

**BEFORE THE KHYBER PAKTUNKHWA SERVICE TRIBUNAL CAMP
COURT SWAT**

Service Appeal No. 611/2022

Shamsher Ali SCT Government Higher Centennial Model High School (GCMHS)
Wadudia, District Swat.

.....Appellant

Versus

1. Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Peshawar.
2. Director Elementary and Secondary Education Khyber Pakhtunkhwa at Peshawar.
3. District Education officer (Male) Swat.

..... Respondents.

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DISTRICT EDUCATION OFFICER (M)
SWAT AT GULKADA

①

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3. District Education officer (Male) Swat.

.....

Respondents.

Parawise Comments on Behalf of the Respondents

Respectfully Shewith

Preliminary Objections:

1. That the appellant is not an aggrieved person within the meaning of Section 4 of the service tribunal Act, 1974.
2. That the appellant has no cause of action / locus standi.
3. That the appellant has not come to this Honorable Tribunal with clean hands.
4. That the appellant has filed this instant Service Appeal just to pressurize the respondents.
5. The present service appeal is liable to be dismissed for non-joinder/miss joinder of necessary parties.
6. That the instant service appeal is against the prevailing law and rules.
7. That the appellant has filled this instant Service Appeal on malafide motives.
- 8. That the instant Service Appeal is time barred.**
9. That the instant service appeal is not maintainable in the present form, and above in the present circumstances of the issue.
- 10. That the instant Service Appeal liable to be dismissed on the grounds that the Appellant has not made party the other teachers as they will be remain unheard.**
11. That the appellant has estopped by his own conduct.
12. That the appellant has concealed the material facts from this honorable tribunal.

FACTS

- i. That the Para No.i is correct to the extent of the appointment, termination and reinstatement of the Appellant, however, the Appellant

conceals the factual position of his first appointment order. In fact, the Appellant was appointed as untrained teacher in the year 1995.

- ii. That the Para No.ii pertains to record, hence, no comments.
- iii. That the Para No.iii pertains to record, however, it is worth to mention here that the Appellant has never been issued undue benefits anywhere. In fact, he has been placed in accordance with the rules and policy along with other similarly placed teachers. All the other teachers of the same cadre have been given seniority from the date of appointment or passing CT training whichever is later.
- iv. That the reply of this para is given in para No. iii above.
- v. That the Para No.v is correct to the extent of counting of seniority erroneously in respect of the Appellant from the date of appointment I,e 21-09-1995 by superseding the other senior teachers. In fact, the Appellant was rightly placed in the earlier issued seniority list according to the rules from the date of passing CT training I,e 27-09-2006 as all the other teachers of the same cadre were also given seniority from the date of passing CT training. It is also worth to mention here that the Appellant was promoted to the post of SCT BPS-16 vide order Endst No. 13201-6 dated 26-02-2019 as per the earlier issued seniority while the other teachers who were senior than the Appellant were promoted to the post of SCT BPS-16 vide order Endst No. 6856-64 dated 09-12-2014 well before the Appellant. But in the year 2019 the Appellant was placed ahead of most of the senior teachers (of the same cadre erroneously) who were senior than the Appellant in initial appointment/ passing CT training. If the Appellant was aggrieved from the said seniority, he should have filed appeal before the Appellate Authority/ this Honorable Tribunal from the date when other teachers were promoted well before the Appellant to the post of SCT BPS-16. It clearly means that the Appellant was satisfied from the initial/earlier seniority. **(Relevant pages of the earlier seniority list, promotion orders of other teachers, Appellant annexed as Annexure A, B & C) APT rules Annexed as annexure C1)**
- vi. That the Para No.vi is correct to the extent of enquiry but once again the Appellant wants to mislead and misguide this Honorable Tribunal by concealing the actual and factual position. In fact, another teacher Mr Shawkat Ali GCMHS Wadodia Swat filed appeal against the seniority position of the present Appellant and claimed that he is senior than the present Appellant. The enquiry committee declared the appeal as genuine and recommended that the said Mr. Shawkat Ali is senior than the Appellant of the instant Service Appeal/present Appellant. Enquiry report already attached by the Appellant with the instant Service Appeal as annexure E.
- vii. That the para No. vii is correct to the extent of the enquiry, the rest of the para is incorrect and denied. In fact, another teacher namely Shawkat Ali SCT GCMHSS Wadodia Swat filed an appeal for correction of seniority list wherein he categorically stated “the present

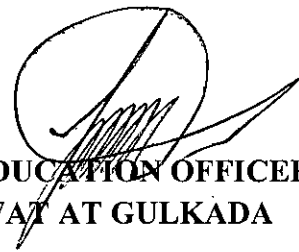
Appellant/Shamsher Ali is junior than me”. It is also worth to mention here that some other teachers also filed appeals and disputed the seniority list. The respondent No. 3 constituted an enquiry committee to probe into all the appeals. The enquiry committee asked for record and relevant rules and the seniority rules from the respondent no. 3. Accordingly record was sought from the Appellant along with other teachers. The Appellant himself provided his record, Service Tribunal judgment as well as DMC of CT training. It is to be noted that as stated in the foregoing paras, the seniority already prepared by the department was also provided to the enquiry committee wherein the seniority have been given to all the teachers from date of passing CT training/date of appointment whichever is later. The said Appellant Mr. Shawkat Ali was appointed on 07-08-1990 as untrained teacher and passed CT training 25-05-1996, therefore, he was given seniority w.e.f 25-05-1996 instead of 07-08-1990. Whereas the present Appellant was appointed on 22-09-1995 and got his CT Training on 27-09-2006. The enquiry committee conducted a detailed enquiry and submitted the enquiry report along with recommendations to the office of respondent No. 3 and it was recommended along with quoting the rules already taken into consideration in preparation of seniority list that the appeal of Mr. Shawkat Ali is genuine and the seniority of all the teachers may be re-arranged and may be counted w.e.f passing CT training in case of all the teachers who were appointed as untrained teachers. Hence, the blame of the Appellant on enquiry officers is totally denied as their recommendation was not only to the extent of the Appellant but was for all the other teachers of the same cadre. **(Appeal of Mr. Shawkat Ali is annexed as annexure D)**

- viii. That the para No. viii is incorrect and denied. The Appellant himself provided his record such as his appointment order, DMC of CT training dated 27-09-2006. They also met the enquiry committee in this connection, hence, the stance of the Appellant in this para is incorrect, misconceived and detriment in nature. **(DMC of CT training annexed as annexure E)**
- ix. That detail reply of this para has already been given in the foregoing paras.
- x. That the para No. x pertains to record, however, the instant Service Appeal of the Appellant is time barred as he filed departmental Appeal on 25-08-2021 whereas he filed the instant Service Appeal on 21-04-2022. Moreover, the departmental Appeal of the Appellant has rightly been rejected by the respondent No. 2/Appellate authority.
- xi. That the instant service appeal of the appellant is bereft of any merit, hence, liable to be dismissed inter alia following grounds.

GROUND

- a. That the Para No. a is incorrect and not admitted. The Appellant has been dealt in accordance with the law and rules.
- b. That the Para No. b is absolutely incorrect and denied. no discrimination whatsoever has been made with the Appellant. As all the teachers of the same cadre have been given seniority w.e.f date of passing CT training.
- c. That the Para No. c is the repetition of the above paras, hence, no comments.
- d. That the Para no. d is incorrect and not admitted. The Honorable Tribunal judgment dated 02-05-2002 has been implemented in letter and spirit. The Appellant wants to use the judgment of this honorable Tribunal according to his own whims and wishes. The Honorable Tribunal has never given him any undue benefits in shape of any priority over others teachers.
- e. That the para No. e is irrelevant and astonishing as the Appellant himself feels reluctant and not clear in his mind over filing of the instant Service Appeal. Hence, on this very ground alone, the instant Service Appeal is liable to be dismissed.

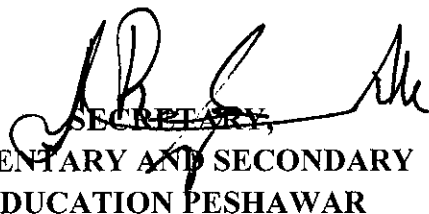
It is, therefore, very humbly prayed that the instant service appeal of the appellant may be dismissed with cost in favor of the respondents.



**DISTRICT EDUCATION OFFICER (M)
SWAT AT GULKADA**



**DIRECTOR,
ELEMENTARY AND SECONDARY
EDUCATION KHYBER PAKHTUNKHWA**



**SECRETARY,
ELEMENTARY AND SECONDARY
EDUCATION PESHAWAR**

4A

**BEFORE THE KHYBER PAKTUNKHWA SERVICE TRIBUNAL CAMP
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Service Appeal No. 611/2022

Shamsher Ali SCT Government Higher Centennial Model High School (GCMHS)
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.....Appellant

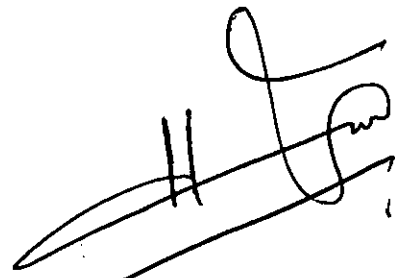
Versus

Provincial Govt. of Khyber Pakhtunkhwa & others

..... Respondents

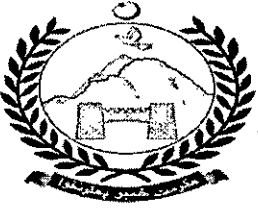
AFFIDAVIT

I, Hussain Ali Legal Representative, do hereby solemnly affirm and declare on oath on the directions and on the behalf of the Respondents that the contents of the comments are true and correct to the best of my knowledge and belief and nothing has been kept secret from this Honorable Court.



**HUSSAIN ALI LEGAL REPRESENTATIVE
O/O DEO (M) SWAT**





OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE)
DISTRICT SWAT

Email: emisswat@gmail.com,

Phone No. 09469240228

(5)

AUTHORITY LETTER

Mr. Hussain Ali Legal Representative, office of the undersigned is hereby authorized to submit comments in *Service Appeal No. 611/2022* case titled *Shamsher Ali Vs Govt of KPK and others* and attend Khyber Pakhtunkhwa Service Tribunal Camp Court Swat on behalf of respondents.

DISTRICT EDUCATION OFFICER (M)
SWAT AT GULKADA

DIRECTOR,
ELEMENTARY AND SECONDARY
EDUCATION KHYBER PAKHTUNKHWA

SECRETARY,
ELEMENTARY AND SECONDARY
EDUCATION PESHAWAR

FINAL SENIORITY LIST OF CTS O/O THE DISTRICT EDUCATION OFFICER (M) DISTRICT SWAT UPTO 30/06/2018

No	Name of Teacher/Qualification academic / professional	Father's Name	Designation	PBS	D/O Birth / Domicile	Domicile	Academic	Professional	D/O 1st Apptt:	Date of apptt: against Present post	Seniority position D/O taking over charge as CT or D/O declaration CT Exam: whichever is later	Place of duty
43	Bahadar Ali	Muhammad Rawan Khan	CT	16	10-04-60	Swat	MA	B.Ed	04-03-80	16-08-06	16-08-06	GHS:Durush Khela
44	Muhammad Qasim	Muhtaj	CT	16	05-01-62	Swat	MA	B.Ed	16-07-82	16-08-06	16-08-06	GMS: M.G Shaheed
45	Yamin Khan	Nasir	CT	16	05-08-61	Swat	MA	CT	24-10-82	16-08-06	16-08-06	GHSS: Charbagh
46	Muhammad Jamil	Abdul Matin	CT	16	20-12-66	Swat	MA	CT	07-09-86	16-08-06	16-08-06	GMS: Peo Char
47	Akhtar Ali	Muhammad Khaliq	CT	16	13-04-66	Swat	MA	CT	26-11-86	16-08-06	16-08-06	GHS: Shagi
48	Jehangir Khan	Shah Yar Khan	CT	16	03-04-64	Swat	MA	B.Ed	30-11-86	16-08-06	16-08-06	GHS: Manpetai
49	Azizullah	Swal Faqir	CT	16	20-02-64	Swat	MA	CT	07-06-87	16-08-06	16-08-06	GHS: Shawar
50	Yaqeen Khan	Asfandeyar Khan	CT	16	05-03-65	Swat	MA	B.Ed	27-10-87	16-08-06	16-08-06	GHSS Kabal
51	Muhammad Sultan	Ashraf Khan	CT	16	01-03-63	Swat	MA	M.Ed	07-11-87	16-08-06	16-08-06	GHS: Odigram
52	Umar Yar	Asfandeyar	CT	16	10-12-62	Swat	MA	B.Ed	26-09-88	16-08-06	16-08-06	GMS: Durushkhela
53	Hayat Khan	Bakht Zamin Khan	CT	16	05-04-73	Swat	MA	M.Ed	08-03-96	16-08-06	16-08-06	GHS: Tootano Bandai
54	Jehan Zeb	Sher Zada	CT	16	03-05-75	Swat	MA	B.Ed	02-07-97	16-08-06	16-08-06	GHS: Nazar Abad
55	Latifullah	Abdul Manan	CT	16	12-10-78	Swat	MA	M.Ed	01-03-00	16-08-06	16-08-06	GMS: Alamganj
56	Muhim Baz	Hussan Sawab	CT	16	19-03-78	Swat	MA	M.Ed	03-07-04	16-08-06	16-08-06	GHS: Topsin
57	Zahir Rahman	Fazal Rahman	CT	16	10-02-75	Swat	MA	B.Ed	24-06-04	16-08-06	16-08-06	GHS: Kass Shingrai
58	Khadim Khan	Badshah Khan	CT	16	16-04-59	Swat	FA	CT	01-08-87	17-08-06	17-08-06	GMS M.G.Shaheed FA
59	Akbar Ali	Muhammad Raziq	CT	16	12-03-63	Swat	MA	CT	14-06-87	17-08-06	17-08-06	GHS: No.3 Mingora
60	Shamsher Ali	Yaqoob Khan	CT	16	05-01-69	Swat	BA	M.Ed	22-09-95	21-09-95	27-09-06	GCMHSS: Wadoodia
61	Muhammad Yaqoob	Jandool	CT	16	01-03-68	Swat	MA	B.Ed	03-10-95	03-10-95	27-09-06	GMS: Darolai
62	Ali Shah Bacha	Bahadar Khan	CT	16	10-12-66	Swat	BA	B.Ed	07-04-99	14-11-06	14-11-06	GHS: No. 1 Mingora
63	Muhammad Alam	Abdul Wadood	CT	16	03-04-73	Swat	MA	CT	05-04-99	01-10-07	01-10-07	GMS: Faiz Abad
64	Riaz Ahmad	Qasim Jan	CT	15	06-03-67	Swat	MA	M.Ed	14-11-87	18-09-09	18-09-09	GSH No 1 Mingora
65	Abdul Wahab Muhammad	Ghareb Nawaz	CT	15	06-03-65	Swat	MA	M.Ed	27-09-88	18-09-09	18-09-09	GHSS: Shamoza
66	Shaukat Ali	Muammar	CT	15	05-06-67	Swat	MA	B.Ed	28-09-88	18-09-09	18-09-09	GHS: No 4 Mingora
67	Khaista Rahman	Muhammad Khan	CT	15	01-01-83	Swat	MA	B.Ed	03-07-04	18-09-09	18-09-09	GMS: Kabal Koo
68	Fazal Wadood	Tota Khan	CT	15	08-02-70	Swat	FA	CT	18-09-09	18-09-09	19-09-09	GHSS Mingora FA
69	Aziz Akbar	Muhammad Akbar Khan	CT	15	05-07-62	Swat	MA	B.Ed	08-06-83	19-09-09	19-09-09	GHS: Sher Palam
70	Sar Zamin Khan	Fazali Azim	CT	15	20-04-62	Swat	MA	M.Ed	01-11-82	19-09-09	19-09-09	GHS: Shagai
71	Ghani Subhan	Laihar Khan	CT	15	01-01-64	Swat	MA	CT	08-03-84	19-09-09	19-09-09	GMS: Ganageer
72	Mian Gul Rahim	Mian Said Faqir	CT	15	01-06-63	Swat	MA	B.Ed	07-08-84	19-09-09	19-09-09	GHS: Gwalerai
73	Fazal Manan	Mutabar	CT	15	12-01-63	Swat	MA	CT	10-03-86	19-09-09	19-09-09	GHS: Durushkhela
74	Jehangir	Sher Alam Khan	CT	15	05-12-60	Swat	MA	B.Ed	26-11-86	19-09-09	19-09-09	GMS: Sangota
75	Rahim Bakhsh	Azizul Haq	CT	15	01-04-66	Swat	MA	CT	26-11-86	19-09-09	19-09-09	GHS: Chail
76	Adil Muhammad Khan	Amir Hatam	CT	15	09-07-59	Swat	BA	B.Ed	08-12-86	19-09-09	19-09-09	GHS: Sher Palam
77	Rahim Zada	Khan Zada	CT	15	01-02-67	Swat	MA	CT	13-12-86	19-09-09	19-09-09	GMS: Lalkoo
78	Usman Ali	Amir Dad	CT	15	01-04-61	Swat	MA	B.Ed	21-09-87	19-09-09	19-09-09	GHSS: Balogram
79	Muhammad Sahib	Iqbal Ahmad	CT	15	25-07-64	Swat	MA	B.Ed	26-01-88	19-09-09	19-09-09	GHSS: Sakhra
80	Yahya Sahib	Felaqus Khan	CT	15	15-07-65	Swat	MA	B.Ed	25-09-88	19-09-09	19-09-09	GHSS : Labat

Annexure 'A' 6



FINAL SENIORITY LIST OF CTS O/O THE DISTRICT EDUCATION OFFICER (M) DISTRICT SWAT UPTO 30/06/2018

S.No New	Name of Teacher/Qualification academic / professional	Father's Name	Designation	PBS	D/O Birth / Domicile	Domicile	Academic	Professional	D/O 1st Apptt:	Date of apptt: against Present post	Seniority position D/O taking over charge as CT or D/O declaration CT Exam: whichever is later	Place of duty	
57	Fazal Hayat	Zareen Khan	CT	15	22-03-88	Swat	M.Sc	B.Ed	31-05-12	01-06-12	01-06-12	GMS: Lakhar	leave
58	Ibrahim	Muhammad Sahib	CT	15	05-02-82	Swat	MA	CT/M.Ed	31-05-12	01-06-12	01-06-12	GHS: Shin	
59	Iftikhar Ali	Akbar Khan	CT	15	20-04-83	Swat	BA	CT	31-05-12	01-06-12	01-06-12	GMS: Bargin	
60	Ikram Ullah	Muhammad Shuaib Khan	CT	15	01-05-88	Swat	MSC	CT/B.Ed	31-05-12	01-06-12	01-06-12	GMS: Charma	Science 1
61	Javid Khan	Abdullah Khan	CT	15	10-02-89	Swat	M.Sc	CT/M.Ed	31-05-12	01-06-12	01-06-12	GHS: Labat	Science 2
62	Muhammad Younas	Muhammad Yousaf Jan	CT	15	12-03-82	Swat	BA	CT	31-05-12	01-06-12	01-06-12	GHS: Bahrain	
63	Bahadar Sher	Badshah	CT	15	13-03-90	Dir	MA	CT/B.Ed	12-03-90	01-03-04	01-03-13	GMS Dadahara	out District
64	Abdul Mustaan	Abdul Haleem	CT	15	01-05-79	Swat	MA	CT/B.Ed	05-09-06	09-05-14	09-05-14	GMS Panr	Disable
65	Muhammad Zubair	Muhammad Nabi	CT	15	01-05-64	Swat	MA	CT	27-09-88	12-07-14	12-07-14	GHS Sweegalai	
66	Sardar Ali		CT	15		Swat				14-07-14	14-07-14	GMS Roria	
67	Muhammad Rahim	Bashar	CT	15	14-04-67	Swat	MA	CT	08-09-86	14-07-14	14-07-14	GMS Manja	
68	Ahmad Saeed	Karimullah	CT	15	07-03-63	Swat	BA	CT	20-10-86	14-07-14	14-07-14	GHS Bahrain	
69	Muhammad Yasin	Mian Muambar	CT	15	11-11-67	Swat	BA	CT	27-09-88	14-07-14	14-07-14	GHS Laikot	
70	Khurshid	Bahadar Khan	CT	15	30-08-63	Swat	MA	CT	29-09-88	14-07-14	14-07-14	GHS Chail	
71	Faziullah	Miftahud Din	CT	15	01-05-68	Swat	BA	CT	27-11-86	14-07-14	14-07-14	GMS Bargin	
72	Hussain Gul		CT	15		Swat				14-07-14	14-07-14	GMS Gornai	
73	Shujaat Ali Khan	Ibni Amin	CT	15	15-04-68	Swat	MA	CT	05-03-90	14-07-14	14-07-14	GHS Chancharay	
74	Fazal Mabood	Shah Dgul Ambar	CT	15	09-06-66	Swat	MA	CT	28-03-90	14-07-14	14-07-14	GMS Peochar	
75	Jafar Sayed	Shah Gran Bacha	CT	15	05-09-67	Swat	MA	CT	29-03-90	14-07-14	14-07-14	GHS Beha	
76	Muhammad Junaid Khan	Amir Jamshid Khan	CT	15	27-04-62	Swat	MA	CT/M.Ed	22-10-89	14-07-14	14-07-14	GHS Nazar Abad	
77	Shah Alam Khan	Chamai Mian	CT	15	08-04-65	Swat	MA	CT	08-04-65	14-07-14	14-07-14	GMS Torwal	
78	Muhammad Hussain		CT	15			MA	CT		14-07-14	14-07-14	GMS Chinkolai	
79	Naseer Hussain	Shah Nazar	CT	15	15-07-72	Swat	MA	CT	03-12-90	14-07-14	14-07-14	GHS Miandam	
80	Rashid Ali	Khurshid Ali	CT	15	14-08-64	Swat	MA	CT	16-12-90	14-07-14	14-07-14	GMS Ramiat	
81	Shaukat Ali	Daulat Khan	CT	15	10-06-69	Swat	MA	CT	17-12-90	14-07-14	14-07-14	GMS A.Bandai	
82	Abdul Ghafoor	Abdul Qahar Khan	CT	15	01-05-69	Swat	MA	CT	22-03-92	14-07-14	14-07-14	GHS Gwalirai	
83	Aftab ud din	Sad ud din	CT	15	10-04-76	Swat	MA	CT	02-09-06	19-03-15	20-03-15	GMS Sar Banda	



OFFICE OF THE
DISTRICT EDUCATION OFFICER (MALE).
SWAT
(Office Phone & Fax # 0923-9220228)

8

Annexure 'B'

NOTIFICATION:-

Consequent upon the recommendation of the Departmental Promotion Committee and in pursuance of the Government of Khyber Pakhtunkhwa Elementary and Secondary Education Notification NO SO(B&AO)/1-18/E&SE/2012 dated 11.07.2012 and Finance Department Endorsement No SO(FR)/FD/10-22(E)/2010 dated 16.07.2012, the following Male CTs, are hereby promoted to the posts of SCTs. BPS-16 (Rs:10000-800-34000 plus usual allowances as admissible under the rules on regular basis under the existing policy of the provincial Government, on the terms and conditions given below with immediate effect in the interest of public service and posted against the schools noted below:-

S.#	Name of Teacher	Present Place of duty in B-15	School where adjusted in B-16	Remarks
1.	Muhammad Zahir	GHSS Shamozi	GHSS Shamozi	Adjusted in his own school in B-16
2.	Khalstamand	GHSS Mingora	GHSS Mingora	Adjusted in his own school in B-16
3.	Muhammad Qadim	GHS Gwalirai	GHS Gwalirai	Adjusted in his own school in B-16
4.	Amiz Khan	GHSS Madyan	GHSS Madyan	Adjusted in his own school in B-16
5.	Shah Anwar Badshah	GHS Khazana	GHS Khazana	Adjusted in his own school in B-16
6.	Ali Rahman	GHS No.3 Mingora	GHS No.3 Mingora	Adjusted in his own school in B-16
7.	Syed Javid Iqbal	GHSS Charbagh	GHSS Charbagh	Adjusted in his own school in B-16
8.	Mufthi	GHSS Madyan	GHSS Madyan	Adjusted in his own school in B-16
9.	Muhammad Afzal Khan	GHS Mankial	GHS Mankial	Adjusted in his own school in B-16
10.	Muhammad Nisar	GHS Labat	GHS Labat	Adjusted in his own school in B-16
11.	Muhammad Iftikhar	GHS Seer	GHS Seer	Adjusted in his own school in B-16
12.	Fazal Hadi	GMS Guligram	GHS Chitor	Due to B-16 Transferred adjusted in nearest High school
13.	Khurshid Ali B-15	GHSS Mingora	GMS Panr B-15	Vice S.No.16 due B-15 Transferred /adjusted in nearest Middle schools on his own pay scale
14.	Kishwar Khan	GHS No.4 Mingora	GHS No.4 Mingora	Adjusted in his own school in B-16
15.	Hamayun	GHS No.3 Mingora	GHS No.3 Mingora	Adjusted in his own school in B-16
16.	Muhammad Ayub	GMS Panr	GHSS Mingora B-16	Due to B-16 Transferred adjusted in nearest High school V.S.No.13
17.	Nisar Khan	GHS Shalhand	GHS Shalhand	Adjusted in his own school in B-16
18.	Muhammad Azim	GHS Matta	GHS Matta	Adjusted in his own school in B-16
19.	Showkat Ali	GHS Wadudia	GHS Wadudia	Adjusted in his own school in B-16
20.	Iqbal Hussain B-15	GHS Chitor	GMS Guligram	Adjusted in his own school in B-16 V.S.No.12

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 Government.
3. 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.
4. Charge report should be submitted to all concerned.
5. No TA/DA is allowed for joining their duty.

Noted

6. They will give an under taking to be recorded in their service books to the effect that if any over payment is made to them in light of their order will be recovered and if any person wrongly promoted he will be reversed.

(Prof:Muhammad Uzair Ali)
District Educational Officer
Malakswal

Endst No (856) 64 /DEO (M) swat /Estab./CTs Promotion Dated; 9/12/2014.

- Copy forwarded for information and necessary action to the:-
2. Director Elementary and Secy: Education Khyber Pakhtunkhwa at Peshawar
 3. District Accounts Officer swat at Saidusharif.
 4. Deputy District Education Officer Local Office.
 5. Principal/Headmaster Concerned.
 6. Teachers concerned.
 7. ADEOs Local Office.
 8. Supdt:s local Office.
 9. B&AO Local Office.
 10. PA to DEO Local Office.

09/12/2014

District Education Officer (M)
Swat

Annexure

NOTIFICATION

Consequent upon the notification issued by the Director of Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar vide his office Endst No 4675-80/File No.1/ Promotion Senior certified teacher BPS(16)2019 dated Peshawar 22/02/2019. The following Senior Certified teachers (Whose services were placed at the disposal of the DEO(M) Swat for further adjustment) are hereby adjusted against the posts in the schools noted against each in the interest of public service on regular basis under the existing policy of the provincial Govt; on the terms & conditions given in the aforementioned notification of the Director (E&SED) Khyber Pakhtunkhwa with immediate effect.

S.No	S.No	Name	Present School	School where promoted/posted	Remarks
1	300	Sardar Alam	GMS: Delay	GHS Ningolai	A.V.Post
2	310	Bakht Mand	GHS: Tall	GHS Tall	A.V.Post
3	311	Muhammad Ayub	GMS: Mairagai	GHS Jambil	A.V.Post
4	312	Nisar Muhammad	GMS: Derocham	GHS Kotlai	A.V.Post
5	313	Rafiq Ahmad	GCMHS: Wadodja	GCMHS Wadoodia	A.V.Post
6	314	Umar Ahad	GHS: Shah Dherai	GHS Shah Dehrai	A.V.Post
7	315	Abdul Basir	GMS: Maloch	GHS Sweegalai	A.V.Post
8	317	Idress	GCMHS Wadoodla	GHSS Mingora	A.V.Post
9	318	Sardar Hussain	GHSS: Deolai	GHS Kotlai	A.V.Post
10	319	Attaullah	GHS: No.3 Mingora	GHS No 3 Mingora	A.V.Post
11	320	Shahinshah	GHSS Khwazakhela	GHS Bahrain	A.V.Post
12	321	Ihsanullah	GHS: Naway Kalay (M)	GHS Nawakalay (M)	A.V.Post
13	322	Muhammad Zahir Shah	GHSS: Sakhra	GHSS Sakhra	A.V.Post
14	323	Fazal Rashid	GHS: Islampur	GHS Islampur	A.V.Post
15	324	Qaisar Khan	GHS: No.1 Mingora	GHS No 1 Mingora	A.V.Post
16	325	Bakht Ali	GHS Manglor	GHS Manglor	A.V.Post
17	326	Shaafat Khan	GHSS: Chamtalai	GHSS Chamtalai	A.V.Post
18	327	Dawa Khan	GHSS: Fatehpur	GHSS Madyan	A.V.Post
19	328	Bakhtawar Khan	GHS: Matta	GHS Matta	A.V.Post
20	329	Aftabud Din	GHS: Qandil	GHS Qandil	A.V.Post
21	330	Shah Zada	GHS Sherpalam	GHSS Sijban	A.V.Post
22	331	Khalilul Haq	GHSS Deolai	GHSS Doelai	A.V.Post
23	332	Jowhar Ali	GHSS Chamtalai	GHS Gulibagh	A.V.Post
24	333	Purdil Khan	GHS: Qambar	GHS Qambar	A.V.Post
25	334	Badr-e-Alam	GHS: Chupreyal	GHS Chuprial	A.V.Post
26	335	Fazal Subhan	GHS: Jano	GHS Asala	A.V.Post
27	336	Muhammad Gul	GHS: Shin	GHS Shin	A.V.Post
28	337	Sher Shah	GHS: Shagai	GHS Shagai	A.V.Post
29	338	Fazal Ahad	GMS:Golden Deolai	GHSS Dehrai	A.V.Post
30	339	Sher Badshah	GMS Seraj Abad	GHS Manyar	A.V.Post
31	340	Bahrul Mulk	GHSS Kh.Khela (B)	GHSS Batai (Kh.Kh)	A.V.Post
32	341	Noor Ali Shah	GHS: Chitor	GHS Amankot	A.V.Post
33	342	Khurshid Ali Khan	GHSS: Labat	GHSS Labat	A.V.Post
34	343	Bahadar Ali	GHS:Durush Khela	GHS Charbagh	A.V.Post
35	344	Muhammad Qasim	GMS:M.G Shaheed	GHSS Mingora	A.V.Post
36	345	Yamin Khan	GMS: Alamganj	GHSS Charbagh	A.V.Post
37	346	Muhammad Jamil	GMS: Peo Char	GHS Chail	A.V.Post
38	347	Akhtar Ali	GHS: Shagai	GHS Amankot	A.V.Post
39	348	Jehangir Khan	GHS: Manpetai	GHS Manpitai	A.V.Post
40	349	Azizullah	GHS: Shawar	GHS Chuprial	A.V.Post

41	350	Yaqeen Khan	GHS Kabal	GHS Udigram	A.V.Post
42	351	Muhammad Sultan	GHS: Odigram	GHS Bahrain	A.V.Post
43	352	Umar Yar	GMS: Durushkhela	GHS Toona Bandai	A.V.Post
44	353	Hayat Khan	GHS: Tootano Bandai	GHS Nazar Abad	A.V.Post
45	354	Jehan Zeb	GHS: Nazar Abad	GHS Gulibagh	A.V.Post
46	355	Latifullah	GMS: Alamganj	GHS Charbagh	A.V.Post
47	356	Muhim Baz	GHS: Topsin	GHS Kas Shingrai	A.V.Post
48	357	Zahir Rahman	GHS: Kass Shingrai	GHS No 3 Mingora	A.V.Post
49	358	Akbar Ali	GHS: No.3 Mingora	GHS No 3 Mingora	A.V.Post
50	360	Shamsher Ali	GCMHSS Wadoodia	GCMHS Wadoodia	A.V.Post
51	361	Muhammad Yaqoob	GMS: Darolai	GHS Kedam	A.V.Post
52	362	Ali Shah Bacha	GHS: No. 1 Mingora	GHS No 1 Mingora	A.V.Post
53	364	Riaz Ahmad	GHS No 1 Mingora	GHS No 1 Mingora	A.V.Post
54	365	Abdul Wahab Badshah	GHSS Shamoza	GHSS Aboha	A.V.Post
55	366	Shoukat Ali	GHS No 4 Mingora	GHS No 4 Mingora	A.V.Post
56	367	Khaista Rahman	GMS Kabal Koo	GHS Manyar	A.V.Post
57	369	Aziz Akbar	GHS Sher Palam	GHS Bandai	A.V.Post
58	370	Sar Zamin Khan	GHS Shagai	GHSS Mingora	A.V.Post
59	371	Ghani Subhan	GMS Ganajir	GHSS Kishwra	A.V.Post
60	372	Mian Gul Rahim	GHS Gwalirai	GHS Beha	A.V.Post
61	373	Fazal Manan	GHS Durushkhela	GHS Banjoot	A.V.Post
62	374	Jehangir	GMS Sangota	GHS Manglor	A.V.Post

CONSEQUENT ADJUSTMENT.

S.No	Name & Designation	Present School	Name of school were is consequent adjusted	Remarks
1	Attaullah Khan SCT	GHS Qambar	GHS Udigram	Consequent adjustment
2	Sardar Ahmad SCT	GHS Kotlai	GHS Sersenai	-do-

TERMS AND CONDITION.

- 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 government.
- 3) Their services can be terminated at any time in case his performance is found unsatisfactory during probationary period. In case of misconduct, he shall be preceded under the rules framed time to time.
- 4) Charge report should be submitted to all concerned in duplicate.
- 5) Their inter -Se- Seniority on the lower post will remain intact.
- 6) No TA DA 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 this order will be covered and if he is wrongly promoted he will be reversed..

(NAWAB ALI)
DISTRICT EDUCATION OFFICER
SWAT AT GUL KADA,
dated: 10/10/2019

Endst No: _____/SCT/Promotion

Copy of the above is forwarded for information & necessary action to: -

1. The Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. The District Comptroller of Accounts Swat.
3. The Principal/ Headmaster concerned.
4. The candidate concerned.
5. PA to D E O local office.

DISTRICT EDUCATION OFFICER
(MALE) SWAT AT GUL KADA.

THE ¹KHYBER PAKHTUNKHWA CIVIL SERVANTS
(APPOINTMENT, PROMOTION & TRANSFER) RULES, 1989

PART-I

GENERAL

1. **Short title and commencement:** - (1) These rules may be called the ²[Khyber Pakhtunkhwa] Civil Servants (Appointment, Promotion and Transfer) Rules, 1989.

(2) They shall come into force at once.

2. **Definitions:-**(1) In these rules, unless the context otherwise requires:-

(a) "Appointing Authority" in relation to a post, means the persons authorized under rule 4 to make appointment to that post;

(b) "Basic Pay Scale" means the Basic Pay Scale for the time being sanctioned by Government, in which a post or a group of posts is placed;

(c) "Commission" means the ³[Khyber Pakhtunkhwa] Public Service Commission;

⁴(d) "Departmental Promotion Committee" means a committee constituted for making selection for promotion or transfer to such posts under a Department, or offices of Government, which do not fall within the purview of the Provincial Selection Board;

⁵(dd) "Departmental Selection Board" means a Board constituted for the purpose of making selection for initial recruitment /appointment to posts under a Department or office of Government in Basic Pay Scale 17 not falling within the purview of the Commission:

Provided that more than one such committees may be constituted for civil servants holding different scales of pay".

(e) "Departmental Selection Committee" means a committee constituted for the purpose of making selection for initial appointment to posts under a department, or office of Government [in Basic Pay Scale 17 and below not falling within the purview of the Commission];

(f) "Post" means a post sanctioned in connection with the affairs of the Province, but not allocated to all Pakistan Unified Grades ; and

¹ For the words "NWFP" or "North-West Frontier Province", wherever occurred, the words "Khyber Pakhtunkhwa" substituted by the Khyber Pakhtunkhwa Laws (Amendment) Act, 2011 (Khyber Pakhtunkhwa Act No. IV of 2011) published in the Khyber Pakhtunkhwa Government Gazette Extraordinary dated 2nd April, 2011

² Sub.by the Khyber Pakhtunkhwa Act No. IV of 2011.

³ Sub.by the Khyber Pakhtunkhwa Act No. IV of 2011.

⁴ Substituted by Clause (d) of sub-rule (1) of Rule 2 vide Notification No. SOR-I (S&GAD) 4-1/80 (Vol-II) dated 14-01-92.

⁵ Clause (dd) added by Notification No. SOR-III (S&GAD) 2-7/86, dated 8-12-1994

⁶(g) "Provincial Selection Board" means the Board constituted by Government for the purpose of selection of civil servants for promotion or transfer to posts in respect whereof the appointing authority under rule 4 is the Chief Minister and shall consist of such persons as may be appointed to it by Government from time to time.

(2) Words and expressions used but not defined in these rules shall have the same meanings as are assigned to them in the ⁷[Khyber Pakhtunkhwa] Civil Servants Act, 1973 (⁸[Khyber Pakhtunkhwa] Act XVIII of 1973) or any other statutory order or rules of Government for the time being in force.

3. **Method of Appointment:-** (1) Appointment to posts shall be made by any of the following methods, namely:-

- (a) by promotion or transfer in accordance with the provisions contained in Part-II of these rules; and
- (b) by initial recruitment in accordance with the provisions contained in Part-III of these rules.

(2) The method of appointment, qualifications and other conditions applicable to a post shall be such as laid down by the Department concerned in consultation with the ⁹Establishment and Administration Department and the Finance Department.

4. **Appointing Authority:-** The authorities competent to make appointment to posts in various basic pay scales shall be as follows:-

S.No. !	Posts !	Appointing Authority
¹⁰ 1. (a)	Posts in Basic Pay Scale 18 and above including posts in Basic Pay Scale 17 borne on any of the following services; (i) Former Provincial Civil Service (Executive Branch); (ii) Former Provincial Civil Service (Judicial Branch); and (iii) Provincial Civil Secretariat Service.	Chief Minister
	¹¹ (b) Posts in Basic Pay Scale 17	Chief Secretary

⁶ Clause (g) substituted by Notification No. SOR-I(S&GAD) 4-1/80/II, dated 14-01-1992.

⁷ Sub.by the Khyber Pakhtunkhwa Act No. IV of 2011.

⁸ Sub.by the Khyber Pakhtunkhwa Act No. IV of 2011.

⁹ For the words "Services and General Administration" wherever occurred, substituted with the words "Establishment and Administration" by Notification No. SO(O&M) E&AD/8-6/2001 dated 30-05-2001.

¹⁰ Substituted by Notification No. SOR-I(S&GAD)4-1/75/Vol-I, dated 22-08-1991.

¹¹ Substituted by Notification No. SOR-III(E&AD)2(144)03 dated 16-09-2003.

other than those covered by
(a) above and the post of
Deputy Superintendent of
Police; and.

¹²(c) Posts of Deputy Superintendents of Police. Provincial Police Officer/
Inspector General of Police.

2. Posts in Basic Pay Scale 16. (a) In the case of Secretariat of the
Government of ¹³[Khyber Pakhtunkhwa],
the Chief Secretary.

¹² Inserted by Notification No. SOR-III(E&AD)2(144)03 dated 16-09-2003.

¹³ Sub.by the Khyber Pakhtunkhwa Act No. IV of 2011.

- (b) In case of High Court, the Chief Justice; and
- (c) In the case of Attached Department:

- (i) the Head of Attached Department concerned; and
- (ii) In any other case the Secretary of the Department concerned.

3. Posts in Basic Pay Scales 3 to 15.

- (a) In the case of civil Servants borne on ministerial establishment of Civil Courts subordinate to High Court, the officer authorized as such by the Chief Justice; and
- (b) In other cases
 - (i) an officer declared under the relevant Delegation of Powers Rules, which shall to this extent be deemed as operative; or
 - (ii) Where no such appointing authority has been declared, the Secretary to Government or the Head of an Attached Department/ Office, as the case may be.

4. posts in Basic pay Scale 1 and 2.	Deputy Secretary incharge of Administration or office, , as the care may be
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5. ¹⁴**Departmental Promotion & Selection Committee/Board-** (1) In each Department or office of Government there shall be one or more Departmental Promotion Committee and Departmental Selection Committee ¹⁵(or, as the case may be, Departmental Selection Board), the composition of which shall be determined by the Establishment and Administration Department or the Department in consultation with the Establishment and Administration Department.

(2) Each such Committee (or the Board, as the case may be), shall consist of at least three members, one of whom shall be appointed as Chairman.

¹⁴ The heading of rule 5 substituted by Notification No. SOR-I(S&GAD)2-7/86, dated 8-12-1994.

¹⁵ The words inserted by Notification No. SOR-III(S&GAD)2-7/86, dated 8-12-1994

¹⁶6. **Procedure when recommendation is not accepted:-** When an appointing authority for Basic Pay Scale 17 or below does not accept the recommendation of a Departmental Promotion or Selection Committee, or the Departmental Selection Board, as the case may be, it shall record its reasons and obtain order of the next higher authority.

PART-II

APPOINTMENT BY PROMOTION OR TRANSFER

7. **Appointment by Promotion or Transfer.** ¹⁷(1) Except as otherwise provided in any service rules for the time being in force, appointment by promotion or transfer to posts in respect whereof the appointing authority under rule 4 is the Chief Minister shall ordinarily be made on the recommendation of the Provincial Selection Board and promotion and transfer to posts other than those falling within the purview of the Provincial Selection Board shall ordinarily be made on the recommendation of appropriate Departmental Promotion Committee".

(2) Appointment by transfer shall be made from amongst the persons holding appointment on regular basis in the same basic pay scale, in which the posts to be filled, exist.

(3) Persons possessing such qualifications and fulfilling such conditions as laid down for the purpose of promotion or transfer to a post shall be considered by the Departmental Promotion Committee or the Provincial Selection Board for promotion or transfer, as the case may be.

(4) No promotion on regular basis shall be made to posts in Basic Pay Scale 18 to 21 unless the officer concerned has completed such minimum length of service as may be specified from time to time.

¹⁸(5) If on an order of promotion or before promotion any civil servant declines in writing, to accept promotion, such civil servant shall not be considered for such promotion for the next four years following order.

Provided that if he declines to avail the benefit of promotion for the second time, then he shall stand superseded permanently for such promotion.

8. **Inter-Provincial Transfer:-**(1) Persons holding appointment in BPS 1 to 15 under Federal Government and other Provincial Government may, in deserving cases, be transferred to equivalent posts under these rules:-

Provided that:-

- (i) the Federal Government or the Government of the Province concerned, as the case may be, has no objection to such a transfer;
- (ii) the person seeking transfer possesses the requisite qualification and experience and the post to which his transfer is intended can, under the rules, be filled by transfer;
- (iii) the person concerned holds appointment to the post in his parent Department on regular basis;

¹⁶ Rule-6 substituted by Notification No. SOR-III(S&GAD)2-7/86, dated 8-12-1994

¹⁷ Sub rule (1) substituted by Notification No. SOR-I(S&GAD)4-1/80/II, dated 14-01-1992.

¹⁸ Sub rule (5) inserted by Notification No. SOR-VI(E&AD)1-3/2009/Vol-VIII, dated 22-10-2011.

- (iv) the person concerned is a bona fide resident of the ¹⁹[Khyber Pakhtunkhwa].
- (v) a vacancy exists to accommodate the request for such a transfer; and:
- (vi) Provided further that in most deserving cases, the merit of which shall be determined on case to case basis and the decision of the Competent Authority in that behalf shall be final, Government may allow transfer of a civil servant in BPS-16 and above, subject to the aforesaid conditions.

(2) A person so transferred shall be placed at the bottom of the cadre strength which he joins for the purpose of determining his seniority vis-à-vis other members borne on the cadre.

(3) It will be the sole discretion of the appointing authority to accept or refuse a request for transfer under this rule and any decision made in this behalf shall be final and shall not be quoted as precedence in any other case.

9. Appointment on Acting Charge or current Charge Basis. (1) Where the appointing authority considered it to be in the public interest to fill a post reserved under the rules for departmental promotion and the most senior civil servant belonging to the cadre or service concerned, who is otherwise eligible for promotion, does not possess the specified length of service the authority may appoint him to that post on acting charge basis;

²⁰Provided that no such appointment shall be made, if the prescribed length of service is short by more than ²¹[three years].

²²[(2)].

(3) In the case of a post in Basic Pay Scale 17 and above, reserved under the rules to be filled in by initial recruitment, where the appointing authority is satisfied that no suitable officer drawing pay in the basic scale in which the post exists is available in that category to fill the post and it is expedient to fill the post, it may appoint to that post on acting charge basis the most senior officer otherwise eligible for promotion in the organization, cadre or service, as the case may be, in excess of the promotion quota.

(4) Acting charge appointment shall be made against posts which are likely to fall vacant for period of six months or more. Against vacancies occurring for less than six months, current charge appointment may be made according to the orders issued from time to time.

(5) Appointment on acting charge basis shall be made on the recommendations of the Departmental Promotion Committee or the Provincial Selection Board, as the case may be.

(6) Acting charge appointment shall not confer any vested right for regular promotion to the post held on acting charge basis.

PART-III

INITIAL APPOINTMENT

¹⁹ Sub.by the Khyber Pakhtunkhwa Act No. IV of 2011.

²⁰ Full stop at the end of Rule 9 (1) replaced with colon and proviso added by Notification No. SOR-I (S&GAD)4-1/80/Vol-II, dated 20-10-1993.

²¹ The words one year substituted by Notification No. SOR-I(S&GAD)4-1/80/III, dated 14.3.96.

²²Sub rule (2) of rule-9 deleted vide by Notification No. SOR-VI(E&AD)1-3/2009/Vol-VIII, dated 22-10-2011.

10. **Appointment by Initial Recruitment** :- (1) Initial appointment to posts ²³[in various basic pay scales] shall be made-

- (a) if the post falls within the purview of the Commission, on the basis of Examination or test to be conducted by the Commission; or
- (b) if the post does not fall within the purview of the Commission, in the manner as may be determined by Government.

²⁴(2) Initial recruitment to posts which do not fall within the purview of the Commission shall be made on the recommendation of the Departmental Selection Committee, after vacancies have been advertised in newspapers.

²⁵Provided that nothing contained in this sub-rule shall apply to the household staff of the Chief Minister House Peshawar, ²⁶[Khyber Pakhtunkhwa] House Islamabad, ²⁷[Khyber Pakhtunkhwa] Rest Houses Bannu, Swat and Abbottabad, ²⁸[Khyber Pakhtunkhwa] House Nathia Galli and Shahi Mehman Khana, Peshawar and any other House to be established by the Government:

²⁹Provided further that the appointment in Basic Pay Scale-1 to 4 shall be made on the recommendations of the Departmental Selection Committee through the District Employment Exchange concerned, ³⁰[or, where in a District, the office of the Employment Exchange does not exist, after advertising the posts in the leading newspapers] ³¹[]

(3) A candidate for initial appointment to a post must possess the educational qualification or technical qualifications and experience and except as provided in the rules framed for the purpose of relaxation of age limit, must be within the age limit as laid down for the post, provided that-

- (i) ³²where recruitment is to be made on the basis of written examination, then, notwithstanding anything to the contrary contained in any other rules for the time being in force, age shall be reckoned on 1st January of the year in which the examination is proposed to be held;
- (ii) in other cases as on the last date fixed for submission of applications for appointment.

²³ The words in basic pay scale-16 to 21 substituted by Notification No. SOR-I(S&GAD)1-117/91 (C), dated 12-10-1993.

²⁴ Sub rule (2) of Rule-10 substituted by Notification No. SOR-I(S&GAD) 1-117/91 (C), dated 12-10-1993.

²⁵ Proviso added vide Notification No. SOR-VI(E&AD)1-3/2003 (VI) dated 03-07-2003.

²⁶ Sub.by the Khyber Pakhtunkhwa Act No. IV of 2011.

²⁷ Sub.by the Khyber Pakhtunkhwa Act No. IV of 2011.

²⁸ Sub.by the Khyber Pakhtunkhwa Act No. IV of 2011.

²⁹ Proviso added vide Notification No. SOR-VI(E&AD)1-3/2003 (VI) dated 16-03-2004

³⁰ Sentence added in the Proviso vide Notification No. SOR-VI(E&AD)1-3/2003 (VI) dated 23-01-2006.

³¹ 2nd Proviso in sub- rule (2) of Rule 10 was deleted vide Notification No. SOR-VI(E&AD)1-3/2008 dated 09-05-2008 and added again vide Notification No. SOR-VI(E&AD)1-3/2008 dated 03-11-2008.

³² Clause (i) substituted vide Notification No. SOR-I(S&GAD)4-1/80, dated 17-5-1989.

³³(4) Where a civil servant dies or is rendered incapacitated/invalidated permanently during service then notwithstanding the procedure provided for in sub-rule (2), the appointing authority may appoint one of the children of such civil servant, or if the child has not attained the age prescribed for appointment in Government Service, the widow/wife of such civil servant, to a post in any of the Basic Pay Scales 1-10:

Provided that the child or the widow/wife as the case may be, possesses the minimum qualification prescribed for appointment to the post:

Provided further that if there are two widows/wives of the deceased civil servant, preference shall be given to the elder widow/wife.

Provided also that the appointment under this sub rule is subject to availability of a vacancy and if more than one vacancies in different pay scales are available at a time, and the child or the widow/wife, as the case may be, possesses the qualifications making him or her eligible for appointment in more than one post, he /she shall ordinarily be appointed to the post carrying higher pay scale.

Provided further that this shall not apply to any post in BPS-1-10 falling in the purview of the ³⁴[Khyber Pakhtunkhwa] Public Service Commission.

³⁵(5) Notwithstanding anything contained in any rule for the time being in force, two percent of all posts in each basic pay scale to be filled in by initial recruitment shall be reserved for disabled candidates and ten percent of all posts meant for initial recruitment shall be reserved for female candidates:

Explanation-I---For the purpose of reservation under this sub-rule "disability" does not include such disability which hampers in the smooth performance of the duties required of a disabled candidate.

Explanation-II---Ten per cent quota reserved above shall be in addition to the posts exclusively reserved for female candidates.

³⁶(6) Notwithstanding anything contained in any rule for the time being in force, five per cent of all posts in each basic pay scale to be filled in by initial recruitment shall be reserved for candidates hailing from earthquake affected areas of District Mansehra, Battgram, Shangla, Kohistan and Abbottabad (Calamity hit area) for a period of three years commencing from 1st February, 2006.

³⁷(7) Notwithstanding anything contained in any rule for the time being in force, ³⁸[three] percent of all the posts in each basic pay scale to be filled in by initial recruitment shall be reserved for candidates belonging to minorities in addition to their participation in the open merit:

Provided that, the reservation shall not apply to—

³³ Sub rule (4) substituted vide Notification No. SOR-VI (E&AD)1-3/2011/Vol-VIII, dated 31-08-2012.

³⁴ Sub.by the Khyber Pakhtunkhwa Act No. IV of 2011.

³⁵ Sub rule (5) substituted vide Notification No. SOR-VI (E&AD)1-10/03 (VI), dated 04-12-2007.

³⁶ Sub rule (6) inserted vide Notification No. SOR-VI(E&AD)1-3/03 (VI), dated 01-02-2006

³⁷ Sub rule (7) added vide Notification No. SOR-VI(E&AD)1-3/08, dated 06-01-2009

³⁸ Subs. vide Notification No. SORIV/E&AD/1-10(Minority)/2008, dated 08.01.2014.

- (i) the percentage of vacancies reserved for recruitment on merit;
- (ii) short term vacancies likely to last for less than one year; and
- (iii) isolated posts in which vacancies occur only occasionally.

11. **Eligibility.** (1) A candidate for appointment shall be a citizen of Pakistan and bona fide resident of the ³⁹[Khyber Pakhtunkhwa].

Provided that for reasons to be recorded in writing, Government may, in a particular case, relax this restriction.

⁴⁰[(2)]

(3) No person, not already in Government service, shall be appointed to a post unless he produces a certificate of character from the principal, academic officer of the academic institution last attended and also certificates of character from two responsible persons, not being his relatives, who are well acquainted with his character and antecedents.

(4) Notwithstanding anything contained in sub-rule (3), an appointment by initial recruitment shall be subject to the verification of character and antecedents of the candidate or the person appointed, to the satisfaction of appointing authority.

(5) No candidate shall be appointed to a post unless he is found, after such medical examination as Government may prescribe, to be in good mental and bodily health and free from physical defect likely to interfere in the efficient discharge of his duties.

12. **Zonal and Divisional representation:** - (1) Except as otherwise specifically provided in any rule for the time being in force, initial recruitment to posts in Basic Pay Scales 16 and 17 and other posts in Basic Pay Scales 3 to 15 borne on Provincial cadre shall be made in accordance with the Zonal quota specified by Government from time to time:

⁴¹Provided that initial recruitment to the post of Civil Judge/Judicial Magistrate/Allaqa Qazi (BPS-18) shall also be made in accordance with the zonal quota specified by the Government from time to time.

(2) Initial recruitment to posts in Basic Pay Scales 3 to 15 borne on divisional or district cadre shall be made from amongst bona fide residents of the division or district concerned, as the case may be.

(3) Initial recruitment to posts in Basic Pay Scales 1 and 2 or equivalent shall ordinarily be made on local basis.

PART-IV
AD HOC APPOINTMENT

13. **Requisition to Commission:-**When under any rule for the time being in force, a post is

³⁹ Sub.by the Khyber Pakhtunkhwa Act No. IV of 2011.

⁴⁰ Sub rule (2) of rule-11 deleted vide Notification No. SOR-VI(E&AD)1-3/08, dated 17-06-2008

⁴¹ Proviso to rule-12 added vide Notification No. SOR-VI(E&AD)1-27/08, dated 03-07-2008

required to be filled in through the Commission, the appointing authority shall forward a requisition on the prescribed form to the Commission immediately after it is decided to fill in the post, or if that is not practicable and the post is filled on ad hoc basis as provided in rule 14, within two months of the filling of the post.

14. **Ad hoc Appointment:-**(1) When the appointing authority considers it to be in the public interest to fill in a post falling within the purview of the Commission urgently, it may, pending nomination of a candidate by the Commission, proceed to fill in such post on ad hoc basis for a period not exceeding ⁴²[one year] by advertising the same in accordance with the procedure laid down for initial appointment in Part-III of these rules.

(2) Short term vacancies in the posts falling within the purview of the Commission and vacancies occurring as a result of creation of temporary posts for a period not exceeding ⁴³[one year], may be filled in by appointing authority otherwise than through the Commission on a purely temporary basis after advertising the vacancy.

PART-V

PROBATION AND CONFIRMATION

⁴⁴15. **Probation.** ----- (1) Persons appointed to posts by initial recruitment, promotion or transfer shall be on probation for a period of one year.

(2) The appointing authority, if considers necessary, may extend the probation period for one year as may be specified at the time of appointment.

⁴⁵(3) On the successful completion of probation period, the appointing authority shall, by specific order terminate the probation of the officer or official concerned within two months after the expiry of probation period prescribed in sub-rule(1):

Provided that if no specific order regarding termination of the probation period of the official or officer concerned is issued within two months, the period of probation shall be deemed to have been extended under sub-rule (2):

Provided further that if no specific order is issued on the expiry of the extended period of probation, the period of probation shall be deemed to have been successfully completed.”

16. **Confirmation:-**After satisfactory completion of the probationary period, a civil servant shall be confirmed; provided that he holds a substantive post, provided further that a civil servant shall not be deemed to have satisfactorily completed his period of probation, if he has failed to pass an examination, test or course or has failed to complete successfully a training prescribed within the meaning of sub-section (3) of Section 6 of the ⁴⁶[Khyber Pakhtunkhwa] Civil Servants Act, 1973.

⁴² The words six months replaced with the words one year vide Notification No. SOR-VI(E&AD)1-3/08, dated 17-01-2009.

⁴³ The words six months replaced with the words one year vide Notification No. SOR-VI(E&AD)1-3/08, dated 17-01-2009.

⁴⁴ Rule-15 substituted vide Notification No. SOR-VI/E&AD/1-3/2009/Vol-VIII dated 16-2-2010.

⁴⁵ Sub rule (3) substituted vide Notification No. SOR-VI (E&AD)1-3/2012 dated 28-12-2012.

⁴⁶ Sub.by the Khyber Pakhtunkhwa Act No. IV of 2011.

PART-VI

SENIORITY

17. **Seniority :-** (1) the seniority inter se of civil servants ⁴⁷(appointed to a service, cadre or post) shall be determined:-

- (a) in the case of persons appointed by initial recruitment, in accordance with the order of merit assigned by the Commission ⁴⁸[or as the case may be, the Departmental Selection Committee;] provided that persons selected for appointment to post in an earlier selection shall rank senior to the persons selected in a later selection; and
- (b) in the case of civil servants appointed otherwise, with reference to the date of their continuous regular appointment in the post; provided that civil servants selected for promotion to a higher post in one batch shall, on their promotion to the higher post, retain their inter se seniority as in the lower post.

Explanation-I:- If a junior person in a lower post is promoted to a higher post temporarily in the public interest, even though continuing later permanently in the higher post, it would not adversely effect the interest of his seniors in fixation of his seniority in the higher post.

Explanation-II:- If a junior person in a lower post is promoted to a higher post by superseding a senior person and subsequently that senior person is also promoted the person promoted first shall rank senior to the person promoted subsequently; provided that junior person shall not be deemed to have superseded a senior person if the case of the senior person is deferred for the time being for want of certain information or for incomplete record or for any other reason not attributing to his fault or demerit.

Explanation-III:- A junior person shall be deemed to have superseded a senior person only if both the junior and the senior persons were considered for the higher post and the junior person was appointed in preference to the senior person.

(2) Seniority in various cadres of civil servants appointed by initial recruitment vis-à-vis those appointed otherwise shall be determined with reference to the dates of their regular appointment to a post in that cadre; provided that if two dates are the same, the person appointed otherwise shall rank senior to the person appointed by initial recruitment.

⁴⁹(3) In the event of merger/restructuring of the Departments, Attached Departments or Subordinate Offices, the inter se seniority of civil servants affected by the merger/restructuring as aforesaid shall be determined in accordance with the date of their regular appointment to a cadre or post.

⁵⁰(4) The inter-se-seniority of civil servants in a certain cadre to which promotion is made from different lower posts, carrying the same pay scale shall be determined from the date of regular appointment/promotion of the civil servants in the lower post.

Provided that if the date of regular appointment of two or more civil servants in the

⁴⁷ Substituted for the words appointment to a post in the same basic pay scale in a cadre by Notification No. SOR-I(S&GAD)4-1/80, dated 17-05-1989.

⁴⁸ The words inserted by Notification No. SOR-I(S&GAD)4-1/80/II, dated 04-02-1996.

⁴⁹ Sub-rule (3) of Rule 17 added vide Notification No. SOR-I(E&AD)4-1/80/IV, dated 28-5-2002.

⁵⁰ Sub-rule (4) of Rule 17 added vide Notification No.SOR-VI (E&AD) 1-3/2008 dated 19-11- 2009.

lower post is the same, the civil servant older in age, shall be treated senior.

18. General Rules: - In all matters not expressly provided for in these rules, civil servants shall be governed by such rules as have been or may hereafter be prescribed by Government and made applicable to them.

19. Repeal:- The ⁵¹[Khyber Pakhtunkhwa] Civil Servants (Appointment, Promotion and Transfer) Rules, 1975, are hereby repealed.

(Authority; No. SORI(S&GAD)4-1/80, dated 13th May, 1989)

⁵¹ Sub.by the Khyber Pakhtunkhwa Act No. IV of 2011.

محضو، جناب قابل قدر ڈی۔ ای۔ او صاحب، محکمہ تعلیم ضلع سوات

عنوان: منیاریٹ لسٹ میں تہیج کی اپیل

جناب عالی!

گزارش کی جاتی ہے کہ بندہ آپ کے زیر سایہ SCT پوسٹ پر ڈیوٹی سرانجام دے رہا ہے۔ بندہ تیس سالوں سے سی ٹی پوسٹ ہے۔ لیکن منیاریٹ لسٹ میں 15 بندوں سے کھردھیلنے کی طرف دھیمل کر جو تہیج کر دیا ہے۔ لہذا آپ صاحبان میری بانی فرما کر منیاریٹ لسٹ پر ہمدردانہ غور کیا جائے تاکہ حقدار کو اپنا حق مل سکیں۔

Annexure "D"

Rasool Khan

15/01/2021

العارض

ایکانتا بعدار ومانبرو

شوکن علی SCT

تجوڑہ 15-01-2021

نوٹ! منیاریٹ لسٹ میں نمبر 54 پر جو بندہ شیش علی ولد باقوت خان ہے وہ مجھ سے جو تہیج ہے۔

SARHAD UNIVERSITY

OF SCIENCE & INFORMATION TECHNOLOGY, PESHAWAR

(25)
Amir Khan "F"

DMC No. SW/ 36649

Detailed Marks Certificate

Annual 2006



Student's Name Shamsher Ali Roll No. 05-AE-00992
 Father's Name Yaqoot Khan Registration No. SUIT-05-AN-67030
 Programme Certificate in Teaching Part No. 2

Courses	Max Marks	Marks Obtained		Remarks
		In Fig.	In Words	
Counseling, Testing & Evaluation	100	081	Eighty One	Pass
Theory & History of Education	100	088	Eighty Eight	Pass
General Methodology & Preparation of Teaching Aids	100	060	Sixty Only	Pass
School & Community Development	100	056	Fifty Six	Pass
Child Development	100	056	Fifty Six	Pass
Organization of Elementary Edu. & School Management	100	057	Fifty Seven	Pass
Teaching Methods of Science	100	082	Eighty Two	Pass
Teaching Methods of Social Studies/Pak Studies	100	064	Sixty Four	Pass
Teaching Methods of Islamiyat / Islamic History	100	089	Eighty Nine	Pass
Teaching Methods of Mathematics	100	080	Eighty Only	Pass
Teaching Practice - CT	200	180	One Hundred and Eighty Only	Pass
Total	1200	893	Eight Hundred Ninety-Three	Pass

Atiqul

 PRINCIPAL
 GCMHSS Wadudia
 Saidu Sharif Swat.

General Remarks The Examination was passed as a Whole in 1st division
 Exam held 28-Jun to 28-Jul, 2006 Result declared September 27, 2006 Date of issue August 03, 2021

Dean

(Certificate Completed)

Controller of Examinations

(Errors and omissions are subject to subsequent rectification)