08th May, 2023

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

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

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

ha Paul (F2 Member (E)

M M

(Kalim Arshad Khan) Chairman

Kaleem Ullah

13th April, 2023

for a number of other aspersions on the reputation of the Tribunal, therefore, Mr. Pir Muhammad, Superint indent/working as Reader at the relevant point of time is called upon to explain his position as to why such act of negligence, urelessness, inefficiency, irresponsible conduct $\frac{1}{2}$ 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

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

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

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 <u>17</u> / \bullet / 2023 before the D.B. Learned counsel for the appellant is directed to submit an application to the Registrar of this Tribunal mentioning the details of all such appeals alongwith dates fixed therein within a week so that all such appeals could be fixed together with this appeal. On receipt of the application containing details of all similar appeal, the Registrar shall fix all those for the above date.

(Salah Ud Din) Member(Judicial) (Kalim Arshad Khan) Chairman 27.07.2021

Counsel for the appellant present.

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

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Prodet

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

DB is on Ton' case to come up

For the same on Dated. 29.3.22

(Rozina Rehman) Member(J)

13.12.21

Proper DB not available the case is 29-3-2022 adjourned to come up for (the same as before on 11-5-2022

11-5-22 Proper DB nat amalable the case is

adjourned an 25-7-22

Rita

01.04.2021 Noted

Nemo for parties.

Kabir Ullah Khattak learned Additional Advocate General present.

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

(Atiq ur Rehman Wazir)

(Rozina Rehman) Member (J)

Member (E)

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

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1 **!**

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.

-ur-Rehman Wazir) Atie Member

Chairman

Chaimijan

30.12.2020

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

Reader

M,

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.

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. r

(Hussain Shah) Member

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.



26.11.2019

Counsel for the appellant present.

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

13.1 11/01



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.

Chairmain

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.

Chairmai

Form-A

FORM OF ORDER SHEET

Court of

1238/**2019** Case No.-Order or other proceedings with signature of judge S.No. Date of order proceedings 2 3 1 The appeal of Mr. Saleh Ud Din presented today by Mr. Noor 07/10/2019 1-Muhammad Khattak Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please. REGISTRAR - , 110/ 13 This case is entrusted to S. Bench for preliminary hearing to be 2put up there on <u>26/11/19</u> CHAIRMÁN

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

APPEAL No. 1238 /2019

SALAH UD DIN

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V/S

EDUCATION DEPTT:

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S.NO.	DOCUMENTS	ANNEXURE	PAGE		
1.	Memo of appeal		1 -4.		
2.	Service book	Α.	5- 17.		
3.	Advertisement	В	18.		
4.	Act	C	19- 22.		
5.	Judgment	D	23- 43.		
6.	Judgment	. E	44.		
. 7.	Advertisements	F	45-48.		
8.	Seniority list	(G)	49-51.		
9.	Service Rules	A	52- 58.		
10.	Educational testimonials	1.	59-66.		
11.	Judgment	F.)	67-70.		
12.	Departmental appeal	K	71-72.		
13.	Vakalatnama		73.		

APPELLANT

THROUGH:

NOOR MOHAMMAD KHATTAK, Advocate

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

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 1238 /2019

Nebyber Pakhtukhwa Service Tribunal

Diary No. 1408

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.

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:

1

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.

<u>R/SHEWETH:</u> <u>ON FACTS:</u>

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

1- That initially the appellant was appointed as PET in the respondents Department vide order dated 19.04.1999 and later on the appellant was appointed as C.T in the respondent Department vide order dated 01.8.2016. Copy of the service book is attached as annexure **......**

- 3- That under protest the appellant and his colleagues applied for the said post through initial recruitment but the same was also refused to the appellant and colleagues of the appellant on the pretext that regular employees are not entitle to apply for the adhoc/contract posts of SST (BPS-16) thus appellant and his colleagues were deprived from prospects of promotion. That it is pertinent to mention that at the time of above mentioned advertisement the post/cadre of C.T (BPS-15) to which the appellant belong have no prospects of promotion.
- 4- That in light of the said advertisement new appointments were made by the respondents on adhoc basis and even the promotion quota was also filled by the respondents though initial recruitment.
- 5- That in the meanwhile the Provincial Government Promulgated the employees regularization Act, 2009 whereby all the adhoc employees who were appointed as SST on temporary basis were regularized thus further affected the cadre to which the appellant belongs. That the promotion quota for which the appellant and his colleagues have waited for decades has been washed by operation of the said Act of 2009. Copy of the Act is attached as annexure **C**.
- 6- That feeling aggrieved the appellant and his colleagues knocked the door of the Peshawar High Court through various writ petitions including writ petition No.2905/2009. That vide consolidated judgments dated 26.1.2015 the said writ petitions were disposed of with the directions that:

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

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

Copy of the Judgment is attached as annexure D.

7- That the respondents assailed the said judgment of the august Peshawar High Court Peshawar in CPLAS No.127-P to 129-P/2015 but the same were dismissed as withdrawn vide judgment dated 20.9.2017. That then after the appellant and his colleagues time

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

GROUNDS:

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

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 SALAH UD DIN THROUGH: NOOR MOHAMMAD KHATTAK MIR ZAMAN SAFI **ADVOCATES**

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

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

AN ACT

to¹ provide for the regularization of the services of certain employees appointed on adhoc or contract basis.

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

It is hereby enacted as follows:-

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

- (2) It shall come into force at once.
- 2. <u>Definitions.---(1)</u> 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

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

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

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

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

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

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

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

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

JUDGMENT SHEET

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

Writ Petition No.2905 of 2009.

VERSUS.

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

JUDGMENT.

Date of hearing <u>2.6.01.2015</u> Appellant/Petitioner by Ghulam Vabi khan Adversate. Respondent by Sandar Ali Raza Advocate & Wagar Ahmad Khan AAG

WAQAR AHMAD SETH, J:- Through this single

judgment we propose to dispose of the instant Writ Petition No.2905 OF 2009 as well as the connected Writ Petition Nos.2941, 2967,2968,3016. 3025.3053,3189,3251,3292 of 2009,496,556,664,1256,1662,1685,1696,2176,2230,2501,2696, 2728 of 2010 & 206, 355,435 & 877 of 2011 as common question of law and fact is involved in all these petitions.

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

> "It is, therefore, prayed that on acceptance of the Amended Writ Petition the above noted Act No.XVI 2009 namely 'The North West Province Employees (Regularization of Services) Act, 2009 dated 24th October, 2009' being illegal unlawful, without authority and jurisdiction, based оп 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-Apptt:2009 dated 11.12.2009, as well as Notification No.SO(G)ES/1/85/2009/SS(Contract) dated

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

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

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

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

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

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

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

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

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

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

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

service and having qualification mentioned

in column 3."

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

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

subject.

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

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

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

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

S.2 Definitions. (1)---

a)----

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 shirt/night shift but does not include the employees for project post or appointed on work charge

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basis or who are paid out of contingencies;

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S. 3 reads:-

Regularization of services of <u>certain</u> 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

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

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regularized and those employees of to other departments who have been regularized are not party to this writ petition. 10- All the employees have been regularized under the Act, ibid are duly qualified, eligible and competent for the post against which they were appointed on contract basis and this practice remained in operation for years. Majority of those employees getting the benefit of Act, ibid may have become overage, by now for the purpose of recruitment against the fresh post.

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

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

12- In order to appreciate the arguments regarding beneficial legislation it is important to understand the scope and meaning of beneficial, remedial and curative legislation. Previously these words have been explained by <u>N.S Bindra</u> <u>in interpretation of statute, tenth edition</u> in the following manners:-

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

been conferred. It is the duty of the court to interpret a provision; especially a beneficial provision, Liberally so as to give it a wider meaning rather than a restrictive meaning which would negate the very object of the rule. It is a well settled canon of construction that in constructing the provision 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 statues on the other hand have been explained as:-

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

harmony with new ideas or conceptions of what constitute just and proper human conduct. Their legitimate purpose is to advance human rights and relationships. Unless they do this, they are not entitled¹to 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.

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 benèficial, remedial and curative legislation the of Parliament.

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

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

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

Since the Act, XVI of 2009 has been declared a 16-1 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 exerçise same in a fair, reasonable and transparent manner strictly in accordance with law. Any transgression from such

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

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

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

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

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regularized under the Act in question be calculated in that cadre and equal number i.e remaining 50 % are to promoted from amongst the eligible in service employees, other wise, eligible for promotion on the basis of sonority cum fitness." 19- In view of the above, this writ petition is disposed of in the following terms:-

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

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

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Order accordingly.

recruitments.

Announced. 26th January 2015

IN THE SUPREME COURT OF PAKISTAN

<u>PRESENT</u> 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, (Agoins) The Judgment dated 26.1.2015 of The Peshawar High Court, Peshawar passed In Writ Petition No.2905 of 2009, 3+15 of 2009, C4 of 2019

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

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Nasruminullah.and	others.		· · · ·		
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For the petitionaria	1.4	· ·····	· · · · · · · · · · · · · · · · · · ·	•	•

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:

SUPREAKE

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20.09.2017. <u>O R D E R</u>

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

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

Court Associate Supreme Court of Pakistan islamabad

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ATTEST

در جورسییں مطلوب هیر

. سیس پختونخوالادائنگنت، دو پنیش، پوسنیک اور فرانسفر آف نیچرزیکچررز، انسٹر کمٹرز اور واکٹرز ریکولیز کی ایک 2011 و کے سیکٹن نبیر 4 کے تحت نظر ایل اینڈ سیکند رکی انتہ کیشن نیبر مسلم پختونخوا کے زیران ظام (مرداند) رائد) سکولوں میں درجہ ذیل آ سامیاں پُرکرنے کے لیے خیبر پختونخوا کے متعلقہ اصلاع کے سکونی اہل امید داردوں سے نبوذرہ فارم پر 30 متمبر 106 می جنگ

در خواستیں مطلوب ہیں۔ درخواست فارم (NTS) کی دیب سائٹ (http://www.nts.pk) پر دستیاب ہے ۔مقرر د تاریخ اگز رنے کے بعد ہم یسول ہونے دانی درخواستوں یرغور نمیں کیاجائے گا۔

	تابليت	نامآسای	نمبرثار
لا 35،21	سمسی بحق مشلم شید دایو زورش سے سکند ؤ دیران بیچلر و تمری جس کے ساتھ در بنا ذیل دوسف این اوزی : دول ۔	سیّندرن سکول نیچر (SST)	1
00 336 21	(i) سمیسٹری، بیالوتی (زوالو بن یا بانتی)	<u>بیا</u> اد بی/کیمسٹری	
	(ii) - مسلم خد دیوندرنمات ایم اے ایم اے ایم کیشن یا ایموکیشن میں بیلی دیگری۔	BPS. 16	, <u> </u>
ل-35521	(1) - سی بحی تشلیم شید ویو نیورش سے سیکند و ویژن ییچلر ذکری جس کے ساتھ در بن ویل دومضایین اوزی ہوں ۔	سیکنڈری سکول نیچر (SST)	2
0000021	(i)- فَرَكُن مِنْعَس A ا(ii)- فَرَكُن مِنْتَص B ا(iii)-فَرْكُن ،الْعَظْس		
	(2) - مسلم محد دایوندر ترب ایم اے ایجو کیشن یا ایجو کیشن میں بیچکر و گری۔	BPS. 16	ļ
JL-35r21	(1) سمی میں تعلیم شید دیو نیورٹن سے سیکند ڈوریون بیچلرو کر ہی جس کے ساتھ درج ذیل دومضانین لازنی ہوں ۔	سینڈری سکول نیچر (SST) جزل	3
0000.21	(۱) - انگریز بی ۱۱ زمی، توسیلیز کردب یادیگر مسادی گروپ -		
	(2) - سمی بحقی شلیم خد دیو تبدر تن ب ایم اے ایج کیشن با ایج کیشن میں بیپلر ڈ گری۔		<u> </u>

سلیکشن کرینریا: اسا تذ دیک سلیکشن کیلئے کرینریادرج زیل ہے کیل 200 نیبرات کی تقسیم اس طرح ہے کی جائیگی ۔ مرجع

بالتعليما قابليت = 100 نسر مبس كى مزيدتشيما س طرح بوكي	(۱) _ سکر منت بندر بیه NTS ا 100 نبر ()
کی بر	تعليمي قابليت
ماصل کرد دنیر ×20 تقشیم کل نیر	المراليري
حاصل کرد ونبر 20x تقسیم کل نبر	الفائ / الفايس
ماصل کرده نبر 20x تقسیم کل نبر	بیائے / بیائی ی
حاصل کرد دنیم xx تقسیم کل نیر	ایمانے / ایمالیس ی
مامل کردد نیم x15 تشیم کل نیر	نياند / ايجا-ايجوكيش
ماصل کردد نبسر x50 تقدیم کل نبر	المالد / المجاف المجون
حاصل کردد نمبر ×05 تقسیم کار نمبر	ايېٽل / پانىچۈى

نى الى چار سالدكودى كى صورت مى نيمردى كى تتسيم ال طرق دولى - حاصل كرد دنير 35% تعسيركل نير، يتبته دينه داندام ا المجالية عن كم حورت مى نيمركى تتسيم الطراية الافرار ايم الما يجه يمش حاصل كرد دنير 20% تقسيم كل نير

فود (1) برسکول کی آسا کی سے علیمده میر دست مرتب کی جا لیکی جس میں امیدواروں نے NTS کے ماصل کردو نیراور تعلیمی قابلیت کے نبروں کو تم کیا جائیگہ (2) براسیدوار سے NTS فدونوا سے فادم 300 دوبیہ چارن کیا جائے گار آلیک امیدوار 5 سکولوں کے لیے درخواست ویکا تو اس سے 800 دوبیات NTS چارت کریے۔ جرک امید دار نوو برواشت کریں گے۔ (3) - NTS نست می 40 فیصد نیم رفتان ہے -40 فیصد سے کم نیمر لینے والا امیدوارہ الل تصور ہوگا اور میں سال میں دوک

عصره جلی انشو اخط: - (1) قمام توریل مکومت نیبر پنتونوا برمرد و دنین کرمطابق نیادی توری Initial Appoinment کے 25 یعد

حمد رفيق ختك أدائريكتر ايليمنتري إينة سيكندري ايجوكيشن خيبر بختونخوا بشاور



سیر جو موالیدانند و تیوین ، پوسنت و در دار اور داستران داند به مرد به در بیم در د ، استر افر ذاور دانتر در بلویش ماید است مرد به به مند مید مرد به در مارد به مرد به مرد به مرد به مرد به در مید مرد به مرد به در مید در ایجر من مرد به در مید مرد به مرد به در مید مرد به مرد به مرد به در مید مرد به مرد به در مید مرد به مرد ب به مرد به م

درخواستون يرفورنيس كياجا نيكا-

1	ت ابليت			Shirt	برثار
19-351 الل	ز مل دومضامین لازمی موں - (i) کیمسٹری، مالو تی (زوالو تی یابا تی)	انڈ ڈویژن بیلرڈ کری جس کے ساتھ در ب	كى بى تليم شدوي غدر شاسي	سکول شیچر (SST) بیالوتی/ (i)	ا سیکندری
	RITI ہے مامل کرنی ہوگا۔	لازى ئرينك مۇتى ادارون E/PITE	اسلیش اورتغرری کے بعد 9 ماہ ک	شری_BPS-16 (iii	{
JL35119	ج ذیل دومشاین لازی بون - (i) فرس میحس A یا (ii) فرس میحس B یا (iii)				2 سیکنڈری
			ں،اشکس	- 1	<u>.</u>
	RITI	ل از و رف من من ادارد UPITE	اسلیشن ادرتقرری کے بعد 9 ماہ ک	(1)	
ل-35119	ذیل دومضاعن اوزی موں - (i) انحریز ی اوزی، موضین بیر کردپ یا دیکر ساوی کردپ -				3 ميكندري
	- althe Riti	ل لازی فرینگ مکوش ادارد ب E/PITE) سلیکشن اور تقرری کے بعد 9 او ک	ii) BPS-16	
	سے کی جادیگی ۔	200 نمبراتٍ کي تَقسيم اس طرح	ریٹیریا درج نیل ھے ۔کل ا	اساتذہ کے سلیکشن کیلئے ک	بكشن كريثيريا:
فتيركم نربحا مد	لى الى جاد مالدكور كى صورت بش فمرول كانتسيم اس طرح موكى - حاصل كرده نمر 40x		التلبي تابليت=100 نمبر	رىيە.NTS=100 نمبر (ب)	<u>() سکرینگ شیب ب</u> ز
	بالمال چار مالید مان کو دون من ارون کا ۲۰ ما تری دی مان مان مرد مان ماند ، ار د د ۲۰ اوراندا مرا اسا بجر مشن کا مورت ش تبرکاتشیم بطریتد و مل موک .	11.17			
•	······································	CAK	هلي قابليت	کل نبر	لعليما قابليت
,	اليم المالي كمين مامل كرده فمبر 10 تتسيركل فبر (5 فبر في الم +15 مرالي)	ماس كرد ونير 20x التسميل فير	الغرار/الغراليمي	مامل كرده نمبر 20x تعييمك نمبر	اليماليمى
	المعانة : (1) برسکول کی آمامی کمیلے طیرہ ، ملیرہ محرث اسٹ مرتب کی جانگی جس میں امید و	مامل كرد ونمبر 20x تتسيم كل تبر	ایم اے /ام الی ی	مامل كرد فبر 20x تتيم كل فبر	بالمسالي السرى
وفمير ليراضرور كاست	ر والمراد والمندى قايلة تردون كوم كما جانيا-(2)NTS فيد عن 40 فعد	ماسل كردو فمبر 05x تقسيم كل نمبر	ايمايدً/ايم إحدابي كيش	ماصل كرده نمبر x05 تتشيم كل نبر	친년
• '	-40 فعندر م مم لين والا اميدة ارا الى تعود موكادد ير شاست عر ستال في مركا-			ماسل كرده نبر 10x تتسيم كل نمبر	يم فل إلى التكادى
	The second secon		يختفخا كرومة قواغن كرو	ال . (1) تاملته ال حکوم - خسر	بهمين شرائط

بمدرفيق خبثك بدانييكثر ليلبمنتثري اينتشسيكيندري الجمكيشن خيبر يختمنخوا بشاهر



در خواستین مطلوب هیں

ننوننو الپرمنت از بایشن پوستک اورز نسفر نمیرز بنیخ رز نامه زا کنرز ریگولیزی ایک 2011 میکیکن نمبر 4 کرتمت تحک الیکم محکوری ایکوکیکن نیبر پختوننوا ک) خلام (مردانه از مانه) سکویوں میں درجہ ذیل آ سامیاں پر کرنے کیلیڈ نیبر پختوننو اک متعققہ اصلاع کے سکتی ایل امید داروں سے بحوز داخرم پر 10 دسمبر 2014 متک درخواستیں ب جن درخواست خارم (NTS) کی دیب سائٹ (/http://www.nts.org.pk) پر دستیاب سے مقرر دہ رہنی کرزنے کے بعد موسول ہونے دانی درخواستوں پر نورزیک

	6 ایت	ي المان	
721 1235	اس بمی تشنیم شدویو نیورش سے سیند زویرمن بیچر زگری جس کے ساتھ درت ذیل د دمضا میں لا زمی ہوں ۔ ۱) کیسٹری ایالو ن (زوالو بن یابا نکی)	ئىيىنىڭە ئىكۈل ئىچر SST يۈلۈينى 1 كىسىرى BPS 16	
21 - 21 14-35 - 25	۵) کی محق شلیم شده بو نورنی بیه ایم است بیم کیشن یا دیم کیشن میں بیطر ذکر ن 1) کی محق شلیم شده بو نورنی بینه منه ویژن بینجلرو کری جس سے ساتھ در نیاذ میں دومضا میں لا زمی ہوں۔ 1) نوئس میغمس Aیا (۵) فوٹس سینمس Bیا (۱۱) فوٹس اصطلس 2) کسی مجمی شیم شدویا خدرتی بیه ایم است بیم کیشن یا ایم کیشن میں بیطر ذکر ن	BPS.16 7 10 7	
21 : 35 سال	۲) کی تحق شام میرون سے سراح بیر خاص بیر خان میں جورو تری ۱) کی تحق شلیم شدہ یو ندری سے سیکند ذہ یون چکرو کری جس کررماتھ در نیڈیل دومضا میں لا دبی ہوں۔ ۱) تحریز ن لا زمن ہو میلیو کروپ یا دیکر سہادی کروپ(2) کسی بھی شنیم شدہ یو ندری سے ایم اے ایج کیشن یا ل جی کیشن میں چکرو کری	شیندری شول عجر SST جزلBPS 16	

سرً ينتسب بذريعه NTS=NTS نبر (ب) تعليم 5 بلية = 100 نبر جس كي مريتسيري طرن بوكي يه

کل نمبر		لعليى قابليت	
ل كردونبر 20x متسيم كل كمبر		فكماليماي المساجر المسا	
ل کردونسر 20x متسم کل نیر		الغسا المعاليك السمامى	
رددونمبر 20x تقسیم کی نمبر	Hu i	نې <u>ل</u> ونې د نيس ی	
بالردانبير 15x تتنسيري نمبر	ما مسلح	المحاب لاام ایس می	
ماكرد ونيسر 15x تتسيم كل نيس	July 1	نې ا <u>يد االيمون ال</u> ې کې کې کې	
. كردونبر X5x تتسيم كل نمبر	مانسخ	اليم إيفر لواليم المساليكو كميتشن	
. گرد دنبر x 05 تقسیم کالی نمبر	M	ا <u>یم میں این ایک</u> ون	
بالكاميورت بمر فبركامتيم بطرية اذمل دوكي.	بىر ×35 شمىيمكن نبىر جنك پتادر نه ايم اين ايموكيش	، ما رسالهٔ درت کیاسورت بشراین کی تعلیم از طرت دوگی مامل کرد. ب را محکیش سل سف خدر به دو تعلیه کارز	-
		ندا بحج میشن مامل کرد دنمبر 20x تقسیم کل نمبر	_

1 برسکول کی آساق کیلئے ملحد دمیندہ وہر ناست مرتب کی جائیتی جس میں امید داروں کے NTS کے مامل کرد ونیر اورتعلی کا بلیت کے نیروں کوئتے کیا جائے گا۔ 2) بر اس سے NTS فی درخواست فارم 300 روپ جارت کیا جائے گا، کرایک امید دار پانٹی سکولوں کے لئے درخواست دیکھ تو اس سے مرف 800 روپ جی NTS جارت کر ہتے۔ مید دارخود بر دانت کریں گے۔

 $C \subseteq \mathbb{C}^{n}$

Hark.

انبیر پختو تحوال پالمنتری او بیلینگ اور ٹرانسفر آف نیچر دیکی بیکر دز انستر کمٹرز ریکولیٹری ایک 2011ء کہ ہیکشن نمبر 4 کے تحت محکمہ ایلیمتر می اینڈ سیکنڈری ایجو کمشن خیبر پختو نخوا کے از تلام (مردانہ/ زنانہ) سکولوں میں دردیہ ذیل آسما میاں پر کرنے بہلیے خیبر پختو نخوا کے متعاقد اعتماد کا میں دواروں سے مجوزہ فخارم پر 5 جنوری 2014ء تک درخواسیں مطلوب میں اواست فارم NTS یہ ویب سائٹ (/ittp://www.nts.org.pk) پر نستیاب ہے۔ مقررہ متاریخ تکز رنے کے بعد موصول ہونے والی درخواستوں کی فور نیں کمیا جائے گ

· · · · · · · · · · · · · · · · · · ·		, ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	
عمر ا	قابليت	げいし	بمبرثجار
35121	می سبح بشنایم شده یو نیورشی <u>سه سبک</u> ند د وی ^د ن بیچگر و گرمی جنگے ساتھ درج ذیل دومضا مین لازمی ہوں	سَيَن ثرري سَكَوِل مَبْحِير (SST)	1
بال	(i) تمیسفری میالوجی (ذوا ^ب ادجی بابانُتی)	بيالو جي/تيمسٹري BPS-16	ļ ;
35021	میں اور	ىكىتەرى ^{ىك} ەل قىر (SS ^T)	2
ىزال	(I) فرئين ميتصل A يا(II) نوم محمد شري ظايا(II) فو جها سيسكس الترشي تصريح تسليم شده يوزين المسايم السابيجو كمشن مل يتجار ذكري	قرس/ بيتحس BPS-16	-
35t21	مسمی تحری _ا سلیم شده ایو نیور ش-یسی سیکند و و زن چهکر د کری جیسے ساتھ درج دیل دوم ضرا مین لارمی ہو ں	سينذري ڪول ٿيچر ((SS)	3
سال	(١) انگریز زمالازی ، وسیفیز گروپ یاد گجرسادی گروپ (٤) کسی جنسلیم شده یو نیور تک سے ایم اسے ایجوکیشن یا ایجوکیشن میں بیچلرو گری		

اماتذہ نے تلکش کیلیے کریڈی اورج ذیل ایں کل 200 نمبرات کی تشیم اس طرح سے کی جائی (ارسکریڈنگ ٹیرٹ بذدید NTS = 100 نمبر - برتعلیمی قابلیت = 100 نمبر بین ملک میں اس حلوج ہو کھی

ا کل تدبی	تنئيمس فابليت	كل دُوني .	تعليمى فكبليت
حاصل کردہ نمبر ×15 تنشیم کل نمبر	د. دینا نیڈ/ایم اے ایجو کیشن	حاصن کرده نمبر، د ⁰ به مسلم کنیر	الير اليريني.
حاصل کردہ نمبر 05x تقسیم کل نمبر	· · · · · · · · · · · · · · · · · · ·	جاصل كرده نبير بريالي مسيم مل فمر	ایف این ایس کی
ماصل کردہ <i>نمبر</i> 05x تقسیم کل نمبر	ふう ひまだい、人が子び、	واعيل كرده فيريد المسيم بكن فبر	ى بەلچارلى بىلى كى
	سر) کرد : بسر) د 15 تقسیم کل نبسر		الجاب/ايم الين مي

۵:۱- بهرسکول کم آیها می کمیلین علیماده علم ده میرسالست مرتب کمیاجا بند جش شرما امیدواردن کم NTS که حاصل کرده نمبراود تعلیمی تا بلیت طرف کرد کوچ کمیاجا بزگار - جرامتا وزیرت NTS فاز محاصت فارم 300 روسیند چارج کریکا به توکدا میدداد نود برداشت کرینگے -

INF(P) 3360

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S.NO: 110 Page NO: 3

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	Name of		Desi	<u>-</u>		<u>م</u> تر د			1. 1	Date of	4 4 5 7 5 6 7 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
					D/O Birth		Aca	Profess	".D/O:1st	appt <u>t:</u>	D/O taking over charge
S.NO	Teacher/Qualification	Father's Name	anatil	• PBS ·		lle	demi	ional	· · · · · · · · · · · · · · · · · · ·	against	as CT or D/O
-New-	academic.	State of the second sec	10n	· · · · · · · · · · · · · · · · · · ·	/ Domicile	- IIE AX	游C支	= ional	a Applitation	• Present#	declaration CT Exam:
S. 1. 2.	professional				in the second					post	whichever is later,
								"	5/8/1984	5/8/1984	5/8/1984
1	Hamayun Khan	Khairullah	SCT	16	4/10/1964		MA	СТ			
2	Astambool 🔒	Muhammad Kamal	SCT	16	4/1/1961		BSc	CT/B.Ed	5/3/1986	5/3/1986	5/3/1986
3	Fazal Rabi	Muhammad Junain	SCT	16	3/15/1966		MA	CT/B.Ed	10/11/1982	10/11/1982 8/21/1982	5/26/1987
4	Khan Ali	Umar Bakht	sci	16	3/3/1961	3000	MA	CT/B.Ed	8/1/1982		9/17/1987
5	Muhammad Ihsanullah	Swal Faqir	SCT	16	3/4/1962		MA	CT	9/17/1987	9/17/1987 11/6/1982	11/29/1987
6	Bakht Sherawan	Mahmood Khan	SCT	16	1/1/1960		MA	CT ;	11/6/1982		3/6/1988
7	Muhammad Ali	Said Mahmood	SCT	16	2/3/1959	Swat	BA	СТ	8/17/1980	1/8/1988	11/30/1988
8	Toti Rahman 🕴	Fazal Rahman	SCT	16	2/7/1960		MA	CT	7/10/1982	7/10/1982	9/16/1989
9	Mohammad Salim Khan	Amanullah Khan	SCT	15	3/1/1965	Swat	MA	CT/B.Ed	1/15/1985	4/26/1989	
10	Jamshed Khan :	Muhammad Zarin	SCT	16	5/11/1962		MA	СТ	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		MA	СТ	11/13/1984	10/1/1989	10/1/1989
13	Azizullah	Tota	SCT	16	10/1/1964		MA	α	1/9/1982	1.1/15/1983	1/17/1990
14	Shah Rom Khan	Hakim Khan Mian	ISCT	16	1/1/1962		MA	СТ	3/1/1988	3/1/1988	1/17/1990
15	Sadiq Ahmad	Abdul Hamid	SCT	16	1/4/1961		MA	СТ	6/1/1988	6/1/1988	1/17/1990
16	Muhammad Rafiq	Badish	SCT	16	3/1/1963		B.Sc	СТ	2/6/1990	2/6/1990	2/6/1990
17	Fida Hussain	Hazrat Ahmad	SCT	16	2/3/1964		MA	СТ	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	СТ	12/8/1990	12/8/1990	11/14/1990
20	Zahid Khan	Pir Dad	ISCT	16	4/9/1965	Swat	BA	CT	12/9/1990	12/9/1990	12/9/1990
21	Hazrat Bilal	Zirat Gul	ISCT	16	2/8/1963	Swat	MA	СТ	12/11/1990		12/11/1990
22	Aziz Ahmad u	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	ISCI	16	12/12/1964	Swat	MA	СТ	5/6/1986	1/1/1990	
24	Muhammad Majid	Umar Zada	SCT	16	1/1/1966	Swat	MA	СТ	5/4/1986	4/5/1986	3/14/1991
25	Rahman Deyar 1	Sultan Mehmood	ISCT	16	1/1/1964	Swat	BA	СТ	11/5/1986	5/11/1986	3/14/1991
26	Haroon - Ur - Rashid	Khisat Gul	SCT	16	8/1/1962	Swat	BA	<u>ст</u>	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
25	Imran Ali	Mashooq Ali	SCT	16	3/20/1959	Swat	MA	СТ	5/6/1986	5/6/1986	
- 31	- Muhammad Rahman	Bakht-Zad -	SCT	16	1/10/1967	Swat	FA	מ.	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	СТ	6/1/1988	6/1/1988	
34	Amir Muhammad	Tota Mian	SCT	16	5/15/1963	Swat	BA	CT/B.Ed	9/22/1987		
35	Akhtar Hussain 3rd Divi	Ahmad	SCT	16	3/2/1967	Swat	BA	CT	8/14/1992	8/14/1992	8/14/1992
36	Muhammad Ziaud Din	Habibur Rahman	SCT	16	3/10/1968		MA	CT/B.Ed	9/2/1986	1/9/1992	
37	Sultan Rome	Shah Rome	SCT	16	4/8/1966		MSC	CT/B.Ed	9/2/1992	9/2/1992	
38	Umar Hussain	Malak Sherin	SCT	16	1/1/1962	Swat	MA	СТ	4/23/1988		
39	Muhammad Nabi	Ghulam	SCT	16	5/1/1963		MA	CT/B.Ed	4/17/1988		
40	Jamshid Khan	Hazrat Jee	SCT	16	4/14/1966		BA	CT/B.Ed	11/1/1986		
41	Bakhtyar 3rd Divi	Bacha	SCT	16	7/3/1964	Swat	BA	CT/B.Ed	1/20/1990	1/20/1990	4/29/1993

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

	Name of		-			-		an la S		Date of '	
	محاجر ويوجرون ومحافر المراجع		Desi			Domic	Aca	Profess	D/O 1st s	apptt:	D/O taking over charge
	Teacher/Qualification	E Father's Name	gnati	PBS	D/O Birth		demi		Apptt:	against	as CT or D/O
New	academic /	A Contract of the second s	on	- المناطقة المساد	/ Domicile	- ile	بنة المراجع مراجع C مراجع مراجع	ional	Apptt:	Present	declaration CT Exam:
and a set	professional -		. 34	en e	142	- 222 - 278				o, post	
	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		СТ	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/8.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
	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		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
	Nadar Khan	Mian Said Buhar	SCT	16	3/3/1966	Swat	MA	ст	9/8/1986	11/11/1994	11/11/1994
	Bad Shah Ikhan	Amir Rawan	SCT	16	5/1/1965	Swat	MA	CT/B.Ed	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
	Aziz Ahmad	Muhammad Rashid	SCT	16	2/2/1964	Swat	MA	CT7B.Ed	11/10/1994	11/15/1994	11/15/1994
	Afzal Shah	Badshah Zada	SCT	16	5/12/1967	Swat	MA	CT/B.Ed	11/15/1994	11/15/1994	11/15/1994
	Bakht Alam	Ghulam Qadir	SCT	16	3/20/1969	Swat	MA	CT/B.Ed	11/15/1994	11/15/1994	11/15/1994
	Muhammad Rahman	Sherin Jalal	SCT	16	2/1/1965	Swat	MA	CT/B.Ed	12/1/1986	11/16/1994	11/16/1994
	Sher Ali Khan	Sadar	SCT	16	2/11/1968	Swat	MA	CT/M.Ed	8/1/1987	11/16/1994	11/16/1994
	Ziaullah Khan	Muhammad Alam Gul	SCT	16	7/20/1969	Swat	MA	CTB.Ed	11/16/1994	11/16/1994	11/16/1994
65	Muhammad Munir	Habibullah Khan	SCT	16	4/2/1964	Swat	MA	CT/B.Ed	9/28/1988	11/18/1984	11/18/1994
	Gul Pervize	Rahmani Gul	SCT	16	1/20/1965	Swat	MA	CT/B.ed	11/21/1984	11/21/1994	11/21/1994
	Abdul Qadoos	Ghulam Khaliq	SCT	' 16	6/5/1964	Swat	B.Sc	ст	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
	Muhammad Ghafar	Khan Bahadar	SCT	16	2/27/1961	Swat	MA	СТ	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		12/21/1994	12/21/1994
73	Fatehur Rahman		SCT	16	2/2/1969	Swat	MA	CT/M,Ed		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/8.Ed		12/25/1994	12/25/1994
	Inamullah Khan	Muhammad Karam	SCT	16	1/1/1968	Swat	MA	CT		12/27/1994	12/27/1994
77			SCT	16	1/1/1960	Swat	MA	CT/M.Ed	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
101	Dost Muhammad Khan		SCT	16	3/8/1958	Swat	8A	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 L	10/171989	10/1/1989	1/9/1995

 $\left(\begin{array}{c} \\ \\ \\ \\ \\ \end{array} \right)$

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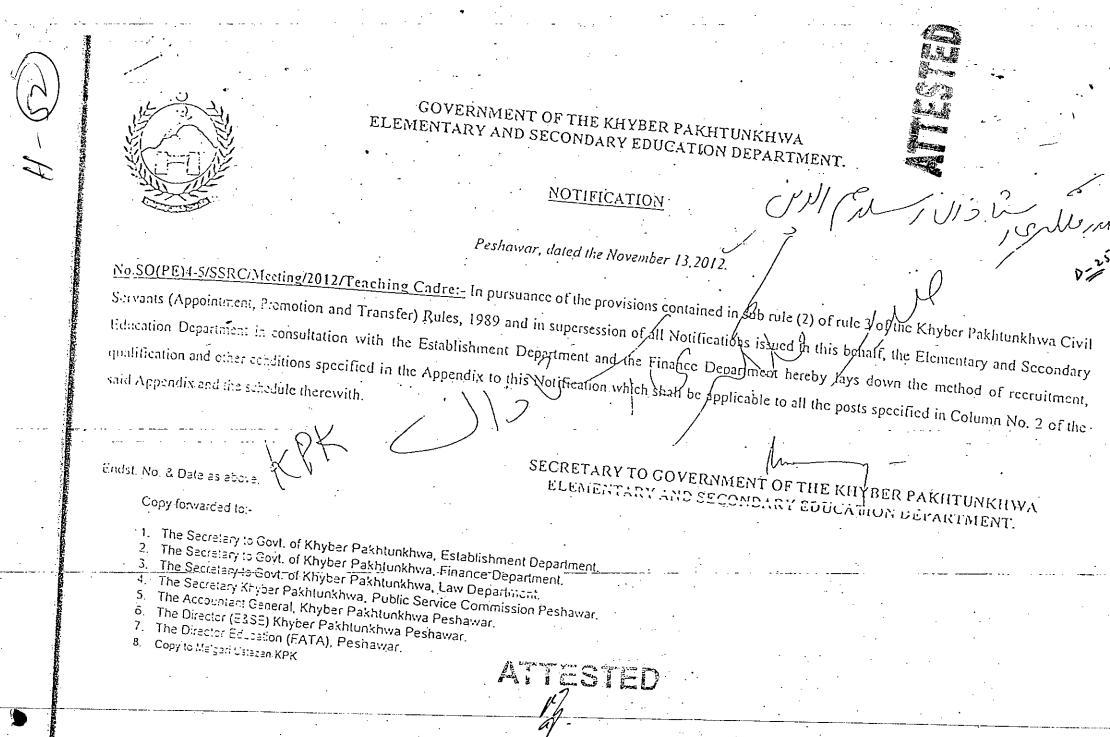
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-			EINAL SENNIGTTE		2.5 070							
		Name of Teacher/Qualification _academic// _professional		_						D/O 1st > Apptt:	. Date of	Seniority position
$\langle $	S.No	Teacher/Qualification		Desi			Domic	Aca	Profess		apptt:	D/O taking over charge
	New:	acherication	Father's Name	gnati	PBS	/ Domicile	sile .	demi	- Toress	Annt	against	as CT or D/O. declaration CT Exam:
\sum	, New		and the second	`on≁				. c	Fional -	Appu	Present	declaration CT Exam:
)/ [- professional				بېلىرىيى بېلىرىيى بېلىرى د بېلىرى		. C		i alimana ing	Sepost a	whichever is later
	83	Anwar Iqbal	Khan Sherin	SCT	16	5/1/1961	Swat	MA	CT/B.Ed	10/2/1989		1/9/1995
			Shahzada	SCT	16	2/2/1965	Swat	MA	CT/B.Ed		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		1/9/1995
-	87	Aftal Hussain	Bahroz Khan	SCT	16	5/25/1962	Swat	MA	CT/B.Ed	/19/1990		1/9/1995
	88	Zahoor Hayat	Sher Alam Khan	SCT	16	1/1/1969	Swat	BA	ά,	1/19/1990		1/9/1995
	89		Syed Rashad	SCT	16	3/15/1963	Swat	BA	СТ	2/15/1990		1/9/1995
	90		Bakht Biland Khan	SCT	16	2/18/1963	Swat	BA	<u>ст</u>	3/1/1990	3/1/1990	1/9/1995
	91	Fatal Rahman	Amir Faqeer	SCT	16	3/10/1963	Swat	MA	a	4/1/1990		1/9/1995
	92		Mubin	SCT	16	2/5/1964	Swat	MA	ст	4/14/1990		1/9/1995
	93	Muhammad Laiq	Amir Hamza	SCT	16	6/1/1963	Swat	MA	CT/B.Ed	4/21/1990		1/9/1995
	94		Shah Dilbar Mian	SCT	16	3/17/1969	Swat	MA	CT/B.Ed	5/13/1990		1/9/1995
	95	Alipar Ali	Qaisar Khan	SCT	16	1/1/1963		MA	CT/B.ed	\$/13/1990		1/9/1995
ļ	96	Alamgir	Khalilur Rahman	SCT	16	7/1/1964		MA	CT/B.Ed	\$/13/1990		1/9/1995
			Ahmad	SCT	16	12/1/1959	Swat		CT	8/20/1990	8/20/1990	1/9/1995
}	98	Karim Ullah	Muhammad Karim	SCT	16	3/15/1970	Swat	MA	CT/B.Ed	10/10/1988		1/9/1995
•	99	Iblahim Ruhul Amin	Amir Hatam Muhammad	SCT SCT	16	6/17/1959			CT/B.Ed	5/24/1992	5/24/1992	1/9/1995
	100		Ahmad Shah	SCT	<u>16</u> 16	4/3/1966 3/7/1963		MA	CT CT B.Ed	9/1/1989 6/11/1987	12/1/1994 1/16/1995	1/9/1995
Maria		Muhammad Dawood Khar		SCT	16	4/26/1967		MA	CT M.Ed	9/25/1992	1/16/1995	1/16/1995
O			Sani Gul	SCT	16	4/21/1959			CT CT	3/6/1990	1/18/1995	1/16/1995
Steres	103		Umara Jan +	SCT	16	5/1/1962			CT/B.Ed	1/19/1995	1/19/1995	1/18/1995
Sal			Abdul Qadir Khan	SCT	16	1/12/1967			CT CT	2/20/1990	2/1/1995	2/1/1995
ł			Amir Bashar	SCT	16	3/3/1969			cr –	2/21/1995	2/22/1995	2/1/1995
ł			Taj Khan	SCT	16	5/5/1964			cr	2/2/1995	4/10/1995	4/10/1995
ł	-		Alam Zeb Khan	SCT	16	5/4/1970			CT/M.Ed	2/2/1995	4/10/1995	4/10/1995
ł			Ghulam Nabi	SCT	16	1/1/1967		BA	CT/B.Ed	4/7/1988	4/16/1995	4/17/1995
				SCT	16	5/1/1970			CT/M.Ed	11/7/1994	4/17/1995	4/17/1995
Y				SCT	16	1/30/1966				10/17/1988	5/15/1995	5/15/1995
ľ		Muhammad Sadiq	Khyber	SCT	16	11/8/1962			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
[Akbar Khan	SCT	16	1/1/1967	Swat		CT/B.Ed	8/22/1995	8/22/1995	8/22/1995
[· .		SCT	16	3/15/1963	Swat		СТ	9/27/1988	8/24/1995	8/24/1995
				SCT	16	4/1/1967	Swat		СТ	5/14/1987	9/1/1995	9/1/1995
L				SCT	16	3/20/1964			ст	4/3/1995	9/15/1995	9/15/1995
Ļ				SCT	16	1/15/1962			CT/B.Ed	3/17/1984	9/23/1995	9/23/1995
Ļ		Muhammad Afzal Khan .		SCT	16	10/1/1970			CT/B.Ed	9/24/1995	9/24/1995	1/24/1996
ŀ				SCT	16	4/16/1975			CT	5/1/1996	5/1/1996	5/1/1996
Ļ				SCT	16	4/13/1969			CT/M.Ed	9/16/1992	9/16/1992	5/5/1996
Ĺ	123			301	16	4/15/1972	Swat	MA	CT/M.Ed	3/17/1996	3/17/1996	5/5/1996



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8. The Olrector Curriculum & Teachers Education Appollabad.

D. The Director (PITE) Khyber Pakhlunkhwa Peshawar

0. The Director ESRU, Elementary & Secondary Education Khyber Pakhlunkhwa, Peshawar,

11. The Deputy Director Database(EMIS) E&SE Department. 12. All District Coordination Officers in Khyber Pakhlunkhwa.

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

13. All Executive 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 Pakhlunkhwa Peshawar,

20. PS to Secretary E&SE Department.

21, Master File.

Section Officer (Primary)

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		APPENDIX	į	
S.NO.	Nomenclatur		Age Method	of
	of the post	qualification and	limit recruitment	
		experience for		
		initial appointment		
		or by transfer		· · .
1.		3. 1	4. 5.	— <u> </u>
1.	Secondary	(i) Second class	18 to (a) Fifty porc	ant i
	School	Bechelor's Degree	35 by promot	
	Teacher	with two subjects	Years. on the basis	
(E/ 7.	(BP\$-16) /	as Chemistry,	seniority-cum	
		Botany, Zoology,	fitness in t	ha
	artest	Physics,	following	ne
Realesis		Mathematics,	manners.	
Real		Statistics		
	1	Humanities and	(i) forty perce	
		other equivalent	from among	
	i	groups from a	the certifie Teachers	ea
		recognized	(General).	
		University: or	Certified	
		,	Teachers	
		(ii) M.A in	(Industrial Arts	->
	,	Education or	and Certifie	
	\$	Bachelor's Degree	Teachers	u
		in Education from	(Home	
		a recognized	Economics) wit	ь.
	,	university.	at least fiv	
		:	years service a	
			such and having	
			qualification	5
			mentioned ir	
			column No. 3.	1
	;		(ii) four percent	F I
			from amongo	
		1 . 1 . 14 .	from amongst Teg the Drawing	1
\wedge	o guota	ins been alloca	Masters with at	
P	DOTICA	las been alloca adre.	least five years	
40		ause-	service as such	
			and having	
		and the second	qualification	
			mentioned in	
		. A	column No. 3.	
		1	(iii) four percent	, ·
		(M)	from amongst	
			the Physical	
	,		Education	
			Teachers with	'n
			at least five	
1 * j	· •		Vears service	
*	1		· · · · · · · · ·	

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

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т., с. с. в. в.				$\overline{(n)}$
		<u>ΓΕR CÓPY O</u>	F PAGE-	(56)
۲	10.	Arabic Teacher	(i) Second Class Secondary School	By initial recruitment
		(AT) (BPS-	Certificate from a	
		15)	recognized Board with	
			Shahdatul Alamia Fil Uloomul Arabia wal	
			Islamia from or Darul	
			Uloom Saidu Sharif	
			Swat, Darul Uloom	i
			Darosh Chitral, Government run Darul	
			Uloom, as notified by	I
			the Government from	
			time to time; or	
			(ii) Second Class Master's Degree in	
			Arabia from a	
			recognized University.	
	11.	Theology	(i) Second Class	(a) Seventy five
		Teacher (TT) (BPS-	Secondary School Certificate from a	percent by initial
		15)	Certificate from a recognized Board with	recruitment; and (b) twenty five percent
			Shahdatul Alamia Fil	by promotion on the
			Uloomul Arabia wal	basis of seniority-cum-
		i ÷	Islamia from or Darul Uloom Saidu Sharif	fitness from amongst
		\$	Swat, Darul Uloom	the senior Qaris with at least five years
			Darosh Chitral,	service and having
			Government run Darul	qualification
			Uloom, as notified by the Government from	prescribed for initial recruitment of
		i i	time to time; or	recruitment of Theology Teacher;
۲.		1	(ii) Second Class	Note: In case of non
			Master's Degree in	availability of suitable
			Arabia from a recognized University.	person for promotion then by initial
				then by initial recruitment.
	12.	Senior Qari	:	By promotion on the
		(BPS-15)		basis of seniority-
				cum-fitness from amongst Qaris with
			×	at least five years
				service as such and
۳ A			,	having qualification
				as prescribed for initial recruitment.
	13.	Certified	Bechlor's Degree or	(a) Forty percent by
		Teacher	equivalent qualification	initial recruitment; and
		(General)	from a recognized	

		Certified o'r two year:	$c \left(h \right)$
	I	Associate Degree in	s (b) sixty percent t promotion on the basis
		Education from a	seniority-cum-fitness
		recognized University	/ from , amongst th
		or eighteen months	Primary School Hea
		Diploma in Education	Teachers with at lea
			five years service ar
			having qualificatio
	Ì		prescribed for initi
		,	recruitment of Certifie
			Teacher (General).
			Provide that if n
			suitable candidate
			available amongst th
			Primary School Head
	1		Teachers for transfer
		,	then the posts will be
	,		filed by promotion on the
			basis of seniority-cum
			fitness from amongs
			senior primary schoo
			teachers with at least five
			years service and having
			qualification prescribed
			for initial recruitment of
			certified teacher
			(General).
			Note: In case of non
			availability of suitable
	:		person for promotion
			then by initial
14.	Certified	(i) Bachelor's Degree	recruitment.
	Teacher	from a recognized	(a) Forty percent by initial recruitment; and
	(Industrial	University with two	(b) sixty percent by
	Arts) (BÞS-	years training in the	promotion on the basis of
	15)	relevant technical	seniority-cum-fitness
		subjects from any	from amongst the
	ļ	Government industrial	primary school head
		or Govt: Technical	teachers with at least five
	, ,	vocational Institute or	years service and having
tora (TA)	The states	Centre; or	qualification prescribed
	E STUREM WATER	(b) Bechlor's Degree	for initial recruitment of
		from a recognized	certified teacher
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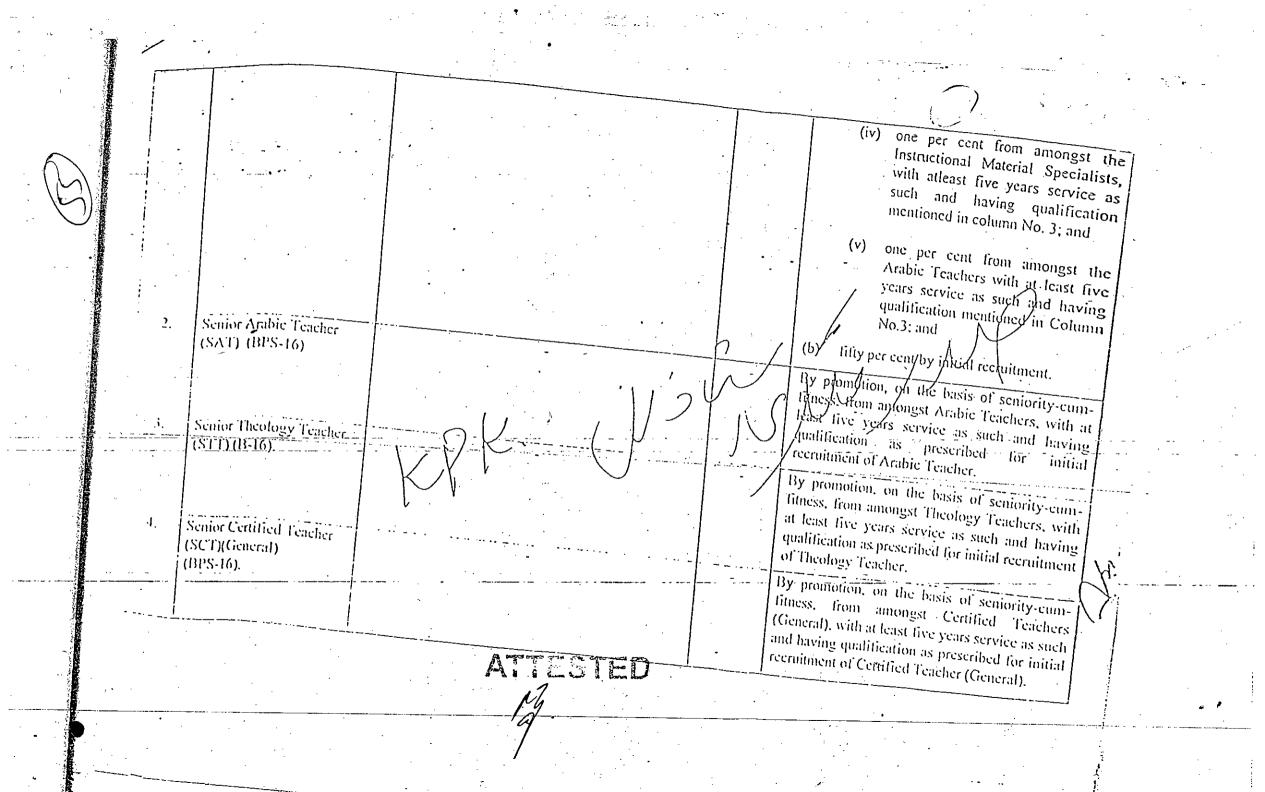
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:		APPENDIX	
	Nomenclature of the post.	Minimum qualification and experience for initial appointment or by transfer.	Age Method of recruitment.
(C)	1. . 1. Secondary School Teacher (IllyS-16).	 3. (i) Second class Bachelor's Degree with two subjects as Chemistry, Botany, Zoology, Physics, Mathematics, Statistics Humanities and other equivalent groups from a 	
		 (ii) M.A in Education or Bachelor's Degree in Education, from a recognized University. 	 (i) forty per cent from amongst the Certified Teachers (General). Certified Teachers (Agriculture). Certified Teachers (Industrial Arts) and Certified Feachers (Flome
		PK. J.S.R.	dupitication mentioned in column No. 3:
			Drawing Masters with at least five years service as such and having qualification mentioned in column No.3:
			(iii) Tour per cent from amongst the Physical Education Teachers with at least five years service as such and having qualification mentioned in reduces Mr. 2
		ATTESTED	in column No. 3:
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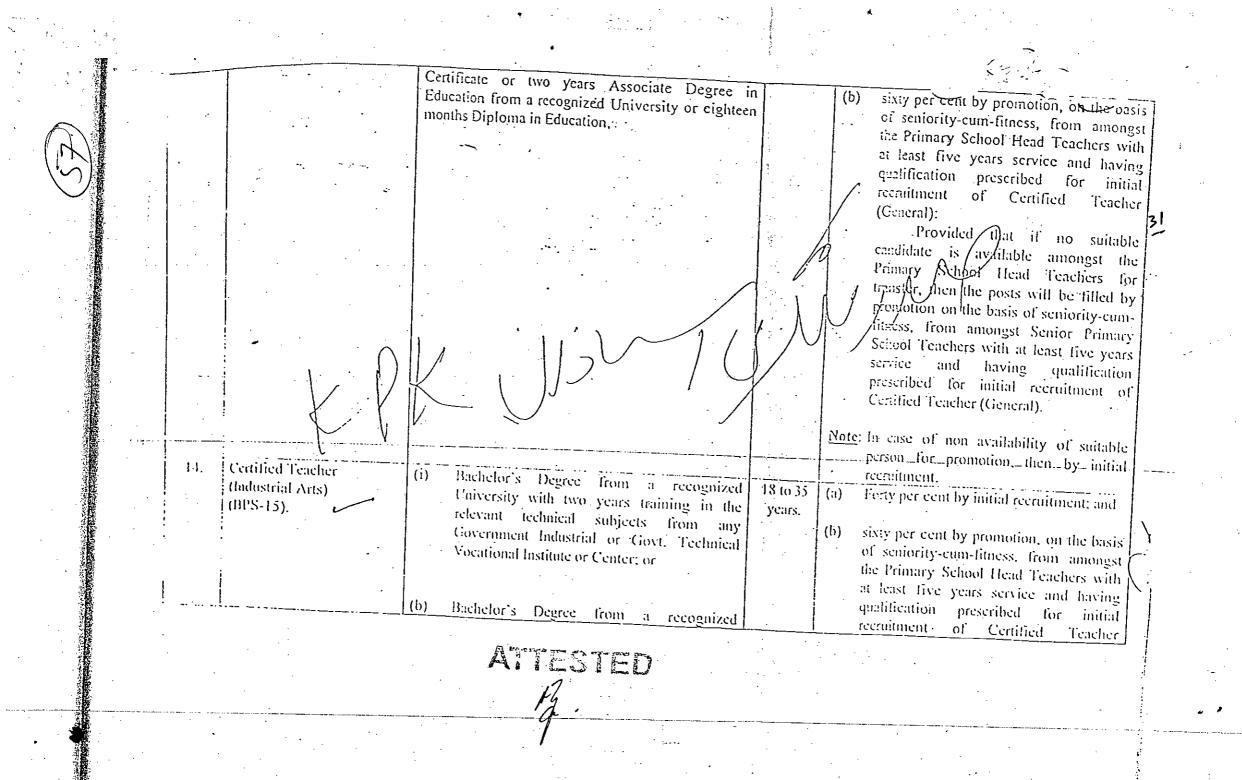
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LS .	10. Arabic Teacher (AT) (BPS-15).	 (i) Second Class Secondary School Certificate, 20 to 35, from a recognized Board with Shahdatul Alamia Fil Uloomul Arabia wal Islamia from a recognized Tanzimuatul Wafaqul Madaris: or Darul Uloom Saidu Sharit Swat, Darul Uloom Chirbagh Swat, Darul Uloom, as notified by the Government from time to time; or (ii) Second Class Master's Degree in Arabie from
	11. Theology Teacher (TT) (BPS-15).	 (ii) Second Class Master's Degree in Master with Stability of suitable from a recognized University. (i) Second Class Secondary School Certificate, from a recognized Board with Shahdatul Alamia from a recognized Tanzimatul Wafaqui Madaris or Darul Uloom Saidu Sharif Swat, Darul Uloom Charbagh Syat, Darul Uloom Charbagh Syat, Darul Uloom Chitral, Darul Uloom Darosti Chitral and any other Government run Narul Uloom, as notified by the Government from time to time; or
	12. Senior Qari (BPS -15). 13. Certified Teacher (General) (BPS-15).	By promotion, on the basis of seniority-cum- lianess, from amongst Qaris, with at least five years service as such and having qualification prescribed for initial recruitment. (a) Forty per cent by initial recruitment; and ATTESTED

. A

• ...



Category of Qualification	Total Marks 100 For Humanities group at Intermediate Level	For Candidate of Science group
SSC	Murks obtained X 201 total marks =	
HISSC	Murks obtained X 10 / total marks =	5 Extra marks for FSc, 5 Extra marks for B.Se and Extra marks for M.Sc will be added to the total score obtained by a candidate during his selection
AVBSc	Marks obtained X 251 total marks =	- Statistical contrast of the selection
ST Certificate/ Diploma in ducation /ADE.	Marks obtained X 20 / total marks =	0
MASCALEd / MA Edu	Marks obtained X 20 / total marks =	
IPhiVPhD	Marks = 05	

Other conditions:-

Primary School Teacher

The concerned Appointing Authority will serutinize 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,
 The cerit 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 "5.-In case a documents" islam fund faket forced boom more continued objections/appeals, followed by requisite appointment orders.

5.-In cive a document(s) istar found faket forged/ bogus upon scrutiny/ verification, the service of the teacher concerned -shall be termixated and the amount paid or him os salary shall be recovered from him and an FIR shall be lodged against him on account of forgery from under the relevant have.
4. Deni Asnad from recognized Tozecmat-ul-Wafaqul Madaris. Darol Uloom Saidu Sharif Swat, Darol Uloom Charbagh Swat, Darol Uloom Chitral, Darol Uloom Darosh Chitral and any other Government run Darol 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

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THIS IS	TO CERTIFY THATS	LAH UD DIN		
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199 2as a Regu	lar/Private candidate. He/She ob	VERY GOOD	··· · · · · · · · · · · · · · · · · ·	
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	ussed in the following subjects.			
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1. English	4. Pakistan Studies	6. CHEMISTRY	8. MATHS (E)	
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I MP ROVEMENT No. (S) 0113 FROM AND SECONDARY HILLER W.F.P. Pakistan swa No. (S) 0113 Intermediate Examination ARTS. Group **SESSION SUPPLEMENTARY 1995** THIS IS TO CERTIFY THAT ______ SALAHUD DIN Son/Daughter of ______ HIAN GUL JALAL and a Student of _____ DISTT + SHAT. Registered No. 1785-B/P-94 has passed the Fintermediate Examination of the Board of Intermediate and held in Secondary Education, Saidu Sharif, Swat December 1995 as a Private/Regular candidate. He/She obtained 602 Marks out of 1100 and has been placed in Grade <u>c</u> Representing <u>Goop</u> The Examination was taken as a whole/in parts. andan -This certificate is issued without alteration or erasure. . Secontary Secretary S. M.

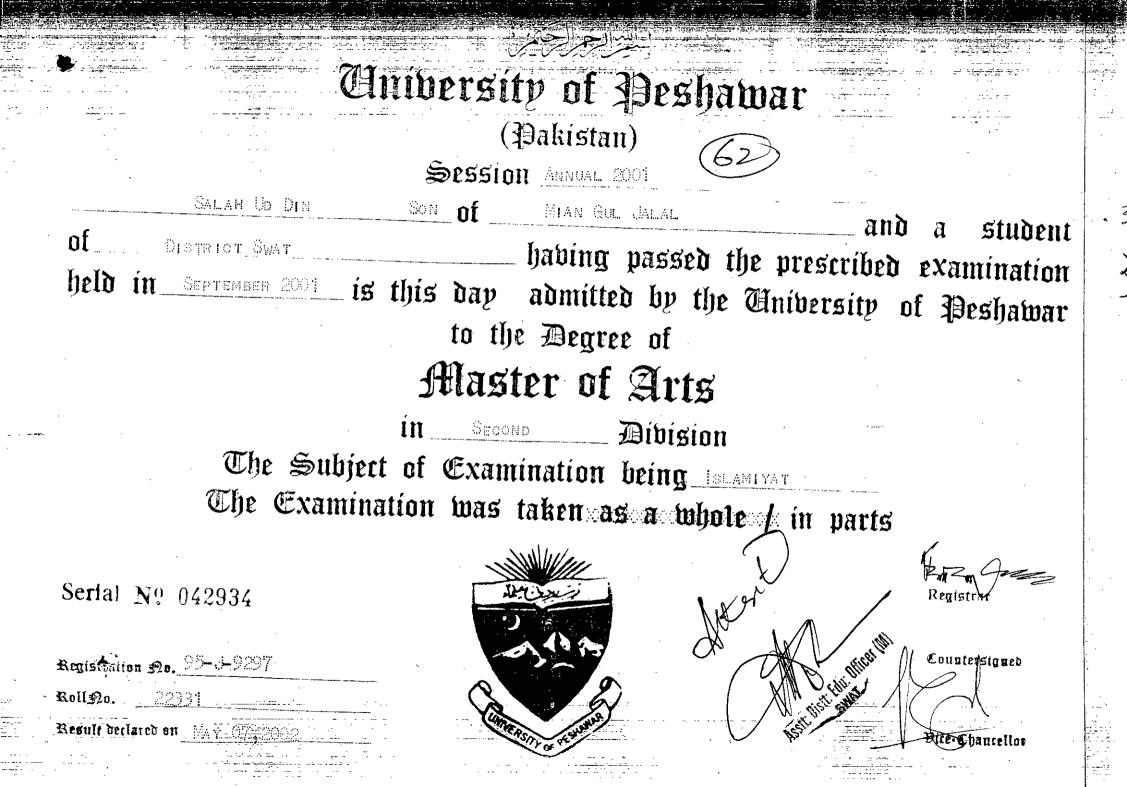


Aniversity of Peshawar

(Pakistan)

Session ANNUAL 1997

SON OF MIAN GUL JALAL SALAHUDDIN and a student of Government JEHANZEB COLLEGE SAIDU SHARIF SWAT having passed the prescribed examination held in August 1997 is this day admitted by the University of Peshawar to the Degree of Bachelor of Arts in Second Division The examination was taken as a whole foin parts. Serial Nº 087870 ter Office (B) Countersigned Registration Seo. 95-1-9297 **Boll 20**._____30923 DECEMBER 22, 1997 Result declared on_____ Dies Chancellor



JWLEDGE JWLEDGE EDUCATION COLLEGE OF EDUCATION GIOIVIT 8000 IS PL FOR ELEMENTARY TRACE KNOWLEDGE IS POWER SCACE Barikot, Swat, SESSION. 1996-97 Provisional Certificate ROLL NO. 1938 Certified that Mr. SALAHUDDIN ______S/____ MIAN GUL JALAL 00 Adm. No. _253 Class No. ____ has passed the PTC & Class from this Collage as a regular student and as per Result-gazette notification of the Registrar O Departmental Examination Education Department N.W. J.P. Poshawar. Obtained ______ Marks out of 1200 and has been placed in _____ Division EGE Certified that during his study period at this Institution, his condust remained "Good" We wish him success in life. Result Declared on _____ 27.2.98 Gh Lating-Principal, Govt: College of Education, Sig: of Admission Incharge $\overline{\mathbf{0}}$ PRINC PATIementry Teachers Gove Electer Barikot Syat(M) Issued on ___ U 16.3.98 Es I. J. JWBC. The Candidate has Failed in the following subjects: Papers Allester Principal, Govt: College of Education, For Elementry Teachers Ø Barikot Swat. OOI BIDIE Edu: Officer (MI

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Checked by:_

son / daughter of MIAN BUL VALAL Roll No. ______

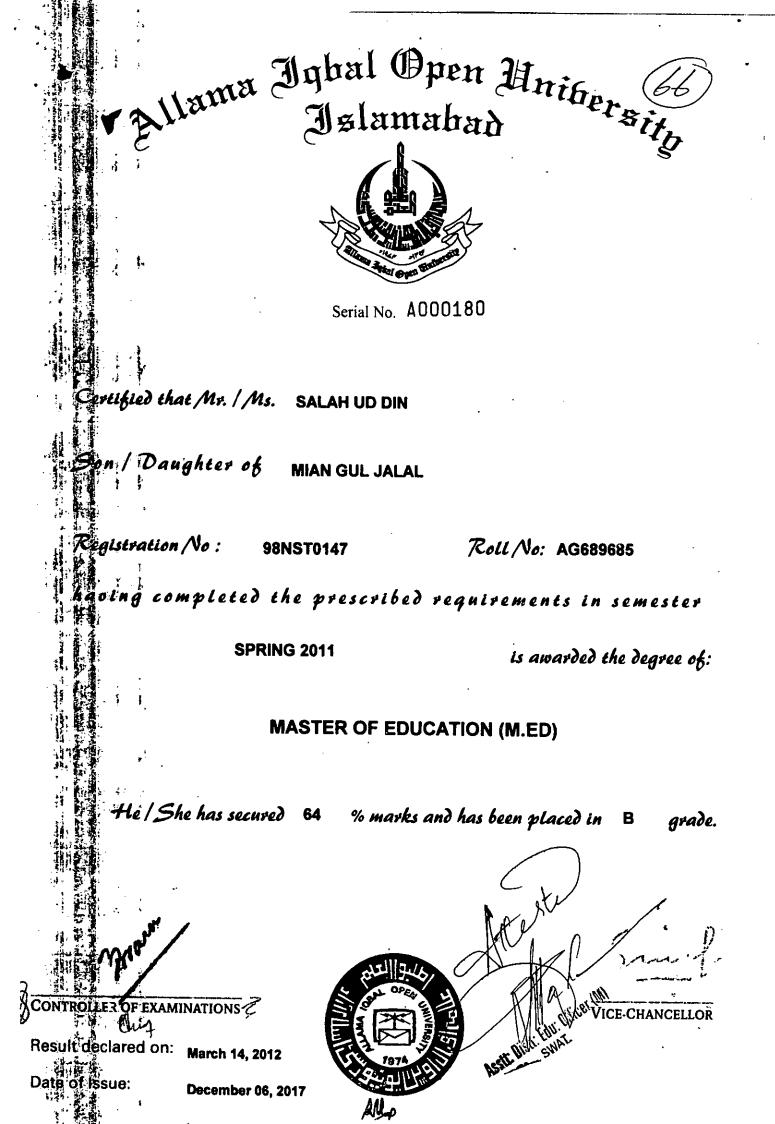
has completed all the requirements of

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in Spring/Autumn _____ semester on 3011 SEP. 1099

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JUDGMENT SHEET PESHAWAR HIGH COURT, PESHAWARC JUDICIAI

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

JUDGMENT.

Date of hearing: 08.11.2018 Petitioner (s): <u>Nipar (Shmall) b: M?</u> . Noor Mubinomod Utonek Respondent (s): <u>Mubiannmad Dzam tethin</u>) by- Gred Caiser Oli 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 Pashawar High Court 3 0 NOV 2018

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

"(i)

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

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

NOV 2019

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

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

Arguments heard and record perused.

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

> est High Court C NOV 2018

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

Chief Justice

Judo

CERTIFIED TO BE TRUE COPY

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<u>ANNOUNCED.</u> Dated: 08.11.2018

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

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

Respected Sir,

With due respect it stated that I was initially appointed as PST in your good self Department vide order dated 19.04.1999 and later on was appointed as C.T vide order dated 01.08.2016. During service as Certified Teacher I was in the promotion zone to the post of SST (BPS-16) but the concerned authority instead of promoting me advertised the said posts of SST (BPS-16) on adhoc/contract basis. I was under protest and my colleagues applied for the said post through initial recruitment but the same was also refused to me and my colleagues on the pretext that regular employees are not entitle to apply for the adhoc/contract posts of SST (BPS-16) thus me and my colleagues were deprived from the prospects of promotion. It is pertinent to mention that at the time of above mentioned advertisement the post/cadre of C.T (BPS-15) to which I belong have no prospects of promotion. In light of the said advertisement new appointments were made by the authorities on adhoc basis and even the promotion quota was also filled by the authority though initial meanwhile the recruitment. In the Provincial Government Promulgated the employee's regularization Act, 2009 whereby all the adhoc employees who were appointed as SST on temporary basis were regularized thus further affected the cadre to which I belong. That the promotion quota for which me and my colleagues have waited for decades has been washed by operation of the said Act of 2009. I was feeling aggrieved alongwith my others colleagues knocked the door of the Peshawar High Court through various writ petitions including writ petition No.2905/2009. That vide consolidated judgments dated 26.1.2015 the said writ petitions were disposed of with the directions that:

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

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



employees, till the backlog is washed out, till then there would be complete ban on fresh recruit. The concerned authority assailed the said judgment of the august Peshawar High Court Peshawar in CPLAS No.127-P to 129¹P/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 galuada

SALAH UD DIN CT (BPS-15), GHS Oandil, District Swat

VAKALATNAMA Before the KP Service Tribunal Perliquear OF 2019 (APPELLANT) Salach - ud - Din _(PLAINTIFF) (PETITIONER) VERSUS (RESPONDENT) ____(DEFENDANT) Education Dept. I/We_ Scilah - ud - Din Do hereby appoint and constitute NOOR MOHAMMAD KHATTAK, Advocate, Peshawar to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter. Dated. /2019 CLIENT

ACCEPTED NOOR MOHAMMAD KHATTAK SHAHZULLAH YQUŞAFZAI

> 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. 1238/2019 Salah Ud Din CT (BPS-15) GHS Qandil, 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

<u>Parawise Comments on Behalf of the Respondents:</u> <u>Respectfully Shewith</u>

Preliminary objections

i.

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

FACTS:

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

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

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

GROUNDS

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

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

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

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

DISTRICT EDUCATION OFFICER (M) SWAT AT GULKADA

'OR.

ELEMENTARY AND SECONDARY EDUCATION KHYBER PAKHTUNKHWA

ELEMENTARY AND SECONDARY EDUCATION PESHAWAR



GOVERNMENT OF KHYBER PAKHTUNKHWA ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

Annexyme

Peshawar, dated the 24th July, 2014.

NOTIFICATION

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

AMENDMENTS

In the Appendix,-

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

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

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

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

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

Provided that if its 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-filness, from amongst Drawing Masters with at least five years service as such and having qualification mentioned in column No. 3;

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

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

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

. (4)

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

(e) three per cent from amongst the Senior Qaris (BPS-16), with at least five years service as Senior Qari and Qari and having qualification mentioned in column No.3:

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

(f) twenty per cent from amongst the Primary School Head Teachers (BPS-16), with at least seven years service as Primary School Head Teachers and Senior Primary School Teachers and Primary School Teachers and having qualification mentioned in column No. 3:

Provided that if no suitable candidate is available from amongst

(5)

Primary School Head Teachers for promotion then the post shall be filled by -promotion, on the basis of seniority-cumfitness, from amongst Senior Primary School Teachers with at least seven years service as Senior Primary School Teachers and Primary School Teachers and having qualification mentioned in column No.3: Provided further that if no suitable candidate is available from amongst Senior Primary School Teachers for promotion then the post shall be filled from amongst Primary School Teachers with at least seven years service as such and having qualification mentioned in column No. 3; and twenty Five percent by initial (ii) recruitment. Note: If no suitable candidate is available in Ĭ. the relevant cadre of the above teachers, the post falling in their promotion quota shall be filled by initial recruitment. Posts of General SST and SSTs-1 Science II. and SST-2 Science shall be filled by promotion or initial recruitment, each on need basis separately.". (6)

SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

Endst : of even No & date:

1. The Secretary to Government of Khyber Pakhtunkhwa, Establishment and Administration Department Peshawar.

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

The Secretary to Government of Khyber Pakhtunkhwa, Law Department Peshawar

The Secretary Khyber Pakhtunkhwa, Public Service Commission Peshawar.

5. The Accountant General Khyber Pakhtunkhwa Peshawar.

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

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.

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(ZAMIN KHAN MOMANIY

SECTION OFFICE B (PRIMARY)

Annexuve <u>"B</u>"

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JUDGMENT SHEET PESHAWAR HIGH COURT, PESHAWARCOUR (JUDICIAL DEPARTMENT)

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

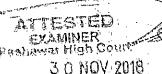
JUDGMENT.

Date of hearing: 08.11.2018

Petitioner (s): Nipar Obmail 20: Mr. Noor Mulummad Charles Respondent (s): <u>Maluammad Dram Chun) kyr</u> Gred Caixer Ole

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

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



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

"(i)

(ii)

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

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

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

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

5:

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

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

Chief

Judge

<u>ANNOUNCED.</u> Dated: 08.11.2018

: 1.

Shah SCS (DS) Justice Wager Ahmed Seth CJ & Justice Muhammed Ayub Khan J

CERTIFIED TO BE TRUE COPY

Authorite Anniner Authorited Onder Artigio Biy By Authorited Onder Artigio Biy By 30 NOV 2018

Annexuve



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

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

NOTIFICATON

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

S: #	Name	Present School	School Where adjusted	Remarks .
01	MR.FAZAL SUBHAN C.T	ZAL SUBHAN GHSS MINGORA SWAT GHS MA		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	GM\$ DADAHARA SWAT	AGAINST VACANT POST
04	MR ABDUL QADOOS SPST	GPSDELAY SWAT	GHS QANDIL SWAT	AGAINST VACANT POST
	(GENERAL)	ł		I
S:#	Name	Present School	School Where adjusted	Remarks
1	MR ADIL JAN SCT	GHS SERSENAI	GHS SHAH DEHRAI	
2	MR.MUHAMMAD			AGAINST VACANT POST
•	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
	MR.MUHAMMAD			
7	LAIQ SCT	GHS MATTA	GHSS BAMAKHELA	AGAINST VACANT POST
<u>.</u>	MR.GUL MUHAMMAD SHAH	GHS SWEEGALAI	GMS MALOOCH SWAT	AGAINST VACANT POST
9 :	MR ALAMGIR SCT	GHS UDIGRAM	GHŚ 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

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13	MR.KHURSHID	ALI			:	<u> </u>					
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BEFORE THE HONORABLE KHYBER PAKHATUNKHWA SERVICE <u>TRIBUNAL PESHAWAR.</u>

Service Appeal No: 1238/2019

Salah Ud Din CT (BPS-15) GHS Qundil, District SwatAppellant.

VERSUS

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

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

Respectfully Sheweth :-

The Respondents submit as under:-

PRELIMINARY OBJECTIONS.

- 1 That the Appellant has got no cause of action/locus standi.
- 2 That the instant Service Appeal is badly time barred.
- 3 That the Appellant has concealed material facts from this Honorable Tribunal.
- 4 That the instant service appeal is based on mala fide intentions.
- 5 That the Appellant has not come to this Honorable Tribunal with clean hands.
- 6 That the instant Service Appeal is against the prevailing law & rules.

7 That the Appellant has been treated as per law, rules & policy.

8 That the appeal is not maintainable in its present form.

9 That the appeal is bad for miss-joinder & non-joinder of the necessary parties.

10 That the instant Service Appeal is barred by law.

11 That the Appellant is not competent to file the instant appeal against the respondents.

12 That the Notification dated 24/10/2009 is legally competent & is not applicable of the appellant to the extant of promotion along with the grant of all back service benefits under the rules.

13 That the appellant has correctly been promoted against the SST BPS-16 ...post in view of the rules, criteria & policy by the Respondent Department.

ON FACTS

That Para-1, needs no comments, being pertains to the service records of the appellant relating to the appointed vide order dated 22/11/1986 as PST & vide an other order dated 01/06/1991 against the AT post in the Respondent Department.

2 That Para-2 is correct to the extent that the Respondent Department has advertised SST B-16 post in the National press on adhoc / contract basis for only for fresh candidates by barring the in service Teachers in the Respondent Department for initial period one year as per policy of the govt. (Copy of the advertisement is annexed as Annexure-A).

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).

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 Ulfah 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).
 - 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).
 - That para-9 is correct that COC No.105-P/2018 in the above said WP No.2905/2009 Atta Ullah etc VS Govt. of KPK & others has been dismissed vide order dated 08/11/2018 on the grounds of jurisdiction by the Honorable Peshawar High Court Peshawar (copy of the order dated 08/11/2018 is Ann-J).
 - 10 The para-10 is legal. However, the Respondents further submits on the following grounds inter alia:-

<u>ON GROUNDS</u>

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.

<u>Incorrect & not admitted.</u> The stand of the appellant is without any cogent reason & legal justification & liable to be rejected as the act of the Respondent Department with regard to the non-grant of promotion wef 24/10/2009 against the SST B-16 post is within legal sphere having no question of violating the mandatory provision of Articles-4 & 25 of the constitution of Islamic Republic of Pakistan 1973.

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Incorrect & not admitted. The act of the Respondent Department with regard to the non-grant of promotion-wef-24/10/2009 against the SST B-16 post is within legal sphere is in accordance with law & rules. Therefore, the plea of the appellant is liable to be rejected.

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.

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.

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.

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.

Legal. However, the Respondents also seek leave of this Honorable Tribunal to submit additional grounds, record & case law at the time of arguments on the date fixed. In view of the above made submissions, it is most humbly requested that this Honorable Tribunal may very graciously be pleased to dismiss the instant Service Appeal in favor of the Respondents in the interest of justice.

Dated /2020

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

Director

Deponent

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

AFFIDAVIT

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

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ساحت ۲۰۱۳ بی ایرس کاجلا بخ میکان بیش کا است ۲۵ ایر مرد، ب ۱۱ جریز با سرک اشرای و عمد والا، ب ساحت ۲۰۰۳ (۲۰۰۸ میکند) سند می کام ارتخاب میک طور ترین و				н 1. 1. л.	•••	
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ا می از می دومنها عن عن باس نسو ۲۶ نادن ہے۔ (2) شویر مرحدان تا بی نظران میں اور بک سے ان میں اور بی این برای ا اوز استی مدینا کے اول میں ، (3) کامیات میداد ان کامتر مان و مادا تری بیداست کی بنا د موجد واد سے مکر ایک بیا رائ		·		•		
ا محمود می نماند می بدید از از از این از این ۲۰ ایم اکر می شناران می میدود ان امید از مرد و بدو در این این این اسیدان سرکانینان محکومیتر فاسی جزا تولی جارار موک بر ۱۹۹۷ توسید و دود مناعق می SC از معال کار کار کار می در که	,	,	· .		, 	
امیددادیک بے زیادہ 55 اسامیرن (منطقہ عمرین) میلیے الگ الگ کارم میں لرایحة میں را کی دان میں مال ڈیٹا سے ن کا ک اسٹالیا کی اسرک میں ۲ میار امداد کی کم میرب می کمیں نے کہ ابت کے باسکا ہے کر یہ نسبتانی ایرک چال از از از منطقہ د	- · · ·					
می مراول امیدونه کا مذم از دول سیم مروط موک مناطق کی برجانی می می می می می می بر دید می دول و میکرد او مشد ول استاط بینداد ما از استار می از دول کی می مراوط موک (ک) انکرونم که داشته و مدد با سیدویک ما تر میدود تعداد مراد رفتام ای تسلیم استاط بینداد واب مادر محمل و دوب اکر مروک مید مم میزار از و می ماند می ماد می در ماند و مدر و مدور تدرو از می وز		•				
اازل بون کے میں کی کردارس افراد کی مربر سریم میں مثل خاندان کا دستان ایک کے دور فرامید دیکھران کا در کا بی کرد انداز ایران کے میں کی کبی کا در سافراد کی مربر سریم میں مثل خاندان پر میں اسا خداد در فرامید دیکھران کی مال کی ک ماہ مدام ماہ میں مربو بادین من مسلمان کو موال کی مال کا دور مدافل کے مال مدالے محر کر کا بندین سیک کے ا						
مستند مسلطان مدر ۱۹۵۰ (۵) مردم منظمان ایران دور ۱۹۸۰ (مرتبع ان مدور و دری مرکز طریق ایست اور ا مستند مسلطان مدر ۱۹۸۰ (۵) مردم منظمان ایران دور ۱۹۸۰ (مرتبع ان مدور و دری مرکز طریق ۱۹۶۱ مرتبع ۱۹۹۰ مرد ا	r yang atu kana sara su na su na su	nais is a statistic while buy o	জিল্পুৰু বুল্লাক যে নাই আগৰ মহানহাৰ <u>হ</u> য়	Ese versus aquesto en Pada Para	しょう それ最終し 27 日本 発音学校	en stan the print of
				•	•	
Autoria: Malestana / Terrata Questiona					•.	
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The second	ang ang ang pagalagang s	ممر در ملید ما حالان الایس این رسه است. 	สมุญรักษณ์ การกรุงการกระบบคราม -	refereis in antaria antaria.	i na Sidan na Si	da i a car
المستر من المسترول بين تراري المسير من المسترول المست		•				
(3) ساد (م تکیس اور ذکر باب کمین مشرکه دو و باده ب و اور به و این است است زیل مدل -		•		· · · ·		арана 14
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higher Ethicanin The proversing automation		24 1				1
Two Dings Above a simulate (M. Mil)			· ·	;	·	: :' ·
اس اس کا است شرار کی بے کرامی انتشار کے تحت تمنی شرائب وارون کا خیاری سرامات طلا کمی محق المبر سوالیت میترد. من ترکندی اول اور سر است سرار میں اس سری ورم که دو معاماد وست کم با تامہ دولت اور وسرال خیارات میکن کا میتر کے لیے می من سر است سرار میں اس سرال سری ورم که دو معاماد وست کم با تامہ دولت اور وسرال خیارات میکن کورنے کیلئے میں ا						· · · ·
یک ه اور با می از این می مرحظ و دانده استار می استار می کرد و با می اور با مارد می کن کر بر باطر می کن کرد. استار می کرد با این این از مرکز با دقت انتاک از جرائی مدی کا مطومات کا از استار می از مدار می از مدارد مدین مدر استار مرکز بی با این این از مرکز با دقت انتاک از جرائی مدی کا مطومات کا استار مداد مداد و مدرون ما در در کان ا	ىر بەر مەرىپەر مەرىپەر مەرىپەر مەرىپەر	ينهمني (1993)، يو يو ويونيو (1993)، من الرواني (1994) الم	filmen harve e new dye van de jare t 	ite or detate to see for freq	er	ann christian i a
حک کاس کے لیے فرصار بیش ہوکار شامید دارلز این جری کے کا کان مامل ہوت ہ متعاقبة دان میں تام الم در دواست ا ایندونان کا اطروع میں مثال کما جائے کو سمبر کا تعنیل 13 اکمیس 2007 کر ۔ ور اور مدینہ جارات کے اور اور است ا	,	•				· .
۲۰ کا طواع میشد. اسم با برای کار میشو با یک به کاره به داد با میام ۲۰ ماب موده ادن کا نیز می مناز یک بارا می باری کرده مرتکاس تورکر کالاترک به کادر کمسی سرا حدایی و ماه بار مشاکر تادیک بالاز و کیلواب دند، از میکارد اختیا			•		•	· .
لمركدان ملى الأكون تساوية ل تاريخ الدين ما مريجة من المريك المساور المالية المريكة المريكة المريكة المريكة الم المريكة المريكة						
بخيريك مل تجزر (SST) . 2007		·. ·			· · · ·	
مراسب مارم او معاد بعد عدى اورنا شور لام لولا المراجع مسلمور اول - البد المالي مريد الاعلن المدون الدر رواسب مارم او معاد بعد على اورنا شور لام لولا المراجع مسلمور اول - البد المالي مريد الاعلن المدون الدر	n clair is considered and a second	inder of a radional states	يەن «بەر أ ^ق بەرۋە تە «مۇچە» ر	eftern an anna an anna an	i ni makau in in	-11. - 11.
مان میں				•		· . ·
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Provided that if the date of continuous officiation in the case of two or more employees is the same, the employee older in age shall rank senior to the younger one.

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

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

regularized under the Act in question be calculated in that cadre and equal number i.e remaining 50 % are to promoted

from amongst the eligible in service employees, other wise, eligible for promotion on the basis of sonority cum fitness."

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.

Official respondents are directed (ii) 💷 backlog to workout the 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.

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Announced. 26th January 2015

2131

CERTIFIED TO BE TRUE COPY

Peshawar Ligh Court Peshawar

IN THE SUPREME COURT OF PAKISTAN

(APPELLATE JURISDICTION)

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

IME 2

CIVIL PETITIONS NO. 127-P TO 129-P OF 2015, [Against the Judgment dated 26.1.20] S. of the Pethowar High Court. Pethowar passed in Writ Petition No.2905 of 2009, 3 + 17 + 5 + - + - , cc4 + 2 + 19

Attauliah and others. Nasruminuliah and others. Mukhtar Ahmad and others. ...Respondent(s)

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

For the respondent(s):

Date of Hearing:

Mr. Abdul Qayyum Sawar, AOR 20.09.2017

Mr. Ghulam Nabi Khan, ASC

<u>ORDER</u>.

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

os such.

SUPREME JE. EZ. ç ţ. NR MAI 0.02.20

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

Sd/-Ejaz Afzal Khan,J

CoutlAssociate Supreme Court of Pakistan Islamabad

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	PRESENT	
; ; ·	MR. JUSTICE EJAZ AFZAL KHAN MR: JUSTICE SH: AZMAT SAEED. MR. JUSTICE IJAZ UL AHSAN	
	CIVIL PETITIONS NO. 107 Ann	-
. ч.ч. 17	Agolastalhe Judgment dated 26.1.2015 of the Peshawar High Court, Peshawar passed in Wrth Pelltion No.2705 of 2009, 3 - 15 - 5	.+
•	The Chief Secretary, Govt. of KPK., Peshawar and others Retitionar(1)	

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Nasruminullahiand others. Mukhtar Ahmad and others.	7				•
and others.	N 1		Respo	ondent(s)	. t
		÷ ,			

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

Dondent(s): Mr. Ghulam Nabi Khan, ASC Mr. Abdul Qayyum Sarwar, AOR

Date of Hearing: 20.09.2017.

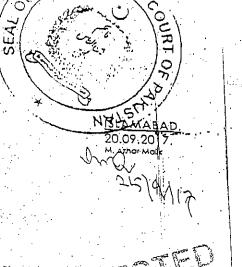
ORDER.

Elaz Afzal Khan, J.- The learned Additional Advocate General

appearing on behalf of the Govt, of KPK stated at the bar that as per Instructions of the Government he does not press these petitions. Dismissed

as such. SUPREM

TANK.



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

Court Associate Supreme Court of Pakistan Islamabad

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1. A.	المتدولان المرجح ويرابين	تعلقيه اعنادج لتح سكونتي الل	وللتح فيبر بختونخوا كمرح	لک اور نه غرآ نی بیچر دیگیر را جدذیل آسامیان بر کرنے کے	که) سکولوں میں در	دریرانطام (مردانهٔ زمار	بیجنو کمجو ا <u>ک</u> بیجنو کمجو ا <u>ک</u>
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	an an an an an Air a Air an Air	المرجعة عمينا والمرجعة والمحاطة المحاطة المحاطة المحافة	المعادية بالمربعة والمتعاصية ويوره	آبابیت به در معد است.	3. N. 8 87 5 -	<u>یام آسای .</u> سیندری حول نیز <i>ا</i> ر	
235 °21	مالین اوز می تو _{ل م}	لس کے ساتھ در بن کی دوم	دسینندوی دیکن میکرد کری. د ما مانچ (سمی بیخی تظلیم شد و یو ندر منی (۱) سیمسنری میالو چی (زوالو ج	(551)	یا لوجی/میستری بیالوجی/میستری	
to the second states of the second	e , angel a - an eersteele morten	باليېر کېشن مېن <u>مېلېرونې کې</u> باليېر کېشن مېن مېلېرون کې کې	منى عنت اليم اينترز يجو كيشن	ii) بني بحين بتبليم خدرونيونية ا)	BPS. 16	····
-35-21	انین اازی ہوں۔	س کے ساتھ درزج ذیل دومضا	 بی سیکنذ د ویژن بیچگر دگری ج	1)- سی بخی شکیم شید و یو تیور تل) (SST)	سیکنڈری سکول کچچر فز <i>کس ایکنخ</i> س	1 .
	• •	یا۔(iii)۔فزکس بینطیکس	- الزئس ، يحسن B)- لاکن المسس A <u>۱</u> - (ii)	()	BPS, 16	1
		اليحويش <u>ن من يجلرو كري.</u> سرية المدينات	ن <u>ت ایم اے ایم کی ایک</u> میں یا رسکن نہ رہار بیچکر وال موجر	2)-، مس بحی جنگیم خد دید بندر ۲) سمی بخی جنگیم هید ویو نیوری ب	ss) جزل (را		
15721	کن لارتی ہوں ہے۔	ل بيني مناطور بن وين دوم عماية الم	ب پیلورو یرن شپردو کردن. • یادیگر مسادی گروپ۔	ا الکریزی از دی ۲۰ ومنینز کروپ	(1)	/ BPS. 10	5
	en generationen en generationen en secondaria	يجريش يتن ييلرو مري به	، مت المح الم يح يشن يا ال)- مسلح کی تعلیم کلند ویونیورز ۱۱۰۰ ما ماد و کے سلیکشن کیلیے کریز یا	2)	. <u></u>	

المحلي عالي عالى مرك مرك من المحلي المحلي المحلي قابلية = 100 نيبر جس كى مريد تقسيم الم طرب المولي	(۱) سکرینگ شین بزرید ۱۵۵ نبر (ب)
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ما میل کرد د نبر x5x تغییری نیز	المجالي / المجاب اليح يُحشَّن
مامنل ترد دنبر 05x تتسم کل نیز	الجائل / پاتى دى
7.07- USX7.590 V	في المكر بطاد مرافظي تربيكي صدرية مو يكمه بالم كالتسوير بالمان في تجمير بعدامي المراجعة المريد التي تعرير

ن المن جاد ساله کورس کی صورت میں نبروں کی تشییم ان المرن اولی ماصل کردونسر 35% تعلیم کل نبرود جیکہ پیشہ دراندا مجاب ایج کیشن کی صورت میں تیر کی تقلیم الفرایتہ از یک یو کر۔ ایم اے ایج کیشن حاصل کرد ونبر کم 20 تقلیم کل نبر

خوت :(1) ہر سکول کی آسای کے لئے ملحد دیلی دست مرتب کی جالی جس میں اسید داروں کے NTS کے دسمل کر دونیس اور تعلیق قابلیت کے نیسروں کو مع کیا جائیگ (2) ہر اسید دارت NTS ن در نوا ، سے فارم 300 دوب پیار من کیا جائے گار اگرایک اسید دار 5 سکولوں کے لئے در نوا مست ویکاتو اکس سے 800 دوب ہی NTS چارت کریتے ۔ جرکہ اسید دارخود بردا شت کر ان کے ا (3) . NTS شت میں 40 بلسد نیسر لیکا شروری ہے ۔ 40 بلسد سے تم نیسے دالا امید دارتا الی تصور ہوگا اور سے ایک میں ان

المحمد المالي () من متم ريان مكومت فير منونونو المترم بعدة ونين مح مطابق بتيادي تقرر ك Ihitial Appoinment ف 25 فعد

کسلے کے تعد کا تعظیم بناوں پر Adhoc سن کے (4) سنکر کے بات دار اس کے اول کی ۔ (2) معذور اخراب کے تعد و معدولا التي میں دواجا ہے گا۔ (3) معرف معد کو دلی معدول دلی معدول معنی معدد کو تعلیم اس کے ایک معدول کو کی استان میں اور ایک (3) معدول معدول معنی معدد کو تعلیم اور کی کہ استان میں اور ایک (3) معدول معدول

المعديدة والمدينيون المندسيكيندي الجواكشين حييد بخلودجوا بسلور

<u> </u>	ن پر کرنے کے لیے خیر بحثو کو ایک متعلقہ اخلاج سے سکوتی الی اسیدوالد اسے کور ہو ہ سامن (http://www.nts.org.pk) پر دستیا ب ہے ۔مقررہ تاریخ کرز۔	· · · · ·		Shirt	نبرثار
1	قابيت		1245		
لا 351 19	دیل دد مضامین لاری ہوں ۔ (۱) میسٹری میالوی (زوالوی یا باش)	ندور بن بیلرد کری جس کے ساتھ درج	کی جن سلیم شدہ کو نیورٹی ہے سکت		
	RITI بے مامل کرل ہوگی۔	الأزمي فريلينك مكوش ادارون E/PITE	المست فالدرس في بعد وياول		2
لا الم الم الم الم الم الم الم الم الم ا	ج ویل دومتسایین لازمی بول - (i) فرس معص ۸ یا (ii) فرس میتص B یا	بتد دویرن بی و کری مس کے ساتھ در	کا بنگ سلیم شدہ یو ندر بنی ہے سک	(i) 10 7(331) - (i)	4
2 9 5 1 X			v v v v v		
	- Jud Juc RITI	الازى لينك جكو تى ادارو UPITE	المسليكش ادرتقر دى بے بعد ويا اک	11)	╄_
	د بل دد مغامی لازی بول - (i) انگریزی لازی ، بومینیو کردپ یاد کر مساوی کروپ	نڈا دیرن بیلرا کر کی جس کے ساتھ درج	محاجمى حليم شدايج ندرش في سي	(1) (33 1) (35 1)	3
					<u> </u>
i	ــــــــــــــــــــــــــــــــــــــ	20 نىبرات كى تۆسىراس مل	ریلیریا درج نیل کے ۔ کُل ۵	یر برارد استان کے سندسن کیلئے ک	<u>یکشن کر</u>
ž		South of the Second	التلي قابليت=100 لمبر	مْمِيتْ بْدْرِيْدِ NTS - 100 نمبر (ب	(ا) سکرينک
×0؛ معسم کل قمبر جنبه م	ل الی جادسالد کورس کی صورت ش قبروں کا تقسیم اس طرح ہوگی ۔ ماسل کرد دقمبر	AT AN MA		_	
	ورانا م اسما موكم فن ك مورت ش فرك تشيم بطريقة الم موكى -	CAR	لفلي تاليت	يت كل قبر	لعلى تاي
· · · · · · · · · · · · · · · · · · ·	ايما جايم يمن مال كرد فبر 10 تتيم كل فبر (5 فبر في الد +15 مايد)	J. K. # 20 . J. M.	اليرار/الير الحرى	یای عامل کرده نیر 20x تقسیم کی نیر	الي الر
NTC . LUM	المالة الماري المركول كآساى كيلوطير وطير ومرث اسد مرت كي جا تكل جس عر	ماس كردو فبر x 20 تقتيم كل الجر	الجار الجالي ي		ل،/ل
۲ مید میں نے د ۱۱	الرياية المقريبات المراجع والمعادية والمعادية المحالية المحالية المحالية المحالية المحالية المحالية المحالية ال	مال کرده نبر 20x میس می جر	الجماية المجام بالجراح		치난
40 يعمد منزليما منزدرك-	کردان دو برادر تشکی بلیت کردر این کی جایا۔(NTS(2) میں می		0.2.4-1.421		ايم فل إلى ا
	-40 يما ي براي ماد المعدة ارتاالى تسور موكا ادرير فالمد ي مثال في مو		(A) () () () () ()	شد الملط : ۵ (۱) تما م تتر را ان مکوم و خبر	
لتركيف يراكي مال ك	- (inicial Appoint) محرف المعلمان الم معرد موقاد تريم بال من مراكب مراك	بن 25 یعمد ہیادی کتر رکی (ament	رب مو کوا سے مراجہ وہ کنا ہے مط یہ تمریداد رکی قصقہ 🔰 دیکھ	غدد افراد تمليجود قصد اور اقليق اميد واردا ركما	ل-2-يا ل-(2)-يا
م دینی ش رکادت به در	ا Inicial Appoin کے لیے کہ جنوب خاکمتا مارض بنیادوں پر ایک ہاک / کم مک میڈیکل بردگا کر مکم ملح و قرب کا لازی ہے بشر طیکہ دہ معذوری فراکض کی انہو	راد کے دولیمند کو ڈیسٹس ہے جس کیلیے سٹینا اب یہ دولی	م مان میکرونه ک ہے (مطرورانم مرابق سک دور اکل در مرد مرد ا	لموقت الماليطى المالية المركز بالمجارة المرادرون ب لموقت الماليطى المنادريمه الثرابية مدامه بدارك	
فورگيا مانکا (6) زرد	مرتب میذیک برد کا سرعهای فران ازی ب بشرطیدده معذور کی فراکش کی انج TA گنگ دیا جانیکا - (5) مرتب مقرره دفت کے اعد موصول ہو نیوالی درخواستون تاج اس مار دیس مرتب میں اس میں دولت کے اس میں	سیع آئے دار لیا میدداردل کوکول DA	م واحت م ما او م _ (4) اعروم	د مرک می سازی می مرجع از می از مرکز از مرکز از مرکز از مرکز از مرکز از مرکز می مرکز از مرکز می مرکز از مرکز می	H.J.
LUNEWELL	۲۸۸ تک را جائیا - (5) مرف مترر ۱ دقت کے اعدر موصول ہوندانی درخواستون ج نے کی طرف سے بھرتی سے طریقہ کار میں تہدیلی کی کی توسیقین سیٹن اس کے مطابق مح مذہبہ نے بخشان سروت سی تبدید	۔ (7) الراس اشتہار کے بعد حکومت وقد 	جرون مورم اعرد م سوع کردے ارد اس	یا ہے شرون در بیا ہے۔ جر ک کا دخت کی ہے۔ اور دیکر دیں ایج کیشہ کا دہ سالمان ہے میں سا	، میں درم م ایلمستا می
	ے کا سرف سے جمری سے مرایت کا دھر تید کی کی کی توسیعش میں ابن سے مطابق م طومت خیبر پختو تو اسے مقرر کرد دقوا نین دکھا د طریقہ کا دے مطابق مالد تا میر نے کی ارد جولیا کی جائے گی ادرآ سجدہ یہ دیروز سے ساح ارکی طا زمرے کے لیے ڈال تصور کم	میددار مرک کرف <u>۔ (</u> 9) تمام مقرریاں	مام قال ا ماموں بالن نے میں مرکز	الطرسيندرن الجوم الأواسيارها الماجوة الدو الم در المركلية المان المالية الما	13-52 - 14 2 - 14 - 14 - 14
76 10) 34 14 7964					

(6)

D.

A STATING SE STATISTICS

بخونو الا مست : با بیش نی سنگ اورز مسفر نم را بینم را اورز اکم زریکا کم وی که ۲۰ ۲۰ ۲۰ سند می می مسلم می ما بند سیند ری ایج کیس کی کار اسکام (مرد : به از منه) سلون مرت درجه ویل آسامیان به کرت کمیلا خیبر بینونو او که معلقه امتلاع کم محکول المیمون ب تین : روز است قارم (NTS) که ویب سامن (NTS) که دیب سان (NTS) پر متعانه استار محکول می دور ما می داد محکول المیمو ایک -

ورخوا ستون يرغورنيون	المستعم المنطقة المالي والمسيح بسلم والمتارق المروات کے اجد موسول ہوت وال		
· · · · · · · · · · · · · · · · · · ·		ا ا ا ا ا ا	
		منتروني شكول مجرود SS يذهر المالي مي يشفي ملام يوجه	
7 21 1-35	رستی سیستی می دود. می مرون می		
	مود من من اليم است اليم نيشن الماري كمين من مين يجز الحرق ومركبات نيسله او مران يجر الرض جس كه ما تحدون الحربي و ومعما عن الا الى مول به . او مراسبي مو	السفرين عن تنجز الحاج الألي سايع المكي شده ور	
r21 35-ال	- 「「「「「」」、「」「」、「」、「」、「」、「」、「」、「」、「」、「」、「」、		
	ری بینا میم بی ایج کمشن با بیج کمشن می علم دری رسی بین میشند و دیدن چیل د کرن جس که ساخت در بنا د بل د دمضا مین الازنی دون به موج	میندرنی شول بچهر SST (۱) نسیام شداد نید میندرنی شول بچهر SST (۱) نسیام شداد نید	· · · · · · · · · · · · · · · · · · ·
:21 25 35	س بسی مصروفیان محدود کردا جن کے مسام صدرت کی دوست میں الارمی دوں۔ تروپ کی دیکھ مسادق تروپ(2) می سمی تشکیم شدوم بندر کی سے ایم اے اکبر کیدیشن یا		
S. 40, 50		ایج کمشن می تیگروزگری سا آماد کے سلیکشن کرینے یادر خان کا جس بکل 200 نیم اے کہ میں NTA - ON - ON -	مبیل مبیل نون کر بخ یاندا
	ما -9 مارم فاغ مانے دی۔ ==100 نہر مس کی مرید شیم این طرن بوکی ۔	- م. ج ۱۵۵ هم (ب) میں 5 بلین ^ا	المتحر يتقدمين
		المعنى تايليت المين المي ي	
	مامل کرد ونمبر 20x متشیم کی گمر مسل که محمد محمد کا	انیف <i>اے ایک</i> کی ک	
	م ^و من کرده مر 20x متیس در بر ما ^م ن کرده مر 20x متیس می کبر	ن اے این ایم میں امریک ارز میں	
	مامل زدان بر 15x مسير مي نير	الیم اے المیم ایس می بن اند الم کو اے ایک کیش	;
	مان کرد اسم 15 مشیم کی کمبر مامن کرد انبر 15× مشیم کی کمبر	متعصف العام مع معام مع معالية من المعام مع المعام مع المعام المعام المعام المعام المعام المعام المعام المعام ا المرابط المعام المعام المسالم المعام المعا	1995-1995 - 1997 - 1988 1
tencing in a cale of these		الم من المالية في المن المبلية . مهد مر المالية من المراجع المالية في منه ما مدينة من المدينة . معمومة مع مع المراجع من المراجع المدينة المدينة المدينة المدينة المدينة .	A the first second
	35 شیم کی نسر جنگ چنادر نه ایم ب ایج کیشن کی مورانی میں نمبر کی تعلیم محکم بالنظر 35 شیم کی نسر جنگ چنادر نه ایم ب ایج کیشن کی مورانی میں نمبر کی تعلیم جنگر بینه فریل ہوئی	مسور مصالب می این کا میکمان کم رباده می ایمان کرد دنبر x: نرد و نبر 20x متریم می نبر	ا جانچ میں ماہم کا کا مرکز کا کا ان بے ایکو کیشن ماہ سل
		مای کیلئے ملحد ومیر و لر : یہ -) کتا جر م	۱. برمکول کوآ م

۱۰ ایز سلول مکا آسای کیلے میچر دیمینہ میرنہ کسٹ مرتب کی جائی جس شرامیداد ون کے NT,S کے مامل کر دونیم اور تعلی کا بلیت کے غیروں کو بنج کیا جائے گا۔ اگر سے NTS فی درخوامت تاریز 2000 دیے چارٹ کیا بائے کا داکرائی امید اور پالی سکون کے لئے درخوامت و بے کا 100 میل ماہد دور خواہ میں اور اس سے پر

المؤصف مسوالنط ... () تا مبقر من محمت خبر محقوق الحمرجة المن حدط بن بناون قر رك المصاد المصاد المساحد المحق ما لعتا دار بن ابت العدد المودد المت ترك برايك مال كيلي بون لك 2) معذ والمراد كيلي ود فيعمد اوراقيت الميد الرون عرب لتى تعد و فتق ب (3) اتروع عن قت العاقل من المتا دار بعد ابت العيد المودد المت ترك وون شد موى التروع تيك آب والم الميد ودون كالون فا المن عن روايا يراح كار وراحت كارد وسول بوب والتي المن المتا دار بعد يا بويكان كار التربي من بين المراحية عن المراحية وراحت كون فا المن عن ودواست 10 مرو متر والت مراحد وسول بوب و يا بويكان كار مرحل كان الترام معلى بين المرك بند و وقال عرب في كان فا المتا معرف من تعد ومسول بوب فاق وراحت المي من المتا معرف التربي المعرف المتا والمي وراحت كار معن معد والمن وراحت المعرف والتي من التربي معن المتا علي كرف المعرف المعاد معرف المعاد والمعرف المعاد والمعن والمع ما در من كار من تعد في كان وسيلين مكان الت حضات على كرف كان المعرف المعرف المعرف المعاد والمعن والمعاد والمع المركون كرب (2) قرالت معد من التربي معن من المعاد المعاد والمعاد والمعا معاد معان كرف المعاد والمعن والمع والم المرون كارت (2) من قد من كان الت حضات على كرف كان بند و وقال المعاد عارين في معاد في معاد معان ورولست مع من ال المادون كرد في قول وال كان المعرف المعاد على المعاد على المعاد ولي المعاد والمات المعاد والمات المعاد والمات كربي المعاد المعاد ولي معاد من المعاد كان كربي المعاد والمات المعاد والمات المعاد ولي معاد مي المعاد على معاد مي المعاد والمات المعاد ولي معاد في المعاد ولي المعاد ولي معاد مي المعاد على معاد مي معاد مي الماد ولي معاد ولي معاد مي والمات المعاد والمع والمات المعاد والمات المعاد ولي المعاد ولي معاد مي المعاد المعاد ولي معاد مي المعاد والمات المعاد والمات المعاد ولي معاد ولي المعاد ولي معاد ولي معاد ولي المعاد ولي معاد ولي المعاد ولي معاد ولي كان المعاد ولي المعاد ولي معاد ولي المعاد ولي معاد ولي المعاد ولي معاد ولي في في والم ولي في معاد ولي ولي م الماد ولي كرة المعاد ولي معاد المعاد ولي المعاد ولي المعاد ولي معاد ولي مي عماد ولي ولي ولي في ولي ولي ولي في في ولي ولي ولي الماد ولي كرة المعاد ولي معاد المعاد ولي معاد ولي في في م م م م مي ولي في ولي ولي ولي ولي ولي ولي ولي ولي ول

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ا المربيخة نخوا الواللنزين أو يعين مح يستنك آدر فرالسفراً ف ليجرز ليجرد وأأسركتم زادر واكثر زاريكوليغرى ايجنب 1400 م سم يمكن نمبر 4 تحت محكمه الميمنز كما ايتله سيكندار كالبوكيش أيبر يحس ر یا تظام (مرداند/ زناند) سکولول میں درجہ ڈکیل آسامیاں پر کرنے کہلے خیر پختوننی کے متعلقہ احسّار ع کے سکوتی ایل امید دارول کے محوزہ فارم پر 5 جنوری 2014ء تک درخواستین مطلوب اواست فارم NTS، یہ میں سائٹ (http://www.nts.org.pt/) پر ستاہ ہے۔مقرر دیتارج کے لید موضول ہونے والی درخوا سوں برعور زیر کی جائرگا۔

1				ر ةبا <u>ب</u> ت					نا آآسای	تمبرشكر
5521		ن لارې ټول	اتحد درج ذمل دومضا	اند ذورزن بیجار ب ^ع ری جسکے س	د او بیوزیش کے سیک	تم کی تیام شد		•	ينڈري سکول فيچر (SST)	21
ي الي	ي ا	پولیشن میں بیچلر ^{و کر}	ہ! یم اے ایجو کیشن یا! یک	ى بىمى تشليم شرداد يذور فى ست	⁽²⁾ .((دوالورق) پایتن)	شری بیالوجی	(i) <u>کمب</u>	لوبی/ کیسٹریBPS-16	
15:21		ن لا رمی ہوں	تمهدد كربنة ذيل دوم تنباط	فالملاج والمراكر كالتكاس	يو يويد ترابي الم				ىنەرى سكەل 🕵 (SST)	2
	ن میں بیجگر د کر ک	بالجوكيش بالتجويس	مدديوة برجيسا بم ل	یسٹکس ⁽ رس کم ی محمی تسلیم منڈ	165 7(11)LB	了了了!!!!	ال A	· f. ; (1)	<i>بر/ تسر</i> BPS-16	ý
35t2 t		• /	•	ندو يزن يجكر وكرق جسيسا	1 A	41 L			نڈری کول نیچر (SS)	
	المنبي يتجكر وتبريحه كمتا مها	وكوكيش ياا بحركيتن	بينيور تي ست ايم إسما	(2) کس بجری شیلم شاره ب	سبادی گرو <u>ب</u> پ	ينشر كمرورب يا وتكمر	: زېلارى ، د	(i) اِنْكْر ر	مرب میں بیٹ ہے ، <u>محمد میں م</u>	and the second second second

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اما تذہ بے کمکیش کیلیئر کو بیٹر مادرج ذکل ہیں کی 200 نمبرات کی تشیم ای طرح ہے کی جائیں (ارسکریڈنگ نمیٹ مادراعہ NTS = 100 نمبر ۔

11.4				
	کل نیبر	تشيمى فابليت	کل دُون	تعليمن فاجليت
1	جامل کردہ نمبر ×15 تقسیم کل تمبر	بنا أيذُرا يم أينا الجويشن	حاصن کردہ نمبر بادی بی ^{ایس} کم نمبر	اليس اليس بي
	حاصل کرد دنمبر ×05 تقسیم کل نمبر		م جاصل کردہ نیس برجائے کہ میں ترین المریک	الف ايت (النُّ السَّ عَ
. , [.] .		الا بدور مد مناسب الم	ما الم كردة فر المراجع المرجع المرجع الم	and an anticolitic france of
		اسل كردية بسر المقسيم كل نيسر		ائم المرابي المي المي الم
	An a second seco			

۲۰۱۰ - برسکول کو ، نمبراور تعلیمان علیمده علیمده علیمده عمرت کمیا جانبی عنی اسید داردن کی ۱۷۳۶ کے حاصل کرد ، نمبراور تعلیما قابلیت کے نمبروں کو جمع کمیا جائی جا ٢٩٢٠، ٢٤ ٢٩٠ في فالمكامت فادم 300 دوية جارج كريط بتوكدا ليدداد توديرداشت ألرينظ -

امی شران (1) نتام تقرر آیان تکوشت خیبر یختر نوائے مردجہ قوانین کے سال ای ان کر انجازی الجراری (1) نتام تقرر آیان تکویل کے تحت خالد تا حارض بنیادوں پر Adnac ا مریک پرایک سال کیلیے ہوتی (2) ایل امیددا ہول کی موجود کی کی مردور تک کی مردور تا ہی کریک محکم محکم میں دیا جائے (3) ایٹردیو کے وقت اُصل تعلیمی استاد کر حاصل شناختی کا روادد شیت يحدن صرف اصلى شاختي كارولا بالكودى ب (4) مروف يراك فرواست (بالدوس كالمستاد سائة ودار ح ب أتبد إن كراكي جائ كرج لل مساقرا جات الميدواردار كوبرواشت كريا بول المن (5) ر ويوك سليم آت والسليامية داردن كوكوني TAVDA ممين وياجاييًا 🖉 ترزيه وقت بكتَّات موجود أبي وليزامان وخواستون برزيجا جايجًا (7) زير يتطلى لااختيار حاصل ب كيدو كوني وجدية المفاعد ک محک دست کی باجروی بر پرا مزود مسور کرد کے (8) اگر این ایک بی بید کورت داشته کی شرف ب بغری کی طریبہ کار میں تبدیق کی تو مسیس میں اس کے مطابق تم کر دیکی ماہ بذور کی (8) سالليمتر كاليذمسينذر في يجويش كواختيار خاصل وثلا كدوه تمام خال آستان ول يام سيسم برأميد دارمجبرتي كرب (10) تمام تقرريان حكومت خيبر بحقو تخواسك مقرر كرده قواعين ونجوزه لحريقة كارك ابق طالعتاً ميرث كي بنيادي وما كي (11) تمام تعليم أسلاد مرف كودن بين يسليم شد، ادارول كي تؤلى تول به وقى (12) اكركس أميد وإركم اساد جعلى بالمنت عجزات تالوتي جاره لجوتي كي مال) ادراً مند، ² بلخاست مركز رمى ملازمت كيليني ذاا على تصوركيا جاميكا (13) بالكور ايا سعلومات كن مرزت من در نواست فارم خود بخود منسورخ تصوركيا جاميكا جس كيليني كولي اتيل منظورتين كي جائب كي (14) رو یولینے الک شیل ول جاری کما جائی (15) تمام تقریر یالی متعاقد اصلار جی کندو دیساکر کی بنها دیر، وگی ۔ اکم اس خلح میں امید دار من محل جائے اس دار در ستاب بتلا ہوتو قربی خلع کے اسد دار سے میرے کی بنیاد پرتقرر بال ک فکل (16) امیددارکواس کول شن بزدس کرنا موکی جرکه نا تا پل تادلی بورگ (17) ایک امیددار بیک داند تا 6 سکولول میں خالی آ سامیوں کیلیے درخواست و سے سکتا ہے (18) درخواست و پن کا طریقت ر NTS محد است برموجود - (19) متعلند اشلار اسی خال آسا من کاتشیل کود دیا جوار دان خواست خارم کے ماجود NTS کو بب سابت بردی کی تین ادر بر یکول کوا بناکود دیا جمیا ہے۔

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			S.NO: FINAL SENTIOTY L	110	•	-		Dag	he N		AT UPTO 31	/05/2018
÷	1	· · · · · ·		IST OF C	:rs 0/0	THE DISTRICT	EDUCAT	ION	FILER IN	1.5 mile -	Date of	Seniority position
	[·		FINAL SEITRIOTTE		<u> </u>						Date Or t	D/O taking over charge
· · · · · ·	┨╌╌┦			Desi gnati		, v	1.10	Aca	Drofoss	0.1st	appression	as CT or D/O
÷.		Name of		Desi		D/O Birth /₋Domicile	Domic	demi	PIUlessi	Apptit	against	declaration CT Exam
i s.	No	Teacher/Qualification	Father's Name	gnati	PBS	/_Domicile	_ileşş		-ional		Present	declaration of state
<u>\</u>	aw.	academic h		fon		من م					post	Stwhichever is later 5/8/1984
	1	Brotéssional							ст	5/8/1984	5/8/1984	
4	· · · · i ;: ;			SCT	16	4/10/1964		+	CT/B.Ed	5/3/1986	\$/3/1986	5/3/1986
; F	1		Khairullah	SCT	16	4/1/1961			CT/B.Ed	10/11/1982	10/11/1982	1/6/1987
2	2	Astambool i	Muhammad Kamal	SCT	16	3/15/1966			CT/8.Ed	8/1/1982	8/21/1982	<u> </u>
- S	3	Fazal Rabi	Muhammad Junain	SCI	16	3/3/1961			CT	9/17/1987	9/17/1987	
1 F	<u>, </u>	Khan Ali	Umar Bakht	SCT	16	3/4/1962			CT :	11/6/1982	11/6/1982	0/0/1000
*	5	Muhammad Ihsanullah	Swal Faqir	SCT	16	1/1/1960			CT	8/17/1980	1/8/1988	1000
\$	<u>6</u>	Bakht Sherawan 🗄 🥾	Mahmood Khan	SCT	16	2/3/1959	Swat		CT	7/10/1982	7/10/1982	0/16/1089
	7	Muhammad Ali	Said Mahmood	ISCT	16	2/7/1960	5000		CT/B.Ed	1/15/1985	4/26/1989	0/17/1080
- <u>}</u>	0	Toti Bahman	Fazal Rahman Amanuliah Khan	ISCT :	16	3/1/1965	Swat		CT	3/9/1982	9/17/1989	10/1/1000
· i	Q	Mohammad Salim Khan	Muhammad Zarin	SCT :	16	5/11/1962			CT/B.Ed	7/20/1982	10/1/1989	
) I	10	Jamshed Khan	Munammau zarit	SCT .	16	5/4/1963	Swat		CT	11/13/1984	10/1/1989	1
	11	Rahmat Ali i	Abdul Ghafar	ISCT ,	16	1/1/1961			CT	1/9/1982	11/15/1983	
	12	Fazal Rarim	Fazal Ahad	-sci -	16	10/1/1964		MA	ст <u></u>	3/1/1988	£3/1/1988	
	13	Azizullah	Tota Hakim Khan Mian	ISCT .	16	1/1/1962		MA	СТ	6/1/1988	6/1/1988	215/11000
· • • • •	14	Shah Rom Khan	Abdul Hamid	SCT :	16	1/4/1961	Swat		CT	2/6/1990	2/6/1990	- In In 000
. 1	15	Sadiq Ahmad		SCT :	16	3/1/1963		MA	СТ	2/8/1990		
2	16	Muhammad Rafiq	Badish Hazrat Ahmad	, SCT a	16	2/3/1964			CT/B.ed	4/18/1983	4/18/198.	1
i -	17	Fida Hussain	Hazrac Annoo	SCT +	16	1/1/1959		MA	СТ	12/8/1990	12/8/1990	
ìF	18	Hedayatullah 3rd Divisio	Ghulam Nabi	SCT 1	16	3/12/1968	Swat	BA		12/9/1990	12/9/1990	1
	19	Rashid Ali	Pir Dad	SCT	16	4/9/1965		MA	CT	12/11/1990	12/11/1990	1
	20	Zahid Khan	Zirat Gul	SCT	16	2/8/1963			CT/B.Ed	12/11/1990	12/11/1990	
? F	21	Hazrat Bilal	Fazal Khaliq	SCT 1	16	4/4/1969		MA	CT	5/6/1986	1/1/199	
	22	Aziz Ahmad	Gul Mahmood	SCT	16	12/12/1964	Swat	MA	CT	5/4/1986	4/5/198	
· -	23	Fazal Wahab	Umar Zada	SCT	16	1/1/1966		BA	Cr	11/5/1980		7/14/100
÷Γ	24	Muhammad Majid	Sultan Mehmood	SCT .	16	1/1/1964		BA	ति	11/24/1980	11/24/198	
i	25	Rahman Deyar 1	Khisat Gul	I SCT	16	8/1/1962			lei	4/2/198	7 74/10/199	1
	26	Haroon - Ur - Rashid	Alam Zeh Khan	(SCT L		4/1/196		-+	<u></u>	11/24/1984	11/24/198	
4 F	27	Muhammad Alam	Abdur Rashad	(SCT)	16	12/9/1961		BA	cī –	3/11/198	3/11/198	
1	28	Adalat-Khan	Ghulam Muhammad	SCT \$	16	5/15/1964			CT	5/6/198	5/5/5/198	6
1	29	Akhter Ali	Mashoog Ali	SCT :		3/20/1959			CT	5/17/198	7 5/17/198	12/200
1	20	Imran Ali	Bakht Zad	SCT #		1/10/196			CT	3/1/198	8 3/1/198	
ŧ.	31.	Muhammad Rahman	Afsar Khan	SCI	16	2/2/196	1 Swat		CT	6/1/198	8 3 6/1/198	10 10/10/0
ŤΓ	32	Sharafat Ali Khan	Muhammad Zareen	SCT :		4/2/190	3 Swat	BA	CT/B.Ed	9/22/198	7 [{12/20/190	5 2/4/100
1	33	Amir Zeb	Tota Mian	SCI		5/15/196		- BA	CT	8/14/199	7 * 8/14/195	
1 · [34	Amir Muhammad		SCI :		3/2/196		MA	CT/B.Ed	9/2/198	6 7 1/9/199	
: [35	Akhtar Hussain 3rd Divi	Nabibur Babrozo	- SCT	16	3/10/196			CT/8.Ed	077/199	2 9/2/195	
÷Γ	36	Muhammad Ziaud Din	Shah Bome	, SCT	16	4/8/196	2 5 5 4			- 4/23/198	8 4/23/198	
2	₆ 37	Sultan Rome	Malak Sherin	, scr	16	1/1/196	2 Swat		CT/B.Ed	4/17/198	8 4/1//190	
; ·[. 38	Umar Hussain	Ghulam	SCT	16		3 Swat		CT/B.Ed	11/1/198	6 4/21/19	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
1 E	39	Muhammad Nabi	Hograt lée	SCT			4 Swat		CT/8 Ed		0 1/20/19	<u></u>
12 E	40	Jamshid Khan	Bacha	SCT :	16	//3/190		· · · · · · · · · · · · · · · · · · ·			1 2	
¥. [· 41	Bakhtyar 3rd Divi		i ;	•		· · · ·		· · ·			

3.548. T.	···· • • • • • • • • • • • • • • • • •	FINAL SENRIOTY							100 A 100		
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S.No	Teacher/Qualification	Father's Name	gnati	PBS	1.Domicile	ile.ii		ional	Apptt 🚑	Present	declaration CT Exa
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يك أحدي	professional		5200	1.1.1	Shedder .		100	President and	5/8/1993	5/8/1993	; 8/5/1
		Hazrat Ali	SCT	16	5/12/1965	3		CT/B.Ed	9/24/1989		
	Ashraf Ali	Umara Khan	SCT	16	1/7/1964	3	<u> MA ;</u>	СТ	10/2/1989	10/2/1989	3 12/25/1
	Shah Bakht Rawan	Faramoz Khan	SCT	16	1/2/1965	31.01	BA		3/10/1989		12/25/1
	Muhammad Hamayun	Sarwar Gul	SCT	16	5/1/1962		MA	CT/B.ed	3/10/1989	11/29/1989	la seconda de la companya de la comp
110	Amir Bahadar 😨	Fazal Rahman	SCT ··	16	2/24/1967		BA .	CT ·	11/29/1989	11/20/1989	1 12/25/1
	Bakht Sherwan :	Muamber Khan	SCT	16	1/16/1967		BA :	त	12/4/1989	12/4/1989	
	Bakht Muhammad	Jumma Gul Khan	SCT	16	5/1/1965	3	BA :	СТ	12/12/1989	12/12/1989	1 12/25/1
	Noor Rahman	Amir Rahman	SCT	16	2/1/1963		BA	<u>a</u>	12/12/1909	12/12/1989	
	Mehboob Ali	Qalandar	SCT	16	9/11/1965		BA	CT/B.ed	12/14/1989	12/17/1989	
	Muhammad Sadiq	Dawray	scr	16	6/5/1963		MA		10/3/1989	1/4/1990	1
	Magsood Ahmad	Said Karam	SCT	16	12/3/1966		BA ·	CT .	6/10/1989		
52	Shuja Mulk	Sadbar Khan	SCT	16	1/20/1960	Swat	MA	CT/B.Ed	6/10/1990	11/10/1994	
53	Alamgir	Hasham Khan	SCT	16	3/1/1969	Swat	MA	CT/B.Ed	9/26/1988	11/10/1994	· · · · · · · · · · · · · · · · · · ·
	Anwarullah	Fazal Wahab	SCT	15	4/15/1969	2	MA_	CT/B.ed	11/10/1994	11/11/1994	
. 55	Fazal Hameed	Mian Said Buhar	SCT	16	3/3/1966	Swat	MA	CT	9/8/1980	11/12/1994	the second s
	Nadar,Khan	Amir Rawan	SCT ·	16	5/1/1965	Swat	MA	CT/B.Ed	6/14/198/	12/12/1989	
	Bad Shah Ikhan	Gul Zaman	SCT	16	1/1/1964	Swat	BA	CT	12/12/1989	11/15/1994	
	Sher Bahadar Khan	Muhammad Rashid	SCT	16	2/2/1964	Swat	MA	CT/B.Ed	11/10/1994	11/15/1994	
	Aziz Ahmad	Badshah Zada	SCT	16	5/12/1967	Swat	MA	CT/B.Ed	11/15/1994	11/15/1994	
	Afzal Shah	Ghulam Qadir	SCT	16	3/20/1969	Swat	MA '	CT/8.Ed	11/15/1994	11/16/1994	
	Bakht Alam	Sherin Jalal	SCT	16	2/1/1965	Swat	MA	CT/B.Ed	12/1/1986	11/10/1994	1
02	Muhammad Rahman		SCT	16	2/11/1968	Swat	MA	CT/M.Ed	8/1/1987	11/16/1994	
00	Sher Ali Khan	Sadar Muhammad Alam Gul	SCT	16	7/20/1969	Swat	MA	CTB.Ed	11/16/1994	11/16/1994	
64	Ziaullah Khan	Habibullah Khan	SCT	16	4/2/1964	Swat	MA	CT/B.Ed	9/28/1988	11/18/1984	
65	Muhammad Munir	Rahmani Gul	SCT	16	1/20/1965		MA	CT/B.ed	11/21/1984	11/21/1994	
66	Gul Pervize		SCT	16	6/5/1964	Swat	B.Sc	СТ		11/24/1994	
	AbdulsQadoos	Ghulam Khaliq	SCT	16	3/26/1963	Swat	M.Sc	CT/M.Ed	11/27/1986	12/20/1994	
00	Sarir Ud Din	Fazal Wahid	ISCT	16	12/2/1960	Swat	MA	CT/B.Ed	4/2/1987	12/21/1994	
	Muhd Zahir Shah	Azizur Rahman	SCT	16	2/27/1961	Swat	MA	СТ	6/7/1987	12/21/1994	
70	Muhammad Ghafar	Khan Bahadar	SCT	16	9/12/1961	Śwat	MA	CT/M.Ed		12/21/1994	the second s
	Amanullah Khan	Sakhi Rawan Taj Muhammad Khan	SCT	16	9/9/1958		MA	CT/M.Ed		12/21/1994	A
	Sher Azim Khan		SCT	16	2/2/1969		MA	CT/M,Ed		12/22/1994	
	Fatehur Rahman	Fazal Rahman	SCT	16	1/1/1965	Swat	MA .	त	9/29/1988	1/10/1988	
	Rafiq Ahmad	Hermooz Khan	SCT	16	4/15/1965		8A	CT/B.Ed	12/25/1994	12/25/1994	
75		Abdul Jabbar	ISCT	16	1/1/1968		MA	<u>ст</u> .	9/4/1986	12/27/1994	
76	in on the line is a second	Muhammad Karam	SCT	16	1/1/1960		MA		12/27/1994	12/2//1994	the second se
77	Alam Zeb	Bughdaday	SCT	16	2/16/1964		MA	CT/M.Ed		1/1/1995	· · · · · · · · · · · · · · · · · · ·
78	Azizullah	Haji Muhammad		4	4/10/:1966		MA :	CT/B.Ed		12/5/1989	
. 79	Amjad Ali	Faqir Khan	ISCT	16	2/15/1965		MA.	CT/B.Ed	5/3/1986		
80	Samiullah	Roohul Amin	SCT	16	3/8/1958		BA	CT/B.Ed	4/1/1987		
81	Dost Muhammad Khan	Taj Muhammad Khan	SCT	16	5/1/1967			cr 1	10/1/1989	10/1/1989	1/9/1

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۸ ن ن			FINAL SENRIQTY L	IST OF	cts 0/0	THE DISTRIC	T EDUCA	TION (DFFICER (M	1) DISTRICT SV		Seniority position	
			FINAL SERIO		Henry S.	ally the second	<u>,</u>	بينين بينية		D/O 1st	apptt	D/O taking over-charge	v=
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	S:No	Teacher/Qualification	Father's Name	gnati		Domicile	i. jie	تربعتهم والم			Present	declaration CT-Exam:	
	New	academic/		on	PBS					4	T post z	whichever is later	
	وريد مورد	- professional			1				CT/B.Ed	10/2/1989	10/2/1989	1/9/1995	
	111111		Khan Sherin	SCT	, 16	5/1/1961	3	MA_	CT/B.Ed	11/28/1989	11/28/1989	1/9/1995	
3	83		Shahzada	डत	: 16	2/2/1965	Swat	MA	CT/B.Ed	12/10/1989	12/10/1989	1/9/1995	
、 E	84	Nenamina zami anen	Siahoosh Khan	SCT	. 16	6/5/1963		MA	CT/B:Ed	1/13/1990	1/13/1990	1/9/1995	
N		Bakhtmand	Musharaf Khan	SCT	16	6/5/1963		BA MA	CT/B.Ed	1/19/1990	1/19/1990	1/9/1995	
7) [IV UKaratti Khati	Bahroz Khan	SCT	16	5/25/1962	1	BA	CT ;	1/19/1990	1/23/1990	1/9/1995	
~		Afzal Hussain	Sher Alam Khan	SCT	16	1/1/1969		BA	CT :	2/15/1990	2/15/1990	1/9/1995	
ļ		Zahoor Hayat	Syed Rashad	SCT	16	3/15/1963		BA	CT	3/1/1990	<u>3/1/1990</u>	1/9/1995	
[Farzand Ali	Bakht Biland Khan	SCT	16'	2/18/1963	Swat	MA	CT	4/1/1990	4/1/1990	1/9/1995	
		Amir Zeb Khan	Amir Fageer	SCT	16	3/10/1963	Swat	MA	СТ	4/14/1990	4/14/1990	1/9/1995	
	<u> </u>	Fatal Rahman	Mubin	SCT	- 16	2/5/1964		MA	CT/B.Ed	4/21/1990	4/21/1990	1/9/1995	
		Gul Muhammad Shah	Amir Hamza	SCT.	16	6/1/1963	Swat_	MA	CT/B.Ed	5/13/1990	5/13/1990	1/9/1995	
			Shah Dilbar Mian	SCT	16	3/17/1969	Swat	MA	CT/8.ed	\$/13/1990	5/13/1990		
· -]		Al Bash Khan	Qaisar Khan	SCT	16	1/1/1963		MA	CT/B.Ed	\$/13/1990	5/13/1990	1/9/1995	
ļ		Akbar Ali	Khalilur Rahman	SCT	16	7/1/1964		MA	CT	8/20/1990	8/20/1990	1/9/1995	
		Alamgir i	Ahmad	SCT	16	12/1/1959		MA	CT/B.Ed	10/10/1988	11/20/1990	1/9/1995	
		Faral Azim	Muhammad Karim	SCT	16	3/15/1970		BA	CT/B.Ed	5/24/1992	5/24/1992	1/9/1995	
		Karim Ullah	Amir Hatam	SCT	16	6/17/1959		MA	CT	9/1/1989	12/1/1994	1/9/1995	Q
	00	Ibdahim	Muhammad	SCT	16	4/3/1966		MA	CT B.Ed	6/11/1987	1/16/1995	1/16/1995	X
ļ		Ruhul Amin Muhammad Fahim Khan		SCT	16	3/7/1963	Swat	MA	CT M.Ed	\$725/1992	1/16/1995	1/16/1995	3
No7		Muhammad Dawood Kha	Amanullah Khan	SCT	16	4/26/1967	Swat	BA	CT	3/6/1990	1/18/1995		я,
is Nº of	102 "		Sani Gul	SCT	16	4/21/1959	Swat	MA	CT/B.Ed	1/19/1995	1/19/1995		
1 Mary		Miraj Gul	Umara Jan	SCT	16	5/1/1962		MA	СТ	2/20/1990	2/1/1995		
Handt	104	Jehan Sher	Abdul Qadir Khan	SCT	16	1/12/1967		MA	Ст	2/21/1995		2/22/1995	
ns I		Hanif Khan	Amir Bashar	SCT	16	3/3/1969		MA	- <u>ст</u>	2/2/1995	4/10/1995		
1	106	Abdul Wahab i	Taj Khan	SCT		5/5/1964	Swat	MA	CT/M.Ed			4/10/1995	
		Sajawal Khan	Alam Zeb Khan	SCT	16	5/4/1970	Swat	BA	CT/B.Ed			4/17/1995	
		Anwar Zeb	Ghulam Nabi	SCT	16	1/1/1967	<u>Swat</u>	MA	CT/M.Ed		4/17/1995		100
· .		Kishwar	Mirajud Din	SCT	16	5/1/1970		BA	СТ	10/17/1988	5/15/1995		7
	_	Mizajud Din	Shah Zada	SCT	16	1/30/1966		MA	CT	8/8/1984	8/1/1995		
v		Bakht Biland	Khyber	SCT	16	11/8/1962	Swat	MA	CT/B.Ed	5/14/1992	8/1/1995		
1		INUNATING DOON	Muhammad Ghaloor	SCT	16	1/10/1960	Swat	MA	CT/B.Ed	2/29/1984	8/7/,1995	8/7/1995	
4	113	Khaista Mand	Amir Nawab I	SCT	16	4/5/1964	Swat	BA	CT/B.Ed	8/22/1995	8/22/1995		
1	114	Muhammad Qadim	Akbar Khan	SCT	16	1/1/196			-	9/27/198	8/24/1995	8/24/1995	
÷	115		Naik.Muhammad	SCT	16	3/15/196		MA	<u></u>	5/14/198	9/1/1995	9/1/1995	
÷	116	310111 111	Fazal Rahman	ISCT	16	4/1/196			СТ	4/3/1995	9/15/1995	9/15/1995	
	117	Ali Rahman i	Muhammad Mian	SCT	16	3/20/196	Swat	MA MA	CT/B.Ed	3/17/1984	9/23/1995	9/23/1995	
	118	Sayed Javid Iqbal	Muhammad Zaman	SÇT	16	1/15/196	2 Swat		CT/B.Ed	9/24/1995		1/24/1996	
\$	119	Mufti		SCT	16	10/1/1970	Swat	MA		5/1/1990	5/1/1996	5/1/1996	
÷		Muhammad Afzal Khan	Ahmad Khan	SCT	16	4/16/197	5 Swat	MA	CT/M.Ec		9/16/1992	5/5/1996	•
· i		Muhammad Nisar	Muhammad Perviz	SCT	16	4/13/196	9 Swat		CT/M.EC			5/5/1996	
		Muhammad Iftikhar.	Muhammad Yousaf	SCT	16	4/15/197		<u>IMA</u>					
,	123	Fazal Hadi	Internation de la contraction		1		•	. • .			, A		:

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	<u>, 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 </u>				
			Certified or two years	(b) sixty percent by	
a Grand or Specchark	an dan din di	le la		-promotion.on.the-basis-of	2 hJad (4 * 1 4 5 h) 7 m/s
			Education from a	seniority-cum-fitness	
	• •		recognized University	from amongst the	-
	l		or eighteen months	Primary School Head	•
			Diploma in Education.	Teachers with at least	
				five years service and having qualification	
and the second secon	والمراجع المراجع	n an an agus san anns airteann an an an an	t de fan de wetenste weten weten in de skriver en weten de skriver weten de skriver in de skriver. N	prescribed for initial	titises in allow
				recruitment of Certified	X X
			· · ·	Teacher (General).	
				Provide that if no	
			•	suitable candidate" is	
				available amongst the	
				Primary School Head	e i i
				Teachers for transfer,	
	· (4			then the posts will be	
	έ.	- FO VE - CORENAN , FRICH HAMPING & C	記録:1931日夏(1943)第41日日 (1945年) - 1944年)3月2日(「「「「「「「」」」) 1987年1931日夏(1997年)2月1日日 (1997年))1日日 (1997年)1日日(1997年)1日日(1997年)1日日(1997年)1日日 (1997年)1日日 (1997年)1日日 (1997年)1日日 (1	filed by promotion on the	电动振动器 金月 电子 电子环接入
				basis of seniority-cum-	
			• •	fitness from amongst	
×.				senior primary school teachers with at least five	
κ.				years service and having	
ا چانچه بهطر جن چه	· 1 · · · · · ·	· · · · · · · · · · · · · · · · · · ·	and the second	qualification prescribed	; ;
				for initial recruitment of	
				certified teacher	
				(General).	
				Note: In case of non	1 .
	. '	· · ·		availability of suitable	· · ·
		· · ·		person for promotion	
				then by initial	
	14.	Certified	(i) Bacholor's Dograd	recruitment.	-
a telepene en <u>zone</u> n zue.	L T. G. America I	Teacher	(i) Bachelor's Degree from a recognized	(a) Forty percent by initial recruitment; and	· · · · · · · · · · · · · · · · · · ·
		(Industrial	University with two	(b) sixty percent by	
		Arts) (BPS-	,	promotion on the basis of	
		15)	relevant technical	seniority-cum-fitness	
	`.		subjects from any	from amongst the	
			Government industrial		•
a an ang ang ang ang ang ang ang ang ang	s in sec. e	n an tha she a against a she T	or Govt: Technical	teachers with at least five	
	•		vocational Institute or		
	the state of the s	area going	Centre; or	qualification prescribed	
H B	The second s	i mark **	(b) Bechlor's Degree	for initial recruitment of	
	Ŀ₽	· · · · · · · · · · · · · · · · · · ·	from a recognized	certified teacher	;
	M		· · ·	· · · ·	٤
	• •				

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		(56) \ 0
	DPY OF PAGE-	By initial recruitment
A REAL PROPERTY AND A REAL	her Secondary School	
i the second s	"(BPS" Certificate from a	
	recognized Board with	
the same light and an	Shahdatul Alamia Fil	en anna leag gàire anns anns anns anns anns an anns anns
	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	
, in encompany of a state of <u>an day day day in</u> 11. T	eology (i) Second Class	steventy five
The second se	acher Secondary Schoo	percent by initial
	T) (BPS- Certificate from a	a recruitment; and
) recognized Board wit	h (b) twenty five percent
	Shahdatul Alamia F	il by promotion on the
	Uloomul Arabia wa	al basis of seniority-cum-
	Islamia from or Dari	ul fitness from amongst if the senior Qaris with
	Uloom Saidu Shar	m at least five years
	Darosh Chitra	al, service and having
	Government run Dar	ul qualification
	Uloom, as notified t	by prescribed for initial
	the Government fro	m recruitment of
	time to time: or	Theology Teacher;
	(ii) Second Cla	ass Note: In case of non
in the internet of the states and the states and	Master's Degree Arabia from	in availability of suitable
	Arabia from	a person for promotion
ا برد به المان بي أو عرب المان اليكا ير بالمان بين المان المان ا	recognized University.	then by initial recruitment.
	Senior Oari	By promotion on the
12.		basis of seniority-
	(BPS-15)	cum-fitness from
		amongst Qaris with
	·	at least five years
	5	service as such and
		having qualification
		as prescribed for
$[\psi_{i}] = [\psi_$		initial recruitment.
13.	Certified Bechlor's Degree	or (a) Forty percent by
	Teacher equivalent qualifica	initial recruitment; and
	(General) from a recogn	
na tana ina ama mining na nanya na tana tan <u>a kanga</u> a		na be here an analogical the first the menopole of the second of the second of the second of the second of the
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				(iv) one percent from amongst the
, i				Instructional Material Specialists, with
				at least five years service as such and
				having qualification mentioned in
		. 3	÷	column No. 3, and
			:	(v) one percent from amongst the
- 10 3 M	n golarin i za mana na kato na kato zako zako zako zako zako zako zako zak	er hærere ettersterdet i færeterster statert erer store	96, 1 40 , 17, 17, 17, 17, 17, 17, 17, 17, 17, 17	Arabic Teachers with at least five
	t is the is fi			years service as such and having
				qualification mentioned in Column
en de la Restancia				No. 3, and
			,i	(b) fifty percent by initial recruitment.
	2.	Seniority	÷	By promotion on the basis of
		Arabic		seniority-cum-fitness from amongst
		Teacher		Arabic Teachers with at least five
		(SAT)		years service as such and having
- <u>-</u>	n feet in a single feet	(BPS-16)	, santa ya kuyata ne 1	qualification as prescribed for initial
	ξ			recruitment of Arabic Teacher.
	3.	Senior		By promotion on the basis of
		Theology	· .	seniority-cum-fitness from amongst
		Teacher		Theology Teachers with at least five
1999 1999 - 1999 1999 - 1999		(STT)		years service as such and having
	t en la superior de la gaza	(BPS-16,)	a ar inne	qualification .as prescribed for initial
				recruitment of Theology Teacher.
	4. Senior			By promotion on the basis of
	Certified	•	. i	seniority-cum-fitness from amongst
	Teacher			Certified Teachers with at least five
	(SCT)	:		years service as such and having
·	(General)	·		qualification as prescribed for initial
1	(BPS-16)			recruitment of Certified Teacher
		· .		(General).

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	S NO *	Nomenclature	APPENDIX	S THE FACTOR DRIVERS	and a state of the second s
	5.NO,		Minimum	Age	Method of
	· .	of the post	qualification and	limit	recruitment.
i. 			experience for		
	· · · ·		initial appointment		
			or by transfer		
	1.	2	3.	4.	5.
	1. /	Secondary 🔪	(i) Second class		(a) Fifty percent
		School	Bechelor's Degree	35	by promotion
		Teacher	with two subjects	Years.	on the basis of
$\cap F$	1 3	(BPS-16) /	as Chemistry,	· cu.s.	seniority-cum-
>			Botany, Zoology,		fitness in the
	10.815	tof	Physics,	, ,	
	1. etC	north	Mathematics,		following
nod			, ,		manners.
que	V.		Statistics	_	(i) forty percent
5 75	a antonin a de	المحالية الم	Humanities and		from amongst
1	يرين من	Madrie - Proper attractive Mediates (10), 100,000	other equivalent		the contified
		· ·	groups from a		Teachers
	· · ·		recognized		(General).
		,	University: or		Certified
	• •		л.		Teachers
			(ii) M.A in		(Industrial Arts)
			Education or		and Certified
			Bachelor's Degree	_	Teachers
			in Education from		(Home
			a recognized		Economics) with
			university.		at least five
	· · ·	· · ·			
··· · ·	· ·	· · · · ·			years service as
	1				such and having
					qualification
		1			mentioned in
na titala in la mala	a same manada	n Borna an Islanda Aspikeura a cuintí ruints ran cu	an independent of the second state of the second state of the second state of the second state of the second st	e. 2718, 14, 11, 12	column No. 3.
** ***********************************	a an a said	e fandel e er fer an farilige en bere en an an an an an an	مر الرابي المعالية، ومراجب الرابية معادهات المعارفة المعادية (d •	∱(ii)~four percent~
					from amongst
		· · · · · · · · · · · · · · · · · · ·	light all	ented	the Drawing
		No guota	Ness deer an		Masters with at
		10 - 15 21	has been alle		least five years
		For PS13	Gaare -		service as such
	i /		H		and having
			· · ·		qualification
					mentioned in
		<i>د</i>	And I - Class all - S success		column No. 3.
			(h	·.	
•. • •			I H		(iii) four percent
			U U		from amongst
	-				the Physical
· · ·	5		4		Éducation
				1	Teachers with
	1	1			



GOVERNMENT OF THE KHYBER PAKHTUNKHWA EMENTARY AND SECONDARY EDUCATION DEPARTMENT

NOTIFICATION

Peshawar, dated the November 13,2012.

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

Endst. No. & Date as at Copy lonvarded los

- 1. The Secretary to Govi. of Khyber Pakhlunkhwa, Establishment Department. 2. The Secretary is Govi. of Khyber Pakhlunkhwa, Finance Department.
- 3. The Secretary to Govt. of Khyber Pakhlunkhwa, Law Department.
- The Secretary Kryber Pakhtunkhwa, Public Service Commission Peshawar.
- The Accountant General, Khyber Pakhlunkhwa Peshawar, The Director (E3SE) Khyber Pakhlunkhwa Peshawar
- The Director Education (FATA), Peshavyar,
- 8. Copy to Maigari Usiazan KPK

ATTESTED

SECRETARY TO GOVERNMENT OF THE KHYBER PAKHTUNKHWA

AND SECONDARY EDUCATION DEPARTMENT.

0. The Director Curriculum & Teachers Education Appollabad.

0. The Director (PITE) Khyber Pakhlunkhwa Peshawar

0. The Director ESRU, Elementary & Secondary Education Khyber Pakhlunkhwa, Peshawar/

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

12. All District Coordination Officers in Knyber Pakhturkhwa.

12. All District Officers Elementary & Seccadary Education in Khyber Pakhtup Swa.

13. All District Accounts Officers in Khyber Pakhtunkhwa /Agency Accounts Officers FATA.

15. All Agency Education Officers FATA

16. P.S to Governor, Khyber Pakhlunkhiva. 17. P.S to Chief Minister, Khyber Pakhlunkhiva.

18. P.S to Chiel Secretary, Khyber Pakhlunkhwa

19. PS to Minister ECSE Khyber Pakhlunkhwa Peshawar:

20. PS to Secretary E&SE Department.

21. Master File.

ATTESTED

Section Officer (Primary)

Annesci.

(66) SHAWAR HIGH COURT, PESHAWARC OUR

Summer of

COC No. 105-P/2018 in WP 201 0 JUDGMENT.

JUDGMENT SHEET

(JUDICIAL DEPARTMENT)

Date of hearing: 08,11,2018

Mulumond whatek Petitioner (s): Nipar ()mmail 20: 117.1 Voor. Respondent (s): Aubammad Ship Ab

WAQAR AHMAD SETH, CJ:- Through this

single judgment, we propose to dispose of instant contempt petition as well as connected COC No. 107-P/2018 in WP No. 1662/2010, COC No. 108-P/2018 in WP No. 2967/2009 & COC No. 109-P/2018 in WP No. 3189/2009 because in all the petitions, the petitioners have sought initiation of contempt of court proceedings against the respondents for not implementing the judgment/order dated 26.01.2015 Facts in brief are that the petitioners had filed Writ Petitions before this Court and mayed that the Act No. XVI 2009, namely, 'The North West Province Employees : (Regularization of Services) Act, /2009 dated 24th October, 2009 deing illegal junlawful, 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

> TED Pranawar High Sourt 0 NOV 2018

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

in the following terms:-

(ii)

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

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

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

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

Arguments heard and record perused.

5.

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

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service tribunal.

me instant Service Appeal is barred by law.

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

7 .

Chief Justice

Judge

CERTIFIED TO BE TRUE COPY

Bashawar Hon Court. Pebhawar Authuribed Under Artigie U.f. Of The Ganun-s-Shahadal Order 198 3.0 NOV 2018 **1**0 Date of Presentation of Application No of Pagestin 蟖 Copying Fee-Ţ 2.4 H Capya naration 1. harris for CODI •y c.**!** Ϊ. Receives Some

usiant Service Appeal is barred by law.