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.

SCANNED, KEST Peshawar

> (Farceha Paul) Member (E)

(Kalim Arshad Khan) Chairman

Kaleem Ullah

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 the done by him and for the above acts why he should not be proceeded against under the relevant rules. His reply should reach the undersigned on 17.04.2023, the date given by him in the matters.



(Kalim Arshad Khan) Chairman

Adnan Shah, PA

- 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.

(Farecha 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 17/24/2023 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 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) Sharman

13.12.21

DB is on Toux case to come up

Pox The Same on Dated. 29-3.22

Kudt

29-3-2022

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

Read

11-5-22

Presper DB not amalable the lase is adjaurned on 25-7-22

Rada

Nemo for parties.

Kabir Ullah Khattak learned Additional Advocate General present.

Preceding date was adjourned on a Reader's note, therefore, both the parties be put on notice for 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.

(Roziná 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 cn 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.

Reåder

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

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.

31/01/201

Albodied Fee

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

Chairman

20.01.2020

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- À

FORM OF ORDER SHEET

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	'
Case No	1236/ 2019

	Case No	1230/2019
S.No.	Date of order proceedings	Order or other proceedings with signature of judge
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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

APPEAL No. 1236 /2019

MISBAH UD DIN

V/S

EDUCATION DEPTT:

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13.	Vakalatnama	وزيب	

APPFIIANT

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. 1236 /2019

Khyber Pakhtukhwa Service Tribunal

Diary No. 140/

Mr. Misbah Ud Din, CT (BPS-15), GMS Damana District Swat

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:

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

- - 3- That under protest the appellant and his colleagues applied for the said post through initial recruitment but the same was also refused to the appellant and colleagues of the appellant on the pretext that regular employees are not entitle to apply for the adhoc/contract posts of SST (BPS-16) thus appellant and his colleagues were deprived from prospects of promotion. That it is pertinent to mention that at the time of above mentioned advertisement the post/cadre of C.T (BPS-15) to which the appellant belong have no prospects of promotion.
 - 4- That in light of the said advertisement new appointments were made by the respondents on adhoc basis and even the promotion quota was also filled by the respondents though initial recruitment.
 - 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
 - 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

 - 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.

GROUNDS:

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

- 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

MISBAH UD DIN

THROUGH:

NOOR MOHAMMAD KHATTAK

MIR ZÁMAN SÁFI ADVOCATES (For use in Police Department unly).

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بخليده ادبي نواندگي نين تيانله دي مكول نيم ز (SST) 16 (SST) و جيسيندلسنه (SST) كي خالي آسام عن برخاامينا عادش كشر مك ادراد بن ايرت كي دنياد برجيمنال كيك 10 المست 107 12 بر 12 برويم تك مرف انزيت واقل خاكي ايب ما من كشر مكت ادراد بن ايرت كي دنياد مرتبعين كي 10 المست 107 12 برويم تك مرف انزيت واقل خاكي ايب مركام المنتظيرة مت دانانست مركام المنتظيرة المت دانانست مركام المنافق المنتظيرة المنت آرز المبنى وليت المركاسة (FUSION - 10) DA (G16.1 لعير(سترالان کي د اياله د ران در ل زل مائس بيارل الإيجاز دريان إعلا Leve for went ا بجومیشن 2 سبریمات می المسال متعانه المعمون می ا (ان مي يريسي ميايو) مركما الك ملايا على ارون (لات) الما أن مرائن سرف ايم الداري فلايات فركما اليمان تمي مرادين

د كرفراند (۱) انس ايس في منظم كيك دسيده والإلبال من المركز كان يمستري بالري (و داري الري) الإروالي ((و داري م الاتم دو مشاین على إلى خده موما لادل ب- (2) سو پر مداد و تا یک مطاه کی اور بک سے اور بسال رکے وال امیاد الد مدارات کرد میذا کے الرائیس . (3) کام اب میددادوں کی ترمان و ساوان میرشاہ سے کی تیاد میداد سے موق مل ایستری می المعرض المول على المراكب التولي الموارد وكان الموارد امید دادون کو تعینانی یکی عرشی سے اوا تا ال جا دار او کی ساؤل ایک مصر فیاده مشاعق عمل MANMSC کی ذکری رکت داست ابداواكي سے زاود 55 أساميرل (متلقة ممرن) كيلة إلك، لك الدام من الرائة بين الى دان عن شال أسامول كا مدم وسنانيا كاسورت يميالامياب اميدوادون كوسوب المركبيل وجمياة بنات كياجاسكا يبحريشيتاني وكرا قافل بتارلدار متعلقة ذون عى مود ولها اميدواد كي عدم وزود كي ست مشروط موكي - (5) النووع كوتت ووعده بالبيورث ما ترصد قد تصاوم اورتهام الملكي استارا بیدوداندانداو خول در بیدال مر نیکیید: کمیودانوا قرای شدش کاروس قدم دستاری است سک دو مدوسد و نوارای بیش کرد اول بدن کے کیلگا انگر دارس و اور کس برمد می سنش خیادول پھینات اسا قد دو فواست و بیشا کے الی جس بی کے تک

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اس امرک و نساحت مرود ک ہے کواس اشتبارے تحت تمنی شاہ آواروں کو بنیادی مرامات مثلاً کمی ممنی کم برولیات بیش و فیرو ما فرنگل اول اور به ما در بین می ایم ایس او کرد و افا بادوست کم ایک و داشته ادر در ی برابات ما کرتے کیلید کمی می مراک ست و در مالی کرست کار فرام نیو امید و امر در به بینات باست کیلا و بین ما من (conver, conv ی مراحت سے دیوں میں مرست فی دورہ مقامید امرین میں میں است باست میں ماحد ، nonger.com بدم مستدر میں مراح کی مرا مرون کر کرے آن ان کن فادم برکرت وقت انوالی کا در بین از فیدی کا مسلومات کمان مرد درواد کی در فواست و بدون ما کدورک اور محکم کی شکل کے لیے و مداد تیس مرکا دروا میدواد کرآ فیانی باری کے کی کافن مامن موکار مشار وان میں تام المی در واب وید و کان کوامنزوی میں شال کیا جائے کا جمع کی تعمیل 13 افزات 2007 و کورے سات میں conserve برشائی کی

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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. <u>Short title and commencement.</u>—(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. <u>Definitions.</u>—(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

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⁶Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011 ²Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

^{&#}x27;Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011



- (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 "adhoc 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 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:

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

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

Substituted vide Khyber Pakhtunkhwa Act No. IV. of 2011

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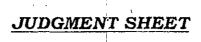
[&]quot;Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

¹²Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011



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

- 4A. 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. <u>Repeal.</u>—The North-West Frontier Province Employees (Regularization of Services) Ordinance, 2009 (N.-W.F.P. Ordinance No. VII of 2009) is hereby repealed.



PESHAWAR HIGH COURT, PESHAW (JUDICIAL DEPARTMENT)

Writ Petition No.2905 of 2009.

ATTA ULLAH AND OTHERS.....PETITIONERS.

VERSUS.

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

JUDGMENT.

Appellant/Petitioner by Ghulam Vabi khan Advocate.

Respondent by Sanday Mi Raza Advocate & Wagan Ahmad Chan AAlg

WAQAR AHMAD SETH, J:- Through this single

Judgment we propose to dispose of the instant Writ Petition

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

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

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

2728 of 2010 & 206, 355,435 & 877 of 2011 as common question of law and fact is involved in all these petitions.

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

"It is, therefore, prayed that on acceptance of the Amended Writ Petition the above noted Act No.XVI 2009 namely 'The North West Province Employees (Regularization of Services) Act, 2009 dated 24th October. 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 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-Apptt:2009 dated 11.12.2009, as well as Notification No.SO(G)ES/1/85/2009/SS(Contract) dated

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

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

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

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

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

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

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

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

- "(i) Forty percent from CT (Gen),
 CT(Agr), CT(Indust: Art) with at least 5
 years service as such and having the
 qualification mentioned in column 3.
- (ii) Four percent from amongst the DM with at least 5 years service as such and having qualification in column 3.
- (iii) Four percent from amongst the PET with at least 5 years service as such and having qualification mentioned in column 3.
- (iv) One percent amongst Instructional

 Material Specialists with at least 5 years

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service and having qualification mentioned in column 3."

It is further stated in the comments that due to the degradation/fall of quality education the Government abandoned the previous¹ recruitment policy 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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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.

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

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

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

S.2 Definitions. (1)---

a)----

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

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

S. 3 reads:-

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

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 whòse appointments were declared irregular by the Government Authorites, because authorities being responsible for making irregular appointments on purely temporary and contract basis, could not subsequently turned round and terminate services because of no lack of qualification but on manner of selection and the benefit of the lapses committed on part of authorities could not be given to the employees. In the instant case, as well, at the time of appointment no one objected to, rather the authorities committed lapses, while appointing the private respondent's and others, hence at this belated stage in view of number of judgments, Act, No. XVI of 2009 was promulgated. Interestingly this Act, is not applicable to the education department only, rather all the employees of the Provincial Government, recruited on contract basis till 31st December 2008 or till the commencement of this Act have been

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

10- All the employees have been regularized under the Act, ibid are duly qualified, eligible and competent for the post against which they were appointed on contract basis and this practice remained in operation for years. Majority of

those employees getting the benefit of Act, ibid may have

become overage, by now for the purpose of recruitment

against the fresh post.

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

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

12- In order to appreciate the arguments regarding

beneficial legislation it is important to understand the scope and meaning of beneficial, remedial and curative legislation.

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

manners:-

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

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 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 statues on the other hand have been explained as:-

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

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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 those which are made to supply such defects, and abridge such superfluities, in the common law, as arise from either the general imperfection of all human law, from change of time and circumstances, from the mistakes and unadvised determinations of unlearned even (or 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

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

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

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

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

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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.

appointments on a higher post but they have every right to be considered for promotion in accordance with the promotion rules, in field. It is the object of the establishment of the courts and the continue existence of courts of law is to dispense and foster justice and to right the wrong ones. Purpose can never be completely achieved unless the in justice done was undone and unless the courts stepped in and refused to perpetuate what was patently unjust, unfair and unlawful. Moreover, it is the duly of public authorities as appointment is a trust in the hands of public authorities and it is their legal and moral duty to discharge their functions as

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

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

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

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

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

Order accordingly.

Announced. 26th January 2015

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IN THE SUPREME COURT OF PAKISTAN (APPELLATE JURISDICTION).

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. (Agoinst the Judgment dated 26,1,20,15 of the Peshawar High Court, Peshawar passed in With Pelition, No. 2905 of 2009, 30-15 of 2009, 604 of 2019

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

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.

<u>O R D E R</u>

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.

SUPREME 20.09.20

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

Court Associate (Supreme Court of Pakistan islamabad

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Compared by/Prepared by:

Received by:

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در حواسیی مطلوب هیں

جیپو پختونخوااپوائمنٹ ، ذیپرپیش ، پومنٹ اور زاسنو آف نیچرز جیگررز ،انسٹر کوز اورؤا کوزر کا کیلزی ایک 2011ء کے بیش انبر 4 کے تھے محل ایلیمنز کی اینڈ سیکنڈری انٹوکٹر کے اور کی سیکنٹر کی اینڈ سیکنٹر کی سیکٹر کو سیکٹر کی س

ير المنظل كياجات أ.	یب سائٹ (http://www.nts.pk) پردستیا ہے۔ مقررہ تاریخ گزرنے کے بعد کموسول ہونے والی درخواستوں	وب بین مدورخواست قارم (NTS) کی د	رخواهیم منطا
1	تابيت	نام آسای	نبر ثار
Jv35r21	ممی بھی تنگیم طید دیر نیورٹی سے بیکنٹر اور مین بیلرومری مس سے ساتھ درین ویل دومضامین اوری دوں۔	سینندری سکول نیچر (SST)	i
JV 330 Z. 1	(i) سیمستری میانوجی (زوالو بی یا بائق)	بیالو جی <i>آئیمسٹر</i> ی	
	(ii)۔ مسمی بھی شلیم خند و بیر ندر خیاسته ایم استدا یم استدا یم کیشن یا ایم کیشن میں بیپلیر ڈگری۔	BPS. 16	
ا 35521	(1) کی بھی شام چید و یو نیورش سے سیکنڈ ذورین پیپلر ڈگری جس کے ساتھ درج ذیلی دومضا بین اوزی دوں۔		2
JU 351 2 1	(i)- فزكس بيغمس A يا-(ii)- فزكس بيعمس B يا-(iii)_فزكس ،اطفكس	فذبس إميتحس	
	(2)۔ سمسی جمی شلیم خد ویو نیورش سے ایم اے ایم کیشن یا ایم کیشن میں چپلرو تری		
ا 35721 بال	(1) سمی بھی شلیم ہید واج نیور کی ہے سیکنٹر ڈوریوں بیپلر ڈ مرتی جس کے ساتھ درج ڈیل دومضا میں لازمی ہوں۔		3
000000	(۱) - انگریز نیاازی و تومنیز کروپ یادیگر مسادی گروپ _		
	(2)- كى جى تىلىم خد دىو غور ئى سەئىم اسە اىج كىش يا يىچ كىش مى يېلىرۇ كرى .		

سنیکٹن کریٹریا: اسا تذہ کے سنیکٹن کیلیے کریٹریادرج زیل ہے کیل 200 نمبرات کی تقسیم اس طرح سے کی جائیں۔ (۱) سکر بڑھ نیسر مذیر کا ADO - NTS میں اور اس تعلق میں مصرور نے کی ساتھ میں اس مصرور نے کا میں تقلیم میں مصرور

بـ) - مسلمی تا بلیت = 100 نمبر جس کی مزید تقسیم اس طرح ہوئی	(۱) - حریبات بدر نید ۱۸۱۳ (۱۵ مبر (ب
گئی نبر	^{تعل} ی قابیت
حاصل كرد وتجر 20x تشيم كل بغير	الميساليسى
حاصل كرده فيمر 20x تقسيم كل فير	الف اے آ الف ایس ک
ساسل کرد و نبر ×20 تشیم کل نبر	ن بال / الم
مامل کرد فیم x5 تشیم کل فیر	المالك / المالكين
حاصل کرد ونیر X5x تشتیم کل نیر	بالله / انجاب الجريش
حاصل كرد وفير XOS تقسيم كل فير	ايمائي / ايم اسنايج كيشن
حاصل کرده نمبر ×05 تختیم کل نمبر	ايم فل / پي گاؤى

لجالی جاد مالدگودی کی صورت می فیمرول کی تعلیم اس طرع دو کی ر حاصل کرو افیمر x35 تعلیم کل فیمر دیند پیشد دراندام است بی بیش کی صورت می فیمر کی تعلیم باخریت و لی دوگ . ایم است ایم کیشن حاصل کرد و فیمر x20 تعلیم کل فیمر

نوف : (1) برسکول کآ مای کے لے علید و بیٹید و بیرت است مرتب کی بائی جس می امید داروں کے NTS کے ماسل کرد و بغیرادر تعلیق قابلیت کے نبروں کوئٹ کیا بائی ۔ (2) برا میددارے NTS فادم 100 درجی جاری کیا جائے گا۔ وکر امیدوارڈ کو ارواٹ کریں گے۔ فادم 300 دویپ جاری کیا جائے گا۔ وکر امیدوارڈ کریں گے۔

(3) . NTS نست ش 40 يعدنم ليراضرودي يدر 40 يعدي تمنير في والا اميدواد الم تعور بوكا اورير بداست ين شاش كير بوكار

عصوه می منشق اینتطان - (1) تمام ترریال مکومت نیم پختونوات مرجد آوانین کے مطابق بنیاد کا ترریک Initial Appoinment کے 25 فیصد

کونے کے تحت خالعتا عادتی ہے ہے۔ (3) انٹرویو کے بیات استان مارت کے لئے دول کی ۔ (2) معذور افراد کے لئے و فیصداور آفیق اسدواروں کے لئے تمن فیم کو وقت اسٹی تعلیم استان ہو اوقت کے اعدر موصول ہونے والی در فواحق ہر فور کی ہوں ہے۔ (4) انٹرویو کے لئے آنے والے اسمیدواروں کو کوئی فی اسٹی میں دیا جائے گئے۔ (5) مرف حقرو وقت کے اعدر موصول ہونے والی در فواحق ہر فور کو اعتراق کی بات کا مرائی اسٹیل کے بعد موصول ہونے والی در فواحق ہوں کے مرائی تا تا اس کے اللہ موسول کے اسٹیل کو کوئی فی اسٹیل ہوں کے موصول ہونے والی در فواحق ہوں کے مرائی تعلیم کی دوسائن میں کے مرائی تعلیم کی دوسائن کی ہوں کے اسٹیل کے بات کی اسٹیل ہوں کو کہ وہ مامیدوار کوئی فی اسٹیل ہے معلق اس کے فعال خوا کی دوسائن کی باز در میں کا مرائی اسٹیل ہے معلق اس کے فعال خوا کی دوسائن کی باز در میں کا مرائی اسٹیل ہے معلق اس کے فعال خوا کی دوسائن کی باز در میں کا مرائی اسٹیل ہے معلق اس کے فعال خوا کی دوسائن کی باز در میں کا مرائی کے باز کی دوسائن کی باز در موسائن کی باز در میں کا مرائی کے باز کی مرائی کی باز کی اسمیدوار کی اسٹیل ہے معلق اس کے فعال خوا کی دوسائن کی باز در موسائن کی باز در میں کا مرائی کے باز کی مرائی کے باز کی کے با

محمد رفيق ختك دائريكتر ايليمنتري اينت سيكندري ايجوكيشن خيير بختونخوا بشاور

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يبر بوهو الإاسن ويوسن بوسنك اور استراف يجرز بهجرز السرام زاور دا انرز ريويشري ايك 2011 مريسين مبر 4 يوسن مهاسيتر وابند سيندرن البوسن برا و پخونخواکے زیرانظام (مرداند ارزاند) سکولوں میں ورجد ایل آسامیاں برکرنے کے لئے خیبر پخونخوا کے متعلقہ اصلاح کے سکونی اہل امیدواروں سے مجوزہ فارم مورور 2010مر 2017ء مک درخواتیں مطلوب بیں ۔ درخواست فادم (NTS) کی دعب سائٹ (http://www.nts.org.pk) پر دستیاب ہے ۔مقررہ تاریخ گزرنے کے بعد موسول موغدالی

ورخواستول برخورتيس كياجا يكا_

1	تاب ت	Ulift	نمرثار
35119سال	(i) کی بھی تسلیم شدہ او غورش سے سیکنٹر ڈورٹ بیٹیر ڈگری جس کے ساتھ درج ذیل دومضای ان ازی ہوں۔(i) کیمسٹری، بیانو تی (زوانو جی ایا تی)	سيکنڈري سکول محجر (SST) بيالو تي ا	1
	(ii) سليشن اورتقرري كي بعد واه كلازي فرينك مكوتي ادارون RITE/PITE ب ما مل كرني موكي -	میمشری-BPS-16	
JU35t19	(i) کی بھی تسلیم شدہ نو نیورٹی سے سیکنٹ ڈو پرین بھیلر ڈ کری جس کے ساتھ درج ذیل در مضامین لازمی ہوں۔ (i) فز کس میتھس A یا (ii) فز کس میتھس B یا (iii)	سیکنڈری سکول تیجر (SST) فزنمس/	2
	أفزيمن المفيكس	ميمس -BPS-16	
	(ii) سلیشن اورتقرری کے بعد و کاه کی لازی فرینگ مکوئی اداروں RITE/PITE ہے مامل کرتی ہوگی۔		
ال-3519	(i) کی بھی تلیم شدہ بے غدر ٹی سے سیکنڈ او یون بیلر اگری جس کے ساتھ درج ذیل دومضای لازی موں ۔(i) انگریزی لازی، موٹینیلیز گروپ یا دیکر مساوی گروپ۔	سيئذرى سكول نيجر (SST) جزل	3
	(ii) سليشن اورتقررى كي بعد ولما وكان في في شيك مكوس ادارول RITE/PITE ب مامل كرنى بوكى _	BPS-16	

سلیکشن کریٹیریا: اساتذہ کے سلیکشن کیلئے کریٹیریا درج نیل ھے ۔ کل 200 نمبرات کی پنسیم اس طرح سے کی جائیگی ۔ (ا) سكرينك نميث بذريعة NTS=100 نمبر (ب) تفلي قابليت=100 نمبر

لى الى ما دسال كورس كى مودت عى فبرون كا تقيم اس طرح موكى - ماصل كرده فبر× 40 تقتيم كل فبرا جبك بيشر

وراندا يم اسما يجيكن كاصورت ش فبرك تسيم بطرية. ذيل موكى _

ايم إحشابيكش ماصل كرده نبر ×10 تعتيم كل نبر (5 نبر بي الد+15 عم الذي

في المراكب ال ر مامل كرده براورهلى قابليت كفيرول كوق كياجانيًا _(NTS(2 غيث عن 40 فيعد فبر لين خرورك ب -40 فيدرك منر لين والماسيدة المال تسوره كادر يرب لسد عرب المن موا-

いっしょう できりんしゃ	للى قابليت=100 تبر	زرید NTS=100 نمبر (ب) ه	(۱) سترينگ نميٺ بذ
6(1)1			1 (5)
C 10%	تعلى قابليت	كل نبر	تعليما قابليت
مامل كده فبر 20x (تعييم كل فبر	النساردانيان	مامل كردونبر 20x تحتيم كل نبر	اليماليمى
مامل كرده نبر 20x تعبيم كل نبر	المائد/المالي	مامل كرده نبر 20x تنتيم كل نبر	بالے/بیالی
مامل كرده نبر 05x تشيم كل نبر	اعمالة/اعماسيانج يمثن	مامل كردونبر x 05 تعيم كل نبر	بالإ
		مامل كرده نبر x 10 تعتيم كل نبر	ايم فل/يي الحكادي

عمومی شوانط : د (۱) تمام تقرریاں مکومت خیر پخونخوا کے مرور قوائمن کے مطابق 25 فیمد بنیادی تقرری (laicial Appoinment) کے کرنے تھے خالصتا عارض بنیادوں پرالیہ باک / کنٹریک پرایک مال کیلئے ہوگی۔(2)معفدورافرادكيكے دد فيمداور الليتى اميددادوں كيكے تين فيمدكوفرنس برمعفدورافرادك دوفيمدكوفرنس ب جس كيلے شيند كي مديد يكل بورد كا مرتمكيكي بيش كرنا لازى بي بشرطيكروه معفدورى فرائض كا انجام دى عي ركاوث ند بو)۔ (3) انظرو یو کے وقت اصلی تعلی استاد بمعداخراجات امیدوادکو برداشت کرنا ہو تھے۔(4) انٹرو یو کیلیج آئے والے امیدواروں کوکن TA/DA فہیں دیا جائیگا۔(5) مرف مقرره وقت کے اعدموصول ہوغوالی ورخواستوں برخور کیا جائیگا۔(6) زیر تھنل کوافتیار مامل ہے کدہ کوئی جہ متائے بغیر کی بھی وقت کی یا بڑوی طور پرابڑوی منوخ کروے۔ (7) اگراس اشتہار کے بعد مکومت وقت کی طریقہ کار می میں تدیل کی گئ توسیشٹ کیٹی اس کے مطابق مل کرنے کی باہد ہوگی۔ (8) محكى ايند سيكندرى اليميش كوافتياره اصل موكا كدوقام خالى آساميول ياس سے كم يراميدواد محرقى كرے۔(9) تمام تقرريال كومت فير پخونخواسے مقرد كردوقوانين و جوزه طريقة كارے مطابق خالعتا يرك كي بنياد يرمول كي۔(10) تمام تعلی استاد مرف گورنسٹ کے تعلیم شدہ اداروں کی قابل تعل ہوگی۔(11) اگر کی امید دار کی استاد جلی پائی مسکمی آواس کے خلاف قانونی چارہ جرتی کی جائے گیا درآ سمدہ کے لئے اے سرکاری ملازمت کے لئے ناامل تصور کیا جائیگا۔(12) ہمل قارم یا مطومات کی صورت میں درخواست فارم خود بخو دمنسون تصور کیاجائیگاجس کے لیک ایک منظور نیس کی جائے گا۔ (13) انٹرو ہو کیلیا الگ شیڈول جاری کیاجائیگا جس میں ڈاکوسنس چیک کے جانعیکے ۔ (14) تمام تقرریاں متعلقہ اصلاح کے ذوجیا کل ك بنياد ير بوكى اميدواد كا دويساك متعلقة منطح كابونالازى بيد 2017 مك بعديد يم كل حمل كاتبر يل قال تعول مدول (15) إميدواركواى سكول عمدروس كرنا بوكى جوك قابل جاوله بوك (16) إيك اميدواريك وقت 5 سكولون خال رکھاجائے کی دومرے سکولوں عمل اس کے بعد زیادہ میرٹ دالے امید دارکوسکیشن کا موقع ل سے۔ (17) درخواست دینے کا طریقہ کا رکھاجائے کی دومرے سکولوں عمل اس کے بعد زیادہ میرٹ دالے امید ل کو تعمیل سکول وائز درخواست قارم كى ماتحد NTS كى ويب مائث يردي كى بيادر برسكول كواينا كواديا كياب-



INF(P) 6749

در خواستین مطلوب هین

گنوننو اا پوئسٹ اُؤ بوئیش اِیسنگ اورزائسٹر کیچرز کیگررز کھنے کی ایک ایک 2011ء کے بیشش ٹیم 4 کے تحت محل ایلیم سیکنٹرری ایم کیشش ٹیم پھٹوننو کے بھام (مرداند از ناند) سیکنوں میں درجہ وہل میں 2014ء کی بھٹوننو کے سیکنٹروں میں درجہ وہل میں 2014ء کی بھٹوننوں کے سیکنٹروں میں درجہ وہل میں 2014ء کی درجہ استوں پر فورٹیش کے درجہ میں استوں پر فورٹیش کے بعد میں موجہ کے درجہ استوں پر فورٹیش کے بھر استوں پر فورٹیش کے بعد میں موجہ کے درجہ کے بعد میں موجہ کے درخواستوں پر فورٹیش کے بعد میں موجہ کے درجہ کے بعد میں موجہ کے درخواستوں پر فورٹیش کے بیٹر کی کے بعد میں موجہ کے درخواستوں پر فورٹیش کے بعد میں موجہ کے درخواستوں پر فورٹیش کے بعد میں موجہ کے درخواستوں پر فورٹیش کے بیٹر کے بعد میں موجہ کے درخواستوں پر فورٹیش کے بیٹر کے بعد میں موجہ کے درخواستوں پر فورٹیش کے بیٹر کی کے بعد میں موجہ کے درخواستوں پر فورٹیش کے بیٹر کے بعد میں موجہ کے درخواستوں پر فورٹیش کے بیٹر کے بیٹر کے بیٹر کے بیٹر کی کے درخواستوں کے بیٹر کی کی کے بیٹر کی کے بیٹر کی کے بیٹر کے بیٹر کے بیٹر کے بیٹر کے بیٹر کے بیٹر کی کے بیٹر کی کی کے بیٹر کی کے بیٹر کے بیٹر کی کے بیٹر کے بیٹر کی کے بیٹر کی کے بیٹر کی کے بیٹر کے بیٹر کے بیٹر کے بیٹر کی کے بیٹر کے بیٹر کے بیٹر کی کے بیٹر کے بیٹر کی کے بیٹر کے بیٹر کی کے بیٹر کی کے بیٹر کے بیٹر کے بیٹر کے بیٹر کے بیٹر کے بیٹر کی کے بیٹر کی کے بیٹر کے بی

	المنت	ناب آران	ار ا
ر 121 35مال	کی بھی طلیم شدہ یو ندورتی سے میکنند ذویع ان پیچرو اگری جس کے ساتھ وری ذیل ویسٹسا بین الازی ہوں۔ ۱) کیسٹری بیالو نی (ذوالو ٹی بابائی)	ئينزرق مُول نجر SST يانونق 1 كيسترق BPS .16	
د21 رال 35	 السي بعي تشغيم شده مج نيورن ستائيم السابع كيشن بإلىج كيشن على يجلز واكر ن السي بعي تشغيم شده مج نيورن ست سيئند و ميزن يجلز واكرن جس سيساتعدورين والي دومضاعين الأزى بول . الأفريس مع مس هم يا (ف) فرنس معتمس ها يا (ف) فوكس المتحلس الكس بعي تشغيم شده مج خادر كياست ميم الميم المين يا بيج يكشن به بيج يكشن عن يجلز وكرى 	BPS.160 707	
:21 Ju35	کے کا تاتا ہے مسلوم کا وقاعت میں استان کے بیادے کا بھیستن میں بھیرو کری 1) کی بھی تسلیم شدویج ناورش سے سیکنڈ ذویژن بھیراڈ کری جس کے ساتھ ورن ڈیل وہ مضامین الازمی ہوں۔ 1) تحریز کی لازئی بیومیلیور کروپ یا دیکر مساوی کروپ (2) کسی بھی تشلیم شدویج ناورش سے ایم اے ایم کیشن یا انجو کیشن میں بھیلرڈ کری	ئيندري سول بحير SST جزلBPS.16	

نَ نَرِيخِ بِإِسَامًا مَدْ وَسِيمَلِيكُ وَكِينِ إِدِن وَ فِي بِينَ كُل 200 نَبِراتُ كَانْسَيْرانَ هُو نَ كَي جائ كَي سَرُ يَنْفُ نِيتُ هُ رِبِهِ NTS=100 نَبرِ ﴿ (_) نَفْلِح النّالِ 100 نَبرِ مِن جَمْسِيرانَ هُو رَبِياً

ُ (ب) تعلی قابلیت=100 نبرجس کی مزیر تعلیم از طرن بوکی۔ تقلمي قابليت وليساليس م^ا مل كروونبر 20x تتسيم كل نبر التسائدانين اليسايس مامل کردونبر 20x تمنیم کل نبر في السالي اليري مامل كرد وتبر 20x تنشير كان نبر اليم المسالا ليم ويس ي مامل گرد وقبر 15x تخسيم في نسر فالغواليماء سايحويش مامل كرد ونمبر 15x تتسيم كل نمير المراينه لامم إيناني كينتن عامل كرد ونبر x 05x تتميم كل نبر ايبريل ان انگازي مامل کرد انبر x 05 تنسیم کل نمبر

ں جا رسال کورن کی صورت میں نمبروں کی تنتیم) س طرت ہوگیا جامل کرو ونبر ×35 تنتیم کل نبر جیکہ چاورندایم اے ایج کیشن کی صورت میں نبر کی تنتیم بطریقہ فریل ہوگی۔ سابع پیشن حامل کرا ونبر ×20 تنتیم کل نبر

1 برسکول کی آسای کیلے ملیحہ ومیرے است مرتب کی جانتی جس می اسید داروں کے NTS کے مامل کروہ نبر اور تعلیم کا بلیت کے نبروں کوئٹ کیا جائے گا۔ 2) بر دارے NTS فی درخواست فارم 300 روپ چارٹ کیا جائے کا داکر ایک امیدوار پانچ سکول کے لئے درخواست دے کا تواس سے سرف 800 روپ بی NTS جارٹ کر ہے۔ میدوارخود پرواشت کریں گے۔

مُعْمِر فَيْقِ حَنَكَ بِأِنْ مِنْ فِي الرِّيكُمُ اللِيمُمُمُّمُ فَالمِينُورِيُ الْجُولِيشُ فِيهِرٍ بِتَحْوَخُوا وَبَجْرِي كَارُونَرَ بِشَاوِر

Rod SST

بر پختو تخواالوا کمندہ او پہلیش کو پیشن کی پیشن کی پیشن کی بر ایک ترزیکر دزانسر کرا زاور ڈاکٹرز ریگولیٹری ایک 2011ء کی بیشن نمبر 4 کے تحت محکمہ ایلیمٹر کی اینڈ سیکنڈری ایجو کیشن فیبر پختو نخوا کے انتظام (مردانہ/زنانہ) سکولوں میں درجہ ذیل آسامیاں پر کرنے کیلیے فیبر پختو نخوا کے متعاقد اصلاع کے سکوتی اہل امیدواروں سے مجوزہ فارم پر 5 جنوری 2014ء تک درخواسیس مطلوب ہیں خواست فارم NTS کے دیب سائے (/inttp://www.nts.org.pk) پر دستیاب ہے۔مقررہ تاریخ گر رنے کے بعدموصول ہونے والی درخواستوں پر فورٹیس کیا جائیگا۔

عمر	قابليت	نا ۱۲ آسایی	نمبرثار
351 21	مسی بھی شاہم شدہ ایو نیور ٹی ہے۔ سیکٹڈ ڈویز ان بیچار ڈگری جیکے ساتھ درج ذیل دوم نشا مین لازی ہوں	سيکنڈری سکول ٹیچر (SST)	1
سال	(i) کیسٹری میالوبی (ذوالوبی الباتی) (2) سمی بھی تشکیم شروید نورٹی ہے ایم اے ایجو کیشن یا ایجو کیشن میں پیچلرڈ گرری	بیالو جی/کیمسٹری BPS-16	
35121	ترين المراق المر	الميناري كالمراري (SST)	2
مزال	(i) فَرَكُنْ مُنْ مُنْ اللَّهِ اللَّ	BPS-16	
35121	سن تحق الميام شيره إيه نيورش ميه يكتر في يزين جيكر ذكري جيئيكه ساتصدوري ويل دوم فيرا مين لازي مول	عِندْرِي عُول فِي (١٤٥)	3 .
سال	(١) انگريز فالازي وميشر گروب يار گرمه ادى كروپ (2) كى جى الىم شدە يوندورى سے ايم اسے ايم كيشن يا ايجيشن ميں يولدوگرى		

أ كل نبير	تنيمى فابليت	كل دُونِي.	أتعليمي فالهليث
حاصل کردہ نمبر ×15 تنشیم کل نمبر	بْنَانْدُ إِيمَ الْحَالِيمَ الْحَالِيمُ الْمُعَالِيمُ	حاصل كرده فمبر بالأن الشيم كل نبر	العرالين التا
هامل کرده نمبر×05 تقسیم کل نمبر	النهاالم الماكم أب الجوكيش	حاصل كرده نبر بري 20 يم مل نبر	الله اله أن البي عي
حاصل کرده نمبر×05 تقشیم کل نمبر	المَاعِلَى إِبِاحُونَ الْمُرْدِ اللَّهِ اللَّهِ اللَّهِ اللَّهِ اللَّهِ اللَّهِ اللَّهِ اللَّهِ اللَّهِ اللَّه	عاص كرده الجرائي المسترك المراجع	لي المريك المركز
	ما من كرزه أبسر ١٤٠ تقسيم كل نبسر	13 ;	المُها المُهالِينِ في

ے 1۔ ہرسکول کے آبیای کیلئے علیحدہ علیمہ میرمث لمسٹ مرتب کیا جائے گئی میں امیدواروں کے NTS کے حاصل کردہ نمبراور تعلیمی تابلیت کے فیمروں کوئٹ کیا جائے گا۔ - ہرائے وارٹ NYTS در فواست فارم 00 کروسیے چارج کر نگلہ ہوکہ اسیدوارخود پروزشن کرنے گئے۔

INF(P) 3360

ڈائریکٹر ایلیمنٹری اینا، سیکھاوی ایجو کسن چیبر بختونخوا ڈیکری گارڈنزیشاور

S.NO: 110 - Page No: 28
FINAL SENTIOTY LIST OF CTS O/O THE DISTRICT EDUCATION OF FICER M) DISTRICT SWAT UPTO 31/05/2018

4		FINAL SENTIOTT	131 01	C13 0/C	THE DISTINC	LOUEN					
	A CONTRACTOR S	Father's Name	757			24. July 2			D/O 1st Appit:	Date of	Seniority position:
	Name of		Desi gnati				Aca		0/04-4	apptt:	D/O taking over charge
S.No	Teacher/Qualification	Father's Name	gnati	PBS:	DIO BILL	Domic	demi	Profess	COLUMN ST.	against	as CT or D/O
New-	academic /	State of the state	on		/ Domicile	ile歳	煮つ	-ional	Apptt:	Present	declaration CT Exam:
	professional	建筑	1980		ranyon, name	11.00	200	14 11 11 11 11		post	whichever is later, at
- 1-8.3 _E	建筑的建设	和民物情也 一个公司的	18.00	7 - 7	3.0000	1000	Sections:	[* * * * *]	F /9/1004	5/8/1984	5/8/1984
11	Hamayun Khan	Khairullah		16	4/10/1964	Swar	IVIA	<u></u>	3/0/1307	3/0/1304	
2	Astambool ;	Muhammad Kamal	SCT	16	4/1/1961	Swat		CT/B.Ed	5/3/1986	5/3/1986	5/3/1986 1/6/1987
3	Fazal Rabi	Muhammad Junain	SCT	16	3/15/1966			CT/B.Ed		10/11/1982 8/21/1982	
	Khan Ali	Umar Bakht	SC1	15	3/3/1961			CT/B.Ed	8/1/1982 9/17/1987	9/17/1987	9/17/1987
5	Muhammad Ihsanullah	Swal Fagir	SCT	16	3/4/1962	Swat		CT ;	11/6/1982	11/6/1982	· · · · · · · · · · · · · · · · · · ·
6	Bakht Sherawan :	Mahmood Khan	SCT	16	1/1/1960			CT	8/17/1980	1/8/1988	
7	Muhammad Ali 🔞	Said Mahmood	SCT	16	2/3/1959	Swat				7/10/1982	
8	Toti Rahman ‡	Fazal Rahman	SCT	16	2/7/1960	Swat		CT/0.54	7/10/1982 1/15/1985	4/26/1989	1
9	Mohammad Salim Khan	Amanullah Khan	SCT	15	3/1/1965	Swat		CT/B.Ed			
10	Jamshed Khan I	Muhammad Zarin	SCT	16	5/11/1962	Swat		CT /O Cal	3/9/1982	9/17/1989	
11	Rahmat Ali	Abdul Ghafar	SCT	16	5/4/1963	Swat		CT/B.Ed	7/20/1982	10/1/1989	
12	Fazal Ranim I	Fazal Ahad	SCT	16	1/1/1961	Swat		ст	11/13/1984	10/1/1989	
13	Azizullah 1	Tota	SCT	16	10/1/1964	Swat		CT	1/9/1982		
14	Shah Rom Khan	Hakim Khan Mian	SCT	16	1/1/1962	Swat	1	СТ	3/1/1988	3/1/1988	
15	Sadiq Ahmad , -	Abdul Hamid	SCT	16	1/4/1961	Swat		ст	6/1/1988	6/1/1988	
16	Muhammad Rafiq	Badish	SCT	16	3/1/1963	Swat		СТ	2/6/1990		
17	Fida Hussain	Hazrat Ahmad	SCT	16	2/3/1964	Swat		CT-	2/8/1990	2/8/1990	1
18	Hedayatullah 3rd Division	Sultan Sikandar	SCT	16	1/1/1959			CT/B.ed	4/18/1983	4/18/1983	
19	Rashid Ali	Ghulam Nabi	SCT	16	3/12/1968		MA	СТ	12/8/1990	12/8/1990	
20	Zahid Khan 1	Pir Dad	SCT	16	4/9/1965		ВА	ст	12/9/1990	12/9/1990	
21	Hazrat Bilal	Zirat Gul	SCT	16	2/8/1963		MA	CT	12/11/1990		
22	Aziz Ahmad 3	Fazal Khaliq	SCT	16	4/4/1969		MSC	CT/B.Ed		12/11/1990	
23	Fazal Wahab	Gul Mahmood	SC1	16	12/12/1964		MA	СТ	5/6/1986		
24	Muhammad Majid	Umar Zada	SCT	16	1/1/1966		MA	СТ	5/4/1986		
25	Rahman Deyar 1	Sultan Mehmood	SCT	16	1/1/1964		ВА	CT	11/5/1986		
26	Haroon - Ur - Rashid	Khisat Gul	SCT	16	8/1/1962			ст	11/24/1986	<u> </u>	
27	Muhammad Alam	Alam Zeb Khan	SCT	16	4/1/1963		MA	CT	4/2/1987	4/10/1991	
28	Adalat Khan	Abdur Rashad	SCT	16	12/9/1961		MA	СТ	11/24/1984		
29	Akhter Ali	Ghulam Muhammad	SCT	16	5/15/1964		ВА	СТ	3/11/1985		
25	Imran Ali	Mashooq Ali	SCT	16	3/20/1959		MA	CT	5/6/1986		
-31-	Muhammad Rahman	Bakht Zad ————	SCT_	16	.1/10/1967		FA	<u> </u>	5/17/1987		
32	Sharafat Ali Khan	Afsar Khan	SCT	16	2/2/1961		MA	<u> CT</u>	3/1/1988		
33	Amir Zeb	Muhammad Zareen	SCT	16	4/2/1964		BA	CT/n cd	6/1/1988	6/1/1988	
34	Amir Muhammad	Tota Mian	SCT	16	5/15/1963		BA	CT/B.Ed	9/22/1987	12/20/1989	
35	Akhtar Hussain 3rd Divi	Ahmad	SCT	16	3/2/1967		ВА	CT	8/14/1992		
36	Muhammad Ziaud Din	Habibur Rahman	SCT	16	3/10/1968		MA	CT/B.Ed	9/2/1986		
437	Sultan Rome	Shah Rome	SCT	16	4/8/1966		MSC	CT/B.Ed	9/2/1992		
38	Umar Hussain	Malak Sherin	SCT	16	1/1/1962		MA	CT	4/23/1988		
39	Muhammad Nabi	Ghulam	SCT	16	5/1/1963		MA	CT/B.Ed	4/17/1988		
40	Jamshid Khan :	Hazrat Jee	SCT	16	4/14/1966		BA	CT/B.Ed	11/1/1986		
41	Bakhtyar 3rd Divi	Bacha	SCT	16	7/3/1964	Swat	BA	CT/B.Ed	1/20/1990	1/20/1990	4/29/1993



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

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:	Name of		-	}	· .		7. A			. Date of	()
C N =	. *** ********		Desi	.4	D/O Birth	Dami-	Aca	Profess	D/O 1st	apptt:	D/O taking over charge
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42	Ashraf Ali	Hazrat Ali	SCT	16	5/12/1965	Swat	MA	CT/B.Ed	5/8/1993	5/8/1993	8/5/1993
	Shah Bakht Rawan	Umara Khan	SCT	16	1/7/1964	Swat		CT	9/24/1989		
	Muhammad Hamayun	Faramoz Khan	SCT	16	1/2/1965	Swat		CT	10/2/1989		
	Amir Bahadar	Sarwar Gul	SCT	16	5/1/1962	Swat		CT/B.ed	3/10/1989		
	Bakht Sherwan	Fazal Rahman	SCT ··	16	2/24/1967	Swat	ВА	СТ		11/29/1989	
	Bakht Muhammad	Muamber Khan	SCT	16	1/16/1967	Swat	ВА	ст		11/30/1989	12/25/1993
	Noor Rahman	Jumma Gul Khan	SCT	16	5/1/1965	Swat	ВА	СТ	12/4/1989		12/25/1993
	Mehboob Alí	Amir Rahman	SCT	16	2/1/1963	Swat		CT		12/12/1989	
	Muhammad Sadiq	Qalandar	SCT	16	9/11/1965	Swat	ВА	CT/B.ed	12/14/1989	12/14/1989	12/25/1993
	Magsood Ahmad	Dawray	SCT	16	6/5/1963	Swat	MA ·	CT/B.Ed	12/17/1989	12/17/1989	12/25/1993
	Shuja Mulk	Said Karam	SCT	16	12/3/1966	Swat	ВА	CT	10/3/1989		12/25/1993
53	Alamgir	Sadbar Khan	SCT	16	1/20/1960	Swat	MA	CT/B.Ed	6/10/1990		
	Anwarullah	Hasham Khan	SCT	16	3/1/1969	Swat	MA	CT/8.Ed		11/10/1994	
55	Fazal Hameed	Fazal Wahab	SCT	16	4/15/1969	Swat	MA	CT/B.ed		11/10/1994	11/10/1994
	Nadar Khan	Mian Said Buhar	SCT	16	3/3/1966	Swat .		ст	9/8/1986	11/11/1994	11/11/1994
	Bad Shah Ikhan	Amir Rawan	SCT	16	5/1/1965	Swat	MA	CT/B.Ed		11/12/1994	11/12/1994
	Sher Bahadar Khan	Gul Zaman	SCT	16	1/1/1964	Swat	ВА	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		11/15/1994	11/15/1994
60	Afzal Shah	Badshah Zada	SCT	16	5/12/1967	Swat				11/15/1994	11/15/1994
	Bakht Alam	Ghulam Qadir	SCT	16	3/20/1969	Swat		CT/B.Ed	11/15/1994	11/15/1994	11/15/1994
	Muhammad Rahman	Sherin Jalal	SCT	16	2/1/1965	Swat	MA	CT/B.Ed	12/1/1986	11/16/1994	11/16/1994
	Sher Ali Khan	Sadar	SCT	16	2/11/1968	Swat	MA	CT/M.Ed	8/1/1987	11/16/1994	11/16/1994
	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
	Gul Pervize	Rahmani Gul	SCT	16	1/20/1965	Swat	MA	CT/B.ed	11/21/1984	11/21/1994	11/21/1994
	Abdul Qadoos	Ghulam Khaliq	SCT	· 16	6/5/1964	Swat	B.Sc	CT	5/12/1992	11/24/1994	11/24/1994
	Sarir Ud Din	Fazal Wahid	SCT	16	3/26/1963	Swat		CT/M.Ed	11/27/1986	12/20/1994	12/20/1994
69_	Muhd Zahir Shah		SCT	16	12/2/1960	Swat	MA	CT/B.Ed	4/2/1987	12/21/1994	12/21/1994
	Muhammad Ghafar		SCT	16	2/27/1961	Swat	MA	CT		12/21/1994	12/21/1994
	Amanullah Khan		SCT	16	9/12/1961	Swat	MA	CT/M.Ed	8/11/1988	12/21/1994	12/21/1994
	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
	Fatehur Rahman	Fazal Rahman	SCT	16	2/2/1969	Swat	MA	CT/M,Ed	6/24/1987	12/22/1994	12/22/1994
74	Rafiq Ahmad	Hermooz Khan	SCT	16	1/1/1965	Swat	MA	СТ	9/29/1988	1/10/1988	12/25/1994
75	Alam Zeb	Abdul Jabbar	SCT	16	4/15/1965	Swat	ВА	CT/B.Ed	12/25/1994	12/25/1994	12/25/1994
76	Inamullah Khan	Muhammad Karam	SCT	16	1/1/1968	Swat		СТ		12/27/1994	12/27/1994
	Alam Zeb		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
	Amjad Ali	Faqir Khan	SCT	16	4/10/1966	Swat	MA	CT/B.Ed	12/5/1989	12/5/1989	1/5/1995
	Samiullah		SCT	16	2/15/1965	Swat		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	ВА	CT/B.Ed	4/1/1987	4/1/1987	1/9/1995
82			SCT		5/1/1967		BA	0.70.20	10/1/1989		1/9/1995

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

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1		And the product of the contract of the contrac	Father's Name		4 44					D/O 1st 4	Date:of	Seniority position
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:::	建建		Khan Sherin	SCT	16	5/1/1961	L	MA	CT/B.Ed	10/2/1989		1/9/1995
H			Shahzada	SCT	16	2/2/1965	Swat Swat	MA	CT/B.Ed		11/28/1989	1/9/1995
H	~	Bakhtmand	Siahoosh Khan	SCT	16	6/5/1963	Swat	MA	CT/B.Ed		12/10/1989	1/9/1995
\vdash		Mukaram Khan	Musharaf Khan	SCT	16	6/5/1963	Swat	BA	CT/B:Ed	1/13/1990		1/9/1995
⊢		Afral Hussain	Bahroz Khan	SCT	16	5/25/1962	Swat	MA	CT/B.Ed	1/19/1990		1/9/1995
 		Zahoor Hayat	Sher Alam Khan	SCT	16	1/1/1969		BA	ст .	1/19/1990		
<u> </u>			Syed Rashad	SCT	16	3/15/1963	Swat	ВА	CT .	2/15/1990	2/15/1990	1/9/1995
r		Amir Zeb Khan	Bakht Biland Khan	SCT	16	2/18/1963	Swat	BA	СТ	3/1/1990	3/1/1990	1/9/1995
		Fazal Rahman	Amir Faqeer	SCT	16	3/10/1963	Swat	MA	СТ	4/1/1990		1/9/1995
	92	Gyl Muhammad Shah	Mubin	SCT	16	2/5/1964	Swat	MA	CT	4/14/1990		1/9/1995
Г	93	Muhammad Laiq	Amir Hamza	SCT	16	6/1/1963	Swat	MA	CT/B.Ed	4/21/1990		1/9/1995
		All Bash Khan	Shah Dilbar Mian	SCT	16	3/17/1969	Swat	MA	CT/B.Ed	5/13/1990		1/9/1995
		Akbar Ali	Qaisar Khan	SCT	16	1/1/1963		MA	CT/B.ed	\$/13/1990		1/9/1995
		Alamgir	Khalilur Rahman	SCT	16	7/1/1964	Swat	MA	CT/B.Ed	\$/13/1990		1/9/1995
		Fakal Azim	Ahmad	SCT	16	12/1/1959	Swat	MA	CT	8/20/1990		1/9/1995
L			Muhammad Karim	SCT	16	3/15/1970		MA	CT/B.Ed		11/20/1990	1/9/1995
Ŀ		Ibdahim	Amir Hatam	SCT	16	6/17/1959	Swat	BA	CT/B.Ed	5/24/1992		1/9/1995
<u> </u>		Ruhul Amin	Muhammad	SCT	16	4/3/1966		MA	CT B.Ed	9/1/1989 6/11/1987		1/9/1995
	```	Muhammad Fahim Khan Muhammad Dawood Khad	Ahmad Shah	SCT SCT	16	3/7/1963 4/26/1967		MA MA	CT M.Ed	9/25/1992	1/16/1995 1/16/1995	1/16/1995 1/16/1995
		Miraj Gul	Sani Gul	SCT	16 16	4/21/1959	Swat Swat	BA	CT	3/6/1990	1/18/1995	1/18/1995
	103	Jehan Sher	Umara Jan	SCT	16	5/1/1962		MA	CT/B.Ed	1/19/1995	1/19/1995	1/21/1995
		Hanif Khan	Abdul Qadir Khan	SCT	16	1/12/1967		MA	CT CT	£/20/1990	2/1/1995	2/1/1995
	1			SCT	16	3/3/1969			CT CT	2/21/1995	2/22/1995	2/22/1995
_		Sajawal Khan	Taj Khan	SCT	16	5/5/1964		MA	CT	2/2/1995	4/10/1995	4/10/1995
		Anwar Zeb	Alam Zeb Khan	SCT	16	5/4/1970		MA	CT/M.Ed	2/2/1995	4/10/1995	4/10/1995
_		Kishwar	Ghulam Nabi	SCT	16	1/1/1967		ВА	CT/B.Ed	4/7/1988		4/17/1995
		Mizajud Din	Mirajud Din	SCT	16	5/1/1970		MA	CT/M.Ed	11/7/1994	4/17/1995	4/17/1995
		Bakht Biland	Shah Zada	SCT	16	1/30/1966		ВА	CT	10/17/1988	5/15/1995	5/15/1995
	112		Khyber	SCT	16	11/8/1962	Swat		CT	8/8/1984	8/1/1995	8/1/1995
			Muhammad Ghafoor	SCT	16	1/10/1966			CT/B.Ed	5/14/1992		8/1/1995
	1	Muhammad Qadim	Amir Nawab	SCT	16	4/5/1964			CT/B.Ed	2/29/1984	8/7/1995	8/7/1995
_				SCT	16	1/1/1967		ВА	CT/B.Ed	8/22/1995	8/22/1995	8/22/1995
_	· · · ·		Naik Muhammad	SCT	16	3/15/1963			СТ	9/27/1988		8/24/1995
_		Ali Rahman	Fazal Rahman	SCT	16	4/1/1967		MA	בו	5/14/1987	9/1/1995	9/1/1995
			Muhammad Mian	SCT	16	3/20/1964		MA	CT/B.Ed	4/3/1995	9/15/1995	9/15/1995
	<u>v</u>			SCT SCT	16	1/15/1962 10/1/1970			CT/B.Ed	3/17/1984 9/24/1995	9/23/1995 9/24/1995	9/23/1995
	120			SCT	16 16	4/16/1975			CT/8.E0	5/1/1996	5/1/1995	1/24/1996 5/1/1996
	<u> </u>			SCT	16	4/13/1969			CT/M.Ed	9/16/1992	9/16/1992	5/5/1996
			Muhammad Yousaf	sci	16	4/15/1972			CT/M.Ed	3/17/1996	3/17/1996	5/5/1996
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GOVERNMENT OF THE KHYBER PAKHTUNKHWA ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT.

NOTIFICATION

Peshawar, dated the November 13,2012

No.SO(PE)4-5/SSRC/Meeting/2012/Teaching Cadre:- In pursuance of the provisions contained in sub rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 and in supersession of all Notifications is used 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

Endst, No. & Date as abo

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

Copy forwarded to:-

1. The Secretary to Govt. of Khyber Pakhtunkhwa, Establishment Department. The Secretary to Govt. of Khyber Pakhtunkhwa, Finance Department.

3. The Secretary+a Govt. of Khyber Pakhtunkhwa, Law Department.

The Secretary Kryber Pakhtunkhwa, Public Service Commission Peshawar. 5. The Accountant General, Khyber Pakhtunkhwa Peshawar.

 The Director (E3SE) Khyber Pakhtunkhwa Peshawar. 7. The Director Education (FATA), Peshawar.

8. Copy to Malgari Ustazan KPK



8. The Olrector Curriculum & Teachers Education Abboilabad.

0. The Olrector (PITE) Khyber Pakhtunkhwa Peshawar.

10. The Director ESRU, Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar,

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

12. All District Coordination Officers in Khyber Pakhtunkhwa.

13. All Executive District Officers Elementary & Secondary Education in Khyber Pakhturkhwa.

13. 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 Pakhlunkhwa

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.

Section Officer (Primary)

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of	menclature the post	qualif exper initial	num ication ience appoin transfei	and for tment	Age limit	Method o recruitment.
1.	1-2:		3.		4.	5.
SEL Te (BI	Auota La DST'S CA	Bechel with it as Botany Physic Mather Statistic Human other Stati	econd lor's D two sub Chem y, Zoo s, matics, ics equive from ized sity: or M.A on or's Dec cation f recogn ty.	in or gree rom ized	18 t 35 Years.	o (a) Fifty percent by promotion

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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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BETT	CER COPY O	F PAGE-	
BET7 10.	Arabic	(i) Second Class Secondary School	By initial recruitment
11.	Theology Teacher (TT) (BPS- 15)	(i) Second Class Secondary School	percent by initial recruitment; and (b) twenty five percent by promotion on the basis of seniority-cumfitness from amongst the senior Qaris with at least five years service and having qualification prescribed for initial
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
13.	Certified Teacher (General)	Bechlor's Degree or equivalent qualification from a recognized	initial recruitment. (a) Forty percent by initial recruitment; and

The same of the sa



Certified or two years
Associate Degree in
Education from a
recognized University
or eighteen months
Diploma in Education.

(b) sixty percent 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 suitable candidate İS available amongst the Primary School Head Teachers for transfer, then the posts will be filed by promotion on the basis of seniority-cumfitness from amonast 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.

- 14. Certified
 Teacher
 (Industrial
 Arts) (BPS15)
- (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) Bechlor's Degree

from a recognized

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

(a) Forty percent by

APPENDIX

	Nomenclature of the	Minimum qualification and experience for		
S.No.	post.	initial appointment or by transfer.	Age limit.	Method of recruitment.
HOUSE AND THE PROPERTY OF THE	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	years.	(a) Fifty percent by promotion on the bar of seniority-cum-fitness, in the following manner: (i) forty per cent from the following forty per
		(ii) M.A in Education or Bachelor's Degree in Education, from a recognized University.		Certified Teachers (Agriculture Certified Teachers (Industrial Art and Certified Forchers (However)
		PK. (1.5) 2	13	Economics) with at least five year service as such and having quantification mentioned in column by 3: (ii) four per cent from amongst the Descriptor Management of the proving Management of the provi
				years service as such and having qualification mentioned in column No.3;
				(iii) four per cent from amongst the Physical Education Teachers with

					_	e e e e e e e e e e e e e e e e e e e	A second
* * · · · · · · · · · · · · · · · · · ·	No.)
(49)						such and mentioned i	cent from amongst the al Material Specialists, t five years service as having qualification n column No. 3; and
The same of the sa		Senior Arabic Teacher		<u></u>		Arabie Teac	nt from amongst the hers with at least five as such and having mentioned in Column
REALIZATION CONTRACTOR		(SAT) (BPS-16)			h	By promise	al recruitment.
		Senior Theology Teacher (STT) (B-16).	N. K.		12/1	By promution, on the bas funess from antongst Aral least five years service a qualification as preser recruitment of Arabic Teach	s such and having bed for initial
	ļ	Senior Certified Teacher (SCT)(General) (BPS-16).				fitness, from amongst Theoloat least five years service a qualification as prescribed for of Theology Temples.	of seniority-cum- ogy Teachers, with s such and having initial recruitment
			AT			By promotion, on the basis fitness, from amongst Ce (General), with at least five yea and having qualification as presecutiment of Certified Teacher	rs service
			——————————————————————————————————————	7			

			_
	Arabic Teacher (AT)	(i) Second Class Secondary School Certificate, 20 to 35. By initial recruitment	İ
10.	(BPS-15).	from a recognized Board with Shahdatul years.	
·		Alamia Fil Uloomul Arabia wal Islamia from	İ
÷		a recognized Tanzimuatul Wafaqul Madaris:	
		or Darul Uloom Saidu Sharit Swat, Darul	
	• .	Uloom Charbagh Swat, Darul Uloom Chitral,	
		Darul Uloom Darosh Chitral and any other	
•		Government run Darul Uloom, as notified by	l
		the Government from time to time; or	
		(ii) Second Class Master's Degree in Arabic from	
	•	a recognized University.	Ì
Н.,	Theology Teacher (TT)	(i) Second Class Secondary School Certificate, 20 to 35 (a) Seventy-live per sent by initial	Ì
111.	(BPS-15).	from a recognized Board with Shahdatul years. , recruitment; and 1	
		Almain from a committed Tonginsolut	
		(b) tradity five per centers promotion, on the	
	'	Charles to the transfer of the basis of schools can build the school of	l
÷ =		David Olivery Children David Olivery David	
		Chitad and any other Community on Durall	
		the many that the declaration of the distinction of	
		1 time to time; or	
		Note: In case of non availability of suitable	
		(ii) Second Class Master's Degree in Islamiyat person for promotion, then by initial	
	<i>Y</i> .	from a recognized University.	
13	Senior Qari	By promotion, on the basis of seniority-cum-	
: <u>::</u> ::	(BPS -15).	fitness, from amongst Qaris, with at least five	-
	(101.3 -1.3).	vears service as such and having qualification	
	` .	prescribed for initial recruitment.	1
13.	·		Í
	Certified Teacher		-
	(General) (BPS-15).	recognized University with Certified Teacher years.	J

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		Certificate or two years Associate Degree in Education from a recognized University or eighteen months Diploma in Education.	(b) sixty per cent by promotion, on the oasis of seniority-cum-fitness, from amongst
			the timary ochool Head Teacher 1
			at least five years service and having qualification prescribed for initial recanitment of Certified Teacher (General):
			Provided that it no suitable candidate is available amongst the Primary School Head Trackers 6
			prenotion on the basis of seniority-cum-
			School Teachers with at least five years service and having qualification prescribed for initial recruitment of Cenified Teacher (General).
			Note: In case of non availability of suitable person_for_promotion,_then_by_initial
14.	Certified Teacher	(i) Bachelor's Degree C	recruitment.
	(BPS-15).	relevant technical subjects of	(a) Ferty per cent by initial recruitment; and
•		Government Industrial or Govt. Technical Vocational Institute or Center; or	(b) sixty per cent by promotion, on the basis of seniority-cum-litness, from amongst
		b) Bachelor's Degree from a recognized	the Primary School Head Teachers with at least five years service and having qualification prescribed for initial
•	•		recruitment of Certified Teacher
		ATTED	

Category of Qualification	Total Marks 100 For Humanities group at	I For Co. 111 Co.
SSC.	mermediate Level	For Candidate of Science group
	Marks obtained X 20 / total marks =	5 Extra marks for FSc, 5 Extra marks for B.Sc and 5
HSSC	Marks obtained X10/total marks =	Extra marks for M.Sc will be added to the total score obtained by a candidate during his selection
BA/BSc	Marks obtained X 25/ total marks =	of a canadane turing 123 selection
PST Certificate/ Diploma in Education IADE.	Marks obtained X 20 / total marks =	
MAI/MSc/M.Ed/ NLA Edu	Marks obtained X 20 / total marks = .	-1
MPhiVPhD	Marks = 05	1/ N. /N
MPhiVPhD		W. M

Other conditions:-

The concerned Appointing Authorify will scrutinize and verify the documents and make the appointment as per prescribed rule and the will get the documents var fied after the issuance of appointment orders within shortest possible time, not exceeding ninety (90) days.

secrit list prepared by the expectmed appointing authority shall be displayed for ten days to receive the objections/appeals, if any, and shall issue the finel after making necessery corrections while addressing the observations/objections/appeals, followed by requisite appointment waters.

3.- In case a document(s) istar found faket forged bugus upon scruting verification, the service of the tenerier concerned shall be terminated and the amount_ paid to him as salary shall be recovered from him and an FIR shall be lodged against him on account of forgery fraud under the relevant law.

4. Deni Asnad from recognized Tozeemat-ul-Wofaqul Madaris, Darul Uloom Saidu Sharif Swat, Darul Uloom Charbagh Swat, Darul Uloom Uloom Darosh Chitral and any other Government run Darul Uloom, as notified by the Government from time to time will be acceptable for the purpose of oppointment against the posts of Arabic Teachers or Theology Teachers, as the case may be

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

SESSION ANNUA	al 199 2
THIS IS TO CERTIFY THATMisbal	nud Din Mian .
Son/Daughter of Miraji	ud Din Mian .
and a student of Dist	t: Swat
has passed the Secondary School Certif	icate Examination
of the Board of Intermediate and Secondary Educ	ation, Saidu Sharif Swat held in
199 as a Regular/Private candidate. He/She obtained	ed 494 Marks out of 850 and has
been placed in Grade Representing	Good.
The Candidate passed in the following subjects.	
1. English 3. Islamiyat	5 Maths 7 Physics.
2. Urdu 4. Pakistan Studies	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 Fig.	rst April •
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University of Deshawar

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Session Annual 1998

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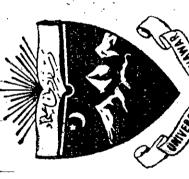
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Certified that Mr. / MsMISBAH	IUD DIN MIAN	4
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Registration No: 96-NST-0306	Roll No:	I-6122397
having completed the prescribed	requirements	in semester
SPRING 2000		
- ,	is awarded	the degree of:

Bachelor of Education (B.Ed)

He/She has secured 62 % marks and has been placed in B grade.

H-5-

CONTROLLER OF EXAMINATIONS

Result declared on: December 22, 2000

ISLAMABAD. DATED: August 08, 2005

20 July

VICE-CHANCELLOR

Michaely Michael Chain Dish Swa

THIS DEGREE IS TO BE READ IN CONJUNCTION WITH THE TRANSCRIPT, ISSUED SEPARATELY

JUDGMENT SHEET
PESHAWAR HIGH COURT, PESHAWARC O
(JUDICIAL DEPARTMENT)

COC No. 105-P/2018 in WP No. 355/20

JUDGMENT.

Date of hearing: 08,11,2018

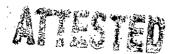
Petitioner (s): Ninar () hmul) by. Mr. Noor Mulummad Wholeke

Respondent (s): 1 Juliammad Dam behan kg. C

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





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

- "(i) 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".
- 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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Examination

Peshows High Court

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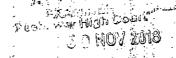
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contempt of court and they are liable to be proceeded and punished under the law; hence, the instant petitions.

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

Arguments heard and record perused.

While deciding writ petition No. 2905/2009, vide judgment dated 26.1.2015 which has been upheld by the apex Court, the respondents-department was directed to workout the backlog of the promotion quota and consider in service employees for promotion against the vacant post, till the backlog is washout. In this respect record is suggestive that the backlog was worked out and by that time 2725 employees / 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.



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.

61)

ANNOUNCED. Dated: 08.11.2018

Chief Justice

Judge

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

.			10					70.49	CERTIF	ED TO	BE TI
Date of F	resentat	ion of	Appli	Mion	20	11,0	4		Pethawii Authoria Tiro Qani	Fland r Hagh C	AINER Sourt, or Art
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Kecentu		1 .					1 (2) 2 (3) 3 (3)				

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



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

Respected Sir,

With due respect it stated that I was initially appointed as PST in your good self Department vide order dated 20.04.1999 and later on was appointed as C.T vide order dated 29.07.2016. 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 C.T (BPS-15) to which I belong have no prospects of promotion. In light of the said advertisement new appointments were made by the authorities on adhoc basis and even the promotion quota was also filled by the authority though initial meanwhile the recruitment. In 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 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 CT (BPS-15) 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

MISBAH UD DIN CT (BPS-15), GMS Damana, District Swat

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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. 1236/2019 Muslih Ud Din CT (BPS-15) GMS Damana, 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. The Appellant has annexed seniority list of SCT but it is worth to mention here that there is no promotion quota from CT to SST at the time of the said advertisement. Later on in 2012 policy was promulgated and amended in 2014. According to this policy there are three categories of SST i.e SST I (Chemistry, Botany or Zoology), SST II (Physics, Maths A or B or Statistics) & SST General. The appellant will be promoted in his category on his own turn. (Policy as annexure A)

- 3. That the Para No.3 is correct to the extent that there was no promotion policy from CT BPS-15 to SST BPS-16 at the time of the above mentioned advertisement. However, as stated in the foregoing Para, now the policy exists for promotion from CT BPS-15 to SCT BPS-16 and SST BPS-16. The promotions have been made on the basis of seniority cum fitness basis according to the policy. If the Appellant felt aggrieved of any order of promotion he should file departmental appeal before the competent authority.
- 4. That the Para No.4 is correct to the extent of appointments on ad-hoc basis. The rest of the Para is incorrect and denied. On one hand the Appellant admits in Para No.3 that there was no policy of promotion from CT to SST while on the other hand the Appellant says that promotion quota was filled by appointments.
- 5. That the Para No. 5 is correct to the extent of regularization Act 2009 the rest of the Para is irrelevant as the Honorable Peshawar High Court has already declared the regularization Act as beneficial.
- 6. That the Para No. 6 is correct.
- 7. That the Para No.7 is correct to the extent of judgments of the Honorable Courts the rest of the Para is incorrect and denied. According to the judgment dated 08-11-2018 of the Honorable Peshawar High Court in COC No. 105-P/2018 in W.P NO. 355/2011 it has clearly been mentioned that backlog was worked out by that time 2725 employees/teachers were in the promotion zone and as such were promoted. If the Appellant felt aggrieved of any order of promotion he should file departmental appeal before the competent authority. (Judgment as annexure B)
- 8. That the Para No. 8 is correct to the extent of promotion of the Appellant to the post of SCT BPS-16 the rest of the Para is denied. No one junior than the Appellant has been promoted to SST in the cadre and category to which the 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.

GROUNDS

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

department cannot even think of the violation of any Article of the constitution.

- C. That the Para No. C is repetition of above para, hence no comments.
- D. That the Para No. D is incorrect and denied. Detail reply of this Para has already been given in the above Paras.
- E. Para No. E is repetition of above para, hence no comments.
- 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

ELEMENTARY AND SECONDARY
EDUCATION KHYBER PAKHTUNKHWA

ELEMENTARY AND SECONDARY EDUCATION PESHAWAR



GOVERNMENT OF KITYBER 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&LD/1-28/2003/Vol-II dated, 09-04-2004, Notification No.SO(G)S&L/1-69/06/Vol-1/DPE/LIB dated, 13-11-2007, and Notification No.SO(PE)-4-5/SSRC/Meeting/2012/Feaching-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:

ınsertea ın respo	ecave columns, namely.	····	,
1 2	3	4	
"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.	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

11	Director Physical Education (BPS-17)	At least second class Master's Degree in Physical Education from a recognized University.
j		

recruitment; and

- (b) Iffly percent by initial recruitment .
- (a) Fifty percent by promotion, on the basis of seniority-cum-fitness, from amongst Senior Physical Education Teachers (BPS-16), with at least five years service as Senior Physical Education Teacher and Physical Education Teacher and having qualification mentioned in column No. 3:

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

Note:- If no suitable candidate is available in the relevant cadres of the above teachers ,the post falling in their promotion quota shall be filled by initial recruitment; and

(b) fifty percent by initial recruitment "; and

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

1	2		3		4	5
"		rry School (BPS-16)	I. At least second Degree's from	a recognized	years.	1. Seventy Five per cent by promotion, on the basis of seniority-cum-fitness, from the
			University on need following groups to following groups to following groups to following followi	with two subject ny or Zoology),		district concerned in the following manner: (a) forty per cent from amongst the Senior Certified Teachers (BPS-16), with at least five years service as Senior Certified
		(6	Or c) (Humanities and groups at degree le as compulsory subj	evel with English		Teacher and Certified Teacher and having qualification mentioned in column No.3: Provided that if no suitable candidate is available from amongst Senior Certified Teachers for promotion
		II	I. Bachelor of Educate Education (Industrial Business Educate Education or qualifications from University.	strial Art or ion) or M.A. equivalent		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—incolumn No. 3;
						(b) four per cent from amongst the Senior Drawing Masters(BPS-16), with at least five years service as Senior Drawing Masters and Drawing Masters and having qualification mentioned in column No.3:

Provided that if her smitable candidate is available from amongst Senior Drawing Masters for promotion then the post shall be filled by promotion, on the basis of seniority-cum-filness, 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

Primary School Fleed Teachers for promotion then the post shall be filled by promotion, on the basis of seniority-cumfitness, from amongst Senior Primary School Teachers with at least seven years service as Senior Primary School Teachers and Primary School Teachers and having qualification mentioned in column No.3:

Provided further that if no suitable candidate is available from amongst Senior Primary School Teachers for promotion then the post shall be filled from amongst Primary School Teachers with at least seven years service as such and having qualification mentioned in column No. 3; and

(ii) twenty Five percent by initial recruitment.

Note:

- I. If no suitable candidate is available in the relevant cadre of the above teachers, the post falling in their promotion quota shall be filled by initial recruitment.
- Posts of General SST and SSTs-1 Science and SST-2 Science shall be filled by promotion or initial recruitment, each on need basis separately.".

SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

Endst: of even No & date:

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

(ZAMIN KHAN MOMAND) SECTION OFFICER (PRIMARY)

-(7)

PESHAWAR HIGH COURT, PESHAWARCOUR

(JUDICIAL DEPARTMENT)

COC No. 105-P/2018 in WP No

JUDGMENT.

Date of hearing: 08.11,2018

Petitioner (s): Nigar Whomad Di. Mr. Noor Mulummed Whatek

Respondent (s): A Mileamnnad A Jam Khur) ky

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 proceedings against the respondents for implementing the judgment/order dated 26,01.2015.

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

"(i) 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".

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

Pash William Room Court

(61)

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

- Respondents No. 2 & 3 have filed reply to the show cause and prayed for dismissal of instant petitions.
- Arguments heard and record perused.
- While deciding writ petition No. 2905/2009, vide judgment dated 26.1.2015 which has been upheld by the apex Court, the respondents-department was directed to workout the backlog of the promotion quota and consider in service employees for promotion against the vacant post, till the backlog is washout. In this respect record is suggestive that the backlog was worked out and by that time 2725 employees / 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.

real Wall High Court

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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 Wager Shored Seth C. L. Statter Mark

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Peshawar High Court, Peshawar Authorised Under Artigle 8: F 67 The Ganunis Standard Order 108

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

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

SST(MATHS & PHYSICS)

	CALLETTO OF TITIOTOD	<i>)</i> '		
S: #	Name	Present School	School Where adjusted	Remarks
01	MR.FAZAL SUBHAN C.T	GHSS MINGORA SWAT	GHS MANAI SWAT	AGAINST VACANT POST
02	MR.IFTIKHÅR C.T	GHSS NO 3 MINGORA	GHSS NO 3 MINGORA SWAT	AGAINST VACANT POST
03	MR.ANWAR KHALIQ .SPST	GPS SAMSARAY SWAT	GMS DADAHARA SWAT	AGAINST VACANT POST
04	MR ABDUL QADOOS SPST	GPSDELAY SWAT	GHS QANDIL SWAT	AGAINST VACANT POST
ST	(GENERAL)			
S:#		Present School	Cat a xxx	
,		l resent senoor	School Where adjusted	Remarks
1	MR ADIL JAN SCT	GHS SERSENAI	GHS SHAH DEHRAI	AGAINST VACANT POST
2	MR.MUHAMMAD ALAM SCT	GHS ASALA	GHS ASALA SWAT	AGAINST VACANT POST
3	MR.SAMIULLAH SCT	GHS NOI MINGORA	GHS NAWAKALY (M)	AGAINST VACANT POST
4	MR.ANWAR IQBAL	GHS AMANKOT	GHS AMANKOT SWAT	- AGAINST VACANT POST
5	MR.MUKARAM KHAN SCT	GCMHSS WADOODIA	GCMHSS WADUDIA SWAT	AGAINST VACANT POST
6	MR.FAZAL RAHMAN SCT	GHS TOTANO BANDAI	GHS TOTANO BANDAI	AGAINST VACANT POST
7	MR.MUHAMMAD LAIQ SCT	GHS MATTA	GHSS BAMAKHELA	AGAINST VACANT POST
8	MR.GUL MUHAMMAD SHAH	GHS SWEEGALAI	GMS MALOOCH SWAT	AGAINST VACANT POST
9 :	MR ALAMGIR SCT	GHS UDIGRAM	GHS UDIGRAM SWAT	AGAINST VACANT POST
10	MR.FAZAL AZIM SDM	GHSS KHWAZAKHELA	GHSS BATAI KHWAZAKHELA	AGAINST VACANT POST
11	MR-UMAR ZADA SDM	GHS NO 4 MINGORA	GHSS CHARBAGH	ACAINST VA CAN TO THE
12	MR FAZAL AZIM AT	GHS DURUSHKHELA	GHS DURUSHKHELA	AGAINST VACANT POST AGAINST VACANT POST
				TACANT POST

MR.KHURSHID 'ALI ΑT **GHSS DEOLAI** GHSS DEOLAI SWAT AGAINST VACANT POST

(MUHAMMAD RIAZ)

District Education Officer (M)

/ 2020

/Promotion/SST Swat

'Swat Dated

Copy forwarded for information and necessary action to the:-

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar with reference to his No cited above.

- District Accounts Officer Swat at Saidu Sharif.
- Principals/Headmasters concerned.
- Budget & Accounts Officer Local Office.
- Superintendent Local Office.
- Official Concerned.

District Education Officer (M) Swat

BEFORE THE HONORABLE KHYBER PAKHATUNKHWA SERVICE TRIBUNAL PESHAWAR.

Service Appeal No: 1236/2019

Misbah Ud Din CT (BPS-15) GMS Damana, District SwatAppellant

VERSUS

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

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

Respectfully Sheweth:

The Respondents submit as under:-

PRELIMINARY OBJECTIONS.

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

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

ON FACTS

- That Para-1, needs no comments, being pertains to the service records of the appellant relating to the appointed vide order dated 22/11/1986 as PST & vide an other order dated 01/06/1991 against the AT post in the Respondent Department.
- 2 That Para-2 is correct to the extent that the Respondent Department has advertised SST B-16 post in the National press on adhoc / contract basis for only for fresh candidates by barring the in service Teachers in the Respondent Department for initial period one year as per policy of the govt. (Copy of the advertisement is annexed as Annexure-A).
- 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.
- 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.

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

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

(5)

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

Dated ___/ /2020

Director

E&SE Department Khyber
Pakhtunkhwa, Peshawar.

(Respondents No: 2&3)

E&SE Department Khyber Pakhtunkhwa, Peshawar.

(Respondent No. 1)

AFFIDAVIT

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I, <u>Hayat Khan Asstt: Director (Litigation-II)</u> 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

عَمْرُكُ (22) بَكْرُ كَا Per so الكاريث بن على الكاردي) من الماردي من الكاردي من الكاردي من الكاردي الماردي اله بخل مجر عند المثل اله بخل و في مسيا اله بخل على الوائز و أوافا في البياسية و المراق الما في المراق المراق ا كما في المحيد المجاملة كالموادكرون فوافعه الما في المرافز بنية الداد و بخل تم يداد الاستخل عندي والمداور لائت كالماجد وكالم دارسی دانریکشررسی آن INF (P) 2760 -ودنس اينذ سرومز فيبيارم سنأأ Also available on www.nwlp.gov.pk . لان نمير: 1<u>90 201-9</u>20 م . بدا رمن وخوا ار کی مسویه سر جید نظره الجول نواح كى ندوتينغره كالمركز (B-17(SS)، عاددين كريسينالسدند B-17(SS) كانتانة سابعال برغابستا مادش کختر کمٹ ادراء پن ہرت کی خیاہ پریجنا ل کیلے 10 اگست 10 اگرے 12 ہے در پہرتک مرف انٹونیٹ برفار ڈاکٹ دیٹ سائت ۱٬۷۷۷، onwip.com أي وي مرف مو برمره اروزات سكول الشود ن اميدواد ل (يواتين احترات) سه ن لاكن درنواتين طلب ين - ا ستان المرد المرسي طلب برن المستار ال 0/10 (GV) 111 1111 Military James مدر رُمُن المالية المن المن المالية المناسبة ال مح سنری میاری) يابدانيا وأرديان الميدادان كي سرم غرانه (۱) میرایس لی مراسم کیله امید داره ایدایش می مازهمی کیستری میاز می (در داری این) دور یاش (در یا آبای می کم از کم دوستها عن عل ایس شده ۱۶۶ اون سے ۔ (2) سویہ مرمد اور فاتا کے بناہ ، کمی اور میک کے اور ایساک رکے وائے اسیار ا د الأشراء بيذك المرجيل (3) كامهاب الميد الدول كي تول و الدواز ميرت لب كا بنواد بالميد الرياس الله الميشل بن ا المدول بخول عداد ك بول و قال فإن الدوك رواج مي المرك على المائيس على مودان الب الانواد ووجود ورفي على الميشرية الميد الدوك فينان كمك مستكن ب يواد في جاول موكي و (4) يك سائد والإدام المائيس MANSC كي وكري ديم وإل اسد والالك سن الده 55 أسامير واحتلق عن كالميان الك ولك كالم من الاسك بير والي وال عن الل الما يون كال وياليا كامورت عن الماياب اميد وإدول كوسوت على كميل برمي ما بنات كيا باسكرا يركم ينسبال جركرة تالي عادل وتعارزون ع مردون امیددارگ منهم زودگی شده هروی سر5) اعزاج شددت دوبنده باسیددت میانز مندن تشاوم ادران امراس کشیره : عندم و بشده میران میران میدان مرکزی پیدن مهیزدانزواق می شدخی مردوس قدم دستان است شدد مدومسدند تول ای ویژی د ان ال الراب كي الله الله والري افراء كي موسر من مستقل بنيادال برنسيات اسالة ووفراست دينة من المراجي الاركيات والمناسطة المراوا (١) الروع كالمراد (في الما مراكبال الداري كله المراكب والمراب ASC 0.4055 . ישפריא ت المين دائة تغزوى بمثيث بينز الكنش فيرر [1] مل فير-82 (2) انوع ميم كي فيرفنده (5) اعاد (مرتکیش ادواکری) کیلیه مرورکرووز بادوانده الدونیمروں کی جمعیل صدو بل مولی Jid Deleter sac-CAUSE. OVERDON14 0.24 N.Sa

wisted Above in 12 marks (Ph.D)

المامر كاوننا حت مرودكا ب كراس استباد ب تست منتب شو أواميد وادوار كرمياه كامرامات مثانا لي يمن في منوابات بشش ويرو ما کی تعداد اور در در در در در می اس بس ایران در او ما با در در کار در این در این در این در این در ایران در ای می مدال سه در در ایران کی کرشتا که در او مورد در بر برای به در این این و مید سام در completion در مدموسید در ا ال على التي التي الدول على من من و التي التي المواد و التي التي الما التي التي و بيد ما عن enving gons الدول ا من ول كري سال الن فارم بركرة وقت التي لا قل أو بي أن يدوي كل منوا بلت كانا مهرًا مدار ل دولوا منده بدون بالدو من من كان كم الله بي سال كما باست كالمعمل كالمسل 13 ألمت 2007 وكروب ساخت enving com المعمد من يرشاع كرون كان ك و من المراد و المراد المرد و المرد المرد المرد المرد المرد المرد المرد المرد المرد المرد المرد المرد المرد الم المرد ال المركونزي بالكن كرديدورجة التاريزي مام يعامرك

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

(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 workout the backlog the promotion quota above as per 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.

Announced. 26th January 2015

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CERTIFIED TO BE THUS COPY

Examiner Peshawar High Quit Peshawar

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IN THE SUPREME COURT OF PAKISTAN (APPELLATE JURISDICTION)

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

CIVIL PETITIONS NO. 127-P TO 129-P OF 2015, (Against The Judgment dated 26.1.20,15 of The Peshawar High Court, Peshawar passed in With Petition No. 2705 of 2009, 30-15 of 2009, 30-15 of 2009, 2015 o

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

Alfaullah and others Nasruminullah and others. Mukhtar Ahmad and others.

:..Respondent(s)

For the petitioner(s):

Mr. Mujahid Ali Khari, Addl. A.G. KPK

For the respondent(s):

Mr. Ghulam Nabi Khan, ASC

Mr. Abdul Qayyum Sarwar, AOR

Date of Hearing:

20,09,2017.

ORDER.

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

LE SUPREM 20.09.20

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

> Court Associate Supreme Court of Pakistan lslamabad

2 Givil/Criminal Date of Presentation:

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IN THE SUBREME COURT OF PAKISTAN (APPELLATE JURISDICTION)

PRESENT:

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

CIVIL PETITIONS NO. 127-P TO 129-P OF 2015, [Against line Judgment dated 26.1.2015 of line Peshawar High Court, Peshawar passed in With Petition No. 2705 of 2009; Ject of 2009; CC4 of 2019

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

(in all cases):

<u>Versus</u> Attauliah 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 Sawar, AOR

Date of Hearing:

20.09.2017.

<u>ORDER.</u>

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

SUPREME 20.09,20

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

> "Court Associate Supreme Court of Pakistan Islamabad

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و حوالت معنی معناوت هید فیمر پختونخ الها انتخف ، فیمیش ، پوشنگ اور زامنغرآ ف بچر زیگررد ،انستر کنر زاوردا کنوز ریگولیزی ایک می 2011 ، سے پیشش فبسر مریز تھے تکل المیسی

پیختر کمخوا کے زیرا نظام (مردانہ زیانہ) سکولوں میں ورجہ ذیل آ سامیاں پر کرنے کے لیے فیبر پیختونتو الکے متعلقہ اصاباع کے سکونتی اہل امید داردوں ہے جوزہ فارس کر اللہ کہا۔ درخواہمیں مطاوب ہوںا۔ درخواست فارم (NTS) کی دونے میں اور در درمان موجہ درمید دوروں میں مطاوب ہوں ہے۔ مناص

,927.20-7.3	الات بسائت (http://www.nts.pk) پردستان بست مقرره تاریخ گزر نے کے بعد موسول و نے والی درخواستول ا قابلیت	نام آسای	مبرثار
	سمي بحي تشكيم فيد ولير نيورش سيئند أؤير من يجلز ومرق هي ساتو دريّ اللي ووهنا مين ١١ زي ووب	سیندری سول نیزام (SST)	1
ال-35-21	(i) کیسٹری میالوتی (زوالدی یا باکن)	بیالو چی <i>آئیستر</i> ی	
	(ii) - حَى بَعِي سَتَامِ هَد ويو نيورش المام الله اليم يكشن ياايجوكيش بين بَغِيزة الري_	BPS. 18	
	(1) يمن من شنام خيد ويو تيور ځي ہے سيکنڈ ؤ ويژن ينجل وگري من کے ساتھ درج ويل دومشا ثين لازي بون۔ . من	يكندُرى سَكُولُ نَجِيرِ (SST)	
JV-35r21	(i) - نوكن ميتنس A يا-(ii) - نوكس ميعنس B يا-(iii) فرنس العنكس	بم الميتحس	7
	(2) - كى محل تسليم خد ويونيورش سے انج اسدا يو كيش واليجو كيش بين بيگرو ترى _	BPS. 1	
	(1) کمی بھی تسلیم فید ویو نیورنی سے سیکنٹر زورش پیچراؤگر آن جس کے ساتھ درن زیل دومضا بین لازی ہوں ہے۔	لناری سکول میم (SST) جزال	=
35F21 کیال	() - انگریز نی افزان ، تومینی کروپ یادیگر سازی گردی به مدین به سیان به در انگردی به در در در در در در در در در در در در در	BPS 1	6
	2)- كن محل تسليم فقد و يوغور تل سائم إ المج كيش يا المج كيش بي بيلز و ترى _	HI CONTRACTOR MICHIGAN STATE OF THE STATE OF	

سنيكش كريزيا اما يَد و كسنيكش كيلي كريزيادر فازيل ب كل 200 نمرات كالشيم ال طرح سد كي جائي .

بالتعليم قالمية = 100 نبير جس كي مزيد تعييم ال طرح وي	(۱) يشرينگ نيب بذريد NTS= 100 نبر (ر
الحق بسر	تقليما قابليت
مامل کرده نیر ×20 تشیم کل نیر	ایش الیس ی
 جام می کرد و نبر × 20 تشیم کل نبر	راف اے الا الف ایس ی
صافحن کرد و نمبر ×20 تشیم کی نبر	ن دان المان
ماصل کرد ونمبر ×15 تقتیم کی نیر	ن کار ایدا / ساخا
مامل كرده فبر×15 تشيم كل فبر	الكاري المجارية المراجع المجارية
خاصل کرد دنسر ×05 تنقیم کل نیر	المهالي / المجالي المجيئش
حاصل گردونبر ×05 تقسیم کل نبر	ايمائل / پيانية وي

ا من خاد سالدگوری کی صودت می نمبرون کی تشیم بس المرن او کی معاصل کرد و نمبر کافتیم بخل نبر و جبکه پیشه دراندایجا سا یج کیشن کی صورت می نبر کی تشیم بخریق از فی او کی ر ایجا سے ایج کیشن حامل کرد و نبر کم 20 متنیم کل نبر

فومت (۱) پر سکول کی آسای کے لئے میکندہ میرے نسب مرتب کی جا میکن جس میں امید واردوں کے NTS کے دامل کروہ میرادو لیکن قابلیت کے نبیدولیکی کی کیا جائے ہوا و سے NTS کی امیدولیک کے درخواست و کا آئی میں میں امیدولیک کے درخواست و کا آئی کی میں NTS ہوڑی کی بیٹنے ہوکہ امیدوارخو پرواشت کریں گے۔ (3) NTS نسب میں 40 لیسند نبر لیرا منرور کی ہے درخواست کی نبریلئے والا امیدوارخالی تھور بوقا اور میر طالب سے میٹال کی بیٹن

عمدة من نشر اقتط :- (1) قام تر ريال مؤمن فير يخونو الكرم بدة والين كما الكر بنيا ول القر رئيا Initial Appoinmen ك 25 ليسد

کیلے کے تھے خالت امرید اور کا مناسا عادمی بیان کر کا برائی سال کے لئے اول کو۔ (2) سفور افرات کے دو فیسدادر اللیتی اسیددروں کے لئے تین فیعد کو یکھی ہے۔ (3) انٹروی کے انٹروی کا انٹروی کے انٹروی کے انٹروی کے انٹروی کے انٹروی کے انٹروی کو انٹروی کو انٹروی کے انٹروی کے انٹروی کو انٹروی کے انٹروی کے انٹروی کے انٹروی کے انٹروی کے انٹروی کے انٹروی کے انٹروی کے انٹروی کو انٹروی کو انٹروی کو انٹروی کے انٹروی کو

محمد رفيق ختک مانريخو اينيستي ايندستيندي ايجوکيسن خيير بحويجو ايسان

4

(h)

رخواستين مطلوب هين

ورخواستول پرفورس كيامانيا_

		9, 7,6	ببرثار
· *	7 ليت	المارك المارك المارك	
1. 25220	(i) کمی بھی تشکیم شدہ یو نیوز ٹن سے سینڈ ڈوریٹن چیلرڈ گری جس کے ساتھ درج ذیل دومضایتن لازی موں۔(i) کیمیشری، بیانو بی (زوانو بی آیانی)	سيكندُون كول مجر (SST) مالوى/	1.
19 351 عال	(ii) مليش ادرتقررك يودو ماه كالان في ينك مكوت ادارو RITE/PITE ما مل كرنى بوك .	ميستري-BPS-16	
1 25520	(i) کی می تشایم شده یو نیورش سے سیکند و دیران بخیار و کری جس کے ساتھ درج ویل درمضا مین لازی موں۔ (i) توسی میعمس ۸ یا (ii) فیز کس میعمس B یا (iii)	سيكندرى سكول نعير (SST) فزيمن ا	2
ן אני זכנט <i>ו</i> ן 	ا فركن المنظم ال	میخمس -BPS-16	
	(ii) كىكىشن ادرتى رى كى بعد 19 ماك لازى كرينك مكوئى ادارو RITE/PITE ماسل كرنى مدى		
ال-35t 19	(i) کی می حلیم شده بوغیر کی سے سینڈ وریزن بھروکری جس کے ساتھ درج ذیل دومضاعت لازی ہوں۔(i) انجریزی لازی ، موصفلیر کرو پہادی کرمساوی کروپ۔	ميكندُون مكول تعير (SST) جزل	3
, • 55• • 5	(II) سليشن اورتغرري كي بعد 19 وكاوك لينك مكوس اوارو RITE/PITE ما مل كرني مدى _	BPS-16	<u> </u>

سلیکشن کویٹیزیا: اسانذہ کے سلیکشن کیلئے کریٹیزیا درج نیل کھ ۔ کل 200 نمبرات کی پتسیم اس طرح سے کی جالیگی ۔ (۱) سکر پٹک ٹمیٹ پزرید NTS=100 ثیر (ب) تعلی تا بیت =100 ئیر جمہ کو گئی تا ہم میں کا اوران اردا کا ک

ا في الني جاد مالد كورس كي صورت على فمرول كي تسيم اس طرح موك مدم مل كرد فبر 40x تسيم كل فبرا بيك يديد

وراننا کا اے ایجیشن کے صورت عمل قبر کا تعلیم بطریقد اول موگ ۔ ایجان ما میکیشن مامل کردہ فیر ×10 تعلیم کل قبر (5 فیر بی اید +1 ایج اید) معلق میں (1) برسکول کی آسا کی کیلے ملحہ وطیحہ وسیر شاسسا مرتب کی جا میکی جس عمد امیدواروں کے NTS میں مارکان دو در اور تعلی 1 بلت کے قبروں کوجی کیا جا بیگا ۔(NTS(2 فیسٹ عمل 40 فیصد قبر لیزا ضروری ہے

الحس الحس الحس المرده في المرد في المرده في ا

عدوسی شوانط : (1) تا م تقرریان موت نیر م کونو آدای سر مواق این مواق این مواق

در خواستیں مطلوب هیں

·		Julia	
	ن کابنیت انسانمی تشنیم شده بو یغورنی سه میکند و ویژن پیل و نرن چس کے ساتمو ورن ویل و و مضایمن لا دی بول یہ ان میکند و ن اور در ارد ورز در در نور	سَيْنَدُ مِنْ سَوِلِ لَيْجِ SST يَوْمِ فِي	
721		BPS.163,1	
ا 35 مال	(ف) کی جن تسلیم شده برخ نیورش سته ایم ایسه ایم کیشن با ریم کیشن می پیملا پیزین		+-
<u> </u>	() کشی بهمی تشکیم شده و نج نفرز کن سته میکنندهٔ و یژن نیم از از بی جس کے ساتھ وریز قبل و دمضا ثبت او زی بیوں۔ وی وزیم را میر میری درد در دائر روزیم	ئيندري سُول تي SST فزئم المعمس BPS.16	
35 سال	「「「「大きな」」という。 「「大きな」」 「「大きな」 「「大きな」 「「大きな」 「「大きな」 「「大きな」 「「大きな」 「「大きな」 「「大きな」 「「大きな」」 「「大きな」」 「「大きな」 「「大きな」 「「大きな」」 「「大きな」 「「大きな」」 「「大きな」」 「「大きな」 「「大きな」」 「「いきな」」 「いきな」」 」 「いきな」」 「いきな」」 「いきな」」 「いきな」」 「いきな」」 「いきな」」 「いきな」」 「いきな」」 「いきな		
	ع) کمی بھی حسیم شدہ بی غور نک ہے ! بیم اے ابیم کیشن یا بھی کیشن میں بیٹم ذکر ن ۱۱) کی بھی حسیم شدہ بی غور نک ہے سینند اور زئن بیٹی اگر نی بھی ہے ساتھ در بن ذیل دومندا بھیز اور ٹی ہوں۔ کادئم مدند بدرون مرحد کر سے سینند اور زئن بیٹی اگر نی بھی ہے ساتھ در بن ذیل دومندا بھیز اور ٹی ہوں۔	ئىنىغەرق ئىنول ئىچ _ە SST	
:21) انگریزان لازنی ایومیطویو کروپ یا دیگر مساوی کرد. پ (2) نمی بهمی تشدیم شده یو غورش سند ایم ایسا ایم بیشن در ا کانگریزان لازنی ایومیطویو کرد پ یا دیگر مساوی کرد. پ (2) نمی بهمی تشدیم شده یو غورش سند ایم ایسا ایم بیشن در ک نفه کیش م ایملو دیکر در	BPS.16J%	1
ا 35 بال	()	اسلامها تمروک ملکشن کرینز بان رزوا	<u>ا</u> این

ئى كەرىخ بارداما تەركىسلىق كەرىخ بادرغانى كى بىل 200 كىرات كى تىمىمات كى ماسكىك را

شرینگه نمیت بزرید ۱۸۳۶ ۱۳۵ نیم (ب) تقلیما کا بلت=100 نیم جمر کی مریر تشیم از طرن بوکی . تقلیما کا بلیت

ر من کرد و بر 20 سیم کل بر انید اسر البید ایسی کا بسر 20 سیم کل بر انید اسر البید ایسی کا بسر 20 سیم کل بر انیم اسر البید ایسی کا بسر 20 سیم کل بر انیم اسر کرد و بسر 20 سیم کل بر انیم اسر کرد و بسر 20 سیم کل بر انیم البید استیم کل بر انیم البید استیم کل بر انیم البید البید البید البید 20 سیم کل بر

المانس کرد و نبر به کافی از گا ب جارسان ورز کی مورت می نبرون گافتهمای طرز او گانیا مل کرد و نبر 35 متیم کی نبر بیکد چناورز ایم اے ایج کیشن کی مورک میں نبر کی متیم بطریق از بل ہو گی۔ ساعج یشن مامل کرد و نبر 20x متیم کی نبر

۱ برسکول گا آ سائ کیلے منصر و میرٹ کسٹ مرتب کی جا منتی جس میں امیدواروں کے NTS کے مامل کردو نیمراورتعلی کا بلیت کے نیمروں کوئی کیا جائے گا۔ 2) بر وارے NTS فی درخوارت قارم 2000 وی جا درنا کیا جائے اگر ایک امیدوار پائی سکوں کے لئے درخوارت و سے کا تواس سے سرف 800 دو ہے ی NTS جاری کرنے ۔ معدوارخو درواڑ ۔ کر در سے

INF(P)4383

جر پختونخواالوا مشت فی پیلیش کیسلیک اور فرانسفرا کے نیچرز کیکھروز کا آساز کو روز کا کیاری ایک کیاری ایک کا ایک به با تظام (مرواند/ زنانه) سکول میں درجه ذمیل آسامیاں پر کرنے کیلیے تیبر پھنونخوا کے متعاقد امشارع کے سکونی الی اسید داروں ہے بجوزہ فارم پر 5 جنوری 2014ء تک درخوا تیس مطلوب مرزوںت فارم NTS کے دیب سائٹ (Ville://www.nts.org.pl) پر ستیاب ہے۔ مقررہ متاریخ گزرنے کے بعد موصول کیونے والی درخوا ستوں پر فورٹیس کیا جائے گئے۔

۴	ا تابیت	ぴしげは	نبرشار
5t 21	ا مسمحی کی اسلیم شده میر نیورش بسیرسکندٔ ژویژن بیچار ژگری جسکے ساتھ درج ذیل دومضا بین لازی و دن	. سيكندري سكول فيجر (SST)	1
مال	(i) كيسٹري ميالو جي (ذوانو جي واباني) . (2) سمي جي شام عمره نيزور تي سے ايم اے ايجو يکشن يا ايجو يکشن عن بيجلر و گري	بيالو بى / كيسترى BPS-16	
i5t 21	المنافية الم	عنرى عن (\$\$)	2
ا مال	(۱) فريمن منظمة على A يا (۱۱) فريمز كي أنه كي المسلم من المسلم من المسلم من الميان المسلم من الميان المسلم من المراكز المراكز المسلم من	BPS-16-1/7	<u> </u>
35121	و المراجع المر	بحذري كول فيز (35)	3 .
سال	(۱) انگریز زالاری و میسیر گروب یادیگر در بادی گروپ (2) کس مجمی شلیم شده به خورش سے ایم این ایج کیشن میں بیجلرو گری	BPS-16را , ا	

سرا تذہرے کی کی اورج ذیل ہیں۔ کل 200 نیرات کی تشیم اس طرح سے کی جائی گئی۔ (ارسکر ڈنگ ٹیسٹ بذوید NTS = 100 نیر ر امرا تذہرے کی کی پیر نیادرج ذیل ہیں۔ کل 200 نیرات کی تشیم اس طرح سے کی جائی گئی۔ اس جلوع ہو گئیں

کل ندبیر	تئيمي فابليت	كل شهيد	تعليمس فابليت
يعامل كردونبر برز15 تغنيم كل نير	ن الأرائم الما يجريش	حامل کرده قمبری این است کل نبر	الجرائين المراجي
حاسل كرد ونبسر ×05 تشيم كل نبسر	المُن الْمُ الْمُ الْمُ الْمُ الْمُ الْمُ الْمُ الْمُ الْمُ الْمُ الْمُ الْمُ الْمُ الْمُ الْمُ الْمُ	عاصل كرده بمرجبانية المين بر	الله المنظمة المنطق
ماصل كرده نمبر ×05 تنشيم كل نمبر	14 0350 015 13.	ما من كرده المراع المراه المراع المراه المرا	1 200 MAIN
	على كراه البريد 15 تقسيم كل نسر		انجا المراج الني

ے: 1 ۔ ہرسکول کے پہلی کیلیے علیحدہ علیمیدہ میرٹ کسٹ مرتب کیا جائی ہیں اسید داردن کے TS اٹ حاصل کر د دنمبرا درتعلی تابلیت کے نمبروں کوجع کیا جائے گا۔ - ہرامید دارٹ کا ۱۹۷۲ فی درخواست فارم 300 رویے چارج کر چاہیے کہ اسید دارخو دہروز شن کریتھے۔

ای شران (۱) نتام ترریان کوشت فیر پختو اسے مردوقوا این سکر بیا این انداز

INF(P) 3360

ة الركام الليسري الله الماس عالية عاس حير الجواجو الأراي الرور الياور

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Page 10: 23

LINAL SENTIOTY LIST OF CTS O/O THE DISTRICT EDUCATION OF FICER M) DISTRICT SWAT UPTO 31/05/2018

LINAL SENTIOTY LIST OF CTS O/O THE DISTRICT EDUCATION OF FICER M) Date of Seniority position of the page 10: 23 miles of the

	the second beautiful to the	FINAL SENRIOTY L	ST OF	C15 0/0	THE DISTINCT	7 70 70	3. ()	7 7 7	T 255.5.1	. Date of 点膜	Seniority position
- 1					1		蒙古.		4.23	أأأت تعميد والأ	nio taking over charge
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.New-	acade in contract of the contr			1.5	MARK IN	11/4	SSIP.	3 10 T	238 1937	5/8/1984	5/8/1984
	orofessional		~		4/10/1964		MA	ст [_	5/8/1984		5/3/1986
	O. S. S. Carlotte and S. Carlo	Khairullah	SCT_	16			BSc	CT/B.Ed	5/3/1986	5/3/1986	1/6/1987
1		Muhammad Kamal	SCT	16	4/1/1961	3,,,,,,,	MA	CT/B.Ed	10/11/1982	10/11/1982	5/26/1987
2	Astambool i	Muhammau Kamaia	SCT	16	3/15/1966	Swat		CT/B.Ed	8/1/1982	8/21/1982	9/17/1987
3	C Dabi	Muhammad Junain	scr	16	3/3/1961	Swat	MA		9/17/1987	<u>[9/17/1987</u>]	9/1//1907
	When Ali	Umar Bakht	SCT	16	3/4/1962	Swat	MA	CT .	11/6/1982	11/6/1982	11/29/1987
	the soullab	Swal Faqir		16	1/1/1960	Swat	MA		8/17/1980		3/6/1988
	a the Charguran i	Mahmood Khan	SCT		2/3/1959		BA	CT ;	8/1//1300		11/30/1988
<u> </u>	Bakur aucien an	Said Mahmood	SCT	16	2/7/1960	Swat	MA	CT :	7/10/1982		9/16/1989
7	IVIUITATTITES 7	Fazal Rahman	SCT	16	3/1/1965	Swat	MA	CT/B.Ed	1/15/1985		9/17/1989
S	11011 Ma(IIII) 1 1	Amanullah Khan	SCT_	16	5/1/1963	Swat	MA	CT	3/9/1982		10/1/1989
9	INDITION SOME	Muhammad Zarin	SCT	16	5/11/1962	Swat	MA	CT/B.Ed	7/20/1982	10/1/1989	/2 /2 000
10			SCT	16	5/4/1963	Swat	MA	CT 3	11/13/1984	10/1/1989	- 4.7/1000
11	Rahmat Ali i	Abdul Ghafar	SCT	16	1/1/1961	Swat		CT ;	1/9/1987	[] 11/15/1983	- 1.5/1000
12	Fazal Rarim	Fazal Aḥad	SCT	16	10/1/1264	Swat	MA		3/1/1988	3/1/1988	1/17/1000
	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	Tota <	SCT	16	1/1/1962	Swat	MA	CT ?	6/1/1988	6/1/1988	5 76 75 000
\ 	Shah Rom Khan	Hakim Khan Mian		16	1/4/1961	Swat	MA	CT .	2/6/1990	2/6/1990	2/6/1990
14	Sadiq Ahmad	Abdul Hamid	SCT		3/1/1963	Swat	B.Sc	CT	2/8/1990		2/8/1330
15	Sauld Allineo	Badish	SCT	16	2/3/1964	Swat	MA	CT			11/14/1990]
16_	Muhammad Rafiq	Hazrat Ahmad	SCT	16	1/1/1959		MA	CT/B.ed	4/18/198		11/14/1990
T 17_	Fida Hussain Hedayatullah 3rd Division	Sultan Sikandar	SCT	16			MA	CT :	12/8/199		10/000
18	Hedayatullah 3rd Division	Ghulam Nabi	SCT	16	3/12/1968	JWat	BA	CT :	12/9/199		
19	Rashid Ali	Pir Dad	SCT	16	4/9/1965	Swat	1040	cr ;	12/11/199		10/41/1000
20	Zahid Khan		SCT	16	2/8/196		MSC		12/11/199	0 12/11/1990	1/1/1001
21	Hazrat Bilal	Zirat Gul	SCT	16	4/4/1969		- 		5/6/198	可 1/1/1990	7 2/4 4 /1 001
22	Aziz Ahmad i	Fazal Khaliq	SCI	16	12/12/196	4 Swat			5/4/198		
	Fazal Wahab	Gul Mahmood	SCT	16	1/1/196		MA	a	11/5/198	·)	3/14/1991
23	Muhammad Majid	Umar Zada			1/1/196	4 Swat	BA	CT· ·	11/3/130		3/14/1991
24	With the Days	Sultan Mehmood	SCT	16	8/1/196	2 Swat	BA	<u>(cī ; </u>	11/24/198		4/10/1991
25	Rahman Deyar ;	Khisat Gul	SCT	16	4/1/196		0 A A	ाटा १	4/2/198		10/22/1991
26	Haroon - Ur - Rashid	Alam Zeb Khan	SCT	16				CT (11/24/198		10/22/1991
27	Muhammad Alam	Abdur Rashad	SCT	16	12/9/196			त ह	3/11/198	3/11/1985	
28	· Adalat Khan	Ghulam Muhammad	SCT	16	5/15/196	4 Swat			5/6/198	5/6/198	4/3/1992
29	Akhter Ali	Gnulam Multanines	SCT	16	-3/20/195			CT 3	5/17/198	<u>37 5/17/198</u>	4/3/1002
25	Imran Ali	Mashooq Ali	SCT	16	1/10/196				3/1/198	3/1/198	
	Muhammad Rahman	BakhtjZad	- <u>scr</u>	16	2/2/196	1 5wa		CT i	6/1/19	6/1/198	8 4/2/1992
31	Sharafat Ali Khan	Afsar Khan		16	4/2/196	4 Swa	BA	CT (4/2/1992
32	Silatalet All Inter	Muhammad Zareen	SCT		5/15/196	3 Swa	t BA	CT/B,E	d 9/22/13		7 8/14/1332
33	Amir Zeb	Tota Mian	SCT	16	3/2/196	7 Swa		CT ≀	8/14/19		5/1/1934
34	Amir Muhammad		SCT	16	2/10/100	0 0 0	MA	CT/B.E	d 9/2/19		9/2/1992
35	Akhtar Hussain 3rd Divi	Habibur Rahman	SCT	16	3/10/196	2 3Wa	MS	C CT/B.E	ਰ 9/2/19	92 9/2/199	4 14003
36	Muhammad Ziaud Din	Chab Pome	SCT	16	4/8/196	20 2 2MS	NAA	CT :	4/23/19	88 4/23/198	10014002
37	Sultan Rome	Shah Rome	SCT	16	1/1/196	2 Swa	I IVIA			88 4/17/198	10000
38	Umar Hussain	Malak Sherin	SCT		5/1/196		t MA			86 4/21/199	93
	Muhammad Nabi	Ghulam	SCT		4/14/190	56 Swa	t BA	CT/B.E			4/29/1993
39		Hazrat Jee	- <u>sci</u>			54 Swa	t 8A	CT/B.E	u 1/20/13		
40	Bakhtyar 3rd Divi	Bacha						1		~	
41	Dakittyai Sto Bitt	} .						+ د	•		
		1						4			

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

THE REAL PROPERTY.		FINAL SENRIUIT.L	<u></u>		· · · · · · · · · · · · · · · · · · ·		7.55.4	77.1	5.55	Date of	Seniority position
· ·	1 2 1 2 2 2 2 2 2 2	Father's Name		. **;		÷.		87 F	D/O 1st	apptt:	D/O taking over charge
- :	Name of		Desi	1	D/O Birth	Domic	Aca	Profess	D/O 1st	against	as CT or D/O
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-wew-	academic/	100		22%	To get the second of the secon					100 m	whichever is later
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75 1 1 1 1	Ashraf Ali	Hazrat Ali	SCT	16	5/12/1965	3,44.04		CT	9/24/1989	9/24/1989	12/25/1993
	Shah Bakht Rawan 1	Umara Khan	SCT	16	1/7/1964		ВА	CT	10/2/1989		12/25/1993
	Muhammad Hamayun	Faramoz Khan	SCT	16	1/2/1965			CT/B.ed	3/10/1989	10/3/1989	12/25/1993
44	Amir Bahadar - '	Sarwar Gul	SCT	16	5/1/1962		BA :	CT	11/29/1989	11/29/1989	12/25/1993
	Bakht Sherwan	Fazal Rahman	SCT ··	16	2/24/1967	Swat	BA:	CT	11/30/1989	11/30/1989	12/25/1993.
1 60 _	Bakht Muhammad 7	Muamber Khan	SCT	16	1/16/1967		BA	CT.	12/4/1989	12/4/1989	12/25/1993
	Noor Rahman	Jumma Gul Khan	SCT	16	5/1/1965		BA	CT -	12/12/1989	12/12/1989	12/25/1993
1.0	Mehboob Ali	Amir Rahman	SCT	16	2/1/1963		-	CT/B.ed	12/14/1989	12/14/1989	12/25/1993
10	Muhammad Sadiq 💰	Qalandar	SCT	16	9/11/1965		BA ;	CT/B.Ed	12/17/1989	12/17/1989	12/25/1993
	Magsood Ahmad -)	Dawray .	SCT	16	6/5/1963		MA:		10/3/1989	1/4/1990	12/25/1995]
		Said Karam	SCT	16	12/3/1966		BA -	CT ·	6/10/1990		
	Shuja Mulk 1	Sadbar Khan	SCT	16	1/20/1960		MA	CT/B.Ed	0/26/1988	11/10/1994	11/10/1994
	Alamgir <u>ť</u>	Hasham Khan	SCT	16	3/1/1969		MA	CT/B.Ed	11/10/1994	11/10/1994	11/10/1994
	Anwarullah 🕴	Fazal Wahab	SCT	16	4/15/1969		MA	CT/B.ed	0/0/1096	11/11/1994	11/11/1994
1 100	Fazal Hameed	Mian Said Buhar	SCT	16	3/3/1966	Swat	MA	CT	9/8/1980	11/12/1994	
1	Nadar Khan		SCT	16	5/1/1965	Swat	MA	CT/B.Ed	6/14/1987	12/12/1989	
57	Bad Shah Ikhan	Amir Rawan	SCT	16	1/1/1964	Swat	BA	CT	12/12/1989	11/15/1994	
58	Sher Bahadar Khan 🗧	Gul Zaman	SCT	16	2/2/1964	Swat	MA		11/10/1994	11/15/1994	
59	Aziz Ahmad ;	Muhammad Rashid	SCT	16	5/12/1967		MA	CT/B.Ed	11/15/1994	11/15/1994	
60	Afzal Shah	Badshah Zada	SCT	16	3/20/1969	Swat	MA	CT/B.Ed	11/15/1994	11/15/1994	
61	Bakht Alam	Ghulam Qadir	SCT	16	2/1/1965		MA	CT/B.Ed	12/1/1986	11/16/1994	
62	Muhammad Rahman	Sherin Jalal		16	2/11/1968		MA	CT/M.Ed	8/1/1987	11/16/1994	
63	Sher Ali Khan	Sadar	SCT		7/20/1969		MA	CTB.Ed	11/16/1994	11/16/1994	
64	Ziaullah Khan	Muhammad Alam Gul	SCT	16	4/2/1964		MA	CT/B.Ed	9/28/1988	11/18/1984	
65	Muhammad Munir	Habibullah Khan	SCT	16	1/20/1965		MA	CT/B.ed	11/21/1984	11/21/1994	
66	Gul Pervize	Rahmani Gul	SCT	16	6/5/1964		B.Sc	cr	5/12/1992	11/24/1994	11/24/1994
67	Abdul Qadoos /	Ghulam Khaliq	SCT	16	3/26/1963	Swat	M.Sc	CT/M.Ed	11/27/1986	12/20/1994	12/20/1994
	Sarir Ud Din	Fazal Wahid	SCT	16	3/20/1903	Swat	MA	CT/B.Ed	4/2/1987	12/21/1994	12/21/1994
69	Muhd Zahir Shah	Azizur Rahman	SCT	16	12/2/1960		MA	CT	6/7/1987	12/21/1994	12/21/1994
1 100	Muhammad Ghafar	Khan Bahadar	SCT	16	2/27/1961		MA	CT/M.Ed	8/11/1988	12/21/1994	12/21/1994
- 1 1	Amanullah Khan	Sakhi Rawan	SCT	16	9/12/1961		MA	CT/M.Ed	9/28/1988	12/21/1994	12/41/199/4
71	Sher Azim Khan	Taj Muhammad Khan	SCT	16	9/9/1958			CT/M,Ed	6/24/1987	12/22/1994	12/22/1994
72		Fazal Rahman	SCT	16	2/2/1969	31131	MA	CT T	9/29/1988		12/25/195
73	Fatehur Rahman	Hermooz Khan	SCT	16	1/1/1965		MA		12/25/1994	12/25/1994	12/25/1994
74	Rafiq Ahmad	Abdul Jabbar	SCT	16	4/15/1965		BA	CT/B.Ed	0/4/1086	12/27/1994	12/27/1994
75	Alam Zeb	Muhammad Karam	SCT	16	1/1/1968	Swat	MA	CT		12/27/1994	12/27/1994
1-1-0	Inamullan Khan	Bughdaday	SCT	16	1/1/1960	Swat	MA	CT/M.Ed	0/20/1994	1/1/1995	1. 1. 0.00
1 1//	Alam Zeb		SCT	16	2/16/1964	Swat	MA	CT/M.Ed	9/26/1988		
78	Azizullah	rlaji Muhammad	SCT	16	4/10/1966		MA	CT/B.Ed	12/5/1989		· · · · · · · · · · · · · · · · · · ·
79	Amjad Ali	Faqir Khan	SCT	16	2/15/1965		MA.	CT/B.Ed	5/3/1986		7-7-00
80	Samiullah *	Roohul Amin	SCT	16	3/8/1958		BA	CT/B.Ed	4/1/1987		
81	Dost Muhammad Khan	Taj Muhammad Khan	SCT	16	5/1/1967		BA ·	CTL	10/1/1989	10/1/1989	1/3/1333
82	Wazir Zada 🕴 💹	Gulzar Khan .	1301	10	3, 2, 22		,				
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FINAL SENRIOTY LIST OF CTS O/O THE DISTRICT EDUCATION OFFICER (M) DISTRICT SWAT UPTO 31/05/2018

			FINAL SENRIQTY L		 	THE DISTRIC	<u> </u>	1 7		45	Date of	Seniority position:
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٠		Name of Waster		Desi		:D/O:Birth	Domic	-Aca	Profess	D/O:1st	apptt. against	as CT or D/O
- 1	S.No.	Teacher/Qualification	Father's Name	gnati		EDomicile	ile: ب	demi	vional	Apptt:		
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[HEREN	THE RESERVE OF THE PERSON OF T	200、2000年间,2000年2月1日 1000年			5/1/1961		MΑ	CT/B.Ed	10/2/1989	10/2/1989	1/9/1995
	83	IVI the to I idoo.	111017 51701111	SCT SCT	1 <u>6</u> 16	2/2/1965	Swat	MA	CT/B.Ed		11/28/1989	1/9/1995
ĺ	84	10101101111100	3118112000	SCT	16	6/5/1963	Swat	MA	CT/B.Ed		12/10/1989	1/9/1995
	85	Bakhtmand	3.0	SCT	16	6/5/1963	Swat	ВА	CT/B:Ed	1/13/1990	1/13/1990	1/9/1995
	86_	Mukaram Khan	101031101011 1	SCT	16	5/25/1962	Swat	MA	CT/B:Ed	/19/1990	1/19/1990	1/9/1995
	87	Afral Hussain		scr	16	1/1/1969	Swat	ВA	CT ,	/19/1990	1/23/1990	1/9/1995 1/9/1995
L		Zanoor Hayat .	SHELL WIGHT IN TON	SCT	16	3/15/1963	Swat	ВА	CT :	2/15/1990	2/15/1990	
		Farzand Ali .	Syed Rashad Bakht Biland Khan	SCT	16	2/18/1963	Swat	BA	CT :	3/1/1990	3/1/1990	1/9/1995 1/9/1995
		Amir Zeb Khan		SCT	16	3/10/1963	Swat	MA	CT	4/1/1990	4/1/1990	1/9/1995
		Fazal Rahman i	Amir Fageer 3	SCT	16	2/5/1964	Swat	MA	CT	4/14/1990	4/14/1990	1/9/1995
	92_	Q q / () (a /) ()	Amir:Hamza - 4 - 2	SCT .	16	. 6/1/1963	Swat	MA	CT/B.Ed	4/21/1990	4/21/1990	1/9/1995 1/9/1995
		Muhammad Laiq :		SCT	16	3/17/1969	Swat	MA	CT/8.Ed	5/13/1990	5/13/1990	1/9/1995
- [Al Bash Khan :	311011 011001 1111011	SCT	16	1/1/1963	Swat	MA	CT/B.ed	\$/13/1990	5/13/1990	1/9/1995
		Aleber 7th	Khalilur Rahman	SCT	16	7/1/1964	Swat	MA	CT/B.Ed	\$/13/1990	5/13/1990	1/9/1995
Į.			Ahmad	SCT	16	12/1/1959	Swat	MA	CT	8/20/1990	8/20/1990	1/9/1995
Ļ		Larai Oriiii		SCT.	16	3/15/1970	Swat	MA	CT/B.Ed		11/20/1990	1/9/1995
		Ke IIII Ollott		scr	16	6/17/1959	Swat		CT/B.Ed	5/24/1992	5/24/1992	1/9/1995
Ļ		Ibriahim		SCT	16	4/3/1966	Swat		CT	9/1/1989	12/1/1994	1/16/1995
Ļ		United Collection		SCT	16	3/7/1963	Swat		CT B.Ed	6/11/1987	1/16/1995	1/16/1995
۱, ۱	<u> </u>	Muhammad Dawood Khar		SCT	16	4/26/1967	Swat		CT M.Ed	9/25/1992	1/16/1995	1/18/1995
셌				SCT	16	4/21/1959	Swat		CT	3/6/1990	1/18/1995	1/21/1995
끿				SCT	16	5/1/1962	Swat		CT/B.Ed	1/19/1995	1/19/1995	2/1/1995
7	104	3011011 31101		SCT	16	1/12/1967	Swat		כו	₽/20/1990	2/1/1995	2/22/1995
		.,		SCT	16	3/3/1969	Swat		CT	2/21/1995	2/22/1995	4/10/1995
1		,,000,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		SCT	-16	5/5/1964	Swat		CT	; 2/2/1995	4/10/1995	- 4/10/1995 - 4/10/1995
L		30,000		SCT	16	5/4/1970	Swat		CT/M.Ed	2/2/1995	4/10/1995	4/17/1995
Ļ		7 1177 0 2 2 2 2	, ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	SCT	16	1/1/1967	Swat		CT/B.Ed	4/7/1988	4/16/1995	4/17/1995
L	. X -	Kishwar Din	G11010111 11001	SCT	16	5/1/1970	Swat		CT/M.Ed	11/7/1994	4/17/1995	5/15/1995
V		17.120 0 0 0 1	14111 0 100 0 111	SCT.	16	1/30/1966	Swat		CT	10/17/1988	5/15/1995	8/1/1995
7		DOMESTIC DISTRICT		SCT	16	11/8/1962	Swat		כ	8/8/1984	8/1/1995	8/1/1995
L				SCT	16	1/10/1966	Swat		CT/8.Ed	5/14/1992	8/1/1995	8/7/1995
Ļ				SCT	16	4/5/1964	Swat		CT/B.Ed	2/29/1984	8/7/1995	8/22/1995
<u> </u>		MONOTON TO MANAGE TO THE PARTY OF THE PARTY	All 1101100 1	SCT	16	1/1/1967	Swat		CT/B.Ed	8/22/1995	8/22/1995	8/24/1995
·L			ALDOI INION	SCT	16	3/15/1963	Swat		टा	9/27/1988	8/24/1995	9/1/1995
L				SCT	16	4/1/1967	Swat		CT	5/14/1987	9/1/1995	9/1/1995
1		/	l DEGI I I G	SCT	16	3/20/1964	Swat		CT	4/3/1995	9/15/1995	9/13/1995
Ļ		Jayeo Javio idao.		SCT :	16	1/15/1962	Swat		CT/B.Ed	3/17/1984	9/23/1995	1/24/1996
Ĺ		Mufti : 1 Muhammad Afzal Khan : 1		SCT	16	10/1/1970		MA	CT/B.Ed	9/24/1995	9/24/1995	5/1/1996
_			3116. 31. 11.12.	SCT	16	4/16/1975			CT	5/1/1996	5/1/1996	5/5/1996
L	12.1		Minited Mileti	SCT	16	4/13/1969			CT/M.Ed	9/16/1992	9/16/1992	5/5/1996
_			TOTAL TOTAL	SCT	16	4/15/1972	Swat	MA .	CT/M.Ed	3/17/1996	3/17/1996	2/3/1996
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GOVERNMENT OF THE KHYBER PAKHTUNKHWA ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT

NOTIFICATION

Peshawar, dated the November 13,201.

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

SECRETARY TO GOVERNMENT OF THE KHYBER PAKHTUNKHWA...

ARY AND SECONDARY EDUCATION DEVARTMENT.

Endst. No. & Date as abo

Copy forwarded to:-

1. The Secretary to Govt. of Khyber Pakhtunkhwa, Establishment Department.

2. The Secretary to Govt. of Khyber Pakhtunkhiva, Finance Department:

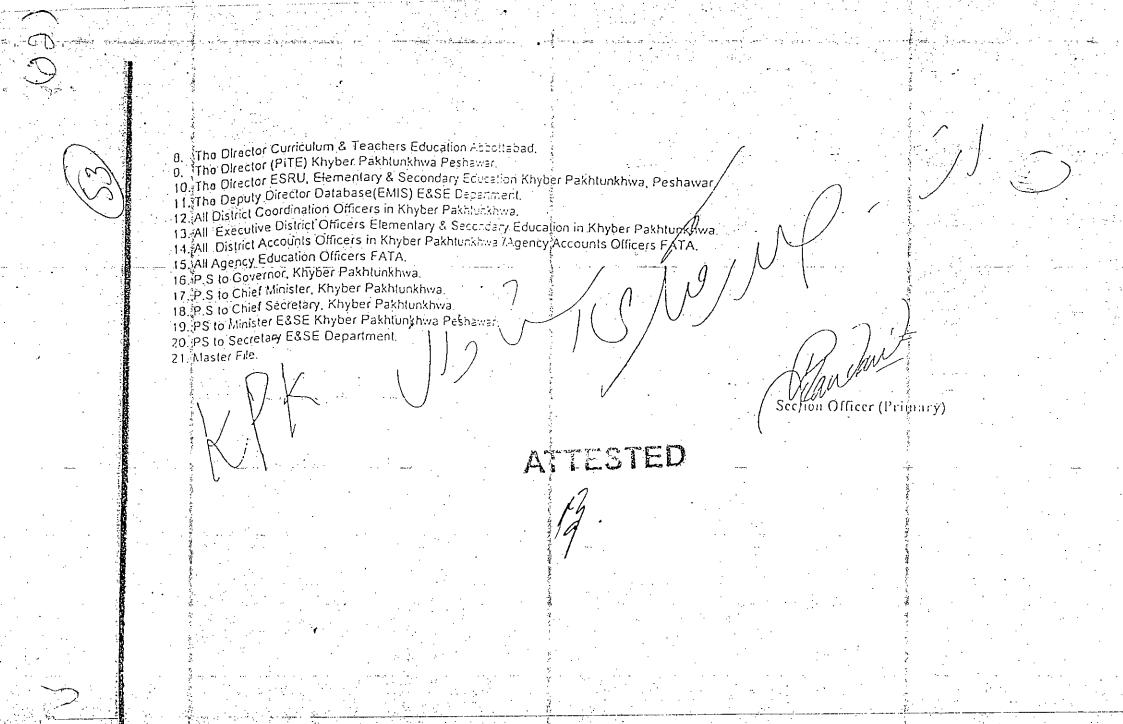
3. The Secretary to Govt. of Khyber Pakhlunkhwa, Law Department.

4. The Secretary Kryber Pakhlunkhwa. Public Service Commission Peshawar 5. The Accountage General, Khyber Pakhlunkhwa Peshawar.

The Director (E3SE) Khyber Pakhtunkhwa Peshawar.

The Director Solutation (FATA), Peshawar,

Copy to Margari Ustasan KPK



Annex J

JUDGMENT SHEET

SHAWAR HIGH COURT, PESHAWA

JUDICIAL DEPARTMENT

COC No. 105-P/2018 in WP No. 355/20

<u>JUDGMENT</u>

Date of hearing: 08.11,2018

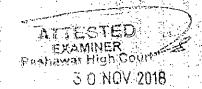
Petitioner (s): Nigar Ohmal Da: Mr. Noor Mulesonned Wholek

Respondent (s): 1 Juliammad Dram Khin) kgr

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.

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



(6P)

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

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

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

- 4. Respondents No. 2 & 3 have filed reply to the show cause and prayed for dismissal of instant petitions.
- Arguments heard and record perused.
- While deciding writ petition No. 2905/2009, vide judgment dated 26.1.2015 which has been upheld by the apex Court, the respondents-department was directed to workout the backlog of the promotion quota and consider in service employees for promotion against the vacant post, till the backlog is washout. In this respect record is suggestive that the backlog was worked out and by that time 2725 employees / teachers were in the promotion zone and as such were promoted. Moreover, by virtue of Regularization Act, 200% Act No. XVI of 2009, 1766 employees / teachers got regularization and as such, when worked out, the promotion quota was fully exhausted. The judgment in this respect was not for all the times to come for promotion purposes. Once the promotion quota, which was given advantage, in view of Regularization Act, 2009, cannot be claimed again and again. By now it's the question of fact that as to whether any employee / teacher was not promoted and by that time when Act 2009 was enforced they were in the promotion zone. Even otherwise, once backlog was worked out and promotion was done then claiming seniority and promotion is the job of service tribunal.

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

Show cause notice issued to respondents is hereby recalled.

ANNOUNCED.
Dated: 08.11.2018

Chief Justice

Judge

Newab Shah SCS (DB) Justice Wager Ahmed Seth C.J. S. Justice No huntred Aven Khoo 1

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