



ORDER

1st Nov., 2022 01. Mr. Shamsul Hadi Advocate for appellant present. Mr. Muhammad Adeel Butt, Addl. Advocate General alongwith Mr. Muhammad Usman, ADEO (Litigation) for the respondents present.

02. Vide our detailed order of today, placed in connected Service Appeal No. 7211/2021, titled "Mst. Shaheen Vs. the Secretary (E&SE) Department, Peshawar and others", this appeal is also disposed of with the observations that the appellant may make application to the respondent/department for supply of latest final/notified seniority and in case appellant is aggrieved of the same he may resort to the legal proceedings to get his grievance redressed. On making application by the appellant, the department shall provide the list within 15 days. Cost shall follow the events. Consign.

03. **Pronounced in open Court at Peshawar and given under our hands and the seal of the Tribunal on this 1st day of November, 2022.**

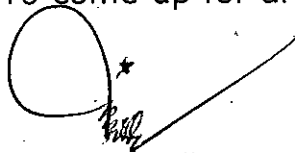

(Faeeha Paul)
Member (E)

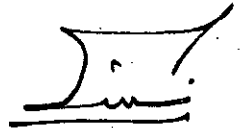

(Kalim Arshad Khan)
Chairman

28.04.2022

Clerk of learned counsel for the appellant present. Mr. Riaz Ahmed Paindakhel, Assistant Advocate General for official respondents No. 1 to 3 present. Nemo for private respondents No. 4 to 19, hence they are proceeded ex-parte.

Clerk of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is busy in the august Supreme Court of Pakistan. Adjourned. To come up for arguments on 19.07.2022 before the D.B.


(Mian Muhammad)
Member (E)


(Salah-ud-Din)
Member (J)

19.07.2022


Proper Bench is not available, therefore, case is adjourned to 20.10.2022 for the same as before.



Reader

20th Oct, 2022

Junior to counsel for the appellant present. Mr. Muhammad Riaz Khan Paindakhel, Asst: AG for respondents present.

Junior to learned counsel for the appellant seeks adjournment on the ground that learned counsel is busy before the Hon'ble Peshawar High Court (Dar Ul Qaza) Swat Bench. Last opportunity is granted to argue the case on the next date failing which the case will be decided on the available record without the arguments. To come up for arguments on 01.11.2022 before D.B.

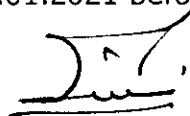

(Fareeha Paul)
Member(Executive)


(Kalim Arshad Khan)
Chairman

21.10.2021

Junior to counsel for the appellant and Mr. Muhammad Adeel Butt, Addl. AG for the official respondents present. Nemo for private respondents.

Written reply of the respondents is still awaited. Learned AAG is required to contact the official respondents. Proper notices be issued to private respondents. Last opportunity is granted to the respondents to furnish reply/comments within 10 days in office positively, failing which their right of reply shall be deemed as struck off. Case to come up for arguments on 11.01.2021 before the D.B.



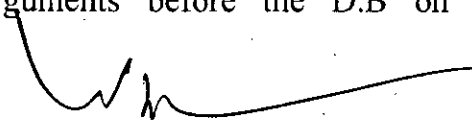
(Salah-ud-Din)
Member(J)


Chairman

11.01.2022

Junior to counsel for the appellant. Mr. Kabirullah Khattak, Addl. AG alongwith Mr. Usman ADEO for official respondents No. 1 to 3 present. Nemo for private respondents No. 4 to 8, hence proceeded ex-parte.

Representative of official respondents No. 1 to 3 submitted reply/comments which are placed on file. To come up for rejoinder if any, and arguments before the D.B on 28.04.2022.


(Atiq-Ur-Rehman Wazir)
Member (E)

05.08.2021

Counsel for the appellant present. Preliminary arguments heard.

Learned counsel for the appellant contends that the case of Mr. Asghar Ali Vide Service Appeal No. 1191/2020 involving common question of facts and law has already been admitted for regular hearing. Further contends that the appellant has suffered in term of her due right for promotion by wrong promotion of others i.e. private respondents. Points raised need consideration. The appeal is admitted for hearing subject to all legal objections including that of limitation to be determined during full hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments in office within 10 days after receipt of notices, positively. If the written reply/comments are not submitted within the stipulated time, or extension of time is not sought through written application with sufficient cause, the office shall submit the file with a report of non-compliance. File to come up for arguments on 21.10.2021 before the D.B.

Appellant Deposited
Security & Process Fee

Chairman

19.01.2021

Appellant present through counsel.

Vide order dated 19.01.2021 in the connected service appeal titled Mst. Noor Shaheen Vs. Education Department, file to come up alongwith connected files on 20.02.2021 before S.B.



(Rozina Rehman)
Member (J)

20.04.2021

Due to demise of the Worthy Chairman the Tribunal is defunct, therefore, case is adjourned to 05.08.2021 for the same as before.

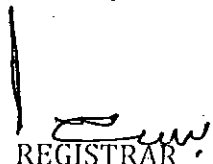
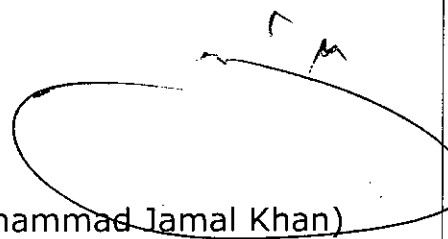


Reader

Form-A
FORM OF ORDERSHEET

Court of _____


Case No. /2020

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
03.11.2020	23/9/2020	<p style="text-align: center;">As per direction of the Worthy Chairman this case is submitted to the S. Bench for decision on office objection. To be put up there on <u>03/11/20</u>.</p> <p style="text-align: right;"> REGISTRAR</p> <p style="text-align: center;">Nemo for appellant.</p> <p>Since the Members of the High Court as well as of the District Bar Association, Peshawar, are observing strike today, therefore, learned counsel for appellant is not available today. Adjourned to 19.01.2021 on which date to come up for arguments on office objection before S.B.</p> <p style="text-align: right;"> (Muhammad Jamal Khan) Member (Judicial)</p>

The present appeal was submitted on 23.6.2020 by the appellant through Mr. Majeedullah Advocate, so many deficiencies were found in the appeal, objections were raised by this office and appeal was returned to the counsel for the appellant. Today on 12.08.2020 the appeal is resubmitted by the appellant through Mr. Shamsul Hadi Advocate, the learned counsel totally changed the previous memo of appeal and submitted a new memo of appeal. It is pertinent to mention here that the learned counsel only changed the memo of original appeal but he submitted the previous spare copies which are also incomplete. There are contradiction between the original memo of appeal and spare copies. Moreover the counsel for the appellant filed the present appeal against the two different cause of action i.e. promotion and seniority list and also made/preferred two spare departmental appeals but impugned seniority list is not attached with the appeal. Therefore, the objections raised by this office on 23.6.2020 are still stand and the appeal is returned again to the counsel for the appellant for completion and resubmission within 20 days. Note. Original appeal as well as spare copies shall be submitted in approved file covers and duly tagged.

No. 2497 /S.T,

Dt. 13-8 /2020.


REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR.

Mr. Shamsul Hadi Advocate, Swat.

*Resubmitted after
needed Revisament*




24-8-20

Re-submitted:-

that the seniority list was not provided to the appellant by the department that's why the said seniority list was not annexed and furthermore there is no legal bar to hear both the promotion & seniority in one and in the same appeal.

It is therefore request to file/publish the said appeal before the court/Tribunal to meet the ends of Justice.



21-08-2020

The appeal of Mst. Shahida Bibi C.T GGMS Bandagai Dir Lower received today i.e. on 23.06.2020 is incomplete on the following score which is returned to the counsel for the appellatant for completion and resubmission within 15 days.

- 1- Memorandum of appeal may be got signed by the appellatant.
- 2- Annexures of the appeal may be flagged.
- 3- Annexures of the appeal may be attested.
- 4- Addresses respondent Nos. 4 to 8 are incomplete which may be completed according to the Khyber Pakhtunkhwa Service Tribunal rules 1974.
- 5- Copy of impugned promotion order dated 25.2.2020 mentioned in the heading of the appeal is not attached with the appeal which may be placed on it.
- 6- Copy of departmental appeal against the impugned promotion order is not attached with the appeal which may be placed on it. Annexure-D is an appeal against the seniority list but not against a promotion order because the impugned promotion order was passed on 25.2.2020 and appeal was made on 24.2.2020 much before passing the impugned promotion order.
- 7- Copies of tentative seniority list and objection on tentative seniority list mentioned in para-2 of the memo of appeal are not attached with the appeal which may be placed on it.
- 8- Ten more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 1282 /S.T,

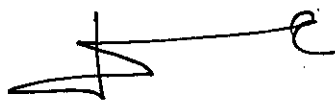
Dt. 23-06 /2020.


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Majeedullah Adv.
District Court Dir Lower.

Respected sdyi

It is requested that requests documents as per order dated 23/6/2020 could not be received, therefore it is requested that time be extended being compliance



**BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,
PESHAWAR.**

Service Appeal No. _____/2020.

Mst Shabina Bi Bi (C.T).....Appellant.

V E R S U S

Director, E&S Education KPK and others..... Respondents

INDEX

S.N	Description of Documents	Annex	Pages
1.	Memo of Appeal along with Affidavit.		1---5
2.	Addresses of Parties.		6
3.	Copies of XXXXXXXXXX promotion order.	A	7-10
4.	Copy of Regularization Act,2018 and regularization order of respondent 4 to 8.	B	11-20
5.	Copy of impugned promotion order dated:13.02.2020	C	21-23
	Copies of departmental appeals	D	24-28
	Wakalat Nama		29

Shabina
Appellant

Through

Shams ul Hadi

Advocate.

Office: Swat Shopping Mall, Opposite Peshawar
High Court Mingora Bench.

Clerk Cell No.03474773449

(1)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

PESHAWAR

APPEAL NO. _____/2020



Diary No. 5448

Dated 23/6/2020

Mst. Shabina Bibi D/O Muhammad Nishad

Certified Teacher (BPS-15), GGHS Bandgay Talash Dir Lower KPAPPELLANT

VERSUS

1. The Secretary (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
2. The Director (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
3. The District Education Office (F), District Dir Lower.
4. Mst. Hafsa Bibi (GGHS Khazana) District Dir Lower.
5. Mst. Seema Gul (GGHS Mian Banda), District Dir Lower.
6. Mst. Nasira Bibi (GGHS Odigram), District Dir Lower.
7. Mst. Zaib un Nisa (GGHS Shawa), District Dir Lower.
8. Mst. Shehnaz (GGMS Ajabay), District Dir Lower.

All care of District Education officer (F), Dir Lower.....RESPONDENTS

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974, AGAINST THE PROMOTION ORDER ISSUED BY THE RESPONDENTS NO 1 TO 3 DATED: 25-02-2020, WHEREBY THEY ILLEGALLY PROMOTED THE PRIVATE RESPONDENTS NO 4 TO 19 ADHOC/CONTRACT EMPLOYEE OF 2014 CT BPS-15 TO SCT BPS-16 AND THE APPELLANT REGULAR EMPLOYEE OF CT BPS-15 IS EVENTUALLY PLACED JUNIOR TO THE PRIVATE RESPONDENTS NO 4 TO 19.

Filed to-day

Registrar

23/6/2020

PRAYER

THAT ON ACCEPTANCE OF THIS APPEAL THE IMPUGNED ORDER DATED: 13-02-2020 ISSUED BY THE RESPONDENTS NO 1 TO 3 MAY KINDLY BE SET ASIDE TO THE EXTENT OF PROMOTION OF PRIVATE RESPONDENTS NO 4 TO 19 AND THEY MAY KINDLY BE CONSIDER JUNIOR TO APPELLANT AND THE APPELLANT BE PLACED SENIOR TO THE PRIVATE RESPONDENTS NO 4 TO 19 AND THE APPELLANT MAY KINDLY BE ORDERED TO BE PROMOTED TO THE POSTS OF SCT ON THEIR RESPECTIVE TURN.

R/SHEWETH:

ON FACTS:

1. That the appellant is initially appointed as PST and now serving on the regular post of CT (BPS-15) in education department.
2. That recently the District Education Officer (M), Dir Lower i.e. respondent No 3 circulated final seniority list of certified teachers of Dir Lower whereby the name of the appellant has totally been ignored while those NTS teachers who have been appointed as adhoc/contract C.T in BPS-15 in the year 2014 and were regularized vide office order

(1A)

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,
PESHAWAR.

Service Appeal No. 72422020.

Mst Shabina Bi Bi (C.T)

Presently posted at GGHS Bandagy Talash, Dir Lower.

R/O Village Talash Dir Lower.....Appellant.

V E R S U S

1. Director, Elementary & Secondary Education Pakhtunkhwa, Peshawar.
2. District Education Officer(Female), Dir Lower.
3. Secretary Education, Khyber Pakhtunkhwa, Peshawar.
4. Hafsa Bi Bi (C.T)
Presently posted at GGHS Khazana, Dir lower.
5. Seema Gul (C.T)
Presently posted at GHHS Mian Banda, Dir lower.
6. Nasira Bi Bi (C.T)
Presently posted at GGHHS Odegram, Dir lower.
7. Zaib un Nisa (C.T)
Presently posted at GGHSS Shewa, Dir lower.
8. Mst Shenaz (C.T)
Presently posted at GGMS, Ajaby Dir lower.

.....Respondents

APPEAL UNDER SECTION 4 OF KHYBER
PUKHTUNKHWA SERVICES TRIBUNAL, ACT
1974, AGAINST THE IMPUGNED PROMOTION
ORDER DATED;13.02.2020 THROUGH WHICH
Respondents Nos.4 to 8 WERE PROMOTED TO
THE POSTS OF SENIOR CERTIFIED TEACHER
SCT (BPS-16) ON REGULAR BASIS AND ALSO
AGAINST THE IMPUGNED SENIORITY LIST
THROUGH WHICH RESPONDENTS NOS.4 TO 8
WERE PLACED SENIOR FROM APPELLANT.

PRAYER IN APPEAL:

ON ACCEPTANCE OF THIS APPEAL, IMPUGNED PROMOTION ORDER DATED;13.02.2020 THROUGH WHICH RESPONDENTS Nos.4 to 8 WERE PROMOTED TO THE POSTS OF SENIOR CERTIFIED TEACHER, SCT (BPS-16) ON REGULAR BASIS MAY KINDLY BE SET ASIDE AND IMPUGNED SENIORITY LIST THROUGH WHICH RESPONDENTS NO.4 TO 8 WERE PALCED SENIOR FROM APPELLANT MAY ALSO KINDLY BE DECLARE ILLEGAL, AGAINST THE LAW AND RULES AND THE SAME MAY ALSO BE SET ASIDE AND RESPONDENTS NO. 4 TO 8 MAY KINDLY BE DECLARE JUNIOR TO APPELLANT.

Respectfully Sheweth:

1. That initially, the Appellant was appointed as Primary School teacher (PST) since long and latter on, the appellant was promoted to the posts of Certified Teacher (C.T BPS-15).(Copies of Promotion order are annexure-A)
2. That Respondents Nos.4 to 8 were appointed as Certified Teacher (C.T) on 30.05.2014 on adhoc/contract basis through NTS and as such services of Respondents Nos. 4 to 8 were regularized in the year 2018 through an act i-e " The Khyber Pakhtunkhwa Employees (Regularization of Services Act, 2018". It is pertinent to mention here that according to section 5 of the ibid Act, the employees whose services are regularized under this Act shall placed/declared junior to all other similarly placed/similar cadre employees who are in service on regular basis.(Copy of regularization Act of 2018 and regularization order of 2018 are annexure-B)
3. That according to the relevant rules, promotion from C.T BPS-15 to the post of SCT BPS-16, 5 years service on CT post is mandatory but through impugned promotion order dated:13.02.2020 respondents Nos.4 to 8 were promoted to the

Posts of SCT BPS-16 against the relevant promotion rules and they were also placed senior on seniority list from the appellant without circulating the seniority list. (Copy of impugned promotion order dated: 13.02.2020 is annexure-C)

4. That after the impugned promotion order dated: 13.02.2020, the appellant approached respondents No.1 and 2 for getting copies of impugned seniority list and impugned promotion order where they have refused to provide copy of seniority list hence the appellant filed separate departmental appeals against the impugned promotion order dated; 13.02.2020 and impugned seniority list, where the same were not decided within statutory period. (Copies of departmental appeals are annexure-D)
5. That time and again the Appellant made so many request to concerned officials for obtaining seniority list but till date no heed was paid to his requests nor the said seniority list was provided to appellant for further legal adjudication.

That being aggrieved the Appellant, prefers this appeal on the following grounds amongst others inter-alia.

GROUND:

- A. That the actions and inactions of the respondents by promoting the respondents and are against the law and policy laid down for the purpose and the same is also against the regularization Act, 2018.
- B. That impugned promotion order dated: 13.02.2020 has badly prejudice legitimate expectancy of promotion of the appellant because through impugned promotion order the official respondents have filled the vacant posts of SCT BPS-16 and they have also placed senior respondents Nos.4 to 8 on seniority list against the law and regularization Act.

C. That the posts of S.C.T BPS-16 were filled through promotion of the respondents on illegal seniority list and the said seniority list was also not circulated and till date the same has not been communicated to appellant, just to accommodate his blue eyed persons which clearly showing the ill intention of the respondents No.1 and 2.

It is, therefore, humbly prayed that on acceptance of this appeal, impugned promotion order dated;13.02.2020 through which respondents nos.4 to 19 were promoted to the posts of Senior Certified Teacher, SCT (BPS-16) on regular basis may kindly be set aside and impugned seniority list through which respondents no.4 to 8 were placed senior from appellant may also kindly be declare illegal, against the law and rules and the same may also be set aside and respondents no. 4 to 8 may kindly be declare junior to appellant.

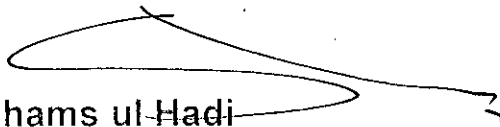
Or

Any other relief which this august Court deems appropriate may kindly be awarded to meet the ends of justice.

Appellant


Mst Shabina Bi Bi

Through


Shams ul Hadi
Advocate, Peshawar.

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,
PESHAWAR.

Service Appeal No. _____/2020.

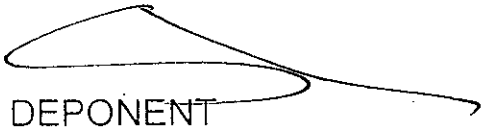
Mst Shabina Bi Bi (C.T).....Appellant.

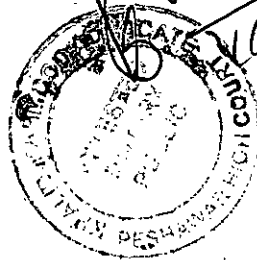
VERSUS

Director, E&S Education KPK and others..... Respondents

AFFIDAVIT

I, **Shams ul Hadi**, Advocate, Peshawar do hereby as per information conveyed to me by my client solemnly affirm and declare that the contents of the **appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.


DEPONENT



BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,
PESHAWAR.

Service Appeal No. _____/2020.

Mst Shabina Bi Bi (C.T).....Appellant.

VERSUS

Director, E&S Education KPK and others.....Respondents

ADDRESSES OF THE PARTIES

APPELLANT:

RESPONDENTS:

1. Director, Elementary & Secondary Education Pakhtunkhwa, Peshawar.
2. District Education Officer(Female), Dir Lower.
3. Secretary Education, Khyber Pakhtunkhwa, Peshawar.
4. Hafsa Bi Bi (C.T)
Presently posted at GGHS Khazana, Dir lower.
5. Seema Gul (C.T)
Presently posted at GHHS Mian Banda, Dir lower.
6. Nasira Bi Bi (C.T)
Presently posted at GGHS Odegram, Dir lower.
7. Zaib un Nisa (C.T)
Presently posted at GGHS Shewa, Dir lower.
8. Mst Shenaz (C.T)
Presently posted at GGMS, Ajaby Dir lower.

Shabina
Appellant

Through

Shams ul Hadi
Advocate, Peshawar.

A
M
A

OFFICE OF THE DISTRICT EDUCATION OFFICER (F) DISTRICT DIR LOWER

Office Order

Consequent upon the recommendation of the District Selection/Promotion Committee Dir lower in its meeting held on 25/04/2016 and in pursuance of Notification No. SO(PE)-5/SSRC/Meeting/2012/Teaching cadre Dated 13/11/2012 issued by the Govt. of Khyber Pakhtunkhwa (E&SE) Deptt. Peshawar and Notification No. SO(PE)-4-5/SSRC/Meeting/2012/Teaching cadre dated 24/04/2013 issued by the Govt. of Khyber Pakhtunkhwa (E&SE) Deptt. Peshawar, the following SPST's/PSHT's are hereby promoted to CT B-15 (Rs: 10985-905-38135) plus usual allowances as admissible under the rules with immediate effect in the interest of public service.

S#	S.L #	Name of Teacher	Name of School	Adjusted at	Remarks
1	15	Hamida Begum	GCMS Sehsada	GGHSS Chakdara	Against vacant post
2	272	Fazilat Begum	GGCMS Haji Abad	GGMS Khungi	Against vacant post
3	318	Rehana yasmin	GGPS Ouch Band	GGMS Ouch Maina	Against vacant post
4	324	Khadija	GGPS Jango	GGHS Jango	Against vacant post
5	368	Nizaket Ara	GGPS Ramyal	GGHSS Chakdara	Against vacant post
6	381	Tabassum Naz	GGPS Dab Timergara No.2	GGMS Qazi Abad	Against vacant post
7	388	Fatima bibi	GGPS Dheri	GGMS Soghalay	Against vacant post
8	392	Farhana Bibi	GGPS Ouch Band	GGMS Ouch Maina	Against vacant post
9	393	Najma	GGPS Haji Abad 1	GGHS Haji Abad	Against vacant post
10	397	Wilayat Rana	GGPS Bandagai	GGMS Bandagai	Against vacant post
11	401	Kanwal	GGPS Ouch Sharqi	GGMS Warsak	Against vacant post
12	404	Nazish Begum	GGPS Dab Timergara No.2	GGMS Qazi Abad	Against vacant post
13	410	Naz Begum	GGPS Asigi dara No.2	GGMS Saligram	Against vacant post
14	411	Sohil begum	GGPS Andheray	GGMS Kheema	Against vacant post
15	412	Noor jehan	GGPS Tikas	GGMS Soghalay	Against vacant post
16	419	Tajul Haram	GGPS Bandagai	GGMS Bandagai	Against vacant post
17	424	Noor shahida	GGPS Mirza Abad	GGHS Shamshi Khan	Against vacant post
18	432	Shahida Bibi	GGPS Gero Thangay	GGHS Bajawroo	Against vacant post
19	436	Sadaqat Shehriyar	GGPS Munjai	GGMS Rehanpur	Against vacant post
20	449	Falak Naz Begum	GGPS Ouch Maina	GGMS Warsak	Against vacant post
21	452	Anwar Sultan	GGPS Kotigram Payeen	GGMS Khair Abad	Against vacant post
22	489	Himayat Begum	GGPS Manyal	GGHS Manyal	Against vacant post
23	491	Musarrat Begum	GGPS Nambatai	GGMS Bandai Maioan	Against vacant post
24	504	Abida Begum	GGPS Latai Siar	GGMS Khair Abad	Against vacant post
25	514	Nagina Khanam	GGPS Khair Abad	GGMS Maine Baltan	Against vacant post
26	516	Fahmeda Bibi	GGPS Timergara No.1	GGMS Kheema	Against vacant post
27	528	Kaloom Begum	GGPS Shakar Tangey	GGMS Shatai	Against vacant post
28	536	Ruqia	GGPS Tiso	GGHS Osakai	Against vacant post
29	538	Abda Bibi	GCMS Sehsada	GGHS Ramora	Against vacant post
30	539	Navida Bibi	GGPS Sangar	GGHS Rani	Against vacant post
31	546	Shamshad Begum	GGPS Nare tangey	GGMS Niaray Tangay	Against vacant post
32	550	Nargis Saeed	GGPS Andheray	GGHS Khandaro	Against vacant post

ATTESTED

[Signature]

8

S#	S.L #	Name of Teacher	Name of School	Adjusted at	Remarks
33	553	Zuhra Begum	GGPS Daro	GGMS Markhanai	Against vacant post
34	559	Walayat Bibi	GGPS Dhrai Gawhar Gat	GGMS Shagai	Against vacant post
35	563	Noor ul Huda	GGPS Hundak	GGHS Sher Khanay	Against vacant post
36	569	Musarat	GGPS Shingrai	GGHS Kityarai	Against vacant post
37	572	Shamim Akhtar	GGPS Jango	GGHS Jango	Against vacant post
38	577	Asia Bibi	GGPS Ouch Maina	GGHS Osakai	Against vacant post
39	585	Shawkat Ara	GGPS Zaimdara	GGMS Gall	Against vacant post
40	591	Kaosar Jehan	GGPS Kotky (P)	GGHS Thrai	Against vacant post
41	592	Farzana	GGPS Jango	GGHS Shawa	Against vacant post
42	595	Amina Bibi	GGPS Danwa	GGMS Danwa	Against vacant post
43	603	Gohar begum	GGPS Odigram	GGHSS Kumbar	Against vacant post
44	604	Shehnila	GGPS Pingal	GGMS Terona	Against vacant post
45	605	Sarwat bibi	GGPS Khuni Dand No.2	GGHS Shawa	Against vacant post
46	608	Nilam Hayat	GGPS Tingar	GGHSS Kumbar	Against vacant post
47	609	Kausar bibi	GGPS Tikni Payen	GGHS Khanpur	Against vacant post
48	610	Gulzaar begum	GGCMS Haji Abad	GGHS Haji Abad	Against vacant post
49	611	Sarwat Jabeen	GGPS Odigram	GGHS Moranai	Against vacant post
50	612	Maryam Begum	GGPS Galgut	GGHS Hayaserai	Against vacant post
51	613	Fouzia Rashid	GGPS Shera Malakand	GGHS Malakand (P)	Against vacant post
52	615	Shabnam ara	GGPS Ouch Jangzai	GGHS Kityarai	Against vacant post
53	645	Alia Begum	GGPS Kalo Mannai	GGMS Sarai Bala	Against vacant post
54	653	Samia	GGPS Darmal Bala	GGMS Darmal (B)	Against vacant post
55	655	Asmat Ara	GGPS Paloso	GGHSS Mayar	Against vacant post
56	676	Najma Begum	GGPS Jrandi Dherai	GGHS Hayaserai	Against vacant post
57	677	Nasreen Noor	GGPS Qila Damtal	GGHSS Samar Bagh	Against vacant post
58	691	Bushra Zaiba	GGPS Bandai Maidan	GGMS Bandai Maidan	Against vacant post
59	735	Noorina	GGPS Laram	GGMS Adam Dherai	Against vacant post
60	736	Faras Begum	GGPS Shagai Maidan	GGMS Shagai	Against vacant post
61	737	Nighat Seema	GGPS Asbanr No.2	GGHS Asbanr	Against vacant post
62	739	Shehnaz Begum	GGPS Ouch Sharqi	GGHS Bagh Kandai	Against vacant post
63	748	Salma Bibi	GGPS Koto	GGHS Koto	Against vacant post
64	753	Nagina	GGPS Tazagram	GGMS Talai Siah	Against vacant post
65	766	Shabina Nishad	GGPS Tikas	GGMS Bangay	Against vacant post
66	772	ishrat nishad	GGPS Gumbath Talash	GGHS Shamshi Khan	Against vacant post
67	773	Rojia Bibi	GGPS Hanfia	GGMS Sadbar Kalay	Against vacant post
68	776	Saima	GGPS Sar Lara	GGHSS Kumbar	Against vacant post
69	778	Nasim Begum	GGPS Sabay Maidan	GGMS Barkhanay	Against vacant post
70	785	Mehnaz Subhan	GGPS Chakdara	GGHS Bagh Kandai	Against vacant post
71	791	Shabnam Begum	GGPS Musa Abad	GGHS Kotki P.K	Against vacant post
72	792	Roshan Zia	GGPS Tikni Payeen	GGHS Asbanr	Against vacant post
73	793	Zar Begum	GGPS Cheno	GGMS Ajo	Against vacant post
74	797	Iqbal Begum	GGPS Barkhanay	GGHSS Kumbar	Against vacant post

ATTESTED
to be true copy
Advocate

THE KHYBER PAKHTUNKHWA EMPLOYEES (REGULARIZATION OF SERVICES) ACT, 2018.

(KHYBER PAKHTUNKHWA ACT NO. X OF 2018)

11

B

9

S#	S.L #	Name of Teacher	Name of School	Adjusted at	Remarks
75	809	Rashida Begum	GGPs Gul Dherai Maidan	GGMS Barkhanay	Against vacant post
76	810	Zinat Begum	GGPS Darmal Payen	GGHS Kadh	Against vacant post
77	832	Shahnaz Begum	GGPS Kalpani	GGMS Sarai Bala	Against vacant post
78	833	Shabana Begum	GGPS Saligram	GGMS Siar Qalagai	Against vacant post
79	836	Farida Bibi	GGPS Pato Talash	GGHS Nagri	Against vacant post
80	837	Habibia rahman	GGPS Ziarat	GGHS Nagri	Against vacant post
81	838	Shehla Islam	GGPS Khadagzai (P)	GGHS Khadagzai	Against vacant post
82	842	Rukhsana Bibi	GGPS Timergara No.1	GGHS Koto	Against vacant post
83	843	Amina Chand	GGPS Kasoo	GGHS Asbanr	Against vacant post
84	847	Saeeda Naz	GGPS Bishgram	GGHS Bishgram	Against vacant post
85	849	Seema Bakht	GGPS Kandar	GGHS Khazana	Against vacant post
86	852	Nargis Zada	GGPS Serai Ramora	GGHS Badwan	Against vacant post
87	854	Minhaj Begum	GGPS Macho	GGHS Bagh Dushkhei	Against vacant post
88	858	Taslim begum	GGPS Qamar Kotke	GGHS Kadh	Against vacant post
89	859	Sarwat bibi	GGPS Kotigram Payeen	GGHS Mian Brangola	Against vacant post
90	860	Noorul Huda	GGPS Kotka Y Maidan	GGHS Hayaserai	Against vacant post
91	863	Maryam Bibi	GGPS Mandesh	GGMS Khall (P)	Against vacant post
92	866	Shaheen Begum	GGCMS Tangy	GGHS Khazana	Against vacant post
93	872	Shahida Parveen	GGPS Tazagram	GGHS Mian Brangola	Against vacant post
94	880	Asia Bibi	GGPS Kasoo	GGHS Inzaro	Against vacant post
95	881	Saima Bibi	GGPS Bocahkay	GGHS Inzaro	Against vacant post
96	882	Khalida Shah	GGPS Gudya khwar	GGHS Tawda China	Against vacant post
97	895	Menhas Begum	GGPS Asigi dara No.1	GGMS Khall Colony	Against vacant post
98	896	Zinat Begum	GGPS Gero Tangay	GGMS Garrah	Against vacant post
99	897	Asma Malak	GGPS Balambat Colony	GGHS Koheray	Against vacant post
100	898	Riyasat Begum	GGPS Jabagai Balambat	GGHS Koheray	Against vacant post
101	899	Nizakat Bibi	GGPS Khema	GGHS Gosam	Against vacant post
102	901	Shakeela Naz	GGPS Lass Khan	GGHS Biyarai	Against vacant post
103	903	Razia Bibi	GGPS Charingo	GGHS Koto	Against vacant post
104	906	Gul hids	GGPS Sher Khanay	GGHS Hayaserai	Against vacant post
105	908	Fahmida Bibi	GGPS Sangwalai Bala	GGHS Sherkhanay	Against vacant post
106	910	Saima Zarin	GGPS Barghando	GGMS Dalgram	Against vacant post
107	920	Razia Bibi	GGPS Markhanai Maidan	GGMS Dalgram	Against vacant post
108	924	Musarat Bibi	GGPS Bandai Maidan	GGMS Gumbath Banda	Against vacant post
109	928	Shagufta Begum	GGPS Shagai Maidan	GGMS Babagam	Against vacant post
110	932	Bibi Mukarama	GGPS Timer Dherai	GGMS Khall Colony	Against vacant post
111	935	Robina Ali	GGPS Kweray No.2	GGHS Khazana	Against vacant post
112	961	Nahid Akhtar	GGPS Gumbath Banda	GGMS Gumbath Banda	Against vacant post
113	966	Nagina Naz	GGPS:Shontala	GGHSS Samar Bagh	Against vacant post
114	973	Shafia begum	GGPS kwarai(M.banda)	GGMS Kwarai Mano Banda	Against vacant post
115	979	Muzlifat ara	GGCMS Tarnaw	GGHS Mian Kalay	Against vacant post

ATTESTED

to be kept as copy

TERMS & CONDITION.

1. They will be governed by such rules and regulations as may be issued from time to time by the Govt.
2. Their services can be terminated at any time, in case their performance is found unsatisfactory during probationary period. In case of misconduct, they will be proceeded under the rules framed from time to time.
3. This order is issued, errors and omission accepted, as a notice only.
4. 60% candidates have been promoted from amongst the eligible SPST's/PSHT's.
5. They will give an under taking to be recorded in their service book to the effect that if any over payment is made to them in light of this order will be recovered and if they are wrongly promoted they will be reversed.
6. The SDEO's (F) Samar Bagh & Timergara Sub-Division are directed to relieve them immediately and LPC's/ service books may be completed and handed over to them.
7. No refusal will be allowed as each and every one has been contacted and obtained her consent in advance.
8. No TA/DA is allowed for joining their duty.
9. Charge report should be submitted to all concerned.

(ZAIBUN NISA)
 DISTRICT EDUCATION OFFICER
 (F) DISTRICT DIR LOWER.

Endst: No. 2071-76

Dated Timergara the 27/04/2011

- Copy forwarded for information and necessary action to the:-
1. Director (E&SE) Khyber Pakhtunkhwa Peshawar.
 2. District Account Officer District Dir Lower.
 3. Principals/Head Mistress of the schools concerned.
 4. All the SDEOs Concerned.
 5. Officials Concerned.
 6. M/File.

[Handwritten Signature]
 DISTRICT EDUCATION OFFICER
 (F) DISTRICT DIR LOWER.

[Handwritten Signature]
ATTESTED
 to be true copy
 Advocate

Advocate

(11) B 2
10

THE KHYBER PAKHTUNKHWA EMPLOYEES (REGULARIZATION OF SERVICES) ACT, 2018.

(KHYBER PAKHTUNKHWA ACT NO. X OF 2018)

Printed and published after having received the assent of the Governor of the Khyber Pakhtunkhwa in the Gazette of Khyber Pakhtunkhwa (Extraordinary), dated the 7th March, 2018.

**AN
ACT**

to provide for the appointment and regularization of services of certain employees appointed on adhoc basis against civil posts and contract basis against project posts in the Province of the Khyber Pakhtunkhwa.

WHEREAS it is expedient to provide for the appointment and regularization of services of certain employees appointed on adhoc basis against civil posts and contract basis against project posts in the Province of the Khyber Pakhtunkhwa;

It is hereby enacted as follows:

1. Short title, application and commencement.---(1) This Act may be called the Khyber Pakhtunkhwa Employees (Regularization of Services) Act, 2018.

(2) It shall apply to all the employees as defined in clause (e) of sub-section (1) of section 2 of this Act.

(3) 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;

(b) "contract appointment" means the appointment of a duly qualified person, for a specific period, made against project posts, in a prescribed manner;

(c) "Departmental Selection Committee" means a Departmental Selection Committee, constituted for the purpose of making selection for initial recruitment to civil post under a Government Department or office of Government;

Advocate

ATTESTED

to be true copy
Advocate

18
(12)

(d) "Government" means the Government of the Khyber Pakhtunkhwa;

(e) "employees" mean duly qualified,-

(i) one hundred and fifty-eight (158) District Specialists of Health Department, who are appointed on adhoc basis against civil posts w.e.f. 4th July, 2017 and holding such civil posts till the commencement of this Act; and

(ii) persons, who are appointed in the projects on contract basis in accordance with the project policy;

(f) "Government Department" means a Government Department, as defined in the Khyber Pakhtunkhwa Government Rules of Business, 1985;

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

(h) "project" means a perpetual nature project, the continuation on which and conversion to regular budget is essential for service delivery duly identified by the Departments and reflected in the Schedule;

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

(j) "project post" means a post in the project; and

(k) "Schedule" means a Schedule appended to this Act.

(2) The expression "adhoc appointment" shall have the same meaning as is assigned to it in the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No. XVIII of 1973).

3. Regularization of services of adhoc employees.---Notwithstanding anything contained in any law or rules, the employees at sub-clause (i) of clause (e) of subsection (1) of section 2 of this Act, appointed on adhoc basis against civil posts and holding such civil posts till the commencement of this Act, shall be deemed to have been validly appointed on regular basis, from the date of commencement of this Act,

ATTESTED

to be true copy
Advocate

subject to verification of their qualifications and other credentials by the concerned Government Department.

4. Regularization of services of project employees.---Notwithstanding anything contained in any law or rules, the employees at sub-clause (ii) of clause (e) of sub-section (1) of section 2 of this Act, appointed on contract basis against project posts and holding such project posts till the commencement of this Act, shall be deemed to have been validly appointed on regular basis from the date of commencement of this Act, subject to verification of their qualifications and other credentials by the concerned Government Department:

(13)

Provided that the terms and conditions of services of employees reflected at S.No.5 of the Schedule shall further be governed under the National Disaster Management Authority Act, 2010 (Act No. XXIV of 2010) and Regulations made thereunder; and the terms and conditions of services of employees reflected at S.No.6 & 7 of the Schedule shall be governed under the Khyber Pakhtunkhwa Emergency Reserve Services Act, 2012. (Khyber Pakhtunkhwa Act No. XV of 2012).

5. General conditions for regularization.---For the purpose of regularization of the employees under this Act, the following general conditions shall be observed:

- (i) the service promotion quota of all service cadres shall not be affected;
- (ii) the employees shall possess the same qualification and experience as required for a regular post;
- (iii) the employees have not resigned from their services or terminated from service on account of misconduct, inefficiency or any other grounds before the commencement of this Act; and
- (iv) the services of such employees shall be deemed to have been regularized only on the publication of their names in the Official Gazette.

6. Seniority.---(1) Except the employees mentioned in the proviso to section 4 of this Act, whose services are to be regulated by their respective laws and rules, all other employees whose services are regularized under this Act or in the process of obtaining 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 or Departmental Selection Committee, as the case may be, made before

ATTESTED

to be true copy
Advocate

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 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 affiliation in such service or cadre:

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

7. **Removal of difficulties.**---If any difficulty arises in giving effect to any of the provisions of this Act, the Chief Minister may make such order not inconsistent with the provisions of this Act as may appear to it to be necessary for the purpose of removing such difficulty:

Provided that no such powers shall be exercised after the expiry of one year from the coming into force of this Act.

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

J
ATTESTED
to be true copy
Advocate

21 46
15

SCHEDULE
See section 2(1)(h)(k)

1. Capacity Building of Planning and Development Department.
2. Establishment of M&E System in Khyber Pakhtunkhwa.
3. Sustainable Development Unit, Planning and Development Department.
4. Urban Policy Unit, Planning and Development Department.
5. Provincial Reconstruction, Rehabilitation & Settlement Authority under Provincial Disaster Management Authority.
6. Establishment of Emergency Rescue Services (Rescue 1122) in 16 Districts.
7. Establishment of Planning, Monitoring & Evaluation Wing in ERS (Rescue 1122) Headquarter.
8. Roll Back Malaria Control Program.
9. Prime Minister's Program for prevention and control of Hepatitis.
10. Establishment of Financial Management Cell in Health Department.
11. Establishment of Safe Blood transfusion.
12. Strengthening of TB Control Program Khyber Pakhtunkhwa.
13. Establishment of Procurement Cell in office of DCI Health Services, Peshawar.
14. Mother, Neonatal and Child Health (MNCH) Program in Khyber Pakhtunkhwa.

et
ATTESTED
to be true copy
Advocate

22

RS

16

15. Social Health Protection Initiative for Khyber Pakhtunkhwa.
16. Establishment of Bacha Khan Medical College Mardan.
17. Integrated HIV, Hepatitis and Thalassemia Control Program.
18. Construction of Shaheed Mohtarama Benazir Bhutto Children Hospital Mardan.
19. Higher Education Management Information System (HEMIS) Cell.
20. Project Management Unit (PMU) for implementation of BS Program and Special Initiatives.
21. Computerization of Arms License.
22. Prison Management Information System.
23. Development of Common Application for Government Departments.
24. ICT Infrastructure for Government of Khyber Pakhtunkhwa.
- 24A. IT Support for Improvement of Health Service Delivery.
- 24B. IT Professional Training Centre.
25. Strengthening of Planning Cell at Elementary & Secondary Education Department.
26. Provision of free text book to all students of Khyber Pakhtunkhwa upto Intermediate level (Phase-XIV).
27. Strengthening of Planning Cell at Industries Department.
28. Establishment of Special Media Cell in the Directorate of Information.
29. Strengthening of Information Department.

ATTESTED
to be true copy
Advocate

- 8.1.19.14.14
- 25
- 17
30. Establishment of three FM Stations at Kohat, Swat and Abbottabad.
 31. Establishment of Planning Cell at Local Government and Rural Development Department.
 32. Retirement Benefit and Death Compensation Cell.
 33. Automation of Pension Payment System (APPS).
 34. Energy Monitoring Unit.
 35. Establishment of Planning Cell in Food Department.
 36. Automation of Food Department.
 37. Operationalization of Redesigned Energy and Power Department.
 38. Establishment of Planning Cell in Energy and Power Department.
 39. Computerization of Land Record.
 40. Creation of MRS Cell in C&W Department.
 41. Enhancement of existing facilities in MIS/CIS for C&W Department.
 42. Strengthening of Planning Cell and Monitoring of Developmental Projects of Agriculture Department.
 43. Project Coordination Unit (PCU) for Implementation of Law and Order Initiative in Khyber Pakhtunkhwa.
 44. Afghan Management and Repatriation Cell at Home Department.
 45. Traffic Control Management System and FM Radio 693-120173.
 46. Strengthening of Prosecution Directorate, PCMC and Planning Cell at Home Department.

ATTESTED

to be true copy
Advocate

24

17

(18)

47. Establishment of 100 Family Welfare Centers.
48. Establishment of Population and Research Training Institute and Social Mobilization.
49. Value Addition/Research and Development works on Ore Minerals in Khyber Pakhtunkhwa.
50. Establishment of Model Coal Mine at Shuhkot District Nowshera.
51. Establishment of Zoo for Peshawar Division.
52. Development and Management of National Park in Khyber Pakhtunkhwa.
53. Conservation and Management of Wildlife in Central and Northern Division.
54. Establishment of Monitoring, Evaluation, Grievance and Inquiry Cell in Administrative Department.
55. Establishment of Climate Change Cell for Multilateral Environmental Agreements.
56. Carbon Stock Assessment in Khyber Pakhtunkhwa.
57. Introduction of Range Management Initiatives in Khyber Pakhtunkhwa.
58. Establishment of Engineering Wing in Sports, Tourism, Archeology, Youth Affairs and Museums Department.

et
ATTESTED
to be a true copy
Advocate

District Education Officer Female Dir Lower



PH No. 0945-9250083,

Fax : 0945-824083

E-mail emisdeofdirlower@gmail.com

19

Notification.

Under the provision of The Khyber Pakhtunkhwa Employees of the Elementary and Secondary Education (Appointment and Regularization of Services) Act, 2018 (Khyber Pakhtunkhwa Act No.1 of 2018), & Elementary and Secondary Education Govt: of Khyber pukhtonkhwa notification No.SO(S/F) E&SED/3-2/2018/SITT/Contract dated:16/02/2018, Services of the following Certified Teachers (CT's) appointed on adhoc basis on Contract, are hereby regularized in BPS-15, on the same posts in Teaching Cadre on the terms and condition given below with effect from the date of their appointment on the CT post :-

CT-2014

Sr	RollNo	Name	Address	Total Marks [out of 200]	School	Appointment order No and dated	Extens order No and date if any
1.	2410180	Hafsa Bibi	Sado Dir Lower CNIC NO 15302-1690111-4	122.17	GGMS Shuntala	1075-78 Date 03/052014	5472-7 dated 1.08-20
2.	2410211	Shahnaz	Mayar Dir Lower CNIC NO 71501-020706-6	120.49	GGMS Maskani	---do---	---do---
3.	2411518	Shaista Bibi	Chakdara Dir lower	117.13	GGMS Laram	---do---	---do---
4.	2410206	Seema Gull	Chakdara Dir lower CNIC no 15307-1808310-6	116.86	GGMS Nary Tangai	---do---	---do---
5.	2410159	Nasira Bibi	Balambat Dir Lower CNIC NO 15306-4398096-0	115.85	GGMS Lajbok	---do---	---do---
6.	2410186	Zeb Un Nisa	Tindodog Adenzai Dir Lower 37301-2228890-0	115.02	GGMS Mator	---do---	---do---

CT-2015

Sr	RollNo	Name	Address	Total Marks [out of 200]	School	Appointment order No and dated	Extens order No and date if any
1.	891101402	TAHIRA JAMAL	SHAHI KHEL TALASH	118.8	GGMS Beroo	---do---	---do---
2.	451100420	NEELEM HABIB	PILA KHAIL LUND KHWAR DISTRICT MARDAN	117.2	GGMS Buchakay	---do---	---do---
3.	891101252	SAADAT BIBI	SHAHI KHEIL	116.3	GGMS Dehrai	---do---	---do---

Distt: Education officer
(F) Distt: Dir (L)

order
①
ATTESTED

ATTESTED
[Signature]

Dir Lower Female Regularization Order CT Adhoc

20



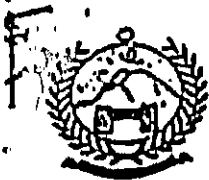
33.	8942000105	AISHA BEGUM	VILLAGE MUSSA ABAD TEHSIL AND POST OFFICE MUNDA DISTRICT LOWER DIR	103.57	GGMS BERO	--do--
34.	8942000520	NASIM	Talash Dir Lower	105.59	GGMS Ajoo	2977-85 Dated: 1-06- 2017
35.	8942000672	LUBNA NAZ	Talash Dir Lower	106.66	GGHS INZARO	2796-2804 Dated: 13-06- 2017
36.	8942000771	SAFIA BIBI	Adenzai Dir Lower	106.28	GGHS MAYAR	--do--
37.	8942000224	SADIA	Malakand Dir Lower	106.05	GGHS MAYAR	--do--
38.	7741000336	NASIHA SARDAR	Adenzai Dir Lower	105.44	GGHS TAWDA CHINA	--do--
39.	7742000726	UZMA GHAFOR	Dargai Malakand	105.42	GGHS MIAN BRANGOLA	--do--
40.	8942000305	ASMA GUL	Talash Dir Lower	103.00	GGHS DAMTAL	--do--
41.	8942000364	HINA RAFI	KHall Dir Lower	99.26	GGMS KOWARO MANAI	--do--

TERMS & CONDITIONS.

1. The regularization will not be in favour of those, who have not taken over charge or has remained absent from duty or resign from service and also not for those who are under disciplinary proceedings.
2. They will be governed by such rules and regulations as may be issued from time to time by the Govt.
3. The employees whose services are regularized under The Khyber Pakhtunkhwa Employees of the Elementary and Secondary Education (Appointment and Regularization of Services) Act, 2018 (Khyber Pakhtunkhwa Act No.1 of 2018) or in the process of attaining service at the commencement of The Khyber Pakhtunkhwa Employees of the Elementary and Secondary Education (Appointment and Regularization of Services) Act, 2018 (Khyber Pakhtunkhwa Act No.1 of 2018) 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 The Khyber Pakhtunkhwa Employees of the Elementary and Secondary Education (Appointment and Regularization of Services) Act, 2018 (Khyber Pakhtunkhwa Act No.1 of 2018), 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.

Distt: Education officer
(F) Distt: Dir (L)

TESTED



Notification

21

Annex

**Directorate of Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar**

Consequent upon the recommendation of the Departmental Promotion Committee and in pursuance of the Government of Khyber Pakhtunkhwa Elementary & Secondary Education Notification No. SO (B&A)/1-18/E&SE/2012 dated: 11.07.2012 and Finance Department Endorsement No. SO (FR)/FD/10-22(B) 2010 dated: 16.07.2012, the following CT, DM, AT, TT and PET (Female) are promoted to the post of Senior CT, Senior DM, Senior AT, Senior TT and Senior PET are promoted in BPS-16 (Rs. 18910-1520-61510) respectively, plus usual allowances as admissible under the rules on regular basis under the existing policy of the Provincial Government, on the terms and condition given below with immediate effect, and further they will be regulated by the District Education Officer (Female) concerned.

ITEM NO.1 PROMOTION OF CT II-15 TO SCT II-16 ON REGULAR BASIS

Method of Recruitment		Total Posts
By Promotion	Total No. of CT Posts(duly verified from DAO)	328
	1/3 share of Senior CT Posts	177
	Already Promoted	139
	Not to be Promoted	38
	Proposed for Promotion	10

S.No	S.L. No	Name	Place of Posting	Date of Birth	Date of Appointment as Regular	Remarks
01	01 ✓	Nazima Kalsoom	GGMS Markhanai	28/02/1973	28/02/1998	Services placed at the disposal of DEO (F) Dir Lower for further adjustment against the vacant post of SCT BPS-16 on regular basis with immediate effect.
02	02 ✓	Farzana Naz	GGMS Bandagai	15/12/1978	01/03/2004	Services placed at the disposal of DEO (F) Dir Lower for further adjustment against the vacant post of SCT BPS-16 on regular basis with immediate effect.
03	03 ✓	Zainab BIBI	GGMS Secr Toormang	15/05/1978	01/05/2004	Services placed at the disposal of DEO (F) Dir Lower for further adjustment against the vacant post of SCT BPS-16 on regular basis with immediate effect.
04	04 ✓	Jawhar Sanj	GGMS Khail Payeen	20/03/1978	01/04/2003	Services placed at the disposal of DEO (F) Dir Lower for further adjustment against the vacant post of SCT BPS-16 on regular basis with immediate effect.
05	05 ✓	Rukhsana Sultan	GGMS Warsak	01/07/1982	25/11/2006	Services placed at the disposal of DEO (F) Dir Lower for further adjustment against the vacant post of SCT BPS-16 on regular basis with immediate effect.
06	06 ✓	Mahiyat Begum	GGMS Maniyal	01/12/1976	01/03/2009	Services placed at the disposal of DEO (F) Dir Lower for further adjustment against the vacant post of SCT BPS-16 on regular basis with immediate effect.
07	07 ✓	Rabia Hina	GGMS Adam Dheri	01/03/1981	01/06/2011	Services placed at the disposal of DEO (F) Dir Lower for further adjustment against the vacant post of SCT BPS-16 on regular basis with immediate effect.
08	08 ✓	Neelam Shahzadi	GGMS Dara Ramora	01/04/1979	01/06/2011	Services placed at the disposal of DEO (F) Dir Lower for further adjustment against the vacant post of SCT BPS-16 on regular basis with immediate effect.
09	09 ✓	Jawahirat	GGMS Lajbook	10/07/1976	26/11/2011	Services placed at the disposal of DEO (F) Dir Lower for further adjustment against the vacant post of SCT BPS-16 on regular basis with immediate effect.

Scanned with CamScanner

ATTACHED COPY TO ADVOCATE

C.T.C (SB) 22

16	✓	Shaheena Parveen	GOCMS Timargara	25/10/1973	28/10/2014	Services placed at the disposal of DEO (F) Dir Lower for further adjustment against the vacant post of SCT BPS-16 on regular basis with immediate effect.	
11	17	✓	Balsalat Begum	GOMS Mandiali	01/01/1973	28/10/2014	Services placed at the disposal of DEO (F) Dir Lower for further adjustment against the vacant post of SCT BPS-16 on regular basis with immediate effect.
12	18	✓	Farhana	GGMS Tikni Payeen	01/03/1969	28/10/2014	Services placed at the disposal of DEO (F) Dir Lower for further adjustment against the vacant post of SCT BPS-16 on regular basis with immediate effect.
13	19	✓	Shahi Sultan	GOMS Assigni	02/03/1966	28/10/2014	Services placed at the disposal of DEO (F) Dir Lower for further adjustment against the vacant post of SCT BPS-16 on regular basis with immediate effect.
14	20	✓	Zahida BIBI	GOMS Qazi Abad	01/01/1974	15/11/2014	Services placed at the disposal of DEO (F) Dir Lower for further adjustment against the vacant post of SCT BPS-16 on regular basis with immediate effect.
15	10		Hafsa BIBI	GCHS Khazana	04/05/1983	03/05/2014	Services placed at the disposal of DEO (F) Dir Lower for further adjustment against the vacant post of SCT BPS-16 on regular basis with immediate effect.
16	12		Seema Gul	GCHS Minn Brangola	23/03/1986	03/05/2014	Services placed at the disposal of DEO (F) Dir Lower for further adjustment against the vacant post of SCT BPS-16 on regular basis with immediate effect.
17	13		Nasira BIBI	GCHS Odigram	03/03/1987	03/05/2014	Services placed at the disposal of DEO (F) Dir Lower for further adjustment against the vacant post of SCT BPS-16 on regular basis with immediate effect.
18	14		Zaib un Nisa	GCHSS Shawa	21/12/1979	03/05/2014	Services placed at the disposal of DEO (F) Dir Lower for further adjustment against the vacant post of SCT BPS-16 on regular basis with immediate effect.
19	15		Shahnaz	GOMS Ajabay	03/01/1980	03/05/2014	Services placed at the disposal of DEO (F) Dir Lower for further adjustment against the vacant post of SCT BPS-16 on regular basis with immediate effect.

ITEM NO.2 PROMOTION OF DM B-15 TO SDM B-16 ON REGULAR BASIS

Method of Recruitment		Total Posts
By Promotion	Total No. of TT Posts(duly verified from DAO)	106
	1/3 share of Senior TT Posts	35
	Already Promoted	26
	Net to be Promoted	09
	Proposed for Promotion	04

S.No	S.L. No	Name	Place of Posting	Date of Birth	Date of Appointment as Regular	Remarks
01	01	Nargis	GOMS Ailgy	01/03/1965	15/08/1995	Services placed at the disposal of DEO (F) Dir Lower for further adjustment against the vacant post of SDM BPS-16 on regular basis with immediate effect.
02	02	Nihayat DIDI	GCHSS Khadagzal	01/05/1975	13/05/1997	Services placed at the disposal of DEO (F) Dir Lower for further adjustment against the vacant post of SDM BPS-16 on regular basis with immediate effect.
03	03	Taslim DIDI	GCHS Najawro Talash	01/05/1977	29/03/2001	Services placed at the disposal of DEO (F) Dir Lower for further adjustment against the vacant post of SDM BPS-16 on regular basis with immediate effect.
04	05	Kalsoom	GOMS Tikas Danrany	01/01/1985	24/08/2007	Services placed at the disposal of DEO (F) Dir Lower for further adjustment against the vacant post of SDM BPS-16 on regular basis with immediate effect.

ITEM NO.3 PROMOTION OF PET B-15 TO SPET B-16 ON REGULAR BASIS

Method of Recruitment	Total Posts
Total No. of PET Posts(duly verified from DAO)	115

ATTACHED

C.T.C

(S)

23

18	Navida	GGHS Kotkai PayeeKheel	21/05/1977	11/06/1999	Services placed at the disposal of DEO (F) Lower for further adjustment against the vac post of STT BPS-16 on regular basis immediate effect.
04	20	Shahnaz Ara	GGHS Badin	12/04/1981	Services placed at the disposal of DEO (F) Lower for further adjustment against the vac post of STT BPS-16 on regular basis immediate effect.
15	22	Uzma Tabasum	GGHS Hajid Abad	03/02/1986	Services placed at the disposal of DEO (F) Lower for further adjustment against the vac post of STT BPS-16 on regular basis immediate effect.
6	24	Alia Begum	GGHS Sligram	02/01/1985	Services placed at the disposal of DEO (F) Lower for further adjustment against the vac post of STT BPS-16 on regular basis immediate effect.

Terms and conditions:-

1. They would be on probation for a period of one year extendable for another one year.
2. They will be governed by such rules and regulations as may be issued from time to time by the Govt.
3. Their services can be terminated at any time, in case their performance is found unsatisfactory during probationary period. In case of misconduct, they shall be proceeded under the rules framed from time to time.
4. Charge report should be submitted to all concerned.
5. Their Inter-Se- seniority on lower post will remain intact.
6. No TADA is allowed for joining his duty.
7. They will give an under taking to be recorded in their service book to the effect that if any over payment is made to him in light of this order will be recovered and if he/she is wrongly promoted he/She will be reversed.
8. Before handing over charge once again their document may be checked if they have not the required relevant qualifications as per rules, they may not be handed over charge of the post.

(Hafiz Muhammad Ibrahim)
Director
Elementary and Secondary Education
Khyber Pakhtunkhwa Peshawar.

Endst: No. 104-09 /A-17/DPC-2019/KPK

Dated Peshawar the 13-2-2020

Copy forwarded for information and necessary action to the:-

1. Accountant General Khyber Pakhtunkhwa Peshawar.
2. District Education Officer (F) Dir Lower.
3. District Accounts Officer Dir Lower.
4. Official Concerned.
5. PS to the Secretary to Govt: Khyber Pakhtunkhwa E&SE Department.
6. PA to the Director E&SE Khyber Pakhtunkhwa, Peshawar.
7. M/File

ATTESTED
to be true copy
attorneys

H. H. H.
Deputy Director Establishment (F)
Elementary and Secondary Education
Khyber Pakhtunkhwa Peshawar

13/2/2020

بخدمت جناب ڈائریکٹر صاحب ایلمنٹری اینڈ سیکنڈری ایجوکیشن KP پشاور

24

درخواست / اپیل برآمد درنگی Seniority لسٹ بغرض Promotion /

ترقی سائیکلہ در عہدہ - SCT-BPS-16

جناب عالی! حسب ذیل عرض ہے۔

1- یہ کہ سائیکلہ بحیثیت CT ملازم محکمہ تعلیم میں بمقام GGHS بنڑگے بطور ریگولر ملازم فراہمیت سرانجام دیتا چلا آرہا ہے۔

2- یہ کہ حال ہی میں محکمہ تعلیم ڈسٹرکٹ ایجوکیشن افسر دیرپائین نے CT ملازمین در عہدہ SCT-BPS-16 پروموٹ کی ہے۔ جس میں سائیکل سے جونیر ملازمین کو ترقی دے کر سیناریٹی لسٹ غیر قانونی طور پر مرتب کی ہے۔ جس کے خلاف بوجوہات ذیل درخواست / اپیل ہذا دائر کی جاتی ہے۔

i- یہ کہ سائیکلہ بطور ریگولر ملازم عرصہ دراز سے محکمہ تعلیم میں خدمات سرانجام دیتا چلا آرہا ہے۔ جبکہ سیناریٹی لسٹ مرتب کردہ محکمہ تعلیم دیرپائین میں سال 2014 میں ایڈہاک / کنٹریکٹ پر بھرتی شدہ ملازمین شامل کئے گئے ہیں۔ جو کہ سال 2018 میں بروئے

Khyber Pakhtunkhwa Employees Regularization of service Act 2018 مستقل / پرمینٹ کئے گئے ہیں۔

ATTESTED
کاشفہ نسیم ایڈوکیٹ پشاور

ii- یہ کہ مذکورہ بالا ایکٹ کے دفعہ 5 ذیلی دفعہ (i) کے تحت یہ قرار دیا گیا ہے۔ کہ ملازمین کے پروموشن (Promotion Quota) متاثر نہیں ہوگا۔ اس بنا مذکورہ دفعہ ذیل عرض کی جاتی ہے۔

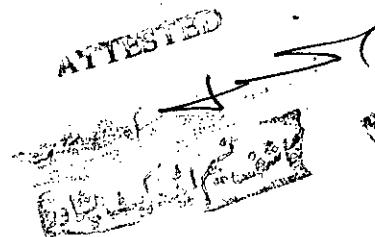
Section 5:- General Condition for Regularization for the Purpose of regularization of the employees under this act, the following general condition shall be observed

(i). The service Promotion quota of all service, cadets shall not be affected.

-iii یہ کہ مذکورہ بالا ایکٹ کے دفعہ 3 کے تحت قرار دیا گیا ہے۔ کہ ایڈہاک / کنٹریکٹ ملازمین کی سہولت / تعیناتی بطور ریگولر ملازمین ایکٹ کے اجراء سے تصور ہوگی۔

-iv یہ کہ مذکورہ بالا ایکٹ کے دفعہ 6 کے تحت کنٹریکٹ / ایڈہاک ملازمین جو کہ ایکٹ مذکورہ بالا کے تحت مستقل کئے گئے ہیں۔ ہر صورت میں ان ریگولر ملازمین سے جو نیز تصور ہونگے۔ جو ایکٹ ہذا کے اجراء سے قبل متعلقہ عہدہ پر تعینات ہوں متعلقہ دفعہ جو کہ ذیل عرض کیا جاتا ہے۔

(i). Except the employees Proviso to section 4 of this act, whose services are to be regulated by mentioned in the their respective laws and rules, all other employees whose service are regularized under this act are in process of attaining service at the commencement of this act, shall rank junior to all Civil servant 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 may, who, in pursuince of the recommendation of the commission or department selection committee, as the case may be, made before the commencement of this act, are to be appointed to the respective service or cadre, irrespective of their actual date of appointment.

ATTESTED


میں نے اس کو دیکھا ہے اور اس کی طرف سے
میں نے اس کو دیکھا ہے اور اس کی طرف سے

میں نے اس کو دیکھا ہے اور اس کی طرف سے
میں نے اس کو دیکھا ہے اور اس کی طرف سے

میں نے اس کو دیکھا ہے اور اس کی طرف سے
میں نے اس کو دیکھا ہے اور اس کی طرف سے

میں نے اس کو دیکھا ہے اور اس کی طرف سے
میں نے اس کو دیکھا ہے اور اس کی طرف سے

میں نے اس کو دیکھا ہے اور اس کی طرف سے
میں نے اس کو دیکھا ہے اور اس کی طرف سے

میں نے اس کو دیکھا ہے اور اس کی طرف سے
میں نے اس کو دیکھا ہے اور اس کی طرف سے

میں نے اس کو دیکھا ہے اور اس کی طرف سے
میں نے اس کو دیکھا ہے اور اس کی طرف سے

میں نے اس کو دیکھا ہے اور اس کی طرف سے
میں نے اس کو دیکھا ہے اور اس کی طرف سے

۱۰

تیسریں ہیں

۱۰

۱۰

حکومت صواب سٹیبلٹی ایگریگیشن سپر گھاسیہ

(28)

تعمیراتی میں ایسی خدمات لکھو آ. آ. ٹیچر سے انجام دیا گیا ہے اور
سائیکل لے کر مدرسہ لیا گیا ہے کہ قومی ٹیچر صاحب اور O.T.O. کے ذریعہ
کے ساتھ سٹیبلٹی ایگریگیشن کی بنیاد پر کام اس سائیکل کے ذریعہ 2018
کے position دی ہے جو اس سے زیادہ ہے اور
Regulation
Act 2018
کو عیسائی قانونی قرار دے کر ایگریگیشن کا عملہ دیا جائے

24/2/2020

سائیکل
C.T.C

ATK
to bbine con
Advocate

بعدالت سروس لٹریبیونل ہشاور

کورٹ فیس

قیمت ایک روپیہ

مورخہ

مقدمہ

دعویٰ

جرم

۲۰ منجانب
صاحب شہینہ بی بی نام حکومت ہشاور

باعث تحریر آنکہ

مقدمہ مندرجہ بالا میں اپنی طرف سے واسطے پیروی و جواب دہی و کل کاروائی متعلقہ آن مقام سروس لٹریبیونل ہشاور کے جس کے اہادی اریہ لٹریبیونل مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ و تقرر ثالث و فیصلہ پر حلف دینے جواب دی اور اقبال دعویٰ اور درخواست ہر قسم کی تصدیق زرا اس پر دستخط کرنے کا اختیار ہوگا نیز بصورت عدم پیروی یا ڈگری ایک طرف یا اپیل کی برآمد ہوگی اور منسوخ ڈائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ بصورت ضرورت مذکور کے نسل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنی ہمراہ یا اپنی بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی جملہ مذکورہ بالا اختیارات حاصل ہونگے اور اسکا ساختہ برواختہ منظور و قبول ہوگا اور دوران مقدمہ میں جو خرچہ و ہر جانہ التوائے مقدمہ کے سبب سے ہا گا اسکے مستحق وکیل صاحب ہونگے۔ نیز بقایا و خرچہ کی وصولی کرتے وقت کا بھی اختیار ہوگا اگر کوئی تاریخ پیشی مقام دورہ ہر ہو یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہونگے کی پیروی مقدمہ مذکور لہذا وکالت نامہ لکھ دیا ک سند ہے

۲۰

ماہ

المرقوم

العبد گواہ شہینہ العبدہ کے لئے منظور ہے

سروس لٹریبیونل


Attested by
Shams-ul-Hadi Advi

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.
SERVICE APPEAL NO. 7242/2021

Mst; Shabina Bibi CT.....VS.....Govt. of Khyber Pakhtunkhwa and others.

Index:

S.No	Description	Page
1	Para wise comments	1-2
2	Affidavit	3
3	Authority Letter	4


District Education Office (F)
District Dir Lower.
✓

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.
SERVICE APPEAL NO. 7242/2021.

MST; Shabina Bibi (CT)

Presently Posted at GGHS Bandagai, Dir Lower

R/O Village Talash, Dir Lower.....Appellant

VERSUS.

1. The Director (Elementary & Secondary Education), Khyber Pakhtunkhwa Peshawar.
2. The District Education Officer (Female) Dir lower at Timergara
3. The Secretary Elementary and Secondary education Khyber Pakhtunkhwa Peshawar.
4. Hafsa Bibi (CT), Presently Posted at GGHS Khazana Dir Lower.
5. Seema Gul (CT) Presently Posted at GGHS Naray Tangai Dir Lower.
6. Nasira Bibi (CT) Presently Posted at GGHS Odigram Dir Lower.
7. Zaib Un Nisa (CT) Presently Posted at GGHS Shawa Dir Lower.
8. Shenaz (CT) Presently Posted at GGMS Ajabay Dir Lower.

(RESPONDENTS)

PARA WISE COMMENTS ON BEHALF OF RESPONDENTS, 1, 2, 3

RESPECTFULLY SHEWETH:

PRELIMINARY OBJECTIONS:

1. The appellant is not an aggrieved person with the meaning of Sec:4 of Service tribunal Act 1974.
2. The appellant has concealed the material fact from this Honorable Tribunal, hence liable to be dismissed.
3. The appellant has not approached this Honorable Tribunal with clean hands.
4. The appellant has filed the instant appeal just pressurize the respondents.
5. The instant appeal is against the prevailing laws & rules.
6. That the instant service appeal suffers from laches, hence not maintainable in the form.
7. The appellant has got no locus standi to file the instant appeal.
8. The instant appeal is badly time bard.
9. That the Appeal is bad for mis-joinder and non-joinder of necessary parties

ON FACT:

1. Para No.1 of the facts pertains to the appellant's appointment and record hence need no comments.
2. Para-2 also correct, in detail it is submitted that the respondent No.4 to 19 were appointed as CT BPS-15 by respondent No.1 on Adhoc/contract bases and later on they were regularized through Regularization Act 2017.
3. Para-3 of the facts is correct to the extent of the relevant rules for the promotion from the post of CT (B-15) to SCT (B-16), it is also pertinent to mention here that respondent No.4 to 19 were appointed in the year 2014 and regularized in 2017 as per section 3 of the Act ibid, from the date of

first appointment , so fulfilling five years of service they all were promoted as per law and rules whereas the appellant was promoted to CT post vide order dated 26/08/2017, so the due to laps of tenure the appellant was not considered for promotion to SCT (B-16).

The seniority inter-se of those employees, whose services are regularized under this Act within the cadre, shall be determined based on their continues service in cadre.

- 4. Para-4 of the facts pertain to record, further more details has also been submitted in the above paras.
- 5. Detail reply has been submitted in the above para.

GROUNDS:-

- D. Incorrect hence denied, the respondent always follow rules and policies in letter and spirit. The appellants not eligible for promotion and no any case of the CT teacher was submitted by respondent No.3 to Directorate for promotion as they all did not completed their length of service i.e 5 years.
- E. Incorrect hence denied, the appellant has been treated as per law and rules.
- F. Incorrect, hence denied.

It is therefore, humbly prayed that on acceptance of the above submission, the instant Service appeal may very graciously be dismissed in favor of the answering respondents with cost.



SECRETARY
GOVT: KHYBER PUKHTOON KHWA
ELEMENTRY AND SECONDARY DEPARTMENT
(Respondent No.1)



DIRECTOR
ELEMENTRY & SECODARY
EDUCATION KHYBER PAKHTOON KHWA
(Respondent No.2)




DISTRICT EDUCATION OFFICER (F)
DIR LOWER AT TIMERGARA
(Respondent No.3)

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.
SERVICE APPEAL NO. 7242/2021

Mst; Shabina Bibi CT.....VS.....Govt. of Khyber Pakhtunkhwa and others.

Affidavit

I Muhammad Usman ADEO O/O the DEO (F) Dir Lower do hereby solemnly affirm and declare the contents of the accompanying para wise comments are true and correct to the best of my knowledge and belief and noting has been concealed from this August court.

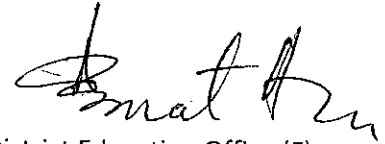

Deponent
Muhammad Usman

4

AUTHORITY LETTER

Mr, Muhammad Usman ADEO O/O.the DEO (F) Dir Lower is hereby authorized to submit the comments / reply in the Service Appeal No.7242/2021.

Tital : Mst. Shabina Bibi v/s Govt o Khyber Pakhtunkhwa through Secretary , Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar on behalf of the undersigned.



District Education Office (F)
District Dir Lower.

(Respondent No.3)