

BEFORE THE KHYBER-PUKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR

Appeal no. 1437/2019

Khalid Waheed S/O Abdul Waheed

Vs

Director Primary School Education KPK Pakistan etc

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Dated : 19/10/2019

APPELLANT THROUGH COUNSEL

TAUQIRARSHAD LODHI

ADVOCATE HIGH COURT

SECULAR LAW CHAMBER NOWSHERA CANTT

SECULAR1111@GMAIL.COM

TAUQIR A LODHI
 Secular Law Chamber
 Distt. Courts Nowshera

BEFORE THE KHYBER-PUKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR

Appeal No. 1437/2019

Khalid Waheed S/O Abdul Waheed R/O Sabro Pharma Nowshera
oCantt _____ Appellant

Vs

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 1482

Dated 21-10-2019

- 1) Director E & SE Department KPK Pakistan
- 2) DEO (Male) Primary Nowshera
- 3) Deputy DEO District Nowshera
- 4) Deputy Commissioner Nowshera

_____ Respondent

APPEAL FOR GRANTING SENIORITY-CUM-PROMOTION IN (SPSHT-15 SCALE) OF APPELLANT IN
VIEW OF ORDER OF THE COURT DATED : 24/10/2017 ALONG WITH ANY OTHER REMEDY TO
WHICH APPELLANT IS FOUND ENTITLED IN THE CONTEXT OF APPEAL+

Respectfully sheweth :-

- 1) That, the appellant filed appeal No 1041/10 before this August forum for regularization of his services as per relevant laws, rules and regulations applicable for the said purpose as respondent were backtracking from their commitment before the District Judge Nowshera. (Copy of annexed for the facility of reference as "A")

- 2) That, due to benevolent intervention of this August court the respondent regularized his services but appellant in view of law opted for raising question of seniority cum promotion etc as per relevant law before the respondent separately.

Filed to-day

Registrar

21/10/19

Re-submitted to -day
and filed.

Registrar

30/10/19

- 3) That, this August forum deposed of appeal on 24/10/2017 in question subject to right of appellant to explore his remedy relating to seniority cum promotion. In other words, the question of seniority cum promotion was allowed to be raised before respondent as per relevant law, rules and regulation. (Copy of annexed for the facility of reference as "B")
- 4) That, the appellant in terms of order dated : 24/10/2017 applied for his remedy explained above vide application duly received by respondent vide diary No 195 dated : 07/12/2017 but same was never bothered to be answered which left appellant with no option but to move 2nd application which was also dully received by respondents vide diary No 1960 dated : 22/06/2019 which also met the same fate without being answered. (Copy of annexed for the facility of reference as "C" and "D")
- 5) That, the appellant finally served respondents with notice of his counsel reminding them of doing the needful relating to his seniority cum promotion to SPSHT-15 Scale . (Copy of annexed for the facility of reference as "E")
- 6) That, the respondents didn't bother to answer notice in question which left appellant with no remedy but to seek benevolent indulgence of this court inter-alia on following grounds :-

GROUNDS

- 1) That, seniority cum promotion is not only right guaranteed by services rules but also by Constitution of Pakistan 1973. Sir in this regard no one knows better than your good office that seniority cum promotions is in

essence embedded in the appointment of civil servant which is also a sort of incentive for better output and consequentially beneficial to the state at time of prevailing skepticism requiring public eroding public confidence in Government department to be won over by treating civil servants equally without any lurking element of discrimination

- 2) That, appellant fulfills all conditions precedent spelt out by law under law taking care of his seniority cum promotion
- 3) That, order of this forum dated : 24/10/2017 was in fact sober reminder to the respondents to deal with question of seniority cum promotion of appellant as per law, rules and prevailing regulations
- 4) That, the very concept of appointment of civil servant as per law pre-supposes all attached/ancillary/allied benefits(fringe) like seniority and promotion etc which right unfortunately has been denied to the appellant
- 5) That applicant's Fundamental Right of guarantee of equal protection of right enshrined in Article 4 of Constitution of Pakistan,1973 duly reflected time tested doctrine of " due process of law " has been thrown to the wolves. This carefully crafted,wisdom incorporating pearl of wisdom is reproduced ad-verbatim as under :-

4. (1) To enjoy the protection of law and to be treated in accordance with law is the inalienable right of every citizen, wherever he may be, and of every other person for the time being within

Pakistan. (2) In particular :- (a) no action detrimental to the life, liberty, body, reputation or property of any person shall be taken except in accordance with law; (b) no person shall be prevented from or be hindered in doing that which is not prohibited by law; and (c) no person shall be compelled to do that which the law does not require him to do.

- 6) That, as per Article 189 and 190 of Constitution of Pakistan 1973 it is duty of each and every department to obey orders of Government of Pakistan in letter and spirit order of court but said salutary principle is being thrown to the dust bin. The Supreme Court in recent case reported as PLD 2013 SC 188 through three member Bench headed by erstwhile Chief Justice of Pakistan Mr. Iftikhar Chaudhry comprising Justice Jawwad S. Khawaja and Khilji Arif Hussain, Judge while interpreting Article 18 of Constitution of Pakistan, 1973 has categorically and unequivocally that Public functionaries are supposed to adhere to the principle of transparency in the performance of their duties and they being the Government officials as well as the Public Representatives, are not supposed to exercise their discretion in an unlawful, arbitrary and colorful manner. In other words, it is pertinent that nothing should be done by public functionaries which gives an impression of bias, favoritism or nepotism
- 7) That the said action has resulted in violation of Fundamental Right given in Article 25 of Constitution of Pakistan, 1973 known as " Rule of Law " is being violated reproduced ad-verbatim has been violated :-

(1) All citizens are equal before law and are entitled to equal protection of law. (2) There shall be no discrimination on the basis of sex alone.

- 8) The superior courts of Pakistan under the doctrine of judicial activism finding resonance in media reported cases has rightly held question of promotion/seniority etc as

coming with the definition of Fundamental Rights of property for all intents and purposes given in Article 23 and 24 of Constitution of Pakistan, 1973 and reported as under :-

23. :- Every citizen shall have the right to acquire, hold and dispose of property in any part of Pakistan, subject to the Constitution and any reasonable restrictions imposed by law in the public interest. 24. (1) No person shall be compulsorily deprived of his property save in accordance with law. (2) No property shall be compulsorily acquired or taken possession of save for a public purpose, and save by the authority of law which provides for compensation therefore and either fixes the amount of compensation or specifies the principles on and the manner in which compensation is to be determined and given.

9) That, any ground not specifically raised may kindly be allowed to argued with the permission of this August forum

IT IS THEREFORE, RESPECTFULLY SUBMITTED THAT IN THAT IN THE CONTEXT OF APPEAL IN HAND RELIEF AS CLAIMED IN TITLE MAY KINDLY BE GRANTED.

Dated : 19/10/2019



APPELLANT THROUGH COUNSEL

TAUQIR ARSHAD LODHI

ADVOCATE HIGH COURT

SECULAR LAW CHAMBER NOWSHERA CANTT

SECULAR1111@GMAIL.COM

TAUQIR ARSHAD LODHI
 Secular Law Chamber
 Dist. Courts Nowshera

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BEFORE THE KHYBER-PUKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR


Khalid Waheed S/O Abdul Waheed

Vs

Director Primary School Education KPK Pakistan etc

AFFIDAVIT

I, Khalid Waheed so Abdul Waheed do hereby solemnly declare on oath that the contents of the appeal are correct to the best of my knowledge and belief and nothing has been concealed or stated contrary to the facts

 Deponent

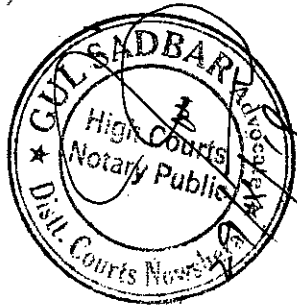
Khalid Waheed S/O Abdul Waheed


CNIC # 17201- 2126812-7

Mobile # 0321-9697936

Signature _____

ATTESTED




TAUQIR A LODHI
Secular Law Chamber
Distt. Courts Nowshera

BEFORE THE N.W.F.P SERVICE TRIBUNAL

(A)

Khalid Waheed S/o Abdul Waheed

Versus


Director Primary School Education and others

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CU

APPELLANT
THROUGH COUNSEL
TAUQIR ARSHAD LODHI,
ADVOCATE HIGH COURT


TAUQIR A LODHI
Secular Law Chamber
Distt. Courts Nowshera

BEFORE THE N.W.F.P SERVICE TRIBUNAL

9

Khalid Waheed S/o Abdul Waheed r/o Sabro Pharma Nowshera Cantt

Appellant

Versus

- 1) Director Primary School Education N.W.F.P Pakistan
- 2) S.D.E.O(Male) Primary Nowshera
- 3) Government of N.W.F.P
- 4) D.E.O (Male) Primary School.

Respondents

APPEAL FOR APPOINTMENT OF APPELLANT ON REGULAR
BASIS WITH ALL ALLIED AND CONNETED BENEFITS

ATTACHED THEREWITH

Respectfully sheweth :-

TAUQIR A LODHI
Secular Law Chamber
Distt. Courts Nowshera

- 1) That the appellant passed PTC examination from the Allama Iqbal university Islamabad way back in 1996 as per relavant rules and regulations applicable for the said purposes.
- 2) That the applicant as a consequence thereof applied with respondents for being appointed as PTC Teacher.
- 3) That in this connection, it is worth mentioning for bringing proper perspective before this August form that at the time there was prevailing batch wise policy in education department which laid down principle of appointment on the basis of merits and from quota of District Council at the ratio of 25:75 % respectively.
- 4) That the respondents failed to give any favorable response notwithstanding, applicant fulfilling all relevant criteria for the said post mainly on the ground of his education from Allama Iqbal Open University Islamabad which led appellant to file civil suit in the court of learned Civil Judge Nowshera bearing No. 210/1 dated :- 15/06/1999 under the title of "KHALID WAHEED VERSUS EDUCATION" which was finally able to win the day in the court as decree was granted in favor of appellant.

- 5) That notwithstanding, speaking order of the learned Senior Civil Judge Nowshera the respondents showed dilly dallying in the matter of appointment at one pretext or another and refused to budge but, finally yielded when they were left with no option but, to face in the shape of contempt proceedings in the court of District Judge. (Copy annexed for the facility of reference as "B")
- 6) That the nerve battle and controversy which was the outcome of the dilly dallying tactics on the part of the respondents should have ended when the hatched was finally buried by them before the court of District Judge Nowshera as explained in preceding Para but, the respondent throwing all relevant laws and case law covering the subject to the wind and appointed appellant on the basis of contract. (Copy annexed for the facility of reference as "C")
- 7) That in this context, it is worth mentioning that the candidates found in similar circumstances like appellant were appointed on regular basis. Furthermore, the superior courts have laid down the principle that candidates qualifying from Alama Iqbal University were to be treated on par with the candidates qualifying from elementary colleges of N.W.F.P. **TAUQIR A LODHI**
 Secular Chamber of
 Distt. Courts Nowshera
- 8) That the repeated denial on the part of the respondents to provide as per law applicable to the facts of the appeal is hit by the doctrine of continuous wrong.
- 9) That the appellant opted for filing for departmental representation to the respondents but no reply was given after which the appellant served them with legal notice for reply. (Copy of representation and legal notices annexed for the facility of reference as "D" and "E" respectively)
- 10) That repeated attempts on the part of appellant to seek justice and appointment as regular basis from the date of decision of the court of Senior civil Judge Nowshera as explained in preceding Para # (4) inter-alia on the following

CR

GROUNDS

- a) That enforcement of contract policy retrospectively by the respondents without appointment on regular basis neither advertisement is against the law and open mockery of not only

4
given by them in the court of District Judge when they were faced with contempt proceedings.

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- b) That the said act of respondent is violation of Article 4 of Constitution of Pakistan, 1973 as reproduced ad-verbatim as under :-

4.

(1)

To enjoy the protection of law and to be treated in accordance with law is the inalienable right of every citizen, wherever he may be, and of every other person for the time being within Pakistan.

- c) That said act is gross violation of Article 25 of Constitution of Pakistan, 1973 guaranteeing equal protection of law as reproduced ad-verbatim as under :-

4.

(1)

To enjoy the protection of law and to be treated in accordance with law is the inalienable right of every citizen, wherever he may be, and of every other person for the time being within Pakistan.

TAUQIR A LODHI
Secular Law Chamber
Distt. Courts Nowshera

CC

- d) That the recent trend of Supreme Court judgments in the era of Judicial activism as shown by historical SHELA ZIA CASE and MIAN NAWAZ SHARIF CASE (PLD Sc 1993 P/ 473) is to give broad interpretation to the concept of fundamental rights as a result whereof benefits arising out of services also fall within definition of property hence, the controversy raised in the appeal falls within the domain of protection of property, and guaranteed by Article 24 of Constitution of Pakistan, 1973 as reproduced ad-verbatim as under :-

24.

No person shall be compulsorily deprived of his property save in accordance with law.

- e) That in the case law decided by Supreme Court as reported in 1996 SCMR 1185 if a point of law decided by the court doesn't cover the only case of specific persons litigating before it and decides a point of law in rem in favor of other civil servants then there is no way out with the department but, to extent the benefit to other civil

servants to avoiding dragging them in further fruitless and endless chain of litigation.

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- f) That as per services terms and condition existing way back in 1996 when the appellant applied for appointment there were in existence regular posts and policy of appointment on regular basis thereon and there were no signs of policy of contract appointment hence, appointment in contract basis is not only violation of advertisement but, also violation of principle of legitimate expectancy as explained by the Supreme Court in the famous Judges case reported in PLD Sc 1993 P/324.
- g) That there can no gainsay from well entrenched principle of law duly reported in endless chain of case law of superior courts that no policy can be made applicable retrospectively hence, said action is nothing but, glaring example of violation of law from every relevant and conceivable angle.

IT IS THEREFORE, RESPECTFULLY SUBMITTED THAT IN VIEW OF PRECEDING SUBMISSIONS ORDER FOR THE REGULAR APPOINTMENT FROM THE DAY OF DECREE OF THE COURT OF LEARNED CIVIL JUDGES MAY KINDLY BE ISSUED ALONG WITH ANY OTHER RELIEF TO WHICH APPELLANT IS FOUND ENTITLED.

APPELLANT
THROUGH COUNSEL
TAUQIR ARSHAD LODHI,
ADVOCATE HIGH COURT

ERK

TAUQIR A LODHI
Secular Law Chamber
Distt. Courts Nowshera

BEFORE THE N.W.F.P SERVICE TRIBUNAL

13

Khalid Waheed S/o Abdul Waheed


Versus

Director Primary School Education and others

AFFIDAVIT

I, Khalid Waheed S/o Abdul Waheed r/o Sabro Pharma Nowshera Cantt do hereby solemnly declare on oath that the contents of the appeal are correct to the best of my knowledge and belief and nothing has been concealed or stated contrary to the facts .

APPELLANT/DEPONENT



TAUQIR A LODHI
Secular Law Chamber
Distt. Courts Nowshera

BEFORE THE N.W.F.P SERVICE TRIBUNAL

Khalid Waheed S/o Abdul Waheed

Versus

Director Primary School Education and others


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ADDRESSES OF THE PARTIES**APPELLANT**

Khalid Waheed S/o Abdul Waheed r/o Sabro Pharma Nowshera Cantt

RESPONDENTS

- 1) Director Primary School Education N.W.F.P Pakistan
- 2) S.D.E.O(Male) Primary Nowshera
- 3) Government of N.W.F.P
- 4) D.E.O (Male) Primary School.

APPELLANT**THROUGH COUNSEL****TAUQIR ARSHAD LODHI,
ADVOCATE HIGH COURT**
TAUQIR A LODHI
Secular Law Chamber
Distt. Courts Nowshera

BEFORE THE N.W.F.P SERVICE TRIBUNAL

Appeal no- 1041/10

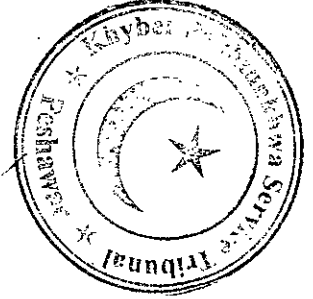
B
15

Khalid Waheed S/o Abdul Waheed r/o Sabro Pharma Nowshera Cantt

Appellant

Versus

- 1) Director Primary School Education N.W.F.P Pakistan
- 2) E.D.O(Male) Primary ^{Edu} District Nowshera
- 3) D.C.O District Nowshera
- 4) D.D.O (Male) Primary School District Nowshera



Respondents

**APPEAL FOR APPOINTMENT OF APPELLANT ON REGULAR
BASIS WITH ALL ALLIED AND CONNETED BENEFITS
ATTACHED THEREWITH**

Respectfully sheweth :-

- 1) That the appellant passed PTC examination from the Allama Iqbal university Islamabad way back in 1996 as per relevant rules and regulations applicable for the said purposes.
- 2) That the applicant as a consequence thereof applied with respondents for being appointed as PTC Teacher.

3) That in this connection, it is worth mentioning for bringing proper perspective before this August form that at the time there was prevailing batch wise policy in education department which laid down principle of appointment on the basis of merits and from quota of District Council at the ratio of 25:75 % respectively.

ATTESTED

[Signature]
EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

- 4) That the respondents failed to give any favorable response notwithstanding, applicant fulfilling all relevant criteria for the said post mainly on the ground of his education from Allama Iqbal Open University Islamabad which led appellant to file civil suit in the court of learned Civil Judge Nowshera bearing No. 210/1 dated :- 15/06/1999 under the title of "**KHALID WAHEED VERSUS EDUCATION**" which was finally able to win the day in the court as decree was granted in favor of appellant.
(Copy annexed for the facility of reference as "A")

[Signature]
27/5/10

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Appeal No. 1041/2010
Khalid Waheed vs Govt



24.10.2017

Appellant alongwith counsel and Mr. Ziaullah, DDA for the respondents present. The learned counsel for the appellant stated that grievance of the appellant has been redressed and the appellant has been regularized. However, his is aggrieved from some orders of promotions and seniority for which he would seek his legal remedy. The learned counsel stated at the bar that by reserving those remedies under the law, the present appeal may be disposed of on becoming infructuous

The appeal is disposed of on becoming infructuous in the light of the above submission of the learned counsel for the appellant. File be consigned to the record room.

Announced self-
24.10.2017 Member Chairman

Certified true copy
Signature
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Date of Presentation of Application 25-10-17
Number of Words 800
Copying Fee 6-
Urgent 2-
Total 8-
Name of Copyist [Signature]
Date of Completion of Copy 25-10-17
Date of Delivery of Copy 25-10-17

IN RESPECT OF :-

DIRECTOR EDUCATION PRIMARY KPK PESHAWAR

SUBJECT : SENIORITY ETC ON THE BASIS OF COURT DECISION

C
17

Respectfully sheweth :-

- 1) That, the applicant filed suit bearing No. 210/1 Dated :- 15/06/1999 for appointment as PTC Teacher in the court of Senior civil Judge Nowshera which was decreed in his favor vide decree of the court Dated :- 31/05/03.
- 2) That, the said decree after much dilly dallying was finally executed by your department before the court of District Judge Nowshera.
- 3) That, the applicant notwithstanding clear cut assurance before the executing court by your department to have appointment as per court order and law was appointed on contract basis which led applicant to seek benevolent indulgence of KPK Service Tribunal for appointment on regular basis.
- 4) That, during the pendency of said proceedings your department was benevolent enough to appoint him on regular basis thereby cause of action relating to said aspect pending before the KPK Service Tribunal abated.
- 5) That, during said proceedings the applicant came to know that his seniority as per rules, regulations and law was not granted i.e. it was not counted from the day of decree of the Trial court. Furthermore it is a well settled Principle of Service matter duly explained in endless chain of case law on the subject that relevant date for counting of seniority is date when all facts sine qua non for seniority are completed. In other words, the date of seniority relevant for the purpose of present discussion is date of decree of the Senior Civil Judge.
- 6) That, in view of facts spelt out in Para # (5) the August KPKL Service Tribunal directed applicant to seek benevolent indulgence of your good office of seniority.
- 7) That I ensure to abide by all the relevant laws, rules and regulations applicable for the said purpose and have annexed relevant documents for the facility of reference.

**IT IS THEREFORE, RESPECTFULLY ORDER OF GRANT OF SENIORITY TO APPLICANT IN THE
CONTEXT OF APPLICATION IN HAND MAY KINDLY BE ISSUED.**

THANKING YOU IN ANTICIPATION

KHALID WAHEED RTO

TAUQIR A LODHI
Secular Law Chamber
Distt. Courts Nowshera

SIGNATURE

[Handwritten signature]

In Respect of :-

DIRECTOR EDUCATION (PRIMARY) KHYBER-PUKHTUNKHWA PESHAWAR

SUBJECT : REMINDER IN APPLICATION BEARING DIARY NUMBER 195 DATED: 07/12/2017 O/O
THE DEO(M) NSR

Respectfully sheweth :-

- 1) That, the applicant's suit No. 210/1 dated: 15/6/1999 in the court of Senior Civil Judge Nowshera for his appointment as P.S.T was decreed in his favor as a result thereof he was appointed on said post on contract base which was challenged Before the Khyber-Pukhtunkhwa Service Tribunal Peshawar.
- 2) That, the August Service Tribunal was benevolent enough to have him appointed on regular basis on the basis thereof his appeal was disposed off.
- 3) That, applicant during proceedings Before the Khyber-Pukhtunkhwa Service Tribunal came to know that his seniority as per rules and regulations was not counted from the day of decree of the court, in this regard it is worth mentioning that relevant date of seniority is the date on which all facts sine qua non for seniority are completed.
- 4) That, on being requested the August service tribunal was benevolent enough to direct applicant to seek remedy regarding seniority from your good office for which applicant submitted application diary number 195 dated: 07/12/2017 O/O The DEO(M) Nowshera but, more one and half years have passed and notwithstanding, much water flowing under the bridges no reply has been forthcoming from your office notwithstanding, repeated attempts to contact your good office
- 5) That I ensure to abide by all relevant rules and regulation applicable for the said purposes

IT IS THEREFORE, RESPECTFULLY SUBMITTED THAT YOUR GOOD OFFICE IS HUMBLLY REQUESTED/REMINDED TO REPLY APPLICATION SEEKING SENIORITY FROM RELEVANT TIME

THANKING YOU IN ANTICIPATION

KHALID WAHEED PST

Signature

TAUQIR A LODHI
Secul. Member
Distt. Nowshera

TAUQIR ARSHAD LODHI
ADVOCATE HIGH COURT

Secular law chamber Nowshera Cantt
Phone # 0335-8607989/FACEBOOK/SKYPE:tauqir.lodhi
Secular1111@gmail.com

E
21

Reference No : ref/KWD/RMDR/19

Dated :- 07/10/2019

To

TAUQIR A LODHI
THE DIRECTOR EDUCATION PRIMARY KHYBER
PUKHTOONKHA PESHAWAR

SUBJECT : NOTICE TO FULFILL LEGAL OBLIGATION IN PURSUANCE OF ORDER OF KPK SERVICE DATED : 24/10/2017 IN APPEAL NO 1041/2010

Under the instructions of my client Mr. Khalid Waheed PST presently serving in GPS Khatkali District Nowshera you are notified to take note of following facts :-

- 1) That, my client filed before KPK Service Tribunal appeal number 1041/24/10/2010 wherein court was benevolent enough to grant him relief but matter of his seniority/promotions was kept pending to be agitated before your good office as per relevant provision of law.
- 2) That, my client prior to this notice moved application duly received by your office vide office diary number 195/07/12/2017 which was not replied hence, reminder was also served upon office duly received vide diary No 1960 dated : 22/06/2019 but no further action has been taken upon them by your office notwithstanding period of two years during which time much water has flown under the bridges. (COPY OF ANNEXED FOR THE FACILITY OF REFERENCE AS "A" AND "B")
- 3) That, this lack of action on your part (being is denial of fundamental right of my client to dealt in accordanc with law and right of equal treatment.

YOU ARE THEREFORE, LAST TIME REMINDED TO TAKE ACTION UPON HIS APPLICATION TAKING CARE OF QUESTION OF SENIORITY/PROMOTION WITHIN A PEIROD OF ONE WEEK FAILING I SHALL HAVE NO OPTION BUT TO SEEK BENEVOLENT INTERVENTION OF AUGUST KPK SERVICE TRIBUNAL

WAITING FOR REPLY

TAUQIR ARSHAD LODHI
Advocate High Court
Nowshera Cantt
ADVOCATE HIGH COURT
SECULAR LAW CHAMBER NOWSHERA CANTT

(Take notice that Copy of this notice has been retained in my office for further proceedings and future references.)

		9383
ایڈوکیٹ/دستخط: _____		
ہائیکورٹ/بار ایسوسی ایشن نمبر: _____		
رابطہ نمبر: _____		
ڈسٹرکٹ بار ایسوسی ایشن نوشہرہ		

بعدالت جناب: *Service In Law* کا

منجانب: <i>حالیہ رسد سہیل</i>	دعوی:
<i>حالیہ رسد</i>	طے نمبر:
<i>بنام</i>	موضوع:
<i>انجوائی</i>	جرم:
	تھانہ:
باعت تحریر آئیکہ	

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کارروائی متعلقہ
 ان مقام پر پہلے *لوگن رائے سنگھ* کی وکیل مقرر کر کے
 اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا، نیز وکیل صاحب کو راضی نامہ کرنے و تقسیر
 ثالث و فیصلہ برعلت دینے جو اب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق و توثیق پر دستخط کرنے کا اختیار
 ہوگا، نیز بصورت عدم پیروی یا ڈگری کیلئے یا اپیل کی برآمدگی اور منسوخی، نیز دائر کرنے اپیل، شکرانی و نظر ثانی و پیروی
 کرنے کا مختار ہوگا۔ اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے
 ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا، اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ اختیارات حاصل ہوں گے اور اس کا
 ساختہ پرواختہ منظور و قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جانب التوائے مقدمہ کے سبب سے ہوگا وہ وکیل موصوف وصول
 کرنے کا حقدار ہوگا کوئی تاریخ پیشی مقام دور یا قہ سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا
 وکالت نامہ لکھ دیا تاکہ مندر ہے۔

المرقوم: *19/10/19*

العبد گواہ شد العبد

مقام: _____ کیلئے منظور ہے

نوٹ: اس وکالت نامہ کی فوٹو کاپی ناقابل قبول ہوگی۔

TAUQIR A LODHI
 Secular Law Chamber
 Distt. Courts Nowshera

BEFORE THE KHYBER PAKHTUNKHAWA SERVICE

TRIBUNAL PESHAWAR

Service Appeal NO. 1437/2019

Khalid Waheed VS Education

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Deponent

BEFORE THE KHYBER PAKHTUNKHAWA SERVICE

TRIBUNAL PESHAWAR.

Service Appeal NO. 1437/2019

Khalid Waheed VS Education

Para wise Comments On Behalf Of Respondent No 1-3

Respectfully sheweth,

Respondents humbly submit as under.

Preliminary objections:

- 1) That the appellant has no cause of action/locus standi to file the instant appeal.
- 2) That the present appeal is bad for non-joinder and mis-joinder of necessary and proper parties.
- 3) That the appellant is estopped by his own conduct, by deed and by law to file the instant appeal.
- 4) That the instant appeal is not maintainable in its present form.
- 5) The present appeal is badly time barred.
- 6) That the appellant is not eligible for promotion due to low qualification i.e. No Bachelor degree
- 7) That this Hon'ble Tribunal lacks jurisdiction to adjudicate upon the matter.

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REPLY ON FACTS:-

- 1) Para -01 Pertains to record.
- 2) Para -02 is correct.
- 3) Para -03 is correct
- 4) Para-04 is incorrect. No such departmental appeal, have been filed by the appellant. Furthermore, the first departmental appeal as stated by appellant in 2017, If not replied then the appellant was legally bound to file the service appeal before this tribunal but to conceal his lapse of time, he has shown second departmental appeal in 2019 i.e. after two years. In fact no such departmental appeals have been made, these are shown just to cover up the time limitation. Furthermore according to promotion policy, bachelor degree is mandatory for promotion to PSHT while the appellant has FA qualification, so he is not eligible for promotion.

(Promotion Policy is attached as annexure 'A')

- 5) Para-05 is incorrect. The appellant has been duly regularized as stated in the honorable tribunal judgment/order dated 24/10/2017 from the year dated 29/07/2009. As seniority is counted from the date of regular appointment, he has been placed in the seniority list accordingly. The appellant will be promoted to PSHT on his due turn subject to eligibility.

(Seniority list is attached as annexure 'B').

6) Para-06 is incorrect. Detail reply is given in para-04 ibid.

REPLY ON GROUNDS:

1) Ground -1 Needs no comments.

2) Ground -2 is incorrect, the appellant has already been placed at proper position in the seniority list.

Furthermore, according to the promotion policy, bachelor degree is mandatory for promotion to PSHT while the appellant has FA qualification, so he is not eligible for promotion.

3) Ground -3 is incorrect, as order dated 24/10/2017 has been duly complied by the respondent department. The appellant failed to object any promotion order till date as mentioned in the order dated 24/10/2017 of this Honorable Tribunal. Detail reply is given in above paras ibid.

4) Ground -4 is incorrect, appellant has not been deprived from any of his right.

5) Ground -5 is incorrect, The Fundamental rights of the appellant have not been violated. Detail reply is given in above paras.

6) Ground -6 is incorrect to the extent of violation of rights of the appellant. Detail reply is given in above paras.

7) Ground -7 is incorrect, hence denied. Detail reply already given above.


8) Already explained above.

9) Respondents may also be permitted to raise other grounds during the arguments.

It is therefore most humbly prayed that the instant appeal being meritless, vexatious, and erroneous may kindly be dismissed.

RESPONDANTS:


1) Director E&SE, KPK


2) DEO (M), Nowshera



3) Deputy DEO(M), Nowshera



5

BEFORE THE KHYBER PAKHTUNKHAWA SERVICE

TRIBUNAL PESHAWAR

Service Appeal NO. 1437/2019

Khalid Waheed VS Education

AFFIDAVITE

I Masood khan Litigation Officer, office of The District Education Officer (M) Nowshera do solemnly affirm and declare on oath that the contents of Par wise comments on behalf of respondents are true and correct to the best of my knowledge and nothing has been concealed from this Honourable Tribunal.


Deponent

Amend - A (5)

9-17

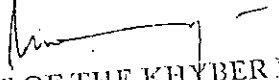
GOVERNMENT OF THE KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT.




NOTIFICATION

Peshawar, dated the November 13, 2012.

No. SO(PTE)4-5/SSRC/Meeting/2012/Teaching Cadre:- In pursuance of the provisions contained in sub rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 and in supersession of all Notifications issued in this behalf, the Elementary and Secondary Education Department in consultation with the Establishment Department and the Finance Department hereby lays down the method of recruitment, qualification and other conditions specified in the Appendix to this Notification which shall be applicable to all the posts specified in Column No. 2 of the said Appendix and the schedule therewith.


SECRETARY TO GOVERNMENT OF THE KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT.

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Advocate

Endst. No. & Date as above.

Copy forwarded to:-

1. The Secretary to Govt. of Khyber Pakhtunkhwa, Establishment Department.
2. The Secretary to Govt. of Khyber Pakhtunkhwa, Finance Department.
3. The Secretary to Govt. of Khyber Pakhtunkhwa, Law Department.
4. The Secretary Khyber Pakhtunkhwa, Public Service Commission Peshawar.
5. The Accountant General, Khyber Pakhtunkhwa Peshawar.
6. The Director (E&SE) Khyber Pakhtunkhwa Peshawar.
7. The Director Education (FATA), Peshawar.

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- 8. The Director Curriculum & Teachers Education Abbottabad.
- 9. The Director (PITE) Khyber Pakhtunkhwa Peshawar.
- 10. The Director ESRU, Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.
- 11. The Deputy Director Database(EMIS) E&SE Department.
- 12. All District Coordination Officers in Khyber Pakhtunkhwa.
- 13. All Executive District Officers Elementary & Secondary Education in Khyber Pakhtunkhwa.
- 14. All District Accounts Officers in Khyber Pakhtunkhwa /Agency Accounts Officers FATA.
- 15. All Agency Education Officers FATA.
- 16. P.S to Governor, Khyber Pakhtunkhwa.
- 17. P.S to Chief Minister, Khyber Pakhtunkhwa.
- 18. P.S to Chief Secretary, Khyber Pakhtunkhwa.
- 19. PS to Minister E&SE Khyber Pakhtunkhwa Peshawar.
- 20. PS to Secretary E&SE Department.
- 21. Master File.

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Section Officer (Primary)

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APPENDIX

S.No.	Nomenclature of the post.	Minimum qualification and experience for initial appointment or by transfer.	Age limit.	Method of recruitment.
1.	2.	3.	4.	5.
1.	Secondary School Teacher (BPS-16).	(i) Second class Bachelor's Degree with two subjects as Chemistry, Botany, Zoology, Physics, Mathematics, Statistics Humanities and other equivalent groups from a recognized University; or (ii) M.A in Education or Bachelor's Degree in Education, from a recognized University.	18 to 35 years.	(a) Fifty percent by promotion on the basis of seniority-cum-fitness, in the following manner: (i) forty per cent from amongst the Certified Teachers (General), Certified Teachers (Agriculture), Certified Teachers (Industrial Arts) and Certified Teachers (Home Economics) with at least five years service as such and having qualification mentioned in column No. 3; (ii) four per cent from amongst the Drawing Masters with at least five years service as such and having qualification mentioned in column No.3; (iii) four per cent from amongst the Physical Education Teachers with at least five years service as such and having qualification mentioned in column No. 3;

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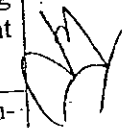
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				<p>(iv) one per cent from amongst the Instructional Material Specialists, with atleast five years service as such and having qualification mentioned in column No. 3; and</p> <p>(v) one per cent from amongst the Arabic Teachers with at least five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


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5.	Senior Certified Teacher (Industrial Arts) (BPS-16).		By promotion, on the basis of seniority-cum-fitness, from amongst Certified Teachers (Industrial Arts), with at least five years service as such and having qualification as prescribed for initial recruitment of Certified Teacher (Industrial Arts).
6.	Senior Certified Teacher (Agriculture) (BPS-16).		By promotion, on the basis of seniority-cum-fitness, from amongst Certified Teachers (Agriculture), with at least five years service as such and having qualification as prescribed for initial recruitment of Certified Teacher (Agriculture).
7.	Senior Drawing Master (BPS-16).		By promotion on the basis of seniority-cum-fitness from amongst Drawing Masters, with at least five years service as such and having qualification as prescribed for initial recruitment of Drawing Master.
8.	Senior Certified Teacher (SCT) (Home Economics) (BPS-16).		By promotion, on the basis of seniority-cum-fitness, from amongst Certified Teachers (Home Economics), with at least five years service as such and having qualification as prescribed for initial recruitment of Certified Teacher (Home Economics).
9.	Senior Physical Education Teacher (BPS-16).		By promotion, on the basis of seniority-cum-fitness, from amongst Physical Education Teachers, with at least five years service as such and having qualification as prescribed for initial recruitment of Physical Education Teacher.

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10.	Arabic Teacher (AT) (BPS-15).	(i) Second Class Secondary School Certificate, from a recognized Board with Shahdatul Alamia Fil Uloomul Arabia wal Islamia from a recognized Tanzimuatul Wafaqul Madaris: or Darul Uloom Saidu Sharif Swat, Darul Uloom Charbagh Swat, Darul Uloom Chitral, Darul Uloom Darosh Chitral and any other Government run Darul Uloom, as notified by the Government from time to time; or (ii) Second Class Master's Degree in Arabic from a recognized University.	20 to 35 years.	By initial recruitment
11.	Theology Teacher (TT) (BPS-15).	(i) Second Class Secondary School Certificate, from a recognized Board with Shahdatul Alamia from a recognized Tanzimatul Wafaqul Madaris or Darul Uloom Saidu Sharif Swat, Darul Uloom Charbagh Swat, Darul Uloom Chitral, Darul Uloom Darosh Chitral and any other Government run Darul Uloom, as notified by the Government from time to time; or (ii) Second Class Master's Degree in Islamiyat from a recognized University.	20 to 35 years.	(a) Seventy-five per cent by initial recruitment; and (b) twenty-five per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Senior Qaris, with at least five years service and having qualification prescribed for initial recruitment of Theology Teacher: <u>Note:</u> In case of non availability of suitable person for promotion, then by initial recruitment.
12.	Senior Qari (BPS -15).			By promotion, on the basis of seniority-cum-fitness, from amongst Qaris, with at least five years service as such and having qualification prescribed for initial recruitment.
13.	Certified Teacher (General) (BPS-15):	Bachelor's Degree or equivalent qualification from a recognized University with Certified Teacher	18 to 35 years.	(a) Forty per cent by initial recruitment; and

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		Certificate or two years Associate Degree in Education from a recognized University or eighteen months Diploma in Education.		<p>(b) sixty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Primary School Head Teachers with at least five years service and having qualification prescribed for initial recruitment of Certified Teacher (General):</p> <p>Provided that if no suitable candidate is available amongst the Primary School Head Teachers for transfer, then the posts will be filled by promotion on the basis of seniority-cum-fitness, from amongst Senior Primary School Teachers with at least five years service and having qualification prescribed for initial recruitment of Certified Teacher (General).</p> <p><u>Note:</u> In case of non availability of suitable person for promotion, then by initial recruitment.</p>
14.	Certified Teacher (Industrial Arts) (BPS-15).	<p>(i) Bachelor's Degree from a recognized University with two years training in the relevant technical subjects from any Government Industrial or Govt. Technical Vocational Institute or Center; or</p> <p>(b) Bachelor's Degree from a recognized</p>	18 to 35 years.	<p>(a) Forty per cent by initial recruitment; and</p> <p>(b) sixty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Primary School Head Teachers with at least five years service and having qualification prescribed for initial recruitment of Certified Teacher</p>



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		University with nine months training from any Government Agro Technical Teacher Training Center of the Level of Certified Teacher, Agro technical (Industrial Arts).		<p>(Industrial Arts):</p> <p>Provided that if no suitable candidate is available amongst the Primary School Head Teachers for Promotion, then the posts will be filled by promotion on the basis of seniority-cum- fitness, from amongst Senior Primary School Teachers with at least five years service and having qualification prescribed for initial recruitment of Certified Teacher (Industrial Arts).</p> <p><u>Note:</u> In case of non availability of suitable person for promotion, then by initial recruitment.</p>
15.	Certified Teacher (Agriculture) (BPS-15).	<p>(i) Bachelor's Degree from a recognized University with one year training in Agriculture from any Government institute or center with nine months training from Government Agro Technical Teacher Training Center of the level of Certified Teacher Agro Technical (Agriculture); or</p> <p>(ii) Bachelor's Degree with Agriculture as one of the subject, from a recognized University; or</p> <p>(iii) Bachelor's Degree from a recognized</p>	18 to 35 years.	<p>(a) Forty per cent by Initial recruitment; and</p> <p>(b) sixty per cent by promotion, on the basis of seniority-cum-fitness from amongst the Primary School Head Teachers, with at least five years service and having qualification prescribed for initial recruitment of Certified Teacher (Agriculture):</p> <p>Provided that if no suitable candidate is available amongst the</p>

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		any Government Agro Technical Teacher Training Center of the Level of Certified Teacher, Agro technical (Agriculture).		promotion, then the posts will be filled by promotion on the basis of seniority-cum-fitness, from amongst Senior Primary School Teachers with at least five years service and having qualification prescribed for initial recruitment of Certified Teacher (Agriculture).
16.	Certified Teacher (Home Economics) (BPS-15).	<ul style="list-style-type: none"> (i) Bachelor's Degree with Home Economics, as one of the subject, from a recognized University with in service training from Government Agro Technical Teacher Training Center; or (ii) Certified Teacher Certificate with Home Economics, as one of the subjects, from any Government Training school or college with Bachelor's Degree; or (iii) Bachelor's Degree from a recognized University with nine months training from Government Agro Technical Teacher Training Center of the level of the Certified Teacher Agro Technical (Home Economics); or (iv) Bachelor's Degree, from a recognized 	18 to 35 years.	<p><u>Note:</u> In case of non availability of suitable person for promotion, then by initial recruitment.</p> <ul style="list-style-type: none"> (a) Forty per cent by Initial recruitment; and (b) sixty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Primary School Head Teachers with at least five years service as such and having qualification prescribed for initial recruitment of Certified Teacher (Home Economics): <p>Provided that if no suitable candidate is available amongst the Primary School Head Teachers for promotion, then the posts will be filled by promotion on the basis of seniority-cum-fitness, from amongst Senior Primary School Teachers with at least five years service and having qualification prescribed for initial recruitment of</p>

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		University with one year vocational training from any Government training center or institute with nine months training from Government Agro Technical Teacher Training center of the level of certified Teacher Agro Technical (Home Economics).		<p>Certified Teacher (Home Economics).</p> <p><u>Note:</u> In case of non availability of suitable person for promotion, then by initial recruitment.</p>
17.	Drawing Master (BPS-15).	Bachelor's Degree from a recognized University with one year Drawing Master (DM) course Certificate.	18 to 35 years.	<p>(a) Eighty per cent by initial recruitment; and</p> <p>(b) twenty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Primary School Head Teachers with at least five years service and having qualification prescribed for initial recruitment of Drawing Master:</p> <p>Provided that if no suitable candidate is available for promotion then on the basis of seniority-cum-fitness, from Senior Primary School Teachers with at least five years service and having qualification prescribed for initial recruitment of Drawing Master.</p> <p><u>Note:</u> In case of non-availability of suitable candidate for promotion, then by initial recruitment.</p>

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Promotion policy - 2012
Amended in - 2018

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18.	Physical Education Teacher (BPS-15).	Bachelor's Degree from a recognized University with one year junior Diploma in Physical Education course or Army equivalency or other equivalent qualification.	18 to 35 years.	<p>(a) Eighty per cent by initial recruitment; and</p> <p>(b) twenty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Primary School Head Teachers with at least five years service and having qualification prescribed for initial recruitment of Physical Education Teacher.</p> <p>Provided that if no suitable candidate is available for promotion then on the basis of seniority-cum-fitness, from amongst Senior Primary School Teachers with at least five years service and having qualification prescribed for initial recruitment of Physical Education Teacher.</p> <p><u>Note:</u> In case of non-availability of suitable candidate for promotion, then by initial recruitment.</p>
19.	Primary School Head Teacher (PSHT) (BPS-15).			By promotion, on the basis of seniority-cum-fitness, from amongst Senior Primary School Teachers with at least ten years service and having qualification prescribed for initial recruitment of Primary School Teacher.
20.	Senior Primary School Teacher (BPS-14).			By promotion, on the basis of seniority-cum-fitness, from amongst Primary School Teachers




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				with at least five years service as such and having qualification prescribed for initial recruitment of Primary School Teacher.
21.	Primary School Teacher (BPS-12).	(i) Intermediate or equivalent qualification, from a recognized Board with Primary School Teacher Certificate/ Diploma in Education from a recognized Institute; or (ii) Secondary School Certificate, from a recognized Board in second Division with two years Associate Degree in Education from a recognized University.	18 to 35 years.	By initial recruitment on merit at Union Council level: provided that if no suitable candidate is available within the Union Council, then from the adjacent Union Councils on merit.
22.	Qari (BPS-12).	Intermediate with Hifz-e-Quran and Qirat Sanad from a recognized Institution.	18 to 35 years.	By initial recruitment.

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 Advocate

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GOVERNMENT OF THE KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT.

NOTIFICATION

Peshawar, dated the 07.03.2018. /

No. SO(PE)4-5/SSRC/Meeting/2012/Teacher Cadre/2017. - In pursuance of the provisions contained in sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Elementary and Secondary Education Department, in consultation with the Establishment Department and the Finance Department hereby directs that, in this Department's Notification No. SO(PE)4-5/SSRC/Meeting/2012/Teaching Cadre, dated 13-11-2012, the following further amendments shall be made, namely: /

AMENDMENTS

In the Appendix,-

- (i) against Serial No. 1, in columns No.3 and 4, for the existing entries, the following shall be substituted, namely:

	3.	4.
(i)	At least Second Class Master's Degree or four (4) years BS Degree in the relevant subject; and	21 to 35 years
(ii)	nine months in service mandatory professional training at Regional Institute for Teacher Education (RITE) or Provincial Institute for Teacher Education (PITE).	

- (ii) against Serial No. 1B, in columns No.3 and 4, for the existing entries, the following shall be substituted, namely:

	3.	4.
(i)	At least Second Class Bachelor's Degree from a recognized University from the following groups with two subject on need basis. (a) Chemistry, Botany or Zoology; or	19 to 35 years

<p>(b) Physics, Maths or Statistics; or (c) Humanities and other equivalent groups at degree level with English as subject; and (ii) nine months in service mandatory professional training at Regional Institute for Teacher Education (RITE) or Provincial Institute for Teacher Education (PITE).</p>	
---	--

(iii) against Serial No. 10. in columns No.3 and 4, for the existing entries, the following shall be substituted, namely:

	4.
<p>3. (i) At least Second Class Master's Degree in Arabic from a recognized University; or at least Second Class Bachelor's Degree from a recognized University with Shahadatul Alamia Fil Uloomul Arabia wal Islamia from a recognized Tanzimuatul Wafaqul Madaris; or Darul Uloom Saidu Sharif Swat, Darul Uloom Charbagh Swat, Darul Uloom Chitral, Darul Uloom Darosh Chitral and any other Government run Darul Uloom, as notified by Government from time to time; and (ii) nine months in service mandatory professional training at Regional Institute for Teacher Education (RITE) or Provincial Institute for Teacher Education (PITE).</p>	<p>19 to 35 years";</p>

(iv) against Serial No. 11. in columns No.3 and 4, for the existing entries, the following shall be substituted, namely:

	4.
<p>3. (i) At least Second Class Master's Degree in Islamiyat from a recognized University; or at least Second Class Secondary School Certificate from a recognized Board with Shahadatul Alamia from a recognized Tanzimuatul Wafaqul Madaris; or Darul Uloom Saidu Sharif Swat, Darul Uloom Charbagh Swat, Darul Uloom Chitral, Darul Uloom Darosh Chitral and any other Government run Darul Uloom, as notified by Government from time to time; and (ii) nine months in service mandatory professional training at Regional Institute for Teacher Education (RITE) or Provincial Institute for Teacher Education (PITE).</p>	<p>19 to 35 years";</p>

(v) against Serial No. 13, in columns No.3 and 4, for the existing entries, the following shall be substituted, namely:

3.	4.
(i) Bachelor's Degree from a recognized University; and (ii) nine months in service mandatory professional training at Regional Institute for Teacher Education (RITE) or Provincial Institute for Teacher Education (PITE).	19 to 35 years";

(vi) against Serial No. 17, in columns No.3 and 4, for the existing entries, the following shall be substituted, namely:

3.	4.
(i) Bachelor's Degree from a recognized University; and (ii) nine months in service mandatory professional training at Regional Institute for Teacher Education (RITE) or Provincial Institute for Teacher Education (PITE).	19 to 35 years";

(vii) against Serial No. 18, in columns No.3 and 4, for the existing entries, the following shall be substituted, namely:

3.	4.
(i) Bachelor's Degree from a recognized University; and (ii) nine months in service mandatory professional training at Regional Institute for Teacher Education (RITE) or Provincial Institute for Teacher Education (PITE).	19 to 35 years";

~~(viii) against Serial No. 21, in columns No.3 and 4, for the existing entries, the following shall be substituted, namely:~~

3.	4.
(i) Bachelor's Degree from a recognized University; and (ii) nine months in service mandatory professional training at Regional Institute for Teacher Education (RITE) or Provincial Institute for Teacher Education (PITE).	19 to 35 years"; and

19

(ix) against Serial No. 22, in columns No 3 and 4, for the existing entries, the following shall be substituted, namely:

3.	4.
(i) Bachelor's Degree from a recognized University and Qirat Sanad from a registered Institution; and (ii) nine months in service mandatory professional training at Regional Institute for Teacher Education (RITE) or Provincial Institute for Teacher Education (PITE).	19 to 35 years".

**SECRETARY TO
GOVERNMENT OF THE KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION
DEPARTMENT.**

Endst: of even No & date:

1. The Secretary to Government of Khyber Pakhtunkhwa, Establishment & Administration Department, Peshawar.
2. The Secretary to Government of Khyber Pakhtunkhwa, Finance Department Peshawar.
3. The Secretary to Government of Khyber Pakhtunkhwa, Law Department Peshawar.
4. The Secretary, Public Service Commission, Khyber Pakhtunkhwa, Peshawar.
5. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
6. The Director, Elementary & Secondary Education, Peshawar.
7. The Director of Education (FATA) Peshawar.
8. The Director, Curriculum and Teacher Education Khyber Pakhtunkhwa, Peshawar.
9. The Director, (PITE) Khyber Pakhtunkhwa, Peshawar.
10. The Director, ESRU, Elementary and Secondary Education Department, Khyber Pakhtunkhwa, Peshawar.
11. Manager Government Printing Press, Khyber Pakhtunkhwa, Peshawar.
12. The Deputy Director, EMIS (E&SE) Department Khyber Pakhtunkhwa Peshawar.
13. All District Education Officers (M&F) in Khyber Pakhtunkhwa.
14. All District Accounts Officers in Khyber Pakhtunkhwa.
15. All Agency Education Officers/ Agency Accounts Officers in FATA.
16. PS to Governor Khyber Pakhtunkhwa, Peshawar.
17. PS to Chief Minister Khyber Pakhtunkhwa, Peshawar.
18. PS to Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
19. PS to Minister, E&SE Department Khyber Pakhtunkhwa, Peshawar.
20. PS to Secretary, E&SE Department, Khyber Pakhtunkhwa, Peshawar.


SECTION OFFICER (Primary)

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TENTATIVE SENIORITY LIST OF PST TEACHING STAFF DISTRICT NOWSHERA

SEN.NO	Name of Official	F-NAME	Present place of posting	BPS	Academic Qualification	Professional Qualification	D.O.B	Date of Appointment as PST	Date of taking Over, Charge as Regular PST- (Date of Passing of PTC for Untrained)	SPST Date of Taking Over Charge	PSHT Date of Taking Over Charge	PST Appointment Merit Marks	circle	Remarks
1492	Muhammad Tariq	Abdul Jabbar	GPS Motopatay	12	FA	PTC	03/12/1967	23/12/1990	15/02/1999				Khairabad	N.E due to Qualification
1493	Shahid ali	Qasim ali	Gps rail way station	14	MA	PTC, CT,	01/04/1976	20/04/1999	20/04/1999				nsr cantt	PROMOTED TO CT
1494	12. Mujahid Hussain	Radi Gul	Choki Gul Bad Shah GPS	14	MA	PTC,BED	02/04/1972	21/04/1999	21/04/1999				nsr cantt	PROMOTED TO CT
1495	Rehman ali	M.Amir	Gps 1 bahadir khel	14	MA	PTC, CT, Bed, M	08/08/1972	21/04/1999	21/04/1999				Risalpur	PROMOTED TO CT
1496	Mujeb ur Rehman	Shamsher Khan	GMPS Sherin Kothi	12	MA	C.T,B.ED	20/01/1973	21/04/1999	21/04/1999				nsr cantt	PROMOTED TO CT
1497	RAIZ UL HASSAN SHA	Anwar Ul Mujeeb	GPS No2 Ghala Dher	14	BA	PTC CT	03/02/1975	21/04/1999	21/04/1999				Jalozai	PROMOTED TO CT
1498	Arshad Husain	Aman Khan	GPS No1 Shabara	14	MA	PTC.CT.B ED	09/05/1976	21/04/1999	21/04/1999				Khairabad	PROMOTED TO CT
1499	Khalid Mehmood	Imran Zada	GPS Labikhel	14	MA	PTC-CT- B.Ed	15/01/1976	21-04-1999	21/04/1999				pabbi	
1500	14. Shaikat Hayat	Fazl-e-Razaq	Kurvi GPS No.1	14	BA	PTC.BED	06/09/1971	20/04/1999	22/04/1999	24/07/2015			Jalozai	
1501	Sartaj Khan	Zaman Khan	GPS No2 Spin Khak	14	BA	PTC	21/04/1972	20/04/1999	22/04/1999	02/12/2017			nsr cantt	
1502	Tajamul Shah	S.Ajmal Shah	GPS AZA KHEL B	14	BA	PTC	26/02/1977	20/04/1999	22/04/1999	16/08/2017			Akora	Promoted to CT
1503	ILTAF KHAN	Muhammad Akbar	GPS No1 Mian Esa	14	MA	PTC MED	14/04/1969	22/04/1999	22/04/1999				Akora	N.E due to Qualification
1504	HANIF IQBAL	Siraj Muhammad Khattak	GPS Atamzai	12	SSC	PTC	15/05/1972	22/04/1999	22/04/1999				nsr cantt	REFUSED CT
1505	10. Shamshir Zaman	Fakhruzzam	Azakhel Payan GPS No.2	14	MA	PTC,CT	05/03/1973	22/04/1999	22/04/1999				nsr cantt	PROMOTED TO CT
1506	Ayaz hussain	Riaz am	Gmps muslims town	14	MA	PTC, CT, Bed, M	21/12/1973	22/04/1999	22/04/1999				nsr cantt	REFUSED CT
1507	Darpan Lal	Rattan Lal	Gps Lal kurti	14	MA	PTC, CT, Bed,	14/03/1975	22/04/1999	22/04/1999				pabbi	Promoted to CT
1508	10. Muhammad Israr	Qazi Muhammad Khan	Choki Gul Bad Shah GPS	14	MA	PTC.BED. CT	12/09/1975	22/04/1999	22/04/1999				pabbi	Promoted to CT
1509	7. Asghar Khan	Abdul Mutalib	Qasim GPS No.1	14	MA	PTC.CT.B ED	01/01/1976	22/04/1999	22/04/1999				pabbi	Promoted to SST
1510	8. Ejaz Ahmad	Mushtaq Ahmad	Dagi Jadeed.1	12	MSc	PTC.BED	15/10/1976	22/04/1999	22/04/1999				Akora	Promoted To CT
1511	RAHIM DAD SHAH	Notabar Shah	GPS Chashmai	14	MA	PTC.CT.Be d	13/05/1977	22/04/1999	22/04/1999	16/08/2017			Risalpur	REFUSED CT
1512	Zia ur Rehman	Fath ur Rehman	GPS Khesghi Payan No:2	14	MA	P.T.C- M.ED	28/09/1977	22/04/1999	22/04/1999				Khairabad	Promoted To CT
1513	M. Zahid Khan	Mir Bashir Khan	GPS Sheen Bagh	15	MA	PTC-CT- B.Ed	07/11/1978	22-04-1999	22/04/1999				Risalpur	
1514	Raz Muhammad	Abdul Jalil	GPS Spin Kani	14	B.A	P.T.C,	15/02/1971	20/04/1999	23/04/1999	06/09/2019				

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1515	Jamshed Ahmad	mahab uddin	Gps 3nsr kalan	14	MSC M	PTC, CT	14/04/1973	30/04/1999	23/04/1999	16/08/2017		Risalpur	REFUSED CT
1516	GUL SAMIN	Zar Wali Khan	GPS Marhati Banda	14	MA	PTC,CT- B.Ed	10/08/1974	23/04/1999	23/04/1999			Akora	Promoted to CT
1517	Abdul Haq	Noor Wali shah	GPS Sher Abad	14	BA	PTC,CT	21/09/1975	23/04/1999	23/04/1999			Jallozai	PROMOTED TO CT
1518	Noorul Amin	M. Miskeen	GPS Nari	14	MA	PTC-CT- B.Ed	07/10/1974	23-04-1999	23/04/1999			Khairabad	Promoted to CT
1519	Inayat ur Rahman	Mian Muhammad Jar	GPS No6 D.I.K	14	FA	PTC	05/03/1974	20/04/1999	24/04/1999	16/08/2017		Jallozai	
1520	Sajjad ul Haq	Din Mohammad	GPS FAZAL ABAD	14	MA	PTC	09/03/1976	20/04/1999	24/04/1999	16/08/2017		Jallozai	Refused CT 2019
1521	Muhammad Saqib	Sher Afzal	GPS Mulla Killi No: 2	14	M.A	PTC	15/01/1977	20/04/1999	24/04/1999	26/04/2019		Risalpur	REFUSED CT
1522	Basher Ullah	Abdullah Jan	GPS PAF Risalpur	14	M.A	PTC,CT,B ED	10/03/1973	24/04/1999	24/04/1999			Risalpur	RETIRED
1523	Ali asghar	Mir haidar shah	Gpa kisthi pul	14	BA	PTC, CT,	05/03/1974	24/04/1999	24/04/1999			Risalpur	PROMOTED TO CT
1524	Muhammad Ayaz	Zarifkhan	GPS cherat	12	ssc	pte	04/01/1977	20/04/1999	27/04/1999			Jallozai	
1525	GUL NAWAR SHAH	Sifat Shah	GPS No1 Pir Sabaq	12	SSC	PTC	22/09/1971	14/09/1993	29/04/1999			nsr cantt	N.E due to Qualification
1526	Gul Mast Khan	Mehroban Shah	GSP Jungrai	14	BA	PTC-CT- B.Ed	05/02/1972	20/04/1999	29/04/1999	16/08/2017		Khairabad	REFUSED CT
1527	Islam Ud Din	Chaman Din	GPS Jehangira Road	14	MA	PTC-CT- B.Ed	29/10/1972	29/04/1999	29/04/1999			Akora	Transferred to Cantt REFUSED
1528	Amin Zaman	Khan Said	GPS Kahi 1	14	MA	PTC-CT- B.Ed-M	15/05/1975	29-04-1999	29/04/1999	16/08/2017		Khairabad	PROMOTED TO CT
1529	MUHAMMAD TAHIR	Fazli Azeem	GPS Hawai	12	SSC	PTC	01/08/1966	20/01/1988	11/05/1999			Akora	Retired
1530	5. Farid Ullah	Hanif Ullah	Choki Gul Bad Shah GPS	12	SSC	PTC	04/06/1963	04/10/1982	11/05/1999			pabbi	RETIRED
1531	Fazal Malik	Abdul Khaliq	GPS Gandhri Bala	13	SSC	PTC	24/12/1974	14/04/1993	11/05/1999			Risalpur	N.E due to Qualification
1532	2. Bakhtiar Ali	Shah Jehan	Dagi Qadeem GPS	12	SSC	PTC	03/01/1971	15/04/1993	11/05/1999			pabbi	RETIRED
1533	2. Ghulam Muhammad	Karim Jan	PABBI GPS NO.2	12	SSC	PTC	16/12/1973	25/04/1993	11/05/1999			pabbi	N.E due to Qualification
1534	7. Muhammad Zahir	Mian Fida Muhammad	Khan Sher Garhi GPS	12	SSC	PTC	15/03/1973	10/05/1993	11/05/1999			pabbi	N.E due to Qualification
1535	3. Fazal Muhammad	Yar Muhammad	AKBAR PURAGPS.	14	BA	PTC	16/04/1976	18/04/1994	11/05/1999	26/04/2019		pabbi	Refused CT 2019
1536	Muhammad Iqbal	Gulzar ahmad	Gps 2 nsr kalan	14	FA	PTC	12/06/1976	31/08/1994	11/05/1999	31/08/2017		Risalpur	
1537	Hayat Muhammad	Shehzad Gul	GPS Wazir Gari	14	FA	PTC	12/10/1974	29/10/1995	11/05/1999	16/08/2017		Jallozai	
1538	Jawad Ali	Tila Muhammad	GPS Saifur Khan Korona	14	FA	P.T.C	25/03/1979	23/06/1997	11/05/1999	16/08/2017		Risalpur	
1539	Inam ul haq	Siraj ul haq	Gps kander	14	MA	PTC, CT, B ED, MED	15/01/1980	01/09/1999	01/09/1999	16/08/2017		Risalpur	REFUSED CT
1540	Khan Zaman	Muhammad Zaman	GPS Mula Killi No:2	14	M.A	P.T.C	30/10/1981	30/12/1999	31/12/1999	26/04/2019		Risalpur	

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TENTATIVE SENIORITY LIST OF PST TEACHING STAFF DISTRICT NOWSHERA

Sl. No	Name of Official	S-NAME	Present place of posting	PKA	Graduation	Professional Qualification	DOB	Date of Appointment as PST	Date of taking Over Charge as Regular PST (Date of Passing of PTC for Promoted)	SPST Date of Taking Over Charge	PST Date of Taking Over Charge	PST Appointment Merit Marks	Remarks
1651	Muhammad Imtiaz	Shanuzz	GPS Mula Killi No:	12	BA	PTC, Bed	20/05/1984	14/03/2009	14/03/2009				Risalpur
1652	G. Abdul Jalil Shah	Mian Atta-ur- Rehman	Khudrezai GPS No:	12	FA	PTC	03/09/1970	15/07/2009	15/07/2009				pabbi
1653	Khalid Waheed	Abdul waheed	Gps 1 khat killi	12	FA	PTC	01/06/1976	29/07/2009	29/07/2009				use cantt
1654	Alam Zaib	Nawab Khan	GPS Fazal Rahim K	12	B.A	P.T.C,T	08/06/1963	31/07/2009	31/07/2009				Risalpur
1655	* Quisar Khan	Amir Muhammad	GPS NO.1KHUDR	12	BA	P.T.C	19/03/1968	31/07/2009	31/07/2009				pabbi
1656	Hashmat Ali Khan	Amin Ullah	GPS No 1Khudrezai	12	MA	PTC, B Ed	28/04/1976	31/07/2009	31/07/2009				pabbi
1657	Rahmat Ali	Linqat Ali	GPS Khan SherGan	12	MA	PTC	25/01/1978	31/07/2009	31/07/2009				pabbi
1658	3. Hamid Hussain	Muhammad Hussain	Choki Drub GPS No	12	BA	PTC	31/03/1983	28/09/2009	28/09/2009				pabbi
1659	11. Muhammad Islam	Muhammad Umar	GPS Kandar Akbar	12	SSC	PTC	03/08/1972	10/12/1995	08/12/2009				pabbi N.E due to Qualification



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