


# FORM OF ORDER SHEET

Court of \_\_\_\_\_

Appeal No. 1487/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	19/9/2024	<p>The appeal of Mst. Kokab Saba received today by registered post. It is fixed for preliminary hearing before touring Single Bench at A.Abad on 26/9/2024. Appellant has been informed telephonically.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

**BEFORE THE KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL CAMP COURT,  
ABBOTTABAD**

Service Appeal No. 1487/2024

مسماة كوكب صبا قاريه (BPS-12) گورنمنٹ گریڈ ہائی سکول ڈھیری میرا ایٹ آباد سکنہ گاؤں بانڈہ خیر علی خان  
تحصیل ضلع ایٹ آباد۔

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۔۔ اپیلانٹ

**بنام**

ڈائریکٹر ایلمنٹری اینڈ سیکنڈری ایجوکیشن خیبر پختونخوا ایشاورو غیرہ

۔۔۔ ریسپانڈنٹس

**سرویں اپیل**

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المرفوم: 06/09/2024

*Kokul Gabe*

مسماة كوكب صبا قاريه (BPS-12) ۔۔۔ اپیلانٹ

بذریعہ خود:

**BEFORE THE KHYBER PAKHTUNKHWA**  
**SERVICE TRIBUNAL CAMP COURT,**  
**ABBOTTABAD**

Service Appeal No. 1487/2024

مسماة کوب صبا قاریہ (BPS-12) گورنمنٹ گرلز ہائی سکول ڈھیری میر ایبٹ آباد سکندہ گاؤں بانڈہ خیر علی  
خان تحصیل و ضلع ایبٹ آباد

موبائل نمبر: 0333-5059368 Email: nabeel42@gmail.com

-- اپیلانٹ

**بنام**

- (1) ڈائریکٹر ایلمنٹری اینڈ سیکنڈری ایجوکیشن خیبر پختونخوا ایشاور۔
- (2) ڈسٹرکٹ ایجوکیشن آفیسر (زنانه) ایلمنٹری اینڈ سیکنڈری ایجوکیشن ضلع ایبٹ آباد۔
- (3) نازیہ شاہین سینئر قاریہ گورنمنٹ گرلز ہائی سکول ڈھوڈیال تحصیل و ضلع ایبٹ آباد۔

-- ریسپانڈنٹس

**APPEAL UNDER SECTION 4 OF KHYBER**  
**PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974**  
**AGAINST IMPUGNED PROMOTION ORDER DATED**  
**04.07.2023 ISSUED BY RESPONDET NO.2 UNDER**  
**ENDORSEMENT NO. 5276-80 WHEREBY**  
**RESPONDENT NO.2 ILLEGAL, DIFFERED THE**  
**APPELLANT FROM PROMOTION FROM QARIA BPS**  
**(12) TO SENIOR QARIA BPS(15) THE SAID ORDER IS**  
**TOTALLY AGAINST THE LAW, MALAFIDE AND**  
**ISSUED ON BASELESS FACTS.**

**PRAYER: IT IS THEREFORE, RESPECTFULLY  
PRAYED THAT ON ACCEPTANCE OF THE  
INSTANT APPEAL THE IMPUGNED  
NOTIFICATION DATED 04.07.2023 MAY KINDLY  
BE SET ASIDE / MODIFIED AND APPELLANT  
MAY KINDLY BE PROMOTED W.E.F 04.07.2023  
WITH ALL BACK BENEFITS.**

جناب عالی!

**(FACTS)**

1- یہ کہ اپیلانٹ کی تقرری محکمہ E&SE ضلع ایبٹ آباد میں قاریہ پوسٹ پر گریڈ 12 میں مورخہ 06-05-2014 کو عارضی بنیادوں (Contract basis) پر ہوئی اور اپیلانٹ کا نام مذکورہ آرڈر کے سیریل نمبر 02 پر درج ہے۔ اور اب اپیلانٹ گورنمنٹ گرلز ہائی سکول ڈھیری میر ایبٹ آباد میں قاریہ پوسٹ پر گریڈ 12 میں اپنے فرائض سرانجام دے رہی ہے۔  
(نقل appointment آرڈر "A" Annexure لف ہے)

2- یہ کہ **KHYBER PAKHTUNKHWA EMPLOYEES OF  
ELEMENTARY AND SECONDARY EDUCATION  
DEPARTMENT (APPOINTMENT AND  
REGULARIZATION OF SERVICE) ACT 2017.** کی روشنی میں اپیلانٹ کی سروس کو پہلی تاریخ تقرری یعنی 06-05-2014 سے Regularize کرنے کی سفارش کی گئی۔

(نقل ایکٹ 2017 کی کاپی لف "B" Annexure ہے)

3- یہ کہ 2017 کے ایکٹ کی روشنی میں رسپانڈنٹ نے اپیلانٹ کی سروس کو تاریخ تقرری یعنی مورخہ 06-05-2014 سے ریگولر کرنے کا باقاعدہ نوٹیفکیشن نمبر 200-1976 مورخہ

10-03-2018 کو جاری کر دیا۔ جس میں اپیلانٹ کا نام سیریل نمبر 02 پر درج ہے۔  
(نقل نوٹیفکیشن مورخہ 10-03-2018 کی کاپی لف "C" Annexure ہے)

4- یہ کہ 2017 کے ایکٹ کی سیکشن 4 سب سیکشن 2 کے تحت Seniority کے بارے میں یہ ہدایات دیں کہ اگر ایک ہی دن Sane Cadre کا Appointment آرڈر / نوٹیفکیشن جاری ہو اور اس میں دو یا زیادہ ملازمین شامل ہوں تو عمر میں زیادہ سرکاری ملازم کم عمر والے سرکاری ملازم سے سناریٹی میں سینئر ہوگا۔ ایکٹ کا متعلقہ پیرا ذیل ہے۔

**Section-4 Sub-Section 2 of Govt. of KPK employees E&SE  
Department App. Regul of Service Act 2017.**

4. **Determination of seniority...**(1) the employees whose service are regularized under this act or in the process of attaining service at the commencement of this Act, shall rank junior to all other employees belonging to the same cadre, who are in service on regular basis on the commencement of this act, and shall also rank junior to such other persons, if any, who in pursuance of the recommendation of the commission made before the commencement of this Act, are to be appointed to the cadre, irrespective of their actual date of appointment.

(2) The seniority inter-se of those employees, whose service are regularized under this act within the cadre, shall be determined on the basis of their continues service in cadre.

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

5- یہ کہ اپیلانٹ کی سروس کو Regularize کرنے کے متعلق رسپانڈنٹ نمبر 2 نے جو نوٹیفکیشن مورخہ

10-03-2018 کو جاری کیا اسکی Clause-9 کی شرائط و ضوابط (Term & Conditions)

Regularization کی روشنی میں سناریٹی کے متعلق واضح طور پر کہا گیا ہے کہ دو یا اس سے زائد

ملازمین کا تقرری آرڈر Same Cadre ایک ہی دن جاری ہو تو عمر میں زیادہ سرکاری ملازم کم عمر

والے سرکاری ملازم سے سنیا رٹی میں سینئر ہوگا" نوٹیفیکیشن کا متعلقہ پیرا ذیل ہے۔

9. Their seniority shall be determined on basis of their continence service in cadre provided that if the date of continuous service in case of two or more employees is the same, the employee older in age shall rank senior the younger one.

6- یہ کہ مورخہ 10-06-2023 کو رسپانڈنٹ نمبر 2 نے قاریہ اساتذہ گریڈ 12 کی جو سنیا رٹی لسٹ جاری کی وہ سنیا رٹی لسٹ Merit position / Scores جو NTS نے جاری کیں اُس کی بنیاد پر جاری کیں اور اپیلانٹ کا نام سنیا رٹی لسٹ میں سیریل نمبر 11 پر شامل کیا گیا۔ جو کہ خلاف قانون ہے۔ جبکہ اپیلانٹ کا نام سیریل نمبر 10 پر ہونا چاہیے تھا۔ کیونکہ رسپانڈنٹ نمبر 3 (سیریل نمبر 10) اپیلانٹ سے عمر میں چھوٹی ہے اور ہمارا تقرری آرڈر ایک ہی ہے۔  
سنیا رٹی لسٹ کی کاپی لف "D" Annexure ہے)

7- یہ کہ اپیلانٹ نے مذکورہ متنازعہ سنیا رٹی لسٹ کے خلاف رسپانڈنٹ نمبر 2 کو درخواست دی کہ 2017ء کے ایکٹ کی روشنی میں اپیلانٹ کا نام سیریل نمبر 11 کے بجائے سیریل نمبر 10 میں رکھا جائے مگر اپیلانٹ کی درخواست پر کوئی کارروائی عمل میں نہیں لائی گئی۔

8- یہ کہ محکمہ ایلمنٹری اینڈ سیکنڈری ایجوکیشن کے نوٹیفیکیشن مورخہ 11-07-2012 کی روشنی قاریہ سے سینئر 1/3 قاریہ کو مطلوبہ تعلیمی اکیڈمک اور پرو فیشنل قابلیت اور سنیا رٹی کی بنیاد پر سینئر قاریہ کی پوسٹ پر ترقی دینے کی سفارش کی گئی۔

نوٹیفیکیشن مورخہ 11-07-2012 کی کاپی لف ہے "E" Annexure)

9- یہ کہ 15 جون 2023ء کو رسپانڈنٹ نمبر 2 DEO(F) ایبٹ آباد نے اپیلانٹ سے سینئر قاریہ کی پوسٹ پر پروموشن کے لیے ACR و دیگر لازمی کاغذات طلب کیے تو اپیلانٹ نے بروقت مکمل فائل جمع کروادی۔

10- یہ کہ قاریہ BPS-12 سے سینئر قاریہ BPS-15 کی پوسٹ پر رسپانڈنٹ نمبر 2 کی نگرانی میں DPC کا اجلاس مورخہ 20-06-2023 کو ہوا اور مورخہ 04-07-2023 کو آرڈر نمبر 5276-80 کے تحت رسپانڈنٹ نمبر 2 (F) IDEO ایبٹ آباد نے سینئر قاریہ کی پوسٹ کا پروموشن آرڈر کر دیا اور اپیلانٹ سے جو نیئر رسپانڈنٹ نمبر 3 کو سینئر قاریہ کی پوسٹ پر ترقی دے دی اور غیر قانونی طور پر اپیلانٹ کو پروموشن سے ڈیفرا محروم کر دیا۔  
(کاپی پروموشن آرڈر مورخہ 04-07-2023 "F" Annexure لف ہے)

11- یہ کہ اپیلانٹ کو مذکورہ پروموشن آرڈر کی زبانی معلومات ستمبر 2023ء میں ہوئی تو اپیلانٹ نے Under Right To Information ایکٹ 2013ء کے تحت پروموشن آرڈر وصول کرنے کے لیے درخواست دی تو اپیلانٹ کو مورخہ 16-10-2023 کو آرڈر کی کاپی دی گئی۔ جس کے بعد اپیلانٹ نے مورخہ 22-10-2023 کو رسپانڈنٹ نمبر 1 ڈائریکٹر E&SE خیبر پختونخوا ایشاور کو حکمانہ اپیل کی جس پر کوئی فیصلہ نہیں ہوا۔  
(نقل حکمانہ اپیل لف ہے "G" Annexure)

12- یہ کہ اپیلانٹ نے سروس ٹریبونل خیبر پختونخوا ایشاور میں مورخہ 04-07-2023 کے آرڈر کے خلاف سروس اپیل نمبر 355/2024 فائل کر دی مورخہ 29-05-2024 کو سروس ٹریبونل نے اپیلانٹ کی اپیل کو Disposed Off کرتے ہوئے اپیلانٹ کو ہدایات دیں کہ وہ پہلے سناریٹی لسٹ مورخہ 10-06-2023 کو چیلنج کریں۔  
کاپی آرڈر سروس ٹریبونل مورخہ 29-05-2024 کی کاپی لف ہے "H" Annexure

13- یہ کہ مورخہ 23-07-2024 کو اپیلانٹ نے رسپانڈنٹ نمبر 2 کو سناریٹی لسٹ مورخہ 10-06-2023 کو 2017ء کے ایکٹ کی روشنی میں درست کرنے کی درخواست دی تو مورخہ 27-08-2024 کو رسپانڈنٹ نمبر 2 نے سناریٹی لسٹ کو درست کر دیا اور Age wise سناریٹی لسٹ جاری کر دی مگر رسپانڈنٹ نمبر 3 کا نام قاریہ BPS 12 کی سناریٹی لسٹ سے ختم کر کے سینئر قاریہ BPS (15) کی سناریٹی لسٹ میں شامل کر دیا۔  
(سناریٹی لسٹ مورخہ 27-08-2024 کی کاپی "I" Annexure لف ہے)

14- یہ کہ اپیلانٹ رسپانڈنٹ کے خلاف قانون روپیہ سے متاثر ہوا ہے اور اپیلانٹ کے بنیادی اور قانونی حقوق کو رسپانڈنٹ نے حذف کیا ہے جسکی بنیاد پر اپیلانٹ نے درج ذیل Grounds کی بنیاد پر سروس ٹریبونل میں اپیل دائر کی ہے۔

## GROUND

A- یہ کہ پروموشن آرڈر مورخہ 07-04-2023 خلاف قانون اور اپیلانٹ کے بنیادی حقوق کے صریحاً خلاف ہے اور اپیلانٹ کے حقوق غصب کرنے کے مترادف ہے رسپانڈنٹ کا بغیر میرٹ کے اور بغیر پالیسی کے پروموشن آرڈر جاری کرنا سراسر غلط، خلاف قانون، خلاف واقعات اور اپیلانٹ کے حقوق پر بے اثر ہے۔

B- یہ کہ پروموشن آرڈر Govt. of KPK employees E&SE Department App. Regul of Service Act 2017. کے سیکشن 4 کی سب سیکشن 2 کے صریحاً خلاف ہے جو کہ قابل ترمیم و قابل منسوخی ہے۔

C- یہ کہ پروموشن آرڈر Regularization Notification مورخہ 10-03-2018 کی Clause-9 کی بھی صریحاً خلاف ہے۔

D- یہ کہ محکمہ قانون خیبر پختونخوا نے 2017ء کے ایکٹ کے تحت ریگولر ہونے والے ملازمین / اساتذہ کی سناری لست 2017ء کے ایکٹ کی سیکشن 4 (2) کی روشنی میں مرتب کرنے کی ہدایات جاری کی ہیں۔ سیکرٹری ایلمنٹری اینڈ سکیڈری ایجوکیشن پشاور نے مورخہ 26-06-2024 کو محکمہ قانون کے آرڈر پر عمل درآمد کا نوٹیفیکیشن جاری کر دیا۔ اسی طرح رسپانڈنٹ نمبر 2 نے مورخہ 13-08-2024 کو من و عن ایسا نوٹیفیکیشن جاری کر دیا۔

(نقل نوٹیفیکیشن محررہ 20-05-2024 اور 26-06-2024 اور 13-08-2024 لف "J" Annexure ہے)



-E یہ کہ رسپانڈنٹس کا رویہ آئین پاکستان 1973ء کے آرٹیکل 25 کے صریحاً خلاف ہے۔ کیونکہ خیبر پختونخواہ کے متعدد اضلاع میں سناریٹی 2017 کے ایکٹ کی سیکشن (2) 4 کی روشنی میں تیار کی جا چکی ہے اور اپیلانٹ کی سناریٹی Age کے بجائے میرٹ پوزیشن اور Score کی بنیاد پر تیار کی گئی ہے اور اپیلانٹ کو پروموشن سے محروم کیا گیا۔ جو کہ آئین پاکستان کے آرٹیکل 25 کے خلاف ہے۔

-F یہ کہ Saim Nature کیس میں سروس ٹریبونل سروس اپیل نمبر 887/2020 کے تحت اپیلانٹ (جانبا ز خان) کے حق میں فیصلہ دے چکی ہے۔ لہذا آئین پاکستان 1973 کے آرٹیکل 25 کے تحت اپیلانٹ بھی ریلیف کی حقدار ہے۔

-G یہ کہ اپیل ہذا اندر معیاد ہے۔

### استدعا:

لہذا استدعا ہے کہ اپیلانٹ کی اپیل کو منظور فرماتے ہوئے پروموشن آرڈر مورخہ 04-07-2023 میں ترمیم کرتے ہوئے اپیلانٹ کو اسی تاریخ سے سینئر قاریہ کی پوسٹ پر گریڈ 15 میں جملہ بھایا جات سمیت ترقی دینے کے احکامات صادر فرمائے جائیں۔ نیز جو بھی دادری قرن انصاف ہو بحق اپیلانٹ دی جاوے۔

المرقوم: 06/09/2024

مسماة کوب صباہ قاریہ (BPS-12) گورنمنٹ گرلز ہائی سکول ڈھیری میر الہوٹ آباد۔ اپیلانٹ

بذریعہ خود: *Kokab Sale*

### بیان حلفی:

حلفاً بیانی ہوں کہ جملہ مراتب اپیل تا حد علم و یقین میرے صحیح و درست ہے نیز کوئی امر ٹریبونل حد سے مخفی نہ رکھا گیا ہے۔ اور اپیلانٹ نے ما قبل کسی بھی عدالت یا ٹریبونل سے اس بابت اپیل یا پٹیشن دائر نہیں کی۔

المرقوم: 06/09/2024  
مسماة کوب صباہ قاریہ (BPS-12)۔۔۔۔۔ اپیلانٹ  
*Kokab Sale*

**APPOINTMENT**

Consequent upon the recommendation of Departmental Selection Committee, appointment of the following candidates are hereby ordered against the post of Qaria, School based, in BPS-12 (Rs.7000-500-22000) @7000/- 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.#	Roll No.	Name	Father's Name	CNIC No.	Merit Position	Place of posting
1	1170154	Nazla Shaheen	Muhammad Munir	13101-7147939-0	123.2	GGHS Gharphulgran
2	1170139	Kokab Saba	Muhammad Irshad	13101-3019166-0	119.6	GGHS Mallach
3	1170135	Raqeeda Bibi	Muhammad Sadiq	13101-6276841-4	117.7	GGHS Nagra Tullal

**TERMS & CONDITIONS**

1. NO TA/DA etc 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. They should not be handed over charge if she exceeds 35 years or below 18 years of age.
5. Appointment is subject to the condition that the certificate/documents must be verified from the concerned authorities by the DDO concerned. Anyone found producing bogus/fake Certificate will be reported to the law enforcing agencies for further action.
6. Her services are liable to termination on one month's notice from either side. In case of resignation without notice her one-month pay/allowances shall be forfeited to the Government.
7. Pay will not be drawn until and unless a certificate by DEO concerned to the effect that her certificates/documents are verified.
8. She should join her post within 15 days of the issuance of this notification. In case of failure to join their post within 15 days of the issuance of this notification, her appointment will expire automatically and no subsequent appeal etc shall be entertained.
9. Health and Age Certificate should be produced from the Medical Superintendent concerned before taking over charge.
10. Before handing over charge she will sign an agreement with the department on stamp paper, otherwise this order will not be valid.
11. She will be governed by such rules and regulations as may be issued from time to time by the Govt.
12. Her services shall be terminated at any time, in case her performance is found unsatisfactory during her contract period. In case of misconduct, she will be proceeded under the rules framed from time to time.
13. Her appointment is made on School based, she will have to serve at the place of posting, and her service is not transferable to any other station.

9

14. Before handing over charge once again their document may be checked if they have not the required qualifications they may not be handed over charge.

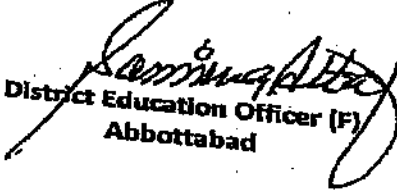
Endst No 1868-73

Dated Abbottabad the 6/5 /2014

District Education Officer (F)  
Abbottabad

Copy forwarded for information to:

1. Director E&SE Khyber Pakhtunkhwa, Peshawar.
2. District Comptroller of Accounts Abbottabad.
3. PS to the Secretary to Govt. Khyber Pakhtunkhwa E&SE Department.
4. Principal/ Headmistress of Concerned Schools.
5. Candidates Concerned.
6. Office record file.

  
District Education Officer (F)  
Abbottabad

*to provide for the appointment and regularization of the services of certain employees appointed on adhoc or contract basis or appointed in certain projects in the Elementary and Secondary Education Department in the Province of the Khyber Pakhtunkhwa.*

WHEREAS it is expedient to provide for the appointment and regularization of the services of certain employees appointed on adhoc or contract basis or appointed in certain projects in the Elementary and Secondary Education Department in the Province of the Khyber Pakhtunkhwa, in the public interest;

It is hereby enacted as follows:

1. Short title, application and commencement.—(1) This Act may be called the Khyber Pakhtunkhwa Employees of the Elementary and Secondary Education Department (Appointment and Regularization of Services) Act, 2017.

(2) It shall apply to all the employees in the Elementary and Secondary Education Department, as defined in clause (c) of sub-section (1) of section 2 of this Act.

(3) It shall come into force at once and it shall be deemed to have taken effect from the date of the initial appointment of the employees as referred to in clause (c) of sub-section (1) of section 2 of this Act.

2. Definitions.—(1) In this Act, unless the context otherwise requires,—

(a) "Commission" means the Khyber Pakhtunkhwa Public Service Commission;

(b) "contract appointment" means appointment of a duly qualified person for a specific period made otherwise than in accordance with the prescribed method of recruitment;

(c) "employees" mean duly qualified persons,—

(i) who are appointed as teachers on adhoc or contract basis by the Government after 2013 through National Testing Service but does not include the teachers engaged on work charge basis or who are paid out of contingencies;

(ii) who are appointed in the projects on contract basis in accordance with the project policy; and

(iii) who are appointed as Junior Clerk in the Elementary and Secondary Education Department by Government after 2013 through National Testing Service;

(d) "Government" means the Government of the Khyber Pakhtunkhwa;

- (e) "law or rule" means the law or rule for the time being in force governing the selection and appointment of civil servants;
- (f) "project" means,-
  - (i) IT/Computer Teachers in Computer Labs Projects in Khyber Pakhtunkhwa (Phase-I);
  - (ii) establishment of five hundreds (500) IT Labs in Government High and Secondary Schools in Khyber Pakhtunkhwa; and
  - (iii) establishment of five hundreds (500) IT Labs in Government High Schools in Khyber Pakhtunkhwa (Phase-II); and
- (g) "teacher" means a teacher of primary, middle, secondary or higher secondary school.

(2) The expressions "ad hoc appointment" shall have the same meaning as respectively assigned to them in the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No. XXVIII of 1973).

3. Regularization of services of employees.—(1) Notwithstanding anything contained in any other law or rules, the employees, who hold posts till the commencement of this Act, shall be deemed to have been validly appointed on regular basis from the day of the initial appointment, provided that-

- (i) they possess the same qualification and experience required for a regular post;
- (ii) they have not resigned from their services or terminated from services on account of misconduct, inefficiency or any other ground, before the commencement of this Act; and
- (iii) the service promotion quota of all service cadres shall not be affected.

(2) The services of the employees shall be deemed to have been regularized only on the publication of their names in the official Gazette.

4. Determination of seniority.—(1) The employees whose service are regularized under this Act or in the process of attaining service at the commencement of this Act, shall rank junior to all other employees belonging to the same Cadre, who are in service on regular basis on the commencement of this Act, and shall also rank junior to such other persons, if any, who, in pursuance of the recommendation of the Commission made before the commencement of this Act, are to be appointed to the Cadre, irrespective of their actual date of appointment.

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



Provincial Assembly of Khyber Pakhtunkhwa  
Secretary  
(NAMULLAH KHAN)

BY ORDER OF MR. SPEAKER  
PROVINCIAL ASSEMBLY OF KHYBER  
PAKHTUNKHWA

5. Overriding effect.—Notwithstanding anything to the contrary contained in any other law or rules for the time being in force, the provisions of this Act shall have an overriding effect and the provisions of any such law or rules in the extent of inconsistency to this Act shall cease to have effect.

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.



13

**OFFICE OF THE DISTRICT EDUCATION OFFICER  
(FEMALE) ABBOTTABAD**

PH: No. 0992342533

Fax 0992-342533

E-mail deofemale\_abbottabad@yahoo.com

**Notification.**

In pursuance to Government of Khyber Pakhtunkhwa Elementary & Secondary Education Department Notification issued vide No. SO(S/F)E&SED/3-2/2018/SITT/Contract dated 16-02-2018, Services of the following Qaria appointed on adhoc basis on Contract, are hereby regularized in BPS-12, on the same posts in Teaching Cadre on the terms and condition given below with effect from the date of their appointment on the said post :-

Sr	RollNo.	Name	Address	Total Marks (out of 200)	School	Appointment order No and dated	Extension order No and dated if any
1	1170154	Nazia Shaheen	Village Dhari Union Council Jhangl	123.2	GGHS Gharphulgoran	1868-73 dated 06/05/2014	3845-51 dated 08/06/2017
2	1170139	Kalsh Saba	Mohallah Musa Zai Nawansher	119.6	GGHS Mallach	1868-73 dated 06/05/2014	3845-51 dated 08/06/2017
3	1170135	Raqeada Bibi	Mohallah Gokara U/C Nara Havelian	117.7	GGHS Nagri Tuda	1868-73 dated 06/05/2014	3845-51 dated 08/06/2017
4	11160003	Nosheen	Mohall Hyas Khel Dhamtar Abbottabad	119.10	GGHS Rajiya	1439-54 dated 17/03/2015	3845-51 dated 08/06/2017
5	11160003	Mawana Bibi	Mohall Chari Barozza Havelian	116.93	GGHS Bannara	1439-54 dated 17/03/2015	3845-51 dated 08/06/2017
6	11160004	Asma Rizx	Shimla Colony P.O Dobacher Banda Amlok ATD	117.8	GGHS Richbhan	1439-54 dated 17/03/2015	3845-51 dated 08/06/2017
7	11160003	Mahboob Akhter	Village Chanda Maira U/C Majaan Havelian	110.33	GGHS Seer	1439-54 dated 17/03/2015	3845-51 dated 08/06/2017
8	11160001	Santa Malik	Village talbar Sherwan Abbottabad	104.59	GGHS Bandi Matrich	1439-54 dated 17/03/2015	3845-51 dated 08/06/2017
9	11160004	Irum Javed	Village Palakian Bandi Maira Abbottabad	103.98	GGHS Sojhot (Ch)	1439-54 dated 17/03/2015	3845-51 dated 08/06/2017
10	11160005	Safia as saba	House No 1418/02 Mohallah Musa Zai Nawansher	101.20	GGHS Doda	1439-54 dated 17/03/2015	3845-51 dated 08/06/2017
11	11160006	Uzma Rani	Village Ghunawan Nawansher	101.06	GGHS Rohi	1439-54 dated 17/03/2015	3845-51 dated 08/06/2017
12	11160000	Irum Malik	Upper Malispura House No Um.161 Mohallah Nallah ATD	118.25	GGHS Tharyat	2190-96 dated 24/03/2017	
13	11160000	Sehrish Saleem	Village Banda Noor Ahmed P.O Jhangl	113.03	GGHS PK Khan	2190-96 dated 24/03/2017	
14	11160000	Javeria Faz	Village Chamat ATD	111.95	GGHS Khandapur Ayubia	2190-96 dated 24/03/2017	
15	11160000	Sehrish Khan	Village Lamba Maira Jhangl ATD	108.05	GGHS Sherwan	2190-96 dated 24/03/2017	
16	11160000	Uroora Abid	House 380 Mohallah Kasab Havelian	106.02	GGHS Bernan Gali	2190-96 dated 24/03/2017	
17	8516000.012	Saima Bibi	Village Kotmail P.O Kakotri Abbottabad	105.00	GGHS Jarral	2190-96 dated 24/03/2017	

**TERMS & CONDITIONS.**

- Their services shall be governed by the Khyber Pakhtunkhwa Civil Servants Act, 1973, the Khyber Pakhtunkhwa (Appointment, Deputation, Posting & Transfer of Teachers, Lecturers, Instructors & Doctors) Regulatory Act, 2011 and such rules & regulations as may be issued from time to time by the government.

*Loved Saba*



14

2. Their pay shall be released subject to verification of academic documents/testimonial from the concerned board/ university by the District Officer concerned.
3. Their services shall be considered regular and they shall be eligible for the pension/deduction of GP fund in terms of the Khyber Pakhtunkhwa Civil Servants Act, 1973 as amended in 2013.
4. Their services are liable to termination on one month notice from either side in case of resignation without notice, their one month pay & allowance shall be forfeited to the government.
5. They shall possess the same qualification and experience required for the regular post.
6. They shall have not resigned from their services or terminated from service on account of misconduct, inefficiency or any other ground before the commencement of this act.
7. Their regularization shall not effect the promotion quota of existing holders of posts in respective service cadres.
8. They shall rank junior to all other employees belonging to the same cadre who are in service on regular basis on the commencement of this Act and shall also rank junior to such other persons if any, who, in pursuance of the recommendation of Khyber Pakhtunkhwa Public Service Commission made before the commencement of this Act are to be appointed to the cadre.
9. Irrespective of their actual date of appointment. Their seniority shall be determined on the basis of their continuous service in cadre provided that if the date of continuous service in case of two or more employees is the same, the employee older in age shall rank senior to the younger one.

*[Handwritten Signature]*

- Sd -  
 (Faiza Shafi)  
 DISTRICT EDUCATION OFFICER(O)  
 ABBOTTABAD

Endst: No. 1976-2000 EBIII/Quota/Regularization

Dated 10/03/2018

Copy forwarded for information and necessary action to the:-

1. Secretary to Govt. of Khyber Pakhtunkhwa B&SED Peshawar.
2. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
3. District Monitoring Officer(DMO) Abbottabad.
4. District Comptroller of Accounts Abbottabad.
5. All the Principals/Headmasters of concerned schools
6. B&AO Local Office
7. Assistant Programmer EMIS Local Office.
8. All the teachers concerned.

*[Handwritten Signature]*  
 DISTRICT EDUCATION OFFICER(O)  
 ABBOTTABAD

(15)

ANNEXURE  
D

**DISTRICT EDUCATION OFFICER (FEMALE) ABBOTTABAD**  
**FINAL SENIORITY LIST OF QARIA AS STOOD ON 10.06.2023**

S.NO.	Name of Teacher	Father's Name	School Name	DOB	Domicile	BPS	D/O Ist Appt: In Education Department	D/O Appt: In Present Post	D/O Taking over charge on Present Post	D/O Entry in Present District	QUALIFICATION			DATE OF REGULAR APPT: AS QARIA	REMARKS	
											ACADMIC	prof:	Division in BAB/Ed			
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
1	SHAZIA SULTANA	SAID AKBIR	GGHS Salbad	3/10/1970	ATD	BPS-12	11/2/1989	11/2/1989	11/2/1989	NIL	SSC	Tajweed	NILL		11/2/1989	
2	SHAZIA BIBI	Q.MUHAMMAD ILYAS	GGHS Bagnotar	4/10/1972	ATD	BPS-12	4/1/1996	4/1/1996	4/1/1996	NIL	FA	Taj: & Qurt	NILL		4/1/1996	
3	UZMA SHAZIA	SARWAR KHAN	GGHS Jhangl	1/10/1974	ATD	BPS-12	6/1/1996	6/1/1996	6/1/1996	NIL	SSC	Tajweed/Shahdat ul Almia	NILL		6/1/1996	
4	SALMA NAZ	QAZI KHANDAD	GGHS BANDI ATTI KHAN	10/20/1979	ATD	BPS-12	12/3/2003	12/3/2003	12/3/2003	NIL	BA	Khaza and Tajweed	BA-II		3/12/2003	
5	TANZEEB SULTANA	RAJA GHULAM HAIDER	GGHS Hab Matra	3/12/1972	ATD	BPS-12	11/1/1995	1/1/2004	1/1/2004	NIL	FA	Tajweed	NILL		1/1/2004	
6	RIFHAT AKRAM	MUHAMMAD AKRAM	GGHSS ATD	9/2/1986	ATD	BPS-12	3/17/2005	6/1/2005	6/1/2005	NIL	MA	Tajweed/Shahdat ul Almia	BA-II/ Med		6/1/2005	
7	MEHNAZ BIBI	MUHAMMAD ILYAS	GGHS KOKAL BARSEEN	4/2/1984	ATD	BPS-12	1/1/2013	1/1/2013	1/1/2013	NIL	FA	Taj: & Hafiz, Shahdat ul Almia	NILL		1/1/2013	
8	HAGIRA BIBI	MUHAMMAD AJAB	GGHS Sajkot (Q)	10/6/1989	ATD	BPS-12	1/1/2013	1/1/2013	11/16/2014	NIL	MA	Taj: & Hafiz	BA II		1/1/2013	
9	Patra	IQBAL KHAN	GGHS Bandi Phullan	4/5/1992	ATD	BPS-12	3/8/2014	3/13/2014	3/13/2014	NIL	MA	BED Qurt	B.II			
10	Nazla Shaheen	MUHAMMAD MUNIR	GGHSS No.1	2/11/1990	ATD	BPS-12	5/6/2014	5/6/2014	5/6/2014	NIL	MA	Taj: & Hafiz/M.Ed	BA-II, B.ED II		5/7/2014	
11	Kokab Saba	MUHAMMAD IRSHAD	GGHS Dheri Matra	3/3/1981	ATD	BPS-12	5/6/2014	5/6/2014	5/6/2014	NIL	MA Ist	SAlmia/Taj: & Hafiz/B.ED/M.Ed	BA-I, B.ED II		5/6/2014	
12	Raqeeda Bibi	MUHAMMAD SADIQ	GGHS Havelian Village	4/23/1986	ATD	BPS-12	5/6/2014	5/6/2014	5/6/2014	NIL	MA Ist	Tajweed	BA-II		6/13/2014	
13	Bibi Asia	SHER APZAL KHAN	GGHS No.2 A/Abad	8/17/1976	Mem	BPS-12	6/25/1997	7/4/1997	7/4/1997	6/12/2014	M.Phil	Tajweed	BA-II			
14	Noorheen	ABDUL MATEEN	GGHS KAKUL	5/4/1980	ATD	BPS-12	3/17/2015	3/17/2015	3/17/2015	NIL	MA Ist/B.Ed	Taj: & Hafiz	BA-I			
15	Mameza Bibi	MUHAMMAD ILAS	GGHS CHAMHAD	1/10/1986	ATD	BPS-12	3/17/2015	3/17/2015	3/17/2015	NIL	MA Ist	Taj: & Hafiz/B.Ed	BA-II		1/25/2015	
16	Asma Riaz	MUHAMMAD RIAZ	GGHSS Richbhen	11/9/1982	ATD	BPS-12	3/17/2015	3/17/2015	3/17/2015	NIL	M.Sc	Taj: & Hafiz/M.Ed	BA-II		3/18/2015	
17	Mehboob Akhter	MUHAMMAD SULEMAN	GGHS RAJOYA	12/23/1979	ATD	BPS-12	3/17/2015	3/17/2015	3/17/2015	NIL	BA	TAJ & HAFIZ	BA-II		3/26/2015	
18	Sonia Malik	MALIK PERVAIZ	GGHS Bandi Matrich	8/1/1991	ATD	BPS-12	3/17/2015	3/17/2015	3/17/2015	NIL	MA(U)	Taj: & Hafiz/B.ED	BA-II		3/21/2015	
19	Drum Javed	MUHAMMAD JAVED	GGHSS Nawar Shahr	5/13/1988	ATD	BPS-12	3/17/2015	3/17/2015	3/17/2015	NIL	BA	Taj: & Hafiz	BA-II		3/20/2015	
20	Sadiaz Saba	MUHAMMAD IRSHAD	GGHS Bodla	1/15/1987	ATD	BPS-12	3/17/2015	3/17/2015	3/17/2015	NIL	MA Ist/MA Ist	CT/B.ED/M.ED	BA-II/ Bed I		3/18/2015	
21	Uzma Rani	AYUB KHAN	GGHS Namli Matra	3/28/1981	ATD	BPS-12	3/17/2015	3/17/2015	3/17/2015	NIL	MA	B.ED/TAJWEED	NILL			
22	SHAHIDA SULTAN	MUHAMMAD SULTAN	GGHSS KARI RAIKI	1/2/1981	ATD	BPS-12	11/19/2016	11/19/2016	11/19/2016	NIL	MA	B.ED/TAJWEED	NILL			
23	Drum Malik	MALIK SHAH ZAMAN	GGHS Tharyal	2/14/1980	ATD	BPS-12	3/24/2017	3/24/2017	3/24/2017	NIL	B.Sc	Taj: & Hafiz /B.Ed	B.SC-I		3/25/2017	Drum Malik
24	Sehrish Saleem	MUHAMMAD SALEEM	GGHS PK Khan	4/1/1987	ATD	BPS-12	3/24/2017	3/24/2017	3/24/2017	NIL	MA Ist	Taj: & Hafiz/M.Ed	BA-I		4/1/2017	
25	Javeria Fiaz	MUHAMMAD FIAZ KHAN	GGHS Khanispur Ayubia	9/30/1989	ATD	BPS-12	3/24/2017	3/24/2017	3/24/2017	NIL	M.Sc	Taj: & Hafiz/B.Ed	B.SC-II		4/1/2017	
26	Sehrish Khan	ZAR KHAN	GGHSS Sherwan	8/17/1987	ATD	BPS-12	3/24/2017	3/24/2017	3/24/2017	NIL	MA Ist	Taj: & Hafiz	B-II		4/1/2017	
27	Uroosa Abid	ABID HUSSAIN	GGHS BAN NARA	5/18/1992	ATD	BPS-12	3/24/2017	3/24/2017	3/24/2017	NIL	MA	SAlmia	BA-I		3/24/2017	
28	Samia Bibi	MATLOUB HUSSAIN SIYAH	GGHS Jarral	1/9/1987	ATD	BPS-12	3/24/2017	3/24/2017	3/24/2017	NIL	BA	Taj: & Hafiz	BA-II		3/24/2017	
29	SANAM FIAZ	M.FIAZ KHAN	GGHSS Bandi Phullan	25.06.1987	ATD	BPS-12	23.01.2019	23.01.2019	01.03.2019	NIL	M.Sc (M)	B.ED Taj: & Hafiz			06.12.2022	
30	TEHREEM SAJAWAI	SAJAWAI KHAN	GGHS AZIZ BANG	77.02.1989	ATD	BPS-12	23.01.2019	23.01.2019	01.03.2019	NIL	MA ISL	MED/ Taj: & Hafiz			06.12.2022	
31	JAVAIRIA BIBI	M.SHERAZ	GGHS PANJGRAN	18.03.1995	ATD	BPS-12	23.01.2019	23.01.2019	01.03.2019	NIL	MA ARABIC	BED			06.12.2022	
32	ROQIA SADIQ	M.SADIQ	GGHS PLUCK ANDER SERI	28.12.1988	ATD	BPS-12	23.01.2019	23.01.2019	01.03.2019	NIL	MA ISL	Taj: & Hafiz			06.12.2022	

**ATTESTED**  
K. J. Khan

16

1	2	3	4	5	6	7	8	9	10	11	12	13	14	16	17
Sl. No.	Name of Candidate	Family Name	Current Name	DOB	Qualification	Grade	Department	Present Post	on Present Post	Present District	ACADMIC	Prof:	Division in BA/B,Ed	APPT:AS QARIA	REMARKS
33	SUMMERA SADIQ	M.SADIQ	GGHS PHALLAH	07.07.1987	ATD	BPS-12	23.01.2019	23.01.2019	01.03.2019	NIL	MA ISL	BED S.ALMIA		06.12.2022	
34	ANILA ANWAR KHAN	MUHAMMAD ANWAR	GGHS Stalkot	07.04.1991	ATD	BPS-12	17.04.2019	17.04.2019	17.04.2019	NIL	MA ISL	PTC S.ALMIA		06.12.2022	
35	SADIA	ABDUL AZIZ	GGHS BANDA PIR KAH	14.10.1990	ATD	BPS-12	27.04.2020	27.04.2020	27.04.2019	NIL	MA	B.Ed/Tajweed ul Quran	MSc-II Bed-I	06.12.2022	
36	SADIA MANAN	ABDUL MANAN	GGHS BEERANGALI	20.05.1990	ATD	BPS-12	27.04.2019	27.04.2019	27.04.2019	NIL	MA BCO	Taj: & Hafiz /CT		06.12.2022	
37	SAMIYA SYED	SYED HUSSAIN SHAH	GGHS GHARI PHULGRAN	28.03.1986	ATD	BPS-12	22.04.2020	22.04.2020	22.04.2020	NIL	MA	B.Ed		06.12.2022	
38	SAJEELA NAZEER	MUHAMMAD NAZEER	GGHS MALLACH	25.03.1983	ATD	BPS-12	27.04.2020	27.04.2020	27.04.2020	NIL	MA	B.Ed		06.12.2022	
39	IRAM MEHBOOB	MUHAMMAD MEHBOOB	GGHS SEER	08.02.1990	ATD	BPS-12	15.10.2021	15.10.2021	10/15/2021	NIL	MA	B.Ed/Tajweed ul Quran Al Kreem		06.12.2022	
40	TAHIRA AZHAR	MUHAMMAD IRSHAD	GGHS SHERWAN	05.02.1992	ATD	BPS-12	10.09.2022	10.09.2022	10.09.2022	NIL	MA	B.Ed/Tajweed ul Quran	MA-I BEd-I	06.12.2022	
41	NAZIA TABASSUM	MUHAMMAD FARDOQ	GGHS SAIKOTE CH	06.07.1987	ATD	BPS-12	10.09.2022	10.09.2022	10.09.2022	NIL	MA	M.Ed/Tajweed ul Quran Al Kreem		06.12.2022	
42	ABIDA REHMAN	GOHAR REHMAN	GGHS PK KHAN	05.08.1989	ATD	BPS-12	10.09.2022	10.09.2022	10.09.2022	NIL	MA	B.Ed/Tajweed ul Quran Al Kreem	MA-I	06.12.2022	
43	SHABANA FAREED	MUHAMMAD FAREED	GGHS BAN NARA	07.01.1995	ATD	BPS-12	10.09.2022	10.09.2022	10.09.2022	NIL	MA	B.Ed/Tajweed ul Quran	MA-I BEd-I	06.12.2022	
44	Sobia Bashir	Muhammad Bashir	GGHS BAGAN	22.03.1992	ATD	BPS-12	10.11.2022	10.11.2022	10.11.2022	NIL	MA	Tajweed ul Quran Al Kreem		06.12.2022	
45	Marla Bibi	Muhammad Farooq	GGHS KHANISPUR	05.04.1994	ATD	BPS-12	10.11.2022	10.11.2022	10.11.2022	NIL	MA	Taj: & Hafiz, Shabd ul Abnla	MA-I	06.12.2022	

ATTESTED  
Korbet

**GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT**



17

**NOTIFICATION**

No. SO (B & A) 11-8/2012  
 Sanction of the Government of Khyber  
 Pakhtunkhwa is hereby recorded to the up gradation of the posts for Grade of Incentive of  
 Higher Pay Scale to different Categories/Codes of teachers in Elementary & Secondary  
 Education Department, W.F. 01-07-2012 as per details given below:-

Dated Peshawar, 11.07.2012

No.	Location	Existing Basic Pay Scale	Proposed Basic Pay Scale	Remarks
1.	Primary School	BS-3	BS-4	
2.	School Teacher (Sr. STI)	BS-10	BS-11	
3.	Senior Teacher (Sr. T)	BS-10	BS-11	
4.	Head Teacher (HT)	BS-10	BS-11	
5.	Primary School	BS-3	BS-4	
6.	Arabic Teacher (A.T)	BS-9	BS-10	
7.	Senior Arabic Teacher (S.A.T)	BS-10	BS-11	
8.	Teacher of Urdu (T.U)	BS-9	BS-10	
9.	Senior Teacher of Urdu (S.T.U)	BS-10	BS-11	
10.	Drawing Master (D.M)	BS-10	BS-11	
11.	Senior Drawing Master (S.D.M)	BS-11	BS-12	

**NOTIFIED**  
 K. P. 107

13	Senior Physical Education Teachers (Sr. PET's)	"do"	BS-07 BS-10 BS-12 BS-14 BS-15	(BPS-15)	All the existing posts of PET's are upgraded to BPS-15 for present incumbents to the post as well as for future appointments.
14	Qari/Qaria	"do"	BPS-7 BPS-9 BPS-10 BPS-12 BPS-14 BPS-15	(BPS-12)	All the existing posts of Qari/Qaria are upgraded to BPS-12 for the present incumbents to the post as well as future appointments.
15	Sr. Qari/Sr. Qaria	"do"	Newly Upgraded/Redesignated Post	(BPS-15)	One third (1/3 <sup>rd</sup> ) of the total Qari/Qaria posts are upgraded to BPS-15 and redesignated as Senior PET, which will be filled in the manner as may be prescribed by the Elementary & Secondary Education Department by making necessary service rules or amending the existing service rules, if any, for the post.

2. A policy shall also be devised in the framework of input/output criteria in terms of qualification, length of service, regularity, punctuality, results, curricular and co-curricular achievements and other performance indicators, so that the teachers do not take the scheme for granted but work for it.

3. District wise/ school wise breakup of the posts is enclosed herewith as Annexure-A.

SECRETARY

Encl: No. SO(FR)/FD/10-22(E)/2010 Dated Pesh: the 16/07/2012

Copy is forwarded to Accountant General Khyber Pakhtunkhwa, Peshawar.  
All District Account Officers

SECTION OFFICER (FR)  
FINANCE DEPARTMENT

Encl. Of even Number & Date.

Copy of this above is forwarded to:-

1. The Secretary to Government of Khyber Pakhtunkhwa, Finance Department, with reference to his letter No SO(FR)/FD/10-22(E)/2010 dated 26.06.2012.
2. P.S. to Secretary, E&SE Department, Khyber Pakhtunkhwa, Peshawar.
3. P.S. to Special Secretary, E&SE Department, Khyber Pakhtunkhwa, Peshawar.
4. P.S. to Deputy Secretary-II, E&SE Department, Khyber Pakhtunkhwa, Peshawar.
5. P.S. to Minister of E&SE, Khyber Pakhtunkhwa.
6. The Director, E&SE Khyber Pakhtunkhwa, Peshawar.
7. All the Executive District Officers, E&SE Khyber Pakhtunkhwa.
8. The Managing Director, Printing Press, Khyber Pakhtunkhwa, Peshawar.
9. Master file.

(NOOR ALAM KHAN WAZIR)  
SECTION OFFICER (B&A)  
ELEMENTARY & SECONDARY EDUCATION  
DEPARTMENT

Kidiaz  
ATTESTED



**OFFICE OF THE DISTRICT EDUCATION**  
**OFFICER (FEMALE) ABBOTTABAD**

PH# No. 0992-342533 FAX:0992-342314  
E-mail: [education@abbottabad.gov.pk](mailto:education@abbottabad.gov.pk)

19

**ANNEXURE**

**NOTIFICATION**

Consequent upon the recommendation of the Departmental Promotion Committee, held Dated 20.06.2023 the following female Qaria BPS-12 are promoted to post of S.Qaria BPS-15 @ Rs. (23920-1980-25900) plus usual allowances as admissible on regular basis are hereby adjusted in the school noted against each their names with immediate effect.

S.No	S/L No	Name of Teacher	School Name	Name of school where adjusted as S.Qaria	REMARKS
1.	8	Nagina Bibi, Qaria	GGHS Sajkot (Q)	GGHS Bhandi Dhundlan	Against vacant post
2.	9	Faiza Qaria	GGHSS Bhandi Phullan	GGHSS ATD	Against vacant post
3.	10	Nazia Shahben, Qarin	GGCMSS No.1 ATD	GGHS Dhudial	Against vacant post

**CONSEQUENTIAL ADJUSTMENT**

S.No	Name of Teacher	School Name	Name of school where adjusted as Qaria	REMARKS
1	Riffat Akram Qaria	GGHSS ATD	GGCMSS No.1	Wrongly working S.Qaria (MINT)
2	Sanam Fiaz Qaria	GGHS Dhudial	GGHSS Bhandi Phullan	Wrongly working S.Qaria post

**Terms and Conditions:-**

01. They would be on probation for a period of one year extendable for another one year.
02. They will be governed by such rules and regulations as may be issued from time to time by the Government.
03. Their services can be terminated at any time, in case their performance is found unsatisfactory during probationary period. In case of misconduct she shall be proceeded under the rules framed time to time.
04. Charge report should be submitted to all concerned.
05. Their Inter- seniority on lower post will remain intact.
06. NO TA/DA is allowed for joining their duty.
07. They will give an under taking to be recorded in their service book to the effect that if any over payment is made to them in light this order will be recovered and if she is wrongly promoted she will be reversed.

Endst No: 5276-80 EB-V/Promotion Qaria to S.Qaria

District Education Officer  
(Female) Abbottabad

Dated: 17/7/2023

Copy for information to the:-

01. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
02. PS to Secretary to Govt. of KPK, E&SE Department, Peshawar.
03. PA to Director Elementary & Secondary Education, KPK Peshawar.
04. District Account officer Abbottabad.
05. Concerned Principal/Head Mistress.
06. Budget & Accounts Officer Local Office.
07. Official Concerned
08. K.P.O Local Office.
09. Office file.

District Education Officer  
(Female) Abbottabad

16/10/2023  
ASST. DISTRICT EDUCATION OFFICER  
District Education Officer  
(Female) Abbottabad

*Kishor Khan*  
**ATTESTED**

خدمت جناب ڈائریکٹر ایلمنٹری اینڈ سیکنڈری ایجوکیشن خیبر پختونخوا پشاور

ANNEXURE

20

9

عنوان:

APPEAL UNDER SECTION 3 OF RIGHT TO APPEAL RULES 1986, CIVIL SERVANT GOVERNMENT OF KHYBER PAKHTUNKHWA PESHAWAR AGAINST IMPUGNED PROMOTION ORDER NO.5276-80 DATED 04.07.2023 FROM QARIA (BPS-12) TO S QARIA BPS-15 ISSUE BY DISTRICT EDUCATION OFFICER (FEMALE) ABBOTTABAD.

جناب عالی!

موجبات اہل ذیل ہیں۔

☆ یہ کہ ایپلانٹ کی تقرری حکمہ E&SE ضلع ایبٹ آباد میں قاریہ پوسٹ پر گریڈ 12 میں مورخہ 06-05-2014 کو عارضی بنیادوں پر (Contract basis) پر ہوئی اور ایپلانٹ کا نام مذکورہ آرڈر کے سیریل نمبر 02 پر درج ہے۔ اور اب ایپلانٹ گورنمنٹ گراؤ ہائی سکول ڈھیری میر ایبٹ آباد میں قاریہ پوسٹ پر گریڈ 12 میں اپنے فرائض سرانجام دے رہی ہے۔

☆ یہ کہ KHYBER PAKHTUNKHWA EMPLOYEES OF ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT (APPOINTMENT AND REGULARIZATION OF SERVICE) ACT 2017. کی روشنی میں ایپلانٹ کی سروس کو پہلی تقرری کی تاریخ سے Regularize کرنے کی سفارش کی گئی۔

☆ یہ کہ 2017 کے ایکٹ کی روشنی میں رسپانڈنٹ نمبر 3 نے ایپلانٹ کی سروس کو تاریخ تقرری یعنی مورخہ 06-05-2014 سے ریگولر کرنے کا باقاعدہ نوٹیفیکیشن نمبر 1976-2000 مورخہ 10-03-2018 کو جاری کر دیا۔ جس میں ایپلانٹ کا نام سیریل نمبر 02 پر درج ہے۔

☆ یہ کہ 2017 کے ایکٹ کی سیکشن 4 سب سیکشن 2 کے تحت Seniority کے بارے میں یہ ہدایات دیں کہ اگر ایک ہی دن جاری ہونے والے آرڈر نوٹیفیکیشن کسی بھی دو یا زیادہ ملازمین کا جاری ہو وہ ایک ہی Cadre میں کام کر رہے ہو تو عمر میں زیادہ سرکاری ملازم کم عمر والے سرکاری ملازم سے سینئر ہوگا۔ ایکٹ کا متعلقہ حیرا ذیل ہے۔

Section-4 Sub-Section 2 of Govt. of KPK employees E&SE

Department App. Regul of Service Act 2017.

4. Determination of seniority...

(2) The seniority inter-se of those employees, whose service are regularized under this act within the cadre, shall be determined on the basis of their continues service in cadre. Provided that if the ate 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.

☆ یہ کہ ایپلانٹ کی سروس کو Regularize کرنے کے متعلق رسپانڈنٹ نمبر 3 نے جو نوٹیفیکیشن مورخہ 10-03-2018 کو جاری کیا اسکی Clause-9 کی شرائط و ضوابط (Regularization (Term & Conditions) کی روشنی میں سناری کی متعلق واضح طور پر کہا گیا ہے کہ دو یا اس سے زائد ملازمین کا تقرری آرڈر اگر Same ہو اور ایک ہی دن جاری ہو تو وہ "ایک ہی Cadre میں کام کر رہے ہو تو عمر میں زیادہ سرکاری ملازم کم عمر والے سرکاری ملازم سے سینئر ہوگا"

ATTESTED

☆ یہ کہ DEO(F) ایبٹ آباد نے قاریہ اساتذہ گریڈ 12 کی جو سناریٹی لسٹ جاری کی وہ سناریٹی لسٹ Merit / Scores position جو NTS نے جاری کیں اُس کی بنیاد پر جاری کیں اور اپیلانٹ کا نام سناریٹی لسٹ میں سیریل نمبر 11 پر موجود ہے۔ جو کہ خلاف قانون ہے۔ جبکہ اپیلانٹ کا نام سیریل نمبر 10 پر ہونا چاہیے تھا۔

☆ یہ کہ مورخہ 04-07-2023 کو آرڈر نمبر 5276-80 کے تحت DEO(F) ایبٹ آباد کو سینئر قاریہ کی پوسٹ کا پروموشن آرڈر کر دیا اور صرف تین پروموشن آرڈر جاری کیے اور اپیلانٹ کو پروموشن سے محروم کیا گیا اور پروموشن آرڈر میں سیریل نمبر 3 سناریٹی لسٹ میں 2017ء کے ایکٹ کی روشنی میں جو نیز تصور ہوتی ہے۔ اور اپیلانٹ کو پروموشن آرڈر کی کاپی مورخہ 16.10.2023 کو موصول ہوئی۔ جبکہ مزید کئی پوسٹیں خالی ہیں جن پر سینئر قاریہ کی ترقی ممکن ہے۔

☆ یہ کہ اپیلانٹ کو مذکورہ پروموشن آرڈر کی معلومات ستمبر 2023ء میں ہوئی تو اپیلانٹ نے Under Right To Information ایکٹ 2013ء کے تحت پروموشن آرڈر وصول کرنے کے لیے درخواست دی تو اپیلانٹ کو مورخہ 16-10-2023 کو آرڈر کی کاپی دی گئی۔

☆ یہ کہ محکمہ پبلک سروس ایڈمنسٹریشن کے ڈپٹی کمشنر مورخہ 11-07-2012 کے تحت 1/3 قاریہ کی پروموشن کا کوٹہ مکمل نہیں ہے اور بہت ساری پوسٹیں خالی ہیں جن پر پروموشن نہیں ہو رہی ہیں اور اپیلانٹ پروموشن سے محروم ہے۔

☆ یہ کہ مذکورہ پروموشن آرڈر Govt. of KPK employees E&SE Department App. Regul of Service Act 2017 کے سیکشن 4 کی سب سیکشن 2 کے صریحاً خلاف ہے۔

☆ یہ کہ مذکورہ پروموشن آرڈر Regularization Notification مورخہ 10-03-2018 کی 9- Clause کی بھی صریحاً خلاف ہے۔

**استدعا:**

لہذا استدعا ہے کہ اپیلانٹ کی اپیل کو منظور فرماتے ہوئے پروموشن آرڈر مورخہ 04-07-2023 میں ترمیم کرتے ہوئے اپیلانٹ کو اسی تاریخ سے سینئر قاریہ کی پوسٹ پر گریڈ 15 میں جملہ بقایا جات سمیت ترقی دینے کے احکامات صادر فرمائے جائیں۔

**المراقوم: 22-10-2023**

KoKeb Sabu

مسماة کوکب صبا قاریہ (BPS-12) گورنمنٹ گریڈ ہائی سکول ڈھیری میر ایبٹ آباد۔ اپیلانٹ،

رابطہ نمبر: 0333-5059368

*KoKeb Sabu*  
ATTESTED



FORM OF ORDER SHEET

ANNEXURE  
H

Court of \_\_\_\_\_  
Appeal No. 355/2024


Date of order  
\_\_\_\_\_

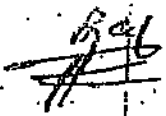
Order or other proceedings with signature of judge

1. 07/03/2024

The appeal of Mst. Kokab Saba re-filled today through registered <sup>post</sup> by Ch. Abdul Rauf Chohan Advocate. It is fixed for preliminary hearing before touring Single Bench at A. Abad on 26-3-2024.

By the order of Chairman

  
REGISTRAR

Due to cancellation of tour case is adjourn to 29/5/2024 

  
ATTESTED

SCANNED  
KPST  
Peshawar



Service Appeal No.355/2024 titled "Mst. Kokab Saba Vs. Education Department"

29<sup>th</sup> May, 2024 Kalim Arshad Khan, Chairman: Learned counsel for the appellant

present.

2. Learned counsel for the appellant has very fairly submitted that the seniority list annexed with the appeal as Annexure "D" of the appellant was not prepared in accordance with the Khyber Pakhtunkhwa Employees of the Elementary & Secondary Education Department (Appointment and Regularization of Services) Act, 2017 as the appellant was placed junior to the private respondent namely Nazia Shaheen, who was younger in age as compared to the appellant, whereas, according to the provisions of the Act, the appellant being older in age had to be placed senior to the private respondent. He, however, submitted that the appellant had to first get the seniority corrected and then get the promotion antedated i.e. from the date her alleged junior was promoted. The appellant is at liberty to challenge the seniority list in case she feels herself aggrieved of. Disposed of accordingly. Consign.

3. *Pronounced in open court in Abbottabad and given under my hand and seal of the Tribunal on this 29<sup>th</sup> day of May, 2024.*

*[Signature]*  
(Kalim Arshad Khan)  
Chairman  
Camp Court, Abbottabad

Registration of Application 27/7/24  
Number of Words 14  
Filing Fee 500  
Date 10/7/24  
Number of Copies 27/7/24  
Date of Inspection of Copy 27/7/24  
Date of Delivery of Copy 27/7/24

*[Signature]*  
**ATTESTED**

**DISTRICT EDUCATION OFFICER (FEMALE) ABBOTTABAD**

**TANTATIVE SENIORITY LIST OF QARIA AS STOOD ON 27.08.2024**

S.NO.	Name of Teacher	Father's Name	School Name	DOB	Domicile	BPS	D/O 1st Appt: In Education Department	D/O Appt: in Present Post	D/O Taking over charge on Present Post	D/O Entry in Present District	QUALIFICATION			DATE OF REGULAR APPT: AS QARIA	REMARKS
											ACADMIC	prof:	Division in BA/BE/Ed		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	16	17
1	SHAZIA SULTANA	SAID AKBIR	GGHS Saibad	10/Mar/70	ATD	BPS-12	2/Nov/89	2/Nov/89	2/Nov/89	NIL	SSC	Tajveed	NILL	11/2/1989	
5	TANZEEB SULTANA	RAJA GHULAM HAIDER	GGHS Hall Maiza	12/Mar/72	ATD	BPS-12	1/Nov/95	1/Jan/04	1/Jan/04	NIL	FA	Tajveed	NILL	1/1/2004	
2	SHAZIA BIBI	Q.MUHAMMAD ILYAS	GGHS Bagnotar	10/Apr/73	ATD	BPS-12	1/Apr/96	1/Apr/96	1/Apr/96	NIL	FA	Taj: & Qurt	NILL	4/1/1996	
3	UZMA SHAZIA	SARWAR KHAN	GGHS Jhangl	10/Jan/74	ATD	BPS-12	1/Jan/96	1/Jan/96	1/Jan/96	NIL	SSC	Tajveed/Shahdat ul Almba	NILL	6/1/1996	
10	Bibi Azra	SHER AZEAL KHAN	GGHS No.2 A/Abad	17/Aug/76	Man	BPS-12	25/Jun/92	4/Jul/97	4/Jul/97	6/12/2014	M.Phil	Tajveed	BA-II	6/13/2014	
4	SALMA NAZ	QAZI KHANDAD	GGHS BANDI ATTI KHAN	20/Oct/79	ATD	BPS-12	3/Dec/03	3/Dec/03	3/Dec/03	NIL	BA	Khaza and Tajveed	BA-II	3/12/2003	
6	RIFHAT AKRAM	MUHAMMAD AKRAM	GGCMS No.1 ATD	2/Sep/86	ATD	BPS-12	17/Mar/05	1/Jan/05	1/Jan/05	NIL	MA	Tajveed /Shahdat ul Almba	BA-II/ Med	6/1/2005	
7	MEHNAZ BIBI	MUHAMMAD ILYAS	GGHS KOKAL BARSEEN	2/Apr/84	ATD	BPS-12	1/Jan/13	1/Jan/13	1/Jan/13	NIL	FA	Taj: & Hafiz, Shahdat ul Almba	NILL	1/1/2013	
8	Kalsh Saba	MUHAMMAD IRSHAD	GGHS Dheri Maiza	3/Mar/81	ATD	BPS-12	6/May/14	6/May/14	6/May/14	NIL	MA	SUA/Taj: B.Ed	BA-II	5/6/2014	
9	Raqeeda Bibi	MUHAMMAD SADIQ	GGHS Havelian Village	23/Apr/86	ATD	BPS-12	6/May/14	6/May/14	6/May/14	NIL	MA Ist:	S.Amba/Taj: & Hafiz/B.ED/M.Ed	BA-I, B.ED II	5/16/2014	
14	Mehboob Akhter	MUHAMMAD SULEMAN	GGHS RAJOYA	23/Dec/79	ATD	BPS-12	17/Mar/15	17/Mar/15	17/Mar/15	NIL	BA	Taj & HAFIZ	BA-II	3/18/2015	
11	Noshreen	ABDUL MATEEN	GGHS KAKUL	4/May/80	ATD	BPS-12	17/Mar/15	17/Mar/15	17/Mar/15	NIL	MA Under/BE/Ed	Taj: & Hafiz	BA-I		
18	Uzma Rani	AYUB KHAN	GGHS Namli Maiza	28/Mar/81	ATD	BPS-12	17/Mar/15	17/Mar/15	17/Mar/15	NIL	MA Ar/M.A Ed	CT/B.ed/M.ed	BA-II/ B.ed I	3/18/2015	
13	Azma Riaz	MUHAMMAD RIAZ	GGHS Richebhen	9/Nov/82	ATD	BPS-12	17/Mar/15	17/Mar/15	17/Mar/15	NIL	M.Sc	Taj: & Hafiz/M.Ed	BA-II	3/25/2015	
12	Mamena Bibi	MUHAMMAD ILAS	GGHS CHAMHAD	10/Jan/86	ATD	BPS-12	17/Mar/15	17/Mar/15	17/Mar/15	NIL	MA Ed	Taj: & Hafiz/B.Ed	BA-II		
17	Sadia Saba	MUHAMMAD IRSHAD	GGHS Bodla	15/Jan/87	ATD	BPS-12	17/Mar/15	17/Mar/15	17/Mar/15	NIL	BA	Taj: & Hafiz	BA-II	3/20/2015	
16	Irum Javed	MUHAMMAD JAVED	GGCMS Nawaz Shahr	13/May/88	ATD	BPS-12	17/Mar/15	17/Mar/15	17/Mar/15	NIL	MA	Taj: & Hafiz	B.Ed	3/21/2015	
15	Sonia Malik	MALIK PERVAIZ	GGHS Bandi Maizich	1/Aug/91	ATD	BPS-12	17/Mar/15	17/Mar/15	17/Mar/15	NIL	MA(U)	Taj: & Hafiz/B.ED	BA-II	3/26/2015	
19	SHAHIDA SULTAN	MUHAMMAD SULTAN	GGHS KABI RAJKI	2/Jan/81	ATD	BPS-12	19/Nov/16	19/Nov/16	19/Nov/16	NIL	MA	B.ED/TajWEED	NILL		
20	Irum Malik	MALIK SHAH ZAMAN	GGHS Tharyal	14/Feb/80	ATD	BPS-12	24/Mar/17	24/Mar/17	24/Mar/17	NIL	B.Sc	Taj: & Hafiz /B.Ed	B.SC-I	3/25/2017	Single Entry
24	Sania Bibi	MATLOOB HUSSAIN SHAH	GGHS Jarral	9/Jan/87	ATD	BPS-12	24/Mar/17	24/Mar/17	24/Mar/17	NIL	BA	Taj: & Hafiz	BA-II	3/24/2017	
21	Sehrish Saleem	MUHAMMAD SALEEM	GGHS PK Khan	1/Apr/87	ATD	BPS-12	24/Mar/17	24/Mar/17	24/Mar/17	NIL	MA Ist	Taj: & Hafiz/M.ED	BA-I	4/1/2017	
23	Sehrish Khan	ZAR KHAN	GGHS SHERWAN	17/Aug/87	ATD	BPS-12	24/Mar/17	24/Mar/17	24/Mar/17	NIL	MA Under/BE/Ed	Taj: & Hafiz	B-II	4/1/2017	
22	Javeria Fiaz	MUHAMMAD FIAZ KHAN	GGHS Khanpur Aynbia	30/Sep/89	ATD	BPS-12	24/Mar/17	24/Mar/17	24/Mar/17	NIL	MSC	Taj: & Hafiz/B.ED	B.SC-II	4/1/2017	
25	SANAM FIAZ	M.FIAZ KHAN	GGHS Bandi Phullan	25/Jun/87	ATD	BPS-12	23/Jan/19	23/Jan/19	23/Jan/19	NIL	M.Sc (M)	B.ED Taj: & Hafiz		06.12.2022	
29	SUMMERA SADIQ	M.SADIQ	GGHS PHALLAH	7/Jul/87	ATD	BPS-12	23/Jan/19	23/Jan/2019	23/Jan/19	NIL	MA ISL	B.ED SALMIA		06.12.2022	
28	ROQIA SADIQ	M.SADIQ	GGHS PLUCK ANDER SERI	28/Dec/88	ATD	BPS-12	23/Jan/19	23/Jan/19	23/Jan/19	NIL	MA ISL	Taj: & Hafiz		06.12.2022	
26	TEHREEM SAJAWAL	SAJAWAL KHAN	GGHS AZIZ BANG	27/Feb/89	ATD	BPS-12	23/Jan/19	23/Jan/19	23/Jan/19	NIL	MA ISL	MED/Taj: & Hafiz		06.12.2022	
27	JAVARIA BIBI	M.SHERAZ	GGHS PANJGRAM	18/Mar/95	ATD	BPS-12	23/Jan/19	23/Jan/19	23/Jan/19	NIL	MA ARABIC	B.ED		06.12.2022	
30	ANILA ANWAR KHAN	MUHAMMAD ANWAR	GGHS Sialkot	7/Apr/91	ATD	BPS-12	17/Apr/19	10/Apr/19	17.04-2019	NIL	MA ISL	PTC SALMIA		06.12.2022	
32	SADIA MANAN	ABDUL MANAN	GGHS BEERANGALI	20/May/90	ATD	BPS-12	27/Apr/19	27/Apr/19	27/Apr/19	NIL	MA ECU	Taj: & Hafiz /CT		06.12.2022	
33	SYEDIA SYED	SYED HUSSAIN SHAH	GGHS GHARI PHULGRAN	28/Mar/86	ATD	BPS-12	22/Apr/20	22/Apr/20	22/Apr/20	NIL	MA	B.Ed		06.12.2022	
34	SUEELA NAZFER	MUHAMMAD NAZEER	GGHS MAILACH	25/Mar/83	ATD	BPS-12	27/Apr/20	27/Apr/20	27/Apr/20	NIL	MA	B.Ed		06.12.2022	

24  
ANNEXURE  
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Attested  
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25

Sl. No.	Name of Candidate	Principal Name	School Name	DOB	Qualification	BPS	Education Department	Present Post	on Present Post	Present District	ACADMIC	prof:	Division in BA/B.Ed	APPTT:AS QARIA	REMARKS
1	2	3	4	5	6	7	8	9	10	11	12	13	14	16	17
31	SADIA	ABDUL AZIZ	GGHS BANDA PIR KAH	14/Oct/90	ATD	BPS-12	27/Apr/20	27/Apr/20	27/Apr/20	NIL	Msc	B.Ed/Tajweed ul Quran	MSc-II Bed-I	06.12.2022	
35	IRAM MEHBOOB	MUHAMMAD MEHBOOB	GGHS SEER	8/Feb/90	ATD	BPS-12	15/Oct/21	15/Oct/21	15/Oct/21	NIL	MA	B.Ed/Tajweed ul Quran Al Kream		06.12.2022	
37	NAZIA TABASSUM	MUHAMMAD FAROOQ	GGHS SAJKOTE CH	6/Jul/87	ATD	BPS-12	10/Sep/22	10/Sep/22	10/Sep/22	NIL	MA	M.Ed/Tajweed ul Quran Al Kream		06.12.2022	
38	ABIDA REHMAN	GOHAR REHMAN	GGHS PK KHAN	5/Aug/89	ATD	BPS-12	10/Sep/22	10/Sep/22	10/Sep/22	NIL	MA	B.Ed/Tajweed ul Quran Al Kream	MA-I	06.12.2022	
36	TAHIRA AZHAR	MUHAMMAD IRSHAD	GGHS SHERWAN	5/Feb/92	ATD	BPS-12	10/Sep/22	10/Sep/22	10/Sep/22	NIL	MA	B.Ed/Tajweed ul Quran	MA-I BEQ-I	06.12.2022	
39	SHABANA FAREED	MUHAMMAD FAREED	GGHS BAN NARA	7/Jan/95	ATD	BPS-12	10/Sep/22	10/Sep/22	10/Sep/22	NIL	MA	B.Ed/Tajweed ul Quran	MA-I BEQ-I	06.12.2022	
40	Sobia Bashir	Muhammad Bashir	GGHS BAGAN	22/Mar/92	ATD	BPS-12	10/Nov/22	10/Nov/22	10/Nov/22	NIL	MA	Tajweed ul Quran Al Kream		06.12.2022	
41	Maria Bibi	Muhammad Farooq	GGHS KHANISPUR	5/Apr/94	ATD	BPS-12	10/Nov/22	10/Nov/22	10/Nov/22	NIL	MA	Taj: & Haft, Shadat ul Abnia	MA-I	06.12.2022	

*K. K. K.*  
**ATTESTED**

26



GOVERNMENT OF KHYBER PAKHTUNKHWA  
LAW, PARLIAMENTARY AFFAIRS &  
HUMAN RIGHTS DEPARTMENT

NO. ALO(OP)/LD/15-2/2023/KC 7405-7408  
DATED: PESHAWAR THE 20<sup>TH</sup> MAY, 2024

To: The Secretary,  
Government of Khyber Pakhtunkhwa,  
Elementary & Secondary Education Department.  
Attention: Section Officer (Primary Male)

Subject: GUIDANCE REGARDING EXTENSION OF BENEFITS (SENIORITY ON AGE WISE) TO ALL SIMILARLY PLACED PSTs (SI-12) THROUGHOUT KHYBER PAKHTUNKHWA ON THE ANALOGY OF JUDGMENT DATED 31-05-2023 OF THE HONORABLE SERVICE TRIBUNAL PESHAWAR IN SERVICE APPEAL NO. 2079/2019 TO 2078/2019.

Dear Sir,

1. I am directed to refer your Department's letter No. SO(Primary Male)-E&SED/4-7/Seniority of PSTs Under Act, 2017/Court Case/2024, dated, 17.04.2024 on the subject noted above and to state that the Scrutiny Committee of Law Department opined in its meeting held on 06-09-2023 that in terms of section 4(2) of Khyber Pakhtunkhwa Employees of Elementary & Secondary Education Department (Appointment, Regularization) Act, 2017, which stipulate, determination of seniority on the basis of age. This Scrutiny Committee further held that the said section of law outlines the method for determining seniority of the employees, whose services were regularized within a specific cadre under the Act Ibid. Moreover, seniority is determined based on their continuous service within the cadre and if two or more employees have the same date of continuous service the employee older in age is to be considered senior to the younger one. Furthermore, the Act Ibid has overriding effect on Rule 17 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 which is not attracted to the seniority inter se of the employees, regularized under the Act Ibid.

2. Hence, keeping in view the above, Law Department further holds that leaving aside the judgment of Service Tribunal dated 31-05-2023 in Service Appeal No. 2069/2019 to 2079/2019, benefit of section 4(2) of the Act Ibid may be extended to all the employees regularized under the said Act after advice of the Scrutiny Committee dated 06-09-2023 Ibid, please.

OFFICE OF SECRETARY  
May 20 1954  
Date: 21/5/2024

Your Faithfully,  
  
SAYED SAQLAIN HAIDER  
Assistant Law Officer (Opinion)

Copy is forwarded for information to the:-  
1. PS to Minister for Law Department.  
2. PS to Secretary, Law Department.  
2. Master File.

ATTESTED

SAYED SAQLAIN HAIDER  
Assistant Law Officer (Opinion)



**GOVERNMENT OF KHYBER PAKHTUNKHWA**  
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT  
CIVIL SECRETARIAT PESHAWAR  
(Phone No. 091-9223587)

No. SO(Primary-M)E&SED/4-7/Seniority of PSTs under Act, 2017/Court Case/2024  
Peshawar Dated 26<sup>th</sup> June, 2024

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

**Subject: GUIDANCE REGARDING EXTENTION OF BENEFITS (SEN(CR/L) ON AGE-WISE) TO ALL SIMILARLY PLACED PSTs (BPS-12) THROUGHOUT KHYBER PAKHTUNKHWA ON THE ANALOGY OF JUDGEMENT DATED 31-05-2023 OF THE HONORABLE SERVICE TRIBUNAL PESHAWAR IN SERVICE APPEALS NO. 2069/2019 TO 2079/2019.**

I am directed to refer to your letter No. 3656(AD Lin-II) dated 09-01-2024 on the subject noted above and to enclose herewith a copy of letter No. ALC(OP)/LD/15-2/2023/KC/7405-7408 dated 20-05-2024 received from Law Department Khyber Pakhtunkhwa which is self-explanatory for further necessary action, please.

Encl: AA

*[Signature]*  
(REHMAN GUL)  
SECTION OFFICER (PRIMARY MALE)

Endst: of even No. & Date:  
Copy forwarded to the

1. Assistant Law Officer (Opinion) Law Department Khyber Pakhtunkhwa w/r to his letter cited above.
2. PS to Secretary, E&SE Department Khyber Pakhtunkhwa.

*[Signature]*  
SECTION OFFICER (PRIMARY MALE)

*[Signature]*  
**ATTESTED**



DIRECTORATE ELEMENTARY & SECONDARY EDUCATION  
KHYBER PAKHTUNKHWA, PESHAWAR.

No 42303/AD (Lit: II)

Dated Peshawar the 13/8 2024

To

The District Education Officers,  
(Male/Female) Khyber Pakhtunkhwa.

Subject: -

DETERMINATION OF SENIORITY OF TEACHERS, REGULARIZED UNDER  
THE KHYBER PAKHTUNKHWA E&SE DEPARTMENT (APPOINTMENT &  
REGULARIZATION OF SERVICES) ACT, 2017.

Memo:

I am directed to refer to the consolidated judgment dated 31-05-2023 of the Honorable Khyber Pakhtunkhwa Service Tribunal, Peshawar in Service Appeals No. 2069/2019 etc. under the titled: Abid Noor Vs Govt of KP & subsequent guidance letter No. NO. ALO(OP)LD/15-2/2023/KC.7405-7408 dated 20-05-2024 of law Department conveyed to this Directorate vide letter No. SO (Primary-M) E&SED/4-7/seniORITY of PSTs under Act. 2017/court cases/2024 dated 26-06-2024 by the Admin Department, wherein, it has been held that:

*"Leaving aside the judgment of the Honorable Service Tribunal dated 31-05-2023 in Service Appeals No. 2069 to 2079/2019, the benefits of Section-4 (2) of the (Appointment & Regularization of Services) Act, 2017 may be extended to all the employees, regularized under the said Act after advice of the scrutiny committee meeting held on dated 06-09-2023".*

To elaborate further, Section-4(2) of the (Appointment & Regularization) Act, 2017. is hereby reproduced in verbatim for perusal:

4. Determination of Seniority. (1).....  
(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."

As sequel to the fore-made discussion, citation of the relevant provision of law & Judgment dated 31-05-2023 of the learned Tribunal, it is hereby intimated that seniority of the teachers who have been regularized under the Act, 2017 be determined in light of the Section-4 (2) of the Act ibid in view of their continuous service in the cadre from the date of appointment and if continuous service of two or more teachers is the same, the employee older in age shall rank senior to the younger one please.

*13.8.24*  
Assistant Director (Lit: II)  
E&SE Khyber Pakhtunkhwa,  
Peshawar.

Endst: No: \_\_\_\_\_ (F. No.AD (Lit-II)/Notification/2022-2023/Office Correspondence.  
Dated Peshawar the 1/ /2024.

Copy forwarded for information to the:-

1. Learned Registrar Khyber Pakhtunkhwa Service Tribunal, Peshawar.
2. Learned Additional Advocates General Khyber Pakhtunkhwa Service Tribunal, Peshawar.
3. PS to Secretary E&SE Department Khyber Pakhtunkhwa, Peshawar.
4. Additional Director (Estab/M-1) Local Office with the request to make compliance please.
5. Deputy Director (Legal) E&SE Khyber Pakhtunkhwa.
6. SO Lit (I & II) E&SE Department Khyber Pakhtunkhwa.
7. PA to Director E&SE, Khyber Pakhtunkhwa.

Assistant Director (Lit: II)  
E&SE Khyber Pakhtunkhwa,  
Peshawar.

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ATTESTED