



**KHYBER PAKHTUNKHWA**  
**SERVICE TRIBUNAL, PESHAWAR**

All communications should be addressed to the Registrar KPK Service Tribunal and not any official by name.

No. 1579 /ST Dated 05/06/2023

Ph:- 091-9212281  
Fax:- 091-9213262

To

The Director,  
Elementary and Secondary Education Department,  
Khyber Pakhtunkhwa, Peshawar.

Subject: **JUDGMENT IN SERVICE APPEALS NO. 1382-88/2019, 1230-39/2019, 1305-09/2019, 1691-95/2019, 64/2020, 4830/2021 and 7556/2021, TITLE USMAN GHANI AND OTHERS -VS- THE GOVERNMENT OF KHYBER PAKHTUNKHWA THROUGH SECRETARY ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT, PESHAWAR AND OTHERS.**

I am directed to forward herewith a certified copy of judgment dated 08.05.2023, passed by this Tribunal in the above mentioned service appeal for strict compliance.

Encl. As above.

(AAMIR FAROOQ)

ASSISTANT REGISTRAR  
KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL,  
PESHAWAR.

**Service Appeal No. 1382/2019**

**Usman Ghani Vs Government of Khyber Pakhtunkhwa through  
Secretary Education and others.**

**ORDER**

08<sup>th</sup> May, 2023

**KALIM ARSHAD KHAN, CHAIRMAN:** Learned Counsel for the appellant present. Mr. Fazal Shah Mohamand, Additional Advocate General for the respondents present.

2. Through this single order this appeal and the connected Service Appeal No. 1230/2019 titled "Shamshad Khan Vs Government of Khyber Pakhtunkhwa through Secretary Education and others", Service Appeal No. 1231/2019 titled "Akbar Zeb Vs Government of Khyber Pakhtunkhwa through Secretary Education and others", Service Appeal No. 1232/2019 titled "Sher Ali Khan Vs Government of Khyber Pakhtunkhwa through Secretary Education and others", Service Appeal No. 1233/2019 titled "Shah Nawaz Vs Government of Khyber Pakhtunkhwa through Secretary Education and others", Service Appeal No. 1234/2019 titled "Ibni Amin Vs Government of Khyber Pakhtunkhwa through Secretary Education and others", Service Appeal No. 1235/2019 titled "Muhammad Laiq Vs Government of Khyber Pakhtunkhwa through Secretary Education and others", Service Appeal No. 1236/2019 titled "Misbah Ud Din Vs Government of Khyber Pakhtunkhwa through Secretary Education and others", Service Appeal No. 1237/2019 titled "Raham Karam Vs Government of Khyber Pakhtunkhwa through Secretary Education and others", Service Appeal No. 1238/2019 titled "Salah Ud Din Vs Government of Khyber Pakhtunkhwa through Secretary Education and others", Service Appeal No. 1239/2019 titled "Naseer Hassan




Vs Government of Khyber Pakhtunkhwa through Secretary Education and others”, Service Appeal No. 1305/2019 titled “Mizaj Ud Din Vs Government of Khyber Pakhtunkhwa through Secretary Education and others”, Service Appeal No. 1306/2019 titled “Ismail Vs Government of Khyber Pakhtunkhwa through Secretary Education and others”, Service Appeal No. 1307/2019 titled “Amir Hatam Vs Government of Khyber Pakhtunkhwa through Secretary Education and others”, Service Appeal No. 1308/2019 titled “Fazal Rahim Vs Government of Khyber Pakhtunkhwa through Secretary Education and others”, Service Appeal No. 1309/2019 titled “Muhammad Feroz Vs Government of Khyber Pakhtunkhwa through Secretary Education and others”, Service Appeal No. 1383/2019 titled “Tahir Mulk Vs Government of Khyber Pakhtunkhwa through Secretary Education and others”, Service Appeal No. 1384/2019 titled “Kamran Ali Vs Government of Khyber Pakhtunkhwa through Secretary Education and others”, Service Appeal No. 1385/2019 titled “Khurshid Vs Government of Khyber Pakhtunkhwa through Secretary Education and others”, Service Appeal No. 1386/2019 titled “Mian Said Ali Vs Government of Khyber Pakhtunkhwa through Secretary Education and others”, Service Appeal No. 1387/2019 titled “Maslih Ud Din Vs Government of Khyber Pakhtunkhwa through Secretary Education and others”, Service Appeal No. 1388/2019 titled “Aziz Ahmad Vs Government of Khyber Pakhtunkhwa through Secretary Education and others”, Service Appeal No. 1691/2019 titled “Nisar Muhammad Vs Government of Khyber Pakhtunkhwa through Secretary Education and others”, Service Appeal No. 1692/2019 titled “Fazal Manan Vs Government of Khyber Pakhtunkhwa


09/5/23

with the directions to the authorities to associate the appellants with the proceedings and for the purpose if a committee is necessary to be constituted, the authority may consider that. Consign.

4. *Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal on this 08<sup>th</sup> day of May, 2023.*

  
(Faryeha Paul)  
Member (E)

*\*Kaleem Ullah\**

  
(Kalim Arshad Khan)  
Chairman


08<sup>th</sup> May, 2023

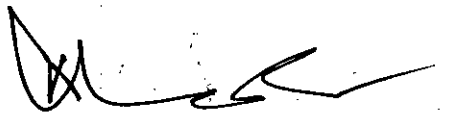
1. Learned Counsel for the appellant present. Mr. Fazal Shah Mohamand, Additional Advocate General for the respondents present.

2. Vide our detailed order of today placed in service appeal No. 1382/2019 titled "Usman Ghani Vs Government of Khyber Pakhtunkhwa through Secretary Education and others" (copy placed in this file), this appeal is also disposed of. Cost shall follow the event. Consign.

3. *Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal on this 08<sup>th</sup> day of May, 2023.*

SCANNED  
KPST  
Peshawar

  
(Fareeha Paul)  
Member (E)

  
(Kalim Arshad Khan)  
Chairman

\*Kaleem Ullah\*

13<sup>th</sup> April, 2023 Today this and connected appeals were brought by the Incharge of the pending files Branch. I was astonished to note that for what purpose the Reader had given such a long date in these appeals, which has caused quite long delay in disposal of these appeals. This act on the part of Reader has also paved way for a number of other aspersions on the reputation of the Tribunal, therefore, Mr. Pir Muhammad, Superintendent/working as Reader at the relevant point of time is called upon to explain his position as to why such acts of negligence, carelessness, inefficiency, irresponsible conduct <sup>was</sup> done by him and for the above acts why he should not be proceeded against under the relevant rules. His reply should reach the undersigned on 17.04.2023, the date given by him in the matters.

SCANNED  
POST  
PESHAWAR

(Kalim Arshad Khan)  
Chairman

\*Adnan Shah, PA\*

- 17<sup>th</sup> April, 2023
1. Counsel for the appellant present. Mr. Muhammad Jan, District Attorney alongwith Mr. Muhammad Zahid Khan, SDEO for the respondents present.
  2. Arguments heard. Learned senior counsel for the appellant wants to make some more submission. He may do make on 08.05.2023 before the D.B. P.P given to the parties.

SCANNED  
POST  
PESHAWAR

(Fareeha Paul)  
Member (E)

(Kalim Arshad Khan)  
Chairman

\*\*Adnan Shah, PA

25<sup>th</sup> July, 2022

Learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Addl: AG alongwith Hussain Ali, Litigation Officer for respondents present.

It was pointed out that a number of other appeals on the same subject matter were fixed on different dates. It was, therefore, requested that all such appeals might be clubbed and heard together. This case is thus adjourned to 17 / 4 / 2023 before the D.B. Learned counsel for the appellant is directed to submit an application to the Registrar of this Tribunal mentioning the details of all such appeals alongwith dates fixed therein within a week so that all such appeals could be fixed together with this appeal. On receipt of the application containing details of all similar appeal, the Registrar shall fix all those for the above date.



(Salah Ud Din)  
Member(Judicial)

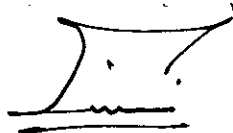


(Kalim Arshad Khan)  
Chairman

25<sup>th</sup> July, 2022

Learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Addl: AG alongwith Hussain Ali, Litigation Officer for respondents present.

It was pointed out that a number of other appeals on the same subject matter were fixed on different dates. It was, therefore, requested that all such appeals might be clubbed and heard together. This case is thus, adjourned to 17/04/2022 before the D.B. Learned counsel for the appellant is directed to submit an application to the Registrar of this Tribunal mentioning the details of all such appeals alongwith dates fixed therein within a week so that all such appeals could be fixed together with this appeal. On receipt of the application containing details of all similar appeal, the Registrar shall fix all those for the above date.



(Salah Ud Din)  
Member(Judicial)



(Kalim Arshad Khan)  
Chairman



13-12-21

DB is on Tour case to come up.

For the same on Dated. 29-3-22

\$  
Ryder

29-3-2022

Proper DB not available the case is  
adjourned to come up for the same as before  
on 11-5-2022

11-5-22

Proper DB not available the case is  
adjourned on 25-7-22

\$  
Ryder

07.2021

Appellant present through counsel.

Muhammad Adeel Butt learned Additional Advocate General alongwith Hussain Ali Litigation Assistant for respondents present.

Representative of respondents submitted written reply/comments. Learned counsel for the appellant requested that similar nature case titled Usman Ghani Vs. Government is fixed for hearing for 27.07.2021, therefore, instant case may also be fixed for the aforesaid date. Request is accorded. To come up for hearing on 27.07.2021 before D.B.



(Rozina Rehman)  
Member (J)



Chairman

27.07.2021

Counsel for the appellant present.

Mr.Javedullah, Learned Assistant Advocate General alongwith Mr. Hussain Ali, Litigation Officer for respondents present.

Learned counsel for the appellant seeks adjournment as he has not prepared the brief. Granted. To come up for arguments on 13.12.2021 before D.B.



(Rozina Rehman)  
Member(J)



Chairman


01.04.2021


Nemo for parties.

Kabir Ullah Khattak learned Additional Advocate General present.

Noted M/f  
07/07/2021

Preceding date was adjourned on a Reader's note, therefore, both the parties be put on notice for 14 / 07 2021 for arguments, before D.B.

  
(Atiq ur Rehman Wazir)  
Member (E)

  
(Rozina Rehman)  
Member (J)

14.07.2021

~~Appellant present the~~

~~Muhammad Adeel Butt learned Additional Advocate General along with Hussain Juttan on~~

~~Former requested that similar case has been given for hearing here this tribunal 27.07.2021 therefore, this case may also be fixed on the same date. Request is accepted and to come up for arguments 27.07.2021 before D/B~~

~~(Rozina Rehman)  
Member (J)~~

~~(Signature)~~



06.08.2020

Junior counsel for the appellant is present. Mr. Kabirullah Khattak, Additional AG alongwith Mr. Hussain Ali, Litigation Officer for the respondents are also present.

Representative of the department submitted para-wise comments on behalf of respondents No. 1 to 3 which are placed on file. To come up for arguments on 26.10.2020 before D.B. The appellant may submit rejoinder within a fortnight, if so advised.

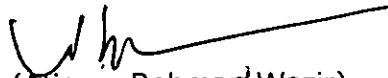


(MUHAMMAD JAMAL KHAN)  
MEMBER

26.10.2020

Junior to counsel for the appellant and Addl. AG for the respondents present.

The Bar is observing general strike, therefore, the matter is adjourned to 30.12.2020 for hearing before the D.B.



(Atiq-ur-Rehman Wazir)  
Member



Chairman

30.12.2020

Due to summer vacation, case is adjourned to 01.04.2021 for the same as before.



Reader

25.02.2020 Junior to counsel for the appellant present. Mr. Kabirullah Khattak learned Additional AG for the respondents present.

Learned Additional Advocate General requests for time to contact the respondents and furnished reply/comments on the next date of hearing. Adjourned. To come up for written reply/comments on 31.03.2020 before S.B.


  
(Hussain Shah)  
Member

31.03.2020 Due to public holiday on account of COVID-19, the case is adjourned to 23.06.2020 for the same. To come up for the same as before S.B.

  
Reader

23.06.2020 Counsel for the appellant present. Mr. Kabir Ullah Khattak learned Additional Advocate General on behalf of the respondents present.

The later requests for time to submit written reply/comments. Last chance is given. To come up for written reply/comments on 06.08.2020 before S.B.

  
Member

26.11.2019

Counsel for the appellant present.

Contends that essentially the appellant was in the promotion zone for SST (BPS-16) at the time when Regularization Act, 2009 was promulgated. The Hon'able Peshawar High Court, Peshawar also observed, while disposing of C.O.C No. 105-P/2011 in writ petition No. 355/2011, that any employee/teacher was not promoted by the time when Act 2009 was enforced while he was in the promotion zone, was a question of fact to be determined in individual cases. The appellant was though promoted as such in the year 2012 but his eligibility for the purpose and availability of vacancies in the year 2008/2009 was disregarded, it was added.

To resolve the controversy, instant appeal is admitted to regular hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments on 20.01.2020 before S.B.

26/11/19  
Appellant Deposited  
Security & Process Fee



Chairman

20.01.2020

Junior to counsel for the appellant and Addl. AG for the respondents present.

Learned AAG requests for time to contact the respondents and furnish reply/comments on the next date of hearing. Adjourned to 25.02.2020 on which date the requisite reply/comments shall positively be furnished.



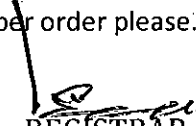
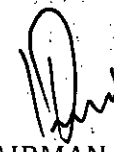
Chairman

Form- A

# FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No.- 1230/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	07/10/2019	<p>The appeal of Mr. Shamshad Khan presented today by Mr. Noor Muhammad Khattak 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 7/10/19</p>
2-	14/10/19.	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>26/11/19</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL PESHAWAR**

APPEAL No. 1230 /2019

**SHAMSHAD KHAN**

**V/S**

**EDUCATION DEPTT:**

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**APPELLANT**

**THROUGH:**

  
**NOOR MOHAMMAD KHATTAK,**  
**ADVOCATE**

ROOM NO. 3, UPPER FLOOR,  
NEW ISLAMIA CLUB BUILDING,  
KHYBER BAZAR, PESHAWAR CITY

**0345-9383141**



**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**  
**PESHAWAR**

Khyber Pakhtunkhwa  
Service Tribunal

APPEAL NO. 1230 /2019

Diary No. 1407

Mr. Shamshad Khan, SST (BPS-16),

Dated 7-10-2019

GHS Qandil, District Swat ..... **APPELLANT**

**VERSUS**

- 1- The Government of Khyber Pakhtunkhwa through Secretary (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
- 2- The Director (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
- 3- The District Education Officer (M), District Swat.

..... **RESPONDENTS**

**APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE INACTION OF THE RESPONDENTS BY NOT GRANTING/ALLOWING PROMOTION TO THE APPELLANT TO THE POST OF SECONDARY SCHOOL TEACHER (BPS-16) FROM THE DATE WHEN THE PROMOTION QUOTA WAS FILLED BY THE RESPONDENTS THROUGH INITIAL RECRUITMENT OR FROM THE DATE OF COMMENCEMENT OF THE ACT NO.XVI OF 2009 COMMONLY KNOWN AS REGULARIZATION OF SERVICES ACT, 2009 NOTIFIED IN THE OFFICIAL GAZETTE ON 24.10.2009 WITH ALL BACK BENEFITS INCLUDING SENIORITY AND AGAINST NOT TAKING ACTION ON THE DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS**

**PRAYERS:**

That on acceptance of this appeal the respondents may kindly be directed to consider the appellant for promotion to the post of Secondary school Teacher (BPS-16) from the date when the promotion quota have been filled by the respondents through initial recruitment or from the date of Commencement of the Act No.XVI of 2009 commonly known as Regularization of Services Act, 2009 Notified in the official gazette on 24.10.2009 with all back benefits including seniority. Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the appellant.

Filed to-day  
Registrar  
2/10/19

**R/SHEWETH:**

**ON FACTS:**

**Brief facts giving rise to the present appeal are as under:-**

- 1- That initially the appellant was appointed as PST in the respondents Department vide order dated 22.11.1986 and later on was appointed as AT vide order dated 01.06.1991. Copy of the service book is attached as annexure ..... **A.**

- 2- That during service as certified teacher the appellant was in the promotion zone to the post of SST (BPS-16) but the respondents instead promoting the appellant advertised the said posts of SST (BPS-16) on adhoc/contract basis. Copy of the advertisement is attached as annexure ..... **B.**
- 3- That under protest the appellant and his colleagues applied for the said post through initial recruitment but the same was also refused to the appellant and colleagues of the appellant on the pretext that regular employees are not entitle to apply for the adhoc/contract posts of SST (BPS-16) thus appellant and his colleagues were deprived from prospects of promotion. That it is pertinent to mention that at the time of above mentioned advertisement the post/cadre of C.T (BPS-15) to which the appellant belong have no prospects of promotion.
- 4- That in light of the said advertisement new appointments were made by the respondents on adhoc basis and even the promotion quota was also filled by the respondents though initial recruitment.
- 5- That in the meanwhile the Provincial Government Promulgated the employees regularization Act, 2009 whereby all the adhoc employees who were appointed as SST on temporary basis were regularized thus further affected the cadre to which the appellant belongs. That the promotion quota for which the appellant and his colleagues have waited for decades has been washed by operation of the said Act of 2009. Copy of the Act is attached as annexure ..... **C.**
- 6- That feeling aggrieved the appellant and his colleagues knocked the door of the Peshawar High Court through various writ petitions including writ petition No.2905/2009. That vide consolidated judgments dated 26.1.2015 the said writ petitions were disposed of with the directions that:  
**(i)- The act.XVI of 2009, commonly known as (Regularization of services) act, 2009 is held as beneficial and remedial legislation, to which no interference is advisable hence, upheld.**  
**(ii)- Official respondents are directed to work out the backlog of the promotion quota as per above mentioned example, within thirty days and consider the in service employees, till the backlog is washed out, till then there would be complete ban on fresh recruit.**  
**Copy of the Judgment is attached as annexure ..... D.**
- 7- That the respondents assailed the said judgment of the august Peshawar High Court Peshawar in CPLAS No.127-P to 129-P/2015 but the same were dismissed as withdrawn vide judgment dated 20.9.2017. That then after the appellant and his colleagues time

and again visited the respondents for their promotion to the next higher scale but the respondents instead of redressing the grievance of the appellant and his colleagues advertised the posts through initial recruitment through various advertisements. Copies of the judgment and advertisements are attached as annexure ..... **E & F.**

- ✓ 8- That it is pertinent to mention that during service the appellant was promoted to the post of SST (BPS-16) vide Notification dated 14.03.2012 with immediate effect rather than retrospective effect i.e. from the date when the promotion quota was filled by the respondents through initial recruitment. That it is pertinent to mention that appellant is the senior most CT (BPS-16) of the respondent department and also eligible in all respect for promotion to the post of SST (BPS-16) w.e.f the date when the promotion quota was filled up through initial recruitment. Copies of the notification, seniority list, service rules and educational testimonials are attached as Annexure ..... **G, H, I & J.**
- 9- That feeling aggrieved the appellant and his colleagues knocked the door of august Peshawar high Court, Peshawar in various COC Petitions numbers including COC Petition No.105-P/2018 and the same has been disposed of vide judgment dated 8.11.2018 with directions to approached the august Service Tribunal for claiming of promotion and seniority. Copy of the judgment is attached as annexure ..... **K.**
- 10- That feeling aggrieved the appellant preferred Departmental appeal but no response has been received so far. Hence the present appeal on the following grounds amongst the others. Copy of the Departmental appeal is attached as annexure ..... **L.**

### **GROUND:**

- A- That the inaction of the respondents by not allowing/granting ante dated promotion to the appellant to the post of SST (BPS-16) is against the law, facts, norms of natural justice and materials on the record.
- B- That appellant has not been treated in accordance with law and rules by the respondent Department on the subject noted above and as such the respondents violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.
- C- That the inaction of the respondents by not allowing/granting ante dated promotion to the appellant to the post of SST (BPS-16) is based on mala fide and arbitrary intentions and as such the same is violative of the principle of natural justice.

- D- That, the respondents acted in a malafide manner by not promoting the appellant to the post of SST (BPS-16) inspite of eligibility, seniority and fitness.
- E- That the respondents acted in arbitrary and malafide manner by not ante dated promotion to appellant to the post of SST (BPS-16) despite the fact that the appellant was not allowed in the initial recruitment process because of the fact that he is in regular promotion zone and will soon be promoted to the post of SST (BPS-16).
- F- That the inaction of the respondents by not allowing/granting promotion to the appellant to the post of SST (BPS-16) is violative of section-9 of the Civil Servant Act 1973 read with Rule-7 of the (Appointment, Promotion & Transfer) Rules 1989.
- G- That as per Rules and regulation the appellant is entitle for promotion to the post of SST (BPS-16) with all consequential benefits including seniority.
- H- That according to Article 38(e) of the Constitution of Pakistan, 1973 the state is bound to reduce disparity in the income and earnings of individual including persons in the services of Federation.
- I- That appellant seeks permission to advance other 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.

Dated: 11.9.2019

**APPELLANT**



**SHAMSHAD KHAN**

**THROUGH:**

**NOOR MOHAMMAD KHATTAK**

**&**



**MIR ZAMAN SAFI**  
**ADVOCATES**

(For use in Police Department only).

Heirs,

A - 5

- 1.
- 2.
- 3.

Verification Roll No. dated received back

Passed matriculation Exam from B.I.S.E, Peshawar Under Roll No 7441, Securing 484 marks.

Result declared on 8-8-1985. Left thumb impression.

*Muz M. Khan*  
Sub Divisional Edu Officer,  
Said Division, Sub Division

Passed wifaqul Madaris Multan

Qualification Date

Exam under Roll No 1026

Qualifications Date  
passed B.A English

English from B.I.S.E Multan

First Arts R No 6044

Pashtu

passed B.A (Add Subjects) Under R No 14743 on 19.2.90

Urdu

Securing 151/250 marks. Pledarship examination

passed B.Ed Exam under Roll No 177 in the Session 1995, held in Result declared on 6/5/96 from Govt. of Pesh.

Sub Divisional Edu Officer, Training School Final examination

Finger print Securing 630/1000 1st div.

Other qualifications passed M.A under R No 11612 Session 1997

Drill instructing PRINCIPAL

Securing 730/1100 marks and Result declared on 14-12-1993

Court duties

Principal, Govt High School, MADYAN, Distt: Swat

Reserve duties

passed M. Ed from A. Govt. Coll. under Roll No. Securing 150/200 marks and Result declared in the session

passed M.A (Arabic) under Roll NO 12400. Result declared on 5-1-2006 Peshawar University.

PRINCIPAL  
G.H.S. Madyan  
Distt Swat  
*Muz M. Khan*  
Head master,  
Govt. High School,  
QANDIL, Swat.

N. B - Also to be drawn under the qualification possessed.

*Muz M. Khan*  
Head master,  
Govt High School,  
QANDIL, Swat

*Affirmed*  
S.E.T. (Gazetted)  
GHS. QANDIL SWAT.

ATTESTED

NIC No: 116-82-058337

NIC No: 15602-0528904-5

Note:--The entries in this page should be renewed or re-attested at least every five years and the signature in lines 9 and 10 should be dated.

1. Name: Shaamshad Khan

(6)

2. Race: Pathan

3. Residence: Village Qandil (Nala), P/O Madyan, Distt Swat

4. Father's name and residence: Lali village Qandil (Nala), P/O Madyan Distt Swat

5. Date of birth by Christian era as nearly as can be ascertained: First April N.H and sixty eight (1-4-1968)

6. Exact height by measurement: 5-6

7. Personal marks for identification: NIL

8. Left hand thumb and finger impression of (non-gazetted) officer

Little Finger

Ring Finger

Middle Finger

Fore Finger

Thumb

Signature of Government servant

Shaamshad

9. Signature and designation of the Head of the Office, or other Attesting Officer.

Signature of Head of Office  
Sub-Inspector in Charge  
Saidu-Sharan, Sub-Division

Attested  
S.E. (Gazetted)  
GHS. QANDIL. SWAT.

ATTESTED

le

90

cut

Business  
ter.  
h. School  
Swat.

pay Fiscal  
 1-8-91  
 pay on 30

1	2	3	4	5	6	7	8
Name of post	Whether substan- tive or officiating and whether permanent or temporary	If officiating state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term 'Pay'	Date of appointment	Signature of Government servant
A. T. GHS, Cham Garai	Sub- per		Rs. 620/-			23-11-86	Sham
do	do		Rs. 830			1-7-87	Sham
do	do		Rs. 868			1-12-87	Sham
do	do		Rs. 906			1-12-88	Sham
do	do		Rs. 944			1-12-89	Sham
do	do		Rs. 1058			19-2-90	Sham
do	do		Rs. 1096			1-12-90	Sham
A. T. GHS Madyan	do	Revised BPS	Rs. 1096			12-2-91	Sham
do	do	BPS No: 14	Rs. 1617			1-12-91	Sham
do	do		Rs. 1617			1-2-91	Sham

Signature and  
 designation of the  
 officer or  
 other attesting  
 officer in attestation  
 columns 1 to 8

D. E. O.  
 Saidu Sharif

S. D. E. O.  
 Saidu Sharif

S. D. E. O.  
 Saidu Sharif

D. E. O.  
 Saidu Sharif

D. E. O.  
 Saidu Sharif

S. D. E. O.  
 Saidu Sharif

Principal,  
 GHS Madyan,  
 Swat

Principal,  
 GHS Madyan,  
 Swat

Principal,  
 GHS Madyan,  
 Swat

Principal,  
 GHS Madyan,  
 Swat

Principal,  
 GHS Madyan,  
 Swat

(Three)

Advanced on BA

Principal,  
 GHS Madyan,  
 Swat  
 No. 1185-72-2265 (9)  
 Rs. 1617, P.W.E.P. 1-4-1991  
 With Next Increment on 1-12-1991

Attested  
 S.E.T. (Gazetted)  
 GHS Madyan Swat

provided BA Pass  
 in full subject before  
 19.2.90

02185

Principal,  
 GHS Madyan,  
 Swat

55/8

Principal,  
 GHS Madyan,  
 Swat





CP 12/2000

Drawn bills of S.S. for 10/2000 only amount of Rs 363/- Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of appointment	Signature of Government servant	Signature & designation of head of the office or other attesting officer in attestation of columns 1 to 7
A.T. G.H.S. Madyan	Sub/ /Pm	Revised Entry B-9 (1185-52-2265)	Rs. 1617/-			1/6/91	[Signature]	Principal, G.H.S. Mad Swat.
Do	Do	Rs. 1689/-	1689/-			1/12/91	[Signature]	Principal, G.H.S. Mad Swat.
Do	Do	B-14 (1530-119-3375)	Rs. 1768/-			2/12/91	[Signature]	Principal, G.H.S. Ma Swat.
Do	Do	Revised Entries	Rs. 1649/- P.O.	<input checked="" type="checkbox"/>		1-6-91	[Signature]	Principal, G.H.S. Mad Swat.
Do	Do		Rs. 1768/- Pm	<input checked="" type="checkbox"/>		1-12-91	[Signature]	Principal, G.H.S. Mady Swat.
Drawn bills of S.S. B.15 w/f 1/99 to 30/9/00 amount of Rs 5688/-		In the light of FD: Empl. No: FD: (PRC) 1-1/89 dt: 29/8/92 Office of the Accountant General N.W.F.P. Peshawar. Pay fixed in the Revised Pay Scales 1994 of Rs. 1530-119-3375 (B-14) @ Rs. 1649/- S.P.M.W.E.F. 1-6-1991 With Next Increment on 1-12-1991. Accounts Officer Pay Fixation Party N.W.F.P. Peshawar.						
A.T. G.H.S. Madyan	Sub/ Pm		Rs. 1887/-	<input checked="" type="checkbox"/>		1-12-92	[Signature]	Principal, G.H.S. Ma Swat.
do	do	B.P.S. 14-2065-161-4480	Rs. 2006/-	<input checked="" type="checkbox"/>		1-12-93	[Signature]	Principal, G.H.S. Ma Swat.
do	do	Rs. 2709/-	Rs. 2709/-	<input checked="" type="checkbox"/>	26/4/94 11/6/94	1-6-94	[Signature]	Principal, G.H.S. Ma Swat.

Attested  
 (Signature)  
 G.H.S. QANDEL SWAT

Drawn S/leave w/f 1/94 to 14/95 amounting to Rs 17556/05

[Signature]  
 [Signature]

3

8	9	10	11	12	13	14	15
Signature of Government servant		Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal, etc).	Signature of the head of the office or other attesting officer	Nature and duration of leave taken	Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure, or reward or praise of the Government Servant.
				Leave			
				Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government			
				Period	Government to which debitable		
<i>Shah</i>	Principal, G.H.S. Madyan, Swat.	30/11/91	A.I. Allowed Re-fixation in B-14	Principal, G.H.S. Madyan, Swat.	I hereby exercise my option to retain B-9 (old scale) up to 1/12/91	<u>OPTION</u>	
<i>Shah</i>	Principal, G.H.S. Madyan, Swat.	30/11/91	Entirely revised	Principal, G.H.S. Madyan, Swat.	avail B-14 (New Scale) on 2/12/91 under FR-23 (I)		<i>Shah</i>
<i>Shah</i>	Principal, G.H.S. Madyan, Swat.	30/11/91	A.I. Annual	Principal, G.H.S. Madyan, Swat.	Re-fixation under FR-23		Principal, Govt: High School, at MADYAN, Distt: Swat.
<i>Shah</i>	Principal, G.H.S. Madyan, Swat.	30/11/92	Annual	Principal, G.H.S. Madyan, Swat.	Pay in BPS 9 on 1/12/91 = Rs. 1689/-		Principal, Govt: High School, MADYAN, Distt: Swat.
<i>dt. 8/92</i>	Token No 829	Dated 9.9.92	Drawn difference of pay w.o.f 1.1.92 to 31.7.92 due to re-fixation in r/o Mr. Shamsud Khan AT.	Total Rs 833/-	Pay fixed in B-14 on 2/12/91 = Rs. 1768/-		Principal, Govt: High School, MADYAN, Distt: Swat.
<i>Shah</i>	Principal, G.H.S. Madyan, Swat.	30/11/93	Annual	Principal, G.H.S. Madyan, Swat.	Pay fixation in higher scale w.e.f 1/6/91 instead of 1/12/91		
<i>Shah</i>	Principal, G.H.S. Madyan, Swat.	31/12/94	Scale Revised	Principal, G.H.S. Madyan, Swat.	pay on 1/6/91 in B-9 = Rs. 1617/-		Principal, Govt: High School, MADYAN Distt: Swat.
<i>Shah</i>	Principal, G.H.S. Madyan, Swat.	30/11/94	Annual	Principal, G.H.S. Madyan, Swat.	pay fixed on 1/6/91 in B-14 = Rs. 1649/- with next I.e. on 1/12/91 = Rs. 1768/-		Principal, Govt: High School, MADYAN Distt: Swat.
<i>11/94, 17586/95</i>	Principal, G.H.S. Madyan, Swat.	30/11/94	Annual	Principal, G.H.S. Madyan, Swat.	pay fixed on 1/6/91 in B-9 = Rs. 1617/-		Principal, Govt: High School, MADYAN Distt: Swat.

*Shah*

B.E.P. (Gazetted) GHS. QANDIL SWAT

Principal, Govt: High School, MADYAN, Distt: Swat

Principal, Govt: High School, MADYAN, Distt: Swat


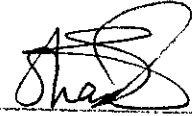
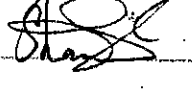
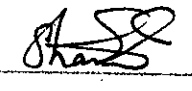
Principal, Govt: High School, MADYAN, Distt: Swat

ATTACHED

1	2	3	4	5	6	7	8	9
Name of post	Whether substan- tive or officiating and whether permanent or temporary	If officiating state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of appointment	Signature of Government servant	Signature of the officer in a column
A-7 G.H.S. Madyam.	Sub: perma:		2065-161-4480 Rs. 2870/-	/		1.12.94.	Shan	Princip G.H.S. Sw
- do -	- do -		Rs. 3031/-	/		1.12.95	Shan	Princip G.H.S. Sw
- do -	- do -		Rs. 3192/-	/		1.12.96	Shan	Princip G.H.S. Sw
- do -	- do -		Rs. 3353/-	/		1.12.97	Shan	Princip G.H.S. Sw
- do -	- do -		Rs. 3514/-	/		1.12.98	Shan	Princip G.H.S. Sw
- do -	- do -		Rs. 3675/-	/		1.12.99	Shan	Princip G.H.S. Sw
		BPS: No. 15 (2190-177-4845)						
- do -	- do -		Rs. 3783/-	/		1-6-99	Shan	Princip G.H.S. Sw
- do -	- do -		Rs. 3960/-	/		1-12-99	Shan	Princip G.H.S. Sw
- do -	- do -		Rs. 4137/-	/		1-12-2000	Shan	Princip G.H.S. Sw
		B=15= 3285-265-11235						
- do -	- do -		Rs. 6485/-	/		1-12-2001	Shan	Princip G.H.S. Sw
- do -	- do -		Rs. 6730/-	/		1-12-2002	Shan	Princip G.H.S. Sw
- do -	- do -		Rs. 6995/-	/		1-12-03	Shan	Princip G.H.S. Sw
- do -	- do -		Rs. 7260/-	/		1-12-2004	Shan	Princip G.H.S. Sw

Attested  
S.E.P. (Gazetted)  
GHS. QANDIL



1	2	3	4	5	6	7	8	9
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of appointment	Signature of Government servant	Signature and designation of the officer attesting in attestation column 1 to
A.T. GHS: Gandil		Rs. 7260/-	B.S. 15 3780-305-12930			12-4-05		Shams Head master, Govt High School Gandil Swat.
		Rs. 8355/-				1-7-2005		Shams Head master Govt High School Gandil Swat.
		Rs. 8660/-				1-12-05		Shams Head master Govt High School Gandil Swat.
		Rs. 8965/-				1-12-06 23-5-08		Shams Head master Govt High School Gandil Swat.

3/9 B-15. w/f 2/12/89  
 Office of the Accountant General  
 N.W.F.P. Peshawar.  
 Pay Fixed in the revised basic pay scales 2005  
 OF RS. 3285-265-11235 B-15  
 AT RS. 6465/- P.M.W.F.  
 with next increment on 1-12-2001  
 1-12-2000

Accounts Office  
 Pay Fixation Party N.W.F.P. Peshawar

2005  
 Office of The Accountant General  
 N.W.F.P. Peshawar  
 Pay Fixed in The Revised Basic  
 Pay Scales 2005  
 OF RS. 3780-305-12930 (16)  
 AT RS. 8355/- P.M.W.F.  
 With Next Increment on 1-12-2005

Accounts Office  
 Pay Fixation Party N.W.F.P. Peshawar

Attested  
 B.E.T. (Gazetted)  
 GHS, GANDIL SWAT

(10) SEE to... for

Se to &

10

8 Nature of Government servant	9 Signature and designation of the head of the office or other attesting officer in attestation columns 1 to 8	10 Date of termination of appointment	11 Reason of termination (such as promotion, transfer, dismissal, etc).	12 Signature of the head of the office or other attesting officer	13 Leave Allocation of period of leave on average pay up to four months for which leave salary is debitable to another Government servant Nature and duration of leave taken Period to which debitable	14 Signature of the head of the office or other attesting officer	15 Reference to any recorded punishment or censure, or reward or praise of the Government servant.
	<i>[Signature]</i> M. Mlamweni Head master, Govt High School, Qandil Swat.	30/6/2005	Scale revised	<i>[Signature]</i> M. Mlamweni Head master, Govt High School, Qandil Swat.	pay fixation in B-15 (2190-177-4845)		
	<i>[Signature]</i> M. Mlamweni Head master, Govt High School, Qandil Swat.	30/11/05	Scale revised	<i>[Signature]</i> M. Mlamweni Head master, Govt High School, Qandil Swat.	1. pay on 31/5/99 in BPS: No. 14 = Rs. 3514/- 2. pay fixed on 1/6/99 in BPS: No. 15 = Rs. 3606/7 (+) 177/- one premature inc. = Rs. 3783/-		
	<i>[Signature]</i> M. Mlamweni Head master, Govt High School, Qandil Swat.	30/6/07	Scale revised	<i>[Signature]</i> M. Mlamweni Head master, Govt High School, Qandil Swat.	6. Service verified w.e.f. 1.12.99 to 31.12.99 from acc: and other records of this school.	<i>[Signature]</i> PRINCIPAL, Govt Higher Secondary School, Madyan, Distt Swat.	
	<i>[Signature]</i> M. Mlamweni Head master, Govt High School, Qandil Swat.	30-11-2004	Scale revised	<i>[Signature]</i> M. Mlamweni Head master, Govt High School, Qandil Swat.	9. SERVICE VERIFIED W.E.F. 1-1-2004 to 30-11-2004 from acc: Rolls & other Record of this office.	<i>[Signature]</i> PRINCIPAL, Govt Higher Secondary School, MADYAN, Distt Swat.	
	<i>[Signature]</i> M. Mlamweni Head master, Govt High School, Qandil Swat.	11/14/2005	Scale revised	<i>[Signature]</i> M. Mlamweni Head master, Govt High School, Qandil Swat.	10. SERVICE VERIFIED W.E.F. 1-12-2004 to 11/14/2005 from acc: Rolls & other Record of this office.	Departmental Pay Scale No 15 @ Rs 3285-265-11235 w.o.f. 1-12-2001 vide FO (PRC) 1-1-2001 dated 27-10-2001 Pay in Existing Scale No 15 on 30-11-2001 Rs. 4137/- Annual increment in existing Pay Scale Rs. 177/- TOTAL PAY, Rs 4314/- Equal to next stage in Revised P. Scale No 15 Rs 6465/- w.e.f. 1-12-2001	<i>[Signature]</i> PRINCIPAL, Govt Higher Secondary School, Madyan, Distt Swat.
	<i>[Signature]</i> M. Mlamweni Head master, Govt High School, Qandil Swat.	12-4-2005	Scale revised	<i>[Signature]</i> M. Mlamweni Head master, Govt High School, Qandil Swat.	7. SERVICE VERIFIED W.E.F. 1-1-2001 to 31-12-2001 from acc: Rolls & other Record of this office.	<i>[Signature]</i> PRINCIPAL, G.H.S.S. Madyan Swat.	
	<i>[Signature]</i> M. Mlamweni Head master, Govt High School, Qandil Swat.	30-11-2005	Scale revised	<i>[Signature]</i> M. Mlamweni Head master, Govt High School, Qandil Swat.	8. SERVICE VERIFIED W.E.F. 1-1-2002 to 31-12-2003 from acc: Rolls & other Record of this office.	<i>[Signature]</i> PRINCIPAL, G.H.S.S. Madyan Swat.	

ATTESTED









1 Name of post	2 Whether substantive or officiating and whether permanent or temporary	3 If officiating state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R.	4 Pay in substantive post	5 Additional Pay for officiating	6 Other emolument falling under the term "Pay"	7 Date of appointment	8 Signature of Government servant	Sign design lead of other officer of colu
<p>Office of the Assistant District Officer Khyber-Pakhtun Khwa Peshawa.</p> <p>Pay Fixed in the Revised Basic Pay Scales R.B.P.S. 4350-3500-14850 15/-</p> <p>Pay Fixed @ Rs. 10300 of G.O. 07-2007 15/-</p> <p>Adi 5220-4200-17820 15/-</p> <p>Pay Fixed @ Rs. 12780 of G.O. 07-2008 15/-</p> <p>R.B.P.S. 8500-3000-28500</p> <p>Pay Fixed @ Rs. 23200 of G.O. 07-2011</p> <p>Date of Next Increment 07-12-2011</p> <p><i>[Signature]</i> District Officer Khyber-Pakhtun Khwa Peshawa</p>								
<p>18300/15<sup>22</sup></p> <p>12780/15<sup>8</sup></p> <p>23200/15<sup>A</sup></p> <p>B16 Gazette</p> <p>Attested S.E.M. (Gazetted) GHS. QANDIL SWAT</p>								

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8	9	10	11	12	13	14	15
Signature of Government servant	Signature and designation of the head of the office or other attesting officer in attestation of columns 1 to 8	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal, etc).	Signature of the head of the office or other attesting officer	<p>Leave</p> <p>Nature and duration of leave taken</p> <p>Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government</p> <p>Period Government to which debitable</p>	Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure or reward or praise of the Government servant
					<p>Departmental Pay Fixation in Revised Pay Scale No <u>15</u></p> <p>@Rs. <u>430-350-14850</u></p> <p>W.E.F. 1-7-2007 with effect from 1-1-2007</p> <p>of Pushyavan till July 21 2007</p> <p>Pay in Existing Scale No <u>15</u> Rs. <u>3060/-</u></p> <p>Equal, Next Stage in Revised Pay Scale <u>15</u> Rs. <u>10300/-</u></p> <p>Pay Fixed on 1-7-2007, Rs. <u>10300/-</u></p> <p>With Next Annual Increment on 1-12-2007.</p> <p><i>J. Khan</i> Head master, Govt. High School, QANDIL, Swat.</p> <p><b>UNDER TAKING</b> I Mr. <u>S. Ahmad</u> <u>Khan</u> working against <u>A.T.</u> Post at GHS/GHS/GMS <u>Qandil Swat</u> do hereby given an under taking to the effect that if any over payment is made to me as a result of incorrect fixation of my pay w.e.f. 1-7-2007 it will be made good by recovery from my pay/pension/gratuity.</p> <p><i>Sham</i> Signature of Govt. Servant</p> <p><i>J. Khan</i> Head master, Govt. High School, QANDIL, Swat.</p> <p>(14) SERVICE VERIFIED W.E.F. <u>1/7/2008</u> to <u>30/11/2009</u> from and Rolls &amp; other Record of this office</p> <p><i>JAL</i> Head master, Govt. High School, QANDIL, Swat</p> <p>(15) SERVICE VERIFIED W.E.F. <u>1/12/2009</u> to <u>31/12/2010</u> from and Rolls &amp; other Record of this office</p> <p><i>JAL</i> Head master, Govt. High School, QANDIL, Swat</p>		

Attested  
*[Signature]*  
S.E.T. (Gazette)  
GHS, QANDIL, SWAT

ATTESTED



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7	8	9	10	11	12	13	14	15
Signature of Government servant	Signature and designation of the head of the office or other attesting officer in attestation of columns 1 to 3	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal, etc)	Signature of the head of the office or other attesting officer	Allocation in period of leave on charge pay upto four months for which leave salary is payable to another Government servant	Government to which leave taken	Signature of the head of the office or other attesting officer	Reference to an order recorded for punishment or reward or praise of the Government servant

Fixation

Pay on 01/06/2008 in The existing BPS No-15 (5380-380-1980) Rs. 11

No. of Stages earned in The existing BPS No-15 18

Pay Fixed on 11/7/2008 in The Revised BPS No-15 (5280-420-17820) Rs. 5220 + 420

With next increment Rs. 1778 on 1/12/2008. Rs. 13700

JAL - J  
Head master,  
Govt. High School,  
QANDIL, Swat

GMS  
11/9/5  
BPS 11/12/12  
Rs. 2380

Fixation

Pay on 30/6/2011 in The existing BPS No. 15 (5720-420-17820) Rs. 11

No. of Stages earned in The existing BPS No. 15. 21 Stages

Pay Fixed on 11/7/2011 in The Revised BPS No-15 (8500-700-29500) 8500 + 700

With next increment on 1/12/2011. Rs. 2370  
Rs. 23900

JAL - J  
Head master,  
Govt. High School,  
QANDIL, Swat

ATTESTED

Attested  
T. (Gazetted)  
S.P.S. QANDIL SWAT

(16) SERVICE VERIFIED W.E.F. 01-01-2011  
to 05-04-2017  
from reg. Roll & other Record of this office

JAL - J  
Head master,  
Govt. High School,  
QANDIL, Swat



C - 15

**THE <sup>3</sup>[KHYBER PAKHTUNKHWA]  
EMPLOYEES (REGULARIZATION OF SERVICES) ACT, 2009.  
(<sup>4</sup>[KHYBER PAKHTUNKHWA] ACT NO. XVI OF 2009)**

*[First published after having received the assent of the Governor of the <sup>5</sup>[Khyber Pakhtunkhwa] in the Gazette of <sup>6</sup>[Khyber Pakhtunkhwa] (Extraordinary), dated the 24<sup>th</sup> October, 2009]*

**AN  
ACT**

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

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

It is hereby enacted as follows:-

**1. Short title and commencement.**---(1) This Act may be called the <sup>7</sup>[Khyber Pakhtunkhwa] Employees (Regularization of Services) Act, 2009.

(2) It shall come into force at once.

**2. Definitions.**---(1) In this Act, unless the context otherwise requires,-

- (a) "Commission" means the <sup>8</sup>[Khyber Pakhtunkhwa] Public Service Commission;
- (aa) "contract appointment" means appointment of a duly qualified person made otherwise than in accordance with the prescribed method of recruitment;
- (b) "employee" means an adhoc or a contract employee appointed by Government on adhoc or contract basis or second shift/night shift but does not include the employees for project post or appointed on work charge basis or who are paid out of contingencies;

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

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

<sup>5</sup>Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

<sup>6</sup>Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

<sup>7</sup>Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

<sup>8</sup>Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

**ATTESTED**

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- (c) "Government" means the Government of the <sup>9</sup>[Khyber Pakhtunkhwa];
- (d) "Government Department" means any department constituted under rule 3 of the <sup>10</sup>[Khyber Pakhtunkhwa] Government Rules of Business, 1985, and does not include any section of a Department or an organization which is federally funded;
- (e) "law or rule" means the law or rule for the time being in force governing the selection and appointment of civil servants; and
- (f) "post" means a post under Government or in connection with the affairs of Government to be filled in on the recommendation of the Commission.

(2) The expressions "ad hoc or contract appointment" and "civil servant" shall have the same meanings as respectively assigned to them in the <sup>11</sup>[Khyber Pakhtunkhwa] Civil Servants Act, 1973 (<sup>12</sup>[Khyber Pakhtunkhwa] Act No. XVIII of 1973).

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

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

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

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

<sup>9</sup>Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

<sup>10</sup>Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

<sup>11</sup>Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

<sup>12</sup>Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

**ATTESTED**

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

4A. **Overriding effect.**---Notwithstanding any thing to the contrary contained in any other law or rule for the time being in force, the provisions of this Act shall have an overriding effect and the provisions of any such law or rule to the extent of inconsistency to this Act shall cease to have effect.

5. **Repeal.**---The North-West Frontier Province Employees (Regularization of Services) Ordinance, 2009 (N.-W.F.P. Ordinance No. VII of 2009) is hereby repealed.

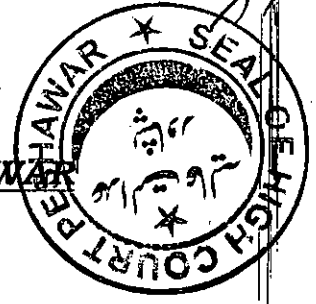
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D (18) 57/16

**JUDGMENT SHEET**

**PESHAWAR HIGH COURT, PESHAWAR**  
**(JUDICIAL DEPARTMENT)**



Writ Petition No.2905 of 2009.

ATTA ULLAH AND OTHERS.....PETITIONERS.

**VERSUS.**

THE CHIEF SECRETARY KPK ETC....RESPONDENTS..

**JUDGMENT.**

Date of hearing 26.01.2015

Appellant/Petitioner by Ghulam Nabi Khan Advocate.

Respondent by Sardar Ali Raza Advocate & Waqar Ahmad Khan AAG

**WAQAR AHMAD SETH, J:-** Through this single

judgment we propose to dispose of the instant Writ Petition

No.2905 OF 2009 as well as the connected Writ Petition

Nos.2941, 2967,2968,3016. 3025,3053,3189,3251,3292 of

2009,496,556,664,1256,1662,1685,1696,2176,2230,2501,2696,

2728 of 2010 & 206, 355,435 & 877 of 2011 as common

question of law and fact is involved in all these petitions.

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2- The petitioners in all the writ petitions have approached this Court under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973 with the following relief:-

**"It is, therefore, prayed that on acceptance of the Amended Writ Petition the above noted Act No.XVI 2009 namely 'The North West Province Employees (Regularization of Services) Act, 2009 dated 24<sup>th</sup> October, 2009' being illegal unlawful, without authority and jurisdiction, based on malafide intentions and being unconstitutional as well as ultra vires to the basic rights as mentioned in the constitution be set-aside and the respondents be directed to fill up the above noted posts after going through the legal and lawful and the normal procedure as prescribed under the prevailing laws instead of using the short cuts for obliging their own person.**

**It is further prayed that the notification No.A-14/SET(M) dated 11.12.2009 and Notification No.A-17/SET(5) Contract-Appnt:2009 dated 11.12.2009, as well as Notification No.SO(G)ES/1/85/2009/SS(Contract) dated**

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**31.05.2010 issued as a result of above noted impugned Act whereby all the private respondents have been regularized may also be set-aside in the light of the above submissions, being illegal, unlawful, unconstitutional and against the fundamental rights of the petitioners.**

**Any other relief deemed fit and proper in the circumstances and has not been particular asked for in the noted Writ Petition may also be very graciously granted to the petitioners".**

3- It is averred in the petition that the petitioners are serving in the Education Department of KPK working posted as PST,CT,DM,PET,AT,TT, Qari and SET in different Schools; that respondents No.9 to 1359 were appointed on adhoc/contract basis on different times and later on their service were regularised through the North West Frontier Province Employees (Regularization of Services) Act, 2009; that almost all the petitioners have got the required qualifications and also got at their credit the length of service; that as per notification No.SO(S)6-2/97 dated 03/06/1998

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the qualification for appointment/promotion of the SET Teachers BPS-16 was prescribed that 75% SETs shall be selected through Departmental Selection Committee on the basis of batchwise/yearwise open merit from amongst the candidates having the prescribed qualification and remaining 25% by initial recruitment through Public Service Commission whereas through the same notification the qualification for the appointment/promotion of the Subject Specialist Teachers BPS-17 was prescribed that 50% shall be selected by promotion on the basis of seniority cum fitness amongst the SETs possessing the qualification prescribed for initial recruitment having five years service and remaining 50 by initial recruitment through the Public Service Commission and the above procedure was adopted by the Education Department till 22/09/2002 and the appointments on the above noted posts were made in the light of the above notification. It was further averred that the Ordinance No.XXVII of 2002 notified on 09/08/2002 was promulgated under the shadow of which some 1681 posts of different <sup>h.</sup> cadres were advertised by the Public Service Commission.

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That before the promulgation of Act No.XVI of 2009, it was practice of the Education Department that instead of promoting the eligible and competent persons amongst the teachers community, they have been advertising the above noted posts of SET (BPS-16) and Subject Specialist (BPS-17) on the basis of open merit/adhoc/contract wherein it was clearly mentioned that the said posts will be temporary and will continue only for a tenure of six months or till the appointment by the Public Serviced Commission or Departmental Selection Committee That after passing the KPK Act No.XVI of 2009 by the Provincial Assembly the fresh appointees of six months and one year on the adhoc and contract basis including respondents no.9 to 1351 with a clear affidavit for not adopting any legal course to make their services regularized, have been made permanent and regular employees whereas the employees and teaching staff of the Education Department having at their credit a service of minimum 15 to maximum 30 years have been ignored. That as per contract Policy issued on 26/10/2002 the Education Department was not authorised/entitled to

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make appointments in BPS-16 and above on the contract basis as the only appointing authority under the rules was Public Service Commission. That after the publication made by the Public Service Commission thousands of teachers eligible for the above said posts have already applied but they are still waiting for their calls and that through the above Act thousands of the adhoc teachers have been regularized which has been adversely effected the rights of the petitioners, thus having no efficacious and adequate remedy available to the petitioners, they have knocked the door of this Court through the aforesaid constitutional petitions.

4- The concerned official respondents have furnished parawise comments wherein they raised certain legal and factual objections including the question of maintainability of the writ petitions. It was further stated that Rule 3(2) of the N.W.F.P. Civil Servants (Appointment, Promotion & Transfer) Rules 1989, authorised a department to lay down method of appointment, qualification and other conditions applicable to post in consultation with Establishment & Administration Department and the Finance Department.

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That to improve/uplist the standard of education, the Government replaced/amended the old procedure i.e. 100% including SETs through Public Service Commission KPK for recruitment of SETs B-16 vide Notification No.SO(PE)4-5/SS-RC/Vol-III dated 18/01/2011 wherein 50% SSTs (SET) shall be selected by promotion on the basis of seniority cum fitness in the following manner:-

"(i) Forty percent from CT (Gen), CT(Agr), CT(Indust: Art) with at least 5 years service as such and having the qualification mentioned in column 3.

(ii) Four percent from amongst the DM with at least 5 years service as such and having qualification in column 3.

(iii) Four percent from amongst the PET with at least 5 years service as such and having qualification mentioned in column 3.

(iv) One percent amongst Instructional Material Specialists with at least 5 years

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service and having qualification mentioned  
in column 3.”

It is further stated in the comments that due to the degradation/fall of quality education the Government abandoned the previous recruitment policy of promotion/appointment/recruitment and in order to improve the standard of teaching cadre in Elementary & Secondary Education Department of KPK, vide Notification dated 09/04/2004 wherein at serial No. 1.5 in column 5 the appointment of SS prescribed as by the initial recruitment and that the (North West Frontier Provincial) Khyber Pakhtunkhwa Employees(Regularization of Services)Act, 2009 (ACT No.XVI of 2009 dated 24<sup>th</sup> October, 2009 is legal, lawful and in accordance with the Constitution of Pakistan which was issued by the competent authority and jurisdiction, therefore, all the writ petitions are liable to be dismissed.

5- We have heard the learned counsel for the parties and have gone through the record as well as the law on the subject.

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6- The grievance of the petitioners is two fold in respect of Khyber Pakhtunkhwa, Employees (Regularization of Services) Act, 2009 firstly, they are alleging that regular post in different cadres were advertised through Public Service Commission in which petitioners were competing with high profile carrier but due to promulgation of Act ibid, they could not made through it as no further proceedings were conducted against the advertised post and secondly, they are agitating the legitimate expectancy regarding their promotion, which has been blocked due to the in block induction / regularization in a huge number, courtesy Act, No. XVI of 2009.

7- As for as, the first contention of advertisement and in block regularization of employees is concerned in this respect it is an admitted fact that the Government has the right and prerogative to withdraw some posts, already advertised, at any stage from Public Service Commission and secondly no one knows that who could be selected in open merit case, however, the right of competition is reserved. In the instant case KPK, employees

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(Regularization of Services) Act, 2009, was promulgated, which in-fact was not the first in the line rather N.W.F.P (now Khyber Pakhtunkhwa) Civil Servants (Regularization of Services) Act, 1988, NWFP (now Khyber Pakhtunkhwa) (Regulation of Services) Act, 1989 & NWFP (now Khyber Pakhtunkhwa) Adhoc Civil Servants (Regularization of Services) Act, 1987 were also promulgated and were never challenged by anyone.

8- In order to comment upon the Act, *ibid*, it is important to go through the relevant provision which reads as under:-

**S.2 Definitions.** (1)---

a)---

aa) "contract appointment" means appointment of a duly qualified person made otherwise than in accordance with the prescribed method of recruitment.

b) "employee" means an adhoc or a contract employee appointed by Government on adhoc or contract basis or second shift/night shift but does not include the employees for project post or appointed on work charge

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basis or who are paid out of contingencies;  
----- whereas,

**S. 3 reads:-**

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

9- The plain reading of above sections of the Act, *ibid*, would show that the Provincial Government, has regularized the "duly qualified persons", who were appointed on contract basis under the Contract Policy, and the said Contract Policy was never ever challenged by any one and the same remained in practice till the commencement of the said Act. Petitioners in their writ petitions have not quoted any single incident / precedent showing that the regularized employees under the said Act, were not qualified for the post against

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which they are regularized, nor had placed on record any documents showing that at the time of their appointment on contract they had made any objection. Even otherwise, the superior courts have time and again reinstated employees whose appointments were declared irregular by the Government Authorities, because authorities being responsible for making irregular appointments on purely temporary and contract basis, could not subsequently turned round and terminate services because of no lack of qualification but on manner of selection and the benefit of the lapses committed on part of authorities could not be given to the employees. In the instant case, as well, at the time of appointment no one objected to, rather the authorities committed lapses, while appointing the private respondent's and others, hence at this belated stage in view of number of judgments, Act, No. XVI of 2009 was promulgated. Interestingly this Act, is not applicable to the education department only, rather all the employees of the Provincial Government, recruited on contract basis till 31<sup>st</sup> December 2008 or till the commencement of this Act have been

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regularized and those employees of to other departments who have been regularized are not party to this writ petition.

10- All the employees have been regularized under the Act, *ibid* are duly qualified, eligible and competent for the post against which they were appointed on contract basis and this practice remained in operation for years. Majority of those employees getting the benefit of Act, *ibid* may have become overage, by now for the purpose of recruitment against the fresh post.

11- The law has defined such type of legislation as "**beneficial and remedial**". A beneficial legislation is a statute which purports to confer a benefit on individuals or a class of persons. The nature of such benefit is to be extended relief to said persons of onerous obligations under contracts. A law enacted for the purpose of correcting a defect in a prior law, or in order to provide a remedy where non previously existed. According to the definition of *Corpus Juris Secundum*, a remedial statute is designed to correct an existence law, redress an existence grievance, or introduced regularization conducive to the public goods. The challenged

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Act, 2009, seems to be a curative statute as for years the then Provincial Governments, appointed employees on contract basis but admittedly all those contract appointments were made after proper advertisement and on the recommendations of Departmental Selection Committees.

12- In order to appreciate the arguments regarding beneficial legislation it is important to understand the scope and meaning of beneficial, remedial and curative legislation.

Previously these words have been explained by N.S Bindra in interpretation of statute, tenth edition in the following manners:-

**"A statute which purports to confer a benefit on individuals or a class of persons, by relieving them of onerous obligations under contracts entered into by them or which tend to protect persons against oppressive act from individuals with whom they stand in certain relations, is called a beneficial legislations....In interpreting such a statute, the principle established is that there is no room for taking a narrow view but that the court is entitled to be generous towards the persons on whom the benefit has**

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*been conferred. It is the duty of the court to interpret a provision, especially a beneficial provision, liberally so as to give it a wider meaning rather than a restrictive meaning which would negate the very object of the rule. It is a well settled canon of construction that in constructing the provision of beneficent enactments, the court should adopt that construction which advances, fulfils, and furthers the object of the Act, rather than the one which would defeat the same and render the protection illusory..... Beneficial provisions call for liberal and broad interpretation so that the real purpose, underlying such enactments, is achieved and full effect is given to the principles underlying such legislation."*

*Remedial or curative statutes on the other hand have been explained as:-*

*"A remedial statute is one which remedies defect in the pre existing law, statutory or otherwise. Their purpose is to keep pace with the views of society. They serve to keep our system of jurisprudence up to date and in*

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*harmony with new ideas or conceptions of what constitute just and proper human conduct. Their legitimate purpose is to advance human rights and relationships. Unless they do this, they are not entitled to be known as remedial legislation nor to be liberally construed. Manifestly a construction that promotes improvements in the administration of justice and the eradication of defect in the system of jurisprudence should be favoured over one that perpetuates a wrong".*

Justice Antonin Scalia of the U.S. Supreme Court in his book on Interpretation of Statute states that:

*"Remedial statutes are those which are made to supply such defects, and abridge such superfluities, in the common law, as arise from either the general imperfection of all human law, from change of time and circumstances, from the mistakes and unadvised determinations of unlearned (or even learned) judges, or from any other cause whatsoever."*

13- The legal proposition that emerges is that generally beneficial legislation is to be given liberal interpretation, the beneficial legislation must carry curative or remedial content.

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Such legislation must therefore, either clarify an ambiguity or an omission in the existence and must therefore, the explanatory or clarificatory in nature. Since the petitioners does not have the vested rights to be appointed to any particular post, even advertised one and private respondents who have being regularized are having the requisite qualification for the post against which the were appointed, vide challenged Act, 2009, which is not effecting the vested right of anyone, hence, the same is deemed to be a beneficial, remedial and curative legislation of the Parliament.

14- This court in its earlier judgment dated 26<sup>th</sup> November 2009 in WP No. 2905 of 2009, wherein the same Khyber Pakhtunkhwa (Regularization of Servers ) Act, 2009, vires were challenged has held that this court has got no jurisdiction to entertain the writ petition in view of Article 212 of the Constitution of Islamic Republic of Pakistan, 1973, as an Act, Rule or Notification effecting the terms and conditions of service, would not be an exception to that, if seen in the light of the spirit of the ratio rendered in the case of

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**I.A.Sherwani & others Versus Government of Pakistan,**

**reported in 1991 SCMR 1041.** Even otherwise, under Rule 3

(2) of the Khyber Pakhtunkhwa (Civil Servants)

(appointment), promotion and transfer) Rules 1989, authorize

a department to lay down method of appointment,

qualification and other conditions applicable to the post in

consultation with Establishment & Administrative Department

and the Finance Department. In the instant case the duly

elected Provincial Assembly has passed the Bill/Act, which

was presented through proper channel i.e Law and

Establishment Department, which cannot be quashed or

declared illegal at this stage.

15- Now coming to the second aspect of the case, that

petitioners legitimate expectancy in the shape of promotion

has suffered due to the promulgation of Act, *ibid*, in this

respect, it is a long standing principle that promotion is not a

vested right but it is also an established principle that when

ever any law, rules or instructions regarding promotion are

violated then it become vested right. No doubt petitioners in

the first instance cannot claim promotion as a vested right

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but those who fall within the promotion zone do have the right to be considered for promotion.

16- Since the Act, XVI of 2009 has been declared a beneficial and remedial Act, for the purpose of all those employees who were appointed on contract and may have become overage and the promulgation of the Act, was necessary to given them the protection therefore, the other side of the picture could not be brushed a side simply. It is the vested right of in service employees to be considered for promotion at their own turn. Where a valid and proper rules for promotion have been framed which are not given effect, such omission on the part of Government agency amounts to failure to perform a duty by law and in such cases, High Court always has the jurisdiction to interfere. In service employees / civil servants could not claim promotion to a higher position as a matter of legal right, at the same time, it had to be kept in mind that all public powers were in the nature of a sacred trust and its functionary are required to exercise same in a fair, reasonable and transparent manner strictly in accordance with law. Any transgression from such

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principles was liable to be restrained by the superior courts in their jurisdiction under Article 199 of the Constitution. One could not overlook that even in the absence of strict legal right there was always legitimate expectancy on the part of a senior, competent and honest carrier civil servant to be promoted to a higher position or to be considered for promotion and which could only be denied for good, proper and valid reasons.

17- Indeed the petitioners can not claim their initial appointments on a higher post but they have every right to be considered for promotion in accordance with the promotion rules, in field. It is the object of the establishment of the courts and the continue existence of courts of law is to dispense and foster justice and to right the wrong ones. Purpose can never be completely achieved unless the in justice done was undone and unless the courts stepped in and refused to perpetuate what was patently unjust, unfair and unlawful. Moreover, it is the duty of public authorities as appointment is a trust in the hands of public authorities and it is their legal and moral duty to discharge their functions as

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trustee with complete transparency as per requirement of law, so that no person who is eligible and entitle to hold such post is excluded from the purpose of selection and is not deprived of his any right.

18- Considering the above settled principles we are of the firm opinion that Act, XVI of 2009 is although beneficial and remedial legislation but its enactment has effected the in service employees who were in the promotion zone, therefore, we are convinced that to the extent of in service employees / petitioners, who fall within the promotion zone have suffered, and in order to rectify the inadvertent mistake of the respondents/Department, it is recommended that the promotion rules in field be implemented and those employees in a particular cadre to which certain quota for promotion is reserved for in service employees, the same be filled in on promotion basis. In order to remove the ambiguity and confusion in this respect an example is quoted, " If in any cadre as per existence rules, appointment is to be made on 50/50 % basis i.e 50 % initial recruitment and 50 % promotion quota then all the employees have been

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regularized under the Act in question be calculated in that cadre and equal number i.e remaining. 50 % are to promoted from amongst the eligible in service employees, other wise, eligible for promotion on the basis of sonority cum fitness."

19- In view of the above, this writ petition is disposed of in the following terms:-

(i) "The Act, XVI of 2009, commonly known as (Regularization Of Services) Act, 2009 is held as beneficial and remedial legislation, to which no interference is advisable hence, upheld.

(ii) Official respondents are directed to workout the backlog of the promotion quota as per above mentioned example, within 30 days and consider the in service employees, till the backlog is washed out, till then there would be complete ban on fresh recruitments.

Order accordingly.

*Handwritten signature and notes in cursive script.*

**Announced.**  
26<sup>th</sup> January 2015

**JUDGE**

**JUDGE**

=====

**CERTIFIED TO BE TRUE COPY**

Examiner  
Peshawar High Court, Peshawar  
Authorized Under Article 8.7 of  
The Governance (Shariat) Order 1988

**08 MAR 2018**

*Handwritten signature and date: 2/2/15*

IN THE SUPREME COURT OF PAKISTAN  
(APPELLATE JURISDICTION)

E-40

PRESENT:  
MR. JUSTICE EJAZ AFZAL KHAN,  
MR. JUSTICE SH. AZMAT SAEED,  
MR. JUSTICE IJAZ UL AHSAN.

CIVIL PETITIONS NO. 127-P TO 129-P OF 2015.  
(Against the judgment dated 26.1.2015 of the  
Peshawar High Court, Peshawar passed in writ  
Petition No.2905 of 2009, 3025 of 2009, 664 of 2010)

The Chief Secretary, Govt. of KPK., Peshawar and others. ...Petitioner(s)  
(in all cases)

Versus

Attaullah and others.  
Nasruminullah and others.  
Mukhtar Ahmad and others. ...Respondent(s)

For the petitioner(s): Mr. Mujahid Ali Khan, Addl. A.G. KPK

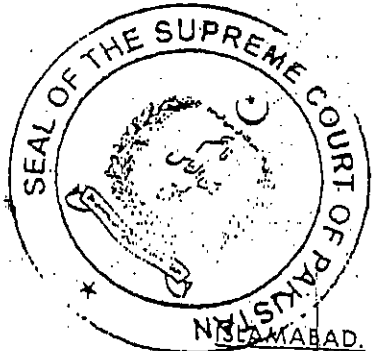
For the respondent(s): Mr. Ghulam Nabi Khan, ASC  
Mr. Abdul Qayyum Sarwar, AOR

Date of Hearing: 20.09.2017.

ORDER

Ejaz Afzal Khan, J. The learned Additional Advocate General  
appearing on behalf of the Govt. of KPK stated at the bar that as per  
instructions of the Government he does not press these petitions. Dismissed  
as such.

Sd/-Ejaz Afzal Khan, J  
Sd/-Sh. Azmat Saeed, J  
Sd/-Ijaz ul Ahsan, J.  
Certified to be True Copy.



ISLAMABAD  
20.09.2017  
M. Azhar Malik

ATTESTED

29/9/17  
Court Associate  
Supreme Court of Pakistan  
Islamabad

GR No: 14572/17 Civil/Criminal  
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Received by: [Signature]

ATTESTED









# درخواستیں مطلوب ہیں

تختونخواہ پبلک سروس کمیشن اور رولنگ سروس کمیشن نے پبلک سروس کمیشن اور رولنگ سروس کمیشن کے تحت ملکہ سلیم کی اینڈ سیکنڈری ایجوکیشن خیر بہختونخواہ کے نظام (سرکارانہ) سکولوں میں درج ذیل آسامیوں پر کرنے کیلئے خیر بہختونخواہ کے متعلقہ اضلاع کے منتخب اہل امیدواروں سے تجویز فارم پر 10 دسمبر 2014 تک درخواستیں طلب ہیں۔ درخواست فارم (NTS) کی ویب سائٹ (<http://www.nts.org.pk/>) پر دستیاب ہے۔ مقررہ تاریخ گزارنے کے بعد موصول ہونے والی درخواستوں پر غور نہیں کیا جائے گا۔

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رد نمبر	آسامی	قابلیت
21 35 سال	سیکنڈری سکول ٹیچر SST پٹاوتی ایگزیٹو BPS.16	کسی بھی تسلیم شدہ یونیورسٹی سے سیکنڈ ڈیگری میں سائنس کے ساتھ درج ذیل دو مضامین لازمی ہوں۔ (1) کیمسٹری یا فزکس (ڈیگرمی یا پائی) (2) کسی بھی تسلیم شدہ یونیورسٹی سے ایم اے ایجوکیشن یا ایجوکیشن میں پیچھڑاگری
21 35 سال	سیکنڈری سکول ٹیچر SST فائنل ایگزیٹو BPS.16	(1) کسی بھی تسلیم شدہ یونیورسٹی سے سیکنڈ ڈیگری میں سائنس کے ساتھ درج ذیل دو مضامین لازمی ہوں۔ (1) فزکس، کیمسٹری، A یا (2) فزکس، کیمسٹری، B یا (3) فزکس، کیمسٹری (2) کسی بھی تسلیم شدہ یونیورسٹی سے ایم اے ایجوکیشن یا ایجوکیشن میں پیچھڑاگری
21 35 سال	سیکنڈری سکول ٹیچر SST جنرل BPS.16	(1) کسی بھی تسلیم شدہ یونیورسٹی سے سیکنڈ ڈیگری میں سائنس کے ساتھ درج ذیل دو مضامین لازمی ہوں۔ (1) انگریزی لازمی ہوگی اور (2) ایجوکیشن یا ایجوکیشن میں پیچھڑاگری

ان کیلئے ایسا اساتذہ کے سلیکشن کر بیچے یا درج ذیل ہیں ہر ایک 200 لبراریوں کی تعداد کی تعداد کی ماہ کی۔  
سکریننگ ٹیسٹ پریج NTS=100 نمبر (ب) تعلیمی قابلیت = 100 نمبر جس کی حد یہ تیسرا ان لبراریوں ہوگی۔

- کلی نمبر
- مائل کروہ نمبر 20x
- مائل کروہ نمبر 20x
- مائل کروہ نمبر 20x
- مائل کروہ نمبر 15x
- مائل کروہ نمبر 15x
- مائل کروہ نمبر 05x
- مائل کروہ نمبر 05x

- تعلیمی قابلیت
- ایس ایس سی
- ایس اے ایف ایس سی
- فائنل ایس سی
- ایس اے ایف ایس سی
- فائنل ایس اے ایف ایس سی
- ایس اے ایف ایس سی
- ایس اے ایف ایس سی

ہر چار ماہ کی صورت میں نمبروں کی تیسرا ان لبراریوں ہوگی مائل کروہ نمبر 35x تیسرا ان لبراریوں کی صورت میں نمبر کی تیسرا ان لبراریوں ہوگی۔  
سکریننگ ٹیسٹ پریج NTS=100 نمبر

1۔ ہر سکول کی آسامی کیلئے محدود و محدود و محدود لبراریوں کی پانچویں جس میں امیدواروں کے NTS کے مائل کروہ نمبر اور تعلیمی قابلیت کے نمبروں کو جمع کیا جائے گا۔ (2) ہر اسکول سے NTS درخواست فارم 300 روپے چارج کیا جائے گا، ہر ایک امیدوار پانچ سکولوں کے لئے درخواست دے گا تو اس سے سرف 800 روپے ہی NTS چارج کرے گا۔  
میدوار خود برداشت کریں گے۔

**عمومی شرائط** 1۔ تمام تقرریاں حکومت خیر بہختونخواہ کے مہاجرین کے مطابق بنیادی تقرری Initial Appointment کے 25 فیصد کوٹے کے تحت خالصتاً عارضی Adhoc تقرریوں پر ایک سال کیلئے ہوں گی (2) معذور افراد کیلئے دو فیصد اور اقلیت امیدواروں کے لئے تین فیصد کوٹے ہوں گے (3) عہدہ کے وقت اسٹیبلشمنٹ سے بعد اس امیدوار کو برواڈ کاسٹ کرنا ہوں گے۔ (4) عہدہ کیلئے آنے والے امیدواروں کو کوئی فی ایس ایف ایس سی دیا جائے گا (5) صرف مقررہ وقت کے اندر موصول ہونے والی درخواستیں مانی جائیں گی۔ (6) رولنگ سروس کمیشن کو اختیار حاصل ہے کہ وہ کوئی امیدوار کو اس وقت کی باقاعدگی طور پر خارج و سبوتا کر دے۔ (7) انکوائری اور اشتہار کے بعد حکومت وقت کی طرف سے مقررہ کر دیا جائے گا۔ (8) مقررہ سروس کمیشن کے مطابق عمل کرنے کی پابندی ہوگی (9) تمام تقرریاں حکومت خیر بہختونخواہ کے مقررہ قواعد و ضوابط کے مطابق ہوں گی اور (10) تمام تعلیمی اساتذہ صرف گورنمنٹ کے تسلیم شدہ اسکولوں کی فہرست میں ہوں گی (11) اگر کسی امیدوار کی اساتذہ جملی پاسے کے تو اس کے خلاف قانونی چارہ جوئی کی جائے گی اور آئندہ کے لئے اسے سرکاری خدمت کے لئے قابل نہیں کیا جائے گا۔ (12) مائل کروہ یا مہاجرین کی صورت میں درخواست فارم خود بخود و سبوتا تصور کیا جائے گا جس کے لئے کوئی اپیلی حکومت نہیں کی جائے گی (13) عہدہ کیلئے ایک ل ل جاری کیا جائے گا جس میں ڈاکومنٹس چیک کئے جائیں گے۔ (14) تمام تقرریاں متعلقہ اضلاع کے ڈومیسائل کی بنیاد پر ہوں گی۔ (15) امیدوار کو اس سکول میں مقرر کرنا ہوگی جو کہ سب سے زیادہ ہوگی (16) ایک امیدوار ایک وقت 5 سکولوں میں خالی آسامیوں کیلئے درخواست دے سکتا ہے۔ امیدوار کے ایک یا ایک سے زیادہ سکولوں میں سلیکشن کی صورت میں اس کی کسی ایک سکول میں ہی اس صورت میں سکول سلیکشن کا امتحان امیدوار کو حاصل نہیں بلکہ اس میں اس بات کا خیال رکھا جائے گا کہ دوسرے سکولوں میں اس کے بعد زیادہ سے زیادہ امیدوار کو سلیکشن کا موقع مل سکے۔ (17) درخواست دینے کا طریقہ کار NTS کے ویب سائٹ پر موجود ہے۔ (18) متعلقہ اضلاع کے خالی آسامیوں کی تحصیل سکول وار درخواست فارم کے ساتھ NTS کے ویب سائٹ پر دی گئی ہے اور ہر سکول کو اپنا کوڈ دیا گیا ہے۔

INF(P)4383

محمد رفیق خٹک ڈائریکٹر آئی ایس ایس سی اینڈ سیکنڈری ایجوکیشن خیر بہختونخواہ گورنمنٹ ہاؤس

TESTED





Directorate of Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar

PH No. 091-9210389, 9210938,  
9210437, 9210957, 9210468  
Fax 091-9210936  
E-mail [desekpk@yahoo.com](mailto:desekpk@yahoo.com)

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S.NO: 82

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Notification.

Consequent upon the recommendation of the Khyber Pakhtunkhwa Public Service Commission, appointment of the following candidates is hereby ordered against the post of Secondary School Teacher (SST Gen) in BPS-16 (Rs.10000-300-34000) plus usual allowances as permissible under the rules on regular basis under the existing policy of the Provincial Government, in Teaching Cadre on the terms and condition given below with immediate effect and further their services are placed at the disposal of EDO(E&SE) concerned for further posting against vacant SST Gen posts:-

S. No.	Name	Father's Name	Domicile	Zone	Permanent Address	Place of posting
1	Asad Ullah	Sharif Ullah	Charsadda	2	VPO & Tehsil Tangi Mol, Akhtar Abad Dist: Charsadda	Services placed at the disposal of EDO (S&SE) Peshawar for further posting against vacant SST Gen posts
2	Farman Ullah	Rasool Ullah	Mardan	2	Sharif Abad Bagulada Tehsil & Dist: Mardan	Services placed at the disposal of EDO (E&SE) Mardan for further posting against vacant SST Gen posts
3	Irshad Ahmad	Mir Baqshah	Mardan	2	Moh: Farid Khan Ward # 3 PO & Tehsil Takht Bhai Dist: Mardan	--Do--
4	Shaher Ahmad	Shir Zameen Khan	Mardan	2	VPO Dheri Likpani Tehsil & Dist: Mardan	--Do--
5	Rooz Ullah Jan	Abdul Mejeed Khan	Peshawar	2	Moh: Pir in VPO Main Gajer Tehsil & Dist: Peshawar	Services placed at the disposal of EDO (S&SE) Nowshetra for further posting against vacant SST Gen posts
6	Sarfraz Khan	Sar Muhammad	Peshawar	2	Street Mirjee Abad VPC Larama Dist: Peshawar	Services placed at the disposal of EDO (S&SE) Kohistan for further posting against vacant SST Gen posts

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75	Hussain Zada	Muhammad Zarin	Swat	3	Moh: Usaman Abad Mingjora Swat	--Do--
76	Jalal ud Din	Bakht Baidar	Swat	3	Regional Centre AIOU Saidu Sharif Swat	--Do--
77	Miraj Mahmood	Sami ur Rahman	Swat	3	Umar Khan Book Store Udyana Market Swat	--Do--
78	Muhammad Yaqoob	Sharif Zada	Swat	3	VPO Tindodug Distt: Swat	--Do--
79	Muhammad Youaf	Shuaib	Swat	3	Vill: Munai PO Shah Dheri Tehsil Kabal Distt: Swat	--Do--
80	Nawab Ali	Muhammad Amin	Swat	3	Moh: Zore Chum Saidu Sharif Swat	--Do--
81	Raza Shah	Zahir Shah	Swat	3	Vill: Mahak PO Deolai Tehsil Kabal Distt: Swat	--Do--
82	Sham Shad Khan	Lali	Swat	3	Vill: Qandil PO Madyan Tehsil Bahrain Distt: Swat	--Do--
83	Sikandar Khan	Sher Muhammad Khan	Swat	3	VPO Kokarai Tehsil & Distt: Swat	--Do--
84	Abdul Basir	Yar Muhammad Khan	Swat	3	VPO Haji Road Kokari Swat	Services placed at the disposal of EDO (S&SE) Bunner for further posting against vacant SST Gen posts
85	Gauhar Ali	Mohabat Khan	Swat	3	VPO Kokarai Haji Baba Road Swat	--Do--
73	Amir Zeb	Mian Said Karim	Swat	3	Vill: Sapal Bandi PO Saidu Sharif Tehsil Babozai Distt: Swat	--Do--
86	Khalid Mahmood	Muhammad Yousaf	UDA Manshra	3	GHIS Lissan Nawab Tehsil & Distt: Manshra	Services placed at the disposal of EDO (S&SE) Manshra for further posting against vacant SST Gen posts
87	Abdul Qayyum Khan	Muhammad Raqoob Khan	Bannu	4	Vill: Shah Dev PO Ismaili Mama Khel Bannu	Services placed at the disposal of EDO (S&SE) Kohat for further posting against vacant SST Gen posts
88	Afsar Ali Khan	Mir Zali Khan	Bannu	4	Vill: Zer: Gul PO Kakki Distt: Bannu	--Do--
89	Allah Nawaz Khan	Muhammad Riaz Khan	Bannu	4	Kala Khel Masti Khan Bannu	--Do--
90	Gul Baz Khan	Sher Andaz Khan	Bannu	4	Distt: Bannu PO Kakki Khas	--Do--

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170	Zargul Shah	Qaisar Shah	Haripur	5	VPO Basso Maira Tehsil & Distt: Haripur	--Do--
171	Sajid Elahi	Imam Din	Manshra	5	Vill: Bhanqian Tehsil Balakot Distt: Manshra	Services placed at the disposal of EDO (S&SE) Manshra for further posting against vacant SST Gen posts
172	Musharruf Khan	Mir Samad Khan	Manshra	5	Vill: Ghanian PO Dilbori Tehsil Oghi Manshra	--Do--
173	Khalid Mehmood	Saeed Ahmed Khan	Manshra	5	Moh: Dhodehari PO & Tehsil balakot Manshra	--Do--
174	Rafaqat Naveed	Aurangzeb	Manshra	5	VPO Bajna Tehsil & Distt: Manshra	--Do--
175	Tufail Muhammad	Molvi Fazal ur Rehman	Manshra	5	VPO Battal Tehsil & Distt: Manshra	--Do--
176	Waris Mehmood	Mehmood	Manshra	5	Vill: Dheri Narah UC Garlat PO & Tehsil Balakot Manshra	--Do--

#### Terms and conditions:-

1. His services will be considered regular but without Pension & Gratuity in terms of Section-19 of the NWFP Civil Servant Act, 1973 as amended vide NWFP Civil Servants (Amendment) Act, 2005. He will however be entitled to Contributory Provident Fund in such a manner and at such rates as per prescribed by the Govt.
2. In case, he is already in Government service and working against pensionable post on regular basis before 1st day of July 2001, without any service break, on application to Khyber Pakhtunkhwa Public Service Commission through proper channel and selection by the Commission, is appointed and allowed choice of option either to retain benefit of pension & gratuity as allowed to him under his previous terms of appointment or to avail the benefit of Contributory Provident Fund allowed to him under new appointment.
3. His services are liable to termination on one month's notice from either side. In case of resignation without notice his one-month pay/allowances shall be forfeited to the Government.
4. He should join his post within 30 days of the issuance of this notification. In case of failure to join their post within one month of the issuance of this notification, his appointment will expire automatically and no subsequent appeal etc shall be entertained.
5. He would be on probation for a period of one year extendable for another one year.

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- 6 He will be governed by such rules and regulations as may be issued from time to time by the Govt.
- 7 His services can be terminated at any time, in case his performance is found unsatisfactory during probationary period. In case of misconduct, he shall be proceeded under the rules framed from time to time.
- 8 Charge report should be submitted to all concerned.
- 9 The EDOs concerned would furnish a certificate to the effect that the candidate has joined the post or otherwise after one month of the issue of his posting orders.
- 10 The EDOs concerned will verify their documents before release of pay.
- 11 His seniority will be maintained as determined by the Khyber Pakhtunkhwa Public Service Commission.
- 12 No TA/DA will be allowed to the appointee for joining his duty.

(Muhammad Rafiq Khattak)

Director

Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar.

Endst: No. 2577-2805 / File No.2/A-14/SST/PSC/Apptt: Dated Peshawar the 14/03/2012.

Copy forwarded for information and necessary action to the: -

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

Dy: Director (Estab)

Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar

ATTESTED



S.No New	Name of Teacher/Qualification academic / professional	Father's Name	Designation	PBS	D/O Birth / Domicile	Domicile	Academic	Professional	D/O 1st Apptt.	Date of apptt. against Present post	Seniority position D/O taking over charge as CT or D/O declaration CT Exam whichever is later
1	Hamayun Khan	Khairullah	SCT	16	4/10/1964	Swat	MA	CT	5/8/1984	5/8/1984	5/8/1984
2	Astambool	Muhammad Kamal	SCT	16	4/1/1961	Swat	BSc	CT/B.Ed	5/3/1986	5/3/1986	5/3/1986
3	Fazal Rabi	Muhammad Junain	SCT	16	3/15/1966	Swat	MA	CT/B.Ed	10/11/1982	10/11/1982	1/6/1987
4	Khan Ali	Umar Bakht	SCT	16	3/3/1961	Swat	MA	CT/B.Ed	8/1/1982	8/21/1982	5/26/1987
5	Muhammad Ihsanullah	Swal Faqir	SCT	16	3/4/1962	Swat	MA	CT	9/17/1987	9/17/1987	9/17/1987
6	Bakht Sherawan	Mahmood Khan	SCT	16	1/1/1960	Swat	MA	CT	11/6/1982	11/6/1982	11/29/1987
7	Muhammad Ali	Said Mahmood	SCT	16	2/3/1959	Swat	BA	CT	8/17/1980	1/8/1988	3/6/1988
8	Toti Rahman	Fazal Rahman	SCT	16	2/7/1960	Swat	MA	CT	7/10/1982	7/10/1982	11/30/1988
9	Mohammad Salim Khan	Amanullah Khan	SCT	16	3/1/1965	Swat	MA	CT/B.Ed	1/15/1985	4/26/1989	9/16/1989
10	Jamshed Khan	Muhammad Zarin	SCT	16	5/11/1962	Swat	MA	CT	3/9/1982	9/17/1989	9/17/1989
11	Rahmat Ali	Abdul Ghafar	SCT	16	5/4/1963	Swat	MA	CT/B.Ed	7/20/1982	10/1/1989	10/1/1989
12	Fazal Rahim	Abdul Ghafar	SCT	16	1/1/1961	Swat	MA	CT	11/13/1984	10/1/1989	10/1/1989
13	Azizullah	Fazal Ahad	SCT	16	10/1/1964	Swat	MA	CT	1/9/1982	11/15/1983	1/17/1990
14	Shah Rom Khan	Tota	SCT	16	1/1/1962	Swat	MA	CT	3/1/1988	3/1/1988	1/17/1990
15	Shah Rom Khan	Hakim Khan Mian	SCT	16	1/1/1962	Swat	MA	CT	3/1/1988	3/1/1988	1/17/1990
16	Sadiq Ahmad	Abdul Hamid	SCT	16	1/4/1961	Swat	MA	CT	6/1/1988	6/1/1988	1/17/1990
17	Sadiq Ahmad	Abdul Hamid	SCT	16	1/4/1961	Swat	MA	CT	6/1/1988	6/1/1988	1/17/1990
18	Sadiq Ahmad	Abdul Hamid	SCT	16	1/4/1961	Swat	MA	CT	6/1/1988	6/1/1988	1/17/1990
19	Sadiq Ahmad	Abdul Hamid	SCT	16	1/4/1961	Swat	MA	CT	6/1/1988	6/1/1988	1/17/1990
20	Sadiq Ahmad	Abdul Hamid	SCT	16	1/4/1961	Swat	MA	CT	6/1/1988	6/1/1988	1/17/1990
21	Sadiq Ahmad	Abdul Hamid	SCT	16	1/4/1961	Swat	MA	CT	6/1/1988	6/1/1988	1/17/1990
22	Sadiq Ahmad	Abdul Hamid	SCT	16	1/4/1961	Swat	MA	CT	6/1/1988	6/1/1988	1/17/1990
23	Sadiq Ahmad	Abdul Hamid	SCT	16	1/4/1961	Swat	MA	CT	6/1/1988	6/1/1988	1/17/1990
24	Sadiq Ahmad	Abdul Hamid	SCT	16	1/4/1961	Swat	MA	CT	6/1/1988	6/1/1988	1/17/1990
25	Sadiq Ahmad	Abdul Hamid	SCT	16	1/4/1961	Swat	MA	CT	6/1/1988	6/1/1988	1/17/1990
26	Sadiq Ahmad	Abdul Hamid	SCT	16	1/4/1961	Swat	MA	CT	6/1/1988	6/1/1988	1/17/1990
27	Sadiq Ahmad	Abdul Hamid	SCT	16	1/4/1961	Swat	MA	CT	6/1/1988	6/1/1988	1/17/1990
28	Sadiq Ahmad	Abdul Hamid	SCT	16	1/4/1961	Swat	MA	CT	6/1/1988	6/1/1988	1/17/1990
29	Sadiq Ahmad	Abdul Hamid	SCT	16	1/4/1961	Swat	MA	CT	6/1/1988	6/1/1988	1/17/1990
30	Sadiq Ahmad	Abdul Hamid	SCT	16	1/4/1961	Swat	MA	CT	6/1/1988	6/1/1988	1/17/1990
31	Sadiq Ahmad	Abdul Hamid	SCT	16	1/4/1961	Swat	MA	CT	6/1/1988	6/1/1988	1/17/1990
32	Sadiq Ahmad	Abdul Hamid	SCT	16	1/4/1961	Swat	MA	CT	6/1/1988	6/1/1988	1/17/1990
33	Sadiq Ahmad	Abdul Hamid	SCT	16	1/4/1961	Swat	MA	CT	6/1/1988	6/1/1988	1/17/1990
34	Sadiq Ahmad	Abdul Hamid	SCT	16	1/4/1961	Swat	MA	CT	6/1/1988	6/1/1988	1/17/1990
35	Sadiq Ahmad	Abdul Hamid	SCT	16	1/4/1961	Swat	MA	CT	6/1/1988	6/1/1988	1/17/1990
36	Sadiq Ahmad	Abdul Hamid	SCT	16	1/4/1961	Swat	MA	CT	6/1/1988	6/1/1988	1/17/1990
37	Sadiq Ahmad	Abdul Hamid	SCT	16	1/4/1961	Swat	MA	CT	6/1/1988	6/1/1988	1/17/1990
38	Sadiq Ahmad	Abdul Hamid	SCT	16	1/4/1961	Swat	MA	CT	6/1/1988	6/1/1988	1/17/1990
39	Sadiq Ahmad	Abdul Hamid	SCT	16	1/4/1961	Swat	MA	CT	6/1/1988	6/1/1988	1/17/1990
40	Sadiq Ahmad	Abdul Hamid	SCT	16	1/4/1961	Swat	MA	CT	6/1/1988	6/1/1988	1/17/1990
41	Sadiq Ahmad	Abdul Hamid	SCT	16	1/4/1961	Swat	MA	CT	6/1/1988	6/1/1988	1/17/1990

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FINAL SENIORITY LIST OF CTS O/O THE DISTRICT EDUCATION OFFICER (M) DISTRICT SWAT UPTO 31/05/2018

S.No New	Name of Teacher/Qualification academic / professional	Father's Name	Designation	PBS	D/O Birth / Domicile	Domicile	Academic	Professional	D/O 1st Apptt	Date of apptt: against Present post	Seniority position D/O taking over charge as CT or D/O declaration CT Exam: whichever is later
42	Ashraf Ali	Hazrat Ali	SCT	16	5/12/1965	Swat	MA	CT/B.Ed	5/8/1993	5/8/1993	8/5/1993
43	Shah Bakht Rawan	Umara Khan	SCT	16	1/7/1964	Swat	MA	CT	9/24/1989	9/24/1989	12/25/1993
44	Muhammad Hamayun	Faramoz Khan	SCT	16	1/2/1965	Swat	BA	CT	10/2/1989	10/2/1989	12/25/1993
45	Amir Bahadar	Sarwar Gul	SCT	16	5/1/1962	Swat	MA	CT/B.ed	3/10/1989	10/3/1989	12/25/1993
46	Bakht Sherwan	Fazal Rahman	SCT	16	2/24/1967	Swat	BA	CT	11/29/1989	11/29/1989	12/25/1993
47	Bakht Muhammad	Muamber Khan	SCT	16	1/16/1967	Swat	BA	CT	11/30/1989	11/30/1989	12/25/1993
48	Noor Rahman	Jumma Gul Khan	SCT	16	5/1/1965	Swat	BA	CT	12/4/1989	12/4/1989	12/25/1993
49	Mehboob Ali	Amir Rahman	SCT	16	2/1/1963	Swat	BA	CT	12/12/1989	12/12/1989	12/25/1993
50	Muhammad Sadiq	Qalandar	SCT	16	9/11/1965	Swat	BA	CT/B.ed	12/14/1989	12/14/1989	12/25/1993
51	Maqsood Ahmad	Dawray	SCT	16	6/5/1963	Swat	MA	CT/B.Ed	12/17/1989	12/17/1989	12/25/1993
52	Shuja Mulk	Said Karam	SCT	16	12/3/1966	Swat	BA	CT	10/3/1989	1/4/1990	12/25/1993
53	Alamgir	Sadbar Khan	SCT	16	1/20/1960	Swat	MA	CT/B.Ed	6/10/1990	6/10/1990	12/25/1993
54	Anwarullah	Hasham Khan	SCT	16	3/1/1969	Swat	MA	CT/B.Ed	9/26/1988	11/10/1994	11/10/1994
55	Fazal Hameed	Fazal Wahab	SCT	16	4/15/1969	Swat	MA	CT/B.ed	11/10/1994	11/10/1994	11/10/1994
56	Nadar Khan	Mian Said Buhar	SCT	16	3/3/1966	Swat	MA	CT	9/8/1986	11/11/1994	11/11/1994
57	Bad Shah Ikhan	Amir Rawan	SCT	16	5/1/1965	Swat	MA	CT/B.Ed	6/14/1987	11/12/1994	11/12/1994
58	Sher Bahadar Khan	Gul Zaman	SCT	16	1/1/1964	Swat	BA	CT	12/12/1989	12/12/1989	11/15/1994
59	Aziz Ahmad	Muhammad Rashid	SCT	16	2/2/1964	Swat	MA	CT/B.Ed	11/10/1994	11/15/1994	11/15/1994
60	Afzal Shah	Badshah Zada	SCT	16	5/12/1967	Swat	MA	CT/B.Ed	11/15/1994	11/15/1994	11/15/1994
61	Bakht Alam	Ghulam Qadir	SCT	16	3/20/1969	Swat	MA	CT/B.Ed	11/15/1994	11/15/1994	11/15/1994
62	Muhammad Rahman	Sherin Jalal	SCT	16	2/1/1965	Swat	MA	CT/B.Ed	12/1/1986	11/16/1994	11/16/1994
63	Sher Ali Khan	Sadar	SCT	16	2/11/1968	Swat	MA	CT/M.Ed	8/1/1987	11/16/1994	11/16/1994
64	Ziaullah Khan	Muhammad Alam Gul	SCT	16	7/20/1969	Swat	MA	CT/B.Ed	11/16/1994	11/16/1994	11/16/1994
65	Muhammad Munir	Habibullah Khan	SCT	16	4/2/1964	Swat	MA	CT/B.Ed	9/28/1988	11/18/1984	11/18/1994
66	Gul Pervize	Rahmani Gul	SCT	16	1/20/1965	Swat	MA	CT/B.ed	11/21/1984	11/21/1994	11/21/1994
67	Abdul Qadoos	Ghulam Khaliq	SCT	16	6/5/1964	Swat	B.Sc	CT	5/12/1992	11/24/1994	11/24/1994
68	Sarir Ud Din	Fazal Wahid	SCT	16	3/26/1963	Swat	M.Sc	CT/M.Ed	11/27/1986	12/20/1994	12/20/1994
69	Muhd Zahir Shah	Azizur Rahman	SCT	16	12/2/1960	Swat	MA	CT/B.Ed	4/2/1987	12/21/1994	12/21/1994
70	Muhammad Ghafar	Khan Bahadar	SCT	16	2/27/1961	Swat	MA	CT	6/7/1987	12/21/1994	12/21/1994
71	Amanullah Khan	Sakhi Rawan	SCT	16	9/12/1961	Swat	MA	CT/M.Ed	8/11/1988	12/21/1994	12/21/1994
72	Sher Azim Khan	Taj Muhammad Khan	SCT	16	9/9/1958	Swat	MA	CT/M.Ed	9/28/1988	12/21/1994	12/21/1994
73	Fatehur Rahman	Fazal Rahman	SCT	16	2/2/1969	Swat	MA	CT/M.Ed	6/24/1987	12/22/1994	12/22/1994
74	Rafiq Ahmad	Hermooz Khan	SCT	16	1/1/1965	Swat	MA	CT	9/29/1988	1/10/1988	12/25/1994
75	Alam Zeb	Abdul Jabbar	SCT	16	4/15/1965	Swat	BA	CT/B.Ed	12/25/1994	12/25/1994	12/25/1994
76	Inamullah Khan	Muhammad Karam	SCT	16	1/1/1968	Swat	MA	CT	9/4/1986	12/27/1994	12/27/1994
77	Alam Zeb	Bughdaday	SCT	16	1/1/1960	Swat	MA	CT/M.Ed	12/27/1994	12/27/1994	12/27/1994
78	Azizullah	Haji Muhammad	SCT	16	2/16/1964	Swat	MA	CT/M.Ed	9/26/1988	1/1/1995	1/1/1995
79	Amjad Ali	Faqir Khan	SCT	16	4/10/1966	Swat	MA	CT/B.Ed	12/5/1989	12/5/1989	1/5/1995
80	Samiullah	Roohul Amin	SCT	16	2/15/1965	Swat	MA	CT/B.Ed	5/3/1986	5/3/1986	1/9/1995
81	Dost Muhammad Khan	Taj Muhammad Khan	SCT	16	3/8/1958	Swat	BA	CT/B.Ed	4/1/1987	4/1/1987	1/9/1995
82	Wazir Zada	Gulzar Khan	SCT	16	5/1/1967	Swat	BA	CT	10/1/1989	10/1/1989	1/9/1995

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FINAL SENIORITY LIST OF CTS O/O THE DISTRICT EDUCATION OFFICER (M) DISTRICT SWAT UPTO 31/05/2018

S.No. New	Name of Teacher/Qualification academic / professional	Father's Name	Designation	PBS	D/O Birth / Domicile	Domicile	Academic	Professional	D/O 1st Apptt	Date of apptt. against Present post	Seniority position D/O taking over charge as CT or D/O declaration CT Exam whichever is later
83	Anwar Iqbal	Khan Sherin	SCT	16	5/1/1961	Swat	MA	CT/B.Ed	10/2/1989	10/2/1989	1/9/1995
84	Muhammad Zahir Shah	Shahzada	SCT	16	2/2/1965	Swat	MA	CT/B.Ed	11/28/1989	11/28/1989	1/9/1995
85	Bakhtmand	Siahoosh Khan	SCT	16	6/5/1963	Swat	MA	CT/B.Ed	12/10/1989	12/10/1989	1/9/1995
86	Mukaram Khan	Musharaf Khan	SCT	16	6/5/1963	Swat	BA	CT/B.Ed	1/13/1990	1/13/1990	1/9/1995
87	Afzal Hussain	Bahroz Khan	SCT	16	5/25/1962	Swat	MA	CT/B.Ed	1/19/1990	1/19/1990	1/9/1995
88	Zahoor Hayat	Sher Alam Khan	SCT	16	1/1/1969	Swat	BA	CT	1/19/1990	1/23/1990	1/9/1995
89	Fazand Ali	Syed Rashad	SCT	16	3/15/1963	Swat	BA	CT	2/15/1990	2/15/1990	1/9/1995
90	Amir Zeb Khan	Bakht Biland Khan	SCT	16	2/18/1963	Swat	BA	CT	3/1/1990	3/1/1990	1/9/1995
91	Fazal Rahman	Amir Faqeer	SCT	16	3/10/1963	Swat	MA	CT	4/1/1990	4/1/1990	1/9/1995
92	Gul Muhammad Shah	Mubin	SCT	16	2/5/1964	Swat	MA	CT	4/14/1990	4/14/1990	1/9/1995
93	Muhammad Laiq	Amir Hamza	SCT	16	6/1/1963	Swat	MA	CT/B.Ed	4/21/1990	4/21/1990	1/9/1995
94	Ali Bash Khan	Shah Dilbar Mian	SCT	16	3/17/1969	Swat	MA	CT/B.Ed	5/13/1990	5/13/1990	1/9/1995
95	Akbar Ali	Qaisar Khan	SCT	16	1/1/1963	Swat	MA	CT/B.ed	5/13/1990	5/13/1990	1/9/1995
96	Alamgir	Khalilur Rahman	SCT	16	7/1/1964	Swat	MA	CT/B.Ed	5/13/1990	5/13/1990	1/9/1995
97	Fazal Azim	Ahmad	SCT	16	12/1/1959	Swat	MA	CT	8/20/1990	8/20/1990	1/9/1995
98	Kafim Ullah	Muhammad Karim	SCT	16	3/15/1970	Swat	MA	CT/B.Ed	10/10/1988	11/20/1990	1/9/1995
99	Ibrahim	Amir Hatam	SCT	16	6/17/1959	Swat	BA	CT/B.Ed	5/24/1992	5/24/1992	1/9/1995
100	Ruhul Amin	Muhammad	SCT	16	4/3/1966	Swat	MA	CT	9/1/1989	12/1/1994	1/9/1995
101	Muhammad Fahim Khan	Ahmad Shah	SCT	16	3/7/1963	Swat	MA	CT B.Ed	6/11/1987	1/16/1995	1/16/1995
102	Muhammad Dawood Khan	Amanullah Khan	SCT	16	4/26/1967	Swat	MA	CT M.Ed	8/25/1992	1/16/1995	1/16/1995
103	Miraj Gul	Sani Gul	SCT	16	4/21/1959	Swat	BA	CT	3/6/1990	1/18/1995	1/18/1995
104	Jehan Sher	Umara Jan	SCT	16	5/1/1962	Swat	MA	CT/B.Ed	1/19/1995	1/19/1995	1/21/1995
105	Hanif Khan	Abdul Qadir Khan	SCT	16	1/12/1967	Swat	MA	CT	2/20/1990	2/1/1995	2/1/1995
106	Abdul Wahab	Amir Bashar	SCT	16	3/3/1969	Swat	MA	CT	2/21/1995	2/22/1995	2/22/1995
107	Sajawal Khan	Taj Khan	SCT	16	5/5/1964	Swat	MA	CT	2/2/1995	4/10/1995	4/10/1995
108	Anwar Zeb	Alam Zeb Khan	SCT	16	5/4/1970	Swat	MA	CT/M.Ed	2/2/1995	4/10/1995	4/10/1995
109	Kishwar	Ghulam Nabi	SCT	16	1/1/1967	Swat	BA	CT/B.Ed	4/7/1988	4/16/1995	4/17/1995
110	Mizajud Din	Mirajud Din	SCT	16	5/1/1970	Swat	MA	CT/M.Ed	11/7/1994	4/17/1995	4/17/1995
111	Bakht Biland	Shah Zada	SCT	16	1/30/1966	Swat	BA	CT	10/17/1988	5/15/1995	5/15/1995
112	Muhammad Sadiq	Khyber	SCT	16	11/8/1962	Swat	MA	CT	8/8/1984	8/1/1995	8/1/1995
113	Khaista Mand	Muhammad Ghafoor	SCT	16	1/10/1966	Swat	MA	CT/B.Ed	5/14/1992	8/1/1995	8/1/1995
114	Muhammad Qadim	Amir Nawab	SCT	16	4/5/1964	Swat	MA	CT/B.Ed	2/29/1984	8/7/1995	8/7/1995
115	Amiz Khan	Akbar Khan	SCT	16	1/1/1967	Swat	BA	CT/B.Ed	8/22/1995	8/22/1995	8/22/1995
116	Shah Anwar Badshah	Naik Muhammad	SCT	16	3/15/1963	Swat	MA	CT	9/27/1988	8/24/1995	8/24/1995
117	Ali Rahman	Fazal Rahman	SCT	16	4/1/1967	Swat	MA	CT	5/14/1987	9/1/1995	9/1/1995
118	Sayed Javid Iqbal	Muhammad Mian	SCT	16	3/20/1964	Swat	MA	CT	4/3/1995	9/15/1995	9/15/1995
119	Mufti	Muhammad Zaman	SCT	16	1/15/1962	Swat	MA	CT/B.Ed	3/17/1984	9/23/1995	9/23/1995
120	Muhammad Afzal Khan	Sher Dil Khan	SCT	16	10/1/1970	Swat	MA	CT/B.Ed	9/24/1995	9/24/1995	1/24/1996
121	Muhammad Nisar	Ahmad Khan	SCT	16	4/16/1975	Swat	MA	CT	5/1/1996	5/1/1996	5/1/1996
122	Muhammad Iftikhar	Muhammad Perviz	SCT	16	4/13/1969	Swat	MA	CT/M.Ed	9/16/1992	9/16/1992	5/5/1996
123	Fazal Hadi	Muhammad Yousaf	SCT	16	4/15/1972	Swat	MA	CT/M.Ed	3/17/1996	3/17/1996	5/5/1996

4170015 No. they were promoted

All ready promoted to S.S.T.

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GOVERNMENT OF THE KHYBER PAKHTUNKHWA  
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT.

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NOTIFICATION

Peshawar, dated the November 13, 2012.

Handwritten signature and date: 13/11/12

D-25

No.SO(PE)4-5/SSRC/Meeting/2012/Teaching Cadre:- In pursuance of the provisions contained in sub rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 and in supersession of all Notifications issued in this behalf, the Elementary and Secondary Education Department in consultation with the Establishment Department and the Finance Department hereby lays down the method of recruitment, qualification and other conditions specified in the Appendix to this Notification which shall be applicable to all the posts specified in Column No. 2 of the said Appendix and the schedule therewith.

KPK

SECRETARY TO GOVERNMENT OF THE KHYBER PAKHTUNKHWA  
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT.

Encl. No. & Date as above.

Copy forwarded to:-

1. The Secretary to Govt. of Khyber Pakhtunkhwa, Establishment Department.
2. The Secretary to Govt. of Khyber Pakhtunkhwa, Finance Department.
3. The Secretary to Govt. of Khyber Pakhtunkhwa, Law Department.
4. The Secretary Khyber Pakhtunkhwa, Public Service Commission Peshawar.
5. The Accountant General, Khyber Pakhtunkhwa Peshawar.
6. The Director (E&SE) Khyber Pakhtunkhwa Peshawar.
7. The Director Education (FATA), Peshawar.
8. Copy to Margari Ustazan KPK

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8. The Director Curriculum & Teachers Education Abbottabad.
9. The Director (PITE) Khyber Pakhtunkhwa Peshawar.
10. The Director ESRU, Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.
11. The Deputy Director Database(EMIS) E&SE Department.
12. All District Coordination Officers in Khyber Pakhtunkhwa.
13. All Executive District Officers Elementary & Secondary Education in Khyber Pakhtunkhwa.
14. All District Accounts Officers in Khyber Pakhtunkhwa /Agency Accounts Officers FATA.
15. All Agency Education Officers FATA.
16. P.S to Governor, Khyber Pakhtunkhwa.
17. P.S to Chief Minister, Khyber Pakhtunkhwa.
18. P.S to Chief Secretary, Khyber Pakhtunkhwa.
19. PS to Minister E&SE Khyber Pakhtunkhwa Peshawar.
20. PS to Secretary E&SE Department.
21. Master File.

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Section Officer (Primary)

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APPENDIX

S.NO.	Nomenclature of the post	Minimum qualification and experience for initial appointment or by transfer	Age limit	Method of recruitment.
1.	2.	3.	4.	5.
1.	Secondary School Teacher (BPS-16)	<p>(i) Second class Bachelor's Degree with two subjects as Chemistry, Botany, Zoology, Physics, Mathematics, Statistics Humanities and other equivalent groups from a recognized University: or</p> <p>(ii) M.A in Education or Bachelor's Degree in Education from a recognized university.</p>	18 to 35 Years.	<p>(a) Fifty percent by promotion on the basis of seniority-cum-fitness in the following manners.</p> <p>(i) forty percent from amongst the certified Teachers (General). Certified Teachers (Industrial Arts) and Certified Teachers (Home Economics) with at least five years service as such and having qualification mentioned in column No. 3.</p> <p>(ii) four percent from amongst the Drawing Masters with at least five years service as such and having qualification mentioned in column No. 3.</p> <p>(iii) four percent from amongst the Physical Education Teachers with at least five years service</p>

SET →  
Redesignated

No quota has been allocated for PST's cadre.

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			<p>(iv) one percent from amongst the Instructional Material Specialists, with at least five years service as such and having qualification mentioned in column No. 3, and</p> <p>(v) one percent from amongst the Arabic Teachers with at least five years service as such and having qualification mentioned in Column No. 3, and</p> <p>(b) fifty percent by initial recruitment.</p>
2.	Seniority Arabic Teacher (SAT) (BPS-16)		By promotion on the basis of seniority-cum-fitness from amongst Arabic Teachers with at least five years service as such and having qualification as prescribed for initial recruitment of Arabic Teacher.
3.	Senior Theology Teacher (STT) (BPS-16)		By promotion on the basis of seniority-cum-fitness from amongst Theology Teachers with at least five years service as such and having qualification as prescribed for initial recruitment of Theology Teacher.
4.	Senior Certified Teacher (SCT) (General) (BPS-16)		By promotion on the basis of seniority-cum-fitness from amongst Certified Teachers with at least five years service as such and having qualification as prescribed for initial recruitment of Certified Teacher (General).

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10.	Arabic Teacher (AT) (BPS-15)	(i) Second Class Secondary School Certificate from a recognized Board with Shahdatul Alamia Fil Uloomul Arabia wal Islamia from or Darul Uloom Saidu Sharif Swat, Darul Uloom Darosh Chitral, Government run Darul Uloom, as notified by the Government from time to time; or (ii) Second Class Master's Degree in Arabia from a recognized University.	By initial recruitment
11.	Theology Teacher (TT) (BPS-15)	(i) Second Class Secondary School Certificate from a recognized Board with Shahdatul Alamia Fil Uloomul Arabia wal Islamia from or Darul Uloom Saidu Sharif Swat, Darul Uloom Darosh Chitral, Government run Darul Uloom, as notified by the Government from time to time; or (ii) Second Class Master's Degree in Arabia from a recognized University.	(a) Seventy five percent by initial recruitment; and (b) twenty five percent by promotion on the basis of seniority-cum-fitness from amongst the senior Qaris with at least five years service and having qualification prescribed for initial recruitment of Theology Teacher; Note: In case of non availability of suitable person for promotion then by initial recruitment.
12.	Senior Qari (BPS-15)		By promotion on the basis of seniority-cum-fitness from amongst Qaris with at least five years service as such and having qualification as prescribed for initial recruitment.
13.	Certified Teacher (General)	Bechlor's Degree or equivalent qualification from a recognized	(a) Forty percent by initial recruitment; and

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		<p>Certified or two years Associate Degree in Education from a recognized University or eighteen months Diploma in Education.</p>	<p>(b) sixty percent by promotion on the basis of seniority-cum-fitness from amongst the Primary School Head Teachers with at least five years service and having qualification prescribed for initial recruitment of Certified Teacher (General).                  Provide that if no suitable candidate is available amongst the Primary School Head Teachers for transfer, then the posts will be filed by promotion on the basis of seniority-cum-fitness from amongst senior primary school teachers with at least five years service and having qualification prescribed for initial recruitment of certified teacher (General).                  Note: In case of non availability of suitable person for promotion then by initial recruitment.</p>
<p>14.</p>	<p>Certified Teacher (Industrial Arts) (BPS-15)</p>	<p>(i) Bachelor's Degree from a recognized University with two years training in the relevant technical subjects from any Government industrial or Govt: Technical vocational Institute or Centre; or                  (b) Bachelor's Degree from a recognized</p>	<p>(a) Forty percent by initial recruitment; and                  (b) sixty percent by promotion on the basis of seniority-cum-fitness from amongst the primary school head teachers with at least five years service and having qualification prescribed for initial recruitment of certified teacher</p>

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APPENDIX

S.No.	Nomenclature of the post.	Minimum qualification and experience for initial appointment or by transfer.	Age limit.	Method of recruitment.
1.	2.	3.	4.	5.
1.	Secondary School Teacher (HRS-16).	(i) Second class Bachelor's Degree with two subjects as Chemistry, Botany, Zoology, Physics, Mathematics, Statistics Humanities and other equivalent groups from a recognized University; or  (ii) M.A in Education or Bachelor's Degree in Education, from a recognized University.	18 to 35 years.	(a) Fifty per cent by promotion on the basis of seniority-cum-fitness, in the following manner:  (i) forty per cent from amongst the Certified Teachers (General), Certified Teachers (Agriculture), Certified Teachers (Industrial Arts) and Certified Teachers (Home Economics) with at least five years service as such and having qualification mentioned in column No. 3;  (ii) four per cent from amongst the Drawing Masters with at least five years service as such and having qualification mentioned in column No.3;  (iii) four per cent from amongst the Physical Education Teachers with at least five years service as such and having qualification mentioned in column No. 3;

*KPK. J.S.R. 15/11/15*

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				<p>(iv) one per cent from amongst the Instructional Material Specialists, with atleast five years service as such and having qualification mentioned in column No. 3; and</p> <p>(v) one per cent from amongst the Arabic Teachers with at least five years service as such and having qualification mentioned in Column No.3; and</p>
2.	Senior Arabic Teacher (SAT) (BPS-16)			<p>(b) fifty per cent by initial recruitment.</p>
3.	Senior Theology Teacher (STT) (B-16).	<p>KPK</p> <p><i>[Handwritten signature]</i></p>		<p>By promotion, on the basis of seniority-cum-fitness, from amongst Arabic Teachers, with at least five years service as such and having qualification as prescribed for initial recruitment of Arabic Teacher.</p>
4.	Senior Certified Teacher (SCT) (General) (BPS-16).			<p>By promotion, on the basis of seniority-cum-fitness, from amongst Theology Teachers, with at least five years service as such and having qualification as prescribed for initial recruitment of Theology Teacher.</p>
				<p>By promotion, on the basis of seniority-cum-fitness, from amongst Certified Teachers (General), with at least five years service as such and having qualification as prescribed for initial recruitment of Certified Teacher (General).</p>

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10. Arabic Teacher (AT) (BPS-15).	(i) Second Class Secondary School Certificate, from a recognized Board with Shahdatul Alamia Fil Uloomul Arabia wal Islamia from a recognized Tanzimuatul Wafaqul Madaris; or Darul Uloom Saidu Sharif Swat, Darul Uloom Charbagh Swat, Darul Uloom Chitral, Darul Uloom Darosh Chitral and any other Government run Darul Uloom, as notified by the Government from time to time; or (ii) Second Class Master's Degree in Arabic from a recognized University.	20 to 35 years.	By initial recruitment
11. Theology Teacher (TT) (BPS-15). ✓	(i) Second Class Secondary School Certificate, from a recognized Board with Shahdatul Alamia from a recognized Tanzimatul Wafaqul Madaris or Darul Uloom Saidu Sharif Swat, Darul Uloom Charbagh Swat, Darul Uloom Chitral, Darul Uloom Darosh Chitral and any other Government run Darul Uloom, as notified by the Government from time to time; or (ii) Second Class Master's Degree, in Islamiyat from a recognized University.	20 to 35 years.	(a) Seventy-five per cent by initial recruitment; and (b) twenty-five per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Senior Qaris, with at least five years service and having qualification prescribed for initial recruitment of Theology Teacher. <u>Note:</u> In case of non availability of suitable person for promotion, then by initial recruitment.
12. Senior Qari (BPS -15).			By promotion, on the basis of seniority-cum-fitness, from amongst Qaris, with at least five years service as such and having qualification prescribed for initial recruitment.
13. Certified Teacher (General) (BPS-15). ✓	Bachelor's Degree or equivalent qualification from a recognized University with Certified Teacher	18 to 35 years.	(a) Forty per cent by initial recruitment; and

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		Certificate or two years Associate Degree in Education from a recognized University or eighteen months Diploma in Education.		<p>(b) sixty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Primary School Head Teachers with at least five years service and having qualification prescribed for initial recruitment of Certified Teacher (General):</p> <p>Provided that if no suitable candidate is available amongst the Primary School Head Teachers for transfer, then the posts will be filled by promotion on the basis of seniority-cum-fitness, from amongst Senior Primary School Teachers with at least five years service and having qualification prescribed for initial recruitment of Certified Teacher (General).</p> <p><i>Note:</i> In case of non availability of suitable person for promotion, then by initial recruitment.</p>
14.	Certified Teacher (Industrial Arts) (BPS-15). ✓	<p>(i) Bachelor's Degree from a recognized University with two years training in the relevant technical subjects from any Government Industrial or Govt. Technical Vocational Institute or Center; or</p> <p>(b) Bachelor's Degree from a recognized</p>	18 to 35 years.	<p>(a) Forty per cent by initial recruitment; and</p> <p>(b) sixty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Primary School Head Teachers with at least five years service and having qualification prescribed for initial recruitment of Certified Teacher</p>

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*Ag.*

Primary School Teacher

Category of Qualification	Total Marks 100 For Humanities group at Intermediate Level	For Candidate of Science group
SSC	Marks obtained X 20 / total marks = ___	5 Extra marks for FSc, 5 Extra marks for B.Sc and 5 Extra marks for M.Sc will be added to the total score obtained by a candidate during his selection
HSSC	Marks obtained X 10 / total marks = ___	
B.A/BSc	Marks obtained X 25 / total marks = ___	
PST Certificate/ Diploma in Education /A.E.	Marks obtained X 20 / total marks = ___	
M.A/MSc/M.Ed / MA Edu	Marks obtained X 20 / total marks = ___	
MPhil/PhD	Marks = 05	

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Other conditions:-

1. The concerned Appointing Authority will scrutinize and verify the documents and make the appointment as per prescribed rule and the will get the documents verified after the issuance of appointment orders within shortest possible time, not exceeding ninety (90) days.
2. The merit list prepared by the concerned appointing authority shall be displayed for ten days to receive the objections/appeals, if any, and shall issue the final merit list after making necessary corrections while addressing the observations/objections/appeals, followed by requisite appointment orders.
3. In case a document(s) is/are found fake/ forged/ bogus upon scrutiny/verification, the service of the teacher concerned shall be terminated and the amount paid to him as salary shall be recovered from him and an FIR shall be lodged against him on account of forgery/fraud under the relevant law.
4. Deni Asmaul from recognized Tazemut-ul-Wafaqul Madaris, Darul Uloom Saidu Sharif Swat, Darul Uloom Chahugh Swat, Darul Uloom Chitral, Darul Uloom Darosh Chitral and any other Government run Darul Uloom, as notified by the Government from time to time will be acceptable for the purpose of appointment against the posts of Arabic Teachers or Theology Teachers, as the case may be.

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SB

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S. No. 476244

Roll No. 7441



J-59

# BOARD OF INTERMEDIATE AND SECONDARY EDUCATION



Peshawar N.W.F.P. Pakistan

Secondary School Certificate Examination

SESSION 1985 (ANNUAL)

THIS IS TO CERTIFY THAT SHAMSHAD KHAN

Son/Daughter of LALI

and a student of GOVT. HIGH SCHOOL, MADYAN (SWAT)

has passed the *Secondary School Certificate Examination*

of the Board of Intermediate and Secondary Education, Peshawar held in April 1985

as a *Regular candidate*. He/She obtained 484 Marks out of 850

and has been placed in Grade C Representing Good

The Candidate passed in the following subjects:

- |            |              |                 |                |
|------------|--------------|-----------------|----------------|
| 1. English | 3. Islamiyat | 5. PAK. STUDIES | 7. MATHEMATICS |
| 2. Urdu    | 4. PHYSICS   | 6. CHEMISTRY    | 8. BIOLOGY     |

Attested He/She has been awarded Grade A on the basis of internal assessment by the Institution concerned.

Date of birth according to admission form is FIRST APRIL

S.E.T. (Gazetted) one thousand nine hundred and SIXTY EIGHT (19.4.1968)

GHS GANOU SWAT

Asstt. Secretary

8 August, 1985

Secretary

This certificate is issued without alteration or erasure.

ATTESTED

s.No 209858

Roll No. 27497



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# BOARD OF INTERMEDIATE AND SECONDARY EDUCATION



Peshawar N.W.F.P. Pakistan  
INTERMEDIATE EXAMINATION

Humanities Group  
SESSION SUPPLEMENTARY 1988

THIS IS TO CERTIFY THAT Shameed Khan

Son/Daughter of Laji

and a resident of Swat District

Registered No. \_\_\_\_\_ has passed the *Intermediate Examination* of  
the Board of Intermediate & Secondary Education, Peshawar held in Feb/March 1989

as a *Private candidate*. He/She obtained 623 Marks out of 1100


and has been placed in Grade 

C
---

 Representing Good

The Examination was taken ~~in~~ in parts.

Attested

  
Asstt. Secretary

  
S.E.I. (Gazetted)  
GHS, QANDIL SWAT

  
Secretary

*This certificate is issued without alteration or erasure.*

ATTESTED



بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

# University of Peshawar

(Pakistan)

Session ANNUAL 1991

ATTESTED

(19)  
SHAM PHAD KHAN Son of LALI and a student  
of SWAT DISTRICT having passed the prescribed Examination  
held in JULY 19 91 is this day admitted by the University of Peshawar,

to the Degree of

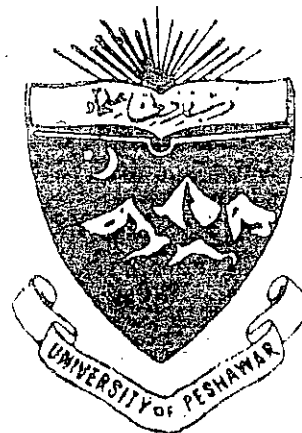
## Bachelor of Arts

in the SECOND Division

The Examination was taken as ~~whole~~ / in parts

Serial No. 011863

Attested  
S.E. (Gazetted)  
GHS. QANDIL SWAT.



Musul Ahmad

Registrar

Registered No. 90-PA-45239

Roll No. 60441

Result Declared on 26TH MARCH 19 92

Countersigned

*[Signature]*  
Vice-Chancellor

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

University of Peshawar  
(Pakistan)

Session ANNUAL 1996

SHAM SHAD KHAN

SON of

LALI

and a student / Private Candidate of

DISTRICT SWAT

having passed the prescribed examination held in

APRIL, 1997

is this day admitted by the University of Peshawar to the Degree of

Master of Arts

In

ARABIC

In

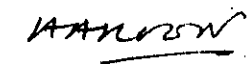
FIRST

Division

The Examination was taken as a whole / in parts

  
Registrar

Countersigned



Vice-Chancellor

ATTESTED

62

Serial No. 048233

Registration No. 91-PC-9375

Roll No. 12400

Result declared on JANUARY 05, 2006

Attested  


S.E.T. (Gazetted)  
GHS. QANDIL SWAT





# University of Peshawar

(Pakistan)

Session ANNUAL 1992

UNIVERSITY

63

\_\_\_\_\_ and a student  
of \_\_\_\_\_ having passed the prescribed examination

held in APRIL, 1992, is this day admitted by the University of Peshawar  
to the Degree of

## Master of Arts

in the FIRST division.

The subject of Examination being \_\_\_\_\_

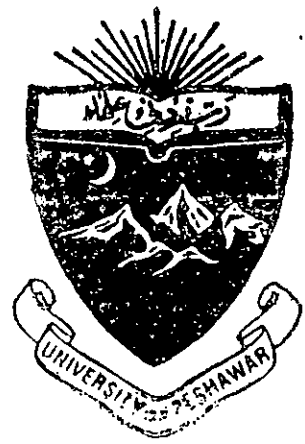
The Examination was taken as a whole / in parts.

Serial No 024059

Registered No. \_\_\_\_\_

Roll No. 11618

Result declared on OCTOBER 29, 1992



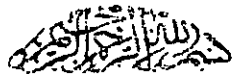
Attested  
*[Signature]*

S.E.T. (Gazetted)  
GHS, QANDIL SWAT.

*[Signature]*  
REGISTRAR

Countersigned

*[Signature]*  
Vice-Chancellor



# University of Peshawar (Pakistan)

Session ANNUAL 1995

TESTED

69

SHAMSHAD KHAN SON of LALI and a student  
of FACULTY OF EDUCATION, UNIVERSITY OF PESHAWAR having passed the prescribed Examination  
held in OCTOBER, 1995, is this day admitted by the University of Peshawar to the Degree of

## Bachelor of Education

In the FIRST Division in Theory  
In the FIRST Division in Teaching Practice  
In the FIRST Division in Aggregate  
Passed also in GENERAL SCIENCE as an Optional Subject.  
The Examination was taken as a whole ~~in parts~~

Serial No. 008012

Registration No. 90-PA-45239

Roll No. 177

Result Declared on. MAY 6, 1996



Attested  
S.E.T. (Gazetted)  
GHS. QANDIL SWAT.

*[Signature]*  
Registrar

Countersigned

*[Signature]*  
Vice-Chancellor

Allama Iqbal Open University  
Palamu



65

Serial No. 22945

Certified that Mr. / Ms. SHAMSHAD KHAN

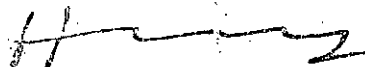
Son / Daughter of LALI

Registration No: 88-NST-0144 Roll No: G-6594619

having successfully completed the prescribed requirements  
in semester AUTUMN 1998 is awarded the degree of,

*Master of Education (M. Ed.)*

He / She has secured 55 % marks and has been placed in B grade.

Attested  
  
S.E.T. (Gazetted)  
CONTROLLER OF EXAMINATIONS GHS. QANDIL SWAT.

  
VICE-CHANCELLOR

Result declared on: September 30, 1999

Date of Issue: January 24, 2011

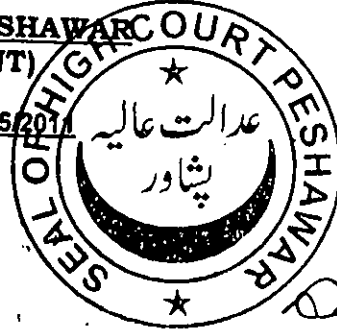
**ATTESTED**

NOTE: THIS DEGREE IS TO BE READ IN CONJUNCTION WITH THE TRANSCRIPT/PROVISIONAL CERTIFICATE ISSUED SEPARATELY.

K-66

**JUDGMENT SHEET**  
**PESHAWAR HIGH COURT, PESHAWAR**  
**(JUDICIAL DEPARTMENT)**

COC No. 105-P/2018 in WP No. 355/2017



**JUDGMENT.**

Date of hearing: 08.11.2018

Petitioner (s): Nisar Ahmad & Mr. Noor Muhammad Usmani

Respondent (s): Muhammad Iqbal Khan by Spd Qasim Ali Bhatti ADL.

**WAQAR AHMAD SETH, CJ:-** Through this

single judgment, we propose to dispose of instant contempt petition as well as connected COC No. 107-P/2018 in WP No. 1662/2010, COC No. 108-P/2018 in WP No. 2967/2009 & COC No. 109-P/2018 in WP No. 3189/2009 because in all the petitions, the petitioners have sought initiation of contempt of court proceedings against the respondents ; for not implementing the judgment/order dated 26.01.2015.

2. Facts in brief are that the petitioners had filed Writ Petitions before this Court and prayed that the Act No. XVI 2009, namely, 'The North West Province Employees (Regularization of Services) Act, 2009 dated 24<sup>th</sup> October, 2009' being illegal, unlawful, without authority and jurisdiction, based on malafide intentions and being unconstitutional as well as ultra vires to the basic rights as mentioned in the constitution be set-aside and the respondents be directed to fill up the above noted posts after going through the legal and lawful and the normal procedure as prescribed under the prevailing laws instead of using the short cuts for

**ATTESTED**  
EXAMINER  
Peshawar High Court

30 NOV 2018

**ATTESTED**

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obliging their own person. They further prayed that the notification No. A-14 / SET (M) dated 11.12.2009 and Notification No. A-17 / SET (S) Contract-Appnt: 2009 dated 11.12.2009, as well as Notification No. SO(G) / ES / 185 / 2009 / SS(Contract) dated 31.05.2010 issued as a result of above noted impugned Act whereby all the private respondents have been regularized may also be set-aside in the light of the above submission, being illegal, unlawful, unconstitutional and against the fundamental rights of the petitioners. The writ petitions came up for hearing and vide judgment/order dated 26.01.2015, the same were disposed of in the following terms:-

- (i) *The Act, XVI of 2009, commonly known as (Regularization of Services) Act, 2009 is held as beneficial and remedial legislation, to which no interference is advisable hence, upheld.*
- (ii) *Official respondents are directed to workout the backlog of the promotion quota as per above mentioned example, within 30 days and consider the in service employees, till the backlog is washed out, till then there would be complete ban on fresh recruitments".*

3. After passing the above said judgment, the petitioners were quite hopeful regarding their promotion to the next higher grade being senior most employees but the respondents have again started recruitment process by advertising the posts of various cadres for initial recruitment in various Districts of Khyber Pakhtunkhwa and as such, the inaction of respondents squarely fall within the ambit of

**ATTESTED**

**ATTESTED**  
 EXAMINER  
 Peshawar High Court  
 11 NOV 2019

contempt of court and they are liable to be proceeded and punished under the law; hence, the instant petitions.

4. Respondents No. 2 & 3 have filed reply to the show cause and prayed for dismissal of instant petitions.

5. Arguments heard and record perused.

6. While deciding writ petition No. 2905/2009, vide judgment dated 26.1.2015 which has been upheld by the apex Court, the respondents-department was directed to workout the backlog of the promotion quota and consider in service employees for promotion against the vacant post, till the backlog is washout. In this respect record is suggestive that the backlog was worked out and by that time 2725 employees / teachers were in the promotion zone and as such were promoted. Moreover, by virtue of Regularization Act, 2009, Act No. XVI of 2009, 1766 employees / teachers got regularization and as such, when worked out, the promotion quota was fully exhausted. The judgment in this respect was not for all the times to come for promotion purposes. Once the promotion quota, which was given advantage, in view of Regularization Act, 2009, cannot be claimed again and again. By now it's the question of fact that as to whether any employee / teacher was not promoted and by that time when Act 2009 was enforced they were in the promotion zone. Even otherwise, once backlog was worked out and promotion was done then claiming seniority and promotion is the job of service tribunal.

EXAMINED  
 Peat. war High  
 30 NOV 2014

ATTESTED



69

7. In view of the above, the instant as well as connected contempt petitions are disposed of in terms above.

Show cause notice issued to respondents is hereby recalled.

ANNOUNCED.  
Dated: 08.11.2018

Chief Justice

Judge

Nawab Shah SCS (DG) Justice Waqar Ahmed Bakh CJ & Justice Muhammad Ayub Khan J

No. 15857

Date of Presentation of Application 25.11.18

No of Pages 3

Copying Fee 20

Stamp Fee 20

Preparation of Copy 20

Delivery of Copy 30

Received by [Signature]

**CERTIFIED TO BE TRUE COPY**

EXAMINER  
Peshawar High Court, Peshawar  
Authorized Under Article 87 of  
The Constitution of Pakistan Order 1973

**30 NOV 2018**

**ATTESTED**

To,

The Secretary (E&SE) Department,  
Khyber Pakhtunkhwa, Peshawar.

L - (70)

**DEPARTMENTAL APPEAL FOR THE GRANT OF PROMOTION TO THE POST OF SECONDARY SCHOOL TEACHER (BPS-16) FROM THE DATE WHEN THE PROMOTION QUOTA WAS FILLED UP THROUGH INITIAL RECRUITMENT OR FROM THE DATE OF COMMENCEMENT OF THE ACT NO.XVI OF 2009 COMMONLY KNOWN AS REGULARIZATION OF SERVICES ACT, 2009 NOTIFIED IN THE OFFICIAL GAZETTE ON 24.10.2009 WITH ALL BACK BENEFITS.**

**Respected Sir,**

With due respect it stated that I was initially appointed as CT in your good self Department vide order dated 22.11.1986 and later on was appointed as AT vide order dated 01.06.1991. During service as Certified Teacher I was in the promotion zone to the post of SST (BPS-16) but the concerned authority instead of promoting me advertised the said posts of SST (BPS-16) on adhoc/contract basis. I was under protest and my colleagues applied for the said post through initial recruitment but the same was also refused to me and my colleagues on the pretext that regular employees are not entitle to apply for the adhoc/contract posts of SST (BPS-16) thus me and my colleagues were deprived from the prospects of promotion. It is pertinent to mention that at the time of above mentioned advertisement the post/cadre of CT (BPS-15) to which I belong have no prospects of promotion. In light of the said advertisement new appointments were made by the authorities on adhoc basis and even the promotion quota was also filled by the authority though initial recruitment. In the meanwhile the Provincial Government Promulgated the employee's regularization Act, 2009 whereby all the adhoc employees who were appointed as SST on temporary basis were regularized thus further affected the cadre to which I belong. That the promotion quota for which me and my colleagues have waited for decades has been washed by operation of the said Act of 2009. I was feeling aggrieved alongwith my others colleagues knocked the door of the Peshawar High Court through various writ petitions including writ petition No.2905/2009. That vide consolidated judgments dated 26.1.2015 the said writ petitions were disposed of with the directions that:

**(i)- The act.XVI of 2009, commonly known as (Regularization of services) act, 2009 is held as beneficial and remedial legislation, to which no interference is advisable hence, upheld.**

**(ii)- Official respondents are directed to work out the backlog of the promotion quota as per above mentioned example, within thirty days and consider the in service**

**ATTESTED**

(71)

employees, till the backlog is washed out, till then there would be complete ban on fresh recruit. The concerned authority assailed the said judgment of the august Peshawar High Court Peshawar in CPLAS No.127-P to 129-P/2015 but the same were dismissed as withdrawn vide judgment dated 20.9.2017. That then after me and my colleagues time and again visited the concerned quarter for our promotion to the next higher scale but the concerned authority instead of redressing the grievances advertised the posts through initial recruitment through various advertisements. That it is pertinent to mention that I was promoted to the post of SST (BPS-16) vide Notification dated 14.03.2012 with immediate effect rather than retrospective effect i.e. from the date when the quota was filled up through initial recruitment. I am feeling aggrieved filed this Departmental appeal before your good self for redressal of my grievances.

It is therefore, most humbly prayed that on acceptance of this Departmental I may very kindly be promoted to the post of SST (BPS-16) including seniority with all back benefits w.e.f. the date when the promotion quota was filled up through initial recruitment.

Dated: 12.6.2019

Your Obediently



**SHAMSHAD KHAN SST (BPS-16),**  
GHS Qandil, District Swat

ALLEGED

**VAKALATNAMA**

*Before the KP Service Tribunal,*

OF 2019

*Shams had Khan*

(APPELLANT)  
(PLAINTIFF)  
(PETITIONER)

**VERSUS**

*Education Deptt.*

(RESPONDENT)  
(DEFENDANT)

I/We *Shams had Khan*

Do hereby appoint and constitute **NOOR MOHAMMAD KHATTAK, Advocate, 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 cost. 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.

Dated. \_\_\_/\_\_\_/2019

*[Signature]*  
CLIENT

*[Signature]*  
**ACCEPTED**  
**NOOR MOHAMMAD KHATTAK**

**SHAHZULLAH YOUSAFZAI**

*[Signature]*  
&  
**MIR ZAMAN SAFI**  
**ADVOCATES**

OFFICE:  
Flat No.3, Upper Floor,  
Islamia Club Building, Khyber Bazar,  
Peshawar City.  
Mobile No.0345-9383141

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**  
**PESHAWAR.**

Service Appeal No. 1230/2019  
Shamshad (BPS-16) GHS Qandil, District Swat.

SST

.....Appellant

**Versus**

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

..... Respondents

**Parawise Comments on Behalf of the Respondents:**

**Respectfully Shewith**

**Preliminary objections**

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

**FACTS:**

1. That the Para No.1 is correct. Hence no comments.
2. That the Para No.2 is correct to the extent of advertisement, the rest of the Para is incorrect and not admitted. The Appellant was not in promotion zone at the time of the above mentioned advertisement. There was no promotion policy from CT to SST at the time of the mentioned advertisement. Later on in 2012 policy was promulgated and amended in 2014. According to this policy there are three categories of SST i.e SST I (Chemistry, Botany or Zoology), SST II (Physics, Maths A or B or Statistics) & SST General. The appellant will be promoted in his category on his own turn. **(Policy as annexure A)**
3. That the Para No.3 is correct to the extent that there was no promotion policy from CT BPS-15 to SST BPS-16 at the time of the above

mentioned advertisement. However, as stated in the foregoing Para, now the policy exists for promotion from CT BPS-15 to SCT BPS-16 and SST BPS-16. The promotions have been made on the basis of seniority cum fitness basis according to the policy. If the Appellant felt aggrieved of any order of promotion he should file departmental appeal before the competent authority.

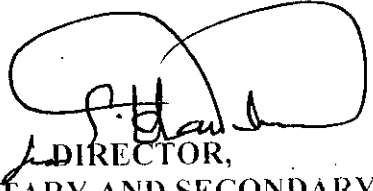
4. That the Para No.4 is correct to the extent of appointments on ad-hoc basis. The rest of the Para is incorrect and denied. On one hand the Appellant admits in Para No.3 that there was no policy of promotion from CT to SST while on the other hand the Appellant says that promotion quota was filled by appointments.
5. That the Para No. 5 is correct to the extent of regularization Act 2009 the rest of the Para is irrelevant as the Honorable Peshawar High Court has already declared the regularization Act as beneficial.
6. That the Para No. 6 is correct.
7. That the Para No.7 is correct to the extent of judgments of the Honorable Courts the rest of the Para is incorrect and denied. According to the judgment dated 08-11-2018 of the Honorable Peshawar High Court in COC No. 105-P/2018 in W.P NO. 355/2011 it has clearly been mentioned that backlog was worked out by that time 2725 employees/teachers were in the promotion zone and as such were promoted. If the Appellant felt aggrieved of any order of promotion he should file departmental appeal before the competent authority. **(Judgment as annexure B)**
8. That the Para No. 8 is incorrect and denied. The Appellant has not been promoted on his own turn to the post of SST. He has been appointed on the recommendation of KPPSC vide notification dated 14.03.2012. There was no policy of promotion from CT to SST at the time of advertisement. According to the policy 2012 amended in 2014 the Appellant will be promoted to the post of SCT or SST on his turn in his category as stated above. No one junior than the Appellant has been promoted to SST in the cadre and category to which Appellant belongs. Moreover, the Appellant has already been appointed as SST BPS-16 vide notification dated 14.03.2012, how can he claim promotion to the said post. **(Last promotion order as annexure C)**
9. That the Para No. 9 is correct. However as stated in the foregoing paras the Appellant has to wait till his turn of promotion.
10. That the Para No. 10 is correct to the extent of appeal however, the Appellant has to wait till his turn of promotion. He cannot be promoted without his turn.
11. That the instant service appeal of the Appellant is bereft of any merit, hence liable to be dismissed inter alia following grounds.


## **GROUND**

- A. That the Para No. A is incorrect and denied. The respondent department has to act according to the rules, policy and law. The Appellant has been treated in accordance with law, rules and policy.
- B. That the Para No. B is incorrect and denied. The Appellant has been treated in accordance with law, rules and policy. The respondent department cannot even think of the violation of any Article of the constitution.
- C. That the Para No. C is repetition of above para, hence no comments.
- D. That the Para No. D is incorrect and denied. Detail reply of this Para has already been given in the above Paras.
- E. Para No. E is repetition of above para, hence no comments.
- F. That the Para No. F is incorrect and not admitted. As stated in the foregoing Paras, the respondents have acted in accordance with rules and policy.
- G. That the Para No. G is again the repetition of the Paras, hence no comments.
- H. That the Para No. H is irrelevant to the present issue, hence no comments.
- I. That the Para No. I is irrelevant, however the respondents also seek permission of this Honorable Tribunal to advance further grounds at the time of arguments.

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

  
DISTRICT EDUCATION OFFICER (M)  
SWAT AT GULKADA

  
DIRECTOR,  
ELEMENTARY AND SECONDARY  
EDUCATION KHYBER PAKHTUNKHWA

  
SECRETARY,  
ELEMENTARY AND SECONDARY  
EDUCATION PESHAWAR



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

Peshawar, dated the 24<sup>th</sup> July, 2014.

NOTIFICATION

No.SO(PE)4-5/SSRC/Meeting/2013/Teaching Cadre:- In pursuance of the provisions contained in sub rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Elementary and Secondary Education Department in consultation with the Establishment Department and the Finance Department hereby directs that in this Department's Notifications No.SO(G)S&L/1-28/2003/Vol-II dated, 09-04-2004, Notification No.SO(G)S&L/1-69/06/Vol-1/DPE/LIB dated, 13-11-2007, and Notification No.SO(PE)4-5/SSRC/Meeting/2012/Teaching Cadre, dated, 13-11-2012, the following further amendments shall be made, namely:

AMENDMENTS

In the Appendix,-

- (i) Serial No. 1 shall be renumbered as 1B and before Serial No. 1B, as so renumbered, the following new entries shall be inserted in respective columns, namely:

1	2	3	4	5
1.	Subject Specialist (BPS-17)	<p>i. At least second class Master's Degree or four years BS Degree in the relevant subject; and</p> <p>ii. Bachelor of Education or Master of Education (Industrial Art or Business Education) or M.A Education or equivalent qualification from a recognized University.</p>	23 to 35 years	<p>(a) Fifty per cent by promotion, on the basis of seniority-cum-fitness, for the relevant subject from amongst the Secondary School Teachers (BPS-16), with at least five years service as such and having qualification mentioned in column No. 3.</p> <p>Note: If no suitable candidate is available in the relevant subject the post falling in their promotion quota shall be filled by initial</p>



1A	Director Physical Education (BPS-17)	At least second class Master's Degree in Physical Education from a recognized University.	22-35 years	<p>recruitment; and          (b) fifty percent by initial recruitment.</p> <p>(a) Fifty percent by promotion, on the basis of seniority-cum-fitness, from amongst Senior Physical Education Teachers (BPS-16), with at least five years service as Senior Physical Education Teacher and Physical Education Teacher and having qualification mentioned in column No. 3:</p> <p>Provided that if no suitable person is available from amongst Senior Physical Education Teachers for promotion then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from amongst the Physical Education Teachers, with at least five years service as such and having qualification mentioned in column No. 3;</p> <p>Note:- If no suitable candidate is available in the relevant cadres of the above teachers, the post falling in their promotion quota shall be filled by initial recruitment; and</p> <p>(b) fifty percent by initial recruitment"; and</p>
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(ii) amongst Serial No. 1B, as so remembered, for the existing entries, the following shall be substituted, in respective columns, namely:

1	2	3	4	5
1B.	Secondary School Teacher (BPS-16)	<p>I. At least second class Bachelor Degree's from a recognized University on need basis from the following groups with two subject</p> <p>(a) (Chemistry, Botany or Zoology),</p> <p style="text-align: center;">Or</p> <p>(b) (Physics, Maths "A" or "B" or Statistics)</p> <p style="text-align: center;">Or</p> <p>(c) (Humanities and other equivalent groups at degree level with English as compulsory subject;</p> <p style="text-align: center;">and</p> <p>II. Bachelor of Education or Master of Education (Industrial Art or Business Education) or M.A Education or equivalent qualifications from a recognized University.</p>	21 to 35 years.	<p>1. Seventy Five per cent by promotion, on the basis of seniority-cum-fitness, from the district concerned in the following manner:</p> <p>(a) forty per cent from amongst the Senior Certified Teachers (BPS-16), with at least five years service as Senior Certified Teacher and Certified Teacher and having qualification mentioned in column No.3:</p> <p style="text-align: center;">Provided that if no suitable candidate is available from amongst Senior Certified Teachers for promotion then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from amongst Certified Teachers, with at least five years service as such and having qualification mentioned in column No. 3;</p> <p>(b) four per cent from amongst the Senior Drawing Masters(BPS-16), with at least five years service as Senior Drawing Masters and Drawing Masters and having qualification mentioned in column No.3:</p>

*Provided that if no suitable candidate is available from amongst Senior Drawing Masters for promotion then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from amongst Drawing Masters with at least five years service as such and having qualification mentioned in column No. 3;*

- (c) four per cent from amongst the Senior Arabic Teachers(BPS-16), with at least five years service as Senior Arabic Teachers and Arabic Teachers, and having qualification mentioned in column No.3:*

*Provided that if no suitable candidate is available from amongst Senior Arabic Teachers for promotion then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from Arabic Teachers with at least five years service as such and having qualification mentioned in column No. 3;*

- (d) four per cent from amongst the Senior Theology Teachers(BPS-16), with at least five years service as Senior Theology Teachers and Theology Teachers and having qualification mentioned in column No.3:*

			<p><i>Provided that if no suitable candidate is available from amongst Senior Theology Teachers for promotion then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from amongst Theology Teachers with at least five years service as such and having qualification mentioned in column No. 3;</i></p> <p><i>(e) three per cent from amongst the Senior Qaris (BPS-16), with at least five years service as Senior Qari and Qari and having qualification mentioned in column No.3:</i></p> <p><i>Provided that if no suitable candidate is available from amongst the Senior Qaris then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from Qaris with at least five years service as such and having qualification mentioned in column No. 3;</i></p>
			<p><i>(f) twenty per cent from amongst the Primary School Head Teachers (BPS-16), with at least seven years service as Primary School Head Teachers and Senior Primary School Teachers and Primary School Teachers and having qualification mentioned in column No. 3:</i></p> <p><i>Provided that if no suitable candidate is available from amongst</i></p>

			<p><i>Primary School Head Teachers for promotion then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from amongst Senior Primary School Teachers with at least seven years service as Senior Primary School Teachers and Primary School Teachers and having qualification mentioned in column No.3:</i></p> <p><i>Provided further that if no suitable candidate is available from amongst Senior Primary School Teachers for promotion then the post shall be filled from amongst Primary School Teachers with at least seven years service as such and having qualification mentioned in column No. 3; and</i></p> <p>(ii) <i>twenty Five percent by initial recruitment.</i></p> <p><i>Note:</i></p> <p>I. <i>If no suitable candidate is available in the relevant cadre of the above teachers, the post falling in their promotion quota shall be filled by initial recruitment.</i></p> <p>II. <i>Posts of General SST and SSTs-1 Science and SST-2 Science shall be filled by promotion or initial recruitment, each on need basis separately."</i></p>
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SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

*Endst : of even No & date:*

1. The Secretary to Government of Khyber Pakhtunkhwa, Establishment and Administration Department Peshawar.
2. The Secretary to Government of Khyber Pakhtunkhwa, Finance Department Peshawar.
3. The Secretary to Government of Khyber Pakhtunkhwa, Law Department Peshawar
4. The Secretary Khyber Pakhtunkhwa, Public Service Commission Peshawar.
5. The Accountant General Khyber Pakhtunkhwa Peshawar.
6. The Director, Elementary and Secondary Education Department Khyber Pakhtunkhwa Peshawar.
7. The Director of Education (FATA) Peshawar.
8. The Director, Curriculum and Teacher Education Khyber Pakhtunkhwa Abbottabad.
9. The Director, (PITE) Khyber Pakhtunkhwa Peshawar.
10. The Director, ESRU Elementary and Secondary Education Department Khyber Pakhtunkhwa Peshawar.
11. Manager Government Printing Press Khyber Pakhtunkhwa Peshawar.
12. The Deputy Director, EMIS (S&SE) Department Khyber Pakhtunkhwa Peshawar.
13. All District Education Officer (M&F) in Khyber Pakhtunkhwa.
14. All District Account Officer in Khyber Pakhtunkhwa.
15. All Agency Education Officer in FATA
16. All Agency Account Officer in FATA.
17. PS to Governor Khyber Pakhtunkhwa. Peshawar.
18. PS to Chief Minister Khyber Pakhtunkhwa. Peshawar.
19. PS to Chief Secretary Khyber Pakhtunkhwa. Peshawar.
20. PS to Minister E&SE Khyber Pakhtunkhwa. Peshawar.
21. PS to Secretary E&SE Khyber Pakhtunkhwa. Peshawar.
22. Master file

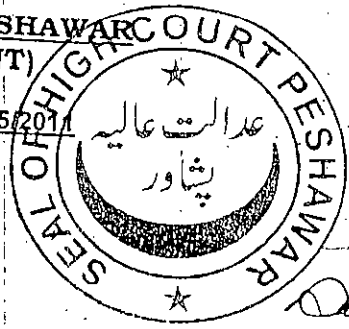
  
(ZAMIN KHAN MOMAND)  
SECTION OFFICER (PRIMARY)

Annexure "B"

159

**JUDGMENT SHEET**  
**PESHAWAR HIGH COURT, PESHAWAR**  
**(JUDICIAL DEPARTMENT)**

COC No. 105-P/2018 in WP No. 355/2017



**JUDGMENT.**

Date of hearing: 08.11.2018

Petitioner (s): Mr. Noor Muhammad Wazir

Respondent (s): Muhammad Azam Khan & Iqbal Qadir Ali Khan

**WAQAR AHMAD SETH, CJ:-** Through this

single judgment, we propose to dispose of instant contempt petition as well as connected COC No. 107-P/2018 in WP No. 1662/2010, COC No. 108-P/2018 in WP No. 2967/2009 & COC No. 109-P/2018 in WP No. 3189/2009 because in all the petitions, the petitioners have sought initiation of contempt of court proceedings against the respondents for not implementing the judgment/order dated 26.01.2015.

2. Facts in brief are that the petitioners had filed Writ Petitions before this Court and prayed that the Act No. XVI 2009, namely, 'The North West Province Employees (Regularization of Services) Act, 2009 dated 24<sup>th</sup> October, 2009' being illegal, unlawful, without authority and jurisdiction, based on malafide intentions and being unconstitutional as well as ultra vires to the basic rights as mentioned in the constitution be set-aside and the respondents be directed to fill up the above noted posts after going through the legal and lawful and the normal procedure as prescribed under the prevailing laws instead of using the short cuts for

ATTESTED  
EXAMINER  
Peshawar High Court  
30 NOV 2018

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obliging their own person. They further prayed that the notification No. A-14 / SET (M) dated 11.12.2009 and Notification No. A-17 / SET (S) Contract-Appnt: 2009 dated 11.12.2009, as well as Notification No. SO(G) / ES / 185 / 2009 / SS(Contract) dated 31.05.2010 issued as a result of above noted impugned Act whereby all the private respondents have been regularized may also be set-aside in the light of the above submission, being illegal, unlawful, unconstitutional and against the fundamental rights of the petitioners. The writ petitions came up for hearing and vide judgment/order dated 26.01.2015, the same were disposed of in the following terms:-

- (i) *The Act, XVI of 2009, commonly known as (Regularization of Services) Act, 2009 is held as beneficial and remedial legislation, to which no interference is advisable hence, upheld.*
- (ii) *Official respondents are directed to workout the backlog of the promotion quota as per above mentioned example, within 30 days and consider the in service employees, till the backlog is washed out, till then there would be complete ban on fresh recruitments".*

3. After passing the above said judgment, the petitioners were quite hopeful regarding their promotion to the next higher grade being senior most employees but the respondents have again started recruitment process by advertising the posts of various cadres for initial recruitment in various Districts of Khyber Pakhtunkhwa and as such, the inaction of respondents squarely fall within the ambit of

APPROVED  
 Peshawar High Court  
 30 NOV 2010



(61)

contempt of court and they are liable to be proceeded and punished under the law; hence, the instant petitions.

4. Respondents No. 2 & 3 have filed reply to the show cause and prayed for dismissal of instant petitions.

5. Arguments heard and record perused.

6. While deciding writ petition No. 2905/2009, vide judgment dated 26.1.2015 which has been upheld by the apex Court, the respondents-department was directed to workout the backlog of the promotion quota and consider in service employees for promotion against the vacant post, till the backlog is washout. In this respect record is suggestive that the backlog was worked out and by that time 2725 employees / teachers were in the promotion zone and as such were promoted. Moreover, by virtue of Regularization Act, 2009, Act No. XVI of 2009, 1766 employees / teachers got regularization and as such, when worked out, the promotion quota was fully exhausted. The judgment in this respect was not for all the times to come for promotion purposes. Once the promotion quota, which was given advantage, in view of Regularization Act, 2009, cannot be claimed again and again. By now it's the question of fact that as to whether any employee / teacher was not promoted and by that time when Act 2009 was enforced they were in the promotion zone. Even otherwise, once backlog was worked out and promotion was done then claiming seniority and promotion is the job of service tribunal.

30 NOV 2013

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7. In view of the above, the instant as well as connected contempt petitions are disposed of in terms above. Show cause notice issued to respondents is hereby recalled.

ANNOUNCED.  
Dated: 08.11.2018

Chief Justice

Judge

Newab Shah SCS (DB) Justice Waqar Ahmad Seth, CJ & Justice Muhammed Ayub Khan J

No. 15857

Date of Presentation of Application 25/11/18

No of Pages 20

Copying Fee 20

Preparation of Copy 20/11/18

Delivery of Copy 20/11/18

Received by [Signature]

**CERTIFIED TO BE TRUE COPY**

**EXAMINER**  
Peshawar High Court, Peshawar  
Authorized Under Article 87 of  
The Qanun-e-Mahadat Order 1986

**30 NOV 2018**



OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE)  
SWAT AT GULKADA

PHONE/FAX 9240228  
E-Mail  
deomswat@gmail.com  
www.male.sed.edu.pk

**NOTIFICATION**

Consequent upon the Notification issued by the Director of Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar vide his office Endst: No 681-85/File No.1/Promotion SST (B-16) Dated Peshawar the 05-02-2020. The following SSTs (whose services were placed at the disposal of DEO (M) Swat for further adjustment) are hereby adjusted against the post in the schools noted against each in the interest of public service under the existing policy of the Provincial Government on the terms and conditions given in the afore mentioned notification of the Director Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar with immediate effect.

**SST(MATHS & PHYSICS)**

S: #	Name	Present School	School Where adjusted	Remarks
01	MR.FAZAL SUBHAN C.T	GHSS MINGORA SWAT	GHS MANAI SWAT	AGAINST VACANT POST
02	MR.IFTIKHAR C.T	GHSS NO 3 MINGORA	GHSS NO 3 MINGORA SWAT	AGAINST VACANT POST
03	MR.ANWAR KHALIQ .SPST	GPS SAMSARAY SWAT	GMS DADAHARA SWAT	AGAINST VACANT POST
04	MR ABDUL QADOOS SPST	GPSDELAY SWAT	GHS QANDIL SWAT	AGAINST VACANT POST

**SST (GENERAL)**


S:#	Name	Present School	School Where adjusted	Remarks
1	MR.ADIL JAN SCT	GHS SERSENAI	GHS SHAH DEHRAI	AGAINST VACANT POST
2	MR.MUHAMMAD ALAM SCT	GHS ASALA	GHS ASALA SWAT	AGAINST VACANT POST
3	MR.SAMIULLAH SCT	GHS NOI MINGORA	GHS NAWAKALY (M)	AGAINST VACANT POST
4	MR.ANWAR IQBAL SCT	GHS AMANKOT	GHS AMANKOT SWAT	AGAINST VACANT POST
5	MR.MUKARAM KHAN SCT	GCMHSS WADOODIA	GCMHSS WADUDIA SWAT	AGAINST VACANT POST
6	MR.FAZAL RAHMAN SCT	GHS TOTANO BANDAI	GHS TOTANO BANDAI	AGAINST VACANT POST
7	MR.MUHAMMAD LAIQ SCT	GHS MATTA	GHSS BAMAKHELA	AGAINST VACANT POST
8	MR.GUL MUHAMMAD SHAH	GHS SWEEGALAI	GMS MALOOCH SWAT	AGAINST VACANT POST
9	MR ALAMGIR SCT	GHS UDIGRAM	GHS UDIGRAM SWAT	AGAINST VACANT POST
10	MR.FAZAL AZIM SDM	GHSS KHWAZAKHELA	GHSS BATAI KHWAZAKHELA	AGAINST VACANT POST
11	MR.UMAR ZADA SDM	GHS NO 4 MINGORA	GHSS CHARBAGH	AGAINST VACANT POST
12	MR.FAZAL AZIM AT	GHS DURUSHKHELA	GHS DURUSHKHELA	AGAINST VACANT POST

13	MR.KHURSHID ALI AT	GHSS DEOLAI	GHSS DEOLAI SWAT	AGAINST VACANT POST
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(MUHAMMAD RIAZ)  
District Education Officer (M)  
Swat

Endst: No 551-67 /Promotion/SST Swat Dated 19/5 / 2020  
Copy forwarded for information and necessary action to the:-

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar with reference to his No cited above.
2. District Accounts Officer Swat at Saidu Sharif.
3. Principals/Headmasters concerned.
4. Budget & Accounts Officer Local Office.
5. Superintendent Local Office.
6. Official Concerned.

  
District Education Officer (M)  
Swat

(1) 4 Ser

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

Service Appeal No: 1230/2019

**Shamshad Khan SST (BPS-16) GHS Qandil, District Swat ..... Appellant.**

**VERSUS**

**Secretary E&SE Department, Khyber Pakhtunkhwa & others....Respondents**

**JOINT PARAWISE COMMENTS FOR& ON BEHALF OF RESPONDENTS No: 1-3.**

Respectfully Sheweth :-

The Respondents submit as under:-

**PRELIMINARY OBJECTIONS.**

- 1 That the Appellant has got no cause of action/locus standi.
- 2 That the instant Service Appeal is badly time barred.
- 3 That the Appellant has concealed material facts from this Honorable Tribunal.
- 4 That the instant service appeal is based on mala fide intentions.
- 5 That the Appellant has not come to this Honorable Tribunal with clean hands.
- 6 That the instant Service Appeal is against the prevailing law & rules.
- 7 That the Appellant has been treated as per law, rules & policy.
- 8 That the appeal is not maintainable in its present form.
- 9 That the appeal is bad for miss-joinder & non-joinder of the necessary parties.
- 10 That the instant Service Appeal is barred by law.

- 11 That the Appellant is not competent to file the instant appeal against the respondents.
- 12 That the Notification dated 24/10/2009 is legally competent & is not applicable of the appellant to the extant of promotion along with the grant of all back service benefits under the rules.
- 13 That the appellant has correctly been promoted against the SST BPS-16 post in view of the rules, criteria & policy by the Respondent Department.

**ON FACTS**

- 1 That Para-1, needs no comments, being pertains to the service records of the appellant relating to the appointed vide order dated 22/11/1986 as PST & vide an other order dated 01/06/1991 against the AT post in the Respondent Department.
- 2 That Para-2 is correct to the extent that the Respondent Department has advertised SST B-16 post in the National press on adhoc / contract basis for only for fresh candidates by barring the in service Teachers in the Respondent Department for initial period one year as per policy of the govt. **(Copy of the advertisement is annexed as Annexure-A).**
- 3 That Para-3 is incorrect & not admitted on the grounds that the appellant was appointed against the SST BPS-16 post on adhoc/contract base in view of the terms & conditions in the advertisement for the said post & cannot claim regularization wef 24/10/2009 against the SST Post in the Respondent Department. Therefore, the claim of the appellant is baseless & liable to be rejected **(Copy of the Act of 2009 is Annexure-B).**
- 4 That Para-4 is correct. The factum of the applying for the SST post on Adhoc/contract basis cannot be accrued any legal rights for the grant of seniority & other allied service benefits against the SST B-16 post to the appellant. As it can only be allowed to a candidate for the SST post on adhoc/contact basis appointed by the Respondent Department in view of the terms & conditions.
- 5 That Para-5 is correct that the services of the adhoc/contract SSTs in B-16 were regularized under the Regularization services Act of 2009 by the Respondent Department & a copy of the said Act of 2009 is already attached as Ann-B for ready reference.

- 66 6 That Para-6 is correct to the extent of filling of writ petition No.2905/2009 under title Atta Ullah etc VS The Chief Secretary Govt. of KPK & others before the Honorable Peshawar high Court Peshawar which was decided on 26/01/2015 with the direction to the Respondent Department as under:-
- i. **The Act.XVI of 2009, commonly known as (Regularization of service Act, 2009 is held as beneficial & remedial legislation to which no interference is advisable, hence, up held.**
  - ii. **Official Respondents are directed to work out the backlog of the promotion quota as per above mentioned example, within thirty days and consider the in service employees, till the backlog is washed out, till then there would be complete ban on fresh recruit.(copy of judgment is Ann-C).**
- 7 That the Para-7 is correct. That vide judgment 20/09/2017, the august Supreme Court of Pakistan dismissed CPs No.127-129/P/2015 case titled the Chief Secretary Govt.of KPK etc VS Atta Ullah & others in favor of the Respondent Department.(copies of the judgment, & applications for the appointments against the SSTs B-16 post through NTS are attached as Ann-D,E,F,G & H).
- 8 That Para-8, is correct that the appellant has been promoted to the post of SST B-16 vide notification dated 14/03/2012 with immediate effect rather than with retrospective effect in view of the APT rules 1989 from SCT to SST B-16 post in the Respondent Department on the basis of reserved quota for promotion under the relevant criteria/policy dated 13/12/2011 of the Respondent Department (Copy of the said policy is Ann-I).
- 9 That para-9 is correct that COC No.105-P/2018 in the above said WP No.2905/2009 Atta Ullah etc VS Govt. of KPK & others has been dismissed vide order dated 08/11/2018 on the grounds of jurisdiction by the Honorable Peshawar High Court Peshawar (copy of the order dated 08/11/2018 is Ann-J).
- 10 The para-10 is legal. However, the Respondents further submits on the following grounds inter alia:-

### ON GROUNDS

- A **Incorrect & not admitted.** The stand of the appellant is without any cogent reason & legal justification & liable to be rejected as the act of the Respondent Department with in legal parameter & liable to be maintained.

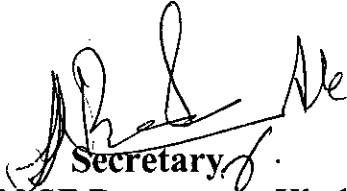
- B. **Incorrect & not admitted.** The stand of the appellant is without any cogent reason & legal justification & liable to be rejected as the act of the Respondent Department with regard to the non-grant of promotion wef 24/10/2009 against the SST B-16 post is within legal sphere having no question of violating the mandatory provision of Articles-4 & 25 of the constitution of Islamic Republic of Pakistan 1973.
  
- C. **Incorrect & not admitted.** The act of the Respondent Department with regard to the non-grant of promotion wef 24/10/2009 against the SST B-16 post is within legal sphere is in accordance with law & rules. Therefore, the plea of the appellant is liable to be rejected.
  
- D. **Incorrect & not admitted.** The plea of the appellant is baseless as the act of the Respondent Department is legally competent & liable to be maintained in favor of the Respondents.
  
- E. **Incorrect & not admitted.** The plea of the appellant is baseless as the act of the Respondent Department is legally competent & liable to be maintained in favor of the Respondents.
  
- F. **Incorrect & not admitted.** The plea of the appellant is baseless as the act of the Respondent Department is legally competent & liable to be maintained having no question of violating the provision of S-9 of civil servants Act r/w Rules-7 of the APT Rules-1989.
  
- G. **Incorrect & not admitted.** The plea of the appellant is baseless as the act of the Respondent Department is legally competent & liable to be maintained as he is not entitled for the grant of consequential benefits including seniority wef 24/10/2009 against the SST B-16 post in the Respondent Department.
  
- H. **Incorrect & not admitted.** The stand of the appellant is without any cogent reason & legal justification & liable to be rejected as the act of the Respondent Department with regard to the non-grant of promotion wef 24/10/2009 against the SST B-16 post is within legal sphere having no question of violating the mandatory provision of Article 38(e) of the constitution of Islamic Republic of Pakistan 1973.
  
- I. **Legal.** However, the Respondents also seek leave of this Honorable Tribunal to submit additional grounds, record & case law at the time of arguments on the date fixed.



(5)

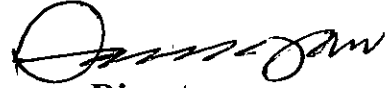
In view of the above made submissions, it is most humbly requested that this Honorable Tribunal may very graciously be pleased to dismiss the instant Service Appeal in favor of the Respondents in the interest of justice.

Dated \_\_\_/\_\_\_/2020



Secretary

E&SE Department Khyber  
Pakhtunkhwa, Peshawar.  
(Respondent No: 1)



Director

E&SE Department Khyber  
Pakhtunkhwa, Peshawar.  
(Respondents No: 2&3)

**AFFIDAVIT**

I, Hayat Khan Asstt: Director (Litigation-II) E&SE Department Khyber Pakhtunkhwa, do hereby solemnly affirm & declare on oath that the contents of the instant Parawise Comments are true & correct to the best of my knowledge & belief.



Deponent



# Annex B

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

4A. **Overriding effect.**---Notwithstanding any thing to the contrary contained in any other law or rule for the time being in force, the provisions of this Act shall have an overriding effect and the provisions of any such law or rule to the extent of inconsistency to this Act shall cease to have effect.

5. **Repeal.**---The North-West Frontier Province Employees (Regularization of Services) Ordinance, 2009 (N.-W.F.P. Ordinance No. VII of 2009) is hereby repealed.

7

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regularized under the Act in question be calculated in that cadre and equal number i.e remaining 50 % are to promoted from amongst the eligible in service employees, other wise, eligible for promotion on the basis of sonority cum fitness."

19- In view of the above, this writ petition is disposed of in the following terms:-

(i) "The Act, XVI of 2009, commonly known as (Regularization Of Services) Act, 2009 is held as beneficial and remedial legislation, to which no interference is advisable hence, upheld.

(ii) Official respondents are directed to workout the backlog of the promotion quota as per above mentioned example, within 30 days and consider the in service employees, till the backlog is washed out, till then there would be complete ban on fresh recruitments.

Order accordingly.

*Handwritten signature*

Announced.  
26<sup>th</sup> January 2015

JUDGE

JUDGE

=====

CERTIFIED TO BE TRUE COPY

*Handwritten signature*  
2/3/15

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(9)

IN THE SUPREME COURT OF PAKISTAN  
(APPELLATE JURISDICTION)

PRESENT:  
MR. JUSTICE EJAZ AFZAL KHAN,  
MR. JUSTICE SH. AZMAT SAEED,  
MR. JUSTICE IJAZ UL AHSAN.

E-40

CIVIL PETITIONS NO. 127-P TO 129-P OF 2015.  
(Against the judgment dated 26.1.2015 of the  
Peshawar High Court, Peshawar passed in writ  
Petition No. 2905 of 2009, 3025 of 2009, 204 of 2010)

The Chief Secretary, Govt. of KPK., Peshawar and others. ...Petitioner(s)  
(in all cases)  
Versus  
Attallah and others,  
Nasruminullah and others,  
Mukhtar Ahmad and others. ...Respondent(s)

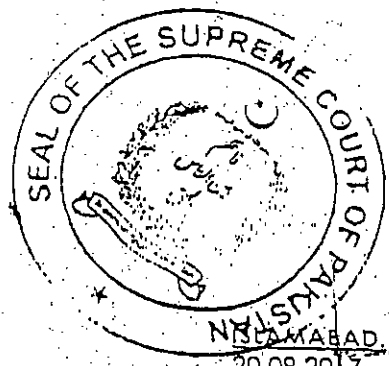
For the petitioner(s): Mr. Mujahid Ali Khan, Addl. A.G. KPK  
For the respondent(s): Mr. Ghulam Nabi Khan, ASC  
Mr. Abdul Gaiyum Sarwar, AOR  
Date of Hearing: 20.09.2017.

ORDER

Ejaz Afzal Khan, J. The learned Additional Advocate General  
appearing on behalf of the Govt. of KPK stated at the bar that as per  
instructions of the Government he does not press these petitions. Dismissed  
as such.

Sd/-Ejaz Afzal Khan, J  
Sd/-Sh. Azmat Saeed, J  
Sd/-Ijaz ul Ahsan, J  
Certified to be True Copy.

*[Signature]*  
29/9/17  
Court Associate  
Supreme Court of Pakistan  
Islamabad



ISLAMABAD  
20.09.2017  
M. Azhar Malik  
25/9/17

ATTESTED  
*[Signature]*

GR No: 14572/17 Civil/Criminal  
Date of Presentation: 29-9-17  
No of Writs: 3  
No of Filings: 3  
Requisition Fee: 8  
Copy Fee in: 1-86  
Court Fee: 6-86  
Date of Copy: 29/9/17  
Date of delivery of copy: 21/10/17  
Compared by/Prepared by: \_\_\_\_\_  
Received by: 10/10/17

D

E-40

IN THE SUPREME COURT OF PAKISTAN  
(APPELLATE JURISDICTION)

PRESENT:  
MR. JUSTICE EJAZ AFZAL KHAN,  
MR. JUSTICE SH. AZMAT SAEED,  
MR. JUSTICE IJAZ UL AHSAN.

CIVIL PETITIONS NO. 127-P TO 129-P OF 2015.  
(Against the judgment dated 26.1.2015 of the  
Peshawar High Court, Peshawar passed in Writ  
Petition No.2905 of 2009, 3-15-1009, 224 of 2015)

The Chief Secretary, Govt. of KPK., Peshawar and others. ...Petitioner(s)  
(in all cases)

Versus

Atfaullah and others.  
Nasruminullah and others.  
Mukhtar Ahmd and others. ...Respondent(s)

For the petitioner(s): Mr. Mujahid Ali Khan, Addl. A.G. KPK

For the respondent(s): Mr. Ghulam Nabi Khan, ASC  
Mr. Abdul Qayyum Sarwar, AOR

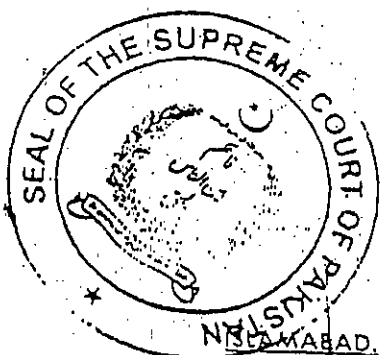
Date of Hearing: 20.09.2017.

ORDER

Elaz Afzal Khan, J.- The learned Additional Advocate General  
appearing on behalf of the Govt. of KPK stated at the bar that as per  
instructions of the Government he does not press these petitions. Dismissed  
as such.

Sd/-Ejaz Afzal Khan, J  
Sd/-Sh. Azmat Saeed, J  
Sd/-Ijaz ul Ahsan, J.  
Certified to be True Copy.

*[Signature]*  
29/9/17  
Court Associate  
Supreme Court of Pakistan  
Islamabad



20.09.2017  
M. Azhar Malik  
25/9/17

ATTESTED  
*[Signature]*

GR No: 14572/17 Civil/Criminal  
Date of Presentation: 29-9-17  
No of Writs: 3  
No of Parties: 2  
Requisition Fee Paid: 8/-  
Copy Fee In: 8/-  
Court Fee 5: 6-86  
Date of Copy: 29/9/17  
Date of delivery Copy: 21/11/17  
Compared by/Prepared by: *[Signature]*  
Received by: *[Signature]*

**ترخواستیں مطلوب ہیں**

E  
F-111

خیبر پختونخوا ایجوکیشن، ہوسٹنگ اور انسٹروٹف، چیئر ڈپٹی چیئر، اسٹریٹگریجیٹو اور ڈائریکٹوریٹ کے تحت عمل پیشہ کی ایجوکیشن  
پختونخوا کے زیر انتظام (مرواٹا زمان) سکولوں میں درج ذیل آسامیاں بھرنے کے لئے خیبر پختونخوا کے متعلقہ اضلاع کے سکولٹی اہل امیدواروں سے تجویز فارم پر 30 ستمبر 2016ء  
درخواستیں مطلوب ہیں۔ درخواست فارم (NTS) کی ویب سائٹ (<http://www.nts.pk>) پر دستیاب ہے۔ مقررہ تاریخ گزرنے کے بعد مسلسل ہونے والی درخواستوں پر غور نہیں کیا جائے گا۔

نمبر شمار	نام آسامی	تالیف	عمر
1	سیکنڈری سکول نیچر یا لائیو ایگزیسیو BPS. 16	(SST) (i) کیسٹری ایجوکیشن (ڈی ایچ ای) یا بائی (ii) کیسٹری ایگزیسیو سے ایف اے ایجوکیشن یا ایجوکیشن میں نیچر ڈگری۔	21±35 سال
2	سیکنڈری سکول نیچر ڈیس ایگزیسیو BPS. 16	(SST) (1) کیسٹری ایگزیسیو سے سیکنڈ ڈیگری یا نیچر ڈگری جس کے ساتھ درج ذیل دو مضامین لازمی ہوں۔ (i) فزکس، ایگزیسیو یا (ii) فزکس، ایگزیسیو یا (iii) فزکس، ایگزیسیو (2) کیسٹری ایگزیسیو سے ایف اے ایجوکیشن یا ایجوکیشن میں نیچر ڈگری۔	21±35 سال
3	سیکنڈری سکول نیچر (SST) جنرل BPS. 16	(1) کیسٹری ایگزیسیو سے سیکنڈ ڈیگری یا نیچر ڈگری جس کے ساتھ درج ذیل دو مضامین لازمی ہوں۔ (i) انگریزی، لازمی، ڈی ایچ ای ایجوکیشن یا ایجوکیشن میں نیچر ڈگری۔ (2) کیسٹری ایگزیسیو سے ایف اے ایجوکیشن یا ایجوکیشن میں نیچر ڈگری۔	21±35 سال

سیکشن کریئر یا آسامی کے سیکشن کیلئے کریئر یا درج ذیل ہے۔ کل 200 نمبرات کی تقسیم اس طرح کی جائیگی۔  
(1) سکرٹنٹ نرس بڈریو = 100 نمبر (ب) تعلیمی قابلیت = 100 نمبر جس کی مزید تقسیم اس طرح ہوگی

تعلیمی قابلیت	کل نمبر
ایس ایس سی	حاصل کردہ نمبر 20x تقسیم کل نمبر
ایف اے / ایف ایس سی	حاصل کردہ نمبر 20x تقسیم کل نمبر
بی اے / بی ایس سی	حاصل کردہ نمبر 20x تقسیم کل نمبر
ایف اے / ایف ایس سی	حاصل کردہ نمبر 15x تقسیم کل نمبر
بی ای / ایف اے ایجوکیشن	حاصل کردہ نمبر 15x تقسیم کل نمبر
ایف اے / ایف اے ایجوکیشن	حاصل کردہ نمبر 05x تقسیم کل نمبر
ایف اے / بی ایچ ڈی	حاصل کردہ نمبر 05x تقسیم کل نمبر

بی ایس چار سالہ کورس کی صورت میں نمبروں کی تقسیم اس طرح ہوگی۔ حاصل کردہ نمبر 35x تقسیم کل نمبر جبکہ پیشہ ورانہ کام ایجوکیشن کی صورت میں نمبروں کی تقسیم اس طرح ہوگی۔  
ایف اے ایجوکیشن حاصل کردہ نمبر 20x تقسیم کل نمبر

نوٹ: (1) ہر سکول کی آسامی کے لئے طلبہ و طلبہ و صبرت سے غریب کی باہمی جس میں امیدواروں کے NTS کے حاصل کردہ نمبر اور تعلیمی قابلیت کے نمبروں کو مل کر کیا جائیگا۔ (2) امیدوار سے NTS کی درخواست فارم 300 روپے پانچ کیا جائے گا۔ اگر ایک امیدوار 5 سکولوں کے لئے درخواست دیکھتا تو اس سے 800 روپے ہی NTS پانچ کرے گا۔ جو کہ امیدوار خود برداشت کریں گے۔  
(3) NTS ٹسٹ میں 40 فیصد نمبر لیا ضروری ہے۔ 40 فیصد سے کم نمبر لینے والا امیدوار اہل تصور ہوگا اور صبرت سے کم نمبر لیا ہوگا۔

**عمومی شرائط :-** (1) تمام تقرریاں حکومت خیبر پختونخوا کے مہربانہ آئین کے مطابق بنیادی تقرری Initial Appointment کے 25 فیصد

کرنے کے تحت نا اہل تیار بنیادوں پر Adhoc کنٹریکٹ پر ایک سال کے لئے ہوں گی۔ (2) معذور افراد کے لئے دو فیصد اور تعلیمی امیدواروں کے لئے تین فیصد کوٹیشن ہے۔ (3) انٹرویو کے وقت اصلی تعلیمی بنیادوں اور اجازت امیدوار کو برداشت کرنا ہوں گے۔ (4) انٹرویو کے لئے آئے والے امیدواروں کو کوئی فی اے ای ایس نہیں دیا جائے گا۔ (5) صرف مقررہ وقت کے اندر معقول ہونے والی درخواستوں پر غور کیا جائے گا۔ (6) زیرو رزلٹ والے امیدوار حاصل ہے کہ کوئی جوتائے پھر کی گئی ہوگی کسی یا پروڈی طور پر انٹرویو سٹیج کرے گا۔ (7) اگر اس امیدوار کے بعد حکومت وقت کی طرف سے مقررہ کارڈ میں تبدیلی کی گئی ہوگی اس کے مطابق عمل کرے گی پابندی ہوگی۔ (8) کل پختونخوا ایجوکیشن کو اختیار حاصل ہوگا کہ وہ تمام آسامیوں یا اس سے کم امیدوار مقرر کرے۔ (9) تمام تقرریاں حکومت خیبر پختونخوا کے مقررہ قواعد و ضوابط کے مطابق حالت صبرت کی بنیاد پر ہوں گی۔ (10) تمام تعلیمی اسٹاف صرف گورنمنٹ کے تمام خلیفہ امیدواروں کی قابل قبول ہوگی۔ (11) اگر کسی امیدوار کی اسٹاف چلنی پائے گئے تو اس کے خلاف قانونی چارہ جوئی کی جائے گی اور آئین کے لئے اسے سرکاری ملازمت کے لئے نا اہل تصور کیا جائے گا۔ (12) تمام فارم یا اسٹاف کی صورت میں درخواست فارم خود بخود منظور تصور کیا جائے گا جس کے لئے کوئی اپیل منظور نہیں کی جائے گی۔ (13) انٹرویو کے لئے ایف اے ایجوکیشن یا بی ای ایجوکیشن میں ایک سے زیادہ سکولوں میں ڈاکوٹیشن چیک کے جائیں گے۔ (14) تمام تقرریاں متعلقہ اضلاع کے ڈویژنل آفس میں کی جائیں گی اور وہاں سے درخواستیں منظور کی جائیں گی۔ (15) امیدوار کو کسی سکول میں مقرر کرنا ہوگی جو کہ قابل قبول ہوگی۔ (16) ایک امیدوار ایک سے زیادہ سکولوں میں سیکشن کی صورت میں اس کی تقرری کسی ایک سکول میں کی جائے گی اس صورت میں سکول سیکشن کا انتخاب امیدوار کا حاصل نہیں بلکہ اس میں اس بات کا خیال رکھا جائے گا کہ وہ اس کے بعد ملازمت والے امیدوار کو سیکشن کا موقع لے سکے۔ (17) درخواست دینے کا طریقہ کار NTS کے ویب سائٹ پر موجود ہے۔ (18) متعلقہ اضلاع کی نالی آسامیوں کی تفصیل سکول ڈائری میں موجود ہے اور اس کے ساتھ NTS کے ویب سائٹ پر دی گئی ہے اور ہر سکول کو اپنا کوڈ دیا گیا ہے۔

**محمد رفیق خٹک ڈائریکٹر ایلیمنٹری اینڈ سیکنڈری ایجوکیشن خیبر پختونخوا پشاور**









S.No	Name of Teacher/Qualification academic / professional	Father's Name	Designation	PBS	D/O Birth / Domicile	Domicile	Academic	Professional	D/O 1st Apptt.	Date of apptt. against Present post	Seniority position D/O taking over charge as CT or D/O declaration CT Exam whichever is later
1	Hamayun Khan	Khairullah	SCT	16	4/10/1964	Swat	MA	CT	5/8/1984	5/8/1984	5/8/1984
2	Astambool	Muhammad Kamal	SCT	16	4/1/1961	Swat	BSc	CT/B.Ed	5/3/1986	5/3/1986	5/3/1986
3	Fazal Rabi	Muhammad Junain	SCT	16	3/15/1966	Swat	MA	CT/B.Ed	10/11/1982	10/11/1982	1/6/1987
4	Khan Ali	Umar Bakht	SCT	16	3/3/1961	Swat	MA	CT/B.Ed	8/1/1982	8/21/1982	5/26/1987
5	Muhammad Ihsanullah	Swal Faqir	SCT	16	3/4/1962	Swat	MA	CT	9/17/1987	9/17/1987	9/17/1987
6	Bakht Sherawan	Mahmood Khan	SCT	16	1/1/1960	Swat	MA	CT	11/6/1982	11/6/1982	11/29/1987
7	Muhammad Ali	Said Mahmood	SCT	16	2/3/1959	Swat	BA	CT	8/17/1980	1/8/1988	3/6/1988
8	Toti Rahman	Fazal Rahman	SCT	16	2/7/1960	Swat	MA	CT	7/10/1982	7/10/1982	11/30/1988
9	Mohammad Salim Khan	Amanullah Khan	SCT	16	3/1/1965	Swat	MA	CT/B.Ed	1/15/1985	4/26/1989	9/16/1989
10	Jamshed Khan	Muhammad Zarin	SCT	16	5/11/1962	Swat	MA	CT	3/9/1982	9/17/1989	9/17/1989
11	Rahmat Ali	Abdul Ghafar	SCT	16	5/4/1963	Swat	MA	CT/B.Ed	7/20/1982	10/1/1989	10/1/1989
12	Fazal Rahim	Fazal Ahad	SCT	16	1/1/1961	Swat	MA	CT	11/13/1984	10/1/1989	10/1/1989
13	Azizullah	Tota	SCT	16	10/1/1964	Swat	MA	CT	1/9/1982	11/15/1983	1/17/1990
14	Shah Rom Khan	Hakim Khan Mian	SCT	16	1/1/1962	Swat	MA	CT	3/1/1988	3/1/1988	1/17/1990
15	Sadiq Ahmad	Abdul Hamid	SCT	16	1/4/1961	Swat	MA	CT	6/1/1988	6/1/1988	1/17/1990
16	Muhammad Rafiq	Badish	SCT	16	3/1/1963	Swat	B.Sc	CT	2/6/1990	2/6/1990	2/6/1990
17	Fida Hussain	Hazrat Ahmad	SCT	16	2/3/1964	Swat	MA	CT	2/8/1990	2/8/1990	2/8/1990
18	Hedayatullah 3rd Division	Sultan Sikandar	SCT	16	1/1/1959	Swat	MA	CT/B.ed	4/18/1983	4/18/1983	11/14/1990
19	Rashid Ali	Ghulam Nabi	SCT	16	3/12/1968	Swat	MA	CT	12/8/1990	12/8/1990	11/14/1990
20	Zahid Khan	Pir Dad	SCT	16	4/9/1965	Swat	BA	CT	12/9/1990	12/9/1990	12/9/1990
21	Hazrat Bilal	Zirat Gul	SCT	16	2/8/1963	Swat	MA	CT	12/11/1990	12/11/1990	12/11/1990
22	Aziz Ahmad	Fazal Khaliq	SCT	16	4/4/1969	Swat	MSC	CT/B.Ed	12/11/1990	12/11/1990	12/11/1990
23	Fazal Wahab	Gul Mahmood	SCT	16	12/12/1964	Swat	MA	CT	5/6/1986	1/1/1990	1/1/1991
24	Muhammad Majid	Umar Zada	SCT	16	1/1/1966	Swat	MA	CT	5/4/1986	4/5/1986	3/14/1991
25	Rahman Deyar	Sultan Mehmood	SCT	16	1/1/1964	Swat	BA	CT	11/5/1986	5/11/1986	3/14/1991
26	Haroon - Ur - Rashid	Khisat Gul	SCT	16	8/1/1962	Swat	BA	CT	11/24/1986	11/24/1986	3/14/1991
27	Muhammad Alam	Alam Zeb Khan	SCT	16	4/1/1963	Swat	MA	CT	4/2/1987	4/10/1991	4/10/1991
28	Adalat Khan	Abdur Rashad	SCT	16	12/9/1961	Swat	MA	CT	11/24/1984	11/24/1984	10/22/1991
29	Akhter Ali	Ghulam Muhammad	SCT	16	5/15/1964	Swat	BA	CT	3/11/1985	3/11/1985	10/22/1991
30	Imran Ali	Mashooq Ali	SCT	16	3/20/1959	Swat	MA	CT	5/6/1986	5/6/1986	10/22/1991
31	Muhammad Rahman	Bakht Zad	SCT	16	1/10/1967	Swat	FA	CT	5/17/1987	5/17/1987	4/2/1992
32	Sharafat Ali Khan	Afsar Khan	SCT	16	2/2/1961	Swat	MA	CT	3/1/1988	3/1/1988	4/2/1992
33	Amir Zeb	Muhammad Zareen	SCT	16	4/2/1964	Swat	BA	CT	6/1/1988	6/1/1988	4/2/1992
34	Amir Muhammad	Tota Mian	SCT	16	5/15/1963	Swat	BA	CT/B.Ed	9/22/1987	12/20/1989	4/2/1992
35	Akhtar Hussain 3rd Divi	Ahmad	SCT	16	3/2/1967	Swat	BA	CT	8/14/1992	8/14/1992	8/14/1992
36	Muhammad Ziaud Din	Habibur Rahman	SCT	16	3/10/1968	Swat	MA	CT/B.Ed	9/2/1986	1/9/1992	9/1/1992
37	Sultan Rome	Shah Rome	SCT	16	4/8/1966	Swat	MSC	CT/B.Ed	9/2/1992	9/2/1992	9/2/1992
38	Umar Hussain	Malak Sherin	SCT	16	1/1/1962	Swat	MA	CT	4/23/1988	4/23/1988	11/21/1992
39	Muhammad Nabi	Ghulam	SCT	16	5/1/1963	Swat	MA	CT/B.Ed	4/17/1988	4/17/1988	11/22/1992
40	Jamshid Khan	Hazrat Jee	SCT	16	4/14/1966	Swat	BA	CT/B.Ed	11/1/1986	4/21/1993	4/21/1993
41	Bakhtyar 3rd Divi	Bacha	SCT	16	7/3/1964	Swat	BA	CT/B.Ed	1/20/1990	1/20/1990	4/29/1993

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S.No New	Name of Teacher/Qualification academic / professional	Father's Name	Desi gnati on	PBS	D/O Birth / Domicile	Domic ile	Aca demi c	Profess ional	D/O 1st Apptt	Date of apptt against Present post	Seniority position D/O taking over charge as CT or D/O declaration CT Exam whichever is later
											8/5/1993
42	Ashraf Ali	Hazrat Ali	SCT	16	5/12/1965	Swat	MA	CT/B.Ed	5/8/1993	5/8/1993	12/25/1993
43	Shah Bakht Rawan	Umara Khan	SCT	16	1/7/1964	Swat	MA	CT	9/24/1989	9/24/1989	12/25/1993
44	Muhammad Hamayun	Faramoz Khan	SCT	16	1/2/1965	Swat	BA	CT	10/2/1989	10/2/1989	12/25/1993
45	Amir Bahadar	Sarwar Gul	SCT	16	5/1/1962	Swat	MA	CT/B.ed	3/10/1989	10/3/1989	12/25/1993
46	Bakht Sherwan	Fazal Rahman	SCT	16	2/24/1967	Swat	BA	CT	11/29/1989	11/29/1989	12/25/1993
47	Bakht Muhammad	Muamber Khan	SCT	16	1/16/1967	Swat	BA	CT	11/30/1989	11/30/1989	12/25/1993
48	Noor Rahman	Jumma Gul Khan	SCT	16	5/1/1965	Swat	BA	CT	12/4/1989	12/4/1989	12/25/1993
49	Mehboob Ali	Amir Rahman	SCT	16	2/1/1963	Swat	BA	CT	12/12/1989	12/12/1989	12/25/1993
50	Muhammad Sadiq	Qalandar	SCT	16	9/11/1965	Swat	BA	CT/B.ed	12/14/1989	12/14/1989	12/25/1993
51	Maqsood Ahmad	Dawray	SCT	16	6/5/1963	Swat	MA	CT/B.Ed	12/17/1989	12/17/1989	12/25/1993
52	Shuja Mulk	Said Karam	SCT	16	12/3/1966	Swat	BA	CT	10/3/1989	1/4/1990	12/25/1993
53	Alamgir	Sadbar Khan	SCT	16	1/20/1960	Swat	MA	CT/B.Ed	6/10/1990	6/10/1990	12/25/1993
54	Anwarullah	Hasham Khan	SCT	16	3/1/1969	Swat	MA	CT/B.Ed	9/26/1988	11/10/1994	11/10/1994
55	Fazal Hameed	Fazal Wahab	SCT	15	4/15/1969	Swat	MA	CT/B.ed	11/10/1994	11/10/1994	11/10/1994
56	Nadar Khan	Mian Said Buhar	SCT	16	3/3/1966	Swat	MA	CT	9/8/1986	11/11/1994	11/11/1994
57	Bad Shah Ikhan	Amir Rawan	SCT	16	5/1/1965	Swat	MA	CT/B.Ed	6/14/1987	11/12/1994	11/12/1994
58	Sher Bahadar Khan	Gul Zaman	SCT	16	1/1/1964	Swat	BA	CT	12/12/1989	12/12/1989	11/15/1994
59	Aziz Ahmad	Muhammad Rashid	SCT	16	2/2/1964	Swat	MA	CT/B.Ed	11/10/1994	11/15/1994	11/15/1994
60	Afzal Shah	Badshah Zada	SCT	16	5/12/1967	Swat	MA	CT/B.Ed	11/15/1994	11/15/1994	11/15/1994
61	Bakht Alam	Ghulam Qadir	SCT	16	3/20/1969	Swat	MA	CT/B.Ed	11/15/1994	11/15/1994	11/15/1994
62	Muhammad Rahman	Sherin Jalal	SCT	16	2/1/1965	Swat	MA	CT/B.Ed	12/1/1986	11/16/1994	11/16/1994
63	Sher Ali Khan	Sadar	SCT	16	2/11/1968	Swat	MA	CT/M.Ed	8/1/1987	11/16/1994	11/16/1994
64	Ziaullah Khan	Muhammad Alam Gul	SCT	16	7/20/1969	Swat	MA	CTB.Ed	11/16/1994	11/16/1994	11/16/1994
65	Muhammad Munir	Habibullah Khan	SCT	16	4/2/1964	Swat	MA	CT/B.Ed	9/28/1988	11/18/1984	11/18/1994
66	Gul Pervize	Rahmani Gul	SCT	16	1/20/1965	Swat	MA	CT/B.ed	11/21/1984	11/21/1994	11/21/1994
67	Abdul Qadoos	Ghulam Khaliq	SCT	16	6/5/1964	Swat	B.Sc	CT	5/12/1992	11/24/1994	11/24/1994
68	Sarir Ud Din	Fazal Wahid	SCT	16	3/26/1963	Swat	M.Sc	CT/M.Ed	11/27/1986	12/20/1994	12/20/1994
69	Muht Zahir Shah	Azizur Rahman	SCT	16	12/2/1960	Swat	MA	CT/B.Ed	4/2/1987	12/21/1994	12/21/1994
70	Muhammad Ghafar	Khan Bahadar	SCT	16	2/27/1961	Swat	MA	CT	6/7/1987	12/21/1994	12/21/1994
71	Amanullah Khan	Sakhi Rawan	SCT	16	9/12/1961	Swat	MA	CT/M.Ed	8/11/1988	12/21/1994	12/21/1994
72	Sher Azim Khan	Taj Muhammad Khan	SCT	16	9/9/1958	Swat	MA	CT/M.Ed	9/28/1988	12/21/1994	12/21/1994
73	Fatehur Rahman	Fazal Rahman	SCT	16	2/2/1969	Swat	MA	CT/M.Ed	6/24/1987	12/22/1994	12/22/1994
74	Rafiq Ahmad	Hermooz Khan	SCT	16	1/1/1965	Swat	MA	CT	9/29/1988	1/10/1988	12/25/1994
75	Alam Zeb	Abdul Jabbar	SCT	16	4/15/1965	Swat	BA	CT/B.Ed	12/25/1994	12/25/1994	12/25/1994
76	Inamullah Khan	Muhammad Karam	SCT	16	1/1/1968	Swat	MA	CT	9/4/1986	12/27/1994	12/27/1994
77	Alam Zeb	Bughdaday	SCT	16	1/1/1960	Swat	MA	CT/M.Ed	12/27/1994	12/27/1994	12/27/1994
78	Azizullah	Haji Muhammad	SCT	16	2/16/1964	Swat	MA	CT/M.Ed	9/26/1988	1/1/1995	1/1/1995
79	Amjad Ali	Faqir Khan	SCT	16	4/10/1966	Swat	MA	CT/B.Ed	12/5/1989	12/5/1989	1/5/1995
80	Samiullah	Roohul Amin	SCT	16	2/15/1965	Swat	MA	CT/B.Ed	5/3/1986	5/3/1986	1/9/1995
81	Dost Muhammad Khan	Taj Muhammad Khan	SCT	16	3/8/1958	Swat	BA	CT/B.Ed	4/1/1987	4/1/1987	1/9/1995
82	Wazir Zada	Gulzar Khan	SCT	16	5/1/1967	Swat	BA	CT	10/1/1989	10/1/1989	1/9/1995

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FINAL SENIORITY LIST OF CTS O/O THE DISTRICT EDUCATION OFFICER (M) DISTRICT SWAT UPTO 31/05/2018

S.No New	Name of Teacher/Qualification academic./ professional	Father's Name	Designation	PBS	D/O: Birth Domicile	Domicile	Academic	Professional	D/O 1st Apptt	Date of apptt. against Present post	Seniority position D/O taking over-charge as CT. or D/O declaration/CT Exam whichever is later.
83	Anwar Iqbal	Khan Sherin	SCT	16	5/1/1961	Swat	MA	CT/B.Ed	10/2/1989	10/2/1989	1/9/1995
84	Muhammad Zahir Shah	Shahzada	SCT	16	2/2/1965	Swat	MA	CT/B.Ed	11/28/1989	11/28/1989	1/9/1995
85	Bakhtmand	Siahoosh Khan	SCT	16	6/5/1963	Swat	MA	CT/B.Ed	12/10/1989	12/10/1989	1/9/1995
86	Mukaram Khan	Musharaf Khan	SCT	16	6/5/1963	Swat	BA	CT/B.Ed	1/13/1990	1/13/1990	1/9/1995
87	Afzal Hussain	Bahroz Khan	SCT	16	5/25/1962	Swat	MA	CT/B.Ed	1/19/1990	1/19/1990	1/9/1995
88	Zahoor Hayat	Sher Alam Khan	SCT	16	1/1/1969	Swat	BA	CT	1/19/1990	1/23/1990	1/9/1995
89	Fazand Ali	Syed Rashad	SCT	16	3/15/1963	Swat	BA	CT	2/15/1990	2/15/1990	1/9/1995
90	Amir Zeb Khan	Bakht Biland Khan	SCT	16	2/18/1963	Swat	BA	CT	3/1/1990	3/1/1990	1/9/1995
91	Fazal Rahman	Amir Faqeer	SCT	16	3/10/1963	Swat	MA	CT	4/1/1990	4/1/1990	1/9/1995
92	Gul Muhammad Shah	Mubin	SCT	16	2/5/1964	Swat	MA	CT	4/14/1990	4/14/1990	1/9/1995
93	Muhammad Laiq	Amir Hamza	SCT	16	6/1/1963	Swat	MA	CT/B.Ed	4/21/1990	4/21/1990	1/9/1995
94	Ali Bash Khan	Shah Dilbar Mian	SCT	16	3/17/1969	Swat	MA	CT/B.Ed	5/13/1990	5/13/1990	1/9/1995
95	Akbar Ali	Qaisar Khan	SCT	16	1/1/1963	Swat	MA	CT/B.ed	5/13/1990	5/13/1990	1/9/1995
96	Alamgir	Khalilur Rahman	SCT	16	7/1/1964	Swat	MA	CT/B.Ed	5/13/1990	5/13/1990	1/9/1995
97	Fazal Azim	Ahmad	SCT	16	12/1/1959	Swat	MA	CT	8/20/1990	8/20/1990	1/9/1995
98	Kafim Ullah	Muhammad Karim	SCT	16	3/15/1970	Swat	MA	CT/B.Ed	10/10/1988	11/20/1990	1/9/1995
99	Ibrahim	Amir Hatam	SCT	16	6/17/1959	Swat	BA	CT/B.Ed	5/24/1992	5/24/1992	1/9/1995
100	Ruhul Amin	Muhammad	SCT	16	4/3/1966	Swat	MA	CT	9/1/1989	12/1/1994	1/9/1995
101	Muhammad Fahim Khan	Ahmad Shah	SCT	16	3/7/1963	Swat	MA	CT B.Ed	6/11/1987	1/16/1995	1/16/1995
102	Muhammad Dawood Khan	Amanullah Khan	SCT	16	4/26/1967	Swat	MA	CT M.Ed	9/25/1992	1/16/1995	1/16/1995
103	Miraj Gul	Sani Gul	SCT	16	4/21/1959	Swat	BA	CT	3/6/1990	1/18/1995	1/18/1995
104	Jehan Sher	Umara Jan	SCT	16	5/1/1962	Swat	MA	CT/B.Ed	1/19/1995	1/19/1995	1/21/1995
105	Hanif Khan	Abdul Qadir Khan	SCT	16	1/12/1967	Swat	MA	CT	2/20/1990	2/1/1995	2/22/1995
106	Abdul Wahab	Amir Bashar	SCT	16	3/3/1969	Swat	MA	CT	2/21/1995	2/22/1995	2/22/1995
107	Sajawal Khan	Taj Khan	SCT	16	5/5/1964	Swat	MA	CT	2/2/1995	4/10/1995	4/10/1995
108	Anwar Zeb	Alam Zeb Khan	SCT	16	5/4/1970	Swat	MA	CT/M.Ed	2/2/1995	4/10/1995	4/10/1995
109	Kishwar	Ghulam Nabi	SCT	16	1/1/1967	Swat	BA	CT/B.Ed	4/7/1988	4/16/1995	4/17/1995
110	Mizajud Din	Mirajud Din	SCT	16	5/1/1970	Swat	MA	CT/M.Ed	11/7/1994	4/17/1995	4/17/1995
111	Bakht Biland	Shah Zada	SCT	16	1/30/1966	Swat	BA	CT	10/17/1988	5/15/1995	5/15/1995
112	Muhammad Sadiq	Khyber	SCT	16	11/8/1962	Swat	MA	CT	8/8/1984	8/1/1995	8/1/1995
113	Khaista Mand	Muhammad Ghafoor	SCT	16	1/10/1966	Swat	MA	CT/B.Ed	5/14/1992	8/1/1995	8/1/1995
114	Muhammad Qadim	Amir Nawab	SCT	16	4/5/1964	Swat	MA	CT/B.Ed	2/29/1984	8/7/1995	8/7/1995
115	Amiz Khan	Akbar Khan	SCT	16	1/1/1967	Swat	BA	CT/B.Ed	8/22/1995	8/22/1995	8/22/1995
116	Shah Anwar Badshah	Naik Muhammad	SCT	16	3/15/1963	Swat	MA	CT	9/27/1988	8/24/1995	8/24/1995
117	Ali Rahman	Fazal Rahman	SCT	16	4/1/1967	Swat	MA	CT	5/14/1987	9/1/1995	9/1/1995
118	Sayed Javid Iqbal	Muhammad Mian	SCT	16	3/20/1964	Swat	MA	CT	4/3/1995	9/15/1995	9/15/1995
119	Mufti	Muhammad Zaman	SCT	16	1/15/1962	Swat	MA	CT/B.Ed	3/17/1984	9/23/1995	9/23/1995
120	Muhammad Afzal Khan	Sher Dil Khan	SCT	16	10/1/1970	Swat	MA	CT/B.Ed	9/24/1995	9/24/1995	1/24/1996
121	Muhammad Nisar	Ahmad Khan	SCT	16	4/16/1975	Swat	MA	CT	5/1/1996	5/1/1996	5/1/1996
122	Muhammad Iftikhar	Muhammad Perviz	SCT	16	4/13/1969	Swat	MA	CT/M.Ed	9/16/1992	9/16/1992	5/5/1996
123	Fazal Hadi	Muhammad Yousaf	SCT	16	4/15/1972	Swat	MA	CT/M.Ed	3/17/1996	3/17/1996	5/5/1996

4/10/1995 No. 4/10/1995 promoted

All ready promoted to S.S.T.

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		<p>Certified or two years Associate Degree in Education from a recognized University or eighteen months Diploma in Education.</p>	<p>(b) sixty percent by promotion on the basis of seniority-cum-fitness from amongst the Primary School Head Teachers with at least five years service and having qualification prescribed for initial recruitment of Certified Teacher (General).                  Provide that if no suitable candidate is available amongst the Primary School Head Teachers for transfer, then the posts will be filed by promotion on the basis of seniority-cum-fitness from amongst senior primary school teachers with at least five years service and having qualification prescribed for initial recruitment of certified teacher (General).                  Note: In case of non availability of suitable person for promotion then by initial recruitment.</p>
<p>14.</p>	<p>Certified Teacher (Industrial Arts) (BPS-15)</p>	<p>(i) Bachelor's Degree from a recognized University with two years training in the relevant technical subjects from any Government industrial or Govt: Technical vocational Institute or Centre; or                  (b) Bechlors Degree from a recognized</p>	<p>(a) Forty percent by initial recruitment; and                  (b) sixty percent by promotion on the basis of seniority-cum-fitness from amongst the primary school head teachers with at least five years service and having qualification prescribed for initial recruitment of certified teacher</p>

ATTESTED

*[Handwritten signature]*

10.	Arabic Teacher (AT) (BPS-15)	(i) Second Class Secondary School Certificate from a recognized Board with Shahdatul Alamia Fil Uloomul Arabia wal Islamia from or Darul Uloom Saidu Sharif Swat, Darul Uloom Darosh Chitral, Government run Darul Uloom, as notified by the Government from time to time; or (ii) Second Class Master's Degree in Arabia from a recognized University.	By initial recruitment
11.	Theology Teacher (TT) (BPS-15)	(i) Second Class Secondary School Certificate from a recognized Board with Shahdatul Alamia Fil Uloomul Arabia wal Islamia from or Darul Uloom Saidu Sharif Swat, Darul Uloom Darosh Chitral, Government run Darul Uloom, as notified by the Government from time to time; or (ii) Second Class Master's Degree in Arabia from a recognized University.	(a) Seventy five percent by initial recruitment; and (b) twenty five percent by promotion on the basis of seniority-cum-fitness from amongst the senior Qaris with at least five years service and having qualification prescribed for initial recruitment of Theology Teacher; Note: In case of non availability of suitable person for promotion then by initial recruitment.
12.	Senior Qari (BPS-15)		By promotion on the basis of seniority-cum-fitness from amongst Qaris with at least five years service as such and having qualification as prescribed for initial recruitment.
13.	Certified Teacher (General)	Bachelor's Degree or equivalent qualification from a recognized	(a) Forty percent by initial recruitment; and

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			(iv) one percent from amongst the Instructional Material Specialists, with at least five years service as such and having qualification mentioned in column No. 3, and (v) one percent from amongst the Arabic Teachers with at least five years service as such and having qualification mentioned in Column No. 3, and (b) fifty percent by initial recruitment.
2.	Seniority Arabic Teacher (SAT) (BPS-16)		By promotion on the basis of seniority-cum-fitness from amongst Arabic Teachers with at least five years service as such and having qualification as prescribed for initial recruitment of Arabic Teacher.
3.	Senior Theology Teacher (STT) (BPS-16)		By promotion on the basis of seniority-cum-fitness from amongst Theology Teachers with at least five years service as such and having qualification as prescribed for initial recruitment of Theology Teacher.
4.	Senior Certified Teacher (SCT) (General) (BPS-16)		By promotion on the basis of seniority-cum-fitness from amongst Certified Teachers with at least five years service as such and having qualification as prescribed for initial recruitment of Certified Teacher (General).

ATTESTED





APPENDIX

S.NO.	Nomenclature of the post	Minimum qualification and experience for initial appointment or by transfer	Age limit	Method of recruitment.
1.	2.	3.	4.	5.
1.	<p>Secondary School Teacher (BPS-16)</p> <p><i>SET → Redesignated</i></p>	<p>(i) Second class Bachelor's Degree with two subjects as Chemistry, Botany, Zoology, Physics, Mathematics, Statistics Humanities and other equivalent groups from a recognized University; or</p> <p>(ii) M.A in Education or Bachelor's Degree in Education from a recognized university.</p>	18 to 35 Years.	<p>(a) Fifty percent by promotion on the basis of seniority-cum-fitness in the following manners.</p> <p>(i) forty percent from amongst the certified Teachers (General). Certified Teachers (Industrial Arts) and Certified Teachers (Home Economics) with at least five years service as such and having qualification mentioned in column No. 3.</p> <p>(ii) four percent from amongst the Drawing Masters with at least five years service as such and having qualification mentioned in column No. 3.</p> <p>(iii) four percent from amongst the Physical Education Teachers with at least five years service</p>

*No quota has been allocated for PST's cadre.*

ATTESTED



GOVERNMENT OF THE KHYBER PAKHTUNKHWA  
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT.

NOTIFICATION

Peshawar, dated the November 13, 2012.

No. SO(PE)4-5/SSRC/Meeting/2012/Teaching Cadre:- In pursuance of the provisions contained in sub rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 and in supersession of all Notifications issued in this behalf, the Elementary and Secondary Education Department in consultation with the Establishment Department and the Finance Department hereby lays down the method of recruitment, qualification and other conditions specified in the Appendix to this Notification which shall be applicable to all the posts specified in Column No. 2 of the said Appendix and the schedule therewith.

Enclst. No. & Date as above.

Copy forwarded to:-

1. The Secretary to Govt. of Khyber Pakhtunkhwa, Establishment Department.
2. The Secretary to Govt. of Khyber Pakhtunkhwa, Finance Department.
3. The Secretary to Govt. of Khyber Pakhtunkhwa, Law Department.
4. The Secretary Khyber Pakhtunkhwa, Public Service Commission Peshawar.
5. The Accountant General, Khyber Pakhtunkhwa Peshawar.
6. The Director (E&SE) Khyber Pakhtunkhwa Peshawar.
7. The Director Education (FATA), Peshawar.
8. Copy to Margari Usman KPK

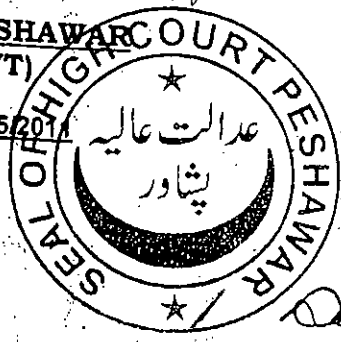
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Annex J

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**JUDGMENT SHEET  
PESHAWAR HIGH COURT, PESHAWAR  
(JUDICIAL DEPARTMENT)**

COC No. 105-P/2018 in WP No. 355/2018



**JUDGMENT.**

Date of hearing: 08.11.2018

Petitioner (s): Nisar Ahmad Jy. Mr. Noor Muhammad Usmani

Respondent (s): Muhammad Draz Khan Jy. Sd. Qasim Ali Pk. ADH.

**WAQAR AHMAD SETH, CJ:-** Through this

single judgment, we propose to dispose of instant contempt petition as well as connected COC No. 107-P/2018 in WP No. 1662/2010, COC No. 108-P/2018 in WP No. 2967/2009 & COC No. 109-P/2018 in WP No. 3189/2009 because in all the petitions, the petitioners have sought initiation of contempt of court proceedings against the respondents for not implementing the judgment/order dated 26.01.2015.

2. Facts in brief are that the petitioners had filed Writ Petitions before this Court and prayed that the Act No. XVI 2009, namely, 'The North West Province Employees (Regularization of Services) Act, 2009 dated 24<sup>th</sup> October, 2009' being illegal, unlawful, without authority and jurisdiction, based on malafide intentions and being unconstitutional as well as ultra vires to the basic rights as mentioned in the constitution be set-aside and the respondents be directed to fill up the above noted posts after going through the legal and lawful and the normal procedure as prescribed under the prevailing laws instead of using the short cuts for

**ATTESTED  
EXAMINER  
Peshawar High Court**  
30 NOV 2018

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congring their own person. They further prayed that the notification No. A-14 / SET (M) dated 11.12.2009 and Notification No. A-17 / SET (S) Contract-Apppt: 2009 dated 11.12.2009, as well as Notification No. SO(G) / ES / 185 / 2009 / SS(Contract) dated 31.05.2010 issued as a result of above noted impugned Act whereby all the private respondents have been regularized may also be set-aside in the light of the above submission, being illegal, unlawful, unconstitutional and against the fundamental rights of the petitioners. The writ petitions came up for hearing and vide judgment/order dated 26.01.2015, the same were disposed of in the following terms:-

- (i) *The Act, XVI of 2009, commonly known as (Regularization of Services) Act, 2009 is held as beneficial and remedial legislation, to which no interference is advisable hence, upheld.*
- (ii) *Official respondents are directed to workout the backlog of the promotion quota as per above mentioned example, within 30 days and consider the in service employees, till the backlog is washed out, till then there would be complete ban on fresh recruitments".*

3. After passing the above said judgment, the petitioners were quite hopeful regarding their promotion to the next higher grade being senior most employees but the respondents have again started recruitment process by advertising the posts of various cadres for initial recruitment in various Districts of Khyber Pakhtunkhwa and as such, the inaction of respondents squarely fall within the ambit of

APPROVED  
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Peshawar High Court  
31 NOV 2010

contempt of court and they are liable to be proceeded and punished under the law; hence, the instant petitions.

4. Respondents No. 2 & 3 have filed reply to the show cause and prayed for dismissal of instant petitions.

5. Arguments heard and record perused.

6. While deciding writ petition No. 2905/2009, vide judgment dated 26.1.2015 which has been upheld by the apex Court, the respondents-department was directed to workout the backlog of the promotion quota and consider in service employees for promotion against the vacant post, till the backlog is washout. In this respect record is suggestive that the backlog was worked out and by that time 2725 employees / teachers were in the promotion zone and as such were promoted. Moreover, by virtue of Regularization Act, 2009, Act No. XVI of 2009, 1766 employees / teachers got regularization and as such, when worked out, the promotion quota was fully exhausted. The judgment in this respect was not for all the times to come for promotion purposes. Once the promotion quota, which was given advantage, in view of Regularization Act, 2009, cannot be claimed again and again. By now it's the question of fact that as to whether any employee / teacher was not promoted and by that time when Act 2009 was enforced they were in the promotion zone. Even otherwise, once backlog was worked out and promotion was done then claiming seniority and promotion is the job of service tribunal.

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Peshwar High Court  
30 NOV 2018

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7.2 In view of the above, the instant as well as connected contempt petitions are disposed of in terms above.

Show cause notice issued to respondents is hereby recalled.

ANNOUNCED.  
Dated: 08.11.2018

Chief Justice

Judge

Newab Shah SCS (DB) Justice Waqar Ahmad Seth CJ & Justice Muhammad Ayub Khan J.

No. 15857

Date of Presentation of Application 25/11/18

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EXAMINER  
Peshawar High Court, Peshawar  
Authorized Under Article 87 of  
The Constitution Order 1985

30 NOV 2018