


FORM OF ORDER SHEET

Court of _____

Appeal No. _____

1746/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	25/08/2023	<p>The appeal of Mst. Um-e-Laila is re-submitted today by Mr. Imran Younas Khan Tanoli Advocate. It is fixed for preliminary hearing before Single Bench at Abbottabad on</p>
		<p>By the order of Chairman  REGISTRAR</p>

The appeal of Mst. Um-e-Laila d/o Muhammad Afsar Khan SSF (G) GGMS Baldeher A. Abad received today i.e on 31.07.2023 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Check list is not attached with the appeal.
- 2- Affidavit is not attested by the Oath Commissioner.
- 3- Annexures of the appeal are unattested.
- 4- Copy of recommendation letter in respect of appellant mentioned in para-1 of the memo of appeal is not attached with the appeal be placed on it.
- 5- Copy of impugned seniority list dated 31.12.2022 is not attached with the appeal.
- 6- Annexure-D of the appeal is incomplete be completed.
- 7- Annexure-F of the appeal is illegible be replaced legible/better one.
- 8- Addresses of respondents nos. 10, 17, 20, 50, 59, 65, 93, 220 & 393 are incomplete which may be completed according to Khyber Pakhtunkhwa Service Tribunal rules 1974.
- 9- Wakalat nama attached with the appeal is blank, be filled up.
- 10- 293 more copies/sets of the appeal along with annexures i.e. complete in all respect be submitted with the appeal

No. 2066 /S.T,

Dt. 01/08 /2023.



REGISTRAR,
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Imran Younas Khan Tanoli Adv.
High Court A. Abad.

BEFORE THE COURT OF RENT CONTROLLER,
PESHAWAR

Um-e-Laila

VERSUS

Government and others

REPLY TO THE OBJECTION OF BEHALF OF THE
APPELLANT.

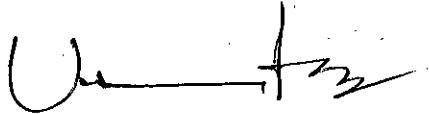
Respectfully Sheweth:

That the appellant submits as under:-

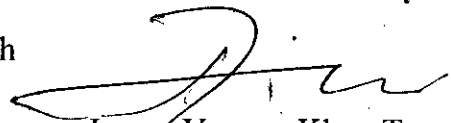
- 1- That the appellant filed the service appeal of seniority within time before the office of the Registrar Service Tribunal Peshawar.
- 2- That the office of the Registrar Service Tribunal Peshawar has raise the objections 1 to 10 to remove accordingly. Appellant has removed the all objections as under:-
 - i. Check list as attached with appeal.
 - ii. Affidavit is attested.
 - iii. Annexures of appeal are attested.
 - iv. Copy of recommendation letter in respect of appellant is not provided respondent No. 3 who will provided at the time of court demand.
 - v. Copy of the impugned seniority dated 26.07.2022 and 31.12.2022 are same is attached.
 - vi. Annexure-B of the appeal is necessary documents are attached. original seniority list of appellants are a lot of pages which is not easy attached every appeal they will provided before the Court on need basis.
 - vii. Annexure of the appeal readable attached.
 - viii. Addresses of respondents are completed.
 - ix. Wakalat Nama is completer attached.
 - x. 293 more copies of appeal is not easy attached. At the time of admission/preliminary arguments permission *has will have* been granted by court to advertisements on the lead newspaper to inform the respondent.

It is, therefore, humbly prayed that on acceptance of instant objection is reply may be granted in favor of appellant.

Dated 07/08/2023


Appellant

Through


Imran Younas Khan Tanoli
Advocate High Court,
Peshawar

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR.

Service Appeal No. _____

1746/2023

Um-e-Laila D/o Muhammad Afsar Khan, SST (G), GGMS Baldheri,
Abbottabad.

VERSUS

Secretary Elementary and Secondary Education Department, KPK and others.

SERVICE APPEAL

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Dated

31-07-2023

Um-e-Laila
APPELLANT

Through


Imran Younas Khan Tanoli
Advocate High Court Peshawar
Abbottabad

Cantt plaza Abbottabad office No BC No. 10-2065

Contact No. 0300-5649123

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHAWA
PESHAWAR

1746/2023
Service Appeal No-----

Um-e-Laila D/o Muhammad Afsar Khan, SST (G), GGMS Baldheri,
Abbottabad.

Appellant

VERSUS

1. Secretary Elementary & Secondary Education KPK Peshawar.
2. Director Elementary & Secondary Education KPK Peshawar.
3. Chairman KPK Public Service Commission, KPK Peshawar.
4. Nadia Nasim SST, GGMS Gul Shah Din Chappri FR-Bannu.
5. Farkhanda Nazli SST, GGMS Sambat Kalay Swat (Deputation).
6. Taj Mina SST, GGMS FATA.
7. Bibi Zahra SST, GGHS Shalozan Kurram Agency.
8. Khurshida Jan SST, AAEO Orakzai Agency Hangu.
9. Ghazala Saeed SST, GGHS Jamrod.
10. Robina Roshan SST, Swat. District Swat
11. Shakeela Younis SST, GGHS Pirwal Khel FR-Kohat.
12. Sakina Nawab SST, GGHS Shalozan Kurram Agency.
13. Naima Sultana SST, GGHS Battal, Mansehra.
14. Amreena SST, GGHS Dabgari Gate Peshawar.
15. Nusrat Shaheen SST, GGHS Batakara Swabi.
16. Nighat Shaheen SST, GGHS Gar Munara Swabi.
17. Asia Sultana SST, GGHS Razmak N.W.A FATA. District N.W.F.P. Pata
18. Sofia SST, AAEO Sarwakai SWA.
19. Irfana Bibi SST, GGHS Sardar Ali Korona FR Tank.
20. Shaukat Ara SST, GGHS MALAKAND. District Malakand
21. Shehla Kanwal SST, GGHS Lora Abbottabad.
22. Sobia Bibi SST, GGHS Pind Kargo Khan Abbottabad.
23. Saira Bano SST, GGHS KHARKAI Malakand.
24. Azra Begum SST, GGHS NISATTA DAGWAL CHARSADDA.
25. Bakht Jehan SST, GGHS Badwan, Dir Lower.
26. Razia Begum SST, GGMS Ouch Maina Dir Lower.
27. Saira Abbasi SST, GGCMS No.1, Mansehra.

28. Hamida Bano SST, GGHS Werkup Chitral.
29. Rafia Iqbal SST, GGHS Wanda Hissam DIKhan.
30. Bibi Shakir SST, GGCMHS Nothia Chitral.
31. Surriya Bibi SST, GGHS Sheikh ul Bandi Abbottabad.
32. Dure Shawar SST, GGHS, Zarakhela Swat.
33. Tajmina SST, GGMS Aurangzeb KOT N.W.A.
34. Azra SST, GGHSS Pacha Kalay Bner.
35. Shatabun Nisa SST, GGMS Rahmat Ullah FR Bannu.
36. Zinat Bibi SST, GGMS Agarai Buner.
37. Samina Aman SST, GGMS Makhranai Buner.
38. Chaman Ara SST, GGHS M M Pol Mansehra.
39. Salma SST, GGHS Shankar Mahal Mardan.
40. Shagufta Naz SST, GGHS Kothab Swabi.
41. Bibi Haleema Shehzadi SST, GGHSS No.2 Mansehra.
42. Bibi Kulsoom SST, GGHSS Baffa Mansehra.
43. Sarwat Jabeen SST, GGHS Kunda Swabi.
44. Humaira SST, GGMS Bakar Serai Swabi.
45. Safina Zaman SST, GGHS Joulian Haripur.
46. Rani Rehmat SST, GGHS NO.3 D.I Khan.
47. Seema SST, GGHS Badam Bachicha Thana Malakand.
48. Shabana Zaristan SST, GGHSS Shah Dand Mardan.
49. Khatoon Bibi SST, GGHS Warijan Mukhow Chitral.
50. Taqqa Bibi SST, GGHS Daryal. *District Swabi*
51. Humaira Andaleeb SST, GGHS Khadagzai Dir Lower.
52. Khamia Syed SST, GGHSS NO.1 Mardan.
53. Nusrat Jamal SST, GGHS Broze Chitral.
54. Sughra Bibi SST, GGHS Dassu Colony Kohistan.
55. Jamila Anjum SST, GGMS Manda Maryiwala Laki Marwat.
56. Gohar Shaheen SST, GGHSS Chokara Karak.
57. Mussarat Shaheen SST, GGHS Takhte Nasrati Karak.
58. Mamoona Nazir SST, GGHS No.2 Kohat.
59. Sahagufta Fazal SST, GGHSS Lahor Swabi. *District Swabi*
60. Irfana Shams SST, GGHS Lachi Kohat.
61. Saeeda Begum SST, GGHS Sarband Pesh Kohat.
62. Bibi Amena SST, GGHS Baist Khel Lakki.
63. Zainab SST, GGHS Moti Banda Mardan.
64. Tahira Naz SST, GGHS Pasmali Swabi.

65. Nazia Khanum SST, GGHS Karak.
66. Baseerat Begum SST, GGHS Latamber Karak.
67. Fazilat Samreen SST, GGHS Baist Khel Lakki.
68. Samina Khattak SST, GGHS Nari Panos Karak.
69. Ruqia Rahim SST, GGHS Dara Pezu Lakki.
70. Bibi Rabia SST, GGHS Sajikot Abbottabad.
71. Sumaira Bibi SST, GGHS Phulra Mansehra.
72. Naila Gul SST, GGMS Tatar Mansehra.
73. Kulsoom Bibi SST, GGHS Parhinna Mansehra.
74. Nazia Manzoor SST, GGHS Shehalia Mansehra.
75. Abida Begum SST, GGCMS Fair Koroona Mardan.
76. Afsar Parveen SST, GGHS Delli Mella Karak.
77. Aisha Gul SST, GGHS Esak Chontra Karak.
78. Asma Gul SST, GGHS Dheri Saydan Bannu.
79. Ayesha Huma SST, GGMS Busund Manshera.
80. Naseem Akhtar SST, GGHS No.1 Kohat.
81. Banafshad Shaheen SST, GGHS Bogara Karak.
82. Bibi Zulikha SST, GGMS Zarkhan Killa Karak.
83. Bushra Naz SST, GGCMS Khana Kotkey Mardan.
84. Farzana Bibi SST, GGHS No.1 Tank Lakki Marwat.
85. Fazilat Pari SST, GGHS Bazid Khel Karak.
86. Mehnaz Pari SST, GGHS Ahmad Abad Karak.
87. Mehnaz Shah SST, GGHS Lassan Thakral Mansehra.
88. Mehnaz Ruby SST, GGMS Pind Jamal Khan Haripur.
89. Nusrat Ehsan SST, GGHS Gul Ahmad Shah Bannu.
90. Naeema Qureshi SST, GGHS Slema Sikandar Khel Bannu.
91. Naima Zafar SST, GGHS Togh Bala Kohat.
92. Naseem Akhtar SST, GGCMS Khali Rokhan Mardan.
93. Robina Shehnaz SST, GGHS Karak. District Karak
94. Roheena Gul SST, GGCMS Gulshan Abad Mardan.
95. Rukhsana Yasmin SST, GGHS Surati Killa Karak.
96. Safia Naz SST, GGHS Par Hoti Mardan.
97. Sameena Naz SST, GGMS Gul Abad Chamtar Mardan.
98. Shamim SST, GGMS Sagri Matwala Shah D.I.Khan.
99. Shazia Rahim SST, GGMS Totaki Karak.
100. Ulfat Ayub SST, GGHS No.1 Karak.
101. Zainab Bibi SST, GGMS Qutab Garh Mardan.

102. Syeda Attia Zahoor SST, GGHS Bherkhund Mansehra.
103. Nosheen Jamshed SST, GGHS Amir Kot Mardan.
104. Toheed Anwar SST, GGHS No.2 Hoti Mardan.
105. Zubaida Habib SST, GGHSS Bilkot Sharif D.I.Khan.
106. Gulfam Begum SST, GGHS NO. 1 Serai Naurang Lakki Marwat.
107. Asifa Bibi SST, GGHS Tuial Abbottabad.
108. Abida Parveen SST, GGMS Haibat Gram Malakand.
109. Ajmina Taj SST, GGHS Jehangira Swabi.
110. Tania Bakhsh SST, GGMS PAF Basse Kohat.
111. Azra Jalal SST, GGHS Singoor Chitral.
112. Bushra Begum SST, GGHS KSK Swabi.
113. Fahmeeda SST, GGHSS Matta Palangzai Charsadda.
114. Farkhanda Shaheen SST, GGHS Ismaila Swabi.
115. Kalsoom Bibi SST, GGMS Amnawar Buner.
116. Lala Rukh Shah SST, GGHS Muldeh Chitral.
117. Robina Ilmas SST, GGHSS Ghapra Haripur.
118. Shahana Naz SST, GGMS Mian Dheri Swabi.
119. Toshiba Naz SST, GGMS Haleem Abad Toor Killi Charsadda.
120. Zahida SST, GGHSS Pacha Kalay Buner.
121. Zainab Akhtar SST, GGHS Ismaila Swabi.
122. Batool Fatima SST, GGHS Kangra Colony Haripur.
123. Bibi Mehtab SST, GGMS Tanda Mansehra.
124. Safia Rashid SST, GGHSS Totalai Buner.
125. Nasira Bibi SST, GGMS Eid Gah Mardan.
126. Salma Begum SST, GGCMHSS Katlang Mardan.
127. Naveed Akhtar SST, GGHS KSK Swabi.
128. Neelofar Salomi SST, GGHSS kalabat Swabi.
129. Mehnaz Bahadar SST, GGHS Maday Baba Mardan.
130. Mudassar Naz SST, GGHS Ismail Khel Bannu.
131. Rukhsana SST, GGCMS Ghulam Shewa Swabi.
127. Arifa Bibi SST, GGHS No.3 KTS Haripur.
133. Bushra Malik SST, GGMS Khairbara Haripur.
134. Rizwana Saleem SST, GGHS Samandar Katla Abbottabad.
135. Durdana Qayyum SST, GGHS Mian Dheri Haripur.
136. Ambreen Tariq SST, GGHS Kala Khel Toru Mardan.
137. Chand Bibi SST, GGHS Maniki Swabi.
138. Sadaf Zareen SST, GGHS Sultan Pur Havelian Abbottabad.

139. Nasima Manzoor SST, GGMS Lajbar Khan Killi Mardan.
140. Sajida Begum SST, GGHS No.1 Mardan.
141. Mehrun Nisa Khan SST, GGHS Akbarpura Nowshera.
142. Shama Bibi SST, GGHS Bazar Ahmad Khan Bannu.
143. Azra Parveen SST, GGHS Shah Dand Mardan.
144. Tahira Naz SST, GGHS Khanpur Haripur.
145. Havidia Nawaz SST, GGMS Pathan Colony Swabi.
146. Zemab SST, GGHS Yaqubi Swabi.
147. Nighat Shahana SST, GGHS Dogha Mansehra.
148. Rukhsana Afzal SST, GGHS Chakdara Dir Lower.
149. Faridun Nisa SST, GGHS Mastuj Chitral.
150. Saima Afzal SST, GGHS Chitta Bata Mansehra.
151. Naheeda Bibi SST, GGHS KTS No.2 Haripur.
152. Shazia Bibi SST, GGCMS No1 Mansehra.
153. Rubina Yousaf SST, GGMS Kiramat Koroona Charsadda.
154. Nasreen Taj SST, GGHS K.Juma Khan Bannu.
155. Sumaira SST, GGHS Tikri Kharari Battagram.
156. Bibi Shahnaz SST, GGMS Morilasht Chitral.
157. Bibi Shuhra SST, GGMS Lone Chitral.
158. Nargis Saba SST, GGMS Firdos Abad Charsadda.
159. Rohi Bano SST, GGHS Nisatta Charsadda.
160. Naheeda Nisar SST, GGHS Trangri Bala Mansehra.
161. Dure Sameen SST, GGCMS Kulharay Mansehra.
162. Tanzeela Lodhi SST, GGHS Mangiloor Mansehra.
163. Mumtaz Begum SST, GGHS Moti Banda Mardan.
164. Ismat Parveen SST, GGHS Sheikho Sardheri Charsadda.
165. Habiba SST, GGHS Mady Baba Mardan.
166. Suriya Sinkandar SST, GGHS Amandi Umer Khan Bannu.
167. Alia Bibi SST, GGHS Maneri Bala Swabi.
168. Aasia SST, GGHS Dagai Swabi.
169. Asiya Jabeen SST, GGHS Behari Colony D.I.Khan.
170. Fatima Syed SST, GGHS Pehure Hemlet Swabi.
171. Fozia Nagin SST, GGHS Zaroobi Swabi.
172. Ghazala Tabassum SST, GGHS Zaida Swabi.
173. Gul Naz Begum SST, GGHS Adina Sabi Swabi.
174. Hafsa Bibi SST, GGHS Wanda Hissam D.I.Khan.
175. Sadaf Farooq SST, GGHS Kalabat Swabi.

176. Humaira Gul SST, GGMS Balolia Abbottabad.
177. Maliha Ehsan SST, GGHS Athog D.I. Khan.
178. Huma Gul SST, GGHS Dobian Swabi.
179. Saiqa Zeb SST, GGMS Nammal Abbottabad.
180. Seemab Khalid SST, GGMS Main Dheri Swabi.
181. Shaista Gul SST, Girls Jica Model School Topi Swabi.
182. Syed Shagufta Nasreen SST, GGMS Nawab D.I.Khan.
183. Shaista Bibi SST, GGHS Doga Mansehra.
184. Samina Gul SST, GGHS Baffa Mansehra.
185. Zainab Nawaz SST, GGMS Ali Khan Haripur.
186. Nazia Siddique SST, GGHS Bear Haripur.
187. Unees Iqbal SST, GGMS Darvaish Haripur.
188. Munazza Ikram SST, GGHS Bigwani Shumali D.I.Khan.
189. Muhsina Bibi SST, GGHS Mastuj Chitral.
190. Nadia Malik SST, GGHS Harichand Charsadda.
191. Shazia Begum SST, GGMS Haji Abad Ghazi Kot Swabi.
192. Shafaat Ara SST, GGHS Cheena Buner.
193. Ismat SST, GGMS Naray Tangy Swat.
194. Faiza Afridi SST, GGMS Sherin Mela Bosti Khel FR Kohat.
195. Nighat Seema SST, GGHS Amankot Swat.
196. Nighat Zaman SST, GGHS Pharhari Haripur.
197. Sadia Haleema SST, GGHS Sher Garh Mardan.
198. Nagina SST, GGHS Mayardi Malakand.
199. Jasmin SST, GGHS Haryan Kot Malakand.
200. Noreena Shaheen SST, GGMS-Tordher Swabi.
201. Samina Ahmad SST, GGHS Ghala Dherr Mardan.
202. Ruqia Bibi SST, GGHS Dheri Malakand.
203. Zainab Ara SST, GGHS Peeran Jalogram Malakand.
204. Sheema Qureshi SST, SDEO (F) Razzar Swabi.
205. Rubina SST, GGMS Nazar Banda Ismaila Swai.
206. Noreen Bibi SST, GGHS Panian Haripur.
207. Aliya Gul SST, GGHS Lund Khawar Mardan.
208. Sarwat SST, GGHS Shergarh Mardan.
209. Sumaira Khan Afsar SST, GGHS Alooli Haripur.
210. Khadija Bibi SST, GGHS Luqman Khel Kurram Agency.
211. Syeda Bibi Sara Jan SST, GGHS Kurez Orakzai Agency.
212. Asifa Begum SST, GGHS Jamroad Gulabad Colony.

213. Aseema SST, GGHS Harichand Charsadda.
214. Hizran Begum SST, GGHS Ekkaghund Mohmand Agency
215. Seema Gul SST, GGMS Batai Buner.
216. Hasina Mehwish SST, GGHS Dheri Julagram Malakand.
217. Shabana Akhtar SST, GGHS Gujrat Mardan.
218. Fatima Bibi SST, GGHS Sheikho Sardheri Charsadda.
219. Nuzhat Bibi SST, GGHS Chooi Haripur.
220. Nabeela Kamal SST, GGHS Dargai Malakand. *Direct Malakand*
221. Umme Saleem SST, GGHS Kot Malakand.
222. Shabana Sabir SST, GGMS Shuja Abad Lundkhwar Mardan.
223. Rizwana Zeb SST, GGCMHS Thana Malakand.
224. Mehnaz Gul SST, G.G.M.S Musazai D.I.Khan.
225. Tasleem Yasmeen SST, GGHS Mohaiyan Mansehra.
226. Nelofar Shoukat SST, GGMS Bala Manai Maira Shangla.
227. Abida Bibi SST, GGHS Samar Bagh Dir Lower.
228. Amina Bibi SST, GGHS Qasami Toru Mardan.
229. Anisa Wali SST, GGHS Qadar Malakand.
230. Humaria Malik SST, GGHS Havelian Abbottabad.
231. Moheen Akhter SST, GGHS Havelian Abbottabad.
232. Nazia Saddique SST, GGHS Beer Haripur.
233. Rubina Sultana SST, GGHS Kirman Kurram Agency.
234. Zahida SST, GGHS Muglandeh Chitral.
235. Zakira Bibi SST, GGCMHS Karzina Dir Lower.
236. Attiya Malik SST, GGHS Havelian Abbottabad.
237. Shabana Meer SST, GGHS Dabkor Mohmand Agency.
238. Raheela SST, GGMS Dedawar Swat.
239. Amina Iqbal SST, GGMS Matha Jadeed Mardan.
240. Najma Khan SST, GGHS Bijli Ghar Mardan.
241. Phool Bibi SST, GGHS Behali Mansehra.
242. Bibi Sajida Perveen SST, GGHS Afzal Abad Mansehra.
243. Rani Gul SST, GGHS Dhab banda Charsadda.
244. Shakeela Ayub SST, GGHS Sawaldher Mardan.
245. Safia Bano SST, GGHS Buhai Pesh Mardan.
246. Abida Zaib SST, GGHS Reerh Mansehra.
247. Abida Khatoon SST, GGCMHS Zoormandi Malakand.
248. Irum Naz SST, GGHS Jungle Khel Kohat.
249. Afshan Noreen SST, GGHS Baldher Haripur.

250. Afsheen Fiaz SST, GGMS Haddo Bandi Manshera.
251. Ambar Jabeen SST, GGCMS No.1 Mansehra.
252. Ambareen Khalid SST, GGHS Gulshan Abad Maneri Swabi.
252. Ambreen Akhter SST, GGMS Bhuraj Abbottabad.
254. Ambreen Zahir SST, GGHS Seri Behlol Mardan.
255. Asia SST, GGHS Sudher Swabi.
256. Bibi Abida SST, GGCMS No.1 Mansehra.
257. Bibi Samina SST, GGHS Reshun Chitral.
258. Afshan Rehman SST, GGCMS Jica Jallozai NSR Chitral.
258. Bushra Nayyer SST, GGHS NO.4 D.I.Khan.
259. Farzana Gul SST, GGHS Shahdara Swat.
261. Fauzia SST, GGHS Tangi Charsadda.
262. Gul Bibi SST, GGMS Sher Pur Mansehra.
263. Hajira Bibi SST, GGCMS Kot Najibullah Haripur.
264. Haseena Jamal SST, GGHS Sirya Haripur.
265. Hurmat SST, GGMS Band (Ouch) Dir Lower.
266. Javaria SST, GGCMS No1 Mansehra.
267. Javaria Mehak SST, GGHS No.08 D.I.Khan.
268. Javaria Rehman SST, GGHS No.4 D.I.Khan.
269. Khairaza Begum SST, GGHS Khar Malakand.
270. Khunza Nisa SST, GGHS Muldeh Chitral.
271. Laila Mursaleen SST, GGHS NO.3 Lakki Marwat.
272. Maryam Bibi SST, GGHS Singoor Chitral.
273. Mirza Kay SST, ASDEO Upper Chitral.
274. Ulfat Zile-Huma SST, GGHS No.1 Tank.
275. Musarat Iqbal SST, GGMS Chah Mughal Wala D.I.Khan.
276. Muslima Musarrat SST, GGHS Kosht Chitral.
277. Nargis Begum SST, GGMS Khair Abad Dir Lower.
- * 278. Saima Naz SST, GGCMS Faqir Abad Tajal Mansehra.
279. Nighjat Bibi SST, GGHS KTS NO. 2 Haripur.
280. Nighat Rehmani SST, GGHS Gandhin Mansehra.
281. Noor Jehan SST, GGMS Parwak Chitral.
282. Palwasha SST, GGCMS Sidra Jower Malakand.
283. Rashda Aziz SST, GGHS No.4 D.I.Khan.
284. Robina Begum SST, GGHS Qaldara Malakand.
285. Sadaf Hina SST, GGHS Latamber Karak.
286. Sadia Begum SST, GGHS Amankot Swat.

287. Tabassum Naz SST, GGHS Mianki Banda Karak.
288. Saeeda Jehan SST, GGHS Sudher Swabi.
289. Saima Bibi SST, GGHS Paharpur D.I.Khan.
290. Mussarat Jabeen SST, ASDEO Khanpur Haripur.
291. Saima Gul SST, GGHS Saro Shah Mardan.
292. Saima Nasir SST, GGHS Mahrah D.I.Khan.
293. Shabana Azeem SST, GGHS Garhi Habibullah Mansehra.
294. Shahida Saleem SST, GGHS No.2 D.I.Khan.
295. Shaista SST, GGMS Sher Ghund Swabi.
296. Irum Iqbal SST, GGHS Dhodial Abbottabad.
297. Shakila SST, GGHS Wartair Malakand.
298. Shehla Gul SST, G.G.H.S.S NO6 D.I.Khan.
299. Shumaila Inayat SST, GGMS Amir Sher Waligai FR Bannu.
300. Shazia Akbar SST, GGMS Batai Swat.
301. Tabassum Shahnaz SST, GGHS No.4 D.I.Khan.
302. Taj ul Wara SST, GGHS Baja Swabi.
303. Ulfat Naz SST, GGCMHS NO.1 D.I.Khan.
304. Umbarin Shah SST, GGCMHS Karak.
305. Maimoona Malik SST, GGMS Janglan Mansehra.
306. Uzma Noreen SST, GGHS Kotka Zabta Khan Kot Beli Bannu.
307. Aisha Banaras SST, GGHS Behali Mansehra.
308. Zeenat Haram SST, GGHS Timergara Dir Lower.
309. Sumira SST, GGNMS Ahmed Khan No.2 Jamrud Khyber Agency.
310. Momina Begum SST, GGHS Khadizai Kohat.
311. Neelam Rabbi SST, GGHS Osakai Dir Lower.
312. Amina Bibi SST, GGHS No.04 D.I Khan.
313. Gul Shan Parveen SST, GGHS Fazal Rahim Colony D.I Khan.
314. Javaria Sakhi SST, GHSS Shinkiari Mansehra.
315. Nadia Naz SST, GGHS Mallana D.I Khan.
316. Kokab Durayen SST, GGHS Babri Banda Kohat.
317. Samina Bukhari SST, GGHS Babar Pacca D.I Khan.
318. Shaista Zeb SST, GGHS Mandani Charsada.
319. Shazia Ambreen SST, GGHS Mallana D.I Khan.
320. Taiba Khattak SST, Malakandher Pesh Karak.
321. Uzma Bibi SST, GGCMHS No.01 D.I Khan.
322. Nazish Parveen SST, GGHS No.1 Kohat.
323. Jamshida Bangash SST, AAEO FR-Kohat.

324. Zubaida Wazir SST, GGHS Ekkaghund Mohmand Agency.
325. Kalsoom SST, GGHS Kotka Juma Khan Bannu.
326. Musarat Jabeen SST, GGHS Khojaki Killa Karak.
327. Sorria Balqees SST, GGHS Essak Chuntra Karak.
328. Rahila Bibi SST, GGMS Kala Gorh D.I Khan.
329. Sheema Bibi SST, GGHS Batkhela Malakand.
330. Bibi Sajida SST, GGMS Bilyamin K. Agency.
331. Nargis Shahab SST, GGMS Dagai Swabi.
332. Parveen SST, GGHS No.02 Naurang Lakki Marwat.
333. Amaid Anjum SST, GGHS Hayat Abad Pehsawar.
334. Haleema Sadia SST, GGHS Lakhra D.I Khan.
335. Mehnaz Raheem SST, GGHS Chail Shagai Malakand.
336. Samia Fareed SST, GGMS Sarbana Abbottabad.
337. Arifa Kanwal SST, GGHS Madni Town D.I Khan.
338. Nargis Parveen SST, GGHS No.1 Mingora Swat.
339. Sadia Anjum SST, GGHS Hueraer Karak.
340. Shamim Akhtar SST, GGMS Ajmal Abad D.I Khan.
341. Minhas SST, GGHS Barikot Swat.
342. Adila Kiran SST, GGMS Kolachi Wala D.I Khan.
343. Samrena Mehreen SST, GGHS No.2 D.I Khan.
344. Amarzia Tehsin SST, GGHS Kopar Mardan.
345. Shagufta Hameed SST, GGHS Ghallanai Mohmand Agency.
346. Fatima Ali SST, GGHS Alizai K. Agency.
347. Hafiza Bibi SST, GGHS Luqman Khel K. Agency.
348. Farzana Bibi SST, GGMS Kassala Abbottabad.
349. Zahid SST, GGHS Alizai K. Agency.
350. Shumaila Andaleeb SST, GGCMHS No.01 D.I Khan.
351. Roohi Bano SST, GGCMHS NO.1 Haripur.
352. Sanam Deebea SST, GGHS Gar Munara Swabi.
353. Ambreen Khalid SST, GGHS Gulshan Abad Swabi.
354. Rabihat SST, GGHS Babozai Mardan.
355. Sadia Anjum SST, GGHS Kurram Karak.
356. Yasmin Akhtar SST, GGMS Kachi Paharpur D.I. Khan.
357. Nazli SST, GGHS Kharkai Malakand.
358. Raheela Ambrin SST, G.G.M.S Malang Abad D.I Khan.
359. Ishrat Gul SST, GGHS No.05 D.I Khan.
360. Afshan Begum SST, GGHS Ouch Dir Lower.

361. Ambreen Rasheed SST, GGHS Rajoiya Abbottabad.
362. Asia Abid SST, GGHS Hakim Bharat Bannu.
363. Atka Gul SST, GGHS Sherawal Kundi Haripur.
364. Bibi Fatima SST, GGMS Algadi Sharqi Karak.
365. Gul Bukhari SST, GGMS Odin Shah Karak.
366. Sumaira SST GGMS Ahmad Khan No.2 Jamrud Mohmand Agency.
367. Humera Ambreen SST, GGHS Khazana Dir Lower.
368. Hussan Bano SST, GGHS Takhte Nasrati Karak.
369. Aqleema Bibi SST, GGHS Sanga Ahmad Gul Killi Mardan.
370. Raheela Noreen SST, GGHS NO 1 Tank.
371. Shabana Ayub SST, GGHS Lang Khair Shah D.I Khan.
372. Naheed Tabassum SST, GGHS Sherwan Abbottabad.
373. Nargis Begum SST, GGHS Anbar Swabi.
374. Romana Khan SST, GGHS Amandi Gul Hassan Bannu.
375. Sanam Mehreen SST, GGHS Hathala D.I Khan.
376. Shaheen Akhtar SST, GGMS Baku Khel Lakki Marwat.
377. Shahida Yasmin SST, GGHS Garrah Malakand.
378. Sanobar Gul SST, GGHS Ismail Khel Bannu.
379. Surayya Jahan SST, GGHS No.4 Bannu.
380. Shomaila SST, GGHS Batkhela Malakand.
381. Faiza Bibi SST, GGHS Kharmatoo Kohat.
382. Rabia Ayaz SST, GGMS Kotka Raja Ali Bannu.
383. Shabana Naz SST, GGHS Chakdara Dir Lower
384. Deelab Khan SST, GGMS Kunda Mira Swabi.
385. Zainab Bukhari SST, GGHS Paghla Mansehra.
386. Naseem Khan SST, GGHS Morcha Khan Mardan.
387. Ayesha Saddiqa SST, GGHS Havelian Abbottabad.
388. Fozia Khushal SST, GGHS Sherwan Abbottabad.
389. Fozia Shaheen SST, GGHS Lakki Ghundaki Karak.
390. Shahida Parveen SST, GGHS Sangar Mansehra.
391. Tabassum Naheed SST, GGHS Totakan Malakand.
392. Humyatun Nisa SST, GGMS Ouch Banr.
393. Khawaga SST, Peshawar. *District Peshawar*
394. Shazia Rehman SST, Jica Model School Phulra Mansehra.
395. Naheeda Kalsoom SST, GGMS Mangala Lakki Marwat.

Respondents

SERVICE APPEAL: Under section 4 of service tribunal Act, 1974, for declaration to effect that seniority list of SST updated on 31-12-2022 issued by respondent no 2, whereby respondent no. 4 to 395 who were initially appointed on Adhoc basis in the year 2006, 2007, 2008 and were later on regularized on 24-10-2009 under KPK (regularization of service) act 2009 have been given seniority over the appellant who was appointed on the recommendation of KPK Public Service Commission dated 24-08-2009 is against the law and fact, discriminatory, void ab-intio, arbitrary, malafide, illegal, against section 4 of KPK (regularization of service) act 2009 and against the Judgment of Supreme Court of Pakistan dated 02-06-2022, hence in effective upon the rights of the appellant.

PRAYER: On acceptance of instant service appeal, the Honorable Court may graciously be pleased to pass the order as under:

- A Declaration to the effect the impugned seniority list of SST updated on 31-12-2022 issued by respondent no 2 whereby respondent no. 4 to 395 who are initially appointed on Adhoc basis in the year 2006, 2007, 2008 and were later on

regularized on 24-10-2009 under KPK (regularization of service) act 2009 have been given seniority over the appellant who was appointed on the recommendation of KPK Public Service Commission dated 24-08-2009 is wrong, incorrect, against law and facts, discriminatory, void ab-intio, misuse of authority, malafide, illegal, against section 4 of KPK (Regularization of service) act 2009 and against the judgment of Honorable Supreme Court of Pakistan dated 02-06-2022, hence in effective upon the rights of appellant. The promotion of SST (Secondary School Teacher) made by respondent No 2 on the basis of impugned seniority list is also against the law and facts. The already promoted SST on basis of impugned seniority list should be considered and placed junior to appellant.

B That, the Appellant who is appointed on the basis of recommendation of the Khyber Pakhtunkhawa Public Service Commission dated 24-08-2009 may graciously be declared senior over the SST who were initially appointed on adhoc basis and were later on regularized on 24-10-2009 (respondent no. 4 to 395) under KPK (regularization of service) Act 2009.

C Direction to the respondent No. 1 to 2 to prepare afresh seniority list in accordance with section 4 of KPK (regularization of service) Act 2009 and judgment dated 02-06-2022 issued by Honorable of Supreme Court of Pakistan.

D Direction to respondent No. 1 to 2 to consider and place the appellant as senior to already promoted

SST (initially appointed on Adhoc basis) on the basis impugned seniority list respondent No 4 to respondent No 395.

E Any other relief which Honorable court deem fit and proper may graciously be granted to the appellant in the highest interest of justice.

Respectfully Sheweth

1. That, the appellant had applied for the post of SST in the light of advertisement No 01-2009. Appellant was recommended as SST (Science) by Khyber Pakhtunkhawa public service commission on 24-08-2009 as a first batch of SST before the commencement of Act through proper recruitment process. **(Copy of Advertisement of KPPSC & copy of recommendation of the commission dated 24-08-2009 are annexed as annexure "A & B")**
2. That, similarly SST respondent No 4 to respondent No. 395 who were initially appointed on the Adhoc basis in the year 2006, 2007, 2008 and were later on regularized on 24-10-2009 under KPK(regularization of service) Act 2009.**(copy of KPK (Regularization of service) Act 2009 is annexed as annexure "C")**
3. That respondent No 2 issued seniority list of SST updated on 31-12-2022, whereby SST initially appointed on Adhoc basis in the year 2006, 2007, 2008 and were later on regularized on 24-10-2009 (respondent No 4 to respondent No. 395) under KPK (regularization of service) Act 2009 were given seniority over the appellant **(Copy of**

SST (initially appointed on Adhoc basis) on the basis impugned seniority list respondent No 4 to respondent No 395.

E Any other relief which Honorable court deem fit and proper may graciously be granted to the appellant in the highest interest of justice.

Respectfully Sheweth

1. That, the appellant had applied for the post of SST in the light of advertisement No 01-2009. Appellant was recommended as SST (Science) by Khyber Pakhtunkhawa public service commission on 24-08-2009 as a first batch of SST before the commencement of Act through proper recruitment process. **(Copy of Advertisement of KPPSC & copy of recommendation of the commission dated 24-08-2009 are annexed as annexure "A & B")**
2. That, similarly SST respondent No 4 to respondent No. 395 who were initially appointed on the Adhoc basis in the year 2006, 2007, 2008 and were later on regularized on 24-10-2009 under ~~KPK(regularization of service)~~ Act 2009. **(copy of KPK (Regularization of service) Act 2009 is annexed as annexure "C")**
3. That respondent No 2 issued seniority list of SST updated on 31-12-2022, whereby SST initially appointed on Adhoc basis in the year 2006, 2007, 2008 and were later on regularized on 24-10-2009 (respondent No 4 to respondent No. 395) under KPK (regularization of service) Act 2009 were given seniority over the appellant **(Copy of**

seniority list of SST as annexed is annexure "D").

4. That, above mentioned seniority list was issued by respondent No 2 in violation of section 4 of the KPK (regularization of the service) Act 2009 and the Judgment of Supreme Court of Pakistan Dated 02-06-2022, Hence appellant filed departmental appeal before the respondent No 2 (copy of departmental Appeal and receipt is annexed as annexure "E")
5. That, the respondent No 2 had not decided the departmental appeal filed by the appellant within the stipulated period of 90 days.
6. That feeling aggrieved from seniority list of SST issued by respondent No 2 and not deciding the departmental appeal within stipulated period of 90 days, the appellant files instant service appeal inter alia on amongst other grounds.

GROUND:

A That, the seniority list of SST updated on 31-12-2022 issued by respondent No 2, whereby respondent No. 4 to 395 who are initially appointed on Adhoc basis in the year 2006,2007,2008 and were later on regularized on 24-10-2009 under KPK (regularization of service) Act 2009 have been given seniority over the appellant who was appointed on the recommendation of KPK Public Service Commission dated 24-08-2009 is against the law and facts, discriminatory, void ab-initio arbitrary,

malafide, illegal, against section 4 of the KPK (regularization of service)Act 2009 and against the judgment of Supreme Court of Pakistan Dated 02-06-2022.(copy of judgment Dated 02-06-2022 is annexed as annexure "F")

B That the Act of the respondent No. 2 in not deciding the departmental appeal within statutory period of 90 days is also against law and facts, discriminatory, Arbitrary, malafide and misuse of authority.

C That according to section 4(1) of the KPK (Regularization of service) Act 2009 regarding determination of the seniority, it laid down that **"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"**.

D That the Act of respondents is in sheer violation of judgment of Supreme Court of Pakistan dated 02-06-2022 already passed in the similar matter. The August Supreme Court of Pakistan has held that **"Admittedly, the recommendation of the first batch amongst the appellants were made**

by the KPPSC to the competent authority on 15-09-2009, whereas the Act was promulgated on 24-10-2009, therefore, the recommendations of all the appellants shall be deemed to have been made by the competent authority prior to the commencement of the Act, irrespective of the subsequent recommendations and dates of their appointments. Hence, the services of those employees, which were regularized pursuant to the Act, shall rank junior to those candidates, whose recommendations were made by the KPPSC, prior to the commencement of the Act. The department while constructing the seniority list was right in placing the appellants senior to those who were regularized pursuant to the Act. The list has wrongly been reversed by the Tribunal, which amounts to misinterpretation of the relevant provisions of law, which is an illegality, on the basis whereof, the judgment impugned is not sustainable”.

- E That, Appellant who was appointed on the basis of recommendation of the KPK public service ranks senior in service over the employees initially appointed on adhoc basis and were later on regularized in service (respondent No 4 to respondent No. 395).
- F That, Act of respondents amount to colorful exercise of power and misuse of authority which is not tenable in the eyes of law.
- G That, respondents have committed discrimination with appellant, which is sheer violation of Article

4 and 25 constitution of republic of Pakistan 1973.

H That, matter of appellant is concerning with terms and conditions of service under Article 212 of constitution of Islamic Republic of Pakistan 1973 hence, appellant has no other proper forum except this Honorable service Tribunal.

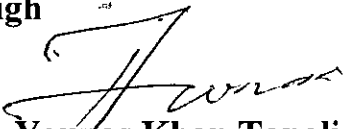
I That, instant appeal is well in time.

J That, the other points shall be agitated at the time of argument with prior permission of the Honorable Tribunal.

It is therefore prayed that instant appeal may graciously be accepted as prayed for in the heading of the instant appeal with costs.


Appellant

Through


Imran Younas Khan Tanoli
Advocate High Court Peshawar
Abbottabad

Dated 31-07-2023

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHAWA
PESHAWAR

Service Appeal No-----

Um-e-Laila D/o Muhammad Afsar Khan, SST (G), GGMS Baldheri, Abbottabad.

Appellant

VERSUS

Secretary Elementary & Secondary Education KPK Peshawar and others.

Respondents

SERVICE APPEAL


AFFIDAVITS

Appellant solemnly affirms and declares on oath that contents of foregoing Appeal is true and correct to the best of my knowledge and belief and nothing has been concealed therein from the Honorable Tribunal.



Um-e-Laila SST (G),
GGMS Baldheri, Abbottabad.

THROUGH


Imran Younas Khan Tanoli
Advocate High Court Peshawar
Abbottabad

Dated 31-07-2023

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHAWA
PESHAWAR

Service Appeal No-----

Um-e-Laila D/o Muhammad Afsar Khan, SST (G), GGMS Baldheri, Abbottabad.

Appellant

VERSUS

Secretary Elementary & Secondary Education KPK Peshawar and others.

SERVICE APPEAL
INTERIM RELIEF

Applicant for interim relief to effect that the operation of impugned seniority list issued by Respondent No 2 may graciously be suspended and the respondents be restrained from making any promotion or passing any order which is against right and interests of appellant till the decision of the instant appeal.

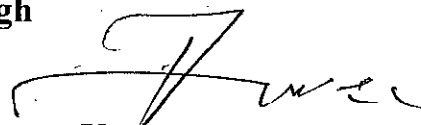
Respectfully Sheweth

- 1 That instant appeal is being filed today. Instant application may be consider as integral part of instant appeal.
- 2 That the appellant has a prima facie excellent case and he is hopeful of his success.
- 3 That in case the impugned seniority list is not suspended, appellant will suffer irreparable loss.
- 4 That balance of convenience lies in favour of the appellant.

It is therefore prayed that on acceptance of instant application, the impugned seniority list issued by Respondent No. 2 may graciously be suspended and respondents may be restrained from making any promotion or passing any order which is against the right of appellant till decision of instant appeal.


Appellant

Through


Imran Younas Khan Tanoli
Advocate High court Peshawar
Abbottabad.

Dated 31-07-2023

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHAWA
PESHAWAR.

Service Appeal No-----

Um-e-Laila D/o Muhammad Afsar Khan, SST (G), GGMS Baldheri, Abbottabad.

Appellant

VERSUS

Secretary Elementary & Secondary Education KPK Peshawar and others.

SERVICE APPEAL
Interim Relief

Affidavit

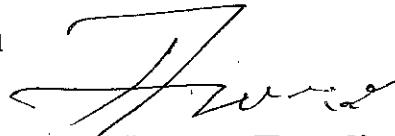
Verified on oath that the contents of foregoing application for interim relief are true and correct to the best of my knowledge and belief and nothing has been suppressed from this Honorable tribunal.



Um-e-Laila SST (G),
GGMS Baldheri, Abbottabad.

Dated 31-07-2023

Through



Imran Younas Tanoli

Advocate High court Peshawar
Abbottabad.

NWFP PUBLIC SERVICE COMMISSION

2- Fort Road Peshawar Cantt:

Website: www.nwfppsc.gov.pk

Dated: 26-01-2009

ADVERTISEMENT No. 01 / 2009.

Applications are invited for the following posts from Pakistani citizens of N.W.F.P/F.A.T.A domicile by 26-02-2009 (13-03-2009 for candidates from abroad). Incomplete applications and applications without supporting documents required to prove the claim of the candidates shall also be rejected without intimation to the candidates.

AGRICULTURE LIVESTOCK & CO-OPERATIVE DEPTT:

(S.No. 01) **One (01) Post of assistant Botanist. In Livestock Research & Dev: Deptt:**

QUALIFICATION: M.Sc Agriculture or B.Sc (Hons) Agriculture (Obtained) after "4" Years Instructions after F.Sc) . from a recognized University under research programme in the subject relating to the subject groups as specified in schedule -II to which the Vacancy occurs..

AGE LIMIT: 21 to 33 years. **PAY SCALE:** BPS-17. **ELIGIBILITY:** Both Sexes. **ALLOCATION:** Merit.

(S.No. 02) **Two (2) Posts of Research officers Fodder. In L&DD Deptt:**

QUALIFICATION: M.Sc Agriculture or B.Sc (Hons) Agriculture (Obtained) after "4" Years Instructions after F.Sc) . from a recognized University under research programme in the subject relating to the subject groups as specified in schedule -II to which the Vacancy occurs..

AGE LIMIT: 21 to 33 years. **PAY SCALE:** BPS-17. **ELIGIBILITY:** Male. **ALLOCATION:**

Merit	Zone-1
01	01

CHIEF ENGINEER WORKS & SERVICE DEPARTMENT.

(S.No. 03) **Five (05) Posts of Data Entry Operators.**

QUALIFICATION: (i) 2nd Division FA/FSc with one year Diploma in Computer Science from the recognized Institute (ii) Speed of Ten thousand key depression per hour for punching/data entry/verification.

AGE LIMIT: 18 to 30 years. **PAY SCALE:** BPS-11. **ELIGIBILITY:** Both Sexes. **ALLOCATION:**

Zone-1	Zone-2	Zone-3	Zone-4	Zone-5
01	01	01	01	01

Merit	Zone-2
01	01

(S.No. 44) **Twenty one (21) Posts of Female Head Mistress.
(with out graduaty and pension).**

QUALIFICATION: (a) Master Degree with B.Ed/M.Ed/M.A /M.A (Education) from a recognized University with Five years experience. (NOTE) experience shall be counted from M.A/M.Sc or M.Ed which ever is proper.

AGE LIMIT: 25 to 40 years. **PAY SCALE:** BPS-17 **ELIGIBILITY:** Female.

ALLOCATION:

Merit	Zone-1	Zone-2	Zone-3	Zone-4	Zone-5
05	04	04	03	02	03

(S.No. 45) **One (01) Post of Head Mistress. For Earth Quake Quota (I.E).
(with out graduaty and pension).**

QUALIFICATION: (a) Master Degree with B.Ed/M.Ed/M.A /M.A (Education) from a recognized University with Five years experience. (NOTE) experience shall be counted from M.A/M.Sc or M.Ed which ever is proper.

AGE LIMIT: 25 to 40 years. **PAY SCALE:** BPS-17 **ELIGIBILITY:** Female.

ALLOCATION: District Battagram.

(S.No. 46) **Four Hundred and Forty Nine (449) Posts of Male S.S in Various
Subjects (with out graduaty and pension).**

QUALIFICATION: Master's Degree in the relevant subjects with Bachelor of Education or M.Ed or M.A. Education (industrial Arts or Business Education) fro a recognized University.

NOTE: If no suitable candidate possessing the above qualification is available then a candidate possessing Master's degree in the relevant subject will be considered subject to the condition that such have appointee shall have to acquire the additional qualification of B.Ed. or M.Ed etc as specified above within three years from the date of appointment, failing which has services shall be terminated irrespective of any other provisions of the rules for the time being in force.

NOTE: For History-cum-Civics : The candidates must possess Master's Degree either in History or Political Science provided the other required subjects has studied at B.A level. The other requirement of teaching degree will, however, remain intact.

For Biology: 2nd Class Master Degree in Botany or Zoology provided that other subject have been studied at graduate level.

AGE LIMIT: 25 to 40 years. **PAY SCALE:** BPS-17 **ELIGIBILITY:** Male.

ALLOCATION:

Subject:	No. of Posts	Merit	Zone-1	Zone-2	Zone-3	Zone-4	Zone-5
Islamiyat	58	14	09	10	10	08	07
History-Cum-Civic	52	13	08	08	09	07	07
English	48	12	08	08	08	06	06
Chemistry	44	11	07	07	07	06	06

Islamiyat	58	14	09	10	10	08	07
History-Cum-Civic	52	13	08	08	09	07	07
English	48	12	08	08	08	06	06
Chemistry	44	11	07	07	07	06	06
Economics	41	10	07	07	07	05	05
Maths	41	11	06	07	07	05	05
Statistics	40	10	06	07	07	05	05
Physics	38	10	07	07	06	04	04
Pak-Study	37	09	06	06	06	05	05
Biology	36	09	06	06	06	05	04
Urdu	14	03	02	02	02	02	03

(S.No. 47) Nine (09) Posts of Male S.S Disabled .(with out graduaty and pension)-

QUALIFICATION: Master's Degree in the relevant subjects, with Bachelor of Education or M.Ed or M.A. Education (industrial Arts or Business Education) fro a recognized University.

NOTE: If no suitable candidate possessing the above qualification is available then a candidate possessing Master's degree in the relevant subject will be considered subject to the condition that such have appointee shall have to acquire the additional qualification of B.Ed. or M.Ed etc as specified above within three years from the date of appointment, failing which has services shall be terminated irrespective of any other provisions of the rules for the time being in force.

NOTE: For History-cum-Civics : The candidates must possess Master's Degree either in History or Political Science provided the other required subjects has studied at B.A level. The other requirement of teaching degree will, however, remain intact.

For Biology: 2nd Class Master Degree in Botany or Zoology provided that other subject have been studied at graduate level.

AGE LIMIT: 25 to 40 years. **PAY SCALE:** BPS-17 **ELIGIBILITY:** Male.

ALLOCATION: Merit Quota.

S.No	Subject	No. of Posts	Allocation
01	Islamiyat	01	Merit Quota
02	History-cum-Civics	01	Merit Quota
03	Economics	01	Merit Quota
04	English	01	Merit Quota
05	Statistics	01	Merit Quota
06	Maths	01	Merit Quota
07	Biology	01	Merit Quota
08	Chemistry	01	Merit Quota
09	Physics	01	Merit Quota

(S.No. 48) Twenty Four (24) Posts of Male S.S (Earth Quake Quota) For Districs Battagram, Mansehra, Shangla, Kohistan, Abbottabad, with out graduaty and pension).

QUALIFICATION: Master's Degree in the relevant subjects with Bachelor of Education or M.Ed or M.A. Education (industrial Arts or Business Education) fro a recognized University.

NOTE: If no suitable candidate possessing the above qualification is available then a candidate possessing Master's degree in the relevant subject will be considered subject to the condition that such have appointee shall have to acquire the additional qualification of B.Ed. or M.Ed etc as specified above within three years from the date of appointment, failing which has services shall be terminated irrespective of any other provisions of the rules for the time being in force.

NOTE: For History-cum-Civics : The candidates must possess Master's Degree either in History or Political Science provided the other required subjects has studied at B.A level. The other requirement of teaching degree will, however, remain intact.

For Biology: 2nd Class Master Degree in Botany or Zoology provided that other subject have been studied at graduate level.

AGE LIMIT: 25 to 40 years. **PAY SCALE:** BPS-17 **ELIGIBILITY:** Male

ALLOCATION:

S.No	Subject	No. of Posts	Allocation
1.	Islamiyat	03	Merit Quota
2.	Pak: Study	02	Merit Quota
3.	History-Cum-Civics	03	Merit Quota
4.	Economics	02	Merit Quota
5.	English	02	Merit Quota
6.	Statistics	02	Merit Quota
7.	Maths	02	Merit Quota
8.	Biology	02	Merit Quota
9.	Chemistry	02	Merit Quota
10.	Physics	02	Merit Quota
11.	Urdu	02	Merit Quota

(S.No. 49) Three Hundred and Ninty One (391) Posts of Female S.S in Various Subjects (with out graduaty and pension).

QUALIFICATION: Master's Degree in the relevant subjects with Bachelor of Education or M.Ed or M.A. Education (industrial Arts or Business Education) fro a recognized University.

NOTE: If no suitable candidate possessing the above qualification is available then a candidate possessing Master's degree in the relevant subject will be considered subject to the condition that such have appointee shall have to acquire the additional qualification of B.Ed. or M.Ed etc as specified above within three years from the date of appointment, failing which has services shall be terminated irrespective of any other

provisions of the rules for the time being in force.

NOTE: For History-cum-Civics : The candidates must possess Master's Degree either in History or Political Science provided the other required subjects has studied at B.A level. The other requirement of teaching degree will, however, remain intact.

For Biology: 2nd Class Master Degree in Botany or Zoology provided that other subject have been studied at graduate level.

AGE LIMIT: 25 to 40 years. **PAY SCALE:** BPS-17 **ELIGIBILITY:** Female

ALLOCATION:

Subject:	No. of Posts	Merit	Zone-1	Zone-2	Zone-3	Zone-4	Zone-5
Statistics	50	13	08	09	08	06	06
Pak-Study	48	12	08	08	08	06	06
Islamiyat	44	09	08	08	07	06	06
Economics	44	11	08	07	07	05	06
Maths	43	11	07	07	06	06	06
English	35	09	06	05	05	05	05
Physics	35	09	06	05	05	05	05
Chemistry	31	08	05	05	05	04	04
Biology	29	07	05	05	05	04	03
History-Cum-Civic	27	07	04	05	05	03	03
Home Economics	05	02	01	01	01		

(S.No. 50) Four (04) Posts of Female S.S. Disable (with out graduate and pension):

QUALIFICATION: Master's Degree in the relevant subjects with Bachelor of Education or M.Ed or M.A. Education (Industrial Arts or Business Education) from a recognized University.

NOTE: If no suitable candidate possessing the above qualification is available then a candidate possessing Master's degree in the relevant subject will be considered subject to the condition that such have appointee shall have to acquire the additional qualification of B.Ed. or M.Ed etc as specified above within three years from the date of appointment, failing which his services shall be terminated irrespective of any other provisions of the rules for the time being in force.

NOTE: For History-cum-Civics : The candidates must possess Master's Degree either in History or Political Science provided the other required subjects has studied at B.A level. The other requirement of teaching degree will, however, remain intact.

For Biology: 2nd Class Master Degree in Botany or Zoology provided that other subject have been studied at graduate level.

AGE LIMIT: 25 to 40 years. **PAY SCALE:** BPS-17 **ELIGIBILITY:** Female

ALLOCATION:

S.No	Subject	No. of Posts	Allocation
1.	Islamiyat	01	Merit Quota
2.	Pak: Study	01	Merit Quota

qualification of B.Ed. or M.Ed etc as specified above within three years from the date of appointment, failing which his services shall be terminated irrespective of any other provisions of the rules for the time being in force.

NOTE: For History-cum-Civics : The candidates must possess Master's Degree either in History or Political Science provided the other required subjects has studied at B.A level. The other requirement of teaching degree will, however, remain intact.

For Biology: 2nd Class Master Degree in Botany or Zoology provided that other subject have been studied at graduate level.

AGE LIMIT: 25 to 40 years. **PAY SCALE:** BPS-17 **ELIGIBILITY:** Female.

ALLOCATION:

S.No	Subject	No. of Posts	Allocation
5.	Islamiyat	02	Merit Quota
6.	Pak: Study	03	Merit Quota
7.	History-Cum-Civics	02	Merit Quota
8.	Economics	02	Merit Quota
9.	English	02	Merit Quota
10.	Statistics	02	Merit Quota
11.	Maths	02	Merit Quota
12.	Biology	02	Merit Quota
13.	Chemistry	02	Merit Quota
14.	Physics	02	Merit Quota

(S.No. 52) Sixteen Hundred Eighty One (1681) Posts of Male SETs. /S.S.Ts (Both Science & Arts) (with out graduaty and pension).

QUALIFICATION: For Secondary School Teacher (General) (i) B.A Second Division from a recognized University and (ii) B.Ed or Equivalent Qualification from a recognized University.

For Secondary School Teacher (Science) (i) BSc Second Division with at least Two of the Subjects of Physic, Chemistry, Zoology, Botany, and Mathematics -A or Mathematics-B and (ii) B.Ed or Equivalent Qualification from a recognized University.

AGE LIMIT: 21 to 35 years. **PAY SCALE:** BPS-16 **ELIGIBILITY:** Male.

ALLOCATION:

Merit	Zone-1	Zone-2	Zone-3	Zone-4	Zone-5
420	280	281	280	210	210

(S.No. 53) Thirty Four (34) Posts of Male Disabled SETs. /S.S.Ts (Both Science & Arts) (with out graduaty and pension).

QUALIFICATION: For Secondary School Teacher (General) (i) B.A Second Division from a recognized University and (ii) B.Ed or Equivalent Qualification from a recognized University.

For Secondary School Teacher (Science) (i) BSc Second Division with at least Two of the Subjects of Physic, Chemistry, Zoology, Botany, and Mathematics -A or Mathematics-B and (ii) B.Ed or Equivalent Qualification from a recognized University.

Mathematics-B and (ii) B.Ed or Equivalent Qualification from a recognized University.

AGE LIMIT: 21 to 35 years. **PAY SCALE:** BPS-16 **ELIGIBILITY:** Male.

ALLOCATION:

Merit	Zone-1	Zone-2	Zone-3	Zone-4	Zone-5
420	280	281	280	210	210

(S.No. 53) **Thirty Four (34) Posts of Male Disabled SETs. /S.S.Ts (Both Science & Arts) (with out graduaty and pension):**

QUALIFICATION: For Secondary School Teacher (General) (i) B.A. Second Division from a recognized University and (ii) B.Ed or Equivalent Qualification from a recognized University.

For Secondary School Teacher (Science) (i) BSc Second Division with at least Two of the Subjects of Physic, Chemistry, Zoology, Botany, and Mathematics A or Mathematics-B and (ii) B.Ed or Equivalent Qualification from a recognized University.

AGE LIMIT: 21 to 35 years. **PAY SCALE:** BPS-16 **ELIGIBILITY:** Male.

ALLOCATION: Merit.

(S.No. 54) **Ninty Two (92) Posts of Male SETs. /S.S.Ts For Earth Quake Quota (I.E) Battagram , Mansehra , Shangla , Kohistan, Abbottabad (Both Science & Arts) (with out graduaty and pension).**

QUALIFICATION: For Secondary School Teacher (General) (i) B.A. Second Division from a recognized University and (ii) B.Ed or Equivalent Qualification from a recognized University.

For Secondary School Teacher (Science) (i) BSc Second Division with at least Two of the Subjects of Physic, Chemistry, Zoology, Botany, and Mathematics A or Mathematics-B and (ii) B.Ed or Equivalent Qualification from a recognized University.

AGE LIMIT: 21 to 35 years. **PAY SCALE:** BPS-16 **ELIGIBILITY:** Male.

ALLOCATION: Merit.

(S.No. 55) **Nine Hundred and Seventy Three (973) Posts of Female SETs. /S.S.Ts (Both Science & Arts) (with out graduaty and pension).**

QUALIFICATION: For Secondary School Teacher (General) (i) B.A. Second Division from a recognized University and (ii) B.Ed or Equivalent Qualification from a recognized University.

For Secondary School Teacher (Science) (i) BSc Second Division with at least Two of the Subjects of Physic, Chemistry, Zoology, Botany, and Mathematics A or Mathematics-B and (ii) B.Ed or Equivalent Qualification from a recognized University.

AGE LIMIT: 21 to 40 years. **PAY SCALE:** BPS-16 **ELIGIBILITY:** Male.

ALLOCATION:

Merit	Zone-1	Zone-2	Zone-3	Zone-4	Zone-5
243	162	162	162	122	122

(S.No. 56) **Twenty One (21) Posts of Female SETs. /S.S.Ts Disabled (with out**

graduaty and pension).

QUALIFICATION: For Secondary School Teacher (General) (i) B.A. Second Division from a recognized University and (ii) B.Ed or Equivalent Qualification from a recognized University.

For Secondary School Teacher (Science) (i) BSc Second Division with at least Two of the Subjects of Phisic, Chemistry, Zoology, Botany, and Mathematics -A or Mathematics-B and (ii) B.Ed or Equivalent Qualification from a recognized University.

AGE LIMIT: 21 to 40 years. years (10 years age relaxation)

PAY SCALE: BPS-16 **ELIGIBILITY:** Female.

ALLOCATION: Merit.

(S.No. 57) Fifty One (51) Posts of Female SETs. /S.S.Ts For Earth Quake Quota (I.E) Battagram, Mansehra, Shangla , Kohistan, Abbottabad, (with out graduaty and pension).

QUALIFICATION: For Secondary School Teacher (General) (i) B.A. Second Division from a recognized University and (ii) B.Ed or Equivalent Qualification from a recognized University.

For Secondary School Teacher (Science) (i) BSc Second Division with at least Two of the Subjects of Phisic, Chemistry, Zoology, Botany, and Mathematics -A or Mathematics-B and (ii) B.Ed or Equivalent Qualification from a recognized University.

AGE LIMIT: 21 to 40 years. **PAY SCALE:** BPS-16 **ELIGIBILITY:** Female

ALLOCATION: Merit.

TECHNICAL EDUATION AND MAN POWER TRAINING DEPARTMENT.

(S.No. 58) Two (02) Posts of Assistant Professor Commerce in Govt: Colleges of Commercial/Govt: Commercial Training Institutes.

QUALIFICATION: (i) Ph. D in the relevant subject from a recognized University with three year teaching experience in recognized college / Govt: Commercial Institutes/ Govt: Commercial Institutes/ Govt: Commerce College ass Instructor/ Lecturer.

OR (ii) Master's Degree from a recognized University in the relevant subject with Five Years experience of teaching as Lecturer / Junior Instructor in a recognized college / Govt: Commercial Institute/ Govt: Commerce College.

AGE LIMIT: 25 to 40 years. **PAY SCALE:** BPS-18. **ELIGIBILITY:** Male.

ALLOCATION: Merit.

(S.No. 59) Two (02) Posts of Assistant Professor in Computer Engineering in Govt: College of Technology & Govt: Polytechnic Institure.

QUALIFICATION: (a) Ph. D in Engineering from a recognized University / Institute with one years's teaching/ professional experience in the relevant subject as such OR (b) Master's Degree in Engineering from a recognized University/ Institute with five years teaching/ professional experience in the relevant subject as such OR (c)

Bachelor's Degree in Engineering/ Associate Member Institute of Engineering in the relevant subject from a recognized University / Institution with Seven years teaching/ professional experience in the relevant subject as such.
AGE LIMIT: 25 to 40 years. PAY SCALE: BPS-18. ELIGIBILITY: Male.
ALLOCATION: Merit.

(S.No. 60) **Twenty Two (22) Posts of Male Instructor/Lecturer in Commerce for Govt: College of Commerce/Govt: Commercial training Institute.**

QUALIFICATION: 2nd Class Master Degree in the relevant subject or equivalent qualification from a recognized University.
AGE LIMIT: 21 to 40 years. PAY SCALE: BPS-17. ELIGIBILITY: Male.
ALLOCATION:

Merit	Zone-1	Zone-2	Zone-3	Zone-4	Zone-5
05	04	04	04	03	02

(S.No. 61) **Three (03) Posts of Male Instructor/Lecturer in Commerce for Earthquake Affected Areas for Govt: College of Commerce/Govt: Commercial training Institute.**

QUALIFICATION: 2nd Class Master Degree in the relevant subject or equivalent qualification from a recognized University.
AGE LIMIT: 21 to 40 years. PAY SCALE: BPS-17. ELIGIBILITY: Male.
ALLOCATION: Merit. (District Wise Distribution)

Battagram	Shangla	Kohistan
01	01	01

(S.No. 62) **Fourteen (14) Posts of Male Instructor/ Lecturer of computer Science for Government College of Commerce (GCC)/ Govt: Commercial Training Institute (GCTI).**

QUALIFICATION: (i) 2nd Class Master's Degree in the relevant subject or equivalent qualification from a recognized University.
AGE LIMIT: 21 to 40 years. PAY SCALE: BPS-17. ELIGIBILITY: Male.
ALLOCATION:

Merit	Zone-1	Zone-2	Zone-3	Zone-4	Zone-5
04	02	02	02	02	02

(S.No. 63) **One (01) Post of Male Instructor/ Lecturer of computer Science (Disable) for Government College of Commerce (GCC)/ Govt: Commercial Training Institute (GCTI).**

QUALIFICATION: (i) 2nd Class Master's Degree in the relevant subject or equivalent qualification from a recognized University.
AGE LIMIT: 21 to 40 years. PAY SCALE: BPS-17. ELIGIBILITY: Male.
ALLOCATION: Merit.

(S.No. 64) **One (01) Post of Female Instructor Commerce. In GCC/GCTIs.**
QUALIFICATION: 2nd Class Master's Degree in the relevant Subjects or equivalent qualification from a recognized University.
AGE LIMIT: 21 to 40 years. **PAY SCALE:** BPS-17. **ELIGIBILITY:** Female.
ALLOCATION: Zone-5

(S.No. 65) **One (01) Post of Male Instructor/ Lecturer of computer Science Earth quack Affected Area in Government College of Commerce (GCC)/ Govt: Commercial Training Institute (GCTI).**
QUALIFICATION: (i) 2nd Class Master's Degree in the relevant subject or equivalent qualification from a recognized University.
AGE LIMIT: 21 to 40 years. **PAY SCALE:** BPS-17. **ELIGIBILITY:** Male.
ALLOCATION: Merit.

(S.No. 66) **Ten (10) Posts of Male office Assistant.**
QUALIFICATION: Bachelor degree from recognized University.
AGE LIMIT: 18 to 30 years. **PAY SCALE:** BPS-14. **ELIGIBILITY:** Male.
ALLOCATION:

Zone-1	Zone-2	Zone-3	Zone-4	Zone-5
02	02	02	02	02

(S.No. 67) **One (01) Post of Female office Assistant.**
QUALIFICATION: Bachelor degree from recognized University.
AGE LIMIT: 18 to 30 years. **PAY SCALE:** BPS-14. **ELIGIBILITY:** Female.
ALLOCATION: Merit.

CORRIGENDUM

1. The Post of Research Officer for Earth Quake Quota appearing at S.No. 2 Advtt. No.07/2007 may be read as 02 Post for Chemistry and one for cereal Crops.
2. The Post of Reader Advertised in Advtt. No. 07/2008 S.No. 39 may be read as one post instead of Two Posts.

GENERAL CONDITIONS.

- (i) Age, qualification and experience etc shall be reckoned on 26-02-2009 Maximum age limit as prescribed in the recruitment rules shall be relaxed upto 10 years for Govt Servants who have completed 2 years continuous service, upto 10 years for disabled persons and upto 3 years for candidates belonging to backward areas of Zone-1, Zone-3, Merged Areas of Hazara and Mardan Divisions and uper Tanawal, Districts of Swat, Upper Dir, Lower Dir, Chitral, Buner, Kala Dhaka Area, Kohistan District, Shangla, Gadoon Area in Swabi, Backward areas of Mansehra and Batagram, backward areas of Haripur District i.e., Kalanjar Field Kanungo Circle of Tehsil Haripur and Amazai Field Kanungo Circle of Tehsil Ghazi. However, a candidate shall be allowed relaxation in age in one of the above categories provided that the candidates from backward areas, in addition to automatic relaxation of three years shall be entitled to one of the relaxations available to Govt Servants, general or disabled candidates, whichever is relevant and applicable to them.
- (ii) Degrees / Diploma / Experience Certificates / Testimonials of unrecognized Institution are not accepted. Only original Degrees / Certificates are accepted. However, the candidates can apply on provisional certificate signed by the Controller of Examination of the respective Institution, but candidates shall produce original degrees / certificates before their selection. Detail Marks Certificate for all the examination shall necessarily be required and these should be attached with the application forms.
- (iii) ALLOCATION of vacancies in BPS-17 and below shall be strictly in accordance with the Zonal ALLOCATION as indicated against each post(s). The applications of the candidates other than the specified zone(s) shall be ignored except for posts reserved for Merit quota. No zonal reservation stands for posts allocated to disabled quota and also for the posts in BPS 18 and above. All such posts shall be filled in on Open Merit.
- (iv) The candidates applying against disabled posts must attach with their application forms of disability certificate from the Provincial Council for Rehabilitation of Disabled persons as well as disability certificate from the respective Medical Superintendent / Medical Board showing therein the specific disability.
- (v) Ex-armed Forces Personnel must send copy of Discharge Certificate with their applications. Govt. / Semi Govt. / Autonomous / Semi Autonomous Bodies employees may apply direct but their Departmental Permission Certificates should reach within 30 days of the closing date.
- (vi) Applications should be on the prescribed application form obtainable from the listed below branches of the NATIONAL BANK. Application Fee is Rs. 285/- (Rupees Two Hundred Eight Five only) for all the candidates. In addition to the application fee, the candidates will have to pay Rs. 15/- (rupees fifteen only) on account of Bank Charges. Separate application form will be required for each advertised category of posts. Application forms obtained other than the specified branches of the National Bank will be considered invalid and such applications will not be entertained. The applications on plain paper or Photostat shall not be accepted. Incomplete and late applications shall also be ignored.
- (vii) Application must be submitted within time as no extra time is allowed for postal transit. The applications if submitted on the last date for receipt of applications must reach the Commission's office by the closing hours.

"Annexure B"

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Interview Result of 10 Posts of Female S E T (Earth Quake Quota) (B-16) (Science Group)
School Literacy Department advertisement No. 11/2009 S No 57

Interviews for the posts were held w e t 15/07/09 to 31/07/09. As a result the following
candidates to be recommended to the Government for appointment for the subject cited posts
Subject to fill the deficiencies wherever required

S NO
Name with Father's Name
District/ Zone

FUZIA KHUSHTAL D/O NIJSHAL KHAN
ABBOTTABAD/5

ASIYA BIBI D/O SYED GULZAR SHAH
UDA MANSEHRA/3

MISS NABILA NAWAZ D/O MUHAMMAD NAWAZ
MANSEHRA/5

FARHAT JABEEN D/O ABDUL KHALIQ AWAN
ABBOTTABAD/5

NIGHAT BIBI D/O MUHAMMAD KHAN
MANSEHRA/5

ASMA GHAFAR D/O ABDUL GHAFAR KHAN
ABBOTTABAD/5

ZAINEB BUKHARI D/O SYED INAYATULLAH SHAH
MANSEHRA/5

SAIMA BIBI D/O MUHAMMAD ASHRAF
MANSEHRA/5

SAIMA NOREEN D/O CHAN MUHAMMAD
ABBOTTABAD/5

IRRUM MANZOOR D/O MANZOOR AHMED
MANSEHRA/5

34

PSC 10

one: Saima Nisreen 27/0
Age & p/o Sherwan Khalid,
Abbottabad

24/11/2011
Date

Subject:—RECRUITMENT OF female Set (250)

The Commission has recommended you to the Government for appointment. please do not treat this as a letter of appointment for which Government authority. The Commission cannot entertain any correspondence from you in this regard.

THE ¹[KHYBER PAKHTUNKHWA]
EMPLOYEES (REGULARIZATION OF SERVICES) ACT, 2009.
([KHYBER PAKHTUNKHWA] ACT NO. XVI OF 2009)

enacted after having received the assent of the Governor of the ²[Khyber
Pakhtunkhwa] in the Gazette of ⁴[Khyber Pakhtunkhwa] (Extraordinary), dated the
24th October, 2009]

AN
ACT

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

WHEREAS it is expedient to provide for the regularization of the services of
employees appointed on adhoc or contract basis, in the public interest, for the
purpose of regularizing the services of such employees after appearing;

it is hereby enacted as follows:-

Short title and commencement—(1) This Act may be called the ³[Khyber
Employees (Regularization of Services) Act, 2009.

and it shall come into force at once.

Interpretation—(1) In this Act, unless the context otherwise requires,-

- (a) "Commission" means the ⁶[Khyber Pakhtunkhwa] Public Service Commission;
- (b) "contract appointment" means appointment of a duly qualified person made otherwise than in accordance with the prescribed method of recruitment;
- (c) "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 ¹[Khyber Pakhtunkhwa];
- (d) "Government Department" means any department constituted under rule 3 of the ²[Khyber Pakhtunkhwa] Government Rules of Business, 1985, and does not include any section of a Department or an organization which is federally funded;
- (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 "ad hoc or contract appointment" and "civil servant" shall have the same meanings as respectively assigned to them in the ³[Khyber Pakhtunkhwa] Civil Servants Act, 1973 (⁴[Khyber Pakhtunkhwa] Act No. XVIII of 1973).

3. Regularization of services of certain employees.—All employees including recommendees of the High Court appointed on contract or ad hoc basis and holding that post on 31st 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 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.

(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 in such service or cadre:

¹Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011
²Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011
³Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011
⁴Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

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.

"Annexure D"

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PRIORITY LIST OF SST (Female) (G), SST (B/C), SST (P/M) & SST (TECH & COMMERCE) OF ELEMENTARY AND SECONDARY EDUCATION KHYBER PAKHTUNKHWA (AS STOOD ON (26-07-2022))

S.No	CNIC	Personal No.	Name	Father Name	Domicile	Date of Birth	Qualification	Prof Qualification	Muster in Subject with Div	Year of B.Ed	Date of Ist. Apptt. in Edu. Deptt.	D/o Apptt. Promotion to SST Post	Date of Regular Notification	Merit Score	Advert. No and Date	Method of recruit.	School
1	-		Shamim Bibi	Abdul Rashid	Bannu	07/03/1969	BA	B.Ed	-		20.10.1989	20.10.1989					Bannu
2	-		Khatija Said	Said Badshah	Mansehra	03/03/1963	B.Sc	B.Ed	-		21.12.1989	21.12.1989					GGHS Haji Gail A.Abad
3	-		Lubna Tabasam	Faqir Hussain	Peshawar	04/10/1964	B.Sc	B.Ed	-		21.12.1989	21.12.1989					GGHS Utmanzar
4	-		Mehmooda Sultana	Sultan Bahadar	Haripur	04/11/1963	M.Sc	B.Ed	-		03.10.1989	26.11.1990					GGHS Sirkot Haripur
5	-		Hajra Bibi	Haidar Zaman	A.Abad	04/08/1966	BA	B.Ed	-		11.10.1989	28.11.1990					GGHS Havelian A.Abad
6	-		Bibi Aziz Fatma	Muhammad Hussain Shah	Kohat	02/12/1966	BA	B.Ed	-		04.12.1990	04.12.1990					GGHSS Peshawar
7	17301-1360342-2		Farzana Bano	Abdullah Jan	Peshawar	19.04.1965	MA	B.Ed	Urdu		14.03.1990	04.12.1990				B/C	GGCHSS Peshawar
8	-		Shameem Akhtar	Yousaf	Haripur	10/01/1964	BA	B.Ed	-		01.12.1988	05.12.1990					GGMS Jerral A.Abad
9	-		Kulsoom jehan Akhtar	Muhammad Gul Akbar Mlazi	Bannu	18.03.1967	B.Sc	B.Ed	-		03.09.1991	03.09.1992					GGHS No.1 Bannu
10	-		Talat	Hashmat Ali	Kohat	08/10/1963	M.Sc	B.Ed	-		9.2.1991	23.2.1993					GGHS Seri Kohat
11	-		Yasmeen Akhtar	Syed Muhammad	Peshawar	01/02/1967	B.Sc	B.Ed	-		24.1.1991	23.2.1993					GGHSS Ledi Graft Peshawar
12	-		Gul Nar	Syed Murad Ali	Mardan	02/05/1966	M.Sc	B.Ed	-		8.11.1994	8.11.1994					GGHS Shahbaz Garhi Mardan
13	-		Masooma Memood	Memood Khan Khakwani	D.I.Khan	12/10/1964	BA	B.Ed	-		8.11.1994	8.11.1994					GGHS Darband Kafan D.I.Khan
14	-		Sahira Begum	Fazal Qayyum	Swabi	08/04/1967	BA	B.Ed	-		12.12.1987	8.11.1994					GGHS Kota Swabi
15	-		Bibi Safia	Abdul Raqib	Swat	10/05/1965	MA	B.Ed	-		8.11.1994	8.11.1994					GGHS Barkot Swat
16	-		Sahira Yasmeen	Muhammad Suliman	A.Abad	09/05/1965	BA	B.Ed	-		21.9.1989	8.11.1994					GGHS Bandi Dhundagan A.Abad
17	-		Tanzeer Rashid	Rashid Ahmad	Swabi	05/04/1963	M.Sc	B.Ed	-		14.4.1991	8.11.1994					GGHS Char Bagh Swabi
18	-		Irum Akhtar	Saadia	A.Abad	01/04/1967	M.Sc	B.Ed	-		8.11.1994	8.11.1994					GGHS Nawar Sher A.Abad
19	-		Rozina Rehman	Abdur Rehman	Kohat	04/06/1976	MA	B.Ed	-		8.11.1994	8.11.1994					GGHS Togh Serai Kohat
20	-		Mamoona Bibi	Abdul Hakim	A.Abad	02/03/1965	BA	B.Ed	-		8.11.1994	8.11.1994					GGHS Serai Miamat Khan Haripur

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S.No	CNIC	Personal No.	Name	Father Name	Domicile	Date of Birth	Qualification	Prof Qualification	Master in Subject with Div	Year of B.Ed	Date of Ist: Apptt: in Edu: Deptt:	D/o Apptt/ Promotion to SST Post	Date of Regular Notification	Merit Score	Advert: No and Date	Method of recruit:	School
1767	13101-0887933-6		Zahida Shamim	Dure Iman	A.Abad	20.05.1981	MA	B.Ed/M.Ed	Pol. Science		30.05.2012	30.05.2012				PSC	GGHS Tharyati
1768	16202-8728355-0		Saira Tabassum	Amir Sultan	Swabi	03.09.1981	MA	B.Ed	Islamiyat		30.05.2012	30.05.2012				PSC	GGHS Shaheen Muslim Town Pesh
1769	16202-0819870-4		Humira Nazneen	Muhammad Sarfaraz Khan	Swabi	01.04.1982	MA	M.Ed	Pol. Science		30.05.2012	30.05.2012				PSC	ASDEO FEMALE SWABI
1770	15201-5077238-8		Sohaila Rani	Said Muhammad	Chitral	09.04.1983	MA	M.Ed	Islamiyat		10.01.2012	10.01.2012				PSC	GGHS Shegikake Chitral
1771	14301-4081839-2		Ayesha Sanam	Sanaullah Khan	Kohat	14.08.1984	MA	M.Ed	History		02/07/2012	02/07/2012				PSC	GGHS Sheikhan Kohat
1772	12101-9292961-8		Salma Naheed	Amanullah Khan	DIKhan	08.09.1984	MA	M.Ed	English		30.05.2012	30.05.2012				PSC	GGMS Basti Dirkhan Wali
1773	14301-6534449-2		Rehana Tabassum	Muhammad Younis	Kohat	06.12.1984	MA	B.Ed	Pak Studies		25/09/2012	25/09/2012				PSC	GGHSS Khair Abad
1774	14301-7196096-8		Nasreen Akhtar	Mumtaz Ali Khan	Karak	28.03.1975	MA	M.Ed	English / Urdu		30.05.2012	30.05.2012				PSC	GGHS DHODAK KOHAT
1775			Bushra Begum	Nawab Ali Durrani	Nowshera	04.04.1978	MA	M.Ed	Urdu		14/01/1998	08/10/2012				PSC	GGMS Makin Abad NSR
1776	17102-0240081-2		Samina Begum	Banat Gul	Charsadda	03.07.1978	MA	M.Ed	Islamiyat		30.05.2012	30.05.2012				PSC	GGMS QANDAROO KHEL
1777			Nargis Naheed Bibi	Ghulam Said	Mardan	04.12.1978	-	-	-		30.05.2012	30.05.2012				PSC	
1778	25303-3505629-0		Mussarrat Noureen	Muhammad Rafiq	Karak	02.11.1980	MA	M.Ed	Pol. Science		30.05.2012	30.05.2012				PSC	GGCMHS Tehkla Bala
1779	17101-0238602-8		Fareeda	Masal Khan	Charsadda	20.08.1981	MA	B.Ed/M.Ed	Islamiyat		30.05.2012	30.05.2012				PSC	GGHS Sardheri
1780			Farzana	Jehanzeb	Mardan	08.04.1982	MA	M.Ed	-		30.05.2012	30.05.2012				PSC	GGHSS Rustam Mardan
1781	16102-4457282.0		Asia Taj	Taj Muhammad	Mardan	27.02.1983	MA/M.Phil	M.Ed	Pol. Science /		26/02/2010	30.05.2012				PSC	GGMS Kodnaka Mardan
1782	17201-2106348-8		Bibi Fakhria Malka	Qari Azizullah	Nowshera	24.03.1983	MA	B.Ed	Islamiyat		30.05.2012	30.05.2012				PSC	GHSS WAZIR BAGH PESHAWAR
1783			Shagufta Parveen	Habibur Rehman	Karak	02.06.1984	-	-	-		30.05.2012	30.05.2012				PSC	GGMS Muheet Khan Kor
1784	11101-1411837-4		Sadaf Bano	Yousaf Ali	Bannu	25.12.1984	MA	M.Ed (M.Phil)	Pak Studies /		30.05.2012	30.05.2012				PSC	GGHS Dharma Khel Bannu
1785	17301-4891412-0		Fatima Syed Shah	Syed Roidar Shah	Peshawar	26.09.1985	MA	M.Ed	English		30.05.2012	30.05.2012				PSC	GHSS AHMAO KHEL Pesh
1786	13101-6857782-6		Um-e-Laila	Muhammad Afsar Khan	A.Abad	08.07.1986	MA	M.Ed	Islamiyat / Urdu		30.05.2012	30.05.2012				PSC	GGHS Buldheri Atd
1787	12101-2381389-2		Bushra Bibi	Sultan Ahmad	DIKhan	08.04.1987	MA	M.Ed	Pol. Science		30.05.2012	30.05.2012				PSC	GGCMHS No.1 D.I.Khan
1788	13503-0583868-2		Sehrish Khan	Biradar Khan	Mansehra	08.08.1978	MA	B.Ed	English		30.05.2012	30.05.2012				PSC	GGHS Shikhar Mansehra

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S.No	CNIC	Personal No.	Name	Father Name	Domicile	Date of Birth	Qualification	Prof Qualification	Master in Subject with Div	Year of B.Ed	Date of Ist. Apptt. In Edu. Deptt.	D/o Apptt. Promotion to SST Post	Date of Regular Notification	Merit Score	Advert. No and Date	Method of recruit.	School
6365	17201-7397617-6		Sonia Naz	Niaz Muhammad	Nowshera	12.04.1991	M.Sc	B.Ed	Botany / Zoology		11.05.2017				INF/P4736 Dated 30/09/2016	Regularized through Act 2016	GGHS Shekhot Nowshera
6366			Shehla	Khair Ul Abrar	Mardan	13.04.1991	BS		Comp. Sci		13.05.2017	13.05.2017			INF/P4736 Dated 30/09/2016	Regularized through Act 2016	GGHS Qudrat Killi
6367	15101-2902319-8		Kalsoom Bibi	Abdul Haleem	Buner	04.05.1991	M.Sc	B.Ed			04.05.2017	04.05.2017			INF/P4736 Dated 30/09/2016	Regularized through Act 2016	GGHSE NOGRAM
6368	17201-1986408-6		Rose Mary	Basil Boots	Nowshera	18.08.1991	B.Sc	M.Phil (Education)			11.09.2017	11.09.2017			INF/P4736 Dated 30/09/2016	Regularized through Act 2016	GGHSS Khesha Feyan Nowshera
6369	15202-0793800-2		Tahir us Sabah	Sardar Well Khan	Upper Chitral	12.10.1991	MA	M.Ed	English / Sociology		05.04.2017	04.05.2017			INF/P4736 Dated 30/09/2016	Regularized through Act 2016	GGMS Saht
6370	16102-8582973-6		Naveeda Begum	Abdul Qayyum	Nowshera	08.02.1992	M.Sc	M.Ed	Botany		03.05.2017	03.05.2017			INF/P4736 Dated 30/09/2016	Regularized through Act 2016	GGHS Zalkhi Cabristan
6371	15101-6828187-2		Tabassum	Malik Zada	Buner	20.03.1992	M.Sc	M.Ed			04.05.2017	04.05.2017			INF/P4736 Dated 30/09/2016	Regularized through Act 2016	GGHSS SHALBANDI
6372	17301-3251669-6		Aasma Ashraf	S.Ashraf Shah	Peshawar	07.06.1992	M.Sc	M.Ed	Chemistry		19.05.2017	19.05.2017			INF/P4736 Dated 30/09/2016	Regularized through Act 2016	GGHS Haryana Feyan
6373	15101-9189241-0		Raheela Qudsoos	Abdul Qudsoos	Buner	16.09.1992	MA	M.Ed			04.05.2017	04.05.2017			INF/P4736 Dated 30/09/2016	Regularized through Act 2016	GGHSS KALPANI
6374	17201-7757206-6		Madeeha Fazal	Fazal Muhammad	Peshawar	01.12.1992	M.Sc	B.Ed	Electronics		19.05.2017	19.05.2017			INF/P4736 Dated 30/09/2016	Regularized through Act 2016	GGHSS Mathra
6375	17201-9648492-6		Laila Naz	Kiramaf Sher	Nowshera	04.12.1992	M.Sc	M.Ed	Zoology		11.05.2017	11.05.2017			INF/P4736 Dated 30/09/2016	Regularized through Act 2016	GGHSS Nowshera Cantt
6376			Beena Fatima	Faqr Taj	Mardan	14.07.1993	M.Sc	M.Ed			05.12.2017	12.05.2017			INF/P4736 Dated 30/09/2016	Regularized through Act 2016	GGHS Alam Gunj Mardan
6377	17301-0976534-0		Najma Bibi	Abdul Qadir	Nowshera	23.03.1994	M.Sc	M.Ed	Pak Studies		03.05.2017				INF/P4736 Dated 30/09/2016	Regularized through Act 2016	GGHS Jabba Tar Nowshera
6378	15401-6720260-2		Sobi Bibi	Nek Khan	Malakand	10.04.1994	M.Sc	M.Ed	Chemistry		09.11.2017	09.11.2017			INF/P4736 Dated 30/09/2016	Regularized through Act 2016	GGHS GU KHEL
6379	12101-3821117-6		Tahseen Bashir	Muhammad Bashir	D.I.Khan	08.08.1984	M.Phil	M.Ed	Chemistry		16.05.2017	16.05.2017			INF/P4736 Dated 30/09/2016	Regularized through Act 2016	GGHS Darban D.I.Khan
6380	13302-1387019-4		Safma Bashir	Bashir Ahmed	Haripur	03.03.1990	M.Sc	B.Ed	Comp. Sci		25.08.2017	25.08.2017			INF/P4736 Dated 30/09/2016	Regularized through Act 2016	GGHS ALQOLI HR
6381	13302-1816455-6		Bushra Rehman	Khalid Ur Rehman	Haripur	18.02.1994	M.Sc	M.Ed	Physics		29.05.2017	29.05.2017			INF/P4736 Dated 30/09/2016	Regularized through Act 2016	GGHS Khanpur Haripur
6382	12101-6302433-8		Saima Akber	Akbar Zaman	Lakki Marwat	03.03.1992	M.Sc	B.Ed	Comp. Sci		07.11.2017	07.11.2017			INF/P4736 Dated 30/09/2016	Regularized through Act 2016	GGHS No.1 Lakki Marwat
6383	14302-0217970-8		Saira Jabeen	Amal Khan	Kohat	01.04.1988	M.Phil	M.Ed	Biotechnology		05.11.2017	05.11.2017			INF/P4736 Dated 30/09/2016	Regularized through Act 2016	ASDEO (F) Lachi

Deputy Director Establishment (F)
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

To

Annexure E

(41)

**The Director,
Elementary and Secondary Education KPK,
Peshawar.**

Subject; Departmental appeal against the seniority of SST 2009 (Adhoc to regularized) in th light of Honorable Supreme Court CPs No 290 to 297 Dated 02-06-2022 in favour of SS Recommended through KPPSC.

Respected sir,

That the appellant was recommended SST (G) through KPPSC (2011-2012) accordance with Advertisement No (01-2009) with proper recruitment regulation 2003 of KPPSC Peshawar.

That the regularized employees of SSTs and SSs had appointed improper recruitment on Adhoc/Contract basis (2009-2010) against the regulation 2003 PCS. After some months the Assembly of KPK had regularized the Adhoc employees through KPPSC (Regularization of Service) Act 2009.

Copy of Act 2009 is annexed as an annexure "A".

That under the section 4 of aforesaid Act the Adhoc to regularized employees will be junior from recommended Appointees of KPPSC into seniority According to interpretation of this section in aforesaid judgment of Supreme Court.

That the Honorable Supreme court of Pakistan have passed the judgment in the light of entire scenario in CP NOs 290 to 297 Dated 22-06-2022, That the recommended SSs appellants will be senior to Adhoc to regularized SSs into seniority, then promotion will be accordingly. **Copy of judgment of SC is annexed as annexure "B."**

That the stance of recommended SS and Appellant SST are same. Department have not treated with Appellant equally same as recommended SSs Appointees. It is clear cut discrimination treated with SST Appellant, and it is violation of the said Act.

That the Adhoc to regularized SSTs (2009,2010), those who have promoted SSTs to SSs rather than recommended SSTs (2011, 2012) against the section 4 of Assembly Act KPK (Regularization of service) Act 2009, they placed on senior to as next coming recommended SSTs to SSs as subject wise. **Copy of seniority list of Regularized promotes is annexed as annexed "C."**

The right of appellant is accrued, so being aggrieved, appellant has file Departmental appeal before the Appellent authority to resolve the matter accordingly.

It is therefore requested before the competent authority that our rights are accrue against the discrimination with SST (KPPSC) to be granted seniority like as SS (KPPSC) in the light of honorable Supreme court Dated 02-06-2022 in CPs No 290 to 297 regarding title Badshah Zamin and others VS Siraj khan and others. We hope that you will accept our appeal and remaintain the seniority promoted on SSs, place them on junior to next coming Recommended SSTs to SSs promotees.

Thanks,

Um-e-Laila SST (G),
GGMS Baldheri, Abbottabad.

Date; 14-04-2023

Copy to---

- 1) SECRETARY OF ELEMENTARY AND SECONDARY EDUCATION
KPK PESHAWAR.
- 2) CHAIRMAN KPK PUBLIC SRVICE COMMISSION, PESHAWAR.

"Annexure F"

(43)

IN THE SUPREME COURT OF PAKISTAN
(Appellate Jurisdiction)

PRESENT:

MR. JUSTICE SAJJAD ALI SHAH
MR. JUSTICE JAMAL KHAN MANDOKHAIL

Civil Appeals No. 290 to 297 of 2022
(On appeal from the judgments of the Khyber
Pakhtunkhwa Service Tribunal dated
17.11.2020 in Service Appeal Nos. 126, 127,
129, 131 of 2019 and 605 of 2018)

Badshah Zamin & others (in all appeals) ... Appellant(s).

VERSUS

Siraj Khan & others (in CA 290)
Inayat ur Rehman & others (in CA 291)
M. Raft and others (in CA 292)
Guld Ayub & others (in CA 293)
Dost Muhammad & others (in CA 294)
Zarif Shad & others (in CA 295)
Jamal ud Din & others (in CA 296)

... Respondent(s)

For the Appellant(s) : Mr. Muhammad Shoaib Shaheen, ASC
(in all appeals)

For Private Respondents : Mr. Aftab Alam Yasir, ASC

For KPK : Mr. Zahid Yousaf Qureshi, Addl. AG
Shahid Iqbal, L.O. (KPPSC)

Date of Hearing : 02.06.2022

JUDGMENT

Jamal Khan Mandokhail, J. We intend to dispose of all these appeals through this judgment as the question of law in all the appeals is common and these are directed against a consolidated judgment dated 17.11.2020 passed by the Khyber Pakhtunkhwa Service Tribunal, Peshawar.

2. Facts in brief are that the respondent No.1 was appointed as Subject Specialist on contract basis in


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Supreme Court of Pakistan
Islamabad

the Education Department of Khyber Pakhtunkhwa (KP), in the year 2005. The KP government promulgated the Khyber Pakhtunkhwa Employees (Regularization of Services) Act, 2009 (the Act), on 24th October 2009. Pursuant to the Act, the services of employees of KP government appointed on contract or *ad hoc* basis, holding the posts on 31st December 2008 till the promulgation of the Act were regularized, consequently, services of the respondent No.1 were also regularised.

3. It is important to mention here that before promulgation of the Act, the education department KP invited applications from suitable candidates for appointing them against different posts of Subject Specialist. The process was started by the Khyber Pakhtunkhwa Public Service Commission (the KPPSC). In view of the fact that the candidates were large in number, therefore, it could not be possible to recommend all the candidates at one go. Consequently, the KPPSC on 15th September 2009 recommended the first batch for their appointment. The process of recommendation was continued and ultimately it was completed when the last batch was recommended on 11th June 2010. The official respondents issued a seniority list, whereby the appellants were placed senior to the respondent No.1 and others, vide seniority list dated 13.12.2017. The respondent No.1 feeling aggrieved, filed a departmental appeal, which remained un-responded, as such, he approached the learned Peshawar High Court because of the fact that by that time, the Khyber Pakhtunkhwa Service Tribunal (the Tribunal) was not functioning. When the Tribunal started functioning, the learned High Court referred the matter to it for adjudication and decision. The Tribunal asked the respondent No.1 to file proper memo of appeal, which he did and the appeal was registered

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Accordingly. After hearing the parties, the Tribunal allowed the appeal of the respondent No.1 in the following terms:

"10. In view of the situation, appeals are accepted, the impugned Seniority list dated 13.12.2017 stands set aside with directions to respondent department to correct/modify the impugned seniority list and the persons whose services were regularized vide notification dated 31.05.2010 w.e.f. 24.09.2009 under the Khyber Pakhtunkhwa Employees (Regularization of Services) Act, 2009 shall be placed senior to all those persons recommended by the Commission after the commencement of the Act ibid as per provisions contained in Section 4 of the Act ibid. No order as to costs. Filed be consigned to the record room."

4. The appellants filed civil petitions which were converted into appeals, by means of the order dated 10.03.2022, which is reproduced herein below:

"After hearing the learned counsel for the parties, and in the facts and circumstances of the case, we find it appropriate to grant leave to appeal in the instant petitions to examine the question as to what, in terms of section 4 of Khyber Pakhtunkhwa Employees (Regularization of Services) Act, 2009, and the other relevant law and regulation, would be the point of initiation of recommendations by the Khyber Pakhtunkhwa Public Service Commission ("KPPSC"), and as to when in fact such initiation commenced in respect of the petitioners.

2. At this point in time, Mr. Muhammad Shoaib Shaheen, the learned counsel for the petitioners requests to the Court to allow him to implead KPPSC in this case. The request is allowed. The amended memo of petition be accordingly filed within a week, so that notices be issued to KPPSC for a date after four weeks."

5. Heard the learned counsel for the parties and have perused the record. The controversy between the parties revolves around Sections 3 and 4 of the Act, which are reproduced herein below:

"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, 2000 or till the

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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.

(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 in such service or cadre.

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

(Emphatics supplied)

6. Perusal of the above provisions of the Act would reveal that the contract and *ad hoc* employees, holding the post on 31st December 2008 till the commencement of the Act shall be deemed to have been appointed on regular basis w.e.f. 24th September 2009, i.e. the date of the promulgating of the Act. The issue between the private parties in the appeals is with regard to the determination of their seniority. According to section 4 of the Act, the employees whose services are regularized pursuant to the Act, "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." Through this section, the law-makers have given preference to those employees, who

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were recommended by the KPPSC for their appointment, before the promulgation of the act, irrespective of their actual date of appointment.

7. The first batch of the employees was recommended by the KPPSC on 15th September 2010, before the commencement of the Act, whereas, because of bulk of the candidates, the recommendations of rest of the candidates were made on different dates, after the commencement of the Act. The question before us is that rest of the candidates, who were recommended by the KPPSC for their appointments, after the commencement of the Act, would get the benefit of section 4 of the Act or otherwise? The relevant provisions of the Act are required to be read alongwith Section 35(3)(a) and (b) of the Khyber Pakhtunkhwa Public Service Commission Regulations, 2003 (the Regulations), which are reproduced herein below:

35. RECOMMENDATIONS.

(1) ---

(2) ---

(3) (a) Where a large number of subjects/specialties are included in an advertisement, recommendations may not be pending till the finalization of the entire batch but instead zonal allocation be worked out subject-wise and recommendation conveyed to the Department without indicating to them the zonal allocation and the inter-se-seniority. In recommendations to the Department it shall be made clear that the inter-se-seniority of the recommendee is linked with other subjects and the overall merit position and zonal adjustment will be intimated on the completion of interviews in all subjects.

(b) The combined merit list shall be against a particular advertisement where by the posts were advertised collectively but recommendations were staggered due to interview schedule or any other reason."

3. In clause (a) of sub-section (1) of section 35 of the Regulations, it has been clarified that where a large

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number of candidates apply for a large number of posts, the recommendations may not be pending till the finalization of the entire batch. In case the recommendation of any batch is made, in the first instance, following by recommending other batches of the candidates for their appointment, the *inter se* seniority shall be on the basis of their merits, determined by the KPPSC, without taking into account the dates of recommendations. The intention of the law-makers is very much clear that in case of more than one candidate, if the recommendation of the commission is withheld or delayed in respect of one or more candidates, for want of completion of the process or for any other reason, beyond the control of the candidates, the recommendations of the commission made subsequently on different dates, are to be considered to have been made by the commission on the dates, when first recommendation was made. Under such circumstances, the date of the recommendations of the first batch, sent to the competent authority for the appointment shall be considered as the date of recommendation for all.

9. Admittedly, the recommendation of the first batch amongst the appellants were made by the KPPSC to the competent authority on 15.09.2009, whereas the Act was promulgated on 24.10.2009, therefore, the recommendations of all the appellants shall be deemed to have been made to the competent authority prior to the commencement of the Act, irrespective of the subsequent recommendations and dates of their appointments. Hence, the services of those employees, which were regularized pursuant to the Act, shall rank junior to those candidates, whose recommendations were made by the KPPSC, prior to the commencement of the Act. The department while constructing the seniority list was right

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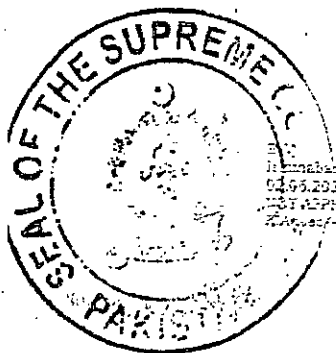
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in placing the appellants senior to those who were regularized pursuant to the Act. The list has wrongly been reversed by the Tribunal, which amounts to mis-interpretation of the relevant provisions of law, which is an illegality, on the basis whereof, the judgment impugned is not sustainable.

These are the reasons for our short order dated 02.06.2022, which is reproduced herein below:

"For the reasons to be recorded separately, all these appeals are allowed and the orders of the Khyber Pakhtunkhwa Service Tribunal, Peshawar are set aside."

Sd/- J
Sd/- J



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Islamabad

11491/2022

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وکالت نامہ

سروس ٹرائیونل پشاور

بنام گورنمنٹ

آم نیبل

منجانب: سائلہ

نوعیت مقدمہ:

باعث تحریر آنکہ

مقدمہ مندرجہ میں اپنی طرف سے واسطے پیروی و جواب دہی کل کاروائی متعلقہ آں مقام

کو وکیل مقرر کر کے اقرار کرتا ہوں کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا نیز وکیل صاحب موصوف کو کرنے راضی نامہ و تقرر ثالث و فیصلہ برحلف و دینے اقبال دعویٰ اور بصورت دیگر ڈگری کرانے اجراء وصولی چیک روپیہ و عرضی دعویٰ کی تصدیق اور اس پر دستخط کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ مذکور کی کل یا کسی جزوی کاروائی کے لئے کسی اور وکیل یا مختار صاحب قانونی کو اپنے ہمراہ اپنی بجائے تقرر کا اختیار بھی ہوگا اور صاحب مقرر شدہ کو بھی وہی اور ویسے ہی اختیارات ہوں گے اور اس کا ساختہ پرداختہ مجھ کو منظور و قبول ہوگا۔ دوران مقدمہ جو خرچہ و ہرجانہ التوائے مقدمہ کے سبب ہوگا اس کے مستحق وکیل صاحب ہوں گے۔ نیز بقایا رقم وصول کرنے کا بھی اختیار ہوگا۔ اگر کوئی پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب موصوف پابند ہوں گے کہ پیروی مقدمہ مذکورہ کریں اور اگر مختار مقرر کردہ میں کوئی جز و بقایا ہو تو وکیل صاحب موصوف مقدمہ کی پیروی کے پابند نہ ہوں گے۔ نیز درخواست بمزاد استجارت ناش بصیغہ مفلسی کے دائر کرنے اور اس کی پیروی کا بھی صاحب موصوف کو اختیار ہوگا۔

لہذا وکالت نامہ تحریر کیا تاکہ سند رہے۔

المرقوم: 31-07-2023

بمقام:

