

BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR.

Service Appeal No. 2407/2023

Mr. Muhammad Iqbal, PST BPS-12, GPS Nagrail, 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.

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 10295

Dated 3-1-24

Service Appeal No. 2407/2023

Mr. Muhammad Iqbal, PST BPS-12, GPS Nagrail, 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)

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 99.72, 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.

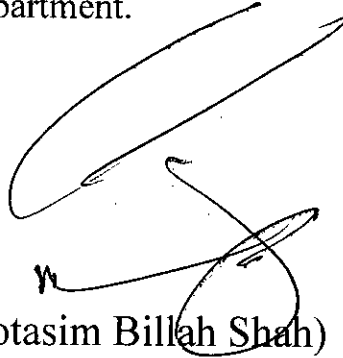
A) In correct, hence denied. The respondent always follows rules and policies in letter and spirit, whereas the seniority list *ibid* has been determined on the basis of the merit as per section 17 (Part-vi) Seniority of the Khyber Pakhtunkhwa civil servants (Appointment, promotion, and transfer) rules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

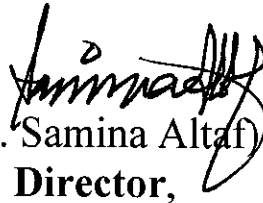
PRAYER.

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. 2407/2023

Mr. M Iqbal, PST BPS-12, GPS Nagrail, District Dir Upper
..... (Appellant)

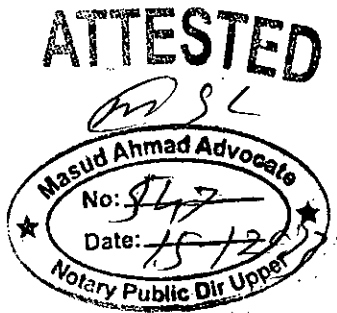
Versus

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.



[Handwritten Signature]
Deponent

BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR.

Service Appeal No. 2407/2023

Mr. Muhammad Iqbal, PST BPS-12, GPS Nagrail, 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. 2407/2023

Case Titled: Muhammad Iqbal, PST BPS-12, GPS Nagrail, 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.

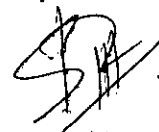
19. Repeal.---The Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1975, are hereby repealed.

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)

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OFFICE OF THE DISTRICT EDUCATION OFFICER
MALE DIR UPPER

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 pulse usual allowed as admissible under the rules on Adhoc basis under the existing policy of the Provincial Government. In Teaching Cadre on the terms and conditions given below with effect from the date of taking over charge.

S. No	Name	Father Name	Merit	Ward/U.C	Place of Posting
1.	Inayat Ur Rehman	Mir Afzal Khan	114.8	Kotkay Wari	GPS Serial Sultan
2.	Israr Ullah	Niaz Been Khan	113.12	Kotkay Wari	GPS Patwa
3.	Sher Nawaz	Shah Bahadar	109.92	Kotkay Wari	GPS Kandaro
4.	Zahoor Ahmad	Abdul Baqi	109.66	Kotkay Wari	GPS Batlac
5.	Hafiz Ullah	Namit Ullah	109.57	Kotkay Wari	GPS Panjko
6.	Ashraf Ullah	Jehan Badar	105.75	Kotkay Wari	GPS Knadary
7.	Yousaf Ullah	Gul Yousaf Khan	102.14	Kotkay Wari	GPS Takhta Bani
8.	Hamayat Ullah	Umar Khan	101.5	Kotkay Wari	GPS Panjkoro
9.	Paiman Zada	Tilawat Khan	101.2	Kotkay Wari	GPS Gandat
10.	Noor Ullah	Gul Zamin	100.64	Kotkay Wari	GPS Razagai
11.	Rahat Khan	Shah Baiz Khan	100.43	Kotkay Wari	GPS Patawa
12.	Abdur Rasheed	Fasehur Rahman	100.27	Kotkay Wari	GPS Sheratkal
13.	Ijaz Ul Haq	Muhammad Tahir Shah	99.72	Kotkay Wari	GPS Serai Sultan
14.	Muhammad Iqbal	Muhammad Dost Khan	98.37	Kotkay Wari	GPS Ngrail
15.	Ismail Khan	Zair Zamin Khan	97.47	Kotkay Wari	GPS Ngrail
16.	Sami Ullah	Aziz Ullah	963.41	Kotkay Wari	GPS Nasafa
17.	Hafneed Ullah	Hamid Ud Din	96.4	Kotkay Wari	GPS Patwa
18.	Hakim Ullah	Namit Ullah	94.94	Kotkay Wari	GPS Patwa
19.	Shakeel Zada	Shah Muhammad	93.93	Kotkay Wari	GPS Patwa
20.	Sajjad Ullah	Zainul Abidan	93.44	Kotkay Wari	
21.	Nasir Ali	Alamgir Khan	93.44	Kotkay Wari	

TERMS & CONDITIONS:

1. No TA/DA is allowed.
2. Charge reports should be submitted to all concerned induplicate.
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 anyone found producing bogus, certificates 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 his one month pay/allowance 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 their 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.

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Page No

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 documents may be checked if they having no required qualification, they may not be handed over charge.
14. No payment will be made so then before making certification from concerned institutions.
15. The errors and omissions etc if found at any stage shall be rectified, in case of termination of said candidates, he will have no right of claim the order already issued in any court.

(Moin-ud-Din)
District Education Officer,
Male Dir Upper

Endst No- 409-14/File No 03C/PST/Apptt:2016NTS/DEO(M)/ADO(P) dated Dir (U) the 05/03/2016

Copy forwarded for information and necessary action to the:-

1. Director General, 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 & Wari
5. Official concerned.
6. M/File.

District Education Officer,
Male Dir Upper

Attended


(C)

2 | Page

**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 Act ¹[:]

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:

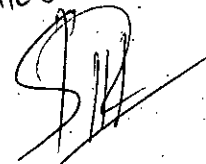
Provided that if the date of continuous service in the case of two or more employees is the same, the employee older in age shall rank senior to the younger one.

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)

(D)

(Signature)

(Signature)

PSY (TS) Regularization Order

OFFICE OF THE DISTRICT EDUCATION OFFICER
(MALE) UPPER DIR

Ph No. 0944-881400-Fax-881400 E-mail: deonidirupper@gnaf.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-50(S/F)/E&S/10/3-2/2018/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	Date	Date of Taking over Charge	Extension Order No & Date
1	3560360	Sadiqullah	V: Chappor	Chappor	139.8	GPS Chappor	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
2	3560207	Anwar Saleem	V: Chappor	Chappor	125.6	GPS Kass Chappor	3273-79	03/05/2014	04/05/2014	1868-74.30.04.2015
3	3560362	Ayaz Ali Ziaur	V: Nasir Abad	Chappor	116.62	GPS Gul Shah Dheral	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
4	3560313	Rahman Akbar	V: Nasir Abad	Chappor	113.24	GPS Dheral Chappor	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
5	3560512	Rahman	V: Moha Kass	Distlower	112.95	GPS Dheral	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
6	3560023	Lalimullah	V: Daba	Chappor	112.68	GPS Nasir Abad	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
7	3560702	Nadimullah	V: Charkoom DK	Distlower	112.65	GPS CHARKOOM P	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
8	3560203	Hidayatullah	V: Kukad	Wari	111.62	GPS Tungal	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
9	3560147	Sajid Ali Salih	V: Wari	Distlower	111	GPS Dheral K Khell	270-75	03/05/2014	04/05/2014	1868-74.30.04.2015
10	356068	Rahman	V: Nasir Abad	Chappor	108.35	GPS Jalor No 01	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
11	356731	Muhammad Mirwan	VDC Islamabad Akhgram	Akhgram	104	GPS Akhgram	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
12	3560729	Wasimullah	V: Jelar	Chappor	103.78	GPS Shukanal No 02	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
13	3560732	Sajid Dhi	V: Jelar	Chappor	103.19	GPS Samal	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
14	3560109	Sajid Dhi	V: Sahib Abad	Distlower	103	GPS Distlower	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
15	3560647	Mukhtyar Ali	V: Nasir abad	Chappor	102.43	GPS Shukanal No 02	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
16	3560133	Inamullah	V: Shahkani	Chappor	99.9	GPS Umarkot	8572-79	03/05/2014	04/05/2014	1868-74.30.04.2015
17	791710292	Qariullah	V: Juglabanj V: Jekal	Distlower	91.92	GPS Dheral K Khell	270-75	03/05/2014	04/05/2014	1868-74.30.04.2015
18	762300486	Anir Sold	Durero	Distlower	88.89	GPS Jekal	270-75	03/05/2014	04/05/2014	1868-74.30.04.2015
19	793500466	Ziauddin	V: Juglabanj	Distlower	84.68	GPS Dheral K Khell	3248-56	03/05/2017	04/05/2017	
20	791700596	Anisullah	V: Kass Uonda	Kullal	133.45	GPS Gandai	968-75	12/03/2015	13/03/2015	1578-82.03-05-2016
21	791700609	Muhammad Nisar	V: Kurbadal	Nehag	124.22	GPS Shikhar	968-75	12/03/2015	13/03/2015	1578-82.03-05-2016
22	791700830	Alamgir Khan	V: Distlower	Distlower	117	GPS Distlower	968-75	12/03/2015	13/03/2015	1578-82.03-05-2016
23	791700502	Mujahid Hussain	V: Kot Malagojor	Distlower	110	GPS Kot Malagojor	968-75	12/03/2015	13/03/2015	1578-82.03-05-2016
24	891700855	Ah Akbar	VDC Pashta	Akbarani	109.74	GPS Pashta	968-75	12/03/2015	13/03/2015	1578-82.03-05-2016

Attested
(Signature)

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126	79200437	Zarnooni	V. Karjal	Karjal	92.67	G/S Kohan	3260-72	05/03/2016	06/03/2016	1275-79
125	79200294	Zarrahm	V. Kot	Mahogjar	92.8	Mu Rgobar	288-93	05/03/2016	06/03/2016	1275-79
124	79200523	Mahuliah	V. Jagam	Nehag	92.81	G/S Nehag	301-06	05/03/2016	06/03/2016	1275-79
123	79200413	Hawas Khan	V. Dool	Chopper	92.82	G/S Khan Abad	333-18	05/03/2016	06/03/2016	1275-79
122		Khan	V. Goral	Dilower	92.89	G/S Jc Kedi	270-75	05/03/2016	06/03/2016	1275-79
121	79210065	Fozal Wahab	V. Shor Abad	Nehag	93.14	G/S Sankor	289-93	05/03/2016	06/03/2016	1275-79
120	79250027	Khan	V. Ogoral	Dilower	93.19	G/S Kohay	270-75	05/03/2016	06/03/2016	1275-79
119	791700521	Said Gahar	V. Dohono	Dandal	93.41	G/S Dotor	276-81	05/03/2016	06/03/2016	1275-79
118	79224194	Gul Shad Ali	V. Shad Ali	Dandal	93.53	Dotor	276-81	05/03/2016	06/03/2016	1275-79
117	791700275	Gul Zada	V. Shait Dagh	Wari	93.55	No 01	294-300	05/03/2016	06/03/2016	1275-79
116	792500371	Uctia Hawan	V. Karjal	Nehag	93.6	G/S Karjal	301-06	05/03/2016	06/03/2016	1275-79
115	792200477	Khan	V. Shaloh	Nehag	93.65	G/S Karjal	301-06	05/03/2016	06/03/2016	1275-79
114	792200426	Fahern	V. Kotgar	Kokhal	93.92	G/S Shogal No	264-69	05/03/2016	06/03/2016	1275-79
113	79230010	Abdul Hamid	V. Gull Dagh	Akhrani	93.93	G/S Gull Dagh	307-12	05/03/2016	06/03/2016	1275-79
112	792300153	Sayed Ham	V. Doshor	Wari	94	Doshor U No 01	294-300	05/03/2016	06/03/2016	1275-79
111	792300395	Mirajul Haq	V. Jalar	Chopper	94.24	U3	313-18	05/03/2016	06/03/2016	1275-79
110	792100105	Aamir Sulah	V. Saraha	Nehag	94.92	G/S Saraha	301-06	05/03/2016	06/03/2016	1275-79
109	791700119	Shari Zada	V. Kalliam	Kokhal	94.94	G/S Mawi	264-69	05/03/2016	06/03/2016	1275-79
108	792100190	Umar Ali	V. Karjal	Nehag	95.31	G/S Karbadal	301-06	05/03/2016	06/03/2016	1275-79
107	451700389	Tal Zada	V. Mallar	Dandal	95.32	01	276-81	05/03/2016	06/03/2016	1275-79
106	452401180	Ali Said	V. Galkora	Nehag	95.48	G/S Galkora	301-06	05/03/2016	06/03/2016	1275-79
105	792200117	Atab Ahmad	V. Khilando	Akhrani	96.12	G/S Korkhany	307-12	05/03/2016	06/03/2016	1275-79
104	792100167	Jamil Ahmad	V. Shikhalo	Chopper	96.41	No 02	313-18	05/03/2016	06/03/2016	1275-79
103	792300270	Mahmood	V. Talow	Nehag	96.7	Karjal	301-06	05/03/2016	06/03/2016	1275-79
102	792600316	Muhammad Far	V. Akhoo	Wari	96.85	G/S Akhoo	294-300	05/03/2016	06/03/2016	1275-79
101	792400566	Sumliah	V. Kass Bando	Kokhal	97.47	G/S Hazala	264-69	05/03/2016	06/03/2016	1275-79
100	791700399	Khan	V. Bandon	Dilower	98	G/S Shaloh	270-75	05/03/2016	06/03/2016	1275-79
99	792300324	Armad	V. Jalgam	Sundal	98.12	G/S Hamlyal	288-93	05/03/2016	06/03/2016	1275-79
98	792200151	Afroz Wali	V. Sundal	Sundal	98.23	Sundal	288-93	05/03/2016	06/03/2016	1275-79
97	792300294	Nisar Ali	V. Kokhal	Kokhal	98.37	G/S Nargil	264-69	05/03/2016	06/03/2016	1275-79
96	852600430	Kousal Khan	V. Abid Khan	Dandal	98.23	G/S Abid Khan	276-81	05/03/2016	06/03/2016	1275-79
95	792300272	Iqbal	V. Palow	Kokhal	99.72	G/S Nargil	264-69	05/03/2016	06/03/2016	1275-79
94	792300399	Azad Ullah	V. Nasir Abad	Chopper	99.93	G/S Chopper	313-18	05/03/2016	06/03/2016	1275-79
93	792300332	Muhammad	V. Kara	Kokhal	100.27	Bando	264-69	05/03/2016	06/03/2016	1275-79

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.

Attested


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

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PST (NTS) Regularization Order

Encl: No. 156467 No 158/DEO (M)/ADO (P) ESTD:

Dated 27/3 /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) Burawal, Kalkot, Dir, Wari & Sheringul.
5. Teachers Concerned
6. AP EMIS Local Office
7. Office Copy


DISTRICT EDUCATION OFFICER
(MALE) UPPER DIR

Attested
