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

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

(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 Rom.

Chairman

04.07.2018

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

(Ahmad Hassan) Member

(Muhammad Amin Kundi) Member

30.08.2018

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

Ahmad Hassan) Member

MA

(Muhammad Amin Khan Kundi) Member

#### 19.10.2018

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

(Hussain Shah) Member

(Ahmad Hassan) Member

#### 10.01.2018

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



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 Khah Kundi) Member

(Muhammad Hamid Mughal) Member

19.04.2018

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

(Ahmad<sup>(</sup>Hassan) Member

(Muhammad Ámin Khan Kundi) Member

#### 11.05.2017

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

(Ahmad Hassan) Member

(Muhammad Amin Khan Kundi) Member



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  $\underline{G/I^0/I7}$  before D.B. Parties be informed accordingly.

### 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.

hairman

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.

#### 23.08.2016

Counsel for the appellant and Mr. Asif Khan, Assistant (Litigation) alongwith Additional. AG for the respondents present. Rejoinder not submitted. Learned counsel for the appellant requested for adjournment to file rejoinder. Request accepted. Adjourned for rejoinder and arguments to 26-12-16-before D.B.

Channan

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.

Member

Chairman

mber

23.11.2015

Int Deposited

. (E:=64, 2)

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

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

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

#### 02.03.2016

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

# Form- A

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# FORM OF ORDER SHEET

Court of\_

### 1240/2015

	Case No	1240/2015
S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	05.11.2015	The appeal of Mr. Muhammad Farman Ali 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.
2		REGISTRAR ' This case is entrusted to S. Bench for preliminary hearing to be put up thereon $23.11-2015$ .
		CHAIRMAN
· · ·		
	-724 - 74	

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

- 1- Memorandum of appeal may be got signed by the appellant.
- 2- Copies of corrigendum dated 02.05.2009 and 02.05.2001 mentioned in para 4 of the memo of appeal are not attached with the appeal which may be placed on it.
- 3- Page Nos. 28 to 31 of the appeal are illegible which may be replaced by legible/better one.
- 4- Copy of judgment of Supreme Court of Pakistan mentioned in para 6 of the memo of appeal is not attached with the appeal which may be placed on it.
- 5- Copy of departmental appeal is not attached with the appeal which may be placed on it.

No. 1648 /S.T.

Dt. 26 10 /2015

REGISTRAR

SERVICE TRIBUNAL **KHYBER PAKHTUNKHWA** PESHAWAR.

Mr. Javed Igbal Gulbella Adv. Pesh.

Repeted his, Reenbroitted after recessary corospilation. togethe 23/10/15

Not:

Correspondent in question is at: 02-05-2011 & the same had erronearsly seen woither an 02-05-2009 & 02-05-2001, which a now rectified. Moreover Copris of order ( the Apric Court & of departmental Appeal are not available.

27/10/15-

# BEFORE THE HONOURABLE SERVICES TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR

In Re S.A No 1240/2015

Muhammad Farman Ali

Vs Govt of Khyber Pakhtunkhwa etc

S#	Description of Documents	Annexure	Page#
1	Petition		1-8
2.	Affidavit	· · · · · · · · · · · · · · · · · · ·	9
3.	Addresses of Parties		I D
4.	Copies of personal record	"A"	11-14
5.	Copies of the Regularization Act & Notifications	"B & C"	15-31
6.	Copy of the Corrigendum	"D"	32-35
7.	Copies of W.P & Judgment dated 05-03-2015	"E & F"	34-47
8.	Copy of CPLA	"G"	48-56
9.	Copies of departmental appeal & Impugned order dated 23- 09-2015	"Н 🔎	57
10	Other documents		
11.	Wakalat Nama		58

DATED 20-10-2015

<u>Through</u>

Petitioners

(JAVEDIOBAL GULBELA) Advocate, High Court, Peshawar

Office No. 9-10/A 1<sup>st</sup> Floor Al-Nimra Centre Qazi Plaza Govt College Chowk Fagirabad Peshawar

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

In Re S.A No 1240/2015

C.W.P. Province iarvica Tribuna Mare Ma

Muhammad Farman Ali, Lecturer in Chemistry at GPGC Lakki Marwat.

.....Appellant

#### **VERSUS**

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

.....Respondents

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

#### **RESPECTFULLY SHEWETH,**

**xe-sub**mitted **10-day** and filed.

Viba to det



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



- 2. That in fact initially the appellant was appointed to the subject slot on contract basis on 13-11-2007 which contractual period was kept on constant extension and thus the pendulum remained intact till the promulgation of Regularization Act 2009.
- 3. That the service of the appellant along with others were got regularized under the N.W.F.P Employees (Regularization on Service) Ordinance 2009 (NWFP Ordinance No. VII of 2009); the same was later on replaced by NWFP Employees (Regularization of Service) Act 2009 (NWFP Act No. XVI 2009) and thus the service of the appellant was declared to be a regular one w.e.f. 01-01-2009. (Copies of Regularization Act and Notifications are annexed herewith as Annexure B & C, respectively)
- 4. That after having regularizing the service of the appellant with effect from 01-01-2009 vide Notification No : SO(COLLEGES)/2-5/2009, Dated : 18-03-2010 the respondents issued a Corrigendum No. SO (COLLEGES)/2-2a 11 5/2009, dated 02-05-20 whereby the service of the appellant was declared to be regularize with effect from 24-09-2009 instead of 01-01-2009 in an illegal, unlawful and unwarranted manner and the same is a clear cut violation of the letter and spirit of the Regularization Act 2009. (Copy of the Corrigendum dated 02-05-20#1 is annexed herewith as Ann - "D"
- 5. That it is pertinent to mention here that the appellant had earlier filed a Writ Petition No. 947-P/2014 with the sole

prayer of declaring the service of the appellant regular w.e.f. initial induction of the appellant into service i.e dated : 13-11-2007. The same Writ Petition was dismissed by the August Peshawar High Court Peshawar vide impugned Judgment and Order dated : 05-03-2014. (Copies of the Writ Petition and impugned Judgment and Order Dated : 05-03-2015 are annexed herewith as Ann "E & F", respectively)

- That feeling aggrieved the appellant preferred CPLA No 1113 of 2015 in the Apex Court of Pakistan, but the same was also turn down vide Judgment and Order dated 02-07-2015 (Copies of CPLA is annexed herewith as Ann- "G")
- 7. That both the August High Court as well as the Supreme Court of Pakistan directed the appellant to approach this Hon'ble Tribunal viz-a-viz Corrigendum, which was never a subject matter before any of the Superior Courts, nor any relief was ever sought with respect to the instant subject matter; while rest of the claim of the appellant was dishonored by both the Superior Courts. So by virtue of the aforementioned dictums as laid down by the superior courts, the appellant preferred a departmental appeal, but the same was turn down vide the impugned Office Order No . 24063-76, dated 23-09-2015 in a classically cursory and whimsical manner. (Copies of the Appeal and impugned office order dated 23-09-2015 are annexed herewith as annexure "H & I", respectively)

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

#### **GROUNDS:-**

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

- D. That the aforementioned notifications were quiet in conformity with Regularization Act 2009 and its substitution by any subsequent alleged Corrigendum is not only illegal, unwarranted; but as well as violative to the provisions of the Regularization Act 2009 that by substituting the date of taking effect of regularization from 01-01-2009 to 24-09-2009 is not only illegal, but has caused much financial loss, rather constant loss to the appellant and because of the same, the same Corrigendum is liable to be cancelled.
- E. That the Learned Appellate Authority without visualizing the outcome of the Corrigendum in question and without diluting upon the case of the appellant and without considering the merits of the case of the

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

- F. That before issuing the impugned Corrigendum in question neither the appellant was ever issued any notice, nor was allowed to be heard 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.
- G. That the August Hugh Court as well as the Hon'ble Apex Court directed the appellant to recourses to this Hon'ble Tribunal in the matter of the Corrigendum in question and substitution of date of Regularization and deprivement of the appellant of the financial gain/benefits.
- H. That where similar placed persons are to be dealt with in terms of treatment to be meted out to them, must always be on equal footing, must always be just, fair & transparent without any sort of discrimination and where so many other employees in past & even in present have been extended seniority & back benefit since their initial regularization, then in no case the

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

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

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

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

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

DATED 20-10-2015

Appellant

Through

JAVED IOBAL GULBELA

Advocate High Court, Peshawar

Note :

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

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.

**LDVO**đ

ADVOCATE.

# BEFORE THE HONOURABLE SERVICES TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR

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

#### Muhammad Farman Ali

### 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.

D<del>épo</del>nent



# BEFORE THE HONOURABLE SERVICES TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR

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

Muhammad Farman Ali

Govt of Khyber Pakhtunkhwa etc

# **ADDRESSES OF PARTIES**

VS

## **ADDRESS OF APPELLANT**

Muhammad Farman Ali, Lecturer in Chemistry at GPGC Lakki Marwat.

### ADDRESSES OF RESPONDENTS

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

#### DATED 20-10-2015

Through

Appellant

(JAVED IOBAL GULBELA) Advocate, High Court, Peshawar

FP. 243 FS. 2000 P. of 100 -3-2-2006 - (6 CERTIFICATE OF TRANSFER OF CHARGE 1. Certified that we have on the fore/afternoon of this day respectively made over and receive charge of this office of the Lec. in chiens try, G. D.C. Tajorti uide Govt of NWFP H.E.C notification NO soldliges) 2-5/2 daled 18/03/030 Particulars of each and important secret and confidential documents handed over are noted on the reverse. Signature of relieved Government Servant .... Designation Station. Theman A. Signature of relieving Government Servant... M. Farman Alj. Lee. w Clusting 200 Muhammad Farman A lec - in chemistry alle i Morwat. GPGC First date of lacing over change 193-11-2007 an AS" 13-11-2007

oppice of G.D.C. Tajoni Larelei mérivat. End st NO 1523-28/A-12 dated Typin of m/ole Copy of the above to Submitted to the O Sectectary to Gove N.WFP H.C.C. Accountant general NWFP 3. P.S. to Mignister gor H.E.C. NULF.P. D.D.O Calerci Marwalk. 4. 5. Secretary to Goost of N.W.F. P. Establishment deptt perk 7. Director H.E.C. Pechawan. in the second second



GOVERNMENT OF MANARES HIGHER EDUCATION, ARCHIVES & XLIBRARIES DEPARTMENT

Dated Peshawar the October 29<sup>th</sup>, 2009.

11

# NOTIFICATION

<u>NG. SO(COLLEGES)2-5/2009</u>. The Competent Authority is pleased to re-appoint the following contract lecturers (B-17) of Higher Education Department w.e.f. 03.07.2009 to 30.06.2010, appointed on contract basis in the year 2005, 2006, 2007 in various subjects under stop-gap arrangements in Govt. Colleges on existing terms and conditions. Their contract period has already expired on 30.06.2009:

	Date of 1 <sup>st</sup> taking over charge.
ARABIC	
<ol> <li>Abid-ur-Rahman, Lecturer in Arabic, GPGC Bannu.</li> <li>Abdur Rauf, Lecturer in Arabic, GDC Tank.</li> <li>Khizar Hayat, Lecturer in Arabic, GC Khalabat Township Haripur.</li> <li>Naseerul Haq, Lecturer in Arabic, GDC Dagger (Buner).</li> <li>Naseerul Haq, Lecturer in Arabic, GDC Dagger (Buner).</li> <li>Tauseef Jan, Lecturer in Arabic, GDC Akora Khattak</li> </ol>	10.09.2005 17.11.2005 08.09.2005 08.09.2005 06.10.2006
<ol> <li>Tauseer Jan, Lecturer</li> <li>(Nowshera).</li> <li>Jehanzeb, Lecturer in Arabic, GDC, No. 1, D.I Khan.</li> <li>ARCHAFOLOGY</li> </ol>	04.10.2006
ARCHAHOLOGT 7. Mohmmad Sohail Khan, Lecturer in Archaeology, GDC No. 1 D.I Khan. BIOLOGY 8. Said Ayaz Khan, lecturer in Biology, GDC Kulačh (D.I. Khan).	
<ul> <li>2006</li> <li>9. Mohammad Daud, Lecturer in Biology, GDC Jowar (Buner).</li> <li>9. Mohammad Daud, Lecturer in Biology, GDC Thall.</li> <li>10. Noor Mohammad Khan, Lecturer in Biology, GDC Ahmadabad (Karak)</li> <li>11. Tahir Saeed, Lecturer in Biology, GDC Ahmadabad (Karak)</li> <li>12. Mohammad Anwar, Lecturer in Biology, GDC Sabiraba (Karak).</li> <li></li></ul>	07.03.2007

5. NO. 40

	BOTANY	
	inc Ballishult (Mardan) 12.09.2005	
	Sher Zaman, Lecturer in Botany, GDC Bakashali (Mardan). 12.09.2005 15. Laiq Zaman, Lecturer in Botany, GPGC Karak. 16. Riaz - Hussain, Lecturer in Botany, GDC Tajori 18.11.2005	· .
-	10.       (Lakki Marwat).       17.11.2006         2006       Corri:       04.01.2007         17.       Ammar Ali, Lecturer in Botany, GDC Yar Hussain (Swabi).       04.01.2007         04.10.2006       04.10.2006	1
	18.Abdul Majeed, Lecturer in Botany, GDC Kotha (Swabi).04.10.200019.Hafiz Munib ur Rehman Lecturer in Botany GDC Paniala17.11.2006(D.1 Khan).04.10.2006 &20.Shahid Irfan, Lecturer in Botany, GDC Ghoriwala (Bannu).04.10.2006 &	1
	2.007 21.   Wahid Hussain, Lecturer in Botany, GDC Dir Upper 21.   Wahid Hussain, Lecturer in Botany, GDC Banda Dawood Shah	
	<ol> <li>Inayat Gui, Lecture, Indiana, Control (Karak).</li> <li>Muhammad Hameed Iqbal, Lecturer in Botany, GDC Gul 15.11.2007</li> <li>Abad (Dir Lower).</li> <li>Mohammad Ishaq, Lecturer in Botany, GDC No. 2 Mardan.</li> <li>Mohammad Ishaq, Lecturer in Botany GDC No. 2 Mardan.</li> </ol>	
	2005 25. Tanvoer Hussain Shah, Lecturer in Chemistry, GDC Balakot.   16.09.2005 25. Tanvoer Hussain Shah, Lecturer in Chemistry, GDC Zaroobi   04.10.2006	• .
	25Tanvoer nubber20062006200626Mohammad Bilal, Lecturer in Chemistry, GDC, Matta Swat.27Roohal Qayyum, Lecturer in Chemistry, GPGC Kohat.27Roohal Qayyum, Lecturer in Chemistry, GPGC Kohat.	
	28. Zia Monaminiau, 2000 Chemistry, GDC Parova 04.10.2006	
	(D. I. Khan). (D. I. Khan). 30. Kifayat Ullah Khan, Lecturer in Chemistry, GDC Tank. 30. Kifayat Ullah Khan, Lecturer in Chemistry, GDC Kohi Sher 04.10.2006	
	31. Noor Muhammad, Lecturer Haidar Bara (Khyber Agency) Haidar Bara (Khyber Agency) Altaf Hussain, Lecturer in Chemistry, GDC, Daggar 04.10.2006	
-	33. Sher. Mohammed, (Buner). Abdul Aziz, Lecturer in Chemistry, GDC Hangu.	ł
	2007 35. Murad Ali, Lecturer in Chemistry, GC Khar Bajaui 12.11.2007 35. Murad Agency) 07.11.2007	-
	35.MuradAgency) (Mohmand Agency)07.11.200736.Ihsan Ullah, Lecturer in Chemistry, GPGC Charsadda.11.03.200837.Roohul Amin, Lecturer in Chemistry, GPGC Bannu.12.11.200738.Abdus Saboor Shah, Lecturer in Chemistry, GDC Kallang Mardan.13.11.2007	
	39. Mahboob All, Lecturer In Chemistry, GDC Tajon 13.11.2007	•
	University       Lakki Marwat.         11.       Muhammed Ishaq Ali Shah, Lecturer in Chemistry GPGC       10.11.2007         11.       Muhammed Ishaq Ali Shah, Lecturer in Chemistry GPGC       12.11.2007         12.11.2007       12.11.2007	
	42. Zia-ul-Hassan, Lecturer in Chemistry, GRGC Abbottabad. 17.11.2007	\ , ,1
	44. Shaukat Ali Locturer in Chemistry; GO Ghazi Haripur. 17.11.2007	
	& Federal Siztiat Courter Pekiater	

Muhammed Ismail Lecturer in Urdu GPGC S

ZOOLOGY

218.	Imdad Ullah Lecturer in Zoology GDC, Hangu.	19.11.
2008	de ser l'en ser e manuelle manuelle ser l'anne d'anne d'anne d'anne d'anne d'anne d'anne d'anne d'anne d'anne d	
219.	Shah Khalid Lecturer in Zoology GDC, Lund Khwar	
220.	Nasib Khan Lecturer in Zoology GDC Dir (Upper)	29.03.2008
-	LAW	
2005		1
221.	Tanwir Khan; lecturer in Law, GDC Latamber (Karak).	01.11.2005

SECRETARY TO GOVT. OF NWEP HIGHER EDUCATION DEPARTMENT

7.1.

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

Copy of the above is forwarded to the: -

- 1. Accountant General NWFP Peshawar
- 2. Director Higher Education NWFP Peshawar, with the request to circulate copies of the Agreement Bond to all Principals of the Government Colleges concerned immediately.
  - 3. Director of Education (FATA) NWFP Warsak Road Peshawar.
  - ,4. Director Recruitment NWFP Public Service Commission Peshawar.
  - 5. Districts Accounts Officers concerned.
  - 6. Principals Government Colleges (Male) concerned.
  - 7. Section Officer (FATA) Education Wing, Governor's Secretariat (FATA) Warsak Road Peshawar.
  - 8. P.S. to Secretary, Higher Education NWFP Peshawar.
  - 9. Officers concerned.

201/×105 WAND ALLY

SECTION OFFICER (COLLEGES) JAVED 10834. GHLBELA Advocato With Journ enterior O Tedaral Sharid Court of Policitas



4.

### GOVERNMENT OF NWFP ESTABLISHMENT & ADMINISTY DEPARTMENT

#### (REGULATION WING)

No. SQR-VI/F&AD(1-17)2009
 Dated Peshawar, the 4<sup>th</sup> November, 2009

- 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.
  - / The Senor Member, Board of Revenue, NWFP.
- $5.\sqrt{}$  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.
- The Secretary, NWFP Public Service Commission, Peshawar.

Subject:

The	North	West F	rontier	Province	Employees
(Regul	arization	of Services	) Act, 2009	) <u>(NWFP /</u>	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.

(KALEEM ULLAH) SECTION OFFICER (REG

#### 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.

Resource

6. The Incharge Department. Centre, Estt:&Admn:

EXTRAORDINARY

GOVERNMENT



REGISTERED NO. P.III

GAZETTE

# 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

Employees 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 Frontjer 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-West Frontier Province in the Gazette of the N.-W.F.P. (Extraordinary). Dated the 24<sup>th</sup> October, 2009).

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

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

hereinafter appearing;

It is hereby enacted as follows:-

289

N WILP GOVERNYONE SAME PREND NOW

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

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

- Definitions.---(1) In this Act, unless the context otherwise requires,-2.
  - "Commission" means the North-West Frontier Province Public Service (a)\_ Commission;
  - "contract appointment" means appointment of a duly qualified person made (aa) otherwise than in accordance with the prescribed method of recruitment;
  - "employee" means an adhoc or a contract employee appointed by Government (b) on adhoc or contract basis or second shift/night shift but does not include the employees for project post of appointed on work charge basis or who are paid out of contingencies;
  - "Government" means the Government of the North-West Frontier Province: (c)
  - (d) "Government Department" means any department constituted under rule 3 of the North-West Frontier Province Government Rules of Business, 1985;
  - "law or rule" means the law or rule for the time being in force governing the · (e) selection and appointment of civil servants; and
  - "post" means a post under Government or in connection with the affairs of (f)Government to be filled in on the recommendation of the Commission.

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

Regularization of services of certain employees.--- All employees including recommendees 3. of the High Court appointed on contract or adhoc 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.

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 c

# N.W.F.P. GOVERNMENT GAZETTE, EXTRAORDINARY, 24th OCTOBER, 2009. 291

(2) The senjority *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.

4A. <u>Overriding effect</u>.--- Notwithstanding any thing to the contrary contained in any other law of 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. <u>Repeal</u>.--- The North-West Frontier Province Employees (Regularization of Services) Ordinance, 2009 (N.-W.F.P. Ordinance No. VII of 2009) is hereby repealed.

<del>7</del>1,

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. Deptt., NWFP, Pesh.



**BETTER COPY** 



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-West Frontier Province in the Gazette of the N.W.F.P (Extraordinary) Dated the 24the October, 2009)

#### AN ACT

' to provide for the regularization of the services of certain employee appointed on adhoc or contract be

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

It is hereby exacted as follows:-

#### **BETTER COPY**



## 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. <u>Regularization of services of certain employees</u>: --- All employees including recommended of the High Court appointed on contract or adhoc basis and holding that post on 31<sup>st</sup> 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 al 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 p be appointed to the respective service or cadre, respective of their actual date.

#### **BETTER COPY**

# 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 o the younger one.

**4A.** <u>Overriding effect</u>: --- 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.

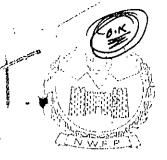
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BY ORDER OF MR. SPEAKER, PROVINCIAL ASSEMBLY OF NORTH-WEST FRONTIER PROVINCE

## AMAN ULLAH

Secretary, Provincial Assembly of NWFP





# GOVERNMENT OF N.W.F.P. HIGHER EDUCATION, ARCHIN LIBRARIES DEPARTMENT



Dated Poshawar the March 18<sup>th</sup>, 2010.

# NOTIFICATION

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

5. ti	Name / Designation / Present Posting
ווונקאַנזי וייַר	
	MADR_
200	
1.	Abid-ur-Rahman, Lecturer in Arabic, GPGC Karak.
2.	Abdur Rauf, Lecturer in Arabic, GDC Tank.
з. З.	Khizar Hayat, Lecture: in Arabic, GC Khalabat Township Haripur.
1.	Naseerul Haq, Lecturer in Arabic, GDC Dagger. (Buner).
200	6
۲. ۱	Tauseef Jan, Lecturer in Arabic, GDC Akora Khattak (Nowshera).
6.: 	Jehanzeb, Lecturer in Arabic, GDC, No. 1, D.J Khan.
	ARCHAEOLOGY
7.	Mohmmad Sohail Khan, Lecturer in Archaeology, GDC No. 1 D.1 Khan.
	BIOLOGY
8. 	Said Ayaz Khan, lecturer in Biology, GDC Kulachi (D.I. Khan).
2006	
9. 10.	Mohammad Daud, Lecturer in Biology, GDC Jowar (Buner). Noor Mohammad Khan, Lecturer in Biology, GDC Thall.
J.L.	Fahir Saeed, Lecturer in Biology, GDC Ahmadabad (Karak).
2007	
12.	Allah Nawaz, Lecturer in Biology, GDC Zarcobi (Swabi).
005	
13.	Sher Zaman, Lecturer in Botany, GDC Bakhshali (Mardan). Govt. of NWF?
14. 15 006	Laig Zaman, Lecturer in Botany, GPGC Karak. Riaz Hussain, lecturer in Botany, GDC Tajori, Lakki Marwat.
. <u>6.</u> 7. 8.	Ammar All, Lecturer in Bolany, GDC Yar Hussain (Swabi). Abdul Majeed, Lecturer in Bolany, GDC Kr tha (Swabi). Hafiz Munib ur Rehman Lecturer in Bolan- GDC, Paniala (D+ khan).
9	Sbahid Irfan, iocturer in Botany, GDC Gborivala, Lanou,

2007	
20. Inayat Gul, Lecturer in Botany, GDC Brinda Daud Shah, Karak.	
21. Muhammad Hameed Johal Lacturation Viation Caral, Karak.	
Thonammad Ishad, Lecturer in Bolany, GDC No. 2, Mardan.	-
CHEMISTRY	
2005	
23. Tanveer Hussain Shah, Lecturer in Chamietre, CDC in the	
23. Tanveer Hussain Shah, Lecturer in Chemistry, GDC Balakot. 2006	
2000	
24. Mohammad Bilal, Lecturer in Chemistry, GDC Zaroobi, Swabi.	
25. Roohal Qayyum, Lecturer in Chemistry, GDC, Matta, Swabi.	
26. Zia Mohammad Lecturer in Chemistry, GDC, Matta, Swat.	
i and cocure in chemistry, GOC Parova I)   Khao	
20. TKilayat Ullah Khan, Lecturer in Chemistry, GDC Tapk	
29. Altar Hussain, lecturer in Chemistry, GDC KDA Kohat	
30. Sher Mohammad, Lecturer in Chemistry, GDC, Dagger, Buner.	
31. Abdul Aziz, Lecturer in Chemistry, GDC Hangu.	
32. Noor Muhammad Jecturer in Chomistry, CDC Haligu.	
32. Noor Muhammad, lecturer in Chemistry, GDC Kohi Sher Haider Bara, Khyber Agency.	
<u> </u>	
2007	
33. Murad Ali, Lecturer in Chemistry, GPGC Khar, Bajaur Agency.	
- 5 the finish olian, Lecturer in Chemistry, GDC Ghoriwala Banau	
35. Roohul Amin, Lecturer in Chemistry, GPGC Charsadda.	
- Jos - Prodaminau Farman All Lecturer in Chemistry, CDC Tobal Factories	
<u> </u>	
- 103 TOSH ALSHOU, LECTURET IN Chemistry CDCC Alstantia Line 1997	N.
41 Shaukat Ali Lecturer in Chemistry, GDC Ghazi, Haripur.	V.
Computer and a computer a	
2005 COMPUTER SCIENCE	
2006	
41. Mohammad Calid King	
41. Mohammad Sajid Khan, Lecturer in Computer Science, GDC Shabqadar (Charsadda).	
45. Mohammad Tufail, Lecturer in Computer Science, GDC Akora Khaltak (Nowshera).	
(Nowshera).	
46. Mutabar Khan, Lecturer in Computer Science GDC Toru (Mardan). 47. Farban Khan, Lecturor in Computer Science GDC Toru (Mardan).	
47. Farban Khan, Lecturor in Completer Science GDC Toru (Mardan).	
<ol> <li>Farhan Khan, Lecturer in Computer Science, GDC Takht Bhai (Mardan).</li> <li>Anwar Saddat Lecturer in Computer Science, GDC Takht Bhai (Mardan).</li> </ol>	
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Terenaminau Zahir Shah, Lecturer in Computer Science Cher	
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	e.
Tananimad Habib Lecturer in Comp. Science CDC Come in	
56. Muhammad Anwar Lecturer in Comp: Science GDC Tank.	
56. Muhammad Anwar Lecturer in Comp: Science GPGC Mandian, Abbottabad.	
ECONOMICS	
005	
7. Wisal Ahmad Lecturer in Economics COC N	•
	5
8. Shakir Afridi Lecturer in Economics GDC KDA (Kohat)	¥.
006	1
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9. Jamil Ahmad, lecturer in Economics, GDC Takht-Bhai, Mardan.	l
o Maraan, Ooc rakinebial, Mardan,	<b>\</b> .
0. Mohammad Iftikhar, Lecturer in Economics, GPGC, Swabi	•
and zoonomics, or GC, SWdDI	
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Zar Rehman, Lecturer in Economics GDC, Yar Hussain (Swabi). Umair ur Rehman, Lecturer in Economics, GDC, Jowar (Buner). Sharif Ullah, Lecturer in Economics, GDC, Lachi (Kohat). Akif Hussain, Lecturer in Economics GPGC Bannu.
Sharif Ullah, Lecturer in Economics, GDC, Jowair (Buner). Akif Hussain, Lecturer in Economics GDC, Lachi (Kohat).
Akif Hussain, Lecturer in Economics, GDC, Lachi (Kohat).
Akir Hussain, Lecturer in Economics GPGC Bangu
Prior Hussain, Lecturer in Economics GPGC Bannu.
Tilawat Shah Lecturer in Economics GDC Tangi, Charsadda.
Ijaz Ahmad Lecturer in Economics GD C # 2, D.1 Khan. Arif Khan Lecturer in Economics GC Lund Khwar, Mardan.
Lund Khwar, Mardan.
Mohammad Tariq Lecturer in Economics GDC, Kulachi, D.I.Khan.
Syed Imran Ali Shah Lecturer in Electronics GC, Peshawar.
HISTORY
Sagheer Mohammand Levin
Sagheer Mohammad, lecturer in History, GDC Tangi (Charsadda). Jhsan Ullah, Lecturer in History GDC Gandaf, Swabi.
any decerer ministory GDC Gandal, Swabi.
Amin Ullah, lecturer in History, GDC Kulachi (D.I. Khan).
ENGLISH
Abdul Wali Khan, Lecturer in English GDC Jower (Buner).
Naqibur Rahman, Lecturer in English GDC Latamber.
Yasir Mohammad Imman Levis and Color Catamber.
Yasir Mohammad Imran, Lecturer in English GDC Lakki Marwat.
Bakht Zacia, Lecturer in English GDC Dir Upper.
Javed Iqbal, Lecturer in English GPGC, Mardan.
Altaf-Ur-Rehman, Lecturer in English GDC Takht Bhai (Murdan).
Zafar Jamal, Lecturer in English GDC Takht-e- Nasrati.
NIGO VIGIT NIGO, L'ECTUPER IN English COCC n-
Soundary College In English CDCC Neurola
Muhammad Adeel Umar, lecturer in English, GPGC Charsadda.
Shafiq Ahmad, Lecturer in English GC, Peshawar.
1 10ydl, Leffiller in Epolich CDC Course of the second sec
aved Khan, Lecturer in English GDC, Charni Khai
a olian, Lecturer in English CC S K Data
anz Saini Ullah, Lechurer in Epolish CDC, Jank W. L. C. Content
Reem Khan Huddssi, Lecturer in English GPGC, Haripur.
aeem Khan, Lecturer in English GDC Lund Khwar.
bar Hayat, lecturer in English, GDC Kakki Bannu.
- ingiter Education Deptr
ramullah, Lecturer in English, GDC Babozai Mardan
vid Ali, Lecturer in English, GDC, Akora Khattak Nowshera.
had Hussain Lecturer in English GPGC, Nowshera.
Ullah-Khan Lecturer in English GDC, Yar Hussain. ISLAMIYAT
ti Samiullah, Lecturer in Islamiyat GDC Matta

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	Vaeem Gul Lecturer in Maths GC Ghazi Haripur.
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T	136. Barkat Ali Lecturer in Maths GDC #1, DI Khan.
	135 Waheed Jobal Lecturer in Maths GC Thana Malakand.
- T	134. Nadęem Haider, Lecturer in Maths GDC, Badaber. 134. Israi Ahmad Lecturer in Maths GDC, Badaber.
	133. Dawood Shah Lecturer in Maths GC Parova, DI Khan.
	130. Abdul Jaleel Lecturer in Maths GPGC Abbottabad.
· ·	
	2007 Hazrat Hussain, 'ecturer in Maths, GDC Kakki, Bannu.
	129. Nadar Shah Lecturer in Maths GDC, Kakki (Bannu). 128. Nadar Shah Lecturer in Maths GDC, Kakki (Bannu).
•	127 Naveed Ullah Lecturer in Maths GDC, Falki (Bannu). 128 Nadar Shah Lecturer in Maths GDC, Kakki (Bannu).
	122. Noor Hayat Lecturer in Maths GDC, Thall (Hangu). 126. Noor Hayat Lecturer in Maths GDC, Thall (Hangu).
	124. Latif ur Rehman Lecturer in Maths GDC, Totalai (Buner). 125. Abiduliah Jan Lecturer in Maths GDC, Totalai (Buner).
	124. Latif ur Rehman Lecturer in Marks on a
,	123. Zia- ud- Din Lecturer in Mathematics GDC, Agra (Malakand).
	123, Zia- ud- Din Lecturer in Mathematics GPGC Nowshera,
	121. Latif Khan Lecturer in Mathematics GDC, Tangi. (Charsadda) 122. Imtiaz Ali Lecturer in Mathematics GDC, Shabqadar (Charsadda).
	120. Bakhtiar Abrazal k
•	
	119. Umair Sultan Lecturer in Maths GPGC, Hanpur,
-	117 - Ajed Akbar Lecturer in Maths GDC Khanpur.
	2005 ZHTAM
	en on rectarer in Islamiyat GDC Booni (Chitral).
•	114. Faroog Shah Lecturer in Islamiyat GDC, No. J D.I Khan. 1.15. Shahid Khan Lecturer in Islamiyat GDC, No. J D.I Khan.
	111. Mohammad Amjad Khan Lecturer in Islamiyat GPGC Sabirabad (Karak). 112. Abidullah Khan Lecturer in Islamiyat GPGC Mandian.
	diversity of teximels in teximels of the providence of the provide
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	5006
	2006 Tahir Vaveed, Lecturer in Islamiyat GPGC Haripur, under transfer to GDC Balakot.
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h	100. Mujahid Shah, Lecturer in Islamiyat GDC Badaber Peshawar.
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2008	and the second				_
1.38.	Zakiuddin Lecturer in Maths GDC, Zaroobi (Swabi).			Y	
139.	Dil Jan Khan Lecturer in Maths GDC, Kulachi (D.I.Khan).		IL	/)	
140.					
140.	Sajjid Islam Lecturer in Maths GDC, Paharpur (D.I.Khan).		$\sim$	/	
2005	PAK STUDY		Ĭ		
2005					
141.	Jamil-Ur-Rahman Lecturer in Pak Study GPGC Charsadda.				
142.	Mohammad Ajmal Khan Lecturer in Pak Study GPGC Mansehra.				
2006			1		•
143.	Aimal Khan Lecturer in Pakistan Studies GPGC, Swabi.	··· • ••			
144.	Ayaz Mohammad Lecturer in Pak Study GDC, Agra (Malakand).				
145.	Anwar Shah Lecturer in Pak Study GDC Alpuri.				
146.	Sher Nawaz Lecturer in Pak: Studies GPGC, Kohat.				
147.	Mohmmad Naveed Khan Lecturer in Pak: Studies GDC, Sikandar Bala(Bannu).	Khel			
148.	Allah Nawaz Lecturer in Pak: Studies GDC Parova (D 1 Khan).				
2007			 		
149.	Jawad Ali Shah Lecturer in Pak: Studies GC Kakki Bannu.	· -			
	PASHTO				• :
2005				• •	
150.	Mohammad Jame Kleen Laster in David Cases				4
150.	Mohammad Israr Khan Lecturer in Pashto GPGC Charsadda.		,		(
2006	Ikram ullah Lecturer in Pashto GDC, Shabqadar (Charsadda).	ļ			
152.					i
152.	Fazal Wahid Lecturer in Pashto GJGPC, S/Sharif (Swat)				÷
	Javed Khan Lecturer in Pashto GC Şikindar Khel Bala				
2005	PHYSICS				ļ
154.	Altaf Ahmad, Lecturer in Physics GDC No. 2 D. I Khan.		1		
155.					
	Mohammad Rizwan, Lecturer in Physics GDC Banda Daud Shah (Karak).				i
2006					1
156.	Munir Khan Lecturer in Physics GDC, Yar Hussain (Swabi)		~ ~		1
157.	Abid Hussain Lecturer in Physics GDC, Zaroobi (Swabi)	1-7-	Shu		
158.	Sardar Ali, Lecturer in Physics GDC, Lachi (Kohat)		íC'		1 [
	Mohammad America Ali Laster Dia Cara Million Vi	موجوع م   مشرع مدارق ا		2	
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159.		durst	ON Dance		
160.	Asghar Khan Lecturer in Physics GPGC, Lakki Marwat	ducat	on Dog <i>th</i> ,	··	
		ducat	on Dog <i>ti.</i>	i. I	
160.	Asghar Khan Lecturer in Physics GPGC, Lakki Marwat	ducat	on Dog <i>h</i> ,		
160.	Asghar Khan Lecturer in Physics GPGC, Lakki Marwat Sher Nawaz Khan Lecturer in Physics GDC, Ghoriwala (Bannu)	ducst	on Doyt,	i.	
160. 161. 2 <b>005</b>	Asghar Khan Lecturer in Physics GPGC, Lakki Marwat Sher Nawaz Khan Lecturer in Physics GDC, Ghoriwala (Bannu) POLITICAL SCIENCE	ducat	on Dost.		
160. 161. 2 <b>005</b> 162.	Asghar Khan Lecturer in Physics GPGC, Lakki Marwat Sher Nawaz Khan Lecturer in Physics GDC, Ghoriwala (Bannu) POLITICAL SCIENCE Noor Zali Lecturer in Pol: Science GPGC Bannu.	ducat	on Dos <i>ts</i> ,		
160. 161. 2 <b>005</b> 162. 163.	Asghar Khan Lecturer in Physics GPGC, Lakki Marwat Sher Nawaz Khan Lecturer in Physics GDC, Ghoriwala (Bannu) POLITICAL SCIENCE Noor Zali Lecturer in Pol: Science GPGC Bannu. Sarfaraz Ahmad, lecturer in Political Science, GPGC Charsadda.	ducst	on Doyst,		
160. 161. 2 <b>005</b> 162. 163. 64.	Asghar Khan Lecturer in Physics GPGC, Lakki Marwat Sher Nawaz Khan Lecturer in Physics GDC, Ghoriwala (Bannu) POLITICAL SCIENCE Noor Zali Lecturer in Pol: Science GPGC Bannu. Sarfaraz Ahmad, lecturer in Political Science, GPGC Charsadda. Aziz Khan Lecturer in Pol: Science GDC Dir Upper.	ducst	on Dog <i>th</i> ,		
160. 161. 2 <b>005</b> 162. 163.	Asghar Khan Lecturer in Physics GPGC, Lakki Marwat Sher Nawaz Khan Lecturer in Physics GDC, Ghoriwala (Bannu) POLITICAL SCIENCE Noor Zali Lecturer in Pol: Science GPGC Bannu. Sarfaraz Ahmad, lecturer in Political Science, GPGC Charsadda.		on Dog <i>th</i> ,		

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· · ·	,∕:ó7.	Haseeb-ur-Rehman Khan Lecturer in Political Science GDC, Tangi (Charsadda).	
14	163.	(Charsadda).	· \
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.	175.	Mohammad Yaseen Lecturer in Statistics GDC Ghori Wala, Bannu.	
	2006	Mohammad Bital Lecturer in Statistics GDC No. 1 DI Khan	
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!	1/0.	Khalid Khan Lecturer in Statistics GDC, Zaroobi (Swabi)	
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Shah Khalid Lecturer in Zoology GDC, Lund Khwar, Mardan Ferms 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 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 intents and purposes, be civil servants except for

purpose of pension & gratuity. In lieu of pension and gratuity, they shall be entitled to receive such amount as would be contributed by them towards Contributory Provident Fund (CPF) along with the contributions made by Government to their account in the said fund, in the prescribed 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 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)

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## SECRETARY TO GOVT. C NWEP HICHER EDUCATION DEPARTMENT

Copy of the above is forwarded to the: -

1. Secretary to Govt. of NWFP, Establishment Department. 2. Secretary to Govt. of NWFP, Finance Department.

3. Principal Secretary to Chief Minister, NWFP. 4. Secretary to Governor, NWFP.

5. Accountant General, NWFP, Peshawar.

6. Director, Higher Education, NWFP, Peshawar.

8. Director, Information for wide publicity through media.

7. Director Education (FATA), NWFP, Warsak Road, Peshawar. 9

Districts / Agency Accounts Officers concerned. 10. Principals, Government Colleges (Male) concerned.

11. Section Officer (FATA) Education Wing, Governor's Secretariat (FATA) Warsak

12. P.S. to Minister for Higher Education, NWFP

13. Deputy Director (IT), Planning Cell, Higher Education Department.

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### BETTER COPY 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:-

S/NO	Name/ Designation	Subject	Proposed	Remarks
1.	Mst.Asifa Shaheen lecturer	Islamiyat	GGC	Alread
	BS-17		Havelian	Occupied by
				her
		•		, nei
2.	Mst. Tabassum lecturer BS-17	Computer	GGC No. 2	-do-
	· ····································	Science	Charsadda	
3.	Mst. Saima Shaheen lecturer	Urdu	GGC No. 2	-do-
	BS-17		Charsadda	
4.	Mst. Nabila lecturer BS-17	Computer	GGC Kanju	-do-
		Science	(Swat)	
5.	Mst. Husna lecturer BS-17	Maths	-do-	-do-
6.,	Mst. Nazia Amir Afridi lecturer BS-17	Psychology	-do-	-do-
7.	Mst. Faiza Masood lècturer	English	GGC NO. 2	-do-
	BS-17		Abbottabad	-00-
8.	Mst. Samina lecturer BS-17	Chemistry	GGC Kanju	·····
·			(Swat)	-do-
9.	Mst. Ulfat Saba lecturer BS-17	Islamiyat	GGC Bannu	
10.	Mst. Noorul Wara lecturer BS-	Computer	GGC	-do-
	17	Science	Peshawar	-do-
11.	Mst. Shabana Saeed lecturer	Stats	-do-	· · · · · · ·
	BS-17		40	-do-
12	Mst. Naib Gul lecturer BS-17	Chemistry	GGC	· · · · · · · · · · · · · · · · · · ·
			Takht Bhai	-do-
			Functe Driat	
13	Mst. Irum Shaheen lecturer	Political	GGC Tank	···· / ···· / ··· · · · · · · · · · · ·
-	BS-17	Science		-do-
14	Mst.Shaina Shawakat lecturer	English	-do-	
	BS-17			do-
15	Mst. Uzma Batool lecturer BS-	Law	-do-	·····
	17			-do-
16	Mst.Nadia Nazneen lecturer	Home	-do-	
	BS-17	Economics		-do-
17	Mst. Shehla Gul lecturer BS-17	Economics	-dø-	
18	Mst.Maria Zeb lecturer BS-17	Computer		-do-
		Science	ATTEST	E do-
19	Sadiq lecturer BS-17			

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j.				
20	Mst. Salma Shaheen lecturer BS-17	Math	-do-	Already
				occupied
21	Mst. Samia Bibi lecturer BS-17			by her
	hist canna hist fecturer 55-17	Islamiyat	GGC Saidu	-do-
22	Mst. Nowsheen Ahmad lecturer BS-	17	Sharif	
	17	English	-do-	-do-
23				
24		Physics	GGC Mardan	-
	i iourneena rounas lecturer b5-17	Computer	GGC No. 1	-do-
25	Mst. Shabana Bibi lecturer BS-17	Science	Mardan	
	i iou shabana bibi lectul el b5-17	English	GGC No. 1	-do-
26	Mst. Zeenat Jan lecturer BS-17		Mansehra	
	Alle Dechae Jan recturer BS-17	Political	GGC	Agaisnt
	· · ·	Science	Nowshera	Vacant
27	Mst. Nowsheen Yousaf lecturer Bs-			Post
	17	Economics	GGC No. 1	-do-
28	Mst. Bibi Saima lecturer BS-17		Charsadda	
	and bibl Sama lecturer BS-17	Pak	GGC No. 1	-do-
29	Mst. Neelam Naz lecturer BS-17	Studies	Abbottabad	
30	Mst. Neelani Naz lecturer BS-17	Maths	-do-	-do-
50	Mst. S. Hina Safdar lecturer BS-17	Physics	GGC Booni	-do-
31	Mat Tabing C. B. I		Chitral	-
	Mst. Tahira Sadiq lecturer BS-17	Islamiyat	-do-	-do-
32	Mst. Sadia Bibi lecturer BS-17	English	GGC Thall	-do-
33	Mst. Sadia Khalid lecturer BS-17	Biology	GGC Haripur	-do-
34	Mst. Mehwash lecturer BS-17	Zoology	GGC Mardan	Already
				occupied
				by her
35	Mst. Farkhanda Abid lecturer BS-17	English	-do-	-do-
36	Mst. Mehar-un-nisa lecturer BS-17	Chemistry	-do-	-do-
37	Mst. Parveen lecturer BS-17	Botany	-do-	-do-
38	Mst. Naima Naz lecturer BS-17	Physics		and the second sec
	· · · · · · · · · · · · · · · · · · ·			Against
				vacant
39	Mst. Sadia Qazi lecturer BS-17	Chemistry	GGC	post
		Girennisery		-do-
40	Mst. Ghazala Khuda Baksh lecturer	Maths	Nowshera	
	BS-17	Maths	GGC Kanjo	Already
				vacant
41	Mst.Irum Bibi lecturer BS-17			post
	- To an am Dibi lecturer DS-17	Physics	GGC No.1	-do-
42	Mst Tanja Kanim last Do 17		D.I.Khan	
• 2	Mst. Tania Karim lecturer BS-17	Çomputer	-do-	-do-
12	Mot Taking V	Science		
43	Mst. Tahira Yasmeen lecturer BS-17	Physics	-do-	-do-
44	Mst. Somaila Salim lecturer BS-17	Computer	GC(W)	-do-
		Science	Peshawar	

	Mat. Bibi Zainab lecturer BS-17		11	$L \Lambda T$
-	in the zamin techner BS-17	Pakistan Studies	To schera	Vacant p. st
	Basmina Haider lecturer BS-17		(2 <sup>n</sup> : hilt)	
	Mst. Zakia Raheem lecturer BS-17	Physics Physics	GL (W)	-do-
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· · · · ·	S.Fatima Ahmad lecturer BS-17	Mathematics	CCGC Pest swar	-do-
	Naheed Begum lecturer BS-17	Urdu		Again:
	Mst. Busyleena Awan lecturer BS-17	Philosophy	(Corebi) GCT Rolf D ∴ Chan	vacant jr ssi -do-
•	Nist, Abidi Shanis lecturer BS-17	Urdu	GGC Boom (Climal)	Already occupied by
	Mr. Muspool Khan lecturer BS-17	Bouny	GF Prova	Alreak y
-	Mr. Ambara Khan Jecturer BS-17		D. Ihmi	occupies, by hin:
		Botany	(14.7 <u>9</u> 07) (14.7907) (14.1007)	-(10-

## ERMS AND CONDITIONS:

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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 Khyber Pakhtunkhwa Civil Servants ....ct, 201973, and all the laws applicable to the Civil Servants and Rules milde there-under.

They shall for all intents and purposes be Civil Servints, 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. Continuutory Provident Fund (CPF) along with the contributions made by Government to their account in the said for si, in the prescribed manner.

"Their employments in the department is purely comporary and their services are liable to be terminated without assigning any reason at thirty (30) days notice or on the payment of 30 days saw y in lieu theree. 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.

Cont. Calerca

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

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	and the second se	ner seniority show be determined in accordance wit.	ubject to Section-4 of the Khyber Pakht	legularization of Services) Act, 2009.	
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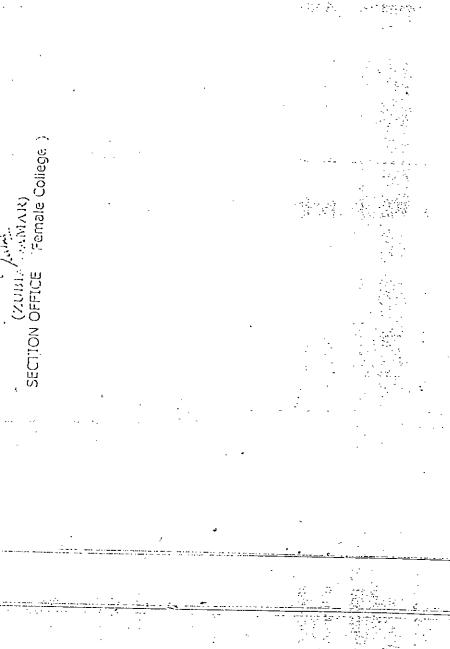
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      - General Khyber Pakhtunkhwa Peshawar ÷5
- Director Higher Education, Khyber Pakhlunkhwa Peshi Dir¢ctor Edjcation FATA Khyber Pakhtunkhwa. ~
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      - 10. Principals of the Colleges concerned.
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- 5 (IT) Planning Cell, Higher Education puty Director ر ث :-1
- Pakhtunkhwa P.S to Secretary, Higher Education Department, Khyt השייםר 23
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#### BETTER COPY

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

### **TERMS AND CONDITIONS:-**

V.

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

They shall, initially, be on probation for a period of two years extensible upto 03 years. ETT: SED

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

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

#### Endst: No. & Date Even

Copy forwarded to the:-

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

13. PS to Secretary, Higher Education Department, Khyber Pakhtunkhwa Peshawar. 14. Officers Concerned.

### (ZUBIA QAMAR)

SECTION OFFICER (Female Colleges)



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GOVERNMENT OF NWEP INGUER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT

Dated Peshawar: the 2pth March, 2010.

# MOTIFICATION

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No.SO(FC)/HE/1-10/06/Regularization. In pursuance of Section 300 the NWFP. Employees (Regularization of Services) Act, 2009, the Competent Authority is pleased to regularize the services of the following lecturers (BS-12) Stress Name/Designation (BS-12)

7.17		Name/D	esignatio	n/Present:		I THE REPORT OF THE REPORT	
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16.	Nadi	- IVOIZ, ICC	lurer in Co	omputer Scie	nce, GGC Man		***********
17	Salm		urer in Co	mputer Scier	nce, GGC Man ice, GGC Lakk	idan	
		<u>a Begum,</u>	lecturer in	Computer C	ce, GGC Lakk	į ·	
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20.		Masood		English; GG			
21.0	Ansa	Shahna al	lecturer in	English; GG	C Hanou		
2.	Anila I		lecturer in	English, GG			
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29. Alistication lecturer in Brotish Concern Hangu	•
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32. Shaima Raheem, lecturer in English, GCGC Peshawar 33. Rabia Khatoon, lecturer in English, GCGC Peshawar 34. Salaa fination, lecturer in English, GCC La	
33. Rabia Khatoon, lecturer in English, GCCC Poshawar 34. Salma Bibi, lecturer in English, GGC Haripur	
35. Azra Nawaz, lecturer in English, GGC Havellian 36. Hasina Wajid, lecturer in English, GGC Karnal Sher Khan Killi Swabi 2007 GEOGRAPHY	4.
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2007 GEOGRAPHY	· `
Nazia Palveen Josh	
ectorer in Geography, GGC No.1. D. T. H.	!
37. Nazia Parveen, lecturer in Geography, GGC No.1 D.I.Khan 2006 HOME ECONOMICS	
38. Shahab, lecturer in Home Economics, GGC Maneri Swabi	
Nusratifatima lactima teconomics, GGC Maneri Swabi	
2005 ISLAMIYAT	
40. Lubna Palacent	
40. <u>Lubna Raheem, lecturer in Islamiyat, GGC Pabbi</u> 2006	
Indiana I Nazakat Jaboon Land	
42.     Nazakat Jabeen, lecturer in Islamiyat, GGC Pabbi       43.     Yasir Khurshid, lecturer in Islamiyat, GGC Sheikh Maltoon       44.     Nusrat Sheikh, lecturer in Islamiyat, GGC Sheikh Maltoon	
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45. Mishaad Shelkh, lecturer in Islamiyat, CCC p	
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47. Kishwar Sultan, lecturer in Islamiyat, GGC Thana 48. Nuzhat Shaheen, lecturer in Islamiyat, GGC Haripur	
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52. Hafza Aisal Jecturer in Law, GGC Batagram	
52. Hafza Arsal, lecturer in Law, GGC Batagram 53. Tahira Jabeen, lecturer in Law, GGC Haripur	
53. Tahira Jabeen, lecturer in Law, GGC Haripur 2007	
54. Aisbo Mau	
2008 Recturer in Law, GGC Sheikh Maltoon (Mardan)	
55. Bibi Zainab, lecturer in Law, GGC Ghazi	
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2005 MATHEMATICS	
56. Sonia Younis, lecturer in Maths, GGC No.1 D.I.Khan	
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57. Tffat Kova	
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58. Sadia Shaheen, lecturer in Maths, GGC Julagram 2007 59. Tabaa Shaheen, lecturer in Maths, GGC Khalabat Township Haripur	
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59. Tabira Fairpur	
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Mishac Begum, lecturer in Markey condition	
60. Nishac Begum, lecturer in Maths, GGC Bannu 61. Bushra, lecturer in Maths, GGC Lundkhwar	
102. Charala Vallandi Ooc Shelkh Malloon (Mante Statistics of the	
62. Ghazala Yasmeen, lecturer in Maths, GGC Sheikh Maltoon (Mardan)	
the second Malification of S7 Contract lecturers to be count	
to the regularized of 14th March, 2010 die	47

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

Dated Peshawar the 20-03-2010

## **NOTIFICATION**

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

S#	Name/Designation/Present Posting
2006	BIOLOGY
1	Nadia Latif, Lecturer in Biology, GGC Bannu
2007	a securer in biology, out balling
2	Mchnaz Yaqoob, lecturer in Biology, GFC (W) Peshawar
	resnawar
2006	ΒΟΤΑΝΥ
43	Shazia Noreen, lecturer in Botany, GGC Serial Saleh
. 2007	a a dourry, dde Serial Salell
•4	Nazia Gul, lecturer in Botany, GGC Thana
2005	CHEMISTRY
5	Shagufta Saad, lecturer in Chemistry, GGC Lakki
2006	, second an enemistry, oue Larki
6	Razia, lecturer in Chemistry, GGC Chitral
77	Nasreen, lecturer in Chemistry, GGC Khawaza Khela
2007	j, dad Milawaza Mileta
8	Nadia Zeb, lecturer in Chemistry, GGC No. 1 Charsadda
9	Umme Kalsoom, lecturer in Chemistry, GGC Sheikh Maltoon
10 -	Rufqa Saeed, lecturer in Chemistry, GGC Kohat
11	Kozina 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	COMPUTER SCIENCE
14	Shakeela, lecturer in Computer Science, GGC Dargai
2008	
15	Sadia Naiz, lecturer in Computer Science, GGC Mandan
16	Nadia Gui, lecturer in Computer Science, GGC Lakki
17 .	Salma Begum, lecturer in Computer Science, GGC Khawaza Khela
,	ECONOMICS
2007	
18	Bibi Saeeda, lecturer in Economics, GGC Marghuz (Swabi)
2008	
19	Nazia Rehman, lecturer in Economics, GGC Chitral
2005	ENGLISH
2005	No Guo Maria I da la como de
-21	Nafisa Masood, lecturer in English, GGC Hangu
22	Ansa Shabnam, lecturer in English, GGC NO. 2 D.I Khan
22	Anna Bano, lecturer in English, GGC Chetti Dheri
<u> </u>	Sadia Bibi, lecturer in English, GGC Karak

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н 1. н	$() \circ (0)$
2006	
2000	
25	Naseem Taj, lecturer in English, GGC Barikot
26	Sadia Sadaf, lecturer in English, GGC Karnal Sher khan killi Swabi Amna, lecturer in English, GGC Manki Swabi
. 2007	i i i i i i i i i i i i i i i i i i i
. 27	Bushra Sher Khan, lecturer in English, GGC Hangu
28	Saira Tabassum, lecturer in English GGC Harinur
29	Salma Anwar, lecturer in English GGC NO 1 Abbottabad
30	Shagurta Begum, lecturer in English, CCC Daggar Dusan
31 2008	Nasra begum, lecturer in English CCC Mandan
32	
33	Shaima Raheem, lecturer in English, GCGC Peshawar Rabia Khatoon, 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 Sher khan killi Swabi
36	Hasina Wajid, lecturer in English, GGC NO. 1 Charsadda
	GEOGRAPHY
2007	
37	Nazia Parveen, lecturer in Geography, GGC No. 1 D.I Khan
2004	HOME ECONOMICS
2006	
39	Shahab, lecturer in Home Economics, GGC Maneri Swabi
·	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
43	lasir Knurshid, lecturer in Islamiyat GGC Shoilth Moltre
44	I Nusi at Sheikh, lecturer in Islamiyat, GCC Daggar Dunnia
45 2007	Minhas, lecturer in Islamiyat, GGC Barikot, Swat
46	
47	Farkhanda Khanum, lecturer in Islamiyat, GGC Thana
48	Kishwar Sultan, lecturer in Islamiyat, GGC Haripur
49	Nuzhat Shaheen, lecturer in Islamiyat, GGC Haripur Rashida Begum, lecturer in Islamiyat, GGC Mardan Saima Bahman
50	Saima Rahman, lecturer in Islamiyat, GGC Marghuz
2006	LAW
51	Bibi Rizwana, lecturer in Law, GGC Batagram
52	rialza Arsal, lecturer in Law GCC Haripur
53 2007	Tahira Jabeen, lecturer in Law, GGC Marghuz
54	
2008	Aisha Malik, lecturer in Law, GGC Sheikh Maltoon (Mardan)
55	
	Bibi Zainab, lecturer in Law, GGC Ghazi
2005	MATHEMATICS
56	Sonia Younas, lecturer in Maths, GGC No. 1 D.I Khan
2006	in the second of the matrix, GGC NO. 1 D.I Khan
57	Iffat Karim, lecturer in Maths, GGC Julagram
58	Sadia Shaheen, lecturer in Maths, GGC Khalbat Township Haripur
2007	· • •
59	Tahira Fayyaz, lecturer in Maths, GGC Bannu
60 City	Mishad Begum, lecturer in Maths GCC Lundkhung
. 6ľ	Busing, lecturer in Maths, GGC Sheikh Maltoon (Martin)
62	diazala fasmeen, lecturer in Maths CCC Mandon
63	Naheed Begum, lecturer in Maths, GGC Sheikh Maltoon

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1 63	Nahara and			
	Naheed Beguin, lecturer in	Malhs, GGC Charles		$\left[ \right]$
20	DAIM DAIM	Soc Sheikh Mal	toon	$\langle \neg \rangle$
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200	6 Pl-1	YSICS		E
65 66.	Rabia lacture	· · · · · · · · · · · · · · · · · · ·	······	
	Rawish Gul, lecturer in Physics, GC POLITICA	aC Daggar Buner		•
200 67	POLITICA	L.SCIENCE		
68.			. به	
2007	Nusrat Alam, lecturer in Politic Shagurta Roobi, lecturer in politic	cal Science, GGC Marc	lan 🐂 🦹	1 .
69. 2008	Shapero		r Buner	1
1. 图影影响 20	Sumoin interior	illical Science, GGC Man		
	Sumera Faiz, lecturer in Politica Naseha Naz, lecturer in Politica PSYCHO	al Science, GGDC No. 1	1	÷.
2006	PSYCHO	Il Science, GGC Ghazi	D.I.Khan	÷.
72.	Sarlar			
73.	Shaista Begum lecturer in Psycholo Shaista Begum lecturer in Psyc STATIST	BY, GGC Daggar Bunnin		•
2007	STATIST	hology, GGC Srai Saleh	(Haring and Andread	
74	L Nasia Bibi, Jechuror in cr			
2005	Nasia Bibi, lecturor in Statistics	GGC Karak		
175	Abida Ribi Isa			• .
2006	Abida Bibi, lecturer in Urdu, GGC Samia Sultan, lecturer in Urdu, G	No.1 Abbollabad		·
· · · · · · · · · · · · · · · · · · ·	Farzanal	and rampur.	and an and an	e çe
79   2007	Farzana, lecturer in Urdu, GGC Ma Nafees Gul Mufti, lecturer in Urdu,	aneri Swabi	))	1
179			1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	
<u>30.</u> 81.	Sadaf Sveal lecturer in Urdu c		A CARACTER AND A CARA	
82.	Sadaf Syed, lecturer in Urdu, G Jehan Ara, lecturer in Urdu, GGC Naheed, lecturer in Urdu, GGC K	Ghazi		
1 33				
2008 84.				
	Ambareen Begum, lecturer in Urdu, Maria Gul, lecturer in Urdu, GGC No arhat, lecturer in Urdu, GGC No			•
86.	Maria Gul, lecturer in Urdu, <sup>-</sup> arhat, lecturer in Urdu, GGC No	GGC No.2 Charsadda		·
2007	GGC Dados	ar Buner		
	lighat Umar, lecturer in Zoology, Ge	SC Dagoon in the second		
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They shall for all intents and purposes be Civil Servants, except for the purpose of Pension and Gratuity. In lieu 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 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 of 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 with relevant rules but subject to Section-4 of the NWFP Employees (Regularization of Services) Act, 2009

> SECRETARY TO GOVT. OF NWEP HIGHER EDUCATION DEPARTMENT.

ndst: No. & Date Even

Copy forwarded to the:

- Secretary to Govi: of NWFP, Establishment Department, Peshawar.
   Secretary to Govi: of NWFP, Finance Department.
- 3. Principal Secretary to Chief Minister NWFP.
- 4. Secretary to Governor, NWFP.
- 5. Accountant General NWFP Peshawar:
- 6. Director Higher Education, NWLP Peshawar.
- Z. Director Education FATA NWEP.
- 8. District/Agency Accounts Officers concerned.
- 9. Director Information for wide publicity through media 10. Principals of the Colleges concerned. 944
- 11. PS to Minister of Higher Education.
- 12. Deputy Director (IT) Planning Cell, Higher Education Deptt:
- 13. P.S. to Secretary, Higher Education Department, NWFP Peshawar. 14. Officers Concerned.

## (ZUBIÁ QAMAR) SECTION OFFICER (Female Colleges)

DAUpdated DataM ists reportMonification of 87 Contract lecturers to be regularized of 14th March, 2010,dos

BETTER COPY     PAKISTAN STUDIES       2007     64     Sarwat Azam, lecturer in Pak, Studies, GGC Kohat       2006     914951CS       2006     8abia, lecturer in Physics, GGC Daggar Buner       66     Rabia, lecturer in Physics, GGC Baragram       2006     901.TTICAL SCIENCE       67     Sabeen Nadar, lecturer in Political Science, GGC Mardan       7007     Nusrat Alam, lecturer in Political Science, GGC Mardan       708     Sumera Faiz, lecturer in Political Science, GGC Con and an       709     Sumera Faiz, lecturer in Political Science, GGC Con and an       71     Nascha Naz, lecturer in Political Science, GGC Con and an       72     Sadaf Zaib, lecturer in Political Science, GGC Con and an       73     Shaista Begum, lecturer in Psychology, GGC Daggar Bunair       73     Shaista Begum, lecturer in Psychology, GGC Sarai Saleh (Haripur)       2007     STATISTICS       2005     URDU       2005     URDU       74     Nasia Bibi, lecturer in Urdu, GCC Marini Swabi       75     Abida Bibi, lecturer in Urdu, GCC Marini Swabi       76     Parzana, lecturer in Urdu, GCC Marini       77     Farzana, lecturer in Urdu, GCC Marini       78     Nafees Gul Mufti, lecturer in Urdu, GCC Marini       79     Haleema Sadia, lecturer in Urdu, GCC Marini       81     Sadaf Syed, lecturer in Urdu,			
2007       Sarwat Azam, lecturer in Pak, Studies, GGC Kohat         2006       PHYSICS         2006       Rabia, lecturer in Physics, GCC Daggar Buner         2006       POLITICAL, SCIENCE         2006       Sabeen Nadar, lecturer in Political Science, GGC Mardan         2007       Nusrat Alam, lecturer in Political Science, GGC Mardan         2008       Sumera Faiz, lecturer in Political Science, GGC Mardan         2009       Sumera Faiz, lecturer in Political Science, GGC No. 1 D.I Khan         71       Naseha Naz, lecturer in Political Science, GGC Conce, GGC Ghazi         2006       PSYCHOLOGY         2007       Sadaf Zaib, lecturer in Psychology, GCC Srai Saleh (Haripur)         2007       Statista Begum, lecturer in Psychology, GCC Srai Saleh (Haripur)         2007       Statistics, GGC Karak         2005       URDU         2005       Samia Sultan, lecturer in Urdu, GGC No. 1 Abbottabad         2006       Samia Sultan, lecturer in Urdu, GGC Mardan         2007       Farzana, lecturer in Urdu, GGC Mardan         2006       Sadaf Syde lecturer in Urdu, GGC Mardan         2007       Sadaf Syde, lecturer in Urdu, GGC Mardan         2006       Sama Sultan, lecturer in Urdu, GGC Mardan         2007       Sadaf Syde, lecturer in Urdu, GGC Mardan         2007 <th></th> <th>·</th> <th>BETTER COPY <math>\begin{pmatrix} \epsilon \\ \end{pmatrix}</math></th>		·	BETTER COPY $\begin{pmatrix} \epsilon \\ \end{pmatrix}$
2007       Sarwat Azam, lecturer in Pak, Studies, GGC Kohat         2006       PHYSICS         2006       Rabia, lecturer in Physics, GCC Daggar Buner         2006       POLITICAL, SCIENCE         2006       Sabeen Nadar, lecturer in Political Science, GGC Mardan         2007       Nusrat Alam, lecturer in Political Science, GGC Mardan         2008       Sumera Faiz, lecturer in Political Science, GGC Mardan         2009       Sumera Faiz, lecturer in Political Science, GGC No. 1 D.I Khan         71       Naseha Naz, lecturer in Political Science, GGC Conce, GGC Ghazi         2006       PSYCHOLOGY         2007       Sadaf Zaib, lecturer in Psychology, GCC Srai Saleh (Haripur)         2007       Statista Begum, lecturer in Psychology, GCC Srai Saleh (Haripur)         2007       Statistics, GGC Karak         2005       URDU         2005       Samia Sultan, lecturer in Urdu, GGC No. 1 Abbottabad         2006       Samia Sultan, lecturer in Urdu, GGC Mardan         2007       Farzana, lecturer in Urdu, GGC Mardan         2006       Sadaf Syde lecturer in Urdu, GGC Mardan         2007       Sadaf Syde, lecturer in Urdu, GGC Mardan         2006       Sama Sultan, lecturer in Urdu, GGC Mardan         2007       Sadaf Syde, lecturer in Urdu, GGC Mardan         2007 <th></th> <th></th> <th>PAKISTAN STUDIES</th>			PAKISTAN STUDIES
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66       Rawish Gul, lecturer in Physics, GCG Baragram         2006       POLITICAL SCIENCE         67       Sabeen Nadar, lecturer in Political Science, GGC Mardan         68       Nusrat Alam, lecturer in Political Science, GGC Mardan         2007       Shagufta Roobi, lecturer in Political Science, GGC Mardan         2008       Sumera Faiz, lecturer in Political Science, GGC Mordan         2008       Sumera Faiz, lecturer in Political Science, GGC No. 1 D.I Khan         71       Nascha Naz, lecturer in Political Science, GGC Ghazi         2006       PSYCHOLOGY         2006       Sadaf Zaib, lecturer in Psychology, GGC Daggar Bunair         73       Shaista Begum, lecturer in Psychology, GGC Srai Saleh (Haripur)         2007       STATISTICS         2005       URDU         2005       URDU         2005       URDU         2006       Samia Sultan, lecturer in Urdu, GGC Mareli Swabi         76       Farzana, lecturer in Urdu, GGC Mareli Swabi         78       Nafees Gul Mufti, lecturer in Urdu, GGC Mardan         2007       9         79       Haleema Sadia, lecturer in Urdu, GGC Mardan         2007       Sadaf Syed, lecturer in Urdu, GGC Mardan         2007       Sama Aman, lecturer in Urdu, GGC Mardan         20 <td< td=""><th></th><td>1</td><td>Debie Jacky IVI - Frank</td></td<>		1	Debie Jacky IVI - Frank
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68       Nusrit Alam, lecturer in Political Science, GGC Mardan         2007       Shagufta Roobi, lecturer in Political Science, GGC Mardan         2008       Sumera Faiz, lecturer in Political Science, GGC No. 1 D.I Khan         71       Sumera Faiz, lecturer in Political Science, GGC Chazi         2006       PSYCHOLOGY         2007       Sadaf Zaib, lecturer in Psychology, GGC Daggar Bunair         73       Shaista Begum, lecturer in Psychology, GGC Srai Saleh (Haripur)         2007       STATISTICS         2007       VIRDU         2005       URDU         2005       URDU         2006       URDU         2007       Farzana, lecturer in Urdu, GGC No. 1 Abbottabad         76       Samia Sultan, lecturer in Urdu, GGC Mardan         2006       URDU         2005       Abida Bibi, lecturer in Urdu, GGC Mardan         2006       1         76       Samia Sultan, lecturer in Urdu, GGC Mardan         2007       Farzana, lecturer in Urdu, GGC Mardan         2007       Farzana, lecturer in Urdu, GCC Gazi         79       Haleema Sadia, lecturer in Urdu, GCC Karak         80       Sadaf Syed, lecturer in Urdu, GCC Karak         82       Naheed, lecturer in Urdu, GCC Mardan         83       Saim		2006	POLITICAL SCIENCE
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## TERMS AND CONDITIONS:-

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

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They shall for all intends and purposes be Civil Servants, except for the purpose of 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.

iv.

v.

iii.

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

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 Section-1 of the NWFP Employees (Regularization of Services) Act, 2009.

#### SECRETARY TO GOVT. OF NWFP HIGHER EDUCATION DEPARTMENT.

#### Endst: No. & Date Even

Copy forwarded to the:-

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

14. Officers Concerned.

(ZUBIA QAMAR) SECTION OFFICER (Female Colleges)

in the state



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 date of regularization of the lecturers may be read as 24.09.2009 instead of 01.01.2009.

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

## <u>Endst: No. & Date even.</u>

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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 Govt. Colleges (Khyber Pakhtunkhwa / FATA). All District / Agency Accounts Officers, concerned. *BANNU* Deputy Director (IT), Planning Cell, Higher Education Department. P.S to Chief Secretary, Khyber Pakhtunkhwa, Peshawar. P.S to Secretary, Establishment Department. P.S to Secretary, Higher Education Department. Officers concerned.

> (BASHIR AHMAD) SECTION OFFICER (COLIFIC



## BETTER COPY

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

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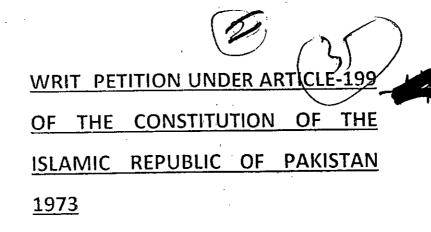
#### SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA HIGHER EDUCATION DEPARTMENT

#### 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.

IN THE HON'BLE PESHAWAR PESHAWAR In Re W.P No 947/2014 1. Kifyat Ullah Khan (Lecturer in Computer Science) 2. Arif Khan (Lecturer in Economics) BPS-17 3. Muhammad Farman Ali (Lecturer in Chemistry) BPS-17 4. Mst. Neelam Naz (Lecturer in Maths) BPS-17 5. Mst. Parveen (Lecturer in Botany) BPS-17 6. Mst Naheed Faiz (Lecturer in Urdu) BPS-17 7. Mst. Nadia Nazneen Farooqi (Lecturer in Home Economics) BPS-17 8. Mst. Ghazala Yasmeen (Lecturer in Maths) BPS-17 .....Petitioners les dute DBORAS at 2 the cist of Newly Impliaded to from Sy No. (2 to 32 is allach VERSUS 1. Govt of Khyber Pakhtunkhwa Through Chief Secretary KPK Peshawa 2. Secretary Finance Govt of Khyber Pakhtunkhwa, Peshawar 4. Accountant General Khyber Pakhtunkhwa Peshawar. 5. Secretary Higher Education Department Khyber Pakhtunkh ESTE Peshawar Director Higher Education Khyber Pakhtunkhwa Peshawar, R/D-Hy Depth Near Judicial Complex perhaven. 7. Deputy Director, Planning Cell, Higher Education Depa Peshawar, RID Migher Eduction well' Judicial Dept Complex Peshanm.



#### RESPECTFULLY SHEWETH,

- 1. That the petitioners are naturally born bonafide citizens of the Islamic Republic of Pakistan & domiciled of Khyber Pakhtunkhwa, hailing from different parts of the province & are serving as lecturers of different disciplines & presently posted at different Government collages through-out the province.
  - 2. That in fact initially the petitioners applied against the subjected posts in pursuance to vide circulations of different news paper & after being processed their respective applications were put upon the required ordeals laid down for the selection criteria so after going through the mandatory tests & interviews were got selected by the Departmental Selection Committee of the Respondent Department on contract basis : Notifications No. SO(EDUCATION-II)2-5/2006, vide different dated# 2-01-2007, SO(E-III)HE/II-I/06/V-III, dated # 01-11-2007, SO(EDUCATION-II)2-5/2007, 22-02-2007, dated dated 22-02-2007 SO(EDUCATION-II)2-5/2006; SO(COLLEGES)2-5/2005, dated # 04-07-2007, SO(COLLEGES)2-5/2005, dated # 06-06-2007, SO(FC&AB)HE/II-I/05/V-III, dated # 10-11-2007, SO(FC)HE/11-1/05/VIII dated # 17-11-2007  $17^{th}$ SO(FC)11-1/05/Vol-III, dated Novèmber 2007 # 24667/CA/II dated 13-12-2007, (Copies of the afore mentione Notifications are annexed here with as "A to B/1 respectively").

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- 3. That initially the petitioners were appointed on contract basis for a period of six months on fixed pay, but against duly recognized & sanctioned posts at different collages. And thus the petitioners took their respective charges of their respective responsibilities. After the expiry of the initial contract period, the petitioners were extended in their contract for a further similar period. And after having been extended so in their particular positions, the petitioners intactly adhered to their services & invested all their energies, potentions, definess & adeptness most sincerely, fairly, justly & left no stone unturned in performing their meritorious services. And because of the same, the Respondent Deportment persistently & constantly put the contractual period on extension & all the aforementioned extension notifications were extended by further implementing other fresh notifications for keeping the pendulum in constant motion.
- 4. That this exercise continued till last. And every time either on the fall of next day or with a negligible delay, the former notification of extension was repeated by a fresh one. So after the expiry of the aforementioned Notifications, fresh Notifications No. SO(FC)HE/11-1/05/V-III, dated # 21-01-2008, SO(COLLEGES)2-5/2007, dated# 14-02-2008, SO(COLLEGES)2-5/2007, dated# 26-02-2008, SO(HE/1-3/DSC, dated# 9-02-2008, SO(FC)HE/11-1/05/V-III, 03-03-2008, 6358/CA-V dated#3-04-2008, SO(FC)HE/II-1/08/V-IV, dated# 6-05-2008, SO(FC)HE/11-1/07/Vol-III, dated# 14-05-2008, SO(COLLEGES)2-5/2007, dated# 29-05-2008, 11864/CA, dated// 18-6-2008, SO(COLLEGES)/HE/2-5/2008, dated# 29-7-2008, SO(COLLEGES)2-6/ dated# 07-10-2008, SO(FC)HE/11-1/08/V-1V dated# 20-10-2008,

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SO(COLLEGES)2-5/08Extention 2005/2008, dated# 71-10-2008, SO(FC)HE/11-1/08/V-IV, dated# 4-11-2008, SO, (FC)HE/11-1/08/V-IV, dated# 20-10-2008, SO(FC)HE/11-1/08/V-IV, dated# 3-12-2008, (copies of Notifications are annexed herewith as Ann – "C to \_\_\_\_", respectively).

- 5. That ultimately the long standing shadows of dark evaporated & the beacon of new dawn struck the fortune of the Petitioners & their services were regularized vide N.W.F.P Employees (Regularization of Service) Ordinance 2009 (N.W.F.P Ordinance No- VII of 2009). The same was later on substituted & replaced by N.W.F.P. Employees (Regularization of Service ) Act 2009 (N.W.F.P. Act No XVI of 2009). (Copies of the Regularization Act as Annexed herewith as Ann "------").
- 6. That even much prior to the promulgation of the subject Regularization Act, a number of times in past, different number of employees of different departments of different pay scales have been regularized &thus adverting to the same, the respondents promulgated the subject Regularization Act. And thus the Petitioners were declared as regular employees of the department of the Higher Education. (Copies of the Regularization Acts – 1987, 1988, 1989, 1990 & 2005 are annexed herewith an Ann "------, respectively).

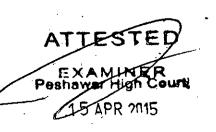
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That the Petitioners got appointed against the sanctioned posts had rendered meritorious service since their initial appointments by devoting their full time, energy & skill in fulfilling their required obligations & for furtherance of their noble task of implanting education, but even then when the same was duly acknowledged to be note-worthy, noble &

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exalted one, by regularizing them, at the same time the devi showed its ugly toe & the most abominable & bete-noire thing took place & the Petitioners were declared to be deemed to be regular since 01-01-2009. Which date for itself was later on altered to 24-09-2009 vide Corrigendum No SO(COLLEGES)/2-5/2009 dated 02-05-2011 and thus the date to be reckoned for fixation of seniority was declared to be as such. (Copies of regularization Notifications No. SO (COLLEGES) 2-5/2009 dated # 18-03-2010, Notifications No # (FC) HE/1-10/06/ SO Regularization dated 20 03-2010 and Notifications No # SO(FC)HE/1-10/06/Regularization, dated # 15-06-2010 and Corrigendum No # SO(COLLEGES)/2-5/2009 dated 02-05-201 are annexed herewith as Ann "------", respectively)

That in-fact where the Petitioners were appointed in the year 2007 & they constantly & vigorously performed their duties since their initial appointments by rendering services even during the intervening short period between the culminating period of the expiring Contract and fresh one and where the services were duly acknowledged, then the petitioners were also entitled for their regularization with effect from the dates of their initial appointments in the Respondent department and not from the one as notified or rather altered one. And because of the same bone of contention and highly discrimination act, the Petitioners are constrained to invoke the extra-ordinary jurisdiction of this August Court Recognition, for Acknowledgement and Enforcement of their vested and fundamental rights upon the following grounds, inter alia :



8.

**GROUNDS:-**

- A. That there exists no other expedient cum expeditious and adequate remedy available to the Petitioners, hence the instant writ petition under the extra-ordinary jurisdiction of this August Court.
- B. That the Petitioners are the naturally born bona-fide & peaceful citizens of the Islamic Republic of Pakistan & are fully & equally, on equality basis, entitled to all basic & fundamental rights, as enshrined in the fundamental law of the land, interpreted, guaranteed and enforced by the laws of the land.
- C. That under Act 4 & 25 of the Constitution equal protection and equal treatment are the fundamental rights of the Petitioners & where other employees either in past or in present were extended the fruition of regularization in the form of back benefits, arrears & promotion, then by keeping the Petitioners at abbey from the same is not only unwarranted, illegal and against the principles of Natural Justice, but is highly discriminatory and un-constitutional as well.



That where the appointments were against the sanctioned & duly recognized posts, mode of appointment was transparent, continuous performance was there & above all when all the aforementioned factors were duly recognized & acknowledged by the respondent department by regularizing the services of the Petitioners then by not extending the full fruition of the same to the petitioners & not calculating the period fall just before the formal regularization, towards the regular service & not extending the fruition of the subject regularization to the initial date of their appointments is highly illegal, unwarranted, result of unfettered & arbitrary exercise of the discretionary powers vested in the resp. ndents which is blatant violation of Sec - 24 – A of the General Clauses Act as well as that of Art – 25 of the Constitution as well & all these acts required to be checked down at all level.

- E. That where in the past so many times, in the similar circumstances, so many employees were granted the required fruition, then why the Petitioners be flayed all & strip of all the same.
  - F. That interestingly the pay slips of the Petitioners still bears the period of service, commenced from the initial period, which in a way can safely be concluded that the respondent department do acknowledge the validity and legality of the services of the Petitioners, but even then reluctant to extend the benefits arising out of the Regularization Act to them which in not appealable to a prudent mind (copy of pay slips are annexed herewith as Ann "-----").

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That stuntly enough the Petitioners were initially appointed / on fixed pay basis but there after latter on the situation was altogether changed volta-face & the appointments of the, Petitioners were declared to be in BPS – 17 without specifically mentioning the word "fixed pay", but their Regularization Act, which prima-faciely establish the case of the petitioners for back benefits, arrears & regularization since their initial date of appointments, I,e on contract basis.

- J. That even the initial appointment was declared to be on Ad-hoc basis, but just after a short span, the Respondents Department ruse up from its deep slumber & the appointment was declared to be on contract basis & not on Ad-hoc basis, just in order to defeat the rights of the Petitioners.
- K. That besides the above, no Fresh charge report were asked from the Petitioners in-spite of the promulgation of the Act in question, so meaning by that the Respondent Department took into consideration all the previous record of the Petitioners while regularizing the services of the petitioners, but thereafter at the very threshold the devil showed its ugly toe and the Respondent Departments adamantly refused to extend the benefits thereof to the petitioners, which is not allowed under the laws of the land and particularly the fundamental law of the land.
- L. That the petitioners have rendered meritorious services for long few years prior to the promulgation of the Act in question, but all of them evaporated in air without any rim or reason, but just on the caprices & whims of the respondents.

- M. That where similar placed persons are to be dealt with in terms of treatment to be meted out to them, must always be on equal footing, must always be just, fair & transparent without any sort of discrimination and where so many other employees in past & even in present have been extended seniority & back benefit since their initial appointments, then in no case the petitioners can be deprived of the same in stricto sense of Art- 25 of the Constitution.
  - N. That from all prospective & from all four facets of law, the petitioners have every right to be dealt with accordance to the law & constitution and to be certainly meted out fair and just treatment.
  - O. That from all four corners of law the petitioners are equally entitled to be extended their date of regularization from 24-09-2009 to that of their initial date of appointment & be extended all the back benefits in terms of arrears, seniority and promotion.
  - P. That the Respondent Departments are not only adamant in not extending the fundamental rights of the petitioners, to the petitioners, but rather have not even prepared the Seniority List of all those Lecturers, who got regularized in woke of the Regularization Act, including that of the petitioners which is ample proof of the sluggishness and candidness of the Respondent Education Department.

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

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

It is, therefore, most humbly prayed that on acceptance of the instant petition an appropriate writ may graciously be issued to the Respondent Departments to extend the benefits of the regularization to the petitioners since their initial appointment in the year 2007, in the Respondent Higher Education Department & they be declared as being Regular Civil Servants for all intents and purposes since then. And further prayed that the Petitioners may graciously be extended all the back benefits in terms of arrears, seniority & promotion by extending the date of Regularization to their initial dates of appointments and lastly prayed that the petitioners be extended their due Seniority with effect from their initial dates of appointment in the Respondent Higher Education Department. Any other relief not specifically asked for may also graciously be extended in favour of ATETE petitioners in the circumstances of the case.

Petitioners Through JAVED IOBAL GULBELA Advocate High Court, Peshawar

## Note :

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

ΔΟΛΟΖΑΙ

VÓCATE

## 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.

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ATTESTED	P
PasnawarHigh Court	
15 APR 2015	

PESHAWAR HIGH COURT, PESHAWAR

FORM OF ORDER SHEET

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Court

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5 APR 2015

Court of.....

Belle Barren and

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

Serial No. of		
Order of Proceedings	Date of Order of Proceedings	Order or other Proceedings with Signature of Judge.
1	2	3
	ORDER	Writ Petition No.947-P/2014
	05.03.2015	
<u>i</u> -		Present: Mr. Javed Iqbal Gulbela, Advocate, for Kifayatullah Khan etc., petitioners.
		Mr. Waqar Ahmad Khan, Addl. AG, for the officials of Provincial Govt:.
		Mr. Ghulam Mohy-ud-Din Malik, Adv:. for the remaining respondents.
		* * * * * *
		MAZHAR ALAM KHAN MIANKHEL, CJ
		By this single order, we propose to decide Writ
		Petitions No.947-P, 948-P, 938-P, 968-P, 1886-
	2	P,1887-P, 1888-P, 1889-P & 2319-P of 2014, wherein,
		the petitioners namely, Kifayatullah Khan etc., have
		asked for the issuance of an appropriate writ directing
		the respondents to extend them the benefits of the
	1	regularization from the dates of their initial
	n1-72.	appointments i.e. arrears, seniority, promotion, etc.

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

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

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

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

Announced. Maghes Allow When 05.03.2015

CERTIFIED TO BE TRUE COP

(Fayaz)

## IN THE SUPREME COURT OF PAKISTAN

(Appellate jurisdiction)

CPLA NO. \_\_\_\_\_ Of 2015

- Muhammad Farman Ali ( Lecturer in Chemistry) S/o Muhammad Arif R/o Vell. Adam Kala P.O. Azim Kala Distt. Bannu.
- 2. Mst. Nadia Naznin Farooqi ( Lecturer in Home economics) D/o Muhammad Iqbal R/o Sikna Haqdad abad Distt. Lakki Marwat.

....Petitioner

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#### Versus

- 1. Govt. of Khyber Pakhtunkhwa through chief Secretary KPK Peshawar.
- 2. Secretary Finance, Govt. of Khyber Pakhtunkhwa, Peshawar.
- 3. Accountant General Khyber Pakhtunkhwa, Peshawar
- 4. Secretary Higher Education Khyber Pakhtunkhwa, Peshawar
- 5. Director General Education, Khyber Pakhtunkhwa, Peshawar

6. Deputy Director, Planning Cell, Higher Education Department Khyber Pakhtunkhwa, Peshawar

.....Respondents

- 7. Kifayat Ullah Khan ( lecturer in Computer Science ) BSS-17
- 8. Arif Khan ( Lecturer in Economics ) BPS-17
- 9. Mst. Neelam Naz (Lecturer in Maths) BPS-17
- 10. Mst. Parveen ( Lecturer in Botany) BPS-17
- 11. Mst. Naheed Faiz ( Lecturer in Home Ecnomics) BPS-17
- 12. Mst. Ghzala Yasmeen ( Lecturer in Maths) BPS-17.

.....Proforma Respondents

CIVIL PETITION UNDER ARTICLE 185 (3) OF THE CONSTITUTION OF THE ISLAMIC REPUBLIC OF PAKISTAN, FOR LEAVE TO APPEAL AGAINST THE JUDGMENT/ORDER DATED 05-03-2015 PASSED BY LEARNED PESHAWAR HIGH COURT, PESHAWAR IN WRIT PETITION NO. 947-P/2014 Respectfully Sheweth.

- The following important points of law arise for consideration in this case by this August Court:-
  - A. Whether a learned Division Bench of Peshawar High Court Peshawar, in its impugned order/judgment dated 05-03-2015 has laid down law which is not in consonance with the known norm of justice in exercise of Writ jurisdiction.
  - B. Whether the learned Division Bench of Peshawar High Court Peshawar has erred in law in not at all properly referring to and or discussing and giving its own its findings on the points / submissions detailed in the Weit Petition No.947-P/2014 and submissions made at the bar inter-alia on the following aspects;-

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

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

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

discriminatory authority and arbitrary and against the principles of audi alterm pertem as without any notice. therefore, having no legal fact rights upon the of∙ the petitioners.

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

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

f. That the Hon'ble High Court has also misconceived the law on the subject, section 3 of the said regularization Act, needs to

be interpreted judicially.

- C.Error of law and facts is patent on record
- D.Points raised in this petition are important, law points which are very likely to arise in such like matters.

The Statement of facts giving rise to the above law points is as udder :-

2.

- i. That the services of the petitioners amongst other were regularized in compliance with the North West Frontier Province Employees (Regularization of Service Act, 2009 (NWFP Act, No. XVI of 2009) W. E.F 31<sup>st</sup> December 2008 as persection three of the said Act,
- ii. That accordingly as per the spirit of the said regularization Act, the government /

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

- iii. That all of a sudden, without any notice or information to the petitioners the Government of KPK / Respondent issued another notification as corrigendum vide dated 02-05-2011 whereby the services of the petitioners have been construed to the regularized with effect from 24-09-2009 instead of 01-01-2009.
- iv That the petitioners filed Writ Petition No. 947-P/2014 before Peshawar High Court, Peshawar , which

was dismissed vide impugned judgment dated 05-03-2015.

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

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

i. Constitution of Islamic Republic of

Pakistan, 1973

ii. CPC,

iii. Limitation Act.

Iv. North West Frontier Province Employees (Regularization of Service Act, 2009 (NWFP Act, No. XVI of 2009) iii. Authorities if required would be cited at the bar.

#### PRAYER

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

Drawn and filed by

J. Lafelon Hussan

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

Dated:-04-06-2015

CERTIFICATE

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

I. Lapelas Hussam Advocate on Record.

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

I Labdar Jansa

Advocate on Record

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

No. 24063 \_\_\_\_\_\_\_ No. 2. 4063 \_\_\_\_\_\_\_ No. 14/4511: Wanch/A-12/Abdullah Hassal/Computer Science

Dated Peshawar the 2 1/2015.

Mr. Abdullah Faisal, Lecturer in Computer Science Govt: ANK(S) Degree College, KTS Haripur.

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

SUBJECT: - <u>APPLICATION AGAINST CORRIGENDUM</u> Memo:

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

Endst; No.

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- DY: DIRECTOR (ESTABLISHMENT)
- Copy of the above is forwarded to the:-
- PA to Director Higher Education Khyber Pakhtunkhwa.
   Personal file of the officer's concerned.

. L. . .

Personal file of the officers concerned.

DY: DIRECTOR (ESTABLISHMENT)

كالت بعدالت: مسمع الحرف - 10 pt: (1) 16 ju 2 منجان<u> / مسل / ک</u> تاريع

ا عث تصحب يسر آنكسه مقدرمه مندرجه بالاعنوان ابن طرف يدواسط پيروي وجوا بقام-- مركو----- كيك حاويد اقرال كل سليه ايذوكيت هائى كورت كربر مقرر کیا ہے۔ کہ میں ہر پیشی کا خودیا بز ربعہ مختار خاص روبر وعدالت حاضر ہوتا رہو تگا۔ادر بوقت یکارے جانے مقکر رمہ دکیل صاحب موصوف كواطلاع د ب كرحا ضرعد الت كرونگا، اگر پیشی پرمن مظهر حاضر نه به اا در مقدمه میری غیر حاضری کی دجه سے سی طور برمیرے برخلاف ہوگیا توصا حب موصوف اس کے کسی طرح ذمہ دار نہ ہوئگے۔ نیز وکیل صاحب موصوف صدر مقام کچہری کی کسی اورجگہ یا کچہری کے مقرر ہاوقات سے پہلے یا پیچھے یا بر دزنغطیل پیروی کرنے کے ذمہ دار نہ ہوئے گے۔اگر مقد مہ علاوہ صدر مقام کچہری کے کسی اور جگہ ساعت ہونے یا بروز تعطیل یا کچہری کے ادقات کے آگے پیچیے پیش ہونے پر من مظہر کوکوئی نقصان پہنچتو اس کے ذمہ داریا اس کے واسطے سی معاوضہ کے ادا کرنے یا مختارا نہ واپس کرنے کے بھی صاحب موصوف ذمه دارند ہوئے۔ بچھے کوکل ساختہ پر داختہ صاحب موصوف مثل کردہ ذات خود منظور دقبول ہوگا۔اور صاحب موصوف كوعرضى دعوى وجواب دعوى اور درخواست اجرائح ذكرى دنظر ثاني ابيل دنكراني برنتم كى درخواست يرد ستخط و تصدیق کرنے کابھی اختیار ہوگا اور کسی عظم یا ڈگری کے اجراء کرانے اور ہوتم کے روپیہ دصول کرنے اور رسید دینے اور داخل کرنے اور ہونتم کے بیان دینے اور سپر وثالثی وراضی نامہ فیصلہ برخلاف کرنے اقبال دعویٰ دینے کابھی اختیار ہوگا۔اور بصورت اپیل دبرآ مدگی مقدمه یامنسوخی ڈگری کیطرفہ درخواست تحکم امتناعی یا قرتی یا گرفتاری قبل از اجراء ڈگری بھی موصوف كوبشرطادا نيكى عليجده متنارانه بيردى كااختيار بهوكا اوربصورت ضرورت صاحب موصوف كوبهمي اختيار بهوكايا مقدمه مذكوره يا اس کے کسی جز دکی کار دانی کے داسطے پا بصورت اپیل ، اپیل کے داسطے دوسرے دکیل پاہیر سٹر کو بیجائے اپنے پااپنے ہمراہ مقرر کریں اورا یے مثیر قانون کے ہرا مرد ہی اورویسے ہی اختیارات حاصل ہو گئے جیسے کے صاحب موصوف کو حاصل ہی۔اوردوران مقدمہ میں جو کچھ ہر جاندالتواء پڑے گا۔اورصاحب موصوف کاخق ہوگا۔اگروکیل صاحب موصوف کو یوری فیس تاریخ پیشی سے پہلےا دانہ کرونگا توصاحب موصوف کو یوراا ختیار ہوگا کہ مقدمہ کی پیردی نہ کریں ادرا لی صورت میں میرا کوئی مطالبہ کسی قشم کا صاحب موصوف کے برخلاف نہیں ہوگا۔لہذا مختار نا مہلکھ دیا کہ سندر ہے۔ مضمون مختارنا مہ تن لیا ہے اوراحیص طرح سمجھ لیا ہے اور منظور ہے۔

## BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR. Service Appeal No. 1240/2015

Mr. Muhammad Farman Ali

VERSUS

..... Appellant.

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

#### PRELIMINARY OBJECTIONS:-

Respectfully Sheweth:-

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

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

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

#### ON GROUNDS.

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

#### PRAYERS:-

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

Secretary, H Respondent No

Director, Highe Education

Respondent No. 3

Deputy Director, HEP Respondent No. 4