

29/2013

12.02.2016

Counsel for the appellant (Mr. Saadullah Khan Marwat, Advocate) and Mr. Muhammad Jan, Government Pleader for the respondents present. Counsel for the appellant requested for withdrawal of the appeal. His signature also obtained in the margin of previous order sheet. As such, the appeal is dismissed as withdrawn. File be consigned to the record room.

ANNOUNCED

12.2.2016


MEMBER


MEMBER

02.06.2015

Junior to counsel for the appellant and Addl: AG for the respondents present. Arguments could not be heard due learned member is on official tour to camp court Swat, therefore the case is adjourned. To come up for arguments on 07.12.2015.


Member

7.12.2015

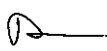
Counsel for the appellant and Addl: AG for respondents present. Arguments partly heard. During the course of arguments, learned Addl: AG submitted that he will produce certain notification which may help in solving the issue. To come up for such notification and further arguments if any on 8.12.2015


Member


Member

08.12.2015

Counsel for the appellant and Mr. Hameed-ur-Rehman, AD (Litigation) alongwith Mr. Muhammad Jan, GP for respondents present. Representative of the respondents submitted dated 08.05.2012 copy of which is placed on file. To come up for arguments on 12.2.16


Member


Member

*I withdraw the appeal
& to proceed with
notifi. dt 8.5.12 as
per law.
12/2/16*

29/13

17.4.2014

Appellant in person and AAG with Khursheed Khan, SO and Javed Ahmad, Supdt. for the respondents present and reply filed. Copy handed over to appellant for submission of rejoinder on 2.7.2014.

MEMBER

MEMBER

2.7.2014.

Counsel for the appellant (Arbab Saiful Kamal, Advocate) and Mr. Khursheed Khan, SO and Mosam Khan, AD for the respondents present. Counsel for the appellant needs time. To come up for rejoinder on 22.9.2014.

MEMBER

MEMBER

22.09.2014

Appellant with counsel and Mr. Muahammad Adeel Butt, AAG with Khursheed Khan, SO for the respondents present. The learned Member (Judicial) is not working due to a recent order of the Hon'ble Peshawar High Court, affecting his status and District & Sessions Judge. To come up for arguments on 26.2.2015.

MEMBER

26.2.2015

Counsel for the appellant and Mr. Muhammad Jan, GP with Ziaullah, GP with Javed Ahmad, Supdt. for the respondents present. Counsel for the appellant requested for adjournment. Therefore, case is adjourned to 2.6.2015 for arguments.

MEMBER

MEMBER

26.6.2013

Counsel for the appellant and Mr. Muhammad Jan, GP for official respondents and private respondent No. 4 in person present. In pursuance of promulgation of Khyber Pakhtunkhwa Service Tribunal (Amendment) Ordinance 2013, the Tribunal is incomplete. To come up for the same on 24.9.2013.


READER

24.9.2013

Appellant in person and Mr. Muhammad Jan, GP with Khursheed Khan, SO and Mosam Khan, Supdt. for the respondents present. The Bench is incomplete owing to tour of learned Member Mr. Sultan Mahmood Khattak, to D.I.Khan and proceeding of learned Member Mr. Muhammad Aamir Nazir abroad. Case to come up for the same on 4.12.2013.


Reader

4.12.2013

Counsel for the appellant and Mr. Muhammad Adeel Butt, AAG), AAG present. Notices be issued to the respondents. To come up for written reply on 29.1.2014.


MEMBER

29.1.2014

Appellant with counsel, Mr. Muhammad Adeel Butt, AAG with Khursheed Khan, SO and Mosam Khan, AD for the respondents present and requested for further time. To come up for written reply positively on 17.4.2014.


MEMBER

Appeal No. 29/2012
Mr. Abdul Malik


13.3.2013

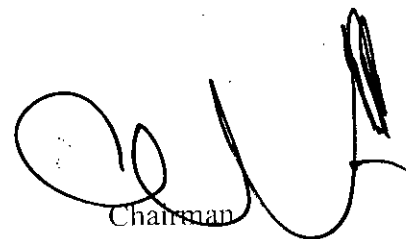
Counsel for the appellant present and heard. Contended that the appellant has not been treated in accordance with law. His name has been shown at S. No. 2 of Notification dated 24.2.2011 but the name of appellant has been excluded in the impugned notification dated 11.6.2012, without any notice. The appellant filed a departmental appeal on 16.8.2012 but with no response. Points raised need consideration. The appeal is admitted to regular hearing, subject to all legal objections. The appellant is directed to deposit the security amount and process fee within 10 days. Thereafter, notice be issued to the respondents. Case adjourned to 20.5.2013 for submission of written reply.

Appellant deposited
Process fee & Security
Rs. 150/- Bank Receipt
attached with file -


Member

5. 14.3.2013

This case be put before the Final Bench  for further proceedings.


Chairman

20.05.2013.



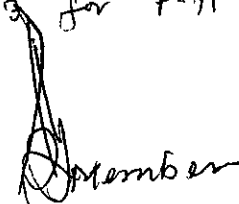
Counsel for the appellant and Muhammad Jan, GP for the respondents present. The Tribunal is incomplete, therefore, case to come up for the same on 20.05.2013.


READER

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 29/2013


S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1.	07/01/2013	<p>The appeal of Mr. Abdul Malik resubmitted today by Mr. Saad Ullah Khan Marwat Advocate may be entered in the Institution Register and put up to the Worthy Chairman for preliminary hearing.</p> <p style="text-align: right;"> REGISTRAR</p>
2.	15-1-2013.	<p>This case is entrusted to Primary Bench for preliminary hearing to be put up there on <u>14-2-2013</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
3.	14.2.2013	<p>Counsel for the appellant present and requested for adjournment. Case adjourned to 14.3.2013 for P.H.</p> <p style="text-align: right;"> Member</p>

The appeal of Mr. Abdul Malik Principal GHSS Hair Abad Mardan received today i.e. on 31/12/2012 is incomplete on the following scores which is returned to the counsel for the appellant for completion and resubmission within 15 days:-

- 1- Copies^{of} Seniority list of 2009 and Notification dated 14.12.2011 mentioned in the memo of appeal (Annexure-A & D) are not attached with the appeal which may be placed on it.
- 2- Annexures of the appeal may be attested.

No. 1529/S.T,

Dt. 31/12/2012.


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

MR. SAADULLAH KHAN MARWAT ADV. PESHAWAR.

Sir

Resubmitted after completion

by

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

S.A. No. 29 /2013

Abdul Malik

Versus

Secretary & others

INDEX

S.No	Documents	Annex	P.No.
1.	Memo of Appeal		1-3
2.	Seniority List, 05.01.2009	"A"	4-6
3.	Posting/Appointment in mgt cadre, 24.02.2011	"B"	7-9
4.	Posting as Principal, 14.12.2011	"C"	10-11
5.	Subsequent posting, 08.02.2012	"D"	12-14
6.	Impugned Seniority List, 11.06.2012	"E"	13-18
7.	Representation, 16.08.2012	"F"	19-20

Five spare copies.


Dated. 31.12.2012

Through

&


Appellant


Saad Ullah Khan Marwat


Arbab Saif Ul Kamal
Advocates.

21-A Nasir Mension,
Shoba Bazar, Peshawar.

Ph: 0300-5872676

BEFORE KPK SERVICE TRIBUNAL PESHAWAR

S.A No. 29 /2012

Abdul Malik S/o
Principal, GHSS, Khair Abad, Mardan. Appellant

Versus

1. Secretary, Govt. of KPK, Elementary and Secondary Education Department, Peshawar.
2. Chief Secretary, Govt. of KPK, Civil Secretariat, Peshawar.
3. Director, Elementary and Secondary Education Department, Peshawar.. . . . Respondents

Dr. W. J. P. Peshawar
Service Tribunal
Case No. 1518
31-12-12

⇔<=>⇔<=>⇔<=>⇔<=>⇔

APPEAL AGAINST OFFICE NOTIFICATION NO. SO(S/M)E&S ED/4-25/2012, DATED 11.06.2012 STOOD ON 23.02.2012 WHEREIN THE NAME OF APPELLANT WAS NOT INCLUDED IN THE SAME.

Filed to-day
[Signature]
31/12/12

⇔<=>⇔<=>⇔<=>⇔<=>⇔

Respected Sheweth,

1. That appellant was initially appointed as Head Master BPS-17 after qualifying Public Service Commission in the year, 1982.
2. That in the year 1994, appellant was promoted to BPS-18 and then in the year 1999, he was further promoted to BPS-19 on rendering satisfactory performances to the Department.

Ke-submitted to-day
and filed

[Signature]
21/12/12

3. That appellant was due for BPS-20, but due to the bifurcation of cadres, Management and Teaching, he was adversely affected by placing his name in low position.
4. That in the Seniority List of 05.01.2009, circulated on 17.10.2009 by R.No.1, appellant was placed at S.No.17. The incumbents from S.No.1 to 14 were promoted to BPS-20, so his name then becomes at S.No.4. (Copy as annex "A")
5. That on 24.02.2012, the incumbents mentioned in the Notification were posted/appointed against the posts of EDO's/ADO's, BPS-19 in the Management Cadre wherein the name of appellant was placed at S.No.2. (Copy as annex "B")
6. That on 14.12.2011, appellant was posted as Principal of GHSS Khair Abad, District Mardan at S.No.3 out of the cadre. (Copy as annex "C")
7. That on 18.02.2012, Notification of posting/transfer was made wherein appellant was readjusted as Principal GHSS, Khair Abad Mardan. (Copy as annex "D")
8. That on 23.02.2012, Final Seniority List of Teaching Cadre was circulated vide Notification dated 11.06.2012 which was endorsed to the offices concerned on 19.06.2012 but the same was kept secret by not informing the officers concerned from their positions. This Notification does not contain the name of appellant. The same was got at personal level from the office of EDO, Mardan on 16.08.2012. (Copy as annex "E")
9. That on 16.08.2012, appellant submitted representation before R.No.2 which met dead response till date. (Copy as annex "F")

Hence this appeal, inter alia, on the following grounds:-

GROUND S:

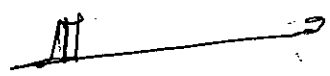

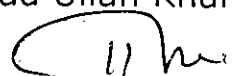
- a. That appellant is serving the department as Principal GHSS, Khair Abad, Mardan which shows him in Teaching Cadre.
- b. That in the Seniority List for the year 2009, appellant was shown at S.No.17 and except the incumbents at S.No.12, 15, and 16, the above have been promoted to BPS-20.
- c. That in the Seniority List for the year 2012, circulated on 11.06.2012, the name of appellant was omitted what to speak of placing the same at proper position i.e. at S.No.4, above the name of Mr. Jamshid Ahmad.
- d. That the impugned Seniority List was not properly scribed, so needs modification.
- e. That the department is neither permitting appellant in Management Cadre nor in Teaching Cadre, such action adversely affected his position.

It is, therefore, most humbly prayed that on acceptance of appeal, the Final Seniority List dated 11.06.2012 of R.No.1 be set aside / modified and the name of appellant be placed at S.No.4, above the name of Jamshid Ahmad.

Dated.31.12.2012

Through

&


Appellant

Saad Ullah Khan Marwat

Arbab Saif Ul Kamal
Advocates.

1

60-1-09

4

A

FINAL SENIORITY LIST OF OFFICERS B-19 (MALE) OF ELEMENTARY & SECY: EDU: DEPARTMENT AS IT STOOD ON 05-01-2009..

S.No.	Name of Officer with Academic Qualification	Date of Birth	Domicile	Date of 1st Entry into Govt. Service	Regular apptn/ promotion to the present post.			Place of Posting	Remarks.
					Date	BPS	Method of recruitment		
1	2	3	4	5	6	7	8	9	10
X 1	Mr. Muhammad Afsar Khan, MSc, B.Ed	01.04.51	Peshawar	15.05.1973	31.05.1997	19	By Promotion	Pri GHS Pabbi Nowshera	
X 2	Mr. Abdul Rahim, BSc, M.Ed	01.01.50	Bannu	01.09.1970	31.05.1997	19	By Promotion	Pri GHS. NO.1 Tank.	
X 3	Mr. Faqir Khan, MSc, M.Ed	04.03.51	Peshawar	29.07.1979	31.05.1997	19	By Promotion	Pri: GHS Taru Jabba Nowshera.	
X 4	Mr. Imam Gul, MA, B.Ed	01.09.55	Bajour	29.10.1974	31.05.1997	19	By Promotion	Pri. GHS Bajour	
X 5	Mr. Khan Sher, MA, M.Ed	25.03.51	Swabi	07.09.1971	31.05.1997	19	By Promotion	Pri. GHS, No.1 Yar Hussain, Swabi	
X 6	Mr. Gul Rehman, MA, B.Ed	02.04.51	Bajour	19.12.1973	31.05.1997	19	By Promotion	AEO Mohmand Agency	
X 7	Mr. Zarwar Khan, MA, B.Ed	15.07.52	Dir	01.12.1972	31.05.1997	19	By Promotion	Pri: GCMHSS, Lal Qilla Dir lower	
X 8	Mr. Muhammad Khaliq Saig, MA, M.Ed	09.11.55	Abbottabad	08.01.1975	28.05.1999	19	By Promotion	Pri: GHS No 1, Hariour	
X 9	Mr. Sher Afzal Khan, MA, B.Ed	10.12.50	Swat	13.08.1966	28.05.1999	19	By Promotion	EDO, (E&SE) Bunir	
X 10	Mr. Muhammad Kamel, MA, M.Ed	20.03.51	Mardan	09.09.1974	28.05.1999	19	By Promotion	Pri: GHS Takker, Mardan	
X 11	Mr. Taj Muhammad, MA, M.Ed	05.01.51	Malakand	07.09.1971	28.05.1999	19	By Promotion	Pri: GHS No 1 Tanqi Charsadda.	
12	Mr. Amanullah Jan, MA, M.Ed	14.04.54	Karak	09.10.1972	28.05.1999	19	By Promotion	Pri: GHSS, Mitha Khel, Karak	
X 13	Mr. Fida Muhammad, MA, M.Ed	01.01.51	Charsadda	18.12.1974	28.05.1999	19	By Promotion	Pri: GHSS, Shabcadar, Charsadda	
X 14	Mr. Sarbiland Khan, MA, B.Ed	06.06.50	Dir	10.02.1957	28.05.1999	19	By Promotion	Pri: GCMHS, Timarcara Dir (L).	
15	Mr. Gul Nawaz, MA, B.Ed	14.04.54	Chitral	22.04.1972	28.05.1999	19	By Promotion	Pri: GHS Thana Malakand.	
X 16	Mr. Sher Dil Aman, MA, B.Ed	01.04.51	Chitral	29.04.1972	28.05.1999	19	By Promotion	Pri: GHSS Nizampur NSR.	
X 17	Mr. Abdul Malik, MA, M.Ed	07.01.54	D.I.Khan	10.02.1977	28.05.1999	19	By Promotion	Pri: GHS No 2 D.I.Khan	
X 18	Mr. Muhammad Yousaf, MA, M.Ed	01.02.50	Bajour	20.12.1959	28.05.1999	19	By Promotion	Pri: GHSS, No.1, Jamrod.	
19	Mr. Jamshed Ahmad, Bsc, B.Ed	12.04.55	D.I.Khan	25.10.1982	28.05.1999	19	By Promotion	Pri: GHS, Suthan, Peshawar Moh. Agency	
20	Mr. Gul Nawaz, MA, M.Ed	04.06.54	SWA	12.04.1974	23.05.1999	19	By Promotion	AEO PR. D.I.Khan-Tank	

2

149	Mr.Tariq Mahmood,MA.M.Ed	20.11.61	Haripur	06.12.86	05.01.2009	19	By Promotion	Pri. GHS. T.T.Sho. Haripur.
150	Mr.Abdul Wahid,M.Sc.M Ed	17.01.62	Dir	31.12.89	05.01.2009	19	By Promotion	Pri: GHSS, Takht Bai, Mardan.
151	Mr.Shah Afzal, MA.M.Ed	07.04.62	Swabi	07.11.87	05.01.2009	19	By Promotion	Pri: GHS Kota Swabi
152	Mr.Muhammad Sultan,M.Sc;M.Ed	15.10.63	Karak	12.11.90	05.01.2009	19	By Promotion	Pri: GHSS, Karak.
153	Mr.Hazeequr Rehman,MA.M.Ed	06.02.62	Karak	01.09.85	05.01.2009	19	By Promotion	Pri: GHS.No.2. Kohat.
154	Mr.Muhammad Mukhtar, MA.M.Ed	15.12.57	Dir	14.11.81	05.01.2009	19	By Promotion	Pri:GHS Khazana Dir Lower
155	Mr.Gul Zaman,MA.M.Ed	12.02.62	Malakand	12.01.90	05.01.2009	19	By Promotion	EDO (E&SE) Nowshera
156	Mr.Saifur Rehman,MA.B.Ed	25.12.55	Bannu	01.12.73	05.01.2009	19	By Promotion	Pri: GHSS, No.2. Centt. Peshawar.
157	Mr.Dilawar Khan, MA.M.Ed	03.06.64	Swat	01.10.89	05.01.2009	19	By Promotion	Pri: GHSS, Mirgora, Swat.

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SECRETARY TO GOVERNMENT OF NWFP
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT.

- Endst.No.SO(S) Dated Peshawar the,
- Copy of the above is forwarded for information & reaction to the :-
1. Director Elementary & Secondary Education, NWFP, Peshawar.
 2. Director of Education (FATA) NWFP, Peshawar.
 3. Director (PITE) NWFP, Peshawar.
 4. Director Curriculum & Teacher Edu; NWFP, AJAbad.
 5. All the Executive District Officers(E&SE) in NWFP.
 6. All officers concerned.
 7. P.s to Secretary to Govt; of NWFP (E&SE) Deptt.

Section Officer (Schools)
Govt. of NWFP, E&SE Department Peshawar

Attested



6

17-10-09

GOVERNMENT OF NWFP
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT
Dated October 17, 2009

NOTIFICATION

NO. SO(S)-4-24/2004/Seniority List BS-19 (M). In exercise of power conferred under Sub Section (1) of Section-8 of the North West Frontier Province Civil Servants Act, 1973 (NWFP Act No. XVIII of 1973), the Final Seniority List of Male Officers (BS-19) of Elementary & Secondary Education Department corrected up to 5-1-2009 is hereby notified for information of all concerned.

CHIEF SECRETARY
TO GOVT. OF NWFP

Endst : of even No. & Date

Copy of the above is forwarded to the :-

1. Director, Elementary & Secondary Education, NWFP Peshawar.
2. Director of Education FATA NWFP Peshawar.
3. Director, Curriculum & Teachers Education, NWFP Abbottabad.
4. Director, PITE NWFP Peshawar.
5. All officers concerned.
6. PS to Secretary, E&SE Department.
7. Office order file.

Attested

(SYED AHMAD KHAN)
SECTION OFFICER (SCHOOLS)



B
1 7 24-2-11
REGISTERED

GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

Dated Peshawar the February 24, 2011

NOTIFICATION

NO. SO(S/M)E&SED/3-2/2011/EDOs/EMC (BS-19): Consequent upon the recommendations of Khyber Pakhtunkhwa public Service Commission Peshawar, the competent authority is pleased to appoint the following candidates against the post of Executive District Officers/Additional Directors (BS-19) (Rs.19680-970-39080) plus usual allowances as admissible under the rules on regular basis under the existing policy of the Provincial Government, in the Management Cadre in Elementary & Secondary Education Department on the terms and conditions given below with immediate effect :-

S. #	NAME WITH FATHER'S NAME AND ADDRESS
1.	Ghulam Qasim Khan S/O Abdul Majeed Khan, R/O Gillani Town, Street No. 2 Distt: D.I. Khan.
2.	Abdul Malik S/O Muhammad Mushtaq, R/O Muhalla Jamundan Wala Distt: D.I. Khan.
3.	Umar Khan S/O Muhammad Hassan, R/O Faizullah Colony, Near Degree College Tank City.
4.	Shamas Khan S/O Mir Ahmad Khan, R/O Village Satkatur, Gadoon P/O Kabgani Tehsil & Distt: Swabi.
5.	Abdus Salam S/O Hameed Ullah Jan, R/O Village Mozam, Tehsil & Distt: D.I. Khan.
6.	Siraj Mohammed S/O Muhammad Khan, R/O Village Towda, P/O Wahid Garhi Charsadda Road Peshawar.
7.	Muhammad Uzair Ali S/O Abdul Qayyum, R/O Village Tordher, Muhalla Saini Adda, Tehsil Lahor Distt: Swabi.
8.	Nazir Khan S/O Gul Piao Khan, R/O Yaghi Ghulam Khel, Muhalla Ghazali Public School, Khojaki Qilla Tehsil Takhte Nasrati Distt: Karak.
9.	Sahibzada Hamid Mahmud S/O Mahmud-Ul-Hassan Akhtar, House No. 105/5-B, Nawaz Street Javed Town Gulbahar No. 4 Peshawar City.
10.	Bashir Hussain Shah S/O Taj Hussain Shah, Mohalla Malkan Wala Village Darvesh Tehsil & Distt: Haripur.
11.	Muhammad Rafique S/O Niaz Khamim, House No. 84/1/TCK Karak City P/O Karak Tehsil & Distt: Karak.
12.	Feroz Hussain Shah S/O Sultan Ali Shah, Village & P/O Wanda Khaliq Shah Tehsil & Distt: D.I. Khan.
13.	Abdur Rashid S/O Ghulam Jaffar, P/O Muryali, Chah Mughal Wala Tehsil & Distt: D.I. Khan.
14.	Muhammad Ibrahim S/O Buzarg Jamher, Village Dantal Tehsil Samarbagh Distt: Dir Lower.
15.	Sultan Mahmood Mian S/O Mumtaz, Village & P/O Deolia, Distt: Swat.
16.	Roz Wali Khan S/O Jannat Noor, Village & P/O Tatar Khel, Tehsil Takhte Nasrati Distt: Karak.
17.	Abdullah S/O Mir Azam, Village Jolagram, Muhalla Darvesh Khel, Tehsil Swat Ranezai Distt: Malakand Agy.
18.	Muhammad Riaz S/O Ghulam Khan, Village Sokar P/O Guli Bagh Tehsil & Distt: Manshra.
19.	Jehan Muhammad S/O Sultan Muhammad, Mohalla Dagi Khel Village Rashakai Tehsil & Distt: Nowshera.
20.	Gohar Ali Khan S/O Muhammad Ali Khan, Village Tarkha Distt: Nowshera.
21.	Haziq-ur-Rahman S/O Sarwar Jan, Village Ganderi Khattak, Tehsil & P/O Takhte Nasrati Distt: Karak.
22.	Zia-ud-Din S/O Ghulam Mohiy-ud-Din, Bamozai Street Meena Khel Distt: Lakki Marwat.
23.	Atta Ullah Khan S/O Muhammad Nawaz Khan, Mohalla Meena Khel Tehsil & Distt: Lakki Marwat.

2. Consequent upon the above, the following postings/transfers are hereby ordered, henceforth:-

S. #	NAME OF RECOMMENDERS	PLACE OF POSTING	REMARKS
1.	Ghulam Qasim Khan S/O Abdul Majeed Khan	EDO (E&SE) Taank	
2. ✓	Abdul Malik S/O Muhammad Mushtaq	EDO (E&SE) Lakki Marwat.	
3.	Umar Khan S/O Muhammad Hassan	EDO (E&SE) Manshara.	
4.	Shamas Khan S/O Mir Ahmad Khan	EDO (E&SE) Buner.	
5.	Abdus Salam S/O Hameed Ullah Jan	EDO (E&SE) Swabi.	already occupied by him
6.	Siraj Muhammad S/O Muhammad Khan	EDO (E&SE) Chitral.	
7.	Muhammad Uzair Ali S/O Abdul Qayyum	EDO (E&SE) Mardan	
8.	Nazir Khan S/O Gul Piao Khan	EDO (E&SE) Kohat.	
9.	Sahibzada Hamid Mehmood S/O Mehmood-ul-Hassan Akhtar	EDO (E&SE) Abbottabad.	
10.	Bashir Hussain Shah S/O Taj Hussain Shah	Addl. Director P&D, Directorate of E&SE	already occupied by him
11.	Muhammad Rafique S/O Niaz Khanim	Addl. Director Establishment Directorate of E&SE.	
12.	Feroz Hussain Shah S/O Sultan Ali Shah	EDO (E&SE) D.I. Khan.	
13.	Abdur Rashid S/O Ghulam Jafar	EDO (E&SE) Banau.	
14.	Muhammad Ibrahim S/O Buzerg Jamher	EDO (E&SE) Dir Lower.	already occupied by him
15.	Sultan Mahmood Mian S/O Muntaq	EDO (E&SE) Swat.	
16.	Roz Wali Khan S/O Jannat Noor	EDO (E&SE) Nowshera.	already occupied by him
17.	Abdullah S/O Mir Azam	EDO (E&SE) Shangla.	
18.	Muhammad Riaz S/O Ghulam Khan	EDO (E&SE) Haripur.	
19.	Jehan Muhammad S/O Sultan Muhammad	EDO (E&SE) Hangu.	
20.	Gohar Ali Khan S/O Muhammad Ali Khan	EDO (E&SE) Peshawar.	
21.	Haziq-ur-Rahman S/O Sarwar Jan	EDO (E&SE) Karak.	
22.	Zia-ud-Din S/O Ghulam Mohiy-ud-Din	EDO (E&SE) Dir Upper	
23.	Atta Ullah Khan S/O Muhammad Nawaz Khan	EDO (E&SE) Charsadda.	

3. The services of the present incumbents of teaching cadre are placed at the disposal of Director, E&SE for further posting.

TERMS & CONDITIONS:

- 1- Their services will be considered regular but without Pension & Gratuity in terms of Section-19 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 rates 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 will 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 as provided in NWFP Appointment Promotion and Transfer Rules 1989.
- 6- They will be governed by such rules and regulations as may be issued from time to time by the Government.
- 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

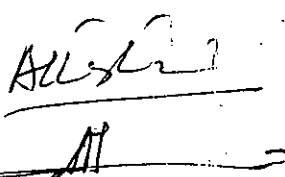
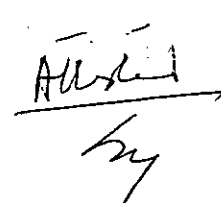
Ends: of even number & date:

Copy forwarded to the:

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



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

FROM :

FAX NO. :0091 0919212798

14 Dec, 2011 09:57PM F1



**GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT**

Dated Peshawar the December 14, 2011

NOTIFICATION

NO.SO(S/M)/E&SED/4-16/2011/EDOs/Principals (BS-19): The Competent Authority is pleased to order the posting/ transfer of the following officers (BS-19) on the posts/ stations mentioned against their names in the interest of public service and in relaxation of ban with immediate effect:-

S.#	Name With Present Posting	Transfer To	Remarks
1.	Mr. Raj Muhammad, Principal (BS-19) GHSS No. 1 Peshawar City.	EDO (BS-19) E&SE Buner.	Vice S. No. 2 (He will take charge 01-01-2012)
2.	Mr. Shamas Khan, EDO (BS-19) E&SE Buner.	Additional Director (BS-19) P&D Directorate of E&SE.	Against Vacant Post (He will take charge on 01-01-2012)
3.	Mr. Abdul Malik, EDO (BS-19) E&SE Lakki Marwat.	Principal (BS-19) GHSS Khair Abad Mardan.	Against Vacant Post
4.	Mr. Jaffar Mansoor Abbasi, EDO (BS-19) Management Cadre (awaiting posting).	Principal (BS-19) GHSS Lora Abbottabad.	-do-
5.	Mr. Muhammad Riaz, EDO (BS-19) E&SE Haripur Management Cadre.	EDO (BS-19) E&SE Abbottabad.	Vice S. No. 6
6.	Syed Hamid Mehmood, EDO (BS-19) E&SE Abbottabad MC.	EDO (BS-19) E&SE District Torghar.	Vice S. No. 12
7.	Mr. Abdul Qudoos, Principal (BS-19) GHSS Kalabat Haripur	EDO (BS-19) E&SE Haripur.	Vice S. No. 10
8.	Mr. Zia-ud-Din, EDO (BS-19) MC (awaiting posting)	Principal (BS-19) GHSS No. 1 Abbottabad.	Against Vacant Post
9.	Mr. Abdur-Rashid, EDO (BS-19) E&SE Bannu.	EDO (BS-19) E&SE Dir Upper.	-do-
10.	Mr. Saraf Ali Shah, Principal (BS-19) GHS Serai Niamat Khan Haripur.	EDO (BS-19) E&SE Bannu.	Vice S. No. 9
11.	Mr. Gohar A. EDO (BS-19) MC (awaiting posting).	Principal (BS-19) GCMHS No. 3 Mardan.	Against Vacant Post
12.	Mr. Bahader Khan, EDO (BS-19) E&SE Torghar.	EDO (BS-19) E&SE Mardan.	-do-
13.	Mr. Hassanat Gul, Principal (BS-19) GHSS Pabbi Distt. Nowshera.	EDO (BS-19) E&SE Nowshera.	-do-
14.	Mr. Hakimullah, Principal (BS-19) GHSS Umarzai Charsadda.	EDO (BS-19) E&SE Peshawar.	Already holding temporary charge

Abdul
ky

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

FROM :

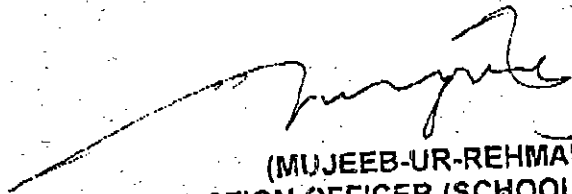
FAX NO. : 0091 0919212798

14 Dec. 2011 09:57PM P2

Endst. of even No. & Date

Copy forwarded to the:

1. Accountant General, Khyber Pakhtunkhwa Peshawar.
2. Director, E&SE Khyber Pakhtunkhwa, Peshawar.
3. District Accounts Officers concerned.
4. Executive District Officer E&SE concerned.
5. PS to Minister E&SE, Khyber Pakhtunkhwa.
6. Incharge EMISE E&SE Department.
7. PS to Secretary E&SE Department, Khyber Pakhtunkhwa.
8. Officers concerned.
9. Office order file.


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

Attested
by

Attested
M



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

Dated Peshawar the February 18, 2012

NOTIFICATION

NOSO(S/M)E&SED/4-16/2011/EDOs/ Principals (BS-19):- Postings/Transfers were made vide this Department's Notification No. SO(S/M) E&SED4-16/2011/EDOs/Principals (BPS-19) dated 14.12.2011 and No. SO(S/M) E&SED4-16/EDOs/Principals dated 26.12.2011 (Annexure-A & B). The order stand implemented except the following who filed writ petitions in the Peshawar High Court Peshawar (Annexure-C):-

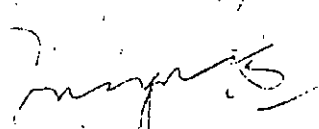
1. Mr. Abdul Malik, EDO (BS-19) E & SE Lakki Marwat.
 2. Mr. Zia-Ud-Din, EDO (BS-19) E&SE Dir Upper.
 3. Mr. Gohar Ali Khan, EDO (BS-19) E&SE Peshawar.
 4. Mr. Nazir Khan EDO (BS-19) E&SE Kohat
2. The Honorable High Court vide its interim order suspended this Department's Notifications of even numbers dated 14.12.2011 and 26.12.2011 and granted stay to the above petitioners. Later on these petitions were clubbed. Now the Honorable High Court vide judgment (Annexure-D) has disposed of all the writ petitions Nos. 3519, 3520, 3482 and 3560 of 2011 with the direction that the respondents (Government of Khyber Pakhtunkhwa) shall re-adjust the petitioners on the administrative/executive posts according to the policy of the Provincial Government, duly approved by the Cabinet, within a period of one month.
3. As per directions of the Honorable High Court, and decision of the Cabinet dated 26.09.2011, the re-adjustment of petitioners would be done as per policy of the Government. With the disposal of writ petitions as above, the pre-position of writ petitions stands restored in the light of judgment. All concerned to ensure compliance
4. No TADA is allowed.

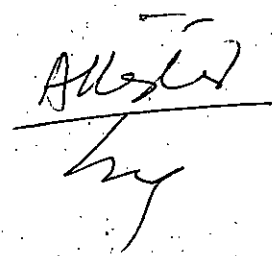
Secretary to Government of Khyber Pakhtunkhwa
Elementary & Secondary Education
Department

Emdst. Of even No. & Date.

Copy forwarded to the:

1. Accountant General, Khyber Pakhtunkhwa Peshawar.
2. Director, E&SE Khyber Pakhtunkhwa.
3. District Accounts Officers concerned.
4. PSO to Chief Minister, Khyber Pakhtunkhwa.
5. PS to Chief Secretary, Khyber Pakhtunkhwa.
6. PS to Secretary E&SE Department, Khyber Pakhtunkhwa.
7. Incharge EMISE E&SE Department.
8. Officers concerned.
9. Office order file.


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



23-02-2012.

S.No.	Name & Designation, Office/School	Qualification	Date of Birth	Domicile	Date of 1st Entry into Govt. Service.	Date of Appnt./Promo to the present grade	Method of Recruitment	Remarks.
1	2	3	4	5	6	7	8	9
1	Mr. Imam Gul, Pri. GHS Bajour	MA.B.Ed	01.09.55	Bajour	29.10.1974	31.05.1997	By Promotion	
2	Mr. Amanullah Jan, Pri. GHSS, Mitha Khel, Karak	MA.M.Ed	14.04.54	Karak	09.10.1972	28.05.1999	By Promotion	
3	Mr. Gul Nawaz, Pri: GHS Thana Malakand.	MA.B.Ed	14.04.54	Chitral	22.04.1972	28.05.1999	By Promotion	
4	Mr. Jamshed Ahmad, Pri: GHS Dagai Swabi	Bsc; B.Ed	12.04.56	D.I.Khan	26.10.1982	28.05.1999	By Promotion	
5	Mr. Gul Nawaz, AEO FR DI Khan/Tank	MA.M.Ed	04.08.54	SWA	12.04.1974	28.05.1999	By Promotion	
6	Mr. Muhammad Bashir Pri: GHS Adina Swabi	MA.M.Ed	04.11.55	D.I.Khan	01.04.1976	17.01.2002	By Promotion	
7	Mr. Fazli Aziz GHS No 1 Mingora, Swat	MA.M.Ed	15.04.53	Swat	01.10.1970	17.01.2002	By Promotion	
8	Mr. Ali Jan, Pri. GHS Swabi	MA.M.Ed	15.06.53	Swabi	20.10.1973	17.01.2002	By Promotion	
9	Mr. Ghaniur Rehman, Pri: GHSS Chamkani Peshawar	MSc; B.Ed	06.04.54	Peshawar	04.11.1980	17.01.2002	By Promotion	
10	Mr. Muzaffar Hussain, Pri: GHS, Wadodia, swat	MA.M.Ed	04.08.52	Swat	01.10.1967	17.01.2002	By Promotion	
11	Mr. Ghulam Qasim, Pri: GHS No.4 D.I.Khan	MSc; B.Ed	15.04.53	Bannu	06.12.1975	17.01.2002	By Promotion	
12	Mr. Younas Ali Shah, AEO FR Peshawar	MA.B.Ed	05.12.58	Bannu	01.08.1980	17.01.2002	By Promotion	
13	Mr. Naveed Iqbal, Pri: GCMHS Akora Khattak	MA.B.Ed	23.05.53	Bannu	07.01.1987	17.01.2002	By Promotion	
14	Mr. Javed Khalid, Pri: GHS No.2 Haripur.	MA.B.Ed	01.04.56	Mansehra	03.02.1975	17.01.2002	By Promotion	
15	Mr. Muhammad Javed, Pri: GHSS K.Najibullah	MA.M.Ed	12.06.52	Abbottabad	22.03.1976	17.01.2002	By Promotion	
16	Mr. Amir Muhammad, Pri: GHS Kalu Khan Swabi	MA.B.Ed	20.08.54	Swabi	15.11.1974	17.01.2002	By Promotion	
17	Mr. Islamuddin, Secretary BISE Peshawar cantt	MA.B.Ed, LLB	10.04.57	Peshawar	01.01.1978	17.01.2002	By Promotion	
18	Mr. Ayaz Khan, Pri: GHSS, No.3 Peshawar city.	MA.M.Ed	06.02.54	Peshawar	20.10.1975	17.01.2002	By Promotion	
19	Mr. Hashmat Hussain, Pri: GHSS, Utmanzai Charsadda.	MSc; M.Ed	07.04.53	Peshawar	23.01.1988	17.01.2002	By Promotion	
20	Mr. Pir Ghulam	MA.B.Ed	12.12.57	Bannu	01.10.1980	17.01.2002	By Promotion	Undepotation
21	Mr. Mumtaz Khan, Pri: GHS, No.1, Kohat.	MSc; B.Ed	01.08.57	Bannu	23.08.1982	17.01.2002	By Promotion	
22	Mr. Amir Bahadar, Pri: GHS Biket Ganj Mardan	MA.M.Ed	04.08.53	Mardan	22.01.1974	17.01.2002	By Promotion	
23	Mr. Muhammad Azam, Pri: GHS Garhi Kapura, Mardan	MA.M.Ed	15.04.53	Mardan	18.04.1972	09.02.2004	By Promotion	
24	Mr. Mir Aslam, Principal GHSS Hurmuz W. Agency	MA.B.Ed	01.04.53	Lakki	21.11.1976	09.02.2004	By Promotion	

11-6-12
23-2-12

13

D

S.No.	Name & Designation, Office/School	Qualification	Date of Birth	Domicile	Date of 1st Entry into Govt. Service.	Date of Appt./Promo to the present grade	Method of Recruitment	Remarks.
1	2	3	4	5	6	7	8	9
25	Mr. Salahuddin Shah, Principal, GHS, No. 4, A. Abad	MA.M.Ed	21.06.54	Mansehra	28.11.1973	09.02.2004	By Promotion	
26	Mr. Meraj-ud-Din, I/C Principal (RITE) Male DIKhan.	MA.B.Ed	01.05.54	DIKhan	21.12.1976	09.02.2004	By Promotion	
27	Mr. Khurshid Rauf, Principal GEC Habibullah FR Bannu.	MA.M.Ed	01.10.57	Bannu	24.10.1981	09.02.2004	By Promotion	
28	Mr. Shah Azizur Rehman, Principal GHS, No. 1, Dargai Mkd.	MA.M.Ed	20.04.52	Malakand	23.01.1974	09.02.2004	By Promotion	
29	Mr. Abdul Kabir, Pri GCMHS, Chital.	MA.B.Ed	06.08.52	Chitral	29.05.1974	09.02.2004	By Promotion	
30	Mr. Muzzamil Khan, Principal GHSS, Bilitang, Kohat.	MA.M.Ed	01.09.57	Bannu	26.01.1981	09.02.2004	By Promotion	
31	Mr. Abdul Rehman, Pri: GHSS, Ouch, Dir Lower.	MA.B.Ed	30.12.53	Chitral	11.08.1974	09.02.2004	By Promotion	
32	Mr. Nadir Zaman, Principal GHSS Nawan Sher A/Abad.	MA.B.Ed	08.08.57	Bannu	11.01.1988	09.02.2004	By Promotion	
33	Mr. Mir Azam, Pri: GHSS Shahbez Garhi Mardan	MA.B.Ed	25.05.55	Bannu	16.08.1971	09.02.2004	By Promotion	
34	Mr. Khalid Mehmood, Pri GHS, Bandi Dhundan, A/Abad.	MA.M.Ed	01.01.55	Mansehra	03.12.1975	09.02.2004	By Promotion	
35	Mr. Muhammad Saeed, EDO, (S/L) Battagram.	MA.B.Ed	30.04.57	Battagram	20.05.1973	09.02.2004	By Promotion	
36	Mr. Dilawar Khan, Pri: G Comp: HS Bannu.	MA.B.Ed	01.02.60	Bannu	13.09.1981	09.02.2004	By Promotion	
37	Mr. Muhammad Ayub, Pri. GHS, Pakha ghulam Pesh.	MA.M.Ed	01.02.55	Charsadda	29-11-1977	13.09.2004	By Promotion	
38	Mr. Asmat Ullah, Pri: GHS No. 1 Bannu	MSc.M.Ed	22.02.55	Bannu	18-10-1983	13.09.2004	By Promotion	
39	Mr. Attaullah Khan, Pri: GHS Dara Zinda FR. D.I. Khan.	MA.M.Ed	15.10.54	Lakki	16-11-1974	01.04.2005	By Promotion	
40	Mr. Jamal-ud-Din, G.T.Z Project;	MA.M.Ed	01.10.54	Swabi	01.02.78	01.04.2005	By Promotion	
41	Mr. Khizar Hayat, Pri: GHSS, Ziarat Talash Dir(L)	MSc.M.Ed	07.05.54	Dir	05.10.83	01.04.2005	By Promotion	
42	Mr. Saif-ur-Rehman, Principal GHS No 1 Nowshera Cantt.	MA.M.Ed	11.09.63	Nowshera	07.05.86	30.09.2006	By Promotion	
43	Mr. Hashim Khan, AEO Khyber Agency	MA.M.Ed	02.04.63	Khyber Agy:	24.12.84	30.09.2006	By Promotion	
44	Mr. Ahmad Jan, Pri: GHS Charsadda Khas.	MA.M.Ed	10.06.60	Charsadda	04.12.88	30.09.2006	By Promotion	
45	Mr. Fazal Rahim, Chairman BI&SE Bannu.	MA.M.Ed	21.08.57	Bannu	19.11.83	30.09.2006	By Promotion	
46	Mr. Fazli Malik, Pri GHS Gujrat Mardan	MA.M.Ed	25.05.58	Mardan	22.09.76	30.09.2006	By Promotion	
47	Mr. Mushtaq Ahmad, EDO(S&L) Malakand.	MA.M.Ed	01.04.62	Malakand	15.11.83	30.09.2006	By Promotion	
48	Mr. Noor-ul-Waihab, Pri: GHS, Lahor, Swabi	MA.M.Ed	25.12.56	Swabi	16.11.80	30.09.2006	By Promotion	

S.No.	Name & Designation, Office/School	Qualification	Date of Birth	Domicile	Date of 1st Entry into Govt; Service.	Date of Appt./Promo to the present grade	Method of Recruitment	Remarks.
1	2	3	4	5	6	7	8	9
49	Dr.S.Wajid Ali Shah, Pri GHS No 2 B/Gunj Mardan.	MA.Ph.D	14.05.58	Mardan	26.09.82	30.09.2006	By Promotion	
50	Mr.Hamid Ali, Principal GHSS Resal pur Nowshera.	MA.M.Ed	01.04.62	Swabi	13.12.86	30.09.2006	By Promotion	
51	Mr.Liaqat Ali, Pri; GHS, Nodah payan Peshawar.	MA.M.Ed	12.04.55	Nowshera	21.01.84	30.09.2006	By Promotion	
52	Mr.Said Muhammad, Pri. GHS Navi Kilfi Laman, Moh: Agy:	MA.M.Ed	01.06.58	Bajour Agy:	17.05.82	30.09.2006	By Promotion	
53	Mr.Hakim Ullah, Pri. GHSS Umarzai Charsadda	MA.M.Ed.LLB.	02.04.60	Charsadda	21.4.82	5.01.2009	By Promotion	Gained seniority vide No. SO(R-1) S&GAD dated 13-4-87
54	Mr.Ali Shah, AEO, FR D.I.Khan.	MA.M.Ed	01.04.61	SWA	27.09.84	30.09.2006	By Promotion	
55	Mr.Jamil Akhtar, Pri; GCMHS, No.3, Abbottabad.	MA.M.Ed	15.12.57	Haripur	14.04.86	30.09.2006	By Promotion	
56	Mr.Jamil-ur-Rehman, Pri: GHSS NO.1 Peshawar City.	MA.M.Ed	20.04.55	Peshawar	30.04.75	30.09.2006	By Promotion	
57	Mr.Luqman Ali Khan, Pri; GCMHS, Akora khattak, NSR	MA.M.Ed	24.04.59	Nowshera	04.03.87	30.09.2006	By Promotion	
58	Mr.Muhammad Siddique, Pri: GHS Khan Pur, Haripur	MA.M.Ed	14.04.57	Haripur	01.10.81	30.09.2006	By Promotion	
59	Mr.Rehmanullah, Pri: GHSS, Domel, Bannu.	MA.M.Ed	01.05.62	Bannu	12.10.85	30.09.2006	By Promotion	
60	Mr.Fazle Umer, E.D.O.(E&SE) Hangu.	MA.M.Ed	20.05.59	Lakki	24.11.85	30.09.2006	By Promotion	
61	Mr.Zahid Rashid, Pri; GHS, Gumbat Kohat.	MA.M.Ed	15.09.60	Kohat	08.01.86	30.09.2006	By Promotion	
62	Mr.Khair Muhammad, Pri. GHS No.1, Mardan.	MA.M.Ed	15.02.53	Swabi	01.10.72	30.09.2006	By Promotion	
63	Mr.Shabir Ahmad, Pri: GCMHS, No 2 Peshawar City.	MA.M.Ed	15.06.53	Peshawar	01.10.73	30.09.2006	By Promotion	
64	Mr.Muhammad Iqbal, E.D.O (E&SE) Karak	MA.M.Ed	12.08.58	Karak	14.05.81	30.09.2006	By Promotion	
65	Mr.Muhammad Khan, E.D.O.(E&SE) Charsadda	MA.M.Ed	25.05.54	D.I.Khan	20.10.73	30.09.2006	By Promotion	
66	Mr.Muhammad Zeb, Pri; GHS, Dheri Aildhand No.1. MKD	MA.M.Ed	10.05.61	Malakand	16.04.83	05.01.2009	By Promotion	
67	Mr.Azizur Pehman, AEO SWA	MSc.M.Ed	09.12.60	F.A.T.A.	01.03.88	05.01.2009	By Promotion	
68	Mr.Asmat Khan, AEO, FR Peshawar	MA.M.Ed	13.03.58	FR.Peshawar	31.01.83	05.01.2009	By Promotion	
69	Mr.Muhammad Bashir Ahmad, Pri. GHS No.1. Rajjar, Chd	MA.M.Ed	15.07.58	Charsadda	18-09-82	05.01.2009	By Promotion	
70	Mr Hamayun Khan, Pri. GHS Shawa, Dir Lower	MA.M.Ed	03.02.60	Dir (L)	09.10.82	05.01.2009	By Promotion	
71	Mr.Salah-ud-Din, Dy: Director(P&D) FATA, NWFP Pesh.	MA.M.Ed	04.03.52	Swabi	21.11.75	05.01.2009	By Promotion	
72	Mr.Muhammad Hassan, Pri. GHS, No.1, Kohat	MA.M.Ed	01.04.55	Kohat	25.09.89	05.01.2009	By Promotion	

S.No.	Name & Designation, Office/School	Qualification	Date of Birth	Domicile	Date of Joining into Govt; Service.	Appt./Promo to the present grade	Method of Recruitment	Remarks.
1	2	3	4	5	6	7	8	9
73	Mr:Saeed Khan, Pri. GHSS Batkhela MKD	MA.M.Ed	07.08.58	Dir	29.06.77	05.01.2009	By Promotion	
74	Mr:Abdul Haq, Pri, GHSS, Bughdada Mardan.	MA.M.Ed	25.05.60	Mardan	24.10.81.	05.01.2009	By Promotion	
75	Mr:Matullah, Pri; GHSS, Shaidu Nowshera.	MA.M.Ed	11.03.62	Swabi	01.11.84.	05.01.2009	By Promotion	
76	Mr:Hanif Ullah, Pri; GHS, Topi, Swabi	MSc;M.Ed	08.06.64	Swabi	21.12.86	05.01.2009	By Promotion	
77	Mr:Nadir Khan, Pri. GHS Daroshkhela, Swat	MA.M.Ed	01.01.63	Swat	06.02.88.	05.01.2009	By Promotion	
78	S. Mehboob Ahmad Shah Pri.GHS, Balagram, Chdd	MA.M.Ed	01.01.63	Kohat	30.09.87.	05.01.2009	By Promotion	
79	Mr:Abdul Latif, Pri; GHS, Mangalore Swat	MSc;M.Ed	12.04.55	Swat	23.8.78.	05.01.2009	By Promotion	
80	Mr:Muhammad Qadeem, Pri. GHS, Matta swat.	MA.M.Ed	09.10.58	Swat	26.11.86	05.01.2009	By Promotion	
81	Mr:Atta Ullah, Pri, GHS Kotka Ayaz FR Bannu	MA.M.Ed	01.01.60	D.I.Khan	24.11.84.	05.01.2009	By Promotion	
82	Mr:Mir Kalam, Pri, GHS Mathra Peshawar	MA.M.Ed	03.03.60	Karak	07.12.87.	05.01.2009	By Promotion	
83	Mr:Misal Khan, Pri.GHS, Toru. Mardan	MA.M.Ed	11.03.62	Mardan	02-07.84	05.01.2009	By Promotion	
84	Mr:Akbar Hussain, Pri; GHS, Madayan Swat	MSc;M.Ed	03.01.57	Swat	25.10.66.	05.01.2009	By Promotion	
85	Mr:Fida Muhammad, Pri. GHS, Dobhian Swabi	MA.M.Ed	12.12.60	Mardan	26.10.86	05.01.2009	By Promotion	
86	Mr:Iqbal Anwar, Pri. GHS, Lond khawar, Mardan	MSc;M.Ed	01.12.56	Mardan	17.11.83	05.01.2009	By Promotion	
87	Mr:Muhammad Javed, Pri. GHS, Dagai, Swabi	MSc;M.Ed	04.01.63	Swabi	06-01.88	05.01.2009	By Promotion	
88	Mr:Inayat Ali, Pri. GCMHS, Mardan	MA.M.Ed	02.04.64	Mardan	01.12.82	05.01.2009	By Promotion	
89	S: Abbas Ali Shah, Pri. GHS Israr Shaheed Parachinar	MA.M.Ed	07.02.55	Kurram Agy:	11-08.75	05.01.2009	By Promotion	
90	Mr:Raza Ullah, Chief of Edu: P&D Department Civil Secretariat	MA.M.Ed	06.04.63	Swabi	16.10.2000	05.01.2009	By Promotion	
91	Mr:Mukhtar Ahmad, EDO(E&SE) Kohistan	MA.M.Ed	02.09.52	Mansehra	16.11.73	05.01.2009	By Promotion	
92	Mr:Sultan Zeb, Pri: GHS Totalai Buneer	MA.M.Ed	15.05.52	Bunair	17.04.76	05.01.2009	By Promotion	
93	Mr:Ahmad Hussain, EDO (E&SE) Mardan	MA.M.Ed	06.10.56	Swabi	18.10.77	05.01.2009	By Promotion	Dismissed, case is under trail
94	Mr:Nek Nawaz Khan, Pri: GHS Ghoriwala Bannu	MA.M.Ed	15.02.58	Bannu	18.11.84	05.01.2009	By Promotion	
95	Mr:Khurshid Anwar, Pri: GHS Kabal Swat	MSc;M.Ed	12.06.56	Swat	01.11.84	05.01.2009	By Promotion	
96	Mr:Mir Baz Khan, Pri; GHS, Dag Baisood, Nowshera.	MSc;M.Ed	20.03.60	Lakki	12.10.85	05.01.2009	By Promotion	
97	Mr:Hussain Ahmad, Pri: GHS Wari Dir Upper	MSc;M.Ed	01.02.59	Dir	19.03.86	05.01.2009	By Promotion	

16

S.No.	Name & Designation.Office/School	Qualification	Date of Birth	Domicile	Date of 1st Entry into Govt; Service.	Appt./Promo to the present grade	Method of Recruitment	Remarks.
1	2	3	4	5	6	7	8	9
98	Mr.Matiullah Pri; GHS, Sabir Abad Karak.	MA.M.Ed	20.11.57	Karak	10.01.85	05.01.2009	By Promotion	
99	Mr.Atiqur Rahman,Project Manager FATA	M.Phil M.Ed	16.03.62	Peshawar	06.01.88	05.01.2009	By Promotion	
100	Mr.Sifatullah, Pri; GEC(M) Kotka Ayaz FR Bannu.	MA.M.Ed	01.09.59	Lakki	10.09.85	05.01.2009	By Promotion	
101	Mr.Tariq Mahmood,Pri. GHS, T.T.Ship. Haripur.	MA.M.Ed	20.11.61	Haripur	06.12.68	05.01.2009	By Promotion	
102	Mr:Abdul Wahid,Pri; GHSS, Takht Bai, Mardan,	MA.B.Ed	17.01.62	Dir	31.12.89	05.01.2009	By Promotion	
103	Mr:Shah Afzal,Pri: GHS Kota Swabi	MA.M.Ed	07.04.62	Swabi	07.11.87	05.01.2009	By Promotion	
104	Mr:Muhammad Sultan,Pri; GHSS, Karak.	MSc;M.Ed	15.10.63	Karak	12.11.90	05.01.2009	By Promotion	
105	Mr:Muhammad Mukhtiar,Pri:GHS Khazana Dir Lower	MA.M.Ed	15.12.57	Dir	14.11.81	05.01.2009	By Promotion	
106	Mr:Gul Zaman,Pri GHS Havelian	MA.M.Ed	12.02.62	Malakand	12.01.90	05.01.2009	By Promotion	
107	Mr:Saifur Rehman, Pri: GHSS,No.2,Canth: Peshawar.	MA.B.Ed	25.12.55	Bannu	01.12.73	05.01.2009	By Promotion	
108	Mr:Dilawar Khan ,Pri: GHSS,Mingora, Swat.	MA.M.Ed	03.06.64	Swat	01.10.89	05.01.2009	By Promotion	

CERTIFICATE:-

It is certified that the Seniority List is final and undisputed.

(Signature)
Deputy Director (Estt.)
Elementary & Secy: Education
Khyber Pakhtunkhwa Peshawar

B

(Signature)
(Signature)
(Signature)



18

11-6-12

**GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT**

NOTIFICATION

Dated Peshawar the June 11, 2012

NO.SO(S/M)E&SED/4-25/2012/Final Seniority List of TC BS-19 (Male): In exercise of powers conferred under sub section (1) of Section-8 of the North West Frontier Province Civil Servants Act, 1973 (NWFP Act No. XVIII of 1973), the Final Seniority List of Education Officers (BS-19) Male of Teaching Cadre, Elementary & Secondary Education Department as it stood on 23-02-2012, is hereby notified for information of all concerned.

SECRETARY

Endst: of even No. & Date

Copy forwarded to the:

- ✓ 1. Director, Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar with the request to circulate the above seniority list to all concerned.
2. Director Curriculum and Teacher Education Khyber Pakhtunkhwa, Abbottabad.
3. Director Education (FATA), Khyber Pakhtunkhwa Peshawar.
4. Director PITE, Khyber Pakhtunkhwa, Peshawar.
5. All Executive District Officers, E&SE in Khyber Pakhtunkhwa.
6. PS to Secretary E&SE Department, Khyber Pakhtunkhwa.
7. Office order file.

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

Recd
DD E&S
15/6/12
circulate

81
15/6/12

P.A. to Secretary
Khyber Pakhtunkhwa
1482
15/6

OFFICE OF DIRECTOR ELEMENTARY & SECONDARY EDUCATION KHYBER PAKHTUNKHWA

Endst.No. 2046-5 / F.No. _____ / SL/B-19(M)/Final Dated 11/6/12
Copy to fbr. information to that-

1. Director of Education (FATA) Warsak Road, Peshawar.
2. DIRECTOR, PITE, Peshawar.
3. Director Curriculum & Teacher Education, Khyber Pakhtunkhwa / Abbottabad.
4. All Executive District Officers in Khyber Pakhtunkhwa
5. Section Officer (Schools/Male) E&SE, Peshawar.
6. P/A to Director (ESE) Local office.

Advised
by

19/6/12

**DEPUTY DIRECTOR (ESE)
ELEMENTARY & SECONDARY EDU
KHYBER PAKHTUNKHWA, PESHAWAR.**

To

The Chief Secretary,
Govt. of KPK, Civil Secretariat,
Peshawar

Subject: APPEAL AGAINST OFFICE NOTIFICATION NO. SO(S/M)E&S ED/4-25/2012, DATED 11.06.2012 STOOD ON 23.02.2012 WHEREIN MY NAME WAS NOT INCLUDED IN THE SAME.

Respected Sir,

1. That I was initially appointed as Head Master BPS-17 after qualifying Public Service Commission in the year 1982.
2. That in the year 1994, I was promoted to BPS-18 and then in the year 1999, I was further promoted to BPS-19 on rendering satisfactory performances to the Education Department.
3. That I am due for BPS-20, but due to the bifurcation of cadres, Management and Teaching, I was adversely affected by placing my name in low position.
4. That in the Seniority List which stood on 05.01.2009, circulated on 17.10.2009 by my honour, I was placed at S.No.17. The incumbents from S.No.1 to 14 were promoted to BPS-20, so my name then becomes at S.No.4.
5. That on 24.02.2012, the incumbents mentioned in the Notification were posted/appointed against the posts of EDO's/ADO's, BPS-19 in the Management Cadre wherein my name was placed at S.No.2.
6. That on 14.12.2011, I was posted as Principal of GHSS Khair Abad, District Mardan at S.No.3 out of the cadre.
7. That on 08.02.2012, Notification of posting/transfer was made wherein I was readjusted as Principal GHSS, Khair Abad Mardan.

8. That on 23.02.2012, Final Seniority List of Teaching Cadre was circulated vide Notification dated 11.06.2012 which was endorsed to the offices concerned on 19.06.2012 but the same was kept secret by not informing the officers concerned from their positions. This Notification does not contain my name. The same was got at personal level from the office of EDO, Mardan on 16.08.2012.

Hence this appeal, inter alia, on the following grounds:-

GROUND S:

- a. That I am serving the department as Principal GHSS, Khair Abad, Mardan which shows me in Teaching Cadre.
- b. That in the Seniority List for the year 2009, I was shown at S.No.17 and except the incumbents at S.No.12, 15, and 16, the above have been promoted to BPS-20.
- c. That in the Seniority List for the year 2012, circulated on 11.06.2012, my name was omitted what to speak of placing the same at proper position i.e. at S.No.4, above the name of Mr. Jamshid Ahmad.
- d. That the impugned Seniority List was not properly scribed, so needs modification.
- e. That the department is neither permitting me in Management Cadre nor in Teaching Cadre, such action adversely affected my position.

It is, therefore, most humbly requested/prayed that the Final Seniority List, stood on 23.02.2012, circulated on 11.06.2012 by the worthy Secretary (E & SE) Department, KPK be modified and my name be placed at S.No.4, above the name of Mr. Jamshid Ahmed.

Dated 16.08.2012

Your Sincerely,

AM
Abdul Malik

Principal, GHSS, Khair Abad,
Mardan.

Attested
AM

Attested
by

بعد الت چاپ سرور میں ٹریبونل صوبہ سرحد پشاور

منجانب اسلانت

عبدالحاکم بنام گورنٹ ویرہ

دعویٰ ریل

باعث تحریر یہ اینکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ آن مقام پشاور کیلئے سعد احمد خان سرور نے ایڈووکیٹ ہائی کورٹ کو وکیل مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کابل اختیار ہوگا نیز وکیل صاحب کو کرنے راضی نامہ و تقریر ثالث و فیصلہ بر حلف دینے جواب دہی اور اقبال دعویٰ اور لہجہ ڈگری کرنے اجراء اور وصولی چیک و روپیہ اور عرضی دعویٰ اور درخواست ہر قسم کی تصدیق اور اس پر دستخط کرنے کا اختیار ہوگا نیز بصورت عدم پیروی یا ڈگری بیکطرفہ یا اپیل کی برآمدگی اور مستحضری نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ مذکور کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنی بجائے تقریر کا اختیار ہوگا اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ بالا اختیارات حاصل ہوں گے اور اس کا ساختہ پر واختہ منظور قبول ہوگا و دوران مقدمہ میں جو فرجہ و ہرجانہ التواء مقدمہ کے سبب سے ہوگا اس کے مستحق وکیل صاحب موصوف ہوں گے نیز بقایا و فرجہ کی وصولی کرنے کا بھی اختیار ہوگا اگر کوئی تاریخ پیشی مقام درہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکور کریں۔

لہذا وکالت نامہ لکھ دیا کہ سند ہے۔

المترقوم

العبد

العبد

العبد

11/11
ادریاب سید اکمال
ایڈووکیٹ

3
سعد اللہ خان سرور
ایڈووکیٹ

عبدالحاکم

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

Service Appeal # 29/2013.

Abdul Malik, Principal GHSS, Khair Abad, Mardan... ..Appellant

VERSUS

Secretary Elementary & Secondary Education Peshawar & others..... Respondents

Written reply/ Para wise comments for & on behalf of Respondents.

Respectfully Sheweth,

Preliminary Objections:-

1. The appellant has no cause of action/ locus standi.
2. The instant appeal is badly time barred.
3. The appellant has concealed the material facts from this Hon 'able Tribunal, hence liable to be dismissed.
4. The appellant has not come to this Hon 'able court with clean hands.
5. The appellant has filed the instant appeal just to pressurize the Respondents.
6. The present appeal is liable to be dismissed for non joinder / misjoinder of necessary parties.
7. The appellant has filed the instant appeal on malafide motives.
8. The instant appeal is against the prevailing law and rules.
9. The appellant is estopped by his own conduct to file the instant appeal.
10. The instant appeal is not maintainable in the present form and also in the present circumstances of the issue.
11. That the instant case does not fall with in the ambit of Section 4 of Service Tribunal Act 1974 hence not maintainable.
12. That the appellant of Management Cadre is not entitled to claim any vested right in other/different cadre i.e Teaching Cadre hence the present appeal is liable to be dismissed.

FACTS.

1. This para of the appeal is related to Service record hence needs no comments.
2. The statement of the appellant in this para is related to the previous service of the appellant and misleading one and also concealed the material facts. In fact the appellant himself according to his own wishes applied for the post of DEO (BS-19) in Management Cadre in Education Department and recommended by the Public Service Commission for appointment against the vacant post of D.E.O in Management Cadre E&EE Department and the appellant is appointed against the Said post on 24-02-2011. The appellant took over charge of the said post and the name of appellant was also reflected at S.No.17 in final Seniority list of officers BS-19 E&SE Department Management Cadre on the basis of direct selectee against 40% open Market quota. (Annex-A).
3. Incorrect and not admitted the statement of the appellant with out any documentary proof, against the facts and record.

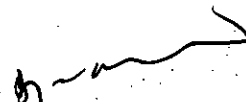
4. Incorrect and denied. The appellant was at the strength of Teaching Cadre at that time hence the appellant was included in the said seniority list and placed at S.No.17 while at present the appellant is recommended by Public Service Commission for Management Cadre (E&SE) Department and the name of the appellant is included in the final seniority list of officers of BS-19 of Management Cadre and placed at S.No.17. Hence the appellant has no concern with Teaching cadre on the seniority list of Teaching Cadre.
5. It is correct that the appellant was appointed against the post of DEO BS-19 in the management cadre on 24-2-2011 and the name of the appellant was placed at S.NO.17 in the Seniority list of officer BS-19 E&SE, Department Management Cadre.
6. In fact the appellant was transferred on administrative exigency to GHSS, Khair Abad District Mardan. It does not mean the transfer from Management Cadre to Teaching cadre nor did he challenge the said order.
7. As replied in para-6 above.
8. Incorrect and denied. The statement of the appellant in this para is against the law, rules on the subject, baseless against the material on record and misleading one. The appellant belongs to Management Cadre of the E&SE, Department and his name is present at S.NO.17 in the Seniority List of officers BS-19 of the said cadre hence the appellant has no concern with the seniority of the Teaching Cadre officers of BS-19.
9. Incorrect. No representation of the appellant is found in office record nor the same was submitted through proper channel neither diarized, hence denied, the present appeal is liable to be dismissed inter alia on the following grounds:

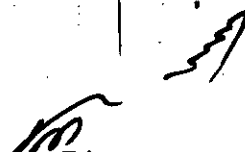
ON GROUNDS.

- A. Incorrect and not admitted. The appellant is the recomendee of the Public Service Commission for Management Cadre E&SE, Department against the DEO, BPS-19 and the appellant took over charge against the said post and the name of the appellant is placed at S.No.17 in the Seniority List of BS-19 officers of Management Cadre. Hence the statement of the appellant is false, baseless and base on malafde motives.
- B. Incorrect: The appellant was at the Strength of Teaching Cadre in the year 2009 and at present appellant succeeded to appoint against the BS-19 post in Management Cadre of E&SE, Department through Public Service Commission.
- C. Incorrect and not admitted. The said seniority list is related to Teaching Cadre while the appellant belongs to a different cadre i.e Management Cadre, hence the whole para is denied.
- D. Incorrect and not admitted as replied in para-C above.

E. Incorrect. The Statement of the appellant is with out any legal/documentary proof, misleading one and false hence denied. Moreover, the respondents seek the permission of this Hon'able Court to adduce more Grounds and proofs at time of arguments.

In view of the above submission, it is requested that this Hon'able Tribunal may very graciously be pleased to dismiss the appeal with cost in favour of the respondent Department.


Secretary
Govt. of Khyber Pakhtunkhwa
Elementary & Secondary Education,
(For & on behalf of Respondents No.1 & 2)


Director,
Elementary & Secondary Education,
Khyber Pakhtunkhwa, Peshawar

BEFORE THE KPK, SERVICE TRIBUNAL, PESHAWAR

S.A No. 29/2013

Abdul Malik

Versus

Secretary & Others

REJOINDER

Respectfully Sheweth,

PRELIMINARY OBJECTION.

All the 12 preliminary objections are illegal and incorrect. No reason in support of the same is ever given as to why appellant has no cause of action/locus standai, time barred, concealed the material facts, unclean hands, pressurize the respondents, non and misjoinder of necessary parties, malafide motives, prevailing law and rules, estoppel by his own conduct, not maintainable in present circumstances of issue, ambit of section 4 of the Hon'ble Tribunal and management cadre no to claim vested right.

ON FACTS

1. Needs no comments.
2. In response to this para, it is submitted that appellant was promoted to further grades and not in the Management Cadres.
3. Not correct. The para of the appeal is correct.
4. Not correct. The seniority list nowhere shows cadre i.e. Management or Teaching.
5. Admitted correct by the respondents. The seniority list does not show any cadre.
6. In response to the para, it is submitted that the aforesaid paras of the reply does not transpire as to which cadre appellant belongs. When he belongs to a certain cadre then how he was brought to different cadre.
7. As above.
8. Not correct. When appellant belongs to Management Cadre as stated by the respondents then how he brought to teaching cadre.

From the reply the stance of respondents regarding cadres is not clear.

9. Not correct. The representation attached with the appeal is ample proof of representation. The same was made before the Chief Secretary.

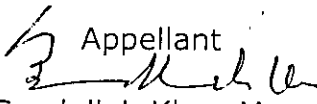
GROUND S:

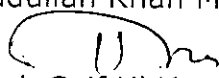
All the grounds of the appeal are legal and correct while that of the reply are illegal and incorrect. The same are reaffirmed once again.

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

Through

Dated: .09.2014

Appellant

Saadullah Khan Marwat


Arbab Saif Ul Kamal


Miss Rubina Naz
Advocates,

AFFIDAVIT

I, Abdul Malik S/o _____, Appellant do hereby solemnly affirm and declare that contents of the **Appeal & rejoinder** are true and correct to the best of my knowledge and belief. While that of reply of respondents are illegal and incorrect.

I reaffirm the same on oath once again to be true and correct as per the available record.


DEPONENT