

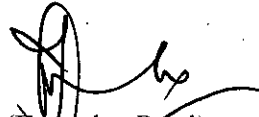
08th May, 2023

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

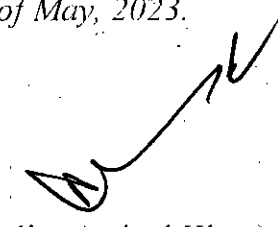
2. Vide our detailed order of today placed in service appeal No. 1382/2019 titled "Usman Ghani Vs Government of Khyber Pakhtunkhwa through Secretary Education and others" (copy placed in this file), this appeal is also disposed of. Cost shall follow the event. Consign.

SCANNED
KPST
Peshawar

Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal on this 08th day of May, 2023.


(Fareeha Paul)
Member (E)

Kaleem Ullah


(Kalim Arshad Khan)
Chairman

13th April, 2023

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

(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.

(Fareeha Paul)
Member (E)

(Kalim Arshad Khan)
Chairman

**Adnan Shah, PA

SCANNED
M. S. T
Peshawar

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 17/4/2022 before the D.B. Learned counsel for the appellant is directed to submit an application to the Registrar of this Tribunal mentioning the details of all such appeals alongwith dates fixed therein within a week so that all such appeals could be fixed together with this appeal. On receipt of the application containing details of all similar appeal, the Registrar shall fix all those for the above date.



(Salah Ud Din)
Member(Judicial)



(Kalim Arshad Khan)
Chairman

27.07.2021

Counsel for the appellant present.

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

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


(Rozina Rehman)
Member(J)


Chairman

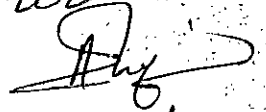
13.12.21

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

29.3.2022

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

Reader


Reader

11-5-22

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


Reader

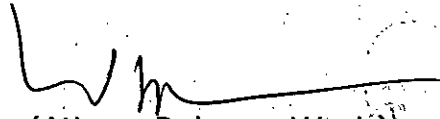
01.04.2021

Nemo for parties.

Al
Mo
7

Kabir Ullah Khattak learned Additional Advocate General present.

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


(Atiq ur Rehman Wazir)
Member (E)



(Rozina Rehman)
Member (J)


14.07.2021

Appellant present through counsel.

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

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


(Rozina Rehman)
Member (J)


Chairman

06.08.2020

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

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




(MUHAMMAD JAMAL KHAN)
MEMBER

26.10.2020

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

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



(Atiq-ur-Rehman Wazir)
Member



Chairman

30.12.2020

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



Reader

25.02.2020

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

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


(Hussain Shah)
Member

31.03.2020

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


Reader

23.06.2020

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

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


Member

6.11.2019

Counsel for the appellant present.

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

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

Handwritten signature
Security & Process Fee

Handwritten signature
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.

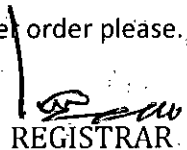

Handwritten signature
Chairman

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 1237/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	07/10/2019	<p>The appeal of Mr. Behram Khan presented today by Mr. Noor Muhammad Khattak Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR 7/10/19</p> <p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>26/11/19</u></p> <p style="text-align: right;"> CHAIRMAN</p>
2-		

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

APPEAL No. 1237 /2019

RAHAM KARAM

V/S

EDUCATION DEPTT:

INDEX

S.NO.	DOCUMENTS	ANNEXURE	PAGE
1.	Memo of appeal	-----	1 -4.
2.	Service book	A	5- 16.
3.	Advertisement	B	17.
4.	Act	C	18- 20.
5.	Judgment	D	21- 42.
6.	Judgment	E	43.
7.	Advertisements	F	44- 47.
8.	Seniority list	G	48- 50.
9.	Service Rules	H	51- 57.
10.	Educational testimonials	I	58- 62.
11.	Judgment	J	63- 66.
12.	Departmental appeal	K	67- 68.
13.	Vakalatnama	-----	69.

APPELLANT

THROUGH:

**NOOR MOHAMMAD KHATTAK,
ADVOCATE**

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

0345-9383141

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Khyber Pakhtunkhwa
Service Tribunal

APPEAL NO. 1237 /2019

Diary No. 1402

Dated 7-10-2019

Mr. Raham Karam, CT (BPS-15),
GHS Shin, District Swat **APPELLANT**

VERSUS

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

..... **RESPONDENTS**

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

PRAYERS:

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

R/SHEWETH:

ON FACTS:

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

- 1- That initially the appellant was appointed as PST in the respondents Department vide order dated 22.03.1992 and later on the appellant was promoted in the respondent Department as Certified Teacher vide order 01.07.2015. Copy of the service book is attached as annexure **A.**

Filed to-day
Registrar
7/10/19

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

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

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

GROUND:

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

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

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

Dated: 11.9.2019

APPELLANT



RAHAM KARAM

THROUGH:

NOOR MOHAMMAD KHATTAK

&



MIR ZAMAN SAFI
ADVOCATES

27
B. S. S. P.

(For use in Police Department only).

~~20~~

Heirs.

A-5

- 1.
- 2.
- 3.

Verification Roll No. dated received back

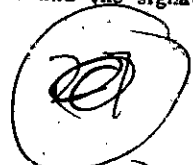
Left thumb-impresion.

Academic					Professional				
Exa.	R. No.	Marks.	Div.	Date	Year	Qualifications	R. No.	Marks.	Div.
SSC	31479	466	II	15/8/89		① P.T.C.	1597	727	I
		850				First Arts		1200	
						Sub Division			
FA. (iii)	29240	618/1100		10.11.93		B. L. or B. A.	384	787	I
						Pleadership examination		1200	
						Training			
						Sub Division: Edu: Officer (M)			
						SAIDU SHARIF SWAT			
iii						Other qualifications			
BA.	25661	324	2nd	24/9/97		② B.Ed.			
		550				Passed B. Ed E			
						from Peshawar University			
						in 1999. under Roll			
						Obtained 555/1000 marks			
						placed in 2nd Divi			
iv									
M.A.						Passed M.A. Examination in (Islamabad)			
						Reserve duties			
						under Roll No. 18370 (Annual)			
						Marks obtained 691/1100 and			
						placed in 1st Division. R.D. on 13/9/1999			

Dy: District Officer (M) Schools & Literacy, Swat.
 N.B.—Line to be drawn under the qualification possessed.

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

1. Name Roham Karam


(6)

2. Race Afghan

3. Residence village, Bagh Dheri Po Fatehpur Distt, Su

4. Father's name and residence Mohammad Karam (Bagh Dheri

5. Date of birth by Christian era as nearly as can be ascertained Seventh May 11-44 Seventy two
(7-5-1972)

6. Exact height by measurement 5-6

7. Personal marks for identification Nil

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

Little Finger.

Ring Finger

Middle Finger.

Fore Finger

Thumb.

9. Signature of Government servant.

Roham Karam

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

~~Sub Divisional Officer (M)
Saidu Sub Division.~~

1	2	3	4	5	6	7	8
Name of post	Whether substantive or officiating and whether permanent or temporary	if officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R.	P. y in substantive post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of appointment	Signature Government servant
PTE 9 PPS Fajira	Per Sub	RPS No. 7	1095-60-1995			3 30 92	Rahul
- Du -	- DO -	Rs 1155/-	✓			12 1 92	Rahul
BPS Sarda	- DO -	Rs 1155/-				3 11 93	Rahul
- Du -	- DO -	Rs 1215/-				12 1 93	Rahul
		BPS No. 9 (1185-72-2265)					
- Du -	- DO -	Rs 1185/-	✓			11 16 93	Rahul
		BPS No. 7 (1095-60-1995)					
Fajira do	do	Rs 1155/-	✓			12 1 92	Rahul
BPS Sarda	do	Rs 1155/2	should be			3 11 93	Rahul
do	do	Rs 1215/-	✓	1185/-		12 1 93	Rahul
		BPS No. 9 (1185-72-2265)					
do	do	Rs 1257/-	should be	1185/-		12 1 93	Rahul
- DO -	- DO -	RPS No 9: 1605-97-2060	should be	1702/-		6 1 94	Rahul
do	do	do	should be	1799/-		12 1 94	Rahul
do	do	do	should be	1702/-			
do	do	R- 1896/-	should be	1795/-		12 1 95	Rahul

(7)

9	10	11	12	13	14	15	
Signature and designation of the head of the office or other attesting officer in attestation of columns 1 to 8.	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal, etc).	Signature of the head of the office or other attesting officer	Leave		Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure, or reward or praise of the Government Servant.
				Nature and duration of leave taken	Allocation of period of leave or average pay upto four months for which leave salary is debitable to another Government Period to which debitable		
	Appointant						
S. D. E. O. Saidu Sharif	30/11/92	Annul	S. D. E. O. Saidu Sharif		Appointed as P.T. trained teacher at GAPS Fagira vide D.E. (M) Prg Edu/Swat		
S. D. E. O. Saidu Sharif	10/3/93	Transfer	S. D. E. O. Saidu Sharif		Order No. 1541-1642/E-2/1 use and Apptl file dated 22		
S. D. E. O. Saidu Sharif	30/11/93	Annul	S. D. E. O. Saidu Sharif				
S. D. E. O. Saidu Sharif	BPS 1409 Annul w.e.f. 16.11.93		S. D. E. O. Saidu Sharif		Service verified w.e.f. 30.11.92 to 31.12.92 from acq. Rolls & other Record of this Office.		
S. D. E. O. Saidu Sharif	Entry Revised		S. D. E. O. Saidu Sharif		Sub Divisional Edu. Officer, Saidu Sharif, Sub Division.		
S. D. E. O. Saidu Sharif	3/10/93	Transfer	S. D. E. O. Saidu Sharif		Allowed BPS 1409 on posting FA ind. Divisi vide DSD(M) Prg Edu Officer order No. 1356-58/11-As		
S. D. E. O. Saidu Sharif	30/11/93	Annul	S. D. E. O. Saidu Sharif		Sub Divisional Edu. Officer, Saidu Sharif, Sub Division.		
S. D. E. O. Saidu Sharif	BPS No. 1409 allowed on FA 2nd.		S. D. E. O. Saidu Sharif		Option - I Mr. Raham Karan		
S. D. E. O. Saidu Sharif	31/9/94	Scale Excess	S. D. E. O. Saidu Sharif		do here by opt for =		
S. D. E. O. Saidu Sharif	30/11/94	Annul	S. D. E. O. Saidu Sharif		in favour BPS No 29 FA ind. Div. w.e.f. instead of 16/11/93		
S. D. E. O. Saidu Sharif	30/11/95	Annul	S. D. E. O. Saidu Sharif		Signature 11.11		
S. D. E. O. Saidu Sharif	30/11/96	Annual	S. D. E. O. Saidu Sharif		Sub Divisional Edu. Officer, Saidu Sharif, Sub Division.		

1	2	3	4	5	6	7
Name of post	Whether substantive or officiating and whether permanent or temporary	if officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R.	P y in substantive post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of appointment

PTC G/S Benolani	SUB/Per.		Rs. 1993/pm	1886/		12/96
- Do -	- Do -		Rs. 2090/pm	1893/		12/97
- Do -	- Do -		Rs. 2090/pm			12/98

Recovery of over payment

Recovery of over payment pointed out by the pay fixation party w.e.f 1/12/93 to 30/11/97 and w.e.f 12/97 to 30/10/98 total amount of Rs. 5380/- will be deducted with in 27 equal instal @ Rs. 200/pm w.e.f 1/10/98. (1-10-98)

Service Verified w.e.f 6-12-95 to 5-12-98 from acq: Roll & other Record of this office.

Sub Divnl Edu: Officer (M)
SALDU SHARIF SWATE

Sub Divnl: Education Officer (M)
Saldu Sharif Sub Division.

- Do -	- Do -		Rs. 2187/-			9 4/97
- Do -	- Do -		Rs. 2284/-			13 5/97
- Do -	- Do -		Rs. 2381/-			1 12/97

② ⑧

9	10	11	12	13		14	15
				Nature and duration of leave taken	Allocation of period of leave or average pay upto four months for which leave salary is debit to another Government		
Signature and designation of the head of the office or other attesting officer in attestation of columns 1 to 8	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting officer	Period	Government to which debit	Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure, or reward or praise of the Government Servant.
S.D.E.O. (M) SAIDU SHARIF	30/11/97	Annual Incre:	S.D.E.O. (M) SAIDU SHARIF		Departmental Pay Fixation in Revised Pay Scale No. 9-1605-97-3060 w.e.f 1-6-94 vide Finance Deptt. Notification No-FD(PFC)-1-194 Dated		
S.D.E.O. (M) SAIDU SHARIF	30/11/90	Annual Incre:	S.D.E.O. (M) Saïdu Sharif		Pay fixation on 1-6-94 Rs. 1257/- Existing pay on 1-5-94 Rs. 1257/- Basic Pay Rs. 439/85		
S.D.E.O. (M) Saïdu Sharif	9-4-1997	Entries revised allowed 3 Act me on BAW	S.D.E.O. (M) Saïdu Sharif		Equal/Next pay revised Pay Scale Rs. 1702/- Pay fixation on 1-6-94 Rs. 1799/- Rate of next increment on 1-12-94		
<p>Office of the Accountant General N.W.F.P. Peshawar.</p> <p>Pay fixed in the revised basic pay scales 1994 of Rs. 1605-97-3060 B-9 a. Rs. 1702/- 165 M.W.F.P. 1-4-1994 With next increment on 1-12-1994</p> <p>1605/2</p> <p>Accounts Officer.</p> <p>Pay Fixation Party N.W.F.P. Peshawar.</p> <p>note ✓ The pay not made 7 in record A-72/204 1293 to 5794 432/- 4074/- A-971 204694 to 11927 4506/- Total ✓</p>				<p>UNDER-TAKING</p> <p>I, <u>Saidu Sharif</u> P.T.C. SPS/GMPS do hereby give an undertaking to the effect that if any over payment is made to me as a result of any error in pay fixation will be recovered from my Pay/Pension/Gratuity</p> <p>ATTESTED</p> <p>Saidu Sharif Sub Divisional Edu. Officer, Swat.</p> <p>Service Verified w.e.f 1-1-95 to 5-1-95 from Govt. & other Record of this office.</p>			
S.D.E.O. (M) Saïdu Sharif	12/5/91	Allowed one m on C/T	S.D.E.O. (M) Saïdu Sharif		Grant of study leave		
S.D.E.O. (M) Saïdu Sharif	30/11/97	Ann m	S.D.E.O. (M) Saïdu Sharif		Sanction of study leave from 20-11-95 to 28-5-96 (2 months) is hereby granted by DBO, Swat order Erdst No 1625-261/96 D/O dated 22-4-96 on half pay with study allowance Rs. 300/-		
S.D.E.O. (M) Saïdu Sharif	30/11/98	Ann m	S.D.E.O. (M) Saïdu Sharif				

1	2	3	4	5	6	7	8
Name of post	Whether substan- tive or officiating and whether permanent or temporary	if officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of appointment	Sig Go
B.P.S 9 (1605-97-3060)							
PTC GAS Binwari	Sub/ PER		Rs 2478/-	✓		1 ¹² / ₉₈	Rah
do	do		Rs 2575/-			1 ¹² / ₉₉	Rah
do	do		Rs 2672/-			1 ¹² / ₂₀₀	Rah
do	do	R.B.P.S No 19	Rs. 4959/-	✓		1 ¹² / ₂₀₁	Rah
do	do		Rs. 4295/-			1 ¹² / ₂₀₂	Rah
do	do		Rs. 4460/-			1 ¹² / ₂₀₃	Rah
do	do		4585/-			1 ¹² / ₂₀₄	Rah
<p>④ 3+10 on B.A.M.C.T. Office of the Accountant General N.W.F.P. pay fixed in the scale 11. pay scales 2005 of Rs 2410-145-6760 B-9 at Rs 4150/- with next increment on 1-12-2001 1-12-2000</p> <p>Service Verified on 1-1-2005 to 31/12/2004 Dy: Distt Officer (M) Primary, Swat</p> <p>Accounts Officer N.W.F.P. Peshawar</p>							
- do -	- do -		5245/-			7 ¹² / ₂₀₅	Rah
- do -	- do -		5419/-			1 ¹² / ₂₀₅	Rah

30 9

9	10	11	12	13		14	15
				Natural and duration of leave taken	Allocation of period of leave or average pay upto four months for which leave salary is debitable to another Government		
Signature and designation of the head of the office or other attesting officer in attestation of columns 1 to 8	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal, etc).	Signature of the head of the office or other attesting officer	Period	Government to which debitable	Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure, or reward or praise of the Government Servant.
S.D.O. (M) Saidu Sharif	30/11/99	Ann mi	S.D.O. (M) Saidu Sharif				Sanction of Adv w
S.D.O. (M) Saidu Sharif	30/11/2001	Ann mi	S.D.O. (M) Saidu Sharif				Sanction is hereby accorded to the grant of 3. Adv in B.A w.e.f 9-4-97 one adv mic on 7 w.e.f 1
S.D.O. (M) Saidu Sharif	30/11/2001	Ann mi	S.D.O. (M) Saidu Sharif				vide DEO m.p Swat order Exdt No 4/156-57 dated
S.D.O. (M) Saidu Sharif	30/11/2002	Ann mi	S.D.O. (M) Saidu Sharif				at S. No 2. (Note)
S.D.O. (M) Saidu Sharif	30/11/2003	Ann mi	S.D.O. (M) Saidu Sharif				Sub Divn: Edu Office Saidu Sharif Sub D
S.D.O. (M) Saidu Sharif	30/11/2004	Ann mi	S.D.O. (M) Saidu Sharif				
S.D.O. (M) Saidu Sharif	30/6/2005	Ann mi	S.D.O. (M) Saidu Sharif				
Service Verified w.e.f 1-1-2002 to 31/12/02 from acq: Roll & other R of this office.						Total 2003/2004 2478-809	
Dy: Distt: Officer (M) Primary, Swat.						Service Verified w.e.f 6-12-05 to 31-12-05 from acq: Roll & other Record of this office.	
						Sub Divn: Education Officer (M) Saidu Sharif Sub Division.	
S.D.O. (M) Saidu Sharif	30/4/2005	Ann mi	S.D.O. (M) Saidu Sharif				Departmental Pay Fixation in Revised Pay Scale No. 3 @ Rs. 2450-145-626 w.e.f. 1-12-2001 vide P.O. (P) 1201 dated 27-10-2001
S.D.O. (M) Saidu Sharif	30/11/2006	Ann mi	S.D.O. (M) Saidu Sharif				Pay In Excess of Rs. 2652 Annual increment in pay scale Rs. 277 Equal/Next Stage in Revised P. Scale No. Rs. Pay Fixed on 1-12-2001 Rs. With Next Annual Increment on 1-12-2002.

BY: DISTT: OFFICER (M) PRIMARY SWAT.

1	2	3	4	5	6	7	
Name of post	Whether substantive or officiating and whether permanent or temporary	if officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. E. R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term 'Pay'	Date of appointment	Signature
BPS NO 9 @ Rs (2770-195-7720)							
P.T.C							
GPS Buiorani	Sub: per:		Rs 5575/pm			12/06	Relh
BPS NO 9 @ Rs (3185-190-8885)							
- do -	- do -		Rs 6415/pm			7/07	Relh
- do -	- do -		Rs 6605/pm			12/07	Relh
do	do	B = 12 Rs. 3630-260-11430	6750			2 12/2007	Relh
- do -	- do -	R BPS 12 Rs. 4355-310-73655	Rs 8075			7/2008	Relh
- do -	- do -		Rs 8385/pm			12/2008	Relh
GPS No 1 Fateh Pur						12/2009	Relh
do	- do -		Rs 8695/pm			07/08 07/09	Relh

③ 10

9	10	11	12	13	14	15	
Signature and designation of the head of the office or other attesting officer in attestation of columns 1 to 8	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal, etc).	Signature of the head of the office or other attesting officer	Leave		Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure, or reward or praise of the Government Servant.
				Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government		
				Period	Government to which debitable		
D.D.O. (M) E&S Edu. Swat.	30/07	Pay of scale revised	D.D.O. (M) E&S Edu. Swat.	Departmental Pay Fixation in Revised Pay Scale No. 9 @ Rs. 2770-165-7720 W.E.F. 1-7-2005 vide No. ED(PAG)11-2005 Dated Peshawar the July 9 2005 Pay in Existing Scale No. 9 on 30.6.2005 Rs. 4585/- Equal/Next Stage in Revised Pay Scale No. 9 Rs. 5245/- Pay Fixed on 1-7-2005 Rs. 5245/- With Next Annual Increment on 1-12-2005			
D.D.O. (M) E&S Edu. Swat.	30/11/07	Annual leave	D.D.O. (M) E&S Edu. Swat.	Dy. District Officer (M) Primary, Swat.			
D.D.O. (M) E&S Edu. Swat.	30/12/07	up grade	D.D.O. (M) E&S Edu. Swat.				
D.D.O. (M) E&S Edu. Swat.	30/06/08	Scale Revised	D.D.O. (M) E&S Edu. Swat.	GRANT OF LEAVE Sanction is hereby accorded to the grant of leave w. pay w. ef 10-3-2007 to 15-5-2007 (67 days) vide P.O. (2d) No. 8083 dt 12-5-2007.			
D.D.O. (M) E&S Edu. Swat.	30/11/08	Ann. fix.	D.D.O. (M) E&S Edu. Swat.				
D.D.O. (M) E&S Edu. Swat.	30/11/2009	Ann. 30th	D.D.O. (M) E&S Edu. Swat.	Dy. District Officer (M) Schools & Literacy, Swat.			
D.D.O. (M) E&S Edu. Swat.	31/07/07	Shifted to class	D.D.O. (M) E&S Edu. Swat.				
PRINCIPAL, GHSS Fatehpur Distt: Swat	30/11/07	Annual leave	PRINCIPAL, GHSS Fatehpur, Distt: Swat				

2005
Office of The Accountant General
N.W.F.P. Peshawar
Pay Fixed in The Revised Basic
Pay Scales 2005
OF RS. 2770/165-7720
AT RS. 5245 P.M.W.E.F.
With Next Increment on
Account Officer
Pay Fixation Party N.W.F.P. Peshawar

Service Verified w.e.f. 1-1-05 to 31-12-09 from acq: Roll & other Record of this office

Dy. District Officer (M)
Elementary & Secy. Edu. Swat.

District Officer
SWAT
14/11

1 Name of post	2 Whether substan- tive or officiating and whether permanent or temporary	3 if officiating. state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R.	4 Pay in substantive post	5 Additional Pay for officiating	6 Other emolument falling under the term 'Pay'	7 Date of appointment	S C
1 P.T.C at G.P.S							
Fateh pur	Sub. post		Rs 9005/pm.			01/12/07	Reg
do	do		Rs 9005/pm.			01/01/11	Reg
		BPS NO 12 @ Rs (7000-500-2200)					
do	do		Rs 14500/pm.			01/07/11	Reg
do	do		Rs 15000/pm.			01/12/11	Reg
do	do		Rs. 15500/pm.			01/12/2012	Reg
		BPS NO 14 @ Rs (8000-610-26300)					
Sr: PST G.P.S							
Fateh pur no 1	do		Rs 16540/pm.			01/03/13	Reg
9							
6415/07							
8075/08							
14500/11							

Officer in Charge
 Khyber Pakhtun Khwa Peshawar
 (Pay Fixed in the Revised Basic Pay Scales)
 R.E.P.S. 3185 = 190 - 8885
 Pay Fixed @ Rs. 6415/- No. 131-07-2007
 A.C. S.P.S. 4355 = 310 - 13655
 Pay Fixed @ Rs. 8075/- No. 131-07-2007
 R.E.P.S. 2050-500-22000
 Pay Fixed @ Rs. 14500/- No. 131-07-2011
 Date of appointment to post: 01/03/13
 Officer
 Pay Commission Party
 Peshawar

(11)

9	10	11	12	13		14	15																
				Leave																			
				Na. u. re and duration of leave taken	Allocation of period of leave or average pay upto four months for which leave salary is debitable to another Government																		
					Period	Government to which debitable																	
Signature and designation of the head of the office or other attesting officer in attestation of columns 1 to 8				Date of termination of appointment				Reason of termination (such as promotion, transfer, dismissal, etc).				Signature of the head of the office or other attesting officer:								Reference to any recorded punishment or censure, or reward or praise of the Government Servant.			
<p>PRINCIPAL, GHSS Fatehpur, Distt: Swat</p> <p>D.D.O. (M) Swat.</p>				<p>31/12/07</p> <p>30/06/11</p>				<p>Classed reversed</p> <p>Part of leave revised</p>				<p>PRINCIPAL, GHSS Fatehpur, Distt: Swat</p> <p>D.D.O. (M) Swat.</p>				<p>Service Verified w.e.f. 01/08/10 to 31/12/10 from acq: Roll & other Record of this office.</p>							
<p>D.D.O. (M) Swat.</p>				<p>30/11/11</p>				<p>Annual Incr.</p>				<p>D.D.O. (M) Swat.</p>				<p>Principal Govt: Higher Secondary School Fatehpur, Distt: Swat.</p>							
<p>D.D.O. (M) Swat.</p>				<p>30/11/2012</p>				<p>Annual Inc.</p>				<p>D.D.O. (M) Swat.</p>				<p>Dy. District Officer (M) Schools & Literacy, Swat.</p>							
<p>D.D.O. (M) Swat.</p>				<p>30/04/13</p>				<p>Promoted to ss: PST B-14</p>				<p>S.D.E.O (M) Pvy. Swat.</p>				<p>Promotion to ss: PST B-14.</p>							
<p>S.D.E.O (M) Pvy. Swat.</p>												<p>Promoted to ss: PST B-14 vide the promotion order issued by the DEO (M) Swat Under Endost: No. Dated at: 10.7.13</p>											
												<p>Sub Divnl. Edu. Officer (M) Primary, Swat.</p>											
												<p><u>Under taking.</u></p> <p>I do hereby give an Under Taking to the effect that if any over payment is made to me due to incorrect award of ss: PST. It shall be recovered from my Prof pension etc</p> <p>ATTESTED</p> <p>Signature: <i>[Signature]</i></p>											
<p>No. 936 Date 01/13/13</p> <p>Drawn dues of B-14</p> <p>upto 30/4/13</p>				<p>J.A.S</p>																			
												<p>Sub Divnl. Edu. Officer (M)</p>											

1	2	3	4	5	6	7	8
Name of post	Whether substan- tive or officiating and whether permanent or temporary	if officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term 'Pay'	Date of appointment	Signature of Government servant
<i>Pay Fixation revised due to option</i>							
<i>on 01/12/1993 on a/c of award of B-9.</i>							
<p><u>Option</u></p> <p>I do hereby opt for the refixation of my pay in B-9 on 1/12/93 instead of 15/11/93 in the light of Finance Dept. order no. FDC(PRC) 12/186-VI(A) dt: 05/06/1986.</p> <p>Signature: <i>[Signature]</i></p> <p>ATTESTED</p> <p><i>[Signature]</i> Sub Divl. Edu. Officer (M) Primary, Swat.</p>		<p>BPS 107 @ Rs (1095-60-1995)</p> <p>Pay on 1/12/92 Rs. 1155/pm.</p> <p>BPS 109 @ Rs (1135-72-2265)</p> <p>16/11/93 Rs. 1185/pm.</p> <p>option 1/12/93 Rs. 1257/pm ✓</p> <p>BPS 109 @ Rs (1605-77-3060)</p> <p>01/06/94 Rs. 1702/pm.</p> <p>01/12/94 Rs. 1799/pm.</p> <p>01/12/95 Rs. 1895/pm.</p> <p>01/12/96 Rs. 1993/pm.</p> <p>3 Adv. Incr. BA. 9/4/97 Rs. 2284/pm.</p> <p>1 Adv. Incr. CT. 13/5/97 Rs. 2381/pm.</p>					

1 Name of post	2 Whether substan- tive or officiating and whether permanent or temporary	3 if officiating. date (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R.	4 Pay in substantive post	5 Additional Pay for officiating	6 Other emolument falling under the term "Pay"	7 Date of appointment	8 Signature Governor serv:
Sr: PST at GPS Fateh pur, No 1	Sub: per:		Rs. 17760/pm			12 01/013	R.M.
PSHT B-15 at GPS Fateh pur, No 1	-do-	BPS No 15 C	Rs. 17600/pm.	Rs. (8500-700-29500)		14 01/014	R.M.
-do-	-do-		Rs. 18300/pm.			01/014	R.M.
-do-	-do-	BPS No 15 C	Rs. 23655/pm	Rs. (10985-905-28135)		01/015	R.M.
CT at GHS shim, Swat	Sub: per:	BPS No 15 C	Rs. 23655/pm	Rs. (10985-905-38135)		01/015	R.M.
-do-	-do-		Rs. 24500/pm.			01/015	R.M.
<p>HBA sanction</p> <p>The DEO (M) Swat had been pleased to accord sanction of HPA amounting to Rs. 124800/- vide the DEO (M) order issued under Endost: No. 6880-870</p> <p>Promoted vide the from order issued vide the DEO (M) order issued under Endost: No. 6880-870</p> <p>Dt. 29/5/17.</p>							<p>Promoted T</p> <p>CT ref 01/17/01</p> <p>vide the from order issued</p> <p>vide the DEO (M) order issued</p> <p>under Endost: No. 6880-870</p>
							<p>3415-17</p>

Anahid
Head Master
Govt High School
Shim, Swat

9	10	11	12	13	14	15			
Signature and designation of the head of the office or other attesting officer in attestation of columns 1 to 8	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal, etc).	Signature of the head of the office or other attesting officer	Leave		Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure, or reward or praise of the Government Servant.		
				Nature and duration of leave taken	Allocation of period of leave or average pay upto four months for which leave salary is debit to another Government				
				Period	Government to which debit				
<p>S.D.E.O (M) Pry. Swat.</p>	<p>13/11/14</p>	<p>Promoted to PSHT B-15</p>	<p>S.D.E.O (M) Pry. Swat.</p>	<p>TOKEN No 7.102 DATED 16/4/14 DRAWN Rs 18000/- Less Recoverable Rs TA NET Rs 18000/- SOURCE REG No 40 DATED 16/4/14</p>					
<p>S.D.E.O (M) Pry. Swat.</p>	<p>30/11/14</p>	<p>Pay referred due to opt</p>	<p>S.D.E.O (M) Pry. Swat.</p>						
<p>S.D.E.O (M) Pry. Swat.</p>	<p>30/06/15</p>	<p>Pay of scale revised</p>	<p>S.D.E.O (M) Pry. Swat.</p>						
<p>S.D.E.O (M) Pry. Swat.</p>	<p>01/07/15</p>	<p>Promoted to CT</p>	<p>S.D.E.O (M) Pry. Swat.</p>						
<p>Head Master, Govt. High School, SWAT</p>	<p>30/11/15</p>	<p>Annual Quer.</p>	<p>Head Master, Govt. High School, SWAT</p>						
<p>Head Master, Govt. High School, SWAT</p>	<p>30/06/16</p>	<p>Annual Quer.</p>							
<p>Sp-2950</p>				<p>Signature: [Signature]</p>					
<p>Remuneration 2013-2014</p>				<p>Sub Divl. Edu. Officer (M) Primary, Swat.</p>					
<p>239276</p>				<p>Promotion order:</p>					
<p>239276</p>				<p>Promoted to PSHT B-15 vide the promotion order issued by the D.E.O (M) Swat under Endost. No. 9330-94/PSHT B-15/Promotion/2014 Dt: 13/11/2014 at s.no. 29.</p>					
<p>239276</p>				<p>Signature: [Signature]</p>					
<p>239276</p>				<p>Sub Divl. Edu. Officer (M) Primary, Swat.</p>					


1	2	3	4	5	6	7	8
Name of post	Whether substantive or officiating and whether permanent or temporary	if officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of appointment	Signature Government servant
CT at GHS Shim, smat	pub. per.		Rs 30310/pm			01/07/06	
do-	do-		Rs 31430/pm			01/12/06	
do-	do-		Rs 37400/pm			01/17/07	
<p>Entries revised due to award of next stage where service is less than 3 years in former post.</p>							
<p>PBS no 14 @ Rs (2000-610-26300) 01/12/013 Rs, 17760/pm.</p>							
<p>Promoted to PSHT PBS no 15 @ Rs (8500-700-29500) 14/11/04 Rs, 18200/pm.</p>							
<p>01/12/04 Rs, 19000/pm</p>							
<p>PBS no 15 @ Rs (10985-905-38135) 01/07/05 Rs, 24550/pm.</p>							
<p>01/12/05 Rs, 25465/pm.</p>							
<p>Promoted to CT PBS no 15 @ Rs (10985-905-38135) 01/07/05 Rs, 25465/pm.</p>							
<p>01/12/05 Rs, 26370/pm.</p>							
<p>PBS no 15 @ Rs (13510-1120-47110) 01/07/06 Rs, 32550/pm.</p>							
<p>01/12/06 Rs, 33670/pm.</p>							

24569/15
32559/15¹⁶

Waked

9	10	11	12	13	14	15	
Signature and designation of the head of the office or other attesting officer in attestation of columns 1 to 8.	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal, etc).	Signature of the head of the office or other attesting officer	Leave		Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure, or reward or praise of the Government Servant.
				Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debit to another Government		
				Period	Government to which debit		
Mahid Govt. High School Srin, Swat	30/11/06	Annual Sacr.	Mahid Govt. High School Srin, Swat				
Mahid Govt. High School Srin, Swat	30/06/07	Pay of Grade Revised	Mahid Govt. High School Srin, Swat				
Mahid Govt. High School Srin, Swat		Entries Revised w.e.f 14/11	Mahid Govt. High School Srin, Swat				
				<p>Service Verified w.e.f 01/01/04 to 30/06/05 from acq. Held & other Record of this office.</p> <p>Sub Divl. Edu. Officer (M) Primary, Swat</p> <p>HBA T-10426 16/6/17</p> <p>Drawn HBA 2 or Rs-124800/-</p> <p>2/6 20/8/17</p>			
<p>Office of the Accountant General Khyber Pakhtun Khwa Peshawar</p> <p>Pay Fixed in the Revised Basic Pay Scales</p> <p>10885/- w.e.f 01-07-2013</p> <p>Pay Fixed @ 24500/- w.e.f 01-07-2013</p> <p>REPS 1370/- w.e.f 01-07-2013</p> <p>Pay Fixed @ RS 32550/- w.e.f 01-07-2013</p> <p>Date of Next Promotion 01-07-2018</p> <p>Accounts Officer Pay Fixation Part Peshawar</p>				<p>CP.T 838 10/10</p> <p>Drawn Rs. 73319/- on a/c of less drawn w.e.f 01/12/2014 to 30/9/17 Due to B-1500 PSH T 4 promotion to CT</p>			

1	2	3	4	5	6	7	
Name of post	Whether substan- tive or officiating and whether permanent or temporary	if officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R.	P y in substantive post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of appointment	Signa Gove se
CT at GHS Shin, Swat	Sub: per:	BPS 10/15 @ Rs (16120-1330-	Rs 40050/pm			01/07/07	
			Rs 41390/pm			01/12/07	
		Entries revised due to award of N.S pre mature incr: in same scale promot. vide Finance Deptt: order no FD(50SR-1) 2 DT: 2007 11/10/2017					
Promoted to CT option 02/9/2000		BPS 10/15 @ Rs (10985-905-38135	King on 01/07/05 Rs 24550/pm			01/10/05 Rs 26370/pm	
			01/12/05 Rs 27275/pm				
		BPS 10/15 @ Rs (13510-1120-4711	01/07/06 Rs 33670/pm			01/12/06 Rs 34790/pm	
		BPS 10/15 @ Rs (16120-1330-5502	01/07/07 Rs 41390/pm			01/12/07 Rs 42720/pm	
			01/12/08 Rs 44050/pm				


 Head Master
 Govt High School
 SHIN, Distt: Swat

9	10	11	12	13	14	15	
Signature and designation of the head of the office or other attesting officer in attestation of columns 1 to 8	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal, etc).	Signature of the head of the office or other attesting officer	Leave		Signature of the head of the office or other attesting officer	Reference recorded in the records or award of praise of the Government Servant.
				Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government Period to which applicable		
<p>Head Master Govt. High School SWIN, Swat</p>	<p>30/11/07 31/8/08</p>	<p>Annual Sheet Entries revised.</p>		<p>CP.T. No. 392 9/10</p>			
<p>Down Ph. 513657 on a/c of less amount of pay & allowances due to award of next stage of pay in same scale promotion w.e.f 01/07/15 to 30/9/18</p>							
<p>2017 Office of the Accountant Khyber Pakhtunkhwa Pesh. Pay Fixed in the Revised Basic Pay R.B.P.S. 10985-995-38135 B (13) Pay Fixed @ Rs 24560/ w.e.f 01-07-2015 13510-1120-47110 B (15) Pay Fixed @ Rs 33670/ w.e.f 01-07-2016 R.B.P.S. 16120-1330-56020 (15) Pay Fixed @ Rs 41390/ w.e.f 01-07-2017 Date of Next increment is on 01-12-2017 Account Officer PAY Section 17/9/18</p>							

C-18

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

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

AN
ACT

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

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

It is hereby enacted as follows:-

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

(2) It shall come into force at once.

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

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

³Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

⁴Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

⁵Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

⁶Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

⁷Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

⁸Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

ATTESTED

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

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

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

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

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

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

⁹Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

¹⁰Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

¹¹Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

¹²Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

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

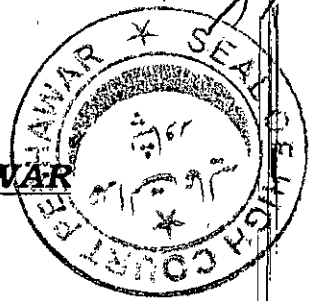
4A. **Overriding effect.**---Notwithstanding any thing to the contrary contained in any other law or rule for the time being in force, the provisions of this Act shall have an overriding effect and the provisions of any such law or rule to the extent of inconsistency to this Act shall cease to have effect.

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

D-21

JUDGMENT SHEET

PESHAWAR HIGH COURT, PESHAWAR
(JUDICIAL DEPARTMENT)



Writ Petition No.2905 of 2009.

ATTA ULLAH AND OTHERS.....PETITIONERS.

VERSUS.

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

JUDGMENT.

Date of hearing 26.01.2015

Appellant/Petitioner by Ghulam Nabi Khan Advocate.

Respondent by Sardar Ali Raza Advocate & Waqar Ahmad Khan AAG

WAQAR AHMAD SETH, J:- Through this single judgment we propose to dispose of the instant Writ Petition No.2905 OF 2009 as well as the connected Writ Petition Nos,2941, 2967,2968,3016. 3025,3053,3189,3251,3292 of 2009,496,556,664,1256,1662,1685,1696,2176,2230,2501,2696, 2728 of 2010 & 206, 355,435 & 877 of 2011 as common question of law and fact is involved in all these petitions.

ATTESTED
Peshawar High Court
ATTESTED
08 MAR 2018

22

(3)

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

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

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

ATTESTED

EXAMINER
Peshawar High Court

08 MAR 2018

23

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

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

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

ATTORNEY GENERAL
Peshawar

08 MAR 2018

24

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

ATTESTED

EXAMINER
Peshawar High Court

08 MAR 2018

(25)

~~50~~

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

ATTESTED
PUBLIC SERVICE COMMISSION
03 MAR 2018

26

~~5/10~~

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

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


ATTESTED
EXAMINER
Peshawar High Court
08 MAR 2019

(27)

~~(27)~~

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


09 MAR 2018

28

~~28~~

service and having qualification mentioned

in column 3."

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

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

ATTESTED
EXAMINER
Peshawar High Court

08 MAR 2018

29

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

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

ATTESTED
EXAMINED
District and Sessions Court
08 MAR 2019

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

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

S.2 Definitions. (1)---

a)----

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

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

AT T
 30 MAR 2010

31

S.P.P.

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

S. 3 reads:-

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

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

ADP
EXA
Peshawar
28 MAR 2013

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

ATTESTED
EXAMINER
Peshawar High Court
08 MAR 2018

(33)

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

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

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

34

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

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

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

manner:-

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

ATTESTED
08/04/2011

35

SSA

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

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

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

ATTESTED
 JUDGE
 High Court
 02 MAR 2018

36

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

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

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

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

(37)

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

ATTESTEDEXAMINER
Peshawar High Court

08 MAR 2018

30

I.A. Sherwani & others Versus Government of Pakistan,reported in 1991 SCMR 1041 Even otherwise, under Rule 3

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

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

ATTENDED
 ENGINEER
 Peshawar District Court
 08 MAR 2008

39

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

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

ATTESTED
EXCISE
Peshawar High Court

08 MAR 2018

(40)

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

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

ATTESTED
EXAMINER
Festaway High Court
08 MAR 2018

(41)

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

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

ATY...
Peshawar...
08 Nov 2013

(42)

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

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

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

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

Order accordingly.

Handwritten signature and notes in cursive script.

Announced.
26th January 2015

JUDGE

JUDGE

Handwritten signature and date: 2/2/15.

=====

CERTIFIED TO BE TRUE COPY

Examiner
Peshawar High Court Peshawar
Authorized Under Article 17 of
The Council of Ministers Order 1984

08 MAR 2015

IN THE SUPREME COURT OF PAKISTAN
(APPELLATE JURISDICTION)

E-40
43

PRESENT:

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

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

(Against) the judgment dated 26.1.2015 of the
Peshawar High Court, Peshawar passed in Writ
Petition No. 2905 of 2009, 3045 of 2009, 664 of 2010

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

Versus

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

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


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

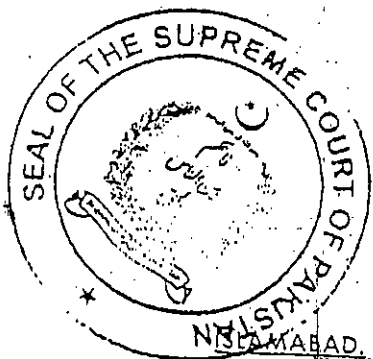
Date of Hearing: 20.09.2017.

ORDER

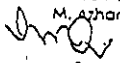
Ejaz Afzal Khan, J. The learned Additional Advocate General
appearing on behalf of the Govt. of KPK stated at the bar that as per
instructions of the Government he does not press these petitions. Dismissed
as such.

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


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



ISLAMABAD
20.09.2017
M. Azhar Malik


25/9/17

ATTESTED


GR No: 14572/17 Civil/Criminal
Date of Presentation: 29-9-17
No of Words: 30
No of Pages: 3
Requisition No. 8-8
Copy Fee in: 1-86
Court Fee \$ 6-86
Date of Co: 29/9/17
Date of deliv: 21/8/17 copy:
Compared by/Prepared by: 10/10/17
Received by: 10/10/17

ATTESTED

درخواستیں مطلوب ہیں

درخواستوں پر غور نہیں کیا جائیگا۔

بیرہ نومبر 2017ء کو فراہم کیے جانے والے امیدواروں کی فہرست کے تحت امیدواروں کی درخواستیں منظور کرنا ضروری ہے۔ درخواستیں طلب ہیں۔ درخواست فارم (NTS) کی ویب سائٹ (http://www.nts.org.pk) پر دستیاب ہے۔ مقررہ تاریخ گزرنے کے بعد وصول ہونے والی درخواستیں منظور نہیں کی جائیں گی۔

نمبر شمار	نام آسامی	تفصیلات	عمر
1	سیکنڈری سکول ٹیچر (SST) بیالوئی/ کیبٹری۔ BPS-16	(i) کسی بھی تسلیم شدہ یونیورسٹی سے سیکنڈ ڈیگری تین سہ ماہی کے ساتھ درج ذیل دو مضامین لازمی ہوں۔ (i) کیمسٹری، بیالوئی (زیالوئی یا بائیو) سائنس اور تفریحی کے بعد 9 ماہ کی لازمی ٹریڈنگ حکومتی اداروں RITE/PITE سے حاصل کرنی ہوگی۔	35±19 سال
2	سیکنڈری سکول ٹیچر (SST) فزکس/ بیٹیس۔ BPS-16	(i) کسی بھی تسلیم شدہ یونیورسٹی سے سیکنڈ ڈیگری تین سہ ماہی کے ساتھ درج ذیل دو مضامین لازمی ہوں۔ (i) فزکس، بیٹیس یا (ii) فزکس، بیٹیس یا (iii) فزکس، بیٹیس اور تفریحی کے بعد 9 ماہ کی لازمی ٹریڈنگ حکومتی اداروں RITE/PITE سے حاصل کرنی ہوگی۔	35±19 سال
3	سیکنڈری سکول ٹیچر (SST) جنرل۔ BPS-16	(i) کسی بھی تسلیم شدہ یونیورسٹی سے سیکنڈ ڈیگری تین سہ ماہی کے ساتھ درج ذیل دو مضامین لازمی ہوں۔ (i) انگریزی لازمی، ہونٹینگ گروپ یا دیگر مساوی گروپ۔ (ii) سیکنڈ ڈیگری کے بعد 9 ماہ کی لازمی ٹریڈنگ حکومتی اداروں RITE/PITE سے حاصل کرنی ہوگی۔	35±19 سال

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

(1) سکریننگ ٹیسٹ بذریعہ NTS=100 نمبر		(ب) تعلیمی قابلیت =100 نمبر		جس کی مزید تفصیلات اس طرح ہوں گی	
تعلیمی قابلیت	کل نمبر	تعلیمی قابلیت	کل نمبر	تعلیمی قابلیت	کل نمبر
ایس ایس سی	حاصل کردہ نمبر 20x	ایف ایف ایس سی	حاصل کردہ نمبر 20x	ایف ایف ایس سی	حاصل کردہ نمبر 20x
بی اے/ بی ایس سی	حاصل کردہ نمبر 20x	ایم اے/ ایم ایس سی	حاصل کردہ نمبر 20x	ایم اے/ ایم ایس سی	حاصل کردہ نمبر 20x
بی ایل	حاصل کردہ نمبر 05x	ایم ایل/ ایم اے ایجوکیشن	حاصل کردہ نمبر 05x	ایم ایل/ ایم اے ایجوکیشن	حاصل کردہ نمبر 05x
ایم ایل/ بی ایل ڈی	حاصل کردہ نمبر 10x				

بی ایس چار سالہ کورس کی صورت میں نمبروں کی تقسیم اس طرح ہوگی۔ حاصل کردہ نمبر 40x تقسیم کل نمبر جبکہ پیش درنامہ اسے ایجوکیشن کی صورت میں نمبر کی تقسیم بطریقہ ذیل ہوگی۔
 ایم اے ایجوکیشن حاصل کردہ نمبر 10x تقسیم کل نمبر (5 نمبر بی ایل + 5 ایم ایل)
 بی ایس کی آسامی کیلئے طے شدہ میٹرک لسٹ مرتب کی جائے گی جس میں امیدواروں کے NTS ٹیسٹ میں 40 فیصد نمبر لینا ضروری ہے۔
 40 فیصد سے کم نمبر لینے والا امیدوار نابل تصور ہوگا اور میٹرک لسٹ میں شامل نہیں ہوگا۔

عمومی شرائط:- (1) تمام تقرریاں حکومت خیبر پختونخوا کے رجسٹرڈ قوانین کے مطابق 25 فیصد بنیادی تقرری (Initial Appointment) کے تحت کے تحت خالصتاً عارضی بنیادوں پر ایڈ ہاک / سٹریٹ پر ایک سال کیلئے ہوں گی۔ (2) مسترد افراد کیلئے دو فیصد اور تعلیمی امیدواروں کیلئے تین فیصد کوٹیشن ہے (مسترد افراد کے دو فیصد کوٹیشن ہے جس کیلئے شیڈولنگ میڈیکل بورڈ کا سرٹیفکیٹ پیش کرنا لازمی ہے بشرطیکہ وہ مسترد فرمائش کی انجام دہی میں رکاوٹ نہ ہو۔)۔ (3) انٹرویو کے وقت اصلی تعلیمی اسناد بجا فراہم کرنا ضروری ہے۔ (4) انٹرویو کیلئے آنے والے امیدواروں کو کوئی TANDA نہیں دیا جائیگا۔ (5) صرف مقررہ وقت کے اندر وصول ہونے والی درخواستوں پر غور کیا جائیگا۔ (6) زیر منتظر کو اختیار حاصل ہے کہ وہ کوئی وجہ بتائے بغیر کسی بھی وقت کئی یا جزوی طور پر انٹرویو منسوخ کر دے۔ (7) اگر اس اشتہار کے بعد حکومت وقت کی طرف سے مقررہ طریقہ کار میں تبدیلی کی گئی تو سلیکشن کمیٹی اس کے مطابق عمل کرنے کی پابند ہوگی۔ (8) محکمہ تعلیم، خیبر پختونخوا اور حکومت خیبر پختونخوا کے مقرر کردہ قواعد و ضوابط مطبق کر کے مطابق خالصتاً میٹرک کی بنیاد پر ہوں گی۔ (10) تمام تعلیمی اسناد صرف گورنمنٹ کے تسلیم شدہ اداروں کی قابل قبول ہوں گی۔ (11) اگر کسی امیدوار کی اسناد اصلی پالی گئی تو اس کے خلاف قانونی چارہ بازی کی جائے گی اور اسے کٹ کر کے لئے نابل تصور کیا جائیگا۔ (12) تکمیل فارم یا معلومات کی صورت میں درخواست فارم خود بخود منسوخ تصور کیا جائیگا جس کے لئے کوئی اپیل منظور نہیں کی جائے گی۔ (13) انٹرویو کیلئے ایگ شیڈول جاری کیا جائیگا جس میں ڈاکوٹیشن چیک کئے جائیگے۔ (14) تمام تقرریاں متعلقہ اضلاع کے ڈیویژنوں کی بنیاد پر ہوں گی۔ امیدوار کا ڈویژن متعلقہ ضلع کا ہونا لازمی ہے۔ (20 دسمبر 2017ء کے بعد پہلے جس کسی قسم کی تبدیلی قابل قبول نہ ہوگی۔ (15) امیدوار کو کسی سکول میں سرورس کرنا ہوگی جو کہ قابل قبول ہوگی۔ (16) ایک امیدوار ایک وقت 5 سکولوں میں خالی آسامیوں کیلئے درخواست دے سکتا ہے۔ امیدوار کے ایک یا ایک سے زیادہ سکولوں میں سلیکشن کی صورت میں اس کی تقرری کسی ایک سکول میں کی جائے گی اس صورت میں سکول سلیکشن کا امتحان امیدوار کو حاصل نہیں بلکہ اس میں اس بات کا خیال رکھا جائیگا کہ دوسرے سکولوں میں اس کے بعد زیادہ میٹرک والے امیدوار کو سلیکشن کا موقع مل سکے۔ (17) درخواست دینے کا طریقہ کار NTS کی ویب سائٹ پر مندرجہ ہے۔ (18) متعلقہ اضلاع کے خالی آسامیوں کی تفصیل سکول وار درخواست فارم کے ساتھ NTS کی ویب سائٹ پر دی گئی ہے اور ہر سکول کو اپنا کواڈا دیا جائیگا۔

54

درخواستیں مطلوب ہیں

47

برہمچھتو نچو اپوائنٹمنٹ ڈویژن ٹیچنگ اور ٹرانسفر آف ٹیچرز ریگولیشنز اور ڈاکٹریٹو ریگولیشنز ایکٹ 2011ء کے سیکشن نمبر 4 کے تحت محکمہ تعلیم می ایڈ سیکنڈری ایجوکیشن خیبر پختونخوا کے انتظام (مردانہ/زنانہ) سکولوں میں درج ذیل آسامیاں پر کرنے کیلئے خیبر پختونخوا کے متعلقہ اضلاع کے سکولوں میں امیدواروں سے مجوزہ فارم پر 5 جنوری 2014ء تک درخواستیں مطلوب ہیں۔
دراست فارم NTS کے ویب سائٹ (<http://www.nts.org.pk/>) پر دستیاب ہے۔ مقررہ تاریخ گزرنے کے بعد موصول ہونے والی درخواستوں پر غور نہیں کیا جائیگا۔

نمبر شمار	نام آسامی	تفصیلات	عمر
1	سیکنڈری سکول ٹیچر (SST) پالوئی/کیسٹری BPS-16	کسی بھی تسلیم شدہ یونیورسٹی سے سیکنڈ ڈیگری میں بیچلر ڈگری جسکے ساتھ درج ذیل دو مضامین لازمی ہوں (2) کسی بھی تسلیم شدہ یونیورسٹی سے ایم اے ایجوکیشن یا ایجوکیشن میں بیچلر ڈگری	35±21 سال
2	سیکنڈری سکول ٹیچر (SST) فرسٹ اسٹنس BPS-16	کسی بھی تسلیم شدہ یونیورسٹی سے سیکنڈ ڈیگری میں بیچلر ڈگری جسکے ساتھ درج ذیل دو مضامین لازمی ہوں (i) فرسٹ اسٹنس (ii) LA (iii) ایجوکیشن یا ایجوکیشن میں بیچلر ڈگری (iv) ایجوکیشن میں بیچلر ڈگری	35±21 سال
3	سیکنڈری سکول ٹیچر (SST) بزل BPS-16	کسی بھی تسلیم شدہ یونیورسٹی سے سیکنڈ ڈیگری میں بیچلر ڈگری جسکے ساتھ درج ذیل دو مضامین لازمی ہوں (i) انگریزی لازمی اور میٹریٹر گروپ یا دیگر مادی گروپ (2) کسی بھی تسلیم شدہ یونیورسٹی سے ایم اے ایجوکیشن یا ایجوکیشن میں بیچلر ڈگری	35±21 سال

اساتذہ کے سیکشن کیلئے کریٹیریا درج ذیل ہیں۔ کل 200 نمبرات کی تقسیم اس طرح سے کی جائیگی (ا) سکریننگ ٹیسٹ بذریعہ NTS = 100 نمبر - ب۔ تعلیمی قابلیت = 100 نمبر
ب۔ مکی مزید تقسیم اس طرح ہوگی

تعلیمی قابلیت	کل نمبرات	تفصیلات	کل نمبرات
ایس ایس سی	200	ایس ایس سی	150
ایف ایف ایس سی	200	ایف ایف ایس سی	150
بی ایس سی	200	بی ایس سی	150
ایم اے/ایم ایس سی	200	ایم اے/ایم ایس سی	150

1- ہر سکول کے آپہا می کیلئے علیحدہ علیحدہ میرٹ لسٹ مرتب کیا جائیگا جس میں امیدواروں کے NTS کے حاصل کردہ نمبر اور تعلیمی قابلیت کے نمبروں کو جمع کیا جائیگا۔
- ہر امیدوار کو NTS کی درخواست فارم 500 روپے چارج کریگا۔ جو کہ اس امیدوار خود برداشت کریگے۔

ای شرٹ (1) تمام تقرریاں حکومت خیبر پختونخوا کے مردہ قوانین کے مطابق بنیادی تقرری Initial Appointment کے 25 فیصد کوٹے کے تحت خالصتاً عارضی بنیادوں پر Adhoc اور ٹریکٹ پر ایک سال کیلئے ہوگی (2) اہل امیدواروں کی موجودگی کی صورت میں کسی کو بھی Age Relaxation نہیں دیا جائیگا (3) انٹرویو کے وقت اصلی تعلیمی اسنادوں کو ساتھ لے کر آنا ضروری ہے اور اسٹیمٹ دن صرف اصلی شناختی کارڈ لانا لازمی ہے (4) میرٹ پر آنے والے امیدواروں کی اسنادوں کے ساتھ ساتھ ان کے تمام اخراجات امیدواروں کو برداشت کرنا ہوں گے (5) روپے کے لئے آنے والے امیدواروں کو کوئی TADA نہیں دیا جائیگا۔ اگر ضرورت پڑے تو ان کے لئے قرضہ وقت کیلئے موصول ہونے والی درخواستوں پر غور کیا جائیگا (7) ذریعہ تخطی و اختیار حاصل ہے کہ کوئی امیدوار نے بغیر کسی بھی وقت کئی یا جزوی طور پر انٹرویو پیش کر کے حکومت وقت کی طرف سے تقرری کے طریقہ کار میں تبدیلی کی گئی تو سلیکشن کمیٹی اس کے مطابق عمل کر سکتی ہے (9) تعلیم می ایڈ سیکنڈری ایجوکیشن کو اختیار حاصل ہوگا کہ وہ تمام خالی آسامیوں یا اس سے کم پر امیدوار تقرری کرے (10) تمام تقرریاں حکومت خیبر پختونخوا کے مقرر کردہ قوانین و مجوزہ طریقہ کار کے تحت خالصتاً میرٹ کی بنیاد پر ہوں گی (11) تمام تعلیمی اسنادوں کو ساتھ لے کر آنا ضروری ہے (12) اگر کسی امیدوار کی اسنادوں میں کوئی کمی یا تامل ہوگی تو اس کو کھانا قانونی چارہ جوئی کی جائے اور اس کو کھانا میرٹ سے برکاری ملازمت کیلئے نا اہل تصور کیا جائیگا (13) تمام فارم یا معلومات کی صورت میں درخواست فارم خود بخود منسوخ تصور کیا جائیگا جس کیلئے کوئی اپیل منظور نہیں کی جائے گی (14) روپے کیلئے ایک شیڈول جاری کیا جائیگا (15) تمام تقرریاں متعلقہ اضلاع کے ڈویژنل ایجوکیشن آفیسروں کی تجویز پر ہوں گی۔ اگر اس ضلع میں امیدوار دستیاب نہ ہو تو قریبی ضلع کے امیدوار سے میرٹ کی بنیاد پر تقرریاں کی جائیں گی (16) امیدوار کو اس سکول میں سروس کرنا ہوگی جو کہ نا اہل قرار ہوگا (17) ایک امیدوار ایک وقت 5 سکولوں میں خالی آسامیوں کیلئے درخواست دے سکتا ہے (18) درخواست دینے کا طریقہ NTS کے ویب سائٹ پر موجود ہے (19) متعلقہ اضلاع کے خالی آسامیوں کی تفصیل سکولوں اور درخواست فارم کے ساتھ NTS کے ویب سائٹ پر دی گئی ہیں اور ہر سکول کو اپنا کوڈ دیا گیا ہے۔

INF(P) 3360

دراست فارم

ڈاؤن لوڈ کریں اور درخواستیں جمع کروائیں خیبر پختونخوا ڈیکوری گارڈن پشاور

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

ATTESTED

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

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

69

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

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

50

41100015 No. 14 they will be promoted

All ready promoted to S.S.T.

15-A



GOVERNMENT OF THE KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT.

ATTESTED

NOTIFICATION

Peshawar, dated the November 13, 2012.

Handwritten signature and initials

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

KPK

Endst. No. & Date as above.

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

Copy forwarded to:-

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

ATTESTED

Handwritten signature

52

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

KPK

[Handwritten signature]

[Handwritten signature]
Section Officer (Primary)

ATTESTED

[Handwritten initials]

APPENDIX

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

SET →
Redesignated

No quota has been allocated for PST's cadre.

ATTESTED



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

ATTESTED



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

ATTESTED

Handwritten signature or mark.

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

ATTESTED

[Handwritten signature]

APPENDIX

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

KPK. J.S.R. 15/10/19

ATTESTED

M



53

54

2. Senior Arabic Teacher (SAT) (BPS-16)

3. Senior Theology Teacher (STT) (B-16).

4. Senior Certified Teacher (SCT) (General) (BPS-16).

KPK J's W

(iv) one per cent from amongst the Instructional Material Specialists, with atleast five years service as such and having qualification mentioned in column No. 3; and

(v) one per cent from amongst the Arabic Teachers with at least five years service as such and having qualification mentioned in Column No.3; and

(b) fifty per cent/by initial recruitment.

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.

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.

By promotion, on the basis of seniority-cum-fitness, from amongst Certified Teachers (General), with at least five years service as such and having qualification as prescribed for initial recruitment of Certified Teacher (General).

ATTESTED

12/9

55

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

ATTESTED

Handwritten signature/initials at the bottom center.

Handwritten signature/initials on the right side.

95

		Certificate or two years Associate Degree in Education from a recognized University or eighteen months Diploma in Education.		<p>(b) sixty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Primary School Head Teachers with at least five years service and having qualification prescribed for initial recruitment of Certified Teacher (General):</p> <p>Provided that if no suitable candidate is available amongst the Primary School Head Teachers for transfer, then the posts will be filled by promotion on the basis of seniority-cum-fitness, from amongst Senior Primary School Teachers with at least five years service and having qualification prescribed for initial recruitment of Certified Teacher (General).</p> <p><i>31</i></p>
11.	Certified Teacher (Industrial Arts) (BPS-15). ✓	<p>(i) Bachelor's Degree from a recognized University with two years training in the relevant technical subjects from any Government Industrial or Govt. Technical Vocational Institute or Center; or</p> <p>(b) Bachelor's Degree from a recognized</p>	18 to 35 years.	<p><u>Note:</u> In case of non availability of suitable person for promotion, then by initial recruitment.</p> <p>(a) Forty per cent by initial recruitment; and</p> <p>(b) sixty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Primary School Head Teachers with at least five years service and having qualification prescribed for initial recruitment of Certified Teacher</p>

KPK

ATTESTED

PK

Primary School Teacher

Category of Qualification	Total Marks 100 For Humanities group at Intermediate Level	For Candidate of Science group
SSC	Marks obtained X 20 / total marks = ____	3 Extra marks for F.Sc, 3 Extra marks for B.Sc and 5 Extra marks for M.Sc will be added to the total score obtained by a candidate during his selection
HSSC	Marks obtained X 10 / total marks = ____	
B.A/BSc	Marks obtained X 25 / total marks = ____	
PST Certificate/ Diploma in Education /A.D.E.	Marks obtained X 20 / total marks = ____	
M.A/MSc/M.Ed / MA Edu	Marks obtained X 20 / total marks = ____	
MPhil/PhD	Marks = 05	

Other conditions:-

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

ATTESTED

[Handwritten signature]

57

[Handwritten initials]

[Handwritten signature]

[Handwritten initials]

s.No 661175

Roll No. 31479



BOARD OF INTERMEDIATE AND SECONDARY EDUCATION



Peshawar N.W.F.P. Pakistan
Secondary School Certificate Examination

SESSION 1989 (ANNUAL)

THIS IS TO CERTIFY THAT Raham Karam

Son/Daughter of Muhammad Karam

and a student of Govt. High School Fatehpur (Swat).

has passed the *Secondary School Certificate Examination*
of the Board of Intermediate and Secondary Education, Peshawar held in April 1989
as a *Regular candidate*. He/She obtained 466 Marks out of 850
and has been placed in Grade Representing Good

The Candidate passed in the following subjects:

- | | | | |
|------------|---------------------|----------------|--------------|
| 1. English | 3. Islamiyat | 5. Mathematics | 7. Chemistry |
| 2. Urdu | 4. Pakistan Studies | 6. Physics | 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 Seventh May,
one thousand nine hundred and Seventy Two (07-5-1972)


Asstt. Secretary
31st August 1989

This certificate is issued without alteration or erasure.

Attested

M.A. (Arb+Is), Shahadawi, A.T
A.T BPS-16 (Gazetted)
GHS, Manpatal, Swat

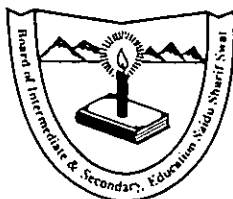

Secretary

ATTESTED

SW No. (A) 3543

Roll No. 23240

BOARD OF INTERMEDIATE AND SECONDARY EDUCATION



(59)

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

HUMANITIES Group

SESSION ANNUAL 1993

THIS IS TO CERTIFY THAT RAHAM KARAM

Son/Daughter of MOHAMMAD KARAM

and a student of DISTRICT SWAT.

Registered No. 1215-B/F-92 has passed the Intermediate Examination of the Board of Intermediate and Secondary Education, Saidu Sharif Swat held in 1993 as a *Regular/Private candidate*. He/She obtained 618 Marks out of 1100 and has been placed in Grade C Representing GOOD

The Examination was taken as a whole/in parts and the candidate passed the following subjects:

- | | | |
|------------|---|----------------|
| 1. English | 3. Islamic Education - Pakistan Studies | 5. CIVICS |
| 2. Urdu | 4. PASHTO | 6. IS; STUDIES |

Date of birth according to admission form is XXXXXXXX XXXXXXXX
one thousand nine hundred and XXXX XXXXXX XXXXXX

Asst. Secretary

This certificate is issued without alteration or erasure.

Secretary

Attested
Watan Karam
M.A (Arts) Shahadatul A...
AT Bt S-18 (Gazetted)
Manpetal, Swat.

Dam



60

University of Peshawar (Pakistan)

Session ANNUAL 1996

RAHAM KARAM Son of MUHAMMAD KARAM and a student
of DISTRICT SWAT having passed the prescribed examination
held in AUGUST, 1996, is this day admitted by the University of Peshawar
to the Degree of
Bachelor of Arts
in the SECOND division.

The Examination was taken as a whole ~~in parts.~~

Serial No 031678

Registration No. 94-P/C-30692

Roll No. 73661

Result declared on APRIL 09, 1997

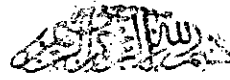


Attested
M. Karam
Muhammad Karam
M.A (Arabic) Shahadat-ul-Jamia
A.T RPS-18 (Gazettee)
GHE, Manpetai, Swat.

Fazli Hamid
Registrar

Countersigned

M. O. Khan
Vice-Chancellor



61

University of Peshawar (Pakistan)

Session ANNUAL 1998

RAHAM KARAM Son of MUHAMMAD KARAM

and a student of DISTRICT SWAT having passed the prescribed Examination held in SEPTEMBER 1998 is this day admitted by the University of Peshawar to the Degree of

Bachelor of Education

In the SECOND Division in Theory

In the SECOND Division in Teaching Practice

In the SECOND Division in Aggregate

Passed also in GENERAL SCIENCE as an Optional Subject

The Examination was taken as a whole ~~xxxx parts~~

Serial No. 911099

Registration No. 94-PC-30692

Roll No. 2443

Result declared on FEBRUARY 24, 1999



Attested
Waham Karam
M.A (Arabic) Shahadatul Alomia
A.T BPS-18 (Gazetted)
GHS, Manpetal, Swat.

Amal Khan

Registrar

Countersigned

Z. I. Khan
Vice-Chancellor

(62)

University of Peshawar (Pakistan)

SESSION ANNUAL 1998

RAMAM KARAM SON OF MOHAMMAD KARAM and a student
of SWAT DISTRICT having passed the prescribed examination
held in APRIL 1999, is this day admitted by the University of Peshawar
to the Degree of
Master of Arts
in the FIRST Division.

The Subject of Examination being ISLAMIYAT

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

Attested

Serial No 029673

Registration No. 94-PO-30692

Roll No. 18370

Result declared on 13TH SEPTEMBER 1999



W. Karam
Watan Karam
M.A (Arb+Is) Shahadatul A'ama
A.T BPS-10 (Gazette'd)
GHS, Manpetal, Swat

Amal Khan
Registrar

Countersigned

Z. L. Khan
Vice-Chancellor

J-63

JUDGMENT SHEET
PESHAWAR HIGH COURT, PESHAWAR
(JUDICIAL DEPARTMENT)

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



JUDGMENT.

Date of hearing: 08.11.2018

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

Respondent (s): Muhammad Azam Khan) & Sardar Qasim Ali Khan ADH.

WAQAR AHMAD SETH, CJ:- Through this

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

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

ATTESTED
EXAMINER
Peshawar High Court
30 NOV 2018

ATTESTED

64

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

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

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

APPOINTED
EXAMINER
Peshawar High Court
30 NOV 2010

65

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

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

5. Arguments heard and record perused.

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

30 NOV 2018

66

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

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

No. 15857

Date of Presentation of Application 25.11.18

No of Pages 2

Copying Fee 20

Preparation of Copy 2

Delivery of Copy 25.11.18

Received By [Signature]

CERTIFIED TO BE TRUE COPY

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

30 NOV 2018

To

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

K-67

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 22.03.1992 and later on was appointed as C.T vide order dated 01.07.2015. 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 recruitment. In the meanwhile the Provincial Government Promulgated the employee's regularization Act, 2009 whereby all the adhoc employees who were appointed as SST on temporary basis were regularized thus further affected the cadre to which I belong. That the promotion quota for which me and my colleagues have waited for decades has been washed by operation of the said Act of 2009. I was feeling aggrieved alongwith my others colleagues knocked the door of the Peshawar High Court through various writ petitions including writ petition No.2905/2009. That vide consolidated judgments dated 26.1.2015 the said writ petitions were disposed of with the directions that:

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

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

ATTESTED

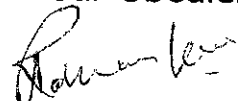
68

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



RAHAM KARAM CT (BPS-15),
GHS Shin, District Swat

VAKALATNAMA

Before the KP Service Tribunal, Peshawar

OF 2019

Raham Karim

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

Education Deptt

(RESPONDENT)
(DEFENDANT)

I/We Raham Karim

Do hereby appoint and constitute **NOOR MOHAMMAD KHATTAK, Advocate, Peshawar** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

Dated. ____/____/2019

Raham Karim

CLIENT

ACCEPTED

NOOR MOHAMMAD KHATTAK

SHAHZULLAH YOUSAFZAI

&

MIR ZAMAN SAFI
ADVOCATES

OFFICE:

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

BEFORE THE KHYBER PAKTUNKHWA SERVICE TRIBUNAL
PESHAWAR.

Service Appeal No. 1237/2019

Raham Karam CT (BPS-15) GHS Shin, 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.

GROUND

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

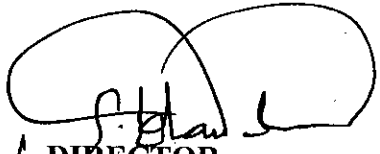
department cannot even think of the violation of any Article of the constitution.

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

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



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



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



**SECRETARY,
ELEMENTARY AND SECONDARY
EDUCATION PESHAWAR**



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

Peshawar, dated the 24th July, 2014.

NOTIFICATION

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

AMENDMENTS

In the Appendix,-

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

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

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

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

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

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

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

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

SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

Endst : of even No & date:

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

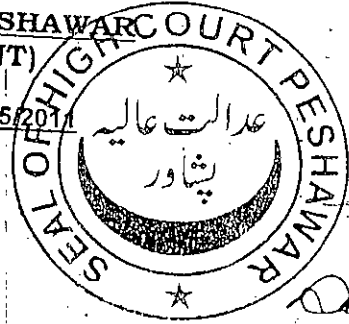
(ZAMIN KHAN MOMAND)
SECTION OFFICER (PRIMARY)

Annexure "B"

ES9

JUDGMENT SHEET
PESHAWAR HIGH COURT, PESHAWAR
(JUDICIAL DEPARTMENT)

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



JUDGMENT.

Date of hearing: 08.11.2018

Petitioner (s): *Nisar Ahmad Khan, Mr. Noor Muhammad Wajid*

Respondent (s): *Muhammad Azam Khan by: Iqbal Qasim Ali
P. No. 104.*

WAQAR AHMAD SETH, CJ:- Through this

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

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

ATTESTED
EXAMINER
Peshawar High Court

30 NOV 2018

60

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

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

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

APPROVED
EXAMINED
Peshawar High Court
30 NOV 2019

(61)

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

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

5. Arguments heard and record perused.

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

30 NOV 2018

62

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

ANNOUNCED.
Dated: 08.11.2018.

Chief Justice

Judge

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

No. 1587

Date of Presentation of Application 25.11.18

No of Pages 3

Copying Fee 20

Preparation of Copy 20 11.18

Examination of Copy 30 11.18

Received by [Signature]

CERTIFIED TO BE TRUE COPY

EXAMINER
Peshawar High Court, Peshawar
Authorized Under Article 87 of
The Constitution of Pakistan Order 1984

30 NOV 2018



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

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

NOTIFICATION

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

SST(MATHS & PHYSICS)

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

SST (GENERAL)


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

13	MR. KHURSHID ALI AT	GHSS DEOLAI	GHSS DEOLAI SWAT	AGAINST VACANT POST
----	------------------------	-------------	------------------	---------------------

(MUHAMMAD RIAZ)
District Education Officer (M)

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

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


District Education Officer (M)
Swat

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

Service Appeal No: 1237/2019

Raham Karam CT (BPS-15) GHS Shin , 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 extent of promotion along with the grant of all back service benefits under the rules.
- 13 That the appellant has correctly been promoted against the SST BPS-16 post in view of the rules, criteria & policy by the Respondent Department.

ON FACTS

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

6 That Para-6 is correct to the extent of filling of writ petition No.2905/2009 under title Atta Ullah etc VS The Chief Secretary Govt. of KPK & others before the Honorable Peshawar high Court Peshawar which was decided on 26/01/2015 with the direction to the Respondent Department as under:-

- i. The Act.XVI of 2009, commonly known as (Regularization of service Act, 2009 is held as beneficial & remedial legislation to which no interference is advisable, hence, up held.
- ii. Official Respondents are directed to work out the backlog of the promotion quota as per above mentioned example, within thirty days and consider the in service employees, till the backlog is washed out, till then there would be complete ban on fresh recruit.(copy of judgment is Ann-C).

7 That the Para-7 is correct. That vide judgment 20/09/2017, the august Supreme Court of Pakistan dismissed CPs No.127-129/P/2015 case titled the Chief Secretary Govt.of KPK etc VS Atta Ullah & others in favor of the Respondent Department.(copies of the judgment, & applications for the appointments against the SSTs B-16 post through NTS are attached as Ann-D,E,F,G & H).

8 That Para-8, is correct that the appellant has been promoted to the post of SST B-16 vide notification dated 14/03/2012 with immediate effect rather than with retrospective effect in view of the APT rules 1989 from SCT to SST B-16 post in the Respondent Department on the basis of reserved quota for promotion under the relevant criteria/policy dated 13/12/2011 of the Respondent Department (Copy of the said policy is Ann-I).

9 That para-9 is correct that COC No.105-P/2018 in the above said WP No.2905/2009 Atta Ullah etc VS Govt. of KPK & others has been dismissed vide order dated 08/11/2018 on the grounds of jurisdiction by the Honorable Peshawar High Court Peshawar (copy of the order dated 08/11/2018 is Ann-J).

10 The para-10 is legal. However, the Respondents further submits on the following grounds inter alia:-

ON GROUNDS

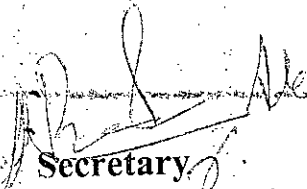
- A Incorrect & not admitted. The stand of the appellant is without any cogent reason & legal justification & liable to be rejected as the act of the Respondent Department with in legal parameter & liable to be maintained.

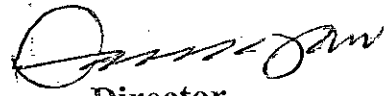
- (4)
- B **Incorrect & not admitted.** The stand of the appellant is without any cogent reason & legal justification & liable to be rejected as the act of the Respondent Department with regard to the non-grant of promotion wef 24/10/2009 against the SST B-16 post is within legal sphere having no question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

(5)

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

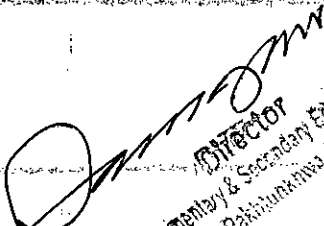
Dated ___/___/2020



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


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

AFFIDAVIT

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


Director
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar


Deponent

A - B - 14

2007-2008 (2007-08) کے لئے (2007-08) کے لئے... INF (P) 2760 Also available on www.nwfp.gov.pk

تعلیمی اداروں کی فہرست

تعلیمی اداروں کی فہرست میں شامل کیے جانے والے اسکولوں کی فہرست... 10 اگست 2007ء کو...

Table with 4 columns: Name of Institution, Address, Contact No., and Remarks. Lists various educational institutions in NWFP.

نوٹ: اس فہرست میں شامل کیے جانے والے اسکولوں کی فہرست... اس فہرست میں شامل کیے جانے والے اسکولوں کی فہرست...

Table with 4 columns: Qualification, Total Marks, 1st Division, 2nd Division, 3rd Division. Lists qualifications like B.Ed and M.A.

Qualification: Professional/Technical Qualification. Higher Education than the prescribed qualification...

1. اس فہرست میں شامل کیے جانے والے اسکولوں کی فہرست... 2. اس فہرست میں شامل کیے جانے والے اسکولوں کی فہرست...

Table with 4 columns: Qualification, Total Marks, 1st Division, 2nd Division, 3rd Division. Lists qualifications like B.Ed and M.A.

Qualification: Professional/Technical Qualification. Higher Education than the prescribed qualification...

1. اس فہرست میں شامل کیے جانے والے اسکولوں کی فہرست... 2. اس فہرست میں شامل کیے جانے والے اسکولوں کی فہرست...

اس فہرست میں شامل کیے جانے والے اسکولوں کی فہرست... اس فہرست میں شامل کیے جانے والے اسکولوں کی فہرست...

Table with 3 columns: Name of Institution, Address, Contact No. Lists specific institutions like Government College.

Annex

B

71

(17)

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

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

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

39

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

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

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

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

Order accordingly.

Handwritten signature

Announced.
26th January 2015

JUDGE

CERTIFIED TO BE TRUE COPY

Examiner
Peshawar High Court, Peshawar

Handwritten note: Recd 2/1/15

Annex C

(9)

IN THE SUPREME COURT OF PAKISTAN
(APPELLATE JURISDICTION)

E-40

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

CIVIL PETITIONS NO. 127-P TO 129-P OF 2015,
(Against the Judgment dated 26.1.2015 of the
Peshawar High Court, Peshawar passed in Writ
Petition No.2905 of 2009, 3-15-09, 224 of 2015)

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

Versus

Ataullah and others,
Nasruiminullah and others,
Mukhtar Ahmad and others. ... Respondent(s)

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


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

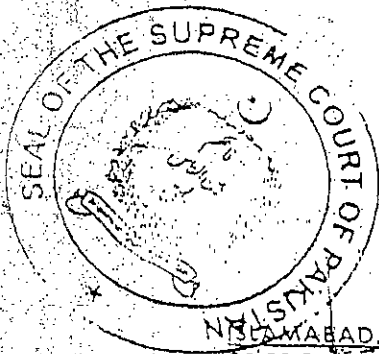
Date of Hearing: 20.09.2017.

ORDER


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

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


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



Islamabad
20.09.2017
M. Azhar Malik
25/9/17

ATTESTED


GR No: 14572/17 Civil/Criminal

Date of Presentation: 29-9-17

No. of Writs: 3

No. of Folios: 3

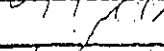
Requisition Fee: 80

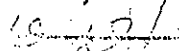
Copy Fee in: 1-80

Court Fee \$: 6-80

Date of Copy: 29/9/17

Date of delivery of copy: 21/10/17

Compared by/Prepared by: 

Received by: 

D (10)

E-40

IN THE SUPREME COURT OF PAKISTAN
(APPELLATE JURISDICTION)

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

CIVIL PETITIONS NO. 127-P TO 129-P OF 2015
(Against the judgment dated 26.1.2015 of the
Peshawar High Court, Peshawar passed in Writ
Petition No.2905 of 2009, 3045 of 2009, 204 of 2014)

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

Versus

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

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

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

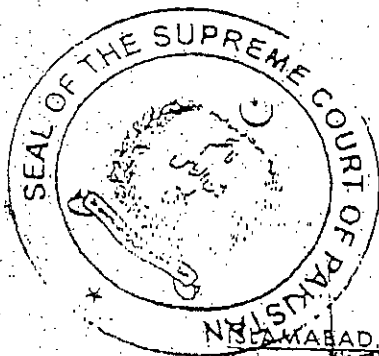
Date of Hearing: 20.09.2017.

O R D E R

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

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

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



ATTESTED
[Signature]

GR No: 14574/17 Civil/Criminal
Date of Presentation: 29-9-17
No of Words: 30
No of Pages: 8
Requisition Fee: 8
Copy Fee in: 1-86
Court Fee \$: 6-86
Date of Copy: 29/9/17
Date of delivery copy: 29/9/17
Compared by/Prepared by: [Signature]
Received by: [Signature]

خیبر پختونخوا ایپوائنٹمنٹ، ڈیپارٹمنٹ اور انسٹرکٹرز ایجوکیشن اور انسٹرکٹرز اور ڈیپارٹمنٹ آف ایجوکیشن، حکومت خیبر پختونخوا کے زیر انتظام (مردانہ زبان) سکولوں میں درج ذیل آسامیاں بھرنے کے لئے خیبر پختونخوا کے مختلف اضلاع کے سکولوں میں امیدواروں سے تجزیہ کاروں کے درخواس میں مطلوب ہیں۔ درخواست فارم (NTS) کی ویب سائٹ (http://www.nts.pk) پر دستیاب ہے۔ سترہ مارچ 2011ء کے سیکشن نمبر 4 کے تحت عملہ

نمبر شمار	نام آسامی	تالیف
1	سیکڑری سکول نیچر یا لوہی ایگزیکیوٹو	(1) کسی بھی تسلیم شدہ ویب پیور میں سے سیکڑری اور نیچر ڈگری میں کے ساتھ درج ذیل دو مضامین لازمی ہوں۔ (i) گیسٹری، ایالوجی (ذوالوجی یا بائیو) (ii) کسی بھی تسلیم شدہ ویب پیور میں سے ایم اے ایگریکچر یا ایگریکچر میں نیچر ڈگری۔
2	سیکڑری سکول نیچر ڈپارٹمنٹ	(1) کسی بھی تسلیم شدہ ویب پیور میں سے سیکڑری اور نیچر ڈگری میں کے ساتھ درج ذیل دو مضامین لازمی ہوں۔ (i) ڈیکریشن A یا B، (ii) ڈیکریشن B یا C، (iii) ڈیکریشن (2) کسی بھی تسلیم شدہ ویب پیور میں سے ایم اے ایگریکچر یا ایگریکچر میں نیچر ڈگری۔
3	سیکڑری سکول نیچر BPS 16	(1) کسی بھی تسلیم شدہ ویب پیور میں سے سیکڑری اور نیچر ڈگری میں کے ساتھ درج ذیل دو مضامین لازمی ہوں۔ (i) ڈیکریشن A یا B، (ii) ڈیکریشن B یا C، (iii) ڈیکریشن (2) کسی بھی تسلیم شدہ ویب پیور میں سے ایم اے ایگریکچر یا ایگریکچر میں نیچر ڈگری۔

سیکشن کریمیا، ماسٹریٹ کے سیکشن کیلئے کریٹر اور درج ذیل ہے۔ کل 200 نمبرات کی تقسیم اس طرح کی جائیں گی۔

(1) سکرٹنٹ نیست بڈ ریور NTS = 100 نمبر (ب) تعلیمی قابلیت = 100 نمبر جس کی مزید تقسیم اس طرح ہوگی

تعلیمی قابلیت	کل نمبر
ایس ایس سی	حاصل کردہ نمبر 20x تقسیم کل نمبر
ایف ایس سی / ایف ایس بی	حاصل کردہ نمبر 20x تقسیم کل نمبر
بی اے / بی ایس بی	حاصل کردہ نمبر 20x تقسیم کل نمبر
ایم اے / ایم ایس سی	حاصل کردہ نمبر 15x تقسیم کل نمبر
بی ایس ای / ایم اے ایگریکچر	حاصل کردہ نمبر 15x تقسیم کل نمبر
ایم ایل / ایم اے ایگریکچر	حاصل کردہ نمبر 05x تقسیم کل نمبر
ایم ایل / بی ایچ ای	حاصل کردہ نمبر 05x تقسیم کل نمبر

بی ایس ایس ایس کی صورت میں نمبرات کی تقسیم اس طرح ہوگی۔ حاصل کردہ نمبر 35x تقسیم کل نمبر، جبکہ پیشہ درج ذیل ایم اے ایگریکچر کی صورت میں نمبرات کی تقسیم اس طرح ہوگی۔ ایم اے ایگریکچر حاصل کردہ نمبر 20x تقسیم کل نمبر

نوٹ: (1) ہر سکول کی آسامی کے لئے علیحدہ علیحدہ صورت دست مرتب کی جائیگی جس میں امیدواروں کے NTS کے حاصل کردہ نمبرات تعلیمی قابلیت کے نمبرات کو جمع کیا جائیگا۔ (2) ہر امیدوار سے NTS درخواست فارم 300 روپے چارج کیا جائے گا۔ اگر ایک امیدوار 5 سکولوں کے لئے درخواست دیکتا تو اس سے 800 روپے بھی NTS چارج کرینگے۔ جبکہ امیدوار خود براءت کر کے۔ (3) NTS دست میں 40 نمبرات لیا ضروری ہے۔ 40 نمبرات سے کم نمبر لینے والا امیدوار نابلت تصور ہوا اور صورت دست میں شامل نہیں ہوگا۔

خیبر پختونخوا ایپوائنٹمنٹ

(1) تمام تقرریاں حکومت خیبر پختونخوا کے موجودہ آئین کے مطابق بنیادی تقرری (Initial Appointment) کے 25 لیسڈ کرلے کے تحت نالٹا لائسنس بنیادوں پر Adhoc کلیمریٹ پر ایک سال کے لئے ہوں گی۔ (2) حذوہ افراد کے لئے وہ لیسڈ اور اعلیٰ امیدواروں کے لئے تین لیسڈ کو ملے ہیں۔ (3) انٹرویو کے وقت اسلی ٹیلی انٹرو انٹرو انٹرو امیدوار کو براءت کرنا ہونے۔ (4) انٹرویو کے لئے آنے والے امیدواروں کو کوئی ای سی ای سی کے لئے کسی رو پاجاے گا۔ (5) صرف سترہ وقت کے اندر معمول ہونے والی درخواستوں پر نوٹ کیا جائے گا۔ (6) انٹرویو کے وقت اسٹیج حاصل ہے کہ کوئی بھی لیسڈ نہیں لیا گیا اور کسی بھی لیسڈ کی یا بڑی طرف پراپرٹی سے اسٹوڈنٹس کو روٹ۔ (7) اگر اس امیدوار کے بعد حکومت وقت کی طرف سے چھوٹی کے طرف سے لیسڈ کے لئے کسی لیسڈ نہیں لیا گیا ہے۔ (8) کلیمریٹس نی ایڈ سیڈرٹی ایگریکچر میں ایم اے ایگریکچر حاصل ہوگا کہ وہ تمام خالی آسامیوں یا اس سے کم پر امیدوار مقرر کریں۔ (9) تمام تقرریاں حکومت خیبر پختونخوا کے مقرر کردہ قوانین و ضوابط کے مطابق کالے ہوں گے۔ (10) تمام تقسیم اسٹوڈنٹس کے تسلیم شدہ امیدواروں کی فائنل ہوں گی۔ (11) اگر کسی امیدوار کی اسٹڈنٹس ہوں گے تو اس کے خلاف قانونی پیارو ہونے کی جائے گی اور اس کے لئے اسے سزا دیا جائے گا۔ (12) آئین فارم یا اسٹوڈنٹس کی صورت میں درخواست فارم خود بخود سٹوڈنٹس تصور کیا جائے گا جس کے لئے کوئی ایجنٹ منظور نہیں کی جائے گی۔ (13) انٹرویو کے لئے آئیڈنٹٹی کارڈ ہونا لازمی ہے۔ (14) تمام تقرریاں مختلف اضلاع کے ڈویژنل کی بنیاد پر ہوگی۔ اسٹوڈنٹس کو کوئی کسی لیسڈ یا ایگریکچر میں شامل نہیں ہوگا۔ (15) امیدواروں کی سکول میں مقرر کیا جائے گا کہ وہ اپنی سکول کی سکول کی آسامیوں کے لئے درخواست دے سکتے ہیں۔ (16) ایک امیدوار ایک وقت 5 سکولوں میں خالی آسامیوں کے لئے درخواست دے سکتا ہے۔ امیدوار کے ایک ایک اسکول کے لئے درخواستیں لیں گے۔ (17) درخواست دینے کا طریقہ کار NTS کے ویب سائٹ پر موجود ہے۔ (18) مختلف اضلاع کی خالی آسامیوں کی تقسیم سکول ڈائریکٹ فارم کے ساتھ NTS کے ویب سائٹ پر ہونی چاہئے۔

دو خوش اسٹیشن مطلوب ہیں

44

خیر بختو نخواستہ اپنا مکتبہ تعلیمی پر بینک اور ٹرانسفر آف ٹیچرز بچھو نخواستہ ٹیچرز اور ڈاکٹرز ریگولیری ایکٹ 2011ء کے سیکشن نمبر 4 کے تحت مقررہ شرائط سے پہلے اس مقام (مردانہ/ زنانہ) سکولوں میں درج ذیل آسامیوں پر کرنے کیلئے خیر بختو نخواستہ کے ساتھ اضافی کے سکھتی اہلی امیدواروں سے تجویز فارم پر 5 جنوری 2014ء کے درخواست فارم NTS کے ویب سائٹ (<http://www.nts.org.pk/>) پر دستیاب ہے۔ مقررہ تاریخ گزرنے کے بعد موصول ہونے والی درخواستوں پر غور نہیں کیا جائیگا۔

نمبر شمار	تعداد	نام آسامی	تفصیلات
1	یکندری سکول ٹیچر (SST)	سیکندری سکول ٹیچر (SST)	کسی بھی تسلیم شدہ یونیورسٹی سے سیکنڈ ڈیگری میں بیچلر ڈگری جسکے ساتھ درج ذیل دو مضامین لازمی ہوں
2	سیکندری سکول ٹیچر (SST)	سیکندری سکول ٹیچر (SST)	کسی بھی تسلیم شدہ یونیورسٹی سے سیکنڈ ڈیگری میں بیچلر ڈگری جسکے ساتھ درج ذیل دو مضامین لازمی ہوں
3	سیکندری سکول ٹیچر (SST)	سیکندری سکول ٹیچر (SST)	کسی بھی تسلیم شدہ یونیورسٹی سے سیکنڈ ڈیگری میں بیچلر ڈگری جسکے ساتھ درج ذیل دو مضامین لازمی ہوں

امداد کے سیکشن کیلئے کرپٹو یا رج ذیل ہیں۔ کل 200 نمبرات کی تقسیم اس طرح سے کی جائیگی (ا) سکریننگ ٹیسٹ باذریعہ NTS = 100 نمبر - ب۔ تقابلی قابلیت = 100 نمبر

تفصیلی قابلیت	کل نمبر	تفصیلی قابلیت	کل نمبر
ایم اے ایف اے	15	ایم اے ایف اے ایف اے	15
ایف اے ایف اے ایف اے	10	ایم اے ایف اے ایف اے ایف اے	10
ایف اے ایف اے ایف اے	5	ایم اے ایف اے ایف اے ایف اے	5

1۔ ہر سکول کے آسامی کیلئے علیحدہ علیحدہ میرٹ لسٹ مرتب کیا جائیگا جس میں امیدواروں کے NTS کے حاصل کردہ نمبر اور تعلیمی قابلیت کے نمبروں کو جمع کیا جائیگا۔

2۔ ہر امیدوار کو NTS درخواست فارم 300 روپے چارج کرنا ہے۔ اس پر امیدوار خود پر مشتمل ہر نکتے۔

3۔ تمام تقرریاں حکومت خیر بختو نخواستہ کے سرحد تو میں کی جائیں گی۔

4۔ Initial Appointment کے 25 نمبر کوئے کے تحت خالصہ معارضی بنیادوں پر Adhoc اور ٹریکٹ پر ایک سال کیلئے ہوگی۔

5۔ اہلی امیدواروں کی موجودگی کی صورت میں کسی بھی نوعیت کی Age Relaxation نہیں دیا جائیگا (3) اندر دیے وقت اصلی تعلیمی استاد بعد اصل شناختی کارڈ اور دستخط۔

6۔ دن صرف اصلی شناختی کارڈ نا لازمی ہے (4) میرٹ پر آنے والے امیدواروں کی اسناد ہر ادارے سے تہذیباً کرائی جائے گی۔

7۔ تمام اجازت امیدواروں کو برواہت کرنا ہوں گے (5) روپے کے آئے۔

8۔ امیدواروں کو کوئی TAVDA نہیں دیا جائیگا۔

9۔ اگر امیدوار وقت سے پہلے اپنے اسناد ہر ادارے سے تہذیباً کرائی جائے گی۔

10۔ اگر امیدواروں کو کوئی TAVDA نہیں دیا جائیگا۔

11۔ تمام تقرریاں حکومت خیر بختو نخواستہ کے سرحد تو میں کی جائیں گی۔

12۔ اگر امیدواروں کی اسناد ہر ادارے سے تہذیباً کرائی جائے گی۔

13۔ اگر امیدواروں کی اسناد ہر ادارے سے تہذیباً کرائی جائے گی۔

14۔ اگر امیدواروں کی اسناد ہر ادارے سے تہذیباً کرائی جائے گی۔

15۔ اگر امیدواروں کی اسناد ہر ادارے سے تہذیباً کرائی جائے گی۔

16۔ اگر امیدواروں کی اسناد ہر ادارے سے تہذیباً کرائی جائے گی۔

17۔ اگر امیدواروں کی اسناد ہر ادارے سے تہذیباً کرائی جائے گی۔

18۔ اگر امیدواروں کی اسناد ہر ادارے سے تہذیباً کرائی جائے گی۔

19۔ اگر امیدواروں کی اسناد ہر ادارے سے تہذیباً کرائی جائے گی۔

INF(P) 3360

ڈائریکٹر تعلیمی ادارہ

خیر بختو نخواستہ

گاردن ٹیچر

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

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

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

16

55

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

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

u/p of this No. they were promoted

All ready promoted to S.S.T.

(1)

57

171

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

ATTESTED

[Handwritten signature]

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

APPROVED

A

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

ATTESTED



APPENDIX

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

No quota has been allocated for PST's cadre.

ATTESTED

[Signature]

(14)

52-1



GOVERNMENT OF THE KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT.

NOTIFICATION

Peshawar, dated the November 13, 2012.

Handwritten signature and date: 13/11/2012

Handwritten number: 25

No. SO(PE)4-5/SSRC/Meeting/2012/Teaching Cadre: - In pursuance of the provisions contained in sub rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1939 and in supersession of all Notifications issued in this behalf, the Elementary and Secondary Education Department in consultation with the Establishment Department and the Finance Department hereby lays down the method of recruitment, qualification and other conditions specified in the Appendix to this Notification which shall be applicable to all the posts specified in Column No. 2 of the said Appendix and the schedule therewith.

Handwritten initials: KPK

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

Encl. No. & Date as above

Copy forwarded to:-

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

ATTESTED

Handwritten signature

(100)

53

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

KPK

11/2

[Handwritten signature]

[Handwritten signature]

Section Officer (Primary)

ATTESTED

19

Annex J

66

JUDGMENT SHEET
ESHAWAR HIGH COURT, PESHAWAR
(JUDICIAL DEPARTMENT)

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



JUDGMENT.

Date of hearing: 08.11.2018

Petitioner (s): Mr. Noor Ahmad Khan, Mr. Noor Muhammad Khan

Respondent (s): Mr. Muhammad Iqbal Khan by Spd. Counsel
Shah ADL.

WAQAR AHMAD SETH, CJ:- Through this

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

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

ATTESTED
EXAMINER
Peshawar High Court
30 NOV 2018

67

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

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

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

APPOINTED
EXAMINER
Peshawar High Court
31 NOV 2019

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

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

5. Arguments heard and record perused.

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

J

69

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

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

No. 15857

Date of Presentation of Application 25.11.18

No of Pages 8

Copying Fee 20

Stamp Fee 20

Preparation of Copy 20 11.18

Delivery of Copy 30 11.18

Received by [Signature]

CERTIFIED TO BE TRUE COPY

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

30 NOV 2018