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**BEFORE THE HONORABLE KHYBER PAKHATUNKHWA**  
**SERVICE TRIBUNAL PESHAWAR.**

**Service Appeal No: 602/2024**

**Mst: Shumaila SST (G) BPS-16, GGHSS Batkhaila Malakand..... Appellant**

**VERSUS**

**The Secretary E&SED Khyber Pakhtunkhwa & others..... Respondents**

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**SAMINA ALTAF**  
**DIRECTOR**

E&SE Department Khyber  
Pakhtunkhwa, Peshawar.

②

**BEFORE THE HONORABLE KHYBER PAKHATUNKHWA**  
**SERVICE TRIBUNAL PESHAWAR.**

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**VERSUS**

**The Secretary E&SED Khyber Pakhtunkhwa & others..... Respondents**

**JOINT PARAWISE COMMENTS ON BEHALF OF RESPONDENTS No: 1 to 3.**

**Respectfully Sheweth,**

The Respondents No. 1 to 3 as under.

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 13933

Dated 03-07-24

**PRELIMINARY OBJECTIONS.**

- 1 That the Appellant has got no cause of action and locus standi to file instant appeal before this Honorable Tribunal.
- 2 That the appellant is not an aggrieved person within the meaning of Section-4 Khyber Pakhtunkhwa Service Tribunal Act 1974 read with Article-212 of the constitution of Islamic Republic of Pakistan 1973.
- 3 That the appeal is not maintainable and even incompetent under the relevant provision of law & rules in vogue.
- 4 That the appellant is estopped by her own conduct to file the instant appeal against the Respondent Department.
- 5 That the appellant has not come to this Learned Tribunal with clean hands and has also concealed material facts from the ambit of this Learned Tribunal.
- 6 That the appeal is bad for mis-joinder and non-joinder of necessary parties to the titled appeal.
- 7 That the appeal in hand is pre mature, hence, liable to be dismissed on the grounds of its maintainability under the law before this Honorable Tribunal.
- 8 That the impugned Seniority list of SSTs (Female) dated 31-05-2023 is in accordance with the provision of Section-8 of Civil Servant Act, 1973 read with Rule-17 (4) of APT Rules 1989 & Section-4(1) of KP Employees (Regularization of Services) Act, 2009.
- 9 That the appeal has been mis-oriented, mis-constructed and mistakenly drawn and is incompetent in its present frame and context.
- 10 That the Departmental appeal against the afore-mentioned final Seniority list dated 31-05-2023 has been seen & file after due process of law & rules by the Department

- ③
- 11 That the act of the Department with regard to the final seniority list dated 31-05-2023 of the SSTs (F) in BPS-16 is in accordance with the provision of Section-2 (a) read with Section-4 of the (Regularization of Services) Act, 2009.

**ON FACTS.**

- 1 That Para-1 pertain to the service record of the appellant against the SST (G) in BPS-16 post initially appointed on dated 02-10-2007 on adhoc basis & was reappointed on contract basis as a stop gap arrangement for a period of (01) year effective from the date of assumption of charge or till the availability of selectees of KPPSC whichever is earlier under the provision of Section-25 of KP Service Tribunal Act, 1973 vide Notification dated 16-09-2008 (Serial No. 295 in District Dir (L) *Copies of both the appointment orders are Annex-A & B.*
- 2 That Para-2 pertains to record & replied in Para-1.
- 3 That para-3 is also correct that vide order dated 01-01-2009, the services of the appellant was regularized under Section-3 of the Act of 2009 which is reproduce as under: *"All employees including recommendees of the High Court appointed on contract basis & holding the post on 31-12-2008 or till the commencement of this Act shall be deemed to have been validly appointed on regular basis having the same qualification & experience for a regular post.*
- Provided that the service promotion quota of all service cadre shall not be affected. (Copy of the order dated 01-01-2009 & Act of 2009 are Annex-C & D)*
- 4 That Para-4 is incorrect as the Tentative Seniority List cannot be impugned formally rather an application for correction of the service record of a Civil Servant is normally filed by a teacher after displaying the same by the authority concerned.
- 5 That Para-5 is correct to the extent of Notification dated 31-05-2023. Rest of the Para is incorrect as the final seniority list relating to the SSTs (F) in BPS-16 under the provision of Section-4(1) & (2) of the Act of 2009 which is reproduced as under:

1) *"The employees whose services are regularized under this Act are in the process of attaining services 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 & shall also rank junior to such other person 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 date of appointment.*

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

- 6 That Para-6 is correct that the Departmental appeal against the Final Seniority List of SSTs dated 31-05-2023 has been filed by the appellant, however, the same has been seen & filed after due process of law therefore, the appellant is not an aggrieved person under the above cited provision of law, therefore, the appeal in hand is liable to be dismissed on the following ground inter alia: -

**ON GROUNDS.**

- A. **Incorrect.** the appellant has been treated as per law vide final seniority list dated 31-05-2023 against the SST (G) in BPS-16 post in view of her service record.
- B. **Incorrect.** The plea of the appellant is illegal & liable to be rejected on the grounds that the impugned Seniority list of SSTs (Female) dated 31-05-2023 is in accordance with the provision of Section-8 of Civil Servant Act, 1973 read with Rule-17 (4) of APT Rules 1989 & Section-4(1) of KP Employees (Regularization of Services) Act, 2009
- C. **Incorrect.** The act of the Department with regard to the said seniority list dated 31-05-2023 is legal & liable to be maintained.
- D. **Incorrect.** The plea of the appellant is illegal & liable to be rejected.
- E. **Incorrect.** the stand of the appellant is illegal & liable to be rejected on the grounds that he is not entitled for the seniority as prayed for in terms of the afore-mentioned law & rules against the SST (G) I BPS-16 post in the Department.
- F. **Legal.** However, the Respondent also seek leave of this Honorable bench to submit additional grounds record & case law at the time of arguments on the date fixed in the titled case.

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**PRAYER**

In view of the above made submission it is requested that this Tribunal may very graciously be pleased to dismiss the instant service appeal with cost in favor of the Respondent Department by maintaining the final seniority list dated 31-05-2023 of the SSTs in BPS-16 in favor of the Respondent Department in the interest of justice please.

Dated \_\_\_/\_\_\_/2024

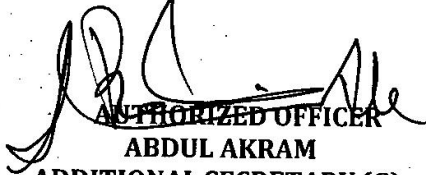
  
Samina Altaf

**DIRECTOR**

E&SE Department Khyber  
Pakhtunkhwa, Peshawar.

✓ (Respondent No: 3)

**MASOOD AHMAD  
SECRETARY**

  
AUTHORIZED OFFICER  
ABDUL AKRAM

**ADDITIONAL SECRETARY (G)**

E&SE Department Khyber  
Pakhtunkhwa, Peshawar.

(Respondent No: 1 & 2)

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**BEFORE THE HONORABLE KHYBER PAKHATUNKHWA  
SERVICE TRIBUNAL PESHAWAR.**

**Service Appeal No: 602/2024**

**Mst: Shumaila SST (G) BPS-16, GGHSS Batkhaila Malakand..... Appellant**

**VERSUS**

**The Secretary E&SED Khyber Pakhtunkhwa & others..... Respondents**

**AFFIDAVIT**

I, **Samina Altaf Director E&SE Khyber Pakhtunkhwa**, do hereby solemnly affirm & declare on oath that the contents of the instant para wise Comments are true & correct to the best of my knowledge & belief. It is further stated on oath that in this appeal the answering Respondents have neither been placed Ex-Parte nor their defense has been struck off/cost.



  
(Samina Altaf)  
DIRECTOR

E&SE Department Khyber  
Pakhtunkhwa, Peshawar



⑦

**DIRECTORATE ELEMENTARY & SECONDARY EDUCATION  
KHYBER PAKHTUNKHWA, PESHAWAR.**

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**AUTHORITY LETTER**

I, Samina Altaf, Director (E&SE) Khyber Pakhtunkhwa Peshawar do hereby authorized Mr. Muhammad Rizwan, Assistant Director (Litigation-II) of this Directorate for submission of Joint Parawise Comments in **Service Appeal No. 602/2024 case titled Mst: Shumaila SST District Malakand Vs Government of Khyber Pakhtunkhwa & others**, hence, an authority letter is hereby issued in favor of the above-named officer.

  
(Samina Altaf)  
**DIRECTOR**

E&SE Department Khyber  
Pakhtunkhwa, Peshawar

2-10-2007

1st order

(11) (8)

Directorate of Schools & Literacy NWFP Pesh.War.

-6-

SST (contract)

"A"

Notification

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

S.No	ID	Applicant Name	Father Name	District	Address	Posted At
1	3524	Suzai Zaban	Abdul Moazzam	Abbottabad	House No. 100 Ahmed Bn PO Abbottabad Village/Post: Ahmed Bn PO Abbottabad	CGMS PAKI, ABBOTTABAD
2	4025	RADIA BDI	TALIB KHAN	Abbottabad	House No. 1111 UPPER MALLAH PO GARHI PULGRAM Village/Post: UPPER MALLAH PO GARHI PULGRAM	CGMS SIALKOT, ABBOTTABAD
3	4637	BALKA JALIL	ABDUL JALIL	Abbottabad	House No. 1111 JALIL BABA ROAD PO Village/Post: JALIL BABA ROAD PO	CGMS LORA, ABBOTTABAD
4	2744	HAZIA SHAHEEN	SADIQ HUSSAIN	Abbottabad	House No. 1111 JALIL BABA ROAD PO Village/Post: JALIL BABA ROAD PO	CGMS NAGRI TUTYAL, ABBOTTABAD
5	4650	SUNAMBA GUL	MUMTAZ AHMED	Abbottabad	House No. 1111 BANDA SAE KHAN PO Village/Post: BANDA SAE KHAN PO	CGMS NAGRI TUTYAL, ABBOTTABAD
6	4342	RUZI SHIRAZ	Muhammad Ahsan	Abbottabad	House No. 1111 BANDA SAE KHAN PO Village/Post: BANDA SAE KHAN PO	CGMS NAROOKA, ABBOTTABAD
7	4744	Suzeta Shabir	Saadar Khan	Abbottabad	House No. 1111 BANDA SAE KHAN PO Village/Post: BANDA SAE KHAN PO	CGMS BAKOT, ABBOTTABAD
8	4650	SHABAZ ABUL	Haji Habib Muhammad	Abbottabad	House No. 1111 BANDA SAE KHAN PO Village/Post: BANDA SAE KHAN PO	CGMS BECAN, ABBOTTABAD
9	5014	Ahya MBS	Muhammad Moazzam	Abbottabad	House No. 1111 BANDA SAE KHAN PO Village/Post: BANDA SAE KHAN PO	CGMS KHANAS PUR, ABBOTTABAD
10	3245	Habibul Taz	As Razaq	Abbottabad	House No. 1111 BANDA SAE KHAN PO Village/Post: BANDA SAE KHAN PO	CGMS PANDI, ABBOTTABAD
11	4956	MEMOONA KANEZ	MUHAMMAD YOUSAF KHAN	Abbottabad	House No. 1111 BANDA SAE KHAN PO Village/Post: BANDA SAE KHAN PO	CGMS KANGER BALA, ABBOTTABAD
12	4216	maia gul	Saidy Khan	Abbottabad	House No. 1111 BANDA SAE KHAN PO Village/Post: BANDA SAE KHAN PO	CGMS KALAS, ABBOTTABAD
13	3516	Yasmin Zahid	Rana Gul	Abbottabad	House No. 1111 BANDA SAE KHAN PO Village/Post: BANDA SAE KHAN PO	CGMS MALKOTE, ABBOTTABAD
14	4447	Muhammad Zub	Aurang Zeb Jodan	Abbottabad	House No. 1111 BANDA SAE KHAN PO Village/Post: BANDA SAE KHAN PO	CGMS SEER, ABBOTTABAD
15	3895	Zahid Gul	Ayaz Khan	Abbottabad	House No. 1111 BANDA SAE KHAN PO Village/Post: BANDA SAE KHAN PO	CGMS CHUNALI, ABBOTTABAD
16	3696	Rubana Huz	Ghulam Yousaf	Abbottabad	House No. 1111 BANDA SAE KHAN PO Village/Post: BANDA SAE KHAN PO	CGMS SHINGLI PAVEN, BATTAGRAM
17	3277	Fazla Javed	Muhammad Javed	Abbottabad	House No. 1111 BANDA SAE KHAN PO Village/Post: BANDA SAE KHAN PO	CGMS TKRI KHARAL, BATTAGRAM
18	3352	Yehis Parveen	Muhammad Rizwan	Abbottabad	House No. 1111 BANDA SAE KHAN PO Village/Post: BANDA SAE KHAN PO	CGMS CHANAR, BATTAGRAM
19	3233	RITAT GUL	IMRAN BHADUR	Abbottabad	House No. 1111 BANDA SAE KHAN PO Village/Post: BANDA SAE KHAN PO	CGMS GUN KANARVAL, BATTAGRAM

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**DIRECTORATE OF SCHOOLS & LITERACY NWFP PESHAWAR**

Page No

**NOTIFICATION:**

Consequent upon the approval of competent authority, the following candidates are hereby appointed as SST (Female/General) on contract basis for a period of (six months) or till the arrival of the recommends of NWFP, Public Service Commission/Department, which ever is earlier with immediate effect and post them against the vacant post in the schools as noted against their names.

S. No	ID	Applicant name	Father name	District	Address	Posted at
1)	2524	Sadaf Noreen	Abdul Moeen	Abbottabad	No need	GGMS Pick, Abbottabad
2)	4005	Rabia Bibi	Talib Shah	Abbottabad	No need	GGHS Sialkot, Abbottabad
3)	4637	Saba Jalil	Abdul Jalil	Abbottabad	No need	GGHSS Lora, Abbottabad
4)	2744	Nazia Shaheen	Sadiq Shah	Abbottabad	No need	GGHS Nagri Tiyyal Abbottabad
5)	4650	Sumaira Gul	Mumtaz Ahmad	Abbottabad	No need	GGMS Narooka Abbottabad
6)	4242	Bibi Ishrat	Muhammad Aslam	Abbottabad	No need	GGHS Bakot, Abbottabad
7)	4744	Shaishta Sikandar	Sikandar Khan	Abbottabad	No need	GGMS Beqn, Abbottabad
8)	5860	Shahnaz Akhtar	Haji Nazeer Mehmood	Abbottabad	No need	GGMS Khans Pur Abbottabad
9)	5014	Atiya	Mohammad Mohsin	Abbottabad	No need	GGMS PAno Abbottabad
10)	3319	Nabeela Tariq	Ali Rehman	Abbottabad	No need	GGMS Kanger Bala Abbottabad
11)	4958	Memona Kaueez	Muhammad Yousaf Khan	Abbottabad	No need	GGMS Kalas, Abbottabad
12)	4219	Mehar Gul	Sardar Khan	Abbottabad	No need	GGMS Malkote Abbottabad
13)	3518	Toba Saeed	Saeed Gul	Abbottabad	No need	GGMS Seer Abbottabad
14)	6467	Memona Zeb	Aurangzeb Jadoon	Abbottabad	No need	GGMS Chunwali Abbottabad
15)	3885	Zahida Bibi	Aurangzeb	Abbottabad	No need	GGMS Shingi Payeen Battagram
16)	3696	Nabeela Naz	Ghulam Yahya	Abbottabad	No need	GGMS Tikri Kharari Battagram
17)	3777	Fozia Javed	Muhammad Javed	Abbottabad	No need	GGMS Chohal Battagram
18)	3032	Tahira Parveen	Muhammad Rehman	Abbottabad	No need	GGMS Gunj Kagaram Battagram
19)	3235	Rifar Gul	Khan Bahadar	Abbottabad	No need	GGMS Gunj Kagaram Battagram

ATTES-ED

*[Handwritten signature]*

ID	Applicant Name	Father Name	District	Address	Posted At
167	Bernardus Bai	Alfahad	Lehi	Nono Street Seng Cot Yussif PO - Dura Yussif Village/Team (Dura) Cot Yussif UCT/Post Office (Kuching) (Kuching) (Kuching)	GGMS PANGRA, DIR LOWER
167	3620	Foane Kidi	Lehi	Nono Street Seng Cot Yussif PO - Dura Yussif Village/Team (Dura) Cot Yussif UCT/Post Office (Kuching) (Kuching) (Kuching)	GGMS SANGA, BUKHET
168	633	Bhaki	Makassar	Nono Street Seng Cot Yussif PO - Dura Yussif Village/Team (Dura) Cot Yussif UCT/Post Office (Kuching) (Kuching) (Kuching)	GGMS RALEAT, DIR LOWER
169	317	ZALUAD	Makassar	Nono Street Seng Cot Yussif PO - Dura Yussif Village/Team (Dura) Cot Yussif UCT/Post Office (Kuching) (Kuching) (Kuching)	GGMS JALBA BAGAL, MALAKANG
170	1620	Makkaru Buguin	Makassar	Nono Street Seng Cot Yussif PO - Dura Yussif Village/Team (Dura) Cot Yussif UCT/Post Office (Kuching) (Kuching) (Kuching)	GGMS THANA, MALAKANG
171	3371	Mugno Buguin	Makassar	Nono Street Seng Cot Yussif PO - Dura Yussif Village/Team (Dura) Cot Yussif UCT/Post Office (Kuching) (Kuching) (Kuching)	GGMS AGRA, MALAKANG
172	2405	Faida Buguin	Makassar	Nono Street Seng Cot Yussif PO - Dura Yussif Village/Team (Dura) Cot Yussif UCT/Post Office (Kuching) (Kuching) (Kuching)	GGMS AGRA, MALAKANG
173	3193	Zaki Sashar	Makassar	Nono Street Seng Cot Yussif PO - Dura Yussif Village/Team (Dura) Cot Yussif UCT/Post Office (Kuching) (Kuching) (Kuching)	GGMS MOHAMMAD PATAI, MALAKANG
174	432	Sara Budo	Makassar	Nono Street Seng Cot Yussif PO - Dura Yussif Village/Team (Dura) Cot Yussif UCT/Post Office (Kuching) (Kuching) (Kuching)	GGMS G.U. KVEL, MALAKANG
175	2501	Sasara	Makassar	Nono Street Seng Cot Yussif PO - Dura Yussif Village/Team (Dura) Cot Yussif UCT/Post Office (Kuching) (Kuching) (Kuching)	GGMS ENDO, MALAKANG
176	264	Sasara	Makassar	Nono Street Seng Cot Yussif PO - Dura Yussif Village/Team (Dura) Cot Yussif UCT/Post Office (Kuching) (Kuching) (Kuching)	GGMS KOT, MALAKANG
177	2366	Rubna Bogyu	Makassar	Nono Street Seng Cot Yussif PO - Dura Yussif Village/Team (Dura) Cot Yussif UCT/Post Office (Kuching) (Kuching) (Kuching)	GGMS SORO KAUZO, MALAKANG
178	321	Zaba Bogyu	Makassar	Nono Street Seng Cot Yussif PO - Dura Yussif Village/Team (Dura) Cot Yussif UCT/Post Office (Kuching) (Kuching) (Kuching)	GGMS SARNAKOT, MALAKANG
179	2357	Mugno Buguin	Makassar	Nono Street Seng Cot Yussif PO - Dura Yussif Village/Team (Dura) Cot Yussif UCT/Post Office (Kuching) (Kuching) (Kuching)	GGMS MISHNI, DIR LOWER
180	2013	Shahida Vuyuth	Makassar	Nono Street Seng Cot Yussif PO - Dura Yussif Village/Team (Dura) Cot Yussif UCT/Post Office (Kuching) (Kuching) (Kuching)	GGMS GARRA, DIR LOWER
181	3443	Shahida Vuyuth	Makassar	Nono Street Seng Cot Yussif PO - Dura Yussif Village/Team (Dura) Cot Yussif UCT/Post Office (Kuching) (Kuching) (Kuching)	GGMS KOTKAY, DIR LOWER
182	3139	Shahida Vuyuth	Makassar	Nono Street Seng Cot Yussif PO - Dura Yussif Village/Team (Dura) Cot Yussif UCT/Post Office (Kuching) (Kuching) (Kuching)	GGMS AUTO MAJDAH, DIR LOWER
183	4504	Shahida Vuyuth	Makassar	Nono Street Seng Cot Yussif PO - Dura Yussif Village/Team (Dura) Cot Yussif UCT/Post Office (Kuching) (Kuching) (Kuching)	GGMS MALAKANG, DIR LOWER
184	1134	Shahida Vuyuth	Makassar	Nono Street Seng Cot Yussif PO - Dura Yussif Village/Team (Dura) Cot Yussif UCT/Post Office (Kuching) (Kuching) (Kuching)	GGMS TOTAL, MALAKANG
185	2213	Shahida Vuyuth	Makassar	Nono Street Seng Cot Yussif PO - Dura Yussif Village/Team (Dura) Cot Yussif UCT/Post Office (Kuching) (Kuching) (Kuching)	GGMS GARRUNGA DARA, MALAKANG
186	503	Shahida Vuyuth	Makassar	Nono Street Seng Cot Yussif PO - Dura Yussif Village/Team (Dura) Cot Yussif UCT/Post Office (Kuching) (Kuching) (Kuching)	GGMS HARYAN KOT, MALAKANG
187	2675	Shahida Vuyuth	Makassar	Nono Street Seng Cot Yussif PO - Dura Yussif Village/Team (Dura) Cot Yussif UCT/Post Office (Kuching) (Kuching) (Kuching)	GGMS KAUSAT, DIR LOWER

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306	467	Shamshad Bibi	Ali Dad	Lakki	No need	GGMS Pandher, Bunir
307	3620	Farzana Bibi	Zaiwar Khan	Lakki	No need	GGMS Sawan Bunir
308	853	Shaiza	Muhammad Siyar	Malakand	No need	GGHS Ralet Dir Lower
309	377	Zainab	Fazal Wahid	Malakand	No need	GGMS Jalba Bagi Malakand
310	1628	Nahced Begum	Ajmal Khan	Malakand	No need	GGMS Thana Malakand
311	3671	Nargis Bibi	Gul Zaman	Malakand	No need	GGHS Agra Malakand
312	2405	Farida Begum	Naik Mubammad	Malakand	No need	GGHS Agra Malakand
313	3193	Zebi	Muhammad Amin	Malakand	No need	GGCMS Mohmand Patai Malakand
314	432	Saira Bano	Rustam Khan	Malakand	No need	GGMS GU Khel Malakand
315	2601	Seema	Mudassir Ur Rehman	Malakand	No need	GGMS Sino Malakand
316	264	Seema	Arman Ullah	Malakand	No need	GGMS Kot Malakand
317	2386	Ribuna Begum	Ghulam Sarwar	Malakand	No need	GGCMS Soro Kanzo Malakand
318	381	Zeba Noreen	Nasrullah Khan	Malakand	No need	GGHS Sakhakot Malakand
319	2357	Kalsoom Afzal	Fazal Ghaffar	Malakand	No need	GGHS Sakhakot Malakand
320	2912	Shahida Yasmin	Muhammad Sadiq	Malakand	No need	GGMS Miskini Dir Lower
321	3443	Shabana Kauser	Fazal Wahab	Malakand	No need	GGMS Garra Dir Lower
322	3138	Shomaila	Saeed Khan	Malakand	No need	GGMS Kotkay Dir Lower
323	4504	Shakila	Muhammad Rashid	Malakand	No need	GGMS Auto Maidan Dir Lower
324	1154	Naureen	Dost Muhammad	Malakand	No need	GGMS Malakand Dir Lower
325	2213	Nazra	Muhammad Siraj	Malakand	No need	GGHS Total Malakand
326	593	Noreen Begum	Aziz Ur Rehman	Malakand	No need	GGHS Garranga Dara Malakand
327	2675	Shahnaz Akhtar	Abual Manan	Malakand	No need	GGHS Haryan Kot Malakand

TESTED

**Terms and conditions of their appointment**

The appointments of the above named candidates against SST posts are made on contract basis for a period of 180 days (six) months or till arrival of the vacancies of the NWFP P.B.C/Departmental whichever is earlier. This order will automatically stand terminated after 180 days from the date of issue.

1. The candidates will sign an agreement with the concerned Executive District Officer (Schools Literacy) / Agency Education Officers and their services will be governed by the terms and conditions mentioned in such agreement.
2. Their salary is subject to execution of agreement deed containing the terms and conditions of the agreement.
3. Their services will be liable to termination without any reason during the currency of this agreement. In case of resignation without prior notice their one month pay plus usual allowances will be forfeited.
4. The appointees shall join their posts within (twenty) (20) days of the issuance of this order otherwise after the deadline date the appointment order will stand cancelled.
5. The EDOs(SL/AEO) concerned shall furnish a certificate to the effect that the appointees have joined the posts or otherwise after twenty (20) days of the issuance of this order.
6. Their services can be terminated at any time in case their performance is found unsatisfactory. In case of misconduct they will be proceeded against under the removal from services (Special powers) Ordinance 2000 and ED Rules 1973.
7. They shall be required to furnish attested copies of all their certificates/degrees to EDO(SL/AEO) concerned. The EDO(SL/AEO) concerned should check their original certificates/degrees before handing over charge.
8. Their appointment is specific school base and non transferable during currency of agreement period.
9. The in-service candidates shall not be allowed to join and shall not be funded over charge by the EDO(SL/AEO) concerned. In case of exceeding the said (regularity/commitment/negligence in his regard, the EDO(SL/AEO) will hold responsible for the consequences if any.
10. The above order will take effect with immediate effect. Though they are directed to complete the contracts and other documentation.
11. They will get pay in BPS-18 plus usual allowances as admissible under the rules.
12. No TA/DA is allowed.
13. Charge report should be submitted to all concerned.

**ATTESTED**

*[Handwritten signature]*

Director Schools Literacy  
NWFP, Peshawar.

Encls No. 4701 - 3294 /A-14/SEY/MF/Appnt/180 days/Contract

Dated: October 02, 2007.

Copy forwarded for information and necessary action to the:-

1. Director Education FATA, Peshawar.
2. Accounts General NWFP, Peshawar.
3. Agency/District Accounts Officers concerned.
4. All the EDOs(SL/AEOs) concerned.
5. Principals/Head Masters/Teachers concerned.
6. Candidates concerned.
7. PS to Minister for Education NWFP.
8. PS to Secretary Schools Literacy Dupli, Govt of NWFP.

*[Signature]*  
(HAM/DULLAN JAN)  
Deputy Director (Establishment)  
Schools Literacy NWFP Peshawar.

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Better Copy  
Terms and conditions of their appointments

Page No

1. The appointments of the above candidates against SST posts are made on contract basis for a period of 180 days (six) months or till arrival of the selectees of NWFP PSC/Departmental whichever is earlier, this order will automatically stand terminated after 180 days from the date of issue.
2. The candidates will sign an agreement with the concerned Executive District Officer (Schools, Literacy)/ Agency Education Officer and their services will be governed by the terms and conditions mentioned in such agreement.
3. Their salary is subject to extension of agreement deed containing the terms and conditions of the agreement.
4. Their services will be liable to termination without any reason during the currency of this agreement. In case of resignation without prior notice their one month pay plus usual allowances will be forfeited.
5. The appointee shall join their posts within twenty (20) days of the issuance of their order otherwise after the deadline date the appointment order will stand cancelled.
6. The EDO (SL) AEO concerned shall furnish a certificate to the effect that the appointees have joined the posts or otherwise after twenty (20) days of the issuance of this order.
7. Their services can be terminated at any time in case their performance is found unsatisfactory. In case of misconduct they will be proceeded against under the removal from service (special powers) Ordinance, 2000 ED Rules 1973.
8. They shall be required to furnish attested copies of all their certificate/degree to EDO (SL) AEO concerned. The AEO(SL)AEO concerned should check their original certificate/degree before handing over charge.
9. Their appointment is specific school basis and non transferable/during currency of agreement period.
10. The in service candidate shall not be allowed to join and shall not be handed over charge by the EDO(SL) AEO concerned. In case of the said irregularity commitment/negligence in this regard the EDO(SL) AEO will held responsible for the consequences if any.
11. The above order will take effect within immediate effect. Though they are directed to comply the contracts and other documentations.
12. They will get pay in BPS-16 plus usual allowances as admissible under rules.
13. No TA/DA is allowed
14. Charge report should be submitted to all concerned.

**ATTESTED**  
WA

Director Schools Literacy.  
NWFP Peshawar

-9- 16-09-2008 B<sup>14</sup>

**DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION NWFP, PESHAWAR**

**NOTIFICATION:**

(Contract)

2nd order

(SST)

In pursuance of the powers conferred under Section 25 of the NWFP Civil Servant Act, 1973 the competent authority is pleased to re-appoint the following Male/Female SST (B-16) on contract basis as a stop-gap arrangements for a period of one year with the date of discontinuation of the regularity of selection of the NWFP Public Service Commission / Departmental Selection Committee which ever is earlier:-

**Abbottabad (Male)**

	Name	Father Name	Subject	Place of Posting
1	Hamayun Rashid	Abdur Rashid	General	GHS Bagan
2	Ishaq Ahmad	Mir Hussain	General	GHS Khaira Gali
3	Sharafat Ali	Muhammad Suleman	General	GHS Khaira Gali
4	Muhammad Ali	Muhammad Banaris	General	GHS Nagri Tulial
5	Muhammad Haneef	Muhammad Suleman	General	GHS Namal
6	Ehtaiqur Rehman	Ameer Abdullah	General	GHS Namal
7	Muhammad Nashad	Abdul Aziz	General	GHS Sarhan
8	Manzoor Khan	Mumtaz Khan	General	GHS Surjal
9	Azam Hussain	Sad Ghulam	General	GHS Topri Shareef
10	Arshad Javald	Muhammad Akbar	General	GHS Ziarat Masoom
11	Bakht Nabi	Karim Shah	General	GMS Baltian
12	Inaytu Rehman	Habib ur Rehman	General	GMS Kanger Malra
13	Arshadur Rehman	Bashir Muhammad	General	GMS Kokhrtala
14	Aamer Shahzad	Sultan Khan	General	GMS Mari
15	Alfiqur Rehman	Firdos Khah	General	GMS Sangrari
16	Shamsul Arfeen	Khurshid Khan	General	GMS Sari Khan Kalan
17	Murad Ali	Hakam Khan	General	GMS Suma Karaga
18	Syed Khalid Mehmood	Fazal Mehmood	General	GMS Topa Khan Kalan
19	Muhammad Ashraf	Shahzad Khan	Science	GHS Bagan
20	Ghulam Mustafa	Inshanul Haq	Science	GHS Chamiall
21	Muhammad Umar Khan	Ghulam Rubbanj	Science	GHS Hadora Bandi
22	Nimmat Khan	Shanwan Khan	Science	GHS Samundar Kalha

**ATTESTED**

*[Handwritten Signature]*

(15)

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Page No

**DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION NWFP PESHAWAR.**

**NOTIFICATION:**

In pursuance of the powers conferred under section 25 of the NWFP Civil Servant Act, 1973 the competent authority is pleased to re-appoint the following male/female SST (B-16) on contract basis as a stop-gap arrangement for a period of one year w.e.f. the date of assumption of charge or till the availability of selectees of the NWFP Public Service Commission/Departmental Selection Committee which ever is earlier:-

S. No	Name	Father name	Subject	Place of posting
1)	Hamayun Rashid	Abdur Rashid	General	GHS Bagan
2)	Ishaq Ahmad	Mir Hussain	General	GHS Khair Gali
3)	Sharafat Ali	Muhammad Suleman	General	GHS Khaira Gali
4)	Jawad Ali	Muhammad Banaras	General	GHS Nagri Tutial
5)	Mohammad Hanif	Muhammad Suleman	General	GHS Namal
6)	Shafiq Ur Rehman	Ameer Abdullah	General	GHS Namal
7)	Muhammad Nashad	Abdul Aziz	General	GHS Sarhan
8)	Manzoor Khan	Mumtaz Khan	General	GHS Surjal
9)	Azam Hussain	Sad Ghulam	General	GHS Toori Shareef
10)	Arshad Javaid	Muhammad Akbar	General	GHSS Ziarat Masoom
11)	Bakht Nabi	Karim Shah	General	GMS Battian
12)	Inayat Ur Rehman	Habib Ur Rehman	General	GMS Kanger Maira
13)	Arshad Ur Rehman	Bashir Muhammad	General	GMS Kokhriala
14)	Amer Shahzad	Sultan Khan	General	GMS Mari
15)	Atiq Ur Rehman	Firdos Khan	General	GMS Snagrari
16)	Shamsul Arfeen	Khurshid Khan	General	GMS Sari Khan Kalan
17)	Murad Ali	Hakam Khan	General	GMS Suma Karaga
18)	Syed Khalid Mehmood	Fazal Mahmood	General	GMS Topa Khan Kalan
19)	Muhammad Ashraf	Shahzad Khan	Science	GHS Bagan
20)	Ghulam Mustafa	Ihsan Ul Haq	Science	CHS Chamiali
21)	Muhammad Umar Khan	Ghulam Rubbani	Science	GHS Hadora Bandi
22)	Nimmat Khan	Shanwari Khan	Science	GHS Samundar Katha

**ATTESTED**



JK

Sl. No.	Name	Father Name	Subject	Place of Posting
313	Asadullah		General	GHS, Jughabang
312	Muhammad Tahir	Khan Mulla	General	GHS, Samkoi
Dir UPPER (Male)				
311	Rukhsana Alzal		General	GHS, Sado
310	Hanm	Sher Alzal	Science	GGHS Shawa
309	Humeera Andaleeb	Noor Hussain	Science	GGHS Munda
308	Bibi Zulikha	Aurang Zeb	General	GGHS Sado
307	Zakira Bibi	Taj Mohd	General	GGHS Nagri
306	Humeera Ambareen	Mohd Akbar Jan	General	GGHS, Peto Dara
305	Nazim	Nazir Mohd	General	GGHS Khazana
304	Aida Perveen	Bahar Karam	General	GGMS Odigram
303	Seemat Halim	Ghulam Mohd	General	GGMS Baroon
302	Tabasum Naheed	Abdul Halim	General	GGHS Inzaro
301	Farzana Bibi	Sajid Mohd	General	GGHS Bedin
300	Shanida Yasmin	Rab Nawaz	General	GGMS Brangola
299	Munera Khan	Mohd Sadiq	General	GGMS Garha
298	Shakila Bibi	Mohd Dawl	General	GGMS Mian Kalay
297	Shabana	Mohd Rashid	General	GGMS Malakand
296	Shahab Kausar	Zahoor Ahmad	General	GGMS Nari Tangi
295	Shamila	Fazal Wahab	General	GGMS Kolkai M
Dir Lower (Female)				
294	Amnillah	Saeed Khan	General	GGMS Auro
293	Ayaz Ahmad	Amnillah	General	GHS, KHAZANA
292	Fazle Karim	Fazle Karim	General	GHS, DUCH
291	Fazal Murtaza	Fazal Murtaza	General	GHS, Fudhar Kail
290	Said Ali Shah	Said Ali Shah	General	GHS, Gungar Kol
289	Shakir Ali	Fazal Murtaza	General	GHS, Fudhar Kail
288	Uzma Ullah Jan	Fazil Mulla Jan	General	GMS Seer Toomang

(16)

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(17)

-11-

	Father Name	Subject	Place of Posting
ad Azim	---	General	GMS, Jalandar, Kurram
h	---	General	GMS, Khazana Kurram
ahmad	---	General	GMS, Land Charkhel, NWA
ahman	---	General	GHS, Datta khel NWA
	---	General	GHS, Dosal, NWA
ad Imran	---	General	GMS, Land NWA
ad Irfan	---	General	GMS, Paryal NWA
at	---	General	GHS, Razmak, NWA
Din	---	Science	GMS, Ahmad khel, NWA
I Muhammad	---	Science	GHS, Taj Muhammad Kol, NWA
ahmad Noorud Din	---	Science	GMS, Khati killi NWA
ayub	---	Science	GHS, Taj Muhammad Kol NWA
ahmad Daud	---	General	GHS, Razmak, NWA
A (female)	---		
S. Ghani	---	Science	GGHS, M. Hussain Mela FR Kohat
ad Sultan	---	General	GGHS, Ali zal, Kurram
Afridi	---	General	GGMS, Musa killi K. Agency
Nisha	---	General	GGHS, Malkana Bajaur
in Begum	---	Science	GGHS, Shewa Farash M. Agency
ad Akhtar	---	General	GGHS, Koika Marajud Din FR Bn;
ez	---	General	GGMS, Amir Kobli Biltani FR Lakk

ATTESTED  
*[Signature]*

**Terms and Conditions**

Appointment of the above candidates will be on contract basis for the period of one year from the date of assumption of charge till the arrival of the selectees of the NWFP Public Service Commission/Departmental Selection Committee, whichever is earlier.

They will draw pay in BPS-16.

TA/DA is allowed.

If they want to resign from the service before expiry of the contract, they will have to serve one month notice in advance failing which they will have to deposit prior notice to the appointing authority one month pay in lieu of such notice, in the Government Treasury.

*[Signature]*

*[Signature]*

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(18)

their appointments have been made for specific schools, so shall not make any request for transfer from the school where they are posted. In case of such occurrence, their service shall stand terminated.

They should join their posts within 15-days of the issue of this notification. The Executive District Officer, Elementary & Secondary Education concerned, should furnish certificate to the effect that the candidates have joined the post or otherwise within 15-days of the issue of this Notification.

They shall execute an agreement with the Government before taking over charge, signed by the concerned EDOs Secondary Education NWFP, on behalf of the Government/Director (E&SE).

They will not be entitled for any pension or gratuity for the service rendered by them on contract basis and shall not claim regularization for their contract service.

Charge report in duplicate should be submitted to all concerned.

Their service shall be terminated if they violate any provision of the terms and conditions specified in the agreement.

They shall not be entitled to perform any examination duty of the BISEs/University/RDE, NWFP, during the current contract period.

5137-5197

IA-14/SST/M&F/Contract Qno Year/

Director  
 Elementary & Secondary  
 Education, NWFP, Peshawar  
 dated 16/9/2008

Copy of the above is forwarded to:

- Accountant General, NWFP Peshawar
- Director of Education, FATA, NWFP Peshawar
- Distt. Accounts Officers concerned
- Director Elementary & Secondary Education NWFP, Peshawar
- Executive District Officers (E&SE) concerned
- Principal/Head Masters/Head Mistress concerned
- SST concerned
- PS to the Minister for Education NWFP
- PS to Secretary to Govt. of NWFP
- All Chairman BISE/Registrars of University in NWFP, with the request to comply with the above condition as at S No. 1
- PA to Director (E&SE) Local Office
- Master File

ATTESTED

*[Handwritten Signature]*

*[Handwritten Signature]* 11/9/08  
 Deputy Director (Estab.)  
 Elementary & Secondary  
 Education, NWFP, Peshawar

(10)

01-01-2009  
3rd order SST (Regular)

(19)  
(21) "C"

OFFICE OF THE DIRECTOR ELEMENTARY & SECONDARY EDUCATION NWFP PESHAWAR

NOTIFICATION

The competent authority has been pleased to regularize the services of the following adhoc/contract employees against the post of SST (Female) (BPS-16) with effect from 01-01-2009, under the NWFP Employees (Regularization of Services) Act, 2009 on the terms and conditions give at the end of this Notification.

16/11/09

S.No	Name of candidate	Father's Name	Present Station	Date of Last Appointment Order
<b>PESHAWAR</b>				
1.	Amoid Anjum	Asif Khan	GGHS Budhni	5139-5197 25-11-2008
2.	Nosheen Akhtar	Akhtar Ali	GCMS Charpariza	5139-5197 25-11-2008
<b>NOWSHERA</b>				
3.	Khawaga	Shamsher	GGHS Mohib Banda	5139-5197 25-11-2008
4.	Shandana	Faqir Mohammad	GGMS Zara Maima	5139-5197 16-9-2008
5.	Asma Haneef	Mohammad Haneef	GGCMS Mandori	5139-5197 16-09-2008
6.	Kiran Shahzadi	Mian Baheer Shah	GGHS Spin Khak	5139-5197 25-11-2008
7.	Irum Niaz	Pir Mohammad	GGHS Nowshera Cantt	5139-5197 25-11-2008
8.	Shakeela Naz	Mir Rahman	GGHS Bara Banda	5139-5197 25-11-2008
9.	Nusrat Shaheen	Ghulam Qadir	GGHS Inzari	5139-5197 16-09-2008
10.	Nazia Habib	Habibullah	GGHS Pabbi	5139-5197 25-11-2008
<b>CHARSADDA</b>				
11.	Fahmeeda	Sher Mohammad	GGHS Matta Palangzai	5139-5197 16-09-2008
12.	Robina Yousaf	Yousaf Khan	GGMS Ganderi	5139-5197 16-09-2008
13.	Bibi Haleenia	Shahzad	GGHS Doobak	5139-5197 16-09-2008
14.	Roohi Bano	Fazle Rabbani	GGHS Nisatya	5139-5197 16-09-2008
15.	Toushiba Naz	Gul Faraz	GGHSS Harichand	5139-5197 16-09-2008
16.	Fouzia Naz	Farmanullah	GGHSS Harichand	5139-5197 25-11-2008
17.	Shaista Zeb	Mohammad Saib	GGHS Shodag	5139-5197 25-11-2008
18.	Seema Gul	Jan Nisar	GGHS Jamroz Khan Kalay	5139-5197 25-11-2008
19.	Rani Gul	Jan Mohammad	GGHS Dosehri	5139-5197 25-11-2008
20.	Menhas Yousaf	Yousaf Khan	GGHS Mandan	5139-5197 16-09-2008
21.	Saima Gul	Anwar Khan	GGHS Shah Afzal Abad	5139-5197 25-11-2008
22.	Nahed Akhtar	Saif Ur Rahman	GGHS Shah Afzal Abad	
23.	Fatima Bibi	M. Hashmat Ali	GGHS Doulat Pura	5139-5197 25-11-2008
24.	Najma Haq	Abdul Haq	GGHS Kot Baba Tangay	5139-5197 16-09-2008
25.	Shahnaz Kousar	Rahmat Ullah	GGHS Doulat Pura	5139-5197 25-11-2008
26.	Ambareen	Abdul Majeed	GGMS Ghani	5139-5197

ATTESTED

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468.	Munira Khan	Muhammad Qavi	GGHS Odigram	5139-5197 16/09/08
469.	Farzana Bibi	Rabnawaz	GGCMS Brangda	5139-5197 16/09/08
470.	Tabasum Naheed	Sala Muhammad	GGHS Badin	5139-5197 16/09/08
471.	Shakila Bibi	Muhammad Rashid	GGMS Mulakad	5139-5197 16/09/08
472.	Zakira Bibi	Muhammad Akbar Jan	GGHS Pero Dara	5139-5197 16/09/08
473.	Shumaila	Saeed Khan	GGMS Apto Maidan	5139-5197 16/09/08
474.	Shah Bana	Zahoor Ahmad	GGMS Naritangi	5139-5197 16/09/08
475.	Nargas Begum	Saeed Ur Rahman	GGMS Bandagai	5139-5197 16/09/08
476.	Zeenat Haram	Abdul Azim	GGMS Khal	5139-5197 16/09/08
477.	Rugia Bibi	Muhammad Salar	GGHS Damial	5139-5197 16/09/08
478.	Neelam Rabi	Alta Ullah	GGHS Khal	5139-5197 16/09/08
479.	Zainab Ara	Said Badshah	GGHS Munjal	5139-5197 16/09/08
480.	Naheed Akhtar	Usman Ghani	GGHS Khanpur	5139-5197 16/09/08
481.	Tasleem Bibi	Muhammad Mukhtar	GGHS Ashapur	5139-5197 16/09/08
482.	Amin Khatoon	Habib Ur Rahman	GGHS Nagrai	5139-5197 16/09/08

483.	Rabia Bibi	Muhammad Ziaul Haq	GGHS Hay Serai	5139-5197 16/09/08
484.	Aisha Begum	Aman Ullah Khan	GGHS Khanpur	5139-5197 16/09/08
485.	Abida bibi	Afzal Khan	GGHSS Mayar	5139-5197 16/09/08
486.	Shahbana Naz	Zinat Gul	GGHS Sado	5139-5197 16/09/08
487.	Khariaza Begum	Khanzada	GGHS Khadakzan	5139-5197 16/09/08

DIR UPPER

488.	Khunza Nisa	Afzal Aman	GGHS, Gamprao	5139-5197 25/11/08
489.	Khamia sayed	Ali Sayed	GGHS, Wari	5139-5197 16/9/08
490.	Shabta Bibi	Taj Bar Khan	GGCMS, Surhai	5139-5197 16/9/08
491.	Mohsina Bibi	Shahbud Din	GGHS, Gandigar	5139-5197 16/9/08
492.	Merzakay	Sher Afas Khan	GGMS, Darohn	5139-5197 25/11/08
493.	Shakila	Sherin Muhammad	GGMS, Sund Bari	5139-5197 25/11/08
494.	Sonia Sultana	Sultan Khan	GGMS, Jabber	5139-5197 25/11/08
495.	Sheema Bibi	Hazrat Wahid	GGMS, Jaghabanj	5139-5197 25/11/08
496.	Nasima Bibi	Khmazer Khan	GGMS, Dhro	5139-5197 25/11/08
497.	Noor Jehan	Muhammad Yousuf	GGHS, Kotkay	5139-5197 25/11/08
498.	Bibi Shahida	Nasir ud Din	GGHS, Samkot	5139-5197 25/11/08
499.	Farkhanda Shaheen	Zafar Ali	GGMS, Chappar	5139-5197 16/9/08
500.	Mussalina Mussarat	Ghulam Ahmad	GGHS, Kotkay	5139-5197 25/11/08

ATTESTED

*[Handwritten signature]*

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TERMS & CONDITIONS OF HER APPOINTMENT

- 1- Their services will be considered as regular but without pension & gratuity in terms of Section-19 of the NWFP, Civil Servants Act, 1973 as amended vide NWFP, Civil Servants (Amendment) Act, 2005. They will, however, be entitled to contributory Provident Fund in such a manner and at such rates as prescribed by the Government.
- 2- Their seniority will be determined according to Section-4 of the NWFP, Employees (Regularization of Services) Act, 2009.
- 3- They will be required to furnish copies of all their certificates / degrees along with original receipts and photo stat copies thereof, pertaining to the verification fee of the concerned Examining body (Board & University) to the EDO (E&SE) concerned.
- 4- The EDO (E&SE) concerned are directed not to release their pay until the verification their documents.

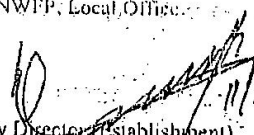
DIRECTOR

Encls: No. 2472-3056 /F.No.A-17/SET(F) Contract- Appont:2009 Dated Peshawar the 11/12/2009.

- 1- PS to Minister for Elementary & Secondary Education NWFP, Peshwar
- 2- PS to Secretary to Govt: of NWFP, E&SE, Department Peshawar.
- 3- Executive District Officer Elementary & Secondary Education concerned.
- 4- District Account Officer concerned.
- 5- Candidate concerned/Mistress concerned
- 6- PA to Director of Elementary & Secondary Education NWFP, Local Office.

**ATTESTED**



  
 Deputy Director (Establishment)  
 Elementary & Secondary Education NWFP, Peshawar

ASMAT  
2009/12/12

(18)

(22)

-66- "I"

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

CONTENTS

PREAMBLE

SECTIONS

1. Short title and commencement.
2. Definitions.
3. Regularization of services of certain employees.
4. Determination of seniority.
- 4A. Overriding effect.
5. Repeal.

**ATTESTED**



<sup>1</sup>Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011  
<sup>2</sup>Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

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

[First published after having received the assent of the Governor of the [Khyber Pakhtunkhwa] in the Gazette of [Khyber Pakhtunkhwa] (Extraordinary), dated the 24<sup>th</sup> October, 2009]

AN ACT

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

ATTESTED  
JA

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

It is hereby enacted as follows:-

- 1. Short title and commencement:--(1) This Act may be called the [Khyber Pakhtunkhwa] Employees (Regularization of Services) Act, 2009. (2) It shall come into force at once. 2. Definitions:--(1) In this Act, unless the context otherwise requires, (a) "Commission" means the [Khyber Pakhtunkhwa] 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;

<sup>1</sup>Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011  
<sup>2</sup>Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011  
<sup>3</sup>Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011  
<sup>4</sup>Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011  
<sup>5</sup>Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011  
<sup>6</sup>Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

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- (c) "Government" means the Government of the <sup>1</sup>[Khyber Pakhtunkhwa];
- (d) "Government Department" means any department constituted under rule 3 of the <sup>2</sup>[Khyber Pakhtunkhwa] Government Rules of Business, 1985, and does not include any section of a Department or an organization which is federally funded;
- (e) "law or rule" means the law or rule for the time being in force governing the selection and appointment of civil servants; and
- (f) "post" means a post under Government or in connection with the affairs of Government to be filled in on the recommendation of the Commission.

(2) The expressions "ad hoc or contract appointment" and "civil servant" shall have the same meanings as respectively assigned to them in the <sup>3</sup>[Khyber Pakhtunkhwa] Civil Servants Act, 1973 (<sup>4</sup>[Khyber Pakhtunkhwa] Act No. XVIII of 1973).

**ATTESTED**  
A

3: Regularization of services of certain employees.---All employees including recommendees of the High Court appointed on contract or ad hoc basis and holding that post on 31<sup>st</sup> December, 2008 or till the commencement of this Act shall be deemed to have been validly appointed on regular basis having the same qualification and experience for a regular post.

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

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

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

<sup>1</sup>Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011  
<sup>2</sup>Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011  
<sup>3</sup>Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011  
<sup>4</sup>Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011