

BEFORE THE HONORABLE SERVICE TRIBUNAL, KHYBER
PAKHTUNKHWA PESHAWAR

Service Appeal No 2005/2023

Muhammad Uzair Ali.....Appellant

VERSUS

Govt of KPK & others.....Respondents

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Appellant

Through:


NOOR MUHAMMAD KHATTAK
Advocate, Supreme Court

16-02-24

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

APPEAL NO.2005/2022

MUHAMMAD UZAIR AL VS GOVT; OF KPK & OTHERS

REJOINDER ON BEHALF OF THE APPLICANT IN RESPONSE TO THE
COMMENTS SUBMITTED BY THE RESPONDENT NO.06.

Respectfully Sheweth,

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 11194

Dated 16.02.2024

Counter reply to the Preliminary Objections.

1. The appellants has rightly filed the Appeal against respondent No.06 as he has been unlawfully given preference with low inter-se-merit order over the appellants in tentative draft-final inter-se-seniority by the Admn. Department. **Annexes-A & B.**
2. Incorrect. The seniority of the appellants has not been included/notified in the 2012 notified final inter-se-seniority as his name has not been mentioned in it. **Annex-C**
3. Incorrect. As the name of the appellants was not included in the notified final seniority and as his seniority has now been circulated in the tentative inter-se-seniority at the wrong inter-se-merit order in violation of the inter-se-merit/seniority determined by Khyber Pakhtunkhwa Public Service Commission, therefore, this appeal is not time-barred to the extent of the appellants.
4. Incorrect. The appellants has not hidden any important information from the Honorable Tribunal.
5. Incorrect. The decision in WP No.362/2013 was not given on basis of the seniority List-2012 as the case was not contested against the 2012-Seniority List. Rather the writ petition was filed before the Honorable Peshawar High Court (DIK Bench) under Article 199 of the 1973 Constitution of the Islamic Republic of Pakistan for promotion wherein the Court adjudged as follows:
 - i. That the merit list relied by the petitioner was in fact **interview list of EDOs** (BS-19) as a result of which recommendations were made to the Government for appointment. Para-5 of the Judgment.
 - ii. That the petitioner had already challenged the merit/seniority list before the high-up i.e. Chief Secretary & Secretary Education on 28.02.2013 which was still then subjudice. Para-5 Judgment.
 - iii. That his claim for recommendation for the post of BS-20 to the Provincial Selection Board (PSB) did not hold water as he was at the lower pedestal in the final list published on 22.02.2012 (which he had not disputed before the Court). Para-5 Judgment.
 - iv. That under Article 199 of the Constitution of Pakistan 1973 the jurisdiction of High Court could only be invoked when no other adequate remedy is available. The petition was not competent as the petitioner had already filed appeal before competent court i.e. Chief Secretary. Para-6 Judgment.
 - v. That the petitioner did not come under the ambit of '**aggrieved person**' as no adverse order had then been passed against him nor any recommendation had been made then. Para-6 Judgment.

vi. That the instant matter related to the terms and conditions of service which as per Article 212 of the Constitution of Pakistan barred the jurisdiction under Article 199.

And finally;

vii. As for WP 2049/2014, the Honorable High Court warned the petitioner for concealing previous writ petition No.362/2013 and dismissed the writ being not pressed. **Full Judgments as Annexes-D & E.**

Furthermore, as for the mentioned Category "A" or "B" or preference of category of "A" over "B", the same was a self-made concocted, illegal, discriminatory and unlawful formula/plan devised to promote the interest of blue eyed officers against the fundamental right of those selected from open market in violation of the sacrosanct mandate of the Public Service Commission of fixing the inter-se-merit/seniority in all initial recruitment cases that come under the purview of the commission as stipulated vide Rule-17 (1) (a) of the APT Rules, 1989. In fact, the "A" & "B" categories were required though corrigendum in the advisement No.05/2009 which meant for selection of suitable candidates from respective quotas by the Commission rather than something for fixation of inter-se-seniority otherwise the Public Service Commission would have argued in its reply to this appeal. **Annex-F.**

6. Incorrect.
7. Incorrect.
8. Incorrect.
9. Incorrect.

Counter Replies to Para-Wise Factual Objections of the Respondent No.06.

1. No comment.
2. No comment.
3. No comment.
4. No comment.
5. No comment.
6. No comment.
7. No comment.
8. Incorrect. The mentioned revised merit of EDOs (BS-19) for category A & B selectees, as the worthy respondent himself has termed as "**selectees**", was, in fact, communicated to the Admn. Department for pinpointing selectees falling separately in A and B categories rather than for determination/notification of inter-se-seniority. Moreover, the referred document **only shows category-wise merit rather than inter-se-merit** as the Commission deliberately did not used the term "**inter-se-merit**" in it. It only mentions the merit of Category A & B as per their respective ratio/quota of 60% of Category A (Departmental quota) and 40% of the Category B (Open Market quota) selectees among the overall 26 advertised posts of EDOs BS-19. Moreover, the Commission as respondent No.05 has itself submitted the inter-se-merit/seniority as **Annexes-B & C** along with its reply to confirm that the appellant was placed at **inter-se-merit order No.16**. The same inter-se-merit as submitted by the commission places the merit order of the **respondent No.06 at inter-se-merit No.24** which is much below the appellant.
9. Whether the inter-se-merit/seniority issued by the Public Service Commission vide No.PSC-SR-/105226 dated 02/12/2013 (**Annex-G**) or the one issued earlier vide No.SR1/036824 dated 02/12/2012 (**Annex-B**), the fact is that the inter-se-merit of the appellant has undoubtedly been fixed at merit order No.16. and that of the respondent No.05 as 24th by the Commission. In fact, the final inter-se-seniority was malafidely notified on 08.05.2012 by the respondent Department (**Annex-C**) much before the issuance/communication of the inter-se-merit by the Commission on 02.12.2012. (**Annex-B**). It is to be noted that the appellant, being un-included in the notified inter-se-seniority vide No.SO(S/M)E&SED/4-12/2012/Final Seniority List of MC (BPS-19) dated Peshawar the 08.05.2012, has been finally included in the impugned tentative draft-final inter-se-seniority vide No.3002 dated 21/10/2021 but at the wrong position against which he has filed this appeal before this Honorable Tribunal. Even the recently issued tentative seniority


vide SO(MC)E&SED/4-24/2023/Tentative Sen. List MC BS-19(Male & Female) dated 23rd October, 2023 has not corrected the merit order of the appellant (**Annex-H**). In fact, the respondent No.06 only endeavors to mystify the real issue and divert the attention away from it.

10. Incorrect. The request of the appellant for inclusion in seniority had actually been granted vide letter as attached by the respondent No.06 as Annex- "C" with his reply, hence, there was no need to mention or hid the same as the Director E&SE was vividly directed to "submit the revised seniority list by including names of all the officers at the earliest" in its endorsement vide Serial No.1. The same request for inclusion in seniority is also signed by the respondent No.07 Mist. Samina Altaf as she is also not notified/included in the notified 2012 final seniority list. Famously, the stance of the respondent No.06 is not upheld by the respondent Departments in their reply to the appeal of the appellant as the same stance has not been taken or claimed by them for the simple reason that they themselves have directed for updation of DEOs seniority after insertion/inclusion of all the officers including the appellant as per rules and policy. The referred letter may have filed the request to the extent of those whose names were notified in 2012 but not to the extent of those officers who names are still to be notified in the revised updated inter-se-seniority to warrant limitation. In fact, the Director E&SE has been time and again directed to submit revised updated tentative seniority DEOs MC BS-19 by including those missed from seniority list so far. Copy of the Appeal, the Department's letter and various directions issued to the Director are **Annexed as I, J, K, L, M, N, O & P**.
11. No comment.
12. Incorrect. The 2012-seniority was not issued in line with inter-se-merit of Commission but on commission's letter (attached with the reply of the respondent No.06) informing the Admn. Department about category-wise merit of the EDOs BS-19 selectees which the Department malafidely used for drafting and notifying the inter-se-seniority to favor blue eyed officers in gross violation of seniority rules much before the actual communication of inter-se-merit/seniority by Commission. **Annex-Q**.
13. The inter-se-merit/seniority determined by the Commission is already placed on file as Annex-B & Annex-C by the Khyber Pakhtunkhwa Public Service Commission itself for the information of this Honorable Tribunal which proves the stance of the appellant.
14. The recently issued tentative seniority is also defective to the extent of the topmost 5 officers as their seniority order has not been determined in line with the inter-se-merit/seniority fixed by the Commission which is gross violation of Rule-17 (1) (a) of the APT Rules, 1989. Copies of the two tentative draft seniority are **Annexed-A & H**.
15. No comment.
16. No comment.
17. No comment.
18. Incorrect. The appellant has nothing to conceal from this Honorable Tribunal as his request for inclusion in seniority along with other missing officers was duly granted by issuance of directions to director E&SE to submit revised updated seniority by including all the missing officers. **Annexes-J, K, L & M**.
19. Incorrect. The name of the appellant including that of the respondent 07 were not included in the 2012 seniority. The same have been only now included in tentative lists for final decision. Hence, this appeal to the extent of the appellant is not time-barred as his status of inter-se-seniority has now been altered in tentative lists against his right/proper inter-se-merit order fixed by the Public Service Commission. In fact, the reply of the respondent No.06 does not contain any solid reason/argument as to bar this appeal before this Honorable Tribunal. All replies of the respondent are contested with true presentation of

the case facts. As to the grounds the respondent No.06 is praying, the following are the submissions:

- i. The WP 362/2013 & WP 20492014 have been well elucidated in Para-5 of the Counter Replies to the Preliminary Objections of the respondent No.6 that the petition was filed for promotion rather than for correction of the 2012 notified seniority and that the matter was actually pertaining to the terms and conditions of service which came under the purview of Service Tribunal as per Article 212 of the Constitution. **Annexes-D & E.**
- ii. No comments.
- iii. Correct to the extent of 12 year lapsing of seniority being notified but not to the extent of it being barred for the appellant as he was not included in that notified seniority nor any updated seniority has been issued/notified since then so far. Conversely, his merit order as fixed by the Commission has now been altered in tentative seniority after his inclusion in it. **Annex-C.**
- iv. Incorrect. While WP 362/2013 was contested for promotion on basis of interview list, whereas the appellant is pleading before this Tribunal against the tentative final inter-se-seniority drafted in violation of Rule-17 (1) (a) of the APT Rules, 1989. **Annex-D.**
- v. Incorrect. The 2019 appeal was, in fact, granted in favour of the appellant along with two other missing officers by directing the Director for submission of revised updated seniority with inclusion of all missing officers from 2012 seniority. **Annexes-H, I, J & K.**
- vi. Every civil servant under the Constitution of Pakistan has an equal opportunity of defending his/her constitutional right in accordance with law and legal procedures. The logic of the respondent is therefore beyond understanding.
- vii. The seniority of the appellant has not been correctly finalized in the impugned tentative seniority/s nor has been previously notified warranting the Government to place him at his right position in inter-se-seniority fixed by Public Service Commission in accordance with Rule-17 (1) (a) of APT Rules, 1989. **Annexes-A, Q & B.**
- viii. Correct to the extent that the impugned seniority has not yet been notified by the Government but the tentative seniority list/s, placing the appellant against his merit position, have been circulated for final decision while the inaction of the respondent Department/s to address departmental appeal of the appellant against the tentative list within the statutory period of 90 days has ultimately warranted this appeal before the Honorable Service Tribunal.

It is therefore, prayed that the reply of the respondent No.06 may be summarily rejected by granting/accepting this appeal for seniority in accordance with the established rules of inter-se-seniority of the civil servants as stipulated in Rule-17 (1) (a) of APT Rules, 1989.

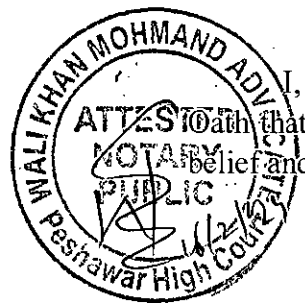

Appellant

Through


NOOR MUHAMMAD KHATTAK
ADVOCATE SUPREME COURT

I, Muhammad Uzair Ali DEO (Male) Khyber, do hereby solemnly affirm and declare on oath that the contents of this **Rejoinder** are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Honorable Court.


DEPENDENT





DIRECTORATE OF ELEMENTARY AND SECONDARY EDUCATION
KHYBER PAKHTUNKHWA PESHAWAR

No. 3667 dated 31/10/2021


To,

The Secretary,
Govt. of Khyber Pakhtunkhwa
Elementary and Secondary Education Department.

Subject: TENTATIVE SENIORITY LIST OF DISTRICT EDUCATION OFFICERS/ADDITIONAL DIRECTORS (MANAGEMENT CADRE) BPS-19 MALE AS STOOD ON 12/10/2021

Memo:


I am directed to submit "Tentative Seniority list of District Education Officers/Additional Directors Male BS-19 as it stood on 12/10/2020 for your information and perusal please. It is further requested to kindly upload the same on the official website www.kpese.gov.pk of E&SED Department Govt. of Khyber Pakhtunkhwa please.


Deputy Director (Establishment)
Directorate Elementary and Secondary
Education Khyber Pakhtunkhwa Peshawar

Endst No: _____

Copy to the:-

PA Director Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar.


Deputy Director (Establishment)
Directorate Elementary and Secondary
Education Khyber Pakhtunkhwa Peshawar

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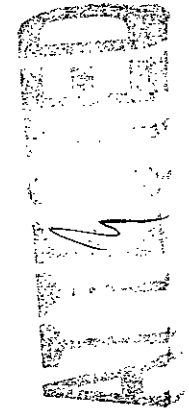
-6-

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Relative Seniority list of Officers BPS-19 (District Education Officers/Additional Directors) E&SE Department (Management Cadre) as it stood on 12/10/2021

S.	Name of Officer with Designation	Date of Birth	Domicile	Date of 1st appnt: in Edu: Deptt:	Date of Appnt./Promotion as D.E.O/Addl. Dir.	Method of recruitment	Remarks
1	Mr. Muhammad Shaukat, District Education Officer (M) Abbottabad	15-10-62	Manshra	22-08-82	26-06-12	Direct selectee against 60% Departmental Quota	
2	Mr. Haziqur Rehman, District Education Officer (M) Targhar	06-02-62	Karak	01-09-85	24-02-11	-do-	
3	Mr. Jaffar Mansoor Abbasi (awaiting post)	15-09-68	Abbottabad	11-02-99	24-02-11	-do-	
4	Ms. Samina Altaf District Education Officer (F) Mardan	12-03-65	Haripur	25-03-00	27-01-13	-do-	
5	Mr. Umar Khan, District Education Officer (M) Tank	12-02-62	Tank	01-10-86	24-02-11	Direct selectee against 40% Open Market Quota	
6	Mr. Abdul Salam, District Education Officer (M) Kohat	01-04-62	D.J.Khan	09-10-85	24-02-11	-do-	
7	Mr. Abdul Basit, Principal GHSS Agra Poyan Charsadda	26-06-73	Peshawar	22-01-98	26-06-12	-do-	
8	Mr. Muhammad Uzair Ali Additional Director (P&D)E&SE	08-04-66	Swabi	05-11-95	24-02-11	-do-	
9	Sahibzada Hamid Mahmood, District Education Officer (Male) Peshawar	06-09-65	Peshawar	03-12-89	24-02-11	-do-	

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Deputy Director (Estab)
Elementary and Secondary Education
Khyber Pakhtunkhwa, Peshawar

Annex B

~~Mont...~~

~~...~~

Telephone: 9213563

Khyber Pakhtunkhwa Public Service
Commission
2 Fort Road Peshawar Cantt:
No. SR1/036824

-7-

Dated: 21/8/2012



To

The Secretary to Govt. of KPK
Elementary and Secondary Education Deptt:
Peshawar.

Subject:- INTER-SE-MERIT OF EDO (BPS-19) IN E&SE DEPTT (ADVT.5/09)

Dear Sir,

I am directed to refer to the subject cited above and to forward inter-se-merit of EDO (BPS-19) in Elementary and Secondary Education for your necessary action and record.

Yours Faithfully,

Encl:- (As above)

Abdul Kamal
(ABDUL KAMAL)
Director Recruitment

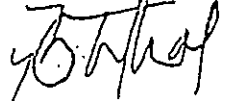
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ATTACHED

Subject: Inter-se merit of EDO (BPS-19)

-8-

S.No.	Name with Father Name	Domicile	Quota
1.	Ghulam Qasim Khan S/O Abdul Majeed Khan	D.I.Khan/4	Open
2.	Basher Hussain Shah S/O Taj Hussain Shah	Haripur/5	Teaching
3.	Muhammad Rafiq S/O Niaz Khamim	Karak/4	Teaching
4.	Abdul Malik S/O Muhammad Mushtaq	D.I.Khan/4	Open
5.	Umar Khan S/O Muhammad Hassan	Tank/4	Open
6.	Feroz Hussain Shah S/O Sultan Ali Shah	D.I.Khan/4	Teaching
7.	Abdur Rashid S/O Ghulam Jaffar	D.I.Khan/4	Teaching
8.	Muhammad Ibrahim S/O Buzerg Jamher	Dir/3	Teaching
9.	Shamas Khan S/O Mir Ahmed Khan	Gadood/3	Open
10.	Sultan Mehmood Mian S/O Mumtaz	Swat/3	Teaching
11.	Abdus Salam S/O Hameed Ullah Jan	D.I.Khan/4	Open
12.	Abdul Basit S/O Qavi Ullah	Peshawar/2	Open
13.	Roz Wali Khan S/O Jannat Noor	Karak/4	Teaching
14.	Siraj Muhammad S/O Muhammad Khan	Peshawar/2	Open
15.	Goher Ali Khan S/O Muhammad Ali Khan	Peshawar/2	Teaching
16.	Muhammad Uzair Ali S/O Abdul Qayyum	Swabi/2	Open
17.	Abdullah S/O Mir Azam	MKD Agy/3	Teaching
18.	Nazir Khan S/O Gul Payo Khan	Karak/4	Open
19.	Muhammad Riaz S/O Ghulam Khan	Manshra/5	Teaching
20.	Jehan Muhammad S/O Sultan Muhammad	Nowshera/2	Teaching
21.	Sahibzada Hamid Mahmud S/O Mahmud ul Islam	Peshawar/2	Open
22.	Muhammad Shaukat S/O Abdul Jalil	Mansehra/5	Teaching
23.	Haziq ur Rehman S/O Sarwar Jan	Karak/4	Teaching
24.	Jaffar Mansoor Abbasi S/O Gauhar Rehman Abbasi	Abbottabad/5	Teaching
25.	Zia ud Din S/O Ghulam Mohiy ud Din	Lakki/4	Teaching
26.	Atta Ullah Khan S/O Muhammad Nawaz Khan	Lakki/4	Teaching


(ABDUL KAMAL)
Director Recruitment

ATTENDED

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GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

Annex - C¹⁵

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NOTIFICATION

Dated Peshawar the 08.05.2012

NO. SO (S/M) E&SED/4-25/2012/Final Seniority List of MC (BPS -19): In exercise of powers conferred under Sub Section (1) of Section -8 of the North West Frontier Province (now Khyber Pakhtunkhwa) Civil Servant Act, 1973 NO-XVIII of 1973, the Final Seniority List of EDOs/Additional Directors (BPS-19) of Management cadre Elementary & Secondary Education Department as it stood on 22/02/2012, is hereby notified for information of all concerned.

CHIEF SECRETARY
Khyber Pakhtunkhwa

Endst:of even No & Date.

Copy forwarded to the:-

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar with the request to circulate the above Seniority list to all concerned.
2. Director Education (FATA) Khyber Pakhtunkhwa. Peshawar
3. Director Curriculum & Teacher Education Khyber Pakhtunkhwa. Abbott Abad.
4. Director PITE, Khyber Pakhtunkhwa. Peshawar.
5. All Executives District Officers, E&SE in Khyber Pakhtunkhwa.
6. PS. to Secretary (E&SE) Deptt. Khyber Pakhtunkhwa. Peshawar .
7. Office order file

(MUJEEB-UR-REHMAN)
SECTION OFFICER (SCHOOLS/MALE)

OFFICE OF THE DIRECTOR ELEMENTARY AND SECONDARY EDUCATION
KHYBER PAKHTUNKHWA PESHAWAR

Endst: No 1501-51 /Estab/ Final Seniority List of MC (BPS -19) Dated Peshawar the 11.05.2012.

Copy of the above is forwarded along with Final Seniority List of MC (BPS-19) for information to the:-

- 1-25 All the Executive District Officers Elementary & Secondary Education Khyber Pakhtunkhwa.
- 26-48 All the Officers Concerned.
49. Section Officer (Schools/Male) Elementary & Secondary Education Department, Government of Khyber Pakhtunkhwa Peshawar.
50. P/S Secretary, Government of Khyber Pakhtunkhwa Elementary & Secondary Education, Department, Peshawar.
51. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.

Dy: Director (Esab)
Elementary and Secondary Education
Khyber Pakhtunkhwa Peshawar.

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ATTESTED

-10-

FINAL SENIORITY LIST OF OFFICERS BPS-19 (EXECUTIVE DISTRICT OFFICERS/ADDITIONAL DIRECTORS),
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT MANAGEMENT CADRE AS IT STOOD ON 22-02-2012.

S.N	NAME OF OFFICERS WITH DESIGNATION	Date of Birth	Domicile	Date of 1st Applt: in Edu; Deptt;	Date of Applt/Promotion as EDO /Addl Dir	Method of Recruitment	Remarks
1	Mr: Bashir Hussain Shah Additional Director (P&D) /CPO E&SE Khyber Pakhtunkhwa	10.01.1957	Haripur	01.12.1975	24.02.2011	Direct Selectee against 60% Departmental Quota	
2	Mr: Muhammad Rafique, Additional Director (Est) E&SE Khyber Pakhtunkhwa	14.02.1958	Karak	05.08.1978	24.02.2011	-do-	
3	Mr: Feroz Hussain Shah, EDO (E&SE) D.I Khan	25.10.1954	DIKhan	11.11.1975	24.02.2011	-do-	
4	Mr: Abdur Rashid, EDO (E&SE) Bannu	15.05.1957	DIKhan	24.06.1978	24.02.2011	-do-	
5	Mr: Muhammad Ibrahim, EDO (E&SE) Dir Lower	16.03.1963	Dir Lower	10.02.1988	24.02.2011	-do-	
6	Mr: Sultan Mehmood Mian, EDO (E&SE) Swat	21.12.1955	Swat	20.12.1983	24.02.2011	-do-	
7	Mr: Roz Wali, EDO (E&SE) waiting for posting	10.04.1957	Karak	01.12.1988	24.02.2011	-do-	
8	Gohar Ali Khan EDO (E&SE) Peshawar	01.01.1967	Peshawar	22.04.1990	24.02.2011	-do-	
9	Mr: Abdullah, EDO (E&SE) Shangla	02.09.1956	Malakand	04.03.1984	24.02.2011	-do-	
10	Muhammad Riaz EDO (E&SE) Abbottabad	02.05.1960	Mansehra	24.05.1988	24.02.2011	-do-	
11	Jehan Muhammad EDO (E&SE) Hanqu	04.01.1961	Nowshchra	26.10.1986	24.02.2011	-do-	
12	Haziq ur Rahman EDO (E&SE) Karak	06.02.1962	Karak	01.09.1985	24.02.2011	-do-	
13	Jaffar Mansoor Abbasi Working as Prl GHS No.1 Abbottabad	15.09.1968	Abbottabad	11.02.1999	24.02.2011	-do-	
14	Zia ud Din EDO (E&SE) Dir Upper	01.09.1970	Lakki Marwat	01.09.2003	24.02.2011	-do-	
15	Atta Ullah Khan EDO (E&SE) Charsadda	18.03.1960	Lakki Marwat	16.02.1987	24.02.2011	-do-	
16	Mr: Ghulam Qasim Khan, EDO (E&SE) Tank	10.01.1956	DIKhan	03.11.1973	24.02.2011	Direct Selectee against 40% Open Market Quota	
17	Mr: Abdul Malik, EDO (E&SE) Lakki Marwat	07.01.1954	D.I. Khan	16.02.1977	24.02.2011	-do-	
18	Umar Khan EDO (E&SE) Mansehra	12.02.1962	Tank	01.10.1986	24.02.2011	-do-	
19	Shamas Khan, Additional Director (P&D) E&SE, Khyber Pakhtunkhwa	13.02.1954	Swabi	25.03.1975	24.02.2011	-do-	
20	Abdul Salam EDO (E&SE) Swabi	01.04.1962	D.I Khan	09.10.1985	24.02.2011	-do-	
21	Siraj Muhammad EDO (E&SE) Chitral	20.04.1960	Peshawar	29.03.1988	24.02.2011	-do-	
22	Nazir Khan EDO (E&SE) Kohat	06.03.1959	Karak	24.10.1989	24.02.2011	-do-	
23	Sahibzada Hamid Mehmood EDO (E&SE) Torgher	06.09.1965	Peshawar	03.12.1989	24.02.2011	-do-	

CHIEF SECRETARY
KHYBER PAKHTUNKHWA

Dated Peshawar the, 08.05.2012

Endst: No. SO (S/M) E&SED/4-25/2012/Final Seniority List of MC (BPS -19):
Copy of the above is forwarded for information to the :-

1. Director Elementary and Secondary Education, Khyber Pakhtunkhwa, Peshawar.
2. Director of Education (FATA) Khyber Pakhtunkhwa, Peshawar.
3. Director (PITE) Khyber Pakhtunkhwa, Peshawar.
4. Director Curriculum & Teacher Edu; Khyber Pakhtunkhwa, A/Abad.
- 5-29. All the Executive District Officers (E&SE) in Khyber Pakhtunkhwa.
- 30-52. All officers concerned.
53. Ps to Secretary to Govt; of Khyber Pakhtunkhwa, (E&SE) Peshawar.

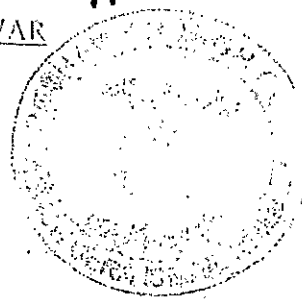
SECTION OFFICER (SCHOOLS/MALE)

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~~Annex-D~~ 187
-11-

BEFORE THE PESHAWAR HIGH COURT PESHAWAR



Writ Petition No. 302 of 2013

Qasim Khan, Executive District Officer
(E&S) D.I. Khan

Petitioner

VERSUS

1. Chief Secretary to Government of Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
2. Secretary to Government of Khyber Pakhtunkhwa, Education (E&S) Department, Peshawar.
3. Public Service Commission, Khyber Pakhtunkhwa, through its Chairman Fort Road, Peshawar.
4. Muhammad Rafiq Khattak Director of Education (E&S) Dabgari Road, Peshawar...

Respondents

WRIT PETITION UNDER ARTICLE 199 OF THE CONSTITUTION OF ISLAMIC REPUBLIC OF PAKISTAN, 1973 FOR DIRECTING THE RESPONDENTS NO.1 & 2 TO PLACE THE PROMOTION CASE OF THE PETITIONER BEFORE THE PROVINCIAL SELECTION BOARD STRICTLY ON INTER-SE MERIT ASSIGNED BY THE PUBLIC SERVICE COMMISSION.

3/8/9
7/8/13

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Respectfully Sheweth:

FACTS OF THE CASE

1. That consequent upon separation of new Education Policy of the Elementary and Secondary Education Department into two independent

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JUDGMENT SHEET
IN THE PESHAWAR HIGH COURT, D.I. KHAN
(Judicial Department)



N.P. No. 262 of

JUDGMENT

Date of hearing

Appellant-petitioner Shehzada Shahpur Jan

Mr. Shehzada Shahpur Jan

Respondent Chief Secretary, Govt. of Punjab

Mr. Ahmad Khan

ABDUL LATIF KHAN, J.- Through the instant petition, the petitioner seeks directions to respondents No. 1 and 2 to place his promotion case before the Provincial Selection Board in accordance with the seniority list prepared by the Public Service Commission.

Run

2. Shehzada Shahpur Jan, learned counsel for the petitioner contended that after the separation of management cadre from teaching cadre, the petitioner, in response to the advertisement made by the Public Service Commission, applied and after test and interview, he was recommended to the Government for appointment in the management cadre and accordingly, the Government issued Notification to this effect. He added that the Commission prepared an inter-se merit list of the

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EXAMINER
in Bench

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selectees on 02.8.2012 in BPS-19 where the name of the petitioner was shown at serial No.1 whereas the name of respondent No.4 was at serial No.4. He added that respondent No.4 was junior to the petitioner right from BPS-16 to BPS-19 in teaching cadre previously. He contended that after the separation of management cadre, two posts of BPS-20 have become available which are likely to be filled amongst the senior most officers on the basis of merit list prepared by the Public Service Commission. He contended that the petitioner is senior most, therefore, his name in working papers for placing before the Provincial Selection Board in BPS-20, in management cadre shall be added. He added that previously twice the working papers were prepared for the purpose, but the name of the petitioner was not included, despite of his seniority and excellent service, by ignoring the inter-se seniority, in order to adjust respondent No.4 through back door. He referred to the merit list wherein the petitioner was shown at serial No.1 and respondent No.4 figured at serial No.12.

Sum

3. As against that the learned A.A.G for respondents No.1 to 3 assisted by Mr. Ahmad Farooq Khan, learned counsel representing respondent No.4 raised the objection that the writ petition is not

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maintainable, for the reason that the petitioner and respondent No.4 are civil servants and under Article 212 of the Constitution of Islamic Republic of Pakistan, 1973, the matter relates to the jurisdiction of Service Tribunal and the provisions of Article 199 of the Constitution of Islamic Republic of Pakistan, 1973, cannot be invoked. It was argued that the merit lists relied upon by the petitioner are not relevant and placed reliance on the latest merit list prepared on 22.02.2012 and pointed out that respondent No.4 has been shown at serial No.2 whereas the name of the petitioner finds mention at serial No.16. It was vehemently argued that the petitioner has got no locus standi to file the instant petition, as no cause of action accrues to him, for the reason that nobody has been recommended and even if recommendations are proposed, the same would be made from the top of the merit list whereas the petitioner being at serial No.16 is not entitled in any eventuality to be recommended for the post in BPS-20.

DM

4. We have considered the arguments of learned counsel for the parties and perused the record with their valuable assistance.

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5. The merit list relied upon by the petitioner was in fact interview results of EDO (B-19) in

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Elementary & Secondary Education Department. This interview for the posts was held from 01.02.2010 to 30.4.2010 and as a result, recommendations were made to the Government for appointment and on the basis of which, appointments were made. No doubt this result card shows the name of petitioner at serial No.1 whereas name of respondent No.4 at serial No.12. Another list referred by the petitioner, prepared as on 05.01.2009 for the officers of BPS-19 in Elementary & Secondary Education Department as final list, wherein the petitioner was shown at serial No.68 and respondent No.4 was at serial No.85, however, the final seniority list of the officers BPS-19 (Executive District Officers/Additional Directors), Elementary & Secondary Education Department Management cadre, as on 22.02.2012 was prepared and announced, wherein respondent No.4 was shown at serial No.2 and petitioner was shown at serial No.16. The respondent No.4 was out of the direct selectees against 60% departmental quota whereas petitioner was amongst the direct selectees against 40% open market quota. The final list reveals that respondent No.4 is meritorious than the petitioner. The petitioner has challenged this list before the high-ups (Chief Secretary, and Secretary Education, KPK) on 28.02.2013 as reveals from the record available prior to

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filing of instant petition before the Court and has availed the remedy of appeal which is still subjudice. The claim of the petitioner that he may be recommended for the post of BPS-20 to the Provincial Selection Board does not hold water, for the reason that he is at a lower pedestal than respondent No.4 as per the final list published on 22.02.2012, which is well in the knowledge of the petitioner and has been challenged by him before the competent forum.

6. Under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973, the jurisdiction of this Court can be invoked only when no other adequate remedy is available. In the instant case, the petitioner has already filed the appeal before the competent Court, therefore, the instant petition is not competent. The petitioner does not come within the ambit of 'aggrieved person', as no order, adverse to his right has been passed nor recommendations have been made so far and even if the recommendations are made, those would be regarding senior most out of the final seniority list for which the petitioner is not eligible. Needless to mention that petitioner and respondents are civil servants and the instant matter relates to the terms and conditions of service and Article 212 of the Constitution of Islamic Republic of

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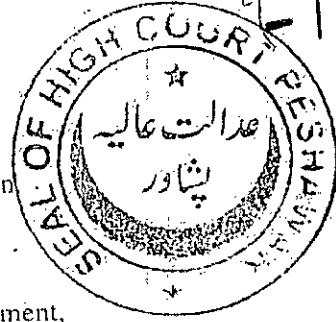
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BEFORE THE PESHAWAR HIGH COURT PESHAWAR

Annex-E

Writ petition No. 2649/2014



Ghulam Qasim Khan S/O Abdul Majeed Khan
District Education Officer,
Elementary and Secondary Education Department,
Kohat..... Petitioner

Versus

1. Government of Khyber Pakhtunkhwa
Through Chief Secretary, Peshawar.
2. Secretary to the Govt. of Khyber Pakhtunkhwa,
Elementary and Secondary Education Department,
Peshawar.
3. Secretary to the Govt. of Khyber Pakhtunkhwa,
Establishment Department, Peshawar.
4. Khyber Pakhtunkhwa Public Service Commission,
Peshawar.
5. Muhammad Rafiq Khattak,
Presently Director, Elementary
and Secondary Education Peshawar..... Respondents

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FILED TODAY

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EXAMINER
Peshawar High Court
09 MAY 2015

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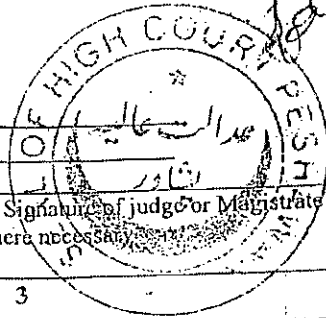
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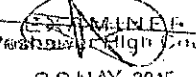
APESHA WAR HIGH COURT, PESHAWAR
FORM "A"
FORM OF ORDER SHEET.

Court of _____
Case No _____



Serial No of order or proceeding	Date of Order or Proceeding	Order or other proceedings with Signature of judge or Magistrate and that of parties or counsel where necessary
1	2	3
	23.04.2015	<p><u>WP No. 2049-P/2014</u></p> <p><u>Present:-</u> Mr. <i>Shakeel Ahmad</i> Advocate for petitioner.</p> <p>Mr. Muhammad Riaz Painsdakhel, AAG alongwith Majeed Ullah, Legal representative of respondent No.2.</p> <p>*****</p> <p><u>ROOH-UL-AMIN KHAN.J.</u> The moment the case was taken up for hearing, the learned counsel for petitioner stated at the bar that under the instruction of his client, he is no more interested to pursue the matter and requested for dismissal of the instant writ petition as not pressed.</p> <p style="text-align: right;">43</p> <p>Before adhering to the request, the learned counsel for petitioner was confronted with the previous order sheet of this court dated 2.4.2015 which reads as under:-</p>

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 09 MAY 2015

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"At the very outset, the learned AAG pointed out that for the same very relief the petitioner had earlier approached D.I.Khan Bench of this court through W.P No. 362-D/2013 which was dismissed on 12.09.2013 and without disclosing the same fact, the petitioner has again approached this court through the present petition. We have taken a very serious view of this matter as to why the petitioner did not disclose the same fact in his petition. Adjourned to 15.04.2015 with direction to the learned counsel for the petitioner to come alongwith the latter on the date fixed".

The learned counsel for petitioner while trying to wriggle out of the situation stated at the bar that at the time of filing of instant petition, the petitioner has not informed him about filing of another writ petition No.362-D/2013 or its dismissal by the Divisional Bench of this court at

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 EXAMINER
 Peshawar High Court
 09 MAY 2015

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D.I.Khan. The learned counsel, without contest, beg unconditional apology on the part of petitioner and also showed remorse on the lackadaisical attitude of the petitioner.

We have noted with great concern and are surprised that high official, possessing the slot of District Education Officer, in Elementary and Secondary Education, Department is litigating the case before this court after dismissal of his earlier writ petition for the same relief and that too, without disclosing the fact to his counsel or the court. Above all, the petitioner Ghulam Qasim Khan, District Education Officer has filed a duly sworn affidavit to the effect that the contents of writ petition filed by him are true to the best of his knowledge and nothing substantial has been concealed from this court. It is manifest from the record that the petitioner has not exhibited clean conduct in seeking equitable relief from court and inspite of adjudication of his right by this court, filed the instant petition, without disclosing the factum of decision of previous writ petition at Circuit Bench, D.I.Khan, which act is reckless and contemptuous, as the petitioner has tried to

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 EXAMINER
 Peshawar High Court
 09 MAY 2015

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circumvent and frustrate the law, to gain illegal advantage. He has tried to undermine confidence of public in judiciary. The indolent, fraudulent and deceiving attitude and conduct of the petitioner has exposed him for initiating contempt of court proceedings against him, but in view of the unconditional apology of his counsel and showing remorse on the act of petitioner we, treating it mitigating circumstance, reducing the magnitude of action, taking lenient view at this end and warned the petitioner to remain careful in future.

Before dismissing the petition being not pressed, we deem it necessary to inform the Secretary, Elementary and Secondary Education and Chief Secretary to initiate proceedings against the petitioner under E&D Rules 2011, for frivolous and unjust litigation against the government in callous and highhanded manner.

With the above observation, this writ petition is dismissed being not pressed. The Registrar shall send a copy of this order to the Chief Secretary and Secretary, Elementary and Secondary Education, Department, Khyber Pakhtunkhwa, Peshawar for necessary action and

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REGISTRAR
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compliance report within two months.

Announced.
Dated.24.04.2015.

Roshid, Amin Khan
Syed Syed Abbas Shah

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CERTIFIED TO BE TRUE
By a Justice of the
Peshawar High Court
Authorized Under Article
The Warrant. Shariat Order
09 MAY 2015

25/05/15

21737

Date of Presentation of Application *09/05/15*

No of Pages *06-9*

Copying fee *1*

Urgent Fee

Total *12.00*

Date of Preparation of Copy *08/05/15*

Date Given For Delivery *09/05/15*

Date of Delivery of Copy *09/05/15*

Received By *Arshad Ali*

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1 date B-15072

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**ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
PESHAWAR.**

1. The Allocation for 26 posts of Executive District Officer / Additional Director (UPS-19) at S.No. 2 of Advt. No. 5/2009 may be read as under:

Merit

- a. Forty per cent (10 posts) for candidates from amongst open market; and
- b. Sixty per cent (16 posts) for candidates from amongst the teaching cadre.

2. The Allocation for 29 posts of Male District Officer / Deputy Director / Deputy Director Teachers Education and Curriculum (UPS-13) at S.No. 3 of Advt. No. 5/2009 may be read as under:

Merit

- a. Forty per cent (12 posts) for candidates from amongst open market; and
- b. Sixty per cent (17 posts) for candidates from amongst the teaching cadre.

3. The Allocation for 24 posts of Female District Officer / Deputy Director / Deputy Director Teachers Education and Curriculum (UPS-14) at S.No. 4 of Advt. No. 5/2009 may be read as under:

Merit

- a. Forty per cent (10 posts) for candidates from amongst open market; and
- b. Sixty per cent (14 posts) for candidates from amongst the teaching cadre.

4. The Allocation for 40 posts of Male Deputy District Officer / Assistant Director (UPS-17) at S.No. 5 of Advt. No. 5/2009 may be read as under:

a) Open Market Posts 40 %

Merit	Zone-1	Zone-2	Zone-3	Zone-4	Zone-5	Total
4	3	3	2	2	2	16

b) Teaching Cadre Posts 60 %

Merit	Zone-1	Zone-2	Zone-3	Zone-4	Zone-5	Total
6	4	4	4	3	3	24

5. The Allocation for 30 posts of Female Deputy District Officer / Assistant Director (UPS-17) at S.No. 6 of Advt. No. 5/2009 may be read as under:

a) Open Market Posts 40 %

Merit	Zone-1	Zone-2	Zone-3	Zone-4	Zone-5	Total
3	2	2	2	2	1	12

b) Teaching Cadre Posts 60 %

Merit	Zone-1	Zone-2	Zone-3	Zone-4	Zone-5	Total
3	3	3	3	2	2	15

6. The Eligibility for the 40 posts of Male Deputy District Officer / Assistant Director UPS-17 at S.No. 5 of Advt. No. 5/2009 may be read as Male.

7. The Eligibility for the 30 posts of Female Deputy District Officer / Assistant Director UPS-17 at S.No. 6 of Advt. No. 5/2009 may be read as Female.

Note: 1. Separate Application Form Must Be Submitted For Category (A) And (B) Under Each Serial as the case may be.
2. The closing date shall remain the same i.e., 04.07.2009.

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NWFP PUBLIC SERVICE COMMISSION

2- Fort Road Peshawar Cantt:

Website: www.nwfppsc.gov.pk

Tele: Nos. 091-9214131, 9213563, 9213750, 9212897

Dated: 04-06-2009

ADVERTISEMENT No. 05 / 2009.

Applications, on prescribed form, are invited for the following posts from Pakistani citizens having domicile of N.W.F.P / F.A.T.A by **04-07-2009** (candidates applying from abroad by **18-07-2009**). Incomplete applications and applications without supporting documents required to prove the claim of the candidates shall be rejected without intimation to the candidates

AGRICULTURE LIVESTOCK & CO-OPERATIVE DEPTT:

1. ONE (01) POST OF RESEARCH OFFICER SUGAR CROPS IN AGRICULTURE RESEARCH SYSTEM

QUALIFICATION: M.Sc Agriculture or B.Sc (H) Agriculture in the specialty of Agronomy/ Plant Breeding and Genetics (Obtained after 4 years instruction after F.Sc) from a recognized University.

AGE LIMIT: 21 to 32 years. **PAY SCALE:** BPS-17. **ELIGIBILITY:** Both Sexes. **ALLOCATION:** Zone-5

ELEMENTARY AND SECONDARY EDUCATION DEPTT:

2. TWENTY SIX (26) POSTS OF EXECUTIVE DISTRICT OFFICER / ADDITIONAL DIRECTOR (BPS-19)

QUALIFICATION: (i) Ph.D in Education and Seven years teaching/ administrative experience in Govt: recognized education institutions/ Office ; or
(ii) M.Phil in Education and Nine years teaching / administrative experience in Govt: recognized educational institutions Office; or
(iii) M.A/M.Sc in 2nd Div with M.Ed / M.A (Education) / M.A (Education Planning & Management) or equivalent qualification with at least twelve years teaching / administrative experience in Govt: recognized educational institutions / office

AGE LIMIT: 35 to 50 years. **PAY SCALE:** BPS-19. **ELIGIBILITY:** Both Sexes.

ALLOCATION: Merit

Note: Experience wherever prescribed shall be counted after the minimum qualifications for the post(s), if not specifically provided otherwise against the advertised post(s).

3. TWENTY NINE (29) POSTS OF MALE DISTRICT OFFICERS/ DEPUTY DIRECTOR TEACHERS EDUCATION AND CURRICULUM

QUALIFICATION: (i) Ph.D in Education and two years teaching /administrative experience in Govt: recognized education institutions/ Office ; or

(ii) M.Phil in Education and three years teaching / administrative experience in Govt: recognized educational institutions/ Office; or

(iii) M.A/M.Sc in 2nd Div with M.Ed / M.A (Education) / M.A (Education Planning & Management) or equivalent qualification with at least five years teaching / administrative experience in Govt: recognized educational institutions / office

AGE LIMIT: 25 to 45 years. **PAY SCALE:** BPS-18 **ELIGIBILITY:** Male

ALLOCATION: Merit

Note: Experience wherever prescribed shall be counted after the minimum qualifications for the post(s), if not specifically provided otherwise against the advertised post(s).

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4. **TWENTY FOUR (24) POSTS OF FEMALE DISTRICT OFFICERS/DEPUTY DIRECTOR TEACHERS EDUCATION AND CURRICULUM**

QUALIFICATION: (i) Ph.D in Education and two years teaching / administrative experience in Govt: recognized education institutions/ Office ; or
(ii) M.Phil in Education and three years teaching / administrative experience in Govt: recognized Educational institutions /Office; or
(iii) M.A/M.Sc in 2nd Div with M.Ed / M.A (Education) / M.A (Education Planning & Management) or equivalent qualification with at least five years teaching / administrative experience in Govt: recognized educational institutions / office
AGE LIMIT: 25 to 45 years. **PAY SCALE:** BPS-18 **ELIGIBILITY:** Female
ALLOCATION: Merit

Note: Experience wherever prescribed shall be counted after the minimum qualifications for the post(s), if not specifically provided otherwise against the advertised post(s).

5. **FORTY (40) POSTS OF MALE DEPUTY DISTRICT OFFICERS/ ASSISTANT DIRECTOR (BPS-17)**

QUALIFICATION: (i) M.A/M.Sc in 2nd Div with B.Ed and five years teaching / administrative experience in Govt: recognized educational institutions / office
AGE LIMIT: 21 to 40 years. **PAY SCALE:** BPS-17 **ELIGIBILITY:** Male
ALLOCATION:

Merit	Zone-1	Zone-2	Zone-3	Zone-4	Zone-5
10	07	07	06	05	05

Note: Experience wherever prescribed shall be counted after the minimum qualifications for the post(s), if not specifically provided otherwise against the advertised post(s).

6. **THIRTY (30) POSTS OF FEMALE DEPUTY DISTRICT OFFICERS/ ASSISTANT DIRECTOR (BPS-17)**

QUALIFICATION: (i) M.A/M.Sc in 2nd Div with B.Ed and five years teaching / administrative experience in Govt: recognized educational institutions / office
AGE LIMIT: 21 to 40 years. **PAY SCALE:** BPS-17 **ELIGIBILITY:** Female
ALLOCATION:

Merit	Zone-1	Zone-2	Zone-3	Zone-4	Zone-5
08	05	05	05	04	03

Note: Experience wherever prescribed shall be counted after the minimum qualifications for the post(s), if not specifically provided otherwise against the advertised post(s).

7. **TWO HUNDRED AND FORTY ONE (241) POSTS OF MALE ASSISTANT DISTRICT OFFICERS (BPS-16)**

QUALIFICATION: (i) B.A/B.Sc 2nd Div with B.Ed and five years teaching / administrative experience in Govt recognized Educational institutions / office.

AGE LIMIT: 25 to 35 years. **PAY SCALE:** BPS-16 **ELIGIBILITY:** Male

ALLOCATION:

Merit	Zone-1	Zone-2	Zone-3	Zone-4	Zone-5
61	40	40	40	30	30

Note: Experience wherever prescribed shall be counted after the minimum qualifications for the post(s), if not specifically provided otherwise against the advertised post(s).

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8. **ONE HUNDRED AND NINETY FOUR (194) POSTS OF FEMALE ASSISTANT DISTRICT OFFICERS (BPS-16)**

QUALIFICATION: (i) B.A/B.Sc 2nd Div with B.Ed and five years teaching / administrative experience in Govt recognized education institutions / office.

AGE LIMIT: 21 to 35 years. **PAY SCALE:** BPS-16 **ELIGIBILITY:** Female

ALLOCATION:

Merit	Zone-1	Zone-2	Zone-3	Zone-4	Zone-5
49	33	32	32	24	24

Note: Experience wherever prescribed shall be counted after the minimum qualifications for the post(s), if not specifically provided otherwise against the advertised post(s).

9. **FIVE (05) POSTS OF MALE ASSISTANT DISTRICT OFFICERS (DISABLED) (B-16)**

QUALIFICATION: (i) B.A/B.Sc 2nd Div with B.Ed and five years teaching / administrative experience in Govt recognized Education institutions / office.

AGE LIMIT: 25 to 35 years. **PAY SCALE:** BPS-16 **ELIGIBILITY:** Male

ALLOCATION: Merit

10. **FOUR (04) POSTS OF FEMALE ASSISTANT DISTRICT OFFICERS (DISABLED) (B-16)**

QUALIFICATION: (i) B.A/ B.Sc 2nd Div with B.Ed and five years teaching / administrative experience in Govt recognized Education institutions / office.

AGE LIMIT: 21 to 35 years. **PAY SCALE:** BPS-16 **ELIGIBILITY:** Female

ALLOCATION: Merit

Note: Experience wherever prescribed shall be counted after the minimum qualifications for the post(s), if not specifically provided otherwise against the advertised post(s).

HIGHER EDUCATION DEPARTMENT

11. **TWO HUNDRED FORTY FIVE (245) POSTS OF MALE LECTURER IN VARIOUS SUBJECTS IN HIGHER EDUCATION DEPARTMENT.**

QUALIFICATIONS:- (i) 2nd Class Master Degree in relevant subject or equivalent qualification from a recognized University. (ii) 3rd Class Master Degree in English with Post Graduate Diploma in English Language from Allama Iqbal Open University.

Pay Scale:- BPS – 17

Age Limit:- 21 to 30 years.

Eligibility:- Male.

Zonal Allocation:-

S.No	Subject	No of Posts	Merit	Zone-1	Zone-2	Zone-3	Zone-4	Zone-5
1	Archeology	02	01	-	-	01	-	-
2.	Arabic	05	01	01	-	01	01	01
3.	Biology	01	-	-	-	-	01	-
4.	Botany	11	03	01	01	02	02	02
5.	Chemistry	14	03	02	03	02	02	02
6.	Computer Science	14	04	02	02	02	02	02
7	Electronics	02	-	-	-	-	01	01
8.	Economics	17	04	03	03	03	02	02
9.	English	34	08	06	06	06	04	04
10.	Geography	06	01	01	02	02	-	-

-30-

11	History	12	03	01	02	02	02	02
12	Islamiat	16	04	03	02	03	02	02
13	Law	04	01	-	-	01	01	01
14	Maths	13	04	03	02	02	01	01
15	Pak Study	05	01	01	01	02	-	-
16	Pushto	04	01	01	01	01	-	-
17	Physics	22	05	04	04	03	03	03
18	Political Science	12	03	02	02	03	01	01
19	Sociology	01	01	-	-	-	-	-
20	Statistics	07	02	01	01	01	01	01
21	Urdu	28	07	04	05	05	04	03
22	Zoology	15	04	03	02	02	02	02

12. 05 POSTS OF MALE LECTURER (DISABLE QUOTA), 01 EACH IN CHEMISTRY, COMPUTER SCIENCE, ENGLISH, PHYSICS AND URDU

QUALIFICATIONS:- (i) 2nd Class Master Degree in relevant subject Or equivalent qualification from a recognized University. (ii) 3rd Class Master Degree in English with Post Graduate Diploma in English Language from Allama Iqbal Open University.

Pay Scale:- BPS – 17. **Age Limit:-** 21 to 30 years. **Eligibility:-** Male.
Allocation:- Merit.

HEALTH DEPARTMENT

13. ONE (01) POST OF SENIOR REGISTRAR IN DERMATOLOGY FOR KHYBER GIRLS MEDICAL COLLEGE PESHAWAR.

QUALIFICATION: (i) MBBS or equivalent qualification recognized by the council and (ii) FCPS/MS/MD in the respective subject or equivalent qualification in the specialty recognized by the council.

AGE LIMIT: 25 to 45 years. **PAY SCALE:** BPS-18 **ELIGIBILITY:** Both Sexes.
ALLOCATION: Merit

14. THREE (03) POSTS OF SENIOR REGISTRAR, ONE EACH IN NEURO SURGERY, DERMATOLOGY AND PSYCHIATRY FOR KHALIFA GUL NAWAZ TEACHING HOSPITAL BANNU

QUALIFICATION: (i) MBBS or equivalent qualification recognized by the council and (ii) FCPS/MS/MD in the respective subject or equivalent qualification in the specialty recognized by the council.

AGE LIMIT: 25 to 45 years. **PAY SCALE:** BPS-18 **ELIGIBILITY:** Both Sexes.
ALLOCATION: Merit

LAW AND PARLIMENTRY AFFAIRS DEPARTMENT

15. TWO (02) POSTS OF TRANSLATOR

QUALIFICATION: (a) 2nd Class Bachelor Degree in Law (L.L.B) from a recognized University. (b) 2nd Class Master Degree in Urdu from a recognized University.

AGE LIMIT: 25 to 32 years. **PAY SCALE:** BPS-17 **ELIGIBILITY:** Both Sexes.
ALLOCATION:

Merit	Zone-1
01	01

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16. ONE (01) POST OF PROOF READER

QUALIFICATION: 2nd Class Bachelor Degree with Urdu Advance as one of the subject for any recognized University.

AGE LIMIT: 18 to 32 years. **PAY SCALE:** BPS-11 **ELIGIBILITY:** Both Sexes.

ALLOCATION:

Zone-1
01

PROVINCIAL PUBLIC SAFETY & POLICE COMPLAINTS COMMISSION, PESHAWAR

17. ONE (01) POST OF FEMALE JUNIOR SCALE STENOGRAPHER-CUM-COMPUTER OPERATOR

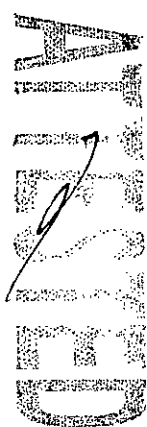
QUALIFICATION: (i) F.A. / F.Sc in second division from a recognized Board. (ii) One year diploma in Computer Science from an institute recognized by the Board of Technical Education. (iii) A speed of 60 words per minute in English Shorthand and 35 words per minute in English Typewriting.

AGE LIMIT: 18 to 30 years. **PAY SCALE:** BPS-12 **ELIGIBILITY:** Female.

ALLOCATION: Merit

GENERAL CONDITIONS

- (i) Age shall be reckoned on **04/ 07/ 2009**. Maximum age limit as prescribed in the recruitment rules shall be relaxed upto 10 years for Govt Servants who have completed 2 years continuous service and upto 3 years for candidates belonging to backward areas specified in the appendix attached to the NWFP Initial Appointment to Civil Posts (Relaxation of Upper Age Limit) Rules, 2008. However, a candidate shall be allowed relaxation in age in one of the above categories provided that the candidates from backward areas, in addition to automatic relaxation of three years shall be entitled to one of the relaxations available to Govt Servants, general or disabled candidates, whichever is relevant and applicable to them.
- (ii) Degrees / Diploma / Experience Certificates / Testimonials of unrecognized Institution are not accepted. Only original Degrees / Certificates are accepted. However, the candidates can apply on provisional certificate signed by the Controller of Examination of the respective Institution but candidates shall produce original degrees / certificates before their selection. Detail Marks Certificates for all the examinations shall necessarily be required and these should be attached with the application forms.
- (iii) Ex-armed Forces Personnel must send copy of Discharge Certificate with their applications. Govt. / Semi Govt. / Autonomous / Semi Autonomous Bodies employees may apply direct but their Departmental Permission Certificates should reach within 30 days of the closing date.
- (iv) Applications should be on the prescribed application form obtainable from the listed below branches of the NATIONAL BANK OF PAKISTAN. Application Fee is Rs.285/- (Rupees Two Hundred Eighty Five only) for all the candidates. In addition to the application fee, the candidates will have to pay Rs.15/- (rupees fifteen only) on account of Bank Charges. Separate application form will be required for each advertised category of posts. Application forms obtained other than the specified branches of the National Bank will be considered invalid and such applications will not be entertained. The applications on plain paper or Photostat shall not be accepted. Incomplete and late applications shall also be ignored.
- (v) Applications must be submitted within time as no extra time is allowed for postal transit. The applications if submitted on the last date for receipt of applications must reach the Commission's office by the closing hours.
- (vi) Applicants married to Foreigners are considered only on production of the Govt: Relaxation Orders.
- (vii) No applicant shall be considered in absentia on paper qualifications unless, he/she possesses exceptionally higher qualifications than the minimum prescribed qualification for a particular post(s).
- (viii) Govt. reserves the right not to fill any or fill more or less than the advertised post(s).



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- (ix) Candidates who have already availed three chances by physical appearance before the Commission and have failed for the post(s) having one and the same qualifications and scale of pay shall be ineligible.
- (x) Experience wherever prescribed shall be counted after the minimum qualifications for the post(s), if not specifically provided otherwise against the advertised post(s).
- (xi) In case the numbers of applications of candidates are disproportionately higher than the number of post, short listing will be made in anyone of the following manner: -
- Written Test in the Subject.
 - General Knowledge or Psychological General Ability Test.
 - Academic and/or Professional record as the Commission may decide.

SPECIFIED BRANCHES OF THE NATIONAL BANK OF PAKISTAN.

Main Branches of:

- Parachinar, Mardan, Swabi, Malakand, Shangla, Chitral, Timargara, Daggar, D.I.Khan, Bannu, Karak, Kohat, Hangu, Lakki Marwat, Abbottabad, Haripur, and Mansehra.
- Saddar Road Branch, Tehkal Payan Branch, and G.T Road (Nishtar Abad) Branch Peshawar.
- Tehsil Bazar Branch Charsadda, Nowshera Cantt: Branch, Bank Square Branch Mingora and city Branch Tank.

Note: -The candidate who apply for the post(s) are advised to make sure that they are eligible for the post in all respects because eligibility of the candidate will be determined strictly according to the rules after conduct of all essential tests.

(ATTA-UR-REHMAN)
Secretary
NWFP Public Service Commission
Peshawar

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Annex G

To

The Secretary to
Govt of Khyber Pakhtunkhwa
Elementary & Secondary Education Department

Subject: INTER-SE-MERIT OF THE EDO,S (B-19) IN E&S ED:

I directed to refer to the subject cited above and to forward herewith inter-se-merit of EDO,s(B-19) for your record and necessary action please.

S.No	Name with Father Name	Domicile	Quota
1.	Ghulam Qasim Khan S/O Abdul Majeed Khan	D.I.Khan/4	Open
2.	Bashir Hussain Shah S/o Taj Hussain Shah	Haripur/5	Teaching
3.	Muhammad Rafiq S/O Niaz Khamim	Karak/4	Teaching
4.	Abdul Malik S/o Muhammad Mushtauq	D.I.Khan/4	Open
5.	Umar Khan S/O Muhammad Hassan	Tank/4	Open
6.	Feroz Hussain Shah S/O Sultan Ali Shah	D.I.Khan/4	Teaching
7.	Abdur Rashid S/O Ghulam Jaffar	D.I.Khan/4	Teaching
8.	Muhammad Ibrahim S/O Buzurg Jambher	Dir/3	Teaching
9.	Shamas Khan S/O Mir Ahmed Khan	Gadoon/3	Open
10.	Sultan Mehmood Mian S/O Nunmooz	Swat/3	Teaching
11.	Abdus Salam S/O Hameed Ullah Jan	D.I.Khan/4	Open
12.	Abdul Basit S/O Qavi Ullah	Peshawar/2	Open
13.	Koz Wali Khan S/O Jannat Noor	Karak/4	Teaching
14.	Siraj Muhammad S/O Muhammad Khan	Peshawar/2	Open
15.	Goher Ali Khan S/O Muhammad Ali Khan	Peshawar/2	Teaching
16.	Muhammad Uzair Ali S/O Abdul Qayyum	Swabi/2	Open
17.	Abdullah S/O Mir Azam	MKD Agy/3	Teaching
18.	Nazir Khan S/O Gul Payo Khan	Karak/4	Open
19.	Muhammad Riaz S/O Ghulam Khan	Mansehra/5	Teaching
20.	Ishan Muhammad S/O Sultan Muhammad	Nowshera/2	Teaching

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22.	Muhammad Shaukat S/O Abdul Jalil	Mansehra/5	Teaching
23.	Haziq ur Rehman S/O Sarwar Jan	Karaka/4	Teaching
24.	Jaffar Mansoor Abbasi S/O Gauhar Rehman Abbasi	Abbottabad/5	Teaching
25.	Zia ud din S/O Ghulam Mohiy ud Din	Lakki/4	Teaching
26.	Atiq Ullah Khan S/O Muhammad Nawaz Khan	Lakki/4	Teaching
27.	Samina Altaf S/O syed Altaf Hussain	Haripur/5	Teaching

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(Ilyas Shah)
Deputy Secret

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2/12/2012

ATTESTED



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar
Phone No. 091-9223533

Annex-H

35-

No. SO (MC)E&SED/4-24/2023/Tentative Sen. List MC BS-19(Male & Female)
Dated: 23rd October, 2023

To

✓ The Director,
EMIS, E&SE Department

Subject: - TENTATIVE SENIORITY LIST OF MANAGEMENT CADRE OFFICERS
(BS-19) E&SE DEPARTMENT AS STOOD ON 02.10.2023

I am directed to refer to the subject noted above and to enclose herewith tentative joint seniority list of the Management Cadre Officers (BS-19) as stood on 02.10.2023 for uploading on official website of E&SE Department and for information and circulation to all concerned.

All the concerned may go through it and file/submit their objection/observation (if any) on this tentative seniority list within Fifteen (15) days of its issuance. In case of receipt of no response in the stipulated time it would be presumed that the same is undisputed.

Encl: (As above)

111/ ⁴ _{an}
23.10.2023
(IMRAN ZAMAN)

SECTION OFFICER (Management Cadre)

Copy forwarded for information to the: -

1. Director, E&SE for circulation amongst the concerned officers.
2. All BS-19 Officers of Management Cadre.
3. PS to Minister E&SE Khyber Pakhtunkhwa.
4. PS to Secretary, E&SE Department, Khyber Pakhtunkhwa.
5. Master file.

111/ ⁴ _{an}
23.10.2023
SECTION OFFICER (Management Cadre)

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**TENTATIVE SENIORITY LIST OF MANAGEMENT CADRE OFFICERS (BS-19) E&SE DEPARTMENT AS STOOD ON
02.10.2023**

S. #	Name of Officer with Designation	Date of Birth	Domicile	Date of 1st apptt: in Edu: Deptt:	Date of Apptt./Prom : as D.E.O/Addl. Dir.	Method of recruitment	Remarks
1	Jaffar Mansoor Abbasi . At the Disposal of Directorate	9/15/1968	Abbottabad	2/11/1999	2/24/2011	-do-	No.SO(SM)E&SED/3-2/2011/EDOs/EMC (BS-19) dated 24.02.2011
2	Ms. Samina Altaf. Chairman BISE Kohat	3/12/1965	Haripur	3/25/2000	1/27/2013	-do-	No.SO(S/F)E&SED/3-2/2014/(Female)(BS-19) dated 27.01.2013
3	Abdul Basit, Principal GHSS Agra Payan Charsadda	6/26/1973	Peshawar	1/22/1998	6/26/2012	-do-	No.SO(SM)E&SED/3-2/2012/Recruitment of EDOs/Add.Direc (BS-19) dated 26.06.2012
4	Muhammad Uzair Ali DEO Khyber	4/8/1966	Swabi	11/5/1995	2/24/2011	-do-	No.SO(SM)E&SED/3-2/2011/EDOs/EMC (BS-19) dated 24.02.2011
5	Sahibzada Hamid Mahmood. Deputation to ESEF	9/6/1965	Peshawar	12/3/1989	2/24/2011	-do-	No.SO(SM)E&SED/3-2/2011/EDOs/EMC (BS-19) dated 24.02.2011
6	Dilshad Begum D/O Muhammad DEO (F) Abbottabad	1/9/1968	Swat/3	12/1/1988	27.5.2019	By Promotion	Additional Director/ DEO BS-19 vide Notification No.SO(S/F) E&SED/1-3/ promotion BS-18 to BS-19 MC, dated 27.5.2019 on regular basis.
7	Parveen Begum D/O Gul Daraz Khan DEO (F) Kohistan	1/1/1970	Karak/4	11/14/1990	27.5.2019	By Promotion	Additional Director/ DEO BS-19 vide Notification No.SO(S/F) E&SED/1-3/ promotion BS-18 to BS-19 MC, dated 27.5.2019 on regular basis.
8	Naghmana Sardar D/O Sardar Hussain Khan, Additional Director (F) Directorate of E&SE	9/23/1967	Haripur/5	8/18/2011	27.5.2019	By Promotion	Additional Director/ DEO BS-19 vide Notification No.SO(S/F) E&SED/1-3/ promotion BS-18 to BS-19 MC, dated 27.5.2019 on regular basis.

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S. #	Name of Officer with Designation	Date of Birth	Domicile	Date of 1st apptt: in Edu: Deptt:	Date of Apptt:/Prom : as D.E.O/Addl. Dir.	Method of recruitment	Remarks
9	Bibi Rizwana D/O Sikandar Khan DEO (F) Kohat	8/4/1964	Kurram Agency/1	10/12/1982	27.5.2019	By Promotion	Additional Director/ DEO BS-19 vide Notification No.SO(S/F)/ E&SED/1-3/ promotion BS-18 to BS-19 MC, dated 27.5.2019 on regular basis.
10	Naheed Anjum D/O Shah Jehan, Additional Director (F) Directorate of E&SE	12/9/1970	Nowshera/2	3/8/2007	27.5.2019	By Promotion	Additional Director/ DEO BS-19 vide Notification No.SO(S/F)/ E&SED/1-3/ promotion BS-18 to BS-19 MC, dated 27.5.2019 on regular basis.
11	Farzana Begum D/O Sardar Khan, DEO (F) Lakki Marwat	4/2/1969	Kohat/4	10/10/1990	27.5.2019	By Promotion	Additional Director/ DEO BS-19 vide Notification No.SO(S/F)/ E&SED/1-3/ promotion BS-18 to BS-19 MC, dated 27.5.2019 on regular basis. However imposed major penalty of reduction of lower post for period of three (03) years.
12	Zuhra Begum D/O Sadullah, DCTE	4/20/1977	Moh: Agy/1	5/9/2002	27.5.2019	By Promotion	Additional Director/ DEO BS-19 vide Notification No.SO(S/F)/ E&SED/1-3/ promotion BS-18 to BS-19 MC, dated 27.5.2019 on regular basis.
13	Sabira Parveen D/O Qazi Abdur Rauf, DEO (F) Bannu	7/31/1972	DIKhan/4	2/18/1999	27.5.2019	By Promotion	Additional Director/ DEO BS-19 vide Notification No.SO(S/F)/ E&SED/1-3/ promotion BS-18 to BS-19 MC, dated 27.5.2019 on regular basis.
14	Samina Ghani D/O Sher Ghani, DEO (F) Khyber	6/15/1966	Peshawar/2	3/17/1990	27.5.2019	By Promotion	Additional Director/ DEO BS-19 vide Notification No.SO(S/F)/ E&SED/1-3/ promotion BS-18 to BS-19 MC, dated 27.5.2019 on regular basis.
15	Azra Bibi D/O Abdul Qayyum Shah, DEO (F) Tank	4/1/1975	S.W.Agy/1	9/1/1999	27.5.2019	By Promotion	Additional Director/ DEO BS-19 vide Notification No.SO(S/F)/ E&SED/1-3/ promotion BS-18 to BS-19 MC, dated 27.5.2019 on regular basis.
16	Shamim Akhtar D/O Rahman Gul, DEO(F) Swat	8/10/1976	Peshawar/2	5/30/2011	27.5.2019	By Promotion	Additional Director/ DEO BS-19 vide Notification No.SO(S/F)/ E&SED/1-3/ promotion BS-18 to BS-19 MC, dated 27.5.2019.
17	Rehana Yasmin D/O Abdul Rehman Abbasi, DEO (F) Battagram	12/23/1972	Haripur/5	5/30/2011	27.5.2019	By Promotion	Additional Director/ DEO BS-19 vide Notification No.SO(S/F)/ E&SED/1-3/ promotion BS-18 to BS-19 MC, dated 27.5.2019 on regular basis.
18	Sofia Tabbasum D/O Noor ul Islam, DEO (F) Swabi	5/22/1967	Peshawar/2	5/30/2011	11.11.2019	By Promotion	Additional Director/ DEO BS-19 vide Notification No.SO(S/F)/ E&SED/1-3/ promotion BS-18 to BS-19 MC, dated 10.4.2020 on regular basis.
19	Syeda Anjum D/O Syed Hussain Shah, Disposal of Directorate	8/2/1969	DIKhan/4	4/9/2011	27.5.2019	By Promotion	Additional Director/ DEO BS-19 vide Notification No.SO(S/F)/ E&SED/1-3/ promotion BS-18 to BS-19 MC, dated 27.5.2019 on regular basis.
20	Zaib-un-Nisa D/O Mir Salam Khan, DEO (F) Kurram	1/29/1977	Karak/4	5/30/2011	27.5.2019	By Promotion	Additional Director/ DEO BS-19 vide Notification No.SO(S/F)/ E&SED/1-3/ promotion BS-18 to BS-19 MC, dated 27.5.2019 on regular basis.

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S. #	Name of Officer with Designation	Date of Birth	Domicile	Date of 1st apptt: in Edu: Deptt:	Date of Apptt:/Prom : as D.E.O/Addl. Dir.	Method of recruitment	Remarks
21	Surraya Begum D/O Aman Ullah Khan, DEO(F) Charsadda	4/30/1966	Karak/4	9/1/2001	27.5.2019	By Promotion	Additional Director/ DEO BS-19 vide Notification No.SO(S/F)/ E&SED/1-3/ promotion BS-18 to BS-19 MC, dated 27.5.2019 on regular basis.
22	Sheraz Ahmed DEO (M) Karak.	10/03/1970	Swabi	17/02/2000	12.01.2021	By promotion	Additional Director/ DEO (Male) BS-19 on regular basis vide Notification No.SO(SM)E&SED/3-1/2021/Promotion of BS-19 (Management Cadre) dated 12.01.2021.
23	Iqbal Khan Additional Director Estbb E&SE.	12/06/1972	Peshawar	31/03/1992	12.01.2021	By promotion	Additional Director/ DEO (Male) BS-19 on regular basis vide Notification No.SO(SM)E&SED/3-1/2021/Promotion of BS-19 (Management Cadre) dated 12.01.2021.
24	Muzaffar Ali Khan DEO (M) Chitral Lower.	01/01/1973	Shangla	05/04/1999	12.01.2021	By promotion	Additional Director/ DEO (Male) BS-19 on regular basis vide Notification No.SO(SM)E&SED/3-1/2021/Promotion of BS-19 (Management Cadre) dated 12.01.2021.
25	Muhammad Ashraf DEO(M) Dir Upper.	31/03/1971	Haripur	03/07/1997	12.01.2021	By promotion	Additional Director/ DEO (Male) BS-19 on regular basis vide Notification No.SO(SM)E&SED/3-1/2021/Promotion of BS-19 (Management Cadre) dated 12.01.2021.
26	Hafiz Muhammad Nawaz DEO(M) Haripur.	31/12/1968	Abbottabad	10/07/1999	12.01.2021	By promotion	Additional Director/ DEO (Male) BS-19 on regular basis vide Notification No.SO(SM)E&SED/3-1/2021/Promotion of BS-19 (Management Cadre) dated 12.01.2021.

ATTENDED

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S. #	Name of Officer with Designation	Date of Birth	Domicile	Date of 1st apptt: in Edu: Deptt:	Date of Apptt:/Prom : as D.E.O/Addl. Dir.	Method of recruitment	Remarks
27	Muhammad Amin DEO(M) Kohistan Upper.	07/02/1970	Swat	15/01/1998	12.01.2021	By promotion	Additional Director/ DEO (Male) BS-19 on regular basis vide Notificarion No.SO(SM)E&SED/3-1/2021/Promotion of BS-19 (Management Cadre) dated 12.01.2021.
28	Muhammad Azam Khan awaiting posting	15/05/1965	Charsadda	22/01/1991	12.01.2021	By promotion	Additional Director/ DEO (Male) BS-19 on regular basis vide Notificarion No.SO(SM)E&SED/3-1/2021/Promotion of BS-19 (Management Cadre) dated 12.01.2021.
29	Musarrat Hussain Khan DEO(M) DI Khan.	25/10/1973	D.I.Khan	05/11/1996	12.01.2021	By promotion	Additional Director/ DEO (Male) BS-19 on regular basis vide Notificarion No.SO(SM)E&SED/3-1/2021/Promotion of BS-19 (Management Cadre) dated 12.01.2021.
30	Midrarullah DEO(M) Malakand.	01/04/1972	Charsadda	02/07/1997	12.01.2021	By promotion	Additional Director/ DEO (Male) BS-19 on regular basis vide Notificarion No.SO(SM)E&SED/3-1/2021/Promotion of BS-19 (Management Cadre) dated 12.01.2021.
31	Muhammad Riaz DEO(M) Swat.	15/04/1974	Malakand	16/05/1994	12.01.2021	By promotion	Additional Director/ DEO (Male) BS-19 on regular basis vide Notificarion No.SO(SM)E&SED/3-1/2021/Promotion of BS-19 (Management Cadre) dated 12.01.2021.

11/1/2021

ATTACHED

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S. #	Name of Officer with Designation	Date of Birth	Domicile	Date of 1st apptt: in Edu: Deptt:	Date of Apptt:/Prom : as D.E.O/Addl. Dir.	Method of recruitment	Remarks
32	Sajjad Akhtar Iqbal Additional Director (P&D)E&SE.	03/03/1971	Swabi	01/06/1995	12.01.2021	By promotion	Additional Director/ DEO (Male) BS-19 on regular basis vide Notification No.SO(SM)E&SED/3-1/2021/Promotion of BS-19 (Management Cadre) dated 12.01.2021.
33	Muhammad Sheraz DEO(M) Hangu.	04/01/1975	Karak	22/11/2000	12.01.2021	By promotion	Additional Director/ DEO (Male) BS-19 on regular basis vide Notification No.SO(SM)E&SED/3-1/2021/Promotion of BS-19 (Management Cadre) dated 12.01.2021.
34	Zahid Muhammad Services placed at the disposal of Directorate E&SE.	14/06/1971	Peshawar	11/05/1996	12.01.2021	By promotion	Additional Director/ DEO (Male) BS-19 on regular basis vide Notification No.SO(SM)E&SED/3-1/2021/Promotion of BS-19 (Management Cadre) dated 12.01.2021.
35	Bibi Razia D/O Gulistan Khan, DEO (F) Kohistan	5/16/1970	Karak	5/18/1988	7/26/2022	By Promotion	Additional Director/ DEO BS-19 vide Notification No. SO(MC) E&SED/1-3/2022/PROMOTION(MC-BS-18) dated 26-07-2022.
36	Rabia Anees D/O Abdul Aziz, Disposal of Directorate	5/12/1976	Peshawar	10/1/2008		By Promotion	Additional Director/ DEO BS-19 vide Notification No. SO(MC) E&SED/1-3/2022/PROMOTION(MC-BS-18) dated 20-04-2022.

11/1/2022
Section Officer (Management Cadre)
Elementary and Secondary Education
Khyber Pakhtunkhwa, Peshawar

ATTESTED

Subject: RECTIFICATION AND INCLUSION OF THE NAMES IN THE SENIORITY LIST OF OFFICERS OF MANAGEMENT CADRE BPS-19 IN THE E & SE DEPARTMENT KHYBER PAKHTUNKHWA.

Respected Sir,

The appellants submit as under:

1. That the school management cadre was introduced by the Govt. of Khyber Pakhtunkhwa, Elementary & Secondary Education Department in 2009. (copy of rules is annexure-A)
2. That the vacancies of different cadres of management (ASDEO/ADEO, SDEO/Assistant Director, DDEO/Deputy Director, DEO/Additional Director) were advertised vide Adv. No. 05/2009 (Copy of Adv. is Annexure-B)
3. That Khyber Pakhtunkhwa Public Service Commission (KPPSC), first of all, announced the results of DEO/Additional Director (E&SE) Khyber Pakhtunkhwa BPS-19 (Copy of result is Annexure-C). Consequently, the E&SE Department issued appointment and posting order of the EDOs (DEOs)/ Additional Directors (Copy attached as Annexure-D).
4. That KPPSC being the competent forum issued the inter-se-merit of EDO/Addl. Dir BPS-19 on 02/08/2012 and 02/12/2013 (Copies of inter-se-merit as Annexures-E&F).
5. That E & SE Department Khyber Pakhtunkhwa issued a tentative seniority list in response to the afore-mentioned inter-se-merit of the management cadre officers in BPS-19 which was entirely against the law, rules and inter-se-merit issued by the above said competent forum. (copy of tentative seniority list is Annexure-G).
6. That appeals were submitted by the aggrieved officers against the above referred impugned tentative seniority list (copy of appeals as Annexures-H, I, J & K).
7. That the appellants/affected officers have never been communicated properly about the fate of the aforesaid appeals.
8. That later on the department issued a final seniority list of the EDOs (DEOs)/Additional Directors in violation of the law, rules and inter-se-merit determined and issued by the competent forum, the KPPSC, depriving the deserved officers of their due seniority on basis of inter se merit released by the KPPSC (Copy of the Seniority List attached as Annexure-L).
9. That the said impugned final seniority list of EDOs/Addl. Directors (BPS-19) of the management cadre was issued without taking into account/consideration the lawful/legal objections, grievances and due rights of the appellants/applicants.
10. That the above said impugned final seniority list was also in contradiction with the Part-VI, Rule -17(1) a of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1989 (copy of rules is Annexure -M).
11. That the said impugned seniority list granted illegal and unjustified double advantage/marking to some officers by arbitrarily drawing preference line between the departmental officers and those who were recommended/selected on open merit making way for giving undue and illegal extra-edge to the formers over those on open merit despite the fact that the KPPSC had already granted them experience marks while determining their inter-se-merit.
12. That it is pertinent to mention here that when tentative seniority list was forwarded to the Establishment Department of Khyber Pakhtunkhwa for its final approval, the said Department returned the same thrice with observations that the same was against the law, rules and inter-se-merit determined and issued by the competent forum of KPPSC.

ATTACHED

However, in spite of that, astonishingly, the above referred impugned final seniority list was issued against the rules, inter se merit, legal norms, natural justice and equality of all before law to favour some undeserved officers. (copy of observations is Annexure-N).

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13. That all the officers being recruited through initial appointment as Additional Directors/EDOs B-19 in Management Cadre cannot be arbitrarily distinguished or bifurcated on basis of "otherwise" clause of Rule 17 (2) of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 except at the cost of inter se merit, law, justice and equality of all. (Copy of the Rule is Annexure-O).
 14. That the 60% departmental officers and 40% open market was not something to grant superiority to one over another group but only to determine the share of the respective groups in the Management Cadre B-19. The advertisement that was floated for recruitment does not bear any such reference of one being superior to the other. (Copy of the Advertisement is already attached as Annexure-B).
 15. That those who were recruited on basis of open merit/quota also carried sufficient experience of back service in the education department and were appointed through proper channels as per the Government rules, hence, there is no difference between the two groups as such.
 16. That the inter-se merit of all the officers, both departmental and open, was determined by the Commission not merely on basis of interview but on cumulative/collective score of both interview as well as service experience, hence, extra benefit given to department officers in inter-se seniority is unjustified and is tantamount to a naked discrimination against those selected on basis of open quota.
 17. That the above said impugned final seniority list was issued in haste causing errors and mistakes in that even the names of four officers of management cadre in BPS-19 (Samina Altaf, Abdul Basit, Shoukat Khan and Muhammad Uzair Ali) were/are overlooked and not included in the seniority list yet. (Copies of appeals of the officers is in Annexure-P, Q, R & S).
 18. That in spite of the numerous appeals, lodged time and again, against the said impugned seniority list, the names of the said officers have not yet been included in the mentioned defective seniority list and the same is still in operation from which continuously the promotions orders of the officers are being issued and deserved officers deprived from their just and legal expectations of promotion.
 19. That it is to be particularly noted that the final seniority lists of the DDEOs B-18 (M/F), and SDEOs B-17 (M/F) of the same management cadre appointed under the same Adv. No. 05/2009 have been issued by the Department in pursuance of Rule 17 (1) of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 as per the inter-se-merit determined and issued by the KPSPSC being the competent forum but ironically in the case of the appellants the same Rule has been intentionally overlooked, violated and bypassed to favour some which is gross and naked discrimination against/with the appellants. (Copies of inter-se merit of PSC and notifications of the Department are Annexures-T, U, V & W).
 20. That to treat the same nature seniority lists on two different criteria within the same cadre is beyond understanding and, hence, not justified and not maintainable in the eyes of law.
 21. That the appellants seek permission of the competent authority to agitate additional grounds at the time of personal hearing of the instant appeal.


It is therefore, in the light of the above stated facts and humble submissions respectfully prayed that;

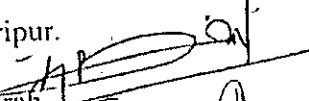
- I. The Seniority list of the Additional Directors/EDOs (DEOs) issued on 22/02/2012 in violation of the Rule 17 (1) of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 and, hence against the law, justice, equality and inter-se merit of the Khyber Pakhtunkhwa Public Service Commission may very kindly be declared void ab initio. (Copy of the Seniority List is already in Annexure-L).

ATTACHED

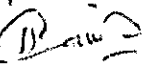
- II. Final seniority list of management cadre officers of BPS-19 may be revised, rectified and updated with the inclusion of the names of the officers B-19 still being overlooked in accordance with their respective inter-se-merit of KPPSC on their due place/order as mentioned in the letters dated 13/6/2014 and 26/01/2016 (Copies attached as Annexure-X&Y).
- III. Revised and rectified final seniority list of the officers of management cadre in BPS-19 may be issued according to the inter-se-merit list of KPPSC on the analogy of seniority lists issued in respect of SDEOs and DDEOs as the seniority list of Additional Directors/EDOs (DEOs) has not been updated since 2012 as mentioned in the letters of the Establishment Department dated 01/03/2017, 05/10/2017, 21/12/2017 and dated 03/04/2018. (Copies of the letters of the Establishment Department are Annexures-Z, AA, AB & AC).


Appellants



Umar Khan Kundi DEO(M) Haripur.


Abdul Basit Principal GHSS Agrah.


Muhammad Uzair Ali Addl. Director E&SE.


Sahibzada Hamid Mahmud Addl. Director E&SE.


Abdus Salam DEO (M) Tank.


Siraj Muhammad DEO (M) Malakand.


Samina Iltaf DEO (F) Haripur.

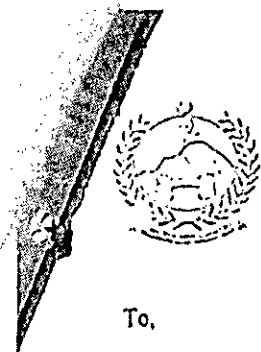
Dated: 23-05-2019

Copy for information and further necessary action to the: -

1. Secretary Elementary & Secondary Education Department Khyber Pakhtunkhwa.
2. Secretary Establishment & Administration Department Khyber Pakhtunkhwa.
3. Director Elementary & Secondary Education Khyber Pakhtunkhwa.

ATTACHED

-44- Annex-5



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT
NO.SO(S/M) E&SED/4-25/2012/Final Seniority List of M.C (BS-19)
Dated Peshawar the August 26th, 2019

82
47

To,

1. Mr. Umar Khan Kundi, DEO (Male) Hari Pur.
2. Mr. Abdus Salam, DEO (Male) Tank.
3. Mr. Siraj Mohammad DEO (Male) Malakand.
4. Mr. Abdul Basit, Principal GHSS Agra, Charsadda.
5. Mst. Samina Altaf, (C/M) Hari Pur.
6. Sahibzada Hamid Mahmood, Addi: Director Directorate of (E&SE) Peshawar.
7. Mohammad Uzair Ali, Addi: Director Directorate of (E&SE) KP, Peshawar.

Subject: FILING OF APPEAL FOR RECTIFICATION AND INCLUSION OF THE NAMES IN THE SENIORITY LIST OFFICERS OF MANAGEMENT CADRE BS-19 IN THE ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT KHYBER PAKHTUNKHWA

7/16
1/9

I am directed to refer to the subject cited above and to convey in continuation of this Department letter NO.SO(S/M) E&SED/4-25/2012/Final Seniority List of M.C (BS-19) dated May 5th, 2012, that the competent authority (the Chief Secretary Khyber Pakhtunkhwa) has filed your appeals against the final seniority list issued vide this Department notification of even No. of dated May 5th, 2012 being time barred and already decided and closed case.

I am further directed to convey that the competent authority in the E&SED has taken serious notice of the submission of appeal direct to the Chief Secretary Khyber Pakhtunkhwa (Competent Authority) and ignoring the administrative channel. You all are therefore directed in your own interest to be careful in future and all sorts of correspondence be made through proper channel.

Moshad
1/8
2/9

1220
2-9-17

(SHAHID RAFIQ)
SECTION OFFICER (SCHOOLS MALE)

Encls: of Even No. & Date:

Copy forwarded to the:-

- 1- Director Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar, with the direction to submit the revised seniority list by including names of all the officers at the earliest.
- 2- PSO to Chief Secretary, Khyber Pakhtunkhwa.
- 3- P.S to Secretary to Government of Khyber Pakhtunkhwa, Establishment Department.
- 4- P.S to Secretary to Government of Khyber Pakhtunkhwa, (E&SE) Department.
- 5- Office order file.

ADDL CP

Annex
30/8

SECTION OFFICER (SCHOOLS MALE)

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ATTACHED

GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

~~Amex-K~~
Amex-K

No.SOS/MD/ES/SD-4-25-2012/Final Seniority List of M.C (DS-19)
Dated Peshawar the January 02nd 2020

-45-

The Director,
Directorate of Elementary & Secondary Education,
Khyber Pakhtunkhwa, Peshawar.

Subject: HEUNG OF APPEAL FOR RECLASSIFICATION AND INCLUSION OF THE NAMES IN THE SENIORITY LIST OFFICERS OF MANAGEMENT CADRE DS-19 IN THE ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT KHYBER PAKHTUNKHWA

I am directed to refer to this Department letter of even number dated 26-08-2019 on the subject noted above and to state that submit the revised and updated in all aspects seniority list as stood on 31-12-2019 by including names of all those officers who are coming in the seniority zone at earliest, please.

[Signature]
SECTION OFFICER (SCHOOLS, MALE)

Handwritten Even No. & Date:
F. PS to Secretary F.A.S.E. Khyber Pakhtunkhwa, Peshawar.

[Signature]
SECTION OFFICER (SCHOOLS, MALE)

ATTACHED

Annex - L

10

46 -



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar
P.O. S. (4) 2200

No.SO(SF)E&SED/4-24/2021/Seniority list
Dated Peshawar the September 21, 2021

The Director,
Elementary & Secondary Education, Khyber Pakhtunkhwa,
Peshawar

SUBJECT: FINALIZATION OF SENIORITY LIST OF ALL CADRE

I am directed to refer to this Department letter of even number dated 05-06-2021 followed by subsequent reminders dated 25-08-2021 & 26-08-2021 on the subject noted above and to state that as per instructions contained in sub-section (1) of Section 6 of the Khyber Pakhtunkhwa Civil Servants Act, 1973, *inter alia* provides that for proper administration of service cadre or post, the appointing authority shall cause to prepare a seniority list of the members for the time being of such service, cadre or post. The Khyber Pakhtunkhwa Civil Servants (Amendment) Act, 1959, also provides that the seniority list prepared under sub-section (1) of Section 6 of the Khyber Pakhtunkhwa Civil Servants Act, 1973 shall be revised and notified in the official Gazette at least once in a calendar year preferably in the month of January.

2. In addition to above, and despite our repeated reminders, the seniority list of all cadres (Male/Female) have yet not been finalized, which is against the norms and regulations of the above instructions.

It is once again requested to forward the seniority list of all cadres (Male/Female) complete in all respect within a week time positively for perusal and approval of the competent authority, failing which stern action shall be taken against the delinquent officers/officials.

(HAFAEZ UR REHMAN SHAH)
SECTION OFFICER (SCHOOLS MIF)

Copy of the above is forwarded to PS to Secretary, E&SE Department.

SECTION OFFICER (SCHOOLS MIF)

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ATTACHED

Annex-M

-47-



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

No.SO (SM)E&SED/4-25/Seniority MC
Dated Peshawar the November 22, 2021

To

The Director,
Elementary & Secondary Education,
Khyber Pakhtunkhwa, Peshawar,

Subject: - APPEAL AGAINST TENTATIVE SENIORITY LIST OF DISTRICT EDUCATION OFFICERS / ADDITIONAL DIRECTOR MANAGEMENT CADRE BS-19 E&SE DEPARTMENT VIDE DIRECTORATE LETTER NO. 3002 DATED 21.10.2021

I am directed to refer to the subject noted above and to enclose herewith a copy of letter No. SOR-1(E&AD)2-4/2018 dated 18.11.2021 alongwith an appeal in respect of Mr. Uzair Ali (Management cadre) BS-19 working as Additional Director, Directorate of E&SE received from Section Officer (R-1) E&A Department, which is self-explanatory for further necessary action please.

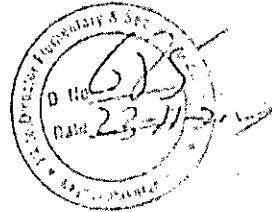
(HAFEEZ UR REHMAN SHAH)
SECTION OFFICER (SCHOOLS MALE)

Copy is forwarded to the:

1. Section Officer (R-1) E&A Department w.r.to his letter quoted above.
2. Mr. Uzair Ali (Management cadre) BS-19 Additional Director, Directorate of E&SE Peshawar.
3. PS to Secretary E&SE Khyber Pakhtunkhwa, Peshawar.

SECTION OFFICER (SCHOOLS MALE)

ADDE(m)/ADDD
23/4



ATTESTED

Annex-N

-48-



GOVERNMENT OF
KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

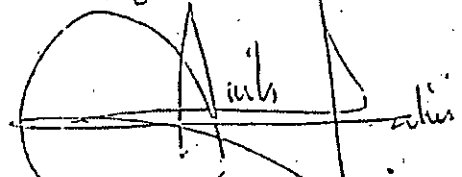
No. SO(S/F)E&SED/4-24/2018/Seniority Lis/BS-18/F/MC
Dated Peshawar the July 5th, 2018

To

The Director,
E&SE Khyber Pakhtunkhwa,
Peshawar.

SUBJECT: APPEAL FOR CORRECTION IN SENIORITY LIST OF DDEO

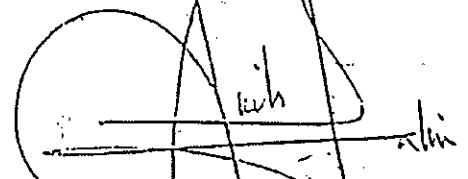
I am directed to refer to appeal of Mst. Naheed Anjum, Deputy Director (BS-18), Directorate of E&SE dated 27-06-2018 on the subject noted above and to intimate that administrative department or any other authority has no powers under any law to change the inter-se-merit as communicated by Khyber Pakhtunkhwa Public Service Commission.


(ANZELA FARID)
SECTION OFFICER (S/F)

Endst: of even No. & Date:

Copy forwarded to the:

1. Mst. Naheed Anjum, Deputy Director (BS-18) Directorate of E&SE Peshawar.
2. PS to Secretary, E&SE Department.
3. PS to Special Secretary, E&SE Department.


SECTION OFFICER (S/F)

ATTACHED



Annex-0


-49-

GOVERNMENT OF
KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT
No. SO(S/F)E&SED/4-24/2018/Seniority List/BS-18/F/MC
Dated Peshawar the July 13th, 2018

To ✓
The Director,
E&SE Khyber Pakhtunkhwa,
Peshawar.

SUBJECT: APPEAL FOR CORRECTION IN SENIORITY LIST OF SDEO:

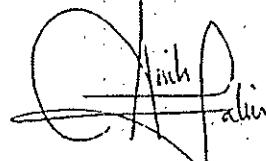
I am directed to refer to appeal of Mst. Nadia Begum (BS-17) SDEO (Female) working as Assistant Director, Directorate of E&SE dated 13-07-2018 regarding the subject matter and to intimate that administrative department or any other authority has no powers under any law to change the inter-merit as communicated by Khyber Pakhtunkhwa Public Service Commission.


(ANIEELA FAHIM)
SECTION OFFICER (S/F)

Endst: of even No. & Date:

Copy forwarded to the:

1. Mst. Nadia Begum (BS-17) SDEO (Female) working as Assistant Director, Directorate of E&SE Peshawar.
2. PS to Secretary, E&SE Department.
3. PS to Special Secretary, E&SE Department.


SECTION OFFICER (S/F)

Handwritten notes:
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Kund
21/8/18

Handwritten note:
Dn (P)

ATTACHED

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GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

No.SO(SM)E&SED/1-1/2017/Promotion BS-19 to 20 (MC)
Dated Peshawar the May 14, 2018

Annexure: P - 50-

To
The Director,
Elementary & Secondary Education,
Khyber Pakhtunkhwa, Peshawar.

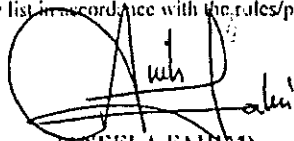
Subject:- SENIORITY OF MANAGEMENT CADRE OFFICERS BS-19 IN
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT.

I am directed to refer to the subject cited above and to state that the Competent Authority has expressed grave concern over non-revision of subject seniority list since 2012. I am, therefore, directed to state that draft seniority of Management Cadre Officers (BS-19) of E&SE Department may be prepared and furnished to this office at the most earliest.

Moreover, a certificate regarding below mentioned particulars may also be furnished along with the draft seniority list;

- i. authenticity of date of appointment and length of service of the MC officers.
- ii. non-involvement of any litigation with respect to seniority of the officers.
- iii. preparation of the draft seniority list in accordance with the rules/policy in field.

PAJ.DSB/NTK
Dy: No. 222
Dated: 15/5/18



(ANESHA FATMI)

SECTION OFFICER (SCHOOLS MALE)

Encls: Even No. & Date:

Copy forwarded to the:-

- I. PS to Secretary, E&SE Department Khyber Pakhtunkhwa Peshawar.


SECTION OFFICER (SCHOOLS MALE)

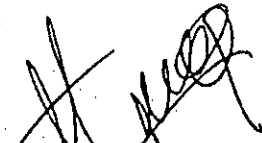
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Annex-A

-SI-

~~Page 4~~

Telephone: 9213750



From: Secretary
Khyber Pakhtunkhwa, Public Service Commission
Peshawar

To:

The Secretary to Govt. of Khyber Pakhtunkhwa,
Elementary and Secondary Education
Peshawar

005375

Dated 10/02/2012

Subject: REVISED MERIT OF EXECUTIVE DISTRICT OFFICER
(B-19) OF ADVERTISEMENT NO.05/2009.

Dear Sir,

I am directed to refer to your letter No.1044 Dated 12.01.2012 on the subject cited
above and to enclose herewith a revised merit in respect of Executive District Officer
(B-19) for information and further necessary action.

Yours faithfully

(Signature)
(Fazal Badshahi)
Director Recruitment
08.02.2012

CTC
2012/1/15

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Secretary to Government
Elementary and Secondary
Education Department
Peshawar
Date: 10/02/2012

ATTACHED

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Page 2



KHYBER PAKHTUNKHWA PUBLIC SERVICE COMMISSION

REVISED MERIT OF EXECUTIVE DISTRICT OFFICER (R-19) OF
ADVERTISEMENT NO. 95/2009.

Merit Order	Name with Father's Name	Domicile/Zone
A. Category-A (Other Merit) <i>Open Merit as per rules</i>		
1.	Ghulam Qasim Khan S/O Abdul Majeed Khan	D.I. Khan/4
2.	Abdul Malik S/O Muhammad Mushtaq	D.I. Khan/4
3.	Umar Khan S/O Muhammad Hassan	Tank/4
4.	Shamas Khan S/O Mir Ahmad Khan	Gadoon/3
5.	Abdus Salam S/O Hameed Ullah Jan	D.I. Khan/4
6.	Abdul Basit S/O Qazi Ullah	Peshawar/2
7.	Siraj Muhammad S/O Muhammad Khan	Peshawar/2
8.	Muhammad Uzair Ali S/O Abdul Qayyum	Swabi/2
9.	Nazir Khan S/O Gul Payo Khan	Karak/4
10.	Sahibzada Hamid Mahmud S/O Mahmud ul Hassan Akhtar	Peshawar/2
B. Category-B (Teaching Cadre)		
1.	Bashir Hussain Shah S/O Taj Hussain Shah	Haripur/5
2.	Muhammad Rafiq S/O Niaz Khumim	Karak/4
3.	Peroz Hussain Shah S/O Sultan Ali Shah	D.I. Khan/4
4.	Abdur Rashid S/O Ghulam Jaffer	D.I. Khan/4
5.	Muhammad Ibrahim S/O Buzurg Jandher	Dir/3
6.	Sultan Mahmood Miani S/O Mumtaz	Swat/3
7.	Roz Wali Khan S/O Jinnat Noor	Karak/4
8.	Gohar Ali Khan S/O Muhammad Ali Khan	Peshawar/2
9.	Abdullah S/O Mir Azam	MKD Agy/3
10.	Muhammad Riaz S/O Ghulam Khan	Manshera/5
11.	Jehan Muhammad S/O Sultan Muhammad	Nowshera/2
12.	Muhammad Shoukat S/O Abdul Jalil	Manshera/5
13.	Haziq ur Rehman S/O Sarwar Jan	Karak/4
14.	Jaffer Mansoor Abbasi S/O Qasim Rehman Abbasi	Abbottabad/5
15.	Zia ud Din S/O Ghulam Wahid ud Din	L. Murwat/4
16.	Atta Ullah Khan S/O Muhammad Nawaz Khan	L. Murwat/4

CTC
2/2/2010

Attested
2/2/2010

M. Akhtar

ATTESTED