

BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR.

Service Appeal No. 2405/2023

Mr. Ihsan Ullah, PST BPS-12, GPS Khando Kass, 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. 2405/2023

Mr. Ihsan Ullah, PST BPS-12, GPS Khando Kass, District Dir Upper
..... (Appellant)

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 10297

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 93.16, 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.

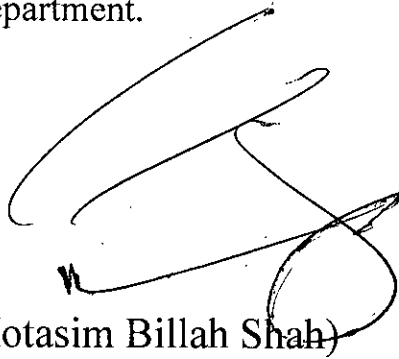
A) In correct, hence denied. The respondent always follows rules and policies in letter and spirit, whereas the seniority list *ibid* has been determined on the basis of the merit as per section 17 (Part-vi) Seniority of the Khyber Pakhtunkhwa civil servants (Appointment, promotion, and transfer) rules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

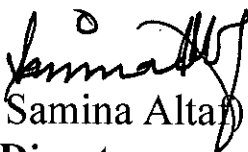
PRAYER.

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. 2405/2023

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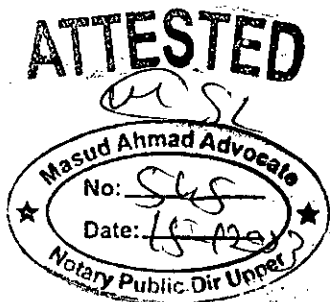
Versus

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. 2405/2023

Mr. Ihsan Ullah, PST BPS-12, GPS Khando Kass, 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)

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. 2405/2023

Case Titled: Ihsan Ullah, PST BPS-12, GPS Khando Kass, 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. SOR.I(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)

"A"

-6-



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

PH No.0944-881400 FAX-0944-880411- email- demsdirupper@gmail.com

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 -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 Post
1	SHAKIR ULLAH	GHULAM RAHMAN	119.42	CHUKYATIN	GPS QALA CHUKIATAN
2	HABIB ULLAH KHAN	FAIZUR RAHMAN	113.75	CHUKYATIN	GPS ALA PAYEEN
3	HAIRAN HILALI	AZIZUR RAHMAN	107.61	CHUKYATIN	GPS JABALOK
4	HABIB ULLAH	BARAKAT KHAN	101.13	CHUKYATIN	GPS AZIM ABAD
5	MUHAMMAD SADIQ	SAR ZAMIN KHAN	101.21	CHUKYATIN	GPS CHUKIATAN
6	HALEEM HILALI	AMIR KHAN	96.34	CHUKYATIN	GPS NAWO
7	AUDUL HAMEED	AMINUL MULIK	95.99	CHUKYATIN	GPS KOTKAI CHUKIATAN
8	HANISAN ULLAH	HABIBUR RAHMAN	93.16	CHUKYATIN	GPS GIRGAT
9	ATA ULLAH	KHAISTA MOHAMMAD	92.51	CHUKYATIN	GPS KHANDO KASS
10	AFTAKHAR UDDIN	HABIBULLAH	91.65	CHUKYATIN	GPS HAYAGAI GHAI
11	AYANUDDIN	SHER RAHMAN	90.91	CHUKYATIN	GPS KASSONO
12	ISMAN ALI	SAID ARIF KHAN	90.51	CHUKYATIN	GPS GIRGAT
13	SLAM BADSHAH	ZARIEF KHAN	90.26	CHUKYATIN	GPS HAYAGAI SHAH
14	HASANULLAH	RAHMAT JAN	85.17	CHUKYATIN	GPS KHANDO KASS
15	ARMAN ULLAH	ABDUL GHAFAR	83.81	CHUKYATIN	GPS HAYAGAI SHAH
16	JEHANGIR KHAN	NIAZ MUHAMMAD	83.35	CHUKYATIN	GPS HAYAGAI SHAH

TERMS & CONDITIONS:

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

Attested

-7-

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

File No. 03C/PST/App/11:2016 ATS /DEO(M)/ADO(P) Dated 01/01/2016

Copy furnished for information and necessary action to the:-
Director of Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
District Accounts Officer Dir Upper
District Education Officer Male Dir Upper.
Sub: Divisional Education Officer Male Dir and Weri.
Official Concerned.
1 file

District Education Officer,
Male Dir Upper

Attached
S.M.

(B)

"A" -6-

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MALE DIR UPPER**
PH No.0944-881400 FAX-0944-880411- email- dcmsdirupper@gmail.com

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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. His services shall be terminated at any time, in case of his performance is found unsatisfactory during his probation period. In case of misconduct, he will be proceeded under the rules.
12. His appointment is made on School based. He will have to serve at the place of posting, and his service is not transferable to any other station.
13. Before handing over charge once again their document may be checked if they having no required qualifications they may not be handed over charge.
14. No payment will be made so then before making verification from concerned institutions.
15. The errors and omissions etc if found at any stage shall be rectified. In case of termination, if any error is found in the appointment documents issued in any court,

Attested
SHP

Cont. Page No. 2

-7-

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

File No. 03C/PST/APP/11:2016 NTS /DEO(M)/ADO(P) Dated 21/01/2016

Copy furnished for information and necessary action to the:-
Director of Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
District Accounts Officer Dir Upper
Dist District Education Officer Male Dir Upper.
Sub: Divisional Education Officer Male Dir and Weri.
Official Concerned
File

District Education Officer,
Male Dir Upper

Attended
S. H.

**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


(60)



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 Pukhtunkhawa Employees of the Elementary & Secondary Education Appointment & Regularization of Services Act, 2017 (Khyber Pukhtunkhawa Act no.1 of 2018) & Elementary & Secondary Education Department Notification No SO(S/1)E.&SE/D/3-2/2018/SITT/Contract Dated: 16/02/2018. Services of the following (379) Primary School Teachers of Sub-Division Dir Upper Dir 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.	NTS Roll No.	Name	Address/UC	Total Marks/200	Name of School	App Order No & Date	Date of Taking over charge	Exemption Order No & Date
1	3560126	SHERYAR KHAN	JABBAR	104.04	GPS GAMSER	8572-79 3/5/14	04-05-14	1079-41 28/5/2017
2	3560148	BARSIAH SAID	BIBYAWAR	117.16	GPS TALO	8572-79 3/5/2014	05-05-14	1079-41 28/5/2017
3	3560538	HIDAYATULLAH	CHUKIATAN	103.29	GMPS JABALOOK	8572-79 3/5/2014	05-05-14	2795-2807 19/4/2017
4	3560537	ASAD ALI SHAH	DARORA	113.84	GPS CHUMRA BALA	8572-79 3/5/2014	05-05-14	2795-2807 19/4/2017
5	3560205	KHALILUR RAHMAN	DARORA	112.95	GMPS WALI KHAN KANDOW	8572-79 3/5/2014	05-05-14	2795-2807 19/4/2017
6	3560005	SALIM RAWAN	GANORI	104.57	GPS KARDORAI	8572-79 3/5/2014	05-05-14	2795-2807 19/4/2017
7	4532101221	MUHAMMAD HASSAN	GANORI	107.35	GPS SORU PAW	8572-79 3/5/2014	05-05-14	3987-91 14/5/2017
8	3560517	SYED MAIROOF JAN	GANORI	105.93	GPS AYURAI	8572-79 3/5/2014	05-05-14	3987-91 14/5/2017
9	3560690	SYED USMAN JAN	GANORI	103.05	GPS PACHA KALEY	8572-79 3/5/2014	05-05-14	2795-2807 19/4/2017
10	3560134	SYED RAHIM	GANORI	105.48	GPS DHERI HATTAN	8572-79 3/5/2014	05-05-14	1782-87 24/5/2016
11	356042	WALIULLAH	GANORI	112.86	GPS ZULAMKOT	8572-79 3/5/2014	05-05-14	2795-2807 19/4/2017
12	3560303	JALALUD DIN	JABBAR	116.12	GPS DAM JABBAR	8572-79 3/5/2014	05-05-14	2795-2807 19/4/2017
13	3560102	IRFANULLAH	JABBAR	107.51	GPS GAMSEER	8572-79 3/5/2014	05-05-14	2795-2807 19/4/2017
14	7932000877	IKRAMULLAH	JABBAR	106.48	GPS GAMSEER	8572-79 3/5/2014	05-05-14	2795-2807 19/4/2017
15	3560106	HAJMULLAH	JABBAR	100.93	GPS GAMSEER	8572-79 3/5/2014	05-05-14	1079-41 28/5/2017
16	3560015	ABDULLAH LATIF	JABBAR	106.76	GPS NISWAN BANDA	8572-79 3/5/2014	05-05-14	4324-46 6/5/2017
17	3560164	ABDULLAH	JABBAR	104.28	GPS KANDUW JABBAR	8572-79 3/5/2014	05-05-14	2795-2807 19/4/2017
18	3560235	SAEEDULLAH	PALAM	116.58	GPS BANIL	8572-79 3/5/2014	05-05-14	2795-2807 19/4/2017
19	3560757	SULIMAN SIKAH	TAKPATAR	114.88	GMPS HAKAI ALMAS	8572-79 3/5/2014	05-05-14	4324-46 6/5/2017
20	3560554	HITIKHAR ALI	TAKPATAR	112.6	GMPS SIA HAI KHUKI	8572-79 3/5/2014	05-05-14	1079-41 28/5/2017
21	793200118	KAMRULLAH	CHUKIATAN	102.01	GPS HAYATU GHARBI	8572-79 3/5/2014	11-05-14	4324-46 6/5/2017
22	3560202	TAMIR JAN	GANORI	97.95	GPS SALAMU	8572-79 3/5/2014	05-05-14	1782-87 24/5/2016

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59	791700311	MUHAMMAD TARIQ	IBBIYAWAR	111 52	GPS MIAH HANIDA	441-49 502016	03-07-16	1975-280 19-4-2017
60	791700361	NAVHUSSELAH	IBBIYAWAR	111 52	GPS IBBIYAWAR	441-49 502016	03-07-16	1975-280 19-4-2017
61	792400320	ISMAIL	IBBIYAWAR	111 52	GPS SURUDAM GPS SHARAF	441-49 502016	03-07-16	1975-280 19-4-2017
62	792200480	LAZAL SHAKORH	IBBIYAWAR	111 72	GPS SHARAF	441-49 502016	03-07-16	1975-280 19-4-2017
63	792400331	NABHIZAM BIN HAD	IBBIYAWAR	111 74	GPS SURUDAM	441-49 502016	03-07-16	1975-280 19-4-2017
64	791700317	MUHAMMAD	IBBIYAWAR	111 74	GMS ANWAR	441-49 502016	03-07-16	
65	792100374	HABIBULLAH	CHUKIATAN	113 75	GPS ALAA	325-31 502016	03-07-16	1975-280 19-4-2017
66	792200403	USMAN ALI	CHUKIATAN	113 51	GPS HAYATUL SHARIF	325-31 502016	03-07-16	1975-280 19-4-2017
67	792200388	AYAAN UDDIN	CHUKIATAN	113 51	GIPFIAT	325-31 502016	03-07-16	1975-280 19-4-2017
68	792300479	ATTA ULLAH	CHUKIATAN	113 51	GPS JABIR	325-31 502016	03-07-16	1975-280 19-4-2017
69	791700357	HABIBULLAH	CHUKIATAN	113 13	GMS AZHA ABAD	325-31 502016	03-07-16	1975-280 19-4-2017
70	792500358	AHMAD HAMID	CHUKIATAN	113 77	GPS HIRGAT	325-31 502016	03-07-16	1975-280 19-4-2017
71	791700312	JIBANGH KHAN MUHAMMAD SADIQ	CHUKIATAN	113 35	GPS HAYATUL SHARIF	325-31 502016	03-07-16	1975-280 19-4-2017
72	792400374	HANIFULLAH	CHUKIATAN	113 34	GPS HAWAZ	325-31 502016	03-07-16	1975-280 19-4-2017
73	791700362	HISANULLAH	CHUKIATAN	113 51	GPS ULLAH CHUKIATAN	325-31 502016	03-07-16	4155-96 3-7-16
74	792100244	ISLAM HADSHAI	CHUKIATAN	113 26	GPS KHANUJ KASS	325-31 502016	03-07-16	1975-280 19-4-2017
75	792100245	HISANULLAH	CHUKIATAN	113 16	GPS KHANUJ KASS	325-31 502016	03-07-16	1975-280 19-4-2017
76	792200288	FARMANULLAH	CHUKIATAN	113 21	GPS HAYATUL SHARIF	325-31 502016	03-07-16	1975-280 19-4-2017
77	792200274	IFTIKHARUDDIN	CHUKIATAN	113 16	GPS KASSANUJ CHUKIATAN	325-31 502016	03-07-16	1975-280 19-4-2017
78	792500231	IRSHADULLAH	CHUKIATAN	113 21	CHUKIATAN	325-31 502016	03-07-16	1975-280 19-4-2017
79	7923000302	HADSHABUDDIN MUHAMMAD YASIN	DARORA	113 73	GPS KUT KASS	434-49 502016	03-07-16	1975-280 19-4-2017
80	792200055	MUHAMMAD YASIN	DARORA	113 7	GPS CHANGAL	434-49 502016	03-07-16	1975-280 19-4-2017
81	792400235	MAJID ALI	DARORA	113 19	GPS SATAL	434-49 502016	03-07-16	1975-280 19-4-2017
82	791700615	WAHID ALI	DARORA	113 11	GPS DASAMAI GPS HANIDA	434-49 502016	03-07-16	1975-280 19-4-2017
83	792300351	ABDUL BASIR SHAH NAWAZ KHAN	DARORA	113 51	GPS KHEJA	434-49 502016	03-07-16	1975-280 19-4-2017
84	791700364	MIAN ABULAS ALI SHAH	DARORA	113 18	GPS SATAL	434-49 502016	03-07-16	1975-280 19-4-2017
85	792400452	MIAH ABULAS ALI SHAH	DARORA	113 25	GPS KUT KASS	434-49 502016	03-07-16	1975-280 19-4-2017
86	792200169	MAAZ AHMAD	DARORA	113 72	GPS KUT KASS	434-49 502016	03-07-16	1975-280 19-4-2017
87	792200163	IZHAR AHMAD	DARORA	113 59	GMS MATKAI GPS CHUMRA	434-49 502016	03-07-16	1975-280 19-4-2017
88	791700326	WAQAR AHMAD	DARORA	113 13	BALA	434-49 502016	03-07-16	1975-280 19-4-2017
89	791700361	SAID AHMAD SHAH	DARORA	113 5	GMS USMAH AHAD	434-49 502016	03-07-16	1975-280 19-4-2017
90	792400191	IBYATUR RAHMAN	DARORA	113 47	GPS KATTAN PAYLIN	434-49 502016	03-07-16	1975-280 19-4-2017
91	791700317	NAJMIDDIN	DARORA	113 9	GPS HAWAZ KHAN KALLY	434-49 502016	03-07-16	1975-280 19-4-2017
92	792200425	MIAH TARIQ SHAH	DARORA	113 24	GPS HANIDA KUT	434-49 502016	03-07-16	1975-280 19-4-2017

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Sl. No.	Post No.	Name	Location	Grade	Band	Qualification	Joining Date
1	PNK00024	MUHAMMAD YASIN	DARGA	3102	IIANDA	UIS NAWROZ KHAN SALLY	23/02/17
2	PNK00025	ATTAILLAH	TARPATAR	3107	GIS	ALI QASAR	01/01/17
3	PNK00026	IMRANULLAH	CHUKIATAN	103.06	GIS	Chukiatan	31/12/17

Terms & Condition

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

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8. The seniority of the employees, whose are regularized under this Act within the same service 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 if the date of continuous services in the case of two or more employees is the same, the employee older in age shall be rank senior to the younger one.

(Abdul Haq)

District Education Officer (V)

Dir Upper


Dated: 17 / 03 / 2018

Endst No: 1456-61 / F.No.12/DEO (M)/Estb-(S)

Copy forwarder for information to the:-

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


District Education Officer (V)

 Dir Upper

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