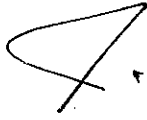


02nd May, 2023

1. Learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.
2. Learned counsel for the appellant seeks adjournment on the ground that he has not made preparation for arguments. Last opportunity is granted. To come up for arguments on 31.05.2023 before the D.B. Parcha Peshi is given to the parties.

SCANNED
KPST
Peshawar

Naeem Amin


(Salah-ud-Din)
Member (J)


(Kalim Arshad Khan)
Chairman


08.11.2022

Nemo for appellant.

Naseer Ud Din Shah learned Assistant Advocate General for the respondents present.

Preceding date was adjourned through Reader note, therefore, both the parties be put on notice for the next date. To come up for arguments on 27.12.2022 before D.B.


(Fareeha Paul)
Member (E)


(Rozina Rehman)
Member (J)

27-12-22


Due to winter vacation therefore
case is adjourned to 3-4-2023
Rozina

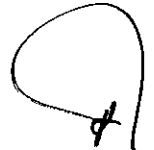
03.04.2023

Appellant present through counsel.

Asif Masood Ali Shah learned Deputy District Attorney for respondents present.

Being not prepared, learned counsel for appellant requested for adjournment. Adjourned. To come up for arguments on 02.05.2023 before D.B. Parcha/Peshi given to the parties.


(Muhammad Akbar Khan)
Member (E)


(Rozina Rehman)
Member (J)

Noted
22/11/22
SCANNED
KPST
Peshawar

SCANNED
KPST
Peshawar

2-12-21

Proper D.B. on Terms, therefore, case is adjourned to 14-2-22 for hearing.

[Handwritten Signature]
Reeder

14.02.2022

Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 01.06.2022 for the same as before.

[Handwritten Signature]
Reeder

01.06.2022

Mr. Shahkar Khan, Advocate junior of learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for respondents No. 1 & 2 present. Mr. Shahab Khattak, Advocate (legal Advisor) for respondent No. 3 present.

Junior of learned counsel for the appellant is again seeking adjournment as learned counsel for the appellant is busy in the august Supreme Court of Pakistan. Adjourned. Last opportunity is granted. To come up for arguments on before the D.B on 08.08.2022.

[Handwritten Signature]

(Mian Muhammad)
Member (E)

[Handwritten Signature]

(Salah-ud-Din)
Member (J)

8-8-22

Due to public holiday the case is adjourned to 8.11.22

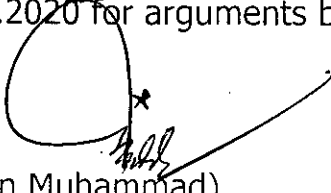
[Handwritten Signature]
Reeder


30.09.2020

Nemo for appellant.

Mr. Usman Ghani learned District Attorney for respondents present.

Notice be issued to appellant and his counsel for 17.12.2020 for arguments before D.B.


(Mian Muhammad)
Member (E)


(Rozina Rehman)
Member (J)

17.12.2020

Counsel for appellant and Mr. Kabirullah Khattak learned AAG for respondents present.


Due to COVID-19, the case is adjourned for the same on 11.03.2021 before D.B.


READER

11.03.2021

Due to non availability of Bench, the case is adjourned to 26.04.2021 for arguments before D.B.

26.4.21


READER
Due to COVID-19, the case is adjourned to 16.8.2021 for the same.


READER

16.08.2021

Since 16.08.2021 has been declared as Public holiday on account of Moharram, therefore, case is adjourned to 02.12.2021 for the same as before.


Reader

28.02.2020

Learned counsel for the appellant present. Mr. Riaz Paindakhel learned Assistant Advocate General for the respondents present. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 13.04.2020 before D.B.


Member


Member

13.04.2020

Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 01.07.2020 before D.B.


Reader

01.07.2020

Due to COVID-19, the case is adjourned. To come up for the same on 30.09.2020 before D.B.


Reader

08.08.2019

Clerk to counsel for the appellant present. Mr. Muhammad Jan, DDA for respondents present. Clerk to counsel for the appellant seeks adjournment due to general strike on the call of Pakistan Bar council. Adjourn. To come up for arguments on 30.10.2019 before D.B.


Member


Member

30.10.2019

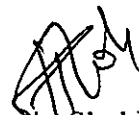
Learned counsel for the appellant and Mr. Usman Ghani learned District Attorney present. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 01.01.2020 before D.B.


Member


Member

01.01.2020


Learned counsel for the appellant present. Mr. Riaz Paindakhel learned Assistant Advocate General for the respondents present. Learned counsel for the appellant requested for adjournment. Adjourned. To come up for further proceedings on 28.02.2020 before D.B.



(Hussain Shah)
Member


(M. Amin Khan Kundi)
Member

22.01.2019

Learned counsel for the appellant and Mr. Kabirullah Khattak learned Additional Advocate General for the respondents present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up arguments on 28.03.2019 before D.B


(Hussain Shah)
Member


(Muhammad Amin Khan Kundi)
Member

28.03.2019

Due to general strike of the bar, the case is adjourn. To come up for arguments on 14.06.2019 before D.B.


Member


Member

14.06.2019

Appellant in person and Mr. Muhammad Jan, DDA for the respondents present.


Due to general strike on the call of the Khyber Pakhtunkhwa Bar Council, the matter is adjourned to 08.8.2019 for arguments before the D.B.


Member


Chairman

31.08.2018

Counsel for the appellant and Mr. Riaz Ahmad Painsakhel, Assistant AG for the respondents present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 15.10.2018 before D.B.


(Ahmad Hassan)
Member


(Muhammad Amin Khan Kundi)
Member

15.10.2018

Clerk to counsel for appellant and Mr. Muhammad Jan learned Deputy District Attorney present. Clerk to counsel for appellant submitted rejoinder which is placed on file. Due to general strike of the bar, the case is adjourned. To come up on 28.11.2018 before D.B


Member



Member

28.11.2018

Clerk of counsel for the appellant and Mr. Kabirullah Khattak Addl. AG for the respondents present.

The former requests for adjournment on account of engagement of learned counsel before the Hon'ble high court. Adjourned to 22.01.2019 before the D.B.


Member


Chairman

15.02.2018

Clerk of the counsel for appellant present. Mr. Zia Ullah, DDA for the respondent present. Clerk of the counsel for appellant seeks adjournment as his senior counsel is not in attendance today. Granted. To come up for arguments on 19.04.2018 before D.B.


Member


Chairman

19.04.2018


Counsel for the appellant present. Mr. Muhammad Jan, Deputy District Attorney for the respondents also present. Learned counsel for the appellant submitted rejoinder and also seeks adjournment for arguments. Copy of rejoinder handed over to learned Deputy District Attorney. Adjourned. To come up for arguments on 04.07.2018 before D.B.



(Ahmad Hassan)
Member


(Muhammad Amin Khan Kundi)
Member

04.07.2018

Counsel for the appellant present. Mr. Ziaullah, DDA for respondents present. Rejoinder on behalf of the appellant submitted which is placed on file. Adjourned. To come up for arguments on 31.08.2018 before D.B.


(Ahmad Hassan)
Member


(Muhammad Amin Kundi)
Member

17/10/2017

Clerk of counsel for appellant and Mr. Kabirullah Khattak, AAG for the respondents present. Written reply not submitted by respondent despite extension in last opportunity. Learned AAG requested for further time. Last opportunity is further extended at further cost of Rs. 500/-. To come up for written reply/comments and costs of Rs. 1000/- on 13/11/2017 before S.B.


(GUL ZEB KHAN)
MEMBER


13.11.2017

Junior counsel for the appellant present. Mr. Kabir Ullah Khatta, Addl: AG for the respondents present. Written reply not submitted despite in last opportunities. Last opportunity further extended subject to payment of cost of Rs. 2000/- which shall be borne by respondents from their own pockets. To come up for written reply/comments and costs of Rs. 2000/- on 04.12.2017 before S.B.


(Gul Zeb Khan)
Member


04.12.2017

Counsel for the appellant present. Mr. ~~Riaz Paimda~~ ~~Khalid, Assistant~~ Advocate General for respondents present. Written reply submitted. To come up for rejoinder and arguments on 15.02.2018 before D.B.


(Gul Zeb Khan)
Member (E)

29.05.2017


Counsel for the appellant and Addl. AG for the respondents present. Written reply not submitted. Requested for adjournment. Request accepted. To come up for written reply/comments on 17.07.2017 before S.B.


(AHMAD HASSAN)
MEMBER

05. 17.07.2017

Counsel for the appellant and Mr. Muhammad Adeel Butt, Additional AG for the respondent present. Written reply not submitted. Requested for adjournment. Adjourned. To come up for written reply/ comments on 16.08.2017 before S.B.


0-----07 16.08.2017


Counsel for the appellant present. Learned Assistant AG for the respondent present. Written reply not submitted. Requested for adjournment. Last opportunity is granted. Adjourned. To come up for written reply/comments on 18.09.2017 before S.B.


(Muhammad Hamid Mughal)
Member

18.09.2017

Counsel for the appellant and Addl:AG for respondents present. Written reply not submitted despite last opportunities. Requested for further adjournment. Last opportunity further extended subject to payment of cost of Rs. 500/- which shall be borne by respondents from their own pockets. To come up for written reply/comments on 17.10.2017 before S.B.


(Ahmad Hassan)
Member

27.03.2017

SCANNED
KPST
Peshawar

Counsel for the appellant present. Preliminary arguments heard and case file perused. The appellant joined the Technical Education Department as Instructor (BPS-17) on 22.10.2015. Later on he was promoted as Assistant Professor (BPS-18) vide notification dated 24.10.2013. He filed departmental appeal against seniority list of Assistant Professors (BPS-18) issued on 02.12.2016, which was rejected on 29.12.2016, hence, the instant service appeal on 25.01.2017. The impugned seniority list has not been firmed up in accordance with invogue rules and directions given in Superior Court judgments.


Appellant Deposited
Security & Process Fee

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 26.04.2017 before S.B.


(AHMAD HASSAN)
MEMBER

26.04.2017


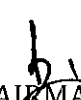
Counsel for the appellant and Addl: AG for the respondents present. Written reply not submitted. Requested for adjournment. Request accepted. To come up for written reply/comments on 29/05/2017 before S.B.


(Ahmad Hassan)
Member

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. _____ 233/2017 _____


S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	09/03/2017	<p>The appeal of Mr. Muhammad Imtiaz resubmitted today by Mr. Muhammad Asif Yousafzai Advocate, may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	20.3-17	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>27-3-2017</u></p> <p style="text-align: right;"> CHAIRMAN</p>

The appeal of Mr. Muhammad Imtiaz Assistant Professor GTTT Hayatabad Peshawar received today i.e on 25.01.2017 is incomplete on the following score which is returned to the counsel for the appellatant for completion and resubmission within 15 days.

- 1- Annexures-B, C and F of the appeal are missing which may be placed on file.
- 2- Copies of tentative seniority list and impugned list dated 13.12.2016 mentioned in para-6&7 of the memo of appeal respectively are not attached with the appeal which may be placed on it.
- 3- Sub-rule-4 of rule-6 of the Khyber Pakhtunkhwa Service Tribunal rules 1974 requires that every civil servant to whom the relief claimed may affect, shall also be shown as respondent.
- 4- Annexures of the appeal may be flagged.
- 5- Five more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted by the appeal.

No. 225 /S.T,

Dt. 26/1 /2017


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. M.Asif Yousafzai Adv. Pesh.

Sir.

1. Removed.
2. Removed.
3. Since the appellatant is claiming at par treatment with Supt. Jehanzeb, therefore, there is no need to implead other officials.
4. Removed.
5. Removed.

Re-submitted.
Asif

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 233/2017

Muhammad Imtiaz

V/S

Secretary Industries & Others

INDEX

S.NO.	DOCUMENTS	ANNEXURE	PAGE
1.	Memo of Appeal	-----	1-4
2.	Copy of order dt:24.4.1988	A	5-7
2.	Copy of order dt: 22.10.2005	B	8-9
3.	Copy of order dt: 24.10.2013	C	10-12
4.	Copy of Notification dt: 9.2.2002	D	13
5.	Coy of Notification dt: 28.5.2002	E	14
6.	Copy of judgment dt: 19.9.2008	F	15-25
7.	Copy of judgment dt: 23.6.2009	G	26-31
8.	Copy seniority list of 2015	H	32-38
9.	Copy of departmental appeal	I	39
10.	Copy of rejection order	J	42
11.	Wakalat Nama	-----	43

APPELLANT

THROUGH:

M. Asif Yousafzai
M.ASIF YOUSAFZAI

(ADVOCATE SUPREME COURT),

TAIMUR ALI KHAN

(ADVOCATE HIGH COURT),

&

S. NOMAN ALI BUKHRI

ADVOCATE PESHAWAR.

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 233 /2017

Muhammad Imtiaz,
Assistant Professor,
GTTT, Hayatabad Peshawar

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 118

Dated 25/11/2017

(Appellant)

VERSUS

1. The Chief Secretary Khyber Pakhtunkhwa Peshawar.
2. The Secretary Industries, Commerce and Technical Education Department, KPK, Peshawar.
3. The Managing Director, KP-TEVTA Abdara Road KPK, Peshawar

(Respondents)

APPEAL UNDER SECTION 4 OF THE SERVICE TRIBUNALS, 1974 ACT AGAINST THE ORDER DATED 29.12.2016 WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT HAS BEEN REJECTED AGAINST THE FINAL SENIORITY LIST DATED 31.12.2015 WHEREIN THE APPELLANT WAS WRONGLY PLACED AT SERIAL NO. 29 FOR NO GOOD GROUNDS.

PRAYER:

THAT ON THE ACCEPTANCE OF THIS APPEAL, THE ORDER DATED 29.12.2016 MAY BE SET ASIDE AND THE RESPONDENTS MAY BE DIRECTED TO PLACE THE APPELLANT AT SERIAL NO.10 IN THE FINAL SENIORITY LIST DATED 31.12.2015 BY TREATING THE APPELLANT AT PAR WITH ENGR JEHANZEB AND BY EXTENDING THE BENEFITS OF JUDGMENT OF THIS AUGUST TRIBUNAL PASSED IN APPEAL NO. 1011/NEEM/2006 ADTED. 23.06.2009. ANY OTHER REMEDY WHICH THIS AUGUST

Filed to-day

Registrar

25/11/17.

**AUGUST TRIBUNAL DEEMS FIT AND APPROPRIATE THAT
MAY ALSO BE AWARDED IN FAVOUR OF APPELLANT.**

RESPECTFULLY SHEWETH:

FACTS:

1. That the appellant has done Bachelor Degree in Mechanical Engineering and was appointed as Instructor (BPS-14) in Deptt: of Manpower and Training on Adhoc basis which was latter on regularized on dated 24.4.1988 on the promulgation of Regularization Act 1988.(Copy of order dated 24.4.1988 is attached as Annexure-A)
2. That some posts of instructor (BPS-17) were advertisement in the Technical Education Department, to which the appellant applied and on the recommendation of Public Service Commission the appellant was appointed as Instructor(BPS-17) vide order dated 22.10.2005 and later on promoted to the post of Assistant Professor vide order dated 24.10.2013. (Copies of orders dated 22.10.2005 and 24.10.2013 are attached as Annexure-B&C)
3. That the Directorate of Technical Education and Directorate of Manpower and Training were merged vide notification dated 9.2.2002, and renamed as Directorate of Technical Education & Manpower Training and continue as an Attached Department of the Industries, Commerce, Labour, Mineral Development & Technical Education . It is also worth to mention that the Govt: has also amended Rule-17 of the KPK APT Rules, 1989 for seniority purposes vide notification dated 28.5.2002. (Copies of Notification dated 9.2.2002 and 28.5.2002 are attached as annexure-D&E)
4. That the appellant also filed service appeal No.1399/2008 against the order dated 22.10.2005 whereby the appellant was appointed as lecturer (BPS-17) but denied pension and gratuity and termed his appointment as non-pensionable and entitled only to CP fund. The said appeal was decided in the favour of the appellant on 19.9.2008. (Copy of judgment is attached as annexure-F)
5. That after merging of the two directorates (Technical Education & Man Power), the seniority of the staff was not fixed according to the amended Rule-17-(3) of notification dated 28.5.2002, therefore, Mr. Pervaz Rahi (Suptt:) knocked the door of Honourable Court in 2004 and got the benefits of seniority as he was senior to the employ of defunct Tech: Education Department. Similarly Mr. Fayaz and others

who were the employees of Manpower & Training and were seniors to Technical Education Department employees filed service appeals for the correction of their seniority and against the promotion of the others official. The appeals were decided in the favour of appellants on 23.6.2009 and on the basis of judgment the department set aside all promotions made after merging on separate seniority lists and correct the seniority among the instructor and junior instructor (B-14) from 9.2.2002, however the Directorate of Technical Education and Manpower has granted the benefit of seniority to those only who field appeal before the KPK Service Tribunal despite the fact that the appellant is also similarly placed person. (Copy of judgment dated 23.6.2009 is attached as Annexure-G)

6. That the department issued ~~ter~~^{issued} seniority list of 2015 of Assistant Professors (BPS-18) on 2.12.2016 in which the appellant was wrongly placed at S.No. 29 as the correct place of the appellant in the impugned seniority list comes at S. No.10 by treating the appellant at par with his colleagues. (Copy of seniority list is attached as Annexure-H)
7. That the appellant filed departmental appeal against the impugned seniority list on 13.12.2016 which was rejected 29.12.2016. (Copies of departmental appeal and rejection order are attached as annexure-I&J)
8. That now the appellant comes to this Honourable Tribunal on the following grounds amongst others.

GROUND:

- A) That the rejection order dated ~~29.12~~^{29.12}.2016 and impugned seniority list dated 2.12.2016 are against the law, facts, norms of justice and material on record, therefore not tenable and liable to be set aside.
- B) That the impugned seniority list was not made according to the rules 17-(3) and judgment of this august Tribunal is not followed in its true letter and spirit. Therefore the seniority list is liable to be corrected.
- C) That on the basis of judgment dated 23.6.2009, the seniority of those officials who filed service appeals were corrected while the same benefit was not extended to the appellant, which the violation of judgment of Supreme Court of Pakistan reported in 2009-SCMR page

1 wherein it is clearly directed to extend the benefits of judgments to those who might not litigated rather to compel them for litigation.

- D) That the appellant was appointed with Engr: Jehanzeb, but Engr: Jehanzeb was placed at S. No. 10 while the appellant was at S. No. 39 though both of the department was merged and according notification dated 28.5.2002 the inter se seniority of civil servants affected by the merger/ restructuring shall be determined in accordance with the date of the regular appointment to a Cadre or post.
- E) That the appellant is like and similar to Engr: Jehanzeb, therefore the appellant is also entitled to same relief as given to Engr: Jehanzeb. Therefore, by placing the appellant at wrong S. No at 29 in the impugned seniority list is violation of law and rules and also refusal on the part of respondents for not treating the appellant at par with Engr: Jehanzeb.
- F) That the appellant was no treated according to law and rules and wrongly placed at S. No. 29 in the impugned seniority list.
- G) That the appellant seeks permission to advance others grounds and proofs at the time of hearing.

It is, therefore most humbly prayed that the appeal of the appellant may be accepted as prayed for.

APPELLANT 

Muhammad Imtiaz

THROUGH:


M. ASIF YOUSAFZAI

(ADVOCATE SUPREME COURT),

TAIMUR ALI KHAN

(ADVOCATE HIGH COURT)

&

S. NOMAN ALI BUKHRI

ADVOCATE PESHAWAR.

GOVERNMENT OF N.W.F.P.
DIRECTORATE OF MANPOWER & TRAINING
BENEVOLENT FUND BUILDING
HALL-210 PESHAWAR CANTT:

A (5)

ORDER.

On the recommendations of the Departmental Selection Committee, adhoc appointments of the following Instructors(B-14) are regularised w.e.f. the dates noted against each :-

S.No.	Name	Centre	Date of regularisation	Remarks.
<u>AUTO.</u>				
1.	Mr.Khalilur Rehman	TTC, Peshawar	1.3.1985	-
2.	Mr.Mohammad Naseer	ORC, Khalabat	16.12.1987	-
3.	Mr.Mohammad Fahmeed (Working against the post of senior Instructor(Bench Fitter).	TTC, DIKhan	17.12.1987	Stands transferred to TTC Peshawar against the post to be vacated by Mr.Fakhrul Islam on his appointment as senior instructor in SDC. No transfer TA/LA is allowed.
4.	Mr.Noorul Amin	ATC, Mardan	13.12.87	-
5.	Mr.Mohammad Ayaz (working against the post of sr: instructor).	ORC, Khalabat.	19.12.87	Stands transferred to ATC, Mingora against the post of instructor to be vacated by Sher Ali on his adjustment in SDC. No transfer T./D. is allowed.
6.	Mr.Sabir Khan (working against the post of senior instructor).	TTC, DIKhan.	20.12.87	Stands adjusted in the same centre against the post of instructor to be vacated by Mr.Habibur Rehman on his adjustment in SDC.
7.	Mr.Ashfaq Saleem (working against the post of sr: instructor).	ORC, Khalabat.	21.12.87	Stands adjusted in the same centre against the post of instructor to be vacated by Mr.Sadaqat Zaman on his adjustment in SDC.
8.	Mr.Sajjad Ahmad (working against the post of sr: Instructor).	ATC, Mardan	22.12.87	Stands transferred to ATC Mingora against the post of Instructor to be vacated by S.Abdul Haq on his appointment as senior instructor in SDC. No transfer T./D. is allowed.
<u>ELECTRICAL.</u>				
9.	Mr.Mohammad Inam Khan.	TTC, DIKhan	16.12.87	

CARPENTER.

Attest
M. I. Khan

7

-: 3 :-

Endst:No.DMT/133/Estt/ 2017-26

Dated Pesh:the 24th April, 88.

Copy forwarded to:-

- 1) The Accountant General, NWFP, Peshawar.
- 2-5) The District Accounts Officer, Mardan, Abbottabad, Mingora and D.I.Khan.
- 6-10) The Principals TTCs Peshawar, DIKhan, ORC, Khalabat, ATC, Mingora and Mardan. They are requested that entries to this effect may be made in their service books. It may be ensured that other terms/conditions of service as laid down in the adhoc appointment orders such as (i) production of medical fitness certificate and (ii) satisfactory verification of their character and antecedents by Police are fulfilled.

11-29) Officials concerned.

30-48) Personal files of the official concerned.

Mohammad
(MOHAMMED RASHID)
Deputy Director.

N.K. Khattak

Att-est-ed
M. Khattak

B (8)

Copy No. 876
Date 27/10/05
File No.

Government of N.W.F. Province,
Industries, Commerce, Min: Dev.
Labour & Tech: Edu: Department.

NOTIFICATION

No. SOIII(IND)TE/3-5:2005. Consequent upon the recommendation of the NWFP Public Service Commission, the Competent Authority has been pleased to appoint the following candidates as Instructor (BPS-17) in the Technical Education Department with immediate effect subject to the following terms and conditions:-

S.No.	Name of Candidate	Subject
1)	Engr. Muhammad Imtiaz S/O Haji Wahid Gul C/O A. Azhar (Directorate Of Postgraduate Studies) NWFP University Of Engg: & Technology, Peshawar.	Auto
2)	Engr. Abdul Jabbar S/O Abdul Hanan Village & P.O Mullazai, Mohallah Piran Tehsil and District Tank.	Mechanical

TERMS AND CONDITIONS

- 1) The appointment of the candidates mentioned above is subject to the condition that they are the domiciled of NWFP.
- 2) Their inter-se-seniority shall be fixed according to the order of merit assigned by the NWFP Public Service Commission.
- 3) Their services shall be liable to termination on one month's notice from either side. In case of resignation without notice their one month's pay/allowances, if any, shall be forfeited to Government.
- 4) No T.A/D.A etc is allowed to the candidates on their first appointment.

The candidates should join their posts within 30-days of the issue of this Notification. The Director, Technical Education and Manpower Training, NWFP should furnish a certificate to the effect that the candidates have joined the post or otherwise, after one month of the issue of this Notification.

Charge reports in duplicate should be submitted to all concerned:

[Handwritten signature]
1/12/05

- (9)
- 7) They will be governed by such rules and regulations as may be issued from time to time by the Government for the category of Government servant to which they belong.
 - 8) A declaration of assets should be obtained from them if not already done and kept on record.

2. On their appointment, the Competent Authority has further pleased to order the following posting/adjustment of the following officers with immediate effect:-

S.No.	Name of candidates	Posted as
1)	Engr. Muhammad Imtiaz S/O Haji Wahid Gul, Instructor Government Advance Technical Training Centre, Peshawar.	Instructor (Auto) Govt College of Technology, Peshawar against the vacant post.
2)	Mr. Abdul Jabbar S/O Abdul Haman, C.T (Technical) Government High School Mulazai, Tank	Instructor (Mechanical) Govt Polytechnic Institute, Nowshera against the vacant post.

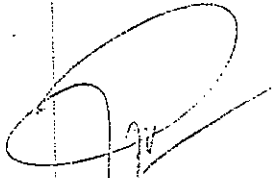
Sd/-

Secretary to Govt of NWFP,
Industries, Commerce, Min. Dev.
Labour & Tech; Educ. Department.

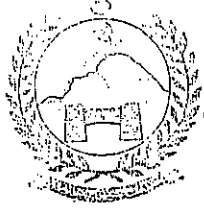
Encls. No. SOIII(INID)TE/3-5/2005/14636 Dated Pesh: the 22nd October 2005.

Copy is forwarded to:-

- 1) The Accountant General, N.W.F. Province, Peshawar.
- 2) The District Accounts Officer, Tank and Nowshera.
- 3) The Director (Recruitment) NWFP Public Service Commission, Peshawar.
- 4) The Director, Technical Education and Manpower Training, NWFP Peshawar along with all documents of the officers for record.
- 5) Director, Schools and Literacy Department, NWFP.
- 6) The Principals concerned, (Tank & Nowshera)
- 7) The Manager, Govt Printing Press, Peshawar.
- 8) Officers concerned.
- 9) O/O file.


 (JANAT GUL AFRIDI)
 SECTION OFFICER-III

LIABIE



Government of Khyber Pakhtunkhwa
Industries, Commerce & Technical Education
Department

10

NOTIFICATION

No. SOIII(INDYTE/PSB/2013. On the recommendations of the Provincial Selection Board, the Competent Authority is pleased to promote the following Instructors/Lecturers BPS-17 (Degree Holder) to the post of Assistant Professors (BPS-18) in the Directorate General of Technical Education, Khyber Pakhtunkhwa with immediate effect:-

S. No	Names
1.	Engr. Niaz Ali Jan,
2.	Engr. Muhammad Zubair,
3.	Engr. Muhammad Nazir,
4.	Engr. Raza Ullah,
5.	Engr. Muhammad Khalid,
6.	Engr. Nasir Khan,
7.	Engr. Aleem John,
8.	Engr. Asad Ullah,
9.	Engr. Samiullah Durrani,
10.	Engr. Muhammad Iqbal,
11.	Engr. Muhammad Intiaz,
12.	Engr. Syed Javed Iqbal,
13.	Engr. Maqsood Jamal,
14.	Engr. Ihsanullah,
15.	Engr. Muhammad Ismail Khan,
16.	Engr. Bazir Khan,
17.	Engr. Masood Jan,
18.	Engr. Shah Room,
19.	Engr. Saeed Hussain Shah,
20.	Engr. Israr Ahmad,
21.	Engr. Tariq Ali,
22.	Engr. Abid Alam,
23.	Engr. Imran Khan,
24.	Engr. Niqab Khan,
25.	Engr. Mian Khuram Ahsan,
26.	Engr. Fazi-e-Elahi,
27.	Engr. Umer Zaman,
28.	Engr. Arsalan Gohar,
29.	Engr. Wajid Khan,
30.	Engr. Ateeq ur Rehman,
31.	Engr. Ijaz Khan,
32.	Engr. Akhtar Manan,

2. The officers will remain on probation for a period of one year extendable for another year in terms of Section-6(2) of NWFP, Civil Servants Act, 1975 read with Rule-15(1) of NWFP, Civil Servants (Appointment, Promotion and Transfer) Rules, 1989.

3. Consequent upon their promotion, the following transfers/postings of officers are hereby ordered with immediate effect:-

Sr. No.	Name of Officer	Posted As
1	Engr. Niaz Ali Jan, Assistant Professor (Mech) on acting charge basis GCT Bannu	Assistant Professor (Mech) (BPS-18) at Govt College of Technology Bannu against the vacant post on regular basis.
2	Engr. Muhammad Zubair, Assistant Professor (Civil) on acting charge basis GCT D.I.Khan	Assistant Professor (Civil) (BPS-18) at Govt. College of Technology D.I.Khan against the vacant post on regular basis.
3	Engr. Muhammad Nazir, Assistant Professor (Elect) on acting charge basis GCT Abbottabad.	Assistant Professor (Electrical) (BPS-18) at Govt. College of Technology Abbottabad against the vacant post on regular basis.
4	Engr. Raza Ullah, Assistant Professor (Civil) on acting charge basis GCT Nowshera	Assistant Professor (Civil) BPS-18 at Govt. College of Technology Peshawar against the vacant post on regular basis.
5	Engr. Muhammad Khalid, Assistant Professor (Civil) on acting charge basis GCT D.I.Khan	Assistant Professor (Civil) BPS-18 at Govt. College of Technology Nowshera against the vacant post on regular basis.
6	Engr. Nasir Khan, Assistant Professor (Mech) on acting charge basis GCT Tangi	Assistant Professor (Mech) BPS-18 at Govt. College of Technology Tangi Charsadda against the vacant post on regular basis.
7	Engr. Aleem John, Assistant Professor (Civil) on acting charge basis GCT Peshawar	Assistant Professor (Civil) BPS-18 at Govt. College of Technology Peshawar against the vacant post on regular basis.
8	Engr. Asad Ullah, Assistant Professor (Telecom) on acting charge basis GPI Takht Bhai, Mardan	Assistant Professor (Telecom) BPS-18 at Govt. Polytechnic Institute Haripur against the vacant post on regular basis.
9	Engr. Samiullah Durrani, Assistant Professor (Mech) on acting charge basis GCT Peshawar	Assistant Professor (Mech) BPS-18 at Govt. College of Technology, Peshawar against the vacant post on regular basis.
10	Engr. Muhammad Iqbal, Assistant Professor (Civil) on acting charge basis GPI Karak	Assistant Professor (Civil) BPS-18 at Govt. Polytechnic Institute Karak against the vacant post on regular basis.
11	Engr. Muhammad Imtiaz, Lecturer (Mech), GATTC Hayatabad, Peshawar.	Assistant Professor (Mech) BPS-18 as Vice Principal Govt. Advance Technical Training Centre Hayatabad Peshawar against the vacant post on regular basis.
12	Engr. Syed Javed Iqbal, Lecturer (Mech), GTVC Chak Darra	Assistant Professor (Mech) BS-18 as Principal Govt. Technical Vocational Centre Chakdarra against the vacant post on regular basis.
13	Engr. Maqsood Jamal, Lecturer (Mech), GCT Peshawar.	Assistant Professor (Mech) EPS-18 at Govt. College of Technology Peshawar against the vacant post on regular basis.
14	Engr. Ihsanullah, Lecturer (Civil) GPI, Karak	Assistant Professor (Civil) BPS-18 at Govt. College of Technology Kohat against the vacant post on regular basis.
15	Engr. Muhammad Ismail Khan Lecturer (Civil), GCT, Peshawar.	Assistant Professor (Civil) BS-18 at Govt. College of Technology, Peshawar against the vacant post on regular basis.
16	Engr. Bazir Khan, Lecturer (Mech), GPI, Batkhella	Assistant Professor (Mech) EPS-18 at Govt. College of Technology, Timergara against the vacant post on regular basis.
17	Engr. Masood Jan, Lecturer (Mech), GTVC (B) Charsadda	Assistant Professor (Mech) BPS-18 at Govt. College of Technology, Tangi, Charsadda against the vacant post on regular basis.

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18	Engr. Shah Room, Lecturer (Civil), GPI, Batkhella	Assistant Professor (Civil) BPS-18 at Govt. College of Technology, Timergara against the vacant post on regular basis.
19	Engr. Saeed Hussain Shah, Lecturer (Elect) GCT Tangi, Charsadda	Assistant Professor (Electrical) BPS-18 at Govt. College of Technology, Tangi Charsadda against the vacant post on acting charge basis.
20	Engr. Israr Ahmad, Lecturer (Elect), GCT Swat	Assistant Professor (Electrical) BPS-18 at Govt. College of Technology, Swat against the vacant post on acting charge basis.
21	Engr. Tariq Ali, Lecturer (Civil), GPI, Batkhella.	Assistant Professor (Civil) BPS-18 at Govt. College of Technology, Swat against the vacant post on acting charge basis.
22	Engr. Abid Alam, Lecturer (Mech), GTTTC Hayatabad, Peshawar.	Assistant Professor (Electrical) BPS-18 at Govt. College of Technology, Swat against the vacant post on acting charge basis.
23	Engr. Imran Khan, Lecturer (Mech), GPI Dir Wari.	Assistant Professor (Mech) BPS-18 at Govt. Polytechnic Institute, Dir Warri against the vacant post on acting charge basis.
24	Engr. Niqab Khan, Lecturer (Mech), GCT Peshawar	Assistant Professor (Mech) BPS-18 at Govt. College of Technology, Peshawar against the vacant post on acting charge basis.
25	Engr. Mian Khuram Ahsan, Lecturer (Elect), GCT Nowshera	Assistant Professor (Electrical) BPS-18 at Govt. College of Technology, Nowshera against the vacant post on acting charge basis.
26	Engr. Fazl-e-Elahi Lecturer (Mech), GCT Peshawar.	Assistant Professor (Electrical) BPS-18 at Govt. College of Technology, Peshawar against the vacant post on acting charge basis.
27	Engr. Umer Zaman, Lecturer (Elect), GPI, Batkhella.	Assistant Professor (Electrical) BPS-18 at Govt. College Technology, Timergara against the vacant post on acting charge basis.
28	Engr. Arsalan Gohar, Lecturer (Electronic), GTTTC Hayatabad, Peshawar.	Assistant Professor (Telecom) BPS-18 at Govt. College of Technology, Haripur against the vacant post on acting charge basis.
29	Engr. Wajid Khan, Lecturer (Electronics), GTI, Ekka Ghundi, Mohmand Agency	Assistant Professor (Electronics) BPS-18 at Govt. Technical Institute, Ekka Ghundi Mohmand Agency against the vacant post on acting charge basis.
30	Engr. Ateeq ur Rehman, Lecturer (Mech), GCT, Nowshera	Assistant Professor (Mech) BPS-18 at Govt. College of Technology, Nowshera against the vacant post on acting charge basis.
31	Engr. Ijaz Khan, Lecturer (Mech), GCT Bannu	Assistant Professor (Mech) BPS-18 at Govt. College of Technology, Abbottabad against the vacant post on acting charge basis.
32	Engr. Akhtar Manan, Lecturer (Electrical), GPI, Karak.	Assistant Professor (Electrical) BPS-18 at Govt. College of Technology, Kohat against the vacant post on acting charge basis.

Secretary to Govt. of Khyber Pakhtunkhwa,
Industries, Commerce & Technical Education
Department.

Dated Pesh, the 24th October, 2013

Enclst: No. SO/II(INDYTE/PSB/2013

Copy is forwarded to

1. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. The Director General, TE&MT, Khyber Pakhtunkhwa, Peshawar.
3. The District Accounts Officers, Peshawar, Bannu, D.I. Khan, Abbottabad, Nowshera, Charsadda, Haripur, Karak, Chakdara, Kohat, Timergara, Swat and Dir Upper.
4. Agency Accounts Officer, Mohmand Agency, Ghallani.
5. The Principals concerned.
6. The Officers concerned.
7. O/O file.

(TARIQ ALI KHAN)
SECTION OFFICER

D
13

GOVERNMENT OF N.W.F.P,
ESTABLISHMENT & ADMINISTRATION DEPARTMENT
(REGULATION WING)

Dated Peshawar, the 7th February, 2002

NOTIFICATION.

No.SO(O&M)ESTAD/8-1/2002. The Competent Authority is pleased to order the merger of the Directorate of Technical Education NWFP and Directorate of Manpower and Training NWFP with each other, with immediate effect and renamed as "Directorate of Technical Education and Manpower Training NWFP."

2. The renamed Directorate of Technical Education and Manpower Training NWFP will continue as an Attached Department of the Industries, Commerce, Labour, Mineral Development and Technical Education Department, NWFP.

3. The existing Directorate of Technical Education NWFP and Directorate of Manpower and Training NWFP will cease henceforth.


4. Necessary amendments in the NWFP Government Rules of Business, 1985 will be made separately.

CHIEF SECRETARY
GOVERNMENT OF NWFP

Encls. No. & Date Even.

Copy forwarded to the :-

1. All Provincial Ministers, NWFP.
2. All Administrative Secretaries, NWFP.
3. Secretary to Governor, NWFP.
4. COS HQrs 11 Corps Peshawar Cantt.
5. All District Coordination Officers NWFP/Political Agents in NWFP.
6. Accountant General, NWFP.
7. All Heads of Attached Departments in NWFP.
8. Director Information NWFP.
9. Registrar, NWFP Services Tribunal, Peshawar.
10. Private Secretary to Governor, NWFP.
11. Private Secretary to Chief Secretary, NWFP.
12. Manager Government Printing Press, Peshawar


(ABDUL JALIL)
SECTION OFFICER (O&M)
Phone No.9210146 Ext-215
Fax No.9210447

9.2.2002

Handwritten signature

E (14)

**GOVERNMENT OF NORTH-WEST FRONTIER PROVINCE
ESTABLISHMENT & ADMINISTRATION DEPARTMENT
(REGULATION WING)**

NOTIFICATION

DATED PESHAWAR THE May 28, 2002

NO.SOR-I(E&AD)4-1/80(VOL-IV) In exercise of the powers conferred by section 26 of the North-West Frontier Province Civil Servants Act, 1973 (N.-W.F.P Act No. XVIII of 1973); the Governor of the North-West Frontier Province is pleased to direct that in the North-West Frontier Province Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the following further amendment shall be made, namely:-

AMENDMENTS

In rule 17, after sub-rule (2), the following new sub-rule shall be added, namely: -

"(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 the regular appointment to a cadre or post."

Secretary to Government NWFP
Establishment Department

ENDST: NO.SOR-I(E&AD)4-1/80 (VOL-IV)

DATED May 28, 2002

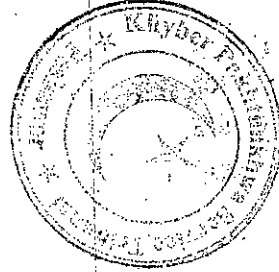
Copy forwarded for Information: -

1. All Administrative Secretaries to Govt. of NWFP.
2. The Secretary to Governor, NWFP
3. All District Coordination Officers/Political Agents in NWFP.
4. All Addl: Secretaries/Deputy Secretaries E&AD.
5. The Registrar, Peshawar High Court Peshawar.
6. All Head of Attached Departments.
7. All Head of Autonomous/Semi-Autonomous Bodies in NWFP.
8. The Secretary, NWFP Public Service Commission.
9. The Director Anti-Corruption Establishment NWFP Peshawar.
10. All Section Officers E&AD.
11. PS to Chief Secretary, NWFP.
12. PS to Secretary Establishment E&AD.
13. Librarian E&AD.


(HUSSAIN SHAH)
SECTION OFFICER (REG-I).

BEFORE THE NWFP SERVICE TRIBUNAL PESHAWAR

Appeal No. 1399/2008



F (15)
1923
19/9/08

Engineer Muhammad Intiaz, Lecturer Govt College of
Technology Kohat road Peshawar.
(Appellant).

VERSUS

1. Secretary to Govt: of N.W.F.P Industries, Manpower &
Labour department Peshawar.
2. Government of NWFP through Secretary Establishment
NWFP Peshawar.
3. Secretary Finance Government of NWFP Peshawar.
4. Chairman, NWFP Public Service Commission Peshawar.

(Respondents)

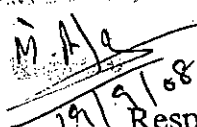
Appeal under section 4 of the NWFP Service Tribunal Act,
1974 against the Notification No. SOIII (IND) TE/ 3- 5 /
2005 dated 22.10.2005 whereby the appellant was appointed
as Lecturer (BPS-17) but was denied Pension and Gratuity
& termed his appointment as non-pensionable and entitled
only to CP fund, against which the departmental appeal
dated 20/8/2008 for declaring his services as regular/
Pensionable was regretted order dated 29.8.2008
communicated to the appellant on 1.9.2008.

Prayed in Appeal:

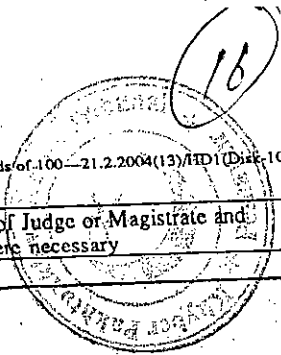
On acceptance of this Appeal the impugned appointment
order dated 5/01/2008 may please be amended/ varied
holding the appellant as appointed on regular basis and
entitled to pension & gratuity with all back benefits or any
other remedy deemed proper may also be allowed.

Respectfully Submitted:

ATTESTED


19/9/08
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

1. That initially the appellant was appointed as Instructor
(BPS-14) on adhoc basis, he was regularized against the
post of Instructor BPS-14 vide office order dated



Serial No. of Order or Proceeding	Date of Order or Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary
1	2	3

17.3.2009

Counsel for the appellant and Ghulam Mustafa A.G.P for the respondents present. Arguments heard and record perused. We adopt the detailed judgment in Appeal No. 1156/2007 titled Ghulamullah Versus Secretary Education NWFP etc, and issue directions to the official respondents accordingly. This appeal is disposed of in the terms as mentioned in the above referred order. The parties are, however, left to bear their own costs. File be consigned to the record.

ANNOUNCED.
17.03.2009.

Certified true and correct copy
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Member.

Member.

Date of Presentation of Application: 3-3-17
 Number of Pages: 880
 Copying Fee: _____
 Urgent: _____
 Total: _____
 Name of Copyist: _____
 Date of Completion of Copying: 6-3-17
 Date of Delivery of Copy: 6-3-17

BEFORE THE NWFP SERVICE TRIBUNAL, PESHAWAR.

Appeal No. 1156/2007

Date of Institution. .. 11.10.2007
 Date of Decision .. 29.05.2008



Ghulamullah S/O Haji Fazalullah R/O Mardan,
 Government Middle School Baroo Mardan.(Appellant)

VERSUS.

1. Government of NWFP through Secretary Education, Peshawar.
2. Director of Education, NWFP Peshawar.
3. Executive District Officer (S&L), Mardan.
4. District Coordination Officer, Mardan.(Respondents).

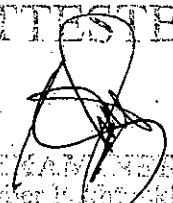
APPEAL U/S 4 OF SERVICE TRIBUNAL ACT, 1974.

MR. AMJAD ALI,
 Advocate .. For appellant.

MR. TAHIR IQBAL,
 Addl. Government Pleader, .. For respondents.

MR. JUSTICE (R) SALIM KHAN,
 DR. ABDUR RAUF, .. CHAIRMAN
 .. MEMBER.

ATTESTED


 CHAIRMAN
 Kyber Pakhtunkhwa
 Service Tribunal,
 Peshawar

ORDER.

JUSTICE (R) SALIM KHAN, CHAIRMAN.- The appellants
 in this appeal No. 1156 of 2007, and the appeals No. 1157 – 1189 of
 2007 were Primary Schools Teachers who were appointed against C.T
 posts on initial recruitments. The appellants in appeals No. 1224 to

1229 of 2007, 1257 to 1260 of 2007 and 246 of 2008 were appointed against C.T posts on initial recruitment, when they were serving against the posts of Clerk, Constable or Theology Teachers on regular basis. All these appeals are based on common interpretation of Section 19 of the NWFP Civil Servants Act 1973. We, therefore, took all these appeals together for arguments and disposal.

2. The appellants contended that their cases are covered by the provisions of subsection (1) of Section 19 mentioned above, read with the provisions of subsection (2) thereof. They stressed that they are entitled to the pension and gratuity of the post of C.T as they were regular civil servants before the commencement of the NWFP Civil Servants (Amendment) Act, 2005, notified on 23.7.2005. They are of the view that their right to Pension and Gratuity was protected by the law and by their appointment orders as C.T, and the subsequent change in the orders impugned by them, was illegal, void and ineffective on their rights. They also believe that their departmental representations should have been accepted.

3. The official respondents contested the appeals on preliminary objections and other legal and factual grounds. The preliminary objections were, however, neither proved by the record nor stressed during the arguments.

4. We heard the arguments and perused the record. My opinion with regard to the facts and law involved in these appeals ^{is} ~~is~~ as in the next paragraphs.

ATTESTED

MAJID R
Khalid Akhtar
Service Tribunal,
Peshawar

5. The North-West Frontier Province, Civil Servants (Amendment) Act, 2005, published on 23.7.2005, amended section 19 of the NWFP Civil Servants Act, 1973. The amended version of Section 19 is as under:-

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"19. Pension and gratuity.- (1) On retirement from service, a civil servant appointed on regular basis in the prescribed manner before the commencement of the North-West Frontier Province Civil Servants (Amendment) Act, 2005 (hereinafter referred to as the said Act), shall be entitled to receive such pension or gratuity as are admissible to him under the West Pakistan Civil Service Pension Rules:

Provided that in the event of death of such a civil servant, whether before or after retirement, his family shall be entitled to receive such pension, or gratuity, or both, as admissible under the said rules.

(2) A person though selected for appointment in the prescribed manner to a service or post on or after the 1st day of July, 2001, till the commencement of the said Act, but appointed on contract basis, shall, with effect from the commencement of the said Act, be deemed to have been appointed on regular basis. All such persons and the persons appointed on regular basis to a service or post in the prescribed manner after the commencement of the said Act shall, for all intents and purposes be civil servants, except for the purpose of pension or gratuity. Such a civil servant shall, in lieu of pension and gratuity, be entitled to receive such amount contributed by him towards the Contributory Provident Fund, along with the contributions made by Government to his account in the said Fund, in the prescribed manner.

Provided that in the event of death of such a civil servant, whether before or after retirement, his family shall be entitled to receive the said amount, if it has already not been received by such deceased civil servant.

(3) No pension to a civil servant, who is otherwise entitled to it, shall be admissible to him, if he is dismissed or removed from service for reasons of discipline, but Government may sanction compassionate allowance to such civil servants, not exceeding two-third of the pension or gratuity which would have been admissible to him had he been invalided from service on the date of such dismissal or removal:

Provided that a civil servant referred to in sub-section (2), in case of such dismissal or removal, may, in addition to his own contributions to the Contributory Provident Fund, be allowed, on account of such compassionate allowance, a sum not exceeding two-third of Government contributions in his account.

(4) If the determination of the amount of pension or gratuity admissible to a civil servant is delayed beyond one month of the date of his retirement or death, he or his family, as the case may be, shall be paid provisionally such anticipatory pension or gratuity as may be determined by the prescribed authority, according to the length of service of the civil servant which qualified for pension or gratuity and any over payment on such provisional payment shall be adjusted against the amount of pension or gratuity finally determined as payable to such civil servant or his family."

Before the amendment of Section 19 as quoted above, policy based on the concept of grant of pension and gratuity on completion of the prescribed period before retirement was in vogue.

EXAMINER
Khyber Pakhtunkhwa
Services Tribunal,
Peshawar

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Sub Section (1) of the amended Section 19 retained the same policy for the persons who were appointed on regular basis in the prescribed manner before the commencement of the NWFP Civil Servants (Amendment) Act, 2005. ^{Sub.} Section (2) of that section, however, introduced the new Policy of regular service of the civil servants without payment of pension and gratuity. There is difference between the situation preserved by subsection (1) and that highlighted by subsection (2) of Section 19. The same is further clarified by the provisos attached to both the subsections. Each of the two subsections deals with a different class of civil servants, and the terms & conditions of service of each class as regards pension and gratuity are different from the other class.

7. A civil servant, who was appointed on regular basis and who was entitled to the benefit of pension and gratuity immediately before the commencement of the above mentioned amendment, remained entitled to the same benefit on completing the prescribed length of service for pension on retirement or otherwise. Such civil servants belonged to a separate class covered by Section 19(1) of the Act. But the other two categories of civil servants (i) who were selected for appointment in the prescribed manner to a service or post on or after 1.7.2001 till 22.7.2005, but were appointed on contract basis and (ii) who were appointed on regular basis to a service or post in the prescribed manner on and after 23.7.2005 were subject to the provisions of subsection (2), independent of subsection (1). Sub sections (1) and (2) divided the civil servants in three different groups. The first group was of the category covered by subsection (1), while the other two groups were covered by subsection (2) as a separate category. A civil servant cannot stand in two different categories at the same ^{time.} He is either in one category or is in the other category. The policy for each category has its own concepts and principles behind it. Framers of those policies are expected to have seriously considered

EXAMINER
KINER PESHAWAR
Service Journal,
Peshawar

ATTENDED

(21)

the financial, and administrative, causes and consequences of each policy.

8. The policy for civil servants in the first category, besides other aspects, caters for deferred payment of financial benefits to such civil servants, in order to provide the facility of continuous payment of financial assistance to such civil servants during their old age, and to provide a lump sum amount to them at the time of change in their life pattern from official to private. The policy for the civil servants in the second category, however, caters for immediate payment of higher amounts to civil servants but to save the Government Exchequer from the burden of payment of deferred financial liability, which diminishes the developmental budget at the time of need.

9. There is, however, a class of civil servants who had been standing in the first category for the most of their service life, but who had to change their side in the hope of a better service position. No civil servant is, ordinarily, expected to leave the chance of appointment to a higher post, with a higher pay scale and other benefits. But most of such civil servants cannot be expected to be expert enough to gauge the overall financial benefit of the two different policies. The framers of the new policy, as financial experts, and the Government, as in parental and fiduciary position to its employees, were duty bound to ascertain the overall financial benefits of their existing employees, to provide a clear and understandable data to such employees for their consideration before taking decision, and to prescribe, if their was a need for it, two different packages of scales of salary and allowances etc, for the civil servants, who were expected to change from one category to the other one. After explanations of the two packages, and proposing the more suitable package to such each individual civil servant, the Government was required, in the interest of justice and equity, to obtain the well- considered option of each of the existing civil servants, who was expected to change from one category to the other

ATTACHED


category. The huge number of appeals before this Tribunal is a clear indication of the understanding of many civil servants that the change in policy has deprived them of better financial earnings. In some cases, the understanding may be correct, but in many other cases, the same may be just imaginary. Being purely financial matters, it will not be advisable to leave the civil servant for abstract litigation.

10. In order to save the parties from unnecessary litigation, and to provide a chance to the parties to get their cases thoroughly considered by experts, as well as to provide time to the Government to consider the suitability of issuing any explanation of the policy or of introducing amendment in law, if need be, I deem it in the interest of justice that these cases may be remanded to the official respondents with the direction to arrange the constitution and establishment of a committee of experts from Establishment, Law and Finance Departments, to consider the genuineness or otherwise of the grievance of each appellant in these cases, and recommend corrective measures, if need be, for redressal of such grievances, if these are found genuine. It is expected that a period of three months may be sufficient for finalizing the whole exercise upto disposal of each appeal (as departmental representation). Each of the appellants shall have a right to come back to this Tribunal with fresh appeal, if his grievance, according to him, is not properly redressed. In such event, the parties shall bear their own costs of litigation through the present appeal.

11. I, therefore, accept this appeal and all the other appeals mentioned above, set aside the impugned orders in the respective appeals, and order the remand of each of the appeals with the observations and direction as afore-said.

ANNOUNCED

29.05.2008

Certified to be true copy

 Khyber Pakhtunkhwa
 Service Tribunal,
 Peshawar

(JUSTICE (R) SALIM KHAN)
 CHAIRMAN

23

DR. ABDUR RAUF, MEMBER.- The appellants in the afore-mentioned appeals were initially appointed as PTC Teachers, Clerks, Constables and Theology Teachers on regular basis. The Executive District Officer (Schools & Literacy) Mardan advertised some posts including the posts of C.T. Teachers. In the advertisement dated 08.06.2006, it has explicitly been stated that in case of regular government servants their appointments on selection would be on regular basis. The appellants applied for the post of C.T Teacher and were subsequently appointed on regular basis vide order dated 30.11.2006. Lateron, the benefits of pension/gratuity were withdrawn from the appellants in pursuance of Section-19 of the NWFP Civil Servants (Amendment) Act, 2005 and Government of NWFP Schools & Literacy Department letter dated 20.7.2007, vide the impugned order dated 30.07.2007. In para-3 of the vernacular letter dated 10.8.2005 it had clearly been mentioned that all regular employees would continue to be regular after appointments on higher posts and that they would be entitled to pensionary benefits. The undersigned had already decided a number of cases of similar nature in appeal No. 698/2007, Muhammad Maqsood Jamal versus Secretary to Government of NWFP, Industries, Manpower and Labour Department etc., and appeal No. 985/2007, Mst. Basirat Naz Versus Secretary Schools & Literacy Department, NWFP and others. Their appeals were accepted on 10.10.2007 and 17.11.2007 respectively and the respondents were directed to declare their appointments and services as regular and pensionable with all back benefits. The undersigned has also noticed that on fresh appointments of similarly placed persons, they were treated as regular civil servants in the terms and conditions already available to them and the appellants were discriminated which is a clear violation of Article 25 of the Constitution of Islamic Republic of Pakistan. In this regard reference can be made to Notifications No. SOIII(IND)TE/1-3/2005, dated 19.12.2005, Notification No. SOIII(IND)TE/3-2/94, dated 30.5.2006, Notification No. SOE-

ATTACHED

BY
Khyber Pakhtunkhwa

(26)


II(ED)3(81)/2005, dated 8.7.2006 and Notification No. SO(E-III)HE/1-17/06/Saltanat Begum, dated 06.01.2007 of the provincial government. Similarly, the appellants have not been given a chance to defend themselves and that there is no word of 'withdrawal' in the list of punishments.

2. Furthermore, the notification of 2003 regarding the induction of already regular government servants on regular basis is still in the field and has not been superseded, withdrawn or cancelled. This notification clearly supports the plea of appellants to consider them as regular employees having the same benefits for which they were entitled before the present appointments.

3. In view of the above, the undersigned has no other alternative but to accept the present appeals as prayed for. Parties are, however, left to bear their own costs.

ANNOUNCED
29.05.2008

Certified to be true copy
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar


(DR. ABDUR RAUF)
MEMBER

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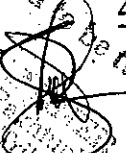
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1. Counsel for the appellants, and A.G.P for the respondents present.
2. We have heard the arguments in Appeals Nos. 788/2007, 1102/2007, 1103/2007, 1157/2007 to 1189/2007, 1202/2007, 1217/2007 to 1219/2007, 1224 to 1229 of 2007, 1234/2007, 1257 to 1260 of 2007, 23/2008, 105/2008 to 147/2008, 183/2008 to 208/2008, 215/2008 to 246/2008, 250/2008 to 260/2008, 273/2008 to 280/2008, 285/2008 to 299/2008, 318/2008 to 320/2008, 323/2008 to 325/2008, 328/2008 to 331/2008, 348/2008 to 353/2008, 417/2008 to 437/2008, 498/2008, 499/2008, 552/2008 to 561/2008, 601/2008 and 897/2008. We have also perused the record.
3. We have considered the orders of Mr. Justice (R) Salim Khan and of Dr. Adbur Rauf Member of this Tribunal (now retired). The reasons advanced by the Worthy Chairman for his order are very solid and vivid. The cases of the appellants, however, need proper consideration as directed in the order dated 29.5.2008.
4. We therefore, adopt the said order and issue directions to the official respondents accordingly. The present appeal and all other appeals mentioned above, are disposed of in the terms as mentioned in the above referred order. The parties are, however, left to bear their own costs.

ANNOUNCED.
4.2.2009.


(SYED MANZOOR ALI SHAH)
MEMBER.


(ABDUL JALIL)
MEMBER.

Certified to be true copy
By: 
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Annex-1

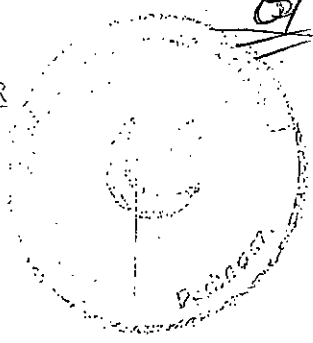
Annex **G** (26)

BEFORE THE NWFP SERVICE TRIBUNAL, PESHAWAR

Appeal No 1011/NEEM/2006

Date of institution - 15.12.2006

Date of decision - 23.06.2009



Muhammad Fayuz Ali, Instructor (Mechanical) (BPS-14) Government Technical & Vocational Centre (GTVC), Peshawar (Appellant).

VERSUS

1. NWFP, through the Secretary, Government of NWFP, Technical Education Department, Peshawar.
2. Syed Javed Iqbal, Instructor (Mechanical) (BPS-17) Government Polytechnic Institute (GPI), Swat.
3. Rehmatullah, Instructor (Mechanical) (BPS-17) Government Polytechnic Institute (GPI), Swat.
4. Hidayat Khan, Instructor (Mechanical) (BPS-17) Government College of Technology (GCT), Nowshera.
5. Sultan Akbar, Instructor (Mechanical) (BPS-17) Government Technical and Vocational Centre (B) Amber, Swabi.
6. Ashraf Ali, Instructor (Mechanical) (BPS-17) Government College of Technology (GCT), Abbotabad. (Respondents).

Appeal against the Respondent Department's order of 27.11.2006 refusing to grant relief to the appellant against the DPC meeting dated 26.5.2006 wherein promotion to Respondents No. 2 to 6 was granted against the inter se seniority and in violation of the law and the rules regulating the services.

Appellant in person,
 M/S Wasem-ud-Din Khattak, Zaheer Ahmad and
 M. Nasir Mahfooz, Advocates For other appellants.
 Mr. Ghulam Mustafa, Additional Government pleader For official Respondent.
 Mr. Ijaz Anwar, and
 Mr. Waqar Ahmad Seth, Advocate For added Respondents.

MR. SULTAN MAHMOOD KHATTAK MEMBER.
 SYED MANZOOR ALI SHAH MEMBER.
 MR. BISMILLAH SHAH MEMBER.

JUDGMENT

ATTESTED
 SULTAN MAHMOOD KHATTAK, MEMBER :- On appeal from the judgment dated 4.4.2008 passed by this Tribunal in Appeal Nos. 1011, 1012 of 2006, and 919, 920, 921 of 2007, the following (Appellants) filed Civil Appeals in the Hon'ble Supreme Court of Pakistan :-

1. Mr. Ghulam Shafiq & others. (in C.A. No. 1254/2008)
2. Mr. Sultan Akbar and others (in C.A. No 1255/2008)
3. Mr. Gulab Khan (in C.A. Nos. 1273, 1274, & 1275/2008)

On 14.4.2009, the Hon'ble Supreme Court of Pakistan passed the following order:-

"ORDER"

IFTIKHAR MUHAMMAD CHAUDHRY, CJ. - After hearing the learned counsel for the parties, we have concluded that some of the appellants were proceeded against ex-parte by the learned Service Tribunal in the appeal in which they were impleaded, whereas in some of the cases no ex-parte order was ordered because they were not impleaded. The matter relates to the promotion of both the sides involving Notifications No. SOIII (IND) TE (1-8/04/335 dated 26.3.2004 and Notification No: DTE & MT/Est/4-1/Vol.XI/62994-47 dated 2.11.2006.

2. On this, all the parties' counsel consented for remand of the case to the Service Tribunal for afresh decision within a period of six weeks after providing opportunity to the appellants by impleading them as respondents in the appeals in which they were not listed as party. Order accordingly.
3. As a result of above given consent made by the learned counsel for the parties, the impugned judgment dated 4.4.2008 of the learned Service Tribunal is set aside with the observation that the appeals of the respondents shall be deemed to be pending with the Service Tribunal which shall be decided afresh. These appellants who were not impleaded as party in some of the cases are allowed to become party subject to all just exceptions. The learned Service Tribunal is required to dispose of the cases within six weeks. Let the parties to appear before the Service Tribunal on 4.5.2009. No fresh notices shall be issued to them by the Tribunal. The decision on the appeals by the Tribunal shall be communicated to Registrar for our perusal in Chambers. For the foregoing reasons, the appeals are disposed of. No order as to costs."

3. In view of the foregoing order of the Hon'ble Supreme Court of Pakistan, all the aforementioned appeals were taken as fresh appeals before this Tribunal. Our this judgment in Appeal No. 1011/2006 will also dispose of appeals No. 1012/2006 and 919, 920 & 921 of 2007. The appellants in all these cases are the members of the teaching/instructional staff serving either in BPS-14 or in BPS-16 in the Government Colleges of Technology and Vocational Centers, Peshawar or in the Agro- Technical Teachers Training Centre. The basic ground of the appeal of the appellants, and their prayers, is almost the same wherein they prayed that the Departmental Promotion Committee proceedings held on 26.5.2006 and before be declared rescinded, with direction to the respondent department to reconsider the matter of promotions in accordance with the rules regulating the service. Though facts regarding the persons in each case may be different, but the broader facts and the legal issues in all these appeals are the same, hence these appeals are taken together for decision.

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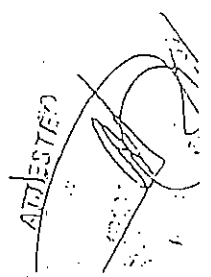
The following contested the appeal through their counsel as added respondents and submitted their written replies :-

1. Mr. Kiramatullah, S.Instructor, GTVC, Peshawar.
2. Mr. Muhammad Sabir, Senior Instructor GTVC Peshawar.
3. Mr. Nawaz Nathienal, Senior Instructor, GTVC Peshawar.
4. Mr. Iqbal Hussain, Senior Instructor, GTVC Peshawar.
5. Mr. Zafar Akhtar, Senior Instructor, GTVC Mingora Swat.
6. Mr. Noor Gul, Senior Instructor, GTVC Peshawar.
7. Mr. Ijaz Ahmad, Senior Instructor, GTVC Peshawar.
8. Mr. Muhammad Israr, Senior Instructor, GTVC Abbottabad.
9. Mr. Muhammad Yunus, Senior Instructor, GTVC Swat.
10. Syed Sajawal Shah, Senior Instructor, GTVC Peshawar.
11. Mr. Muhammad Hussain, Senior Instructor, ATTC Hayat Abad, Peshawar.
12. Mr. Sultan Akbar, Instructor (Mechanical) (BPS-17) Government Technical and Vocational Centre (B) Amber, Swabi.
13. Mr. Muhammad Afiab, Instructor, GCT Peshawar.
14. Engineer Muhammad Usman, Principal GTVC Ghazi.
15. Mr. Muhammad Amir,
16. Mr. Khurshid Ali, Instructor, Govt. College of Technology Peshawar.
17. Mr. Ashraf Khan, Instructor (Radio Electronic) Govt. Polytechnic Institute Timargara.

5. We heard the arguments and perused the record.

6. It was contended by the appellants that vide order dated 10th May 2001, the Government of NWFP transferred the Directorate of Technical Education, NWFP from the Education, Sports, Achieves & Libraries Department and attached the same with the Industries, Commerce, Labour, Transport and Mineral Development Department as its Attached Department w.e.f. 1.7.2001. After attachment of the Directorate of Technical Education, the Industries, Commerce, Labour, Transport and Mineral Development Department was re-named as "Industries, Commerce, Labour, Transport Mineral Development and Technical Education Department NWFP." The Transport Wing was lateron detached and placed with the Environment Department and declared as separate department w.e.f. 18.9.2008. Lateron, vide order dated 9.2.2002, the Directorate of Technical Education, NWFP and Directorate of Manpower and Training NWFP, were merged with each other, and renamed as "Directorate of Technical Education and Manpower Training, NWFP". The renamed Directorate was declared as an "Attached Department" of the Industries, Commerce, Labour, Mineral Development and Technical Education Department

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Education, NWFP and Directorate of Manpower and Training, NWFP are ceased to exist w.e.f 9.2.2002. Necessary amendments in the Government of the NWFP, Rules of Business 1985 were issued vide Notification on 2nd August 2007 declaring the Director General, Technical Education and Manpower Training, NWFP as Head of Attached Department of the Directorate General of Technical Education and Manpower Training, NWFP.

7. The appellant further contended that though combined seniority lists were prepared for certain posts but, the combined seniority lists were not finalized, and certain persons were promoted on the basis of separate seniority lists, considering them being in different cadres. The appellants are of the view that the separate seniority lists would not be maintained in the light of Sub-Rule (3) of Rule 17 of the NWFP Civil Servants (Appointment, Promotion and Transfer) Rules, 1989. Sub Rule (3) was added to Rule 17 of the NWFP Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, vide notification No. SOR-1 (E&AD) VOL-1/80 (VOL-IV) dated 28.5.2002, which reads as under:-

"(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."

8. The learned counsel for the appellants referred to the judgment of this Tribunal in Appeal No. 386 of 2004 in the case titled "Pervez Ahmad Rahi, Superintendent Versus Secretary Industries Department, Government of NWFP, Peshawar and others", especially the last part of the judgment reproduced here as under:-

"The promotion made on the basis of separate list of the two Directorates in event of merger of the two with each other is violative of the relevant law/rules. The respondent department has committed a patent illegality which is not sustainable. Accordingly, the impugned promotion order of private respondent dated 4.3.2004 is set aside. The respondent department is directed to draw combined seniority list of the two defunct Directorates and then to make promotion in accordance with the laid down criteria/rules. The instant appeal stands disposed of in the above terms..."

9. They contended that though that was a case of a Superintendent and the appellants are on different posts, but the principles of law in that case and in the present appeals are the same, based on the same facts.

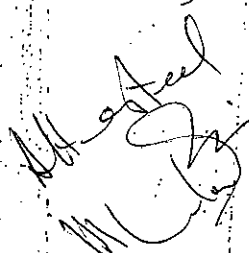

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The private respondents contested the appeal on various grounds, including the grounds that the appeals were time barred, that the appellants had Vocational Cadre while the private respondents had Polytechnic Cadre, that there were different pay scale and different qualifications for the posts, and that the cadre of Senior Instructor (BPS-16) was being upgraded and the respective appellants would be promoted in their own cadre of Vocational Centers. It is to mention here that the above said Notification for promotion from BPS-17 to BPS-18 was issued on the basis of separate seniority list. He argued that after the department was supposed to have maintained the joint seniority list cadre wise and for the purpose of applicant/respondent the cadre is Engineer cadre and as such the promotion should be made on the basis of joint seniority list of the Engineer Cadre. The order of promotion of the replying added respondents has never been challenged at appropriate time either in departmental appeal or in the service appeal hence cannot be challenged belatedly in the instant appeal. The appellant was neither eligible nor fit for promotion to the posts of Senior Instructor (BPS-16) because the appellant has his own line of promotion, thus has got no right whatsoever, to challenge the promotion of the replying added respondents.

11. The A.G.P while agreeing to the arguments put forth by the private respondents contended that many promotions were made but the appellants had not objected to those promotions at the relevant time, and they are estopped by their own conduct to bring their present appeals, and these appeals are time barred.

12. He further contended that there are different cadres, namely, Vocational cadre and Polytechnic Cadre and the educational qualification for those cadres are different from each other. This aspect of the case is not novel for the official respondents only. There are many other departments/organizations in which persons in the same scale have different educational qualifications, but once they are placed in one on the same scale, they become equal to each other and stand similarly placed. The department has the authority to fix quota for promotion of persons with different qualifications prospectively, which will be fixed shortly by framing service rules for various cadres/posts. For the time being, all the employees of the Directorate General of

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Technical Education and Man Power Training, NWFP in their respective scales are equal to each other and are entitled to equal rights for promotion.

13. Article 25 of the Constitution of the Islamic Republic of Pakistan provides that all citizens are equal before law and are entitled to equal protection of law. In the light of the judgments reported as 1996 SCMR 1185, SCMP 1130, 2005, SCMR 499, all those persons, who have not litigated, but are similarly placed with those who have litigated, are entitled to the same benefits and rights which have accrued to the persons who succeeded as a result of such litigation. The above quoted judgment of this Tribunal, which has attained finality, entitle the appellants for the same benefits and rights which accrued to Pervez Ahmad Rahi, Superintendent, as a result of litigation in Appeal No. 386 of 2004. Though he was a Superintendent and the appellants are on different posts, but the principles of law in that case and in the present appeals are the same, based on the same facts. Neither the appellants are estopped by their own conduct from suing nor are their appeals time barred. The appellants have got locus standi and cause of action. Their appeals are competent because there is no non-joinder of parties in this case.

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14. (We, therefore, while accepting the present appeals, set aside the orders of promotions on the basis of separate seniority lists ordered after 9.2.2002 and declare that all the Departmental Promotion Committee Meetings and consequent promotions of the employees of the renamed Directorate after 9.2.2002 on the basis of separate seniority lists are ab-initio null and void, being against the rules. The department/officials should without further delay finalize the rules/regulations, draw the seniority lists and promote all those for promotion from the date when their promotions were due and vacancies available. The parties are, however, left to bear their own costs. File be consigned to the record.

ANNOUNCED
25.06.2009

Signature: Sd/- Sultan Mahmood Khan
Signature: Sd/- Syed Mansoor Ali

10/11/2009

H (39)

**GOVERNMENT OF KHYBER PAKHTUNKHWA INDUSTRIES, COMMERCE AND TECHNICAL EDUCATION DEPARTMENT
DATED PESHAWAR THE**

**NOTIFICATION 14845/
NO. SO-III (IND)4-7/15/A.F/**

In pursuance of section 8 of Khyber Pakhtunkhwa Civil Servants Act, 1973 read with rule 17 of Khyber Pakhtunkhwa Civil Servants (appointment, Promotion and Transfer) Rules, 1989, the competent authority has been pleased to order issuance of final seniority list of the Assistant Professor (Technical Subject) (BPS-18), Khyber Pakhtunkhwa Technical Education and Vocational Training Authority (who had not opted to become TEVT A employees on creation of TEVTA) is hereby notified /circulated for general information.

**FINAL SENIORITY LIST OF ASSISTANT PROFESSORS (BPS-18) (TECHNICAL CADRE) (DEGREE HOLDER) GCT/GPI/GT/GTTTC/ GTI
IN THE KHYBER PAKHTUNKHWA TECHNICAL EDUCATION AND VOCATIONAL TRAINING AUTHORITY, AS STOOD ON 31-12-2015.**

Sr.No.	Name of incumbent with academic qualification	Date of birth with domicile	Date of 1st entry into Govt. service	Regular appointment/ promotion to the present post			Present appointment	Remarks.
				17	18	Method of recruit:		
1	2	3	4	5	6	7	8	9
1	Engr. Nasiruddin, B.Sc (Mechanical)	18-05-1965 Peshawar	24-05-1993	16-02-1995	21-06-2003	Promotion	Chief R & D KP TEVTA	
2	Engr. Mughal Baz, i.B.Sc (Civil), M.Sc (Environmental Design ii.06 months Tech: Teachers Trg. Certificate	12-09-1962 Swat	01-12-2005		01-12-2005	Initial	Deputy Director (P&D) KP TEVTA	The officer concerned initially appointed in BPS-18
3	Engr. Abdul Hamid, i.B.Sc (Electrical) ii.06 months Tech: Teachers Trg. Certificate	03-03-1969 Karak	17-07-1997	03-11-2002	14-12-2005	Initial	Assistant Prof. (Elect), GCT, Bannu.	
4	Engr. Farooq Ahmad, i.B.Sc (Mechanical) ii.06 months Tech: Teachers Trg. Certificate	05-04-1973 Karak	02-12-1999	02-12-1999	31-03-2006	Promotion	Assistant Prof. (Mechanical), GCT, Kohat.	

5	Engr. Qazi Razi ud Din, i.B.Sc (Mechanical). ii.06 months Tech: Teachers Trg.Certificate	12-03-1968 Bannu	19-07-1997	3-11-2000	31-03-2006	Promotion	Assistant Prof: (Mechanical) GCT, Peshawar.	
6	Engr. Ikram Ullah, i.B.Sc (Electrical) ii) One year Technical Teachers. Trg.Diploma	05-04-1962 DIKhan	02-11-1987	13.12.2000	31.03.2006	Promotion	Assistant Prof: (Elect), GCT DIKhan,	
7	Engr. Ghulam Farid, i.B.Sc (Civil) ii) B.Ed. ii.06 months Tech:Teachers Trg.Certificate.	18-08-1970 Bannu	22-07-1997	31-03-2001	06-03-2007	Promotion	Assistant Prof: (Civil). GCT, Bannu.	
8	Engr. Jamal Akbar, i.B.Sc (Mech) ii. M.Sc (Engg) iii) 11 months Technical: Teachers Training Diploma	01-05-1967 Peshawar	28-12-1989	01-11-2001	06-03-2007	Promotion	Assistant Prof: (Mechanical), GPI, Peshawar	
9	Engr. Jehanzeb, i.B.Sc (Mechanical) ii.06 months Tech: Teachers Trg.Certificate	13-04-1964 Peshawar	03-08-1985	30-04-2008	26-02-2013	Promotion	Assistant Prof: (Mechanical), GCT Peshawar	His seniority has been fixed in the light of KP Service Tribunal decision dated 23-06-2009 ✓
10	Engr. Ahmad Sayed, B.Sc (Mechanical)	01-06-1960 Swat	27-11-1997	31-05-2002	01-03-2008	Promotion	Assistant Prof:(Mechanical), GCT Swat	
11	Engr. Abid Iqbal, i) B.Sc (Mechanical) ii)8 months Vocational/Technical Teachers Training certificate.	30-04-1970 Mardan	18-08-1997	01-06-2002	01-03-2008	Promotion	Deputy Director (KP-TEV/TA)	

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12	Engr. Niaz Ali Jan, i.B.Sc (Mech) ii.06 months Tech: Teachers Trg.Certificate	20-04-1973 N.W.A.	01-08-2003	01-08-2003	24-10-2013	Promotion	Assistant Prof: (Mechanical)., GCT, Bafnu	Seniority has been fixed on the basis of inter-se-seniority list in lower scale
13	Engr.Sher Bahadur, i.B.Sc (Elect) ii.06 months Tech: Teachers Trg.Certificate	10-9-1971 Mohmand Agy.	01-06-1999	15-03-2004	26-02-2013	Promotion	Assistant Prof: (Elect), GCT Peshawar	Seniority has been fixed on the basis of inter-se-seniority list in lower scale
14	Engr. Muhammad Zubair, i) B.Sc (Civil) ii) 06 months Tech: Teachers Trg.Certificate.	21-10-1964 FR Tank	30-08-1993	15-03-2004	24-10-2013	Promotion	Assistant Prof: (Civil). GCT, D.I.Khan.	Seniority has been fixed on the basis of inter-se-seniority list in lower scale
15	Mr.Muhamad Sadiq, i.B.Tech. Hons. ii.06 months Technical Teachers Training Cert.	10-10-1971 Peshawar	21-07-1997	15-03-2004	26-02-2013	Promotion	Assistant Prof: (Elect), GATTC,Hayatabad	Seniority has been fixed on the basis of inter-se-seniority list in lower scale
16	Engr. Muhammad Nazir, i.B.Sc(Engg) (Electrical). ii.06 months Technical Teachers Training Cert.	01-02-1964 Mansehra.	10-12-1990	15-3-2004	24-10-2013	Promotion	Assistant Prof: (Elect), GPI, Mansehra.	Seniority has been fixed on the basis of inter-se-seniority list in lower scale
17	Mr. Muhammad Kaleem i.DAE (Mech) ii) B-Tech (Hons) Mechanical iii.06 months Technical Teachers Training Cert.	25-12-1971 Charsadda	25-07-1997	31-05-2004	26-02-2013	Promotion	Assistant Prof: (Mechanical). GCT Peshawar	Seniority has been fixed on the basis of inter-se-seniority list in lower scale
18	Mr. Raza Ullah, i) B-Tech (Hons) Civil ii) 06 months Technical Teachers Training Cert.	15-02-1975 Mardan	11-06-1999	31-05-2004	24-10-2013	Promotion	Assistant Prof: (Civil). GPI,Mardan	Seniority has been fixed on the basis of inter-se-seniority list in lower scale.
19	Mr. Mashal Khan, i.DAE (Mech) ii) B-Tech (Hons) Mechanical iii) 01 year TTT Diploma	08-04-1964 Bannu	01-11-1987	31-05-2004	26-02-2013	Promotion	Assistant Prof: (Mechanical). GTVC(B) Bannu	Seniority has been fixed on the basis of inter-se-seniority list in lower scale

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20	Mr. Ikhtiar Ahmad, i.DAE (Mech) ii. B-Tech (Hons) Mechanical iii. 01 year TTT Diploma	04-04-1961 Mansehra	12-11-1987	31-05-2004	26-02-2013	Promotion	Assistant Prof: (Mechanical). GCT, Abbottabad.	Seniority has been fixed on the basis of inter-se-seniority list in lower scale
21	Mr. Muhammad Khalid, i)DAE (Civil) ii) B-Tech (Hons) Civil iii) One year Technical Teachers Training Diploma	09-09-1965 DIKhan	03-09-1990	31-05-2004	24-02-2013	Promotion	Assistant Prof: (Civil), GCT, D.I.Khan	Seniority has been fixed on the basis of inter-se-seniority list in lower scale
22	Mr. Nasir Khan, i.DAE (Mech) ii) B-Tech (Hons) Mechanical	18-04-1971 Charsadda	26-06-1997	31-05-2004	24-10-2013	Promotion	Assistant Prof: (Mechanical). GCT Tangi	Seniority has been fixed on the basis of inter-se-seniority list in lower scale
23	Mr. Aleem John, i) B-Tech (Hons) (Civil) ii) One year Technical Teachers Training Diploma.	09-01-1959 Peshawar	09-05-1985	27-05-1999	24-10-2013	Promotion	Assistant Prof: (Civil). GCT Peshawar	Seniority has been fixed on the basis of inter-se-seniority list in lower scale
24	Engr. Asad Ullah, i.B.Sc (Electronics) ii.06 months Tech: Teachers Trg.Certificate	15-4-1970 Malakand	01-03-1999	25-05-2005	24-10-2013	Promotion	Assistant Prof (Electronics) GPI, Takht Bhai	Seniority has been fixed on the basis of inter-se-seniority list in lower scale
25	Mr. Asif Iltaf, i.B. Tech Hons(Elect) ii.06 months Tech: Teachers Trg.Certificate	10-9-1974 Peshawar	21-07-1997	25-05-2005	26-02-2013	Promotion	Assistant Prof: (Elect), GCT Peshawar	Seniority has been fixed on the basis of inter-se-seniority list in lower scale

26	Mr. Samiullah Durrani, i) B-Tech (Hons) Mechanical ii) 06 months Tech: Teachers Training Certificate.	27-04-1977 Peshawar	07-08-1997	25-05-2005	24-10-2013	Promotion	Assistant Prof: (Mechanical). GCT Peshawar	Seniority has been fixed on the basis of inter-se- seniority list in lower scale
27	Mr. Muhammad Iqbal, i) B-Tech (Hons) Civil ii) 10- Months Dip: in Tech: Teachers Education	16-03-1973 Karak	01-07-1997	19-10-05	24-10-2013	Promotion	Assistant Prof: (Civil). GPI, Karak	Seniority has been fixed on the basis of inter-se- seniority list in lower scale
28	Engr. Mehmood Ahmed, i. B.Sc (Elect.) ii. 06 months Technical Teachers Training Cert.	4-4-1978 Abbottabad	24-10-2005	24-10-2005	26-02-2013	Promotion	Assistant Prof: (Elect), GPI, Haripur.	Seniority has been fixed on the basis of inter-se- seniority list in lower scale
29	Engr. Muhammad Imtiaz, i) B.Sc. (Mechanical) ii) M.Sc (Mechanical) iii) One year Technical Teachers Training Diploma.	20-01-1964 Charsadda	02-04-1987	01-11-2005	24-10-2013	Promotion	Assistant Prof (Mechanical). GTTTC, Hayatabad Peshawar	Seniority has been fixed on the basis of inter-se- seniority list in lower scale
30	Engr. Abdul Jabbar, i. B.Sc (Mech) ii. 06 months Technical Teachers Training Cert.	10-6-1965 Tank	01-11-2005	01-11-2005	29-04-2013	Promotion	Assistant Prof: (Mechanical), GCT, D.I.Khan.	Seniority has been fixed on the basis of inter-se- seniority list in lower scale
31	Mr. Syed Javed Iqbal, i) B-Tech (Hons) Mech ii. Six months Technical Teachers Training cert.	03-12-1958 Dir	27-12-1989	26-05-2006	24-10-2013	Promotion	Assistant Prof: (Mechanical). GTVC(B) Chakdara	Seniority has been fixed on the basis of inter-se- seniority list in lower scale
32	Mr. Rehmat Ullah, i. B.Tech. Hons (Mech) ii. 06 months Technical Teachers Training Cert.	10-4-1976 Peshawar	13-03-1999	26-05-2006	30-04-2013	Promotion	Assistant Prof: (Mechanical). GCT Peshawar	Seniority has been fixed on the basis of inter-se- seniority list in lower scale

33	Mr. Maqsood Jamal, i. B-Tech (Hons) Mech. ii) 06 months Technical Teachers Training Certificate.	28-03-1972 Khyber Agency	02-09-1997	09-02-2007	24-10-2013	Promotion	Assistant Prof: (Mechanical). GCT Peshawar	Seniority has been fixed on the basis of inter-se- seniority list in lower scale
34	Mr. Ihsanullah, i) B-Tech (Hons) Civil ii) 06 months Technical Teachers Training Certificate.	01-04-1972 Karak	15-07-1997	17-05-2007	24-10-2013	Promotion	Assistant Prof: (Civil). GCT, Kohat.	Seniority has been fixed on the basis of inter-se- seniority list in lower scale
35	Nr. Muhammad Ismail i) B-Tech (Hons) Civil. ii) 06 months Technical Teachers Training Cert.	11-10-1976 Karak	03-07-1997	17-05-2007	24-10-2013	Promotion	Assistant Prof: (Civil). GCT Peshawar	Seniority has been fixed on the basis of inter-se- seniority list in lower scale
36	Mr. Bazir Khan, i. B-Tech (Hons) Mechanical ii) CT Industrial Arts iii. 06 months Tech: Teachers Trg. Certificate	28-03-1968 Malakand Agency	26-05-1993	12-04-2008	24-10-2013	Promotion	Assistant Prof: (Mechanical). GCT, Timergara	Seniority has been fixed on the basis of inter-se- seniority list in lower scale
37	Mr. Masood Jan, 1. B-Tech (Hons) Mechanical ii) 06 months Technical Teachers Training Certificate.	06-02-1972 Charsadda	18-07-1997	12-04-08	24-10-2013	Promotion	Assistant Prof: (Mechanical). GTVC(B), Charsadda	Seniority has been fixed on the basis of inter-se- seniority list in lower scale
38	Mr. Shah Room, i) B-Tech (Hons) Civil ii) CT General one year Diploma iii) MA Islamiat iv. 06 months Tech: Teachers Trg. Certificate	10-05-1972 Dir Lower	12-03-1999	12-04-2008	24-10-2013	Promotion	Assistant Prof: (Civil). GCT, Timergara.	Seniority has been fixed on the basis of inter-se- seniority list in lower scale

39	Engr. Sajawal Shah, i.B.Sc (Electrical), ii.M.Sc (Engg:) (Power) iii.06 months Tech: Teachers Trg.Certificate	13-01-1972 Swabi	31-05-1999	12-04-2008	26-02-2013	Promotion	Assistant Prof: (Elect), GCT Swabi	Seniority has been fixed on the basis of inter-se- seniority list in lower scale
40	Mr. Muhammad Asif, i.DAE (Elect) ii) B-Tech (Hons) Elect: iii) Dip: TTT	20-09-1956 Peshawar	04-11-1978	08-10-1989	26-02-2013	Promotion	Assistant Prof: (Elect), GCT Peshawar	Seniority has been fixed on the basis of inter-se- seniority list in lower scale
41	Mr. Muhammad Ishaq, i.DAE (Mech) ii) B.Tech (Hons)(Mech) iii) One year Technical Teachers Training Diploma.	17-04-1956 Abbottabad	01-06-1976	22-11-1990	30-04-2013	Promotion	Assistant Prof: (Mechanical). GCT Abbottabad.	Seniority has been fixed on the basis of inter-se- seniority list in lower scale

Certified that the seniority list is final/un-disputed and not subjudice.

[Handwritten Signature]

MANAGING DIRECTOR
KP-TEVTA

NO. SO-III (IND)4-7/15/A.P/ 14845/-

- Copy is forwarded to:-
1. The Managing Director KP-TEVTA.
 2. The Principal GCT's/GFI's & GTI's.

[Handwritten Signature]

Dated: 02 DEC 2016.

[Handwritten Signature]

(Zahir Shah)
Section Officer-III

Industries ,Commerce & Technical Education Department.

Phone No.0919217799

GOVERNMENT TECHNICAL TEACHERS TRAINING COLLEGE
HAYATABAD PESHAWAR

I (39)

No.GTTTC/H.Abad/PF/ 302
Dated /4/11/2016

To

The Managing Director,
KP-TEVTA, 3-A Chinar Road,
University Town Peshawar.

Subject:

APPEAL AGAINST FINAL SENIORITY LIST OF ASSISTANT
PROFESSOR B-18 (ENGINEERS) ISSUED ON 2/12/2016

Enclosed please find herewith an appeal submitted by Engr.Muhammad
Imtiaz, Assistant Professor, Mechanical (BPS-18) of this college for onward submission to
the quarter concerned.

(ENGR.MONIBULLAH KHAN)
PRINCIPAL

M.S.Khan/**
General
14122016

→ →

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The Chief Secretary
Khyber Pukhtoonkhuwa
Peshawar.
Through Proper Channel.

Subject:-

Appeal against Final Seniority List of Assistant Professor B-18 (Engineer) in light of Merging Rule 17-3 of May 2002 , Judgments date of 2009 & 2008 of KPK Services Tribunal Decision Appeal No:1011/2006 and Appeal No:1399/2008 , and Judgments of Honorable Supreme Court of Pakistan.

Sir,

With reference to Secretary Industries notification No: SO-III(IND)4-7/15/A.P/14845 Dated 02/12/2016 (Copy Attached-1), my position in this seniority list is 29 while I would be placed at serial No: 10, with presenting the following Rule, court Judgments & facts in my favor. My first appeal against the Provisional seniority list issued in 19/02/2014, (Copy Attached-2) I appeal on all that lists without decided in my favor and issued Final Seniority List.

- That I and Engr. Jehanzeb were appointed as instructor (BPS-14) in 1987 & 1985 on regular basis in defunct Manpower Training Department and remain in the said part till merger. (Copy Attached-3)
- That I have been selected as lecturer BPS-17 by Public Service Commission KPK with grant of departmental permission in 2005 in the renamed Directorate. (Copy Attached-4) and then Promoted to BPS-18 in 2013 and remain Civil Servant from initial appointment 1987.
- That the Manpower training and Technical Education Departments were merged in 9th Feb 2002, the renamed Directorate of Technical Education & Manpower Training will continue as Attached Department of the Industries & Technical Education. (Copy Attached-5)
- That after merging the Department the amendment in Rule 17, after sub-rule (2) the new sub-rule (3) shall be added for fixation of Seniority issued in 28 May, 2002. (Copy Attached-6)
- That I have file the case before the Honorable Service Tribunal KPK to get all back benefits in the department and the court have granted vide Appeal No: 1399/2008.(Copy Attached-7)
- That after merging the seniority among the staff was not fixed according to Amendments Rule 17-3 of 28 May 2002. That's why, Mr Pervaz Rahi (Superintendent) knocked the door of honorable court in 2004 and got the benefits of Seniority as he was senior to the employ of defunct Tech. Education Department.

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- That after it, the other staff members of defunct Manpower Training Mr Fayaz & others (Instructor B-14), whom for a Justice of Seniority as the employ of Manpower & Training were senior to Technical Education Department employees, who's mostly inducted in 1997 & onwards as J/Instructor (B-14). The court decided the Seniority case in 2009 (Copy Attached-8) in general to all the staff, in Judgment: they set-aside/ null and void all promotions after merging on separate seniority list, and say to set a the seniority among the Instructors & J/instructors (B-14) from 9th Feb. 2002, but the rename Directorate, Technical Education & Manpower Training has failed to implement the Court Judgment completely and granted the benefit of seniority to those only whose knocked the court door.
- That the precedent of Engr. Jehanzeb is present for reference as he was put ahead of all employ of defunct Technical Education Department in this Seniority list of Assistant Professor (B-18) issued on 02/12/2016 under court Judgment 2009.
- That most of Junior Instructor (B-14) of defunct Technical Education whose mostly inducted in 1997 & onward were also Junior to me at a time of merger 9th Feb. 2002 and they were put ahead in this Seniority list.
- That as a matter of rules and to avoid unnecessary litigation, I would also be placed after Engr. Jehanzeb at serial No. 10 in the final Seniority list of Assistant Professor (B-18) as all those employs were also Junior then me at merging time Feb 2002 of defunct Technical Education.

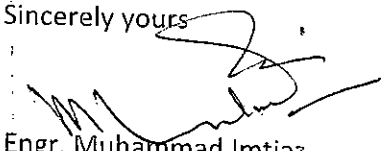
It is, therefore, requested to your good self that in light of above facts to consider my Seniority case and implement Merging Rule 17-3 of 28th May 2002 and the Judgments of Honorable Services Tribunal an Appeal No: 1011/2006 dated 23/6/2009 and Appeal No: 1399/2008 dated 19/9/2008 in my favor as I am Senior to the employs of Tech: Education during merging in 9th Feb 2002 and also in the light of Judgments Honorable Supreme Court of Pakistan reported as 1996 SCMR 1185, PLD2003 SC266, 2003 SCMR1030 and 2009 SCMRI (copy Attached-9).

So, as the matter needs your special consideration to avoid anomaly and unnecessary litigation of issue please.

Regards.

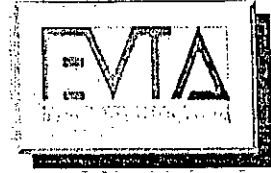
Dated: 13/12/2016.

Sincerely yours


Engr. Muhammad Imtiaz
Assistant Professor GTTC
Hayatabad Peshawar.
Cell No: 0345-9152675



KHYBER PAKHTUNKHWA TECHNICAL
EDUCATION & VOCATIONAL TRAINING
AUTHORITY 3-A, CHINAR ROAD
UNIVERSITY TOWN, PESHAWAR



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No. TEVTA/HR-I/2-337/ 5228

Dated. 29 / 12 / 2016. J

To

The Principal,
Govt. Technical Teachers Training College,
Hayatabad, Peshawar.

Subject:- APPEAL AGAINST FINAL SENIORITY.

I am directed to refer to your letter No.302 dated 14-12-2016 on the subject noted above and to state that the objection of Mr. Muhammad Imtiaz, Assistant Professor along with others objection on the seniority have earlier were placed before the committee for consideration. The committee, after detailed examination, submitted report/recommendations and fixed the seniority accordingly.

The officer concerned may be informed accordingly.

*Diary/Concerned Officer - 8/12/16
Keep a photocopy in file.*

*JN.
02/1/2017*

Imtiaz
DEPUTY DIRECTOR
(ADMN/HR)

883
2016-12-29
TEVTA

VAKALAT NAMA

NO. _____/20

IN THE COURT OF Service Tribunal Peshawar

Muhammad Imtiaz (Appellant)
(Petitioner)
(Plaintiff)

VERSUS

Gout. of KPK (Respondent)
(Defendant)

I/We, Muhammad Imtiaz


Do hereby appoint and constitute **M. Asif Yousafzai, Advocate Supreme Court Peshawar**, to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate/Counsel on my/our costs.


I/We authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter. The Advocate/Counsel is also at liberty to leave my/our case at any stage of the proceedings, if his any fee left unpaid or is outstanding against me/us.

Dated _____/20


(CLIENT)

ACCEPTED


M. ASIF YOUSAFZAI
Advocate Supreme Court
Peshawar.


Taimur Ali Khan
Advocate High Court

Syed Nauman Ali Bukhari
Advocate

OFFICE:

Room # FR-8, 4th Floor,
Bilour Plaza, Peshawar,
Cantt: Peshawar
Cell: (0333-9103240)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

APPEAL NO.233/2017

Muhammad Imtiaz, Assistant Professor,
GTTC, Peshawar.Petitioners

VERSUS

Government of Khyber Pakhtunkhwa through
Secretary Industries & others.(Respondent)

Respectfully Sheweth.

PRELIMINARY OBJECTION

1. That the appellant has no cause of action or locus standi.
2. That the appeal is time barred.
3. The appellant has not come to the honorable tribunal with clean hands.
4. The appeal is bad for non-joinder and mis joinder of unnecessary parties.
5. That the appeal is not maintainable in its present form.
6. That the appellant has been stopped by his own conduct to file the appeal

ON FACTS.

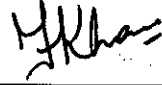
- 1) Para 1 of the appeal pertains to record.
- 2) Para 2 of the appeal also pertains to record.
- 3) Para 3 of the appeal pertains to record.
- 4) Para 4 of the appeal is incorrect and the same para is related to the Secretary Finance Department but the appellant did not make necessary party in the instant appeal.
- 5) Para 4 of the appeal incorrect. The appellant has mentioned the seniority list of Pervez Rahi who was of the management cadre and the appellant is related to the seniority list of teaching cadre, so the case of the appellant is totally different from those mentioned in this para.
- 6) Para 6 of the appeal is also incorrect. The appellant was directly appointed by the Public Service Commission as Instructor mechanical BPS-17 in the year 2005 and was not promoted so he was given seniority from holding of his regular appointment as per law and since then seniorities were issued on yearly basis. However, none of the lists was challenged by the appellant (Copy of the seniority list is at Annex-A). A committee was constituted by the Department for fixation of the seniority of appellant (Copy of the report regarding appellant at S.No.8 is attached at Annex-B.

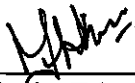
- 41
- 7) Para 7 of the appeal is also incorrect. The Departmental appeal of the appellant was considered and processed by the Department and he was informed about the committee report. The appellant left the previous cadre in BPS-14 and grade as he was selected as Instructor Mechanical BPS-17. Further the impugned seniority list is continuity of the previous seniority list, which has not been challenged. (Copy of letter/report of the committee dated 30.9.2015 and order as Instructor BPS-17 attached at Annexure, "C", "D" and "E").
- 8) Needs no comments.

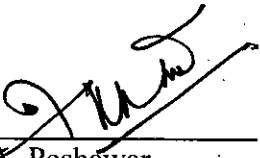
ON GROUNDS

- A) Ground "A" of the appeal, is incorrect. The rejection order dated 29.12.2016 & impugned seniority list dated 02.12.2016 are not against the Law, facts and norms of justice.
- B) Ground "B" of the appeal, is incorrect. The impugned seniority list was made accordingly to the rules 17-(3) and judgment of this august tribunal is followed in its true letter & spirit. Therefore, seniority list is not liable to be corrected.
- C) Ground "C" of the appeal is also incorrect, on the basis of Judgment dated 23.6.2009, the seniority of some officials who field service appeal were corrected but the case of the seniority of the appellant was totally separated, so, the same benefit was not extended to appellant and para 5-6 ibid is the comprehensive reply of the instant appeal.
- D) Ground "D" of the appeal is incorrect, the appellant was appointed through Public Service Commission as Instructor BPS-17 (Mechanical) in 2005 and Mr. Jehanzeb was promoted from Sr: Instructor B-16 but the appellant was left the post of Jr: Instructor B-14. So, his seniority was separated from the promote officials.
- E) Ground "E" of the appeal is incorrect. The case of appellant is not similar to case of Engr: Jehanzeb, therefore, the appeal is not entitled to the same relief. So, he was placed at S.No.5 as detail reply has given in para 5,6,and 7 ibid.
- F) Ground "F" of the appeal is also incorrect, the appellant was treated according to law and rules and rightly placed at S.No.29 in the impugned seniority list.
- G) Needs no comments.

It is, therefore, humbly prayed that the appeal may be dismissed with cost.

RESPONDENT NO.1) 
Chief Secretary, Khyber Pakhtunkhwa, Peshawar.

RESPONDENT NO.2) 
Secretary Industries, Technical Education Khyber
Pakhtunkhwa, Peshawar.

RESPONDENT NO.3) 
Managing Director KP-TEVTA, Peshawar.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

233 / 2017
Appeal No. 1026/2016

Muhammad Imtiaz, Assistant Professor,
GTTTC, Peshawar.....**APPELLANT.**

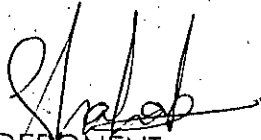
VERSUS

Government of Khyber Pakhtunkhwa through
Secretary Industries and others.....**RESPONDENTS**

REPLY ON BEHALF OF RESPONDENT NO. 1, 2 & 4

AFFIDAVIT

I, Shahab-ud-Din Khattak, Legal coordinator of KP-TEVTA on behalf of the respondents in the above titled appeal do hereby solemnly affirm and confirm that the contents of the connected reply is true and correct to the best of our knowledge and belief and nothing has been concealed from this tribunal.


DEPONENT

Annex - A

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FINAL SENIORITY LIST OF LECTURERS (TECHNICAL SUBJECTS) DEGREE HOLDERS (BPS-17) GCTs/GPIs/GTIs IN THE TECHNICAL EDUCATION AND MANPOWER TRAINING DEPARTMENT KHYBER PAKHTUNKHWA AS STOOD ON 31-01-2013.

Sr.No.	Name of incumbent with academic qualification	Date of birth with domicile	Date of Ist entry into Govt. service	Regular appointment/ promotion to the present post			Present appointment	Remarks.
				Date	BPS	Method of recruitment		
1.	Engr. Niaz Ali Jan, i) B.Sc (Mech) ii) CT Training Cert:	20-04-1973 Bannu	01-08-2003	01-8-2003	17	Initial	Lecturer (Mech), GCT Bannu	Working as Assistant Professor (BS-18) on Acting Charge Basis Vide Admn: Deptt: Notification No. SOIII (IND) TE/ 1-6/ 2005 dated 28-02-2008.
2.	Engr. Muhammad Zubair, i) B.Sc (Civil) ii) 06 months Tech: Teachers Training Certificate.	21-10-1964 FR Tank	30-08-1993	15-3-2004	17	Promotion	Lecturer (Civil) GCT DIKhan,	Working as Assistant Professor (BS-18) on Acting Charge Basis Vide Admn: Deptt: Notification No. SOIII (IND) TE/ 1-6/ 2005 dated 28-02-2008.
3.	Engr. Muhammad Nazir, B.Sc(Engg) Electrical	01-02-1964 Mansehra	10-12-1990	15-3-2004	17	-do-	Lecturer (Elect); GCT, Abbottabad	Working as Assistant Professor (BS-18) on Acting Charge Basis Vide Admn: Deptt: Notification No. SOIII (IND) TE/ 1-6/ 2005 dated 28-02-2008.
4.	Engr. Raza Ullah, i) B-Tech (Hons) Civil ii) 06 months Technical Teachers Training Certificate.	15-02-1975 Mardan	11-06-1999	31-5-2004	17	-do-	Lecturer (Civil), GCT Nowshera	Working as Assistant Professor (BS-18) on Acting Charge Basis Vide Admn: Deptt: Notification No. SOIII (IND) TE/ 1-6/ 2005 dated 28-02-2008.
5.	Engr. Muhammad Khalid, i) B-Tech (Hons) Civil ii) One year Technical Teachers Training Diploma.	09-09-1965 DIKhan	03-09-1990	31-5-2004	17	-do-	Lecturer (Civil), GCT DIKhan	Working as Assistant Professor (BS-18) on Acting Charge Basis Vide Admn: Deptt: Notification No. SOIII (IND) TE/ 1-6/ 2005 dated 28-02-2008.

29/04/13

6.	Engr. Nasir Khan, i) B-Tech (Hons) Mechanical ii) 06 months Technical Teachers Training Certificate.	18-04-1971 Charsadda	26-06-1997	31-5-2004	17	Promotion	Lecturer (Mech), GCT Tangi	Working as Assistant Professor (BS-18) on Acting Charge Basis Vide Admn: Deptt: Notification No. SOIII (IND) TE/ 1-6/ 2005 dated 28-02-2008.
7.	Engr. Aleem John, i) B-Tech (Hons) (Civil) ii) One year Technical Teachers Training Diploma.	09-01-1959 Peshawar	09-05-1985	27-5-1999 Date of passing B.Tech: Hons: Degree 18-5-2005	17	-do-	Lecturer (Civil) GCT Peshawar	Working as Assistant Professor (BS-18) on Acting Charge Basis Vide Admn: Deptt: Notification No. SOIII (IND) TE/ 1-6/ 2005 dated 28-02-2008.
8.	Engr. Asad Ullah, i) B.Sc (Electronics)	15-4-1970 Malakand	01-03-1999	25-5-2005	17	-do-	Lecturer (Electronics) GPI TakhtiBhai	Working as Assistant Professor (BS-18) on Acting Charge Basis Vide Admn: Deptt: Notification No. SOIII (IND) TE/ 1-6/ 2005 dated 28-02-2008.
9.	Engr. Samiullah Durrani, i) B-Tech (Hons) Mechanical ii) 06 months Tech: Teachers Training Certificate.	27-04-1977 Peshawar	07-08-1997	25-5-2005	17	-do-	Lecturer (Mech), GCT Peshawar	Working as Assistant Professor (BS-18) on Acting Charge Basis Vide Admn: Deptt: Notification No. SOIII (IND) TE/ 1-6/ 2005 dated 28-02-2008.
10.	Engr. Muhammad Iqbal, i) B-Tech (Hons) Civil ii) One year Technical Teachers Trg: Diploma. (NIST).	16-03-1973 Karak	01-07-1997	19-10-05	17	-do-	Lecturer (Civil) GPI, Karak	Working as Assistant Professor (BS-18) on Acting Charge Basis Vide Admn: Deptt: Notification No. SOIII (IND) TE/ 1-6/ 2005 dated 28-02-2008.
11.	Engr. Muhammad Imtiaz, i) B.Sc. (Mechanical) ii) M.Sc (Mechanical) iii) One year Technical Teachers Training Diploma.	20-01-1964 Charsadda	02-04-1978	1-11-2005	17	Initial	Lecturer (Auto), GATTC, Peshawar	

2/10/13

12.	Engr. Syed Javed Iqbal, i) B-Tech (Hons) Mechanical ii) Boiler Engineering iii) six months Technical Teachers Training certificate iv) 45 days Instructor Trg: Course from NISTE Islamabad.	03-12-1958 Dir	27-12-1989	26-5-2006	17	Promotion	Lecturer (Mech), GTVC(B) Chakdara
13.	Engr. Maqsood Jamal, i) B-Tech (Hons) Mechanical ii) 06 months Technical Teachers Training Certificate.	28-03-1972 Khyber Agency	02-09-1997	09-2-2007	17	Initial	Lecturer (Mech), GCT Peshawar
14.	Engr. Ihsanullah, i) B-Tech (Hons) Civil ii) 06 months Technical Teachers Training Certificate.	01-04-1972 Karak	15-07-1997	17-5-2007	17	Promotion	Lecturer (Civil), GPI, Karak.
15.	Engr. Muhammad Ismail Khan, i) B-Tech (Hons) Civil.	11-10-1976 Karak	03-07-1997	17-5-2007	17	-do-	Lecturer (Civil), GPI, Sardar Gari
16.	Engr. Bazir Khan, i) B-Tech (Hons) Mechanical ii) Dip: TTT.	28-03-1968 Malakand Agency	26-05-1993	12-4-2008	7	-do-	Lecturer (Mech), GPI Batkhela
17.	Engr. Masood Jan, B-Tech (Hons) Mechanical	06-02-1972 Charsadda	18-07-1997	12-04-08	17	-do-	Lecturer (Mech), GTVC(B) Charsadda
18.	Engr. Shah Room, i) B-Tech (Hons) Civil ii) CT General one year Diploma iii) MA Islamiat	10-05-1972 Dir Lower	12-03-1999	12-4-20	17	-do-	Lecturer (Civil), GPI Batkhela.

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29/04/13

19.	Engr. Saeed Hussain Shah, B.Sc (Electrical)	07-02-1985 Charsadda	06-12-2008	6-12-2008	17	Initial	Lecturer (Elect), GCT Tangi
20.	Engr. Israr Ahmad, i) B-Tech (Hons) (Elect): ii) One year Technical Teachers Training Diploma	10-03-1978 Swat	06-12-2008	06-12-08	17	-do-	Lecturer (Elect), GCT Swat
21.	Engr. Tariq Ali, i) B-Tech (Hons) Civil ii) 6 weeks Training at NISTE.	08-04-1979 Malakand	03-05-2006	16-12-2008	17	-do-	Lecturer (Civil), GPI Batkhela
22.	Engr. Abid Alam, B-Tech (Hons) Electrical ii) MCS iii) One year Technical Teachers Training Diploma	30-04-1977 Malakand	03-01-2009	03-1-2009	17	-do-	Lecturer (Elect), GTTTC Hayatabad.
23.	Engr. Imran Khan, B.Sc (Mechanical)	13-11-1982 Malakand	20-02-2009	20-2-2009	17	-do-	Lecturer (Mech:), GPI Wari Dir U
24.	Engr. Niqab Khan, B.Sc (Mechanical)	26-09-1982 Peshawar	20-03-2009	20-3-2009	17	Promotion	Lecturer (Mech) GCT Swabi.
25.	Engr. Mian Khurram Ehsan, B.Sc (Elect)	25-04-1982 Mardan	13-03-2009	13-3-2009	17	Initial	Lecturer (Elect), GCT Nowshera
26.	Engr. Fazl-e-Elahi, i) B.Sc (Electrical) ii) 06 months Technical Teachers Training Certificate	01-01-1983 Peshawar	13-03-2009	13-3-2009	17	-do-	Lecturer (Elect), GCT Peshawar

27/29/04/13

27.	Engr. Umer Zaman B.Sc (Electrical)	02-04-1982 Malakand	28-03-2009	28-3-2009	17	Initial	Lecturer (Elect), GCT Timergara
28.	Engr. Arsalan Gohar, i) B.E.(Electronics) ii) One year Technical Teachers Training Diploma	27-07-1984 FR Bannu	28-2-2009	28-2-2009	17	-do-	Lecturer (Electronics), GTTTC,— Hayatabad, Peshawar
29.	Engr. Wajid Khan, B.Sc (Electronics)	12-03-1982 Mohmand Agency	26-03-2009	26-3-2009	17	-do-	Lecturer (Electronics), GTI, Ekkaghund
30.	Engr. Ateeq ur Rehman. B-Tech (Hons) Mechanical	04-07-1981 Peshawar	08-05-2003	30-4-2010	17	-do-	Lecturer (Mech:) GCT, Nowshera
31.	Engr. Ijaz Khan, B.Sc (Mechanical)	15-04-1984 Bannu	30-04-2010	30-4-2010	17	-do-	Lecturer (Mech), GCT Bannu
32.	Engr. Akhtar Manan, B-Tech (Hons:) Electrical	05-01-1982 Karak	26-01-2008	30-4-2010	17	-do-	Lecturer (Elect:), GPI Karak
33.	Engr. Junaid Zaheer B.E (Electrical)	08-3-1985 Mohmand	03-05-2010	03-5-2010	17	-do-	Lecturer (Elect:), GPI, Sardar Gari
34.	Engr. Fawad Ahmed B.Sc (Electrical)	04-03-1985 Charsadda	30-4-2010	30-4-2010	17	-do-	Lecturer (Elect:), GCT, Tangi
35.	Engr. Muhammad Shoaib B.Sc (Electrical)	26-5-1984 Bannu	30-4-2010	30-4-2010	17	-do-	Lecturer (Elect:), GCT, Bannu
36.	Engr. Tahir Hassan, B.Sc (Electrical)	05-03-1986 Nowshera	30-04-2010	30-4-2010	17	-do-	Lecturer (Elect) GCT Nowshera
37.	Engr. Zia ud Din, B.Sc (Electrical) ii) 06 months Technical Teachers Training Certificate.	25-2-1986 Bannu	30-4-2010	30-4-2010	17	-do-	Lecturer (Elect:), GCT, Peshawar

38.	Engr. Sajid, i) B.Sc (Electrical) ii) 06 months Technical Teachers Training Certificate	10-04-1985 Dir Upper	30-4-2010	30-4-2010	17	Initial	Lecturer (Elect:), GPI, Wari	
39.	Engr. Wajid Karim B.E (Electrical)	02-05-1982 Swat	03-05-2010	03-5-2010	17	-do-	Lecturer (Elect:), GPI, Buner	
40.	Engr. Sohail Gul B-Tech (Hons:) Electrical	01-01-1985 Charsadda	06-05-2010	06-5-2010	17	-do-	Lecturer (Elect:), GCT, Peshawar	
41.	Engr. Muhammad Altaf B-Tech (Hons) Electrical	20-07-1984 Malakand	3-5-2010	3-5-2010	17	-do-	Lecturer (Elect:), GPI, Batkhela	
42.	Engr. Karim Ullah B-Tech (Hons) Electrical	15-03-1984 Dir (Lower)	30-04-2010	30-4-2010	17	-do-	Lecturer (Elect:), GCT, Timergara	
43.	Engr. Silawar Khan, B.Sc (Electrical)	4-1-1983 Khyber Agency	4-5-2010	4-5-2010	17	-do-	Lecturer (Elect:), GTI, Bara	
44.	Engr. Badshah Zeb B.Sc (Electrical)	1-4-1984 Dir Upper	3-5-2010	3-5-2010	17	-do-	Lecturer (Elect:), GPI, Wari	
45.	Engr. Jibran Ullah, B.Sc (Computer Engineering)	01-03-1985 Mardan	07-07-2010	07-07- 2010	17	-do-	Lecturer (Computer Engineering), GPI Takht Bhai Mardan 22-06-2010	

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46.	Engr. Muhammad Abbas Khan Abbasi, B.Sc (Computer Engineering)	06-12-1986 Mansehra	22-06-2010	22-6-2010	17	Initial	Lecturer (Computer Engineering), GCT Abbottabad, 22-06-2010
47.	Engr. Syed Ghulam, i) B-Tech (Hons) Mechanical ii) One year Technical Teachers Training Diploma	15-09-1961 Bannu	12-09-1983	07-3-2005 Date of passing B.Tech: Hons: Degree 10-2-2011	17	Promotion	Lecturer (Mech); GCT Bannu, 26-05-2005
48.	Engr. Sami Ullah, B.Sc (Civil) ✓	Peshawar 27-4-1985	06-05-2011	06-5-2011	17	Initial	Lecturer (Civil, GCT, Nowshera
49.	Engr. Tauqeer Hashmi, ✓ i) B.Sc (Engg:) Electrical	21-01-1984 DIK	18-4-2006	05-5-2011	17	Promotion	Lecturer (Elect:) GCT DIK.
50.	Engr. Taimur Shah, i) B.Tech: (Hons:) Electrical ii) 06 months Technical Teachers Training Certificate	01-05-1985 Charsadda	24-4-2006	09-5-2011	17	-do-	Lecturer (Elect:) GCT, Tangi
51.	Engr. Ashraf Khan, i) B.Tech: (Hons:) (Electronics) ii) 06 months Technical Teachers Training Certificate	13-02-1973 Peshawar	17-07-1997	31-1-2003 Date of passing B.Tech: Hons: Degree 10-8-2011	17	-do-	Lecturer (R/E), GCT Peshawar

52.	Engr. Muhammad Musa, i) B.Tech: (Hons:) (Elect:) ii) 06 months Technical Teachers Training Certificate	02-02-1968 Charsadda	16-07-1997	13-3-2008 Date of passing B.Tech: Hons: Degree 10-8-2011	17	Promotion	Lecturer (Elect:) GCT, Tangi
53.	Engr. Muhammad Saleem, B.Tech: (Hons:) Civil	05-06-1972 DIKhan	18-10-1993	26-10-10	17	-do-	Lecturer (Civil) GCT, DIKhan
54.	Engr. Syed Baqir Abbas, B.Tech: (Hons:) Electrical	01-3-1974 Kohat	15-08-1997	26-10-10 Date of passing B.Tech: Hons: Degree 10-8-2011	17	-do-	Lecturer (Elec:) ATTC Hayatabad.
55.	Engr. Khurram Shehzad S/O Abdul Rasheed B-Tech (Hons) Civil	01-01-1978 Abbottabad	1-6-1999	26-10-10 Date of passing B.Tech: Hons: Degree 20-10- 2011	17	-do-	Lecturer (Civil), GCT Abbottabad
56.	Engr. Mian Nasim ud Din, i) B-Tech (Hons) Elect: ii) One year Technical Teachers Training. iii. Management training course iv. Management development program v. Short course of skill up grading	13-02-1965 Mardan	30-08-1986	22-5-1999 Date of passing B.Tech: Hons: Degree March, 3 2012.	17	-do-	Lecturer (Elect:) GTVC(B), Mardan

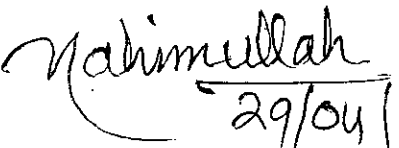
57.	Engr. Rizwan Ullah, i) B.Tech: (Hons:) (Civil) ii) 06 months Technical Teachers Training Certificate iii) Diploma in Project Management	15-04-1966 Peshawar	20-12-1989	28-05-1999 Date of passing B.Tech: Hons: Degree 31- 3- 2012.	17	Promotion	Lecturer (Civil)
58.	Engr. Niaz Ahmed, B-Tech (Hons) Mechanical	01-02-1972 Malakand	24-07-1997	14-12-2012	17	-do-	Lecturer (Mech.),
59.	Engr. Asad Ullah, i) B-Tech (Hons) Mechanical ii) Six months Tech: Teacher Trg: Certificate	03-04-1971 Kohat	26-07-1997	14-12-2012	17	-do-	Lecturer (Mech.), GCT, Kohat
60.	Engr. Shafqat Ullah B-Tech (Hons) Electrical	02-09-1983 Bannu	09-10-2004	14-12-2012	17	-do-	Lecturer (Elect.), GCT Bannu
61.	Engr. Tanzeel ur Rehman, B-Tech (Hons) Electrical	02-02-1984 Swat	11-05-2006	14-12-2012	17	-do-	Lecturer (Elect.), GCT Swat
62.	Engr. Noor ul Haq, B-Tech (Hons) Civil	14-12-1979 Bannu	05-5-2006	14-12-2012	17	-do-	Lecturer (Civil), GCT Bannu
63.	Engr. Muhammad Pervaz B-Tech: (Hons) Electronics	09-03-1981 Peshawar	14-07-2004	14-12-2012		-do-	Lecturer (Electronics), GTI, Ekkaghund
64.	Engr. Zia ur Rehman B-Tech: (Hons) Electronics	01-06-1982 Dir Lower	13-05-2006	14-12-2012		-do-	Lecturer (Electronics), GCT, Timergara

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65.	Engr. Abdul Nazer Shah B-Tech (Hons) Mechanical	04-03-1980 Bannu	29-04-2006	14-12-2012	17	Promotion	Lecturer (Mech:), GCT, Bannu
66.	Engr. Dad Muhammad, B-Tech (Hons) Electrical	01-03-1972 Karak.	11-07-1997	14-12-2012	17	-do-	Lecturer (Elect:), GPI, Lakki
67.	Engr. Rasul Gul, B-Tech (Hons) Electrical	07-02-1974 FR Bannu	28-04-2006	14-12-2012	17	-do-	Lecturer (Elect:), GCT Bannu
68.	Engr. Ajmal Khan, i) B-Tech (Hons) Electrical ii) Six months Tech: Teacher Trg: Certificate	06-06-1979 swat	18-04-2007	14-12-2012	17	-do-	Lecturer (Electrical), GPI Bunir
69.	Engr. Wisal Muhammad B-Tech (Hons) Electrical	22-03-192 Swabi	26-06-1997	14-12-2012	17	-do-	Lecturer (Elect:), GCT Swabi

"Certified that the Seniority list is final / un-disputed and not sub-judice.


DIRECTOR GENERAL


29/04/13
SECTION OFFICER-III

Annex - B
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To,

The Director,
HR/Admin Khyber Pakhtunkhwa
3-A Chinner Road University Town Peshawar.

Subject:- REPORT.

KP-TEVTA/Estt/S.L Dgce-H/1216(1-3)

In compliance with your order No. _____ dated 30/9/09 on the subject noted above.

The committee thoroughly examined the applications filed by various officers, against their seniority positions and submit the following para wise comments as mentioned against each :-

SR. NO	NAME OF OFFICER	OBJECTION	COMMENTS,
1.	Mr. Muhammad Khalid	His name is not included in the existing seniority list.	It was observed that due to clerical mistake his name was not included in the said seniority list. It is proposed that his name should be incorporated in due position in the existing seniority list of Assistant Professors (Degree Holders) BPS-19.
2.	Mr. Guulam Farpid	His training Course certificate(06 months) is not included in the column of qualification.	It is proposed that the said training certificate should be incorporated in the qualification column of the said seniority list..
3.	Mr. Muhammad Ishaque	He was promoted on 29-04-2013 and officer on seniority position 14,16,18 and 39 were promoted on 24.10.2013 but the placed ahead of him in the seniority list	On the enquiry from the section concerned it was told that When a person changes his seniority on the basis of attaining qualification.i.e. (Degree),then according to the prevailing rules his seniority will be fixed from the date of attaining degree Mr. Muhammad Ishaq attain the Degree in year 2010 and others attained the Degrees earlier to him.
4.	Muhammad Asif	In separate seniority list of electrical technology he was at seniority position No-10, but in the combined seniority list he is at 41	As same above the applicant got his Degree in the year 2009.
5.	Mr. Muhammad Nazir	In the seniority list of instructor (Degree Holders) he was senior to Mr. Saddiq and in the revised seniority list of year 2004, his name was put below Mr. Saddiq.	Reply was given to Mr. Nazir vide Letter No.DTE/&MT/Estt/S.list/2214 dated 6.6.2005. for his earlier application on the subject matter. The seniority was fixed according the criteria of attaining the Degree date.
6.	Mr.Mashal Khan	Accoriding to him he was promoted on 26 th feb 2013 and the others fellow at serial no 14,16and 20 were promoted on 24 th oct 2013 but they are senior to him in the seniority list.	The person at serial no 14,16 and 20 were not recommended in PSB meeting due to lack of one year teacher training diploma. After completing the requirement of obtaining diploma they were promoted later and were given due place in seniority list. Because their seniority was remain intact.
7.	Ikhtiyar Ahamd	The same statement as above.	-do-
8.	Muhammad Imtiaz	He claims the seniority of the previous grade(14) and cadre(vocational).from the time of merger i.e. 2002 on the precedence	He left the previous cadre and grad as he was selected as instructor mechanical bps 17 through Public service commission in 2005.if he claims the seniority of previcus grade and cadre he has to surrender their

9	Muhammad Iqbal	According to him he was promoted to BPS- 17 on 19 th oct 2005. Mr Mahmood Ahmad was initially appointed on 24 th oct 2005. Why he is senior to him?	The concerned Estt: Section may rectify the matter as per record.
10	Muhammad Ismail	According to him he was at serial no 27 in the seniority list of degree holders in 2007. Engr Jahanzeb name was not present in the list and also he was from the vocational cadre, now Mr. Jahanzeb is incorporated in the seniority list of degree holders and his seniority is fixed which is not acceptable to me.	All the these points have been brought to the notice of service tribunal under the appeal no 1011/NEEM/2006 and No 1012/2006 by Engr. Jahanzeb vs Secretary Technical Education Department and others. The court gave the judgment on 23th June 2009 to formulate the rules and prepare the combined seniority for promotion. The appellant's seniority should be fixed in the light of the court decision from the date of merging. Keeping in view the court decision Mr. Jahanzeb was placed in due position in the seniority list stood on 31th December 2010, the anomalies were removed. To safe guard the benefits and rights of the department and minimize the litigation/ the department, a letter was also issued to all teaching staff to appear before the tribunal as private respondents. After putting him at proper position in the seniority list, on the base of court judgment in BPS-17 Seniority list he has been promoted to Asst Professor.

Report is submitted for further necessary action as desired please.

[Handwritten Signature] 28/10/15

(ENGR: HAFIZ MUHAMMAD JAN)
ASSOCIATE PROFESSOR(CIVIL)
G.C.T. TANGI(CHARSADDA)

[Handwritten Signature]
(Engr: SYED ZAFAR MAROOF)
ASSOCIATE PROFESSOR(MEH.)
G.C.T. PESHAWAR.

Amra-C'

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Government of N.W.F. Province,
Industries, Commerce, Min: Dev.
Labour & Tech: Edu: Department.

NOTIFICATION

No. SOHH(IND)TE/3-5/2005. Consequent upon the recommendation of the NWFP Public Service Commission, the Competent Authority has been pleased to appoint the following candidates as Instructor (BPS-17) in the Technical Education Department with immediate effect subject to the following terms and conditions:-

<u>S.No.</u>	<u>Name of Candidate</u>	<u>Subject</u>
1)	Engr. Muhammad Imtiaz S/O Haji Wahid Gul C/O A. Azhar, (Directorate Of Postgraduate Studies) NWFP University Of Engg: & Technology, Peshawar.	Auto
2)	Engr. Abdul Jabbar S/O Abdul Homan Village & P.O Mullaizai, Mohallah Piran Tehsil and District Tank.	Mechanical

TERMS AND CONDITIONS

- 1) The appointment of the candidates mentioned above is subject to the condition that they are domiciled of NWFP.
- 2) Their inter-se-seniority shall be fixed according to the order of merit assigned by the NWFP Public Service Commission.
- 3) Their services shall be liable to termination on one month's notice from either side. In case of resignation without notice their one month's pay/allowances, if any, shall be forfeited to Government.
- 4) No T.A/D.A etc is allowed to the candidates on their first appointment.
- 5) The candidates should join their posts within 30-days of the issue of this Notification. The Director, Technical Education and Manpower Training, NWFP should furnish a certificate to the effect that the candidates have joined the post or otherwise, after one month of the issue of this Notification.
- 6) Charge reports in duplicate should be submitted to all concerned.

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7) They will be governed by such rules and regulations as may be issued from time to time by the Government for the category of Government servant to which they belong.

8) A declaration of assets should be obtained from them if not already done and kept on record.

2. On their appointment, the Competent Authority has further pleased to order the following posting/adjustment of the following officers with immediate effect:-

S.No.	Name of candidates	Posted as
1)	Engr. Muhammad Intiaz S/O Haji Wahid Gul, Instructor Government Advance Technical Training Centre, Peshawar.	Instructor (Auto) Govt College of Technology, Peshawar against the vacant post.
2)	Mr. Abdul Jabbar S/O Abdul Hanan, C.T (Technical) Government High School Mulazai, Tank	Instructor (Mechanical) Govt Polytechnic Institute, Nowshera against the vacant post.

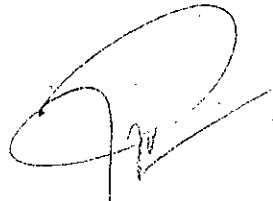
Sd/-

Secretary to Govt of NWFP,
Industries, Commerce, Min. Dev.
Labour & Tech. Edu. Department.

Endst. No. SO/III(IND)TE/3-5/2005, Dated Pesh: the 22nd October 2005.

Copy is forwarded to:-

- 1) The Accountant General, N.W.F. Province, Peshawar.
- 2) The District Accounts Officer, Tank and Nowshera.
- 3) The Director (Recruitment) NWFP Public Service Commission, Peshawar.
- 4) The Director, Technical Education and Manpower Training, NWFP Peshawar along with all documents of the officers for record.
- 5) Director, Schools and Literacy Department, NWFP.
- 6) The Principals concerned.
- 7) The Manager, Govt Printing Press, Peshawar.
- 8) Officers concerned.
- 9) O/O file.


(JANAT GUL AFRIDI)
SECTION OFFICER-III

HABIB

BEFORE THE KPK, SERVICE TRIBUNAL PESHAWAR.

Service Appeal No. 223/2017

Muhammad Imtiaz

VS

Govt of KPK etC

.....

REJOINDER ON BEHALF OF APPELLANT

.....

RESPECTFULLY SHEWETH:

Preliminary Objections:

(1-6) All objections raised by the respondents are incorrect and baseless. Rather the respondents are estopped to raise any objection due to their own conduct.

FACTS:

- 1 Admitted correct by the respondents as the service record is laying in the custody of the respondents.
- 2 Admitted correct by the respondents as the service record is laying in the custody of the respondents.
- 3 Admitted correct by the respondents as the service record is laying in the custody of the respondents.

- 4 Incorrect. While para-4 of the appeal is correct as mentioned in the main appeal of the appellant.
- 5 Incorrect. While para-5 of the appeal is correct as mentioned in the main appeal of the appellant.
- 6 Incorrect, hence denied misleading. While para-6 of the appeal is correct as mentioned in the main appeal of the appellant.
- 7 Incorrect, hence denied misleading. While para-7 of the appeal is correct as mentioned in the main appeal of the appellant.
- 8 No comments.

GROUND:

- A) Incorrect. The orders of the respondents are against the law, rules and norms of justice therefore not tenable and liable to be set aside.
- B) Incorrect. While para-B of the appeal is correct as mentioned in the main appeal of the appellant.
- C) Incorrect. Incorrect. While para-C of the appeal is correct as mentioned in the main appeal of the appellant.
- D) Incorrect. Incorrect. While para-D of the appeal is correct as mentioned in the main appeal of the appellant.
- E) Incorrect. Incorrect. While para-E of the appeal is correct as mentioned in the main appeal of the appellant.
- F) Incorrect. Incorrect. While para-F of the appeal is correct as mentioned in the main appeal of the appellant.
- G) Legal.

It is, therefore, most humbly prayed that the appeal of appellant may kindly be accepted as prayed for.

APPELLANT

Muhammad imtiaz

Through:



(M. ASIF YOUSAFZAI)
ADVOCATE, PESHAWAR.

AFFIDAVIT

It is affirmed and declared that the contents of rejoinder are true and correct to the best of my knowledge and belief.



DEPONENT

Javed Muhammad
Advocate High Court
Oath Commissioner
Distt: Court Peshawar.

3/7/2018