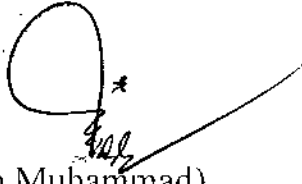


19.10.2022

Learned counsel for the appellant present. Syed Alamzeb Shah, Law Officer alongwith Mr. Naseer-ud-Din Shah, Assistant Advocate General for the respondents present.

Representative of respondents submitted para-wise reply and stated that the cost of Rs. 5000/- shall be paid on the next date. Copy of para-wise reply handed over to learned counsel for the appellant, who sought adjournment on the ground that he has not gone through the reply submitted by the respondents today. Adjourned. To come up for payment of cost of Rs. 5000/- as well as arguments on 28.11.2022 before the D.B.



(Mian Muhammad)
Member (E)



(Salah-Ud-Din)
Member (J)

28/11/22

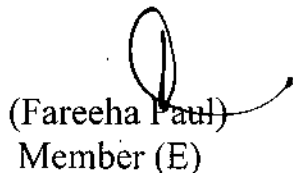
Deleted from list to come up for the same on 7/2/23



07.02.2023

Clerk of counsel for the appellant present. Muhammad Adeel Butt, Additional Advocate General for respondents present.

File to come up alongwith connected Service Appeal No. 7364/21 titled "Ali Akbar Vs. Education Department" 16.05.2023 before D.B.



(Fareeha Paul)
Member (E)



(Rozina Rehman)
Member (J)

14/4/2022

Counsel for the appellant present. Mr. Naseer-ud-Din Shah
Assistant AG for the respondents present. Assistant AG requested
for adjournment. Request accepted. Last opportunity is given for
submission of written reply/comments. To come up for written
reply/comments on 10/5/2022 before S.B.


CHAIRMAN

10.05.2022

Counsel for the appellant present.

Muhammad Adeel Butt, learned Additional Advocate
General for respondents present.

Despite last opportunity, written reply/comments
were not submitted. Another request was made for
submission of comments which is acceded to on payment
of cost of Rs.5000/- to be paid to appellant on the next
date. Respondents are further directed to submit written
reply/comments well within 10 days. Otherwise, their right
of defense would be deemed as struck off. To come up for
arguments on 14.07.2022 before D.B.


(Rozina Rehman)
Member (J)

14-7-2022

Proper DB not available the case is
adjourned to 19-10-2022


Reader

25.10.2021

Counsel for the appellant present. Preliminary arguments heard. *20/10*

Learned counsel for the appellant contends that the promotion of the appellant was due on the basis of his eligibility and seniority but he has been deprived of the same when promotions were made vide order dated 24.03.2021. Let the appeal be heard on regular side, this appeal is admitted for full hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments in office within 10 days after receipt of notices, positively. If the written reply/comments are not submitted within the stipulated time, or extension of time is not sought through written application with sufficient cause, the office shall submit the file with a report of non-compliance. File to come up for arguments on 22.02.2022 before the D.B.

Appellant Deposited
Security & Process Fee

[Handwritten signature]

[Handwritten signature]

Chairman

22.02.2022

Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 14.04.2022 for the same as before.

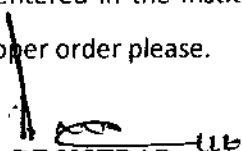

[Handwritten signature]
Reader

Form- A

FORM OF ORDER SHEET

Court of _____

Case No. - 2365 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	01/09/2021	<p>The appeal of Mr. Muhammad Ilyas resubmitted today by Mr. Noor Muhammad Khattak Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p> <p>This case is entrusted to S. Bench at Peshawar for preliminary hearing to be put up there on <u>25/10/21</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
2-		

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

SERVICE APPEAL NO. 7367/2021

INAYAT UR REHMAN

V/S

EDUCATION DEPTT:

I N D E X

S.N O	DOCUMENTS	ANNEXURE	PAGE
1	Memo of appeal	1 - 4
2	Affidavit	5
3	Appointment order dt: 12-03-2015	A	6-9
4	Charge report	B	10
5	Appointment order as PST dt: 05-03-2016	C	11-12
6	Relieving	D	13
7	Charge report	E	14
8	Notification dt: 21-03-2018	F	15-18
9	Service book	G	19-24
10	Ibid list	H	25-26
11	Impugned promotion order dt: 24-03-2021	I	27-29
12	Departmental appeal	J	30
13	Wakalat Nama	31

Dated: 20/08/2021

APPELLANT

Through:

NOOR MOHAMMAD KHATTAK
ADVOCATE

FLATE NO. 04/2ND FLOOR,
JUMA KHAN PLAZA, NEAR FATA SECRETARIAT,
WARSAK ROAD, PESHAWAR

0345-9383141

1

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. _____ / 2021

Mr. Inayat UR Rehamn S/O Amir Afzal Khan, PST (BPS-12),
GPS S.S Khell, District Dir Upper.

..... **APPELLANT** Khyber Pakhtunkhwa
Service Tribunal

VERSUS

Case No. 7463

Date 20-8-2021

- 1- The Secretary (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
- 2- The Director (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
- 3- The District Education Officer Male, District Dir Upper.

..... **RESPONDENTS**

APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974 AGAINST THE IMPUGNED ORDER DATED 24-3-2021 WHEREBY JOINERS TO APPELLANT HAS BEEN PROMOTED TO THE POST OF SPST BPS-14 WHILE THE APPELLANT WAS IGNORED AND AGAINST THE INACTION OF THE RESPONDENTS BY NOT COUNTING THE ADHOC SERVICE OF THE APPELLANT TOWARD LENGTH OF SERVICE FOR PROMOTION AND ALSO AGAINST NOT TAKING ACTION ON THE DEPARTMENTAL APPEAL OF APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS

PRAYER:

That on acceptance of this appeal the impugned order dated 24-03-2021 of the respondents may very kindly be rectified/modified to the extent of appellant by directing the respondents to consider the appellant for promotion to the post of SPST BPS-14 with all back benefits including seniority and the respondents may further please be directed to grant pay fixation and count the previse adhoc service of the appellant for the purpose of length of service for promotion. Any other remedy which this august Court deems fit may also be awarded in favor of appellant.

R/SHEWETH:

ON FACTS:

- 1- That appellant is a peaceful and bonafide resident of Tehsil Wari , District Dir Upper and belongs to a respectable family.

Filed to-day
Registrar
20/8/2021

- 2- That appellant was initially appointed as PST BPS-12 on adhoc basis vide order 12-03-2015, submit his charge report and start performing his duties quite efficiently and to the entire satisfaction of his superior. Copies of the appointment order and charge report are attached as annexure **A & B.**
- 3- That later on through a new advertisement the appellant applied for the post of PST BPS-12 on adhoc basis for the second time through proper channel and was recommended by the departmental selection committee for approval against the said post. That in light of departmental selection committee recommendation the appellant was appointed as PST BPS-12 vide order dated 3-05-2016. Copy of the appointment order as PST dated 3-5-2016 is attached as annexure **C.**
- 4- That it is pertinent to mention here that the appellant applied for the second time for the post of PST BPS-12 for the purpose of posting at his home union council/nearby station.
- 5- That in light of the ibid appointment order the appellant submit his charge report vide dated 07.03.2016 and accordingly relived from his prewise post vide dated 30-07-2016, start performing his duties quit efficiently and up to the entire satisfaction of his superior. Copies of the relieving order and charge report are attached as annexure ... **D & E.**
- 6- That vide notification dated 21-03-2018 services of the appellant were regularized in light of regularization Act 2017. Copy of the Notification dated 21/3/2018 attached as annexure **F.**
- 7- That accordingly the regularization entry was made in the service book of the appellant but unfortunately the prewise adhoc service of the appellant with effect from 12-03-2015 till 21-03-2018 has not been counted for the purpose of pay fixation and for the purpose of length of service count for promotion. Copy of the service book is attached as annexure **G.**
- 8- That according to the proposed list prepared by the District Education Officer (male) Dir Upper for the purpose of promotion to the post of SPST BPS-14 the appellant was placed at Serial NO.17 of the ibid list. Copy of the list is attached as annexure..... **H.**
- 9- That unfortunately vide impugned Office order dated 24-03-2021 the appellant was ignored for promotion to the post of SPST BPS-14 without any reason and clear justification while

juniors to appellant have been promoted to the post of SPST BPS-14. Copy of the impugned promotion order dated 24/03/2021 is attached as annexure.....I.

10- That felling aggrieved appellant preferred departmental appeal before the respondents, but no response has been given by the respondent department till the expiry of statutory period of ninety days. Copy of the departmental appeal is attached as annexure.....J.

11- That having no other remedy the appellant filed the instant appeal on the following grounds amongst the others.

GROUND:

- A- That the impugned order dated 24-03-2021 of the respondents by not promoting the appellant to the post of SPST BPS-14 and the inaction of the respondents by not counting the adhoc service of the appellant toward length of service for promotion is against the law, facts and norms of natural justice.
- B- That the appellant has not been treated by the respondent Department in accordance with law and rules on the subject noted above and as such the respondents violated Article 4 and 25 of the constitution of Islamic Republic of Pakistan 1973.
- C- That the respondent Department acted in arbitrary and malafide manner by not promoting the appellant to the post of SPST BPS-14 and by not counting the adhoc service of the appellant toward length of service for promotion.
- D- That the appellant has been discriminated by the respondent Department on the subject noted above and as such the respondent violated the principle of natural justice.
- E- That by not promoting the appellant to the post of SPST BPS-14 and not counting the adhoc service of the appellant toward length of service for promotion violated section-9 of the civil servant Act1973 read with Rule-7 of the appointment, promotion and transfers Rules 1989.
- F- That the appellant seeks permission to advance other grounds and proofs at the time of hearing.

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

APPELLANT

Inayat
Inayat UR Rehman

THROUGH:
NOOR MOHAMMAD KHATTAK

Umar
UMAR FAROOQ MOHMAND

Kamran
KAMRAN KHAN

& *Said*
SAID KHAN

ADVOCATES HIGH COURT

5

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

INAYAT UR REHMAN

VS

EDUCATION DEPTT:

AFFIDAVIT

Stated on oath that the contents of the accompanying service appeal are correct to best of my knowledge and belief and nothing has been concealed from this Honorable Service Tribunal.

Inayat
DEPONENT

CERTIFICATE:

Certify that no earlier service appeal has been filed by the appellant in the instant matter before this Honorable Service Tribunal.

Inayat
CERTIFICATION

District Education Officer Male District Dir Upper



PH No. 0944-881400-Fax-881406

E-mail demisdirupper@gmail.com

عنايت الرحمن
LST ADD

APPOINTMENT.

Consequent upon recommendation of the Departmental Selection Committee, appointment of the following candidates are hereby ordered against the post of Primary School Teachers (PST) Male School based in BPS-12 (Rs.7000-500-22000) @ Rs. 7000/- fixed plus usual allowances as admissible under the rules on adhoc basis under the existing policy of the Provincial Government, in Teaching Cadre on the terms and condition given below with effect from the date of taking over charge:-

S.#	Name	Father's Name	Place of Posting	Union Council	Remarks
01	Kaleem Ullah	Mohammad Rosh Khan	GPS Chowar	Kotkay	A.V.P
02	Amanullah	Zar Hameed Khan	GPS Gamdat	Kotkay	A.V.P
03	Inayatullah Rahman	Mir Afzal Khan	CPS Katigam	Kotkay	A.V.P
04	Bakhtawar Khan	Rasool Nabi	GPS Sharatkal	Kotkay	A.V.P
05	Alamgir Khan	Lajbar Khan	GPS Dislawar	Dislawar	A.V.P
06	Khan Wali	Bakht Muhammad	GPS Dogram	Dislawar	A.V.P
07	Mahmood Asam	Rahmat Jan	GPS Malanga	Dislawar	A.V.P
08	Jamshid Khan	Jan Rahman	GPS K.M Gojar	Dislawar	A.V.P
09	Mujahid Hussain	Suamsuddin	GPS K.M Gojar	Dislawar	A.V.P
10	Miftahuliah	Wali Ullah	GPS Charkoom (P)	Dislawar	A.V.P
11	Naseemullah	Saeedullah	GPS Charkoom (B)	Dislawar	A.V.P
12	Riaz Ahman	Shah Rasool Khan	GPS Gogyal	Sundal	A.V.P
13	Muhammad Nisar	Gul Muhammad	GPS Shalga A	Nehag	A.V.P
14	Irfanullah	Dil Farosh	GPS Abid Khan	Banda	A.V.P
15	Khan Wahid	Ghulam Qadar	GPS Gurrai Wari	Wari	A.V.P
16	Gul Islam	Khan Bar Khan	GMPS Malook Banda	Wari	A.V.P
17	Majeed Ullah	Amanullah	GPS Tatogram (B)	Wari	A.V.P
18	Akhtar Zeb	Muhammad Sharif	GMPS Gurrai	Wari	A.V.P
19	Farhaid Khan	Muztar Khan	GPS Manzul Wari	Wari	A.V.P
20	Suliman	Bacha Amin	GMPS Ishaq Abad	Akhgram	A.V.P
21	Muhammad Bacha	Amir Bacha	GMPS Kasai	Akhgram	A.V.P

ATTACHED

7

22	Fazal Wahab	Abdur Rashid	GPS Batan	Akhgram	A.V.P
23	Hassan Ali	Muhammad Rahim	GPS Karkabanj	Akhgram	A.V.P
24	Shah Rahim	Habibullah	GPS Darokai	Akhgram	A.V.P
25	Irfanullah	Muhammad Iqbal Khan	GMPS Botata	Akhgram	A.V.P
26	Mushtaq Ahmad	Amir Zaman Khan	GMPS Gal Bala	Pashta	A.V.P
27	Ali Akbar	Gul Sherin	GMPS Gal (P)	Pashta	A.V.P
28	Usman Ali	Muhammad Anwar	GMPS Srafo	Pashta	A.V.P
29	Saeedullah	Muhammad Sharin	GPS Kass Asharai	Chapper	A.V.P
30	Majeedullah	Muhammad Afzal	GPS Dehari Umraili	Chapper	A.V.P
31	Ibrahim	Gul Zamin	GMPS Qool Chapper	Chapper	A.V.P
32	Rafiullah	Hukmat Khan	GPS Rokhan Bala	Dir Urban	A.V.P
33	Amir Zaman Khan	Akbar Khan	GPS Kotibasto	Dir Urban	A.V.P
34	Islam Uddin	Noor Muhammad	GPS Rokhan Bala	Dir Urban	A.V.P
35	Najeebullah	Ajab Khan	GPS Rokhan Payeen	Dir Urban	A.V.P
36	Shir Rahman	Hakim Khan	GPS Rokhan Kharawo	Dir Urban	A.V.P
37	Muhammad Ilyas	Khanuk Muhammad	GPS Nergah	Qulandai	A.V.P
38	Muhammad Ikram	Bacha Zarin	GPS Mina Lawari	Qulandai	A.V.P
39	Nadar Khan	Amir Zaman	GPS Nawai Kalay	Qulandai	A.V.P
40	Ihsan ul Haq	Muhammad Uzair	GPS Mina Khawar	Qulandai	A.V.P
41	Gul Zada	Ibrahim Khan	GPS Jarjorai	Qulandai	A.V.P
42	Khan Bahadar	Abdul Hamid Khan	GPS Sadiq Banda	Qulandai	A.V.P
43	Muhammad Ishfaq	Muhammad Ayoub	GMPS Bundash	Swani	A.V.P
44	Taj Muhammad	Gul Zaman Khan	GPS Vigal	Swani	A.V.P
45	Syed Nasar Jan	Syed Main Gran	GPS Sundarawal	Barawal	A.V.P
45	Maseeh Ullah	Molvi Fazal Mula	GPS Sia Tikarkot	Barawal	A.V.P
47	Ihsan Ullah	Sherin Hussain	GPS Nowra	Barawal	A.V.P
48	Misbah Ud Din	Kurshaid Aji	GPS Loi Baba	Bibyawar	A.V.P
49	Adil Zada	Rahim Gul	GPS Bibyawar	Bibyawar	A.V.P
50	Muhammad Sadiq	Muhammad Shafiq	GPS Taloo	Bibyawar	A.V.P
51	Shafiq ur Rahman	Bakht Karim Jan	GPS Kotkay	Chukyatin	A.V.P
52	Tariqullah	Ubaidullah	GPS Sokai	Dariland	A.V.P
53	Muhammad Said	Mir Aslam	GPS Darora	Darora	A.V.P

AM/STEP

54	Waris Khan	Shah Usman Khan	GPS Kot Kass	Daroral	A.V.P
55	Fazal Haleem	Fazii Rabbi	GMPS Bunnr	Palam	A.V.P
56	Inayatur Rahman	Muhammad Alam Khan	GPS Palam	Palam	A.V.P
57	Aziz Khan	Itbar Khan	GPS Palam	Palam	A.V.P
58	Ijaz Ali	Sar Taj	GPS Samkoot	Palam	A.V.P
59	Aqal Zarin	Akbar Zarin	GPS Barkand	Palam	A.V.P
60	Arshad Ayub	Sher Bacha	GPS Nashnamal	Palam	A.V.P
61	Inam Ullah	Lal Bacha	GMPS Mani Sar	Palam	A.V.P
62	Syed Tasbeeh Ullah	Syed Inayatullah	GPS Pacha Kalay	Ganori	A.V.P
63	Muhammad Ali	Muhammad Akbar Khan	GPS Hattan Bala	Ganori	A.V.P
64	Safdar Khan	Gul Khan	GPS Kumrat	Kalkoti	A.V.P
65	Shah Faisal	Hazrat Faqir	GPS Malo Kumrat	Kalkoti	A.V.P
66	Mukhtiar Zaman	Gul Roz	GMPS Jangari	Gwaldai	A.V.P
67	Mohammad Rasool	Amir Muhammad	GPS Banjo	Gwaldai	A.V.P
68	Farid Ullah	Bakht Munir	GPS Gurrai Bala Dir	Gwaldai	A.V.P
69	Muhammad Zahid	Mutabar Khan	GMPS Dogal	Patrak	A.V.P
70	Atee ur Rahman	Rasool Ghulam	GPS Dambarkoon	Patrak	A.V.P
71	Usman Khalid	Taj Muhammad	GPS Sia San	Patrak	A.V.P
72	Badshah Islam	Asfandyar Khan	GPS Shonga	Patrak	A.V.P
73	Ijzul Haq	Said Rahman	GPS Kilot	Doag Dara	A.V.P
74	Nasar Khan	Khaista Rahman	GPS Salam Bakai	Doag Dara	A.V.P
75	Sahib Zada	Khaista Rahman	GPS Kohistano Banda	Doag Dara	A.V.P
76	Azim Khan	Mian Abdar Khan	GPS Belo Ganshall	Sheringal	A.V.P
77	Zia uddin	Niamat Ullah	GMPS Bandi Khawar	Sheringal	A.V.P
78	Imran Ullah	Khaista Muhammad	GMPS Raza Banda	Chukyatin	A.V.P

TERMS & CONDATION.

1. NO TA/DA is allowed.
2. Charge reports should be submitted to all concerned in duplicate.
3. Appointment is purely on temporary basis initially for one year.
4. They should not be handed over charge if they exceed 35 years or below 18 years of age.
5. Appointment is subject to the condition that their certificates/degrees must be verified from the concerned authorities if any one found producing bogus Certificate will be reported to the law enforcing agencies for further action.
6. Their services are liable to termination on one month's notice from either side. In case of resignation without notice his one-month pay/allowances shall be forfeited to the Government.

ATTACHED

Appointment Order PST (M)

9


7. Pay will not be made until and unless a certificate from the concerned authority is issued as his certificates are verified.
8. They should join their post within 15 days of the issuance of this notification. In case of failure to join their post within 15 days of the issuance of this notification, his appointment will expire automatically and no subsequent appeal etc shall be entertained.
9. Health and Age Certificate should be produced from the Medical Superintendent concerned before taking over charge.
10. He will be governed by such rules and regulations as may be issued from time to time by the Govt.
11. Their services shall be terminated at any time, in case of his performance is found unsatisfactory during his probation period. In case of misconduct, he will be proceeded under the rules.
12. His appointment is made on School based, He will have to serve at the place of posting, and his service is not transferable to any other station.
13. Before handing over charge once again their document may be checked if they having no required qualifications they may not be handed over charge.
14. No payment will be made so then before making verification from concerned institutions.

(Jehan Muhammad)
District Education Officer,
Male dir Upper

Endst: No. 968-75 / File No.03-C-/PST/Apptt:/DEO(M)/ADO(P)Dated Dir (U) the 12/03/2015.

Copy forwarded for information and necessary action to the:-

1. Director of Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. District Accounts Officer Dir Upper
3. Dy: District Education Officer Male Dir Upper.
4. Sub: Divisional Education Officer Male Dir.
5. Sub: Divisional Education Officer Male Wari.
6. A.P EMIS Local Office.
7. Official Concerned.
8. M/File


District Education Officer,
Male dir Upper

~~INTENDED~~

حوالہ آرڈر نمبر 75-968 بجورج 2015-3-12 از دفتر ڈسٹرکٹ ایجوکیشن

ادریس صاحب کے تعلیم دینے والے صاحبان ثنائیت العثمانیہ PST نے دستخط کیا

میں آج بجورج 2015-3-16 قبل از دوپہر ایک بجے کے بعد کا جارج لکھا

مزید کارروائی کے لئے جارج رپورٹ ارسال ضرورت ہے۔

جارج گریڈ

جارج ڈسٹرکٹ

16-3-2015

ATTESTED



OFFICE OF THE DISTRICT EDUCATION OFFICER
MALE DIR UPPER

PH No.0944-881400 FAX-0944-880411- email- demisdirupper@

OFFICE ORDER

Consequent upon the recommendation of the Departmental Promotion Committee, the appointment of the following candidates are hereby ordered against the post of Primary School Teachers (PST) Male Wards / School based in BPS-12 (Rs.9055 -650 -205 Rs. 9055 / - fixed plus usual allowances as admissible under the rules on adhoc basis under the existing policy of the Provincial Government, in Teaching Cadre on the same pay and condition given below with effect from the date of taking over charge :-

S.#	Name	Father's Name	Merit	Ward/ U.C	Place
1	INAYAT UR RAHMAN	MIR AFZAL KHAN	114.8	KOTKAY WARI	GPS Serai Su
2	ISRAR ULLAH	NIAZ BEEN KHAN	113.12	KOTKAY WARI	GPS Pataw
3	SHER NAWAZ	SHAH BAHADAR	109.92	KOTKAY WARI	GPS Kandara
4	ZAHOR AHMAD	ABDUL BAQI	109.66	KOTKAY WARI	GPS BATLAI
5	HAFIZ ULLAH	NAMITULLAH	109.57	KOTKAY WARI	GPS Panjkor
6	ASHRAF ULLAH	JEHAN BADAR	105.76	KOTKAY WARI	GPS Kandara
7	YOUSAF KHAN	GUL YOUSAF KHAN	102.14	KOTKAY WARI	GPS Takhta E
8	HAMAYAT ULLAH	UMAR KHAN	101.5	KOTKAY WARI	GPS Panjkor
9	PAIMAN ZADA	TILAWAT KHAN	101.2	KOTKAY WARI	GPS Gamdal
10	NOOR ULLAH	GUL ZAMIN	100.91	KOTKAY WARI	GPS Razagai
11	RAHAT KHAN	SHAH BAIZ KHAN	100.64	KOTKAY WARI	GPS Pataw
12	ABDUR RASHEED	FASEHUR RAHMAN	100.43	KOTKAY WARI	GPS Sheratk
13	IJAZ UL HAQ	MUHAMMAD TAHIR SHAH	100.27	KOTKAY WARI	GPS Serai Su
14	MUHAMMAD IQBAL	MUHAMMAD DOST KHAN	99.72	KOTKAY WARI	GPS Nagrail
15	ISMAIL KHAN	ZAIR ZAMIN KHAN	98.37	KOTKAY WARI	GPS Nagrail
16	SAMI ULLAH	AZIZ ULLAH	97.47	KOTKAY WARI	GPS Nasafa
17	HAMEED ULLAH	HAMIDUDDIN	96.41	KOTKAY WARI	GPS Pataw
18	HAKIM ULLAH	NAMITULLAH	96.4	KOTKAY WARI	GPS Pataw
19	SHAKEEL ZADA	SHAD MUHAMMAD	94.94	KOTKAY WARI	GPS Molvi
20	SAJAD ULLAH	ZAINUL ABIDAN	93.93	KOTKAY WARI	GPS Shagai
21	NASIR ALI	ALAMGIR KHAN	93.44	KOTKAY WARI	GPS Kotkai

TERMS & CONDITIONS:-

- 1 NO TA/DA is allowed.
- 2 Charge reports should be submitted to all concerned in duplicate.
- 3 Appointment is purely on temporary basis initially for one year.
- 4 They should not be handed over charge if they exceed 35 years or below 18 years of age.
- 5 Appointment is subject to the condition that their certificates/degrees must be verified from the concerned authorities if any one found producing bogus Certificate will be reported to the law enforcing agencies for further action.
- 6 His services are liable to termination on one month's notice from either side. In case of resignation without notice his one-month pay/allowances shall be forfeited to the Government.
- 7 Pay will not be made until and unless a certificate from the concerned authority is issued as his certificates are verified.
- 8 They should join their post within 15 days of the issuance of this notification. In case of failure to join their post within 15 days of the issuance of this notification, his appointment will expire automatically and no subsequent appeal etc shall be entertained.
- 9 Health and Age Certificate should be produced from the Medical Superintendent concerned before taking over charge.
- 10 He will be governed by such rules and regulations as may be issued from time to time by the Govt.
- 11 Their services shall be terminated at any time, in case of his performance is found unsatisfactory during his probation period. In case of misconduct, he will be proceeded under the rules.
- 12 His appointment is made on School based, He will have to serve at the place of posting, and his service is not transferable to any other station.
- 13 Before handing over charge once again their document may be checked if they having no required qualifications they may not be handed over charge.
- 14 No payment will be made so then before making verification from concerned institutions.

ATTESTED

12

5 The errors and omissions etc if found at any stage shall be rectified. In cas of termination of Said Candidate, he will have no right to claim the order already issued in any court.

(MOIN-UD- DIN)
District Education Officer
Male dir Upper

Endst: No. 264-69 / File No.03C/PST/Apptt:2016 NTS /DEO(M)/ADO(P)Dated Dir (U) the 05/03/2016

Copy forwarded for information and necessary action to the: -

- 1 Director of Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
- 2 District Accounts Officer Dir Upper
- 3 Dy: District Education Officer Male Dir Upper.
- 4 Sub: Divisional Education Officer Male Dir and Wari.
- 5 Official Concerned.
- 6 M/File

Du
District Education Officer
Male dir Upper

RECEIVED

ریلیونڈ چٹ

SDEO

میں مسٹر عنایت الرحمن نے حکم ایس ڈی ای ای او

اور DEO صاحب آج کو 2016-3-30 تک

اردن نمبر 455-450 جی ایم پی ایس جوائن

پی ٹی سی عہدے کا جاری PST رجسٹر

کے حوالے کیا اور اپنے آپ کو بعد از دوپہر جان

جاری تصدیق

[Signature]

جاری تصدیق

[Signature]
D. M. P. S. Ch...
D. M. P. S. Ch...

ATTESTED

خارج رپورٹ



ANNEXURE "E"

سکول آرڈر نمبر 264-69 سکول نمبر 5-3-2016

اردو دفتر ڈسٹرکٹ ایجوکیشن آفیسر صاحب محمد قاسم دیرپارا

میں عنایت الرحمن PST نے GPS سیری سلطان پور

میں آج سکول نمبر 7/03/016 قبل از دو ہفتہ اپنے

عہدہ کا خارج کیا گیا

سری سہیل کوشی کیلئے خارج رپورٹ ارسال فرماتے ہیں۔

خارج ڈسٹرکٹ

[Handwritten signature]

خارج ڈسٹرکٹ

[Handwritten signature]

Head Master,
Govt Primary School,
Bulran Khail, District Dera

ATTACHED

- 12 His appointment is made on School based, He will have to serve at the place of posting, and his service is not transferable to any other station.



OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) UPPER DIR

PH No. 0944-881400-Fax-881400 E-mail deomdirupper@gmail.com



NOTIFICATION

In pursuance of Khyber Pakhtunkhwa Employees of the Elementary & Secondary Education Appointment & Regularization of Services Act, 2017 (Khyber Pakhtunkhwa Act no.1 of 2018) & Elementary & Secondary Education Department Notification No. SO(S/F)P&SED/3-2/2018/S/11/Contract Dated: 16/02/2018. Services of the following (427) Primary School Teachers of Sub-Division Wari, Dir Upper appointed w.e.f. (03-05-2014 to 23-06-2017) through NTS on adhoc/contract basis, are hereby regularized in BPS-12, on terms and condition given below with effect from the date of their 1st appointment as per details given against each, in the interest of public service.

S NO	Roll No.	Name	Address	U/C	Total Marks /200	Name of School	App. Order No	Dated	Date of Taking over Charge	Extension Order No & Date
1	3500300	Saariqullah	V; Chapper	Chapper	130.8	GPS Chapper	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
2	3500302	Anwar Saleem	V; Chapper	Chapper	125.6	GPS Kass Chapper	3273-79	03/05/2014	04/05/2014	1868-74.30.04.2015
3	3500302	Asghar Ali Ziaur	V; Nasir Abad	Chapper	116.62	GPS Gul Shal Dheral	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
4	3500913	Rahman Abjar	V; Nasir Abad	Chapper	113.24	GPS Dheral Chapper	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
5	3500512	Rahman	V; Moha Kass	Dislower	112.95	GPS Osoral	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
6	3500221	Katimullah	V; Babo	Chapper	112.68	GPS Nasir Abad	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
7	3500702	Nadimullah	V; Charkoom UK	Dislower	112.65	GPS CHARKOOM P	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
8	3500203	Indayatullah	V; Kakad	Wari	111.62	GPS Fungal	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
9	3500847	Sajad Ah Sahb	V; Wari	Dislower	111	GPS Dheral K Khell	270-75	03/05/2014	04/05/2014	1868-74.30.04.2015
10	35008	Rahman	V; Nasir Abad	Chapper	108.35	GPS Jelar No 01	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
11	350731	Muhammad Rizwan	Vill; Islamabad Akhgram	Akhgram	104	GPS Akhgram Haly	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
12	3500729	Wasimullah	V; Jelar	Chapper	103.78	GPS Shakkanal No 02	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
13	3500732	Sirajud Din	V; Jelar	Chapper	103.19	GPS Sarnal	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
14	3500309	Saifud Din	V; Sahib Abad	Dislower	103	GPS Dislower	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
15	3500647	Mukhtyar Ali	V; Nasir abad	Chapper	102.43	GPS Shakkanal No 02	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
16	3500133	Inamullah	V; Shakkanal	Chapper	99.9	GPS Umarkot	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
17	791700292	Qanibullah	V; Jughabanj	Dislower	91.92	GPS Dheral K Khell	270-75	03/05/2014	04/05/2014	1868-74.30.04.2015
18	702500486	Anir Sada	V; Jekat Darora	Dislower	88.89	GPS Jekat	270-75	03/05/2014	04/05/2014	1868-74.30.04.2015
19	7930000460	Ziaullah	V; Jughabanj	Dislower	84.68	GPS Dheral K Khell	3248-56	03/05/2017	04/05/2017	
20	791700596	Amanullah Muhammad	V; Kass Banda	Kotkal	133.45	GPS Gurdal	968-75	12/03/2015	13/03/2015	1578-82.03-05-2016
21	451700609	Nisar	V; Karbadai	Nehag	124.22	GPS Shalghu	968-75	12/03/2015	13/03/2015	1578-82.03-05-2016
22	7917003830	Atamgir Khan	V; Dislower	Dislower	117	GPS Dislower	968-75	12/03/2015	13/03/2015	1578-82.03-05-2016
23	791700502	Mujahid Hussain	V; Kot Malagojar	Dislower	110	GPS Kot Malagojar	968-75	12/03/2015	13/03/2015	1578-82.03-05-2016
24	691700855	Ali Akbar	Vill; Pasluz	Akhgram	109.74	GPS Pasluz	968-75	12/03/2015	13/03/2015	1578-82.03-05-2016

ADO (P) Establishment

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ADO (P) Establishment

25	791700332	Hassan Ali	Vill. Shikhan	Akhram	100.79	GPS Karkaban	968-75	12/03/2015	12/03/2015	1578-R2-03-05-2016
26	791700344	Itadaban	Vill. Akhram	Akhram	81.72	GPS Itadaba	968-75	12/03/2015	12/03/2015	1578-R2-03-05-2016
27	452300009	Haz Akhmad	V. Goyal	Sundal	109.9	GPS Goyal	968-70	13/03/2015	14/03/2015	1578-R2-03-05-2016
28	791700292	Bacha	Vill. Botsia	Akhram	101.69	GPS Kasal	968-75	13/03/2015	14/03/2015	1578-R2-03-05-2016
29	791700866	Shah Rahim	Vill. Guli Bagh	Akhram	100.57	GPS Darokul	968-75	13/03/2015	14/03/2015	1578-R2-03-05-2016
30	791700854	Fazal Wahab	Vill. Baran	Akhram	100.09	GPS Baran	968-75	13/03/2015	14/03/2015	1578-R2-03-05-2016
31	791700916	Sulman	Vill. Baran	Akhram	98.35	GPS Ishiq	968-75	13/03/2015	14/03/2015	1578-R2-03-05-2016
32	791700122	Gul Islam	V. Tangal	Wari	115	GPS Maluk	968-75	15/03/2015	16/03/2015	1578-R2-03-05-2016
33	791700798	Umarullah	V. Jolar	Chopper	116.75	GPS Samal	2506-2490	18/05/2015	19/05/2015	2801-5-19/04/2017
34	79200394	Umar Khaliq	Vill. Doyal	Akhram	61.31	GPS Handagai	307-12	04/03/2016	05/03/2016	1275-79
35	79200412	Rahmanullah	V. Sert Nohag	Bandal	122.78	GPS Sert Nohag	276-81	05/03/2016	06/03/2016	1275-79
36	79200319	Farooq	V. Nasir Akhad	Chopper	122.58	GPS Nasir Akhad	313-18	05/03/2016	06/03/2016	1275-79
37	79200370	Masood	V. Shikhan	Chopper	121.19	GPS Shikhan	313-18	05/03/2016	06/03/2016	1275-79
38	79200375	Khan Wazid	V. Daskar	Wari	118	GPS Daskar	294-300	05/03/2016	06/03/2016	1280-R4
39	79200431	Maqdoolah	V. Nasir Akhad	Chopper	117.28	GPS Gul Shal	313-18	05/03/2016	06/03/2016	1280-R4
40	79200234	Kamrullah	V. Jughabang	Dislower	116.9	GPS Dislower	270-75	05/03/2016	06/03/2016	1275-79
41	79200285	Nobarak Zeb	V. Bagam	Bandal	115.43	GPS Bagam	276-81	05/03/2016	06/03/2016	1275-79
42	79200302	Ayaz	V. Sundral	Sundal	115.24	GPS Kundaw	276-81	05/03/2016	06/03/2016	1275-79
43	79200260	Rahman	V. Makhi	Kokul	114.8	GPS Sert	264-69	05/03/2016	06/03/2016	1280-R4
44	79200221	Khan	V. Utratal	Chopper	114.66	GPS Umarullah II	313-18	05/03/2016	06/03/2016	1275-79
45	79250063	Amanullah	V. Jughabang	Dislower	114.48	GPS Sert	270-75	05/03/2016	06/03/2016	1275-79
46	791700281	Ismatullah	V. Sert S Khali	Kokul	113.12	GPS Patow	264-69	05/03/2016	06/03/2016	1275-79
47	79200251	Ahmad	V. Badal	Bandal	111.06	GPS Badal	276-81	05/03/2016	06/03/2016	1275-79
48	79200224	Said Zaman	V. Kurban N	Bandal	111	GPS Kurban	276-81	05/03/2016	06/03/2016	1275-79
49	791700353	Muhammad	V. Bakor Koro	Dura	110.64	GPS Boral	282-87	05/03/2016	06/03/2016	1275-79
50	45230144	Fazal Akhad	V. Chopper	Chopper	110.5	GPS Chopper	313-18	05/03/2016	06/03/2016	1275-79
51	79200224	Said Zaman	V. Kurban N	Bandal	110.49	GPS Kurban	276-81	05/03/2016	06/03/2016	1275-79
52	79200386	Sadiqullah	V. Kharposal	Akhram	110.36	GPS Kharposal	282-87	05/03/2016	06/03/2016	1275-79
53	79200245	Shek Nawoz	V. Sert S Khali	Kokul	109.86	GPS Kandar	264-69	05/03/2016	06/03/2016	1275-79
54	842400234	Shek Ulah	Vill. Khandu	Akhram	109.6	GPS Karkaban	307-12	05/03/2016	06/03/2016	1275-79
55	79200189	Ismatullah	V. Makhi	Kokul	109.58	GPS Patikoro	264-69	05/03/2016	06/03/2016	1275-79
56	791700434	Ibrahim	V. Samal	Chopper	108.91	GPS Samal	313-18	05/03/2016	06/03/2016	1280-R4
57	792500274	Ismatullah	V. Mollar	Bandal	107.82	GPS Mollar No 2	276-81	05/03/2016	06/03/2016	1275-79
58	791700418	Umar Taj	V. Sundal	Sundal	107.73	GPS Mishumano II No 02	288-93	05/03/2016	06/03/2016	1275-79



Terms & Condition

1. Their services shall be governed by the Khyber Pukhtunkhawa Civil Servants Act, 1973; the Khyber Pukhtunkhawa (Appointment, Deputation, Posting & Transfer of teacher, Instructors & Doctors) Regulatory act, 2011, and such rules and regulations as may be issued from time to time by the Government.
2. Their services shall be considered regular and they shall be eligible for pension / deduction of GP Fund in terms of the Khyber Pukhtunkhawa Civil Servant Act, 1973 as amended in 2013.
3. They shall possess the same qualification and experience required for the regular post.
4. Their services are liable to termination on one month notice from either side, in case of resignation without notice, their one month pay/allowances shall be forfeited to the Government.
5. Their regularization shall not affect the promotion quota of existing holders of posts in respective service cadres.
6. The regularization shall not be in favor of those, who have not taken over charge or have remained absent from duty or resigned from service and also not for those who are under disciplinary proceedings.
7. The Employees whose services regularized under the Khyber Pukhtunkhawa Employees of the Elementary & Secondary Education (Appointment and Regularization of Services) Act, 2017 (Khyber Pukhtunkhawa Act No.1 of 2018) or in the process of attaining service at the commencement of Khyber Pukhtunkhawa Employees of Elementary and secondary Education (Appointment and Regularization of services) Act, 2017 (Khyber Pukhtunkhawa Act No.1 of 2018) shall rank junior to all civil servants belonging to the same service or cadre. As the case may be, who are in service on regular basis on the commencement of the Khyber Pukhtunkhawa Employees of Elementary And secondary Education (Appointment and Regularization of services) act, 2017 (Khyber Pukhtunkhawa Act No.1 of 2018) and shall also junior to such other persons, if any, who, were appointed on regular basis to the respective service or cadre before the commencement of this Act, irrespective of their actual date of appointment.
8. The seniority inter-se of the employees, whose are regularized under this Act within the same service or cadre, shall be determined on the basis of their merit position in such service or cadre.
9. Their seniority shall be determined on the basis of their continuous service in cadre, provided that if the date of continuous services in the case of two or more employees is the same, the employee older in age shall be ranked senior to the younger one.

(ABDUL HAQ)
 DISTRICT EDUCATION OFFICER
 (MALE) UPPER DIR

ATTACHED

18


PST (NTS) Regularization Order

Ends: No. 156467 F.No 158/DEO (M)/ADO (P) ESTB:

Dated 2/13 /2018

Copy forwarded to the

1. Director E&SE Khyber Pakhtunkhwa Peshawar.
2. District Accounts Officer Upper Dir
3. Dy: District Education Officer (M), Upper Dir
4. SDEO (Male) Barawal, Kalkot, Dir, Wari & Sheringal.
5. Teachers Concerned
6. AP EMIS Local Office
7. Office Copy


DISTRICT EDUCATION OFFICER
(MALE) UPPER DIR

ADO (P) Establishment

Page 14 of 14

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(For use in Police Department only)

19

Meirs:- Service book of Inayat-ur-Rahman
S/o Mirafzal-Khan

Verification Roll No. dated received back.

1- PTC Exam. Passed from AIOU Islam Abad in Session Final Semester AUT 2009 Under Roll No. AC 628976 Getting 555 marks out of 900 Result declared on Sep: 2010.

Left Thumb Impression

Qualifications	Date	Qualifications	Date
B.L.E Malakand in Session		B.L.E Examination Passed from U/P Malakand in Session	
English Annual Exam: 2006, Under Roll No- 13475, Getting 719-marks		First Arts Annual Exam: 2011 under Roll No- 9129, Getting 330 marks out	
Pushto out of 1050.		B.L. or B.A. Pleadership examination of 550, Result declared on	
Plan-Drawing		Training School Final Examination 25-Aug: 2011	

Qualifications	Date	Other Qualifications:-
Finger Print Intermediate Exam. Passed from		U.E PTC Exam. Passed from SBBU
B.L.E Malakand in Session		Shorungal in Session 2014 Spring
Court Duties Annual Exam: 2009 under Roll No- 22369, Getting 691 marks out of 1100.		under Roll No- 1103, obtained 1392 marks out of 1850 Result declared on 08-12-2014.

N.B. - Line to be drawn under the qualification possessed.

SDEO (M) Wari Distt: Dir (U)

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

1. Name: INAAYAT UR RAHMAN

2. Race: Muslim Pakistani

3. Residence: Village Makahai Post office Sahib Abad Tehsil Bahawalpur Dist. Dir Upper

4. Father's name and residence: MIR AFZAL KHAN

5. Date of birth by Christian era as nearly as can be ascertained: (01-04-1990) Ist. April N.H. Nindly

6. Exact height by measurement: 5-10

7. Personal marks for identification: NIL

8. Left hand thumb and Finger Impression of (Non-Gazetted) Officer.

Little Finger

Ring Finger

Middle Finger

Fore Finger

Thumb

9. Signature of Government Servant: [Signature]

10. Signature and Designation of the Head of the Office, or other attesting Officer: [Signature]

SDO (M) War (Dist Dir U)

[Handwritten signature]

1	2	3	4	5	6	7	8
Name of Post P.S.T.	Whether substantive or officiating and whether Permanent or temporary	If Officiating state (i) Substantive appointment, or (ii) Whether service counts for pension under Art. 371 C.S.R.	Pay in substantive Post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of Appointment	Signature of Government Servant
EPS		BPS-NO-12-7000-500-			22000		
Katigar	temp.	temp. Rs. 7000/- Pm				16-03-2015	<i>[Signature]</i>
						01-07-2015	
						01-12-2015	
IT post at PS, Seral Sultan Khel	temp.	temp. Rs. 9055/-				05-03-2016	
<p>Revised Fixation due to the increase in level is hereby regularized from the D/O Taking effect date 05-03-2016</p>							
<p>pay on 05-03-2016 = B-12 Rs. 9055/-</p>							
<p>01-07-2016 = Rs. 11140/- pay received</p>							
<p>01-12-2016 = Rs. 11940/-</p>							
<p>01-07-2017 = Rs. 14280/- pay received</p>							
<p>01-12-2017 = Rs. 15240/-</p>							
<p>01-12-2018 = Rs. 16200/-</p>							
<p><i>[Handwritten notes and signatures]</i></p>							

ATTESTED

8	9	10	11	12	13		14	15
					Leave			
					Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government		
	Signature and station of the head of the office or other officiating officer in stations 1 to 8	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal etc.)	Signature of the head of the office or other attesting Officer	Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government	Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure, or award or praise of the Government servant
					Period	Government to which debitable		
J	SDEO (M) Warli Distt: Dir (U)	30-6-2015	Perly Revision	SDEO (M) WARLI		Appointed as PST post on a time basis in BPS-110-12 @ Rs. 7000-500-22000 + Plus usual allowances as admissible under the rules vide Distt: Education Officer (M) Dir upper office order.		
	SDEO (M) WARLI	3-11-2015	Fixed					
	SDEO (M) WARLI	08-3-2015	Re-appointment	SDEO (M) WARLI				
	SDEO (M) WARLI							
<p>ADHOC APPT for 1 YEAR End date 15/3/16</p>					<p>NO-968/75/FILE No-03-e-1/PST/ APPH/DEO (M)/AOO (P) 2 to 2 Div upper the 12/03/2015</p>			
<p>T.No. 745 Date 9-9-15 Paid Rs. 169132 as arrear of pay & Allowance from 16-3/15 to 31-8-15 and pay @ Rs 9055 - active from 1-9-15</p>					<p>SDEO (M) Warli Distt: Dir (U)</p>			
<p>End date 5/3/17</p>					<p>pay released from ... of taking over char - vid SDEO (M) Warli the 2-8-15 dated 10-9-2015 at No 03</p>			
<p>T.No. 300 Date 9/5/16 Paid Rs. 31201 as arrear of pay & Allowance from 16/2/16 to 30/4/16 and pay @ Rs 9055 - active from 1/5/16</p>					<p>SDEO (M) Warli Re-appointed against P.T. post on adhoc basis in BPS. No. 112 @ Rs. 9055/- Fixed pay plus usual allowances as admissible under the rules vide DEO (M) Dir (U) E. No. 264-69/F. No. 30/PST/APPH. 2016. (M) ADCCP dated 05-3-2016 Serial No. 1.</p>			
<p>ATTACHED</p>					<p>SDEO (M) WARLI</p>			



OFFICE OF THE DISTRICT EDUCATION
OFFICER (MALE) DIR UPPER

PIE NO.0904-8814001 Email: deomdirupper@gmail.com

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ANNEXURE "H"

SNO	Name of Teacher	Father Name	Present School Name	Place of Posting	Remarks
1	Hassan Ali	Muhammad Rahim	GPS Shinkari	GPS Simkari	
2	Usman Ullah	Khwaz Khan	GPS Samal	GPS Samal	
3	Ali Akbar	Gul Shreen	GPS Gali Payeen	GPS Gali Payeen	
4	Iman Ullah	Muhammad Iqbal	GMPS Hattala	GMPS Hattala	
5	Shah Baham	Habib Ullah	GPS Darukay	GPS Darukay	
6	M Uddin	Amir Badshah	GMPS Kassy	GMPS Kassy	
7	Sohman	Bacha Aman	GMPS Ishiq Abad	GMPS Ishiq Abad	
8	Kyad Ullah	Amir Ullah	GPS Wali-2	GPS Wali-2	
9	Fazal Wahab	Abdu Rashid	GPS Hattan	GPS Hattan	
10	Usman Ali	Muhammad Anwar	GMPS Sraloo	GMPS Sraloo	
11	Fahid Khan	Muzafar Khan	GPS Malook Banda	GPS Malook Banda	
12	Mujahid Hussain	Shamu Din	GPS Kotmala Gojar	GPS Kotmala Gojar	
13	Jamshid Khan	Jan Rehman	GPS Hango	GPS Hango	
14	Ibrahim	Gul Zaman	GPS Samal	GPS Samal	
15	Gul Islam	Khan Bar	GPS Malook Banda	GPS Malook Banda	
16	Muhammad Nisar	Gul Muhammad	GPS Sahalg	GPS Sahalg	
17	Inayat U Rehman	Amir Atzal Khan	GPS S.S Khil	GPS S.S Khil	
18	Khan Wajid	Ghulam Qader	GPS Daskor-2	GPS Daskor-2	
19	Sher Rehman	Hakim Khan	GPS Bekaray	GPS Bekaray	
20	Majeed Ullah	Ajab Khan	GPS Rokhan Payeen	GPS Rokhan Payeen	
21	Rahulab	Hukmat Khan	GPS Rokhan Payeen	GPS Rokhan Payeen	
22	Masnuhaq	Muhammad Uzair	GPS Sia Nagha	GPS Sia Nagha	
23	Mikram	Bacha Zarin	GPS Malna Lawal	GPS Malna Lawal	
24	Muhammad Ilyas	Khanook Muhammad	GPS Bin Beraray	GPS Bin Beraray	
25	Faj Muhammad	Gul Zaman Khan	GPS Sharmal	GPS Sharmal	
26	Khan Bahadar	Abdul Hamid Khan	GPS Attrangoo	GPS Attrangoo	
27	Islamudin	Noor Muhammad	GPS Rokhan Dala	GPS Rokhan Dala	
28	Amir Zaman	Akbar Khan	GPS Kolybastoo	GPS Kolybastoo	
29	Gulzade	Ibrahim Khan	GPS Belanzai	GPS Belanzai	
30	Nadar Khan	Amir Zaman Khan	GPS Nayay Kally	GPS Nayay Kally	
31	Imranullah	Khista Muhammad	GPS Chukhtan	GPS Chukhtan	
32	Shafiquehman	Bakhat Karmi Jan	GPS Kottay	GPS Kottay	
33	Syed Faridullah	Said Inayat Ullah	GPS Surbat	GPS Surbat	
34	Muhammad Ali	Muhammad Akbar Khan	GPS Hattan	GPS Hattan	
35	Rah Ullah	Bahat Hoor Khan	GPS Kass Shingara	GPS Kass Shingara	

ATTACHED

36	Syed Moin Zia	Syed Moin Zia	GPS Sundrawal	GPS Sundrawal
37	Mashullah	Mulvi Fazal Bala	GPS Bankot	GPS Bankot
38	Tariq Ullah	Ubaid Ullah	GPS Dehri Mand	GPS Dehri Mand
39	Insanul Ullah	Shireen Hussain	GPS Delakal	GPS Delakal
40	Aziz Khan	Mian Abdul Khan	GPS Ganjhal Baba	GPS Ganjhal Baba
41	Fazal Ullah	Bakhat Munir	GPS Guanj	GPS Guanj
42	Yasar Ali	Amir Nawaz	GPS Achur Payeen	GPS Achur Payeen
43	Ajmer Rehman	Rasool Ghulam	GPS Patrak	GPS Patrak
44	Safdar Khan	Gul Khan	GPS Jandua	GPS Jandua
45	Shah Faisal	Hazrat Faqir	GPS kumrat	GPS kumrat
46	Salahudin	Aqal Zareen	GPS Maidan Patrak	GPS Maidan Patrak
47	Bedshah Islam	Asfandyar Khan	GPS Shonga	GPS Shonga
48	Adil Zada	Rahim Gul	GPS Bhiwar	GPS Bhiwar
49	Fazal Hakim	Fazal Babi	GMPS Band	GMPS Band
50	Aqal Zareen	Akbar Zareen	GPS Barkand	
51	Muhammad Sali	Mir Aslam	GPS Chumra B	GPS Chumra B
52	qaz Ali	Saraj	GPS Samkoot	GPS Samkoot
53	Muhamad Saqib	Muhammad Shafiq	GPS Talap	GPS Talap
54	Arshad Ayoub	Shir Bactra	GPS Barkand	GPS Barkand
55	Waris Khan	Shah Usman Khan	GPS Kool Kass	GPS Kool Kass
56	Misbahudin	Khurshid Ali	GPS Lol Baba	GPS Lol Baba

26

ATTESTED

ANNEXURE . I

27



**GOVERNMENT OF KHYBER PAKHTUNKHWA
OFFICE OF THE DISTRICT EDUCATION OFFICER
MALE DIR UPPER**



PH No. 0944-881400

E-mail: deomdirupper@gmail.com

PROMOTION ORDER.

Consequent upon the recommendation of the Departmental Promotion Committee and in pursuance of the Government of Khyber Pakhtunkhwa Elementary & Secondary Education Notification No.SO(B&A)/118/E&SE/2012 dated 11-07-2012 and Finance Department Endst.No.SO(FR)/FD/10-22(E)/2-10 dated 16-07-2012, the following Primary School Teachers (PSTs) BPS-12 are hereby promoted to the post of Senior Primary School Teacher (SPST) BPS-14 (15180-1170-50280) plus usual allowances as admissible under the rules, on regular basis under the existing policy of the Provincial Government Teaching Cadre with the terms and conditions given below with effect from 27-02-2021.

S.No	Name of teacher	Father Name	Name of present School	Place of posting	Remarks
1	HAFIULLAH	BAKIE ROZ KHAN	GPS KASS SHINGARA	GPS KASS SHINGARA	A.V.P
2	FAZAL HALEEM	FAZAL RAH	GMPS BANO	GMPS BANO	A.V.P
3	MAJEE DULLAH	AMIRULLAH	GPS No.7 WARI	GPS No 7 WARI	A.V.P
4	SYED NASAR JAN	SAEED MIAN GRAN	GPS SUNDRAWAL	GPS SUNDRAWAL	A.V.P
5	AJAL ZAHIR	AKBAR ZAHIR	GPS BARKAND	GPS BARKAND	A.V.P
6	MUHAMMAD ALI	MUHAMMAD AKBAL KHAN	GPS HATEAN	GPS HATEAN	A.V.P
7	MUHAMMAD NISAR	GUL MUHAMMAD	GPS SHALGANI (A)	GPS SHALGANI (A)	A.V.P
8	ADIL ZADA	RAHIM GUL	GPS BIBIYAWAR	GPS BIBIYAWAR	A.V.P
9	BADSHAH ISLAM	ASFANDIYAR KHAN	GPS SHONGA	GPS SHONGA	A.V.P
10	NADAR KHAN	MIR ZAMAN KHAN	GPS NAVY KALEY	GPS NAVY KALEY	A.V.P
11	FAZAL WAMAH	ABDUR HASSID	GPS BATAH	GPS BATAH	A.V.P
12	SHAH FAISAL	HAZRAT LAQIR	GPS NO.3 HALL	GPS NO.3 HALL	A.V.P
13	SULIMAN	BACHA AMIN	GMPS ISHAQ ABAD	GMPS ISHAQ ABAD	A.V.P
14	TAJ MUHAMMAD	GUL ZAMAN KHAN	GPS SHANWAI	GPS SHANWAI	A.V.P
15	HALEBULLAH	ALAM KHAN	GPS KOTIKANI (P)	GPS KOTIKANI (P)	A.V.P
16	AMIR ZAMAN KHAN	AKBAR KHAN	GPS KOTI BASTO	GPS KOTI BASTO	A.V.P
17	HAZ AHMED	SHAH HASOOL	GPS Khatana Shaker	GPS Shaker	A.V.P
18	SHAH BAHAM	HASSIDULLAH	GPS DARGAKI	GPS DARGAKI	A.V.P
19	SHAFIQUR RAHMAN	BANJE KARIM JAN	GPS KOTKEY	GPS KOTKEY	A.V.P
20	HASSAN ALI	MUHAMMAD HAFISA	GPS SHINKARA	GPS SHINKARA	A.V.P
21	HASAN ULLAH	SHIHAB HUSSAIN	GPS DELAKA	GPS DELAKA	A.V.P
22	MUHAMMAD IKRAM	BACHA ZAHIR	GPS NO.02 MIANA	GPS NO.02 MIANA	A.V.P

[Handwritten signature]

[Handwritten signature] 24/3/21

ATTACHED

No	Name of teacher	Father Name	Name of present School	Place of posting	Remarks
23	GUR ZAFAR	GHANISAR KHAN	GPS HILALI	GPS HILALI	A 20
24	TARIC ULLAH	JUDAI ULLAH	GPS JELI HUMANI	GPS JELI HUMANI	A 20
25	MUHAMMAD SHAIKH	MUHAMMAD SHAIKH	GPS JALALI	GPS JALALI	A 20
26	MUHAMMAD USMAN	SHAMSUDDIN	GPS K. M. GOJAN	GPS K. M. GOJAN	A 20
27	ISHRAF ULLAH	MUSTAFA JUMRA	GPS J. H. KHAN	GPS J. H. KHAN	A 20
28	MUHAMMAD SAIF	MEE YASAR	GPS ELI JAHAN BATA	GPS ELI JAHAN BATA	A 20
29	AZIM KHAN	MAHMOOD KHAN	GPS G. N. SHAIKH	GPS G. N. SHAIKH	A 20
30	MUHAMMAD	MUHAMMAD UZZIR	GPS S. A. KHAN	GPS S. A. KHAN	A 20
31	ISAMUDDIN	DOOR MUHAMMAD	GPS ROHMAN BATA	GPS ROHMAN BATA	A 20
32	ATIFUR RAHMAN	RASOOL GHULAM	GPS RAHMAN	GPS RAHMAN	A 20
33	USMAN ALI	MUHAMMAD ANWAR	GPS S. J. KHAN	GPS S. J. KHAN	A 20
34	USMAN ALI	SARFAT	GPS S. M. KHAN	GPS S. M. KHAN	A 20
35	MUSOUB UDDIN	MUHAMMAD ALI	GPS S. J. KHAN	GPS S. J. KHAN	A 20
36	ALAMGIR KHAN	USMAN KHAN	GPS S. M. KHAN	GPS S. M. KHAN	A 20
37	HAFIZ ULLAH	MUHAMMAD KHAN	GPS S. M. KHAN	GPS S. M. KHAN	A 20
38	USMAN KHAN	SHAH USMAN KHAN	GPS S. M. KHAN	GPS S. M. KHAN	A 20
39	FARIS KHAN	FARIS KHAN	GPS S. M. KHAN	GPS S. M. KHAN	A 20
40	TASDEEQ ULLAH	INAYATULLAH	GPS S. M. KHAN	GPS S. M. KHAN	A 20
41	GULI KHAN	KHAN KHAN	GPS S. M. KHAN	GPS S. M. KHAN	A 20
42	SARFAR KHAN	GULI KHAN	GPS JAHAN	GPS JAHAN	A 20
43	KHAN BAHADUR	ABDUL KHAN KHAN	GPS JAHAN	GPS JAHAN	A 20
44	TARIC ULLAH	BAHAT ULLAH	GPS JAHAN	GPS JAHAN	A 20
45	USMAN ULLAH	MUHAMMAD KHAN	GPS JAHAN	GPS JAHAN	A 20
46	YASAR ALI	AMIR KHAN	GPS JAHAN	GPS JAHAN	A 20
47	MUHAMMAD SAIF	MUHAMMAD SAIF	GPS JAHAN	GPS JAHAN	A 20
48	USMAN ULLAH	USMAN ULLAH	GPS JAHAN	GPS JAHAN	A 20
49	MUSOUB UDDIN	MUSOUB UDDIN	GPS JAHAN	GPS JAHAN	A 20
50	ARSHAD ALI	ARSHAD ALI	GPS JAHAN	GPS JAHAN	A 20

TERMS & CONDITIONS.

- 01. They would be on probation for a period of one year extendable for another one year.
- 02. They will be governed by such rules and regulations as may be issued from time to time by the govt.

(Signature)
(Signature)
 24/3/21

NOTED

Their Services can be terminated at any time, in case their performances are found unsatisfactory during probationary period. In case of misconduct they shall be proceeded under the rules framed from time to time.

29

- 04 Charge report should be submitted to all concerned
- 05 Their Inter-So-Seniority on lower post will remain intact
- 06 No TADA is allowed for joining their duties
- 07 They will give an undertaking to this effect to be recorded in their service Books

(JAFFAR MANSOUM ABBASI)
DISTRICT EDUCATION OFFICER
(MALE) (UPPER)

Encl: No. _____ /F No. 127/DEC/AM/ACD (EM)

Primary (M) Dated Dir. the _____ /2021.

Copy forwarded for information and necessary action to the

- 01 PA to the Director (EASE) Myhran Pashurkhan Peshawar
- 02 District Accounts Officer (Male) Upper
- 03 Sub-Divisional Education Officers Male (Upper)
- 04 Budget and Account Officer Local Office
- 05 Officials Concerned
- 06 M File

DISTRICT EDUCATION OFFICER
(MALE) (UPPER)

26/3/21

ATTACHED

To

The District Education Officer (M),
District Dir Upper.

Subject: **DEPARTMENTAL APPEAL AGAINST THE IMPUGNED ORDER DATED 24-03-2021 WHERE BY JUNIORS TO APPELLANT HAVE BEEN PROMOTED TO THE POST OF SPST (BPS-14) WHILE THE APPELLANT WAS IGNORED AND AGAINST THE INACTION OF THE RESPONDED BY NOT COUNTING THE ADHOC SERVICE OF THE APPELLANT TOWARD LENGTH OF SERVICE FOR PROMOTION.**

Sir,

Most respectfully, it is stated that:

I am an employee of your Department and was initially appointed as PST BPS-12 at GPS Katigram District Dir Upper vide order dated 12.03.2015 on the proper recommendation of departmental selection committee. That in response the appellant submitted his arrival report. That where after the appellant started performing his duty at the concerned station quite efficiently and up to the entire satisfaction of his superiors.

That later on through a new advertisement the appellant applied for the post of PST BPS-12 on adhoc basis for the second time through proper channel and was recommended by the departmental selection committee for approval against the said post. That in light of departmental selection committee recommendation the appellant was appointed as PST BPS-12 vide order dated 3-05-2016.

That it is pertinent to mention here that the appellant applied for the second time for the post of PST BPS-12 for the purpose of posting at his home union council/nearby station.

That in light of the ibid appointment order the appellant submit his charge report vide dated 07.03.2016 and accordingly relived from his prewise post vide dated 30-07-2016, start performing his duties quit efficiently and up to the entire satisfaction of his superior.

That vide notification dated 02-03-2018 services of the appellant were regularized in light of regularization Act 2017.

That accordingly the regularization entry was made in the service book of the appellant but unfortunately the prewise adhoc service of the appellant with effect from 12-03-2015 till 21-03-2018 has not been counted for the purpose of pay fixation and for the purpose of length of service count for promotion.

That according to the proposed list prepared by the District Education Officer (male) Dir Upper for the purpose of promotion to the post of SPST BPS-14 the appellant was placed at Serial NO.17 of the ibid list.

That unfortunately vide impugned Office order dated 24-03-2021 the appellant was ignored for promotion to the post of SPST BPS-14 without any reason and clear justification while juniors to appellant have been promoted to the post of SPST BPS-14.

That on acceptance of this departmental appeal the impugned order dated 24-03-2021 of the respondent may very kindly be rectified/modified to the extent of appellant by directing the respondent to consider the appellant to the post of SPST BPS-14 with all back benefits and the respondents may further please be directed to grant pay fixation and count the prewise adhoc service of the appellant for the purpose of length of service for promotion.

Dated:22.4.2021

Sincerely Yours

Anayat
Anayat UR Rehman, PST (12),
GPS S.S Khal, District Dir Upper.

VAKALATNAMA

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO _____ OF 2021

Inayat U. Rehman (APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

Education Dept. (RESPONDENT)
(DEFENDANT)

I/We Inayat-U-Rahman

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

Dated. ____/____/2021

Inayat

CLIENT

ACCEPTED

NOOR MUHAMMAD KHATTAK

Kamran Khan
KAMRAN KHAN

Said Khan
SAID KHAN

Umar Farooq Mohmand
UMAR FAROOQ MOHMAND

Haider Khan
&
HAIDER KHAN
ADVOCATE

OFFICE:

Flat No.4, 2ND Floor,
Juma khan plaza near
FATA secretariat, warsak road
Peshawar City.
Mobile No.0345-9383141

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Service Appeal No. 7367/2021

**Inayat Ur Rehman, PST (BPS-12) GPS S.S Khell, District Dir Upper
..... (APPELLANT)**

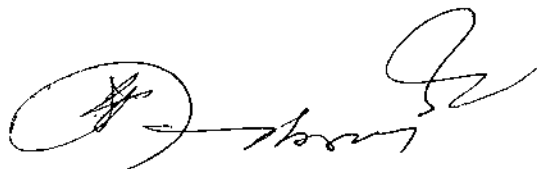
Versus

- 1. Secretary, Elementary and secondary Education Khyber Pakhtunkhwa
Peshawar.**
- 2. Director, Elementary and secondary Education Khyber Pakhtunkhwa
Peshawar.**
- 3. District Education Officer (M) DIR Upper
.....(RESPONDENTS)**

JOINT PARA WISE COMMENTS ON &for BEHALF OF RESPONDENT NO: 3 & Other

INDEX

S #	Description	Page Nos	Annexures
1	Comments along with Affidavit		
2	Copies of the resignations /NOC, s of the Appellants		A
3	Copy of The Khyber Pakhtunkhwa Employee of E&SE Department (Appointment & Regularization of Services) Act 2017.		B



**District Education Officer (M)
Dir Upper**

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR.

Service Appeal No. 7367/2021

Inayat Ur Rehman, PST (BPS-12) GPSS.S Khell District Dir Upper
..... (APPELLANT)

Versus

1. Secretary, Elementary and secondary Education Khyber Pakhtunkhwa
Peshawar.
2. Director, Elementary and secondary Education Khyber Pakhtunkhwa
Peshawar.
3. District Education Officer (M) DIR Upper
..... (RESPONDENTS)

JOINT PARA WISE COMMENTS ON &for BEHALF OF RESPONDENT NO: 3 & Other

Respectfully Sheweth: -

PRELIMINARY OBJECTIONS.

1. That the Appellant have got no cause of action/locus standi to file the instant Service Appeal.
2. **That the alternate remedy was available for Appellants in shape of filing of departmental appeal before the appellate authority but Appellants badly failed to avail the already available remedy hence, the instant Service Appeal cannot file.**
3. That the instant Service Appeal is hit by the **Principal of Latches.**
4. That the Appellants have concealed the material facts from this Honorable Court.
5. That the instant Service Appeal is based on malafide intentions.
6. That the Appellant did not come to this Honorable Court with clean hands hence, not entitled for any relief.
7. That the instant Service Appeal is against the prevailing of Law, Rules & Policy.
8. That the Appellant is estopped by their own conduct to file this Service Appeal.
9. That the Appellants have been treated as per Law Rules & set procedure.

10. That the present Service Appeal is bad for mis-joinder & non-joinder of the necessary parties.
11. That the instant Service Appeal is barred by Law.
12. That the appellant was appointed on adhoc/school basis for one year and after resignation he was appointed in the new advertised post of PST and later on was regularized under the section 3 of The Khyber Pakhtunkhwa Employee of E&SE Department (Appointment & Regularization of Services) Act 2017.

Facts:

1. That the Para No. 1, of the Service Appeal pertains to their identical record of the appellant hence, need no comment.
2. That the Para No. 2, of the service appeal is correct up to the extent of the appointment of the appellant on adhoc /school basis for a specific period of one year which is much clear from the terms and conditions No. 3 of the appointment order dated 12-03-2015 i.e. "Appointment is purely on temporary basis initially for one year". Which is also further clarified in the terms and condition No.12. "That his appointment is made on school based. He will have to serve at the place of posting, and his service is not transferable to any other station.
3. That the Para No. 3, of the service appeal is also correct that the appellant was initially appointed as PST on adhoc /school basis for a period of one year, the appellant applied for transfer many times for any vacant seat of PST lying in the domain of his residential, but the official respondents rejects his application due to his appointment on adhoc/contract basis , meanwhile a new advertisement was issued in which the appellant along with others colleagues applied for the said posts of PST lying near to his residential(without getting N.O.C is he was serving on an adhoc/contract basis), after conducting the test the appellant was recommended and after tendering the resignation ,he was again re appointed on the post of PST on adhoc/school basis in the year 2017.
4. In reply to Para No. 4, of the Service Appeal it is submitted that the Appellants were appointed in their own opted schools on adhoc/contract /school base as their services were not transferable at

that particular time. So, the Appellants after resigning from their previous post applied against the new post through fresh advertisement by accepting the terms and conditions of the advertisement *ibid*.

5. That Para No. 5, of the Service Appeal needs no comments.
as composed as incorrect hence denied as the Appellants were not in continuous service due to resignations already annexed as annexure "A" in the above Para.
6. That Para No. 6, of the Service Appeal is correct up to the extent of regularization with section 3 of The Khyber Pakhtunkhwa Employee of E&SE Department (Appointment & Regularization of Services) Act 2017 and the regularization orders of the Appellants were issued in accordance with the provisions of the Act *ibid* and all the contract employees were regularized from the day of their initial appointment. It is pertinent to mention here that the Appellants were appointed as *ad hoc*/contract/school base for a probation period of one year from which they had submitted their resignations from their previous appointment and applied against the fresh advertisement with their free consent. (copy of The Khyber Pakhtunkhwa Employee of E&SE Department (Appointment & Regularization of Services) Act 2017 is annexed as "B")
7. That para-7 of the service appeal is also correct to the extent that the appellant was regularized w.e.f 21-03-2018, as the previous service of the appellant was on *ad hoc*/contract basis just for one year from which he has submitted resignation. It is also pertinent to mention here that the appellant has not also applied through proper channel as no N.O.C was issue to him.
8. That Para No. 8, is incorrect hence denied, furthermore the appellant was regularized w.e.f 21-03-2018, so neither eligible, nor entitled for promotion to Senior Primary School Teacher.
9. That Para No. 9, of the service appeal is incorrect and further stated that the promotion order dated 24-03-2021 has been issued as per law and rules while the appellant was junior so not considered for promotion.
10. That the Para No. 10, of the instant service appeal as composed is incorrect hence denied. The Appellants did not avail the alternate

remedy which was available under the law in form of **departmental appeal**. Hence the instant service appeal is not maintainable and same is liable to be dismissed on this score alone Furthermore, the appellant was bound to file the departmental appeal to next higher authority which is director E&SE Peshawar.

11. That the Para No, 11 is incorrect, hence denied and further stated that the appellant has another alternates remedy in the shape of filling an appeal/representation for redressal of their grievances (if any).

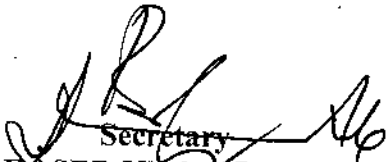
GROUND:

- a. That ground A, of the service appeal as composed is incorrect hence, denied as comprehensive reply has already been given in Para No.4 and 7 of the factual objections.
- b. That ground B, of the service appeal as composed is incorrect hence, denied as comprehensive reply has already been given in Para No.4 and 7 of the factual objections.
- c. That ground C, of the service appeal as composed is incorrect hence, denied. As there is no discrimination on the part of the answering respondents and the Appellants have been treated in accordance with law rules and policies. And detail reply has already been given in Para No.4 and 7 of the factual objections.
- d. That ground D, of the service appeal as composed is incorrect hence, denied.
- e. That the ground E, of the service appeal as composed is incorrect hence denied. The services of the Appellants were regularized in accordance with section 3 of The Khyber Pakhtunkhwa Employee of E&SE Department (Appointment & Regularization of Services) Act 2017 and the regularization orders of the Appellants were issue in accordance with the provisions of the Act ibid and all the contract employees were regularized from the day of their initial appointment. It is pertinent to mention here that the Appellants were appointed as adhoc/contract/school base for a probation period of one year from which they had submitted their resignations from their previous appointment and applied against the fresh advertisement with their free consent.

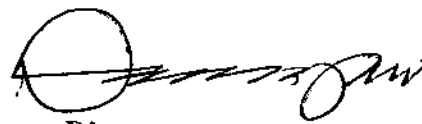
f. That the ground F, of the service appeal as composed is incorrect hence denied. As Appellants have been treated in accordance with the law and they have not been deprived by the answering respondents.

However, the answering respondents seek leave of this Honorable Court to agitate additional grounds during the course of arguments.

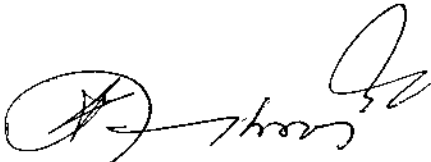
It is, therefore, in the light of above stated facts and circumstances very humbly prayed that the service appeal in hand may please be dismissed with cost.



Secretary
E&SED Khyber Pakhtunkhwa
(Respondent No. 1)



Director,
E&SE Khyber Pakhtunkhwa
(Respondent No. 2)



District Education Officer (M)
Dir Upper
(Respondent No. 3)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR.

Service Appeal No. 7367/2021

Inayat Ur Rehman, PST (BPS-12) GPSS.S Khell District Dir Upper
..... (APPELLANT)

Versus

1. Secretary, Elementary and secondary Education Khyber Pakhtunkhwa Peshawar.
2. Director, Elementary and secondary Education Khyber Pakhtunkhwa Peshawar
3. District Education Officer (M) DIR Upper (Respondents)

Affidavit

I, **Syed Alamzeb Shah** Litigation officer Dir Upper do hereby solemnly affirm and state on oath that the whole contents of this reply are true and correct to the best of my knowledge and belief and nothing has been concealed from this August court.

Identified by

Addl; Advocate General
Khyber Paktunkhwa.

Deponent

Syed Alamzeb Shah
Dir Upper
Litigation Officer DEO (M) Dir Upper

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR.

Service Appeal No. 7367/2021

Inayat Ur Rehman, PST (BPS-12) GPSS.S Khell District Dir Upper
..... (APPELLANT)

Versus

1. Secretary, Elementary and secondary Education Khyber Pakhtunkhwa
Peshawar.

2. Director, Elementary and secondary Education Khyber Pakhtunkhwa
Peshawar

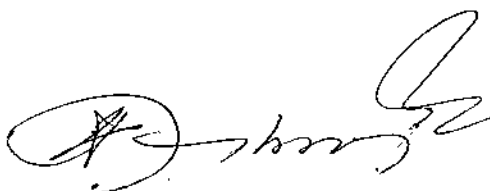
3. District Education Officer (M) DIR Upper

..... Respondents)

AUTHORITY LETTER

Mr. Syed Alamzeb Shah Litigation Officer of the office of DEO (M) Dir Upper
undersigned is hereby authorized to submit the comments /reply in the
service appeal No.7367/2021

Title: Inayat Ur Rehman v/s Govt: of KP and others on my behalf.



District Education officer (M)

District Dir

Upper



OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) DIR UPPER

PH NO 0944-881400 Email: deomdirupper@gmail.com.

APPOINTMENTS

Consequent upon the recommendation of the Departmental Selection Committee, appointment of the following candidates are hereby ordered against the post of Primary School Teachers (PST) Male School-based in BPS-12 (Rs.11140-800-35140) @ Rs.11140/- fixed plus usual allowances as admissible under the rules on adhoc basis under the existing policy of the Provincial Government, in Teaching Cadre on the terms and conditions given below with effect from the date of their taking over charge:-

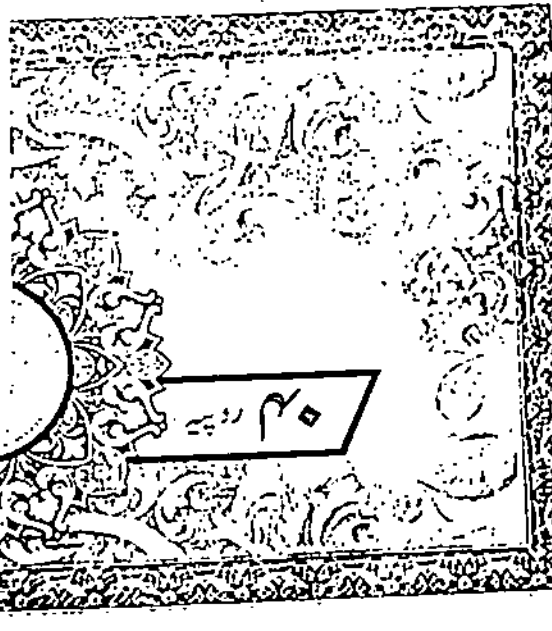
S.#	NTS Roll No.	Name	Father Name	DOB	Place of Posting	CNIC	Merit	Ward/U.C	Remarks
1	7932000586	ADNAN ABBAS	SHAFI ULLAH	14-01-92	GPS KASS DIR NO 1	15701-3018852-7	117.63	DIR URBAN	AVP
2	7932000825	RAFI ULLAH	SAID MALICHA	25-01-90	GPS ROKHAN BALA	15701-4797232-3	112.53	DIR URBAN	AVP
3	7931000635	ZAHID ULLAH	SHER ZADA	18-03-88	GPS KHARAW/ROKHAN	15701-1161887-7	108.7	DIR URBAN	AVP
4	7917000215	IHSAN UL HAQ	GUL AZEEM KHAN	08-08-83	GPS MIRASHI PATI	15701-4561147-1	104.46	DIR URBAN	AVP
5	7935000114	SHER RAHMAN	HAKIM KHAN	15-06-95	GPS BELKARAY	15701-3919023-9	103.39	DIR URBAN	AVP
6	7932000547	JAWAD ALI	SAID BACHA	15-08-1996	KHARAW/ROKHAN	15701-8622797-3	99.93	DIR URBAN	AVP

TERMS & CONDIATION.

1. NO TA/DA etc is allowed.
2. Charge reports should be submitted to all concerned in duplicate.
3. Appointment is purely on temporary basis initially for one year.
4. They should not be handed over charge if they exceed 35 years or below 18 years of age.
5. Appointment is subject to the condition that their certificates/degrees must be verified from the concerned authorities if anyone found producing bogus Certificate will be reported to the law enforcing agencies for further action.
6. Their services are liable to termination on one month's notice from either side. In case of resignation without notice his one-month pay/allowances shall be forfeited to the Government.
7. Pay will not be paid until and unless a certificate from the concerned authority is issued that their certificates are verified.
8. They should join their post within 15 days of the issuance of this notification. In case of failure to join their post within 15 days of the issuance of this notification, his appointment will expire automatically and no subsequent appeal etc shall be entertained..
9. Health and Age Certificate should be produced from the Medical Superintendent concerned before taking over charge.
10. They will be governed by such rules and regulations as may be issued from time to time by the Govt.
11. Their services shall be terminated at any time, in case of their performance is found unsatisfactory during their contract period. In case of misconduct, they will be preceded under the rules framed from time to time.
12. Their appointments are made on School based, they will have to serve at the place of posting, and their service is not transferable to any other station.
13. Before handing over charge once again their document may be checked if they have no required qualifications, they may not be handed over charge.
14. No payment will be made so then before making verification from concerned institutions.
15. The errors and omissions etc if found at any stage shall be rectified. In case of termination of said candidate, he will have no right to claim the order already issued in any court.

(Signature)
AW

جمہوریہ پاکستان
قانونی ادارے
15701-39190000
15-06-1999



۴۵ روپیہ

Dir Urban

اقرار نامہ / بیان حلفی:

مذکورہ مسمیٰ شفیق الرحمن ولد عباد الرحمن اقرار کر کے لکھ دیتے ہیں کہ میں
مخالف کا PST پوسٹ پر تقرری ہو رہی ہے لیکن میں اس وقت کچھ نامگزیر
وجوہات کی بنا پر اسٹ مذکورہ سے دستبردار اختیار کرنا ہوں گا۔ یہ سب کچھ
کسی دوسرے شخص کو تعینات کرنے تو مجھے کوئی اعتراض نہیں ہے۔ میں میرا
بیان ہے۔

شفیق الرحمن

شفیق الرحمن ولد عباد الرحمن سکڑہ ریہنا ٹکڑہ پٹنہ دیہ

شناختی کارڈ نمبر 9-4121019-415701

ATTESTED

Akhter Muin Advocate
Notary Public
District Courts Dir Upper

**AN
ACT**

to provide for the appointment and regularization of the services of certain employees appointed on adhoc or contract basis or appointed in certain projects in the Elementary and Secondary Education Department in the Province of the Khyber Pakhtunkhwa.

WHEREAS it is expedient to provide for the appointment and regularization of the services of certain employees appointed on adhoc or contract basis or appointed in certain projects in the Elementary and Secondary Education Department in the Province of the Khyber Pakhtunkhwa, in the public interest;

It is hereby enacted as follows:

1. Short title, application and commencement.—(1) This Act may be called the Khyber Pakhtunkhwa Employees of the Elementary and Secondary Education Department (Appointment and Regularization of Services) Act, 2017.

(2) It shall apply to all the employees in the Elementary and Secondary Education Department, as defined in clause (c) of sub-section (1) of section 2 of this Act.

(3) It shall come into force at once and it shall be deemed to have taken effect from the date of the initial appointment of the employees as referred to in clause (c) of sub-section (1) of section 2 of this Act.

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

- (a) "Commission" means the Khyber Pakhtunkhwa Public Service Commission;
- (b) "contract appointment" means appointment of a duly qualified person for a specific period made otherwise than in accordance with the prescribed method of recruitment;
- (c) "employees" mean duly qualified persons,-
 - (i) who are appointed as teachers on adhoc or contract basis by the Government after 2013 through National Testing Service but does not include the teachers engaged on work charge basis or who are paid out of contingencies;
 - (ii) who are appointed in the projects on contract basis in accordance with the project policy; and
 - (iii) who are appointed as Junior Clerk in the Elementary and Secondary Education Department by Government after 2013 through National Testing Service;
- (d) "Government" means the Government of the Khyber Pakhtunkhwa;

- (e) "law or rule" means the law or rule for the time being in force governing the selection and appointment of civil servants;
- (f) "project" means,-
- (i) IT/Computer Teachers in Computer Labs Projects in Khyber Pakhtunkhwa (Phase-II);
 - (ii) establishment of five hundreds (500) IT Labs in Government High and Secondary Schools in Khyber Pakhtunkhwa; and
 - (iii) establishment of five hundreds (500) IT Labs in Government High Schools in Khyber Pakhtunkhwa (Phase-III); and
- (g) "teacher" means a teacher of primary, middle, secondary or higher secondary school.

(2) The expressions "ad hoc appointment" shall have the same meaning as respectively assigned to them in the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No. XVIII of 1973).

3. Regularization of services of employees.---(1) Notwithstanding anything contained in any other law or rules, the employees, who hold posts till the commencement of this Act, shall be deemed to have been validly appointed on regular basis from the day of the initial appointment; provided that-

- (i) they possess the same qualification and experience required for a regular post;
- (ii) they have not resigned from their services or terminated from services on account of misconduct, inefficiency or any other ground, before the commencement of this Act; and
- (iii) the service promotion quota of all service cadres shall not be affected.

(2) The services of the employees shall be deemed to have been regularized only on the publication of their names in the official Gazette.

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

(2) The seniority inter-se of those employees, whose services are regularized under this Act within the Cadre, shall be determined on the basis of their continuous service in Cadre:

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

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

**BY ORDER OF MR. SPEAKER
PROVINCIAL ASSEMBLY OF KHYBER
PAKHTUNKHWA**

(INAMULLAH KHAN)
Secretary
Provincial Assembly of Khyber Pakhtunkhwa