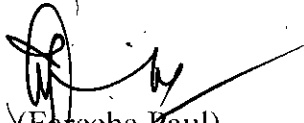


08th May, 2023


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 08th day of May, 2023.*


(Fareeha Paul)
Member (E)

Kaleem Ullah


(Kalim Arshad Khan)
Chairman

13th 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 ^{here} ~~was~~ done by him and for the above acts why he should not be proceeded against under the relevant rules. His reply should reach the undersigned on 17.04.2023, the date given by him in the matters.

SCANNED
13/04/23
Peshawar

(Kalim Arshad Khan)
Chairman

Adnan Shah, PA

17th April, 2023

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

SCANNED
17/04/23
Peshawar

(Fareeha Paul)
Member (E)

(Kalim Arshad Khan)
Chairman

**Adnan Shah, PA

25th July, 2022

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

It was pointed out that a number of other appeals on the same subject matter were fixed on different dates. It was, therefore, requested that all such appeals might be clubbed and heard together. This case is thus adjourned to 17/04/2023 before the D.B. Learned counsel for the appellant is directed to submit an application to the Registrar of this Tribunal mentioning the details of all such appeals alongwith dates fixed therein within a week so that all such appeals could be fixed together with this appeal. On receipt of the application containing details of all similar appeal, the Registrar shall fix all those for the above date.



(Salah Ud Din)
Member(Judicial)




(Kalim Arshad Khan)
Chairman

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.



(Rozina Rehman)
Member(J)


Chairman

13.12.21

DB. is on Tent case to come up?
For the same on Dated. 29.3.22

29.3.2022 Proper DB not available the case is
adjourned to come up for the same as
before on 11-5-2022  Reader

11-5-22 Proper DB not available the case is adjourned
on 25-7-22  Reader


01.04.2021

Nemo for parties.

*Noted
A.T.D.*

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 14/7 2021 for arguments, before D.B.



(Atiq ur Rehman Wazir)
Member (E)



(Rozina Rehman)
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.



(Rozina Rehman)
Member (J)



Chairman

06.08.2020

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

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


(MUHAMMAD JAMAL KHAN)
MEMBER

26.10.2020

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

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


(Atiq-ur-Rehman Wazir)
Member


Chairman

30.12.2020

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


Reader

25.02.2020

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

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


(Hussain Shah)
Member

31.03.2020


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


Reader

23.06.2020

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

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


Member

26.11.2019

Counsel for the appellant present.

Contends that essentially the appellant was in the promotion zone for SST (BPS-16) at the time when Regularization Act, 2009 was promulgated. The Hon'able Peshawar High Court, Peshawar also observed, while disposing of C.O.C No. 105-P/2011 in writ petition No. 355/2011, that any employee/teacher was not promoted by the time when Act 2009 was enforced while he was in the promotion zone, was a question of fact to be determined in individual cases.

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.

Appellant Deposited
Security & Process Fee


Chairman

20.01.2020

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

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

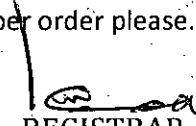
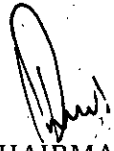

Chairman

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 1234/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	07/10/2019	<p>The appeal of Mr. Ibni Amin presented today by Mr. Noor Muhammad Khattak Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p> <p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>26/11/19</u></p> <p style="text-align: right;"> CHAIRMAN</p>
2-		

BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR

APPEAL No. 1234 /2019

IBNI AMIN

V/S

EDUCATION DEPTT:

INDEX

S.NO.	DOCUMENTS	ANNEXURE	PAGE
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5.	Judgment	D	16- 37
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8.	Seniority list	G	43- 45
9.	Service rules	H	46- 52
10.	Educational testimonials	I	53- 58
11.	Judgment	J	59- 61
12.	Departmental appeal	K	62- 63
13.	Vakalatnama	-----	64

APPELLANT

THROUGH:


NOOR MOHAMMAD KHATTAK,
ADVOCATE

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

0345-9383141

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. 1234 /2019

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 1397

Dated 7-10-2019

Mr. Ibni Amin, PST (BPS-12),

GPS Dabargai, District Swat **APPELLANT**

VERSUS

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

..... **RESPONDENTS**

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

PRAYERS:

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

R/SHEWETH:

ON FACTS:

Filed to-day

Registrar

7/10/19

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

- 1- That initially the appellant was appointed as PST in the respondents Department vide order dated 31.08.2006. Copy of the service book is attached as annexure **A.**
- 2- That during service as PST the appellant was in the promotion zone to the post of SST (BPS-16) but the respondents instead

promoting the appellant advertised the said posts of SST (BPS-16) on adhoc/contract basis. Copy of the advertisement is attached as annexure **B.**

- 3- That under protest the appellant and his colleagues applied for the said post through initial recruitment but the same was also refused to the appellant and colleagues of the appellant on the pretext that regular employees are not entitle to apply for the adhoc/contract posts of SST (BPS-16) thus appellant and his colleagues were deprived from prospects of promotion. That it is pertinent to mention that at the time of above mentioned advertisement the post/cadre of PST (BPS-12) to which the appellant belong have no prospects of promotion.
- 4- That in light of the said advertisement new appointments were made by the respondents on adhoc basis and even the promotion quota was also filled by the respondents though initial recruitment.
- 5- That in the meanwhile the Provincial Government Promulgated the employees regularization Act, 2009 whereby all the adhoc employees who were appointed as SST on temporary basis were regularized thus further affected the cadre to which the appellant belongs. That the promotion quota for which the appellant and his colleagues have waited for decades has been washed by operation of the said Act of 2009. Copy of the Act is attached as annexure **C.**
- 6- That feeling aggrieved the appellant and his colleagues knocked the door of the Peshawar High Court through various writ petitions including writ petition No.2905/2009. That vide consolidated judgments dated 26.1.2015 the said writ petitions were disposed of with the directions that:
(i)- The act.XVI of 2009, commonly known as (Regularization of services) act, 2009 is held as beneficial and remedial legislation, to which no interference is advisable hence, upheld.
(ii)- Official respondents are directed to work out the backlog of the promotion quota as per above mentioned example, within thirty days and consider the in service employees, till the backlog is washed out, till then there would be complete ban on fresh recruit.
Copy of the Judgment is attached as annexure **D.**
- 7- That the respondents assailed the said judgment of the august Peshawar High Court Peshawar in CPLAS No.127-P to 129-P/2015 but the same were dismissed as withdrawn vide judgment dated 20.9.2017. That then after the appellant and his colleagues time and again visited the respondents for their promotion to the next higher scale but the respondents instead of redressing the

grievance of the appellant and his colleagues advertised the posts through initial recruitment through various advertisements. Copies of the judgment and advertisements are attached as annexure **E & F.**

- 8- That it is pertinent to mention that appellant is the senior most PST (BPS-12) of the respondent department and also eligible in all respect for promotion to the post of SST (BPS-16). Copies of the seniority list, service rules and educational testimonials are attached as Annexure **G, H & I.**
- 9- That feeling aggrieved the appellant and his colleagues knocked the door of august Peshawar high Court, Peshawar in various COC Petitions numbers including COC Petition No.105-P/2018 and the same has been disposed of vide judgment dated 8.11.2018 with directions to approached the august Service Tribunal for claiming of promotion and seniority. Copy of the judgment is attached as annexure **J.**
- 10- That feeling aggrieved the appellant preferred Departmental appeal but no response has been received so far. Hence the present appeal on the following grounds amongst the others. Copy of the Departmental appeal is attached as annexure **K.**

GROUND:

- A- That the inaction of the respondents by not allowing/granting ante dated promotion to the appellant to the post of SST (BPS-16) is against the law, facts, norms of natural justice and materials on the record.
- B- That appellant has not been treated in accordance with law and rules by the respondent Department on the subject noted above and as such the respondents violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.
- C- That the inaction of the respondents by not allowing/granting ante dated promotion to the appellant to the post of SST (BPS-16) is based on mala fide and arbitrary intentions and as such the same is violative of the principle of natural justice.
- D- That, the respondents acted in a malafide manner by not promoting the appellant to the post of SST (BPS-16) inspite of eligibility, seniority and fitness.
- E- That the respondents acted in arbitrary and malafide manner by not ante dated promotion to appellant to the post of SST (BPS-16) despite the fact that the appellant was not allowed in the initial recruitment process because of the fact that he is in regular

promotion zone and will soon be promoted to the post of SST (BPS-16).

F- That the inaction of the respondents by not allowing/granting promotion to the appellant to the post of SST (BPS-16) is violative of section-9 of the Civil Servant Act 1973 read with Rule-7 of the (Appointment, Promotion & Transfer) Rules 1989.

G- That as per Rules and regulation the appellant is entitle for promotion to the post of SST (BPS-16) with all consequential benefits including seniority.

H- That according to Article 38(e) of the Constitution of Pakistan, 1973 the state is bound to reduce disparity in the income and earnings of individual including persons in the services of Federation.

I- That appellant seeks permission to advance other grounds and proofs at the time of hearing.

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

Dated: 11.9.2019

APPELLANT


IBNI AMIN

THROUGH:

NOOR MOHAMMAD KHATTAK

&


MIR ZAMAN SAFI
ADVOCATES

P. NO 346640

(For use in Police Department only)

Old: - MIC No 1-116-78109304

A-5

New: - NIC No: 15602-0356133-5

Note: - The 10 sh

1. Name

2. Race

3. Resid

4. Fath

5. Date near

6. Exa

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8. Let of

Lit

M

TI

9. S

10. S

ification Roll No.	dated	received back.
passed S.S.C (A) Exam; in 1994 From BISE Saidu Sharif, Swat Under R.No-8579 Securing 78/100 Marks.		passed P.T.C. Exam; in 1998 From: AIOU Islam Abad. Under R.No: G6037439 Securing 444/900 Marks Result Declared - 20-10-1998

passed F.A (A) Exam; in 1996 From BISE Saidu Sharif, Swat Under R.No: 220541 Securing 78/100 Marks.		
--	--	--

Qualifications	Date	Qualifications	Date
English Passed BA (A) Examination 2001 in University of Peshawar under R.No: 92905 Pushto Securing 247/500 division Second.		passed C.T. Exam; in 2004 First Arts From schools and Literacy Deptt N.W.F.P Peshawar under B.L. or B.A. R.No: 460 Securing 601/1200 Marks Result Declared 28/12/2004.	
Urdu		Pleadership Examination	
Plan-Drawing Passed M.A. Exam (Islamiyat) in 2003 From University of Peshawar Finger Print Under R.No: 23087 Securing 594/1100 Marks Result declared on 31.3.2004 Drill Instructing		Training School Final Examination	
Court Duties		Other Qualifications: - Passed B.Ed Exam in From A.I.O. unity: under R.No: 0634637 Securing 565/900 Marks grade "B" Result Declared on 28-11-2006.	
Reserve Duties			

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

ATTESTED

Attest
SCT (General)
G.M.S. Chail, Dist. Swat

Asst. Comm. Swat

(6)

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

1. Name: Abm Ibrin Amin

2. Race: Algham

3. Residence: village P. P. O Madyan,
Teh: Balwan Swat





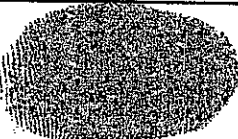
4. Father's name and residence: Abdur Rauf man

5. Date of birth by Christian areas nearly as can be ascertained: 20-11-1978
Twenty November N/H Seventy Eight

6. Exact height by measurement: 5-7

7. Personal marks for Identification: nil

8. Left hand thumb and Finger Impression of (non-Gazetted) Officer.

Little Finger		Ring Finger	
Middle Finger		Fore Finger	
Thumb			<u>OH/3</u>

9. Signature of Government Servant: OH/3

Attest
Emd

10. Signature and Designation of the Head of the Office, or other Attesting Officer: Amiruddin

Amiruddin Poon
S.C. (Gazetted)
G.H.S. Chaman, Dist. Swat.

ATTACHED

By Head Office
G.H.S. Chaman Swat
Q

1	2	3	4	5	6	7	8
Name of post	Whether substantive or officiating and whether permanent or temporary	If Officiating, state (i) Substantive appointment, or (ii) whether service courts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional Pay for Officiating	Other emolument falling under the term "Pay"	Date of Appointment	Signature of Government Sec
251 SAS	Sub per	BPS No 7 Rs 2555-140-6755	Rs 2555/-			5 ⁹ / ₂₀₀₆	Officer
Dabarpay	- do -		Rs 2555/-			1 ¹² / ₂₀₀₆	Officer
- do -	- do -	BPS No 7 Rs 2940-140-7740	2940/-			1 ⁷ / ₂₀₀₇	Officer
- do -	- do -		Rs 3100/-			1 ¹² / ₂₀₀₇	Officer
- do -	- do -	BPS 9 Rs 3185-190-8085	3185/-			2 ¹² / ₂₀₀₇	Officer
- do -	- do -	BPS 9 Rs 3890-230-10720	3890/-			1 ⁷ / ₂₀₀₈	Officer
- do -	- do -		Rs 4050/-			1 ¹² / ₂₀₀₈	Officer
- do -	- do -		Rs 4200/-			1 ¹² / ₂₀₀₉	Officer
- do -	- do -	BPS No 9 Rs 4510	4200/-			1 ¹² / ₂₀₁₀	Officer
- do -	- do -		Rs 4510/-			1 ¹ / ₂₀₁₁	Officer
- do -	- do -	BPS No 9 (6200-380-17600)	7360/-			1 ⁷ / ₂₀₁₀	Officer
- do -	- do -		Rs 7720/-			1 ¹² / ₂₀₁₁	Officer

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

[Signature]
D.D.O. (M)
Pryi Swat.

[Signature]
D.D.O. (M)
Pryi Swat.

[Signature]
D.D.O. (M)

[Signature]
D.D.O. (M)

[Signature]
D.D.O. (M)

[Signature]
D.D.O. (M)

[Signature]
D.D.O. (M)

[Signature]
D.D.O. (M)

[Signature]
D.D.O. (M)

[Signature]
D.D.O. (M)

[Signature]
D.D.O. (M)
Pryi Swat.

7

9 Signature and ignation of the head the office or other attesting officer in attestation of columns 1 to 8	10 Date of termination of appoint- ment	11 Reason of termination (such as promotion, transfer, dismissal, etc.)	12 Signature of the head of the office or other attesting officer	13 Leave		14 Signature of the head of the office or other attesting officer	15 Reference to any recorded punishment or censure, or reward or praise of the Government Servant
				Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debtible to another Government		
					Period		
<i>[Signature]</i> D.D.O. (M) Pvt. Swat.	30/11/2006	Ann Int. No. Allow.	<i>[Signature]</i> D.D.O. (M) Pvt. Swat.				
<i>[Signature]</i> D.D.O. (M) Pvt. Swat.	30/06/07	Scale Revised	<i>[Signature]</i> D.D.O. (M)				APPOINTMENT Appointed against vacant post (Trained) Regular
<i>[Signature]</i> D.D.O. (M)	30/11/07	As Int.	<i>[Signature]</i> D.D.O. (M)				Teacher at Gps Dabergay vide BDO (M) No. 102 dt 31-8-2006.
<i>[Signature]</i> D.D.O. (M)	up-grad to	9	<i>[Signature]</i> D.D.O. (M)				
<i>[Signature]</i> D.D.O. (M)	30/06/08	Scale Revised	<i>[Signature]</i> D.D.O. (M)				
<i>[Signature]</i> D.D.O. (M)	30/11/2008	Ann Inc	<i>[Signature]</i> D.D.O. (M)				
<i>[Signature]</i> D.D.O. (M)	30/11/09	Ann Inc	<i>[Signature]</i> D.D.O. (M)				Pay 8 all @ Rs 2555/00 w of 5 3/06 to 31 1/07 total Rs 204571
<i>[Signature]</i> D.D.O. (M)	30/11/10	As Int	<i>[Signature]</i> D.D.O. (M)				88 BF 41 EF all @ Rs 204571 175 220 20
<i>[Signature]</i> D.D.O. (M) (Pvt.) Swat	30/06/2011	Scale Revised	<i>[Signature]</i> D.D.O. (M) (Pvt.) Swat				
<i>[Signature]</i> D.D.O. (M) (Pvt.) Swat	30/11/2011	As Int	<i>[Signature]</i> D.D.O. (M) (Pvt.) Swat				
<i>[Signature]</i> D.D.O. (M) (Pvt.) Swat	30/11/2012	As/Int	<i>[Signature]</i> D.D.O. (M) (Pvt.) Swat				

DEPARTMENTAL ATTESTATION IN REVERSED
 PAY SCALE No. 9
 @ Rs. 28000/-
 WEF 1-7-2011 vide PD (PRC) 1-1/2011
 Dated Peshawar 14th July 2011
 Pay in Existing Scale No. 9 on 30/11/11 Rs. 27500/-
 Equal/Next Stage in Revised Pay Scale: 3
 Pay Fixed on 1-7-2011 Rs. 27500/-
 WITH NEXT ANNUAL INCREMENT ON 1-7-2011

District Officer,
SWAT.

[Signature]
Sd/-

Mixing
SCT No. 101
C.H.S. Chai, Distt: Swat

Dy: District Officer (M)
Elem: & Secy: Edu: Swat

ATTESTED

District Officer (M)
Elementary & Secondary Education

(10)

1	2	3	4	5	6	7	8
Name of post	Whether substantive or officiating and whether permanent or temporary	If Officiating, state (i) Substantive appointment, or (ii) whether service courts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional Pay for Officiating	Other emolument falling under the term "Pay"	Date of Appointment	Signature of Government Servant the attesting column
Pst at G.P.s Dabarganj	Sub: pvt:		Rp. 9000/Pm.			01/12/013	
			BPS MD 12 C Rp (7000-500-22000)				
do	do		Rp. 8500/Pm.			01/07/012	S.D. Pr
do	do		Rp. 9000/Pm.			01/12/012	S.D. Pr
do	do		Rp. 9500/Pm.			01/12/013	S.D. Pr
			Rs 10000/-			1/12/019	S.D. Pr
			B. 12 C 9055 - 680 - 28555			12/018	
			12955 ✓			1/12/15	
			B/B (11140 - 800 - 38140)			12/016	
			16740 ✓			1/12/016	
			17560 ✓				
	15						
	16						
			12955/22				
			16740/22				

Attested
Smt

ATTESTED

11

Signature of the head of the office or other attesting officer in columns 1 to 8	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting officer	Leave		Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure, or reward or praise of the Government Servant
				Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government		
	30/09/14	Entirely terminated ref. 15/2	 S.D.E.O (M) Pry. Swat.			1240 No. 1054 date 10/1/14 Drawn dues of B-2 w.e.f 1/7/12 to 31/7/14	13-8-15
 S.D.E.O (M) Pry. Swat.	30/11/12	Pay betwe due to promotion	 S.D.E.O (M) Pry. Swat.				
 S.D.E.O (M) Pry. Swat.	30/11/13	Annual Incr.	 S.D.E.O (M) Pry. Swat.				
 S.D.E.O (M) Pry. Swat.	30/11/14		 S.D.E.O (M) Pry. Swat.				
 S.D.E.O (M) Pry. Swat.	30/6/15	RCV	 S.D.E.O (M) Pry. Swat.				
 S.D.E.O (M) Pry. Swat.	30/11/15		 S.D.E.O (M) Pry. Swat.			No. 354 date 10/1/10 Drawn dues of B-2 w.e.f 1/7/12 to 31/7/14	
 S.D.E.O (M) Pry. Swat.	30/6/16	R/RCV	 S.D.E.O (M) Pry. Swat.				
 S.D.E.O (M) Pry. Swat.	30/11/16		 S.D.E.O (M) Pry. Swat.				
Office of the Accountant General Khyber Pakhtun Khwa Peshawar							
Pay Fixed in the Revised Basic Pay Scales							
Pay Fixed @ Rs. 128,000-138,000 (MAY-2015)							
R.B.P.S 1140-840-38140 (12)							
Pay Fixed @ Rs. 162,400-172,400 (MAY-2016)							
Date of Next increment is on 01-12-2016							
				Accounts Office: Peshawar			

ATTESTED

C-13

THE ³[KHYBER PAKHTUNKHWA]
EMPLOYEES (REGULARIZATION OF SERVICES) ACT, 2009.
(⁴[KHYBER PAKHTUNKHWA] ACT NO. XVI OF 2009)

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

AN
ACT

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

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

It is hereby enacted as follows:-

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

(2) It shall come into force at once.

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

- (a) "Commission" means the ⁸[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;

³Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

⁴Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

⁵Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

⁶Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

⁷Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

⁸Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

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

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

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

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

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

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

⁹Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

¹⁰Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

¹¹Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

¹²Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

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

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

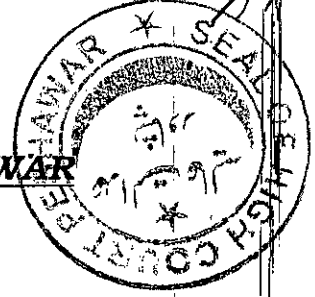
5. **Repeal.**---The North-West Frontier Province Employees (Regularization of Services) Ordinance, 2009 (N.-W.F.P. Ordinance No. VII of 2009) is hereby repealed.

ATTESTED

D-16

JUDGMENT SHEET

PESHAWAR HIGH COURT, PESHAWAR
(JUDICIAL DEPARTMENT)



Writ Petition No.2905 of 2009.

ATTA ULLAH AND OTHERS.....PETITIONERS.

VERSUS.

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

JUDGMENT.

Date of hearing 26.01.2015

Appellant/Petitioner by Ghulam Nabi Khan Advocate.

Respondent by Sardar Ali Raza Advocate & Waqar Ahmad Khan AAG

WAQAR AHMAD SETH,J:- Through this single

judgment we propose to dispose of the instant Writ Petition

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

Nos.2941, 2967,2968,3016. 3025.3053,3189,3251,3292 of

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

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

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

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Peshawar High Court

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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 24th October, 2009' being illegal unlawful, without authority and jurisdiction, based on malafide intentions and being unconstitutional as well as ultra vires to the basic rights as mentioned in the constitution be set-aside and the respondents be directed to fill up the above noted posts after going through the legal and lawful and the normal procedure as prescribed under the prevailing laws instead of using the short cuts for obliging their own person.

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

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EXAMINER
Peshawar High Court

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

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

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

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 Peshawar
 08 MAR 2015

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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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EXAMINER
Peshawar High Court

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

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

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

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

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

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

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

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

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EXAMINER
Behaviour
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service and having qualification mentioned
in column 3."

It is further stated in the comments that due to the degradation/fall of quality education the Government abandoned the previous recruitment policy of promotion/appointment/recruitment and in order to improve the standard of teaching cadre in Elementary & Secondary Education Department of KPK, vide Notification dated 09/04/2004 wherein at serial No. 1.5 in column 5 the appointment of SS prescribed as by the initial recruitment and that the (North West Frontier Provincial) Khyber Pakhtunkhwa Employees(Regularization of Services)Act, 2009 (ACT No.XVI of 2009 dated 24th 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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EXAMINER
Peshawar High Court

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

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

S.2 Definitions. (1)---

a)----

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

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

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

S. 3 reads:-

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

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

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

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EXAMINER
Peshawar High Court
08 MAR 2018

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

14- This court in its earlier judgment dated 26th 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

ATTESTED**ATTESTED**EXAMINER
Peshawar High Court

08 MAR 2018

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

reported in 1991 SCMR 1041 Even otherwise, under Rule 3 (2) of the Khyber Pakhtunkhwa (Civil Servants) (appointment), promotion and transfer) Rules 1989, authorize a department to lay down method of appointment, qualification and other conditions applicable to the post in consultation with Establishment & Administrative Department and the Finance Department. In the instant case the duly elected Provincial Assembly has passed the Bill/Act, which was presented through proper channel i.e Law and Establishment Department, which cannot be quashed or declared illegal at this stage.

15- Now coming to the second aspect of the case, that petitioners legitimate expectancy in the shape of promotion has suffered due to the promulgation of Act, *ibid*, in this respect, it is a long standing principle that promotion is not a vested right but it is also an established principle that when ever any law, rules or instructions regarding promotion are violated then it become vested right. No doubt petitioners in the first instance cannot claim promotion as a vested right

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 EXAMINER
 Provincial Council
 08 MAR 2018

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

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

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EXAMINER
Peshawar High Court

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

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

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EXAMINER
Peshawar High Court
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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

08 Mar 2013

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

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

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

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

Order accordingly.

Handwritten signature

Announced.
26th January 2015

JUDGE

JUDGE

Recd 2/1/15

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CERTIFIED TO BE TRUE COPY

Examiner
Peshawar High Court, Peshawar
Authorized Under Article 27 of
The Court of Sessions Act Order 1984

09 MAR 2015
ATTESTED

IN THE SUPREME COURT OF PAKISTAN
(APPELLATE JURISDICTION)

E-38

PRESENT:

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

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

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

Versus

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

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

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

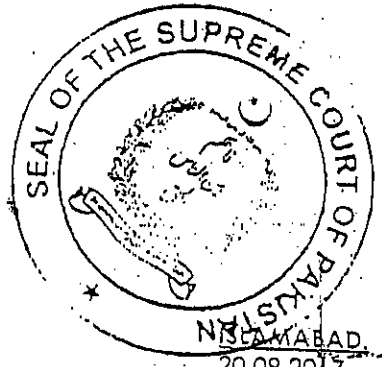
Date of Hearing: 20.09.2017.

ORDER

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

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

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



M. Azhar Malik
25/9/17

ATTESTED
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GR No: 14572/17 Civil/Criminal
Date of Presentation: 29-9-17
No of Writs: 3
No of Filings: 3
Requisition No. & Date: 8-8
Copy Fee in: 1-86
Court Fee \$: 6-86
Date of Court: 29/9/17
Date of delivery of copy: 2/10/17
Compared by/Prepared by: *[Signature]*
Received by: *[Signature]*

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خیبر پختونخوا ایجوکیشن، پوسٹنگ اور ٹرانسفر آف ٹیچرز ریگولیشنز، انسٹرکٹرز اور ڈاکٹریٹرز کی ایکٹ 2011ء کے سیکشن نمبر 4 کے تحت گلگت بلتستان ایجوکیشن ایڈمنسٹریٹو ایجنسی کے ذریعہ

پختونخوا کے زیر انتظام (مرادانہ زبان) سکولوں میں درج ذیل آسامیاں پُر کرنے کے لئے خیبر پختونخوا کے مختلف اضلاع کے مستحق اہل امیدواروں سے مجوزہ فارم پر 30 ستمبر 2016ء تک درخواستیں مطلوب ہیں۔ درخواست فارم (NTS) کی ویب سائٹ (<http://www.nts.pk>) پر دستیاب ہے۔ مقررہ تاریخ گزارنے کے بعد موصول ہونے والی درخواستوں پر غور نہیں کیا جائے گا۔

نمبر شمار	نام آسامی	تالیف	محل
1	سیکنڈری سکول ٹیچر بیا لوجی / کیمسٹری BPS. 16	(SST) کسی بھی تسلیم شدہ ویونیورسٹی سے سینڈ ویڈرین پچھڑو گری جس کے ساتھ درج ذیل دو مضامین لازمی ہوں۔ (i) کیمسٹری، بیالوجی (ڈیٹا لوگ) یا بائی (ii) کسی بھی تسلیم شدہ ویونیورسٹی سے ایم اے ایجوکیشن یا ایجوکیشن میں پچھڑو گری۔	35x21 سال
2	سیکنڈری سکول ٹیچر فزکس / کیمسٹری BPS. 16	(SST) (1) کسی بھی تسلیم شدہ ویونیورسٹی سے سینڈ ویڈرین پچھڑو گری جس کے ساتھ درج ذیل دو مضامین لازمی ہوں۔ (i) فزکس، کیمسٹری یا (ii) فزکس، کیمسٹری یا (iii) فزکس، کیمسٹری (2) کسی بھی تسلیم شدہ ویونیورسٹی سے ایم اے ایجوکیشن یا ایجوکیشن میں پچھڑو گری۔	35x21 سال
3	سیکنڈری سکول ٹیچر (SST) جنرل BPS. 16	(1) کسی بھی تسلیم شدہ ویونیورسٹی سے سینڈ ویڈرین پچھڑو گری جس کے ساتھ درج ذیل دو مضامین لازمی ہوں۔ (i) انگریزی لازمی، دو منتخب گروپ یا دیگر مساوی گروپ۔ (2) کسی بھی تسلیم شدہ ویونیورسٹی سے ایم اے ایجوکیشن یا ایجوکیشن میں پچھڑو گری۔	35x21 سال

سیکشن کرپٹ یا اساتذہ کے سیکشن کیلئے کرپٹ یا درج ذیل ہے۔ کل 200 نمبرات کی تقسیم اس طرح سے کی جائیگی۔

(1) سکریننگ ٹیسٹ بذریعہ NTS = 100 نمبر (ب)۔ تعلیمی قابلیت = 100 نمبر جس کی مزید تقسیم اس طرح ہوگی

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

پی ایس چار سالہ کورس کی صورت میں نمبروں کی تقسیم اس طرح ہوگی۔ حاصل کردہ نمبر 35x تقسیم کل نمبر، چھوڑا ہوا ایم اے ایجوکیشن کی صورت میں نمبر کی تقسیم طریقہ ذیل ہوگی۔
ایم اے ایجوکیشن حاصل کردہ نمبر 20x تقسیم کل نمبر

نوٹ: (1) ہر سکول کی آسامی کے لئے بلٹیم، ویٹھ، میرٹ لسٹ مرتب کی جائیگی جس میں امیدواروں کے NTS کے حاصل کردہ نمبر اور تعلیمی قابلیت کے نمبروں کو ملحوظ کیا جائیگا۔ (2) ہر امیدوار سے NTS کی درخواست فارم 300 روپے چارج کیا جائے گا۔ آرایک امیدوار 5 سکولوں کے لئے درخواست دیا تو اس سے 800 روپے ہی NTS چارج کریں گے۔ جو کہ امیدوار خود برداشت کریں گے۔
(3) NTS لسٹ میں 40 فیصد نمبر لیا ضروری ہے۔ 40 فیصد سے کم نمبر لینے والا امیدوار اہل تصور ہوگا اور مرٹ لسٹ میں شامل نہیں ہوگا۔

عمومی شرائط:- (1) تمام تقرریاں حکومت خیبر پختونخوا کے مزبور قوانین کے مطابق بنیادی تقرری Initial Appoinment کے 25 فیصد

کونے کے تحت خالصتاً عارضی بنیادوں پر Adhoc کنٹریکٹ پر ایک سال کے لئے ہوں گی۔ (2) معذور افراد کے لئے دو فیصد اور تعلیمی امیدواروں کے لئے تین فیصد کوڈ مختص ہے۔ (3) انٹرویو کے وقت اصلی تعلیمی اہلیت اور ہند اخراجات امیدوار کو برداشت کرنے ہوں گے۔ (4) انٹرویو کے لئے آنے والے امیدواروں کو کوئی ٹی اے ڈی ایس نہیں دیا جائے گا۔ (5) صرف مقررہ وقت کے اندر موصول ہونے والی درخواستوں پر غور کیا جائے گا۔ (6) زبردستی اور اختیار حاصل ہے کہ کوئی امیدوار کسی بھی وقت کئی یا زبانی طور پر انٹرویو منسوخ کر دے۔ (7) اگر اس امیدوار کے بعد حکومت وقت کی طرف سے مقررہ طریقہ کار میں تبدیلی کی گئی تو سلیکشن کمیٹی اس کے مطابق عمل کرنے کی پابند ہوگی۔ (8) گلگت بلتستان ایجوکیشن ایڈمنسٹریٹو ایجنسی کو اختیار حاصل ہوگا کہ وہ تمام خالی آسامیوں یا اس سے کم پر امیدوار مقرر کرے۔ (9) تمام تقرریاں حکومت خیبر پختونخوا کے مقررہ قوانین اور طریقہ کار کے مطابق خالصتاً مرٹ کی بنیاد پر ہوں گی۔ (10) تمام تعلیمی اساتذہ صرف گورنمنٹ کے تسلیم شدہ اداروں کی قابل قبول ہوگی۔ (11) اگر کسی امیدوار کی اسناد جعلی پائے گئے تو اس کے خلاف قانونی چارہ جوئی کی جائے گی اور آئندہ کے لئے اسے سرکاری ملازمت کے لئے اہل تصور کیا جائے گا۔ (12) حاصل کردہ تمام معلومات کی صورت میں درخواست فارم خود بخود منسوخ تصور کیا جائے گا جس کے لئے کوئی اپیل منظور نہیں کی جائے گی۔ (13) انٹرویو کے لئے الگ شیڈول بنیادوں پر کیا جائے گا جس میں ڈاکٹریٹس چیک کئے جائیں گے۔ (14) تمام تقرریاں مختلف اضلاع کے ڈویژنل آفس میں ہوں گی۔ امیدوار کا قومی شناختی کارڈ اور ڈیو سی اے میں مختلف سطح کا مستقل رہنے والا ہے۔ 30 ستمبر 2016ء کے بعد پانچ مہینوں کی عمر کی تہ تیہ ملی تعلیم کی صورت میں اس کی تقرری کسی ایک سکول میں کی جائے گی اس صورت میں سکول سلیکشن کا اختتام امیدوار کو حاصل نہیں بلکہ اس میں اس بات کا خیال رکھا جائے گا کہ دوسرے سکولوں میں اس کے بعد زیادہ مرٹ والے امیدوار کو سلیکشن کا موقع مل سکے۔ (17) درخواست دینے کا طریقہ کار NTS کے ویب سائٹ پر موجود ہے۔ (18) مختلف اضلاع کی خالی آسامیوں کی تفصیل سکول دائرہ درخواست فارم کے ساتھ NTS کے ویب سائٹ پر دی گئی ہے اور ہر سکول کا پتہ فراہم کیا ہے۔

محمد رفیق خٹک ڈائریکٹر ایجوکیشن ایڈمنسٹریٹو ایجنسی خیبر پختونخوا پشاور

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درخواستیں مطلوب ہیں

درخواستوں پر نوٹس کیا جائیگا۔

بختونخوا کے زیر انتظام (مرحلاتہ امتحان) سکولوں میں درج ذیل آسامیوں پر کرنے کے لئے خیرہ بختونخوا کے مختلف اضلاع کے سکولوں اہل امیدواروں سے مجوزہ فارم مورہ 20 دسمبر 2017ء تک درخواستیں مطلوب ہیں۔ درخواست فارم (NTS) کی ویب سائٹ (http://www.nts.org.pk) پر دستیاب ہے۔ مقررہ تاریخ گزرنے کے بعد موصول ہونے والی درخواستوں پر نوٹس کیا جائیگا۔

نمبر شمار	نام آسامی	تالیف	عمر
1	سیکنڈری سکول ٹیچر (SST) بیالوجی / کیمسٹری۔ BPS-16	(i) کسی بھی تسلیم شدہ یونیورسٹی سے سیکنڈ ڈیگری بیچلر ڈگری جس کے ساتھ درج ذیل دو مضامین لازمی ہوں۔ (i) کیمسٹری، بیالوجی (زوالومی یا بائی) (ii) سٹیکشن اور تقرری کے بعد 9 ماہ کی لازمی ٹریڈنگ مکتوی اداروں RITE/PITE سے حاصل کرنی ہوگی۔	35±19 سال
2	سیکنڈری سکول ٹیچر (SST) فزکس / میٹس۔ BPS-16	(i) کسی بھی تسلیم شدہ یونیورسٹی سے سیکنڈ ڈیگری بیچلر ڈگری جس کے ساتھ درج ذیل دو مضامین لازمی ہوں۔ (i) فزکس، میٹس A یا (iii) فزکس، میٹس B یا (iii) فزکس، میٹس (ii) سٹیکشن اور تقرری کے بعد 9 ماہ کی لازمی ٹریڈنگ مکتوی اداروں RITE/PITE سے حاصل کرنی ہوگی۔	35±19 سال
3	سیکنڈری سکول ٹیچر (SST) جنرل۔ BPS-16	(i) کسی بھی تسلیم شدہ یونیورسٹی سے سیکنڈ ڈیگری بیچلر ڈگری جس کے ساتھ درج ذیل دو مضامین لازمی ہوں۔ (i) انگریزی لازمی، ہونٹنلیگز گروپ یا دیگر مساوی گروپ۔ (ii) سٹیکشن اور تقرری کے بعد 9 ماہ کی لازمی ٹریڈنگ مکتوی اداروں RITE/PITE سے حاصل کرنی ہوگی۔	35±19 سال

سلیکشن کرڈیٹوریا: اساتذہ کے سلیکشن کیلئے کرڈیٹوریا درج ذیل ہے۔ کل 200 نمبرات کسی تقسیم اس طرح سے کسی جائیگی۔

(1) سکریننگ ٹیسٹ بذریعہ NTS=100 نمبر		(ب) تقسی تالیف =100 نمبر		جس کی جگہ تقسیم اس طرح ہوگی	
تقسیمی تالیف	کل نمبر	تقسیمی تالیف	کل نمبر	تقسیمی تالیف	کل نمبر
ایس ایس سی	حاصل کردہ نمبر 20x	ای اے / ایف ایس سی	حاصل کردہ نمبر 20x	ایس ایس سی	حاصل کردہ نمبر 20x
پی اے / پی ایس سی	حاصل کردہ نمبر 20x	ایم اے / ایم ایس سی	حاصل کردہ نمبر 20x	پی ایس سی	حاصل کردہ نمبر 20x
پی ایڈ	حاصل کردہ نمبر 05x	ایم ایڈ / ایم اے ایچ ایچ	حاصل کردہ نمبر 05x	پی ایڈ	حاصل کردہ نمبر 05x
ایم ایل / پی ایچ ڈی	حاصل کردہ نمبر 10x			ایم ایل / پی ایچ ڈی	حاصل کردہ نمبر 10x

بی ایس چار سالہ کورس کی صورت میں نمبروں کی تقسیم اس طرح ہوگی۔ حاصل کردہ نمبر 40x تقسیم کل نمبر جبکہ پیشہ ورانہ نام اسے باجوبیکشن کی صورت میں نمبر کی تقسیم بطریقہ ذیل ہوگی۔

ایم اے ایچ ایچ کیشن حاصل کردہ نمبر 10x تقسیم کل نمبر (5 نمبر پی ایڈ + 5 نمبر پی ایڈ)

ایس ایس سی کی آسامی کیلئے طے شدہ میرٹ لسٹ مرحب کی جانگی جس میں امیدواروں کے NTS کے نمبروں کو برقرار تقسیم تالیف کے نمبروں کو بھی کیا جائیگا۔ (2) NTS ٹیسٹ میں 40 فیصد نمبر لینا ضروری ہے۔ 40 فیصد سے کم نمبر لینے والا امیدوار اہل تصور ہوگا اور میرٹ لسٹ میں شامل نہیں ہوگا۔

عمومی شرائط :- (1) تمام تقرریاں حکومت خیرہ بختونخوا کے مروجہ قوانین کے مطابق 25 فیصد بنیادی تقرری (Initial Appointment) کے تحت خالصتاً عارضی بنیادوں پر ایڈ ہاک / کنٹریکٹ پر ایک سال کیلئے ہوگی۔ (2) معذور افراد کیلئے دو فیصد اور اقلیتی امیدواروں کیلئے تین فیصد کوٹہ مختص ہے (معذور افراد کے دو فیصد کوٹہ مختص ہے جس کیلئے شیڈنگ کیلئے ایک بل بورڈ کا سرٹیفکیٹ لینا لازمی ہے بشرطیکہ وہ معذور فرائض کی انجام دہی میں رکاوٹ نہ ہو۔) (3) انٹرویو کے وقت اصلی تقسیمی اسناد بجا شراحت امیدوار کو برداشت کرنا ہوگی۔ (4) انٹرویو کیلئے آنے والے امیدواروں کو کوئی TA/DA نہیں دیا جائیگا۔ (5) صرف مقررہ وقت کے اندر موصول ہونے والی درخواستوں پر نوٹس کیا جائیگا۔ (6) ڈیڑھ گھنٹہ کو اختیار حاصل ہے کہ وہ کوئی وجہ بتائے بغیر کسی بھی وقت گئی یا جزوی طور پر انٹرویو منسوخ کر دے۔ (7) اگر اس اشتہار کے بعد حکومت وقت کی طرف سے ہجرتی کے طریقہ کار میں تبدیلی کی گئی تو سلیکشن کمیٹی اس کے مطابق عمل کرنے کی پابند ہوگی۔ (8) عملیاتی سلیکشن ایڈیٹری سیکشن کو اختیار حاصل ہوگا کہ وہ تمام خالی آسامیوں یا اس سے کم پر امیدوار مقرر کرے۔ (9) تمام تقرریاں حکومت خیرہ بختونخوا کے مقرر کردہ قوانین و نصاب کے مطابق خالصتاً میرٹ کی بنیاد پر ہوں گی۔ (10) تمام تقسیمی اسناد صرف گورنمنٹ کے تسلیم شدہ اداروں کی قابل قبول ہوگی۔ (11) اگر کسی امیدوار کی اسناد جعلی پائی گئی تو اس کے خلاف قانونی چارہ جوئی کی جائے گی اور آئندہ کے لئے نااہل تصور کیا جائیگا۔ (12) بائبل فارم یا معلومات کی صورت میں درخواست فارم خود بخود منسوخ تصور کیا جائیگا جس کے لئے کوئی اپیل منظور نہیں کی جائے گی۔ (13) انٹرویو کیلئے الگ شیڈول جاری کیا جائیگا جس میں ڈاکومنٹیشن چیک کے جائیگے۔ (14) تمام تقرریاں مختلف اضلاع کے ڈویژنوں کی بنیاد پر ہوگی۔ امیدوار کا ڈویژن مختلف ضلع کا ہو لازمی ہے۔ 20 دسمبر 2017ء کے بعد پتہ میں کسی قسم کی تبدیلی قابل قبول نہ ہوگی۔ (15) امیدوار کو کسی سکول میں مرسوس کرنا ہوگی جو کہ قابل تبادلہ ہوگی۔ (16) ایک امیدوار ایک وقت 5 سکولوں میں خالی آسامیوں کیلئے درخواست دے سکتا ہے۔ امیدوار کے ایک یا ایک سے زیادہ سکولوں میں سلیکشن کی صورت میں اس کی تقرری کسی ایک سکول میں کی جائے گی اس صورت میں سکول کا امتحان امیدوار کو حاصل نہیں بلکہ اس میں اس بات کا خیال رکھا جائیگا کہ دوسرے سکولوں میں اس کے بعد زیادہ میرٹ والے امیدوار کو سلیکشن کا موقع مل سکے۔ (17) درخواست دینے کا طریقہ کار NTS کی ویب سائٹ پر موجود ہے۔ (18) مختلف اضلاع کے خالی آسامیوں کی تفصیل سکول وائز درخواست فارم کے ساتھ NTS کی ویب سائٹ پر دی گئی ہے اور ہر سکول کو اپنا کواڈیا کیا ہے۔

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درخواستیں مطلوب ہیں

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مختار نظام تعلیم کے تحت 2011ء کے سیکشن نمبر 4 کے تحت مقررہ ایجنسیوں کی ایجنسیوں کی درخواستیں قبول کی جائیں گی۔ (مردانہ اور خواتین) سکولوں میں درج ذیل آسامیوں پر کرنے کیلئے خیرہ و محتاجوں کے متعلقہ اطلاق کے متعلق اہل امیدواروں سے مجوزہ فارم پر 10 دسمبر 2014ء تک درخواستیں جمع کروانی ہیں۔ درخواست فارم (NTS) کی ویب سائٹ (<http://www.nts.org.pk>) پر دستیاب ہے۔ مقررہ تاریخ گزارنے کے بعد موصول ہونے والی درخواستوں پر غور نہیں کیا جائے گا۔

نمبر	آسامی	قابلیت
21	سیکندری سکول بچہ SST پٹوئی (یکسٹرنل BPS.16)	کسی بھی تسلیم شدہ و معتمد نرس سے پچھلے دو برہنہ بچہ ڈگری جس کے ساتھ درج ذیل دو مضامین لازمی ہوں۔ (ا) یکسٹرنل پٹوئی (ذوالقنی یا باقی) (ب) کسی بھی تسلیم شدہ و معتمد نرس سے ایسا ایجنٹیشن یا ایجنٹیشن میں بچہ ڈگری
21	سیکندری سکول بچہ SST فرسٹ ایٹمنس BPS.16	(1) کسی بھی تسلیم شدہ و معتمد نرس سے پچھلے دو برہنہ بچہ ڈگری جس کے ساتھ درج ذیل دو مضامین لازمی ہوں۔ (ا) فرسٹ ایٹمنس A یا (ب) فرسٹ ایٹمنس B یا (ج) فرسٹ ایٹمنس (2) کسی بھی تسلیم شدہ و معتمد نرس سے ایسا ایجنٹیشن یا ایجنٹیشن میں بچہ ڈگری
21	سیکندری سکول بچہ SST بزل BPS.16	(1) کسی بھی تسلیم شدہ و معتمد نرس سے پچھلے دو برہنہ بچہ ڈگری جس کے ساتھ درج ذیل دو مضامین لازمی ہوں۔ (ا) انگریزی لازمی ہوگی اور گروپ یا دیگر مساوی گروپ (2) کسی بھی تسلیم شدہ و معتمد نرس سے ایسا ایجنٹیشن یا ایجنٹیشن میں بچہ ڈگری

نن کر کے یا اسامی کے سلیکشن کر کے یا درج ذیل ہیں ہر ایک 200 نمبرات کی قسمیں اس طرح کی جائے گی۔
سکریٹ نمبر = NTS = 100 نمبر (ب) تعلیمی قابلیت = 100 نمبر جس کی مزید قسمیں اس طرح ہوں گی۔

- کلی نمبر
- مہل کروہ نمبر 20x تسلیم کل نمبر
- مہل کروہ نمبر 20x تسلیم کل نمبر
- مہل کروہ نمبر 20x تسلیم کل نمبر
- مہل کروہ نمبر 15x تسلیم کل نمبر
- مہل کروہ نمبر 15x تسلیم کل نمبر
- مہل کروہ نمبر 05x تسلیم کل نمبر
- مہل کروہ نمبر 05x تسلیم کل نمبر

- تعلیمی قابلیت
- ایس ایس سی
- ایس اے / ایف ایس سی
- بی اے / بی ایس سی
- ایم اے / ایم ایس سی
- بی اے / ایم اے / ایس سی
- ایم اے / ایم اے / ایس سی
- ایم اے / ایم اے / ایس سی

ہ ہر سال کورس کی صورت میں نمبروں کی قسمیں اس طرح ہوں گی حاصل کروہ نمبر 35x تسلیم کل نمبر جبکہ پٹوئی ایس ایس سی کی صورت میں نمبر کی قسمیں اس طرح ہوں گی۔
سے ایجنٹیشن حاصل کروہ نمبر 20x تسلیم کل نمبر

1. ہر سکول کی آسامی کیلئے متحدہ و متحدہ امتحان کرنا ہوگی جس میں امیدواروں کے NTS کے حاصل کروہ نمبر اور تعلیمی قابلیت کے نمبروں کو جمع کیا جائے گا۔ (2) ہر امیدوار سے NTS درخواست فارم 300 روپے ہر سال کیا جائے گا۔ اگر ایک امیدوار کئی سکولوں کے لئے درخواست دے گا تو اس سے صرف 800 روپے ہی NTS ہر سال کرنا پڑے گا۔
میدوار خود پر دست کر رہے۔

اہم شرائط (1) تمام مقررہ یا حکومت خیرہ و محتاجوں کے موجودہ قوانین کے مطابق بنیادی تقرری Initial Appoinment کے 25 فیصد کوٹے کے تحت خالصتاً ناراضی یا Adhoc کنٹریکٹ پر ایک سال کیلئے ہوں گی (2) معذور افراد کیلئے دو فیصد اور اقلیت امیدواروں کے لئے تین فیصد کوٹہ مختص ہے (3) اندرونی کے وقت اس کی تعلیمی اسناد بعد اس امیدوار کو برواقت کرنا ہوں گے۔ (4) اندرونی کیلئے آنے والے امیدواروں کو کوئی فی اسے ذی اسے نہیں دیا جائے گا (5) صرف مقررہ وقت کے اندر موصول ہونے والی درخواستوں پر دیا جائے گا۔ (6) ہر درخواست کو اختیار حاصل ہے کہ وہ کوئی جواب دے یا نہیں دے۔ (7) اگر اس اختیار کے بعد حکومت وقت کی طرف سے برائی ریزنگ کار میں تبدیلی کی گئی جو سلیکشن کمیٹی اس کے مطابق عمل کرنے کی پابند ہوگی (8) مقررہ ایجنسیوں کی ایجنسیوں کو اختیار حاصل ہوگا کہ وہ تمام خالی آسامیوں یا اس سے کم پر مقررہ تقرریاں حکومت خیرہ و محتاجوں کے مقرر کردہ قوانین و مجوزہ طریقہ کار کے مطابق خالصتاً صورت کی بنیاد پر ہوں گی (10) تمام تعلیمی اسناد صرف کورس کے تسلیم ہونے کے بعد قابل قبول ہوں گی (11) اگر کسی امیدوار کی اسناد جعلی پائے گئے تو اس کے خلاف قانونی چارہ جوئی کی جائے گی اور آئندہ کے لئے اسے سرکاری خدمت کے لئے قابل نہیں کیا جائے گا۔ (12) مہل فارم یا معلومات کی صورت میں درخواست فارم خود بخود منسوخ تصور کیا جائے گا جس کے لئے کوئی اپیل منظور نہیں کی جائے گی (13) اندرونی کیلئے ایک ل جاری کیا جائے گا۔ جس میں ڈاکوٹیشن چیک کیے جائیں گے۔ (14) تمام تقرریاں متعلقہ اطلاق کے ذریعہ اس کی بنیاد پر ہوں گی۔ (15) امیدوار کو اسی سکول میں مقرر کرنا ہوگی جو کہ سہولت دہی ہوگی۔ (16) ایک امیدوار ایک وقت 5 سکولوں میں خالی آسامیوں کیلئے درخواست دے سکتا ہے۔ امیدوار کے ایک یا ایک سے زیادہ سکولوں میں سلیکشن کی صورت میں اس کی کسی ایک سکول میں کی جائے گی اس صورت میں سکول سلیکشن کا استحقاق امیدوار کو حاصل نہیں بلکہ اس میں اس بات کا خیال رکھا جائے گا کہ دوسرے سکولوں میں اس کے بعد زیادہ سے زیادہ امیدوار کو سلیکشن کا موقع مل سکے۔ (17) درخواست دینے کا طریقہ کار NTS کے ویب سائٹ پر موجود ہے۔ (18) متعلقہ اطلاق کے خالی آسامیوں کی تحصیل سکول وائرڈ سٹ فارم کے ساتھ NTS کے ویب سائٹ پر دی گئی ہے اور ہر سکول کو پتہ کرنا چاہئے۔

INF(P)4383

محمد رفیق خٹک
محمد رفیق خٹک ایجنسیوں کی ایجنسیوں کی درخواستیں قبول کی جائیں گی

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درخواستیں مطلوب ہیں

(42)

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برہمچتنوخوا اپوائنٹمنٹ ڈویژن، پوسٹنگ اور ٹرانسفر آف ٹیچرز لیکچررز، اسٹریٹریڈ اور ڈاکٹرز ریگولیشنری ایکٹ 2011ء کے سیکشن نمبر 4 کے تحت محکمہ ایلیمنٹری اینڈ سیکنڈری ایجوکیشن خیبر پختونخوا کے انتظام (مردانہ/زنانہ) سکولوں میں درجہ ذیل آسامیاں پر کرنے کیلئے خیبر پختونخوا کے متعلقہ اضلاع کے سکولوں میں امیدواروں سے مجوزہ فارم پر 5 جنوری 2014ء تک درخواستیں مطلوب ہیں۔
 وائس فارم NTS کے ویب سائٹ (<http://www.nts.org.pk/>) پر دستیاب ہے۔ مقررہ تاریخ گزرنے کے بعد موصول ہونے والی درخواستوں پر غور نہیں کیا جائیگا۔

نمبر شمار	آسامی	تفصیلات	عمر
1	سیکنڈری سکول ٹیچر (SST)	کسی بھی تسلیم شدہ یونیورسٹی سے سیکنڈ ڈیگری میں ایجوکیشن کے ساتھ درج ذیل دو مضامین لازمی ہوں	35±21 سال
2	بیالوجی/کیمسٹری BPS-16	(i) کیمسٹری/بیالوجی (ذرا دینی/ماتنی) (2) کسی بھی تسلیم شدہ یونیورسٹی سے ایم اے ایجوکیشن یا ایجوکیشن میں بیچلر ڈگری	35±21 سال
3	سیکنڈری سکول ٹیچر (SST)	کسی بھی تسلیم شدہ یونیورسٹی سے سیکنڈ ڈیگری میں ایجوکیشن کے ساتھ درج ذیل دو مضامین لازمی ہوں	35±21 سال

اساتذہ کے سلیکشن کیلئے کریٹیریا درج ذیل ہیں۔ کل 200 نمبرات کی تقسیم اس طرح سے کی جائیگی (1) سیکرٹریٹ ٹیسٹ بازریجہ NTS = 100 نمبر - ب۔ تعلیمی قابلیت = 100 نمبر۔
 زیادہ سے زیادہ تقسیم اس طرح ہوگی

تعلیمی قابلیت	کل نمبر	تفصیلی قابلیت	کل نمبر
ایم اے ایجوکیشن	15	ایم اے/ایم اے ایجوکیشن	15
ایف اے ایف ایس سی	20	ایم اے/ایم اے ایجوکیشن	20
بی اے/بی ایس سی	25	ایم اے/ایم اے ایجوکیشن	25
ایم اے/ایم ایس سی	15	ایم اے/ایم اے ایجوکیشن	15

1۔ ہر سکول کے آپہنای کیلئے علیحدہ علیحدہ میرٹ لسٹ مرتب کیا جائیگا جس میں امیدواروں کے NTS کے حاصل کردہ نمبر اور تعلیمی قابلیت کے نمبروں کو جمع کیا جائیگا۔
 ہر امیدوار NTS کی درخواست فارم 500 روپے چارج کریگا۔ جو کہ امیدوار خود برداشت کریئے۔
 ای شرٹنڈ (1) تمام تقرریاں حکومت خیبر پختونخوا کے مروجہ قوانین کے مطابق بنیادی تقرری Initial Appointment کے 25 نمبر کوٹے کے تحت خالدنا عارضی بنیادوں پر Adhoc اور ٹریکٹ پر ایک سال کیلئے ہوتی (2) اہل امیدواروں کی موجودگی کی صورت میں کسی کو بھی Age Relaxation نہیں دیا جائیگا (3) انٹرویو کے وقت اصلی تعلیمی اسناد و بعد حاصل شناختی کارڈ اور ٹیسٹ رولڈ صرف اصلی شناختی کارڈ والا لازمی ہے (4) میرٹ پر آنے والے امیدواروں کی اسناد و کارڈوں سے تصدیق کرائی جائے گی جس کے تمام اخراجات امیدواروں کو برداشت کرنا ہوں گے (5) ریو کے لئے آنے والے امیدواروں کو کوئی TADA نہیں دیا جائیگا۔ مقررہ وقت تک آمد موصول اور بنیادی درخواستیں برقرار کیا جائیگا (7) زیر تینگی و اختیار حاصل ہے کہ کوئی اپنے ہتائے بغیر ی بھی وقت کلی یا جزوی پر پرائیویٹ منسوخ کر دے (8) اگر اس اشعار کے تحت حکومت وقت کی طرف سے پھرتی کے طریقہ کار میں تبدیلی کی گئی تو سلیکشن کمیٹی اس کے مطابق عمل کر سکتی پابند ہوگی (9) ایلیمنٹری اینڈ سیکنڈری ایجوکیشن کو اختیار حاصل ہوگا کہ وہ تمام خالی آسامیوں یا اس سے کم پر امیدوار مقرر کرے (10) تمام تقرریاں حکومت خیبر پختونخوا کے مقرر کردہ قوانین و مجوزہ طریقہ کار کے مطابق خالصتاً میرٹ کی بنیاد پر ہوں گی (11) تمام تعلیمی اسناد صرف گورنمنٹ کے تسلیم شدہ اداروں کی قابل قبول ہوگی (12) اگر کسی امیدوار کی اسناد جعلی پائے گئے تو اس کی خلاف قانونی چارہ جوئی کی جائے اور اس کو کالے اسٹیمپ سے سرکاری ملازمت کیلئے نااہل تصور کیا جائیگا (13) باقی فارم یا معلومات کی صورت میں درخواست فارم خود بخود منسوخ تصور کیا جائیگا جس کیلئے کوئی اپیل منظور نہیں کی جائے گی (14) ریو کیلئے ایک شیڈول جاری کیا جائیگا (15) تمام تقرریاں متعلقہ اضلاع کے ڈویژنل آفس میں جاری ہوں گی۔ اگر اس اطلاع میں امیدوار دستیاب نہ ہو تو قریبی اطلاع کے امیدوار سے میرٹ کی بنیاد پر تقرریاں کی گئی (16) امیدوار کو اس سکول میں سروس کرنا ہوگی جو کہ قابل تبادلہ ہوگی (17) ایک امیدوار ایک وقت 6 سکولوں میں خالی آسامیوں کیلئے درخواست دے سکتا ہے (18) درخواست دینے کا طریقہ NTS کے ویب سائٹ پر موجود ہے (19) متعلقہ اضلاع کے خالی آسامیوں کی تفصیل سکول اور درخواست فارم کے ساتھ NTS کے ویب سائٹ پر دی گئی ہیں اور ہر سکول کا پتہ کوڈ دیا گیا ہے۔

INF(P) 3360

تعمیراتی و ترقیاتی محکمہ

ڈائریکٹر ایلیمنٹری اینڈ سیکنڈری ایجوکیشن، خیبر پختونخوا ڈبگری کارڈنر، شاور

ATTESTED

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

ATTESTED

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

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

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

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

45

4770/1995 No. 1474 W.C. by Promotee

All ready Promoted to S.S.T.

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GOVERNMENT OF THE KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT.

NOTIFICATION

Peshawar, dated the November 13, 2012.

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

KPK

Endst. No. & Date as above.

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

Copy forwarded to:-

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

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

KPK

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Section Officer (Primary)

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APPENDIX

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

SET →
Redesignated

No quota has been allocated for PST's cadre.

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


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

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

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APPENDIX

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

KPK. J.S.R. [Signature]

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

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

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(5)

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

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Primary School Teacher

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

Other conditions:-

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

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SW No. (A) 7143

Roll No. 8579

BOARD OF INTERMEDIATE AND SECONDARY EDUCATION



Saidu Sharif Swat N.W.F.P. Pakistan
Secondary School Certificate Examination
SESSION ANNUAL 1994

THIS IS TO CERTIFY THAT IBNI AMIN

Son/Daughter of ABDUR RAUF MIAN

and a student of GOVT: HIGH SCHOOL MADYAN DISTT: SWAT.

has passed the **Secondary School Certificate Examination**
of the Board of Intermediate and Secondary Education, Saidu Sharif Swat held in
1994 as a *Regular/Private candidate*. He/She obtained 495 Marks out of 850 and has
been placed in Grade C Representing Good

The Candidate passed in the following subjects.

- | | | | |
|------------|---------------------|--------------|-------------|
| 1. English | 3. Islamiyat | 5. MATHS | 7. PHYSICS. |
| 2. Urdu | 4. Pakistan Studies | 6. CHEMISTRY | 8. BIOLOGY |

(He/She has been awarded Grade _____ on the basis of Internal assessment by the Institution concerned.)

Date of birth according to admission form is TWENTIETH NOVEMBER

one thousand nine hundred and SEVENTY EIGHTH (20-11-1978)

Asst. Secretary
AMM

This certificate is issued without alteration or erasure

Secretary

Attested
Muhammad
SCT (Gazetted)
GHSS, Madyan, Swat.

ATTESTED

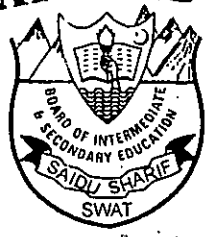
swa No. (A) 3477



Roll No. 220541

(54)

BOARD OF INTERMEDIATE AND SECONDARY EDUCATION



Saidu Sharif Swat N.W.F.P. Pakistan
Intermediate Examination
HUMANITIES Group

SESSION ANNUAL 1996

THIS IS TO CERTIFY THAT IBNI AMIN
Son/Daughter of ABDURRAUF KHAN
and a Student of DISTRICT SWAT
Registered No. 1271LB/P-95 has passed the
Intermediate Examination of the Board of Intermediate and
Secondary Education, Saidu Sharif, Swat held in
May 1996 as a *Private/Regular* candidate. He/She
obtained 518 Marks out of 1100 and has been placed
in Grade D Representing GHSS, Madyan
The Examination was taken as a whole/in parts

ans am
Asst. Secretary

This certificate is issued without alteration or erasure.

Madyan
SCT (Gazetted)
GHSS, Madyan, Swat
Secretary

ATTESTED



University of Peshawar (Pakistan)

Session ANNUAL 2001



IBNI AMIN Son of ABDUR RAUF KHAN and a student
of SWAT DISTRICT having passed the prescribed
examination held in JUNE 2001 is this day admitted by the University
of Peshawar to the Degree of
Bachelor of Arts
in the SECOND Division

The examination was taken as ~~a whole~~ / in parts.

UNIVERSITY
PESHAWAR

Serial No. 064236

Registration No. 97-PS-17164

Roll No. 93005

Result declared on 25TH SEPTEMBER, 2001



Muhammad
Muhammad
Muhammad
Mufti
SCT (Gazetted)
GHSS, Madyan, Swat.

M. Iqbal Khan
Registrar

Countersigned

Z. Iqbal Khan
Vice-Chancellor

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

University of Peshawar
(Pakistan)

Session ANNUAL 2003

IBNI AMIN Son of ABDUR RAUF MIAN and a student
of DISTRICT SWAT having passed the prescribed examination
held in August 2003 is this day admitted by the University of Peshawar
to the Degree of
Master of Arts

in SECOND Division

The Subject of Examination being ISLAMIYAT

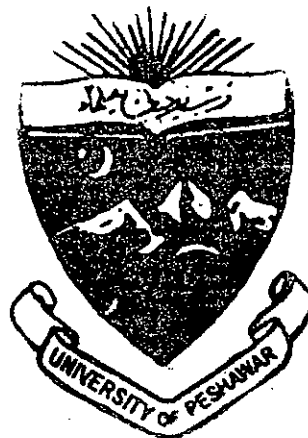
The Examination was taken as a whole / in parts

Serial No 045331

Registration No. 97-PS-17164

Roll No. 23087

Result declared on MARCH 31, 2004



Attested
M. A.
SCT (G...)
GHSS, Madyan, Swat.

Registrar

Countersigned

Vice-Chancellor

ATTESTED

(57)

Allama Iqbal Open University Islamabad



Serial No. 108402

Certified that Mr. / Ms. IBNI AMIN

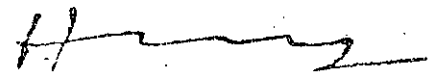
Son / Daughter of ABDUR RAUF MIAN

Registration No: 97-NST-0553 Roll No: O-634637

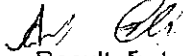
having completed the prescribed requirements in semester
SPRING 2005 is awarded the degree of:

Bachelor of Education (B.Ed)

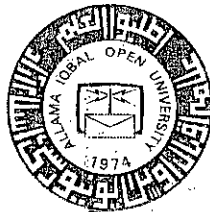
He / She has secured 63 % marks and has been placed in B grade.



CONTROLLER OF EXAMINATIONS



Result declared on: January 28, 2006



ISLAMABAD. DATED: March 06, 2008 

*Attested
Mufti
SCT (Gazetted)
GHSS, Madyan, Swat.*


VICE-CHANCELLOR

ATTENDED

Allama Iqbal Open University Islamabad

SB



Serial No. 31840

Certified that Mr. / Ms. **IBNI AMIN**


Son / Daughter of **ABDUR RAUF MIAN**

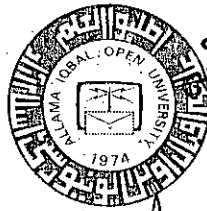
Registration No: **97-NST-0553** Roll No: **AG689688**

having successfully completed the prescribed requirements
in semester **SPRING 2011** is awarded the degree of

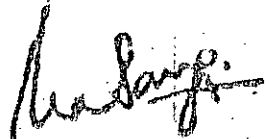
Master of Education (M.Ed.)

He/She has secured **63** % marks and has been placed in **B** grade.


CONTROLLER OF EXAMINATIONS



Signed
Mustfi
SCT (Gazetted)
ISS, Madyan, Swat


VICE-CHANCELLOR

Result declared on: **March 14, 2012**

Date of Issue: **June 03, 2013**

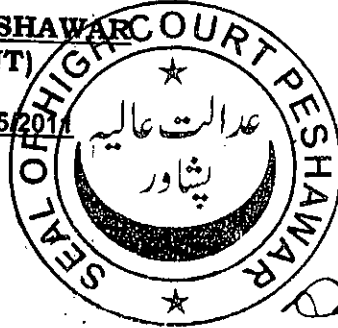
ATTESTED

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

J-59

JUDGMENT SHEET
PESHAWAR HIGH COURT, PESHAWAR
(JUDICIAL DEPARTMENT)

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



JUDGMENT.

Date of hearing: 08.11.2018

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

Respondent (s): Muhammad Azam Khan & Spd Officer Ali Gulab Khan

WAQAR AHMAD SETH, CJ:- Through this

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

2. Facts in brief are that the petitioners had filed Writ Petitions before this Court and prayed that the Act No. XVI 2009, namely, 'The North West Province Employees (Regularization of Services) Act, 2009 dated 24th 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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EXAMINER
Peshawar High Court

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

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

APPROVED
EXAMINER
Peshawar High Court
31 NOV 2019

(61)

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

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

5. Arguments heard and record perused.

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

FRANCOIS
Peshwar High Court
30 NOV 2018

ATTENTION

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

ANNOUNCED.
Dated: 08.11.2018

Chief Justice

Judge

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

No. 1587

Date of Presentation of Application 25.11.18

No of Pages 5

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Preparation of Copy 20.11.18

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

30 NOV 2018

ATTESTED

To,

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

K - 62/A

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

Respected Sir,

With due respect it stated that I was initially appointed as PST in your good self Department vide order dated 31.08.2006. 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 PST (BPS-12) to which I belong have no prospects of promotion. In light of the said advertisement new appointments were made by the authorities on adhoc basis and even the promotion quota was also filled by the authority though initial recruitment. In the meanwhile the Provincial Government Promulgated the employee's regularization Act, 2009 whereby all the adhoc employees who were appointed as SST on temporary basis were regularized thus further affected the cadre to which I belong. That the promotion quota for which me and my colleagues have waited for decades has been washed by operation of the said Act of 2009. I was feeling aggrieved alongwith my others colleagues knocked the door of the Peshawar High Court through various writ petitions including writ petition No.2905/2009. That vide consolidated judgments dated 26.1.2015 the said writ petitions were disposed of with the directions that:

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

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

ATTESTED

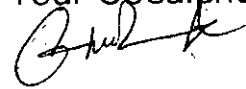
63

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 am the senior most PST (BPS-12) of your good self Department and also eligible in all respect for promotion to the post of SST (BPS-16). I am feeling aggrieved filed this Departmental appeal before your good self for redressal of my grievances.

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

Dated: 12.6.2019

Your Obediently



IBNI AMIN PST (BPS-12),
GPS Dabargai, District Swat

ATTESTED

VAKALATNAMA

Before the KP Service Tribunal, Peshawar

OF 2019

Ibni Amin

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

Education Deptt.

(RESPONDENT)
(DEFENDANT)

I/We Ibni Amin

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


ACCEPTED
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. 1234/2019

Ibni Amin PST (BPS-12) GPS Dabargai, 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

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 at the time of the mentioned advertisement from PST to SST. Later on in 2012 policy was promulgated and amended in 2014. According to this policy there are three categories of SST i.e SST I (Chemistry, Botany or Zoology), SST II (Physics, Maths A or B or Statistics) & SST General. The appellant will be promoted in his category on his own turn. **(Policy as annexure A)**

3. That the Para No.3 is correct to the extent that there was no promotion policy from CT BPS-15 to SST BPS-16 at the time of the above mentioned advertisement. However, as stated in the foregoing Para, now the policy exists for promotion from CT BPS-15 to SCT BPS-16 and SST BPS-16. The promotions have been made on the basis of seniority cum fitness basis according to the policy. If the Appellant felt aggrieved of any order of promotion he should file departmental appeal before the competent authority.
4. That the Para No.4 is correct to the extent of appointments on ad-hoc basis. The rest of the Para is incorrect and denied. On one hand the Appellant admits in Para No.3 that there was no policy of promotion from CT to SST while on the other hand the Appellant says that promotion quota was filled by appointments.
5. That the Para No. 5 is correct to the extent of regularization Act 2009 the rest of the Para is irrelevant as the Honorable Peshawar High Court has already declared the regularization Act as beneficial.
6. That the Para No. 6 is correct.
7. That the Para No.7 is correct to the extent of judgments of the Honorable Courts the rest of the Para is incorrect and denied. According to the judgment dated 08-11-2018 of the Honorable Peshawar High Court in COC No. 105-P/2018 in W.P NO. 355/2011 it has clearly been mentioned that backlog was worked out by that time 2725 employees/teachers were in the promotion zone and as such were promoted. If the Appellant felt aggrieved of any order of promotion he should file departmental appeal before the competent authority.**(Judgment as annexure B)**
8. That the Para No. 8 is correct to the extent of the present post of the Appellant the rest of the Para is denied. There was no policy of promotion from PST 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.**(Last promotion order as annexure C)**
9. That the Para No. 9 is correct. However as stated in the foregoing paras the Appellant has to wait till his turn of promotion.
10. That the Para No. 10 is correct to the extent of appeal however, the Appellant has to wait till his turn of promotion. He cannot be promoted without his turn.
11. That the instant service appeal of the Appellant is bereft of any merit, hence liable to be dismissed inter alia following grounds.

GROUND


- A. That the Para No. A is incorrect and denied. The respondent department has to act according to the rules, policy and law. The Appellant has been treated in accordance with law, rules and policy.

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


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



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



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



**SECRETARY,
ELEMENTARY AND SECONDARY
EDUCATION PESHAWAR**



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

Peshawar, dated the 24th July, 2014.

NOTIFICATION

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

AMENDMENTS

In the Appendix,-

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

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

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

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

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

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

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

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

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 seniority-cum-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

SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

Endst : of even No & date:

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

(7)

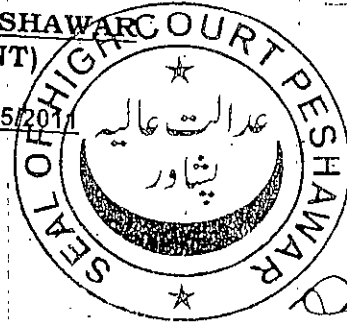


(ZAMIN KHAN MOMAND)
SECTION OFFICER (PRIMARY)

E59

JUDGMENT SHEET
PESHAWAR HIGH COURT, PESHAWAR
(JUDICIAL DEPARTMENT)

COC No. 105-P/2018 in WP No. 355/2011

JUDGMENT.

Date of hearing: 08.11.2018

Petitioner (s): Nigar Ahmad & No. Noor Muhammad WazirRespondent (s): Muhammad Azam Khan & Syed Qasim Ali
P. S. Ady.**WAQAR AHMAD SETH, CJ:-** Through this

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

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

ATTESTED
 EXAMINER
 Peshawar High Court

30 NOV 2018

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obliging their own person. They further prayed that the notification No. A-14 / SET (M) dated 11.12.2009 and Notification No. A-17 / SET (5) Contract-Appnt: 2009 dated 11.12.2009, as well as Notification No. SO(G) / ES / 185 / 2009 / SS(Contract) dated 31.05.2010 issued as a result of above noted impugned Act whereby all the private respondents have been regularized may also be set-aside in the light of the above submission, being illegal, unlawful, unconstitutional and against the fundamental rights of the petitioners. The writ petitions came up for hearing and vide judgment/order dated 26.01.2015, the same were disposed of in the following terms:-

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

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

APPROVED
EXAMINED
Peshawar High Court
31 NOV 2019

(61)

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

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

5. Arguments heard and record perused.

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

30 NOV 2013

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

ANNOUNCED.
Dated: 08.11.2018

Chief Justice

Judge

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

No. 1587

Date of Presentation of Application 25.11.18

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EXAMINER
Peshawar High Court, Peshawar
Authorised Under Article 87 of
The Constitution of Pakistan Order 1584

30 NOV 2018



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

PHONE/FAX 9240228

E-Mail

deomswat@gmail.com

www.male.sed.edu.pk

NOTIFICATION

Consequent upon the Notification issued by the Director of Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar vide his office Endst: No8541-46/File No.17/Promotion SST (B-16) Dated Peshawar the 07-02-2020. The following SSTs (whose services were placed at the disposal of DEO (M) Swat for further adjustment) are hereby adjusted against the vacant posts 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 (BIOLOGY/CHEMISTRY)

S:#	Name	Present School	School Where adjusted	Remarks
01	HIMAYATULLAH S. CT	GHS No 4 MINGORA SWAT	GHS NO 1 MINGORA SWAT	AGAINST VACANT POST
02	ABDULLAH KHAN. CT	GHSS KHWAZKHELA	GHSS KHWAZKHELA	AGAINST VACANT POST
03	RIAZ IQBAL. PSHT	GPS KOTLAI SWAT	GHS SEEWGALAI	AGAINST VACANT POST
04	MUHAMMAD PERVAIZ SPST	GPS DAWRAI SWAT	GHS GULIBAGH	AGAINST VACANT POST
05	NOOR ALAM PST	GPS KANJU SHAHEED BABA	GHSS DARDIYAL	AGAINST VACANT POST
06	AYAZ KHAN PST	GPS MANAI SWAT	GHS MANAI SWAT	AGAINST VACANT POST

SST (MATHS/PHYSICS)

S:#	Name	Present School	School Where adjusted	Remarks
1	SALEEMULLAH PST	GPS NO 1 MINGORA SWAT	GHSS CHARBAGH	AGAINST VACANT POST

SST (GENERAL)

S:#	Name	Present School	School Where adjusted	Remarks
1	AFZAL HUSSAIN SCT	GHSS ABOHA SWAT	GMS PALANG	AGAINST VACANT POST
2	AMIR ZEB KHAN SCT	GHSS DEOLAI	GMS GOLDEN KABAL	AGAINST VACANT POST
3	AKBAR ALI SCT	GHS GHALIGAY SWAT	GHS GHALIGAY	AGAINST VACANT POST
4	BAKHT NAEEM TT	GHS GURNAI SWAT	GHS GURNAI SWAT	AGAINST VACANT POST
5	IZHARUL HAQ TT	GHSS MADYAN	GHSS MADYAN	AGAINST VACANT POST
6	ALI RIQDAR KHA PSHT	GPS BABO SWAT	GMS NAWAKALAY KH. KHELA	AGAINST VACANT POST
7	MIAN SARAN ZAIB PSHT	GPS NO 1 BAZKHELA SWAT	GMS GURRA MATTA	AGAINST VACANT POST
8	HANIFULLAH PSHT	GPS ASOGAY SWAT	GMS DAGAY	AGAINST VACANT POST
9	MAHBOOB ALI PSHT	GPS HAZARA SWAT	GHSS KABAL	AGAINST VACANT POST
10	AKHTAR IQBAL PSHT	GPS JARONDO DEHRAI SWAT	GHS UDIGRAM	AGAINST VACANT POST
11	MIAN SHER ALI PSHT	GPS QAZI ABAD SWAT	GHS KANJU	AGAINST VACANT POST
12	RIAZ AHMAD PSHT	GPS SAMIR BANR	GHS TOHA	AGAINST VACANT POST

CONSEQUENT ADJUSTMENT

S.No	Name & Designation	Present School	Name of school were is consequent adjusted	Remarks
1	Israr Hussain SST (Sc-II)	GHS Shinko	GHS No 1 Mingora	A.V.P.

7634-39

(MUHAMMAD AMIN)

District Education Officer (M)

Swat

Dated 15/2/2020

Endst: No _____ /Promotion/SST Swat

Copy forwarded for information and necessary action to the:-

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

District Education Officer (M)

Swat

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

Service Appeal No: 1234/2019

Ibni Amin SST (BPS-16) GPS Dabargari, District Swat Appellant.

VERSUS

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

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

Respectfully Sheweth :-

The Respondents submit as under:-

PRELIMINARY OBJECTIONS.

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

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

ON FACTS

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

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

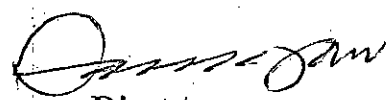
ON GROUNDS

- A Incorrect & not admitted. The stand of the appellant is without any cogent reason & legal justification & liable to be rejected as the act of the Respondent Department with no legal justification & liable to be rejected.

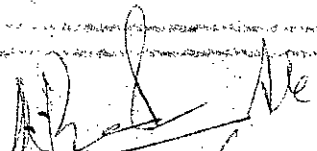
- B **Incorrect & not admitted.** The stand of the appellant is without any cogent reason & legal justification & liable to be rejected as the act of the Respondent Department with regard to the non-grant of promotion wef 24/10/2009 against the SST B-16 post is within legal sphere having no question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

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


Director


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



Secretary

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

AFFIDAVIT

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


Deponent


Director
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

A

B-14

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920190

نگہ واروں اور خزانہ کی سروس سرحد

نگہ واروں اور خزانہ کی سروس سرحد کی کئی پوزیشنوں (SS) اور (SST) کے لیے 10 اگست 2007ء کو ایک پبلک سروس ٹیسٹ کا انعقاد کیا گیا۔ اس ٹیسٹ کے نتائج www.onwfp.com پر سروس سرحد کے کئی پوزیشنوں (SS) اور (SST) کے لیے درج ہیں۔

پوزیشن	تعداد	تعداد	تعداد
نگہ واروں اور خزانہ کی سروس سرحد (SS)	16	16	16
نگہ واروں اور خزانہ کی سروس سرحد (SST)	17	17	17

نگہ واروں اور خزانہ کی سروس سرحد کی کئی پوزیشنوں (SS) اور (SST) کے لیے 10 اگست 2007ء کو ایک پبلک سروس ٹیسٹ کا انعقاد کیا گیا۔ اس ٹیسٹ کے نتائج www.onwfp.com پر سروس سرحد کے کئی پوزیشنوں (SS) اور (SST) کے لیے درج ہیں۔

پوزیشن	تعداد	تعداد	تعداد
SSC	10	10	10
MAJSC	10	10	10
MAJSC	10	10	10

Higher Education than the preceding question
One Stage Above = 0 marks (MAJSC)
Two Stage Above = 0 marks (MAJSC)

نگہ واروں اور خزانہ کی سروس سرحد کی کئی پوزیشنوں (SS) اور (SST) کے لیے 10 اگست 2007ء کو ایک پبلک سروس ٹیسٹ کا انعقاد کیا گیا۔ اس ٹیسٹ کے نتائج www.onwfp.com پر سروس سرحد کے کئی پوزیشنوں (SS) اور (SST) کے لیے درج ہیں۔

پوزیشن	تعداد	تعداد	تعداد
SSC	10	10	10
MAJSC	10	10	10
MAJSC	10	10	10

Higher Education than the preceding question
One Stage Above = 0 marks (MAJSC)
Two Stage Above = 0 marks (MAJSC)
Three Stage Above = 0 marks (MAJSC)

نگہ واروں اور خزانہ کی سروس سرحد کی کئی پوزیشنوں (SS) اور (SST) کے لیے 10 اگست 2007ء کو ایک پبلک سروس ٹیسٹ کا انعقاد کیا گیا۔ اس ٹیسٹ کے نتائج www.onwfp.com پر سروس سرحد کے کئی پوزیشنوں (SS) اور (SST) کے لیے درج ہیں۔

پوزیشن	تعداد	تعداد	تعداد
SSC	10	10	10
MAJSC	10	10	10
MAJSC	10	10	10

نگہ واروں اور خزانہ کی سروس سرحد کی کئی پوزیشنوں (SS) اور (SST) کے لیے 10 اگست 2007ء کو ایک پبلک سروس ٹیسٹ کا انعقاد کیا گیا۔ اس ٹیسٹ کے نتائج www.onwfp.com پر سروس سرحد کے کئی پوزیشنوں (SS) اور (SST) کے لیے درج ہیں۔

Annex

B

71

(7)

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

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

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

39

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

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

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

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

Order accordingly.

Handwritten signature

Announced.
26th January 2015

JUDGE

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JUDGE

CERTIFIED TO BE TRUE COPY

Examiner
Peshawar High Court, Peshawar

Handwritten signature
9/1/15

=====

Annex C

(9)

IN THE SUPREME COURT OF PAKISTAN
(APPELLATE JURISDICTION)

PRESENT:

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

E-40

CIVIL PETITIONS NO. 127-P TO 129-P OF 2015.

(Against the judgment dated 26.1.2015 of the
Peshawar High Court, Peshawar passed in writ
Petition No. 2905 of 2009, 3045 of 2009, 224 of 2010

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

Versus

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

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


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

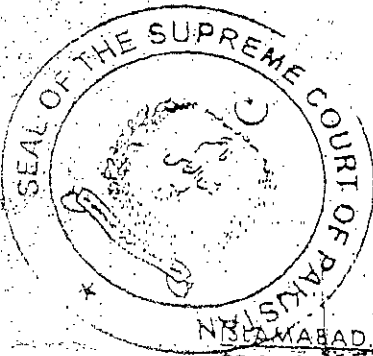
Date of Hearing: 20.09.2017.

ORDER

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

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


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



ISLAMABAD
20.09.2017
M. Ashraf Malik

ATTESTED


GR No: 14572/17 Civil/Criminal

Date of Presentation: 29-9-17

No of Writs: 3

No of Filings: 3

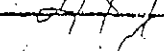
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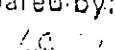
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Court Fee \$: 600

Date of Court: 29/9/17

Date of delivery copy: 29/9/17

Compared by/Prepared by: 

Received by: 

IN THE SUPREME COURT OF PAKISTAN
(APPELLATE JURISDICTION)

D

(10)

E-40

PRESENT:

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

CIVIL PETITIONS NO. 127-P TO 129-P OF 2015,
(Against the judgment dated 26.1.2015 of the
Peshawar High Court, Peshawar passed in Writ
Petition No.2903 of 2009, 3-45 of 2009, CCA of 2010)

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

Versus

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

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


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

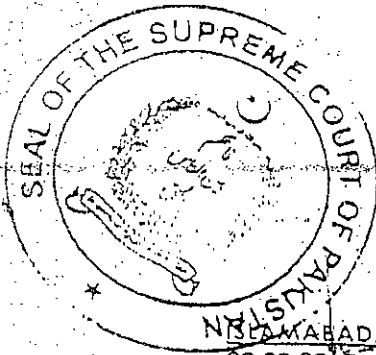
Date of Hearing: 20.09.2017

ORDER

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

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


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



25/9/17

ATTESTED


GR No: 14572/17 Civil/Criminal
Date of Presentation: 29-9-17
No of Words: 20
No of Pages: 3
Requisition # : 2-8
Copy Fee in: 1-86
Court Fee \$: 6-86
Date of Copy: 29/9/17
Date of delivery copy: 21/10/17
Compared by/Prepared by: [Signature]
Received by: [Signature]

خیبر پختونخوا ایجوکیشن، پوسٹنگ اور ٹرانسفر آف ٹیچرز ریگولیشنز، انسٹرکٹرز اور اکرڈرنگ لیڈری ایجنٹ 2011 کے سیشن نمبر 4 کے تحت نئی ایجنٹوں کو
 ویکٹو نوٹ کے ذریعہ انتظام (مردانہ زنانہ) سکولوں میں درجہ ذیل آسامیاں پر کرنے کے لئے خیبر پختونخوا کے مختلف اضلاع کے مختلف اضلاع کے سکولوں میں امیدواروں سے مجوزہ فارم پر 30 ستمبر 2011

نمبر شمار	نام آسامی	تالیف
1	سیکنڈری سکول ٹیچر (SST) / بیاوٹی انکسٹری / BPS. 16	کسی بھی تنظیم شدہ ویونیورسٹی سے سینڈ ڈگری میں پیچھے ڈگری جس کے ساتھ درج ذیل دو مضامین لازمی ہوں۔ (i) کیمسٹری، بیاوٹی (ڈیالوگی یا باہمی) (ii) کسی بھی تنظیم شدہ ویونیورسٹی سے ایم اے ایجوکیشن یا ایجوکیشن میں پیچھے ڈگری۔
2	سیکنڈری سکول ٹیچر (SST) / فزکس اینڈ کیمسٹری / BPS. 16	(1) کسی بھی تنظیم شدہ ویونیورسٹی سے سینڈ ڈگری میں پیچھے ڈگری جس کے ساتھ درج ذیل دو مضامین لازمی ہوں۔ (i) فزکس، کیمسٹری A یا (ii) فزکس، کیمسٹری B یا (iii) فزکس، کیمسٹری (2) کسی بھی تنظیم شدہ ویونیورسٹی سے ایم اے ایجوکیشن یا ایجوکیشن میں پیچھے ڈگری۔
3	سیکنڈری سکول ٹیچر (SST) / بزل / BPS. 16	(1) کسی بھی تنظیم شدہ ویونیورسٹی سے سینڈ ڈگری میں پیچھے ڈگری جس کے ساتھ درج ذیل دو مضامین لازمی ہوں۔ (i) انگریزی لازمی، دو مضامین گروپ یا دیگر مساوی گروپ۔ (2) کسی بھی تنظیم شدہ ویونیورسٹی سے ایم اے ایجوکیشن یا ایجوکیشن میں پیچھے ڈگری۔

سیکشن گریڈ یا اساتذہ کے سیکشن کیلئے گریڈ اور درج ذیل ہے۔ کل 200 نمبرات کی تقسیم اس طرح سے کی جائیگی۔

(1) سکریٹنگ سیشن پر ریڈ NTS = 100 نمبر (ب) - تعلیمی تالیف = 100 نمبر جس کی مزید تقسیم اس طرح ہوگی

تعلیمی تالیف	کل نمبر
ایس ایس سی	20x حاصل کردہ نمبر / 20x تقسیم کل نمبر
ایف ایس سی / ایف ایس سی	20x حاصل کردہ نمبر / 20x تقسیم کل نمبر
بی ایس سی / بی ایس سی	20x حاصل کردہ نمبر / 20x تقسیم کل نمبر
ایم ایس سی / ایم ایس سی	15x حاصل کردہ نمبر / 15x تقسیم کل نمبر
بی ایس ای / ایم ایس ای	15x حاصل کردہ نمبر / 15x تقسیم کل نمبر
ایم ایس ای / ایم ایس ای	05x حاصل کردہ نمبر / 05x تقسیم کل نمبر
ایم ایس ای / بی ایس ای	05x حاصل کردہ نمبر / 05x تقسیم کل نمبر

ٹی ایس پی اساتذہ کو اس کی صورت میں نمبروں کی تقسیم اس طرح ہوگی۔ حاصل کردہ نمبر 35x تقسیم کل نمبر جبکہ پیشہ ورانہ ایم ایس ایس ایس کی صورت میں نمبر کی تقسیم بطریق ذیل ہوگی۔
 ایم ایس ایس ایس حاصل کردہ نمبر 20x تقسیم کل نمبر

- نوٹ:** (1) ہر سکول کی آسامی کے لئے طلبہ کی تعداد اور صورت دست مرتب کی جائیگی جس میں امیدواروں کے NTS کے حاصل کردہ نمبر اور تعلیمی تالیف کے نمبروں کو جمع کیا جائیگا۔ (2) ہر امیدوار سے NTS دو فارم 300 روپے چارج کیا جائے گا۔ اگر ایک امیدوار 5 سکولوں کے لئے درخواست دیا تو اس سے 800 روپے ہیں۔ NTS فارم پر نئے امیدوار درخواست کریں گے۔
 (3) NTS سٹینڈ میں 40 نمبر پر آئیں گے اور اس کے لئے 40 نمبر سے کم نمبر لینے والا امیدوار اس کا نام منظور نہ ہوگا اور صورت دست میں شامل نہیں ہوگا۔

مختصر قواعد: (1) تمام تقرریاں حکومت خیبر پختونخوا کے سرپرست اور این کے مطابق فیاری ایگری (Initial Appointment) کے 25 نمبر

- کے لئے وقت نامتناہی بنایا اور Adhoc سبجیکٹ پر ایک سال کے لئے ہوں گی۔ (2) معذور افراد کے لئے دو نمبر اور تعلیمی امیدواروں کے لئے تین نمبر کو مختص ہے۔ (3) انٹرویو کے وقت ایس ایس سی اور ایم ایس ایس کے امیدوار کو برواٹ کرنا ہوں گے۔ (4) انٹرویو کے لئے آنے والے امیدواروں کو کوئی ای ایس ایس ایس نہیں دیا جائے گا۔ (5) صرف مقررہ وقت کے اندر موجود ہونے والی درخواستوں پر نوٹس دیا جائے گا۔ (6) ڈپٹی کمشنر اختیار حاصل ہے کہ وہ کوئی نوٹس دے یا نہیں دے۔ (7) اگر اس وقت امیدواروں کی تعداد کم ہو جائے تو اس وقت تک انتظار کیا جائے گا۔ (8) محکمہ تعلیمی ایڈوائزنگ ایجنٹ کا اختیار حاصل ہے کہ وہ تمام خالی آسامیوں پر اس سے کم امیدوار مقرر کرے۔ (9) تمام تقرریاں حکومت خیبر پختونخوا کے سرپرست اور این اور انٹرویو کے مطابق حاصل کیا جائیں گی۔ (10) تمام تعلیمی اساتذہ کو نمٹ کے تنظیم شدہ اداروں کی قابل قبول ہوگی۔ (11) اگر کسی امیدوار کی ایس ایس سی مل جائے تو اس کے خلاف قانونی چارہ جوئی کی جائے گی اور اسکول کے لئے اسے سرکاری ملازمت کے لئے قابل تصور کیا جائے گا۔ (12) ہر سکول پر امیدواروں کی صورت میں درخواست نامہ خود بخود منظور تصور کیا جائے گا جس کے لئے کوئی اپیل منظور نہیں کی جائے گی۔ (13) انٹرویو کے لئے ایک ٹیبل ڈول جاری کیا جائیگا۔ اس میں ڈاکٹمنٹس چیک کئے جائیں گے۔ (14) تمام تقرریاں مختلف اضلاع کے ڈویژنوں کی بنیاد پر ہوں گی۔ امیدوار کو کوئی تاحی کارڈ اور ڈویژنوں میں مختلف طریقے سے دستیابی سے لازمی ہے۔ 30 ستمبر 2016ء کے بعد یہ میں کسی حکومتی قابل قبول ہوگی۔ (15) امیدوار کو اس سکول میں مقرر کرنا ہوگی جو کہ قابل قبول ہوگی۔ (16) ایک امیدوار ایک وقت 5 سکولوں میں خالی آسامیوں کے لئے درخواست دے سکتا ہے۔ امیدوار کے ایک سے زائد سکولوں میں سیکشن کی صورت میں اس کی تقرری کسی ایک سکول میں کی جائے گی اس صورت میں سکول سیکشن کا امتحان امیدوار کو حاصل نہیں بلکہ اس میں اس کا خیال رکھا جائے گا کہ دوسرے سکولوں میں اس کے لئے ملازمت ملے یا نہ ملے۔ (17) درخواست دینے کا طریقہ کار NTS کے ویب سائٹ پر موجود ہے۔ (18) مختلف اضلاع کی خالی آسامیوں کی تفصیل سکول ڈائریکٹوریٹ نامہ کے ساتھ NTS کے ویب سائٹ پر دی گئی ہے۔ امیدواروں کو اس سے آگاہ کیا جائے۔

درخواستیں مطلوب ہیں

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خیبر پختونخوا ایجوکیشن ڈیپارٹمنٹ اور ٹرانسفر آف ٹیچرز ریگولیشنز اور ڈائریکٹرز آف ایجوکیشن ایکٹ 2011ء کے سیکشن نمبر 4 کے تحت ملکہ الیمیٹرری ایڈ سیکنڈری ایجوکیشن ٹیچرز کے انتظام (مردانہ/زنانہ) سکولوں میں درج ذیل آسامیوں پر کرنے کیلئے خیبر پختونخوا کے متعلقہ اضلاع کے سکولوں میں اہل امیدواروں سے مجوزہ فارم پر 5 جنوری 2014ء تک درخواستیں مطلوب ہیں۔

دراست فارم NTS کے ویب سائٹ (<http://www.nts.org.pk/>) پر دستیاب ہے۔ مقررہ تاریخ گزرنے کے بعد موصول ہونے والی درخواستوں پر غور نہیں کیا جائیگا۔

نمبر شمار	نام آسامی	تفصیلات
1	سیکنڈری سکول ٹیچر (SST) بیالوچی/کیسٹری BPS-16	کسی بھی تسلیم شدہ یونیورسٹی سے سیکنڈ ڈیگری میں بیچلر ڈگری جسکے ساتھ درج ذیل دو مضامین لازمی ہوں (i) کیسٹری/بیالوچی (ڈیوائس/پابائی) (ii) کسی بھی تسلیم شدہ یونیورسٹی سے ایم اے ایجوکیشن یا ایجوکیشن میں بیچلر ڈگری
2	سیکنڈری سکول ٹیچر (SST) ٹرنس/ایسٹس BPS-16	کسی بھی تسلیم شدہ یونیورسٹی سے سیکنڈ ڈیگری میں بیچلر ڈگری جسکے ساتھ درج ذیل دو مضامین لازمی ہوں (i) ٹرنس/ایسٹس (ii) ایسٹس/ایسٹس (iii) ایسٹس/ایسٹس (iv) ایم اے ایجوکیشن یا ایجوکیشن میں بیچلر ڈگری
3	سیکنڈری سکول ٹیچر (SST) جنرل BPS-16	کسی بھی تسلیم شدہ یونیورسٹی سے سیکنڈ ڈیگری میں بیچلر ڈگری جسکے ساتھ درج ذیل دو مضامین لازمی ہوں (i) انگریزی لازمی ہوگی اور دوسرا گروپ یا دیگر مساوی گروپ (ii) کسی بھی تسلیم شدہ یونیورسٹی سے ایم اے ایجوکیشن یا ایجوکیشن میں بیچلر ڈگری

امداد کے سیکشن کیلئے درخواستیں درج ذیل ہیں۔ کل 200 نمبرات کی تقسیم اس طرح سے کی جائیگی (ا) سکولنگ ٹیچر ایجوکیشن NTS=100 نمبرات (ب) تعلیمی قابلیت=100 نمبرات۔

بڑھتی ہوئی سہولتیں اس طرح ہوں گی۔

تعلیمی قابلیت	کل نمبرات	تفصیلی قابلیت	کل نمبرات
ایس ایس سی	حاصل کردہ نمبرات 15% تقسیم کل نمبرات	بی ایڈ ایم اے ایجوکیشن	حاصل کردہ نمبرات 15% تقسیم کل نمبرات
ایف اے ایف ایس سی	حاصل کردہ نمبرات 20% تقسیم کل نمبرات	ایم اے ایم اے ایجوکیشن	حاصل کردہ نمبرات 05% تقسیم کل نمبرات
بی اے/بی ایس سی	حاصل کردہ نمبرات 25% تقسیم کل نمبرات	ایم اے ایم اے ایجوکیشن	حاصل کردہ نمبرات 05% تقسیم کل نمبرات
ایم اے ایم اے ایس سی	حاصل کردہ نمبرات 15% تقسیم کل نمبرات		

1- ہر سکول کے آبیائی کیلئے علاحدہ علیحدہ میٹسٹ مرتب کیا جائیگا جس میں امیدواروں کے NTS کے حاصل کردہ نمبرات اور تعلیمی قابلیت کے نمبرات کو جمع کیا جائیگا۔

2- ہر اسکول کے NTS درخواست فارم 300 روپے چارج کریگا۔ جو کہ امیدوار خود برداشت کریئے۔

3- تمام تفریباں کو دستہ خیبر پختونخوا کے مردہ قوانین کے مطابق بنیادی تقرری Initial Appointment کے 25 نمبر کوٹے کے تحت خالصتاً عارضی بنیادوں پر Adhoc ٹریک پر ایک سال کیلئے ہوگی (2) اہل امیدواروں کی موجودگی کی صورت میں کسی کو بھی Age Relaxation نہیں دیا جائیگا (3) انٹرویو کے وقت اصلی تعلیمی اسناد حاصل شناختی کارڈ اور میٹسٹ کے دن صرف اصلی شناختی کارڈ لازمی ہے (4) میٹسٹ پر آنے والے امیدواروں کی اسناد متعلقہ ادارے سے تصدیق کرانی جائے گی۔ اصل کے تمام اخراجات امیدواروں کو برداشت کرن ہوں گے۔ (5) امیدواروں کے آنے والے امیدواروں کو کوئی TADA نہیں دیا جائیگا۔ (6) تمام تفریباں کے لئے درخواستیں درج ذیل اور ذیل اداروں سے حاصل کرانی ہوں گی کہ وہ کوئی ایڈوانس منی بھی وقت کی باجڑی پر برائے وقت منظور کرے (8) اگر اس اشعار کے بعد حکومت وقت کی طرف سے تفریباں کے طریقہ کار میں تبدیلی کی گئی تو سلیکشن کمیٹی اس کے مطابق عمل کرے گی۔ (9) الیمیٹرری ایڈ سیکنڈری ایجوکیشن کو اختیار حاصل ہوگا کہ وہ تمام خالی آسامیوں یا اس سے کم پر امیدوار بھرتی کرے (10) تمام تفریباں حکومت خیبر پختونخوا کے مقرر کردہ قوانین و مجوزہ طریقہ کار کے مطابق عمل کرے گی۔ (11) تمام تعلیمی اسناد صرف گورنمنٹ تسلیم شدہ اداروں کی قابل قبول ہوں گی (12) اگر کسی امیدوار کی اسناد جعلی پائے گئے تو اس شخص کو فوری طور پر چارہ چوٹی کی جائے اور آئندہ کیلئے اسے سرکاری ملازمت کیلئے نااہل تصور کیا جائیگا (13) تمام فارم یا اسنادوں کی ہر دست میں درخواست فارم خود بخود منسوخ تصور کیا جائیگا جس کیلئے کوئی اپیل منظور نہیں کی جائے گی (14) روایہ کیلئے الٹ ٹیڈول جاری کیا جائیگا (15) تمام تفریباں متعلقہ اضلاع کے ڈیویژنل ایجوکیشن آفیسروں کی بنیاد پر ہوں گی۔ اگر اس ضلع میں امیدوار دستیاب نہ ہو تو قریبی ضلع کے امیدوار سے بھرتی کی بنیاد پر تفریباں کی گئی (16) امیدوار کو اس سکول میں بھرتی کرنا ہوگی جو کہ ناقابل تبادلہ ہوگی (17) ایک امیدوار ایک وقت 5 سکولوں میں خالی آسامیوں کیلئے درخواست دے سکتا ہے (18) درخواست دینے کا طریقہ NTS کے ویب سائٹ پر موجود ہے (19) متعلقہ اضلاع کے خالی آسامیوں کی تفصیلی سہولتیں اور درخواست فارم کے ساتھ NTS کے ویب سائٹ پر دی گئی ہیں اور ہر سکول کو اپنا کوڈ دیا گیا ہے۔

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

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

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

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

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

u/p of this no. they were promoted

All ready promoted to S.S.T.

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

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

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

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APPENDIX

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

SET →
Redesignated

No quota has been allocated for PST's cadre.

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GOVERNMENT OF THE KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT.

NOTIFICATION

Peshawar, dated the November 13, 2012.

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

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

Encl. No. & Date as above.

Copy forwarded to:-

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

ATTESTED



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KPK

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

KPK

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Section Officer (Primary)

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Annex J

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JUDGMENT SHEET
PESHAWAR HIGH COURT, PESHAWAR
(JUDICIAL DEPARTMENT)

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



JUDGMENT.

Date of hearing: 08.11.2018

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

Respondent (s): Muhammad Draz Khan) by: Syed Qaiser Ali
Plth ADy.

WAQAR AHMAD SETH, CJ:-

Through this

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

2. Facts in brief are that the petitioners had filed Writ Petitions before this Court and prayed that the Act No. XVI 2009, namely, 'The North West Province Employees (Regularization of Services) Act, 2009 dated 24th 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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Peshawar High Court
30 NOV 2018

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

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

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

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

ANNOUNCED.
Dated: 08.11.2018.

Chief Justice

Judge

Ninrab Shah SCS (DB) Justice Waqar Ahmad Seth, CJ & Justice Muhammad Ayub Khan J

No. 15857

Date of Presentation of Application 25.11.18

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EXAMINER
Peshawar High Court, Peshawar
Authorized Under Article 87 of
The Constitution of Pakistan Order 1996

30 NOV 2018