

BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR.

Service Appeal No. 2369/2023

Mr. Noor Ullah, PST BPS-12, GPS Razagai, District Dir Upper
..... (Appellant)

Versus

1. Secretary of Elementary & Secondary Education Department, Government of Khyber Pakhtunkhwa Peshawar.
2. Director, Elementary and secondary Education Government of Khyber Pakhtunkhwa Peshawar.
3. District Education Officer (M) Dir Upper.

(Respondents)

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5	Copy of the appointment order dated 05-03-2016	B	
6	Copy of the regularization Act 2017	C	
7	Copy of the regularization order dated 21-03-2018	D	


(Abdur Rahman)

District Education officer (M)
District Dir Upper

BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR.

Service Appeal No. 2369/2023

Mr. Noor Ullah, PST BPS-12, GPS Razagai, District Dir Upper
..... (Appellant)

Khyber Pakhtunkhwa
Service Tribunal
Diary No. 10277
Dated 3-1-24

Versus

1. Secretary of Elementary & Secondary Education Department, Government of Khyber Pakhtunkhwa Peshawar.
2. Director, Elementary and secondary Education Government of Khyber Pakhtunkhwa Peshawar.
3. District Education Officer (M) Dir Upper.

(Respondents)

PARA WISE COMMENTS ON & FOR BEHALF OF
RESPONDENTS No. 1, 2 & 3.

Respectfully Sheweth:-

PRELIMINARY OBJECTIONS.

1. That the Appellant is not an "aggrieved" person with the meaning of section 4 of the Khyber Pakhtunkhwa Service Tribunal Act 1974.
2. That the Appellant has got no cause of action /locus standi to file the instant appeal because the Appellant did not come on merit.
3. That the Appellant has not come to this Honorable court with clean hands.
4. That the Appellant is estopped by his own conduct.
5. That the instant service appeal is badly time barred
6. That the appeal is barred by law and limitation.
7. That the appeal in hand is barred by relevant provision of Law/Rules/Policy in field.

ON FACTS.

1. Para -1 of the facts is correct that the appellant was appointed as PST vide appointment order dated 05-03-2016 on ad hoc /temporary basis for a period of one year.
2. Para- 2 of the facts is correct that regularization Act 2017 was promulgated for the employees of the Elementary & Secondary Education Department.
3. Para-3 of the facts is also correct, need no further comments.

4. Para-4 of the facts is correct, furthermore, as per advertisement in the year 2015, the appellant was appointed as PST vide appointment order dated 05-03-2016 having marks/merit 100.91, while after promulgation of the regularization Act 2017, for the employees of the E&SE Department, he has been placed in the seniority list accordingly as per section 17 (Part-vi) Seniority of the Khyber Pakhtunkhwa civil servants (Appointment, promotion, and transfer) rules 1989.

("Part-vi) Seniority.

17. Seniority. --- (1) the seniority inters se of civil servants [appointed to a service, cadre or post] shall be determined. ----

(a) In the case of persons appointed by initial recruitments, in accordance with the order of merit assigned by the commission [or, as the case may be, the Departmental selection committee;].)

Thus, as per the rules *ibid*, the appellant has been placed in his right position in the seniority list. **(copy of the relevant page of the APT Rules 1989 is attached as "A", Copy of the appointment order dated 05-03-2016 is attached as "B", Copy of the regularization Act 2017 is attached as "C", Copy of the regularization order dated 21-03-2018 is attached as "D").**

5. Para-5 of the facts is correct that the appellant has been placed in the seniority list on the basis of the merit as per section 17 (Part-vi) Seniority of the Khyber Pakhtunkhwa civil servants (Appointment, promotion, and transfer) rules 1989. Furthermore, terms and condition No.9 of the regularization notification dated 21-03-2018, as for those candidates whose are having same merit position in their first appointment order.

6. Para- 6 of the facts needs no comments.

7. Para-7 of the facts pertains to record.

8. Para-8 of the facts needs no comments.

GROUND.

A) In correct, hence denied. The respondent always follows rules and policies in letter and spirit, whereas the seniority list *ibid* has been determined on the basis of the merit as per section 17 (Part-vi) Seniority of the Khyber Pakhtunkhwa civil servants (Appointment, promotion, and transfer) rules 1989.

B) Incorrect, hence denied. The appellants have been treated as per law and rules.

C) Incorrect, details have been submitted in the facts above.

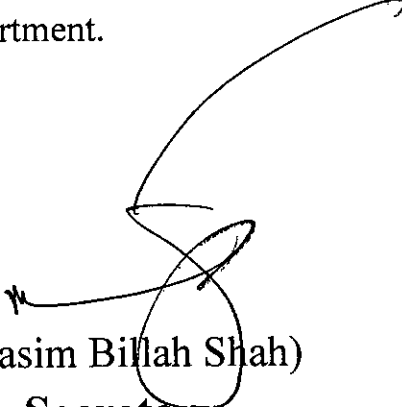
D) Correct, the appellant has been placed in the seniority list as per rules.



E) Incorrect, details have been submitted in the facts above.

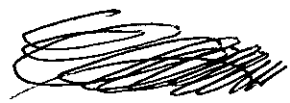
F) Legal, however the respondents also seek permission for additional grounds during arguments.

PRAYER.

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


(Motasim Billah Shah)
Secretary,
E&SE Peshawar
Respondent No. 1


(Ms. Samina Altaf)
Director,
E&SE Peshawar
Respondent No.2



(Abdur Rahman)
District Education officer (M)
District Dir Upper
Respondent No. 3

BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR.

Service Appeal No. 2369/2023

Mr. Noor Ullah, PST BPS-12, GPS Razagai, District Dir Upper
..... (Appellant)

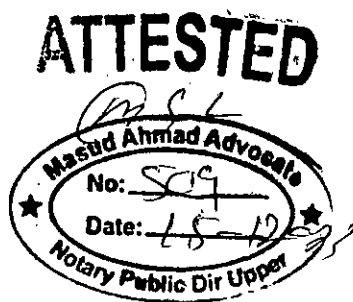
Versus

1. Secretary of Elementary & Secondary Education Department, Government of Khyber Pakhtunkhwa Peshawar.
2. Director, Elementary and secondary Education Government of Khyber Pakhtunkhwa Peshawar.
3. District Education Officer (M) Dir Upper.

(Respondents)

Affidavit

I, Mr. Abdur Rahman District Education Officer
District Dir Upper do hereby solemnly affirm & declare on oath that the whole contents of the instant para wise Comments are true & correct to the best of my knowledge and belief. It is further stated on oath that in this appeal the answering Respondents have neither been placed Ex-Party nor their defense has been struck off/ cost.



Deponent

BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR.

Service Appeal No. 2369/2023

Mr. Noor Ullah, PST BPS-12, GPS Razagai, District Dir Upper
..... (Appellant)

Versus

1. Secretary of Elementary & Secondary Education Department, Government of Khyber Pakhtunkhwa Peshawar.
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3. District Education Officer (M) Dir Upper.

(Respondents)

AUTHORITY LETTER

I, Mr. Abdur Rahman District Education Officer District Dir Upper do hereby authorized Mr. Syed Alamzeb Shah Assistant Litigation Officer of this office for submission of Joint Para wise comments in Service Appeal No. 2369/2023

Case Titled: Noor Ullah, PST BPS-12, GPS Razagai, District Dir Upper Vs Government of Khyber Pakhtunkhwa & others fixed for hearing on 22-12-2023, hence, an authority letter is hereby issued in favor of the above-named officer.



(Abdur Rahman)
District Education officer (M)
District Dir Upper
Respondent No. 3

17. Seniority.---(1) The seniority inter se of civil servants ¹[appointed to a service, cadre or post] shall be determined.--

- (a) In the case of persons appointed by initial recruitment, in accordance with the order of merit assigned by the Commission ²[or, as the case may be, the Departmental Selection Committee;] provided that persons selected for appointment to post in an earlier selection shall rank senior to the persons selected in a later selection; and
- (b) In the case of civil servants appointed otherwise, with reference to the dates of their continuous regular appointment in the post; provided that civil servants selected for promotion to a higher post in one batch shall, on their promotion to the higher post, retain their inter se seniority as in the lower post.

Explanation-I.---If a junior person in a lower post is promoted to a higher post temporarily in the public interest, even though continuing later permanently in the higher post, it would not adversely effect the interest of his seniors in fixation of his seniority in the higher post.

Explanation-II.---If a junior person in a lower post is promoted to a higher post by superseding a senior person and subsequently that senior person is also promoted the person promoted first shall rank senior to the person promoted subsequently; provided that junior person shall not be deemed to have superseded a senior person if the case of the senior person is deferred for the time being for want of certain information or for incompleteness of record or for any other reason not attributing to his fault or demerit.

Explanation-III.---A junior person shall be deemed to have superseded a senior person only if both the junior and the senior persons were considered for the higher post and the junior person was appointed in preference to the senior person.

(2) Seniority in various cadres of civil servants appointed by initial recruitment vis-a-viz those appointed otherwise shall be determined with reference to the dates of their regular appointment to a post in that cadre; provided that if two dates are the same, the person appointed otherwise shall rank senior to the person appointed by initial recruitment.

³[(3) In the event of merger/restructuring of the departments, attached departments or subordinate Offices, the inter se seniority of civil servants affected by the merger / restructuring as aforesaid shall be determined in accordance with the date of their regular appointment to a cadre or post.]

18. General Rules.---In all matters not expressly provided for in these rules, civil servants shall be governed by such rules as have been or may hereafter be prescribed by Government and made applicable to them.

19. Repeal.---The Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1975, are hereby repealed.

-
1. Substituted for the words "appointment to post in the same Basic Pay Scale in a cadre" by Notification No. SOR.I(S&GAD)4-1/80, dated 17-05-1989.
 2. Inserted by Notification No. SORI(S&GAD)4-1/80(V.II), dated 04-02-1996.
 3. Added by Notification No. SOR-I(E&AD)4-1/80 (Vol. IV),, dated 28-05-2002.

Attested


(B)



**OFFICE OF THE DISTRICT EDUCATION OFFICER
MALE DIR UPPER**

PH No. 0344-581400 FAX-0344-239411 e-mail: demsdlupper@gn

OFFICE ORDER

Consequent upon the recommendation of the Departmental Promotion Committee appointment of the following candidates are hereby ordered against the post of Primary School Teachers (PST) Male Wards / School based in BPS-12 (Rs.9055 -650 -2855 Rs. 9055 / - fixed plus usual allowances as admissible under the rules on adhoc basis under the existing policy of the Provincial Government, in Teaching Cadre on the basis and condition given below with effect from the date of taking over charge :-

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

TERMS & CONDITIONS:-

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

Attended
[Signature]

-7-

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

Endst: No. 264-67 / File No. 03C/PST/Apptt:2016 NTS / DEO(M)/ADK-22 Dated Dir (U) the 05/03/2016.

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

[Signature]
District Education Officer
Male dir Upper

[Signature]

**THE KHYBER PAKHTUNKHWA EMPLOYEES OF THE ELEMENTARY AND
SECONDARY EDUCATION DEPARTMENT (APPOINTMENT AND
REGULARIZATION OF SERVICES) ACT, 2017.**

(KHYBER PAKHTUNKHWA ACT NO. 1 OF 2018)

*(First published after having received the assent of the Governor of
the Khyber Pakhtunkhwa in the Gazette of Khyber Pakhtunkhwa,
(Extraordinary), dated the 8th January, 2018).*

**AN
ACT**

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

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

It is hereby enacted as follows:


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

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

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

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

- (a) "Commission" means the Khyber Pakhtunkhwa Public Service Commission;
- (b) "contract appointment" means appointment of a duly qualified person for a specific period made otherwise than in accordance with the prescribed method of recruitment;
- (c) "employees" mean duly qualified persons.-

Plotted


- (i) who are appointed as teachers on adhoc or contract basis by the Government after 2013 through National Testing Service but does not include the teachers engaged on work charge basis or who are paid out of contingencies;
 - (ii) who are appointed in the projects on contract basis in accordance with the project policy; and
 - (iii) who are appointed as Junior Clerk in the Elementary and Secondary Education Department by Government after 2013 through National Testing Service;
- (d) "Government" means the Government of the Khyber Pakhtunkhwa;
- (e) "law or rule" means the law or rule for the time being in force governing the selection and appointment of civil servants;
- (f) "project" means,-
- (i) IT/Computer Teachers in Computer Labs Projects in Khyber Pakhtunkhwa (Phase-II);
 - (ii) establishment of five hundreds (500) IT Labs in Government High and Secondary Schools in Khyber Pakhtunkhwa; and
 - (iii) establishment of five hundreds (500) IT Labs in Government High Schools in Khyber Pakhtunkhwa (Phase-III); and
- (g) "teacher" means a teacher of primary, middle, secondary or higher secondary school.


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

3. Regularization of services of employees. - (1) Notwithstanding anything contained in any other law or rules, the employees, who hold posts till the commencement of this Act [or till 30th June 2017, in respect of the project as mentioned in sub-clause (i) of clause (f) of sub-section (1) of section 2 of this Act, as the case may be], shall be deemed to have been validly appointed on regular basis from the day of the **initial appointment**; provided that-

- (i) they possess the same qualification and experience required for a regular post;

¹ Inserted vide Khyber Pakhtunkhwa Act No. II of 2019.

Attested



- (ii) they have not resigned from their services or terminated from services on account of misconduct, inefficiency or any other ground, before the commencement of this Act¹[:]

²[Provided that expiry of the project as mentioned in sub-clause (i) of clause (f) of sub-section (1) of section 2 of this Act, shall not be deemed a ground for non-appointment of an employee on regular basis under this Act; and]

- (iii) the service promotion quota of all service cadres shall not be affected.

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

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


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

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

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

¹ Replaced vide Khyber Pakhtunkhwa Act No. 11 of 2019.

² Inserted vide Khyber-Pakhtunkhwa Act No. 11 of 2019.

Attested


(6)

**OFFICE OF THE DISTRICT EDUCATION OFFICER
(MALE) UPPER DIR**

PH No. 0944-881400-Fax-881400 E-mail_dcomdirupper@gmail.com

NOTIFICATION

In pursuance of Khyber Pakhtunkhwa Employees of the Elementary & Secondary Education Appointment & Regularization of Services Act, 2017 (Khyber Pakhtunkhwa Act no.1 of 2018) & Elementary & Secondary Education Department Notification No.SO(S/F)P&SEED/3-2/2018/S/17/Contract Dated 16/02/2018 Services of the following (427) Primary School Teachers of Sub-Division Wari, Dir Upper appointed w.e.f. (03-05-2014 to 23-06-2017) through NTS on adhoc/contract basis, are hereby regularized in BPS-12, on terms and condition given below with effect from the date of their 1st appointment as per details given against each, in the interest of public service.

S No	Roll No.	Name	Address	U/C	Total Marks /200	Name of School	App. Order No	Period	Date of taking over Charge	Extension Order No & Date
1	3560103	Sahibullah Akbar	V. Chopper	Chopper	132.8	GPS Chopper	8572-79	03/05/2014	03/05/2014	1868-74.30.04.2015
2	3560103	Sahibullah Akbar	V. Chopper	Chopper	175.6	GPS Kassi Chopper	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
3	3560102	Asghar Ali Nasir	V. Nasir Abad	Chopper	116.62	GPS Gul Shah	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
4	3560102	Asghar Ali Nasir	V. Nasir Abad	Chopper	113.24	GPS Dheral Chopper	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
5	3560112	Mahmud Akbar	V. Maha Kassi	Distlower	112.95	GPS Dheral	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
6	3560273	Kabirullah	V. Haba	Chopper	112.58	GPS Nasir Abad	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
7	3560202	Mahmud Akbar	V. Charknom UK	Distlower	112.65	GPS Charknom UK	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
8	3560203	Malaytullah	V. Kokad	Wari	111.62	GPS Farqal	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
9	3560247	Sajid Ali Sali	V. Wari	Distlower	111	GPS Dheral K Khell	270.75	03/05/2014	04/05/2014	1868-74.30.04.2015
10	3560608	Mahmud Akbar	V. Nasir Abad	Chopper	108.35	GPS Jalir No 01	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
11	3560731	Muhammad Akbar	VIR, Islamabad Akhgram	Akhgram	104	GPS Akhgram Hala	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
12	3560729	Wasimullah	V. Jalir	Chopper	103.78	GPS Shalkanal No 02	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
13	3560732	Sirajud Din	V. Jalir	Chopper	103.19	GPS Sunjal	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
14	3560309	Saffud Din	V. Sahib Abad	Distlower	103	GPS Distlower	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
15	3560617	Mukhtyar Ali	V. Nasir abad	Chopper	102.43	GPS Shalkanal No 02	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
16	3560133	Inamullah	V. Shahkant	Chopper	99.9	GPS Umarant	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
17	791700292	Qaribullah	V. Jughlani	Distlower	91.92	GPS Dheral K Khell	270.75	03/05/2014	04/05/2014	1868-74.30.04.2015
18	792303486	Amir Sult	V. Jekal Darara	Distlower	88.89	GPS Jekal	270.75	03/05/2014	04/05/2014	1868-74.30.04.2015
19	7935000466	Zoufiah	V. Jughlani	Distlower	84.68	GPS Dheral K Khell	3248-56	03/05/2017	04/05/2017	1578-82.03-05-2016
20	791700596	Amanullah Muhammad Nisar	V. Kasi Banda	Kotkal	133.45	GPS Gandat	968-75	12/03/2015	13/03/2015	1578-82.03-05-2016
21	451700609	Muhammad Nisar	V. Karbadal	Nehag	124.22	GPS Shalkaha	968-75	12/03/2015	13/03/2015	1578-82.03-05-2016
22	791703830	Alamgir Khan Mujahid Hussain	V. Distlower	Distlower	117	GPS Distlower	968-75	12/03/2015	13/03/2015	1578-82.03-05-2016
23	791700502	Mujahid Hussain	V. Kut Malagapur	Distlower	110	GPS Kut Malagapur	968-75	12/03/2015	13/03/2015	1578-82.03-05-2016
24	891700855	AN Akbar	VIR, Pashia	Akhgram	109.74	GPS Pashia	968-75	12/03/2015	13/03/2015	1578-82.03-05-2016

ADO (P) Establishment

No	791700511	Muhammad Wahid	V. Saper	Wahid	106.15	GPS	127-06	05/03/2016	06/03/2016	1275-79
60	791700511	Egi Galaman	V. Saper	Wahid	106.15	GPS	127-06	05/03/2016	06/03/2016	1275-79
61	791700512	Kukuh PAB	V. Kambur	Chapper	106.15	GPS	127-06	05/03/2016	06/03/2016	1275-79
62	791700513	Muhammad Wahid	V. Kambur	Chapper	106.15	GPS	127-06	05/03/2016	06/03/2016	1275-79
63	791700514	Shah Khado	V. Sholih	Nehag	106.12	GPS	127-06	05/03/2016	06/03/2016	1275-79
64	791700515	Abdul Hadi	V. Sholih	Nehag	106.12	GPS	127-06	05/03/2016	06/03/2016	1275-79
65	791700516	Shah Hussain Hamyuan Khan	V. Sholih	Sunda	106.12	GPS	127-06	05/03/2016	06/03/2016	1275-79
66	791700517	Asyrafullah Ibrahim	V. Seris Khele	Kotkal	106.12	GPS	127-06	05/03/2016	06/03/2016	1275-79
67	791700518	Muhammad Wahid	V. Nasir Abad	Chapper	106.12	GPS	127-06	05/03/2016	06/03/2016	1275-79
68	791700519	Muhammad Wahid	V. Nasir Abad	Chapper	106.12	GPS	127-06	05/03/2016	06/03/2016	1275-79
69	791700520	Muhammad Wahid	V. Nasir Abad	Chapper	106.12	GPS	127-06	05/03/2016	06/03/2016	1275-79
70	791700521	Muhammad Wahid	V. Nasir Abad	Chapper	106.12	GPS	127-06	05/03/2016	06/03/2016	1275-79
71	791700522	Muhammad Wahid	V. Nasir Abad	Chapper	106.12	GPS	127-06	05/03/2016	06/03/2016	1275-79
72	791700523	Muhammad Wahid	V. Nasir Abad	Chapper	106.12	GPS	127-06	05/03/2016	06/03/2016	1275-79
73	791700524	Muhammad Wahid	V. Nasir Abad	Chapper	106.12	GPS	127-06	05/03/2016	06/03/2016	1275-79
74	791700525	Muhammad Wahid	V. Nasir Abad	Chapper	106.12	GPS	127-06	05/03/2016	06/03/2016	1275-79
75	791700526	Muhammad Wahid	V. Nasir Abad	Chapper	106.12	GPS	127-06	05/03/2016	06/03/2016	1275-79
76	791700527	Muhammad Wahid	V. Nasir Abad	Chapper	106.12	GPS	127-06	05/03/2016	06/03/2016	1275-79
77	791700528	Muhammad Wahid	V. Nasir Abad	Chapper	106.12	GPS	127-06	05/03/2016	06/03/2016	1275-79
78	791700529	Muhammad Wahid	V. Nasir Abad	Chapper	106.12	GPS	127-06	05/03/2016	06/03/2016	1275-79
79	791700530	Muhammad Wahid	V. Nasir Abad	Chapper	106.12	GPS	127-06	05/03/2016	06/03/2016	1275-79
80	791700531	Muhammad Wahid	V. Nasir Abad	Chapper	106.12	GPS	127-06	05/03/2016	06/03/2016	1275-79
81	791700532	Muhammad Wahid	V. Nasir Abad	Chapper	106.12	GPS	127-06	05/03/2016	06/03/2016	1275-79
82	791700533	Muhammad Wahid	V. Nasir Abad	Chapper	106.12	GPS	127-06	05/03/2016	06/03/2016	1275-79
83	791700534	Muhammad Wahid	V. Nasir Abad	Chapper	106.12	GPS	127-06	05/03/2016	06/03/2016	1275-79
84	791700535	Muhammad Wahid	V. Nasir Abad	Chapper	106.12	GPS	127-06	05/03/2016	06/03/2016	1275-79
85	791700536	Muhammad Wahid	V. Nasir Abad	Chapper	106.12	GPS	127-06	05/03/2016	06/03/2016	1275-79
86	791700537	Muhammad Wahid	V. Nasir Abad	Chapper	106.12	GPS	127-06	05/03/2016	06/03/2016	1275-79
87	791700538	Muhammad Wahid	V. Nasir Abad	Chapper	106.12	GPS	127-06	05/03/2016	06/03/2016	1275-79
88	791700539	Muhammad Wahid	V. Nasir Abad	Chapper	106.12	GPS	127-06	05/03/2016	06/03/2016	1275-79
89	791700540	Muhammad Wahid	V. Nasir Abad	Chapper	106.12	GPS	127-06	05/03/2016	06/03/2016	1275-79
90	791700541	Muhammad Wahid	V. Nasir Abad	Chapper	106.12	GPS	127-06	05/03/2016	06/03/2016	1275-79
91	791700542	Muhammad Wahid	V. Nasir Abad	Chapper	106.12	GPS	127-06	05/03/2016	06/03/2016	1275-79
92	791700543	Muhammad Wahid	V. Nasir Abad	Chapper	106.12	GPS	127-06	05/03/2016	06/03/2016	1275-79

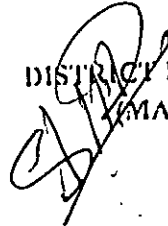
ADD (P) Establishment

(Handwritten signatures)

Terms & Condition

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

Attested


ABDUL HAQ
DISTRICT EDUCATION OFFICER
(MALE) UPPER DIR

-15-


REG (2023) Regularisation Order


Encl: No. 15447 SDEO (M) YAOO (P) LTD.

Dated 21/11/2023

Copy forwarded to the

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


DISTRICT EDUCATION OFFICER
(MALE) UPPER DIR

Attested


ADO (P) Establishment