSES OF RESPONDENTS

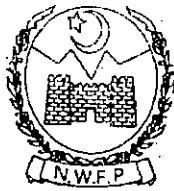
1. Govt of Khyber Pakhtunkhwa Through Chief Secretary KPK
Peshawar
2. Secretary Higher Education Department Khyber Pakhtunkhwa
Peshawar
3. Director Higher Education Khyber Pakhtunkhwa Peshawar
4. Deputy Director, Establishment, Higher Education Department
KPK, Peshawar.

DATED 20-10-2015

Appellant

Through


(JAVED TOBAL GULBELA)
Advocate, High Court,
Peshawar



(11)

Am A

**GOVERNMENT OF NWFP
HIGHER EDUCATION ARCHIVES & LIBRARIES
DEPARTMENT**

Dated Peshawar the 22/02/2007

NOTIFICATION

No.SO(EDUCATION-II)2-5/2007 Consequent upon the recommendations of Departmental Selection Committee, the Competent Authority is pleased to appoint the following male candidates as Lecture on contract basis as a stop gap arrangements for a period of six months or till the availability of selectees of the NWFP Public Service Commission whichever is earlier and to post them in the colleges noted against each:-

S.No	Name/Father Name & Address	Subject	Domicile	Proposed at College	Remarks
1.	Noor Mohammad Khan S/o Sherin Mohammad, Village AbadKhel P O Azam Killa Tehsil & Distt: Bannu.	Biology	FR Bannu/ Zone-1	GDC, Thall (Hangu)	Against vacant post
2.	Subhan Ullah S/o Said Rehman, Spin Jumat Dir Colony Superior Science College Peshawar.	Economics	Peshawar/ Zone-II	GDC, Thall (Hangu)	Against vacant post
3.	Lair-ur-Rehman S/o Rasool Khan, Village Babber Banda PO Ahmadabad Tehsil Takht-e-Nasrati Distt; Karak.	Urdu	Karak/ Zone-IV	GDC, Thall (Hangu)	Against vacant post
4.	Sardar Ali S/o Said Qamar, Mohallah SultanKhel Village & PO Dagai Tehsil & Distt: Swabi.	Physics	Peshawar/ Zone-II	GDC, Thall (Hangu)	Against vacant post

The appointment of the above lecturers will be subject to the following terms and conditions:-

TERMS AND CONDITIONS.

- i. The appointment of the above candidates will be on contract basis for a period of six months or till the arrival of the selectees of the NWFP Public Service Commission whichever is earlier.
- ii. They will get pay and allowances in BPS-17.
- iii. No TA/DA will be allowed for their first appointment.
- iv. Their appointments are subject to the production of Physical fitness from State Medical Board and verification of character and antecedents from Branch/Political Agents concerned.
- v. The appointment of the candidates mentioned in Para.1 above is subject to condition that they bear the Domicile of NWFP.
- vi. If they want to terminate their contract before expiry of the same, they will serve one month's notice in advance failing which they will have to deposit one month's pay in lieu of such notice in the Govt. Treasury.
- vii. They shall not make any request for transfer from the college where they are posted. In case of such occurrence, their service shall straightway stand terminated.
- viii. They should join their post within 10-days of the issuance of this notification. The Director Higher Education NWFP Peshawar, should furnish a certificate to the candidates that the candidates have joined the post or otherwise by 5th March 2007.
- ix. The Principal of the college concerned shall check their original degree certificates and report accordingly.

(Signature)

28-2-2007
2-1
26

- (12)
- x. They shall execute an agreement with the Government before taking over charge to be signed by the Director Higher Education NWFP, on behalf of the Government.
 - xi. They should not be entitled to any pension or gratuity for the service rendered by them on contract basis.
 - xii.- Charge report in duplicate should be submitted to all concerned.
 - xiii. Their service shall be terminated if they violate any provision of the terms & conditions specified in the Agreement Bond.

SECRETARY TO GOVT. OF NWFP
HIGHER EDUCATION DEPARTMENT

Endst. Number & Date as above.

Copy of the above is forwarded to:-

- 1- Accountant General NWFP Peshawar.
- 2- Secretary to Chief Minister NWFP, Peshawar.
- 3- Director Higher Education NWFP Peshawar, w/r to his letter No. 3034/CA-II/Estt Branch dated 07/02/2007 with the request to get a copy of Agreement Bond and circulate copies of the same to all Principals of the Government Colleges concerned immediately.
- 4- Director of Education, Civil Secretariat (FATA) Warsak Road Peshawar.
- 5- Director Recruitment NWFP Public Service Commission Peshawar.
- 6- Districts Accounts Officer Hangu.
- 7- Principal Government College Thall (Hangu).
- 8- Section Officer, Education Wing, Civil Secretariat (FATA) Warsak Road Peshawar.
- 9- P.S. to Chief Secretary NWFP Peshawar.
- 10- P.S. to Minister for Education NWFP Peshawar.
- 11- P.S. to Secretary Higher Education NWFP Peshawar.
- 12- Officers concerned.

(13)
SECTION OFFICER (EDUCATION-II)

ATTESTED

~~Amended~~ ~~Amended~~ **Am-B**

(13)

EXTRAORDINARY
GOVERNMENT



REGISTERED NO. P/III
G A Z E T T E

North-West Frontier Province

Published by Authority

PESHAWAR, SATURDAY, 24TH OCTOBER, 2009.

PROVINCIAL ASSEMBLY SECRETARIAT
THE NORTH-WEST FRONTIER PROVINCE

NOTIFICATION

Dated Peshawar, the 24th October, 2009.

No.PA/NWFP/Bills/2009/38472.—The North-West Frontier Province Employees (Regularization of Services) Bill, 2009 having been passed by the Provincial Assembly of North-West Frontier Province on 15th October, 2009 and assented to by the Governor of the North-West Frontier Province on 20th October, 2009 is hereby published as an Act of the Provincial Legislature of the North-West Frontier Province.

THE NORTH-WEST FRONTIER PROVINCE
EMPLOYEES (REGULARIZATION OF SERVICES) ACT, 2009.

(N.-W.F.P. ACT NO. XVI OF 2009)

(First published after having received the assent of the Governor of the North-West Frontier Province in the Gazette of the N.-W.F.P. (Extraordinary). Dated the 24th October, 2009).

AN
ACT

to provide for the regularization of the services of certain employees appointed on adhoc or contract basis.

Preamble---WHEREAS it is expedient to provide for the regularization of the services of certain employees appointed on adhoc or contract basis, in the public interest, for the purposes hereinafter appearing:

It is hereby enacted as follows:-

1. Short title and commencement.---(1) This Act may be called the Province Employees (Regularization of Services) Act, 2009.

(2) It shall come into force at once and shall be deemed to have been in force from the date of promulgation of the Ordinance.

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

(a) "Commission" means the North-West Frontier Province Public Service Commission;

(aa) "contract appointment" means appointment of a duly qualified person on a contract basis otherwise than in accordance with the prescribed method of recruitment;

(b) "employee" means an adhoc or a contract employee appointed by Government on adhoc or contract basis or second shift/night shift but does not include employees for project post or appointed on work charge basis or who are appointed out of contingencies;

(c) "Government" means the Government of the North-West Frontier Province;

(d) "Government Department" means any department constituted under rule 10 of the North-West Frontier Province Government Rules of Business, 1985;

(e) "law or rule" means the law or rule for the time being in force governing the selection and appointment of civil servants; and

(f) "post" means a post under Government or in connection with the affairs of Government to be filled in on the recommendation of the Commission.

(2) The expressions "adhoc appointment" and "civil servant" shall have the same meanings as respectively assigned to them in the North-West Frontier Province Civil Servants Act, 1973 (N.-W.F.P. Act No. XVIII of 1973).

3. Regularization of services of certain employees.--- All employees including recommendees of the High Court appointed on contract or adhoc basis and holding that post on 31st December, 2009 or till the commencement of this Act shall be deemed to have been validly appointed on regular basis having the same qualification and experience for a regular post:

Provided that the service promotion quota of all service cadres shall not be affected.

4. Determination of seniority.--- (1) The employees whose services are regularized under this Act or in the process of attaining service at the commencement of this Act shall rank junior to all civil servants belonging to the same service or cadre, as the case may be, who are in service on regular basis on the commencement of this Act, and shall also rank junior to such other persons, if any, who, in pursuance of the recommendation of the Commission made before the commencement of this Act, are to be appointed to the respective service or cadre, irrespective of their actual date of appointment.

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(2) The seniority *inter se* of the employees, whose services are regularized under this Act within the same service or cadre, shall be determined on the basis of their continuous officiation in each service or cadre:

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

4A. Overriding effect.--- Notwithstanding any thing to the contrary contained in any other law or rule for the time being in force, the provisions of this Act shall have an overriding effect and the provisions of any such law or rule to the extent of inconsistency to this Act shall cease to have effect.

5. Repeal.--- The North-West Frontier Province Employees (Regularization of Services) Ordinance, 2009 (N.W.F.P. Ordinance No. VII of 2009) is hereby repealed.

BY ORDER OF MR. SPEAKER,
PROVINCIAL ASSEMBLY OF
NORTH-WEST FRONTIER PROVINCE

AMANULLAH
Secretary,
Provincial Assembly of NWFP

ATTESTED

Better Copy

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EXTRAORDINARY
P. II

GOVERNMENT
T. E

REGISTERED NO.

G A Z E T

North – West Frontier Province

Published By Authority

Peshawar, Saturday, 24th October, 2009

PROVINCIAL ASSEMBLY SECRETARIAT
THE NORTH – WEST FRONTIER PROVINCE

NOTIFICATION

Dated Peshawar, the 24th October, 2009

No.PA/NWFP/Bills/2009/38472. The north – west frontier province employs (regularization of service) Bill. 2099 having been passed by the provincial assembly of North – west frontier province on 15th October, 2009 and assented to by the governor of the North – west frontier province on 20th October, 2009 is hereby published as an Act of the provincial legislature of the North – West Frontier Province.

THE NORTH – WEST FRONTIER PROVINCE
EMPLOYEES (REGULARIZATION OF SERVICE) ACT, 2009
(NWFP ACT NO. XVI OF 2009)

First published after having received the assent of the Governor of the North – West Frontier Province In the gazette of the NWFP (extraordinary) dated the 24th October, 2009

AN

ACT

to provide for the regularization of the services of certain employees appointed on adhoc or contract basis.

Preamble WHEREAS it is expedient to provide for the regularization of the service of certain employees appointed on adhoc or contract basis, in the public interest, for the purposes hereinafter appearing:

It is hereby enacted as follows:-

000 NWFP GOVERNMENT GAZETTE EXTRAORDINARY 24TH OCTOBER 2009

1. **Short title and commencement** ---(i) this Act may be called the North – West Frontier Province employees (regularization of services) Act, 2009.

2. It shall come into force at once and shall be deemed to have been taken effect at the promulgation of the ordinance.

2. **Definition** --- (I) in this Act, unless the context otherwise requires:-

a) "Commission" means the North – West Frontier Province public service commission:

aa) "contract appointment" means appointment of a duly qualified person made otherwise than in accordance with the prescribed method of recruitment:

b) "employees" means an adhoc or a contract employees appointment by Government on adhoc or contract basis or second shift/ night shift but does not include the employees for project post or appointed on work charge basis or who are paid out of contingencies:

c) " Government " means the Government of the North – West Frontier Province:

d) "Government department " means any department constituted under rules 3 of the North – West Frontier Province Government rules business, 1985;

e) " law or rule" means the law or rule for the time being in force governing the selection and appointment of civil servants; and

f) " post" means a post under Government or in connection with the affairs of Government to be filled in on the recommendation of the commission.

(2) the expressions " adhoc appointment " and "civil servant" shall have the same meanings as respectively assigned to them in the North – West Frontier Province civil servants Act, 1973 (NWFP Act.No. XVIII of 1973).

(3) **Regularization Of Services Of Certain Employees** --- all employees including recommendees of the high court appointed on contract or adhoc basis and holding that post on 3rd December, 2008 or till the commencement of this Act shall be deemed to have been validly appointed on regular basis having the same qualification and experience for a regular post:

Provided that the service promotion quota of all service cadres shall not be effected.

3. **Determination Of Seniority** -(1)the employees whose services are regularization under this Act or in the process of attaining service at the commencement of this Act shall rank junior to all civil servant belonging to the same service of cadre, as the case may be, who are in service in regular basis on the commencement of this Act, and shall also rank junior to such other persons, if any, who, in pursuance of the recommendation of the commission made before the commencement of this Act, are to be appointed to the respective service of cadre, irrespective of their actual date of appointment.

(16)

NWFP Government gazette, extraordinary, 24th October, 2009. 0000

(2) The seniority entere of the employees, whose services are regularized under this Act within the same service or cadre, shall be determined on the basis of their continuous officiation in such service or cadre,

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

4A. **Overriding Effect** --- notwithstanding any thing to the contrary contained in any other law or rule for the time being in force, the provision of this Act shall have an overriding effect and the provisions of any such law or rule to the extent of inconsistency to this Act shall cease to have effect.

(5) **Repeal** --- the North - West Frontier Province employees (regularization of service) Ordinance, 2009 (NWFP Ordinance No. VII of 2009) is hereby repealed.

BY ORDER OF MR. SPEAKER,
PROVINCIAL ASSEMBLY OF
NORTH - WEST FRONTIER PROVINCE

AMANULLAH

Secretary,

Provincial Assembly of NWFP

JA. ...
Advocate ...
& Federal ... Court of Pakistan

ATTESTED



BETTER COPY

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GOVERNMENT OF NWFP
ESTABLISHMENT & ADMINISTRATION DEPARTMENT
(REGULATION WING)

No SOR-VI/E & AD/I-13/2009
Dated Peshawar the 4th November 2009

To

1. Additional Chief Secretary, Govt of NWFP Planning Development Department.
2. Additional Chief Secretary, (FATA), FATA Secretariat Peshawar.
3. Additional Chief Secretary Govt of NWFP Home & Tribal Affairs Department.
4. The Senor Member, Board of Revenue, NWFP.
5. All Administrative Secretaries to Govt. of NWFP.
6. The Secretary to Governor, NWFP.
7. The Principal Secretary to Chief Minister, NWFP.
8. All Divisional Commissioners in NWFP.
9. All Heads of Attached Departments in NWFP.
10. All District Coordination Officers in NWFP and Political Agents in FATA.
11. The Registrar Peshawar High Court, Peshawar.
12. The Registrar, NWFP Service Tribunal, Peshawar.
13. The Secretary, NWFP Public Service Commission, Peshawar.

Subject: The North West Frontier Province Employees (Regularization of Services) Act, 2009 (NWFP Act No XVI of 2009)

Dear Sir,

I am directed to refer to the subject and to enclose a copy of Gazette Notification No. PA/NWFP/Bills/2009/38472 dated 24-10-2009 regarding the North West Frontier Province Employees (Regularization of Services) Act, 2009 (NWFP Act No XVI of 2009) for information and necessary action.

Yours faithfully,

(KALEEM ULLAH)
SECTION OFFICER (REG-VI)

Endst No. & date even.

Copy forwarded to:

1. All Additional Secretaries, Deputy Secretaries and Section Officers in Establishment & Administration Department
2. Private Secretaries to all Provincial Ministers in NWFP.
3. Private Secretary to Chief Secretary NWFP, Peshawar.
4. Private Secretary to Secretary Establishment Department.
5. Private Secretary to Secretary Administration Department.
6. The Incharge Resource Centre, Estt. & Admn Department.

BETTER COPY

(18)

EXTRAORDINARY

GOVERNMENT



REGISTERED NO. P.III

GAZETTE

North Waziristan Frontier Province

Public by Authority

PESHAWAR, SATURDAY, 24TH OCTOBER, 2009

PROVINCIAL ASSEMBLY SECRETARIAT THE NORTH-WEST FRONTIER PROVINCE

NOTIFICATION

Dated Peshawar. the 24th October, 2009.

No. PA/NWFP/Bills/2009/38472-The North-West Frontier Province Employee (Regularization of Services) Bills, 2009 having been passed by the Provincial Assembly of North-West Frontier Province on 15th October, 2009 and assented to by the Governor of the North West Frontier Province on 20th October, 2009 is hereby published as an Act of the Provincial Legislature of the North-West Frontier Province.

THE NORTH-WEST FRONTIER PROVINCE EMPLOYEES (REGULARIZATION OF SERVICES) ACT; 2009

(N.W.F.P, ACT NO. XVI OF 2009)

(First published after having received the assent of the Governor of the North-West Frontier Province in the Gazette of the N.W.F.P (Extraordinary)

Dated the 24th October, 2009)

AN
ACT

ATTESTED

to provide for the regularization of the services of certain employees appointed on adhoc or contract basis.

Preamble.--- WHEREAS it is expedient to provide for the regularization of the service certain employees appointed on adhoc or contract basis, in the public interest, for the purpose here in after appearing;

It is hereby exacted as follows:-

19

I. Short title and commencement:- (1)

(2) It shall come into force at once and shall be deemed to have been taken effect at the promulgation of the Ordinance.

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

- (a) "Commission" means the North-West Frontier Province Public Service Commission;
- (aa) "Contract appointment" means appointment of a duly qualified person made otherwise than in accordance with the prescribed method of recruitment.
- (b) "Employee" means an adhoc or a contract employee appointed by Government on adhoc or contract basis or second shift/night shift but does not include the employees for project post or appointed on work charge basis or who are paid out of contingencies;
- (c) "Government" means the Government of the North-West Frontier Province.
- (d) "Government Department" means any department constituted under rule 3 of the North-West Frontier Province Government Rules of Business 1985.
- (e) "Law or Rule" means the law or rule for the time being in force government the selection and appointment of civil servants: and
- (f) "Post" means a post under Government or in connection with the after Government to be filled in on the recommendation of the Commission.

(2) The expressions "adhoc appointment" and "civil servant" shall have the meanings as respectively assigned to them in the North-West Frontier Province Civil Servant Act, 1973 (N.W.F.P. Act No. XVIII of 1973).

3. Regularization of services of certain employees: --- All employees including recommended of the High Court appointed on contract or adhoc basis and holding that post on 31st December 2008 having the same qualification and experience for a regular post:

Provided that the service promotion quota of all service cadres shall not be affected.

4. Determination of Seniority: --- (1) The employees whose services are regularized under this Act or in the process of attaining service at the commencement of this Act shall rank junior to all civil servants belonging to the same service or cadre, as the case may be who are in service on regular basis on the commencement of this Act, and shall also rank junior to such other persons any, who in pursuance of the recommendation of the commission made before the commencement of this Act, are to be appointed to the respective service or cadre, respective of their actual date.

(2) The seniority interse of the employees, whose services are regularized under this Act within the same service or cadre. Shall be determined on the basis of their continuous officiation on such service or cadre:

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

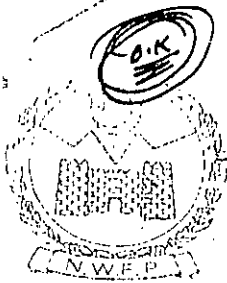
4A. **Overriding effect:** --- Not withstanding anything to the contrary contained in any other law or rule for the time being in force the provision of this act shall have an overriding effect and the provisions of any such law or rule to the extent of inconsistency to this Act shall cease to have effect.

5. **Repeal:** --- The North-West Frontier Province Employees (Regularization of Service Ordinance. 2009 (N.W.F.P. Ordinance No. VII of 2009) is hereby repealed.

BY ORDER OF MR. SPEAKER,
PROVINCIAL ASSEMBLY OF
NORTH-WEST FRONTIER PROVINCE

AMAN ULLAH
Secretary,
Provincial Assembly of NWFP

ATTESTED



GOVERNMENT OF N.W.F.P.
HIGHER EDUCATION, ARCHIVES &
LIBRARIES DEPARTMENT

Dated Peshawar the March 18th, 2010.

NOTIFICATION

NO. SO(COLLEGES)2-5/2009. In pursuance of Section 3 of the NWFP Employees (Regularization of Services) Act, 2009, the Competent Authority is pleased to regularize the services of the following lecturers (BS-17) appointed on contract basis, w.e.f. 01.01.2009:

S. #	Name / Designation / Present Posting
ARABIC	
2005	
1.	Abid-ur-Rahman, Lecturer in Arabic, GPGC Karak.
2.	Abdur Rauf, Lecturer in Arabic, GDC Tank.
3.	Khizar Hayat, Lecturer in Arabic, GC Khalabat Township Haripur.
4.	Naseerul Haq, Lecturer in Arabic, GDC Dagger (Buner).
2006	
5.	Tauseef Jan, Lecturer in Arabic, GDC Akora Khattak (Nowshera).
6.	Jehanzeb, Lecturer in Arabic, GDC, No. 1, D.I Khan.
ARCHAEOLOGY	
7.	Mohammad Sohail Khan, Lecturer in Archaeology, GDC No. 1 D.I Khan.
BIOLOGY	
8.	Said Ayaz Khan, lecturer in Biology, GDC Kulachi (D.I. Khan).
2006	
9.	Mohammad Daud, Lecturer in Biology, GDC Jowar (Buner).
10.	Noor Mohammad Khan, Lecturer in Biology, GDC Thal.
11.	Fahir Saeed, Lecturer in Biology, GDC Ahmadabad (Karak).
2007	
12.	Allan Nawaz, Lecturer in Biology, GDC Zarcobi (Swabi).
BOTANY	
2005	
13.	Sher Zaman, Lecturer in Botany, GDC Bakhshali (Mardan).
14.	Laiq Zaman, Lecturer in Botany, GPGC Karak.
15.	Riaz Hussain, lecturer in Botany, GDC Tajori, Lakki Marwat.
2006	
16.	Ammar Ali, Lecturer in Botany, GDC Yar Hussain (Swabi).
17.	Abdul Majeed, Lecturer in Botany, GDC Kotha (Swabi).
18.	Hafiz Munib ur Rehman Lecturer in Botany, GDC, Panjala (D.I Khan).
19.	Shahid Ifan, lecturer in Botany, GDC Ghorivala, Feroze.

SECTION OFFICER (COLLEGES)
Govt. of NWFP
Higher Education Deptt.

ATTN

2007

20. Inayat Gul, Lecturer in Botany, GDC Banda Daud Shah, Karak.
21. Muhammad Hameed Iqbal, Lecturer in Botany, GDC Gul'Abad, Dir Lower.
22. Mohammad Ishaq, Lecturer in Botany, GDC No. 2, Mardan.

CHEMISTRY

2005

23. Tanveer Hussain Shah, Lecturer in Chemistry, GDC Balakot.

2006

24. Mohammad Bilal, Lecturer in Chemistry, GDC Zaroobi, Swabi.
25. Roohal Qayyum, Lecturer in Chemistry, GDC, Matta, Swat.
26. Zia Mohammad, Lecturer in Chemistry, GPGC, Kohat.
27. Wahid Ullah, Lecturer in Chemistry, GDC Parova, D. I. Khan.
28. Kifayat Ullah Khan, Lecturer in Chemistry, GDC Tank.
29. Altaf Hussain, lecturer in Chemistry, GDC KDA Kohat.
30. Sher Mohammad, Lecturer in Chemistry, GDC, Dagger, Buner.
31. Abdul Aziz, Lecturer in Chemistry, GDC Hangu.
32. Noor Muhammad, lecturer in Chemistry, GDC Kohi Sher Haider Bara, Khyber Agency.

2007

33. Murad Ali, Lecturer in Chemistry, GPGC Khar, Bajaur Agency.
34. Ihsan Ullah, Lecturer in Chemistry, GDC Ghoriwala Bannu.
35. Roohul Amin, Lecturer in Chemistry, GPGC Charsadda.
36. Abdus Saboor Shah, Lecturer in Chemistry, GPGC Bannu.
37. Mahboob Ali, Lecturer in Chemistry, GDC, Katlang, Mardan.
38. Mohammad Farman Ali Lecturer in Chemistry, GDC Tajori Lakki Marwal.
39. Zia-ul-Hassan, Lecturer in Chemistry, GPGC, Mansehra.
40. Yasir Arshad, Lecturer in Chemistry, GPGC, Abbottabad.
41. Shaukat Ali Lecturer in Chemistry, GDC Ghazi, Haripur.

COMPUTER SCIENCE

2005

42. Aurangzeb, Lecturer in Computer Science, GDC, Khairabad.
43. Abdullah Faisal, Lecturer in Computer Science, GDC, Havelian.

2006

44. Mohammad Sajid Khan, Lecturer in Computer Science, GDC Shabqadar (Charsadda).
45. Mohammad Tufail, Lecturer in Computer Science, GDC Akora Khattak (Nowshera).
46. Mutabar Khan, Lecturer in Computer Science GDC Toru (Mardan).
47. Farhan Khan, Lecturer in Computer Science, GDC Takht Bhai (Mardan).
48. Anwar Saddat, Lecturer in Computer Science, GDC Lahor (Swabi).
49. Younas Ali, Lecturer in Computer Science, GDC Dir Upper.
50. Mohammad Zahir Shah, Lecturer in Computer Science, GDC Lachi, Kohat.
51. Fida Ullah Khan Lecturer in Computer Science GDC Ghori Wala, Bannu.
52. Abdullah, lecturer in Computer Science, GDC Samarbagh (Dir Lower).

2007

53. Muhammad Aamir, Lecturer in Comp: Science, GPGC Swabi.
54. Muhammad Habib Lecturer in Comp: Science GDC Samar Bagh, Dir Lower.
55. Kifayat Ullah Khan Lecturer in Comp: Science GDC Tank.
56. Muhammad Anwar Lecturer in Comp: Science GPGC Mandian, Abbottabad.

ECONOMICS

2005

57. Wisal Ahmad Lecturer in Economics GDC No. 1 DI Khan
58. Shakir Afridi Lecturer in Economics GDC KDA (Kohat)

2006

59. Jamil Ahmad, lecturer in Economics, GDC Takht-Bhai, Mardan.
60. Mohammad Iftikhar, Lecturer in Economics, GPGC, Swabi

ATTACHED

(23)

- 61. Zar Rehman, Lecturer in Economics GDC, Yar Hussain (Swabi).
- 62. Umair ur Rehman, Lecturer in Economics, GDC, Jowar (Buner).
- 63. Sharif Ullah, Lecturer in Economics, GDC, Lachi (Kohat).
- 64. Akif Hussain, Lecturer in Economics GPGC Bannu.

2007

- 65. Tilawat Shah Lecturer in Economics GDC Tangi, Charsadda.
- 66. Ijaz Ahmad Lecturer in Economics GD C # 2, D.I Khan.
- 67. Arif Khan Lecturer in Economics GC Lund Khwar, Mardan.

2008

- 68. Mohammad Tariq Lecturer in Economics GDC, Kulachi, D.I.Khan.

ELECTRONICS

2008

- 69. Syed Imran Ali Shah Lecturer in Electronics GC, Peshawar.

HISTORY

2005

- 70. Sagheer Mohammad, lecturer in History, GDC Tangi (Charsadda).
- 71. Ihsan Ullah, Lecturer in History GDC Gandaf, Swabi.

2007

- 72. Amin Ullah, lecturer in History, GDC Kulachi (D.I. Khan).

ENGLISH

2005

- 73. Abdul Wali Khan, Lecturer in English GDC Jower (Buner).
- 74. Naqibur Rahman, Lecturer in English GDC Latamber.
- 75. Yasir Mohammad Imran, Lecturer in English GDC Lakki Marwat.
- 76. Bakht Zada, Lecturer in English GDC Dir Upper.
- 77. Javed Iqbal, Lecturer in English GPGC, Mardan.
- 78. Altaf-Ur-Rehman, Lecturer in English GDC Takht Bhai (Mardan).
- 79. Zafar Jamal, Lecturer in English GDC Takht-e- Nasrati.
- 80. Hafeezullah Khan, Lecturer in English GPGC Bannu.
- 81. Subhan Ullah, Lecturer in English GPGC Nowshera.
- 82. Muhammad Adeel Umar, lecturer in English, GPGC Charsadda.

2006

- 83. Shafiq Ahmad, Lecturer in English GC, Peshawar.
- 84. Khizar Hayat, Lecturer in English GDC, Samar Bagh (Dir Lower).
- 85. Hidayat Ullah, Lecturer in English GDC, Ahmadabad.
- 86. Javed Khan, Lecturer in English GDC, Ghazni Khei.
- 87. Arif Ullah, Lecturer in English GC S.K Bala.
- 88. Hafiz Sami Ullah, Lecturer in English GDC, Isak Khel (Lakki).
- 89. Abdul Mateen Abbassi, Lecturer in English GPGC, Haripur.
- 90. Naeem Khan, Lecturer in English GDC Lund Khwar.
- 91. Nasim Khan, Lecturer in English GDC, Dagger (Buner).
- 92. Akbar Hayat, lecturer in English, GDC Kakki Bannu.

SECTION OFFICER
Govt. of NWFP
Higher Education Deptt.

2007

- 93. Ikramullah, Lecturer in English, GDC Babozai Mardan.

ENGLISH (DISABLE QUOTA)

- 94. Javid Ali, Lecturer in English, GDC, Akora Khattak Nowshera.

2008

- 95. Irshad Hussain Lecturer in English GPGC, Nowshera.
- 96. Zia Ullah Khan Lecturer in English GDC, Yar Hussain.

ISLAMIYAT

2005

- 97. Mufti Samiullah, Lecturer in Islamiyat GDC Matta.

24

98. Mohammad Azam, Lecturer in Islamiyat GPGC Charsadda.
99. Sadiq Hussain, Lecturer in Islamiyat GDC Badaber Peshawar.
100. Mujahid Shah, Lecturer in Islamiyat GDC Kattlang.
101. Naveed Akhtar, Lecturer in Islamiyat GDC Toru.
102. Mufti Inamullah, Lecturer in Islamiyat GDC Chakessar.
103. Tauqeer Anjum, Lecturer in Islamiyat GDC Balakot.
104. Ihsan Ullah, Lecturer in Islamiyat GDC Lund Khwar.
105. Tahir Naveed, Lecturer in Islamiyat GPGC Haripur, under transfer to GDC Balakot.

2006

106. Abdul Hameed, Lecturer in Islamiyat GDC, Yar Hussain (Swabi).
107. Ibrahim, Lecturer in Islamiyat GDC, Zaroobi (Swabi).
108. Inamullah, Lecturer in Islamiyat GDC, Kabal.
109. Rafiq Ahmad Lecturer in Islamiyat GDC, Jower (Buner).
110. Mohammad Younas Lecturer in Islamiyat GDC, Sabirabad (Karak).
111. Mohammad Amjad Khan Lecturer in Islamiyat GPGC Mandian.
112. Abidullah Khan Lecturer in Islamiyat GPGC, Bannu.
113. Noor Islam Lecturer in Islamiyat GDC, Sikandar Khel Bala (Bannu).
114. Farooq Shah Lecturer in Islamiyat GDC, No. 1 D.I Khan.
115. Shahid Khan Lecturer in Islamiyat GDC Parova (D I Khan).
116. Siraj ud Din Lecturer in Islamiyat GDC Booni (Chitral).

MATHS

2005

117. Ajed Akbar Lecturer in Maths GDC Khanpur.
118. Rafiullah Lecturer in Maths GDC Matta.
119. Umair Sultan Lecturer in Maths GPGC, Haripur.

2006

120. Bakhtiar Ahmad Lecturer in Maths GDC, Tangi. (Charsadda)
121. Latif Khan Lecturer in Mathematics GDC, Shabcadar (Charsadda).
122. Imtiaz Ali Lecturer in Mathematics GPGC Nowshera.
123. Zia-ud-Din Lecturer in Mathematics GDC, Agra (Malakand).
124. Latif ur Rehman Lecturer in Maths GDC, Totalai (Buner).
125. Abidullah Jan Lecturer in Maths GDC, Thail (Hangu).
126. Noor Hayat Lecturer in Maths GDC, Thail (Hangu).
127. Naveed Ullah Lecturer in Maths GDC, Kakki (Bannu).
128. Nadar Shah Lecturer in Maths GDC, Toru (Mardan).
129. Hazrat Hussain, lecturer in Maths, GDC Kakki, Bannu.

2007

130. Abdul Jaleel Lecturer in Maths GPGC Abbottabad.
131. Muhammad Shah Lecturer in Maths GC Puran Shangla.
132. Dawood Shah Lecturer in Maths GC Parova, DI Khan.
133. Nadeem Haider Lecturer in Maths GDC, Badaber.
134. Israr Ahmad Lecturer in Maths GC Thana Malakand.
135. Waheed Iqbal Lecturer in Maths GDC #1, DI Khan.
136. Barkat Ali Lecturer in Maths GC Ghazni Khel Lakki.
137. Naeem Gul Lecturer in Maths GC Ghazi Haripur.

ATTACHED

2008

138. Zakiuddin Lecturer in Maths GDC, Zarooobi (Swabi).
139. Dil Jan Khan Lecturer in Maths GDC, Kulachi (D.I.Khan).
140. Sajjid Islam Lecturer in Maths GDC, Paharpur (D.I.Khan).

PAK STUDY

2005

141. Jamil-Ur-Rahman Lecturer in Pak Study GPGC Charsadda.
142. Mohammad Ajmal Khan Lecturer in Pak Study GPGC Mansehra.

2006

143. Aimal Khan Lecturer in Pakistan Studies GPGC, Swabi.
144. Ayaz Mohammad Lecturer in Pak Study GDC, Agra (Malakand).
145. Anwar Shah Lecturer in Pak Study GDC Alpuri.
146. Sher Nawaz Lecturer in Pak: Studies GPGC, Kohat.
147. Mohammad Naveed Khan Lecturer in Pak: Studies GDC, Sikandar Khel Bala(Bannu).
148. Allah Nawaz Lecturer in Pak: Studies GDC Parova (D I Khan).

2007

149. Jawad Ali Shah Lecturer in Pak: Studies GC Kakki Bannu.

PASHTO

2005

150. Mohammad Israr Khan Lecturer in Pashto GPGC Charsadda.
151. Ikram ullah Lecturer in Pashto GDC, Shabqadar (Charsadda).

2006

152. Fazal Wahid Lecturer in Pashto GJGPGC, S/Sharif (Swat)
153. Javed Khan Lecturer in Pashto GC Sikandar Khel Bala

PHYSICS

2005

154. Altaf Ahmad, Lecturer in Physics GDC No. 2 D. I Khan.
155. Mohammad Rizwan, Lecturer in Physics GDC Banda Daud Shah (Karak).

2006

156. Munir Khan Lecturer in Physics GDC, Yar Hussain (Swabi)
157. Abid Hussain Lecturer in Physics GDC, Zarooobi (Swabi)
158. Sardar Ali, Lecturer in Physics GDC, Lachi (Kohat)
159. Mohammad Anwar Ali Lecturer in Physics GDC, Thall (Hangu)
160. Asghar Khan Lecturer in Physics GPGC, Lakki Marwat
161. Sher Nawaz Khan Lecturer in Physics GDC, Ghoriwala (Bannu)

POLITICAL SCIENCE

2005

162. Noor Zali Lecturer in Pol: Science GPGC Bannu.
163. Sarfaraz Ahmad, lecturer in Political Science, GPGC Charsadda.
164. Aziz Khan Lecturer in Pol: Science GDC Dir Upper.
165. S. Imran Ali Shah Lecturer in Pol: Science GDC Parova.
166. S. Ali Naqi Kazmi Lecturer in Pol: Science GDC Ghazi.

SECTION OFFICER
Govt. of Punjab
Higher Education Deptt.

ATTESTED

25

(26)

167.	Haseeb-ur-Rehman Khan Lecturer in Political Science GDC, Tangi (Charsadda).
168.	Arshad Ali Lecturer in Political Science GPGC, Swabi.
169.	Kiram Shah Lecturer in Pol: Science GDC, Zaroobi (Swabi).
170.	Rizwan Ullah Lecturer in Pol: Science GDC, Booni Chitral.
171.	Sher Nawab Khan Lecturer in Pol: Science GDC, Totalai (Buner).
172.	Faqir Khan, lecturer in Political Science, GDC Sikandar Khel Bala, Bannu.

2007

173.	Ikramullah Khan Lecturer in Pol: Science GC-KDA Kohat.
------	--

STATISTICS

2005

174.	Mohammad Yaseen Lecturer in Statistics GDC Ghorri Wala, Bannu.
175.	Mohammad Bilal Lecturer in Statistics GDC No. 1 DI Khan

2006

176.	Khalid Khan Lecturer in Statistics GDC, Zaroobi (Swabi)
177.	Gouhar Ali Lecture in Statistics GPGC, Khar, Bajour Agency.
178.	Saif ur Rehman Lecturer in Statistics GPGC, Bannu
179.	Rafiullah Lecturer in Statistics GDC, Lund Khwar, Mardan.
180.	Fakhar e Alam Lecturer in Statistics GDC, Jower

2008

181.	Muhammad Younas Khan Lecturer in Statistics GPGC Lakki Marwal.
------	--

URDU

2005

182.	Asghar Khan Lecturer in Urdu GDC Bakhshali.
183.	Mohammad Shoaib Khan Lecturer in Urdu GPGC Nowshera.
184.	Gohar Ali Lecturer in Urdu GDC Dagger.
185.	Umar Dad Lecturer in Urdu GDC Khairabad, Mardan.
186.	Shaukat Ullah Lecturer in Urdu, GDC Yar Hussain (Swabi).
187.	Iqbal Ahmad Lecturer in Urdu GDC Matta (Swat).
188.	Syed Hassan Jan Lecturer in Urdu GDC Dagger (Buner).
189.	Atta Ullah Lecturer in Urdu GDC, Hangu.
190.	Sudher-Ahad Lecturer in Urdu GPGC Mansehra.
191.	Abubakar Saddique Lecturer in Urdu GPGC Haripur.
192.	Muhammad Rashid Lecturer in Urdu GPGC Karak.
193.	Liaqat Hussain, lecturer in Urdu, GPGC Parachinar.

2006

194.	Iqbal Said Lecturer in Urdu GDC, Kotha (Swabi)
195.	Mutawakil Khan Lecturer in Urdu GDC, Alpuri (Shangla)
196.	Laiq-ur-Rehman Lecturer in Urdu GDC, Thail (Hangu)
197.	Akhtar Gul Lecturer in Urdu GDC Band Daud Shah, Karak.
198.	Aftab Ali Shah Lecturer in Urdu GPGC Bannu
199.	Gul Haider Lecturer in Urdu GPGC, Swabi.
200.	Muhammad Mushtaq, Lecturer in Urdu GPGC, Bannu.

2007

201.	Bahre Karam Khan Lecturer in Urdu GPGC Timergara Dir Lower
------	--

ATTESTED

2008
202.

ZOOLOGY

Shah Khalid Lecturer in Zoology GDC, Lund Khwar, Mardan.

27

Terms and conditions of their regular appointment will be as under:

- i. They will get pay at the minimum of BPS-17 including usual allowances as admissible under the rules. They will also be entitled to annual increments as per existing policy.
- ii. They shall be governed by the NWFP Civil Servants Act, 1973 and all the laws applicable to the Civil Servants and Rules made there-under.
- iii. They shall for all intents and purposes, be civil servants except for purpose of pension & gratuity. In lieu of pension and gratuity, they shall be entitled to receive such amount as would be contributed by them towards Contributory Provident Fund (CPF) along with the contributions made by Government to their account in the said fund, in the prescribed manner.
- iv. Their employments in the department is purely temporary and their services are liable to be terminated without assigning any reason at thirty (30) days notice or on the payment of 30 days salary in lieu thereof. In case they wish to resign at any time, 30-days notice will be necessary or in lieu thereof 30 days pay will be forfeited.
- v. They shall, initially, be on probation for a period of two years extendable upto 3 years.
- vi. Their seniority shall be determined in accordance with relevant rules but subject to Section-4 of the NWFP Employees (Regularization of Services) Act, 2009.

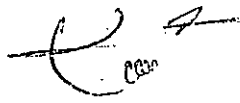
SECRETARY TO GOVT. OF NWFP
HIGHER EDUCATION DEPARTMENT

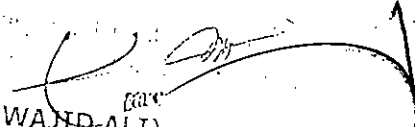
Endst: No. & Date Even.

Copy of the above is forwarded to the:-

1. Secretary to Govt. of NWFP, Establishment Department.
2. Secretary to Govt. of NWFP, Finance Department.
3. Principal Secretary to Chief Minister, NWFP.
4. Secretary to Governor, NWFP.
5. Accountant General, NWFP, Peshawar.
6. Director, Higher Education, NWFP, Peshawar.
7. Director Education (FATA), NWFP, Warsak Road, Peshawar.
8. Director, Information for wide publicity through media.
9. Districts / Agency Accounts Officers concerned.
10. Principals, Government Colleges (Male) concerned.
11. Section Officer (FATA) Education Wing, Governor's Secretariat (FATA) Warsak Road Peshawar.
12. P.S. to Minister for Higher Education, NWFP.
13. Deputy Director (IT), Planning Cell, Higher Education Department.
14. Lecturers concerned.

Muhammad Asif




(WAJID-ALI)
SECTION OFFICER (COLLEGES)

ATTESTED

GOVERNMENT OF KHYBER PAKHTUNKHWA
 HIGHER EDUCATION, ARCHIVES &
 LIBRARIES DEPARTMENT

Dated Peshawar: the 15th June, 2011.

NOTIFICATION

SO(FC)HE/1-10/06/Regularization. In pursuance of Section 3, of the
 Khyber Pakhtunkhwa Employees (Regularization of Services) Act, 2009, the
 Competent Authority is pleased to regularize the services of the following
 lecturers (BS-17) appointed on contract basis, w.e.f. 01-01-2009 and posted
 them against colleges mentioned against each:-

Name / Designation	Subject	Proposed	Remarks
Mst. Asifa Shabeen lecturer BS-17	Islamiyat	G.C. Hattarian	Already occupied by her
Mst. Tabassum lecturer BS-17	Computer Science	GGC No. 2 Chahadda	-do-
Mst. Samra Shaheen lecturer BS-17	Urdu	GGC No. 2 Chahadda	-do-
Mst. Nabila lecturer BS-17	Computer Science	GGC Ganju (Syat)	-do-
Mst. Husna lecturer BS-17	Maths	-do-	-do-
Mst. Nazim Amir Afridi lecturer BS-17	Psychology	-do-	-do-
Mst. Faiza Masood lecturer BS-17	English	GGC No.2 Abbotabad	-do-
Mst. Samina lecturer BS-17	Chemistry	GGC Ganju (Syat)	-do-
Mst. Ulfa Saba lecturer BS-17	Islamiyat	GGC Pannu	-do-
Mst. Noorul Wara lecturer BS-17	Computer Science	G.C. Wj Peshawar	Vice Mst. Moiza Shermeera (deputed to Punjab Govt.)
Mst. Shahana Saeed lecturer BS-17	Stats	-do-	Already occupied by her
Mst. Nair Gul lecturer BS-17	Chemistry	G.C. Taka Bhai (Mardan)	-do-
Mst. Irum Shaheen lecturer BS-17	Political Science	GGC Pank	-do-
Mst. Shahna Shaukat lecturer BS-17	English	-do-	-do-
Mst. Uzma Batool lecturer BS-17	Law	-do-	-do-
Mst. Nadia Nazneen lecturer BS-17	Home Economics	-do-	-do-
Mst. Shehla Gul lecturer BS-17	Economics	-do-	-do-
Mst. Munir Zeb lecturer BS-17	Computer Science	-do-	-do-
Mst. Samina Sadiq lecturer BS-17	Urdu	-do-	-do-

JAMES ROBAL GILL
 Advocate for Court, Peshawar
 & Federal Shariat Court of Pakistan

JAMES ROBAL GILL

JAMES ROBAL GILL
 Advocate for Court, Peshawar
 & Federal Shariat Court of Pakistan

1	Mst. Salma Shahgen lecturer BS-17	Maths	-do-	Already occupied by her
2	Mst. Samia Bibi lecturer BS-17	Islamiyat	GC Saïdu Sharif (1 st shift)	-do-
3	Mst. Nowsheen Ahmad lecturer BS-17	English	-do-	-do-
4	Mst. Noor Taj lecturer BS-17	Physics	GC Maidan (1 st shift)	-do-
5	Mst. Aleena Younis lecturer BS-17	Computer Science	GC No.1 Maidan	-do-
6	Mst. Shabana Bibi lecturer BS-17	English	GC No.1. Mar sehra	-do-
7	Mst. Zeenat Jan lecturer BS-17	Political Science	GC Nowsheera (2 nd shift) MP	✓ Against vacant post
8	Mst. Nowsheen Yousaf lecturer BS-17	Economics	GC No. 1 Ch. Sudda	-do-
9	Mst. Bibi Salma lecturer BS-17	Pakistan Studies	GC No. 1 At. Itabrad (2 nd shift)	✓ -do-
10	Mst. Neelan Naz lecturer BS-17	Maths	-do-	-do-
11	Mst. S. Hina Saïdar lecturer BS-17	Physics	GC Pooni (1 st shift)	-do-
12	Mst. Tahira Saïdiq lecturer BS-17	Islamiyat	-do-	-do-
13	Mst. Sadia Bibi Lecturer BS-17	English	GC Thall	-do-
14	Mst. Sadia Khalid lecturer BS-17	Biology	GC B. Sipur (2 nd shift)	-do-
15	Mst. Mehwash lecturer BS-17	Zoology	GC Ch. Sudda (2 nd shift)	Already occupied by her
16	Mst. Farkhanda Abid lecturer BS-17	English	-do-	-do-
17	Mst. Mehar-un-nisa lecturer BS-17	Chemistry	-do-	-do-
18	Mst. Parveen lecturer BS-17	Botany	-do-	-do-
19	Mst. Samia Naz Lecturer BS-17	Physics	GC Ch. Sudda (1 st shift)	Against vacant post
20	Mst. Sadia Qazi Lecturer BS-17	Chemistry	GC Nowsheera (2 nd shift)	✓ -do-
21	Mst. Ghazala Khuda Baksh lecturer BS-17	Maths	GC Ch. Sudda (1 st shift)	Already occupied by her
22	Mst. Irum Bibi lecturer BS-17	Physics	GC No. 1 Ch. Sudda (2 nd shift)	-do-
23	Mst. Tania Karim lecturer BS-17	Computer Science	-do-	-do-
24	Mst. Tahira Yasmeen lecturer BS-17	Physics	-do-	-do-
25	Mst. Somaila Salim lecturer BS-17	Computer Science	GC Ch. Sudda (2 nd shift)	-do-

BETTER COPY (28)
**GOVERNMENT OF NWFP
 HIGHER EDUCATION ARCHIVES
 AND LIBRARIES DEPARTMENT**

Dated Peshawar the 15-06-2010

NOTIFICATION

No. SO (EC)III/1-10/06/Regularization:- In pursuance of Section 3 of the NWFP Employees (Regularization of Service) Act, 2009, the Competent Authority is pleased to regularize the service of the following lecturers (BS-17) appointed on contract basis, w.e.f 01.01.2009 and posted them against colleges mentioned against each:-

S/NO	Name/ Designation	Subject	Proposed	Remarks
1.	Mst.Asifa Shaheen lecturer BS-17	Islamiyat	GGC Havelian	Alread Occupied by her
2.	Mst. Tabassum lecturer BS-17	Computer Science	GGC No. 2 Charsadda	-do-
3.	Mst. Saima Shaheen lecturer BS-17	Urdu	GGC No. 2 Charsadda	-do-
4.	Mst. Nabila lecturer BS-17	Computer Science	GGC Kanju (Swat)	-do-
5.	Mst. Husna lecturer BS-17	Maths	-do-	-do-
6.	Mst. Nazia Amir Afridi lecturer BS-17	Psychology	-do-	-do-
7.	Mst. Faiza Masood lecturer BS-17	English	GGC NO. 2 Abbottabad	-do-
8.	Mst. Samina lecturer BS-17	Chemistry	GGC Kanju (Swat)	-do-
9.	Mst. Ulfat Saba lecturer BS-17	Islamiyat	GGC Bannu	-do-
10.	Mst. Noorul Wara lecturer BS-17	Computer Science	GGC Peshawar	-do-
11.	Mst. Shabana Saeed lecturer BS-17	Stats	-do-	-do-
12.	Mst. Naib Gul lecturer BS-17	Chemistry	GGC Takht Bhai	-do-
13.	Mst. Irum Shaheen lecturer BS-17	Political Science	GGC Tank	-do-
14.	Mst.Shaina Shawakat lecturer BS-17	English	-do-	-do-
15.	Mst. Uzma Batool lecturer BS-17	Law	-do-	-do-
16.	Mst.Nadia Nazneen lecturer BS-17	Home Economics	-do-	-do-
17.	Mst. Shehla Gul lecturer BS-17	Economics	-do-	-do-
18.	Mst.Maria Zeb lecturer BS-17	Computer Science	-do-	-do-
19.	Sadiq lecturer BS-17	Urdu	-do-	-do-

ATTESTED

28(a)

20	Mst. Salma Shaheen lecturer BS-17	Math	-do-	Already occupied by her
21	Mst. Samia Bibi lecturer BS-17	Islamiyat	GGC Saidu Sharif	-do-
22	Mst. Newsheen Ahmad lecturer BS-17	English	-do-	-do-
23	Mst. Noor Taj lecturer BS-17	Physics	GGC Mardan	-do-
24	Mst. Aleena Younas lecturer BS-17	Computer Science	GGC No. 1 Mardan	-do-
25	Mst. Shabana Bibi lecturer BS-17	English	GGC No. 1 Mansehra	-do-
26	Mst. Zeenat Jan lecturer BS-17	Political Science	GGC Nowshera	Agaisnt Vacant Post
27	Mst. Newsheen Yousaf lecturer Bs-17	Economics	GGC No. 1 Charsadda	-do-
28	Mst. Bibi Saima lecturer BS-17	Pak Studies	GGC No. 1 Abbottabad	-do-
29	Mst. Neelam Naz lecturer BS-17	Maths	-do-	-do-
30	Mst. S. Hina Safdar lecturer BS-17	Physics	GGC Booni Chitral	-do-
31	Mst. Tahira Sadiq lecturer BS-17	Islamiyat	-do-	-do-
32	Mst. Sadia Bibi lecturer BS-17	English	GGC Thall	-do-
33	Mst. Sadia Khalid lecturer BS-17	Biology	GGC Haripur	-do-
34	Mst. Mehwash lecturer BS-17	Zoology	GGC Mardan	Already occupied by her
35	Mst. Farkhanda Abid lecturer BS-17	English	-do-	-do-
36	Mst. Mehar-un-nisa lecturer BS-17	Chemistry	-do-	-do-
37	Mst. Parveen lecturer BS-17	Botany	-do-	-do-
38	Mst. Naima Naz lecturer BS-17	Physics		Against vacant post
39	Mst. Sadia Qazi lecturer BS-17	Chemistry	GGC Nowshera	-do-
40	Mst. Ghazala Khuda Baksh lecturer BS-17	Maths	GGC Kanjo	Already vacant post
41	Mst. Irum Bibi lecturer BS-17	Physics	GGC No.1 D.I.Khan	-do-
42	Mst. Tania Karim lecturer BS-17	Computer Science	-do-	-do-
43	Mst. Tahira Yasmeen lecturer BS-17	Physics	-do-	-do-
44	Mst. Somaila Salim lecturer BS-17	Computer Science	GC(W) Peshawar	-do-

APTES

Mst. Bibi Zainab Lecturer BS-17	Pakistan Studies	Mo. Ghara (2 nd Shift)	Against vacant post
Basmima Haider Lecturer BS-17	Physics	-do-	-do-
Mst. Zakia Raheem Lecturer BS-17	Physics	GC (W) Peshawar	Already occupied by her
S. Fatima Ahmad Lecturer BS-17	Mathematics	GC (C) Peshawar	-do-
Saheed Begum Lecturer BS-17	Urdu	GC (Manki) (S. Sbi)	Against vacant post
Mst. Basma Awan Lecturer BS-17	Philosophy	GC (S. Sbi) D. A. Chan	-do-
Mst. Abida Shams Lecturer BS-17	Urdu	GC (Boon) (Central)	Already occupied by her
Mr. Maqsood Khan Lecturer BS-17	Botany	GC (Prova) D. Chan	Already occupied by him
Mr. Anbari Khan Lecturer BS-17	Botany	GC (D. Chan) D. Chan (D. Chan)	-do-

TERMS AND CONDITIONS:

- i. They will get pay at the minimum of BPS-17 including usual allowances as admissible under the rules. They will also be entitled to annual increments as per existing policy.
- ii. They shall be governed by the Khyber Pakhtunkhwa Civil Servants Act, 1973 and all the laws applicable to the Civil Servants and Rules made there-under.
- iii. They shall for all intents and purposes be Civil Servants, except for the purpose of Pension and Gratuity. In lieu of pension and gratuity, they shall be entitled to receive such amount as would be contributed by them towards Contributory Provident Fund (CPF) along with the contributions made by Government to their account in the said fund, in the prescribed manner.
- iv. Their employments in the department is purely temporary and their services are liable to be terminated without assigning any reason at thirty (30) days notice or on the payment of 30 days salary in lieu thereof. In case they wish to resign at any time, 30-days notice will be necessary or in lieu thereof 30 days pay will be forfeited.
- v. They shall, initially, be on probation for a period of two years extendable upto 03 years.

SECRETARY
PUBLIC ACCOUNTS
FEDERAL GOVERNMENT OF PAKISTAN

SECRETARY
PUBLIC ACCOUNTS
FEDERAL GOVERNMENT OF PAKISTAN

SECRETARY
PUBLIC ACCOUNTS
FEDERAL GOVERNMENT OF PAKISTAN

SECRETARY
PUBLIC ACCOUNTS
FEDERAL GOVERNMENT OF PAKISTAN

Their seniority shall be determined in accordance with relevant rules but subject to Section-4 of the Khyber Pakhtunkhwa Employees (Regularisation of Services) Act, 2009.

SECRETARY TO
GOVT. OF KHYBER PAKHTUNKHWA
HIGHER EDUCATION DEPARTMENT.

Order No. & Date Even

Copy forwarded to the:-

1. Secretary to Govt. of Khyber Pakhtunkhwa, Establishment Department, Peshawar.
2. Secretary to Govt. of Khyber Pakhtunkhwa, Finance Department.
3. Principal Secretary to Chief Minister Khyber Pakhtunkhwa.
4. Secretary to Governor, Khyber Pakhtunkhwa.
5. Accountant General Khyber Pakhtunkhwa Peshawar.
6. Director Higher Education, Khyber Pakhtunkhwa Peshawar.
7. Director Education FATA Khyber Pakhtunkhwa.
8. District/Agency Accounts Officers concerned.
9. Director Information for wide publicity through media.
10. Principals of the Colleges concerned.
11. P.S. to Minister of Higher Education.
12. Deputy Director (IT) Planning Cell, Higher Education Department.
13. P.S. to Secretary, Higher Education Department, Khyber Pakhtunkhwa Peshawar.
14. Officers Concerned.

(ZUBIA KHAN) (ZUBIA KHAN)
SECTION OFFICE (Female College)


BETTER COPY

(28)

45	Mst. Bibi Zainab lecturer BS-17	Pak Studies	GGC Nowshera	Against vacant post
46	Mst. Basmina Haider lecturer BS-17	Physics	-do-	-do-
47	Mst. Zakia Raheem lecturer BS-17	Physics	Peshawar	Already occupied by her
48	S.Fatima Ahmad lecturer BS-17	Maths	GGC Peshawar	-do-
49	Naheed Begum lecturer BS-17	Urdu	GGC Chitral	Against vacant post
50	Mst. Basmeena Awan lecturer BS-17	Philosophy	GGC NO.1 D.I.Khan	-do-
51	Mst. Abida Shamis lecturer BS-17	Urdu	GGC Chitral	Already occupied by her
52	Mr. Maqsood Khan lecturer BS-17	Botany	GGC D.I.Khan	Already occupied by him
53	Mr. Ambara Khan lecturer BS-17	Botany	GGC Daggar	-do-

TERMS AND CONDITIONS:-

- i. They will get pay at the minimum of BPS-17 including usual allowances as admissible under the rules. They will also be entitled at annual increments as per existing policy.
- ii. They shall be governed by the Khyber Pakhtunkhwa Civil Servants Act, 1973 and all the laws applicable to the Civil Servants and Rules made there-under.
- iii. They shall for all intents and purpose be Civil Servants, except for the purpose of Pension and Gratuity. In lieu of pension and gratuity, they shall be entitled to receive such amount as would be contributed by them towards Contributory Provident Fund (CPF) along with the contributions made by Government to their account in the said fund, in the prescribed manner.
- iv. Their employments in the department is purely temporary and their services are liable to be terminated without assigning any reason at thirty (30) days notice or on the payment of 30 days in lieu thereof. In case they wish to resign at any time, 30 days notice will be necessary / or in lieu thereof 30 days pay will be forfeited.
- v. They shall, initially, be on probation for a period of two years extensible upto 03 years.

ATTEN


P.T.O

29(9)

Their sonority shall be determined in accordance with relevant rules but subject to section-4 of the Khyber Pakhtunkhwa Employees. (Regularization of Services) Act, 2009.

SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA
HIGHER EDUCATION DEPARTMENT.

Endst: No. & Date Even

Copy forwarded to the:-

1. Secretary to Govt. of Khyber Pakhtunkhwa, Establishment Department, Peshawar.
2. Secretary to Govt. of Khyber Pakhtunkhwa, Finance Department.
3. Principal Secretary to Chief Minister Khyber Pakhtunkhwa.
4. Secretary to Governor, Khyber Pakhtunkhwa.
5. Accountant General Khyber Pakhtunkhwa Peshawar.
6. Director Higher Education, Khyber Pakhtunkhwa Peshawar.
7. Director Education FATA Khyber Pakhtunkhwa.
8. District/ Agency Accounts Officers concerned.
9. Director Information for wide publicity through media.
10. Principals of the Colleges concerned.
11. PS to Minister of Higher Education.
12. Deputy Director (1T) Planning Cell, Higher Education Deptt:
13. PS to Secretary, Higher Education Department, Khyber Pakhtunkhwa Peshawar.
14. Officers Concerned.

(ZUBIA QAMAR)
SECTION OFFICER (Female Colleges)

ATTESTED



GOVERNMENT OF NWFP
HIGHER EDUCATION, ARCHIVES &
LIBRARIES DEPARTMENT

Dated Peshawar: the 20th March, 2010.

(30)
[Handwritten marks and signatures]

NOTIFICATION

No. 50(FC)HE/1-10/06/Regularization. In pursuance of Section 37 of the NWFP Employees (Regularization of Services) Act, 2009, the Competent Authority is pleased to regularize the services of the following lecturers (BS-17) appointed on contract basis, w.e.f. 01-01-2009:-

S/N	Name/Designation/Present Posting
BIOLOGY	
2006	
1.	Nadia Latif, Lecturer in Biology, GGC Bannu
2007	
2.	Mehnaz Yaqoob, lecturer in Biology, GGC(W) Peshawar
BOTANY	
2006	
3.	Shazia Noreen, lecturer in Botany, GGC Serai Saleh
2007	
4.	Nazia Gul, lecturer in Botany, GGC Thana
CHEMISTRY	
2005	
5.	Shagufta Saad, lecturer in Chemistry, GGC Lakki
2006	
6.	Razia, lecturer in Chemistry, GGC Chitral
7.	Nasreen, lecturer in Chemistry, GGC Khawaza Khela
2007	
8.	Nadia Zeb, lecturer in Chemistry, GGC No.1 Charsadda
9.	UmmelKalsoom, lecturer in Chemistry, GGC Sheikh Maltoon
10.	Rufqa Saeed, lecturer in Chemistry, GGC Kohat
11.	Rozina Israr, lecturer in Chemistry, GGC Barikot Swat
12.	Fozia Gul, lecturer in Chemistry, GGC Hayatabad, Peshawar
2009	
13.	Sabreena, lecturer in Chemistry, GGC No.1 Abbottabad
COMPUTER SCIENCE	
2007	
14.	Shakeela, lecturer in Computer Science, GGC Dargai
2008	
15.	Sadia Naiz, lecturer in Computer Science, GGC Mandan
16.	Nadia Gul, lecturer in Computer Science, GGC Lakki
17.	Salma Begum, lecturer in Computer Science, GGC Khawaza Khela
ECONOMICS	
2007	
18.	Bibi Saeeda, lecturer in Economics, GGC Marghuz (Swabi)
2008	
19.	Nazia Rehman, lecturer in Economics, GGC Chitral
ENGLISH	
2005	
20.	Nafisa Masood, lecturer in English, GGC Hangu
21.	Ansa Shabnam, lecturer in English, GGC No. 2 D.I.Khan
22.	Anila Bano, lecturer in English, GGC Chetti Dheri
23.	Sadia Bibi, lecturer in English, GGC Karak

Contract lecturers to be regularized of 1st March, 2010, do

Notified for regularisation of contract lecturers record notification of 27 Contract lecturers to be regularized of 1st March, 2010, do

[Handwritten signature and stamp]

2006		
24.	Naseem Taj, lecturer in English, GGC Barikot	
25.	Sadia Sadaf, lecturer in English, GGC Karnal Sher Khan Killi Swabi	
26.	Amna, lecturer in English, GGC Manki Swabi	
2007		
27.	Bushra Sher Khan, lecturer in English, GGC Hangu	
28.	Saira Tabassum, lecturer in English, GGC Haripur	
29.	Saima Anwar, lecturer in English, GGC No.1 Abbottabad	
30.	Shagufta Begum, lecturer in English, GGC Daggar Buner	
31.	Nasra Begum, lecturer in English, GGC Mardan	
2008		
32.	Shaima Raheem, lecturer in English, GGC Peshawar	
33.	Rabia Khatoon, lecturer in English, GGC Haripur	
34.	Salma Bibi, lecturer in English, GGC Havellian	
35.	Azra Nawaz, lecturer in English, GGC Karnal Sher Khan Killi Swabi	
36.	Hasina Wajid, lecturer in English, GGC No.1 Charsadda	
2007		GEOGRAPHY
37.	Nazia Parveen, lecturer in Geography, GGC No.1 D.I.Khan	
2006		HOME ECONOMICS
38.	Shahab, lecturer in Home Economics, GGC Maneri Swabi	
39.	Nusrat Fatima, lecturer in Home Economics, GGC Bannu	
2005		ISLAMIYAT
40.	Lubna Raheem, lecturer in Islamiyat, GGC Pabbi	
41.	Asia Durrani, lecturer in Islamiyat, GGC Surrani	
2006		
42.	Nazakat Jabeen, lecturer in Islamiyat, GGC Pabbi	
43.	Yasir Khurshid, lecturer in Islamiyat, GGC Sheikh Maltoon	
44.	Nusrat Sheikh, lecturer in Islamiyat, GGC Daggar Buner	
45.	Minhas, lecturer in Islamiyat, GGC Barikot, Swat	
2007		
46.	Farkhanda Khanum, lecturer in Islamiyat, GGC Thana	
47.	Kishwar Sultan, lecturer in Islamiyat, GGC Haripur	
48.	Nuzhat Shaheen, lecturer in Islamiyat, GGC Haripur	
49.	Rashida Begum, lecturer in Islamiyat, GGC Mardan	
50.	Saima Rahman, lecturer in Islamiyat, GGC Marghuz	
2006		LAW
51.	Bibi Rizwana, lecturer in Law, GGC Batagram	
52.	Hafza Afsal, lecturer in Law, GGC Haripur	
53.	Tahira Jabeen, lecturer in Law, GGC Marghuz	
2007		
54.	Aisha Malik, lecturer in Law, GGC Sheikh Maltoon (Mardan)	
2008		
55.	Bibi Zainab, lecturer in Law, GGC Ghazi	
2005		MATHEMATICS
56.	Sonia Younis, lecturer in Maths, GGC No.1 D.I.Khan	
2006		
57.	Iffat Karim, lecturer in Maths, GGC Julagram	
58.	Sadia Shaheen, lecturer in Maths, GGC Khalabat Township Haripur	
2007		
59.	Tahira Fayyaz, lecturer in Maths, GGC Bannu	
60.	Nishad Begum, lecturer in Maths, GGC Lundkhwar	
61.	Bushra, lecturer in Maths, GGC Sheikh Maltoon (Mardan)	
62.	Ghazala Yasmeen, lecturer in Maths, GGC Mardan	

**GOVERNMENT OF NWFP
HIGHER EDUCATION ARCHIVES
AND LIBRARIES DEPARTMENT**

Dated Peshawar the 20-03-2010

NOTIFICATION

No. SO (FC)HE/1-10/06/Regularization:- In pursuance of Section 3 of the NWFP Employees (Regularization of Service) Act, 2009, the Competent Authority is pleased to regularize the service of the following lecturers (BS-17) appointed on contract basis, w.e.f 01.01.2009:-

S#	Name/Designation/Present Posting
2006 1	BIOLOGY Nadia Latif, Lecturer in Biology, GGC Bannu
2007 2	Mchnaz Yaqoob, lecturer in Biology, GFC (W) Peshawar
2006 3	BOTANY Shazia Noreen, lecturer in Botany, GGC Serial Saleh
2007 4	Nazia Gul, lecturer in Botany, GGC Thana
2005 5	CHEMISTRY Shagufta Saad, lecturer in Chemistry, GGC Lakki
2006 6	Razia, lecturer in Chemistry, GGC Chitral
2007 7	Nasreen, lecturer in Chemistry, GGC Khawaza Khela
2007 8	Nadia Zeb, lecturer in Chemistry, GGC No. 1 Charsadda
2007 9	Umme Kalsoom, lecturer in Chemistry, GGC Sheikh Maltoon
2007 10	Rufqa Saeed, lecturer in Chemistry, GGC Kohat
2007 11	Rozina Israr, lecturer in Chemistry, GGC Barikot Swat
2007 12	Fozia Gul, lecturer in Chemistry, GGC Hayatabad, Peshawar
2009 13	Sabreena, lecturer in Chemistry, GGC NO. 1 Abbottabad.
2007 14	COMPUTER SCIENCE Shakeela, lecturer in Computer Science, GGC Dargai
2008 15	Sadia Naiz, lecturer in Computer Science, GGC Mandan
2008 16	Nadia Gul, lecturer in Computer Science, GGC Lakki
2008 17	Salma Begum, lecturer in Computer Science, GGC Khawaza Khela
2007 18	ECONOMICS Bibi Saeeda, lecturer in Economics, GGC Marghuz (Swabi)
2008 19	Nazia Rehman, lecturer in Economics, GGC Chitral
2005 20	ENGLISH Nafisa Masood, lecturer in English, GGC Hangu
2005 21	Ansa Shabnam, lecturer in English, GGC NO. 2 D.I Khan
2005 22	Anila Bano, lecturer in English, GGC Chetti Dheri
2005 23	Sadia Bibi, lecturer in English, GGC Karak

ATTESTED

2006	
24	Naseem Taj, lecturer in English, GGC Barikot
25	Sadia Sadaf, lecturer in English, GGC Karnal Sher khan killi Swabi
26	Amna, lecturer in English, GGC Manki Swabi
2007	
27	Bushra Sher Khan, lecturer in English, GGC Hangu
28	Saira Tabassum, lecturer in English, GGC Haripur
29	Saima Anwar, lecturer in English, GGC NO. 1 Abbottabad
30	Shagufta Begum, lecturer in English, GGC Daggar Buner
31	Nasra Begum, lecturer in English, GGC Mardan
2008	
32	Shaima Raheem, lecturer in English, GGC Peshawar
33	Rabia Khatoon, lecturer in English, GGC Haripur
34	Salma Bibi, lecturer in English, GGC Havellian
35	Azra Nawaz, lecturer in English, GGC Karnal Sher khan killi Swabi
36	Hasina Wajid, lecturer in English, GGC NO. 1 Charsadda
	GEOGRAPHY
2007	
37	Nazia Parveen, lecturer in Geography, GGC No. 1 D.I Khan
	HOME ECONOMICS
2006	
38	Shahab, lecturer in Home Economics, GGC Maneri Swabi
39	Nusrat Fatima, lecturer in Home Economics, GGC Bannu
	ISLAMIYAT
2005	
40	Lubna Raheem, lecturer in Islamiyat, GGC Pabbi
41	Asia Durrani, lecturer in Islamiyat, GGC Sunani
2006	
42	Nazakat Jabeen, lecturer in Islamiyat, GGC Pabbi
43	Yasir Khurshid, lecturer in Islamiyat, GGC Sheikh Maltoon
44	Nusrat Sheikh, lecturer in Islamiyat, GGC Daggar Bunair
45	Minhas, lecturer in Islamiyat, GGC Barikot, Swat
2007	
46	Farkhanda Khanum, lecturer in Islamiyat, GGC Thana
47	Kishwar Sultan, lecturer in Islamiyat, GGC Haripur
48	Nuzhat Shaheen, lecturer in Islamiyat, GGC Haripur
49	Rashida Begum, lecturer in Islamiyat, GGC Mardan
50	Saima Rahman, lecturer in Islamiyat, GGC Marghuz
	LAW
2006	
51	Bibi Rizwana, lecturer in Law, GGC Batagram
52	Hafza Aarsal, lecturer in Law, GGC Haripur
53	Tahira Jabeen, lecturer in Law, GGC Marghuz
2007	
54	Aisha Malik, lecturer in Law, GGC Sheikh Maltoon (Mardan)
2008	
55	Bibi Zainab, lecturer in Law, GGC Ghazi
	MATHEMATICS
2005	
56	Sonia Younas, lecturer in Maths, GGC No. 1 D.I Khan
2006	
57	Iffat Karim, lecturer in Maths, GGC Julagram
58	Sadia Shaheen, lecturer in Maths, GGC Khalbat Township Haripur
2007	
59	Tahira Fayyaz, lecturer in Maths, GGC Bannu
60	Nishad Begum, lecturer in Maths, GGC Lundkhwar
61	Bushra, lecturer in Maths, GGC Sheikh Maltoon (Mardan)
62	Ghazala Yasmeen, lecturer in Maths, GGC Mardan
63	Naheed Begum, lecturer in Maths, GGC Sheikh Maltoon

63.	Naheed Begum, lecturer in Maths, GGC Sheikh Maltoon
2007 PAKISTAN STUDIES	
64.	Sarwat Azam, lecturer in Pak. Studies, GGC Kohat
2006 PHYSICS	
65.	Rabia, lecturer in Physics, GGC Daggar Buner
66.	Rawish Gul, lecturer in Physics, GGC Batagram
2006 POLITICAL SCIENCE	
67.	Sabeen Nadir, lecturer in Political Science, GGC Mardan
68.	Nusrat Alam, lecturer in Political Science, GGC Daggar Buner
2007	
69.	Shagufta Roobi, lecturer in Political Science, GGC Mardan
2008	
70.	Sumera Fiaz, lecturer in Political Science, GGDC No.1 D.I.Khan
71.	Naseha Maz, lecturer in Political Science, GGC Ghazi
2006 PSYCHOLOGY	
72.	Sadaf Zaib, lecturer in Psychology, GGC Daggar Bunair
73.	Shaista Begum, lecturer in Psychology, GGC Srai Saleh (Haripur)
2007 STATISTICS	
74.	Nasia Bibi, lecturer in Statistics, GGC Karak
2005 URDU	
75.	
76.	Abida Bibi, lecturer in Urdu, GGC No.1 Abbottabad
2006	Samia Sultan, lecturer in Urdu, GGC Haripur
77.	
78.	Farzana, lecturer in Urdu, GGC Maneri Swabi
2007	Nafees Gul Mufti, lecturer in Urdu, GGC Mardan
79.	
80.	Haleema Sadia, lecturer in Urdu, GGC Booni Chitral
81.	Sadaf Syed, lecturer in Urdu, GGC Ghazi
82.	Jehan Ara, lecturer in Urdu, GGC Karak
83.	Nahced, lecturer in Urdu, GGC Mardan
2008	Saima Aman, lecturer in Urdu, GGC No.1 D.I.Khan
84.	
85.	Ambareen Begum, lecturer in Urdu, GGC No.2 Charsadda
86.	Maria Gul, lecturer in Urdu, GGC No.2 D.I.Khan
	Farhat, lecturer in Urdu, GGC Daggar Buner
2007 ZOOLOGY	
87.	Nighat Umar, lecturer in Zoology, GGC Daggar Buner

TERMS AND CONDITIONS:

- i. They will get pay at the minimum of BPS-17 including usual allowances as admissible under the rules. They will also be entitled to annual increments as per existing policy.
- ii. They shall be governed by the NWFP Civil Servants Act, 1973 and all the laws applicable to the Civil Servants and Rules made there-under.

Notified for regularization of 87 contract lecturers to be regularized at 14th March 2008
 Director, Higher Education, NWFP
 & Federal Government of Pakistan

JAVED IGBAL GUPTA
 Director, Higher Education, NWFP

JAVED IGBAL GUPTA
 Director, Higher Education, NWFP

iii. They shall for all intents and purposes be Civil Servants, except for the purpose of Pension and Gratuity. In lieu of pension and gratuity, they shall be entitled to receive such amount as would be contributed by them towards Contributory Provident Fund (CPF) along with the contributions made by Government to their account in the said fund, in the prescribed manner.

iv. Their employments in the department is purely temporary and their services are liable to be terminated without assigning any reason at thirty (30) days notice or on the payment of 30 days salary in lieu thereof. In case they wish to resign at any time, 30-days notice will be necessary or in lieu thereof 30 days pay will be forfeited.

v. They shall, initially, be on probation for a period of two years extendable upto 03 years.

vi. Their seniority shall be determined in accordance with relevant rules but subject to Section-4 of the NWFP Employees (Regularization of Services) Act, 2009.

SECRETARY TO GOVT. OF NWFP
HIGHER EDUCATION DEPARTMENT.

Endst: No. & Date Even

Copy forwarded to the:-

1. Secretary to Govt. of NWFP, Establishment Department, Peshawar.
2. Secretary to Govt. of NWFP, Finance Department.
3. Principal Secretary to Chief Minister NWFP.
4. Secretary to Governor, NWFP.
5. Accountant General NWFP Peshawar.
6. Director Higher Education, NWFP Peshawar.
7. Director Education (ATA) NWFP.
8. District/Agency Accounts Officer: concerned.
9. Director Information for wide publicity through media.
10. Principals of the Colleges concerned. *444 - 1/19*
11. PS to Minister of Higher Education.
12. Deputy Director (IT) Planning Cell, Higher Education Deptt.
13. P.S to Secretary, Higher Education Department, NWFP Peshawar.
14. Officers Concerned.

Zubia
(ZUBIA QAMAR)
SECTION OFFICER (Female Colleges)

BETTER COPY

31

2007 64	PAKISTAN STUDIES Sarwat Azam, lecturer in Pak, Studies, GGC Kohat
2006 65 66	PHYSICS Rabia, lecturer in Physics, GGC Daggar Buner Rawish Gul, lecturer in Physics, GGC Baragram
2006 67 68 2007 69 2008 70 71	POLITICAL SCIENCE Sabeen Nadar, lecturer in Political Science, GGC Mardan Nusrat Alam, lecturer in Political Science, GGC Daggar Buner Shagufta Roobi, lecturer in Political Science, GGC Mardan Sumera Faiz, lecturer in Political Science, GGDC No. 1 D.I Khan Nascha Naz, lecturer in Political Science, GGC Ghazi
2006 72 73	PSYCHOLOGY Sadaf Zaib, lecturer in Psychology, GGC Daggar Bunair Shaista Begum, lecturer in Psychology, GGC Srai Saleh (Haripur)
2007 74	STATISTICS Nasia Bibi, lecturer in Statistics, GGC Karak
2005 75 76 2006 77 78 2007 79 80 81 82 83 2008 84 85 86	URDU Abida Bibi, lecturer in Urdu, GGC No. 1 Abbottabad Samia Sultan, lecturer in Urdu, GGC Haripur Farzana, lecturer in Urdu, GGC Maneei Swabi Nafees Gul Mufti, lecturer in Urdu, GGC Mardan Haleema Sadia, lecturer in Urdu, GGC Booni Chitral Sadaf Syed, lecturer in Urdu, GGC Ghazi Jehan Ara, lecturer in Urdu, GGC Karak Naheed, lecturer in Urdu, GGC Mardan Saima Aman, lecturer in Urdu, GGC No. 1 D.I. Khan Ambareen Begum, lecturer in Urdu, GGC NO. 2 Charsadda Maria Gul, lecturer in Urdu, GGC NO. 2 D.I. Khan Farhat, lecturer in Urdu, GGC Daggar Buner
2007 87	ZOOLOGY Nighat Umar, lecturer in Zoology, GGC Daggar Buner

TERMS AND CONDITIONS:-

- i. They will get pay at the minimum of BPS-17 including usual allowances as admissible under the rules. They will also be entitled to annual increments as per existing policy.
- ii. They shall be governed by the NWFP Civil Servants Act, 1973 and all the laws applicable to the Civil Servants and Rules made there-under.

ATTACHED

P.T.O

3/10

- iii. They shall for all intents and purposes be Civil Servants, except for the purpose of Pension and Gratuity. In lieu of pension and gratuity, they shall be entitled to receive such amount as would be contributed by them towards Contributory Provident Fund (CPD) along with the contributions made by Government to their account to the said fund, in the prescribed manner.
- iv. Their employments in the department is purely temporary and their services are liable to be terminated without assigning any reason at they (30) days notice or on the payment of 30 days salary in lieu thereof. In case they wish to resign at any line, 30 days notice will be necessary or in lieu thereof 30 days pay will be forfeited.
- v. They shall initially, be on probation for a period of two years extendable upto 03 years.
- vi. Their seniority shall be determined in accordance will relevant rules but subject to Section-1. of the NWFP Employees (Regularization of Services) Act, 2009.

SECRETARY TO GOVT. OF NWFP
HIGHER EDUCATION DEPARTMENT.

Endst: No. & Date Even

Copy forwarded to the:-

1. Secretary to Govt. of NWFP, Establishment Department, Peshawar.
2. Secretary to Govt. of NWFP, Finance Department.
3. Principal Secretary of Chief Minister NWFP.
4. Secretary to Governor, NWFP.
5. Accountant General NWFP Peshawar.
6. Director Higher Education, NWFP Peshawar.
7. Director Education FATA NWFP.
8. District/ Agency Accounts Officers concerned.
9. Director Information for wide publicity through media.
10. Principals of the Colleges concerned.
11. PS to Minister of Higher Education.
12. Deputy Director (11) Planning Cell, Higher Education Deptt:
13. PS to Secretary, Higher Education Department, NWFP Peshawar.
14. Officers Concerned.

(ZUBIA QAMAR)
SECTION OFFICER (Female Colleges)

ATTESTED



GOVT. OF KHYBER PAKHTUNKHWA
HIGHER EDUCATION, ARCHIVES &
LIBRARIES DEPARTMENT

32 Am-D
22
Am

Dated Peshawar the May 02nd, 2011.

(17)

CORRIGENDUM

NO. SO(COLLEGES)/2-5/2009. In Partial modification to this Department's Notifications of even number dated 18.03.2010, 15.11.2010 dated 12.11.2010, Notifications No. SO (FC)HE/1-10/06/Regularization dated 20.03.2010 and dated 20.03.2010 the date of regularization of the lecturers may be read as 24.09.2009 instead of 01.01.2009.

SECRETARY TO GOVT. OF
KHYBER PAKHTUNKHWA
HIGHER EDUCATION DEPARTMENT

Ends: No. & Date even.

Copies to the: -

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director, Higher Education, Khyber Pakhtunkhwa, Peshawar.
3. Director of Education (FATA), Warsak Road, Peshawar.
4. Director Information Khyber Pakhtunkhwa for publicity.
5. All Principals of Govt. Colleges (Khyber Pakhtunkhwa / FATA).
6. All District / Agency Accounts Officers, concerned.
7. Deputy Director (IT), Planning Cell, Higher Education Department.
8. P.S to Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
9. P.S to Secretary, Establishment Department.
10. P.S to Secretary, Higher Education Department.
11. Officers concerned.

ATTACHED

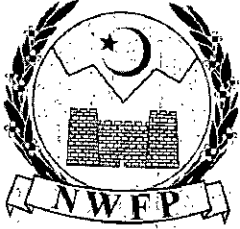
(BASHIR AHMAD)

SECTION OFFICER (COLLEGES)

5/5/11

2055
21/5/11

21/5/11



BETTER COPY

33

**GOVT. OF KHYBER PAKHTUNKHWA
HIGHER EDUCATION, ARCHIVES &
LIBRARIES DEPARTMENT**

Dated Peshawar the May 02nd, 2011.

CORRIGENDUM

No. SO (COLLEGES) /2-5/2009. In Partial modification to this Department's Notifications of even number dated 18.03.2010, 15.11.2010 dated 12.11.2010, Notifications No SO (FC) HE/1/10/06/Regularization dated 20.03.2010 and dated 20.03.2010 the dated of regularization of the lecturers may be read as 24.09.2009 instead of 01.01.2009.

**SECRETARY TO GOVT. OF
KHYBER PAKHTUNKHWA
HIGHER EDUCATION DEPARTMENT**

Endst: No. & Date even.

Copy to the: -

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director, Higher Education, Khyber Pakhtunkhwa, Peshawar.
3. Director of Education (FATA), Warsak Road, Peshawar.
4. Director Information Khyber Pakhtunkhwa for publicity.
5. All Principals of Govt. Colleges (Khyber Pakhtunkhwa /FATA).
6. All District / Agency Accounts Officers, concerned.
7. Deputy Director (IT), Planning Cell, Higher Education Department.
8. P.S to Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
9. P.S to Secretary, Establishment Department.
- 10 P.S to Secretary, Higher Education Department.
- 11 Officers concerned.

ATTESTED

**(BASHIR AHMAD)
SECTION OFFICER (COLLEGES)**

(34) Am - E
IN THE HON'BLE PESHAWAR HIGH COURT
PESHAWAR

In Re W.P No 938/P 2014

H
27/9/15

947/14



for ~~DB~~ Hon'ble DB
Order dt: 25/9/15
the list of newly
impleaded Respondents
from Sr. No (1) to (37)
is attached.

1. Mufti Muhammad Azam (Lecturer in Islamiyat) BPS-17
2. Sher Zaman (Lecturer Botany) BPS-17
3. Abdullah Faisal (lecturer in Computer Science) BPS-17
4. Umer Dad Khan (Lecturer in Urdu) BPS-17
5. Naqib Ur Rehman (Lecturer in English) BPS-17
6. Abid Ur Rehman (lecturer in Arabic) BPS-17
7. Zafer Jamal (Lecturer in English) BPS-17
8. Noor Muhammad (Lecturer in Biology) BPS-17
9. Ikram Ullah (Lecturer in Pushto) BPS-17
10. Naveed Ullah (Lecturer in Maths) BPS-17
11. Khizar Hayat (Lecturer in Arabic) BPS-17
12. Ihsan Ullah (Lecturer in History) BPS-17
13. Mst Shagufta Saad (lecturer in Chemistry) BPS-17

.....Petitioners

VERSUS

1. Govt of Khyber Pakhtunkhwa Through Chief Secretary KPK Peshawar
2. Secretary Finance Govt of Khyber Pakhtunkhwa, Peshawar.
3. Accountant General Khyber Pakhtunkhwa Peshawar.
4. Secretary Higher Education Department Khyber Pakhtunkhwa Peshawar
5. Director Higher Education Khyber Pakhtunkhwa Peshawar
6. Deputy Director, Planning Cell, Higher Education Department KPK,
Peshawar.

RE-FILED TODAY

Deputy Registrar

24 MAR 2014

ATTESTED
EXAMINER
Peshawar High Court
15 APR 2015

.....Respondents

(Handwritten marks: a circle with a slash, a large '5', and a signature)

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

RESPECTFULLY SHEWETH,

1. That the petitioners are naturally born bonafide citizens of the Islamic Republic of Pakistan & domiciled of Khyber Pakhtunkhwa, hailing from different parts of the province & are serving as lecturers of different disciplines & presently posted at different Government collages through-out the province.
2. That in fact initially the petitioners applied against the subjected posts in pursuance to vide circulations of different news paper & after being processed their respective applications were put upon the required ordeals laid down for the selection criteria so after going through the mandatory tests & interviews were got selected by the Departmental Selection Committee of the Respondent Department on contract basis vide deferent Notifications No SO (COLLEGES) 2-5 / 2005 dt 7-09-2005 and No. SO (COLLEGES) 2-5/2005 DATED 01-11-2005 (Copies of the Notification No SO (COLLEGES) 2-5 / 2005 dt 7-09-2005 and No. SO (COLLEGES) 2-5/2005 DATED 01-11-2005 are annexed here with as - "A & B, respectively").
3. That initially the petitioners were appointed on contract basis for a period of six months on fixed pay, but against duly recognized & sanctioned posts at different collages. And thus the petitioners took their respective charges of their respective responsibilities.

TESTED

AMINER
Deputy Registrar

5 APR 2015

ATTESTED

FILED TODAY

Deputy Registrar

11 MAR 2014

~~16~~ (3) (36) ~~12~~

4. That after the expiry of the initial contract period, the petitioners were extended in their contract for a further similar period & interestingly the thenceforth contract was signed & sanctioned without any interval gap. (copy of Extension Notification No SO (COLLEGES) 2-5/2005 date 18-05-2006 and other Notifications pertaining to the same year are annexed herewith as Ann -"C" to "C/8", respectively.)

5. That after having been extended so in their particular positions, the petitioners intactly adhered to their services & invested all their energies, potentions, deftness & adeptness most sincerely, fairly, justly & left no stone unturned in performing their meritorious services. And because of the same, the Respondent Department persistently & constantly put the contractual period on extension & all the aforementioned extension notifications were extended by further implementing other fresh notifications for keeping the pendulum in constant motion.

6. That this exercise continued till last. And every time either on the fall of next day or with a negligible delay, the former notification of extension was repeated by a fresh one. So after the expiry of the aforementioned notifications, other Notification No # SO (COLLEGES) 2-5/2005, dated # 06-06-2007 was promulgated & the later was replaced by Notification No # 24667/CA-II/ Estt: Branch, dated # 13-12-2007, which in turn gave space to Notification No # SO (COLLEGES)2-5/2007, dated # 14-02-2008, Notifications No # SO (COLLEGES)2-5/2007, dated 26-02-2008, and Notifications No # SO (COLLEGES)2-5/2007 dated # 29-05-2008, No # SO (COLLEGES)HE/2-5/2008, dated #

TESTED

EXAMINER
Jhakar High Court

15 APR 2015

FILED TODAY

Deputy Registrar

11 MAR 2014

(37) (14) - 17 -

29-7-2008, Notifications No # SO(COLLEGES)2-6/Contract Appointment/2008, dated # 07-10-2008 and Notifications No. SO (COLLEGES)2-5/Extension 2005/2008 dated 21-10-2008 & thus finally Notifications No # SO (COLLEGES)2-5/2009 dated 29-10-2009, was issued & implemented. (copies of Notifications are annexed herewith as Ann - "D to G" , respectively).

7. That ultimately the long standing shadows of dark evaporated & the beacon of new dawn struck the fortune of the Petitioners & their services were regularized vide N.W.F.P Employees (Regularization of Service) Ordinance - 2009 (N.W.F.P Ordinance No- VII of 2009). The same was later on substituted & replaced by N.W.F.P. Employees (Regularization of Service) Act - 2009 (N.W.F.P. Act No XVI of 2009): (Copies of the Regularization Act as Annexed herewith as Ann "H").

8. That even much prior to the promulgation of the subject Regularization Act, a number of times in past, different number of employees of different departments of different pay scales have been regularized & thus adverting to the same, the respondents promulgated the subject Regularization Act. And thus the Petitioners were declared as regular employees of the department of the Higher Education. (Copies of the Regularization Acts - 1987, 1988, 1989, 1990 & 2005 are annexed herewith as Ann "I to M", respectively).

ATTESTED

EXAMINER
Jharkhand High Court

15 APR 2015

FILED TODAY

Deputy Registrar

11 MAR 2014

9. That the Petitioners got appointed against the sanctioned posts, had rendered meritorious service since their initial appointments by devoting their full time, energy & skill in fulfilling their required obligations & for furtherance of their noble task of implanting education, but even then when the

- 13 - (5) (38)

same was duly acknowledged to be note-worthy, noble & exalted one, by regularizing them, at the same time the devil showed its ugly toe & the most abominable & bete-noire thing took place & the Petitioners were declared to be deemed to be regular since 01-01-2009. Which date for itself was later on altered to 24-09-2009 vide Corrigendum No SO(COLLEGES)/2-5/2009 dated 02-05-2011 and thus the date to be reckoned for fixation of seniority was declared to be as such. (Copies of regularization Notifications No. SO (COLLEGES) 2-5/2009 dated # 18-03-2010, Notifications No # SO (FC) HE/1-10/06/Regularization dated 20 03-2010 and Notifications No # SO(FC)HE/1-10/06/Regularization, dated # 15-06-2010 and Corrigendum No # SO(COLLEGES)/2-5/2009 dated 02-05-2011 are annexed herewith as Ann "N to Q", respectively) .

- 10. That in-fact where the Petitioners were appointed in the year-2005 & they constantly & vigorously performed their duties since their initial appointments by rendering services even during the intervening short period between the culminating period of the expiring Contract and fresh one and where the services were duly acknowledged, then the petitioners were also entitled for their regularization with effect from the dates of their initial appointments in the Respondent department and not from the one as notified or rather altered one. And because of the same bone of contention and highly discrimination act, the Petitioners are constrained to invoke the extra-ordinary jurisdiction of this August Court for Recognition, Acknowledgement and Enforcement of their vested and fundamental rights upon the following grounds, inter alia :

ATTESTED

LET TODAY
11 MAR 2014

ATTESTED
EXAMINER
Peshawa High Court
15 APR 2015

extending the full fruition of the same to the petitioners & not calculating the period fall just before the formal regularization, towards the regular service & not extending the fruition of the subject regularization to the initial date of their appointments is highly illegal, unwarranted, result of unfettered & arbitrary exercise of the discretionary powers vested in the respondents which is blatant violation of Sec - 24 - A of the General Clauses Act as well as that of Art - 25 of the Constitution as well & all these acts required to be checked down at all level.

E. That where in the past so many times, in the similar circumstances, so many employees were granted the required fruition, then why the Petitioners be stayed all & strip of all the same.

F. That interestingly the pay slips of the Petitioners still bears the period of service, commenced from the initial period, which in a way can safely be concluded that the respondent department do acknowledge the validity and legality of the services of the Petitioners, but even then reluctant to extend the benefits arising out of the Regularization Act to them which in not appealable to a prudent mind (copy of pay slips are annexed herewith as Ann "R").

That stultly enough the Petitioners were initially appointed on fixed pay basis & this practice remained in vogue for two, three years, but when the Notification No 20(EDUCATION-11)-2-2/2007, dated 22-02-2007 was promulgated at the fall of

ATTESTED

EXAMINER
Reserve High Court

MAR 2014

-20 - (10) (40) 11

extending the full fruition of the same to the petitioners & not calculating the period fall just before the formal regularization, towards the regular service & not extending the fruition of the subject regularization to the initial date of their appointments is highly illegal, unwarranted, result of unfettered & arbitrary exercise of the discretionary powers vested in the respondents which is blatant violation of Sec - 24 - A of the General Clauses Act as well as that of Art - 25 of the Constitution as well & all these acts required to be checked down at all level.

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ATTESTED
EXAMINER
Peshawar High Court

15 APR 2015

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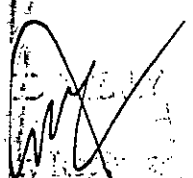
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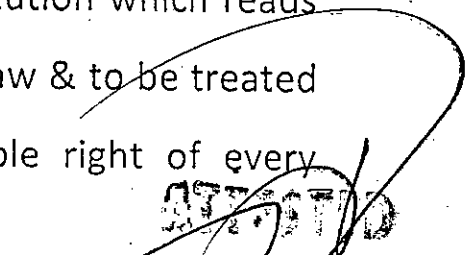
Deputy Registrar
11 MAR 2014

~~Q1-004D~~

2007 then the situation was altogether changed volta-face & the appointments of the Petitioners were declared to be in BPS – 17 without specifically mentioning the word “fixed pay”, but their benefit of BPS – 17 were kept away from them and the same were kept limited and confined to the appointment or rather the extension letters and not beyond that or vice-versa. As neither the pay in BPS – 17 was ever extended to the Petitioners till their formal regularizations, nor any other benefit arising out of Class-1 grade were ever extended to the Petitioners & thus a most abominable fudge was exercised upon the Petitioners that even by declaring them to be in BPS – 17 & appointing them to the same rank, the same fixed pay were tendered and issued to the petitioners and thus the same chucked-some treatment was meted to them, which at-least does not fall in the purview of the noble treatment as dealt with and meted out to teachers in any social and civilized society.

H. That besides aforementioned unprecedented phenomenon, the Respondent Education department issued and promulgated further appointment and extension Notifications wherein it was categorically laid down that the Petitioners are in BPS – 17; but never ever the same treatment of that caliber was meted out to them, which is against the spirit of Art – 4 of the Constitution which reads as “ Art – 4 # To enjoy the protection of law & to be treated in accordance with law is the inalienable right of every citizen, where ever he may be”.


1 MAR 2014


ATTESTED
EXAMINER

- 42 - ~~42~~ (42) ~~42~~

I. That most astonishingly, the personal numbers that were initially allotted to the Petitioners, remained the same, intact & even not altered after the promulgation of the Regularization Act, which prima-faciely establish the case of the petitioners for back benefits, arrears & regularization since their initial date of appointments, I,e on contract basis.

J. That even the initial appointment was declared to be on Ad-hoc basis, but just after a short span, the Respondents Department ruse up from its deep slumber & the appointment was declared to be on contract basis & not on Ad-hoc basis, just in order to defeat the rights of the Petitioners.

K. That besides the above, no Fresh charge report were asked from the Petitioners in-spite of the promulgation of the Act in question, so meaning by that the Respondent Department took into consideration all the previous record of the Petitioners while regularizing the services of the petitioners, but thereafter at the very threshold the devil showed its ugly toe and the Respondent Departments adamantly refused to extend the benefits thereof to the petitioners, which is not allowed under the laws of the land and particularly the fundamental law of the land. **ATTESTED**

L. That the petitioners have rendered meritorious services for long few years prior to the promulgation of the Act in question, but all of them evaporated in air without any rim **ATTESTED**

1 MAR 1974

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or reason, but just on the caprices & whims of the respondents.

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M. That where similar placed persons are to be dealt with in terms of treatment to be meted out to them, must always be on equal footing, must always be just, fair & transparent without any sort of discrimination and where so many other employees in past & even in present have been extended seniority & back benefit since their initial appointments, then in no case the petitioners can be deprived of the same in stricto sense of Art- 25 of the Constitution.

N: That from all prospective & from all four facets of law, the petitioners have every right to be dealt with accordance to the law & constitution and to be certainly meted out fair and just treatment.

O. That from all four corners of law the petitioners are equally entitled to be extended their date of regularization from 24-09-2009 to that of their initial date of appointment & be extended all the back benefits in terms of arrears, seniority and promotion.

ATTESTED

EXAMINER
Peshawar High Court

15 APR 2015

P. That the Respondent Departments are not only adamant in not extending the fundamental rights of the petitioners, to the petitioners, but rather have not even prepared the Seniority List of all those Lecturers, who got regularized in wake of the Regularization Act, including that of the

ATTESTED

FILE TODAY
Deputy Registrar
11 MAR 2014

(44) ~~1~~ 28

petitioners which is ample proof of the sluggishness and candidness of the Respondent Education Department.

~~24~~



Q. That the provisions pertaining to the seniority & date of regularization can safely be interpreted & stretched enough to encompass, swayed- in & bring into its ambit the cases of the Petitioners, who are fully entitled for the required relief.

R. That any other ground not raised here specifically may kindly be allowed to be raised at the time of arguments.

20/11/14 It in, therefore, most humbly prayed that on acceptance of the instant petition an appropriate writ may graciously be issued to the Respondent Departments to extend the benefits of the regularization to the petitioners since their initial appointment in the year 2005, in the Respondent Higher Education Department & they be declared as being Regular Civil Servants for all intents and purposes since then. And further prayed that the Petitioners may graciously be extended all the back benefits in terms of arrears, seniority & promotion by extending the date of Regularization to their initial dates of appointments and lastly prayed that the petitioners be extended their due Seniority with effect from their initial dates of appointment in the Respondent Higher Education Department. Any other relief not specifically asked for may also graciously be extended in favour of the petitioners in the circumstances of the case.

FILED
Deputy Registrar
11 MAR 2014

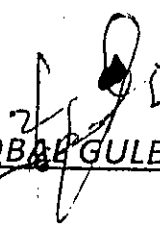
ATTESTED
EXAMINER
Peshawar High Court
15 APR 2015

Petitioners

~~2/A~~

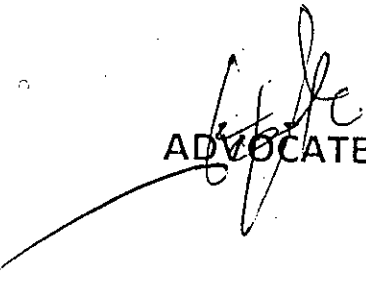
Through


JAVED IQBAL GULBELA

Advocate High Court, Peshawar

Note :

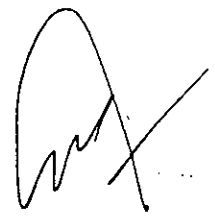
No such like petition for the same petitioners has earlier been filed by me, upon the subject matter, prior to the instant one.


ADVOCATE.

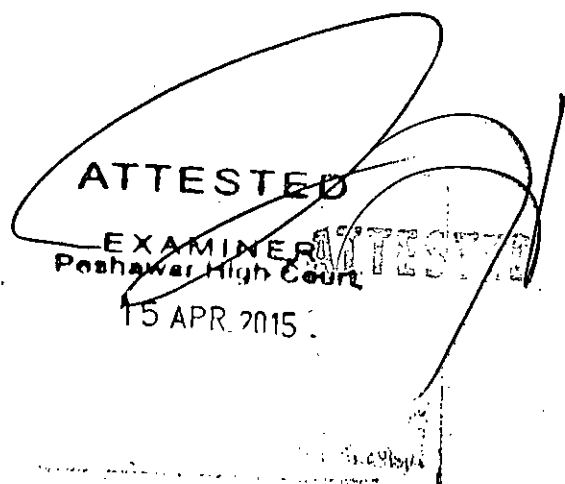
List of Books Referred:

1. Constitution of the Islamic Republic of Pakistan
2. Regularization Act- 2009 and the previous such like Notifications
3. Case Laws
4. Any other book as per need.


ADVOCATE



11 MAR 2014


ATTESTED
EXAMINER
Peshawar High Court
15 APR. 2015

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PESHAWAR HIGH COURT, PESHAWAR

FORM OF ORDER SHEET

Court of.....

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

Serial No. of Order of Proceedings	Date of Order of Proceedings	Order or other Proceedings with Signature of Judge
1	2	3
	<p>ORDER 05.03.2015</p>	<p><u>Writ Petition No.938-P/2014</u></p> <p>Present: Mr. Javed Iqbal Gulbela, Advocate, for Mufti Muhammad Azam etc., petrs.</p> <p>Mr. Waqar Ahmad Khan, Addl. AG, for the officials of Provincial Govt.:</p> <p>Mr. Ghulam Mohy-ud-Din Malik, Adv.: for the remaining respondents.</p> <p style="text-align: center;">*****</p> <p><u>MAZHAR ALAM KHAN MIANKHEL, CJ:-</u></p> <p>Same order as in connected Writ Petition No.947-P of 2014.</p> <p><u>Announced.</u> 05.03.2015</p> <p style="text-align: right;">CHIEF JUSTICE</p> <p style="text-align: right;">JUDGE</p> <p style="font-size: 2em; font-family: cursive;">ed Muzhar Alam Khan - G ed Syed Ahsan Shah</p> <p style="text-align: right;">CERTIFIED TO BE TRUE COPY</p> <p style="text-align: right; font-size: 0.8em;">Examiner Peshawar High Court, Peshawar Authenticated Under Article 174 The Constitution of Pakistan</p>



(Fayaz)

15 APR 2015

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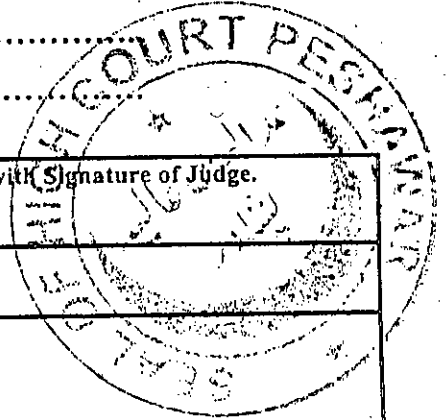
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PESHAWAR HIGH COURT, PESHAWAR

FORM OF ORDER SHEET

Court of.....

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



Serial No. of Order of Proceedings	Date of Order of Proceedings	Order or other Proceedings with Signature of Judge.
1	2	3
	<p>ORDER 05.03.2015</p>	<p><u>Writ Petition No.947-P/2014</u></p> <p>Present: Mr. Javed Iqbal Gulbela, Advocate, for Kifayatullah Khan etc., petitioners.</p> <p>Mr. Waqar Ahmad Khan, Addl. AG, for the officials of Provincial Govt.:</p> <p>Mr. Ghulam Mohy-ud-Din Malik, Adv.: for the remaining respondents.</p> <p>*****</p> <p><u>MAZHAR ALAM KHAN MIANKHEL, CJ.-</u></p> <p>By this single order, we propose to decide Writ Petitions No.947-P, 948-P, 938-P, 968-P, 1886-P, 1887-P, 1888-P, 1889-P & 2319-P of 2014, wherein, the petitioners namely, Kifayatullah Khan etc., have asked for the issuance of an appropriate writ directing the respondents to extend them the benefits of the regularization from the dates of their initial appointments i.e. arrears, seniority, promotion etc.</p>

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EXAMINER
Peshawar High Court

15 APR 2015

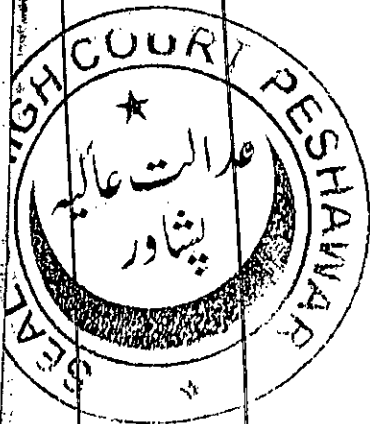
2. The main stance of the learned counsel for the petitioners was that though the services of the petitioners have been regularized under Section 3 of the KPK (the then NWFP) Employees (Regularization of Services) Act, 2009 vide separate notifications dated 18.03.2010, 20.03.2010 and 15.06.2010 with effect from 01.01.2009 but later on a corrigendum has been issued, wherein, the crucial date of regularization has been given as 24.09.2009 instead of 01.01.2009, which is totally against the law and amounts to depriving the petitioners from their due rights of seniority.

3. As against that the learned Additional Advocate General duly assisted by the learned counsel for the private respondents submitted that the arguments, so advanced by the learned counsel for the petitioners today before the Court, are totally against the prayers of the writ petitions because today he is challenging the corrigendum, whereas, in the prayers of the writ petitions, the petitioners have claimed the benefits of their regularization from the date of their initial appointments, therefore, on this score alone, these petitions are liable to be dismissed. Besides the provisions of the Act *ibid*, itself, are clear and

ATTESTED

EXAMINER
Peshawar High Court

15 APR 2015



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- 13 -

unambiguous in this regard.

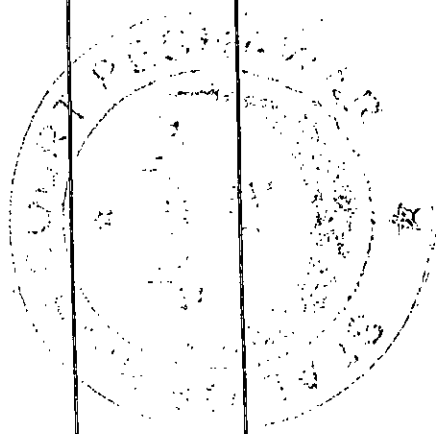
4. We have gone through the available record carefully and considered the submissions made by the learned counsel for both the parties.

5. Admittedly, the petitioners have been regularized under the Act, *ibid* and, undoubtedly, they are civil servants but now through these writ petitions, they are claiming all the benefits of their regularization including the seniority from the date of their initial appointments but we're afraid, such an issue can't be taken and initiated through constitutional petitions as the provisions of Sections 4 and 4-A of the Act *ibid*. are very much clear and the petitioners can't seek relief beyond these provisions, specially when, the vires of said provisions haven't been challenged by them. Hence, these petitions are dismissed in limine. However, the petitioners would be at liberty to seek their appropriate remedy, if any, under the law, for the redressal of their grievance.

Announced.

05.03.2015

sd/- Muzhar Ali Khan - J
sd/- Syed Ahsan Shah - J



CERTIFIED TO BE TRUE COPY
Examiner
Peshawar High Court, Peshawar
Enforced Under Article 87 of
The Constitution of Pakistan, Order 1984

(Fayaz)

ATTESTED

15 APR 2015

IN THE SUPREME COURT OF PAKISTAN

(Appellate jurisdiction)

CPLA NO. _____ Of 2015

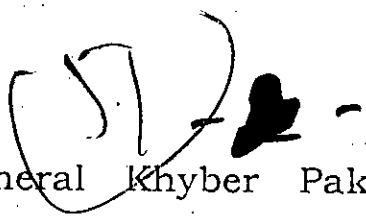
1. Abdullah Faisal (Lecturer in computer Science)
S/o . Hafiz ur Rehman R/o Chohar Sharif District
Haripur.
2. Naqib. Ur Rehman (Lecturer In English) S/o Fazal
Rehman R/o. Takhti Nusrati Distt. Karak.
3. Zafar Jamal (Lecturer In Biology) S/o Sherin
Muhammad R/o Abad Khel P/o Azim Kala Distt.
Bannu.
4. Noor Muhammad (Lecturer in Biology) BPS-17.
5. Naveedullah (Lecturer In Maths) S/o Mir Qad
Aijaz R/o Mawzi Kala P/o Azim Kala
6. Khizar hayat (Lecturer in Abrabic) S/o Khan
Nawaz R/o Hari Pur
7. Mst. Shugufta Saad (Lecturer in Chemistry W/o
Muhaammad Jamil R/o vill Sher Khan P/o Serai
Gambila Distt. Lakki Marwat.

....Petitioner

Versus

1. Govt. of Khyber Pakhtunkhwa through chief
Secretary KPK Peshawar.
2. Secretary Finance, Govt. of Khyber
Pakhtunkhwa, Peshawar.

ATTESTED


- 
3. Accountant General Khyber Pakhtunkhwa,
Peshawar
 4. Secretary Higher Education Department
Khyber Pakhtunkhwa, Peshawar
 5. Director General Education, Khyber
Pakhtunkhwa, Peshawar
 6. Deputy Director , Planning Cell , Higher
Education Department Khyber Pakhtunkhwa,
Peshawar

.....Respondents

7. Mufti Muhammad Azam (lecturer in Islamayat
) BSS-17.
8. Sher Zaman (Lecturer Botany) BPS-17
9. Umar Dad Khan (Lecturer in Urdu) BPS-17
10. Abid-ur-Rehman (Lecturer in Arabic) BPS-17
11. Ikram Ullah (Lecturer in Pushto) BPS-17
12. Ihsan Ullah (Lecturer in History) BPS-17

.....Proforma Respondents

CIVIL PETITION UNDER ARTICLE 185 (3) OF
THE CONSTITUTION OF THE ISLAMIC
REPUBLIC OF PAKISTAN, FOR LEAVE TO
APPEAL AGAINST THE JUDGMENT/ORDER
DATED 05-03-2015 PASSED BY LEARNED
PESHAWAR HIGH COURT , PESHAWAR IN
WRIT PETITION NO. 938-P/2014


ATTEST

Respectfully Sheweth.

12

1. The following important points of law arise for consideration in this case by this August Court:-

A. Whether a learned Division Bench of Peshawar High Court Peshawar, in its impugned order/ judgment dated 05-03-2015 has laid down law which is not in consonance with the known norms of justice in exercise of Writ jurisdiction.

B. Whether the learned Division Bench of Peshawar High Court Peshawar has erred in law in not at all properly referring to and or discussing and giving its own its findings on the points / submissions detailed in the Writ Petition No.938-P/2014 and submissions made at the bar inter-alia on the following aspects;-

ATTORNEY

3

- 4 -

a. That section 3 of the north West frontier Province Employees (Regularization of Service Act, 2009, NWFP Act, XVI of 2009 has totally been misconceived by the government / respondents where as it, is very clear and understandable by its mere reading.

b. That the petitioners have rightly assumed their respective charges of duties w.e.f 01-01-2009 which is in accordance with the said Act of regularization.

c. That the impugned corrigendum dated 02-05-2011 is obviously illegal, without jurisdiction, without lawful

ATTESTED

54 - 5 -
authority, discriminatory and
arbitrary and against the
principles of audi alteram partem
as without any notice,
therefore, having no legal effect
upon the rights of the
petitioners.

d. That the government or the
department has neither
justification nor any authority
of interpretation of statutes in
any way.

e. That the impugned
corrigendum is also malafide
and against the granted and the
secured right of the petitioners.

f. That the Hon'ble High Court
has also misconceived the law
on the subject, section 3 of the

(S)

said regularization Act, needs to
be interpreted judicially. ~~---~~

C. Error of law and facts is patent on
record

D. Points raised in this petition are
important, law points which are very
likely to arise in such like matters.

2. The Statement of facts giving rise to
the above law points is as under :-

i. That the services of the petitioners
amongst other were regularized in
compliance with the North West Frontier
Province Employees (Regularization of
Service Act, 2009 (NWFP Act, No. XVI of
2009) W. E.F 31st December 2008 as per
section three of the said Act,

ii. That accordingly as per the spirit of the
said regularization Act, the government /

ATTESTED

(56)
respondents issued notification No. SO (~~4~~
Colleges) 2-5/2009 , dated 18-03-2010
by regularizing their services W. E. F 01-
01-2009 . And on the same date they
submitted their arrival reports functioning
as such till now.

iii. That all of a sudden , without any notice
or information the petitioners the
Government of KPK / Respondent issued
another notification as corrigendum vide
dated 02-05-2011 whereby the services of
the petitioners have been construed to
the regularized with effect from 24-09-
2009 instead of 01-01-2009.

iv. That the petitioners filed Writ Petition
No. 938-P/2014 before Peshawar High
Court, Peshawar , which

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was dismissed vide impugned judgment
dated 05-03-2015. (57)
-8-

Hence the petitioner impugn the above
order / judgment dated **05-03-2015** of
the Hon'ble Peshawar High Court,
Peshawar through this CPLA

3. The decisions and relevant books in
support of propositions of law are as
fallow :-

- i. Constitution of Islamic Republic of
Pakistan , 1973
- ii. CPC,
- iii. Limitation Act.
- iv. North West Frontier Province
Employees (Regularization of Service
Act, 2009 (NWFP Act, No. XVI of 2009)

ATTACHED

iii. Authorities if required would be cited at
the bar.

PRAYER

It is therefore, very humbly prayed that leave to appeal against the Judgment/Order Dated **05-03-2015** Passed by Hon'ble Peshawar High Court, Peshawar in Writ Petition No. 947-P/2014, may kindly be granted in the interest of justice.

Drawn and filed by

(Syed Safdar Hussain)
Advocate on Record
Supreme Court of Pakistan
Islamabad.

Dated:-04-06-2015

CERTIFICATE

Certified that, as per instruction, this is the first Appeal Petition against the impugned/order in this Hon'ble Court.

ATTESTED
S. Safdar Hussain
Advocate on Record.

Note. Muhammad Shah Nawaz Khan Sikandri ASC will appear on behalf of petitioners

S. Safdar Hussain
Advocate on Record

No 108
To

59

Am-H
Dated 27/7/2015

The Director
Higher Education Khyber Pakhtun Khawa
Peshawar.

Subject : Application against corrigendum.

Sir,

It is respectfully submitted that I was appointed on contract bases as a lecturer in Higher Education Department on 27/02/2007 and subsequently, I was regularized through regularization of services Act 2009 dated 24/10/2009 w.e.f. 01/01/2009 notification was done on 18/03/2010 w.e.f. 01/01/2009.

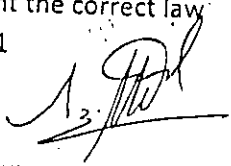
That the said regularization Act vide section 3 determined my services w.e.f. 31/12/2008 and vide section 4 determined my seniority w.e.f. 31/12/2008. i.e. 1-1-2009.

That in view of the said legal position, the corrigendum dated 02/05/2011 is ultra - virus, ~~non est~~ and ~~void ab initio~~. *has deprived me of my one annual increment as well as seniority.*

Therefore, I along with others filed writ petition before the Honorable High court Peshawar but the case was dismissed for want of jurisdiction and the same dictum was passed by the august Supreme Court of Pakistan.

Hence this representation/appeal before the proper forum with a request to implement the correct law on the subject by setting aside/ withdrawing impugned corrigendum dated 02/05/2011

Yours obediently,



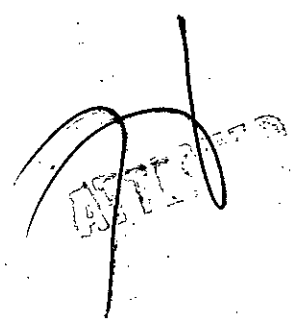
Noor Muhammad Khan

Lecturer in Biology

G.D.C Landi Jalander Bannu.

Copy to.

- 1 The Cheif Secretary Higher Education Khybe Pakhtun Khawa Peshawar
- 2 The Secretary Higher Education Khybe Pakhtun Khawa Peshawar





**DIRECTORATE OF HIGHER EDUCATION
KHYBER PAKHTUNKHWA,
KHYBER ROAD PESHAWAR**

No. 24063-56 Phone # 091-9210212, 9211025/Fax # 9210215
A-11/Fatt: Branch/A-12/Abdullah Faisal/Computer Science

Dated Peshawar the 23/9/2015

To

1. Mr. Abdullah Faisal, Lecturer in Computer Science
Govt: ANK(S) Degree College, KTS Haripur.
2. Mr. Munir Khan Lecturer in Urdu
GPGC, Mardan.
3. Mr. Abdullah Khan, Lecturer in Islamiyat
GDC, Chagharmatti.
4. Mr. Asghar Khan Lecturer in Physics
GPGC, Lakki Marwat.
5. Mr. Javed Khan Lecturer in English
GDC, Sarai Nourang (Lakki Marwat).
6. Mr. Mohammad Farman Ali Lecturer in Chemistry
GPGC, Lakki Marwat.
7. Mr. Kifayatullah Khan Lecturer in Chemistry
GDC, Tank.
8. Mr. Sharifullah Lecturer in Economics
GDC, Landi Jalandar Bannu.
9. Mr. Noor Mohammad Khan Lecturer in Biology
GDC, Landi Jalandar Bannu.
10. Mr. Noor Hayat Lecturer in Maths
GDC, Landi Jalandar Bannu.
11. Mr. Khizar Hayat Lecturer in Arabic
Govt: ANK(S) Degree College, KTS Haripur.
12. Mr. Zakir Shah Lecturer in Urdu
GDC, Katlang (Mardan).
13. Mr. Mohammad Tanveer Lecturer in Islamiyat
GDC No. 1 D.I. Khan.
14. Mr. Zafar Jamal Lecturer in English
GDC, Takht-e-Nasrati (Karak)

Am-I
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(60)

SUBJECT: - APPLICATION AGAINST CORRIGENDUM

Memo:

I am directed to refer to your application received through Principal of your respective College on the subject cited above and to inform you that your application has been examined, and regretted in light of judgment of Peshawar High Court Peshawar.

M. Bashir
DY: DIRECTOR (ESTABLISHMENT)

Enclst; No.

Copy of the above is forwarded to the:-

1. PA to Director Higher Education Khyber Pakhtunkhwa.
2. Personal file of the officers concerned.

DY: DIRECTOR (ESTABLISHMENT)

وکالت نامہ

بعدالت: راہب کو نوا سرسراؤن
 فرم حضرت: بنام صلوت و سلام
 منجانب: اسد انیس دعویٰ ک۔ ف۔ ک۔
 تاریخ: _____

باعث تحریر آنکہ مقدمہ مندرجہ بالا عنوان اپنی طرف سے واسطے پیروی و جوابدہی
 بمقام _____ کیلئے جاوید اقبال گل بیلہ ایڈووکیٹ ہائی کورٹ کو بہرین شرط وصول
 مقرر کیا ہے۔ کہ میں ہر پیشی کا خود یا بزرگیہ مختار خاص رو برو عدالت حاضر ہوتا رہوں گا۔ اور بوقت پکارے جانے مقدمہ وکیل
 صاحب موصوف کو اطلاع دے کر حاضر عدالت کرونگا، اگر پیشی پر من مظهر حاضر نہ ہوا اور مقدمہ میری غیر حاضری کی وجہ سے
 کسی طور پر میرے برخلاف ہو گیا تو صاحب موصوف اس کے کسی طرح ذمہ دار نہ ہونگے۔ نیز وکیل صاحب موصوف صدر
 مقام کچہری کی کسی اور جگہ یا کچہری کے مقررہ اوقات سے پہلے یا پیچھے یا بروز تعطیل پیروی کرنے کے ذمہ دار نہ ہونگے۔ اگر
 مقدمہ علاوہ صدر مقام کچہری کے کسی اور جگہ سماعت ہونے یا بروز تعطیل یا کچہری کے اوقات کے آگے پیچھے پیش ہونے پر
 من مظهر کو کوئی نقصان پہنچے تو اس کے ذمہ دار یا اس کے واسطے کسی معاوضہ کے ادا کرنے یا مختار نہ واپس کرنے کے بھی
 صاحب موصوف ذمہ دار نہ ہونگے۔ مجھے کوکل ساختہ پر داخہ صاحب موصوف مثل کردہ ذات خود منظور و قبول ہوگا۔ اور
 صاحب موصوف کو عرضی دعویٰ و جواب دعویٰ اور درخواست اجراء ذگری و نظر ثانی اپیل و نگرانی ہر قسم کی درخواست پر دستخط و
 تصدیق کرنے کا بھی اختیار ہوگا اور کسی حکم یا ذگری کے اجراء کرنے اور ہر قسم کے روپیہ وصول کرنے اور رسید دینے اور داخل
 کرنے اور ہر قسم کے بیان دینے اور سپروٹاشی و راضی نامہ فیصلہ برخلاف کرنے اقبال دعویٰ دینے کا بھی اختیار ہوگا۔ اور
 بصورت اپیل و برآمدگی مقدمہ یا منسوخی ذگری یکطرفہ درخواست حکم امتناعی یا قرتی یا گرفتاری قبل از اجراء ذگری بھی موصوف
 کو بشرط ادائیگی علیحدہ مختار نہ پیروی کا اختیار ہوگا۔ اور بصورت ضرورت صاحب موصوف کو بھی اختیار ہوگا یا مقدمہ مذکورہ یا
 اس کے کسی جزوی کاروائی کے واسطے یا بصورت اپیل، اپیل کے واسطے دوسرے وکیل یا بیرسٹر کو بجائے اپنے یا اپنے ہمراہ
 مقرر کریں اور ایسے مشیر قانون کے ہر امر دہی اور ویسے ہی اختیارات حاصل ہونگے جیسے کے صاحب موصوف کو حاصل
 ہیں۔ اور دوران مقدمہ میں جو کچھ ہر جانہ التواء پڑے گا۔ اور صاحب موصوف کا حق ہوگا۔ اگر وکیل صاحب موصوف کو
 پوری فیس تاریخ پیشی سے پہلے ادا نہ کرونگا تو صاحب موصوف کو پورا اختیار ہوگا کہ مقدمہ کی پیروی نہ کریں اور ایسی صورت
 میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا۔ لہذا مختار نامہ لکھ دیا کہ سند رہے۔
 مورخہ _____ مضمون مختار نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے۔

فاز
اسد
عقدہ
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Asghar
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کو نوا سرسراؤن (اسد انیس)

BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Service Appeal No. 1239/2015

Mr. Noor Muhammad khan Appellant.

VERSUS

Secretary Higher Education & others..... Respondents.

PRELIMINARY OBJECTIONS:-

Respectfully Sheweth:-

1. That the appellant has got no locus standi/ cause of action to file the instant appeal.
2. That the appeal in hand is badly time barred.
3. That the Hon'able Tribunal lacks jurisdiction to entertain the instant appeal.
4. That the appellant has not come to the Honourable Tribunal with clean hands.
5. That the appellant has concealed material facts from the Hon'able Tribunal.
6. That the appellant is estopped by his own conduct to file the appeal.

REPLY ON FACTS:-

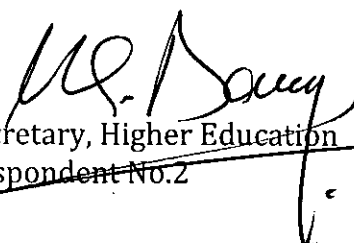
1. Pertains to record.
2. Pertains to record.
3. Correct.
4. Correct to the extent that the services of the appellants were regularized by Regularization Act 2009, promulgated on 24/10/2009. As far as corrigendum No.SO (Colleges) 12-5/2009 is concerned, the same was issued keeping in view the language of Act itself. It is pertinent to mention here that section-1 clause 2 of the act itself clearly states that Act shall come into force at once and shall be deemed to have been taken effect at the promulgation of Act.(Annex A)
5. Correct. The August Peshawar High Court dismissed the Petitions in limini on the ground that the Petitioners cannot seek relief beyond the provisions of Regularization Act.(Annexure-B).
6. Correct. The Apex Supreme Court has also dismissed the appeals on the same dicta of Peshawar High Court 's judgement.
7. Correct to the extent that both August Peshawar High Court and Apex Supreme Court of Pakistan dismissed the petitions and appeals in limini on the ground that relief sought by the Petitioners/ Appellants were beyond the vires of Regularization Act 2009. As far as Departmental appeals are concerned, it were regretted by the Department in the light of Peshawar High Court judgement which states that" as the provisions of section 4A of the Regularization Act are very much clear and the Petitioners cannot seek relief beyond these provisions.(Annex C)
8. No comments.


ON GROUNDS.

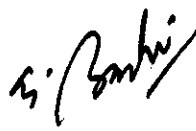
- a) Incorrect. The corrigendum was issued strictly according to the text of Regularization of Services Act 2009.
- b) Correct. The Departmental appeal of the appellant was regretted according to Peshawar High Court judgement as the Hon'able Court clearly mentioned in the judgment that the petitioners cannot claim relief beyond the act itself. As far as regularization from 24/10/2009 and not from 01/01/2009 is concerned, there is no mention that regularization act has retrospective effect.
- c) Incorrect. As far as section 3 of the Regularization of Services Act is concerned, the appellant is misinterpreting the language of this section. The section only gives the criteria that all those employees appointed on contract or adhoc basis and holding that post on 31st December 2008 having the same qualification and experience for a regular post. It means that services of those employees who were appointed till 31st December 2008 will be regularized and not afterwards.
- d) Incorrect. It is clearly mentioned in section 1 sub section 2 of the Regularization Act 2009 promulgated on 24/09/2009, that it shall come in force at once and shall be deemed to have been taken effect at the promulgation of the Act.. Therefore, the corrigendum is strictly issued according to the provision of the act itself.
- e) Incorrect. The appellant authority strictly followed the Act.
- f) Incorrect. The act of the respondents is in accordance with law.
- g) No comments.
- h) Incorrect. No discrimination has been done to the appellants.
- i) Incorrect. The appellants have been dealt according to law.
- j) Incorrect. The regularization act has no retrospective effect.
- k) No comments.
- l) That the respondents may also be permitted to raise further grounds at the time of arguments.

PRAYERS:-

It is therefore, humbly prayed that the appeal is not maintainable as it is based on misconception hence the appeal may graciously be dismissed.


Secretary, Higher Education
Respondent No.2


Director, Higher Education
Respondent No. 3


Deputy Director, HED
Respondent No. 4