

BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR.

Service Appeal No. 2380/2023

Mr. Yousaf Khan, PST BPS-12, GPS Abid Khan, 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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4	copy of the relevant page of the APT Rules 1989 is attached is as	A	
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. 2380/2023

Mr. Yousaf Khan, PST BPS-12, GPS Abid Khan, District Dir Upper
..... (Appellant)

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 10269

Dated 3-1-2024

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 99.23, 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.

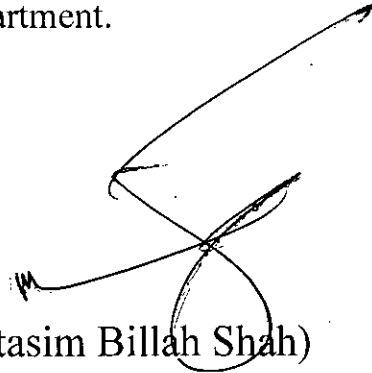
D) Correct, the appellant has been placed in the seniority list as per rules.

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

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

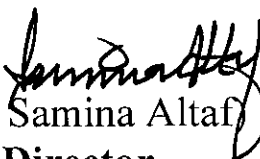
PRAYER.

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
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..... (Appellant)

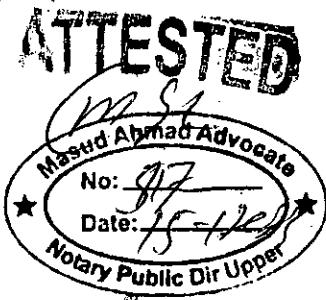
Versus

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. 2380/2023

Mr. Yousaf Khan, PST BPS-12, GPS Abid Khan, District Dir Upper
..... (Appellant)

Versus

1. Secretary of Elementary & Secondary Education Department, Government of Khyber Pakhtunkhwa Peshawar.
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(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. 2380/2023

Case Titled: Yousaf Khan, PST BPS-12, GPS Abid Khan, 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.

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- 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. 0542-891400 FAX-0542-830411. email- demsdirupper@gmail.com

OFFENSE 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 -28555) @ 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 terms and condition given below with effect from the date of taking over charge :-

S.#	Name	Father's Name	Merit	Ward/ U.C	Place of Posting
1	RAJWAN ULLAH	GHANI RAHMAN	122.70	BANDAI WARI	GPS Sorai Nohag
2	MUJARRAK ZEO	MUHAMMAD AYAZ	115.43	BANDAI WARI	GPS Bagani
3	MUHAMMAD AYAZ	MUHAMMAD HAROON	115.24	BANDAI WARI	GPS Kandow Mackari
4	IFTIKHAR AHMAD	MUHAMMAD SHERIN	111.05	BANDAI WARI	GMPS Badnail
5	SAID ZAMAN	SHAHMAD ROZ	110.49	BANDAI WARI	GPS Korbatan
6	RUHDOLLAH	MUHAMMAD IQBAL	107.02	BANDAI WARI	GPS Malar No-2
7	MUHAMMAD ISHAQ	SHAH NAWZ KHAN	107.07	BANDAI WARI	GPS Ari Manzal
8	SHAH HUSSAIN	BACHA AMIN	106.12	BANDAI WARI	GPS Shawkanal
9	IKRAM UDDIN	ABDUL BASHIR	104.39	BANDAI WARI	GPS Malar No-2
10	SHAH HUSSAIN	AHMAD RAHIM	102.46	BANDAI WARI	GPS Dular
11	JANZADA	SHAH MAZOL	101.13	BANDAI WARI	GPS Bagani
12	KHAISTAWAR KHAN	AMIR QAD KHAN	100.55	BANDAI WARI	GPS Malar
13	YOUSAF KHAN	MAHMOOD	99.23	BANDAI WARI	GPS Abki Khan
14	LAI ZADA	LABIR KHAN	95.32	BANDAI WARI	GPS Malar
15	GUL SHAD ALI	SHER ZADA	93.23	BANDAI WARI	GMPS Kankal Dular
16	SAID QAHR	MIAN GUL RAHMAN	93.41	BANDAI WARI	GPS Dular
17	IJAZ UL HAQ	RAHMAT AMIN	92.92	BANDAI WARI	GPS Badnail Payoon
18	DWAKHAN	AKBAR KHAN	92.11	BANDAI WARI	GPS Jehangiro
19	MUHAMMAD IMRAN	ABDUL HALEEM	91.93	BANDAI WARI	GPS Dabara
20	HASHMAT ALI	WASIT KHAN	90.95	BANDAI WARI	GPS Badnail Bala
21	SAEED ULLAH	HAZRAT JAMAL	90.39	BANDAI WARI	GPS Sorai Nohag
22	SHAH ANWAR KHAN	KHAN BASHAH	88.05	BANDAI WARI	GPS Sorai Nohag
23	AYAZ MUHAMMAD	KHAISTA MUHAMMAD	87.91	BANDAI WARI	GMPS Azad Khall
24	ZIA ULLAH	SYED AHMAD BACHA	87.6	BANDAI WARI	GPS Badnail Payoon
25	INAM ULLAH	AMINULLAH	86.09	BANDAI WARI	GPS Badnail Bala
26	RAFIQ	SHAHMIR	86.02	BANDAI WARI	GPS Sorai Nohag
27	SAMI ULLAH	MOHAMMAD IQBAL	85.76	BANDAI WARI	GPS Malar No-2
28	HABIBUR RAHMAN	AKBAR ZADA	84.52	BANDAI WARI	GPS Mackari
29	MUHAMMAD ISHAQ	GUL MUHAMMAD	84.16	BANDAI WARI	GPS Shawkanal
30	UMAR AYAZ	MUHAMMAD AMIN	83.96	BANDAI WARI	GPS Gochali
31	AMIR NAWAZ	GUL ZAMAN	83.89	BANDAI WARI	GPS Jehangiro
32	MUHAMMAD ZEB	FRID KHAN	83.10	BANDAI WARI	GPS Bandai Payoon

TERMS & CONDITIONS:-

- NO TA/DA is allowed.
- Charge reports should be submitted to all concerned in duplicate.
- Appointment is purely on temporary basis initially for one year.
- They should not be handed over charge if they exceed 25 years or below 18 years of age.
- 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.
- 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.
- Pay will not be made until and unless a certificate from the concerned authority is issued as his certificates are verified.
- 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.

Attested



Cont: Page No.2

7-

ment will be made so then before making verification from concerned
Julians:
ic errors and omissions etc if found at any stage shall be rectified. In cas of termination
of Said Candidate, he will have no right to claim the order already issued in any court.

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

File No. 2017/PSI/Upper 2016 NIS /DEO(MI/ADU(U) Dated Dir (U) the 05/03/2016.

Copy forwarded for information and necessary action to the:-

- 1/ Director of Elementary & Secondary Education Khyber Pakhtunkhwa Peshwar.
- 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

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District Education Officer,
Male dir Upper

Attested
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(C)

**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.-

Attested



- (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 Act¹ [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. II of 2019.

² Inserted vide Khyber Pakhtunkhwa Act No. II of 2019.

Attested


(63)



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

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



NOTIFICATION

In pursuance of Khyber Pakhtunkhwa Employees of the Elementary & Secondary Education Appointment & Regularization of Services Act, 2017 (Khyber Pakhtunkhwa Act no.1 of 2018), & Elementary & Secondary Education Department Notification No. SO(S/P)P&S/110/3-2/2018/S/11/Contract Dated: 16/02/2018. Services of the following (427) Primary School Teachers of Sub-Division Wari, Dir Upper appointed w.e.f. (03-05-2014 to 23-06-2017) through NTS on adhoc/contract basis, are hereby regularized in BPS-12, on terms and condition given below with effect from the date of their 1st appointment as per details given against each, in the interest of public service.

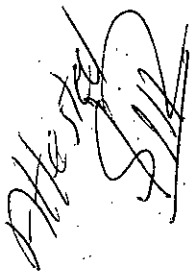
S NO	Roll No.	Name	Address	U/C	Total Marks /100	Name of School	App. Order No	Dated	Date of Taking over Charge	Extension Order No & Date
1	3560360	Sayyidullah Anwar	V; Chappor	Chappor	130.8	GPS Chappor	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
2	3560202	Saleem	V; Chappor	Chappor	125.6	GPS Kass Chappor	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
3	3560382	Asghar Ali Zair	V; Nasir Abud	Chappor	116.62	GPS Gul Shul Dhorul	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
4	3560913	Habibullah Abud	V; Nasir Abud	Chappor	113.24	GPS Dhorul Chappor	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
5	3560512	Habibullah	V; Mcha Kass	Distlower	112.95	GPS Dhorul	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
6	3560273	Khalidullah	V; Haba	Chappor	112.68	GPS Nasir Abud	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
7	3560702	Hafizullah	V; Charkoom BK	Distlower	112.65	CHAIKUM P	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
8	3560203	Hafizullah	V; Kalad	Wari	111.62	GPS Targul	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
9	3560847	Sajid Ali Sali	V; Wari	Distlower	111	GPS Dhorul K Khell	270-75	03/05/2014	04/05/2014	1868-74.30.04.2015
10	356068	Habibullah	V; Nasir Abud	Chappor	108.35	GPS Jelar Nu 01	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
11	3560731	Muhammad Hussain	V; Islamabad Akhgram	Akhgram	104	GPS Akhgram Itula	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
12	3560729	Wasimullah	V; Jelar	Chappor	103.78	GPS Shakranal Nu 02	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
13	3560732	Sirajud Din	V; Jelar	Chappor	103.19	GPS Saranal	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
14	3560309	Saliud Din	V; Subul Abud	Distlower	103	GPS Distlower	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
15	3560647	Muhsin Ali	V; Nasir abud	Chappor	102.43	GPS Shakranal Nu 02	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
16	3560133	Hussain	V; Shahkrist	Chappor	99.9	GPS Umarikul	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
17	791700292	Qasimullah	V; Jughabanj	Distlower	91.92	GPS Dhorul K Khell	270-75	03/05/2014	04/05/2014	1868-74.30.04.2015
18	702300486	Anwar Said	V; Jekal Durara	Distlower	88.89	GPS Jekal	270-75	03/05/2014	04/05/2014	1868-74.30.04.2015
19	7935000466	Zamirullah	V; Jughabanj	Distlower	84.68	GPS Dhorul K Khell	3248-56	03/05/2017	04/05/2017	1578-82.03-05-2016
20	791700596	Amranullah	V; Kass Usada	Kotkal	133.45	GPS Gairdal	968-75	12/03/2015	13/03/2015	1578-82.03-05-2016
21	451700609	Muhammad Nisar	V; Ka. Badal	Nethaji	124.22	GPS Shohaha	968-75	12/03/2015	13/03/2015	1578-82.03-05-2016
22	791700830	Muhammad Khan	V; Distlower	Distlower	117	GPS Distlower	968-75	12/03/2015	13/03/2015	1578-82.03-05-2016
23	791700502	Muhammad Hussain	V; Kot Malapujar	Distlower	110	GPS Kul Malapujar	968-75	12/03/2015	13/03/2015	1578-82.03-05-2016
24	891700855	Ab Akbar	V; Pashitu	Akhgram	109.74	GPS Pashitu	968-75	12/03/2015	13/03/2015	1578-82.03-05-2016

ADO (P) Establishment

Terms & Condition

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

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



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PST (NTS) Regularization Order

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

Dated 2/13 /2018

Copy forwarded to the

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


DISTRICT EDUCATION OFFICER
(MALE) UPPER DIR

