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.

ha Paul) (Fa Member (E)

\*Kåleem Ullah\*

AN AC

(Kalim Arshad Khan) Chairman 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 act, of negligence, carelessness, inefficiency, irresponsible conduct with 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.

> (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.

(Fareeha Paul) Member (E)

(dnan Shah, PA

(Kalim Arshad Khan) Chairman

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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  $\underline{\Pi} / \underline{\Psi} / 2023$  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) Chairmán (

27.07.2021

Counsel for the appellant present.

Mr.Javed Ullah, 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.

DB is on Tour case to come up

For the Same on Dated. 29.3.22

(Rozina Rehman) Member(J)

13-12.21

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29-3-2022

Proper DB not available the case is Adjourned to come up top the same us before ou 11-5-2022

11-5-22 Proper DB met analable the case is adjustened an 25-7-22

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01.04.2021

Nemo for parties.



Kabir Ullah Khattak learned Additional Advocate General present.

Preceding date was adjourned on a Reader's note, therefore, both the parties be put on notice for  $\underline{14}$ ,  $\underline{7}$  2021 for arguments, before D.B.

(Atig ur Rehman Wazir) (Rozina Rehman) Member (È) Member (J)

14.07.2021

Appellant present through counsel.

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

File to come up alongwith connected Service Appeal #.1230/2019 tilted Shamshad Khan Vs. Education Department on 27.07.2021 before D.B.

airman

(ozina Rehman) Member (J)

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

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.

Appending the sound of the soun

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.

Chairman

#### 20.01.2020

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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.

Chairmar

#### Form-A

# FORM OF ORDER SHEET

Court of\_\_\_

1232/2019

Case No.-\_ Date of order Order or other proceedings with signature of judge S.No. proceedings 3 2 1 The appeal of Mr. Sher Ali Khan presented today by Mr. Noor 07/10/2019 1-Muhammad Khattak Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please. REGISTRAR 2/10/19 This case is entrusted to S. Bench for preliminary hearing to be 2-' put up there on \_\_\_\_\_\_\_ CHAIRMAN

# BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

# APPEAL No. 1232 /2019

# SHER ALI KHAN

#### V/S

#### **EDUCATION DEPTT:**

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APPELLANT

#### THROUGH:

# NOOR MOHAMMAD KHATTAK, Advocate

ADVOCATE ROOM NO. 3, UPPER FLOOR, NEW ISLAMIA CLUB BUILDING, KHYBER BAZAR, PESHAWAR CITY 0345-9383141

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

# APPEAL NO. 1232 /2019

Mbyber Pakhtukhwa Sorvice Tribunal

Diary No. 1406 Dated 7-10-2019 Mr. Sher Ali Khan, SST (BPS-16),

GHSS Madyan, District Swat ..... ..... APPELLANT

#### VERSUS

- 1-The Government of Khyber Pakhtunkhwa through Secretary (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
- The Director (E&SE) Department, Khyber Pakhtunkhwa, Peshawar. 2-
- 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 Filedto-day 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 ₽U. egistrar seniority. Any other remedy which this august Tribunal deems fit that 10 / 18 may also be awarded in favor of the appellant.

# **R/SHEWETH: ON FACTS:**

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

That initially the appellant was appointed as PST in the 1respondents Department vide order dated 01.08.1987 and later on was appointed as CT vide Notification dated 10.11.1994.Copy of 

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- 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.** 

# **GROUNDS:**

- 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 SHER ALI KHAN **THROUGH:** NOOR MOHAMMAD KHATTAK MIR ZAMAN SAFI **ADVOCATES** 

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.-راک ایندرک Vail period و من دن مل اوا رود) ادم ما ان و ا ار میکن المیستر تک کوشل اور تبل دین ار معیدا اور میکن شناختی کارز کاد کاد کاد که بیند سا در معدد ته نسول در خواسک که ساته اند كرنى بي - ممكيداد كاموازكروه فما تلد التاري لينزليل بيد اولوادد يجن تم يداركاندو يجل شاخق كارواد ومتعانة كالمذاب معلى ساتنه لاست كالأبتد وكال داشی دانریکشر (سی ایند آر) INF (P) 2760 الأرض الينذسر ومنرفه يباد شمث بالسمرون Also available on www.nwlp.gov.pk نو*ن نمبر:0*20<u>190-9</u>2097 -0 به مدارس دخوا ند کی مسو بیم حد تقر حادی نواندگی بش تینودی سکولی بچرد (SST) B-16 و اور ۲۰۶ ، و سیستارست (SS) B-17 کی خال آ مانتری به خاامتاً مارض محشر کمک ادراد بن میرندگ بنیا، بر بیمان سمیلن 10 اکمبلند 107 اجرم ۱۹۹۶ میرد و مرتب مرف انترابید و نظر بداکا دیر ما تن www.onwip.com ، زوية مرف مويد مرحد ارد (۲۰ ت سكوني باشدون /اميدوادن، ( ۱۰ تين، دمزات ) مرکز معد باز مت مربر 13:5:21 ل کر فرقا کی ۲۵، یا چاک مردی کوشی یا ۲۰ کوب ۲: ۲: معال ۱۹،۵۱ کا ۲۵، ۱۹،۵۷ ایک ۲۰ ۲۰ کوب ۲: ۲: ۲۰ معال ۱۹،۵۱ ایک ۲۰ مود او می ایک ۲۰ مود می ایک مود می ایک موج کی آمدیک سته آن لائن در نواشيس طلو فمبتر ثار/ ، م آسامي کم از کم تعلیم قابلیت ل تسري من ج N 6 63 ليجه (سيترالغن فيجير المسيط الابان بالدي سأمش بغياءل أبديتيكنا زربزك إسيند جزل ر، <sup>ک</sup>ېرونه 1. 14 1. ايريس ا (ان ٹی ہے ہو<sup>ہ</sup> ی ملے ہو) . ا مرام (لالولیس بے دونی میل در) المر 17 کی 6، یا جال سردس میشن یا المراب المراک (مهار مناص ملکان میدن ک مراج کلسله تا مرد کرده امیده ادرو کی آروشک مرد ( ان میں بے این کی دونی کی دونی م من ان مي ج سي كدن الأسل المتعاقر JL 151 21:1/ مر البلان المسلم المار الرام المراجع المار المراجع الم المراجع ا لانكى: 40×2 × 40× مال موکن باک منذیز استاند اردن (لوت) استکن مروض مرور ایم اسد ایم (ان میں سے اوجن پہلے ہو) فرتمن ادبس ی نبی دراراتیں فاريت وے کے ہیں چکن ان سم سنری ما او می ) ى بيايا يوايون امیداردن کی مدر بستانی سے مشروط ہوں یم مرانا (1) این این فی ساله می کیل اسید داروا با این می ماز عمن مسترک ما ام می ( د دانوی از ) اور با می ( ا \_ بالی ) می م از م دومشایمن می باس شدد موما او دل ب - (2) موجر معداده خال معاد مم اور مك م در مك م د حسال رك دار ا ید ا الم مجری . (3) م ما ب امید دا دو ای کنتر رکان ۱۰۰ دانتر محدت مست کی میاد پرامید دار ب سکول سلم ایجن می السوش يمنى ماك الألبيات الى جانب وكى تاج الركمي مثل أوجعي عن مود ول المديد والدمو وو مراز والمرب عل أواجع ما سك امیددادین ک مینان ک مدیکن مر : ( ۲ تاش بزدار او ک - ( 4 ) ایک - سے زیادہ مغامی تی MWMSC ک زکری دک دالے امید دادایک سے زیاد، SS آسا میں (متعلقہ مغمون) کمیلیڈ دلک دلک خارم میں کرائیکے میں۔ اپنی زون عرمال آساس ل کی مدم د الله كالم مرمة عيما مياب اميد دار الكوم بي فك كمك براي في المكاب عمر يعبداني جرك والل جادل اد متعلقة دان ی مودن امیدداد کما مذم : (دوک ست شروط بوک - (5) اغروم که وقت دو مود پاسیوری ما تر مسدت تعدادم اد قرام اسل لى اساله بنداد اندام من المسلح المسلح المسلح المسلح المواجر المواجر في الماد من المام ومنا وجارية من ومدور المراجر المراجع اا ول بول م م م مان الكر دادي دفرا الدي موجر مرمد من مستقل بنوما دول بر تعينات اما قد دود فواست ويد ف الم الم من من ما ول می ماند به از است الماریند از مین مانید افرادی با این می مانید افرادی به این سال مرد می نين در الله 1.1 المراجع (2) الوال تدكول المرادية ( ما المراجع الدراري ) كما المراجع المراجع المراجع ( المراجع المراجع 12-۰i ميا بالمرب وق No tom 5-19-5. 5-بەر <sup>1</sup> بىلە 11 55C EAT 3 1 .... DATUS: MAGE 141 12 14 -10 O.Ed 10 k+ea Edu ADDUG IN IT IDARS I S.J. POBS Slage Above = 8 marks(Ph.D) ۱۱۰ المست انبرت المسماريا - ينفردى بعيب سنتراتكش كميري (1) من فير = 62 (2) اعداع - كوكي البردين « (3)اسا، (مرفقيش ا، ذكرين) سيد مرركردود بادو في المرجب الدونجيرون كالمنسيل مسب وبل مدك and Devision حرر والسبح \* 147 SSC. 12 DANISC :6 3-4 01-4 - D OVAHOCAL 10 M.Cd 51+04 . Steve AN اس امرک دمنیا است. شرور ک ب که اس اشتبار ، تحمت خز ب شو آداميد دارون كوينيا وى مراحات مثلاً لمى تيمن طب سروليات يغش وغير. فرانس وى الدرجة بالمريض بعل صر والم من المراجع الما ومساكم بالتاجة والم المروحية بترواحات والساكر فالملا مح . بمکما عدالت ست و زور <sup>1</sup>لندر کریتے کا به فدا میں ند ا ميددام من خوياات بأت . wenver enral an a com متر کریں۔ آن این اور بر کرت اور ان ان اور میں اور میں اور میں کا معلومات کا مرد اور اور اور اور اور دور اور دور محک کی محک کی حک نے دور اور محمد مرد اور نامید وار کرتا کہ این جارتی سے حکی کا معلم مال مود اور اور اور است مالی واجد داون کو انتراح بی میں کا جائے کا جس کی تعلیل 13 ایک 2007 مکا وجب سائٹ envelp.com بر شائل ک بالیم، عود میکند باده داند بادی بیمان مید جانی، مکانها متری از میری از بالی کام میار اورن کانین کے مدید یکن، ال بادی کرد مرتبطینی بی زن کر تالای بیمار کر میکنه میکا بنا به و پر وخوکم تادیک اندو یک اسد دادرن کون 300 مسلح ملی ATTESTED مى بولى كرد مدور ول تاريخ ب ماط بعد مدور 31-17: م دانه 30 بكذرى عال تمرز (SST) .2007 21 اکست 2007 ء م الله بالسور (المام) شده قام فوالا باراد مد فأرم اور معاجرت شف ورت . اميدوادا في معرمك الإلتكون ملدمه بالا و تب بل <u>ار .</u> ادمضه <u>ار المليه</u> ختان <sub>ام</sub> www.envtolormsst . . 1 ANE AS STORE STATE AND A ST معتمد فلريابه من ونواند قمس

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### 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. <u>Short title and commencement.</u>---(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. <u>Definitions.---(1)</u> In this Act, unless the context otherwise requires,-

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- (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



- (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 "adhoc 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. <u>Regularization of services of certain employees.</u>---All employees including recommendees 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:

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

4. <u>Determination of seniority.</u>---(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:

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<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

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. <u>Overriding effect</u>.---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. <u>Repeal.</u>---The North-West Frontier Province Employees (Regularization of Services) |Ordinance, 2009 (N.-W.F.P. Ordinance No. VII of 2009) is hereby repealed.

### JUDGMENT SHEET

<u>PESHAWAR HIGH COURT,PESHAW</u> (JUDICIAL DEPARTMENT)

Writ Petition No.2905 of 2009.

VERSUS.

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

JUDGMENT.

Date of hearing <u>26.01.2015</u> Appellant/Petitioner by Ghulam Vabi Khan Advorate. Respondent by Sardar Ali Raza Advocate & Wagar 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 thenotification No.A-14/SET(M) dated 11.12.2009 and Notification No.A-17/SET(5) Contract-Apptt:2009 dated 11.12.2009, as well as Notification No.SO(G)ES/1/85/2009/S\$(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, inconstitutional 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 lateron 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 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, the 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

service and having qualification mentioned

It is further stated in the comments that due to the degradation/fall of quality education the Government abaindoned 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, wa's 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.

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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)--

"contract aa) appointment" means appointment of a duly qualified person made otherwise than in accordance with the prescribed method of recruitment. b) "employee" means i an adhoc or a contract employee appointed by Government on adhoc or contract basis or second shirt/night shift but does not include the employees for project post or appointed on work charge

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

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<u>S. 3 reads:-</u>

Regularization of services of <u>certain</u> employees. employees including recommendee of the High Court appointed on contract or adhoc basis and holding that post on 31st 2008 December, 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

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 Authorites 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 statue 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 conductive to the public goods. The challenged

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Act; 2009, seems to be a curative statue 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 <u>N.S. Bindra</u> <u>in interpretation of statute, tenth edition</u> in the following manners:-

> "A statue which purports to confer a benefit on individuals or a class of persons, by reliving 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, İs called a beneficial legislations....In interpreting such a statue, 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

> > attested

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 render | the and 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 statues 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

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 Padiament.

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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

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 department to lay down method of appointment, а 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

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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

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

Since the Act, XVI of 2009 has been declared a 16beneficial 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.

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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 duly 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 workout to 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

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Order accordingly.

recruitments.

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

### IN THE SUPREME COURT OF PAKISTAN

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

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

•	Versus	r		
Attaullah and others.		b.		
Nasruminullah and other	,	· · ·		
Mukhtar Ahmad and other		*	1. T.	
	5.	· · · · ·	,	 nclent/r)
		•		 10011[3]

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

For the respondent(s): Mr. Ghulam Nabi Mr. Abdul Qayyur

Mr. Ghulam Nabi Khan, ASC Mr. Abdul Qayyum Sarwar, AOR

Date of Hearing: I

SUPREM

NA

20.09,20

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SEAL

20.09.2017 <u>ORDER</u>

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

Court Associate Supreme Court of Pakistan Islamabad

GR No: l/Criminal Date of Preser ation: No of Word No of Family 6 Reguisition ( Copy Fee in: Court Fee S Date of Co-Date of delive Lopy: Compared by/Prepared by: Received by

نیس بختونی الامانىنىڭ ، ئەيپۇيىش، بوسنىڭ ادرىرالىغراف بىچرزىيىچۈرز، انسىرىمۇزادرۇلىمۇزرىكولىترى ايك 2011ء ئىيىش بىختونخواكى زىرانىظام (مرداند/ زەند) سكولول شى دىرىد ذىل آ ساميال ئەكرىز كى لىخ تىبىر پىختونخواكے متعلقة اصلارغ كى سكونى اىل مەيدەلىرە بى 30 ستمبىر 6424 يىڭ

je.	یب سائن (http://www.nts.pk) پردستای ب مقرر دیاری ، گزرف یے بعد موسول ،ون والی در خواستون تابلیت	·	نام آسای	فبرثثار
JU35:21	سمی بحق فتلم محید ہ یوندر ٹی سے سیند ڈڈ ڈیزان بیچلر ڈ مری جس کے ساتھ در بن ذیل ددمضا میں لا زمی ہوں ۔	(SST)	سيحتذرى سكول فيحير	1
	(۱) سمجسشری میالو می ( دوالو بی یا پامتی )	•	بيالو جي/تيمسنري	
	(ii) - مسلم محمد دیکی نشد منابع دخی سے ایم اے ایجو کیشن یا ایجو کیشن میں چیکر و عمری به		BPS. 16	
JU35F21	(1) - کسی بحی تشکیم صید ویو نیورش سے سیکنڈ و دیژن بیچلرڈ گری جس کے ساتھ درج ذیلی دومضالین لازی ہوں ۔	(SST)	سيكنذرى سكول نيجير	
000121	(i)- فرس ميتحس A يا-(ii)- فرس ميتحس B يا-(iii)-فرس ،المفكس		ذ <i>ب</i> م <i>ایتخ</i> س	
	(2) - سمى بحى تسليم خد ديني ندر بل ب ايم اب ايجوكيش يا ايجوكيش من جيكر وترى -		BPS. 16	
し35721	(1) سمی بھی تسلیم شید دیو نیور بنی سے سیکنڈ ڈوریژن پیچلرڈ کرئی جس سے ساتھ در ن ڈیل دوسف میں لاز می ہوں۔	F	سيكنذري سكول تيجر	
000000	(۱) - انگريز في لازي، دوسيني كروب ياديكرمسادي كروب -		BPS. 16	
	(2) - مستمى بحواسلىم خد ديلي تحدر ش ب ايم اب ايجويكشن باايجويكشن من يجيله و تكري -			

یں ہے چک 200 میرات کی مشیم اس طرح ۔۔ کی جا کی ۔ (ب) - تعلیمی تابیت = 100 نمبر مس کی سزید تقسیم اس طرح ہوگی ۔۔	( ۱) يىكرىنىڭ نىيىت بذرىيە. NTS= 100 نىبر
فحل قبر	تعليى قابليت
مامل كردونير 20 تقسيري نير	لاركارك
ماصل کرد د نبسر 20x تقسیم کل نبسر	النيبات / النيباشين
ماصل کرد ونبر ×20 تشیم کل نبر	بیائے / ایمانی ک
ما مل كرد د نبر 15x تشيم كل نبر	الجاب / الجماليس ي

مامل کرد دنمبر 15x تقسیم کل نمبر

جامل کرد دنمبر 05x تقسیم کل نمبر

حاصل کرد دنمبر 05x تقسیم کل نمبر

ن النام چار ساله کودی کی مصورت می نبر دن کانتیسیم اس طرح دوگی ماصل کرده نیز X35 تقسیم کی تبر وجبکه ویشد دراندایم السابیجیکش کی صورت می نبر کی تقسیم الطرافته از طن بوگ -ایم السابیج کیشن حاص کرد دنبر 20x تقسیم کی نبر

**فوت**: (1) برسکول کی آسا می کے لئے علیمہ دیلیمہ دیر ندمسند مرتب کی جائی جس میں امید داروں کے NTS کے حاصل کردد نیراد (<sup>6</sup>لیمی کا بلیت کے نیروں کو کمی کیا جائیگا۔ (2) براد میددار سے NTS نی در نداست فادم 300 دوسیے جارت کیا جائے گا۔ اگرایک امید دار5 سکولوں کے لیکے در تواست دیکاتو ایمن سے 800 دوسیے میں NTS می درج کی بیکھ ۔ جو کہ امید دارخود پر داشت کریں گے ۔

(3) - NTS نسب من 40 قيمد تمبر ليماضروون ب-40 فيمد - كم تمبر لينه والا اميدواد ناش تصور بوكا ادر مير - لسب عن شال مين وكار

نى ايم / ايم ا\_ايح كمش

ايمايلر / ايمات ايجركيش

ايم نل / بي التي ذي

عصوصی مشر اشط: - (1) قام تر ریال سکومت نیبره پختونوا بر مرد و انین کرمطابق نیاد کاتر دی Initial Appoinment کے 25 نیسر

حمد رقيق ختك أذائريكتر ايليمنتري اينذ سيكندري ايجوكيشن خيبر يختونخوا يشاور

سیر موجو الالانت ، ذین سین می سند الالانت ، ذین سند مان بوسند الد مراسترا ف تیم در ، بیم رد ، استرنش داور دانش در بادین کار این است مر 4 این سیستر ما الا است مر 4 این سیستر ما الا است مر 4 این سیستر ما الا است مرد الدن الموجو من میر 2017 م بخونو استر معاد مرداند از ناخام (مردان از ماند) سلولوں من درجد فی آسام ال پرکر نے سلینے خیر محفونو الک متعلقہ اصل کی سلوق ال امید دارد است محذ ، فارم مرد دور 20 دم 2017 م سیست بالد مرد مارج محرف محالی مطلوب میں - درخواست فارم (NTS) کا دیب سائن (http://www.nts.org.pk) پر دستیاب ب - مقرره تاریخ محرف محد محد الله می مرد الدی المود محد محد الله می مرد الدی سیند مرد الله می موند ال

إبالكار	ر فور جمل کر	رخواستوں
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<u>.</u>

1	المبت	. <u></u>	<u></u>	טרוֿרָנ	(31)
ل-35119	ذیل دومفاجن لازی بول-(i) کیمشری، میالوی (زوالوی یا بانی)	ىنىۋ دېرىن بېلر ۋىرى جى بے ساتىددر ن	لى بى حليم شد ، با خدر ش - ي	سکول محجر (SST) بیالو ی / (i)	
	-Und Juc-RITI	لازى ثرينك مكوى ادارون E/PITE	سلیشن اورتغر ری ہے بعد 9 ماہ ک	بشرك-16-BPS (ii)	
JL-35E19	ن ذكر دومشاعن لاوى بول (i) فرس بيخس A يا (ii) فرس بيخس B يا (iii)			سکول شچر(SST)فزش/ (i)	
·			، المطلس		
	-Jud J. Und-RITI	رادى ترينك مكوى ادارو UPITE	سلیشن ادرتقررک کے بعد 9 ماہ ک	(ii)	
JL-35t-19	ذیل دد مضایین از می بور - (۱) انجریز مالازمی ، بومنینیو کردپ اد رکرمسادی کردپ -				3 سیکنڈرک
	- South Concert	ن لازی فریند کوتی اداردن E/PITE	سلیش اورتقرری کے بعد 9 ماہ ک	(ii) BPS-16	
<u>ب</u> ر د	سے کی جائیگی .	200 نمبراټ کې چَٽسيم اس طرح	یٹیریا درج نیل ہے ۔ کل 0	اساتذہ کے سلیکشن کیلئے کر	یشن کریلیزیا:
لتسيم كم نمر بحكه مر	لى الى ماد مالدكور كى مودت عن فم ود كانتسيم اس طرح موكى - حاصل كرده فمر 40x		ملیحاة بلیت=100 نمبر	رويعه NTS=100 نمبر (ب)	) سرينگ شين با
	وراندا يم اسطابي يمشن كامورت عمى فمركة تسيم اطريقد ويل موكى-	6 11 11			1
•			هلي البيت	کل قبر	هليم تابيت
,	المجاب الجريش حاصل كرده فبر 10 تحتيم كل فبر (5 فبر لي الم +15 مجالي)	ماس كرده بر 20x التيم كل بر	الغداے/ابغداليمري	حاصل كرده فبر 20x تعسيم كل فبر	الیںالیماک
الدن^NTS	المعنى: (1) برسكول كي آساق كيلي عليمه وطيحه وحرث لسف مرتب كما جا يكى جس بير اميدو	ماس كردونمبر 20x تشيم كل فبر	المما _/الم الحرى	مامل کرد فبر 20x تشیم کل فبر	ا_/بی ایس
وفمير ليتاضروري	ارم المراد (منعی قابلیت سرون کون کیا جائیا - (NTS شیب م 40 نعد	ماس كرده نبر 05x تتيكل نبر	ايمايد/ايم المايج كيش	ماس كردو نبر x 05 تعميل نبر	ليال
. `	-40 فعلو م مير الن الدار الدار الل تصور موكادد مرت است ع مثال في موكا-			مامل كردو نمبر 10x تقسيم كي نمبر	101381210



### در خواستیں مطلوب ھیں

نخونو الایمنٹ ذیبی میں نوسنگ اورزانسفر نیچرز تیخورز نمسز کنز زادر ڈاکٹرز رکیج لینری ایکنہ 2011ء سے سیکٹن نیسر 4 کے تحت مخط المیمنحر می ایند سیکندری ایج کیٹن نیسر پختونو الے تقام (مردن از مان) سکولوں میں درجہ ذیل آ سامیاں پر کرنے کیلیڈ خیبر پختونتو اے متعلقہ اعتلاع کے سکتی ولی امیرواروں سے تجزودہ درمی 2014 میک درخواستیں ب جی درخواست قام (NTS) کی دیب سائٹ (http://www.nts.org.pk) پادستیاب ہے مقرم دہارتی کز رہے کے بعد موسول ہونے دلکی درخواستوں پر قور میں

, 1	ة <u>بل</u> ت	ي ترياني	
	اسی بحی صلیم شد و بو نیورش بنه بیند ذویدن بینکر ذکر ن جس کے ساتھ در نہ ذیل د بعضا مین لا زمی ہوئی ۔ ایر کم بین از ایک میں اور ایک ایک ایک ایک میں ایک میں کے ساتھ در نہ ذیل د بعضا مین لا زمی ہوئی ۔	سَيْنُدر بْنُ سُلُول تْحِير SST بالوق	
	ا) کېسنرې ميانونې (زوانونې ايونې )	ا تيسندي BPS 16	
35	🖬 کسی محقق محمد و بو خدر بنی سته ایم اسه ایم کیشن یا و بحو کیشن چک چکو و تر بی		
	1) <sup>ا</sup> ی بمی تسلیم شد دیج نیور بنی سے سیند فر دیرٹن بھلر لو کرنی جس کے ساتھ درج ذیل دومضایت لا زمی ہوں۔ ایر کم مسلیم شد دیج نیور بنی سے میں	سَيَندُ رِي سُلُول نَ <b>ج</b> َر SST	
1	ا ایز کم میتر مس A یا (۵) فوس سیتم ساط یا (۱) فوکس استیکس طارون و پی دوسکایین کاری بول - ۱) فوکس میتر مس A یا (۵) فوکس سیتم ساط یا (۱) فوکس استیکس	ف <sup>زر</sup> ر المتحسر BPS 16	
35	2) کی محک سلیم شدوی بندر تک ب ایم ا با ایج کیشن یا ایج کیشن شمی تیکر و کرج		
+	1 ) کسی می تسلیم شد دیج ندرنی بے سیکند زورین بین و کری جس بے کم ساتھ درینا ذیل دوسفه ایمن اور زمی ہوں۔ 	سَيَندُ بن سَوَل بح پر SST	
21	۱)انگریز ی لازمی بوسیطیر کروپ یا دیگر مساوی کروپ (2) سی محکی طادری در بادوسیا می لادی بول. به برد می لازمی بوسیطیر کروپ یا دیگر مساوی کروپ (2) سی محکی تشنیم شدوم خدری ب ایم ا ب ایج کیشن یا		
-35	الجوکیش می چکرد کرد. الجوکیش می چکرد کردی	ι	
	ل بن أك 200 نبوات كي شيران طربة كى جائر كي أ	بالساما قذوك سليكش كرييخ يادرن فأ	1.1
	(ب) تعلیم] بلیت=100 نیږمس کی مرید شیم ای طرن بوکی	نیست شریح NTS=100 نیر	رينك
		تعلي کا بليت	
- <i>.</i> .	ما مل کرد د نبر 20x متسم می نبر	المرائيمي	
	بالی کرده کرد. این از ۲۵ میلی کرد. سالی کرده کمبر 20 مسیم کی کمبر	التيب - اللي ال	
	A THE ZULF WILL A	بى ا _ كولى الحرار	
	7.07- Z0X7.377.0 V	اليم السراي لا اليم أيس	
		في المداريج الم	
		الم المرالي (الم) المست المكوم	

ایم بنی این تکاوی ب با رساله کورن کی صورت میں نبیرون کی تقسیم تی طرن ہوگی جامل کرد ونمبر 35% تقسیم کی نبیر جبکہ چنا درندایم اے اس سابح پیش مامل کرد دنمبر 20% تقسیم کی نبیر جہ سر جالہ کہ تاریخ کی اور طب سا

1 بر مکول کی آسامی تیلے ملحد و میرند کسن مرتب کی جائی جس می امید دارون کے NTS کے حاصل کرد و قبر اورتعلی قابلیت کے قبر دن کو نیچ کیا جائے گا۔ 2) بر اس سے NTS فی درخواست فارم 300 د بے جارت کیا جائے گا، ترایک امید دار پالی سکولوں نے لیے درخواست د ساک توامی سے مرف 800 د بے بی NTS چارت کر ہے . مید دارخود پر داشت کریں گے۔

محکمه فقق خنگ <sup>بالا</sup> بالزیک ایک منتر می ایند سیکند رمی ایجو یکشن خیبر پیختو خواد تجری گارد نزیشاور

Fac SST

ی پر پختونخوااپواکمتن ڈیپ یٹن پر طبیک اور ٹرانسفر آف ٹیچرز لیکچردز'انسراطرز اور ڈاکٹرز ریکولیٹری ایکٹ 2011ء ۔ یکٹن نمبر 4 کے تحت محکمہ ایلیمنٹر می اینڈ سیکنڈری ایجوکیشن خیبر پختونخوا کے ۔ با انتظام ( مردانہ/ زمانہ ) سکولوں میں درمیہ ذیل آسامیاں پر کرنے کہلیے خیبر پختونخوا کے متعاقد اصلاح کے سکونی اہلی امید داروں ہے مجوزہ فارم پر 5 جنوری 2014ء تک درخواسیس مطلوب ہیں - است فارم NTS کے دیب سائٹ (/http://www.nts.org.pk) پر دستیاب ہے متعاقد اصلاح کر من کے بعد موصول ہونے والی درخواستوں رغورتیں کیا جائیگا۔

· · · · · · · · · · · · · · · · · · ·		/	
عمر	ة بليت	ぴーゴド	نمبرتجار
35121	مینی بند. ممینی بندی بندایی مشد و یو نیورشی سته به بیکند د ویژن بیچکر د گرمی جیسکے ساتھ درج ذیل دومضا مین لازمی ہوں	سيکنڈري سکول ميچر (SST)	1
سال	(i) کیسٹرئ بیااوجی ( ذوالوجی پاپائٹی ) (2) کسی بھی شہرہ یہ نیورٹی ہے ایم اے ایجو کیشن میں جیلرڈ گری		1
35521	م من	سینڈری کال کچر (SST)	2
-نۇل	(1) فور من مستحس A یا (۱۱) نور سر کار این فون در اعمیککس (۲۲) می صح سلیم شده یوند است ایم اسرایجو کمشن میل بیچر دگری	قۇ <i>كى ئىتىتى</i> BPS-16	
35t21	مسمسی بخت سلیم شده ایو نیورش به سیکیند دو برزن تککر دشت ساتمید درج زیل دومضرا مین لا زمی ہول	سیکنڈری کول شیچر ( (SS)	3
سال	(١) انگریز زمالازی ، وسیطیز گروپ یادیگروپ (2) کسی بهجی تسلیم شده یو نیورش سے ایم اسے ایجوکیشن ماایجوکیشن میں بیچلرو گرم		

اساتذہ نے کیلیٹن کیلیٹے کریڈول ہیں کل 200 نمبرات کی تشیم اس طرح سے کی جائی (ارسکریڈک ٹیرٹ بزدایہ NTS = 100 نمبر ۔ ب- تعلیمی قابلیت = 100 نمبر بردیسکی صوبہ تقاسیم اس حلوم عوکمی

کل نمیں	تعنيمى فابليت	كل شهذور	تعليمى فالبليت
حاصل کردہ نمبر ×15 تکشیم کل نمبر	بن المد/ ايم ا _ اليجو كيشن	حاصن کرده نمبر بادی : این به کل نسر -	الير السري :
حاصل کردہ نمبر 05x تقسیم کل نمبر	· ایم ایز / ایم این ایکوکیشن	جاصل كرده بمبر بين يتم يك فبر	ایف ایے 'ایپ ایس کمی
حاصل کردہ نمبر 05x تقشیم کل نمبر	135 USENU / FAIL	واعل كرده براي المح بال فير	لى ايم المالي المحمد
	سل کرد : بسر) د15 تقسیم کل مبر		ايم اين في

ی:1- برسکول کے آپنای کیلئے علیحدہ علیمہ میرٹ کسٹ مرتب کیا جائی جس بلی امیدوارون کے NT6 کے حاصل کردہ نمبراور تعلیمی تابلیت کے نمبروں کو تیج کیا جائے گا۔ - برامنا داریک: NN فرد محواست فارم 300 روپیہ چارج کر یکا بیٹو کدا سیددار تو دبردانشد، کرینگے۔

ای شرائ (۱) نتام تشریبان محد بیر پختو تو اسم دورون کی مودندگای می نید بادی انترزی (۲۹ معاد المعاد علی المعاد المعاد می دوارون کی مودندگای می دورد المعند المعاد المعاد محد مداول کی مودندگان می دوارون کی مودندگان می دواندگان می دواندگان می دواندگان می دواندگان می دوارون کو مردان می دوارون کی مودندگان مودندگان می دواندگان می دواندگان می دواندگان مودندگان می دواندگان می دواندگان مودندگان مودندگان می دواندگان می دواندگان می مودندگان می دواندگان می دواندگان می دواندگان می مودندگان می مودندگان مودند می مودند المی دواندگان می دودندگان مودندگان مودند می مودند می مودند می می مودند می مودند مودند مودند مودند مودند مودند می مودند مودند مودند مودند مودند مودندگان مودندگان مودند ان مودندگان مودندگان مودند م می مودند مود می مودند م مود مودند م

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### (ITFILE OF THE DISTINCT LEHEATION OFFICIAL (MAGE) SWAT AT GULKADA

PHONE-FAX 9230228 E-Mail <u>deomonal/E-mail.sour</u> www.maile.sed.cdu.pl

### NOTIFICATON

Consequent upon the Notification issued by the Director of Elementary & Secondary Education Klyber Pak-humbbwa Peshawar vule tris office Ender No.2669:34/3/de NS<u>USS [/Promotion\_SST][1]</u>[6-Dated (Peshawar)][6:22-62-2019 (The following SST3)[Whose services were placed at the disposal of DEO (M) Switt 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 affore mentioned nonlication of the Director Elementary & Secondary Education Shyber Pakhtunklinya, Peshawar with immediate effect

5: J	Name	Present Seliaal	School Where adjusted	Remarks
1	I SAID FAMAL CT	GUSY KOWAZA KULLA	BISS MADTAN SWAT	AGAINST VAEART POST
:	INDAM GLIJAH, C.F	UNS LUAUNA SWAT	GHS FARIO SYVAT	ngadiyi və cadit form
3	SAREAKDAR SDATG-ST	I GES BALUGIGAN	. GH1 15H605A6	AGANTEL VACANE FULL

School-Where S:# Sime Present School Remarks alliuster HAZRAT HUSSAIN ACT LUS MANYAR SWAT CIESS MADYAN T. ATAUNTEVALAST (US) LARDER AUMARSCI GHS MASYASOWAT GHS STORAM AGAINGT VACANT FOTT 5 JASTU KIAN, SCI CHESTADAT STAT CHS CATSHAW OF AGADISE VACANE POLL ANWAR ULL SHLFSHT GPS MANGAR MOLT GUS QANDIL. 1 ACAUSSI VACANT NIST TKRAM ULILAH, PSHT GPS JURIASUALSWAF GHS RAHAT KOT 4CANISTV4C=NT 2011 1 7 ROMAN ALL PSUA LPS MARING M (M) CHS CHAIL AGASSSI VACANT POST

ST (GESERAL)

SU	Same	PresentSchool	Schoolawhers fullested	Rewarks
1	AZIZAMMADACT	CHS COICDAM SWAT	GINS DALOGRAM	AGAIRCE VASAILE POST
:	AKHTAR IU-SSAIN SCT	GHSTINBINAC	GUS TINDODAG	AGAREST VACALIT POLI
1	MUHAMMAD NABLSCI	CHSS SDRANR SWAT	CHIS SHAWAR	AGAINST VACANT POST
4	LAMSHED KRAS.SCI	GHS CHAN, SWAP	GUS CHANL SWAT	AGAINST VACATLE POST
5	MAUSOOD ANNAD SET	GUSS CHARDAGH	unss chanasch	AGAMESI VACAMI POLI
ĥ	ASWAB ULLAH SCT	GIS CHUPRIAL /	GIIS SAMBAT	AUAMEST VACARE POST
4	TAZAL HASIKED SCT	CIUSS AUDITA SWAT	GM5 TALANG	AGAISST VACANT POST
9	SAUAR KHANSCT	CHSS MINGORA	CHES MINCONA	AGACHST VAEANT POST
19	HAD SHAIL KHAN.SCT	CCMUSS WADUBLA	DIE GUALERAT	AGREST VE ANT PUT
11	VZIZ AHMADNCI	CUB UDIGRAM SWAT	OUSS ODIGUAN	VICESHO IS (Consectantial)
<b>U</b>	ANZAL SHAH SUL	THISS KADAL SWAT	CH3 TALASDAL	AGAINTS FREAKT POST
	TAKIT ALAMASCI	CHS NAWERALAY BABEROT	) GHS NAWEKALAY ) BARKOF	AGAINTS VEGANI POUL
1(	MUTLAMDIAD RAHMANSCT	GIISS KARAL SWAT	OUSS DEOLO	ACADIST VACANT POST
<u>1</u>	SHERALIKHANSCO	GUSS MARYON SWAT	& GHSS MAOVAN ; TH	MAUASIST VACANT. POLS
16 *	AIAPLEAN KHAN SCT	GUN SHAÇALSWAT	GUSAMANNOT	AGAMIST VACANT MIL
	MURAMMAN MUNIRSCT	CHSS BARINOT SWAT	GINS BARKOT	AGAINST VACANT FOST
13	GIA, PARVIZUSCI	CHENAZAR ABAD	UIS SALAN AUAO	ACADIST VALADIS FOR
<u> </u>		CHISS NO. 3 MINGORA	GIRSS CH OURACH	en la persona a persona interreporte a la persona interreporte de la seguina de la s

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<u>.</u>	Samu Thusson	LINS SHANGALSING	LINSADANDAM	ACANDI ACAGI POST
	SIFILI MARAN X ABAD	CAIN SWE CALAESWAT	GUN SWLGAL M	AGAINST VACANT (20)
	MARASU AMAN 14 FAILINIA VACT	GHNYLAHAL SWAT	CHSS BEDA SWAT	AGAINT VACANT FUT
- i	PATERPH BARMAN SUT	GUSS ABOUA SWAT	GIRS EHAZANA	ACAHIST TALANI PELS
	ALANI GLOSUT	GUN KOTT AFNSA I	GIN FORM	ARABUST VACARE POLS
		LASS CHABLACH	CRSS CHAUMAGH	AGAINST WACATT POST
·	ACAM ZERNCH	الم		ACAPAT VACANS FON
	AZIZURITARI SCI	GUS KHAZASA SWAT	GUN KHAZADA	
	MIAN GPT. HL. HAR P.S.U.	GENNOLIMENGUHA	CDN S014 NUMERORS	ACARISE VACANE POST
	SARIJAH HESSAECTSHT	CPO NO. : MANLCON	HIS BANJOT	ACAUNST VACANT POST
	VODSAT KILAN, PMIT	GPSSIINGARDAIL	GUS GREDAIG	ACAINST VACAIN PUST
10	PAZAL SURHANJ SHI	GFS AIL HAQAY MIAWAR	GAS DURISH NULA	ALANIST VACANS POST
31	YOSAF KHANDSHI	GF2, TIKOAIGA	GIS GULIUAGU -	AGASHIT VACANT DOLT
<u>):</u>	FIDA HUSSAUN, PSIET	GPS, PANAR SWAT	CHS SLER	AGAINST VACANT POST
1)	FATAL SHURAN, PSHT	GPS, GUGAR TANGAY	GAIS SECR	AGALEIST VACANT PUST
34	FERRIZ SIBAR, ISH	CPS, PAROUNA, SWAT	GUS TOTANO DANDAL	AGAUST VACANS FOST
15	FAWAD , PSIO	GFS DADAILARA SWAT	CUSS DEOLU	AGAINST VACANT POST
16	MURAMALAD ZADA.	GPS SAOAR MAR	CUS HANJOT	AGAINNY VACADE POST
37	1501 RAMING AUMAD, SUM	GIIS DANJOT MVAT	1211 44.55 511174216.98	AGAINT VALANT FOR
11	AMIR MAIMOOD,SUM	CINESUAGALSWAT	UIIS JAMBII.	AGAINST VACANT PUNT
31	NUDA QUALAMMAN SILM	GUS JANO SWAT	GIB TARGEAS	AGAGIST VACATIS PUSE
.5	TAWAUALISAT	CHS DASUALSWAL	CHIES SINCHAM	Adamst Vacant POST
	SIATICLEARSAT	CHIS SPOPURA SWAT	GHSS SARHIUS	AGAINT VACARL -UST
	AUAN TAHIR JANATI	GUS ISLAMPUICSWAT	GUS MANGLOR	ACAHEST VACANT POLT
1	ZJA-UA-HAQSTT	GUSS NO J MUNGORA	GASS CICCULACI	ACAUNT VACANT POST
	HASHIDAIIMADAFT	COS ABÚDA SWAT	GUS PAURAL	AGAHIST VACANT POST
43	SATHERLAUS OART -	GNIS ALAMGANJ	GIES CITABLICIT	AGAINST VACANT POST
1	LABDEL SATTAN SST	CHSTUBBRAN	I GHS MANYAR	ACAIRCE VACANE POSS

/Promotion/SST Swat Endst: No

(NAWAB ALI) District Education Officer (Mate) Swat at Guthada

/ 2019 Dated

District Education Differen

gla.

(Male) Swin av Go

Copy ferwarded for information and necessary action to flier-

atteste

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

UG/-

S.NO:	110
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1 S.NO: 110 Page NO: 23 FINAL SENTIOTY LIST OF CTS O/O THE DISTRICT EDUCATION OFFICER M) DISTRICT SWAT UPTO 31/05/2018

		FINAL SEMRIO I Y L	IST OF	010/0	THE DIDINIC	I LOUCA	-		, <b></b>		
[	The standard standard						1. 1. 1.	1	D/O.1st Apptt:	Date of	Seniority position
	Name of ,		Desi	÷ .			Aca			apptt: 7	D/O taking over charge
S.N	lo Teacher/Qualification	Eashar's Name	ansti	PBS	D/O Birth	Domic	demi	Protess	CD/O 1st	against	as CT or D/O
Ne	willing academic I	a second s	on		/ Domicile	ile	127.73	ional	Apptt.	Present	declaration CT Exam:
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	pioressional				10558		125.057	3 S A -	要素的なな	post	
1	Hamayun Khan	Khairullah	SCT	10	4/10/1904	Swat			5/0/1504	5/0/1504	
2		Muhammad Kamal	SCT	16	4/1/1961	Swat		CT/B.Ed	5/3/1986	5/3/1986	
3		Muhammad Junain	SCT	16	3/15/1966			CT/B.Ed	10/11/1982	10/11/1982	
4		Umar Bakht	SCI	16	3/3/1961		1	CT/B.Ed	8/1/1982	8/21/1982	
5		Swal Fagir	SCT	16	3/4/1962		MA	СТ	9/17/1987	9/17/1987	
6		Mahmood Khan	ŜCT	16	1/1/1960			ст ;	11/6/1982	11/6/1982	
<u>-</u>	· · · · · · · · · · · · · · · · · · ·	Said Mahmood	SCT	16	2/3/1959		BA	СТ	8/17/1980	1/8/1988	
8		Fazal Rahman	SCT	16	2/7/1960		MA	CT	7/10/1982		
9		Amanullah Khan	SCT	15	3/1/1965		MA	CT/B.Ed	1/15/1985		
10		Muhammad Zarin	SCT	16	5/11/1.962		MA	СТ	3/9/1982	9/17/1989	
11		Abdul Ghafar	SCT	16	5/4/1963	Swat	MA	CT/B.Ed	7/20/1982	10/1/1989	
12		Fazal Ahad	SCT	16	1/1/1961		MA	СТ	11/13/1984		
$\frac{1}{13}$		Tota	SCT	16	10/1/1964	Swat	MA	СТ		11/15/1983	
14		Hakim Khan Mian	SCT	16	1/1/1962		MA	CT	3/1/1988	3/1/1988	
15	the second s	Abdul Hamid	SCT	16	1/4/1961	Swat	MA	<u>Ст</u>	6/1/1988		
16		Badish	SCT	16	3/1/1963		B.Sc	СТ	2/6/1990		
$+\frac{1}{17}$		Hazrat Ahmad	SCT	16	2/3/1964	Swat <sup>*</sup>	MA	CT ····		- 2/8/1990	
18			SCT	16	1/1/1959	Swat	MÃ	CT/B.ed	4/18/1983		
19		Ghulam Nabi	SCT	16	3/12/1968	Swat	MA	CT	12/8/1990		
20		Pir Dad	SCT	16	4/9/1965		BA	Ċ	12/9/1990		
21		Zirat Gul	SCT	16	2/8/1963		MA	CT	12/11/1990	12/11/1990	12/11/199
2		Fazal Khaliq	ISCT	16	4/4/1969	Swat	MSC	CT/B.Ed	12/11/1990		
2		Gul Mahmood	SCI	16	12/12/1964	Swat	MA	CT	5/6/1986		
24		Umar Zada	SCT	16	1/1/1966		MA	CT	5/4/1986	4/5/1986	
2		Sultan Mehmood	SCT	16	1/1/1964	Swat	BA	ĊT	11/5/1986		
20		Khisat Gul	SCT	16	8/1/1962	Swat	BA	CT		11/24/1986	
2		Alam Zeb Khan	SCT	16	4/1/1963		MA	la la	4/2/1987		
1 2		Abdur Rashad	SCT	16	12/9/1961	Swat	MA	ICT		11/24/1984	10/22/199
		Ghulam Muhammad	SCT	16	5/15/1964	Swat	BA	CT	3/11/1985		
5		Mashoog Ali	SCT	16	3/20/1959	Swat	MA	СТ	5/6/1986		
5		- Bakht Zad -	SCT	16	1/10/1967	Swat	FA	CT	5/17/1987		
3		Afsar Khan	SCT	16	2/2/1961		MA	CT	3/1/1988		
3		Muhammad Zareen	SCT	16	4/2/1964	Swat	BA	ст	6/1/1988		
34	<u> </u>	Tota Mian	SCT	16	5/15/1963		BA	CT/B.Ed	9/22/1987		
3		Ahmad	SCT	16	3/2/1967	Swat	BA	α	8/14/1992		
3	•	Habibur Rahman	SCT	16	3/10/1968		MA	CT/B.Ed	9/2/1986		
3		Shah Rome	SCT	16	4/8/1966		MSC	CT/B.Ed	9/2/1992		9/2/199
3		Malak Sherin	SCT	16	1/1/1962	Swat	MA	CT	4/23/1988		
3	•	Ghulam	SCT	16	5/1/1963		MA	CT/8.Ed	4/17/1988		
4		Hazrat Jee	SCT	16	4/14/1966		8A	CT/B.Ed	11/1/1986		
	1 Bakhtyar 3rd Divi	Bacha	SCT	16	7/3/1964	Swat	BA	CT/B.Ed	1/20/1990	1/20/1990	4/29/199

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### FINAL SENRIOTY LIST OF CTS 0/0 THE DISTRICT EDUCATION OFFICER (M) DISTRICT SWAT UPTO 31/05/2018

<u> </u>		Finacoentro	li internet	<u></u>	<u></u>	jr					
-	Name of		-	·	· ··· .				23.89	Date of	
SNO	Teacher/Qualification		Desi		D/O Birth	Domic	Aca demi	Profess	D/O 1st a	apptt:	D/O taking over charge
New_	academic /	Father's Name	gnati	PBS	/ Domicite	_ile	demi	ional	D/O 1st a Apptt	against	as CT or D/O
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42	Ashraf Ali	Hazrat Ali	SCT	16	5/12/1965		MA	CT/B.Ed	5/8/1993	5/8/1993	8/5/1993
43	Shah Bakht Rawan	Umara Khan	SCT	16	1/7/1964		MA	СТ	9/24/1989	9/24/1989	12/25/1993
	Muhammad Hamayun	Faramoz Khan	SCT	16	1/2/1965	Swat	BA ,	CT .	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	СТ	11/29/1989	11/29/1989	-12/25/1993
47	Bakht Muhammad	Muamber Khan	SCT	16	1/16/1967		BA	СТ		11/30/1989	12/25/1993
48	Noor Rahman	Jumma Gul Khan	SCT	16	5/1/1965		BA	<u>CT</u>	12/4/1989	12/4/1989	12/25/1993
	Mehboob Ali	Amir Rahman	SCT	16	2/1/1963	1	BA	α		12/12/1989	12/25/1993
	Muhammad Sadiq	Qalandar	SCT	16	9/11/1965		BA	CT/B.ed		12/14/1989	12/25/1993
	Maqsood Ahmad	Dawray	SCT	16	6/5/1963		MA ·	CT/B.Ed	12/17/1989		12/25/1993
52	Shuja Mulk	Said Karam	SCT	16	12/3/1966		BА	CT	10/3/1989	1/4/1990	12/25/1993
	Alamgir	Sadbar Khan	SCT	16	1/20/1960		MA	CT/B.Ed	6/10/1990		12/25/1993
_54	Anwarullah	Hasham Khan	SCT	16	3/1/1969		MA	CT/B.Ed		11/10/1994	11/10/1994
55	Fazal Hameed	Fazal Wahab	SCT	16	4/15/1969		MA	CT/B.ed	11/10/1994		11/10/1994
	Nadar Khan	Mian Said Buhar	SCT	16	3/3/1966		MA			11/11/1994	11/11/1994
57	Bad Shah Ikhan	Amir Rawan	SCT	16	5/1/1965		MA	CT/B.Ed		11/12/1994	11/12/1994
	Sher Bahadar Khan	Gul Zaman	SCT	16	1/1/1964	Swat	BA MA	CT CT/B.Ed	11/10/1994	12/12/1989	11/15/1994
	Aziz Ahmad	Muhammad Rashid	SCT SCT	16	2/2/1964 5/12/1967		MA		11/10/1994		11/15/1994
	Afzal Shah Bakht Alam	Badshah Zada Ghulam Qadir	SCT	16 16	3/20/1969		MA	CT/B.Ed	11/15/1994		11/15/1994
	Muhammad Rahman	Sherin Jalal	SCT	16	2/1/1965		MA	CT/B.Ed	· · · · · · · · · · · · · · · · · · ·	11/16/1994	11/15/1994
	Sher Ali Khan	Sadar	SCT	16	2/11/1968		MA	CT/M.Ed		11/16/1994	11/16/1994
	Ziaullah Khan	Muhammad Alam Gul	SCT ·	16	7/20/1969		MA	CTB.Ed		11/16/1994	11/16/1994
	Muhammad Munir	Habibullah Khan	SCT	16	4/2/1964		MA	CT/B.Ed		11/18/1984	11/18/1994
	Gul Pervize	Rahmani Gul	scr	16	1/20/1965		MA	CT/B.ed	11/21/1984		11/21/1994
	Abdul Qadoos	Ghulam Khaliq	SCT	10 16	6/5/1964	0	B.Sc	CT CT	5/12/1992		11/24/1994
	Sarir Ud Din	Fazal Wahid	SCT	16	3/26/1963		M.Sc	CT/M.Ed	11/27/1986		12/20/1994
	Muhd Zahir Shah	Azizur Rahman	SCT	16	12/2/1960		MA	CT/B.Ed		12/21/1994	12/21/1994
	Muhammad Ghafar	Khan Bahadar	SCT	16	2/27/1961		MA	cr		12/21/1994	12/21/1994
	Amanullah Khan	Sakhi Rawan	SCT	16	9/12/1961		MA	CT/M.Ed		12/21/1994	12/21/1994
	Sher Azim Khan	Taj Muhammad Khan	SCT	16	9/9/1958		MA	CT/M.Ed	9/28/1988		12/21/1994
73	Fatehur Rahman	Fazal Rahman	SCT	15	2/2/1969	Swat	MA	CT/M <sub>t</sub> Ed	6/24/1987	12/22/1994	12/22/1994
74	Rafiq Ahmad	Hermooz Khan	SCT	16	1/1/1965	Swat	MA	ст	9/29/1988	1/10/1988	12/25/1994
75	Alam Zeb	Abdul Jabbar	SCT	16	4/15/1965	Swat	BA	CT/8.Ed		12/25/1994	12/25/1994
76	Inamullah Khan	Muhammad Karam	SCT	16	1/1/1968		MA	СТ			12/27/1994
	Alam Zeb	Bughdaday	SCT	16	1/1/1960		MA	CT/M.Ed	12/27/1994		12/27/1994
	Azizullah	Haji Muhammad	SCT	16	2/16/1964		MA	CT/M.Ed	9/26/1988	1/1/1995	1/1/1995
	Amjad Ali	•	SCT	16	4/10/1966		MA	CT/B.Ed	12/5/1989	12/5/1989	1/5/1999
	Samiullah		SCT	16	2/15/1965		MA	CT/B.Ed	5/3/1986	5/3/1986	1/9/1995
	Dost Muhammad Khan		SCT	16	3/8/1958		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		10/1/1989	10/1/1989	1/9/1995

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### FINAL SENRIQTY LIST OF CTS O/O THE DISTRICT EDUCATION OFFICER (M) DISTRICT SWAJ UPTO 31/05/2018

		Name of					· ·				Date of	Seniority position
	S.No	Teacher/Qualification	and a state of the second s	Desi	·	D/O Birth	Domic	Aca	Profess	<sup>°</sup> D/O 1st.∂	apptt:	D/O taking over charge
		academic/	Father's Name	gnati	PBS	/ Domicile	ile	demi	ional	Apptt:	against	as CT or D/O
	New	and the second		on		v Donniche	ine i	Ċ	li≃iOnai Ir v≎	whhtt:	Present	declaration CT Exam:
		- professional							40 H		post	whichever is later
$\sim$ 1		Anwar Igbal	Khan Sherin	SCT	16	5/1/1961	Swat	MA	CT/B.Ed	10/2/1989	10/2/1989	1/9/1995
$\sim 1$			Shahzada	SCT	16	2/2/1965	Swat	MA	CT/B.Ed	11/28/1989	11/28/1989	1/9/1995
J/ [			Siahoosh Khan	SCT	16	6/5/1963	Swat	MA	CT/B.Ed	12/10/1989	12/10/1989	1/9/1995
<u> </u>	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	Aftal Hussain	Bahroz Khan	SCT	16	5/25/1962	Swat	MA	CT/8.Ed	1/19/1990	1/19/1990	1/9/1995
		Zahoor Hayat	Sher Alam Khan	SCT	16	1/1/1969	Swat	BA	CT .	1/19/1990	1/23/1990	1/9/1995
			Syed Rashad	SCT	16	3/15/1963	Swat	BA	СТ	2/15/1990	2/15/1990	1/9/1995
			Bakht Biland Khan	SCT	16	2/18/1963	Swat	BA	ст G	3/1/1990	3/1/1990	1/9/1995
ļ			Amir Faqeer	SCT	16	3/10/1963	Swat	MA	СТ	4/1/1990	4/1/1990	1/9/1995
	92		Mubin	SCT SCT	16	2/5/1964	Swat	MA	CT	4/14/1990	4/14/1990	1/9/1995
		Muhammad Laiq	Amir Hamza Shah Dilbar Mian	SCT	16	6/1/1963 3/17/1969	Swat	MA MA	CT/B.Ed CT/B.Ed	4/21/1990 5/13/1990	4/21/1990 5/13/1990	1/9/1995 1/9/1995
ļ				SCT	16 16	1/1/1963		MA	CT/B.ed	\$/13/1990	5/13/1990	1/9/1995
-		Akpar Ali Alamgir	Qaisar Khan Khalilur Rahman	SCT	16	7/1/1964	Swat	MA	CT/B.Ed	\$/13/1990	5/13/1990	1/9/1995
ŀ			Ahmad	SCT	16	12/1/1959	Swat Swat	MA	CT/B.EU	8/20/1990	8/20/1990	1/9/1995
ŀ			Muhammad Karim	SCT	16	3/15/1970		MA	CT/B.Ed	10/10/1988	11/20/1990	1/9/1995
ł			Amir Hatam	SCT	16	6/17/1959		BA	CT/B.Ed	5/24/1992	5/24/1992	1/9/1995
ŀ			Muhammad	SCT	16	4/3/1966	Swat	MA	CT	9/1/1989	12/1/1994	1/9/1995
			Ahmad Shah	SCT	16	3/7/1963	Swat	MA	CT B.Ed	6/11/1987	1/16/1995	1/16/1995
e Asia		Muhammad Dawood Khar		SCT	16	4/26/1967	Swat	MA	CT M.Ed	9/25/1992	1/16/1995	1/16/1995
10,00		Miraj Gul	Sani Gul	SCT	16	4/21/1959	Swat	BA	cr	3/6/1990	1/18/1995	1/18/1995
Use used		Jehan Sher	Umara Jan	SCT	16	5/1/1962		MA	CT/B.Ed	1/19/1995	1/19/1995	1/21/1995
N <sup>34</sup>			Abdul Qadir Khan	SCT	16	1/12/1967		MA	CT	<b>2/20/1990</b>	2/1/1995	2/1/1995
` t		Abdul Wahab	Amir Bashar	SCT	16	3/3/1969		MA	CT	2/21/1995	2/22/1995	2/22/1995
ľ	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
			Ghulam Nabi	SCT	16	1/1/1967	Swat	BA	CT/B.Ed	4/7/1988	4/16/1995	4/17/1995
			Mirajud Din	SCT	16	5/1/1970	Swat	MA	CT/M.Ed	11/7/1994	4/17/1995	4/17/1995
Y			Shah Zada	SCT	16	1/30/1966		BA	CT	10/17/1988	5/15/1995	5/15/1995
Ĺ			Khyber	SCT	16	11/8/1962		MA	СТ	8/8/1984	8/1/1995	8/1/1995
_			Muhammad Ghafoor	SCT	16	1/10/1966	Swat	MA	CT/B.Ed	5/14/1992	8/1/1995	8/1/1995
		-	Amir Nawab	SCT	16	4/5/1964	Swat	MA	CT/B.Ed	2/29/1984	8/7/1995	8/7/1995
			Akbar Khan	SCT	16	1/1/1967		BA	CT/B.Ed	8/22/1995	8/22/1995	8/22/1995
			Naik Muhammad	SCT SCT	16	3/15/1963 4/1/1967		MA	CT	9/27/1988	8/24/1995	8/24/1995
ļ			Fazal Rahman Muhammad Mian	SCT	16 16	3/20/1964	Swat Swat	MA MA	CT CT	5/14/1987 4/3/1995	9/1/1995 9/15/1995	9/1/1995 9/15/1995
-			Muhammad Zaman	SCT	16	1/15/1962	Swat	MA	CT/B.Ed	3/17/1984	9/23/1995	9/13/1995
			Sher Dil Khan	SCT	16	10/1/1970		MA	CT/8.Ed	9/24/1995	9/24/1995	1/24/1996
ŀ			Ahmad Khan	SCT	16	4/16/1975	Swat	MA	CT	5/1/1996	5/1/1996	5/1/1996
			Muhammad Perviz	SCT	16	4/13/1969	Swat	MA	CT/M.Ed	9/16/1992	9/16/1992	5/5/1996
ŀ				SCT	16	4/15/1972	Swat	MA	CT/M.Ed	3/17/1996	3/17/1996	5/5/1996
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GOVERNMENT OF THE KHYBER PAKHTUNKHWA ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT.

NOTIFICATION

Peshawar, dated the November 13,201

No.SO(PE)4-5/SSRC/Meeting/2012/Teaching Cadre:- In pursuance of the provisions contained in Sob rule (2) of rule Joptine 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 Jays 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

ATTEL

Endst, No. & Date as abo-

Copy forwarded to:-

- 1. The Secretary to Govt. of Khyber Pakhtunkhwa, Establishment Department.
- The Sacratary to Govt. of Khyber Pakhtunkhwa, Finance Department. 3. The Secretary is Govt. of Khyber Pakhlunkhwa, Law Department.
- The Secretary Kryber Pakhlunkhwa, Public Service Commission Peshawar, 5. The Accountant General, Khyber Pakhtunkhwa Peshawar.
- 6. The Director (E3SE) Khyber Pakhtunkhwa Peshawar.
- 7. The Director Education (FATA), Peshawar, B. Copy to Maigari Ustazan KPK

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

Les L

8. The Director Curriculum & Teachers Education Abbeitabad. 0. The Director (PITE) Khyber Pakhtunkhwa Peshawar.

0. The Director ESRU, Elementary & Secondary Education Knyber Pakhtunkhwa, Peshawar,

11. The Deputy Director Database (EMIS) E&SE Department.

12. All District Coordination Officers in Khyber Pakhtunkhwa.

12. All District Opticers Elementary & Secondary Education in Khyber Pakhturkhwa.

13. All Executive Pakhtunkiwa /Agency Accounts Officers FATA. 15. All Agency Education Officers FATA.

16, P.S to Governor, Khyber Pakhtunkhwa.

17, P.S to Chief Minister, Khyber Pakhlunkhwa

18. P.S to Chief Secretary, Khyber Pakhtunkhwa.

19. PS to Minister E&SE Khyber Pakhlunkhwa Peshawar,

20. PS to Secretary E&SE Department.

21, Master File.

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Section Officer (Primary)

## BETTER COPY OF ANNEXURE

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يتحميهم مه			ADDENDTY			
	S.NO.	Nomenclature	APPENDIX e Minimum			
		of the post	qualification and	Age limit	Method of	
		· · ·	experience for		recruitment.	
		1	initial appointment			
		1	or by transfer			
	1.				·	
	1.	Secondary	(i) Second class	4.	5	
		School	(i) Second class Bechelor's Degree	18 to		1-
		Teacher	with two subjects	1	by promotion	
CE	1 7	(BP\$-16)	with two subjects as Chemistry	Years.		
$> \sim$					seniority-cum-	
		tod	Botany, Zoology,	1	fitness in the	
-	esiSa	ales	Physics,		following	
Apd	00.		Mathematics,		manners.	
ph.	A		Statistics		(i) forty percent	
		1	Humanities and	. 1	from amongst	
		,	other equivalent		the certified	
			groups from a		Teachers	
			recognized		(General).	
		•	University: or		Certified	
		1			Teachers	
			(ii) M.A in		(Industrial Arts)	
			Education or		and Certified	
		:	Bachelor's Degree		Teachers	
			in Education from		(Home	
			a recognized	,	Economics) with	
			university.		at least five	
					years service as	
			r		such and having	
•					qualification	
					mentioned in	
					column No. 3.	
		i	,		(ii) four percent	
			f		from amongst	
-		r	1 2 11 1	1. 1	the Drawing	
	No	quota n	as been alloca	veg	Masters with at	
	6	DOTIS			least five years	
	for	15154	aase-		service as such	Ţ
					· · · ·	
					and having qualification	·
		dis.			nentioned in	
		· · · · · · · · · · · · · · · · · · ·			column No. 3.	
·		1	M			
			n I	(   F	iii) four percent	
			M E		rom amongst	
					he Physical	
				1	ducation	
			J. Passing		eachers with	
	ļ		NT COL	5	t least five	

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		<ul> <li>(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</li> <li>(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</li> <li>(b) fifty percent by initial recruitment.</li> </ul>
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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	DET			• •	(D)
• • •	10.	Arabic		Class	Dy initiat roomuitmont
and the	110.	Teacher	(i) Second Secondary	Class School	-
		(AT) (BPS-			
		15)	recognized Boa	1	
			Shahdatul Alar		
			Uloomul Arabi		
			Islamia from o	1	
			Uloom Saidu	1	
		İ		Uloom	i l
				Chitral,	
			Government rui	Darul	
			Uloom, as noti	fied by	
		1	the Governmen	t from	
			time to time; or		I
			(ii) Second	Class	
			Master's Degr		
			Arabia from		
		<u> </u>	recognized Unive		
	11.	Theology	(i) Second		
		Teacher		School	1 · · · · · · · · · · · · · · · · · · ·
		(TT) (BPS-			
		15)			(b) twenty five percent
			Shahdatul Alan		
			Uloomul Arabia		· · · · ·
					fitness from amongst the senior Qaris with
				Uloom	
				Chitral,	, , , , , , , , , , , , , , , , , , , ,
			Government run	' '	
					prescribed for initial
			the Government		-
``			time to time; or		Theology Teacher;
1			•		Note: In case of non
	:	,		e in	availability of suitable
			Arabia from		
		1	recognized Unive	rsity.	then by initial
			· · · · · · · · · · · · · · · · · · ·		recruitment.
	12.	Senior Qari			By promotion on the
		(BPS-15)	į		basis of seniority-
		ı			cum-fitness from
		· .		ξ	amongst Qaris with
		200			at least five years
Contraction of the second second second second second second second second second second second second second s	v		•		service as such and
Г M					having qualification
Q I		L			as prescribed for
	13.	Cortified	Pochlor's Dee		initial recruitment.
× ¥	1 <b>)</b> .	Certified	Bechlor's Degré		(a) Forty percent by
		Teacher (General)			initial recruitment; and
۲. ۲			from a reco	gnized	1
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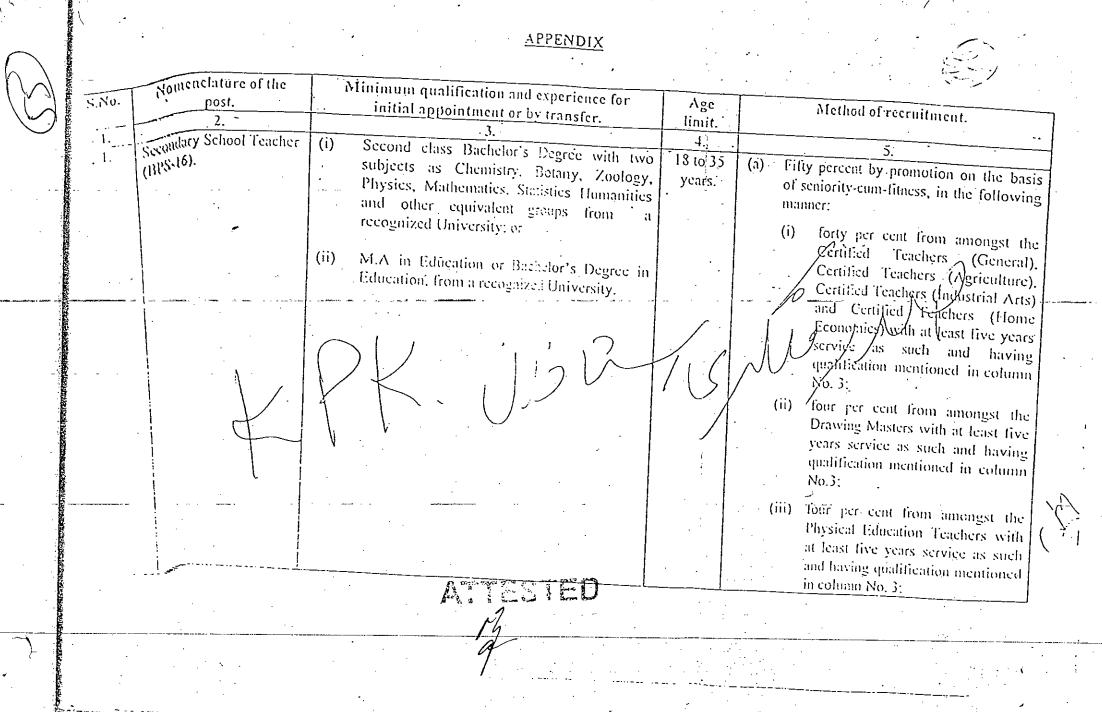
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- Angel	1		
		Certified or two years	(b) sixty parcent b
		Associate Degree in	
		Education from	promotion on the basis o
		Education from a	seniority-cum-fitness
		recognized University	from amongst the
		or eighteen months	Primary School Head
		Diploma in Education.	Teachers with at leas
			five years service and
			having qualification
			prescribed for initia
			recruitment of Certified
		i i	Teacher (General).
		4	
		ļ ,	suitable candidate is
		,	available amongst the
			Primary School Head
•			Teachers for transfer,
			then the posts will be
			filed by promotion on the
			hasic of conients
			basis of seniority-cum-
	i	r F	fitness from amongst
	1		senior primary school
			teachers with at least five
·			years service and having
		ĥ	qualification prescribed
	1		for initial recruitment of
ĺ			
			certified teacher
		u .	(General).
			Note: In case of non
		1	availability of suitable
		1	person for promotion
			then by initial
			recruitment.
	14. Certified	(i) Bachelor's Degree	
	Teacher	from a recognized	(a) Forty percent by
	(Industrial	from a recognized	initial recruitment; and
		University with two	(b) sixty percent by
	Arts) (BPS-		promotion on the basis of
	15)	relevant technical	seniority-cum-fitness
		subjects from any	from amongst the
		Government industrial	primary school head
		or Govt: Technical	primary school head
			teachers with at least five
		vocational Institute or	years service and having
ANTE STATE	And the states of the states o	Centre; or	qualification prescribed
and a state	5 in the second	(b) Bechlor's Degree	for initial recruitment of
	M	from a recognized	certified teacher
	M		
l	M .	•	
			ALE P N
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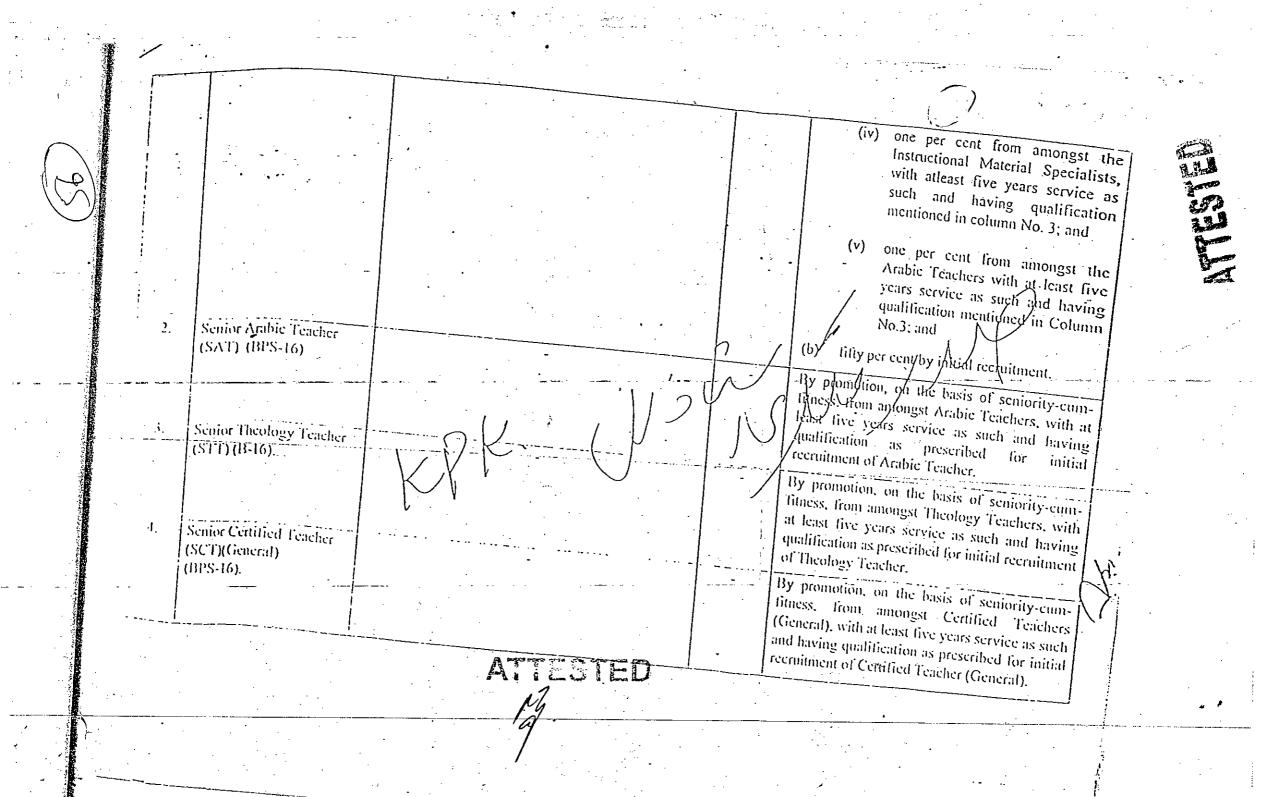
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Arabic Teacher (AT) Second Class Secondary School Certificate, 20 to 35 By initial recruitment (i) 10. from a recognized Board with Shahdatul years. (BPS-15). Alamia Fil Uloomul Arabia wal Islamia from a recognized Tanzimuatul Wafaqul Madaris: or Darul Uloom Saidu Sharif Swat, Darul TEST 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 Second Class Master's Degree in Arabic from (ii)a recognized University. Second Class Secondary School Certificate, 20 to 35 (a) Seventy-five per by ' Sede initial Theology Feacher (TT) (i) 11. from a recognized Board with Shahdatul recruitment; and years. (BPS-15). Alamia from ar recognized Tanzimatul twenty-five/per cent/sy promotion, on the Wafaqul Madaris or Darul Uloom Saidu bi seniority-cum-fitness, from Sharif Swat, Darul Uloom Charbagh Swat) mindnesd the Senior Qaris, with at least Daral Uloom Chitral Darul Uloom Darosh five years service and having Chitral and any other Covernment run Narul qualification prescribed for initial Uloom, as notified by the Government from recruitment of Theology Teacher: time to time: or Note: In case of non availability of suitable person for promotion, then by initial Second Class/Master's Degree in Islamiyat recruitment. from a recognized Universily. By promotion, on the basis of seniority-cum-12. Senior Qari litness, from amongst Qaris, with at least five (BPS -15). years service as such and having qualification prescribed for initial recruitment. (a) Forty per cent by initial recruitment; and Certified Teacher 13. Bachelor's Degree or equivalent qualification from a 18 to 35 recognized University with Certified Teacher (General) (BPS-15) 4 years. ATTESTED

Certificate or two years Associate Degree in Education from a recognized University or eighteen sixty per cent by promotion, on the basis (b) months Diploma in Education, 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): Provided that it no suitable candidate is available amongst the Primary Achoor Head Teachers for transfer, Anen the posts will be filled by premotion on the basis of seniority-cumitteess, 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. 14. Certified Teacher Bachelor's Degree from a recognized recruitment. (i)(Industrial Arts) 18 to 35 Forty per cent by initial recruitment; and University with two years training in the (a) (BPS-15). relevant technical subjects from any years Government Industrial or Govt. Technical sixty per cent by promotion, on the basis (b)of seniority-cum-litness, from amongst Vocational Institute or Center; or the Primary School Head Teachers with at least five years service and having qualification prescribed for initial Bachelor's Degree from a recognized (b) recruitment of Certified Teacher ATTESTED

Category of Qualification	Total Marka 100 5 44	
- <u></u>	Totul Marks 100 For Humanities group at Intermediate Level	For Candidate of Science group
SSC.	Marks obtained X 20 / total marks =	
HSSC	Marks ubtained X 10 / 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
B.1/BSc	Murks obtained X 25/ total marks =	- Scheening
PST Certificate/ Diploma in Education /ADE.	Marks obtained X 201 total marks =	
MAINISCIM.Ed / MIA Edu	Marks obtained X 20 / total marks = .	
MPhil/PhD	Marks = 05	1 9 MARINA

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Other conditions:-

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The concerned Appointing Authority will scrutinize and verify the documents and make the appointment as per prescribed rule and the will get the documents wified after the issuance of appointment orders within shortest possible time, not exceeding ninety (90) days. secrit list prepared by the expected appointing authority shall be displayed for ten days to receive the objections/appeals, if any, wel shall issue the finel. 2. 6

afic making necessary corrections while addressing the observations objections oppeals, followed by requisite appointment orders. 5.-In eve a document(s) istar found faket forged bugus upon scruting 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 Asnuel from recognized Tozeemat-ul-Wafaqul Madaris, 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 will be acceptable for the purpose of oppointment against the posts of Arabic Teachers or Theology Teachers, as the case may be,

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# Aniversity of Peshawar

(Pakistan)

Session Annual 1994 and a student of <u>OISTRICT SWAT</u> having passed the prescribed examination held in <u>April</u>, 1995 is this day admitted by the University of Peshawar, to the Degree of Master of Arts in the <u>First</u> Division

The Subject of Examination being <u>Islamivar</u> The Examination was taken as a whole / inceparts Allere

Serial Nº 018014

Registration No. 90-P/A-43679

Roll No. \_\_\_\_\_\_

Kesult declared on SEPTEMBER 23, 1995



JUDGMENTIS PESHAWAR HIGH COURT, PESHAWARC (JUDICIA COC No. 105-P/2018 in JUDGMENT. Date of hearing: 08.11.2018 Junite Petitioner (s): Nisar Klimal 20: Mr. Noor Mulummed Wherek Respondent (s): // /// hammad 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.

<sup>2</sup>. 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

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ATTESTED EXAMINER Peshawar High Court 3 0 NOV 2018 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 (5) Contract-Apptt: 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)

(ii)

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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. 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

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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.

Arguments heard and record perused.

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

Chief Justice

ANNOUNCED. Dated: 08.11.2018

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15 8 No. Date of Presentation of Application No of Pages .... . . 30 NOV 2018 Copying Fee.  $\mathbb{C}^{\infty}$ ゎ paration bi Cepy2 20 divery c#Copy....  $\mathbf{L}_{1}$ Receivre E

CERTIFIED TO BE TRUE COPY Peshawar Hon Court, Pesha Authoria d Under Artigie B. The Ganung-Enchastal Order

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

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,

Τo,

With due respect it stated that I was initially appointed as CT in your good self Department vide order dated 01.08.1987 and later on was appointed as CT vide Notification dated 10.11.1994. 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 Provincial Government recruitment. In the meanwhile the 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 use

(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.** 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 25.02.2019 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.<sup>1</sup>

ATTESTED

Dated: 12.6.2019

Your Obediently

HER ALI KHAN SST (BPS-16), GHSS Madyan, District Swat

VAKALATNAMA efore the KP Service Tribunal Postiaevar \_\_ OF 2019 (APPELLANT) her Sti lehan (PLAINTIFF) (PETITIONER) VERSUS Education Deptier (RESPONDENT) (DEFENDANT) I/We Sher Ali Ilhan 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 CLIENT ACCÉPTED NOOR MOHAMMAD KHATTAK SHAHZULLAH YOUSAFZAI MIR ZAMAN SAFI **ADVOCATES** OFFICE: Flat No.3, Upper Floor, Islamia Club Building, Khyber Bazar, Peshawar City. Mobile No.0345-9383141

## BEFORE THE KHYBER PAKTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Service Appeal No. 1232/2019

SST

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Sher Ali Khan (BPS-16) GHSS Madyan, District Swat.

.....Appellant

#### Versus

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

..... Respondents

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## 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.

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- 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 correct to the extent of promotion of Appellant to the post of SST. The rest of the para is incorrect and denied. 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, according to the policy Appellant have been promoted on his own turn. (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.

#### **GROUNDS**

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.

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- 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 EDUCATIONOFFICER (M) SWAT AT GULKADA

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ELEMENTARY AND SECONDARY EDUCATION KHYBER PAKHTUNKHWA

ELEMENTARY AND SECONDARY EDUCATION PESHAWAR





#### GOVERNMENT OF KHYBER PARIITUNKHWA ELEMENTARY & SECONDÀRY EDUCAȚION DEPARTMENT

Peshawar, dated the 24th July, 2014.

#### NOTIFICATION

<u>No.SO(PE)4-5/SSRC/Meeting/2013/Teaching Cadre</u>:- 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&LD/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:

(BPS-17) four years BS Degree in the relevant years of seniority-cum-fitness, for the relevant subject; and subject from amongst the Secondary School Teachers (BPS-16), with at least five year	1	2	3	4	5
relevant subject the post falling in their	1		four years BS Degree in the relevant subject; and ii. Bachelor of Education or Master of Education (Industrial Art or Business Education) or M.A Education or equivalent qualification from a	years	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

					recruitment; and (b) fifty percent by initial recruitment .
 	IA	Director Physical Education (BPS-17)	At least second class Master's Degree in Physical Education from a recognized University.	22-35 years	(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:
· · · ·					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; 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
	-				(b) fifty percent by initial recruitment "; and

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(ii) a convert Serial No. 1B, as so renumbered, for the existing entries, the following Shall be substituted, in respective columns, namely:

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

Provided that if is suitable candidate is available from canonyst 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 senioritycum-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:

(4)

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;

(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:

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 senioritycum-fitness, from Qaris with at least five years service as such and having qualification mentioned in column No. 3;

(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:

Provided that if no suitable candidate is available from amongst

(5)

Primary School Head Teachers for promotion then the post shall be filled by promotion, on the basis of senior-ity-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:

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

#### twenty Five percent by initial (ii) recruitment.

Note:

If no suitable candidate is available in < I. the relevant cadre of the above teachers, the post falling in their promotion quota shall be filled by initial recruitment.--

IL. 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.".

### 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.

The Secretary to Government of Khyber Pakhtunkhwa, Finance Department Peshawar.

The Secretary to Government of Khyber Pakhtunkhwa, Law Department Peshawar

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.

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 OFFICE (PRIMARY)

Annexuve "B"

JUDGMENT SHEET PESHAWAR HIGH COURT, PESHAWARCOUR (JUDICIAL DEPARTMENT)

COC No. 105-P/2018 in WP No. 35

JUDGMENT.

Date of hearing: 08.11.2018 Petitioner (s): <u>Nipar (Minuel ) b</u>: <u>Mr. Noor</u> <u>Muluommed Letarek</u> Respondent (s): <u>Muluommad Dram tepun</u>) <u>bp</u>. <u>Giver Cli</u> <u>WAOAR AHMAD SETH, CJ:-</u> Through this single judgment, we propose to dispose of instant contempt petition as well as connected COC No. 107-P/2018 in WP No.

O

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



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 (5) Contract-Apptt: 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:-

2

"(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

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

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

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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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 Ju ice

> > Judge

d Ayub Khan i

CERTIFIED TO BE TRUE COPY

Perhawar Hon Court. Pashawar Authoris d Under Artigio B.F 6y The Ganunis Ananatat Order 1984

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b Shah SCS (DB) Justice Wagar Ahmed Seth. CJ & Justice Muhar

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

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

Annexuve

## **NOTIFICATON**

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	MRIFTIKHAR 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	GH5 QANDIL SWAT	AGAINST VACANT POST
<u>ST</u>	(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	GHS AMANKOT	GHŞ AMANKOT SWAT	AGAINST VACANT POST
5	MR.MUKARAM KHẠN 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		
8	MR.GUL MUHAMMAD SHAH	1	GHSS BAMAKHELA	AGAINST VACANT POST
9	MR ALAMGIR SCT	GHS SWEEGALAI GHS UDIGRAM	GMS MALOOCH SWAT	AGAINST VACANT POST
; 10	MR.FAZAL AZIM	· · ·		AGAINST VACANT POST
	SDM	GHSS KHWAZAKHELA	GHSS BATAI KHWAZAKHELA	AGAINST VACANT POST
11	MR.UMAR ZADA SDM	GHS NO 4 MINGORA	GHSS CHARBAGH	AGAINST VACANT DOOT
12	MR FAZAL AZIM AT	GHS DURUSHKHELA	GHS DURUSHKHELA	AGAINST VACANT POST

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## BEFORE THE HONORABLE KHYBER PAKHATUNKHWA SERVICE TRIBUNAL PESHAWAR.

#### Service Appeal No: 1232/2019

# Sher Ali Khan SST (BPS-16) GHSS Madiyan, 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

- 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.

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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:-

### <u>ON GROUNDS</u>

i.

A <u>Incorrect & not admitted.</u> 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.

**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.

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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 <u>Incorrect & not admitted.</u> 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 coger reason & legal justification & liable to be rejected as the act of the Respondent Department with regard to the non-grant of promotion with 24/10/2009 against the SST B-16 post is within legal sphere having requestion of violating the mandatory provision of Article 38(e) of the constitution of Islamic Republic of Pakistan 1973.
    - **Legal.** However, the Respondents also seek leave of this Honora' Tribunal to submit additional grounds, record & case law at the time arguments on the date fixed.

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

ecretary.

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

Director

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

. مدينة والمبينة

#### 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.

> Rector to the total Altinkina Pestan

Difector

Deponent

-بالعدر / Vail por sol (22) من على 11- (23) 10 كرل يور - يحيداد كاركرده ما تعد وإنك في ليترك مداد الرجل في الدين المراجع بالدين والح الك والمحتوات

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## بدارس اخوا تركى مهويه سمرحد

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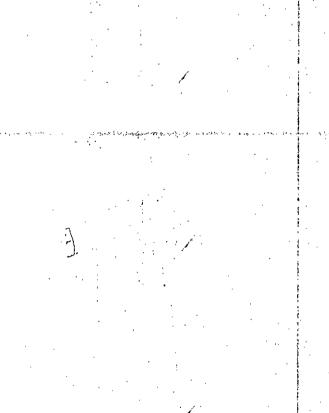
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ميدادو كالجرائ والالتالي فتراجى المرام كاامنا مت خرد ك برك امما متاد مرجح وينزز بالتماليين بمن المل تيس ودم تمايل المالا فالموت كم بالتوجه ومايسة ودروا بالماتية بالترعيمة المتعر التيرانية من التياب بالمنافي من من المالية المعادية المعادية المعادية المعادية الم سل مورع است است المسلم مست مست معانین اور میده میدان با در میدان میداند میده میداند. در ۵۱ مرد است میداند. مادر کار میسان این قام برگرست است انتهایی تا دو می از بیدهای کام معلومات کی آم در اندان دولوان میداند. داد اندان این کار کمک کم سکی از مداوتین مولاا در شامید داد کر آنهای تا دون مستی کامی ماسل مدهد معاند زن میدان میداند. در ا دیدها این که انتراح این مال کما جائے کام میں کی تعسیل 13 اکم مست 2005 مکر دیسان مانت داملان مادی میداند. در ان بسین استراع کارا می با جاری کو جالے ۲۰ مال میں داخلت 2007 وکر جالی کا میں ماعن anydpicon, منافع کار جالی اعرب کنی دیسر المد جاری کی میں کم بالد کی سرک کار جاری کر جدایا کہ ماہی اصل اصل الدی کر اللہ ماری کار اللہ المرک کار شکل میں بڑی کسکادا میں اور کر جاری کار کران جاری کہ

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ار او او او او او او او او او او او او او او او	IL SUPPORT	PART INTERNATION













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. <u>Overriding effect</u>.—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. <u>Repeal.</u>--The North-West Frontier Province Employees (Regularization of Services) Ordinance, 2009 (N.-W.F.P. Ordinance No. VII of 2009) is hereby repealed.

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."

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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.

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<u>III GE</u>

CERTIFIED TO BE THUS COPY

Peshawar High Court Peshawar

Order accordingly.

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

## IN THE SUPREME COURT OF PAKISTAN (APPELLATE JURISDICTION)

PRESENT

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

CIVE 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 Pelltion No.2905 of 2009, 3 + 15 + 5 + 5 + 6 + 6 + 5 + 15

The Chief Secretary, Govt. of KPK., Peshawar and others. ... Petilioner(s)

Attaullah and others.		1303	•.					
Nosruminullah and others. Mukhtar Ahmad and othe	rs.		·.			Resp	ondent(s)	
 	·							•
For the petitioner(s):	`Μr.	Mujc	ihld /	Ali Khai	n Addl.	A.G.KP	K	

For the respondent(s): Date of Hearing:

SUPREME

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Mr. Ghulam Nabi Khan, ASC Mr. Abdul Qayyum Sarwar, AOR 20.09.2017,

<u>ORDER</u>

Elaz Alzal Khan, L. The learned Additional Advacate 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.

Court Associate Supreme Court of Pakistan l (slamabad

GR No: Givil/Criminal Date of Presentation: No of Work. No of F. ... 6  $\sim$ Requisition + 1.1 Copy Fee in: à Court Fee S Date of Co-Date of delive JUDY:

Compared by/Prepared by:

Received by: ------

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IN THE SUPREME COURT OF PAKISTAN (APPELLATE JURISDICTION).

SEAJ

. بولا مىلار بىرى مىرى PRESENT: MR. JUSTICE EJAZ AFZAL KHAN. MR. JUSTICE SH: AZMAT SAEED. MR. JUSTICE IJAZ UL AHSAN (10)

CIVIL PETITIONS NO: 127-P TO 129-P OF 2015, Against The Judgment dated 26.1.20.15. of The Pesnawar High Court, Peshawar passed in With Petition No.2905 of 2009, Start of Long, CC4 of 2.10

The Chief Secretary, Govt. of KPK., Peshawar and others. (in all cases) Attaullah and others. Nasruminuliah and others. Mukhtar Ahmad and others. ...Respondent(s)

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

For the respondent(s):

Date of Hearing:

Mr. Ghulam Nabi Khan, ASC Mr. Abdul Qayyum Sawar, AOR 20.09.2017

<u>ORDER</u>

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

as such.

SUPREM Sd/-Éjaz Afzal Khan,J Sd/-Sh. Azmat Saeed, J С О Sd/-Ijaz ul Ahsan, J. Certified to be True Copy. Court Associate ( Supreme Court of Pakistan .09.20 I Islamabad GR No: Givil/Criminal Date of Presentation No of Write No of Fat Requisition F .7.... Copy Fee in: Court Fee S Date of Co-Date of delives · VUUC Compared by/Prepared by: Seconded by: ...

• /		
		تیم بختونخوان المالی منتونخوان المالی منت ، وی بیشن ، می منتبک الد زانستر آلب بیج زینچر در الستر کنوز ا بیختونخوات زیرانتظام (مردانیا زنان) سکولول میں دوجہ ذیل آ مامیاں پُر کرنے کے لئے خیبر ک
م میں براہ میں میں اور بڑی پر اور اور اور اور اور اور اور اور اور او	ایردستیاب به مقرره ناریخ همزر سلیه یک بعد موسول دو نه دانی رخوسته و ا	در فواسیس مطلوب بین رود خواست فارم (NTS) کی ذخص سائن (http://www.nts.pk) مبرشار تام آسامی
/ <u>/</u>	یں بیچلرو گردی جس کے ساتھ درمنا کیل دوسلما سین 11 زی دوں۔	
()(2.12.1		يالوين المي الم يسترك (() محمسترك ، يالو تى ( () لا براي يا بالتي )
.i. ::5r21	ن پیچگرو کری جس کے ساتھ در برج ذیل دومضایتن از نی ہوں ۔	2 سیکنڈری سکول یچر (SST) ایک می شاہر دیز زیرتی ہے سیکنڈ اوریک
	، میلخس B یا۔ (iii)۔ نزئس ، سلیکس	فونس کی محمد (i) - فونس می <u>ما</u> -(i) - فونس می محمد (i) - فونس BPS. 16 : (2) - کسی محمد دیو بدرش ایم ا
	ن بیچرا گری جس کے ساتھ درن نہ مل دوم نسامین لاز بلی ہوں ہے	3 سیکنڈری سکول نیچر (SST) جزل (1) سمی محمی تنایی صد ویو نیزی سے سینڈ در بیش
		BPS. 16 م (۱)- انگریز نیا: زنی، ۲۵ منیز کروپ یادیگر ساد (2)- سسم خد ویو خدرش سے ایما
	یہ کی 200 مکبرات کی تشیم این ملر رزیہ کی جائیج ہے	ستيشن كريزيا اسا تدوي سنيكش كميلي الما تدوي سنيكش كيلي كريز يادر بالزيل
	ب)- کسکالیت = 100 کمبر جمس کی مزید عیم می طرح دون گل قبر	(۱) - کریزنگ شیبت بذراید NTS = 100 نیس تقلیمی تابلیت
	ریس کرد دلیر 20x متی بخ کر	الیں الین ی رانیٹ اے / اینے ایس ی
і, <u>, , , р. разлагото</u> і і	حام می کرد دنبر 20x تشیم بکر کبر سام می کرد دنبر x0x تشیم بکی نبر	ب این این این این این این این این این این
	مامل کرد دنمبر 15x تقدیم بخ نیسر مامل کرد دنمبر 15x تقدیم بخ	المجالے / المجالی ت لیالڈ / ایجانے الیج کمشن
	لى مەل كرد دېمبر 15x تىتىم كى لىر ھامل كرد دنسر 05x تىتىم كى نىر	
	مامل کرد دنبر ×05 تتسیم کل نیر	ایم نل ار پان ای

ن بالی چارساله کوس کی سودت می نبردن کی تقسیم می افرن او کی معاصل کرد انسر 135 تقسیم کی نبر اجتماعیت ماندا بج کیش کی صورت می نبر کی تقسیم الفریف از شراید و شراید و می اور ایم اے ایج میش حاصل کرد و نبرکم 20 تقسیم کی نبر

(3) - NTS نسب من 40 فيسد تمبر ليرة شرور فناب - 40 فيسعدت تم نسبر فيت والا الميدوارة الى تعبور بودة اور مرت لسبت من منا لريانت ودولا -

معتقد معالی مالی از این (1) را با تقرر مال مکومت فیر محتونتوات مرجد و از این که مطابق خیاد کا قترری Initial Appoinment کے 25 فیسد

سیر و موانیا مند ، ویسی ، بوست اور (مسرا ف میرود ، استر مزواردا مزور طریزی اید 2011 ، 2 مین مر 4 معت جراسی را بعد سعدری اسب ن سیر بخونو (ارک دیرانکام (مردان از نان ) سولون می درجد فی آ مام ان پرکر فی سم کانی امان امیدواردان ب محد و قارم مدور 20 20 م سم در دواسی مطلوب بی - در خواست قارم (NTS) کی دیب سائن (h(tp://www.nts.org.pk) پر دستیاب ب - مقرره تاریخ کرد ما

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ميكندرى كول في (SST) يالوى/ (i) کمی می تشکیم شده او خدرش سے سیند اور دن بیلر وگری جس کے ساتھ در ن ویل دومضایت لادی ہوں۔ (i) کم سفری ، بیالوتی ( زوالوتی یا باشی ) JU-35819 ممشری-BPS-16 (ii) سلیش ادرت روی کے بعد ول کی لاڑی ٹریڈ مکوئی ادارد و RITE/PITE ہے ماسل کرنی ہوگ -سیکنڈری سکول محجر (SST) فزیم،/ 2 (i) تمی می صلیم شد و بیندرش ب سیکند دو بین بیلر دکری جس کے ساتھ درج دیل دومغنامین لازمی ہوں۔ (i) فزنس میغمس ۸یا (ii) فزنس میغمس B یا (iii) 19 (i) BPS-16-فؤكمن الميكنس (۱۱) بی شن ادر تشرّدی کے بعد وماد کی لازی فریشت مکوئی اداروں RITE/PITE سے ماس کر کی ہوگی۔ سيكندر ك سكول تعجر (SST) جزل (i) سمى يحى صليم شدوم ندر من يسيستندا ويرن يجرد كرى جم بر كرماته درن ويل دد مغما ين لازي موں - (i) انجريزى لازى ، موسينيكر كروب يا د كر مساوى كروب -JU35119 **BPS-16** (II) ملیش ادرتشردی کے بعد 13، کی لازی فریل کموتی اداروں RITE/PITE سے ماس کر لی ہوگ -سلیکشن کریٹیزیا: اساتذہ کے سلیکشن کیلئے کریٹیزیا درج ذیل ہے ۔ کل 200 نمبرایت کی پتنسیم اس طرح سے کی جائیگی ۔ (۱) سکر مذک، شمیٹ بذریعہ NTS=100 نمبر (ب) تعلیمی تابیت = 100 نمبر Sacher all لاالى جادسالدكوس كى صورت بي فمرون كالتسيم اس طرت موكى - حاصل كرد وفسر 40x مسيم كل فبر جب بيد هليما قابليت ورانا يم اسما بجريشن كم صورت من تبرك تعسم بطريق إلى بوكى -کر کی کر

لتلكى آبليت ماس كردة فير 20x محمل كرد. ماسل کرد. نسر 20x تحسیم کی نمبر الساليس الغرار الغراليل المراك بي ا\_\_/بي اليرس مامل كردونبر x 20 تتسيم كل نمبر NTS 2 مان سليط معد وطرحه ومر شاسد مرتب ك جا يكى جس عن اميد دارون - NTS المماية الممالين كما مامل كرد ونبر 20x تتسير كل ماصل كرد انمبر x 05 تتسيم كل نمبر かい معال مد مرادر هل قابلة المرون كون كما جانيا-(NTS(2) عيد عن 40 فعد فير ليناضراد كاب ايم المر/ايم اسعا يوكيش مامل کرد بنبر x50 تقسیم کل قسر ايم فل الي التكاذي ماسل كردونبر 10x تتشيم كل نمبر - 40 لملك ي جمر النف الدايد المن الل تسور موكا الدرير ف لسد عن شال في مرك --

مصوحت تسوالغط : (1) تمام تقرران محرت تجرم محتوم المحرور قوائي سرطان 12 يعد نبادي نفر ردى (استرها Appoinmen) تكريب المرادي بالي بال بالي المحتور بالمحدود محتوم المحدود محتوم بالعديد المحتوم المحدود محتوم المحدود محتوم المحدود محتوم بالمحدوث محتوم المحدود محتوم بالمحدود محتوم بالمحدوث محتوم المحدود محتوم المحدود محتوم المحدود محتوم بالمحدوث محتوم المحدوث محتوم المحدود محتوم بالمحدود محتوم بالمحدود محتوم بالمحدود محتوم بالمحدوث محتوم المحدوث محتوم محتون محتوم مح

درخواستول يرفود فيس كياجانيكا-

نام آمای

نبرثار

يخونوا المجمست ويجعن بوستك الدرد نستريم ويتجود وبمستركتون براتل وريتم ليكوى بحث 1201 مستقش نير 4 ترقحت كل الميمح الماليز تشتدرى التجرين فيبر الأيجوا لظام (مردن از من ) شابون مرت درجه فرل آلما میان بر کرنے کمیلیڈ خیبر بختر کودے متعلقہ امنادع کے سکتی ول امید درولان سے بحدز وقادم بر 10 دسمبر 2014 رتب در نواش ب میں از توارین قارم (NTS) کی ویب سائٹ (http://www.nts.org.pk/) پر ستیاب ب ، مقرر وہ دین کر رف کے بعد موسول ہوت ولدا در نواستوں پر کورک 31,100 نا ميت سَنْهُ، بْنَ سَنُولْ ثَمْجَ, SST، يلونْ ب كمنامجي يسليم شدومج غدرتنا بي يشيئنه أويرمن يتبلر وترزى فيمس كما تحدورن فرفي ووسلسا يمن لا زقق وولها م :21 ابيم سنوق BPS, 16 اً) میسنه بی نوانون ( زوانون یا ا<sup>نت</sup>ن ) 1.34 المحاسمي بتلم شه وم نعورتنا ستداميم و المرايش دائير كيش بي يعيل والري الم من مح حکم شدایی ندر تب سیستد اورزن یکم و کرنی جسم تک سامحہ، رہی ذہل دومضا میں اور بی ہوں۔ اِلَّى مَنْ مَنْ حَلَّى حَلَّى حَلَّى مُعْدایی نفاد کی سیستد اورزن یکم و کرنی جسم تک سامحہ، رہی ذہل دومضا میں او ىيىندرى *سۇل ئىي.* SST الأكمر معمل A (iii) فأكمل علمس B (iii) لأكمل المتلس . فزنمی المیتمس BPS, 16 c21 3-35 م مج<sup>ار</sup> محما محمد مناطقة من مناجع مناجع كمين بالمج كمين من يعيل أرن سَند، نُسْبَل بج. SST. . ۱۱) کمنی محموم شعر و بند و شن سند میشد و ویژن جولیه و کرن جمل که مسالحد و منافز کمن و مضالعت از می وول -:21 ا التمريزين لازن الومينيز تمردب بأربح مسادنا تردب (2) من بحي التليم شدوع يندري بيدايم اب الجوتيش با BPS.16JX 35 - ل الجولمشن ش بيجر ذكري لرین پائساسا تە دېپىلىش كرىنى يارژن ۋېلى چى ،كى 200 نمبرات كى تىميرى طرت كى ماينە ئى -(ب) تعلیما قوبلیت=100 نبر جس کام پر تسیم می کرن بولی۔ بقەمىت مرىچە NTS تىرى. بىنى ىرىمى تابلىت ا اليرانيري. رامل کردانسر 20x تتسم کل نس . الغساب الليسالي مي ماسل کرد وکمبر 20x متسیم چی کمبر نا*ر ایر*ی ما مل كرد دنسر 20x شيم من مبر اليمات لاليم اليم ج مامل گردانبر 15x متسرحی نمبر ن<sup>ي</sup>ا يذا ايم، ب الجو يشن مامل کرد دنبر 15x تتسیم کل نبر ار ۱- بام (۱- بامینه اینویشن مامن کرد دنبر 05x تتسیم کا نمبر الم <sup>الم</sup>رانية في ذي م<sup>ي</sup>من كردانبر x5 متيم ك نبر ر بادلماد کرنه کی مورت می نیم و کارهنیم ای لمرن او تی بامن ترد ونبر 35x سنیم کی نیم دیکه چه درندایم اے ایج کمش کی مورک میں اطریقه فدل او تی و ب<sup>1</sup> يجويمشن ما مل كرا دانمر 20x تتمسم من المر ۱) - پہلیکول کا آسامی کیلیے میچرد میڈ مرت کی جائیتی جمن میں امیداروں کے NTS کے مامل کر دونبر اور تعلیمی کا بلیت کے نبروں کوئٹی کیا ہے۔ ا الري في NTS في د فوالميت فالم 300 در بيد جادية كما يا بي كالا مدواد بالى متون ع لي د فوالمت د منام الن من مترقت 800 دت بي كا NTS بالرما أن يق **مۇچىنى ئىسرالىلە** -1) ئامۇلۇريان كىمىڭ ئىگرەنى ئىلەدانىن كەيلان ئۆركى Initial Appoinment كەكەنىسە كوڭ كەتتە مااستاپىرىتى ب ، Adhoe تشریک پرایک سال کیلے بون، کی 2) مغذور افراد کیلئے وہ نیمہ اور اقلیت امید داروں کے لئے تمنہ فعہ کو مغض ہے (3) انتراع کے دقت اسل تعلی اسناد بہ ات الميد ارويدوايت كرم ول كم المردم كيلية آب والماسيد وارون كالوني في المناف المدخص والمات كالمراس مول ولي والم ورخوا ستوي يا بايكان في كالتيار عاصل بيك، ومن يويتا يديني كالمي دنت كى ياوزان طور براخرد بيسون تردي، 7) الراي المتبادك بعد متومت دقت كاطرف سير من رینه کار میل تهریلی کامی وسلیشن کمینی ان کے مطابق عمل کرنے کی پاینہ ہو کی 8) کمکر این ملی منابع این مالی میں کوا متسار مامل او کا دوتها مرمانی قام مالی اس سے کم پر ے 9) ، تمام تقرر باب متومت خیبر پختوننو اے مقرر کرد دنوا میں ونون وطریقہ کارتے ملط من مالات میرے کی بنیاد پر ہوں کی 10 ) قدام مقطبی اساد سرف کو دلمنت سے صلیم اداروں کی توٹن تھول ہون کی 11) اگر میں اسد دارکی اساد جعلی بائے تھے واس کے خلاف کانونی میارہ جوٹیا کی میائے کی اور آئندہ کے لئے است سرکارت ماد رست کے لئے اول کیا مائے کا 12) ، تاکمل فارم یا مطولت کی صورت میں در تولست قارم نور بخر دستون مقسور کیا جائے کا جس کے لئے کوئیا ایک متحورتین کی مائے گی 13) انٹروی پیلنے: انگ ل مادل كالي من قد المحسن بيك ت جامية، 14) قدام تتروين متعقد الملان تدوميا ك كانياد برمون ك -15 ) اميد داركوات سكول شريره ت كرز بوكي دوك ب جود بهر کی لو 16 ) ایک امید دور بیک دخت 5 سکاون عمی خانی قد سامین کیلنے در فواست و ب مکم اجار اسمید دور ایک ایک سے زیاد وسکون شرا سلکشن کی مسور بته شرار ان ک ى تمن ايما يمكول يتي ق جائدة كما سر سور كمويش سكول سلكش كالمتعاق الميدار كالعاص فين بلكه المراب المواجد المراب المحالي المرابع ا دان المد (زکوسیکش کور فرط سنتے۔ 17) در نوامت الے کو کمریتہ کو NTS کے دیب سائٹ پر موجود ہے، 18) متعلقہ اسلاح کے مال آسامیں کہ تعلیل کے دینہ NF(P)4383

منین محمد می می می مسلم می مسلم می اور السفرا ف نجیر و لیکرد زانش را فرز اور زاکم ز ریکولیفری ایک 2011 و کی شیش نمبر 4 کے تحت محکمه ایلیمنز کی ایند سیکندری ایکولیس نیب بر از رفایم ( مرد اند/ زماند ) سکولوں میں درجد ذکیر آ مرامیاں پر کرنے کہلیے خیبر یختونخوا کے متعاقد اسلان کی سکوتی الی امید داردن ہے بوز کی ایند سیکندری ایکولیس نیب بر از است خارم NTS کے دیب سائٹ (/http://www.nts.org.pk) پر ستیاب ہے سینس مزاری کرنے کر ایک اکثر و الی اور الی درخو

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	تاپلىت	じーゴード	أنمبرشار
	ممنی بیشی شده بو ندر بنی بید سیکند او بیشن بیکر بر کری جسکے ساتھ درج ذیل دومضا میں لازی ، دل	بې (SST) يې (SST)	<u>E</u> 1
<u></u>	(i) كيسبر كاميا او مى ( زواير بى دايا أنى ) (2) كن تى تسليم ترديند ورتى بسام كم اسله جو كيش بلا يجو كيش ش جيلر الرن		
6421	المناج بيني ويدفع المناج المناج والمرترين والمرترين المرجلة الموارين فتح وساته ومريني ولم ووصفا من لا زمن وول	یاری کرایش (SST)	2
	(۱) نویمن میشوشن A (۱۱) نوم کمپیشش بالا (۱۱) نوک بیما میشکیس (۲۰٬ می جمی تسلیم شد دیونه زمان که ایکوکیشن ما جوکیشن میں چل وکر ی	BPS, 16	/
51.27	سمسی بخود سنیم شو. از نیدرش به جه سیماند و دیرن بیلر دشون چیک ساتھ در مانوز کی دومضرا مین لا زمی ہوں	نزارى كوار بخر ( SSi)	
مربانی اس	(۱) انگریز ن لازی بوسینیز کر در بیاد کرد ب	BPS-16	

امات، بے کمپنی کیلوکر پڑیا ہوتی ڈیل ہور کی 200 نمبرات کی تشیم اس طرح سے کی جانبی (اسکریڈ کی شیسٹ بادایہ 100 = 100 نمبر - ب<sup>اتعل</sup>یمی قابلیت = 100 نمبر جنسکی حذیف مقد میں معدد مقاصیہ اس جندی معدد کا مسلمہ اس جندی حدیث معد کی م

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کل ندبنی	تنئيمي فابليت	کل دید.	تعليمن فابليت
ما <i>س کرد انبر</i> x5 تخسیم کن	ناایل ایم اے ایجو کیشن ناایل ایم اے ایجو کیشن	حاص کردہ مرہ (65 میں کل سر	5.21.71
حاصل کردد <sup>ن</sup> سر ۲۵۶۲ گفته میکرانس	المشتقر المجرائي المجولية فسن الملا	جاصل كرده فمري بيني في فير	الياب آليت الين بي
حاصل کرد دلمبر C5x شیم کی نیس		J. J. Contraction of the second	-0.113/2-10
	اصل کرد، بیر، 5 است کل نبر		المُراج الم الن كي

، ب:1 - برسکول کی آبیدای کیلنے علیمدہ علیمہ میرٹ کسٹ مرتب کیا جائزتا علم میں اسید داردن کے NTS نے حاسل کرد ، غیراد دنشکی تابایت سے غیر دل کوئن کیا جائ از ہرامیہ یوز ک کچ Wirt فی درخواست خارم 300 بروپ چارج کر یکا سیٹر کہ اسید دارخود بریا شت کر ینسلے۔

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	42	Chob Bakht Bawan		SCT	16	1/2/1965	Swat	BA	टा ।	10/2/1989	10/3/1989.	
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ノ	47	Bakht Muhammad	Muamber Khan	SCT	16	5/1/1965	Swat		<u> </u>	12/4/1939	12/12/1989	
		Noor Rahman	Jumma Gul Khan	SCT	16	2/1/1963	Swat	BA		12/12/1989	12/12/1989	
		Mehboob Ali	Amir Rahman		16	9/11/1965	Swat	BA		12/14/1989	12/14/1909	1
	50	Muhammad Sadiq	Qalandar *	ISCT ISCT	16	6/5/1963		MA :	1	12/17/1989	.1/4/1990	
ĺ	51	Magsood Ahmad	Dawray	ISCT	16	12/3/1966	Swat	BA	СГ	10/3/1939		
	52	Shuja Mulk	Said Karam	SCT	16	1/20/1960		MA	CT/B.Ed	6/10/1990	11/10/1994	
		Alamgir	Sadbar Khan	SCT	16	3/1/1969		MA	CT/B.Ed	9/26/1988	11/10/1994	1
	54	Anwaruliah	Hasham Khan	SCT	16	4/15/1969		MA	CT/6.ed	11/10/1994	11/11/1994	11/11/1994
	155	Fazal Hameed	Fazal Wahab	SCT	16	3/3/1966		MA	CT	9/8/1986	11/12/1994	
	56	Nadar Khan	Mian Said Buhar	ISCT	16	5/1/1965		MA	CT/B.Ed	6/14/1987	11/12/1994	11/15/1994
	. 57	Bad Shah Ikhan	Amir Rawan	SCT	.16	1/1/1964		BA	CT	12/12/1989	12/12/1902	11/15/1994
,	58	Sher Bahadar Khan	Gul Zaman	SCT	16	2/2/1964		MA	CT/B.Ed	11/10/1994	11/15/1994	1.004
	. 59	Aziz Ahmad	Muhammad Rashid	SCT	10	5/12/1967		MA	CT/B.Ed	11/15/1994	11/15/1994	
	:60	Aizal Shah	Badshah Zada		16	3/20/1969	Swat	MA '		11/15/1994	11/16/1994	1
	61	Bakht Alam	Ghulam Qadir	ISCT ISCT	÷ 16	2/1/1965		MA	CT/B.Ed	12/1/1986	11/16/1994	1
	· 62	Muhammad Rahman	Sherin Jalal	SCT	- 16	2/11/1968		MA	CT/M.Ed	8/1/198/	11/10/100	
	63	Sher Ali Khan	Sadar	SCT	16	7/20/1969		MA	CTB.Ed	11/16/1994	11/16/1994	11/18/1994
	64	Ziaullah Khan	Muhammad Alam Gul	SCT	16	4/2/1964		MA	CT/B.Ed	9/28/1988	11/18/1984	
	65	Muhammad, Munir	Habibullah Khan	1	16	1/20/1965		MA	CT/B.ed	11/21/1984	11/21/1994	1
	66	Gul Pervize	Rahmani Gul	SCT	16	6/5/1964		B.Sc	CT.		11/24/1994	
	67	Abdul Qadoos	Ghulam Khaliq	SCT SCT	16	3/26/1963		M.Sc	CT/M.Ed	1./2//1986	12/20/1994	
	68	Sarir Ud Din	Fazal Wahid	ISCT	16	12/2/1960		MA	CT/B.Ec	4/2/198/	12/21/1994	
	69	Muhd Zahir Shah	Azizur Rahman	SCT	16	2/27/1961	Swat	MA	СТ	6/7/1987	12/21/1994	
	70	Muhammad Ghafar	Khan Bahadar	SCT	16	9/12/1961	Swat	MA	CT/M.Ed	8/11/1988	12/21/1994	12/21/1994
-	71	Amanullah Khan	Sakhi Rawan	SCT	16	9/9/1958		MA	CT/M.Ed	5/28/1988	12/21/1994	
	72	Sher Azim Khan	Taj Muhammad Khan	ISCT	16	2/2/1969		MA	CT/M,Ed	6/24/1987	12/22/1994	
	73	Fatehur Rahman	Fazal Rahman	SCT	16	1/1/1965		MA	CT:	9/29/1988	1/10/1986	
	74	Rafiq Ahmad	Hermooz Khan	SCT	16	4/15/1965		BA		12/25/1994	12/23/199	
	75	Alam Zeb	Abdul Jabbar		16	1/1/1968			CT	And the second sec	12/27/199	
	76	Inamullah Khan	Muhammad Karam	SCT		1/1/1960			CT/M.Ed		12/27/199	
	77	Alam Zeb	Eughdaday	SCT	16 15	2/16/1964			CT/M.Ed	9/26/1988		
	78	Azizullah	Haji Muhammad	SCT	A DESCRIPTION OF THE OWNER OWNER OF THE OWNER OWNER OF THE OWNER	4/10/1966	Swat		CT/B.Ed	12/5/1989	1	i lo lo oor
	. 79	Amjad Ail	Façir khan	<u>डत</u>	16	2/15/_365	Swet		C1/6.Ed	5/3/1986		
	80	Samiullah	Rechul Amin	<u>ात</u>	16	3/8/1958	Swat	EA	iCi/3.Ed	-/1/1987	4/1/198	
-	81	Dost Munammad Khar	Taj Muhammad Khan	SCT	16	5/1/1967	Svial		ICT I	10/1/1989	10/1/156	<u></u>
	82	Wazir Zada	Gulzar Khan	SCT	16			i	1		-	
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· .		84	Muhammad Zahir Shah	Shahzada	SCT	16	6/5/1963	50000	MA	CT/B.Ed	12/10/1989	12/10/1989	
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· ·			Afral Hussain	Bahroz Khan	SCT	16	1/1/1969		8A	CT	1/19/1990	1/23/1990	1/9/1995
	· ·		Zahoor Havat	Sher Alam Khan	SCT	16	3/15/1963	Swat		СТ	2/15/1990	2/15/1990	1/9/1995
		89	Fatzand Ali	Syed Rashad	SCT	16			BA	СТ	3/1/1990	3/1/1990	
		- <u>89</u> - 90	Arhir Zeb Khan	Bakht Biland Khan	SCT	16	2/18/1963	5.00		СТ	4/1/1990	4/1/1990	1/9/1995
			Fazal Rahman	Amir Fageer	SCT	16	3/10/1963	51.61	MA	CT	4/14/1990	4/14/1990	1/9/1995
2			Gul Muhammad Shah	Mubin L	SCT	16	2/5/1964		MA	CT/B.Ed	4/21/1990	4/21/1990	1/9/1995
1 2		<u> </u>		Amir Hamza	SCT	. 16.	6/1/1963	<u>.</u> Swat	MA	CT/8.Ed	5/13/1990	5/13/1990	1/9/1995
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5 a. s			Akbar Ali	Qaisar Khan	SCT	16	1/1/1963			CT/B.Ed	\$/13/1990		1/9/1995
÷.				Khalilur Rahman	SCT	16	7/1/1964	5	MA	CT	8/20/1990	8/20/1990	1/9/1995
•			Alamgir	Ahmad	SCT	16	12/1/1959	1 21100		· · · · · · · · · · · · · · · · · · ·	10/10/1988	11/20/1990	1/9/1995
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			Karim Ullah	Amir Hatam	SCT	16	6/17/1959	2		CT/B.Ed	9/1/1989	12/1/1994	1/9/1995
			Ibilahim	Muhammad	SCT	16	4/3/1966			CT	6/11/1987	1/16/1995	1/16/1995
			Ruhul Amin Muhammad Fahim Khan		SCT	15	3/7/1963			CT B.Ed	8/25/1992	1/16/1995	1/16/1995
	101		Muhammad Fanim Khan	Amanullah Khan	SCT	16	4/26/1967			CT M.Ed	3/6/1990		1/18/1995
	15 14		Muhammad Dawood Kha	Sani Gul	SCT	16	4/21/1959	Swat	BA	CT	3/6/1990		1/21/1995
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	WILL A WORD	104	Jenon Joer	Abdul Qadir Khan	SCT	16	1/12/1967	Swat	MA	CT	P/20/1990	2/22/1995	2/22/1995
	141 13	105	Hanif Khan		SCT	16	3/3/1969	Swat	MA	CT	2/21/1995		4/10/1995
	r i		Abdul Wahab	Amir Bashar	SCT	16	.5/5/1964	Swat	MA	CT	2/2/1995	4/10/1995	4/10/1995
		107	Sajawal Khān	Taj Khan	SCT	16	5/4/1970	Swat		CT/M.Ed	2/2/1995	4/10/1995	4/17/1995
		108	Anwar Zeb	Alam Zeb Khan	SCT	16	1/1/1967	Swat	ВA	CT/B.Ed	4/7/1988	4/16/1995	4/17/1995
		109	Kishwar	Ghulam Nabi	SCT	16	5/1/1970	Swat	MA	CT/M.Ed	11/7/1994	4/17/1995	5/15/1995
		0	Mizajud Din	Mirajud Din	SCT.		1/30/1966		BA	CT .	10/17/1988	5/15/1995	5/15/1993
	V	111	Bakht Biland	Shah Zada		16	1/8/1962	Swat		CT	8/8/1984	.8/1/1995	8/1/1995
:		112	Muhammad Sadio	Khyber ;	SCT	16	1/10/1966			CT/8.Ed	5/14/1992	8/1/1995	8/1/1995
Ē	•		Khaista Mand	Muhammad Ghafoor	SCT	16	4/5/1964	1 3000		CT/8.Ed	2/29/1984	8/7/1995	8/7/1995
	•	114	Muhammad Qadim	Amir Nawab	SCT	16	1/1/1967	Swat		CT/B.Ed	8/22/1995	8/22/1995	8/22/1995
		115	Amiz Khan	Akbar Khan	SCT	16				CT	9/27/1988	8/24/1995	8/24/1995
		110	Shah Anwar Badshah	Naik Muhammad	SCT	16	3/15/1963	Swat		CT	5/14/1987	9/1/1995	9/1/1995
			Ali Bahman	(Fazal Ranman	SCT	16	4/1/1957	Swat		C1	4/3/1995		9/15/1995
		117	Savad lavid lobal	Muhammad Mian	SCT	16	3/20/1964	Swat	346	CT/A FA	3/17/1984	9/23/1995	9/23/1995
			Mufti	Muhammad Zaman	SCT	16	1/15/1962	Swat	1V:/-	CT/B.Ed	9/24/1995	9/24/1995	1/24/1996
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			Certified or two years	(b) sixty percent by
			Associate Degree in	promotion on the basis of
		27	Education from a	seniority-cum-fitness
			recognized University	from amongst the
			or eighteen months	Primary School Head
-	[		Diploma in Education.	Teachers with at least
				five years service and having qualification
 				prescribed for initial
1		•		recruitment of Certified
				Teacher (General)
		-		Provide that if no
				suitable candidate is 🥻
				available amongst the
.				Primary School Head
	•	ر الایوهی می به میکند از میکند. م		Teachers for transfer,
		-	• ,	then the posts will be filed by promotion on the
			1	basis of seniority-cum-
· · · ·			· .	fitness from amondst
				senior primary school
	:   			teachers with at least five
				years service and having
				qualification prescribed
				for initial recruitment of certified teacher
				certified teacher ( (General).
				Note: In case of non
				availability of suitable
				person for promotion
-	1			then by inițial
	14	Certified	(i) Danhala (a D	recruitment,
	<u>۲</u> ۱۰	Téacher	(i) Bachelor's Degree from a recognized	(a) Forty percent by
		(Industrial	University with two	initial recruitment; and
		Arts) (BPS-	years training in the	(b) sixty percent by promotion on the basis of
L		15)	relevant technical	seniority-cum-fitness
			subjects from any	from amongst the
			Government industrial	primary school head
			or Govt: Technical	teachers with at least five
		AREIN.	vocational Institute or	years service and having
R. M. TE		There is a series in the series is a series of the series	Centre; or	qualification prescribed
	h n	-	(b) Bechlor's Degree from a recognized	for initial recruitment of
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	at least five years			
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	basis of seniority-		(SI-S98)	
	By promotion on the		ing, Senior Qari	
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Seniority Arabic Teacher (SAT)

(BPS-16)

Theology

Teacher

(STT)

(BPS-16)

Senior

3.

4. Senior

Certified

leacher.

(General)

(BPS-16)

(SCI)

(iv) one percent from a ongst the Instructional Material Special structure at least five years service as such with having qualification mersioned. In olumn No. 3, and

(1) one percent from amongst the Analic Teachers with at least five year, service as such and having qualification mentioned in Column No. 3, and (b) fifty recommendation

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	By promotion and the securitmen	μ.
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		4
	Arabic Teachers with at least find	ĮSL
į	years service as such and having qualification as such and having	, Ç
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	recruitment of A	[d]
	Hold Bachor	ļ
	By promotion by the	

seniority-cum-fitness from amongst Theology Teachers which at least five years service as such and having qualification as prescribed or initial recruitment of Theology Teach By promotion on the basis of seniority-cum-fitness from amongs 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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		BETTE	R COPY OF AN	INEXURE.	29	DAGE	$D \mathcal{A}$
	1 State			e e e e e e e e e e e e e e e e e e e		PAGE /S	(j)
			·	APPENDIX			
	L.	S.NO.	Nomenclature	Minimum	1000		
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				initial appointment			
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	·	1,. /	Secondary		4	<u> </u>	
		. /	School	(i) Second class	18 to	(a) Fifty percent	1
			Teacher	Bechelor's Degree	· ·	by promotion	1
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	>~					seniority-cum-	
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		vier Co	norte	Physics,		following	
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	yere.	5	:	Statistics		(i) forty percent	
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ć				(ii) M.A in		(Industrial Arts)	· · · · · · · · · · · · · · · · · · ·
•				Education or	•	and Certified	
•			•	Bachelor's Degree		Teachers	
				in Education from		(Home	
	· .			à recognized		Economics) with	
				university.		at least five	
					-	years service as	
					:	such and having	·
					•	qualification	
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				hl		(iii) four percent	
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					đe de	Education	
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# GOVERNMENT OF THE KHYBER PAKHTUNKHWA ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT.

NOTIFICATION

Peshawar, dated the November 13,2012

No.SO(PE11-5/SSRC/Meeting/2012/Teaching Cadre:- In pursuance of the provisions contained in sab rule (2) of rule 2/of the Khyber Pakhtunkhwa Civil Servanis (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 rays 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

Endst. No. & Date as abo

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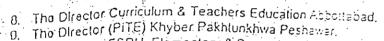
1. The Secretary & Govt. of Khyber Pakhtunkhiva, Establishment Department.

2. The Sacratary is Covil of Khyber Pakhlunkhwa, Finance Department. 3. The Sacrelary ig Govt. of Khyber Pakhlunkhwa, Law Department. The Secretary Kirber Pakhlunkhwa, Public Service Commission Peshawar

The Accountant General, Khyber Pakhtunkhiva Peshawar.

6. The Director (E3SE) Khyber Pakhtunkhwa Peshawar. The Director Education (FATA), Peshawar, Copy to Margari Uslatan KPK

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



- 0. The Director ESRU, Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawary 11. The Deputy Director Database(EMIS) E&SE Department.

and the second second second second second second second second second second second second second second second

- 12. All District Coordination Officers in Khyber Pakhlunkhwa.
- 13. All Executive District Officers Elementary & Seccadary Education in Khyber Pakhlupkywa.
- 13. All Executive executive officers in Khyber Pakhtunkhwa /Agency Accounts Officers FATA. 15. All Agency Education Officers FATA
- 16. P.S. to Governor, Khyber Pakhlunkhwa.

- 17. P.S. to Chief Minister, Khyber Pakhlunkhwa
- 18. P.S. to Chief Secretary, Khyber Pakhlunkhwa
- 19. PS to Minister E&SE Khyber Pakhtunkhwa Pesnawar 20. PS to Secretary E&SE Department
- 21. Master File.

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ATTED

Section Officer (Primary)

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.

> Chief Justice ÷

ANNOUNCED. Dated: 08.11.2018

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