

BEFORE THE HON'BLE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR

Service Appeal No.768/2024

Sher Ghulam PST Vs Education Department

INDEX

S. No.	Description of Documents	Annexure	Page No.
1.	Reply	-----	1-4
2.	Copy of advertisement	A	5
3.	Copy of Appointment Order dated 30-06-2017	B	6-8
4.	Copy of Appointment order Endst No. 12534-608 dated 21-03-2017	C	9-12
5.	Copy of Regularization order dated 12-03-2018	D	13-15
6.	Affidavit		16

Respondent No 2 District Education Officer,
(Male) Peshawar

①

BEFORE THE HON'BLE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR

Service Appeal No.768/2024

Sher Ghulam PST Vs Education Department

PARA WISE COMMENTS FOR AND ON BEHALF OF RESPONDENTS NO.1 & 2.

Respectfully Sheweth:-

The respondents submit as under:-

**Khyber Pakhtunkhwa
Service Tribunal**

Diary No. 15609

Dated 09-09-2024

PRELIMINARY OBJECTIONS.

1. That the appellant has got no cause of action/locus standi.
2. That the Appellant has concealed material facts from this worthy Tribunal.
3. That the appellant has been estopped by his own conduct to file the instant appeal before this worthy Tribunal.
4. That the instant appeal is badly barred by law and limitation.
5. That the instant appeal is not maintainable in its present form.
6. That the instant appeal is bad for mis-joinder and non-joinder of the necessary and proper parties.
7. That the appellant has not come with clean hands to this worthy Tribunal.
8. That this worthy Tribunal has got no jurisdiction to adjudicate upon the instant appeal.
9. That appellant does not come within the definition of Aggrieved Person.
10. That the instant appeal is liable for rejection under Section-79 C.P.C for not arraying the Head of the Department.

ON FACTS.

1. That in reply to Para No.1, it is submitted that the appellant was appointed as PST on Adhoc/Contract basis vide this office appointment order Endst.No.9364-767 dated 21-09-2016 on the basis of Merit Score 79.97 under Union Council/ School Based Policy with the Terms & Conditions given in the foot of the said appointment order where upon the appellant took over charge of his post by accepting the Terms & Conditions of the appointment order.

(Copy of Appointment order is already attached as Annex-A with the instant appeal)

2. That Para No.02 is pertaints to record.
3. That in reply to Para No. 03 it is submitted that under the (Appointment & Regularization of Services) Act, 2017 along with other colleagues, according to the Merit Position, the service of the appellant was regularized and besides the regularization in service, the appellant was started to get other benefits consequential to the regularization in service.

The (Appointment & Regularization of Services) Act, 2017 besides regularization of services also elucidated the manner of promotion of the employees whose services have been regularized under the aforesaid Act.

For convenience of this worthy Tribunal, Section-4 (2) of the (Appointment & Regularization of Services) Act, 2017 is reproduced below:

Attest (Copied)
[Signature]

(2)

The Seniority inter-se of those employees, whose services are regularized under this Act within the Cadre, shall be determined on the basis of their continuous service in Cadre:

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

The phrase "Seniority inter-se" has derived its roots from Section-17 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 which is reproduced below:

Seniority ---(1) The Seniority inter se of civil servants.[appointed to a service, cadre or post] shall be determined.---

(a) In the case of persons appointed by initial recruitment, in accordance with the order of merit assigned by the commission [or, as the case may be, the Departmental Selection Committee;]

provided that persons selected for appointment to post in an earlier selection shall rank senior to the persons selected in a later selection;and

(b) In the case of civil servants appointed otherwise, with reference to the dates of their continuous regular appointment in the post;

provided that civil servants selected for promotion to a higher post in one batch shall, on their promotion to the higher post, retain their inter se seniority as in the lower post.

The word "Seniority" has been defined in the Black's Law Dictionary as:

Seniority: 1. The referential status, privileges, or rights given to an employee based on the employee's length of service with an employer. Employees with seniority may receive additional or enhanced benefit packages and obtain competitive advantages over follow employees in layoff and promotional decisions.

The phrase "inter se" (Latin) has been defined as "between or among themselves"

ILLUSTRATION : In illustration to the phrase "Seniority inter - se" it is submitted that in the year 2015, the Respondent Department advertised PST posts in through NTS under Union Council / School based policy.

The Merit Criteria was laid down as out of 200 marks,

100 marks were allocated to Written Test (Intelligentia) through NTS &

100 marks were allocated to the Academic Qualification as mentioned in the aboved said advertisement.

(Copy of advertisement is attached as Annex: A)

All the applied candidates shown their potentiality by competing the Recruitment Criteria via Written Test through NTS and Academic Qualification and shown their ability through Marks.

So, out of 200 marks, appellant scored 79.97 marks while in the same competition Mr. Jumshed Alam got score 149.27.

The Date of Birth of Mr. Jamshed Alam is 08-06-1989 while the Date of Birth of the appellant is 02-03-1980.

If seniority is made on the basis of Age, Mr. Jamshed Alam with score 149.27 shall go to the bottom because he is junior in age than the appellant.

(Copy of Appointment order is already attached as Annex-A with the instant appeal)

APPEAL
A

3

The appeal in hand is the result of mis-interpretation of Section-4 (2) of the (Appointment & Regularization of Services) Act, 2017.

The Section ibid gets start from "The Seniority itner-se of those employees" which means a rank (right) amongst the fellows got through competition.

The retrogration in the scale of promotion from Merit to Age policy shall dispirit the quench of the instincts of acquiring higher and higher education. Those teachers who have gain distinction amongst their fellows in the Recuritment Process on the basis of God gifted intelligentsia clothed with higher qualification, is against the Natural Justice and Law of the Land to deprive them from enjoyment of the fruit of their day and night hard works mare on the excuse of junior in age.

For example, the Respondent Department vide Appointment Order Endst No. 6720-906 dated 30-06-2017 appointed 189 CT Teachers wherein Mr. Muhammad Ashfaq Yousaf S/O Muhammad Yousaf Afridi topped the marit with total score 147.79 out of 200 marks and stood at S.No .01 of the appointment order.

While Mr. Zafir Gul s/o Sher Baz last candidate of the merit with total score 105.99 out of 200 marks and stood at S.No. 189 of the appointment order.

The Date of birth of Mr. Muhammad AshfaqYousaf is 04-11-1990 and the Date of birth of Mr. Zafir Gul is 01-01-1983.

Now if in result of mis-interpretation of Section-4 (2) of the (Appointment & Regularization of Services) Act, 2017, Seniority List on the basis of Age is made, Mr. Muhammad Ashfaq Yousaf with higher Merit Position shall become junior to Mr. Zafir Gul and his round the clock struggles shall be ended in the smoke mare for the reason that he is junior in Age than Mr. Zafir Gul.

(Copy of Appointment Order Endst No. 6720-906 dated 30-06-2017 is attached as Annex-B)

In negation to the plea of appellant, it is further submitted that under the advertisement 2015, certain candidates were deffered for some deficiencies and after removing the said deficiencies, they were appointed in the year 2017 vide appointment order Endst No. 12534-608 dated 21-03-2017 and will be condemned unheard .

(Copy of Appointment order Endst No. 12534-608 dated 21-03-2017 is attached as Annex-C)

Moreover, in Regularization order Endst No.2105-249 dated 12-03-2018 issued by the District Education Officer (Male) Peshawar vide its Terms & Conditions No.8 "The Seniority interest of the employees, whose services are regularized under this Act within the same service or cadre, shall be dermined on the basis of their merit position in such service or cadre" has clarified the issue of seniority.

(Copy of Regularization order dated 12-03-2018 is attached as Annex-D)

4. That Para No.04 is incorrect, misleading and against the facts. Detail reply has been given in the above Para of facts.
5. That Para No.05 is incorrect, misleading and against the facts. Appellant has no cause of action/locus standi to file the instant appeal before this worthy Service Tribunal.

Ashfaq
A.H.

(4)

GROUNDS

- A. That Ground-A is incorrect, misleading and against the facts. Detail reply has been given in the above Para of facts.
- B. That Ground-B is incorrect, misleading and against the facts. In presence of Merit got through competition, to deny promotion on the basis of age, is not the infringement of Fundamental Rights. To abide by the Merit, is the cry of the day and is the olden demand of the Public at large. This mis-interpretation of Section-4 (2) of the (Appointment & Regularization of Services) Act, 2017 shall open a pendor box and shall up root the Merit Policy from the System.
- C. That Ground-C is incorrect, misleading and against the facts. Respondent Department has acted according to law, Rules and policy.
- D. That Ground-D is incorrect, misleading and against the facts. The appeal in hand is the result of mis-interpretation of Section-4 (2) of the (Appointment & Regularization of Services) Act, 2017.
- E. That Ground-E is incorrect, misleading and against the facts. Section-4(2) of the (Appointment & Regularization of Services) Act, 2017 gets start from "**The Seniority itner-se of those employees**" which means a rank (right) amongst the fellows got through competition.
- Eproximately, in every Section of Law, a Proviso is given for arising of special circumstances not covered under the given Section. In Section-4(2) of the (Appointment & Regularization of Services) Act-2017, the Proviso implies the meaning that whenever the Merit of the Candidates become tie then the age of the candidates shall be counted for the perpose of Seniority.
- F. That in reply to Ground-F it is submitted that in the instant service appeal, the candidates/teachers who shall be effected, are not made party and in such circumstances, they will be condemned unheard.
- G. That the respondents also seek leave of this Hon'ble Court to present as Law and raise additional grounds at the time of arguments.

It is therefore, humbly prayed before this Honorable Tribunal that on acceptance of this Para wise comments the petition in hand may kindly be dismissed with cost.

Respondent No 2 District Education Officer
(Male) Peshawar

18 fan Ali

Respondent No 1 Elementary & Secondary Education

Samina. Altaf

affidavit
[Signature]

Annex B (6)

District Education Officer (Male) Peshawar

PH No. 091-93319337, 9225397.
 Fax: 091-9331337
 E-mail: deomalepeshawar@gmail.com

APPOINTMENT

Consequent upon recommendation of the Departmental Selection Committee, appointment of the following candidates is hereby ordered against the post of CT (General) School based in BPS-15 (Rs.16120-1330+56020) @ Rs. 16120/- fixed plus usual allowances as admissible under the rules on adhoc basis on Contract under the existing policy of the Provincial Government, in Teaching Cadre on the terms and conditions given below:-

Open Merit:

S.No	Name	Father Name	CNIC #	Total Score	Name of School	Remarks
1	MUHAMMAD ASHFAQUE YOUSAF	MUHAMMAD YOUSAF AFRIDI	17301-9334053-5	147.79	Government Shaheed Muhammad Waqar Higher Secondary School Daag Peshawar	Against Vacant Post
2	MUHAMMAD JANAS KHAN	ZIARAT GUL	17301-7996612-7	136.30	Government Shaheed Muhammad Daud High School Malthra Peshawar	Against Vacant Post
3	ABDUL WAHID	ABDUL SATAR	17301-9711428-5	134.64	Government Shaheed Aayan Faizan High School Mian Gujar Peshawar	Against Vacant Post
4	M AUBRAN HUSSAIN KHALIL	AZIZ U REHMAN	17301-8967723-9	132.47	Government POLICE COLONY Peshawar	Against Vacant Post
5	SAQIB MURTAZA	SARFARAZ KHAN	17301-3021422-1	130.09	Government Shaheed Ahmad Elahi Technical Higher Secondary School Gul Bahar Peshawar	Against Vacant Post
6	ZARIF KHAN	ZARIF KHAN	17301-8066479-9	129.47	Government Shaheed Usama Tahir Awan High School Nanak Pura Peshawar	Against Vacant Post
7	PAWAD ALI DURRANI	NIAZ ALI DURRANI	17301-9207070-9	129.38	Government Shaheed Osama Zafar Centennial Model High School, Peshawar City	Against Vacant Post
8	SYED MUHAMMAD MUSTAFA	DOSTI MUHAMMAD	17301-7074609-3	128.54	GHS KAFOOR DILLI	Against Vacant Post
9	SHAMSUUL BASHAR	KHIAL BAHADAR	17301-3162422-9	128.15	Government Shaheed Osama Zafar Centennial Model High School, Peshawar City	Against Vacant Post
10	SALMAN KHAN	MAJID KHAN	17301-9538133-3	127.86	GHS YAKHT ANA	Against Vacant Post

Deputy District Education Officer (Male) Peshawar

PRINCIPAL
 G.T.H.S.S Gulbaha Peshawar

4969404
 24

7

9

	Name	Father Name	CNIC #	Total Score	Name of School	Remarks
188	ARRAR AHMAD	HAJI ABD UR RAZZAQ	17301-4211070-5	106.27	Government Shaheed Haidar Amin High School Sardar Ghari Peshawar	Against Vacant Post
189	ZAFIR GUL	SHER BAZ	17301-6900608-7	105.99	Government Shaheed Abdullah Zafar High School Malogo Peshawar	Against Vacant Post

Disable Quota:

S.No	Name	Father Name	CNIC#	Total Score	Name of School	Remarks
1	ZAKIR ULLAH	MUNJAT	17301-2706794-9	105.83	GMS PIR BALA	Against Vacant Post
2	SHARIF HUSSAIN	JANAS KHAN	17301-5678693-9	105.13	GMS KAGA WALA	Against Vacant Post
3	IFTIKHAR AHMAD	ANAR GUL	17301-0523470-9	98.93	GMS LALA KALAY	Against Vacant Post
4	FAZL ULLAH	SAMIN KHAN	17301-1590673-1	98.62	GMS MAITANI	Against Vacant Post

Minority Quota:

S.No	Name	Father Name	CNIC#	Total Score	Name of School	Remarks
1	RAHEEL PERVEAZ	PERVEZ MUNSHI	17301-3561434-1	116.68	GMS RASHEED GHARI	Against Vacant Post

TERMS & CONDITIONS:

- No TA/DA is allowed.
- Charge reports should be submitted to all concerned in duplicate.
- Appointment is purely on temporary & contract basis initially for one year.
- Appointment is subject to the condition that the certificates/degrees must be verified from the concerned authorities by Office of the District Education Officer (Male) Peshawar. Any one found producing bogus Documents / Testimonials will be reported to the law enforcing agencies for further action.
- Their services are liable to termination on one month notice from either side. In case of resignation without notice their one-month pay/allowances shall be forfeited to the Government.
- Pay will not be drawn until and unless a certificate to this effect by Office of the District Education Officer (Male) Peshawar is issued that their certificates/degrees are verified.
- They should join their post within one month from the issuance of this appointment order. In case of failure to join their post within one month, their appointment will expire automatically and no subsequent appeal etc shall be entertained.

Handwritten signature

8


- 5. They will be entitled to draw pay with effect from the first day of the termination of services mentioned 2017.
- 6. Health and Age Certificate should be produced from the Medical Superintendent concerned before taking over charge.
- 7. Before handing over charge they will sign an agreement with the department, otherwise their order will not be valid.
- 8. They will be governed by such rules and regulations as may be issued from time to time by the Government.
- 9. Their services shall be terminated at any time, in case their performance is found unsatisfactory during their contract period. In case of misconduct, they shall be proceeded under the rules from time to time.
- 10. Their appointment is School based, they will have to serve at the place of posting, and their service is not transferable to any other station.
- 11. Before handing over charge once again their documents may be checked if they have not the required qualification they may not be handed over charge.
- 12. Drawing & Disbursing Officer should personally verify this order from the Office of the DSO (M) Peshawar before handing over charge to the officials.

(JADDI KHAN KHALIL)
 DISTRICT EDUCATION OFFICER
 (MALE) PESHAWAR

Encls: No. 6-20-906 Dated Peshawar the 30/16/2017

Copy forwarded for information and necessary action to:

- 1. Accountant General Khyber Pakhtunkhwa Peshawar.
- 2. PS to the Secretary to Govt: Khyber Pakhtunkhwa E&SE Department.
- 3. Deputy Commissioner, Peshawar
- 4. PA to the Director E&SE Khyber Pakhtunkhwa, Peshawar.
- 5. Principals / Headmasters Concerned
- 6. PA to District Education Officer (Male) Peshawar
- 7. Cashier Local Office.
- 8. Officials Concerned.
- 9. M/File


 Deputy District Education Officer
 (Male) Peshawar

~~A.H.~~
 Attested

LIGIBLE COPY

District Education Officer (Male) Peshawar



PH No. 091-93319337, 9225397,
Fax 091-9331337
E-mail deomalepeshawar@gmail.com

APPOINTMENT.

Consequent upon recommendation of the Departmental Selection Committee, appointment of the following candidates is hereby ordered against the post of CT (General) School based in BPS-15 (Rs.16120-1330-56020)@ Rs. 16120/- fixed plus usual allowances as admissible under the rules on adhoc basis on Contract under the existing policy of the Provincial Government, in Teaching Cadre on the terms and conditions given below :-

Open Merit:

S.No	Name	Father Name	CNIC #	Total Score	Name of School	Remarks
1	MUHAMMAD ASHFAQUE YOUSAF	MUHAMMAD YOUSAF AFRIDI	17301- 9334053-5	147.79	Government Shaheed Muhammad Waqar Higher Secondary School Daag Peshawar	Against Vacant Post
2	MUHAMMAD JANAS KHAN	ZIARAT GUL	17301- 7996612-7	136.30	Government Shaheed Muhammad Daud High School Mathra Peshawar	Against Vacant Post
3	ABDUL WAHID	ABDUL SATAR	17301- 9711428-5	134.64	Government Shaheed Ayan Faizan High School Mian Gujar Peshawar	Against Vacant Post
4	M ABRAR HUSSAIN KHALIL	AZIZ U REHMAN	17301- 8967723-9	132.47	Government POLICE COLONY Peshawar	Against Vacant Post
5	SAQIB MURTAZA	SARFARAZ KHAN	17301- 3021422-1	130.09	Government Shaheed Ahmad Elahi Technical Higher Secondary School Gul Bahar Peshawar	Against Vacant Post
6	TAUSEEF KHAN	ZARIF KHAN	17301- 8066479-9	129.47	Government Shaheed Usama Tahir Awan High School Nanak Pura Peshawar	Against Vacant Post
7	FAWAD ALI DURRANI	NIJAZ ALI DURRANI	17301- 9207070-9	129.38	Government Shaheed Osama Zafer Centennial Model High School, Peshawar City	Against Vacant Post
8	SYED MUHAMMAD MUSTAFA	DOST MUHAMMAD	17301- 7824609-3	128.54	GHS KAFOOR DHERI	Against Vacant Post
9	SHAMSUUL BASHAR	KHIAL BAHADAR	17301- 3162422-9	128.15	Government Shaheed Osama Zafer Centennial Model High School, Peshawar City	Against Vacant Post
10	SALMAN KHAN	MADAD KHAN	17301- 5538133-3	127.86	GHS TAKHT ABAD	Against Vacant Post

LIGIBLE COPY

S.No	Name	Father Name	CNIC #	Total Score	Name of School	Remarks
188	ABRAR AHMAD	HAJI ABD UR RAZZAQ	17301-4211070-5	106.27	Government Shaheed Haidar Amin High School Sardar Ghari Peshawar	Against Vacant Post
189	ZAFIR GUL	SHER BAZ	17301-6900608-7	105.99	Government Shaheed Abdullah Zafar High School Malogo Peshawar	Against Vacant Post

Disable Quota:

S.No	Name	Father Name	CNIC#	Total Score	Name of School	Remarks
1	ZAKIR ULLAH	MUNJAT	17301-2706794-9	105.83	GMS PIR BALA	Against Vacant Post
2	SHARIF HUSSAIN	JANAS KHAN	17301-5678693-9	105.13	GMS KAGA WALA	Against Vacant Post
3	IFTIKHAR AHMAD	ANAR GUL	17301-0523470-9	98.93	GMS LALA KALAY	Against Vacant Post
4	FAZL ULLAH	SAMIN KHAN	17301-1590673-1	98.62	GMS MATTANI	Against Vacant Post

Minority Quota:

S.No	Name	Father Name	CNIC#	Total Score	Name of School	Remarks
1	RAHEEL PERVEAZ	PERVEZ MUNSHI	17301-3561434-1	116.68	GMS RASHEED GHARI	Against Vacant Post

TERMS & CONDITIONS.

1. No TA/DA is allowed.
2. Charge reports should be submitted to all concerned in duplicate.
3. Appointment is purely on temporary & contract basis initially for one year.
4. Appointment is subject to the condition that the certificates/degrees must be verified from the concerned authorities by Office of the District Education Officer (Male) Peshawar. Any one found producing bogus Docuemtns / Testimonials will be reported to the law enforcing agencies for further action.
5. Their services are liable to termination on one month notice from either side. In case of resignation without notice their one-month pay/allowances shall be forfeited to the Government.
6. Pay will not be drawn until and unless a certificate to this effect by Office of the District Education Officer (Male) Peshawar is issued that their certificates/degrees are verified
7. They should join their post within one month from the issuance of this appointment order. In case of failure to join their post within one month, their appointment will expire automatically and no subsequent appeal etc shall be entertained.

LIGIBLE COPY

8. They will be entitled to draw pay with effect from the first day of the termination of summer vacations 2017.
9. Health and Age Certificate should be produced from the Medical Superintendent concerned before taking over charge.
10. Before handing over charge they will sign an agreement with the department, otherwise their order will not be valid.
11. They will be governed by such rules and regulations as may be issued from time to time by the Government.
12. Their services shall be terminated at any time, in case their performance is found unsatisfactory during their contract period. In case of misconduct, they shall be proceeded under the rules framed from time to time.
13. Their appointment is School based, they will have to serve at the place of posting, and their service is not transferable to any other station.
14. Before handing over charge once again their documents may be checked if they have not the required qualification they may not be handed over charge.
15. Drawing & Disbursing Officer should personally verify this order from the Office of the DEO (M) Peshawar before handing over charge to the officials.

(JADDI KHAN KHALIL)
DISTRICT EDUCATION OFFICER
(MALE) PESHAWAR.

Endst: No. _____ Dated Peshawar the ____/____/2017.

Copy forwarded for information and necessary action to:

1. Accountant General Khyber Pakhtunkhwa Peshawar.
2. PS to the Secretary to Govt: Khyber Pakhtunkhwa E&SE Department.
3. Deputy Commissioner, Peshawar
4. PA to the Director E&SE Khyber Pakhtunkhwa, Peshawar.
5. Principals / Headmasters Concerned
6. PA to District Education Officer (Male) Peshawar
7. Cashier Local Office.
8. Officials Concerned.
9. M/File

Deputy District Education Officer
(Male) Peshawar



Annex 29
District Education Officer (Male) Peshawar

PH.No: 091-9331337, 9331336

Fax 091-9331337

E-mail emispeshawar@gmail.com

APPOINTMENT.

(G.No: 34 ⇒ Muhammad Mangos)
(G.P.S Nauthia Qadeem no 3)

Consequent upon recommendation of the District Selection Committee, appointment of the following candidates are hereby ordered against the post of Primary School Teacher (PST) 2014 & 2015 School based in BPS-12 (Rs.7000-500-22000) @ Rs. 7000/- fixed plus usual allowances as admissible under the rules on adhoc basis on Contract under the existing policy of the Provincial Government, in Teaching Cadre on the terms and condition given below with effect from the date of their taking over charge:-

S#	Union Council Name	Name of Candidate	CNIC#	Total Score	Name of School	Remarks
1.	Aza Khel	Muhammad Arif	17301-3226184-7	116.89	GPS Tela Band No.1	A.V.P
2.	Larama	Sheraz Khan	17301-2409647-3	104.38	GPS Larama	A.V.P
3.	Mahal Terai-I	Jamil-ur-Rehman	17301-1887902-3	79.37	GPS Afghan Colony	A.V.P
4.	Mera Surizai Payan	Abdur Rahman	17301-7462466-1	127.53	GPS Banda-Saif-ur-Rehman	A.V.P
5.	Mera Surizai Payan	Muhammad Khan	17301-3296315-5	114.33	GPS Garhi Fazal Rahim	A.V.P
6.	Ander Shehr	Muhammad Bilal	17301-1418991-3	83.22	GPS Karim Pura	A.V.P
7.	Aza Khel	Muhammad Samin	17301-2462627-9	104.43	GPS Tela Band No.1	A.V.P
8.	Badaber Horizai	Islami Sher	17301-1761609-3	91.34	GPS Lalma Badaber	A.V.P
9.	Garhi Sherdad	Pervaiz Khan	17301-0520489-5	115.55	GPS Yarghaji	A.V.P
10.	Larama	Fazal-e-Amin	17301-6465472-9	80.51	GPS Larama	A.V.P

Appointment order
21/03/2017

DAVEED KHAN
S.C.T (E.P.S-16)
Govt Shaheed Sahibz High School
Nauthia Qadeem Peshawar

Asst. Dir. /
Affiliated

10

11	Mahal Terai-II	Zakir Ullah	17301-3005829-7	59.91	GPS Dalazak Colony Mahal terai-II	A.V.P
12	Mera Surizai Payan	Muhammad Rafique	17301-3776845-3	119.90	GPS Garhi Banat	A.V.P
13	Mera Surizai Payan	Sardar Khan	17301-5651075-7	116.21	GPS Garhi Niaz Badshah	A.V.P
14	Mera Surizai Payan	Muhammad Arshad	17301-3716965-9	107.01	GPS Garhi Wali Khan	A.V.P
15	Mera Surizai Payan	Muhammad Sarjan	17301-9524204-5	105.98	GPS Garhi Niaz Badshah	A.V.P
16	Mera Surizai Payan	Haji Muhammad	17301-0969697-1	105.13	GPS Matta Bacahy	A.V.P
17	Mera Surizai Payan	Muhammad Arif	17301-3262218-7	101.65	GPS Garhi Fazal Rahim	A.V.P
18	Mera Surizai Payan	Arabistan	17301-7035082-1	96.84	GPS Garhi Fazal Rahim	A.V.P
19	Mera Surizai Payan	Farmanullah	17301-2308543-3	89.37	GPS Garhi fazal Rahim	A.V.P
20	Mera Surizai Payan	Muhammad Sharif	17301-1019754-7	87.24	GPS Garhi Fazal Rahim	A.V.P
21	Mera Surizai Payan	Muhammad Arshad Khan	17301-2552745-1	84.35	GPS Garhi Muhammad Gul	A.V.P
22	Mera Surizai Payan	Waqif Ullah	17301-8620219-5	83.98	GPS Garhi Muhammad Gul	A.V.P
23	Mera Surizai Payan	Muhammad Ayaz	17301-6051286-3	82.94	GPS Garhi Niaz Badshah	A.V.P
24	Mera Surizai Payan	Muhammad Riáz	17301-7050157-5	78.27	GPS Garhi Fazal Rahim	A.V.P
25	Mera Surizai Payan	Ayaz Muhammad	17301-3264516-3	78.10	GPS Garhi Muhammad Gul	A.V.P

Approved
AZZ

11

26	Mera Surizai Payan	Itaf Khan	17301-3607932-7	76.21	GPS Garhi Fazal Rahim	A.V.P
27	Mera Surizai Payan	Irfan Ullah Khan	17301-5239952-9	73.48	GPS Garhi Muhanimad Gul	A.V.P
28	Mera Surizai Payan	Dawal Khan	17301-8662714-5	72.83	GPS Garhi Mian Sabir Shah	A.V.P
29	Mera Surizai Payan	Abdur Raziq	17301-6247014-3	72.42	GPS Garhi Mian Sabir Shah	A.V.P
30	Mera Surizai Payan	Ghulam Muhammad Khan	17301-9494800-3	72.00	GPS Garhi Mian Sabir Shah	A.V.P
31	Mera Surizai Payan	Hazrat Muhammad	17301-1107385-3	71.12	GPS Garhi Fazal Rahim	A.V.P
32	Mera Surizai Payan	Kifayat Ullah	17301-2562294-7	69.93	GPS Garhi Banat	A.V.P
33	Mera Surizai Payan	Wasi Ullah	17301-7133266-3	68.92	GPS Garhi Banat	A.V.P
34	Nouthia Qadeem	Muhammad Manzoor	17301-0738464-9	81.71	GPS Nouthia Qadeem No.3	A.V.P

TERMS & CONDIATION.

1. NO TA/DA etc is allowed.
2. Charge reports should be submitted to all concerned in duplicate.
3. Their appointment is purely on temporary & contract basis initially for one year.
4. Their appointment is subject to the condition that the certificate/documents must be verified from the concerned authorities by the SDEO (concerned). Candidate found producing fake/bogus/forged Certificate will be reported to the law enforcing agencies for further action.
5. Pay will not be drawn until and unless a certificate to the effect by SDEO Male Peshawar is issued that thier certificates, after comparing with the merit list, are verified.
6. Pay release order will be issued by this office after verification of all documents by the SDEO Male Peshawar.
7. Thier services are liable to termination on one month notice from either side. In case of resignation without notice thier one-month pay/allowances shall be forfeited to the Government.
8. They should join thier posts within one month of the issuance of this notification. In case of failure to join thier posts within one month of the issuance of this notification, thier appointment will expire automatically and no subsequent appeal shall be entertained.
9. Health and Age Certificate should be produced from the Medical Superintendent concerned before taking over charge.

Appointment order 21/3/22

[Handwritten signature]

[Handwritten signature]

(12)

- 10. Before handing over charge they will sign an agreement with the department, otherwise this order will not be valid.
- 11. They will be governed by such rules and regulations as may be issued from time to time by the Govt.
- 12. Their services shall be terminated at any time, in case thier performance is found unsatisfactory during their contract period. In case of misconduct, they shall be preceded under the rules framed from time to time.
- 13. Their appointment is made on School based, they will have to serve at the place of posting, and thier services are not transferable to any other station.
- 14. Before handing over charge once again their documents may be checked if they have not the required qulifications they may not be handed over charge.
- 15. The order shall be effective w.e.f. 01-09-2014.

(Jaddi Khan Khalil)
 District Education Officer
 Male Peshawar

Endst: No. 12534-608 Dated Peshawar the 21/03 /2017.

- Copy forwarded for information and necessary action to the:-
- 1. Accountant General Khyber Pakhtunkhwa Peshawar.
 - 2. PS to the Secretary to Govt: Khyber Pakhtunkhwa E&SE Department.
 - 3. PA to the Director E&SE Khyber Pakhtunkhwa, Peshawar.
 - 4. PA to District Education Officer Male Peshawar
 - 5. Head Teacher Concerned
 - 6. Official Concerned.
 - 7. M/File

Handwritten signature
 Attached

Handwritten signature
 Deputy District Education Officer
 Male Peshawar

Handwritten signature/initials

Sl	Roll No	Name	Address	Total Marks [out of 200]	School	Appointment order No and dated	Extension order No and dated if any
1	2010008	MALANG JAN	P.O. NAHQI MURWA	130.53	GMS JATTI BALA	18-03-2015	22-01-2017
2	2010008	HASEEB HASSAN	TYC UTL BAIKAR	129.67	GMS SURFAD	18-03-2015	22-01-2017
3	2010008	MUHAMMAD ASIR KIAN	P.O. CHINGALBARKATTI	128.52	GMS KANKOLA	18-03-2015	22-01-2017
4	2010008	SHAHID AMIN	SURAM SAND P.O. SIALICHAL	121.88	GHS REGI	18-03-2015	22-01-2017
5	2010008	ARIF SHAH	P.O. PECHA CHIKHAN GARIH	119.88	GMS HAJI BANDA	18-03-2015	22-01-2017
6	2010008	MUHAMMAD ABDUL RAUF KIAN	P.O. NUSA ZAI	119.25	GHS SHIKHAN	18-03-2015	22-01-2017
7	2010008	SYED IBADULLAH	P.O. BAITIKKA FATAH KALAY	119.08	GMS BAIKAZAI	18-03-2015	22-01-2017
8	2010008	ADNAN ALI	BAKISHU MULL	117.65	GHS BELA BARAKAD KHEL	18-03-2015	22-01-2017
9	2010008	MUHAMMAD ARSHAD	SIR SUD S.L. MOHEL 115 PISTAKIRAR	117	GMS BAZID KHEL	18-03-2015	22-01-2017
10	2010008	DILSHAD KHAN	RADARIEA	102.73	GMS SULEMAN KHEL	18-03-2015	22-01-2017

DISABLER (QOUTA)

C.T 2015

Sl	Roll No	Name	Address	Total Marks [out of 200]	School	Appointment order No and dated	Extension order No and dated if any
1	2010008	MUHAMMAD AMIN	SHAHZAN MUSLIM TOWN	134.37	GHS Badaber	18-03-2015	22-01-2017
2	2010008	IMTAZ KIAN	DARU GIARI	133.34	GHS Sherkera	18-03-2015	22-01-2017
3	2010008	MUHAMMAD IQRAR UL HAQ KHAILI	TEHICAL DALA	132.01	GHS Kagawala	18-03-2015	22-01-2017
4	2010008	SHAHID ALI	SHEHITA ABUTAKHADDI	131.67	GHS Shakhani	18-03-2015	22-01-2017
5	2010008	MUHAMMAD ULLAH	UDAR KIANA	131.19	GHS Bela Baramad KHEL	18-03-2015	22-01-2017
6	2010008	SAMUULLAH	SHERKERA	130.11	GHS Sherkera	18-03-2015	22-01-2017
7	2010008	BAKIT SHER	AFGHAN COLONY	128.92	GHS Sherkera	18-03-2015	22-01-2017
8	2010008	MUHAMMAD ZAHID ALI SHAH	Umra Fuyan Peshawar	128.5	GHS Masho KHEL	18-03-2015	22-01-2017
9	2010008	ISRAR AHMAD	URKAR KIANA	128.06	GHS Masho KHEL	18-03-2015	22-01-2017
10	2010008	IMRAN KHAN	WADHAGA	127.75	GHS Masho KHEL	18-03-2015	22-01-2017
11	2010008	IBAD UR REHMAN	TAKIT ABAD	127.43	GHS Adzazi	18-03-2015	22-01-2017
12	2010008	SHAKIR ULLAH SHAH	MUNGUAR	126.13	GMS Maltani	18-03-2015	22-01-2017
13	2010008	MUHAMMAD SAJJAD	RADARIEA	125.74	GHS Adzazi	18-03-2015	22-01-2017
14	2010008	ABDUR REHMAN	KACHRI	125.42	GMS Maltani	18-03-2015	22-01-2017
15	2010008	MUHAMMAD ZARSHAD KIAN	Umra Fuyan Peshawar	121.89	GMS Khurkhuri	18-03-2015	22-01-2017

C.T 2014

Notification
 Under the provision of The Khyber Pakhtunkhwa Employees of the Elementary and Secondary Education (Appointment and Regularization of Services) Act, 2017 read with Section-1-Sub-section (2) and vide Govt of Khyber Pakhtunkhwa Elementary & Secondary Education Department Notification No: 50 (S/R)/EASBP/3-2018/SIT/Contract Dated 16-02-2018, the Services of the following Certified Teacher (CT) appointed on adhoc basis on Contract, are hereby regularized in BS-15, on the same posts in Teaching Cadre on the terms and condition given below with effect from the date of their appointment on the C.T Teacher post:-

OFFICE OF THE DISTRICT EDUCATION OFFICER (M.A.B) PESHAWAR

TO BE SUBSTITUTED WITH EVEN NO. & DATE

(13)

Handwritten signature/initials

14

C.T 2016

1	60270017	ABDUL JABBAR	CARE OF MUHAMMAD IDREES JOI ADAMI BRANCH TRINUN HOSPITAL PESHAWAR	132.58	GHSS SUFAID SANG	17281-326 13-05-2016	5520-70 15-06-2017
2	602700705	INTEKHAB ALAM	TESHIL AND DISTRICT PESHAWAR VILLAGE KHAPA POST OFFICE CHARSAKDA PESHAWAR	130.09	GHSS CHAGHARMATTI	17281-326 13-05-2016	5520-70 15-06-2017
3	601100716	ZEESHAN HIDAYAT	FALT NO 22 C OFFICER BLOCK GULSHAN REHAMN COLONY KOHAT ROAD PESHAWAR	129.86	GHS SHEIKH MUHAMMADI	17281-326 13-05-2016	5520-70 15-06-2017
4	601100583	AQBEL AFZAL	POST OFFICE GARIH CHANDAN CITY PESHAWAR	124.77	GMS GARIH CHORAKH	17281-326 13-05-2016	5520-70 15-06-2017
5	602700823	FAZLI REHMAN	DALAZAK ROAD VILLAGE AND POST OFFICE ABDUR RAHIMA MOHALLAH MUSLIM ABAD PESHAWAR	122.49	GHSS NO.1 PESHAWAR CITY	17281-326 13-05-2016	5520-70 15-06-2017
6	602700655	MUHAMMAD SALMAN	MADINA COLONY RASHEED ABAD NO 2 CHARSAKDA ROAD PESHAWAR POST OFFICE BOX CARE OF JEHAZEB SHIPKEEPER STREET NO 7	122.26	GHSS NO.1 PESHAWAR CITY	17281-326 13-05-2016	5520-70 15-06-2017
7	602700652	NABI GUL	VILLAGE TAKHT ABAD AWAL POST OFFICE NAHQI DAUDZAI PESHAWAR	121.59	GHSS NO.1 PESHAWAR CITY	17281-326 13-05-2016	5520-70 15-06-2017
8	602700714	MUHAMMAD ZUBAIR	MOHALLAH KOHATAIN NO 02 VILLAGE CHAMKANI TESHIL AND DISTRICT PESHAWAR	121.55	GHS URMER MIANA	17281-326 13-05-2016	5520-70 15-06-2017
9	602700713	SYED MUHARRAM SHAH	PAJAGGI ROAD VILLAGE GUL ABAD POST OFFICE CHARPARIZA DISTRICT PESHAWAR	120.34	GHSS CHAGHARMATTI	17281-326 13-05-2016	5520-70 15-06-2017
10	602700847	FAZL E MAULA	GARIH SARDAR HUSAIN MERA SURZAI PAYAN POST OFFICE MUSAZAI DISTRICT PESHAWAR	120.31	GMS FAZLI RAHIM	17281-326 13-05-2016	5520-70 15-06-2017
11	602700810	MALIK FAIZAN	HOSUE NUMBER 2398 MOHALLAH SARBANAN I/S LAHORI GATE PESHAWAR CITY	120.23	GHSS NO.1 PESHAWAR CITY	17281-326 13-05-2016	5520-70 15-06-2017
12	602700793	ALI RAHMAN	MOHALLAH GARIH ABDUS SAMAD VILLAGE NAGUMAN POST OFFICE DAUDZAI DISTRICT PESHAWAR	120.02	GHS GUL BELA	17281-326 13-05-2016	5520-70 15-06-2017
13	602700844	AMANULLAH	GARIH KHALID POST OFFICE MUSAZAI DISTRICT PESHAWAR	117.71	GHS TELA BAND	17281-326 13-05-2016	5520-70 15-06-2017
14	602700694	AMJAD ALI	VILLAGE LARAMA POST OFFICE BAKHSI PUL PESHAWAR	116.20	GHSS NO.1 PESHAWAR CITY	17281-326 13-05-2016	5520-70 15-06-2017
15	602700874	BAKHT RIAZ KHAN	VILLAGE TAKHT ABAD 1 POST OFFICE NAHQI DIST AND TESHIL PESHAWAR	115.97	GHS URMER MIANA	17281-326 13-05-2016	5520-70 15-06-2017
16	601100732	TAHSEEN ULLAH	VILLAGE KOTHIK POST OFFICE GULBAELA DISTRICT AND TESHIL PESHAWAR	115.94	GHS GUL BELA	17281-326 13-05-2016	5520-70 15-06-2017
17	602700850	ASIF ULLAH	VILLAGE AND POST OFFICE MIAN GUJAR TESHIL AND DISTRICT PESHAWAR	115.66	GHSS NO.1 PESHAWAR CITY	17281-326 13-05-2016	5520-70 15-06-2017
18	601101004	TAHIR AKBER	POST OFFICE SHERKER DISTRICT AND TESHIL PESHAWAR	115.09	GHS AZAKHEL	17281-326 13-05-2016	5520-70 15-06-2017
19	602700962	HAROON KHAN	MOHALLAH MAMA KHEL BALA VILLAGE AND POST OFFICE MADABER DISTRICT AND TESHIL PESHAWAR	115.00	GHS TELA BAND	17281-326 13-05-2016	5520-70 15-06-2017
20	601100943	ZAFAR HAYAT	VILLAGE NAZUM POST OFFICE NAHQI TESHIL AND DISTRICT PESHAWAR	114.61	GHSS NO.1 PESHAWAR CITY	17281-326 13-05-2016	5520-70 15-06-2017
DISABLE (QUOTA)							
21	602700566	SHER ALAM	AL NAJIB TUTION CENTRE ALWAJID PLACE INFRONT FAISAL COLONY CHOK DALAZAK ROAD	110.64	GHS ZARYAB COLONY	17281-326 13-05-2016	5520-70 15-06-2017

C.T 2017

1	6041001192	MUHAMMAD ASHFAQE YOUSAF	VILLAGE AND PO DAAG WARSAK ROAD PESHAWAR DISTRICT PESHAWAR	147.79	Government Shaheed Muhammad Waqar Higher Secondary School Daag Peshawar	6720-906 30-06-2017	NIL
---	------------	-------------------------	--	--------	---	------------------------	-----

15

174	6041001356	RAZA KHAN	AHMAD KHEL PESHAWAR.	109.19	GHS TELA BAND	2464-72 29-08-2017	NIL
175	6041000986	IKRAM ULLAH	VILLAGE AND POST OFFICE TEARI PAYAN PAJAGI ROAD PESHAWAR	107.23	GHS URMAR PAYAN	2464-72 29-08-2017	NIL
176	6042001256	WAQAR UD DIN	MUSAZAI PESHAWAR	109.09	GHS AZA KHEL MATTANI	11321-29 27-10-2017	NIL
DISABLE (QUOTA)							
1	6041001031	SHARIF HUSSAIN	VILLAGE AND POST OFFICE AHMAD KHEL MOHALLAH GHARI KHEL DISTRICT AND TEHSIL PESHAWAR	105.13	GMS KAGA WALA	6720-906 30-06-2017	NIL
2	6041000996	IFTIKHAR AHMAD	MOHALLAH TOKER KHAL VILLAGE AND POST OFFICE MATTANI DISTRICT TEHSIL PESHAWAR	98.93	GMS LALA KALAY / GHS NOTHIA	6720-906 30-06-2017	NIL
3	6042001443	FAZL ULLAH	MOHALLAH TOKER KHAL VILLAGE AND POST OFFICE MATTANI DISTRICT TEHSIL PESHAWAR	98.62	GMS MATTANI / GMS BAZID KHEL	6720-906 30-06-2017	NIL

TERMS & CONDITIONS.

- 1- Their Services shall be considered regular and they shall be eligible for pension/deduction of GP Fund in terms of Khyber Pakhtun Khwa Civil Servant Act, 1973 as amended in 2013.
- 2- They shall possess the same qualification and experience required for a regular post.
- 3- Their service are liable to termination on one month notice from either side, in case of resignation without notice, their one month pay/allowances shall be forfeited to the Government.
- 4- Their regularization shall not effect the promotion quota of existing holders of post in respective service cadres.
- 5- The regularization will not be in favour of those, who have not taken over charge or has remained absent from duty or resign from service and also not for those who are under disciplinary proceedings.
- 6- They will be governed by such rules and regulations as may be issued from time to time by the Govt.
- 7- The employees whose services are regularized under The Khyber Pakhtunkhwa Employees of the Elementary and Secondary Education (Appointment and Regularization of Services) Act, 2018 (Khyber Pakhtunkhwa Act No.1 of 2018) or in the process of attaining service at the commencement of The Khyber Pakhtunkhwa Employees of the Elementary and Secondary Education (Appointment and Regularization of Services) Act, 2018 (Khyber Pakhtunkhwa Act No.1 of 2018) shall rank junior to all civil servants belonging to the same service or cadre, as the case may be, who are in service on regular basis on the commencement of The Khyber Pakhtunkhwa Employees of the Elementary and Secondary Education (Appointment and Regularization of Services) Act, 2018 (Khyber Pakhtunkhwa Act No.1 of 2018), and shall also rank junior to such other persons, if any who were appointed on regular basis to the respective services or cadre before the commencement of this Act irrespective of their actual date of appointment.
- 8- The seniority interest of the employees, whose services are regularized under this Act within the same service or cadre, shall be determined on the basis of their merit position in such service or cadre.
- 9- Their seniority shall be determined on the basis of their continuous service in cadre provided that if the date of continuous incase of two or more employees is the same, the employees elder in age shall rank senior to the younger one.

(JADDI KHAN KHAIJI.)
DISTRICT EDUCATION OFFICER
(MALE) PESHAWAR.

Indst: No 2105-249 Dated 12/03 /2018

- Copy for information and necessary action to the:-
- 1- PS to Secretary Elementary & Secondary Education Deptt: Khyber Pakhtunkhwa Peshawar.
 - 2- Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
 - 3- Accountant General Khyber Pakhtunkhwa Peshawar.
 - 4- District Nazim Peshawar.
 - 5- Deputy commissioner Peshawar.
 - 6- Principals / Head Masters concerned.
 - 7- Cashier Local Office.
 - 8- PA to DEO (Male) Peshawar.
 - 9- Teachers concerned.

[Handwritten signature]

[Handwritten signature]
DY. DISTRICT EDUCATION OFFICER
(MALE) PESHAWAR.

16

BEFORE THE HON'BLE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR

Service Appeal No.768/2024

Sher Ghulam PST Vs Education Department

Affidavit

I, Irfan Ali DEO (Male) Peshawar do hereby solemnly affirm and declare on oath that the contents of the Para Wise Comments on behalf of respondents is correct to the best of my knowledge and nothing has been concealed from this Hon,ble court. it is further stated that in this appeal the answering respondents have neither been placed ex-parte nor their defense has been struck off/cost.



07/09/2024

Respondent 2

DEPONENT

District Education Officer
(Male) Peshawar

Identify by

AUTHORITY LETTER

Mr. Hujjat Ullah , ADEO (Litigation) office of the District Education Officer (Male) Peshawar is hereby authorized to submit Para Wise comments in Service Appeal No.768-2024 titled Sher Ghulam Vs Director E&SE of Khyber Pakhtunkhwa and others on behalf of the Education Department (E &SE) KP Peshawar.

Respondent No 2

District Education Officer
(Male) Peshawar

18 Jan Ali