04.12.2018

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

(Ahmad Hassan) Member (M. Amin Khan Kundi) Member

06.12.2018

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

(Ahmad Hassan) Member (M. Amin Khan Kundi) Member

10.12.2018

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

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

Member

Announced: 10.12.2018

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

Member

(Muhammad Amin Khan Kundi) Member.

04.07.2018

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

Member

(Muhammad Amin Kundi) Member

30.08.2018

Clerk of the counsel for appellant and Mr. Ziaullah, Deputy District Attorney for the respondents present. Clerk of the counsel for appellant seeks adjournment on the ground that learned counsel for the appellant is busy before the Hon'ble Peshawar High Court, Adjourned. To come up for arguments on 09.19, 2018 before D.B.

Member

(Muhammad Amin Khan Kundi)

Member

9/10/2017

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

Member

Chairman

10.01.2018

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

Member

hairman

13.03.2018

Clerk to counsel for the appellant and Mr. Usman Ghani, learned District Attorney for the respondents present. Clerk to counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 19.04.2018 before D.B

(M.Amin Khan Kundi)

Member

(Muhammad Hamid Mughal) Member 26.12.2016

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

Chairman

11.05.2017

Clerk to counsel for the appellant and Mr. Ziaullah, GP for official respondents present. Clerk to counsel, for the appellant requested for time to file rejoinder. Request accepted. To come up, for rejoinder and arguments on 04109.2017 before D.B.

(Ahmad Hassan) Member (Muhammad Amin Khan Kundi) Member

04.09.2017

Since 4<sup>th</sup> September, 2017 has been declared as Public Holiday on account of Eid-Ul-Azha. Therefore the case is adjourned for the same on 9-13-17 before D.B. Parties be informed accordingly.

RAD

03.03.2016



Counsel for the appellant present. Learned counsel for the appellant argued that identical service appeals including service appeal No. 1233/2015 have already been admitted to regular hearing.

In view of the above, this appeal is also admitted to regular hearing. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 10.5.2016 before S.B.

Charman

المنا ورود

10.5.2016

Counsel for the appellant and Mr. Asif Khan, Asstt. (Litigation) alongwith Addl. AG for the respondents present. Written reply submitted. The appeal is assigned to D.B for rejoinder and final hearing for 23.08.2016.

Chalyman

23.08.2016

Counsel for the appellant and Addl. AG for the respondents present. Informed the Tribunal that identical appeals, nine in numbers (appeal No. 1233/15 etc.) are fixed before the D.B on 26:12.2016. To be heard alongwith the said service appeals on 26.12.2016 before the D.B. Rejoinder be also submitted on or before the date fixed.

Member

Charrman

# Form- A FORM OF ORDER SHEET

Court of	
Case No	<u>104 /2016</u>

	Case No	104 /2016
	Case No	Order or other proceedings with signature of judge or Magistrate
No.	Date of order Proceedings	
1	2 .	3
1	28.01.2016	The appeal of Mr. Laig Zaman resubmitted today by Mr.
		Javed Iqbal Gulbela Advocate may be entered in the Institution register and put up to the Worthy Chairman for proper order.
		register and put up to the worthy chamber of
		REGISTRAR
•		This case is entrusted to S. Bench for preliminary
2		hearing to be put up thereon 23-2-16
		CHARMAN
		CHATRMAN
		;
	23.02.2016	Agent of counsel for the appellant present. Seel
	25.02.2010	adjournment as counsel for the appellant is stated busy before
		the august Supreme Court of Pakistan. Adjourned for prelimina
		hearing to 3.3.2016 before S.B.
		Charman
		ting.

The appeal of Mr. Laiq Zaman Lecturer in Biology at GPGC Karak received to-day i.e. on 19.01.2016 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

1- Memorandum of appeal may be got signed by the appellant.

- 2- Copy of appointment order mentioned in the memo of appeal is not attached with the appeal.
- 3- In the memo of appeal places have been left blank which may be filled in.

4- In the regularization notification the name of the appellant may be highlighted.

5- Six more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

\_\_/S.T,

KHYBER PAKHTUNKHWA PESHAWAR.

Mr. Javed Igbal Gulbela Adv. Pesh.

Reeston's Hed

## BEFORE THE HONOURABLE SERVICES TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR

In Re S.A No ----/2016

Lạiq Zaman

Vs

Govt of Khyber Pakhtunkhwa etc

#### INDEX

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10	Other documents	- 7	
11.	Wakalat Nama		38

**DATED 19-01-2016** 

Petitione

**Through** 

(JAVED IQBAL GULBELA)

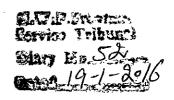
Advocate, High Court,

Peshawar

### BEFORE THE HON'BLE SERVICES TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR

In Re S.A No ----/2016

Laiq Zaman, Lecturer in Biology at GPGC Karak.



.....Appellant

#### **VERSUS**

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

.....Respondents

SERVICE APPEAL U/S 04 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974 AGAINST THE IMPUGNED CORRIGENDUM NO: SO(COLLEGES)/2-5/2009, DATED: 02-05-2011 OF THE EDUCATION DEPARTMENT.

#### RESPECTFULLY SHEWETH,

 That the appellant is a civil servant in BPS- 17 and is a lecturer in Biology discipline, presently posted at Govt. Post Graduate College Karak. (Copies of Service record are annexed herewith as Ann "A")

Repossited.

2. That in fact initially the appellant was appointed to the subject slot on contract basis on 08-09-2005, which contractual period was kept on constant

(1)

extension and thus the pendulum remained intact till the promulgation of Regularization Act 2009.

- 3. That the service of the appellant along with others were got regularized under the N.W.F.P Employees (Regularization on Service) Ordinance 2009 (NWFP Ordinance No. VII of 2009); the same was later on replaced by NWFP Employees (Regularization of Service) Act 2009 (NWFP Act No. XVI 2009) and thus the service of the appellant was declared to be a regular one w.e.f. 01-01-2009. (Copies of Regularization Act and Notifications are annexed herewith as Annexure B & C, respectively)
- 4. That after having regularizing the service of the appellant & others with effect from 01-01-2009 vide Notifications No : SO (Colleges) 2 5/2009, dated: 18-03-2010, 20-03-2010 and 15-06-2010 the respondents issued a Corrigendum No. SO (COLLEGES)/2-5/2009, dated 02-05-2011 whereby the service of the appellant & others were declared to be regularize with effect from 24-09-2009 instead of 01-01-2009 in an illegal, unlawful and unwarranted manner and the same is a clear cut violation of the letter and spirit of the Regularization Act 2009. (Copy of the Corrigendum dated 02-05-2011 is annexed herewith as Ann "D")

- That some of the colleagues filed writ petitions before the Hon'ble Peshawar High Court Peshawar and thereafter filed C.P.L.A in the Apex Court of Pakistan, but both of the Superior Courts directed them to approach this Hon'ble Tribunal and their cases are pending before this Hon'ble Tribunal. Hence, the appellant is also suffering constant financial loss and is aggrieved one, so filed departmental Appeal on 18-09-2015, even the Principal of his college also moved an application in this respect, but inspite of laps of statutory period, no findings came out on that, hence the instant appeal before this Hon'ble Tribunal (Copies of Departmental Appeal and Letter of the Principal as annexure herewith as annexure £ and £, respectively)
- 6. That feeling aggrieved the appellant prefers the instant appeal for site aside the impugned corrigendum upon the following grounds, inter alia:-

#### **GROUNDS:-**

- A. That the impugned corrigendum is against facts of the case, law governing the subject and a blatant violation of the Regularization Act in itself.
- B. That the Regularization Act provides vide Section-3 which reads as "Regularization of Services of certain employees: All Employees including recommended of

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

C. That the aforementioned notifications were quiet in conformity with Regularization Act 2009 and its substitution by any subsequent alleged Corrigendum is not only illegal, unwarranted; but as well as violative to the provisions of the Regularization Act 2009 that by substituting the date of taking effect of regularization from 01-01-2009 to 24-09-2009 is not only illegal, but

has caused much financial loss, rather constant loss to the appellant and because of the same, the same Corrigendum is liable to be cancelled.

- D. That before issuing the impugned Corrigendum in question neither the appellant was ever issued any notice, nor was allowed to be heard is-spite of being deprivment from financial gain and even being a financial matter, nor was ever intimated any prior information; so the whole episode of issuing the Corrigendum and its promulgation is illegal and unwarranted.
- E. That where similar placed persons are to be dealt with in terms of treatment to be meted out to them, must always be on equal footing, must always be just, fair & transparent without any sort of discrimination and where so many other employees in past & even in present have been extended seniority & back benefit since their initial regularization, then in no case the appellant can be deprived of the same in stricto sense of Art- 25 of the Constitution.

F. That from all prospective & from all four facets of law, the appellant has every right to be dealt with accordance to the law & constitution and to be certainly

meted out fair and just treatment.

- G. That from all four corners of law the appellant is equally entitled to be extended their date of regularization from 24-09-2009 to that of 01-01-2009 and be extended all the back benefits in terms of arrears, seniority and promotion.
- H. That the provisions pertaining to the seniority & that of regularization can safely be interpreted & stretched enough to encompass, swayed- in & bring into its ambit the case of the appellant, who is fully entitled for the required relief.
- I. That any other ground not raised here specifically may kindly be allowed to be raised at the time of arguments.

It in, therefore, most humbly prayed that on acceptance of the instant appeal the Corrigendum issued vide impugned No – SO(COLLEGES)2-5/2009, Dated: 02-05-2011 be declared as illegal and non-existent and further

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

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

DATED 19-01-2016

Appellant

**Through** 

JAVED IQBAL GULBELA

Advøcate High Court,

Peshawar

#### Note:

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

**ADYOCATE** 

#### **List of Books Referred:**

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

DVOCATE

## BEFORE THE HONOURABLE SERVICES TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR

In Re S.A No ----/2016

Laiq Zaman

#### Versus

Govt of Khyber Pakhtunkhwa & Others

#### **AFFIDAVIT**

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

Tribunal.

DEPONENT

9

### BEFORE THE HONOURABLE SERVICES TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR

In Re S.A No -----/2016

Laiq Zaman

VS

Govt of Khyber Pakhtunkhwa etc

#### **ADDRESSES OF PARTIES**

#### ADDRESS OF APPELLANT

Laiq Zaman, Lecturer in Biology at GPGC Karak.

#### ADDRESSES OF RESPONDENTS

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

DATED 19-01-2016

**Appellant** 

Through

(JAVED IQBAL GULBELA)

Adyocate, High Court,

Péshawar

1. F.S. to Secretary Higher Education Will Lesher 2. Director Higher Education NWIF Pesnawrr. 3. District Account Officer Karak. 4. Hanager National Bank Karak. 5. Office Copy. Principal, Govt; Post Graduate Sollege Kerak.

### CERTIFICATE OF TRANSFER OF CHARGE.

- !. Certified that we have on the fore/afternoon of this day respectively made over and received charge of this office of the Principal 6.40 No. 2005.
  - 2. Particulars of cash and important secret and confidential documents and over are noted on the reverse:—

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	Designation———————
ttion—CTAC Karak	Signature of relieving Large Joman Government servant
(F.N)	Designation—Lecturer in Loteny
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N.W.F.P. Acct: Try. No. 42.

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	2.	The Section Officer (Colleges) N.W.F.P. Peshawar.
٠	3.	The Director Higher Education N.W.P.P. Feshawar.
	:	The Director of Education FATA. Perhavan Li tose-c)
;	4.	The Director Education Saccoulary Schools N.W.F.P., Peshawar.
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		The Manager National Bank of Pakistan Karak.
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GOVERNMENT OF NWFP
ESTALISHMENT & ADMINISTRA
DEPARTMENT

(REGULATION WING)

No. SQR-VI/F&AD(1-1 y hor) Dated Peshawar, the 4th November (1999)

10

1. Additional Chief Secretary, Govt of NWIP, Planning & Development Department:

2. Additional Chief Secretary (FATA), FATA Secretariat Peshawar.

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

Subject:

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

Dir Sir.

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

Yours faithfully,

(KALEEM ULLAM) SECTION OFFICER (REG-VI)

#### Endst No. & date even. Copy forwarded to:

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

(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.

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

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

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

AMANULLAH
Secretary,
Provincial Assembly of NWFP

Printed and published by the Manager, Staty, & Ptg. Depth., NSVFP, Pesh. XTRAORDINARY

GOVERNMENT



### North-West Frontier Province

Published by Authority

PESHAWAR, SATURDAY, 24TH OCTOBER, 2009.

PROVINCIAL ASSEMBLY SECRETARIAT THE NORTH-WEST FRONTIER PROVINCE

#### NOTIFICATION

Dated Peshawar, the 24th October, 2009.

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

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

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

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

. ACT

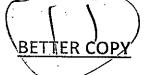
to provide for the regularization of the services of certain employees appointed on adhoc or contract basis.

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

Thereinafter appearing;

It is hereby enacted as follows:-







### ESTABLISHMENT & ADMINISTRATION DEPARTMENT (REGULATION WING)

No SOR-VI/E & AD/I-13/2009

Dated Peshawar the 4th November 2009

To

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

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

Dear Sir,

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

for information and necessary action.

Yours faithfully,

(KALEEM ULLAH) SECTION OFFICER (REG-VI)

#### Endst No. & date even. Copy forwarded to:

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





EXTRAORDINARY

GOVERNMENT



REGISTERED NO. P.III

**GAZETTE** 

### North Waziristan Frontier Province

Public by Authority

PESHAWAR, SATURDAY, 24<sup>TH</sup> OCTOBER, 2009

### PROVINCIAL ASSEMBLY SECRETARIAT THE NORTH-WEST FRONTIER PROVINCE

NOTIFICATION

Dated Peshawar. the 24<sup>th</sup> October, 2009.

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

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

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

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

ACT

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

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





#### I. Short title and commencement:- (1)

- (2) It shall come into force at once and shall be deemed to have been taken effect at the promulgation of the Ordinance.
  - 2. <u>Definitions</u>: --- (1) In this Act, unless the context otherwise requires.
    - (a) "Commission" means the North-West Frontier Province Public Service
      Commission;
    - (aa) "Contract appointment" means appointment of a duly qualified person made otherwise than in accordance with the prescribed method of recruitment.
    - (b) "Employee" means an adhoc or a contract employee appointed by Government on adhoc or contract basis or second shift/night shift but does not include the employees for project post or appointed on work charge basis or who are paid out of contingencies;
    - (c) "Government" means the Government of the North-West Frontier Province.
    - (d) "Government Department" means any department constituted under rule 3 of the North-West Frontier Province Government Rules of Business 1985.
    - (e) "Law or Rule" means the law or rule for the time being in force government the selection and appointment of civil servants: and
    - (f) "Post" means a post under Government or in connection with the after Government to be filled in on the recommendation of the Commission.
- (2) The expressions "adhoc appointment" and "civil servant" shall have the meanings as respectively assigned to them in the North-West Frontier Province Civil Servant Act, 1973 (N.W.F.P. Act No. XVIII of 1973).

3. Regularization of services of certain employees: --- All employees including recommended of the High Court appointed on contract or adhoc basis and holding that

ATTISTED

BETTER COPY

post on 31st December 2008 having the same qualification and experience for a regular post:

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

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

#### N.W.F.P GOVERNMENT GAZETTE, EXTRA ORDINARY, 24<sup>TH</sup> OCTOBER, 2009, 291

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

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

- 4A. Overriding effect: --- Not withstanding anything to the contrary contained in any other law or rule for the time being in force the provision of this act shall have an overriding effect and the provisions of any such law or rule to the extent of inconsistency to this Act shall cease to have effect.
- 5. <u>Repeal:</u> --- The North-West Frontier Province Employees (Regularization of Service Ordinance. 2009 (N.W.F.P. Ordinance No. VII of 2009) is hereby repealed.

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

AMAN ULLAH

Secretary,
Provincial Assembly of NWFF

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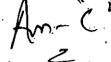


GOVERNMENT OF N.W.F.P.

HIGHER EDUCATION, ARCHIVES

LIBRARIES DEPARTMENT

Dated Peshawar the March 18th, 2010.



#### NOTIFICATION

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

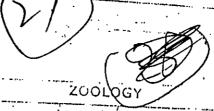
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1 20		Abid-ur-Rahman, Lecturer in Arabic, GPGC Karak.	
	ا. ابساد،	Abdur Rauf, Lecturer in Arabic, GDC Tank.	
<sup>2</sup> 2.		Khizar Hayat, Lecturer in Arabic, GC Khalabar Township Haripur.	
		Naseerul Haq, Lecturer in Arabic, GDC Dagger (Buner).	
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	000	Tauseef Jan, Lecturer in Arabic, GDC Akora Khattak (Nowshera).	
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		ARCHAEOLOGY  Mohmmad Sohail Khan, Lecturer in Archaeology, GDC No. 1 D.I Kl	nan.
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		16 L'Ammar Ali, Lecturer III Bottarry, Good (Antha (Swahi)	(han)
		17. Abdul Majeed, Lecturer in Botany, GDC Kotta (5wao).  18. Hafiz Munib ur Rehman Lecturer in Botany GDC, Paniala (D.1).  18. Hafiz Munib ur Rehman Lecturer in Botany GDC Ghoriwala, Barinu.	N11CH 17:
· ·	-	18. Hafiz Munib ur Rehman Lecturer in Botany 5. Shahid Irfan, lecturer in Botany, GDC Ghoriwala, Barinu.	



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	98.	Mohammad Azam	
	99,	Mohammad Azam, Lecturer in Islamiyat GPGC Charsadda.	
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	101.	Mujahid Shah, Lecturer in Islamiyat GDC Badaber Peshawar.  Naveed Akhtar, Lecturer in Islamiyat GDC Katlang.	
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		Rafiq Ahmad Lecturer in Islamiyat GDC, Kabal.  Mohammad Younas Lecturer in Islamiyat GDC, Jower (Buncr).	
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200		Jmair Sultan Lecturer in Maths GPCC, Haripur.	. [
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120.	Ba	akhtiar Ahmad Lecturer in Maths GDC, Tangi. (Charsadda)	
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129.	Hazr	lar Shah Lecturer in Maths GDC, Kakki (Bannu). rat Hussain, lecturer in Maths GDC, Toru (Mardan):	77.
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132.			<i>)</i>  :
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- Terms and conditions of their regular appointment will be as under: -
  - They will get pay at the minimum of BPS-17 including usual allowances as admissible under the rules. They will also be entitled to annual increments as per existing policy. 🤄 🗇
  - They shall be governed by the NWFP Civil Servants Act, 1973 and all the laws applicable to the Civil Servants and Rules made there-under.
  - They shall for all litents and purposes, be civil servants except for purpose of pension & gratuity. In lieu of pension and gratuity, they shall be entitled to receive such amount as would be contributed by them toward: Contributory Provident Fund (CPF) along with the contributions made by Government to their account in the said fund, in the prescribed
  - Their employments in the department is purely temporary and their. services are liable to be terminated without assigning any reason at thirty (30) days notice or on the payment of 30 days salary in lieu thereof. In case they wish to resign at any time, 30-days notice will be necessary or in lieu thereof 30 days pay will be forfeited.
  - They shall, initially, be on probation for a period of two years extendable
  - Their seniority shall be determined in accordance with relevant rules but subject to Section-4 of the NWFP Employees (Regularization of Services).

SECRETARY TO GOVT, OF NWFP HIGHER EDUCATION DEPARTMENT

#### Endst: No. & Date Even.

Copy of the above is forwarded to the:

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

(IJA'DIKAW)

SECTION OFFICER'(COLLEGES)



LIBRARIES DEPARTMENT

Dated Peshawar: the 20th March,

No. SO(FC)HE/1-10/06/Regularization. In pursuance of Section 3 of the NWEP Employees (Regularization of Services) Act, 2009, the Competent Authority is pleased to regularize the services of the following lecturers (BS-1X) appointed on contract basis, w.e.f. 01-01-2009;-

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	34.	Rabia Khatoon, lecturer in English, GCGC Peshawar Salma Bibi, lecturer in English, GGC Floripur Avra No.	
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	39.	Shahab, lecturer in Home Economics, GGC Maneri Swabi  Nusrat Fatima, Jecturer in Home Economics, CGC	
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	48.	Kishwar Sultan, lecturer in Islamiyat, GGC Thana Nuzhat Shaheen, lecturer in Islamiyat, GGC Haripur Rashida B	*****
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# GOVERNMENT OF NWFP HIGHER EDUCATION ARCHIVES AND LIBRARIES DEPARTMENT

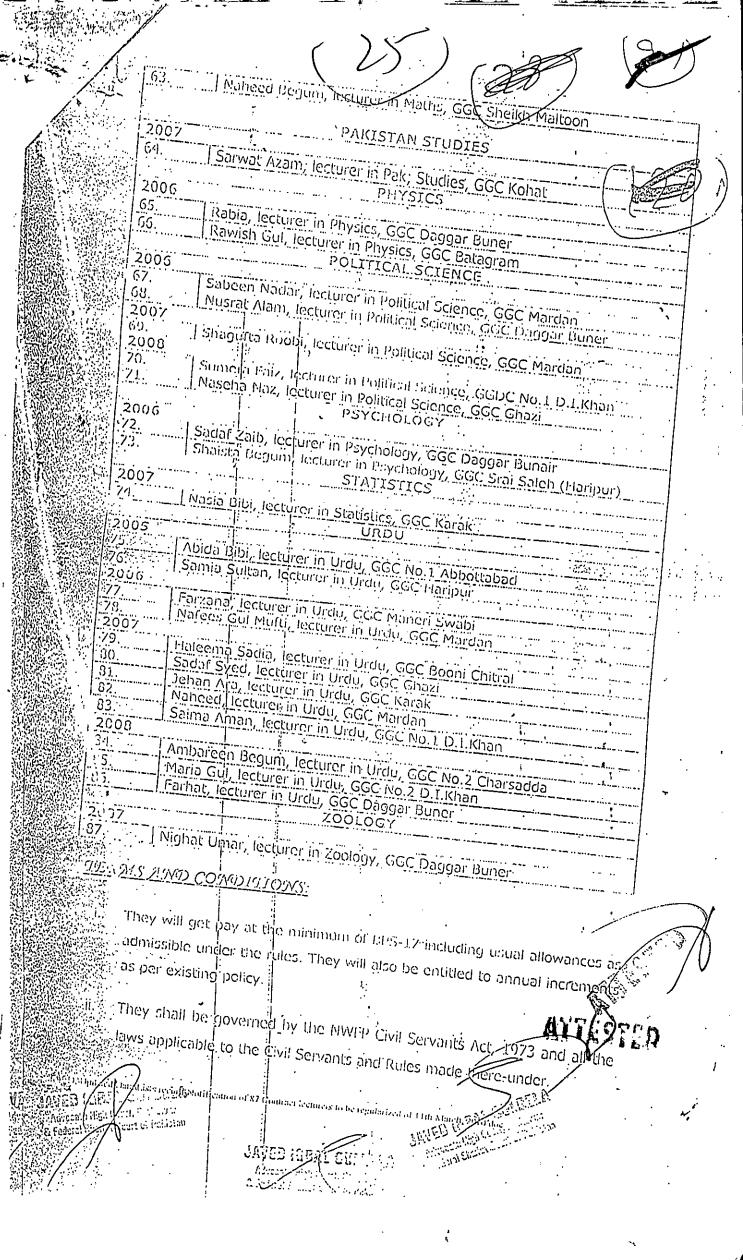
Dated Peshawar the 20-03-2010

#### **NOTIFICATION**

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

2006 1 Nadia Latif, Lecturer in Biology, GGC Bannu  2007 2 Mchnaz Yaqoob, lecturer in Biology, GFC (W) Peshawar  2006 3 BOTANY 3 Shazia Noreen, lecturer in Botany, GGC Serial Saleh  2007 4 Nazia Gul, lecturer in Botany, GGC Thana 2005 5 Shagufta Saad, lecturer in Chemistry, GGC Lakki  2006 6 Razia, lecturer in Chemistry, GGC Chitral Nasreen, lecturer in Chemistry, GGC No. 1 Charsadda Umme Kalsoom, lecturer in Chemistry, GGC Sheikh Maltoon 10 Rufqa Saeed, lecturer in Chemistry, GGC Robat 11 Rozina Israr, lecturer in Chemistry, GGC Barikot Swat 12 Fozia Gul, lecturer in Chemistry, GGC Hayatabad, Peshawar  2009 13 Sabreena, lecturer in Chemistry, GGC No. 1 Abbottabad, 2007 14 Shakeela, lecturer in Computer Science, GGC Mandan Nadia Gul, lecturer in Economics, GGC Marghuz (Swabi)  2007 18 Bibi Saeeda, lecturer in Economics, GGC Marghuz (Swabi)  Nazia Rehman, lecturer in English, GCC (Haugu Ansa Shabnam, lecturer in English, GCC (Haugu) Anila Bano, lecturer in English, GCC (Haugu)	or tile it	Name (Designation (P) appointed on contract basis, w.e.f 01.01.2009:-
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	23	Sadia Bibi, lecturer in English, GGC Karak

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25	Naseem Taj, lecturer in English, CGC-Barikot	
26	Sadia Sadaf, lecturer in English, GGC Karnal Sher khan killi Swabi Amna, lecturer in English, GGC Manki Swabi	-
2007		
27 28	Bushra Sher Khan, lecturer in English, GGC Hangu	
29	Saira Tabassum, lecturer in English GGC Harinur	1
30	Saima Anwar, lecturer in English, GGC NO. 1 Abbottabad Shagufta Begum, lecturer in English, GGC Daggar Buner	,
31	Nasra Begum, lecturer in English, GGC Mardan	
2008 32		
33	Shaima Raheem, lecturer in English, GCGC Peshawar	
34	Rabia Khatoon, lecturer in English, GGC Haripur Salma Bibi, lecturer in English, GGC Havellian	
35	Azra Nawaz, lecturer in English, GGC Karnal Shor khan killi Sambi	
36	Hasina Wajid, lecturer in English, GGC NO. 1 Charsadda	
2007	GEOGRAPHY	
37	Nazia Parveen Jecturer in Goognaphy CCC N. d. 2	
	Nazia Parveen, lecturer in Geography, GGC No. 1 D.I Khan HOME ECONOMICS	
2006		
38	Shahab, lecturer in Home Economics, GGC Maneri Swabi	
39	Nusrat Fatima, lecturer in Home Economics, GGC Bannu	
2005	ISLAMIYAT	• • • •
40	Lubna Raheem, lecturer in Islamiyat, GGC Pabbi	
41	Asia Durrani, lecturer in Islamiyat, GGC Sunani	
2006	· · · · · · · · · · · · · · · · · · ·	
42	Nazakat Jabeen, lecturer in Islamiyat, GGC Pabbi	
44	Yasir Khurshid, lecturer in Islamiyat, GGC Sheikh Maltoon Nusrat Sheikh, lecturer in Islamiyat, GGC Daggar Bunair	
45	Minhas, lecturer in Islamiyat, GGC Barikot, Swat	
2007	·	
46 47	Farkhanda Khanum, lecturer in Islamiyat, GGC Thana	
48	Kishwar Sultan, lecturer in Islamiyat, GGC Haripur Nuzhat Shaheen, lecturer in Islamiyat, GGC Haripur	
49	Rashida Begum, lecturer in Islamiyat, GGC Mardan	
50	Saima Rahman, lecturer in Islamiyat, GGC Marghuz	
2006	LAW	
2006	Ribi Piguene Jantuaria I	
52	Bibi Rizwana, lecturer in Law, GGC Batagram Hafza Arsal, lecturer in Law, GGC Haripur	
53	Tahira Jabeen, lecturer in Law, GGC Marghuz	
2007		
54 2008	Aisha Malik, lecturer in Law, GGC Sheikh Maltoon (Mardan)	
55	Bibi Zainab, lecturer in Law, GGC Ghazi	į
	- MATHEMATICS	
2005 56		
2006	Sonia Younas, lecturer in Maths, GGC No. 1 D.I Khan	<b>F</b>
57	Iffat Karim, lecturer in Maths, GGC Julagram	*
58	Sadia Shaheen, lecturer in Maths, GGC Khalbat Township Haripur	
2007 59		
60	Tahira Fayyaz, lecturer in Maths, GGC Bannu Nishad Begum, lecturer in Maths, GGC Lundkhwar	
61	Bushra, lecturer in Maths, GGC Sheikh Maltoon (Mardan)	
62	Ghazala Yasmeen, lecturer in Maths, GGC Mardan	
[63 [	Naheed Begum, lecturer in Maths, GGC Sheikh Maltoon	
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They shall for all intents and purposes be Civil Servants, except for the purpose of Pension and Gintuity. In hear of pension and graduity, they shall be entitled to receive such amount as would be contributed by them towards Contirbutory Provident Fund (CPF) along with the contributions mode by Government to their account in the said fund, in the prescribed manner.\$

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

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

Their senioricy shall be determined in accordance with relevant rules but, subject to Section of the NWFP Employees (Regularization of Services)

> SECRETARY TO GOVT. OF NWEP HIGHER EDUCATION DEPARTMENT.

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- ...6. Director Higher Education, NWFP Perhawar.
- 7. Director Education FATA NWFP.
- 8. District/Agency Accounts Officers concerned.
- 9. Director Information for wide publicity through media. 2.10. Principals of the Colleges concerned. 944.
- 11.95 to Minister of Higher Education.
- 12. Deputy Director (IT) Planning Cell, Higher Education Deptt:
- . 13. P.S to Secretary, Higher Education Department, NWFP Peshawar.

(ZUBIA QAMAR) SECTION OFFICER (Female Colleges)





2007	PAKISTAN STUDIES
64	Samuet Avera January 19 1 0
	Sarwat Azam, lecturer in Pak, Studies, GGC Kohat
2006	PHYSICS
65	Pobio locturos in Planta good
66	Rabia, lecturer in Physics, GGC Daggar Buner
	Rawish Gul, lecturer in Physics, GGC Baragram
2006	POLITICAL SCIENCE
67	Sahaan Nadan Jaaka a ja Daka Jaak
68	Sabeen Nadar, lecturer in Political Science, GGC Mardan
2007	Nusrat Alam, lecturer in Political Science, GGC Daggar Buner
69	Shagufta Roohi Jostupan in Delisical Car
2008	Shagufta Roobi, lecturer in Political Science, GGC Mardan
70	Sumera Faiz, lecturer in Political Science, GGDC No. 1 D.I Khan
71	Naseha Naz, lecturer in Political Science, GGC Ghazi
	PSYCHOLOGY
2006	1 STOTOLOGIA
72	Sadaf Zaib, lecturer in Psychology, GGC Daggar Bunair
73	Shaista Begum, lecturer in Psychology, GGC Srai Saleh (Haripur)
	STATISTICS
2007	
74	Nasia Bibi, lecturer in Statistics, GGC Karak
	URDU
20.05	
75	Abida Bibi, lecturer in Urdu, GGC No. 1 Abbottabad
76	Samia Sultan, lecturer in Urdu, GGC Haripur
2006	
77 78	Parzana, lecturer in Urdu, GGC Maneii Swabi
2007	Nafees Gul Mufti, lecturer in Urdu, GGC Mardan
79	Halaama Sadia Jaatuuru (n. 11.). aagus
80	Haleema Sadia, lecturer in Urdu, GGC Booni Chitral Sadaf Syed, lecturer in Urdu, GGC Ghazi
81	Jehan Ara, lecturer in Urdu, GGC Karak
82	Naheed, lecturer in Urdu, GGC Mardan
83	Saima Aman, lecturer in Urdu, GGC No. 1 D.I. Khan
2008	The state of the order, odd No. 1 D.I. Knan
84	Ambareen Begum, lecturer in Urdu, GGC NO. 2 Charsadda
85	Maria Gui, lecturer in Urdu, GGC NO. 2 D. E. Khan
86	Farhat, lecturer in Urdu, GGC Daggar Buner
	ZOOLOGY
2007	
87	Nighat Umar, lecturer in Zoology, GGC Daggar Buner
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## TERMS AND CONDITIONS:-

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

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

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- 9. Director Information for wide publicity through media.
- 10. Principals of the Colleges concerned.
- 11. PS to Minister of Higher Education.
- 12. Deputy Director (11) Planning Cell, Higher Education Deptt:
- 13. PS to Secretary, Higher Education Department, NWFP Peshawar
- 14. Officer's Concerned.

(ZUBIA QAMAR) SECTION OFFICER (Female Colleges) GOV TANMENT OF KILDER PAKET AND

COVERNMENT OF KILDBIR PAKHT AKHWA
LICHER EDUCATION, ARCHTES &
LIBRARIES DEPARTMENT

Dated Peshawar: ( is. 15" June, 2010

### OTIFICATION

Competent Authority is pleased to regularize the services of the following for turers (BS-17) appointed on contract basis, w.e.f. 01-01-2009 and posted to against each:-

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Name / Designation	Subject	Pr. Sed	Remarks
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BS-17  Nist, frum Bibi lecturer BS-17  Physics GG 2 No. 1 -dc 17. Khan (18 shift)  Mst. Tania Karim lecturer BS-17  Computer Science  Mst. Tahira Yasmeen lecturer BS-17  Physics dodc -dc -dc -dc -dc -dc -dc -dc -dc -d	<u></u> (); .	Mst. Ghazala Khuda Baksh Jegurer	Adaths:		A 1999
Mst. frum Bibi lecturer BS-17 Physics GC 2 No. 1 -dc 12. Khan (2 shift)  2. Mst. Tania Karim lecturer BS-17 Computer Science  3. Mst. Tahira Yasmeen lecturer BS-17 Physics dode-Science 14. Nst. Somaila Salim lecturer BS-17 Computer C C(W) -dc Science 14. hawar		13-17		1	1
2. Mst. Tania Karim lecturer BS-17 Computer Science  3. Mst. Tahira Yusmeen lecturer BS-17 Physics do-  4. Nst. Somaila Salim lecturer BS-17 Computer C(W) -di  5. Science lecturer BS-17 Science	1,			(Povent)	1 1
2. Mst. Tania Karim lecturer BS-17 Computer Science 3. Mst. Tahira Yasmeen lecturer BS-17 Physics do- 4. Nst. Somaila Salim lecturer BS-17 Computer C(W) -da 5. Science lecturer BS-17 Science		Nist, Irum Bibi lecturer BS-17	Physics		-dc
22. Mst. Tania Karim lecturer BS-17. Computer Science  33. Mst. Tahira Yasmeen lecturer BS-17. Physics: do-  34. Nst. Somaila Salim lecturer BS-17. Computer CC(W) -dc  35. Science I:c hawar			l 1		
Mst. Tahira Yasmeen lecturer BS-17   Physics   do-   Id.   Mst. Somaila Salim lecturer BS-17   Computer   G C(W)   -di   Science   Fe hawar	.2.	Mst. Tunia Karim lecturer BS-17			-dc ·
Science le hawar	3.	Mst. Tahira Yasmeen leeturer BS-17	~~·~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~	-do-	- 110.
		Mst. Somaila Salim feeturer BS-17	·Computer	Lis C(W)	-(1,
("shift)	;		Science	Fe hawar	
	•		1 	<u> </u>	





## GOVERNMENT OF NWFP HIGHER EDUCATION ARCHIVES AND LIBRARIES DEPARTMENT

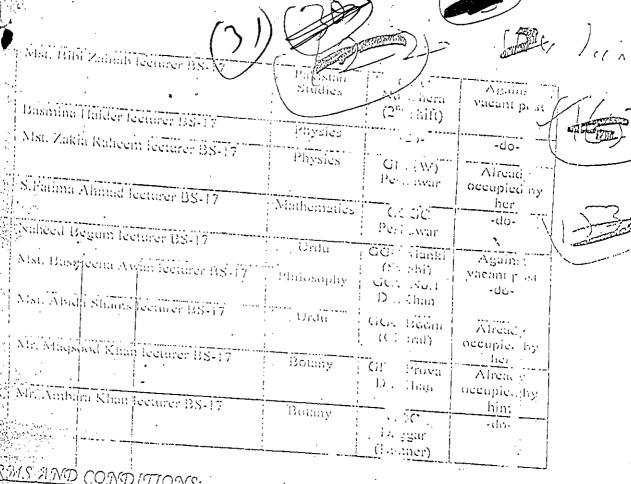
Dated Peshawar the 15-06-2010

## NOTIFICATION

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

[ C/N/6			\	!	: '
S/NC		Subject	Proposed		D company along
1.	Mst.Asifa Shaheen lecturer	Islamiyat	GGC		Remarks
	BS-17		Havelian	1 1 1	Alread
					Occupied by
					her
2.	Mst. Tabassum lecturer BS-17	Computer	GGC No. 2	: :	 -do-
	The second secon	Science	Charsadda		-uo-
3	Mst. Saima Shaheen lecturer	Urdu	GGC No. 2	•	-do-
	BS-17	·	Charsadda,		-uo- 
4.	Mst. Nabila lecturer BS-17	Computer	GGC Kanju		, ,
		Science	(Swat)		-do-
5.	Mst. Husna lecturer BS-17	Maths -	-do-		· · · · · · · · · · · · · · · · · · ·
6,	Mst. Nazia Amir Afridi lecturer	Psychology	-do-		-do-
	BS-17	,	-40-		-do-
7.	Mst. Faiza Masood lecturer	English	GGC NO. 2		
J	BS-17	2.18.1311	Abbottabad	٠ ,	-do-
8.	Mst. Samina lecturer BS-17	Chemistry			
,		, and the same of	GGC Kanju		-do-
9.	Mst. Ulfat Saba lecturer BS-17	Islamiyat	✓(Swat) GGC Bannu		
10.	Mst. Noorul Wara lecturer BS-	Computer	GGC Bannu	-	-do-
	17	Science	Peshawar	: :	-do-
11.	Mst. Shabana Saeed lecturer	Stats	-do-		
	BS-17		-40-		-do-
12	Mst. Naib Gul lecturer BS-17	Chemistry		1 -	
		Chemistry	GGC		-do-
· 			Takht Bhai		• '
13	Mst. Irum Shaheen lecturer	Political			
,	BS-17	Science	GGC Tank.		-do-
	·	Science			
14	Mst.Shaina Shawakat lecturer				,
	BS-17	English	-do-		-do-
15	Mst. Uzma Batool lecturer BS-				$\mathbf{i}_{i}$
	1 17	Law	-do-	- 1	-do-
16			No. 3	÷	•
	Mst.Nadia Nazneen lecturer BS-17	Home	/-do-		-do-
17		Economics		-: /*	
18	Mst. Shehia Gul lecturer BS-17	Economics	-do-	-   -	do-
10	Mst.Maria Zeb lecturer BS-17	Computer		. 4	
		Science	1	,	do-
19	Sadiq lecturer BS-17	Urdu			
	· · · · · · · · · · · · · · · · · · ·		. 1	. ] -	do-

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ī,				< 1D)	40	7-8 m
**		- Jan 1	· Butter	$($ $)^{0}/$		E THE
ر ر	No.	20	Mst. Salma Shaheen lecturer BS-17			
-			10000010117	Math	-do-	Already
•						occupied
•		21	Mst. Samia Bibi lecturer BS-17			by her
•				Islamiyat	octraci	-do-
٠.	$ \cdot _2^2$	22	Mst. Nowsheen Ahmad lecturer BS-		Sharif	
		~	17	English	-do-	-do-
	2	23	Mst. Noor Taj lecturer BS-17			
	2	24.	Mst. Aleena Younas lecturer BS-17	Physics	GGC Marda	n -do-
			rounas rectiner BS-17	Compute.	r GGC No. 1	: -do-1
Ĭ,	2	5	Mst. Shabana Bibi lecturer BS-17	Science	Mardan	:   40
		.	a sasting print tecturer BS-17	English	GGC No. 1	l-do-
*	2	6	Mst. Zeenat Jan lecturer BS-17		Mansehra	40
	`.		second in tectular 112-17	Political	GGC	Agaisnt
	:			Science	Nowshera	Vacant
I	2	7	Mst. Nowsheen Yousaf lecturer Bs-		· .	Post
			17	Economic	s GGC No. 1	-do-
•	2	8	Mst. Bibi Saima lecturer BS-17		Charsadda	
;			- a prot partital recturer B2-17	Pak	GGC No. 1	-do-
	29	9	Mst Neelam North	Studies	Abbottabad	1-402
	30	)	Mst. Neelam Naz lecturer BS-17	Maths	-do-	-do-
			Mst. S. Hina Safdar lecturer BS-17	Physics	GGC Booni	
	3:	1	Met Tobin C. II		Chitral	-do-
	32	).	Mst. Tahira Sadiq lecturer BS-17	Islamiyat	-do- \/	
ı	33		Mst. Sadia Bibi lecturer BS-17	English	GGC Thall	-do-
	34		Mst. Sadia Khalid lecturer BS-17	Biology	GGC Haripur	-do-
	7-7	1	Mst. Mehwash lecturer BS-17	Zoology	GGC Mardan	
	i		•	87	duc Martiali	
٠. ١	35		A-4-2		'	occupied
			Ast. Farkhanda Abid lecturer BS-17	English	-do-	by her
	36	1	AST. Mehar-un-nisa lecturer BS-17	Chemistry		-do-
-	37	IV.	Ast. Parveen lecturer BS-17	Botany	-do-	-do-
	38	1	Ast. Naima Naz lecturer BS-17	Physics	-do-	-do-
			1	ritysics		Against
-		<u> </u>		À		vacant
	39	.  M	lst. Sadia Qazi lecturer BS-17	Chamiet	100	post
L			<u> </u>	Chemistry	GGC	-dò-
	40	M	st. Ghazala Khuda Baksh lecturer	Maril	Nowshera	
		B:	S-17	Maths	GGC Kanjo	Already
L		 				vacant
	41	M	st.Irum Bibi lecturer BS-17	D)		post
_				Physics	GGC No.1	-do-
2	42	M.	st. Tania Karim lecturer BS-17	0	D.I.Khan	
_			rectulet D2-1/	Computer	-do-	-do-
_	13	Ms	st. Tahira Yasmeen lecturer BS-17	Science		
_	-	M	St. Somaila Salim la	Physics	-do-	-dø-
			st. Somaila Salim lecturer BS-17	Computer	GC(W)	172
_				Science	Peshawar	507-
			and the state of t			, a



# ERMS AND CONDITIONS:

They will get pay at the minimum of SPS-17 including isual allowances as admissible under the rules. They will also be entitled a annual increme its as per existing policy.

They shall be governed by the Khyber Pakhtunkhwa Civil Servants Act, 1973 and all the laws applicable to the Civil Server is and Rules in dethere-under.

They shall for all intents and purposes be Civil Ser a hits, except for the purpose of Pension and Gratuity. In liqu of pension are gratuity, they mall be entitled to receive such amount as would be contributed by them. Lowards Continbutory Provident Fund (CPF) along or is the contributions made by Government to their account in the said  $\hat{\kappa}$  ;  $\hat{s}$ , in the prescriped manner.

Their employments in the department is purely comporary and ineign services fire liable to be terminated without assigning any reason assigning (30) days notice or on the payment of 30 days sa. 7 in lieu thered case they wish to resign at any time, 30-days notice, will be necessary or in lieu thereof 30 days pay will be forfeited.

They shall, initially, be on probation for a period of two years exten upto 03 years. 學是以

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	45	Met Ribi Zainah last			1.
<b></b> ,	· ·	Mst. Bibi Zainab lecturer BS-17	Pak	GGC	Against
			Studies	Nowshera	vacant
1.	46	Mst Rasmina Haiday last			post
ŀ	47	Mst. Basmina Haider lecturer BS-17	Physics	-do-	'-do-
	- Tr. /	Mst. Zakia Raheem lecturer BS-17	Physics	Peshawar	Already
	:	,			occupied
.	48	S. Fatima Ahmad Lau			by her
	η,	S.Fatima Ahmad lecturer BS-17	Maths	GGC	-do-
-	49	Nahaad Pagus II		Peshawar	-
	:	Naheed Begum lecturer BS-17	Urdu	GGC Chitral	Against
4	·.				vacant
	50	Met Raemoona Ayyan lay			post
		Mst. Basmeena Awan lecturer BS-17	Philosophy	GGC NO.1	-do-
	51	Met Ahida Chamira la como		D.I.Khan	
٠ .		Mst. Abida Shamis lecturer BS-17	Urdu	GGC Chitral	Already
					occupied
	52	Mr Maggood Khan laster DO 45			by her
		Mr. Maqsood Khan lecturer BS-17	Botany	GGC	Aiready
				D.I.Khan	occupied
-	53	Mr Amhara Vhan last			by him
L	55	Mr. Ambara Khan lecturer BS-17	Botany	GGC Daggar	-do-

## **TERMS AND CONDITIONS:-**

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

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

> SECRETARY TO GOVT, OF KHYBER PAKHTUNKHWA HIGHER EDUCATION DEPARTMENT.

Copy forwarded to the:-

- 1. | Secretary to Govt. of Khyber Pakhtunkhwa, Establishment Department,
- 2. | Secretary to Govt. of Khyber Pakhtunkhwa, Finance Department.
- 3. | Principal Secretary to Chief Minister Khyber Pakhtunkhwa.
- 4. Secretary to Governor, Khyber Pakhtunkhwa.
- 5. Accountant General Khyber Pakhtunkhwa Peshawar.
- 6. Director Higher Education, Khyber Pakhtunkhwa Peshawar.
  7. Director Education FATA Khyber Pakhtunkhwa.
  8. District/ Agency Accounts Officers concerned.

- 9. Director Information for wide publicity through media.
- 10. Principals of the Colleges concerned.
- 11. PS to Minister of Higher Education.
- 12. Deputy Director (1T) Planning Cell, Higher Education Deptt:
- 13. PS to Secretary, Higher Education Department, Khyber Pakhtunkhwa Peshawar

14. Officers Concerned.

(ZUBIA QAMAR) SECTION OFFICER (Female Colleges)

GOVE OF LAYBER PAKHTUNKHWA
HIGHER EDUCATION, ARCHIVES &
LIBRARIES DEPARTMENT

Dated Peshawar the May 02nd, 2011.

## CORRIGENDUM

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

SECRETARY TO GOVE, OF KHYBER PAKETUNKHWA HIGHER EDUCATION DEPAREMENT

#### Endst: No. & Date even

.Co. the:

Accountant General, Khyber Pakhtunkhwa, Peshawar. Director, Higher Education, Khyber Pakhtunkhwa, Peshawar. Director of Education (FATA), Warsak Road, Peshawar. Director Information Khyber Pakhtunkhwa for publicity.

All Principals of Gövt. Colleges (Khyber Pakhtunkhwa / FATA).

6. All: District / Agency Accounts Officers, concerned.

7: Deputy Director (TT), Planning Cell, Higher Education Department.

9. P.S. to Chief Secretary, Khyber Pakhtunkhwa, Peshawar. 9. P.S. to Secretary, Establishment Department.

10. P.S. to Secretary, Higher Education Department.

Officers concerned.

EASHER AMMAD)
SECTION OFFICER (COLLEGES)

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

Dated Peshawar the May 02<sup>nd</sup>, 2011.

#### **CORRIGENDUM**

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

SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA HIGHER EDUCATION DEPARTMENT

Endst: No. & Date even.

Copy to the: -

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

11 Officers concerned.

ATTESTED

To



fr-E

The Director Higher Education, Govt. of Khyber Pakhtunkhwa, Peshawar.

Subject:

**APPLICATION AGAINST CORRIGENDUM DATED 02/05/2011.** 

#### Respected Sir,

It is respectfully submitted that I was appointed on contract basis as a lecturer in Botany on 14/09/2005 at GPGC Karak and subsequently I was regularized through Regularization of Services Act, 2009 w.e.f 01/01/2009. (Copy attached)

The said regularization act vide section 3 determines my services w.e.f 01/01/2009 and vide section 4 determines my seniority w.e.f 01/01/2009.

But the Department issued a corrigendum dated 02/05/2011 which determines my seniority w.e.f 24/09/2009 instead of 01/01/2009. As the corrigendum deprived me and affected my legal seniority and as the same is causing continuous financial loss.

Hence this representation / appeal before the proper forum is submitted with a request to implement the correct law on the subject by setting aside / withdrawing the corrigendum dated 02/05/2011 and my seniority be reckoned from 01/01/2009 instead of 24/09/2009.

Thanks.

Dated: 18/09/2015

Yours Obediently,

Laiq-us-Zaman

Lecturer in Botany

-GPGC Karak

Am-F ted 18/9/5015

From the Principal GPGC Karak

NO. #52..GPGC KARAK

То

The Secretary Higher Education

Govt of KPK

Subject: Application through proper channel against the Corrigendum

I am forwarding the names of those lecturers who have been regularized through regularization of services act 2009, They have filed writ petition in high court Peshawar and the honorable court directed them to filethe petition in services tribunal against the corrigendum, please consider their case and take further necessary action

1. Laig Zaman Lieturn in Biology 8/9/2015 KARAK

2. Nagib. ur. Rehman Luturn in English Col/10/2005.

3. Muhammad Rashid Leiturn in Urdy (02/10/2005)

4. Sami Ullah Leiturn in English (08/09/2006)

5. Laig-ur. Rehman Ceiline in Urdy (01/03/2007)

6. Mahammad Gutier Khan Lestura in Matte (27/11/2006

ر آنکے۔ مقدرمه مندرجه بالاعنوان اپن طرف سے داسطے پیرادی وجوابلزی ر معمر کے۔۔۔کیئے حاو بیرا قبال کل بیلہ ایڈوکیٹ ھائی کورٹ کو ہی شروہ مقرر کیا ہے۔ کہ میں ہر پیشی کا خود یا برز ربعہ مختار خاص رو بروعدالت حاضر ہوتار ہو نگا۔اور بوقت بکار صاحب موصوف کواطلاع دے کرحا ضرعدالت کرونگاءا گربیثی پرمن مظهرحا ضرنه ہوااورمقدمه میری غیرحاضری ک کسی طور برمیر نے برخلاف ہو گیا تو صاحب موصوف اس کے سی طرح ذیمیدار نہ ہو نگے ۔ نیز وکیل صاحبہ مقام کچبری کی کسی اور جگہ یا کچبری کے مقررہ اوقات سے پہلے یا پیچھے یا بروز تعطیل پیروی کرنے کے ذ مقدمہ علاوہ صدرمقام کچہری کے سی اور جگہ ساعت ہونے یا بروز تعطیل یا کچہری کے اوقات کے آگے بیچھے پیش ہونے پر \_موصوف مثل کرده ذات خودمنظور وقبول ہوگا۔اور ذمەدارنە ہو<u>ئگے۔ مجھے کوکل ساخت</u>ة پرداختە صاحه صاحب موصوف کوعرضی دعویٰ و جواب دعویٰ اور درخواست! جرائے ڈگری ونظر ثانی اپیل ونگرانی ہرقتم کی درخواست پر دستخط و تقىدىق كرنے كابھى اختيار ہوگا اوركسى تھم يا ڈگرى كے اجراء كرانے اور ہوتتم كے روييہ وصول كرنے اور رسيد دينے اور داخل کرنے اور ہرفتم کے بیان دینے اور سپر و ثالثی وراضی نامہ فیصلہ برخلاف کرنے اقبال دعویٰ دینے کابھی اختیار ہوگا۔اور بصورت اپیل وبرآ مدگی مقدمه یامنسوخی ڈ گری بکطرفه درخواست حکم امتناعی یا قرتی یا گرفتاری قبل از اجراء ڈ گری بھی موصوف کوبشرطا دائیگی علیحده مختارا نه پیروی کااختیار هوگا۔اوربصورت ضرورت صاحب موصوف کوبھی اختیار ہوگایا مقدمه مذکوره یا اس کے کسی جزوکی کاروائی کے واسطے یا بصورت اپیل ، اپیل کے واسطے دوسرے وکیل یا بیرسٹر کو بجائے اپنے یا اپنے ہمراہ مقرر کریں اورا یسے مشیر قانون کے ہرا مردی اورویسے ہی اختیارات حاصل ہو نگے جیسے کے صاحب موصوف کو حاصل ہیں۔اورد وران مقدمہ میں جو کچھ ہر جانہ التواءیٹے کا۔اورصاحب موصوف کاحق ہوگا۔اگروکیل صاحب موصوف کو پوری فیس تاریخ پیشی سے پہلے ادانہ کرونگا تو صاحب موصوف کو پوراا ختیار ہوگا کہ مقدمہ کی پیروی نہ کریں اور ایس صورت میں میرا کوئی مطالبہ کسی قتم کا صاحب موصوف کے برخلاف نہیں ہوگا۔لہذا محتار نا مہلکھ دیا کہ سندر ن مختارنا مه ک لیا ہے اور احیمی طرح سمجھ کیا ہے اور<sup>م:</sup>

#### <u>BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.</u>

#### Service Appeal No. 103/2015

Mr. Liaqur Rehman		Appellant.
•	VERSUS	
Sacretary Higher Education & et	hors	Docnandants

#### PRELIMINARY OBJECTIONS:-

Respectfully Sheweth:-

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

#### **REPLY ON FACTS:-**

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