

BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR.

Service Appeal No. 2395/2023

Mr. Muhammad Zahid, PST BPS-12, GPS Shandalbagh, 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 isas	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. 2395/2023

Mr. Muhammad Zahid, PST BPS-12, GPS Shandalbagh, District Dir
Upper
..... (Appellant)

**Khyber Pakhtunkhwa
Service Tribunal**
Diary No. 10806
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 80.36, 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.

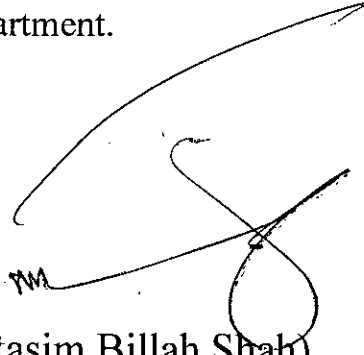
D) Correct, the appellant has been placed in the seniority list as per rules.

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

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

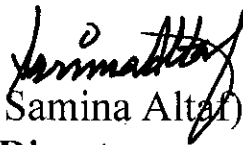
PRAYER.

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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Service Appeal No. 2395/2023

Mr. Muhammad Zahid, PST BPS-12, GPS Shandal Bagh, District Dir
Upper

..... (Appellant)

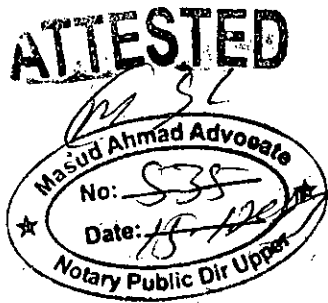
Versus

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

(Respondents)

Affidavit

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




Deponent

BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR.

Service Appeal No. 2395/2023

Mr. Muhammad Zahid, PST BPS-12, GPS Shandalbagh, 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. 2395/2023

Case Titled: Muhammad Zahid, PST BPS-12, GPS Shandalbagh, 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)

4A - 6



OFFICE OF THE DISTRICT EDUCATION OFFICER
MALE DIR UPPER

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

OFFICE ORDER

Consequent upon the recommendation of the Departmental Promotion Committ appointment of the following candidates are hereby ordered against the post of Primary School Teachers (PST) Male Wards / School based in BPS-12 (Rs.9055-650-20500) @ 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	Age	Ward/U.C	Place of Post
1	ASIF HAWAZ	HAFIZHAI ZADA	113.8	PALAM	GPS NAMI AI
2	AMRUL HAI ALI	SALIM ZADA	109.0	PALAM	GPS UJAK
3	SALIM ZADA	HAKHTUL HAI KHAN	103.00	PALAM	GPS KASS BARKAND
4	HASHI ALI KHAN	SADUJAI ALI	103.02	PALAM	GPS SHOMAI
5	TAWSEEF AHMAD	BAOSHAI ZADA	103.50	PALAM	GPS NASHINAMAI
6	SALIM KHAN	UMAR KHAN	101.18	PALAM	GPS KASS BARKAND
7	SALIM US RAHMAN	SHER ZADA	96.02	PALAM	GPS SHOMAI
8	MUHAMMAD ISHAQ	SHERULLAH KHAN	96.01	PALAM	GPS KASS BARKAND
9	LAL ZAMIN	MUHAMMAD SARFARZ KHAN	95.20	PALAM	GPS GOR KOHI
10	HABIB UR RAHMAN	MUHAMMAD AKBAR KHAN	95.17	PALAM	GPS DANAIL
11	HANEEF KHAN	ANWAR ZAIB KHAN	94.64	PALAM	GPS KASS BARKAND
12	MUHAMMAD DEEN	UMAR ALI	93.78	PALAM	GMPS SAR AMREAT
13	FARMAN ULLAH	TAJ MIR	93.33	PALAM	GPS JABAI
14	HASIR ALI	ZARWAR KHAN	91.44	PALAM	GPS KASS BARKAND
15	SARDAR DAWOOD KHAN	HAMID KHAN	90.55	PALAM	GPS S. K. BARKAND
16	HAYAN ULLAH	MONASIB KHAN	89.93	PALAM	GPS DABAR
17	SAHIB ULLAH	MUKHRUDIN	89.15	PALAM	GPS JABAI
18	TAJ MUHAMMAD KHAN	ABDUR RAHMAN	88.07	PALAM	GPS Shanail
19	SHARIF ULLAH	SAEED ZAMIN	87.60	PALAM	GPS DANAIL
20	GUC WAHID	MUHAMMAD FARAZ	86.93	PALAM	GPS GOR.KOHI

TERMS & CONDITIONS:-

1. NO TA/DA is allowed.
2. Charge reports should be submitted to all concerned in duplicate.
3. Appointment is purely on temporary basis initially for one year.
4. They should not be handed over charge if they exceed 35 years or below 18 years of age.
5. Appointment is subject to the condition that their certificates/degrees must be verified from the concerned authorities if any discrepancy found producing copies. Certificate will be reported to the law enforcing agencies for further action.
6. His services are liable to termination on one month's notice from either side. In case of resignation without notice his one-month pay/allowances shall be forfeited to the Government.
7. Pay will not be made until and unless a certificate from the concerned authority is issued as his certificates are verified.
8. They should join their post within 15 days of the issuance of this notification. In case of failure to join their post within 15 days of the issuance of this notification, his appointment will expire automatically and no subsequent appeal etc shall be entertained.
9. Health and the Certificate should be produced from the Medical Superintendent at 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 Government.
11. Their services shall be terminated at any time, in case of his performance is found unsatisfactory during his period of appointment. If on account of no contact he will be proceeded under the rules.
12. His appointment is made on a fixed basis. He will have to serve at the place of posting and his service is not to be transferred to any other station.
13. His personal belongings should be examined and checked if they are found to be not qualified they may not be handed over charge.

Attested

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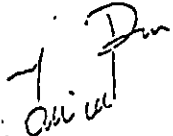
No payment will be made so then before making verification from concerned
as. Returns.
In cases and omissions etc if found at any stage shall be rectified. In case of termination
of said Candidate, he will have no right to claim the order already issued in any court.


(MOJIN-UD-DIN)
District Education Officer
Male Dir Upper

Undst: No. 22-27 File No. 100/PST, Appar: 2006 SIS / DEO(DI) / A10019 Dated Dir (U) the 05/03/2016.

Copy forwarded for information and necessary action to the:-

- 1 Director of Elementary & Secondary Education Khyber Pakhtankhwa Peshawar.
- 2 District Accounts Officer Dir Upper
- 3 Dy: District Education Officer Male Dir Upper.
- 4 Sub: Divisional Education Officer Male Dir and Wari.
- 5 Official Concerned.
- 6 M/ File


District Education Officer
Male Dir Upper

Attested


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

(KHYBER PAKHTUNKHWA ACT NO. I 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
S/12

- (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
[Signature]

(63)

1011-12-D



**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 Pukhtunkhwa Employees of the Elementary & Secondary Education Appointment & Regularization of Services Act, 2017 (Khyber Pukhtunkhwa Act no.1 of 2018) & Elementary & Secondary Education Department Notification No SO(S/F)E&SED/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 DPS-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	3560476	SHERYAR KHAN	JABBAR	104.04	GPS OAMSER	8572-79 3-3-14	04-05-14	1079-81 23/02/18
2	3560145	BANDSHAH SAID	BIBYAWAR	117.16	GPS TALD	8572-79 23/5/2014	05-05-14	1079-81 23/02/18
3	3560535	HIDAYATULLAH	CHUKIATAN	103.29	GMPS JABALOOK	8572-79 3/5/2014	05-05-14	2795-2821 19/04/2017
4	3560537	ASAD ALI SHAH	DARORA	113.84	GPS CHUMRA BALA	8572-79 3/5/2014	05-05-14	2795-2821 19/04/2017
5	3560215	KHALILU KHAN RAHMAN	DARORA	112.95	GMPS WALI KHAN KANDOW	8572-79 3/5/2014	05-05-14	2795-2821 19/04/2017
6	3560408	SAHIR RAWAN MULLA HASSAN	GANDORI	104.57	GPS KARBORAI	8572-79 3/5/2014	05-05-14	1987-81 14/02/17
7	4532001221	SAHIR RAWAN MULLA HASSAN	GANDORI	107.35	GPS SORI PAW	8572-79 3/5/2014	05-05-14	1987-81 14/02/17
8	3560517	SYED MAROOF JAN	GANDORI	105.93	GPS AYURAI	8572-79 3/5/2014	05-05-14	2795-2821 19/04/2017
9	3560490	SYED USMAN JAN	GANDORI	103.05	GPS PACHA KALEY	8572-79 3/5/2014	05-05-14	1782-87 26/02/16
10	3560134	SYED RAHIM	GANDORI	105.48	GPS DHERI HATTAN	8572-79 3/5/2014	05-05-14	2795-2821 19/04/2017
11	3560427	WALIULLAH	GANDORI	112.46	GPS ZULAMKOT	8572-79 3/5/2014	05-05-14	2795-2821 19/04/2017
12	3560303	JALALUD DIN	JABBAR	116.12	GPS DAM JABBAR	8572-79 3/5/2014	05-05-14	2795-2821 19/04/2017
13	3560402	IRFANULLAH	JABBAR	107.51	GPS GAMSEER	8572-79 3/5/2014	05-05-14	2795-2821 19/04/2017
14	7935000377	IKRAMULLAH	JABBAR	108.48	GPS GAMSEER	8572-79 3/5/2014	05-05-14	1079-81 23/02/18
15	3560406	NAJMULLAH	JABBAR	100.93	GPS GAMSEER	8572-79 3/5/2014	05-05-14	2795-2821 19/04/2017
16	3560015	ABDULLAH LATIF	JABBAR	106.16	GPS NISIAN BANDA	8572-79 3/5/2014	05-05-14	2795-2821 19/04/2017
17	3560164	ABDULLAH	JABBAR	104.28	GPS KANDWO JABBAR	8572-79 3/5/2014	05-05-14	2795-2821 19/04/2017
18	3560435	SAEEDULLAH	PALAM	116.58	GPS DANII	8572-79 3/5/2014	05-05-14	2795-2821 19/04/2017
19	3560757	SULIMAN SHAH	TARPATAR	114.88	GMPS HAKAI ALMAS	8572-79 3/5/2014	05-05-14	2795-2821 19/04/2017
20	3560538	IFTIKHAR ALI	TARPATAR	112.6	GMPS SIA TAL KORI	8572-79 3/5/2014	05-05-14	1987-81 14/02/17
21	7935000378	RAFIULLAH	CHUKIATAN	103.03	GPS HAYATAI GHARHI	8572-79 3/5/2014	05-05-14	4854-86 07/02/18
22	3560002	TAJIB JAN	GANDORI	97.95	GPS SALAMKOT	8572-79 3/5/2014	05-05-14	1782-87 26/02/16

Attested
[Signature]

ADD (P) Establishment

[Signature]

-13-

PST (NTS) Regularization Order

129	791700564	NASAH ALI	PALAM	91.44	GPS KASS HARKAND NO 02	422-27 5/3/2016	03-07-16	2795-2300 19-4-2017
130	792100309	LAL ZAMIN	PALAM	93.28	GPS GORKHAI	422-27 5/3/2016	03-07-16	2795-2300 19-4-2017
131	792100319	TAJ MUHAMMAD KHAN	PALAM	88.49	GPS SHANIL	422-27 5/3/2016	03-07-16	2795-2300 19-4-2017
132	792100373	SAEEDUR RAHMAN	PALAM	95.02	GPS SHOMAI	422-27 5/3/2016	03-07-16	2795-2300 19-4-2017
133	792100332	MUHAMMAD DIN	PALAM	93.78	GMPS SAR AMRIAT	422-27 5/3/2016	03-07-16	2795-2300 19-4-2017
134	792100243	ASIF NAWAZ	PALAM	113.9	GMPS NAMLAI	422-27 5/3/2016	03-07-16	2795-2300 19-4-2017
135	792100377	SATIYULLAH	PALAM	89.16	GPS JABAI	422-27 5/3/2016	03-07-16	2795-2300 19-4-2017
136	7921000476	FAHIDULLAH	PALAM	109.8	GPS DABAR	422-27 5/3/2016	03-07-16	2795-2300 19-4-2017
137	792100372	HAZANULLAH	PALAM	89.93	GPS DABAR	422-27 5/3/2016	03-07-16	2795-2300 19-4-2017
138	792100280	HAZ AHMAD	QULANDI	75.94	GPS SANGAR	357-62 5/3/2016	03-07-16	2795-2300 19-4-2017
139	791100530	SAID BASHIR	QULANDI	98.76	GPS PANAKOT	357-62 5/3/2016	03-07-16	2795-2300 19-4-2017
140	792100291	JAVID RAHMAN MUHAMMAD	QULANDI	73.99	GPS DOBANDO GPS MIAN KHWAR NO 02	357-62 5/3/2016	03-07-16	2795-2300 19-4-2017
141	792100337	MUMTAZ	QULANDI	77.58	GPS JARJORA	357-62 5/3/2016	03-07-16	2795-2300 19-4-2017
142	791700609	SHAMSHAD MUNIR	QULANDI	91.51	GPS JARJORA	357-62 5/3/2016	03-07-16	2795-2300 19-4-2017
143	792100123	MATIYULLAH	QULANDI	91.21	GPS SANGAR	357-62 5/3/2016	03-07-16	2795-2300 19-4-2017
144	792100334	MUHAMMAD PERVIZ	QULANDI	82.43	GPS BELANZAI	357-62 5/3/2016	03-07-16	2795-2300 19-4-2017
145	792100296	MUHAMMAD SOHAIL KHAN	QULANDI	84.23	GPS SHANDAL BAGH	357-62 5/3/2016	03-07-16	2795-2300 19-4-2017
146	792100292	SHANIRULLAH	QULANDI	78.58	GPS DADA QULANDI	357-62 5/3/2016	03-07-16	2795-2300 19-4-2017
147	792100295	MUHAMMAD HUSNAIN	QULANDI	106.92	GPS CHINAR KHWAR	357-62 5/3/2016	03-07-16	2795-2300 19-4-2017
148	452201185	MATIYULLAH	QULANDI	84.77	GPS MIAN KHWAR	369-73 5/3/2016	03-07-16	2795-2300 19-4-2017
149	792100448	AZIZUR RAHMAN	QULANDI	89.42	GPS QULANDI	357-62 5/3/2016	03-07-16	2795-2300 19-4-2017
150	792100324	IKRAMULLAH	QULANDI	89.47	GPS SADIO BANDA	357-62 5/3/2016	03-07-16	2795-2300 19-4-2017
151	792100480	FARMANULLAH NASIH	QULANDI	79.3	GPS DADA QULANDI	357-62 5/3/2016	03-07-16	2795-2300 19-4-2017
152	792100264	MUHAMMAD	QULANDI	99.18	GPS ATRANGO	357-62 5/3/2016	03-07-16	2795-2300 19-4-2017
153	792100251	AMIR SULTAN	QULANDI	77.41	GPS M AMIN KALEY	357-62 5/3/2016	03-07-16	2795-2300 19-4-2017
154	792100246	SHAH WAZIR KHAN MUHAMMAD	QULANDI	85.62	GPS BARIKOT DOBANDO	357-62 5/3/2016	03-07-16	2795-2300 19-4-2017
155	791700570	ISMAIL	QULANDI	85.85	GPS M AMIN KALEY	357-62 5/3/2016	03-07-16	2795-2300 19-4-2017
156	792100388	WAFIS KHAN	QULANDI	73.43	GPS BELANZAI	357-62 5/3/2016	03-07-16	2795-2300 19-4-2017
157	792100379	QAYUM KHAN	QULANDI	78.31	GPS BARIKOT DOBANDO	357-62 5/3/2016	03-07-16	2795-2300 19-4-2017
158	792200228	BASHIRULLAH MUHAMMAD	QULANDI	78.95	GPS CHINAR KHWAR	357-62 5/3/2016	03-07-16	2795-2300 19-4-2017
159	791700524	ZAHID	QULANDI	80.36	GPS SHANDAL BAGH	356-62 5/3/2016	03-07-16	2795-2300 19-4-2017
160	792100470	AMIR NAWAB	SAWNI	110.32	GPS PETAW BANDA	369-73 5/3/2016	03-07-16	2795-2300 19-4-2017
161	792100352	AZIZULLAH	SAWNI	97.6	GPS SHAGA SERATI	369-73 5/3/2016	03-07-16	2795-2300 19-4-2017
162	792100380	MUHAMMAD NAWAZ	TARPATAR	91	GMPS CHAMAN LAYAR	408-14 5/3/2016	03-07-16	2795-2300 19-4-2017
163	792100421	ZAKIR HUSSAIN	TARPATAR	91.73	GPS TARPATAR NO 1	409-14 5/3/2016	03-07-16	2795-2300 19-4-2017

Attested
[Signature]

ADO (P) Establishment

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					MANDA	23/4/2017	
377	7917000274	MUHAMMAD YASINI	DAKORA	80 02	UPS NAWROZ KHAN KALIT	4970-26 8/7/2017	08-01-17
378	7917000203	ATTAULLAH	TARPATAR	84 07	UPS ALIGASAK	4000-86 8/4/2017	11/11/17
379	7915000365	IMRANULLAH	CHUKIATAN	103.46	UPS Chulatan	3116-24 3/3/2017	

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


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8. The seniority 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 rank senior to the younger one.

(Abdul Haq)
District Education Officer (M)
Dir Upper
Dated: 17/03/2018

Endst No. 1456-51 / 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 (M)
Dir Upper

Attested
