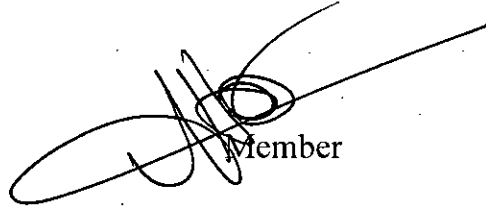


926/16

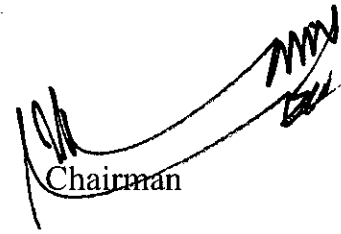
Shah Room Khan vs Govt

27.09.2017 Counsel for the appellant and Addl. A.G alongwith Hameedur Rahman, AD for the respondents present. Arguments heard and record perused.

The broad facts and legal issues involved in the instant service appeal are similar to service appeal No. 178/2016, entitled "Khamsul Haq Vs. Government of Khyber Pakhtunkhwa through Chief Secretary, Peshawar and others" decided today on 27.09.2017. This appeal is also accepted as per judgment in the aforementioned service appeal. Parties are left to bear their own costs. File be consigned to the record room.



Member




Chairman

ANNOUNCED
27.09.2017

10.04.2017


Junior counsel for the appellant present. Mr. Hameed-ur-Rehman, AD (litigation) alongwith Mr. Muhammad Adeel Butt, Additional AG for respondents also present. Junior counsel for the appellant submitted rejoinder and requested for adjournment on the ground that his senior counsel is not available. Adjourned. To come up for arguments on 20.04.2017 before D.B.



(Ahmad Hassan)
Member


(Muhammad Amin Khan Kundi)
Member

20.04.2017

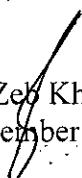
Counsel for the appellant present. Mr. Hameed-ur-Rehman, AD (litigation) alongwith Mr. Muhammad Adeel Butt, Additional AG for the respondents also present. During the course of arguments it was stated that policy stood incorporated in the recruitment rules notified by the Provincial Government. Learned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


(Ahmad Hassan)
Member


(Muhammad Amin Khan Kundi)
Member

21.06.2017

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


(Gul Zeb Khan)
Member


(Muhammad Amin Khan Kundi)
Member

14.12.2016

Counsel for the appellant and Mr. Daud Jan, Superintendent alongwith Addl. AG for the respondents present. Requested for adjournment. To come up for written reply/comments on 23.01.2017 before S.B.


Chairman

23.01.2017

Counsel for the appellant and Mr. Hameed ur Rehman, AD (Litigation) alongwith Assistant AG for respondents present. Written reply not submitted. Requested for adjournment. To come up for written reply/comments on 28.02.2017 before S.B.


Chairman

28.02.2017

Appellant in person and Mr. Hameed-ur-Rehman AD (litigation) alongwith Mr. Muhammad Adeel-Butt, Additional AG for respondents present. Written reply by respondents submitted and copies delivered to all concerned. To come up for rejoinder and arguments on 10.04.2017 before D.B.


(ASHFAQUE TAJ)
MEMBER

26.09.2016

Clerk to counsel for the appellant present and requested for adjournment. Adjournment granted. To come up for preliminary hearing on 17.10.2016 before S.B.


Member

17.10.2016

Learned counsel for the appellant argued that the appellant was appointed as Subject Specialist on the recommendation of Public Service Commission on 16 March, 2015 and was posted in GHSS Kalam District Swat. While referring to the advertisement dated 24.07.2013 the learned counsel for the appellant argued that there was no conditionality of school based appointment in the said advertisement adding further that this cadre was Provincial cadre and that there is no such provision in the Civil Servant Act 1973 for making appointment in the manner and mode as done in the instant case. He further argued that the appellant agitated the issue of school base appointment as given at serial No. 7 of terms and conditions of notification of appointment before the departmental authority on 09.06.2016 which was rejected through a non speaking order on 15.07.2016. He further added that identical case of principals of the Elementary and Secondary Education Department agitating against the school base appointment was recently admitted by this Service Tribunal for regular hearing and requested for admitting the instant case.

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 14.12.2016 before S.B.

Appellant Deposited
Security & Process Fee



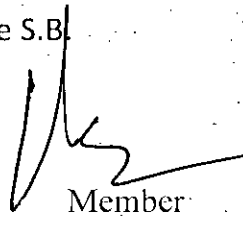

Member

Form- A

FORM OF ORDER SHEET

Court of _____

Case No. 926/2016


S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	01/09/2016	<p>The appeal of Mr. Shah Room Khan resubmitted today by Mr. Muhammad Asif Yousafzai Advocate may be entered in the Institution Register and put up to Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	2-09-2016	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>08-09-2016</u></p> <p style="text-align: right;"> CHAIRMAN</p>
	08.09.2016	<p>Counsel for the appellant for and as for respondents present. Counsel for the appellant requested for adjournment. Request accepted. To come up for preliminary hearing on 26.09.2016 before S.B.</p> <p style="text-align: right;"> Member</p>

The appeal of Mr. Shah Room Khan Subject Specialist GHSS Kalam Swat received today i.e. on 10.08.2016 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Memorandum of appeal may be got signed by the appellant. ✓
- 2- Annexures of the appeal may be attested. ✓
- 3- Annexures of the appeal may be flagged. ✓
- 4- Appeal may be page marked according to the index. ✓
- 5- Five more copies/sets of the appeal along with annexures i.e. complete in all respect may also ✓ be submitted with the appeal.

No. 1294 /S.T.

Dt. 10/08 /2016


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. M. Asif Yousafzai Adv. Pesh.

Sir,

Objections were removed and file re-submitted

Yours truly

BEFORE THE KPK SERVICE TRIBUNAL, PESHAWAR.

Appeal No. 926 /2016

Shah room Khan

V/S

Education Department

INDEX

No.	Documents	Annexure	Page No.
1.	Memo of Appeal	----	1-4
2.	Copy of advertisement	A	5-15
3.	Copy of appointment order	B	16-18
4.	Copy of departmental appeal	C	19
5.	Copy of rejection order	D	20
6.	Vakalat Nama	-----	21

APPELLANT

THROUGH:

(M. ASIF YOUSAFZAI)

&

(TAIMUR ALI KHAN)

ADVOCATES, PESHAWAR

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 926 /2016

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 828

Dated 10-8-2016

Shah Room Khan, Subject Specialist (Urdu),
GHSS Kalam, Swat.

(Appellant)

VERSUS

1. The Chief Secretary Civil Secretariat, Khyber Pakhtunkhwa, Peshawar.
2. The Secretary (E&SE) Civil secretariat Khyber Pakhtunkhwa, Peshawar.
3. The Director (E&SE) Khyber Pakhtunkhwa, Peshawar.

(Respondents)

APPEAL UNDER SECTION 4 OF THE SERVICE TRIBUNAL ACT, 1974
AGAINST THE ORDER DATED 15.07.2016, WHEREBY THE
DEPARTMENTAL APPEAL OF THE APPELLANT AGAINST THE
CONDITION NO.7 OF THE APPOINTMENT ORDER HAS BEEN
REJECTED FOR NO GOOD GROUNDS.

PRAYER:

THAT THE ACCEPTANCE OF THIS APPEAL, THE ORDER DATED
15.07.2016 MAY BE SET ASIDE AND THE CONDITION NO.7 OF
APPOINTMENT ORDER MAY BE DECLARED AS ILLEGAL,
UNLAWFUL, WITHOUT LAWFUL AUTHORITY AND AGAINST THE
PRINCIPLES GOVERNING PROVINCIAL CADRE POST. THE
RESPONDENTS MAY FURTHER BE DIRECTED TO
AMEND/WITHDRAW THE CONDITION NO.7 OF THE
APPOINTMENT ORDER DATED 10.12.2014 BY DECLARING THE
SUBJECT SPECIALIST POST AS TRANSFERABLE POST BEING
PROVINCIAL CADRE POST. ANY OTHER REMEDY WHICH THIS
AUGUST TRIBUNAL DEEMS FIT AND APPROPRIATE THAT MAY
ALSO BE AWARDED IN FAVOUR OF APPELLANT.

Filed to-day

Registrar

10/8/16.

Re-submitted to -day
and filed.

Registrar

01/09/2016

RESPECTFULLY SHEWETH:

FACTS:

1. That the posts of Subject Specialist were advertised by the Public Service Commission vide advertisement dated 24.7.2013. The specific condition mentioned is as noted in the advertisement that a person appointed as Subject Specialist shall be transferable only to the post relevant to his subject. It clearly shows that Subject Specialist is a Provincial cadre post which was required to be filled on zonal based quota. (Copy of advertisement is attached as Annexure-A)
2. That the appellant participated in a competitive exam and was finally appointed as Subject Specialist vide notification dated 16.03.2015. In the terms and conditions of the appointment order, the appellant is declared as a regular civil servant of the Province and was made liable to be governed by such rules and regulations as may be issued from time to time by the Government for civil servants. (Copy of appointment order is attached as Annexure-B)
3. That in the appointment order, condition No.7 is also included wherein the appointment of the appellant as Subject Specialist was declared as school based and non-transferable, which is certainly against the rule, regulation, and cadre policy of the Government.
4. That against the said illegal condition whereby a Provincial cadre post has been given the status of school based non-transferable, the appellant filed a departmental appeal for amendment and drawing of condition No.7, but the same has also been rejected without showing any reason on 15.7.2016. (Copies of departmental appeal and rejection order are attached as Annexure-C&D)
5. That now the appellant has no other remedy, but is constrained to file the instant appeal on the following grounds, amongst others.

GROUNDS:

- A) That the impugned order dated 15.7.2016 is against the law, rules, facts, and norms of justice. Therefore, it is not maintainable and liable to be set aside.
- B) That condition No.7 is also against the advertisement in which no such condition was specified, thus declaring the appointment

of the appellant as School based in condition No.7 of the appointment order is against the principle of promissory estoppel.

- C) That the seniority of Subject Specialist is maintained on Provincial bases which specifically proved that Subject Specialist is a Provincial cadre post and cannot be restricted to particular place and not transferable. Thus the condition No.7 of the appointment order is the violation of law, rules and regulation governing the cadre.
- D) That there is no official notification duly published in official gazette issued by the competent authority for declaring the Subject Specialist as School based non transferable post. Thus the condition No.7 of the appointment order issued by the respondents is total violation of Section-10 of Civil Servant Act 1973.
- E) That the treatment of the respondents including condition No.7 in the appointment order is also discriminatory because the officials who are posted as Subject Specialist are liable to transferable whereas the same benefit has been denied to the appellant despite the fact he also belongs to Subject Specialist cadre.
- F) That even in the recruitment rules made for Subject Specialist no such condition is available. Thus by inserting condition No.7 in the appointment order of the appellant, the respondents have exceeded from their legal ambit.
- G) That condition NO.7 which was not mentioned in the advertisement will also cause great hardship to the appellant because despite of post availability, the appellant could not be posted and would remain in far flung areas for ever.
- H) That even condition No.7 is not mentioned in the advertisement published in year 2014, 2015 and 2016 rather such condition (condition No.7) is also against the rules under which the appellant has to be promoted to BPS-18, because such promotion is to be made on seniority maintained at Provincial level and not on the basis of seniority on basis of School base appointment.
- I) That the appellant has not been treated according to law and rules governing the services of Civil servant.
- J) That the appellant seeks permission to advance other grounds and proofs at the time hearing.

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

APPELLANT *Shah Room*
Shah Room Khan

THROUGH:



(M. ASIF YOUSAFZAI)

&



(TAIMUR ALI KHAN)

ADVOCATES, PESHAWAR

1

A 5

**KHYBER PAKHTUNKHWA PUBLIC SERVICE
COMMISSION**

2- Fort Road Peshawar Cantt:

Website: www.kppsc.gov.pk

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

Dated: 24.07.2013

ADVERTISEMENT No. 04 / 2013.

Applications, on prescribed form, are invited for the following posts from Pakistani citizens having domicile of Khyber Pakhtunkhwa / F.A.T.A by 23.08.2013 (candidates applying from abroad by 06.09.2013). Incomplete applications and applications without supporting documents required to prove the claim of the candidates shall be rejected.

ENVIRONMENT DEPARTMENT	
1.	<p>ONE (01) POST OF DIGITIZING OPERATOR IN THE OFFICE OF CHIEF CONSERVATOR OF FORESTS</p> <p>QUALIFICATION: B.A/B.Sc Preferably in Geography with one year Diploma in Information Technology (IT)/Computer Science (CS) or Bachelor in Computer Science (BCS) or Bachelor of Information Technology (BIT).</p> <p>AGE LIMIT: 18 to 30 years. PAY SCALE: BPS-12 ELIGIBILITY: Male. ALLOCATION: Zone-5.</p>
2.	<p>TWO (02) LEFTOVER POSTS OF STENOYPIST IN THE OFFICE OF CHIEF CONSERVATOR OF FORESTS</p> <p>QUALIFICATION: i) Intermediate or equivalent qualification from a recognized Board; (ii) A speed of 50 words per minute in Shorthand in English and 35 words per minute in Typewriting and (iii) Knowledge of computer in using MS Word and MS Excel.</p> <p>AGE LIMIT: 18 to 30 years. PAY SCALE: BPS-12 ELIGIBILITY: Male. ALLOCATION: One each to Zone-1 and Zone-3.</p>
ELEMENTARY & SECONDARY EDU: DEPARTMENT	
3.	<p>FORTY FIVE (45) LEFTOVER POSTS OF FEMALE ASSISTANT DISTRICT OFFICER</p> <p>QUALIFICATION: BA/ B.Sc 2nd Division with B.Ed and five years teaching / administrative experience in Govt. recognized education institution / office.</p> <p>AGE LIMIT: 21 to 35 years. PAY SCALE: BPS-16 ELIGIBILITY: Female ALLOCATION: Twenty Five (25) to Zone-1 and Twenty (20) to Zone-3.</p>
4.	<p>ONE HUNDRED FIFTY ONE (151) POSTS OF MALE SUBJECT SPECIALISTS (129 FRESH – 22 LEFTOVER) IN ELEMENTARY & SECONDARY EDUCATION DEPARTMENT.</p> <p>QUALIFICATION: 1. Master's degree in the relevant subject with Bachelor of Education of M.Ed or Master of Education (Industrial Arts or Business Education) or M.A Education or Equivalent Qualification from recognized University OR 2. If no suitable candidate possessing the above qualification is available, a candidate possessing Master's Degree in the relevant subject may be appointed as Subject Specialist subject to the condition that he/she shall acquire the requisite qualification as specified above within three years from the date of his appointment, failing which his service will be terminated without notice irrespective of any provision of the rules for the time being enforce.</p>

ATTESTED

Note: The person appointed as Subject Specialist shall be transferable only to a post relevant to his subject.

AGE LIMIT: 25 to 40 years. **PAY SCALE:** BPS-17 **ELIGIBILITY:** Male.

ALLOCATION: As mention against each subject below:

NOTE:- For History-cum-Civics: The candidates must possess Master's Degree either in History or Political Science provided the other required subject has been studied at B.A level. The other requirement of teaching degree will, however remain intact.

For Biology: 2nd Class Master Degree in Botany or Zoology provided that other subject have been studied at graduate level.

Allocation	Merit	Zone-1	Zone-2	Zone-3	Zone-4	Zone-5	Total
SS English	02	01	01	01	02	01	08
SS Econs:	05	03	03	03	02	05	21
SS History Cum Civics	02	02	02	02	01	03	12
SS Statistics	06	07	05	07	03	06	34
SS Pak Studies	05	04	04	03	02	02	20
SS Islamiyat	03	02	01	01	01	02	10
SS Maths	01	01	01	01	01	01	06
SS Chemistry	01	01	02	02	--	03	09
SS Physics	01	--	--	01	01	--	03
SS Biology	02	01	01	01	01	02	08
SS Urdu	03	02	03	02	01	--	11
SS Pushto	02	02	02	01	01	01	09

5. **FIFTY FOUR (54) POSTS OF FEMALE SUBJECT SPECIALIS'S (52 LEFTOVER – 02 FRESH) IN ELEMENTORY & SECONDARY EDUCATION DEPARTMENT.**

QUALIFICATION: 1.. Master's degree in the relevant subject with Bachelor of Education of M.Ed or Master of Education (Industrial Arts or Business Education) or M.A Education or Equivalent Qualification from recognized University **OR**

2. If no suitable candidate possessing the above qualification is available, a candidate possessing Master's Degree in the relevant subject may be appointed as Subject Specialist to the condition that he/she shall acquire the requisite qualification as specified above within three years form the date of his appointment, failing which his service will be terminated without notice irrespective of any provision of the rules for the time being enforce.

Note: The person appointed as Subject Specialist shall be transferable only to a post relevant to his subject.

AGE LIMIT: 25 to 40 years. **PAY SCALE:** BPS-17 **ELIGIBILITY:** Female.

ALLOCATION: As mention against each subject below:

NOTE:- For History-cum-Civics: The candidates must possess Master's Degree either in History or Political Science provided the other required subject has been studied at B.A level. The other requirement of teaching degree will,however,remain intact. **For Biology:** 2nd Class Master Degree in Botany or Zoology provided that other subject have been studied at graduate level.

Allocation	Merit	Zone-1	Zone-2	Zone-3	Zone-4	Zone-5	Total
SS History Cum Civics	-	02	-	-	-	02	04
SS Statistics	-	07	-	07	-	-	14
SS Pak Studies	-	05	-	-	-	-	05
SS Maths	02	06	02	02	01	01	14
SS Chemistry	-	01	01	-	-	-	02
SS Physics	-	05	-	05	-	02	12
SS Home Econ:	-	01	-	01	-	-	02
SS Biology:	-	-	-	-	-	01	01

ATTACHED

7

6.

TEN (10) POSTS OF MALE SUBJECT SPECIALISTS IN ELEMENTARY & SECONDARY EDUCATION DEPARTMENT (DISABLED QUOTA)

QUALIFICATION: 1. Master's degree in the relevant subject with Bachelor of Education or M.Ed or Master of Education (Industrial Arts or Business Education) or M.A Education or Equivalent Qualification from recognized University OR
2. If no suitable candidate possessing the above qualification is available, a candidate possessing Master's Degree in the relevant subject may be appointed as Subject Specialist to the condition that he/she shall acquire the requisite qualification as specified above within three years from the date of his appointment, failing which his service will be terminated without notice irrespective of any provision of the rules for the time being enforce.

Note: The person appointed as Subject Specialist shall be transferable only to a post relevant to his subject.

AGE LIMIT: 25 to 40 years. **PAY SCALE:** BPS-17 **ELIGIBILITY:** Male.

ALLOCATION: As mention against each subject below:

NOTE:- For History-cum-Civics: The candidates must possess Master's Degree either in History or Political Science provided the other required subjects has studied at B.A level. The other requirement of teaching degree will, however, remain intact.
For Biology: 2nd Class Master Degree in Botany or Zoology provided that other subject have been studied at graduate level.

S.No.	Name of Post	No. of Post	Allocation
1.	Male SS Economics	03	Merit
2.	Male SS Statistics	03	Merit
3.	Male SS Pak Study	03	Merit
4.	Male SS Urdu	01	Merit
	Total:	10	

7.

FOUR (04) POSTS OF FEMALE SUBJECT SPECIALISTS IN ELEMENTARY & SECONDARY EDUCATION DEPARTMENT (DISABLED QUOTA)

QUALIFICATION: 1. Master's degree in the relevant subject with Bachelor of Education or M.Ed or Master of Education (Industrial Arts or Business Education) or M.A Education or Equivalent Qualification from recognized University OR
2. If no suitable candidate possessing the above qualification is available, a candidate possessing Master's Degree in the relevant subject may be appointed as Subject Specialist to the condition that he/she shall acquire the requisite qualification as specified above within three years from the date of his appointment, failing which his service will be terminated without notice irrespective of any provision of the rules for the time being enforce.

Note: The person appointed as Subject Specialist shall be transferable only to a post relevant to his subject.

AGE LIMIT: 25 to 40 years. **PAY SCALE:** BPS-17 **ELIGIBILITY:** Female

ALLOCATION: As mention against each subject below:

NOTE:- For History-cum-Civics: The candidates must possess Master's Degree either in History or Political Science provided the other required subjects has studied at B.A level. The other requirement of teaching degree will, however, remain intact.
For Biology: 2nd Class Master Degree in Botany or Zoology provided that other subject have been studied at graduate level.

S.No.	Name of Post	No. of Post	Allocation
1.	Female SS English	01	Merit
2.	Female SS Statistics	01	Merit
3.	Female SS Islamiyat	01	Merit
4.	Female SS Chemistry	01	Merit
	Total:	04	

ACT

TWO (02) LEFTOVER POSTS OF MALE SUBJECT SPECIALISTS IN ELEMENTARY & SECONDARY EDUCATION DEPARTMENT (EARTHQUAKE QUOTA)

QUALIFICATION: 1. Master's degree in the relevant subject with Bachelor of Education of M.Ed or Master of Education (Industrial Arts or Business Education) or M.A Education or Equivalent Qualification from recognized University **OR**
2. If no suitable candidate possessing the above qualification is available, a candidate possessing Master's Degree in the relevant subject may be appointed as Subject Specialist to the condition that he/she shall acquire the requisite qualification as specified above within three years from the date of his appointment, failing which his service will be terminated without notice irrespective of any provision of the rules for the time being enforce.

Note: The person appointed as Subject Specialist shall be transferable only to a post relevant to his subject.

AGE LIMIT: 25 to 40 years. **PAY SCALE:** BPS-17 **ELIGIBILITY:** Male.

ALLOCATION: As mention against each subject below:

S.No.	Name of Post	No. of Post	Allocation
1.	Male SS Islamiyat	01	Mansehra
2.	Male SS Maths	01	Mansehra
	Total:	02	

9. SIX (06) LEFTOVER POSTS OF FEMALE SUBJECT SPECIALISTS IN ELEMENTARY & SECONDARY EDUCATION DEPARTMENT (EARTHQUAKE QUOTA)

QUALIFICATION: 1. Master's degree in the relevant subject with Bachelor of Education of M.Ed or Master of Education (Industrial Arts or Business Education) or M.A Education or Equivalent Qualification from recognized University **OR**
2. If no suitable candidate possessing the above qualification is available, a candidate possessing Master's Degree in the relevant subject may be appointed as Subject Specialist to the condition that he/she shall acquire the requisite qualification as specified above within three years from the date of his appointment, failing which his service will be terminated without notice irrespective of any provision of the rules for the time being enforce.

Note: The person appointed as Subject Specialist shall be transferable only to a post relevant to his subject.

AGE LIMIT: 25 to 40 years. **PAY SCALE:** BPS-17 **ELIGIBILITY:** Female.

ALLOCATION: As mention against each subject below:

S.No.	Name of Post	No. of Post	Allocation
1.	Female SS Maths	02	One each to Distt. Mansehra & Battagram
2.	Female SS Statistics	01	Mansehra
3.	Female SS Economics	02	One each to Distt. Masehra & Battagram
4.	Female SS Physics	01	Mansehra.
	Total:	06	

ATTACHED

9

ESTABLISHMENT DEPARTMENT

THREE (03) LEFTOVER POSTS OF JUNIOR SCALE STENOGRAPHER (DISABLED QUOTA) IN E&AD.

QUALIFICATION: i) Intermediate or equivalent qualification from a recognized Board and (ii) A speed of 50 words per minute in English Shorthand and 35 words per minute in English Typewriting and knowledge of computer in using MS Word and MS Excel.

AGE LIMIT: 18 to 30 years. **PAY SCALE:** BPS-14 **ELIGIBILITY:** Male.

ALLOCATION: Open Merit.

GOVERNOR'S SECRETARIAT (FATA) ADMN: WING PESHAWAR

11. TWO (02) LEFTOVER POSTS OF JUNIOR SCALE STENOGRAPHER (BPS-14).

QUALIFICATION: i) Intermediate or equivalent qualification from a recognized Board and (ii) A speed of 60 words per minute in Shorthand in English and 35 words per minute in Typewriting in English and knowledge of computer in using MS Word and MS Excel.

AGE LIMIT: 18 to 30 years. **PAY SCALE:** BRS-14 **ELIGIBILITY:** Male.

ALLOCATION: One each to Zone-3 and Zone-5.

HEALTH DEPARTMENT

12. FIVE (05) POSTS OF PROFESSOR. ONE (01) EACH FOR BIO CHEMISTRY, COMMUNITY MEDICINE, FORENSIC MEDICINE AND TWO (02) FOR PATHOLOGY IN SAIDU MEDICAL COLLEGE SWAT.

QUALIFICATION: (a) MBBS or equivalent medical qualification recognized by the Council & (b) D.Sc/Ph.D/FCPS/MS/MD/M.Phil (Pak) in the respective basic subject OR FCPS/MD/MS in the related clinical subject or equivalent qualification recognized/registered by the Council with at least two papers on research work of original nature published in a standard Medical Journal within three years before appointment.

EXPERIENCE:- (a) Three years teaching experience as an Associate Professor in the respective subject and a total teaching experience of eight years as an Assistant Professor and Associate Professor OR (b) Nine years teaching experience as an Assistant Professor and Associate Professor in the respective subject.

NOTE:- For the purpose of counting experience prescribed above (a) The experience gained as Lecturer/demonstrator by persons who obtained Post Graduate Qualification in basic Science subject at a later stage shall be added in the ratio of 4:1 to the experience as Assistant Professor i.e. four years experience as Lecturer/demonstrator shall be equivalent to one year experience as an Assistant Professor. (b) Experience gained as Lecturer/demonstrator in the basic Science subject with the requisite Post Graduate Qualification like M.Phil/ Ph.D etc shall be added in the ratio of 2:1 to the experience as Assistant Professor i.e. two years teaching experience as Lecturer/demonstrator with the requisite post Graduate qualification shall be equivalent to one year teaching experience as an Assistant Professor.

REMARKS: - FCPS/MD OR MS in the related clinical subject shall have last preference for the purpose of initial appointment in the basic subject.

AGE LIMIT: 40 to 50 years. **PAY SCALE:** BPS-20. **ELIGIBILITY:** Both Sexes.

ALLOCATION: Merit

APPROVED
 [Signature]

10

13. **TWO (02) POSTS OF PROFESSOR
ONE (01) EACH ORTHOPEDICS AND PSYCHIATRY FOR SAIDU
MEDICAL COLLEGE SWAT.**

QUALIFICATION: (a) MBBS or equivalent medical qualification recognized by the Pakistan Medical & Dental Council and (b) FCPS / MS / MD in the respective or equivalent qualification in specialty recognized by the Pakistan Medical & Dental Council with at least two papers on research work in the relevant specialty published in a standard Medical Journal as Principal author in the capacity of Associate Professor.

EXPERIENCE:- (a) Three years teaching experience as an Associate Professor in the respective subject and a total teaching experience of eight years as an Assistant Professor and Associate Professor **OR** (b) Nine years teaching experience as an Assistant Professor and Associate Professor in the respective subject.

AGE LIMIT: 40 to 55 years. **PAY SCALE:** BPS-20 **ELIGIBILITY:** Both Sexes.
ALLOCATION: Merit.

14. **FIVE (05) POSTS OF ASSOCIATE PROFESSOR
ONE (01) EACH FOR PHARMACOLOGY, BIO CHEMISTRY & FORENSIC
MEDICINE AND TWO (02) FOR PATHOLOGY IN SAIDU MEDICAL COLLEGE
SWAT**

QUALIFICATION: a. MBBS or equivalent medical qualification recognized by the council and b. D.Sc/Ph.D/FCPS/MS/MD/M.Phil (Pak) in the respective basic subject or FCPS/MD/MS in the related clinical subjects or equivalent qualification recognized/registered by the council with at least Three papers on research work of original nature published in standard Medical journal; **OR**
c. Postgraduate minor diploma in the respective subject recognized/registered by the council, with at least five papers on research work of original nature published in standard Medical Journal.

EXPERIENCE:- Five years teaching experience as Assistant Professor in the relevant subject in case of qualification at (b) above and seven years teaching experience as Assistant Professor in the relevant subjects, in the case of qualification at (c) above shall be essential.

NOTE:- For the purpose of counting experience prescribed above (a) The experience gained as Lecturer/demonstrator by persons who obtained Post Graduate Qualification in basic Science subject at a later stage shall be added in the ratio of 4:1 to the experience as Assistant Professor i.e. four years experience as Lecturer/demonstrator shall be equivalent to one year experience as an Assistant Professor. (b) Experience gained as Lecturer/demonstrator in the basic Science subject with the requisite Post Graduate Qualification like M.Phil/Ph.D etc shall be added in the ratio of 2:1 to the experience as Assistant Professor i.e. two years teaching experience as Lecturer/demonstrator with the requisite post Graduate qualification shall be equivalent to one year teaching experience as an Assistant Professor.

Remarks: i. FCPS, MD or MS in related Clinical subjects shall have last preference for the purpose of initial appointment in the basic subjects
ii. Minor Diploma holders for the purpose of initial appointment shall be considered only when persons of higher qualification are not available.

AGE LIMIT: 35 to 45 years. **PAY SCALE:** BPS-19. **ELIGIBILITY:** Both Sexes.
ALLOCATION: Merit.

15.	<p>FOUR (04) POSTS OF ASSOCIATE PROFESSOR ONE (01) EACH FOR PSYCHIATRY, ANAESTHESIA, NEUROLOGY & CARDIOLOGY IN SAIDU MEDICAL COLLEGE SWAT.</p> <p>QUALIFICATION: a. MBBS or equivalent medical qualification recognized by the council and b. FCPS/MS/MD in the respective subjects or equivalent qualifications in the specialty recognized by the council, with three papers on research work of which at least two shall be as principal author in the capacity of Assistant Professor in the relevant specialty published in standard Medical journal.</p> <p>EXPERIENCE: a. Five years teaching experience as Assistant Professor in the relevant subject.</p> <p>AGE LIMIT: 35 to 45 years. PAY SCALE: BPS-19. ELIGIBILITY: Both Sexes. ALLOCATION: Merit.</p>
16.	<p>SEVEN (07) POSTS OF ASSISTANT PROFESSOR ONE (01) EACH FOR PHARMACOLOGY, ANATOMY, PHYSIOLOGY, CHEMICAL PATHOLOGY & MICRO BIOLOGY AND TWO (02) FOR BIO-CHEMISTRY IN SAIDU MEDICAL COLLEGE, SWAT.</p> <p>QUALIFICATION: - a. MBBS or equivalent medical qualification recognized by the council and b. D.Sc/Ph.D/FCPS/MS/MD/M.Phil (Pak) in the respective basic subject or FCPS/MD/MS in the related clinical subject or equivalent qualification recognized/registered by the council; OR c. Postgraduate minor diploma in the respective subject recognized/registered by the council; provided that Preference shall be given to original research work published in standard Medical Journal.</p> <p>EXPERIENCE:- Teaching experience in the case of qualification at b. above shall be preferred, while three years teaching experience as demonstrator/Lecturer, in the case of qualification at c. above, before or after post graduation shall be essential.</p> <p>AGE LIMIT: 27 to 45 years. PAY SCALE: BPS-18. ELIGIBILITY: Both Sexes. ALLOCATION: Merit.</p>
17.	<p>FIVE (05) POSTS OF ASSISTANT PROFESSOR ONE (01) EACH FOR DERMATOLOGY, PSYCHIATRY & GYNAECOLOGY AND TWO (02) FOR ANAESTHESIA IN SAIDU MEDICAL COLLEGE, SWAT</p> <p>QUALIFICATION: a. MBBS or equivalent medical qualification recognized by the council, and b. FCPS/MS/MD in the respective subjects or equivalent qualifications in the specialty recognized by the council.</p> <p>EXPERIENCE: Three years experience in the respective subject in the following order of preference.</p> <ol style="list-style-type: none"> 1. Teaching experience; 2. Practical experience after post graduation; 3. Practical experience before post graduation. <p>AGE LIMIT: 28 to 45 years. PAY SCALE: BPS-18. ELIGIBILITY: Both Sexes. ALLOCATION: Merit.</p>
18.	<p>TWELVE (12) POSTS (LEFT OVER) OF DISTRICT SPECIALIST DERMATOLOGY IN HEALTH DEPARTMENT</p> <p>QUALIFICATION: (A) Post graduate degree/ fellowship in the specialty from a recognized university/ institute with at least one year's experience in the relevant specialty before or after post graduation; or (B) Diploma in the specialty from a recognized institute with at least three years service after diploma in the relevant specialty. (C) Registration of Pakistan Medical and Dental Council (PM&DC) for post graduate qualification.</p> <p>Note: candidates with the qualification at (b) shall be considered only when no suitable candidate with the qualification at (a) above is available.</p> <p>AGE LIMIT: 22 to 40 years. PAY SCALE: BPS-18 ELIGIBILITY: Both Sexes. ALLOCATION: Merit.</p>

2

HIGHER EDUCATION DEPARTMENT	
19.	<p>TWO (02) LEFTOVER POSTS OF FEMALE ASSOCIATE PROFESSOR IN MATHS IN HIGHER EDUCATION DEPARTMENT.</p> <p>QUALIFICATION: (i) Ph.D or equivalent qualification in the relevant subject with nine years teaching/ research experience in a recognized College/ University or Professional experience in the relevant field in a national or international organization and distinguished research publication as a principal author in a standard journal recognized by the University/ Higher Education Commission; OR (ii) M.Phil in the relevant subject with eleven years teaching/ research experience in a national or international organization and distinguished research work at least 04 research publications as a principal author in a standard journal recognized by the University/ Higher Education Commission; OR (iii) Second Class Master Degree in the relevant subject from recognized University with 12 years experience of teaching and / or research in a recognized College/ University.</p> <p>AGE LIMIT: 30 to 45 years. PAY SCALE: BPS-19 ELIGIBILITY: Female. ALLOCATION: Merit</p>
20.	<p>ONE (01) LEFTOVER POST OF FEMALE ASSISTANT PROFESSOR IN ENGLISH IN HIGHER EDUCATION DEPARTMENT.</p> <p>QUALIFICATION: (a) Ph.D in the relevant subject from a recognized University with two years teaching / research experience in a recognized College/University; OR (b) M.Phil in the relevant subject from a recognized University with five years teaching/ research experience in a College/ University OR (c) Second Class Master Degree in the relevant subject from a recognized University with seven (07) years teaching experience in College/ University or in Education Administration Management.</p> <p>AGE LIMIT: 25 to 40 years. PAY SCALE: BPS-18 ELIGIBILITY: Female. ALLOCATION: Merit</p>
LAW, PARLIAMENTARY AFFAIRS & HUMAN RIGHTS DEPARTMENT	
21.	<p>ONE (01) POST (LEFT OVER) OF COMPUTER OPERATOR IN ADVOCATE GENERAL OFFICE</p> <p>QUALIFICATION: 2ND Class Graduation with one (01) year Diploma in Information Technology from a Board of Technical Education or its equivalent. AGE LIMIT: 18 to 30 years. PAY SCALE: BPS-12 ELIGIBILITY: Male. ALLOCATION: Zone-3.</p>
INDUSTRIES, COMMERCE AND TECHNICAL EDUCATION DEPARTMENT	
22.	<p>ONE (01) POST (LEFT OVER) OF MALE LECTURER IN COMPUTER ENGINEERING FOR GOVT: COLLEGES OF TECHNOLOGY/ GOVT: POLYTECHNIC INSTITUTES/ GTTTCs/ GTI</p> <p>QUALIFICATION: 2ND Class Bachelor's Degree in Engineering or B.Tech (Hons) or equivalent qualification in the relevant Technology from a recognized university. AGE LIMIT: 21 to 30 years. PAY SCALE: BPS-17 ELIGIBILITY: Male. ALLOCATION: Zone-1.</p>

MINES AND MINERALS DEVE DEPTT:	
23.	<p>ONE (01) POST (LEFT OVER) OF MANAGER INFORMATION</p> <p>QUALIFICATION: Master's Degree in Computer Science or Business Administration or Geology or equivalent qualification from a recognized University with one year Diploma in Geographical Information System from a recognized institute/ university.</p> <p>AGE LIMIT: 21 to 32 years. PAY SCALE: BPS-17 ELIGIBILITY: Male. ALLOCATION: Merit.</p>
24.	<p>TWO (02) POSTS (LEFT OVER) OF ASSISTANT DIRECTOR (TECHNICAL) IN DIRECTORATE GENERAL OF MINES AND MINERALS</p> <p>QUALIFICATION: Bachelor's Degree in Mining Engineering from a recognized university.</p> <p>AGE LIMIT: 21 to 30 years. PAY SCALE: BPS-17 ELIGIBILITY: Male. ALLOCATION: One each to Zone-1 & 5.</p>
POLICE DEPARTMENT	
25.	<p>THIRTY TWO (32) POSTS OF JUNIOR SCALE STENOGRAPHER IN DIG/HQRs FOR PROVINCIAL POLICE OFFICER.</p> <p>QUALIFICATION: i) Intermediate or equivalent qualification from a recognized Board and (ii) A speed of 50 words per minute in Shorthand in English and 35 words per minute in Typewriting in English and knowledge of computer in using MS Word and MS Excel.</p> <p>AGE LIMIT: 18 to 30 years. PAY SCALE: BPS-14 ELIGIBILITY: Both Sexes. ALLOCATION: Seven (07) each to Zone-1,2 and Zone-3, Six (06) to Zone-4 and Five (05) to Zone-5.</p>
26.	<p>FOUR (04) POSTS OF FEMALE JUNIOR SCALE STENOGRAPHER IN DIG/HQRs FOR PROVINCIAL POLICE OFFICER (FEMALE QUOTA).</p> <p>QUALIFICATION: i) Intermediate or equivalent qualification from a recognized Board and (ii) A speed of 50 words per minute in Shorthand in English and 35 words per minute in Typewriting in English and knowledge of computer in using MS Word and MS Excel.</p> <p>AGE LIMIT: 18 to 30 years. PAY SCALE: BPS-14 ELIGIBILITY: Female. ALLOCATION: Merit.</p>
27.	<p>ONE (01) POST OF JUNIOR SCALE STENOGRAPHER IN DIG/HQRs FOR PROVINCIAL POLICE OFFICER (DISABLE QUOTA).</p> <p>QUALIFICATION: i) Intermediate or equivalent qualification from a recognized Board and (ii) A speed of 50 words per minute in Shorthand in English and 35 words per minute in Typewriting in English and knowledge of computer in using MS Word and MS Excel.</p> <p>AGE LIMIT: 18 to 30 years. PAY SCALE: BPS-14 ELIGIBILITY: Both Sexes. ALLOCATION: Merit.</p>

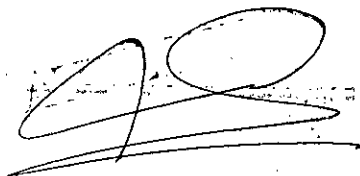
CORRIGENDUM

14

- A. Three (03) posts of Male Lecturer in Political Science, advertised in this Commission's Advertisement No. 02/ 2011, S.No. 42 meant one each for Merit, Zone-3 and Zone-4 may be read as one each to Zone-1, Zone-2 and Zone-5 instead of one each for Merit, Zone-3 and Zone-4.
- B. The word "Geology" mentioned in qualification for the post of Assistant Director ST&IT Department appeared in advertisement No. 07/ 2010 at S.No.57 may be treated as deleted.

GENERAL CONDITIONS

- (i) Age shall be reckoned on **23.08.2013**. Maximum age limit as prescribed in the recruitment rules shall be relaxed upto 10 years for Disabled persons and Govt Servants who have completed 2 years continuous service and upto 3 years for candidates belonging to backward areas specified in the appendix attached to the NWFP Initial Appointment to Civil Posts (Relaxation of Upper Age Limit) Rules, 2008. However, a candidate shall be allowed relaxation in age in one of the above categories provided that the candidates from backward areas, in addition to automatic relaxation of three years shall be entitled to one of the relaxations available to Govt Servants, general or disabled candidates, whichever is relevant and applicable to them. Employees or ex-employees of development projects of the Government of Khyber Pakhtunkhwa and employees or ex-employees of development projects of the Federal Government under the administrative control of the Government of Khyber Pakhtunkhwa shall also be entitled to age relaxation equal to the period served in the projects, subject to a maximum limit of ten years provided that this age relaxation shall not be available in conjunction with any other provisions of the age relaxation rules.
- (ii) Only the qualification possessed on the closing date of the advertisement fixed for the incountry candidates shall be taken into consideration.
- (iii) Degrees / Diploma / Experience Certificates / Testimonials of unrecognized Institution are not accepted. Only original Degrees / Certificates are accepted, however, the candidates can apply on provisional certificate signed by the Controller of Examination of the respective institution. The candidates shall produce original degrees / certificates before their selection. Detail Marks Certificates for all the examinations shall necessarily be required and these should be attached with the application forms.
- (iv) Candidates applying against disabled posts must attach with their application forms a disability certificate from the Provincial Council for Rehabilitation of Disabled Persons as well as disability certificate from the respective Medical Superintendent/ Medical Board showing therein the specific disability.
- (v) Govt. / Semi Govt. / Autonomous / Semi Autonomous Bodies employees may apply direct but their Departmental Permission Certificates should reach within 30 days of the closing date.
- (vi) Applications should be on the prescribed application form obtainable from the listed below branches of the NATIONAL BANK OF PAKISTAN. Application Fee is Rs.285/- (Rupees Two Hundred Eighty Five only) for all the candidates. In addition to the application fee, the candidates will have to pay Rs.15/- (rupees fifteen only) on account of Bank Charges. Separate application form will be required for each advertised category of posts. Application forms obtained other than the specified branches of the National Bank will be considered invalid and such applications will not be entertained. The applications on plain paper or Photostat shall not be accepted. Incomplete and late applications shall not be accepted which shall be rejected. Candidates can also apply online through the Commission's website (www.nwfppsc.gov.pk). However the application fee needs to be deposited in State Banks of Pakistan or a National Bank of Pakistan Branch under head of-account No. C02101- Organs of State-Examination Fee of KP PSC through Challan on or before the closing date. The same alongwith attested copies of all the documents need to be submitted to the Commission within 10 days.
- (vii) Applications must be submitted within time as no extra time is allowed for postal transit. The applications if submitted on the last date for receipt of applications must reach the Commission's office by the closing hours.



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- (viii) Applicants married to Foreigners are considered only on production of the Govt. Relaxation Orders.
- (ix) No applicant shall be considered in absentia on paper qualifications unless, he/she possesses exceptionally higher qualifications than the minimum prescribed qualification for a particular post(s).
- (x) Govt. reserves the right not to fill any or fill more or less than the advertised post(s).
- (xi) Candidates who have already availed three chances by physical appearance before the Commission and have failed for the post(s) having one and the same qualifications and scale of pay shall be ineligible.
- (xii) Experience wherever prescribed shall be counted after the minimum qualifications for the post(s), if not specifically provided otherwise against the advertised post(s).
- (xiii) In case the number of applications of candidates is disproportionately higher than the number of posts, short listing will be made in any one of the following manner:
 - (a) Written Test in the Subject.
 - (b) General Knowledge or Psychological General Ability Test.
 - (c) Academic and/or Professional record as the Commission may decide.

SPECIFIED BRANCHES OF THE NATIONAL BANK OF PAKISTAN.

- (1) Main Branches of:
Parachinar, Mardan, Swabi, Malakand, Shangla, Chitral, Timargara, Daggar, D.I.Khan, Bannu, Karak, Kohat, Hangu, Lakki Marwat, Abbottabad, Haripur, and Mansehra
- (2) Saddar Road Branch, Tehkal Payan Branch, G.T Road (Nishtar Abad) Branch and University Campus Branch Peshawar.
- (3) Tehsil Bazar Branch Charsadda, Nowshera Cantt: Branch, Bank Square Branch Mingora and City Branch Tank

Note: -The candidate who apply for the post(s) are advised to make sure that they are eligible for the post in all respects because eligibility of the candidate will be determined strictly according to the rules after conduct of all essential tests.

(SHARIF HUSSAIN)
Secretary
Khyber Pakhtunkhwa
Public Service Commission
Peshawar

APPROVED
[Signature]



1

GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

16

NOTIFICATION

Dated Peshawar the March 16, 2015

NO.SO(S/M)E&SED/3-2/2014/Recruitment of SS Urdu (BS-17) (Male):

Consequent upon recommendations of Khyber Pakhtunkhwa Public Service Commission Peshawar, the Competent Authority is pleased to appoint the following Nine (09) candidates of Teaching Cadre as Subject Specialist Urdu (BS-17) Male (Rs.16000-1200-40000) plus usual allowances as admissible under the rules on regular basis under the existing policy of the Provincial Government with immediate effect on the terms and conditions as given below:

Sr#	Name with Father's Name and Address	Domicile /Zone
1.	Mr. Fazlur-Rahim S/O Muhammad Zahid, Village & P.O Paimal Sharif Tehsil & Dist: Battagram.	Battagram/ 03
2.	Mr. Muhammad Yaseen S/O Said Rahim Zahid, H.No.920 Inside Sard Chah Gate Mohallah Kochi Khan Peshawar City.	Peshawar/02
3.	Mr. Musa Khan S/O Abdur Razaq Khan, Office of the Dy. Postmaster General S.P.R, D.I.Khan.	D.I.Khan/4
4.	Mr. Niaz Muhammad S/O Amir Muhammad, Teh & Dist: Mardan P.O Mangah Village Aminabad.	Mardan/2
✓5.	Mr. Shah Room Khan, S/O Arsala Khan, C/O Habib General Store, Bathi Chowk, Tahir Abad Road, Mingora, Dist: Swat.	Swat/3
6.	Mr. Tahir Zaman S/O Sultanat Khan, Vill: Maskeen Abad P.O Ja Teh Takht Bhai Dist: Mardan.	Mardan/2
7.	Mr. Taqwim-ul-Haq S/O Midraul-Haq Resident Wardell, Usmania Hostel, Islamia College, Peshawar.	Mardan/2
8.	Mr. Tariq Aziz S/O Ahmad, Vill: & P.O Aligrama Teh, Kabal Distt Swat.	Swat/3
9.	Mr. Zahid Farooq S/O Atta Muhammad Khan, Vill: Yousaf Khell P.O Bogara Teh Takht-e-Nusrati Distt: Karak.	Karak/4

2. Consequent upon their appointment as Subject Specialist Urdu BS-17 Male, they are posted on positions and stations as noted against each.

Sr.#	Name with Father's Name and address	Posted as	Remarks
1	Mr. Fazlur-Rahim S/O Muhammad Zahid, Village & P.O Paimal Sharif Tehsil & Dist: Battagram.	Subject Specialist Urdu (BS-17) GHSS Kuza Banda District Battagram.	Against vacant post
2	Mr. Muhammad Yaseen S/O Said Rahim Zahid, H.No.920 Inside Sard Chah Gate Mohallah Kochi Khan Peshawar City.	Subject Specialist Urdu (BS-17) GHSS Gulbahar District Peshawar.	-do-
3.	Mr. Musa Khan S/O Abdur Razaq Khan Office of the Dy. Postmaster General S.P.R, D.I.Khan.	Subject Specialist Urdu (BS-17) GHSS Muryali District D.I.Khan.	-do-
4	Mr. Niaz Muhammad S/O Amir Muhammad, Teh & Dist: Mardan, P.O Mangah Village Aminabad.	Subject Specialist Urdu (BS-17) GHSS Chamtar District Mardan.	-do-

[Handwritten signature]

5	Mr. Shah Room Khan S/O Arsala Khan, C/O Habib General Store, Bathi Chowk, Tahir Abad Road Mingora Dist, Swat.	Subject Specialist Urdu (BS-17) GHSS Kalam District Swat.	-do-
6	Mr. Tahir Zaman S/O Sultanat Khan, Vill: Maskeen Abad P.O Jalala Teh Takht Bhai Dist: Mardan.	Subject Specialist Urdu (BS-17) GHSS Takht Bhai District Mardan.	-do-
7	Mr. Taqwim-ul-Haq S/O Midrar-ul-Haq, Resident Warden-II, Usmania Hostel, Islamia College, Peshawar.	Subject Specialist Urdu (BS-17) GHSS Takkar District Mardan.	-do-
8	Mr. Tariq Aziz S/O Ahmad, Vill: & P.O Aligrama Teh, Kabal Distt: Swat.	Subject Specialist Urdu (BS-17) GHSS Kokarai District Swat.	-do-
9	Mr. Zahid Farooq S/O Atta Muhammad Khan, Vill: Yousaf Khell P.O Bogara Teh Takht-e-Nusrati Distt: Karak.	Subject Specialist Urdu (BS-17) GHSS Lachi District Kohat.	-do-

3. Terms & Conditions

1. Their appointment is subject to verification of academic documents/ testimonials by the District Education Officer (Male) concerned before release of their pay.
2. Their services will be considered regular and they will be eligible for pension/deduction of GP fund in terms of Khyber Pakhtunkhwa Civil Servants Act 1973 as amended in 2013.
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 Govt.
4. They would be on probation for period of one year extendable for another one year.
5. They will be governed by such rules and regulations as may be issued from time to time.
6. Their services can be terminated at any time, in case their performance is found unsatisfactory during probationary period. In case of misconduct, they will be proceeded against under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 as amended from time to time.
7. Their recruitment shall be School Based and shall not be transferable to any other School.
8. The appointees should join their posts within 30 days of the issuance of this notification. The Director, Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar would furnish a certificate to the effect that the candidates have joined the posts otherwise, after one month of the issuance of this Notification, failing which their candidature shall expire automatically and no subsequent appeal etc. shall be entertained.
9. Charge report should be submitted to all concerned.
10. No TA/DA will be allowed to the appointees for joining their duty.

Note: Notification can be downloaded from website: www.kpese.gov.pk

SECRETARY

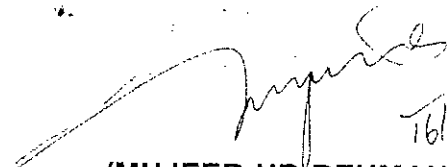
Mujib
7/1/15


[Signature]

Endst: of even No. & Date

Copy forwarded to the:

1. Accountant General, Khyber Pakhtunkhwa.
2. Director, E&SE Khyber Pakhtunkhwa, Peshawar in response to his letter No. 4561 dated 26-02-2015.
3. District Education Officers (Male), concerned.
4. Director (Recruitment), Khyber Pakhtunkhwa Public Service Commission in response to his/her letter No 093827 dated 14-11-2014.
5. District Accounts Officers concerned.
6. PS to Chief Secretary Khyber Pakhtunkhwa.
7. PS to Minister for E&SE Khyber Pakhtunkhwa.
8. PS to Secretary E&SE Department, Khyber Pakhtunkhwa, Peshawar.
9. PS to Special Secretary E&SE Department, Khyber Pakhtunkhwa, Peshawar.
10. Incharge EMISE E&SE Department.
11. Officers concerned.
12. Office order file.


16/03/2015
(MUJEEB-UR-REHMAN)
SECTION OFFICER (SCHOOLS/MALE)


16/03/2015

ATTESTED


No 252

Dated 09/06/2016

To,

The Secretary,
Elementary & secondary Education
Khyber Pakhtunkhwa Peshawar.

Through proper channel.

SUBJECT: Departmental Appeal against School-based Appointments & Non-Transferable Postings.

Sir,

With due respect it is humbly submitted that I have been appointed as S.S in Urdu through KPK Public Service Commission Vide Endst No. SO(S/M) ^{Ed SED/3-2/2014} Dated 16/03/2015 at GHSS Kalam Swat.

My Appointment is School-based and Non-transferable. The Non-transferable Postings, apply only to NTS appointees, whereas I have been appointed through KPK Public service commission Peshawar.

According to the Advertisement through which I have been appointed as S.S in Urdu, my posting is transferable and it is not school-based appointment. The policy of school-based and Non-transferable do not apply to the PSC appointees as it is already clarified in the advertisement

It is, therefore, requested to kindly consider my Departmental Appeal and declare my posting transferable please.

Note: Copies of Advertisement and my Appointment order are attached here with.

Forwarded in original to the DEO (S) Swat for necessary action please.

PRINCIPAL
GOVERNMENT HIGHER
SECONDARY SCHOOL
KALAM DISTRICT SWAT

Yours obediently

SHAH ROOM KHAN
Subject Specialist in Urdu
G.H.S.S Kalam swat.
Dated 09/06/2016

APPROVED
ATTACHED



DEPARTMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

NO.SO(S/M) E&SED/2-1/2016/Appeal against SBR/Sher & Others
Dated Peshawar the July, 15 2016

To

1. Sher Mohammad Khan,
SS Biology GHSS Chamtalai, Swat.
2. Shah Room Khan,
SS Urdu GHSS Kalam, Swat.
3. Abdul Hamid,
SS Statistics GHSS Madyan, Swat.
4. Tariq Aziz,
SS Urdu GHSS Kokarai, Swat.
5. Usman Ali,
SS Maths GHSS Kishwara, Swat.
6. Hidayatullah Khan,
SS Statistics GHSS Kishwara, Swat.
7. Kifayatullah,
SS Statistics GHSS Mankial, Swat.

Subject: - **Departmental Appeal Against School Based Recruitment:**

I am directed to refer to the subject noted above and to state that the competent authority has regretted your appeals against the condition of "School Based Recruitment" in your respective appointments orders.


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

Endst: of even number & date:

Copy forwarded to:

- i. Director Elementary & Secondary Education, Peshawar.
- ii. DEO (M), Swat.
- iii. PS to Secretary Elementary & Secondary Education Department, Peshawar.
- iv. PS to Special Secretary Elementary & Secondary Education Department, Peshawar.

SECTION OFFICER (SCHOOLS/MALE)

ATTESTED

VAKALAT NAMA

NO. _____/20

IN THE COURT OF Service Tribunal Peshawar

Shah Room Khan

(Appellant)
(Petitioner)
(Plaintiff)

VERSUS

Education Deptt.

(Respondent)
(Defendant)

I/We Shah Room Khan

Do hereby appoint and constitute **M.Asif Yousafzai, Advocate, Peshawar**, to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate/Counsel on my/our costs.

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. The Advocate/Counsel is also at liberty to leave my/our case at any stage of the proceedings, if his any fee left unpaid or is outstanding against me/us.

Dated _____/20

Shah room

(CLIENT)

ACCEPTED

M. ASIF YOUSAFZAI
Advocate

TAIMUR ALI KHAN
Advocate

M. ASIF YOUSAFZAI
Advocate High Court,
Peshawar.

OFFICE:

Room No.1, Upper Floor,
Islamia Club Building,
Khyber Bazar Peshawar.
Ph.091-2211391-
0333-9103240

M. Asif Yousafzai
Advocate High Court Peshawar.
Room No FR-8, Fourth Floor
Bilour Plaza Peshawar Saddar.
Cell: 0333-9103240

Service Appeal No: 926/2016

Shah Room Khan SS(Urdu)GHSS Kalam District Swat & others.... Appellant.

VERSUS

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

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

Respectfully Sheweth :-

The Respondents submit as under:-

PRELIMINARY OBJECTIONS.

- 1 That the Appellant has got no cause of action locus /standi .
- 2 That the instant Service Appeal is badly time barred.
- 3 That the Appellant has concealed material facts from this Honorable Tribunal.
- 4 That the instant service appeal is based on mala fide intentions.
- 5 That the Appellant has not come to this Honorable Tribunal with clean hands.
- 6 That the instant Service Appeal is against the prevailing law & rules.
- 7 That the appeal is not maintainable in its present form.
- 8 That the appeal is bad for mis-joinder & non-joinder of the necessary parties.
- 9 That the instant Service Appeal is barred by law.
- 10 That the school based adjustment of the appellant in terms of condition No: 7 of the appointment order dated 10/12/2014 of the Respondent No: 2. is in accordance with the Notification dated 30/4/2014.

ON FACTS

- 1 That Para-1, needs no comments, being pertains to the record of the Khyber Pakhtunkhwa, Service Commission, Peshawar whom the appellant has not made necessary party in the column of Respondents of mala fide intentions.
- 2 That Para-2 is also needs no comments being pertains to the office record the Public Service commission Government of Khyber Pakhtunkhwa.
- 3 That Para-3 is correct that the appellant has recommended for the appointment against SS in Urdu BPS-17 (Male) in the Respondent Department & on the basis of the same recommendations of Public Service Commission Khyber Pakhtunkhwa, Peshawar the appellant has been adjusted against the SS(Urdu) Post vide Notification dated 16/3/2015 on the basis of his Zone-wise allocation by the Commission of District Swat / 3 with the conditions engrained in Para-7 of the terms & conditions of the said Notification that the recruitment shall be school base & shall not be transferable to any other school in view of the Notification dated 30/4/2014 issued by the Respondent No: 2. Hence the plea of the appellant is liable to be rejected in favour of the Respondent Department in the interest of justice.(Copy of the same Notification annexed as Annexure-A).

- 29
- 4 That Para-4 is also incorrect & denied. The appellant has been recruited against the Subject Specialist Post for making up teaching staff deficiency in the Higher Secondary School of the Province by the Respondent Department & to avoid frequent transfers of the relevant teaching staff & leaving the students without teaching staff, the condition of Para-7 in the terms & conditions Notification dated 16/3/2015 is within legal sphere & is liable to be maintained in favour of the Respondent Department. Hence the Departmental Appeal of the appellant dated 09/6/2016, which was already time barred has rightly being rejected by the Respondent No: 2 by maintaining the school base recruitment with reference Para-7 in the interest of Public Service. (Copies of the Departmental appeal & its rejection are Annexures B&C).
 - 5 That Para-5 is legal. However the Respondents further submit on the following grounds inter alia amongst others.

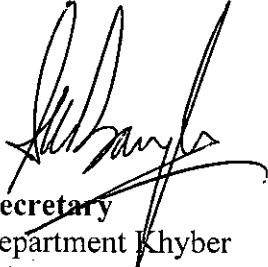
GROUNDS

- A Incorrect & not admitted. The condition of Para-7 of the impugned Notification dated 16/3/2015 of the Respondent No: 2 is in accordance to the Notification dated 30/4/2014 . Hence the plea of the appellant is without any legal force & is liable to be dismissed. The impugned order is very much legal.
- B Incorrect & not admitted. The statement f the appellant is against the law, rules & circumstance of the case. Hence deserves to be rejected.
- C Incorrect & not admitted. The condition of Para-7 of the terms & conditions of the impugned Notification dated 16/3/2015 is in accordance with law, rules & policy. Hence is liable to be maintained in the Respondent Department in the interest of justice.
- D Incorrect & not admitted. The Respondents have acted as per law, rules & policy in the instant case in terms of Notification dated 16/3/2015, wherein, vide Para-7 the conditions of school based recruitment / adjustment has been made applicable upon the appellant in the interest of students community. (Copy of the advertisement is Annexure-D).
- E Incorrect & not admitted. The impugned Notification dated 16/3/2015, wherein the condition of school based recruitment vide Para-7 has been mentioned in view of the Notification dated 30/4/2016 of the Respondent No: 2. However the Respondents are bound to follow the instructions & policy of the Government in recruitment & adjustment process of a Civil Servants as adopted in the present case of the appellant. Hence, no question of discrimination towards the appellant arises.
- F Incorrect & denied. The condition of Para-7 in the impugned Notification dated 16/3/2015 of the Respondents is within legal sphere.
- G Incorrect & denied. Detailed reply of this ground has been given in the foregoing paras.
- H Incorrect & denied. The condition of Para-7 in the impugned Notification dated 16/3/2015 issued b the Respondent No: 2 is an accordance with law, rules & policy. Hence liable to be maintained in favour of the Respondent Department.
- I Incorrect & denied. The appellant has been treated as per law, rules & recruitment policy in the instant case vide the above mentioned Notification by the Respondent No: 2.
- J Legal. However the Respondents further seek leave of this Honorable Tribunal to advance additional grounds & case law/ record at the time of arguments.

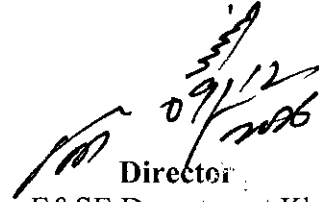
28.

In view of the above made submissions, it is requested that this Honorable Tribunal may very graciously be pleased to dismiss the instant service appeal with cost in favour of the Respondent Department.

Dated ___/___/2016.



Secretary
E&SE Department Khyber
Pakhtunkhwa, Peshawar
(Respondents No:1&2)



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

AFFIDAVIT

I, Hameed ur Rehman Asstt: Director (Litigation-II) E&SE Department do hereby solemnly affirm and declare that the contents of the instant Parawise Comments are true & correct to the best of my knowledge & belief.


Deponent



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

NOTIFICATION

ANNEXURE

A

Dated Peshawar the March 16 2015

NO.SO(S/M)E&SED/3-2/2014/Recruitment of SS Urdu (BS-17) (Male):

Consequent upon recommendations of Khyber Pakhtunkhwa Public Service Commission Peshawar, the Competent Authority is pleased to appoint the following Nine (09) candidates of Teaching Cadre as Subject Specialist Urdu (BS-17) Male (Rs.16000-1200-40000) plus usual allowances as admissible under the rules on regular basis under the existing policy of the Provincial Government with immediate effect on the terms and conditions as given below:

Sr#	Name with Father's Name and Address	Domicile /Zone
1.	Mr. Faz-ur-Rahim S/O Muhammad Zahid, Village & P.O Paimal Sharif Tehsil & Dist: Battagram.	Battagram 03
2.	Mr. Muhammad Yaseen S/O Said Rahim Zahid, H.No.920 Inside Sard Chah Gate Mohallah Kochi Khan Peshawar City.	Peshawar 02
3.	Mr. Musa Khan S/O Abdur Razaq Khan, Office of the Dy. Postmaster General S.P.R, D.I.Khan.	D.I.Khan 04
4.	Mr. Niaz Muhammad S/O Amir Muhammad, Teh & Dist: Mardan P.O Mangah Village Aminabad.	Mardan 02
✓ 5.	Mr. Shah Room Khan S/O Arsala Khan, C/O Habib General Store Bathi Chowk, Tahir Abad Road Mingora Dist: Swat.	Swat 03
6.	Mr. Tanir Zaman S/O Sultanat Khan, Vill: Maskeen Abad P.O Ja Teh Takht Bhai Dist: Mardan.	Mardan 02
7.	Mr. Taqvim-ul-Haq S/O Midraul-Haq Resident Wardell, Usmania Hostel, Islamia College, Peshawar.	Mardan 02
8.	Mr. Taric Aziz S/O Ahmad, Vill: & P.O Aligrama Teh, Kabal Dist: Swat.	Swat 03
9.	Mr. Zahid Farooq S/O Atta Muhammad Khan, Vill: Yousaf Khell P.O Bcgara Teh Takht-e-Nusrati Dist: Karak.	Karak 04

2. Consequent upon their appointment as Subject Specialist Urdu BS-17 Male they are posted on positions and stations as noted against each.

Sr.#	Name with Father's Name and address	Posted as	Remarks
1	Mr. Faz-ur-Rahim S/O Muhammad Zahid, Village & P.O Paimal Sharif Tehsil & Dist: Battagram.	Subject Specialist Urdu (BS-17) GHSS Kuza Banda District Battagram.	Against vacant post
2	Mr. Muhammad Yaseen S/O Said Rahim Zahid, H.No.920 Inside Sard Chah Gate Mohallah Kochi Khan Peshawar City.	Subject Specialist Urdu (BS-17) GHSS Guibahar District Peshawar.	03
3.	Mr. Musa Khan S/O Abdur Razaq Khan Office of the Dy. Postmaster General S.P.R, D.I.Khan.	Subject Specialist Urdu (BS-17) GHSS Muryah District D.I.Khan.	04
4	Mr. Niaz Muhammad S/O Amir Muhammad, Teh & Dist: Mardan, P.O Mangah Village Aminabad.	Subject Specialist Urdu (BS-17) GHSS Chantler District Mardan.	02

5	Mr. Shah Room Khan S/O Arsala Khan, C/O Habib General Store, Bathi Chowk Tahir Abad Road Mingora Dist: Swat.	Subject Specialist Urdu (BS-17) GHSS Kalam District Swat.	-co-
6	Mr. Tahir Zaman S/O Sultanat Khan, Vill: Maskeen Abad P.O Jalala Teh Tak Bhai Dist: Mardan.	Subject Specialist Urdu (BS-17) GHSS Takht Bhai District Mardan.	-co-
7	Mr. Taqwim-ul-Haq S/O Midrar-ul-Haq, Resident Warden-II, Usmania Hostel, Islamia College, Peshawar.	Subject Specialist Urdu (BS-17) GHSS Takkar District Mardan.	-co-
8	Mr. Tariq Aziz S/O Ahmad, Vill: & P.O Alligrama Teh, Kabal Dist: Swat.	Subject Specialist Urdu (BS-17) GHSS Kokarai District Swat.	-co-
9	Mr. Zahid Farooq S/O Atta Muhammad Khan, Vill: Yousaf Khell P.O Bogara Teh Takht-e-Nusrati Dist: Karak.	Subject Specialist Urdu (BS-17) GHSS Lachi District Kohat.	-co-

3. Terms & Conditions

1. Their appointment is subject to verification of academic documents, test conducted by the District Education Officer (Male) concerned before release of their pay.
2. Their services will be considered regular and they will be eligible for pension/deduction of GP fund in terms of Khyber Pakhtunkhwa Civil Servants Act 1973 as amended in 2013.
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 Govt.
4. They would be on probation for period of one year extendable for another one year.
5. They will be governed by such rules and regulations as may be issued from time to time.
6. Their services can be terminated at any time, in case their performance is found unsatisfactory during probationary period. In case of misconduct, they may be proceeded against under the Khyber Pakhtunkhwa Government Services (Efficiency & Discipline) Rules, 2011 as amended from time to time.
7. Their recruitment shall be School Based and shall not be transferable to any other School.
8. The appointees should join their posts within 30 days of the issuance of this notification. The Director, Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar would furnish a certificate to the effect that the candidates have joined the posts otherwise, after one month of the issuance of this Notification, failing which their candidature shall expire automatically and any subsequent appeal etc. shall be entertained.
9. Charge report should be submitted to all concerned.
10. No TA/DA will be allowed to the appointees for joining their duty.

Note: Notification can be downloaded from website: www.kpse.gov.pk

SECRETARY

3 15

Endst. of even No. & Date

Copy forwarded to the:

1. Accountant General, Khyber Pakhtunkhwa.
2. Director, E&SE Khyber Pakhtunkhwa, Peshawar in response to his letter No. 4561 dated 26-02-2015.
3. District Education Officers (Male), concerned.
4. Director (Recruitment), Khyber Pakhtunkhwa Public Service Commission in response to his/her letter No 093827 dated 14-11-2014.
5. District Accounts Officers concerned.
6. PS to Chief Secretary Khyber Pakhtunkhwa.
7. PS to Minister for E&SE Khyber Pakhtunkhwa.
8. PS to Secretary E&SE Department, Khyber Pakhtunkhwa, Peshawar.
9. PS to Special Secretary E&SE Department, Khyber Pakhtunkhwa, Peshawar.
10. Incharge EMISE E&SE Department.
11. Officers concerned.
12. Office order file.

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

NO

252

ANN - B

Dated 09/06/2016

To,

The Secretary,
Elementary & secondary Education
Khyber Pakhtunkhwa Peshawar.

Through proper channel.

SUBJECT: Departmental Appeal against School-based Appointments & Non-Transferable Postings.

Sir,

With due respect it is humbly submitted that I have been appointed as S.S in Urdu through KPK Public Service Commission Vide Order No. SO(S/M) EASED/3-2/2014 Dated 16/03/2015 at GHSS Kalam Swat.

My Appointment is School-based and Non-transferable. The Non-transferable Postings, apply only to NTS appointees, whereas I have been appointed through KPK Public service commission Peshawar.

According to the Advertisement through which I have been appointed as S.S in Urdu, my posting is transferable and it is not school-based appointment. The policy of school-based and Non-transferable do not apply to the PSC appointees as it is already clarified in the advertisement.

It is, therefore, requested to kindly consider my Departmental Appeal and declare my posting transferable please.

Note: Copies of Advertisement and my Appointment order are attached here with.

Forwarded in original to the P.E.C. Swat for necessary action please.

PRINCIPAL
GOVERNMENT HIGHER
SECONDARY SCHOOL
KALAM DISTRICT SWAT

Yours obediently

SHAH ROOM KHAN
Subject Specialist in Urdu
G.H.S.S Kalam swat.
Dated 09/06/2016



ANN - (C)

GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

20

NO.SO(S/M) E&SED/2-1/2016/Appeal against SBR/Sher & Others
Dated Peshawar the July, 15 2016

To

1. Sher Mohammad Khan,
SS Biology GHSS Chamtalai, Swat.
2. Shah Room Khan,
SS Urdu GHSS Kalam, Swat.
3. Abdul Hamid,
SS Statistics GHSS Madyan, Swat.
4. Tariq Aziz,
SS Urdu GHSS Kokarai, Swat.
5. Usman Ali,
SS Maths GHSS Kishwara, Swat.
6. Hidayatullah Khan,
SS Statistics GHSS Kishwara, Swat.
7. Kifayatullah,
SS Statistics GHSS Mankial, Swat.

Subject: - Departmental Appeal Against School Based Recruitment:

I am directed to refer to the subject noted above and to state that the competent authority has regretted your appeals against the condition of "School Based Recruitment" in your respective appointments orders.

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

Ends: of even number & date:

Copy forwarded to:

- i. Director Elementary & Secondary Education, Peshawar.
- ii. DEO (M). Swat.
- iii. PS to Secretary Elementary & Secondary Education Department, Peshawar.
- iv. PS to Special Secretary Elementary & Secondary Education Department, Peshawar.

SECTION OFFICER (SCHOOLS MALE)