



20.04.2017

Counsel for the appellant present. Mr. Hameed-ur-Rehman, AD (litigation) alongwith Mr. Muhammad Adeel Butt, Additional AG for the respondents also present. During the course of arguments it was stated that policy stood incorporated in the recruitment rules notified by the Provincial Government. Learned Additional AG is directed to produce the relevant rules and assist the Tribunal on the next date of hearing. To come up for relevant rules and arguments on 21.06.2017 before D.B.



(Ahmad Hassan)
Member


(Muhammad Amin Khan Kundi)
Member

21.06.2017

Appellant in person present. Mr. Kabir Ullah Khattak, Assistant AG for the respondents present. Appellant requested for adjournment. Adjourned. To come up for arguments on 27.09.2017 before D.B.


(Gul Zeh Khan)
Member


(Muhammad Amin Khan Kundi)
Member

27.09.2017

Counsel for the appellant and Addl. A.G alongwith Hameedur Rahman, AD for the respondents present. Arguments heard and record perused.

As per our detailed judgment of today in connected service appeal No. 178/2016, entitled "Khamsul Haq Vs. Government of Khyber Pakhtunkhwa through Chief Secretary, Peshawar and others", this appeal is also accepted. Parties are left to bear their own costs. File be consigned to the record room.



Member


Chairman

ANNOUNCED
27.09.2017

22.08.2016

Agent to counsel for the appellant, M/S Khurshid Khan, SO & Hamced-ur-Rehman, AD (lit.) alongwith Additional AG for respondents present. Joint para-wise comments on behalf of respondents No. 1 to 4, 6 & 7 submitted. The learned Additional AG requested for adjournment on behalf of respondent No. 5. To come up for written reply/comments on behalf of respondent No. 5 on 26.09.2016 before S.B.


Member

26.09.2016

Appellant in person and Mr. Masroof Gul, Supdt. for respondent No. 5 alongwith Addl. AG for respondents present. Respondents No. 1 to 4, 6 and 7 already submitted written reply. Respondent No. 5 relies on the written reply by respondents No. 1 to 4, 6 and 7. The appeal is assigned to D.B for rejoinder and final hearing on 9.01.2017.


Chairman

09.01.2017

Counsel for the appellant and Assistant AG for respondents present. Rejoinder submitted which is placed on file. To come up for arguments on 20.04.2017.


(AHMAD/HASSAN)
MEMBER


(MUHAMMAD AAMIR NAZIR)
MEMBER

22.03.2016

Counsel for the present. Learned counsel for the appellant argued that on the strength of advertisement dated 7.4.2011 appellant applied for the post of Principal/Vice Principal (BPS-18) and that after due process adopted by the Public Service Commission, appellant appointed vide Notification dated 25.8.2015 wherein condition No.6 regarding the terms and conditions of service of the appellant was added debarring the appellant from transfer/posting to another position and thereby affecting his privileges attached to the terms and conditions of service of the appellant. That against the said clause appellant preferred departmental appeal, however, the grievances of the appellant were not redressed constraining him to prefer the instant service appeal.

Appellant Deposited
Security & Process Fee

That the said impugned clause (condition No. 6) is discriminatory and violative of the terms and conditions of service of civil servant and that an illegal constraint has been imposed against the appellant debarring him from availing the privileges attached with the terms and conditions of service of the appellant.

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 12.5.2016 before S.B.


Chairman

12.05.2016



None present for appellant. M/S Khurshid Khan, SO and Hameed-ur-Rehman, AD (lit.) alongwith Addl. AG for respondents present. Representative informed that written reply is under process and requested for adjournment. Request is accepted. Adjourned for written reply/comments to 22.08.2016 before S.B.


Member

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 190/2016


S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	02.03.2016	<p>The appeal of Mr. Muhammad Irfan resubmitted today Mr. Zahanatullah Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR</p> <p>This case is entrusted to S. Bench for preliminary hearing to be put up thereon <u>22.3.16</u>.</p> <p> CHAIRMAN</p>
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The Joint appeal M/S Shahzada , Sher Muhammad, Ghulam Zahir, Khamsul Haq, Faisal Khan, Alamzeb, Jamil-ur-Rehman, Muhammad Siraj, Ishaq Ali Shah, Taj Wali, Irfanullah, Sann ul Haq, Sher Yazdan, Sarfaraz Nathanie, Muhammad Irfan, Ghulam Raziq, Sardar Muhammad, Waqar Khan, Amir Zeb, Muhammad and Muhammad Ihsan Shah received to-day i.e. on 25.02.2016 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Addresses of respondent Nos. 3, 7 and 8 of the appeal are incomplete which may be completed according to the Khyber Pakhtunkhwa Service Tribunal rules 1974.
- 2- The authority whose order is challenged has not been impleaded as necessary party.
- 3- Heading of the appeal is incomplete which may be completed.
- 4- Sub-rule-2 of rules-3 of the appeal rules 1986 requires that every affected civil servant prefer the appeal separately/ individually. Therefore the appeal of the above named appellant be filed separately/individually.
- 5- Annexures of the appeal may be attested.
- 6- Memorandum of appeal may be got signed by the appellants.
- 7- Three copies/sets of the appeal along with annexures i.e. complete in all respect for Tribunal and one for each respondent in each appeal may also be submitted.

No. 314 /S.T.

Dt. 26/2 /2016.


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Zahanatullah Adv. Pesh.

A.W.P. Division
Corridor
City, No. 171
02-3-16

BEFORE THE KHYBER PAKHTUNKHWA, SERVICES TRIBUNAL,
PESHAWAR

Appeal No. 190 /2016

Muhammad Irfan

Versus

Govt of KPK etc

INDEX

S.NO	DESCRIPTION	ANNEXURE	PAGES
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6.	Copy of order dated ____/____/2016	D	
7.	Copy of notification No. SO(SIM) E&SED/3- 2/2007/Principal/V.P BPS (18)	E	15-17
8.	Wakalat Nama		18

Dated: 26/02/2016

Appellant 

Through


ZAHANAT ULLAH,

Advocate, High Court Peshawar

①

BEFORE THE KHYBER PAKHTUNKHWA, SERVICES TRIBUNAL, PESHAWAR

Appeal No. 190 /2016

Muhammad Irfan Son of Faqir Gul residnet of 159 Durrani House C/O Charsadda Medicos Street No.6, Taj Abad Town, P.O. Peshawar University.

... APPELLANT

VERSUS

1. Govt of Khyber Pakhtunkhwa, through Chief Secretary.
2. Secretary Elementary & Secondary Education, Peshawar.
3. Director E&SE Khyber Pakhtunkhwa, Peshawar.
4. District Education officers (male). *Peshawar*
5. Director Recruitment Khyber Pakhtunkhwa, Public Service Commission.
6. Deputy Director Establishment Directorate of Elementary & Secondary Education Peshawar.
7. Director Elementary & secondary Education, Peshawar.

... RESPONDENTS

APPEAL UNDER SECTION 4 OF THE ~~CIVIL~~ SERVICES TRIBUNAL ACT 1974 AGAINST THE IMPUGNED ORDER / NOTIFICATION NO. SO(S/M)/E8 SED/3-2/2014 /RECRUITMENT OF PRINCIPAL (18) MALE DATED 25/08/2015, WHEREBY AN ILLEGAL CLAUSE / CONDITION I.E. "THEIR RECRUITMENT SHALL BE SCHOOL BASED AND SHALL NOT BE TRANSFERABLE TO ANY OTHER SCHOOL" WAS INSERTED IN THE SAID NOTIFICATION

Prayer in appeal:

On acceptance of this appeal respondents may kindly be directed to withdraw / delete, declare null & void (being illegal and against the law), condition no.6 included in the appointment order notification No. SO(S/M)/E8 SED/3-2/2014 /Recruitment of Principal (18) Male dated 25/08/2015 of the appellant as the said condition never reflected as a term and condition in the advertisement dated 07/04/2011 for the recruitment of the said post

Re-submitted to-dup
and filed.
2/3/15

Registrar

Respectfully Sheweth,

The appellant respectfully submit as under:

1. That the appellant was serving in regular capacity in education department.
2. That the public service commission Khyber Pakhtunkhwa advertised / announced 67 vacancies of Principals / Vice Principals BPS 18 in elementary & secondary education vide its advertisement No.2/2011 in Newspaper on its website. (Copy of advertisement is attached as annexure A).
3. That the appellant being eligible candidate applied for the said post through proper channel and after due process he was selected for the same post.
4. That according to the recommendation of public services Commission Khyber Pakhtunkhwa the appellant was appointed vide order dated 25/08/2015. (Copy of the appointment order is attached as annexure B).
5. That in the said appointment order 25/08/2015 an illegal and illogical condition no. 6 was included, the same is reproduced as “their recruitment shall be school based as shall not be transferable to any other school”.
6. That being aggrieved of the above mentioned condition no.6 in his appointment order the appellant filed a departmental appeal on dated 10 /09/2015. (Copy of departmental appeal attached as annexure C).

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7. That inspite of lapse of sufficient time, the result of the departmental appeal of the appellant is still awaited, hence the present appeal: -

GROUNDS OF APPEAL:

- A. That the said condition no.6 was not mentioned in the advertisement dated 07/04/2011.
- B. That the above referred condition no.6 is against the Civil servant Act 1973.
- C. That the said condition is against the Civil servants (Appointment, promotion and transfer) Rules 1989.
- D. That the said condition is even against the norms of natural Justice and in violation of the fundamental right of the appellant guaranteed by 1973 constitution.
- E. That similar nature of appointments were made by respondents vide its Notification No. SO(SIM) E&SED/3-2/2007/Principal/V.P BPS (18) wherein no such condition was included, so the conduct of the respondent is discriminatory in nature towards appellant, to the extent of condition no.6. (Copy of notification No. SO(SIM) E&SED/3-2/2007/Principal/V.P BPS (18) is attached as annexure **D**).

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F. That any other point of law and facts will be argued at the time of arguments with the prior permission of this Honourable tribunal.

It is, therefore, most humbly prayed that on acceptance of this appeal respondent may kindly be directed to withdraw / delete, declare null & void (being illegal and against the law) condition no.6 included in the appointment order notification No. SO(S/M)/E8 SED/3-2/2014 /Recruitment of Principal (18) Male dated 25/08/2015 of the appellant as the said condition never reflected as a term and condition in the advertisement dated 07/04/2011 for the recruitment of the said post.

Dated: 26/02/2016


Appellant

Through


ZAHANAT ULLAH,

Advocate, High Court Peshawar

CERTIFICATE:

Certified that no such like appeal has earlier been filed before this Honourable court.



DEPONENT

5

BEFORE THE KHYBER PAKHTUNKHWA, SERVICES TRIBUNAL,
PESHAWAR

Appeal No. _____/2016

Muhammad Irfan

Versus

Govt of KPK etc

AFFIDAVIT

I, Muhammad Irfan Son of Faqir Gul residnet of 159 Durrani House C/O Charsadda Medicos Street No.6, Taj Abad Town, P.O. Peshawar University, do hereby solemnly affirm and declare that the contents of the instant appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Tribunal.



Deponent

~~SECRET~~ (6)
A

KHYBER PAKHTUNKHWA PUBLIC SERVICE COMMISSION

2- Fort Road Peshawa Cantt:

Website: www.nurpost.gov.pk

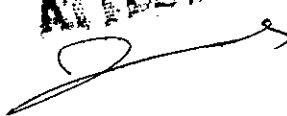
Tele: Nos. 991-9214131, 9213533, 9213756, 9212897

Dated: 07.04.2011

ADVERTISEMENT No. 02 / 2011.

Applications, on prescribed form, are invited for the following posts from Pakistani citizens having domicile of Khyber Pakhtunkhwa / FATA by 07.05.2011 (candidates applying from abroad by 21.05.2011). Incomplete applications and applications without supporting documents required to prove the claim of the candidates shall be rejected without intimation to the candidates.

AGRICULTURE, LIVESTOCK & CO-OPERATIVE DEPTT:	
1.	FIVE (05) POSTS OF FEMALE LIVESTOCK PRODUCTION OFFICER (HEALTH) IN L&DD DEPTT: QUALIFICATION: (i) B.Sc (Hons) Animal Husbandry from a recognized University; OR (ii) Doctor of Veterinary Medicine (DVM) or equivalent qualification in veterinary sciences from a recognized university and registered with Pakistan Veterinary Medical Council. AGE LIMIT: 22 to 35 years. PAY SCALE: BPS-17 ELIGIBILITY: Female. ALLOCATION: Two to Zone-1 and One each to Zone-2 and 5.
2.	THREE (03) POSTS OF SOIL CONSERVATION ASSISTANT QUALIFICATION: (a) M.Sc Agriculture (Soil Science) from a recognized University; OR (b) B.Sc (Hons) Agriculture with Soil Science as major subject obtained after four years of academic instructions after F.Sc from a recognized university; OR (c) B.sc Agriculture Engineering from a recognized university. AGE LIMIT: 21 to 35 years. PAY SCALE: BPS-17 ELIGIBILITY: Both Sexes. ALLOCATION: One each to Merit, Zone-1 and 5.
3.	ONE (01) POST OF BIO-CHEMIST QUALIFICATION: Doctor of Veterinary Medicine (DVM) or equivalent qualification in veterinary sciences with M.Sc in Biochemistry or M.Sc (Hons) in Animal Husbandry recognized by Pakistan Veterinary Medical Council. AGE LIMIT: 25 to 32 years. PAY SCALE: BPS-17 ELIGIBILITY: Both Sexes. ALLOCATION: Merit.
C & W DEPARTMENT	
4.	THIRTEEN (13) POSTS OF JUNIOR SCALE STENOGRAPHER. QUALIFICATION: (i) Intermediate or equivalent qualification from recognized a Board. (ii) A speed of 60 words per minute in Shorthand in English and 35 words per minute in

ATTESTED




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5. ONE (01) POST OF DATA ENTRY OPERATOR.

QUALIFICATION: (i) 2ND Division FA/ F.Sc with one year Diploma in Computer Science from a recognized Institute. (ii) Speed of Ten Thousand Key Depression per hour for punching data entry verification.

AGE LIMIT: 18 to 30 years. **PAY SCALE:** BPS-11 **ELIGIBILITY:** Both Sexes
ALLOCATION: Zone-1.

ELEMENTARY AND SECONDARY EDUCATION DEPTT.

6. SIXTY SEVEN (67) POSTS OF PRINCIPAL/ VICE PRINCIPAL

QUALIFICATION: Master Degree with M.Ed/ M.A. (Education) or equivalent qualification from a recognized university with nine years teaching/ administrative experience in recognized Secondary School/ Higher Secondary School.

Note: - The teaching experience will be counted after acquiring Master Degree in one of the general subjects or M.Ed.

AGE LIMIT: 25 to 40 years. **PAY SCALE:** BPS-18 **ELIGIBILITY:** Male
ALLOCATION: Merit

7. TWENTY FIVE (25) POSTS OF HEADMASTER

QUALIFICATION: Master Degree with B.Ed/ M.Ed/ M.A. (Education) or equivalent qualification from a recognized university and five years teaching experience in High/ Middle School owned or recognized by the Government.

Note: - The teaching experience will be counted after acquiring Master Degree in one of the general subjects or M.Ed.

AGE LIMIT: 25 to 40 years. **PAY SCALE:** BPS-17 **ELIGIBILITY:** Male
ALLOCATION: Six to Merit, Four each to Zone-1, 2, 3 and 5 and three to Zone-4.

ENVIRONMENT DEPARTMENT

8. FIVE (05) POSTS OF SUB DIVISIONAL FOREST OFFICER IN FOREST DEPTT:

QUALIFICATION: Master Degree in Forestry from a recognized university/ institution or Second Class Bachelor Degree in Forestry from a recognized university/ institute or Second Class Bachelor's Degree in Agriculture or other Science subjects from a recognized university/ institute.

AGE LIMIT: 21 to 32 years. **PAY SCALE:** BPS-17 **ELIGIBILITY:** Male
ALLOCATION: One each to Merit, Zone-1, 2, 3 and 4.

9. FOUR (04) POSTS OF ASSISTANT DIRECTOR FISHERIES (INCLUDING ONE LEFT OVER POST OF NONE-5).

QUALIFICATION: Master Degree in Fisheries or M.Sc Zoology preferably with specialization in Fisheries/ Fresh Water Biology from a recognized university.

AGE LIMIT: 21 to 35 years. **PAY SCALE:** BPS-17 **ELIGIBILITY:** Male
ALLOCATION: One each to Zone-2, 3, 4 and 5.

10. ONE (01) POST OF ASSISTANT RESEARCH OFFICER/ EXTENSION FIELD OFFICER IN FISHERIES

QUALIFICATION: M.Sc Zoology/ Fisheries preferably with specialization in Fisheries

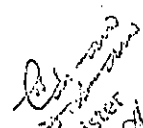
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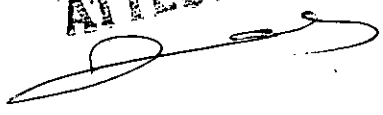
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- (i) Age shall be reckoned on 07.05.2011. Maximum age limit as prescribed in the recruitment rules shall be relaxed upto 10 years for Govt Servants who have completed 2 years continuous service and upto 3 years for candidates belonging to backward areas specified in the appendix attached to the NWFP Initial Appointment to Civil Posts (Relaxation of Upper Age Limit) Rules, 2008. However, a candidate shall be allowed relaxation in age in one of the above categories provided that the candidates from backward areas, in addition to automatic relaxation of three years shall be entitled to one of the relaxations available to Govt Servants, general or disabled candidates, whichever is relevant and applicable to them.
- (ii) Degrees / Diploma / Experience Certificates / Testimonials of unrecognized institution are not accepted. Only original Degrees / Certificates are accepted. However, the candidates can apply on provisional certificate signed by the Controller of Examination of the respective institution but candidates shall produce original degrees / certificates before their selection. Detail Marks Certificates for all the examinations shall necessarily be required and these should be attached with the application forms.
- (iii) Ex-armed Forces Personnel must send copy of Discharge Certificate with their applications. Govt. / Semi Govt. / Autonomous / Semi Autonomous Bodies employees may apply direct but their Departmental Permission Certificates should reach within 30 days of the closing date.
- (iv) Applications should be on the prescribed application form obtainable from the listed below branches of the NATIONAL BANK OF PAKISTAN. Application Fee is Rs.285/- (Rupees Two Hundred Eighty Five only) for all the candidates. In addition to the application fee, the candidates will have to pay Rs. 5/- (rupees fifteen only) on account of Bank Charges. Separate application form will be required for each advertised category of posts. Application forms obtained other than the specified branches of the National Bank will be considered invalid and such applications will not be entertained. The applications on plain paper or Photostat shall not be accepted. Incomplete and late applications shall also be ignored.
- (v) Applications must be submitted within time as no extra time is allowed for postal transit. The applications if submitted on the last date for receipt of applications must reach the Commission's office by the closing hours.
- (vi) Applicants married to Foreigners are considered only on production of the Govt. Relaxation Orders.
- (vii) No applicant shall be considered in absentia on paper qualifications unless, he/she possesses exceptionally higher qualifications than the minimum prescribed qualification for a particular post(s).
- (viii) Govt. reserves the right not to fill any or fill more or less than the advertised post(s).
- (ix) Candidates who have already availed three chances by physical appearance before the Commission and have failed for the post(s) having one and the same qualifications and scale of pay shall be ineligible.
- (x) Experience wherever prescribed shall be counted after the minimum qualifications for the post(s), if not specifically provided otherwise against the advertised post(s).
- (xi) In case the number of applications of candidates is disproportionately higher than the number of posts, short listing will be made in any one of the following manner: -
 - (a) Written Test in the Subject.
 - (b) General Knowledge or Psychological General Ability Test.
 - (c) Academic and/or Professional record as the Commission may decide.


 Dr. Akhbar Khan
 Advocate
 District High Court

ATTESTED





GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

Dated Peshawar the August 25, 2015

NOTIFICATION

NO.SO(S/M)E&SED/3-2/2014/Recruitment of Principal (BS-18) (Male):- Consequent upon recommendations of Khyber Pakhtunkhwa Public Service Commission Peshawar, the Competent Authority is pleased to appoint the following fifty five (55) candidates of Teaching Cadre as Principals (BS-18) Male (Rs.25940-1950-64940) plus usual allowances as admissible under the rules on regular basis under the existing policy of the Provincial Government with immediate effect on the terms and conditions as given below:-

Sr. #	Name, Father Name and Address	Domicile/ Zone
1	Mr. Alam Zeb, S/O Jehan Zeb, Yousaf Zai Medical Store Hospital Road Timergara Tehsil Timergara Dir Lower.	Dir/ 03
2	Mr. Anis-ur-Rehman, S/O Toti Rehman, Moh: Ambar Cham District P.O and Tehsil Dir Upper.	Dir/ 03
3	Mr. Arif Ullah Khan S/O Ghulam Jan, Village and P.O Shahbaz Khel Tehsil & District Lakki Marwat.	Lakki Marwat/ 04
4	Mr. Aurang Zaib S/O Jahan Zen, House No.94 Sector No.4 Mohallah Darband Kalabat Town Ship Tehsil & District Haripur.	Haripur/ 05
5	Mr. Faisal Khan S/O Missal Khan, C/O Star Hardware and Paint Store, Main Bazar Havelian Tehsil Havelian Distt: Abbottabad.	Abbottabad/ 05
6	Mr. Ghulam Raziq S/O Fazli Raziq Village Zakhi Miana P.O Akbar Pura Tehsil & District Nowshera.	Nowshera/ 02
7	Mr. Ghulam Zahir S/O Ghulam Farooq Village & P.O Bishgram Tehsil Lal Qilla District Dir Lower.	Dir/ 03
8	Hafiz Shams-ur-Rehman S/O Ahmed Ali, C/O Moulvi Ahmad Ali General Store Hospital Road P.O Sarai Naurang Lakki Marwat.	Lakki Marwat/ 04
9	Mr. Hayat Ullah S/O Shams-ul-Qamar, Mohallah Painsa Khel P.O Charsadda Town Teh & District Charsadda.	Charsadda/ 02
10	Mr. Hikmatullah S/O Ali Muhammad C/O Yousaf Medicose Hospital road Sarai Naurang P.O Sarai Naurang Tehsil Sarai Naurang Distt: Lakki Marwat.	Lakki Marwat/04
11	Mr. Imtiaz Ali S/O Allah Dad Regional Institute of Teachers Education (Male) Haripur.	Haripur/ 05
12	Mr. Inayat-ul-Haq S/O Lutfullah, C/O Doctor Ihsan-ul-Haq Al-Noor Medical Complex near Allaho-akbar Mosque Saidu Sharif Swat.	Shangla/03
13	Mr. Irfanullah S/O Amin Ullah House # 850, Sadiq Abad Gul Dara Chowk P.O Namak Mandi Kakshal Peshawar.	Dir/ 03
14	Mr. Ishaq Ali Shah S/O Muhib Ali Shah Village and P.O Urmar Payan Tehsil & District Peshawar.	Peshawar/ 02
15	Mr. Jamil-ur-Rehman S/O Said Akbar Khan Village & P.O Pabaini Tehsil & District Swabi.	Swabi/ 02
16	Mr. Jihad Muhammad S/O Shamsul Muhammad Mohallah Zakarya Khail village & P.O Kaddi Tehsil & Distt: Swabi.	Swabi/ 02
17	Mr. Kamal-ud-Din S/O Khesrow C/O Qamarudin Chatrali Mohd Dad Near Masjid Babus Salam Dabgari Peshawar.	Chitral/ 03
18	Mr. Khams-ul-Haq S/O Mian Habib Jan, Village Panam Dheri P.O Mathra Tehsil & Distt: Peshawar.	Peshawar/ 02
19	Mr. Khan Afsar S/O Mir Afzal, Tanawal Book Depott: Cantt: Bazar Abbottabad.	Abbottabad/ 05
20	Mr. Khurshid Alam S/O Qamar Zaman, Village & P.O Dheri Allahdand Moh: Azikhel Tehsil Bathkela District Malakand.	Malakand/ 03
21	Mr. Khurshid Khan S/O Mian Jan, Govt. Higher Secondary School Takht Bhai. District Mardan.	Mardan/ 02
22	Mr. Majeed Ullah S/O Gul Mulla, Village and P.O Hathan Teh Takht Bhai District Mardan. C/O Rahimullah Shoopkeeper Hathan.	Dir/ 03

ATTESTED

Sr. #	Name, Father Name and Address	Domicile/ Zone
23	Mr. Mohabat Shah S/O Arifullah Jan C/O Tajak Book Depott Main Bazar Timergara Dir Lower.	Dir/ 03
24	Mr. Muhammad Ibrahim S/O Daud Khan, Mohallah, Walayat Khail Via Shahbaz village & P.O Tordher Tehsil Lahor District Swabi.	Swabi/ 02
25	Mr. Muhammad Ihsan Shah S/O Syed Daulat Shah, C/O Janbad Shah Chemist and Druggist Jamrud Bazar Khyber Agency.	Khy: Agy/ 01
26	Mr. Muhammad Irfan, S/O Paqir Gul 159 Durani House C/O Charsadda Medicose Street No.06 Tnjabad Town P.O Peshawar University.	Peshawar/ 02
27	Mr. Muhammad Javid Khan S/O Hukmat Khan, Village & P.O Shabqadar Azim Khan Qilla Tehsil Shabqadar District Charsadda.	Charsadda/ 02
28	Mr. Muhammad Saddique S/O Alim Shah, C/O Lub Gas Agency Tehsil Road Karak.	Karak/ 04
29	Mr. Muhammad Siraj S/O Muhammad Ashraf, House #5261/E Moh: Kandar Kohat Road Bhana Mari Peshawar.	Peshawar/ 02
30	Mr. Mumir Khan S/O Zarif Khan, Rehman General Store Aziz Market Dargai Bazar Malakand.	Malakand/ 03
31	Mr. Nizar Ali S/O Sardar Ali GHSS Tarnab Charsadda.	Charsadda/ 02
32	Mr. Riaz-ud-Din S/O Mohay-ud-Din, Village Gosam Tehsil Monda District Dir Lower.	Bajaur Agy/ 01
33	Mr. Safeer Ullah Khan S/O Ruck-nu-Din Village Lass Garhi Bosti Khel Dara Adam Khel F.R Kohat.	F.R Koha/ 01
34	Mr. Sajid Elahi S/O Imam Din, C/O Waheed Cloth House, Sohrab Market Balakot, District Mansehra.	Mansehra/ 05
35	Mr. Sajjad Ahmad S/O Muhammad Ayub Govt. Centenial Model School (GHS No.3) Mansehra.	UDA Mansehra/ 03
36	Mr. Sana-ul-Haq S/O Shams-ul-Haq Village & P.O Srikh Marozai Tehsil Shabqadar District Charsadda	Charsadda/ 02
37	Mr. Saqib Tanveer S/O Sakhi Muhammad Tanveer, 10 Civil Lines Jail Road D.I.Khan.	D.I.Khan/04
38	Mr. Sardar Muhammad S/O Mirza Khan Village & P.O Azakhel Payan Tehsil & Distt: Nowshera.	Nowshera/ 02
39	Sayed Zufigar Ali S/O Sayed Ali Bahadur Shah Village & P.O Nawagai Tehsil Mandarn District Buner.	Buner/ 03
40	Mr. Shafqat Hussain S/O Muhammad Ashraf, C/O Irshad Shopkeer Near Makki Masjid Link Road Abbottabad.	Abbottabad/ 05
41	Mr. Shah Zada S/O Haider Khan, Village & P.O Dehri Alladand Moh: Miras Khel Malakand.	Malakand/ 03
42	Mr. Sher Mohammad S/O Shamsor Rehman Vill: & P.O Chakesar Tehsil Chakesar District Shangla.	Shangla/ 03
43	Mr. Sher Yazdan S/O Abdul Dayan, Village Kurvi P.O Taru Jaba Tehsil & Distt: Nowshera.	Nowshera/ 02
44	Mr. Taj Wali S/O Maq Bali, Village Sufaid Sung Moh: Wand Khel P.O Shahgai Bazar Tehsil & District Peshawar.	Peshawar/ 02
45	Mr. Taqweem-ul-Haq S/O Abdur Raziq House # F-46 Right Bank Colony Torbela Dam Tehsil Toppi District Swabi.	Swabi/ 02
46	Mr. Waqar Khan S/O Sifat Ullah, Village and P.O Masho Khel Kandi Fateh Khan Khel Kandi Tehsil and District Peshawar.	Peshawar/ 02
47	Mr. Zahoor Khan S/O Abdul Qayyum Khan Village Garhi Mali Khel P.O Badaber Teh&District Peshawar.	Peshawar/ 02
48	Mr. Amir Zeb S/O Mustafa Kamal, Govt. High School Rustam P.O Rustam District Mardan.	Mardan/ 02
49	Mr. Assim Saeed S/O Muhammad Saeed, Basti Ustrana North Near Boys Primary School Dera Ismail Khan.	D.I.Khan/ 04
50	Mr. Kifayatullah S/O Rafiullah Kahn Village & P.O Mayar Moh: Amukhel Tehsil & District Mardan.	Mardan/ 02
51	Mr. Munhamir Khan S/O Gul Rehman Village & P.O Gandaf Mohallah Shabi Khel Tehsil Topi District Swabi.	UDA Swabi/ 03
52	Mr. Saif-ur-Rehman S/O Sultan Khan Headmaster GHS Mandew Bannu.	Lakki Marwat/ 04
53	Mr. Sarfaraz Nathaniel S/O B-Nathaniel Alizabeth Girls School and College Dabgari Gardan Peshawar.	Peshawar/ 02
54	Mr. Shakil Ahmad S/O Mehtab Khan Govt. High School No.2, Becket Gunj Mardan.	Mardan/ 02

ATTESTED

10

S.#	Name, Father's Names and Addresses	Domicile/ Zone	Posted as	Remarks
17.	Mr. Kamal Ud Din S/O Khesrow C/O Qamar Ud din Chitral Mohallad Dad Near Masjid Babus Salam Dabgari Peshawar	Chitral/03	Vice Principal B-18 GCMHS Chitral	Vice Serial No.57
18.	Mr. Khams Ul Haq S/O Miah Habib Jan Village Panam Dheri PO Mathra Tehsil and District Peshawar	Peshawar /02	Principal B-18 GHS Rustam Khan Killy Zaim Charsadda	Vice Serial No.64
19.	Mr. Khan Afsar S/O Mir Afzal Tanwal Book Depott Cant Bazar Abbottabad	A.A/05	Principal BS-18 GHS Kutwal Abbottabad	Against Vacant Post
20.	Mr. Khurshid Alam S/O Qamar Zaman Village and PO Dheri Allah Dhand Mohallah Azikhel Tehsil Batkhela District Malakand	Malakand/ 03	Instructor B-18 RITE(M) Thana Malakand	--do--
21.	Mr. Khurshid Khan S/O Mian Jan GHSS Takht Bhai District Mardan	Mardan/02	Principal GHS Takhbhai Mardan	Vice Serial No.59
22.	Mr. Majeed Ullah S/O Gul Mulla Village and PO Hathian Tehsil Takht Bhai District Mardan C/O Rahim Ullah Shopkeeper Hathian	Dir/03	Vice Principal B-18 GHS Kot Malakand	Against Vacant Post
23.	Mr. Mohabat Shah S/O Arif Ullah Jan C/O Tajik Book Depott Main Bazar Timergara Dir Lower	Dir /03	Vice Principal B-18 GHSS Munda Dir Lower	--do--
24.	Muhammad Ibrahim S/O Daud Khan Mohallah Walayat Khel Via Shahbaz Village and PO Tordher Tehsil Lahor District Swabi	Swabi/02	Vice Principal B-18 GHS Tordher No.1 Swabi	--do--
25.	Muhammad Ihsan Shah S/O Syed Daulat Shah C/O Janbad Shah Chemist and Druggist Jamrud Bazar Khyber Agency	Khyber Agency/01	Service placed at the disposal of Director of Education (FATA)	FATA
26.	Muhammad Irfan S/O Faqir Gul 159 Durani House C/O Charsadda Medicose Street No.6 Tajabad Town PO Peshawar University	Peshawar/02	Vice Principal BS-18 GHSS Sherpao Charsada	Vice Sr. No. 62
27.	Muhammad Javed Khan S/O Hukmat Khan Village and PO Shabqadar Azim Khan Qilla Tehsil shabqadar District Charsadda	Charsadda/02	Principal B-18 GHS Zarbab Garhi Charsadda	Vice Serial No.58
28.	Muhammad Saddique S/O Halim Shah C/O Lub Gas Agency Tehsil Road Karak	Karak/04	Principal B-18 GHSS Mandori Kohat.	Vice Serial No.66
29.	Muhammad Siraj S/O Muhammad Ashraf House No.5261/E Mohallah Kander Kohat Road Bhana Mari Peshawar	Peshawar/02	Vice Principal B-18 GHSS Urmar Payan Peshawar	Against Vacant Post
30.	Mr. Munir Khan S/O Zarif Khan, Rehman General Store Aziz Market Dargai Bazar Malakand	Malakand/03	Principal B-18 GHS Ghari Usmani Khel Malakand	Vice Sr. 61
31.	Mr. Riaz Ud Din S/O Mohay Ud Din , Village Gosam Tehsil Munda District Dir Lower	Bajour Agency /01	Services placed at the disposal of Director of Education	FATA
32.	Mr. Safir Ullah Khan S/O Ruck nud Din , Village Las Garhi Bosti Khel Dara Adam Khel FR Kohat	FR Peshawar/01	Services placed at the disposal of Director of Education	FATA
33.	Mr. Sajad Elahi S/O Imam Din , C/O Waheed Cloth House Sohrab Market Balakot District Mansehra	Mansehra /05	Vice Principal B-18 GHSS Jareed Mansehra	Against Vacant Post
34.	Mr. Sajad Ahmad S/O Muhammad Ayub , GCMHS No.3 Mansehra	Mansehra/05	V/Principal B-18 GHSS No.1 Mansehra	--do--
35.	Mr. Sana Ul Haq S/O Shams Ul Haq, Village and PO Sriki Marozai Tehsil Shabqadar District Charsadda	Charsadda/02	Instructor B-18 RITE (M) Mardan	--do--
36.	Mr. Saqib Tanvir S/O Shakhi Muhammad Tanvir, 10 Civil Lines Jaji Road D.I.Khan	D.I.Khan/04	Instructor B-18 RITE (M) D.I.Khan	--do--

ATTESTED



(10-A)

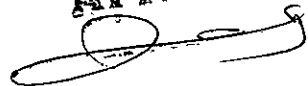
(10-A)

Sr. #	Name, Father Name and Address	Domicile/ Zone
55	Mr. Shamsul Hadi S/O Mufassir Khan C/O Gulab Stationary Mart Near MCB Bank Battagram, District Battagram.	Battagram/ 03
56	Mr. Tariq Jamal S/O Said Jamal, House No.440 Street No.10 Sector "R" Sheikh Maltoon Town Mardan.	Mardan/ 02.

2. Consequent upon their appointment as Principal BS-18, they are posted on positions and stations as noted against each:

S.#	Name, Father's Name and Addresses	Domicile/ Zone	Posted as	Remarks
1.	Mr. Alamzeb S/O Jehanzeb, Yousaf Medical Store Hopital Road Timergara Tehsil Timergara Dir Lower	Dir /03	Vice Principal B-18 GHSS Khan Pur Dir Lower	Against Vacant Post
2.	Mr. Anis Ur Rehman S/O Toti Rehman, Mohallah Ambar Cham District PO and Tehsil Dir Upper	Dir /03	Principal B-18 GHSS Kulandi Dir Upper	--do--
3.	Mr. Arif Ullah Khan S/O Ghulam Jan, Village and PO Shahbaz Khel Tehsil and District Lakki Marwat	Lakki Marwat/04	Principal B-18 GHS Ranwal Tank	--do--
4.	Mr. Aurangzeb S/O Jehanzeb, House No.94 Sector No.4 Mohallah Darband Kalabat Town Ship Tehsil and District Haripur	Haripur/ 05	Principal B-18 GHS Sector No.3 KT Ship Haripur	Vice Serial No.56
5.	Mr. Faisal Khan S/O Misal Khan, C/O Star Hardware and Paint Store Main Bazar Havelian Tehsil Havelian District Abbottabad	A.A/05	Principal B-18 GHS Namal Abbottabad	Against Vacant Post
6.	Mr. Ghulam Raziq S/O Fazli Raziq, Village Sakhi Maina PO Akbar Pura Tehsil and District Nowshera	NSR/02	Vice Principal B-18 GHSS Rashaki Nowshera	--do--
7.	Mr. Ghulam Zahir S/O Ghulam Farooq Village and PO Bishgram Tehsil Lal Qilla District Dir Lower	Dir /03	Vice Principal B-18 GHSS Wari Dir Upper	--do--
8.	Mr. Hafiz Shamsur Rehman S/O Ahmad Alf C/O Molvi Ahmad Ali General Store Hopital Road PO Sarai Naurang Lakki Marwat	Lakki Marwat/04	Principal B-18 GHS Gara Baloch Tank	--do--
9.	Mr. Hayatullah S/O Shams Ul Qamar Mohallah Painsda Khel PO Charsadda Town Tehsil and District Charsadda	Chd/02	Principal B-18 GCMHS Turangzai Charsadda	--do--
10.	Mr. Hikmatullah S/O Ali Muhammad C/O Yousaf Medicose Hospital Road Sarai Naurang PO Sarai Naurang Tehsil Sarai Naurang District Lakki Marwat	Lakki Marwat/04	Principal B-18 GHS Harama Tala Lakki Marwat	--do--
11.	Mr. Imtiaz Ali S/O Allah Dad RITE (M) Haripur	Haripur /05	Principal B-18 GHSS Kahal Haripur	--do--
12.	Mr. Inayat Ul Haq S/O Lutfullah C/O Dr. Ihsanul Haq Al-Noor Medical Complex near Allaho Akbar Mosque Saidu Sharif Swat	Shangla /03	Vice Principal B-18 GHS Sandovi Shangla	--do--
13.	Mr. Irfan Ullah S/O Amin Ullah House No.850 Sadiq Abad Gul dara Chowk PO Nimak Mandi Kakshal Peshawar	Dir /03	Vice Principal BS-18 GHSS Pir Pai Nowshera.	Vice Sr. No. 69
14.	Mr. Ishaq Ali Shah S/O Mohib Ali Shah Village and PO Urmur Payan Tehsil and District Peshawar	Peshawar /02	Principal B-18 GHS Bagatoo Hangu	--do--
15.	Mr. Jamil Ur Rehman S/O Said Akbar Khan Village and PO Pabini Tehsil and District Swabi	Swabi/02	Principal B-18 GHSS Kalu Khan Swabi	--do--
16.	Mr. Jehad Muhammad S/O Shams Ul Muhammad Mohallah Zakria Khel Village and PO Kaddi Tehsil and District Swabi	Swabi/02	Vice Principal B-18 GHS Swabi	--do--

ATTESTED

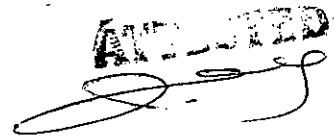


11

S.#	Name, Father's Name and Addresses	Domicile/ Zone	Posted as	Remarks
37.	Mr. Sardar Muhammad S/O Mirza Khan, Village and PO Aza Khel Payan Tehsil and District Nowshera	Nowshera/02	Vice Principal B-18 GHS Lahore Swabi	Against Vacant Post
38.	Syed Zulfiqar Ali S/O Syed Ali Bahader Shah, Village and PO Nawagai Tehsil Mandran District Buner	Buner/03	Vice Principal B-18 GHSS Nawagai Buner	--do--
39.	Mr. Shafiq Hussain S/O Muhammad Ashraf, C/O Irshad Shopkeeper near Makki Masjid Link Road Abbottabad	Abbottabad/05	Principal B-18 GHS Namli Mera Abbottabad	--do--
40.	Mr. Shahzada S/O Haider Khan, Village and PO Dheri Allahdhand Mohallah Mirash Khel Malakand	Malakand/03	Instructor B-18 RITE (M) Thana Malakand	--do--
41.	Mr. Sher Muhammad S/O Shams Ur Rehman, Village and PO Chakesar Tehsil Chakesar District Shangla	Shangla /03	Principal B-18 GHS Qambar Swat	--do--
42.	Mr. Sher Yazdan S/O Abdul Dayan, Village Kurvi PO Taru Jabba Tehsil and District Nowshera	Nowshera/02	Principal B-18 GHS Dagi Banda Nowshera	--do--
43.	Mr. Taj Wali S/O Maqbali, Village Sufaid Sang Mohallah Wadan Khel PO Shagai Bazar Tehsil and District Peshawar	Peshawar/02	Instructor B-18 RITE (M) Haripur	--do--
44.	Mr. Taqweem Ul Haq S/O Abdul Raziq, House No.F-46 Right Bank Colony Turbela Dam Tehsil Topi District Swabi	Swabi/02	Principal B-18 GHS Jhanda Swabi	--do--
45.	Mr. Waqar Khan S/O Sifat Ullah, Village and PO Mashokhel Kandi Fateh Khan Khel Tehsil and District Peshawar	Peshawar/02	Instructor B-18 RITE (M) Kohat	--do--
46.	Mr. Zahoor Khan S/O Abdul Qayum Khan, Village Garhi Mali Khel PO Badher Tehsil and District Peshawar	Peshawar /02	Principal B-18 GHS Sowarian Mardan	Vice Sr. No. 63
47.	Mr. Amir Zeb S/O Mustafa Kamal, GHS Rustam PO Rustam District Mardan	Mardan /02	Vice Principal B-18 GHSS Khair Abad Mardan	Against Vacant Post
48.	Mr. Asim Saeed S/O Muhammad Saeed, Basti Ustarana North near boys Primary School D.I.Khan	D.I.Khan/04	Principal B-18 GHS Himmat D.I.Khan	--do--
49.	Mr. Kifayat Ullah S/O Rafi Ullah Khan, Village and PO Mayar Mohallah Amukhel Tehsil and District Mardan	Mardan/02	Vice Principal B-18 GHSS Shah Baz Ghari Mardan	--do--
50.	Mr. Munhamir Khan S/O Gul Rehman, Village and PO Gandaf Mohallah Shabi Khel Tehsil Topi District Swabi	Swabi/02	Vice Principal B-18 GHSS Kabgani Swabi	--do--
51.	Mr. Saif Ur Rehman S/O Sultan Khan, HM GHS Mandew Bannu	Lakki Marwat/04	Principal B-18 GHSS Amandi Umar Khan Bannu	--do--
52.	Mr. Sarfaraz Nathaniel S/O B-Nathaniel, Alizbeth Girls School and College Dabgari Garden Peshawar	Peshawar /02	Instructor B-18 PITE Peshawar	--do--
53.	Mr. Shakeel Ahmad S/O Mehtab Khan, GHS No.2 Bicket Gunj Mardan	Mardan /02	Principal B-18 GHS Bakhshali Mardan	Vice Sr. 65
54.	Mr. Shams Ul Hadi S/O Musafar Khan, C/O Gulab Stationery Mart near MCB Battagram	Battagram/03	V/Principal B-18 GHSS Karori Mansehra	Against Vacant Post
55.	Mr. Tariq Jamal S/O Said Jamal, House No.440 Street No.10 Sector - R Sheikh Maltoon Town Mardan	Mardan/02	Principal BS-18 GHS Qasim Toru Mardan	--do--

CONSEQUENTIAL TRANSFER/ ADJUSTMENT

Sr.#	Name and Designation	Consequential-Proposed Posting	Remarks
56	Mr. Jamil Khan, HM B-17 working on B-18 at GHS Sector No.3 KT Ship Haripur	HM B-17 GHS Laban Bandi Haripur	Against Vacant Post
57.	Mr. Mir Wali Khan, HM B-17 Shopkeeper Huthian.	HM B-17 GHS Shakhhor Chitral	--do--



Sr.#	Name and Designation	Consequential-Proposed Posting	Remarks
58	Mr. Ayaz HM B-17 working on B-18 at GHS Zarbab Garhi Charsadda	HM B-17 GHS Attakai Charsadda	Against Vacant Post
59	Abbas Gul, V/Principal BS-18 GHSS Takhbhai Mardan	SS PS BS-18 GHSS Takkar Mardan	Vice Sr. 60
60	Ihsanullah, SS PS BS-18 GHSS Takkar Mardan	Principal B-18 GHS Wartair Malakand	Against Vacant Post
61	Mr. Nek Muhammad HM B-17 working on B-18 at GHS Garhi Usmani Khel Malakand	HM B-17 GHS Prangai Malakand	--do--
62	Basharat Ullah HM BS-17 working on BS-18 GHSS Sherpao Charsadda	HM B-17 GHS Kulu Dhand Charsadda	--do--
63	Nasir Ahmad SS Phy BS-18 working as Principal BS-18 GHS Sowarian Mardan	SS Phy BS-18 GHSS Ghani Dheri Malakand	--do--
64	Mr. Hamidullah HM B-17 working on B-18 at GHS Rustam Khan Killy Ziam Charsadda	HM B-17 GHS Gonda Charsadda	--do--
65	Mr. Saleem Khan, HM B-17 working on B-18 at GHS Bakhshali Mardan	HM B-17 GHS Guli Bagh Mardan	--do--
66	Mr. Farid Shah HM BS-17 working on BS-18 at GHSS Mandoori Kohat	HM B-17 GHS Shaidan Chuntra Karak	--do--
67	Mr. Khan Gul SS Maths BS-18 GHSS Boi Abbottabad	Vice Principal BS-18 GHSS Nawansher Abbottabad	Against Vacant Post
68	Mr. Muhammad Naeem SS Economics BS-17 GHSS Lalozai Bannu Promoted to BS-18	SS Economics BS-18 GHSS Bagnetar Abbottabad	Against Vacant Post
69	Muhammad Javid Vice Principal BS-18 GHSS Pir Pai Nowshera	SS (English) BS-18 GHSS Pir Pai Nowshera	Against Vacant Post

3. Terms & Conditions of Service in r. o. officers from Sr. No. 1 to 55 above are as under:

1. Their services will be considered regular and they will be eligible for pension/deduction of GP fund in terms of Khyber Pakhtunkhwa Civil Servants Act 1973 as amended in 2013.
2. Their services are liable to termination on one month's notice from either side. In case of resignation without notice, their one month's pay/allowances shall be forfeited to the Govt.
3. They would be on probation for period of one year extendable for another one year.
4. They will be governed by such rules and regulations as may be issued from time to time.
5. Their services can be terminated at any time, in case their performance is found unsatisfactory during probationary period. In case of misconduct, they will be proceeded against under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 as amended from time to time.
6. Their recruitment shall be School Based and shall not be transferable to any other School.
7. The appointees should join their posts within 30 days of the issuance of this notification. The Director, Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar would furnish a certificate to the effect that the candidates have joined the posts otherwise, after one month of the issuance of this Notification, failing which their candidature shall expire automatically and no subsequent appeal etc. shall be entertained.
8. Charge report should be submitted to all concerned.
9. Notification can be downloaded from our website: www.kpsc.gov.pk
10. No TA/DA will be allowed to the appointees for joining their duty.

SECRETARY

Endst: of even No. & Date

Copy forwarded to the:

1. Accountant General, Khyber Pakhtunkhwa.
2. Director, E&SE Khyber Pakhtunkhwa, Peshawar.
3. District Education Officers (Male), concerned.
4. Director (Recruitment), Khyber Pakhtunkhwa Public Service Commission.
5. District Accounts Officers concerned.

ATTESTED

The Secretary to Government of KPK,
(E&SE) Department, Peshawar.

(13)
C

Through: Proper Channel

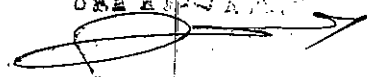
SUBJECT: APPEAL FOR WITHDRAWAL OF CONDITION NO.6
INCLUDED IN APPOINTMENT ORDER NOTIFICATION
NO.SO(S/M)E&SED/3-2/2014/RECRUITMENT OF
PRINCIPALS (BS-18) (MALE) DATED 25.08.2015.

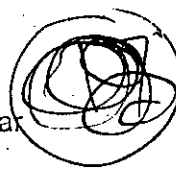
Respected Sir,

The applicant submits as under:-

1. That, the applicant was/is serving in regular capacity since his date of appointment dated 17-10-2003
2. That, the Public Service Commission Government of KPK advertised/announced vacancies of principals / vice principals BPS-18 vide its advisement No.2/2011 in press. *(Copy of advertisement is annexed as Annexure "A")*
3. That, the applicant being eligible candidate for the said post applied through proper channel, qualified and was selected for the same.
4. That, according to the recommendation of PSC KPK the applicant has been appointed vide order dated 25.08.2015 issued by your good office. *(Copy of appointment order is annexed as Annexure "B")*
5. That, in the subject appointment order condition No.6 (School based appointment and non-transferable) has been imposed upon the applicant.
6. That, the aforesaid condition was not mentioned in the advisement No.2/2011 by the Public Service Commission KPK.
7. That, the said condition was not offered to the applicant by the competent authority before the appointment order of the applicant dated 25.08.2015.
8. That, the above referred condition No.6 is against the Civil Servant Act, 1973 passed by the constitutional /legal / competent forum.
9. That, the under reference condition is against the spirit of "appointment, promotion and transfer rules 1989".

ATTESTED





- 10. That, the said condition is not sustainable in the eye of law for a regular employee / civil servant.
- 11. That, the said condition No.6 is against the fundamental rights and natural justice.
- 12. That, if the condition No.6 remains intact then applicant would suffer irreparable loss.

In the light of above stated facts and legal submissions it is, therefore, humbly prayed that condition No.6 of the above referred appointment order may kindly be withdrawn in the interest of justice.

Waqar
...APPLICANT

10/19/15

WAQAR KHAN
Instructor R.I.T.E
(M), Kohat

- Sana ul Haq *Sana*
- Sheer Yazdan *Sheer*
- Sarfraz Nathaniel *Sarfraz*
- Muhammad Irfan *MIR*
- Ghulam Raziq *GR*
- Sardar Muhammad *Sardar*
- Waqar Khan *Waqar*
- Amir Zeb *Amir*
- Muhammad Javed *Javed*

ATTESTED

Javed

Registered



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

Dated Peshawar the September 20, 2011

15
D

NOTIFICATION

NO. SO(S/M)E&SED/3-2/2007/Principals/IV. Principals (B.S.16) (Male): Consequent upon the recommendations of Khyber Pakhtunkhwa Public Service Commission Peshawar, the Competent Authority is pleased to appoint the following twenty six (26) Principals/Vice Principals (BS-16) (Male) (Rs.20000-1500-50000) plus usual allowances as admissible under the rules on regular basis under the existing policy of the Provincial Government with immediate effect with terms and conditions given below:-

S #	Name/Father's Name & Address
1.	Mr. Abdul Wahab S/o Mohammad-Zamir-Shah, Village Koti-Ka'la P/O Dabb Tehsil & District Karak.
2.	Mr. Abdus-Salim Khan S/o Ghulam Rahim, Village P/O C. Tensil Timargara District Dir (-) C/O Malik Jan Shop Rauf Market-1 Bazar Timargara.
3.	Mr. Arif Gul S/o Badam Gul, Village Sukar Mohalla Aminabad Khel P/O Ambadher Tensil & District Charsadda.
4.	Mr. Fakhru-Din S/o Hamid Ullah Khan, GHS No. 5 District D.I. Khan
5.	Mr. Jehangir Khan S/o Farzi-Rahim, Mohallah Kakera Dulla Village & P/O Tunangra Tehsil & District Charsadda.
6.	Mr. Jehangir S/o Sher Muhammad, GHS Nauthia Gud'lem Peshawar Near Asif Bagh Shahood Park.
7.	Mr. Pervaiz Iqbal S/o Mukarram Khan, Village & P/O G. Rozar Tehsil & District Peshawar Delazak Road.
8.	Syed Gul Nawab Shah S/o Syed Azeem Shah, Syed G. Nawab Shah (S.S) GHSS No. 3 Peshawar City, Khyber Bazar Peshawar.
9.	Mr. Tahir Javed S/o Abdul Jalil Khan, House No. 7967, Mohallah Qilia, Village & P/O Nawan Sher Abbottabad.
10.	Mr. Shan-E-Mulk S/o Muhammad Ismail, GHS, Civil Quarters, Peshawar.
11.	Mr. Farman Ullah Khan S/o Rahmat Ullah Khan, House No. 44, St No. 3, Sector N-3, Phase-4, Hayatabad Peshawar.
12.	Mr. Hidayat Ullah S/o Inayat Ullah, Village & P/O Nawagar (Chamla) P/code 19300 Tehsil Daggar District Buner Malakand Division NWFP.
13.	Mr. Jaddi Khan S/o Feroz Khan, Mohallah Wand Khel Village Sufaid Sang P/O Shagar Thana District Peshawar.
14.	Mr. Abdul Wali Khan S/o Obaid Ullah, Village Hajizai P/C Mathra Tensil & District Peshawar, Warsak Road Peshawar.
15.	Mr. Iftikhar Ali S/o Muhammad Yousaf, Mohalla Jana Khel, Village & P/O Marghuz, Tehsil & District Swabi, NWFP, Pakistan.
16.	Mr. Muhammad Bilal S/o Muhammad Zahoor, House No. 1, Shah Qasool Colony No. 2 Namak Mandi, Peshawar.
17.	Mr. Aqai Badshah S/o Mehrab Shah, Tehsil & District Hangu P/O PTC village Khair Shah Banda C/O Rizaz General Store PTC.
18.	Mr. Faqir-ud-Din S/o Muhammad Daud, House No. 584, Sector No. 4, Khalabat Town Ship Tehsil & District Haripur.
19.	Mr. Gul Shad S/o Malik Murad Khan, Regional Institute for Teacher Education (Male) Gul Bahar No. 2 Peshawar.
20.	Mr. Irshad Ahmad S/o Abdul Haye, I/C Principal GHSS, M. sazai Peshawar.
21.	Mr. Abdul Haque S/o Abdul Hai, Buoy Model School Sakhakot Bazar Malakand Agency.
22.	Mr. Noor Hayat S/o Mohammad Ghawas, Gumbat Batkhe Malakand Agency.
23.	Mr. Bashir Ahmad S/o Wazir Ahmad, Village & P/O Saro Tehsil Timergara District Dir (Lower).
24.	Mr. Nawab Ali S/o Raad, Village & P/O Chakesar Tehsil A. Jun District Shangla.
25.	Mr. Ahmad-Ali S/o Gul-Said, House No. 39, Faisal Tow. Opposite Police Colony Nasir Bagh Road Peshawar.
26.	Mr. Amir Zaman S/o Fazal Rahman, Iqbal Medical Store Sakhakot Eazar Tehsil Dargai Malakand Agency.

ATTESTED

TERMS & CONDITIONS:

- 16
1. Their services will be considered regular but without Pension & Gratuity in terms of Section-10 of the NWFP Civil Servant Act, 1973 as amended vide NWFP Civil Servants (Amendment) Act, 2005. They will however be entitled to Contributory Provident Fund in such a manner and at such rules as prescribed by the Government.
2. The officers who are already in Government Service and working against pensionable posts on regular basis before 1st day of July 2001, without any service break, on application to Khyber Pakhtunkhwa Public Service Commission through proper channel and selection by the Commission are appointed and allowed choice of option either to retain benefit of pension & gratuity as allowed to them under their previous terms of appointment or to avail the benefit of Contributory Provident Fund allowed to them under new appointment.
3. Their services are liable to termination on one month's notice from either side. In case of resignation without notice, their one month's pay/allowances shall be forfeited to the Government.
4. The appointees should join their posts within 30-days of the issuance of this notification. The Director, Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar would furnish a certificate to the effect that the candidates have joined the posts otherwise, after one month of the issuance of this Notification, failing which their candidature shall expire automatically and no subsequent appeal etc shall be entertained.
5. They would be on probation for a period of one year extendable for another one year.
6. They will be governed by such rules and regulations as may be issued from time to time by the Govt.
7. Their services can be terminated at any time, in case their performance is found unsatisfactory during probationary period. In case of misconduct, they will be proceeded against under the NWFP Removal from Service (Special Powers) Ordinance, 2000 and the Rules framed from time to time.
8. Charge report should be submitted to all concerned.
9. No TA/DA will be allowed to the appointees for joining their duty.

Secretary to Govt. of Khyber Pakhtunkhwa
Elementary & Secondary Education
Department

Order of even No. & Date

Copy forwarded to the:

1. PS to Minister E&SE, Khyber Pakhtunkhwa.
2. PS to Chief Secretary, Khyber Pakhtunkhwa.
3. PS to Secretary, E&SE, Department, Khyber Pakhtunkhwa.
4. Accountant General, Khyber Pakhtunkhwa Peshawar.
5. Director, E&SE Khyber Pakhtunkhwa, Peshawar.
6. District Accounts Officers concerned.
7. Executive District Officer E&SE concerned.
8. Director Recruitment, Khyber Pakhtunkhwa, Public Service Commission Peshawar.
9. PA to Additional Secretary, E&SE, Deptt.
10. PA to Deputy Secretary (Admn), E&SE Deptt.
11. Officers concerned.
12. Office order file.

(MUJEEB-UR-REHMAN)
SECTION OFFICER (SCHOOLS/MALE)

General Order No. 1000/2010

ATTESTED

17

DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION KHYBER
PAKHTUNKHWA, PESHAWAR

OFFICE ORDER.

Mr. Sharafat Ali SST (Gen) GHS Opal is hereby transferred & posted against vacant post of SST (Gen) at GCMHS Chekesar District Shangla in his own pay & BPS in the interest of public service with immediate effect.

Note:-

1. Charge report should be submitted to all concerned.
2. No TA/DA etc are allowed.

Endst: No. 1116-15 / F.No. 07/Vol-111/SST (M) Transfers.

DIRECTOR

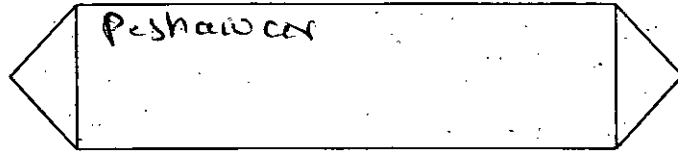
Dated Peshawar the 11/3/2015

Copy of the above is to the:-

1. District Education Officers (M) Shangla.
2. District Accounts Officer Shangla.
3. Principals concerned.
4. SST concerned.
5. PA to Director (E&SE) Khyber Pakhtunkhwa, Peshawar.
6. Master File.

Deputy Director (Estab)
Elementary & Secondary Education
Khyber Pakhtunkhwa

ATTESTED



۲۰۱۶ء منجانب
 ۱۴۱۲ گورنمنٹ

مورخہ
 مقدمہ
 دعویٰ

جرم Appeal

باعث تحریر آنکے

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ
 آن مقام مسیاء ر کیلئے زبانف اللہ ایل و لیت

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز
 وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ پر حلف دیئے جواب دہی اور اقبال دعویٰ اور
 بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق
 زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت غدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی
 اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا۔ از بصورت ضرورت
 مقدمہ مذکور کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے
 تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ باختیارات حاصل ہوں گے
 اور اس کا ساختہ پر داختم منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے
 سبب سے وہ ہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں
 گے۔ کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سندر ہے۔

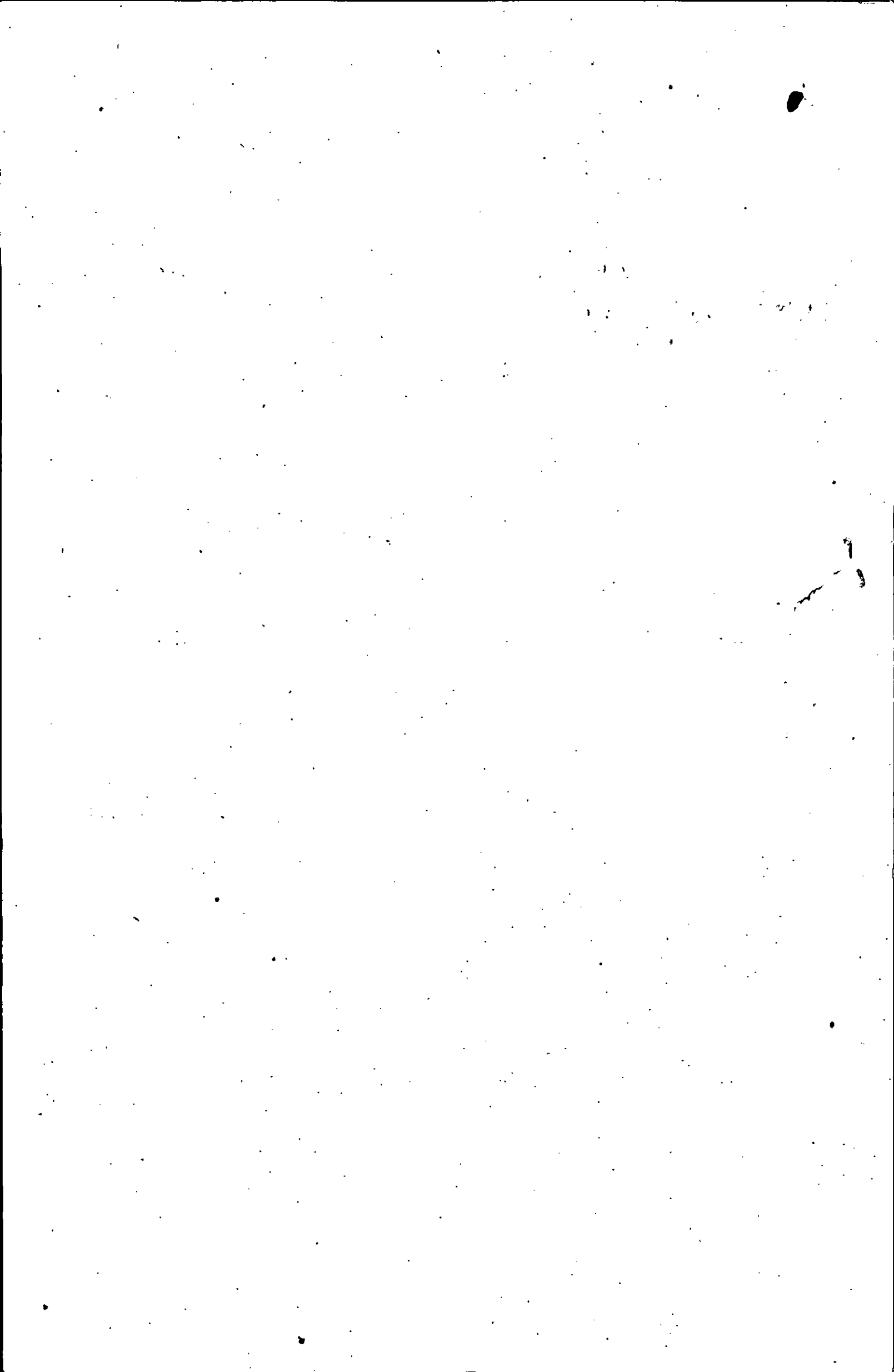
۲۰۱۶ء

ماہ ۵۷

الرقوم ۲۵

العہدہ العہدہ
 مقام مسیاء ر کے لئے منظور ہے۔

مذکورہ جملہ دستخط وکیل صاحب کی طرف سے کیے گئے ہیں۔
 درج ذیل تاریخ ۲۵/۰۹/۲۰۱۶ء
 ۲۰۱۶ء



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

Service Appeal No. 190/2016


Muhammad Irfan.....Appellant

VERSUS

Govt. of Khyber Pakhtunkhwa & others.....Respondents

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S.NO.	PARTICULARS	ANNEXURE	PAGE NO
1.	Parawise Comments of the Commission		1-3
2.	Copy of PSC Advertisement 02/2011	"A"	4


Assistant Director
Khyber Pakhtunkhwa
Public Service Commission Peshawar
(Respondents)

1

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

Service Appeal No. 190/2016

Muhammad Irfan.....**Appellant**

VERSUS

Govt. of Khyber Pakhtunkhwa & others.....**Respondents**

PARAWISE COMMENTS OF (RESPONDENTS NO. 05)

PRELIMINARY OBJECTIONS:

1. That the appellant has got no locus standi or cause of action against the replying respondent.
2. That the appellant has not approached to this Honorable Tribunal with clean hands.
3. That no discrimination / injustice has been done to the appellant.
4. That the acts of the replying respondents are in accordance with law and rules.

ON FACTS:

1. No comments. Pertains to record.
2. That the Public Service Commission advertised sixty seven (67) posts of **Principal/Vice Principal (BPS-18)** vide advertisement **No. 02/2011** serial No. 06 with the following qualification:-

QUALIFICATION:

Master Degree with M.Ed/ M.A. (Education) or equivalent qualification from a recognized university with nine years teaching/ administrative experience in recognized Secondary School/ Higher Secondary School.

Note: - The teaching experience will be counted after acquiring Master Degree in one of the general subjects or M.Ed.

AGE LIMIT : 25 to 40 years
PAY SCALE : BPS-18
ELIGIBILITY : Male
ALLOCATION : Merit

(Annex-A)


3. Pertains to record. Needs no comments.
4. Correct to the extent that the appellant was recommended by the Khyber Pakhtunkhwa Public Service Commission after due process of test and interview. It is pertinent to mention here that the appointment/notification is not the job of the Khyber Pakhtunkhwa Public Service Commission. The Khyber Pakhtunkhwa Public Service Commission is the recommendatory body.
5. Pertains to Elementary & Secondary Education Department, hence no comments.

6. The Elementary and Secondary Education Department may confirm whether departmental appeal was filed on 07.09.2015. If so what action was taken thereon.
7. The Elementary and Secondary Education Department may be in better position to give reasons for rejection of departmental appeal.

GROUND.

- A. Not related to the replying respondent. The terms and conditions of appointment of the appellant have been determined by the Elementary and Secondary Education Department in the light of policy of the Provincial Government duly approved by the Cabinet. The Khyber Pakhtunkhwa Public Service Commission has no role, hence no comments.
- B. According to section 10 of the Khyber Pakhtunkhwa Civil Servant Act, 1973, every civil servant shall be liable to serve anywhere within or outside the province, in any post under the Federal Government, or any Provincial Government or Local authority, or a corporation or body set up or established by any such Government.
- C. The Elementary and Secondary Education Department may be able to explain the same.
- D. Not related to the replying respondent. No comments.
- E. Not related to the replying respondent. No comments.
- F. Not related to the replying respondent. No comments.

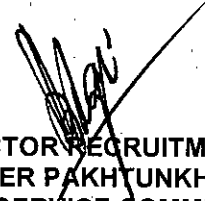
It is, therefore, respectfully prayed that on acceptance of the submissions made herein above, the instant appeal may please be dismissed with costs having no legal footings.


DIRECTOR RECRUITMENT
KHYBER PAKHTUNKHWA
PUBLIC SERVICE COMMISSION
PESHAWAR
(RESPONDENT NO.05)

AFFIDAVIT

Stated on oath that the contents of this Para wise comments are true and correct & nothing has been concealed from this Honorable tribunal.

DEPONENTS



**DIRECTOR RECRUITMENT
KHYBER PAKHTUNKHWA
PUBLIC SERVICE COMMISSION
PESHAWAR
(RESPONDENT NO.05)**

4

Annex "A"

KHYBER PAKHTUNKHWA PUBLIC SERVICE COMMISSION

2- Fort Road Peshawar Cantt:

Website: www.nwfppsc.gov.pk

Tele: Nos. 091-9214131, 9213563, 9213750, 9212897

Dated: 07.04.2011

ADVERTISEMENT No. 02 / 2011.

Applications, on prescribed form, are invited for the following posts from Pakistani citizens having domicile of Khyber Pakhtunkhwa / F.A.T.A by **07.05.2011** (candidates applying from abroad by **21.05.2011**). Incomplete applications and applications without supporting documents required to prove the claim of the candidates shall be rejected without intimation to the candidates.

<i>ELEMENTARY AND SECONDARY EDUCATION DEPTT:</i>	
6.	<p>SIXTY SEVEN (67) POSTS OF PRINCIPAL/ VICE PRINCIPAL</p> <p>QUALIFICATION: Master Degree with M.Ed/ M.A. (Education) or equivalent qualification from a recognized university with nine years teaching/ administrative experience in recognized Secondary School/ Higher Secondary School.</p> <p>Note: - The teaching experience will be counted after acquiring Master Degree in one of the general subjects or M.Ed.</p> <p>AGE LIMIT: 25 to 40 years. PAY SCALE: BPS-18 ELIGIBILITY: Male</p> <p>ALLOCATION: Merit</p>

Atta-ur-Rehman
Muhammad Saeed
 Assistant Director
 Khyber Pakhtunkhwa
 PSC Peshawar

(ATTA-UR-REHMAN)
Secretary
 Khyber Pukhtoonkhwa
 Public Service Commission
 Peshawar

BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR.

Service Appeal No. 190 /2016

M-IRfan

.....(Appellant)

VERSUS

Secretary E&SE KPK and others.....(Respondents)

PARAWISE RE-JOINDER OF COMMENTS
FILED BY RESPONDENTS NO. 1, 4 AND 6.

Respectfully Sheweth:

Preliminary objections:

1. That the appellant has a sufficient case of action.
2. That the appeal of the appellant is well within time.
3. That the Para. No. 3 of the comments is incorrect as the appellant has come to this Tribunal with clean hands.
4. That objection No. 4 is also incorrect, hence denied.
5. That objection No. 5 is also incorrect, hence denied.

6. That objection No. 6 is also incorrect, hence denied.
7. That the objection No. 7 is also incorrect, as the appellant was badly discriminated.
8. That the objection No. 8 is also incorrect, hence denied.
9. That the objection No. 9 is also incorrect, hence denied.
10. That the objection No. 10 is also incorrect, hence denied.
11. - That the objection No. 11 is also incorrect, not according to law, hence denied.
12. In reply to objection No. 12, the notification dated 28/05/2015 is discriminatory and against the norms of natural justice and is liable to be set aside to extent of Clause No. 6 of the said notification.
13. In reply to objection No. 13, the notification dated 30/04/2014 is not related to the appellant as the said notification was with regarding to NTS Test

while the appellant never appeared as the recruitment of the appellant was directly done by KPK, Public Service Commission.

ON FACTS:

1. Para No. 1 needs no reply.
2. Para No. 2 also needs no reply.
3. Para No. 2 also needs no reply.
4. Para No. 4 of the comments is correct to the extent that the appellant has been recommended by KPK Public Service Commission against BPS-18 post, rest of the Para regarding Clause 6 of the impugned Notification dated 25/08/2015 is discriminatory and not based on facts, as the same condition has never been reflected in the advertisement dated 07/04/2011.
5. Para No. 5 of the comments is totally baseless and is not according to law, as the appointment of the appellant was neither the outcome of notification dated 30/04/2014 nor the same notification is applicable to the appellant.

6. Para No. 6 of the comments is correct to the extent that the appellant filed a departmental appeal before the respondents and the same was regretted while the rest of the para is incorrect.
7. Para No. 7 is also incorrect, as the respondents have wrongly rejected the departmental appeal of the appellant.

REPLY TO THE GROUNDS OF THE COMMENTS:

- A. Para A of the comments is incorrect, as the notification dated 30/04/2014 on which the respondents are relying was not a notification on which the appellant was appointed.
- B. Para B of the comments is also incorrect, while the Para B of the appeal is correct.
- C. Para C of the comments is incorrect, as Clause No. 6 of the impugned notification dated 25/07/2015 is not in accordance with Rules, Law and Policy and is liable to be dismissed being discriminatory in nature.

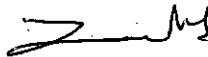
- D. Para D of the comments is also incorrect and the same has been explained in earlier paras of this rejoinder.
- E. Para E of the comments is also incorrect, as the appointment vide impugned notification dated 03/02/2007 was done by the respondents and the school based appointment condition was not included in that, moreover the appellant is not bound to follow the instant illegal/ discriminatory policy of the respondent, which is even against the fundamental rights of the appellant guaranteed by the Constitution of Islamic Republic of Pakistan, 1973.
- F: Para F of the comments needs no reply.

In view of the above mentioned submission, it is humbly requested that the appeal of the appellant may kindly be accepted as prayed in the appeal of the appellant.


Appellant

Through

Dated: 09/01/2016


Zahanat Ullah Khan
Advocate High Court,
Peshawar.

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

Service Appeal No. 190 /2016

M. Irfan

.....(Appellant)

VERSUS

Secretary E&SE KPK and others.....(Respondents)

AFFIDAVIT

I, Muhammadi Irfan

do hereby solemnly affirm and declare on oath that all the contents of the accompanying **Rejoinder** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.

M Irfan

DEPONENT

Identified by:

Zahanat Ullah
Zahanat Ullah
Advocate High Court,
Peshawar.

