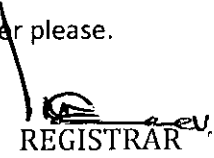

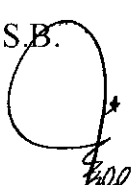


Form- A

FORM OF ORDER SHEET

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

Case No.- \_\_\_\_\_ 471/2022

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	04/04/2022	<p>The appeal of Mr. Fazal Rabbi presented today by Mr. Noor Muhammad Khattak Advocate, may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR</p>
2-	<p><i>Noted of 8/24 Noor Mohd Khattak</i></p>	<p>This case is entrusted to Single Bench at Peshawar for preliminary hearing to be put up there on <u>27-05-2022</u> <i>Notices to</i> issued to the appellant and his counsel <i>for</i> the date fixed.</p> <p> CHAIRMAN</p>
	27.05.2022	<p>Clerk to counsel for the appellant present and requested for adjournment on the ground that learned counsel for the appellant is not available today due to general strike of the Bar. Adjourned. To come up for preliminary hearing on <u>22.07.2022</u> before S.B.</p> <p> (Mian Muhammad) Member (E)</p>

# KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Case Title: Fazal Rabbi CHECK LIST v/s Education Deptt

S#	CONTENTS	YES	NO
1	This Appeal has been presented by: _____	✓	
2	Whether Counsel/Appellant/Respondent/Deponent have signed the requisite documents?	✓	
3	Whether appeal is within time?	✓	
4	Whether the enactment under which the appeal is filed mentioned?	✓	
5	Whether the enactment under which the appeal is filed is correct?	✓	
6	Whether affidavit is appended?	✓	
7	Whether affidavit is duly attested by competent Oath Commissioner?	✓	
8	Whether appeal/annexures are properly paged?	✓	
9	Whether certificate regarding filing any earlier appeal on the subject, furnished?	x	✓
10	Whether annexures are legible?	✓	
11	Whether annexures are attested?	✓	
12	Whether copies of annexures are readable/clear?	✓	
13	Whether copy of appeal is delivered to AG/DAG?	✓	
14	Whether Power of Attorney of the Counsel engaged is attested and signed by petitioner/appellant/respondents?	✓	
15	Whether numbers of referred cases given are correct?	✓	
16	Whether appeal contains cutting/overwriting?	x	✓
17	Whether list of books has been provided at the end of the appeal?	✓	
18	Whether case relate to this court?	✓	
19	Whether requisite number of spare copies attached?	✓	
20	Whether complete spare copy is filed in separate file cover?	✓	
21	Whether addresses of parties given are complete?	✓	
22	Whether index filed?	✓	
23	Whether index is correct?	✓	
24	Whether Security and Process Fee deposited? On _____	✓	
25	Whether in view of Khyber Pakhtunkhwa Service Tribunal Rules 1974 Rule 11, notice along with copy of appeal and annexures has been sent to respondents? On _____	✓	
26	Whether copies of comments/reply/rejoinder submitted? On _____	✓	
27	Whether copies of comments/reply/rejoinder provided to opposite party? On _____	✓	

It is certified that formalities/documentation as required in the above table have been fulfilled.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Dated: \_\_\_\_\_

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,**  
**PESHAWAR**

SERVICE APPEAL NO. 471 /2022

FAZAL RABBI

V/S

EDUCATION DEPTT:

**INDEX**

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6	Percent ration of the posts	D	18
7	Working paper dt: 01.09.2021	E	19
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Dated: \_\_\_\_/.04./2022

**APPELLANT**

Through:

**NOOR MOHAMMAD KHATTAK**  
**ADVOCATE**

**0345-9383141**

①

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,**  
**PESHAWAR**

**APPEAL NO. \_\_\_\_\_/2022**

Mr. Fazli Rabi, AT (BPS-15),  
GMS Zareef Rahmat Said, Tehsil Yakka Ghund, District Mohmand.

.....**APPELLANT**

**VERSUS**

- 1- The Secretary (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
- 2- The Director (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
- 3- The District Education Officer(M), District Mohmand.

..... **RESPONDENTS**

**APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED INACTION OF THE RESPONDENTS BY NOT PROMOTING THE APPELLANT TO THE POST OF SST (BIO-CHEM) (BPS-16) UNDER 4 % PROMOTION QUOTA RESERVED FOR THE AT/SAT TO THE SUBJECT POST AND AGAINST NO ACTION TAKEN ON THE DEPARTMENTAL APPEAL OF APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS.**

**PRAYER:**

That on acceptance of this appeal the impugned inaction of the respondents by not promoting the appellant to the post of SST (Bio-Chem.) (BPS-16) under 4% promotion quota may be declared as illegal and ineffective upon the rights of the appellant. That the respondents may be directed to consider the appellant for promotion to the subject post with all back benefits. Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the appellant.

**R/SHEWETH:**

**ON FACTS:**

- 1- That appellant was appointed as AT (BPS-15) in the respondents Department vide order dated 15.01.2016. Copy of the appointment order dated 15.01.2016 is attached as annexure .....**A.**
- 2- That right from appointment till date the appellant is performing his duty quite efficiently and up to the entire satisfaction of his superiors.
- 3- That the appellant is a highly educated person and have obtained Bachelor of Science in the year 2020. Copies of the educational testimonials are attached as annexure .....**B.**
- 4- That it is pertinent to mention here that there is 75 % promotion quota to the post of SST (Bio-Chem.) out of which 4 % is allowed/ granted to the AT/SAT. Copy of the service Rules/ structure is attached as annexure .....**C.**
- 5- That since 2019 till 2021 total 14 posts where placed before DPC for promotion, so in light of the mention policy out of these 14 posts one post shall be allocated to the AT/SAT subject under the 4 % quota. Copy of the percent ration of the posts is attached as annexure .....**D.**
- 6- That a working paper was placed before the D.P.C on 01.09.2021 for the promotion of the appellant to the post of SST (Bio-Chem.) (BPS-16) but unfortunately the total vacant posts in the working paper were shown as 8 and under the 4 % share it comes as 0.32 meaning hereby that the appellant cannot get a share of one post. Copy of the working paper dated 01.09.2021 is attached as annexure .....**E.**
- 7- That as the position mentioned was brought in to the notice of the appellant he informed the competent authority that there are total 18 vacant posts of SST (Bio-Chem.) (BPS-16) for promotion and out of 18 number of posts one post shall be allocated to the AT/SAT under the 4 % share, so another working paper were prepared to be placed before the DPC but on that very working paper DPC was not held. Copy of the working paper is attached as annexure ..... **F.**
- 8- That all though the appellant was eligible and entitled under the law and rules ought to be promoted to the post of SST (Bio-Chem.) (BPS-16) but he was ignored and vide notification dated

3

03.12.2021 other officials were promoted. Copy of the notification dated 03.12.2021 is attached as annexure .....G.

9- That appellant feeling aggrieved from the impugned inaction of the respondents by not promoting the appellant under the 4 % share and having one post for the subject quota, preferred departmental appeal before the appellate authority but no response has been given within the stipulated period of ninety days. Copy of the departmental appeal is attached as annexure .....H.

10- That appellant having no other remedy but to file the instant service appeal on the following grounds amongst the others.

**GROUND:**

- A- That the impugned inaction of the respondents by not promoting the appellant to the post of SST (Bio-Chem.) (BPS-16) under 4% promotion quota is against the law, facts, norms of natural justice and materials on the record hence not tenable and liable to be set aside.
- B- That appellant has not been treated by the respondent Department in accordance with law and rules on the subject noted above and as such the respondents violated Article-4 and 25 of the Constitution of Islamic Republic of Pakistan-1973.
- C- That the respondents acted in arbitrary and mala fide manner while not promoting the appellant to the post of SST (Bio-Chem.) (BPS-16) under 4% promotion quota.
- D- That it is pertinent to mention here that as per the seniority list the appellant is senior and there is no other competing candidates on the subject post but even then the respondents have not promoted the appellant to the post of post of SST (Bio-Chem.) (BPS-16) under 4% promotion quota.
- E- That the impugned inaction of the respondents by not promoting the appellant to the post of SST (Bio-Chem.) (BPS-16) under 4% promotion quota is violative of section-9 of the Civil Servant Act, 1973 read with Rule- 7 (3) of Khyber Pakhtunkhwa Civil Servant Appointment, Promotion & Transfer Rules, 1989.
- F- That according to Article 38(e) of the Constitution state is bound to reduced disparity in the income and earning of individual including persons in the civil service of the Federation.

4

G- That appellant seeks permission to advance other grounds and proofs at the time of hearing.

It is therefore, most humbly prayed that the appeal of the appellant may be accepted as prayed for.

Dated: 24.03.2022

**APPELLANT**

*F. Rabi*  
**FAZLI RABI**

**THROUGH:**  
**NOOR MOHAMMAD KHATTAK**

*Kamran Khan*  
**KAMRAN KHAN**

*Umar Farooq*  
**UMAR FAROOQ**

*Haider Ali*  
**HAIDER ALI**  
**ADVOCATES**

(5)

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**  
**PESHAWAR**

SERVICE APPEAL NO. \_\_\_\_\_/2022

**FAZAL RABBI**

**V/S**

**EDUCATION DEPTT:**

**AFFIDAVIT**

Stated on oath that the contents of the accompanying service appeal are correct to best of my knowledge and belief and nothing has been concealed from this Honorable Service Tribunal.



*F. Rabbi*  
**DEPONENT**

**CERTIFICATE:**

Certify that no earlier service appeal has been filed by the appellant in the instant matter before this Honorable Service Tribunal.

*F. Rabbi*  
**CERTIFICATION**



**APPOINTMENT ORDER**

In compliance to the decision of the Honorable High Court Peshawar vide Directorate of Education FATA letter No. 1547 dated 17/11/2015 and in accordance with the approval of the Departmental Selection Committee thereupon verified by the inquiry committee on 19/12/2015 to 22/12/2015. The following Male candidates of Mohmand Agency are hereby appointed against the vacant AT posts purely on temporary basis in EPS-09 @ Rs. (3075-485-22865) plus usual allowances as admissible under the rules from the date of their taking over charge in the Schools noted against their names in the interest of public service.

AT-SIN011804

S.No	Name	Father's Name	Appointed as	Place of posting	Remarks
1	Tal Muhammad Shah	Muhammed Shah	Arabic Teacher	GMS Muhamber	Against vacant post
2	Muhammed Zahoor	Muhammed Umar	Arabic Teacher	GMS Sabarav	do
3	Usaid Ullah Shah	Abdullah Shah	Arabic Teacher	GMS Muslim Kore	do
4	Fazil Rabi	Zinat Gul	Arabic Teacher	GMS Azim Kore	do

**TERMS/CONDITIONS**

- The appointment of the candidates has been made purely on temporary basis and is liable to termination at any time without assigning any reason.
- All academic, professional and domicile documents/certificates of the candidates should be verified from the concerned institutions through AEO office before draw of their salaries, otherwise the DDO will be held personally responsible for the consequences.
- Charge reports should be submitted to all concerned in duplicate.
- Health & age certificates obtained from the Agency Surgeon should be provided to this office.
- Their age should be with accordance to the Govt Policy.
- If they failed to report their arrival within 15 days, their appointment orders will be automatically considered as cancelled.
- If any legal and technical error/ omission pointed out, the appointment orders will be stand cancelled.

(SAEED GUL)

Agency Education Officer  
Mohmand Agency at Ghallana

Page 1/1

Encl: No Estab./AT/Apply 465-71 dated Ghallana the 15/01/2016

1. Director of Education, FATA Peshawar w/r to his No. & date mentioned above.
2. Political Agent Mohmand Agency
3. Agency Accounts Officer, Mohmand Agency at Ghallana
4. Agency Surgeon Mohmand Agency at Ghallana
5. Principals/Head Masters concerned with the direction to follow the terms & conditions.
6. Inferior and split as cited above.
7. AEO concerned in this office.

UNIVERSITY OF PESHAWAR  
PAKISTAN

This certifies that

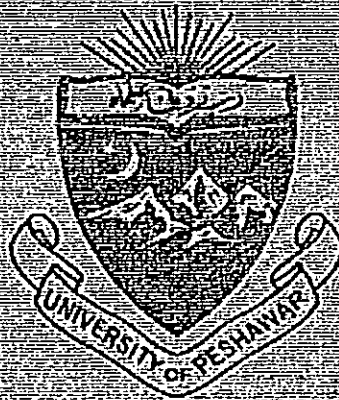
**Fazli Rabi son of Ziarat Gul**

having fulfilled all the requirements is hereby admitted to the degree of

**Bachelor of Science**

and is entitled to all the rights, honours and privileges thereunto appertaining.

Given this 31st day of December, 2020.



Roll No. 35895

Session: Annual 2020

Reg. No. 2018-QDCP-1551



182504

  
Registrar

  
Vice Chancellor

7

ANNEX B



78



# University of Peshawar Pakistan

## Detailed Marks Certificate

Bachelor of Science  
Part-I  
Annual Examination 2020

Quaid-e-Azam Degree College, Peshawar



Regular

Name: FAZIL RAHIL

Gender: Male

Roll No: 35885

Fathers Name: ZIAUDDIN

Registration No: 2018-QNCL-155

Divisional

Papers	Max Mark	Marks Obtained	
		Figures	In Words
Chemistry	75	40	Forty Only
Botany	75	50	Fifty Three
Zoology	75	52	Fifty Two
Pak Studies	30	31	Thirty One
<b>Part-I</b>	<b>285</b>	<b>193</b>	<b>One Hundred and Ninety Three</b>
<b>Part-II</b>	<b>550</b>	<b>369</b>	<b>Three Hundred and Sixty Nine</b>

Errors & omissions are subject to subsequent  
rectification.  
**The Examination was taken in Part  
Examination: 18.08.2020 to 23.08.2020 (27.08.2020)**  
Result Declared on Thursday, December 31, 2020  
Date: 31.12.2020

Chancellor

(S. S. Fazil, Had)  
CONTROLLER OF EXAMINATIONS  
UNIVERSITY OF PESHAWAR

Final result of the university student.  
 The candidate has successfully completed the course and is eligible for the award of certificate/diploma. This result is subject to the final approval of the Controller of Examinations.

Result Declared on: 29/12/2008  
 Date of issue: August 12, 2008  
 Percentage/Grade: 63 B  
 Total Marks/Obtained: 900 / 564  
**CREDITS: 5**

Sr	Course Code	Course Title	Grade	Marks
01	0514	EVALUATION, EVALUATION & RESEARCH	SB	100
02	0518	EDUCATIONAL PSYCHOLOGY & CURRICULUM	SB	100
03	0491	ENGLISH	SB	100
04	0513	SCHOOL ORGANIZATION	SB	100
05	0517	TEACHING OF PAKISTAN STUDIES	SB	100
06	0454	TEACHING OF ISLAMIC	SB	100
07	0655	WORKSHOP	SB	100
08	0652	ISLAM, PAKISTAN AND MODERN WORLD	SB	100
09	0512	PERSPECTIVES OF EDUCATION	SB	100

Selected Courses: 0514, 0518, 0491, 0513, 0517, 0454, 0655, 0652, 0512  
 Title of Course: EVALUATION, EVALUATION & RESEARCH, EDUCATIONAL PSYCHOLOGY & CURRICULUM, ENGLISH, SCHOOL ORGANIZATION, TEACHING OF PAKISTAN STUDIES, TEACHING OF ISLAMIC, WORKSHOP, ISLAM, PAKISTAN AND MODERN WORLD, PERSPECTIVES OF EDUCATION  
 Marks Obtained: 564  
 Maximum Obtainable: 900

Registration No: 0655678  
 Roll No: 0655678  
 Name: FAZIL HABI  
 Address: NAVAB HANDE JALIL MARKET B-8/1 NO 31, ZUBAIR TRADING C/O DR ABDOU KHALID, PESHAWAR, PESHAWAR  
 District: PESHAWAR  
 Program: BACHELOR OF EDUCATION (B.ED)  
 The title of passed course is as under: (B.ED)

ATLANTA IOBAL OPEN UNIVERSITY ISLAMABAD  
 PROVISIONAL RESULT CARD

Serial No: BOB012



NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM.

U.T.T.

SLAWABAD DATED: October 29, 2009

Result declared on: July 26, 2008

CONTROLLER OF EXAMINATIONS

*[Signature]*



VICE-CHANCELLOR

*[Signature]*

All *[Name]* has secured *[Grade]* marks and has been placed in *[Grade]*

# Bachelor of Education (B.Ed)

is awarded the degree of *[Name]* having completed the prescribed requirements in semester *[Semester]* AUTUMN 2007

Registration No: 06.AMD-0485 Roll No: U-866678

Son / Daughter of *[Name]* ZARAT GUL

Certified that Mr / Ms *[Name]* FAZLI RABI

Serial No 183655



University of the Punjab  
Lahore

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ANNEX "C"



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

Peshawar, dated the 24<sup>th</sup> July, 2014.

**NOTIFICATION**

**No.SO(PE)4-5/SSRC/Meeting/2013/Teaching Cadre**:- In pursuance of the provisions contained in sub rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Elementary and Secondary Education Department in consultation with the Establishment Department and the Finance Department hereby directs that in this Department's Notifications No.SO(G)S&L/1-28/2003/Vol-II dated, 09-04-2004, Notification No.SO(G)S&L/1-69/06/Vol-1/DPE/LIB dated, 13-11-2007, and Notification No.SO(PE)4-5/SSRC/Meeting/2012/Teaching Cadre, dated, 13.11.2012, the following further amendments shall be made, namely:

**AMENDMENTS**

In the Appendix,-

- (i) Serial No. 1 shall be renumbered as 1B and before Serial No. 1B, as so renumbered, the following new entries shall be inserted in respective columns, namely:

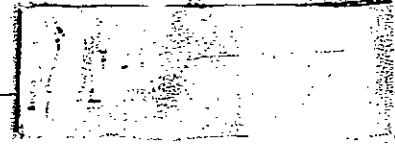
1	2	3	4	5
1	Subject Specialist (BPS-17)	i. At least second class Master's Degree or four years BS Degree in the relevant subject; and ii. Bachelor of Education or Master of Education (Industrial Art or Business Education) or M.A Education or equivalent qualification from a recognized University.	23 to 35 years	(a) Fifty per cent by promotion, on the basis of seniority-cum-fitness, for the relevant subject from amongst the Secondary School Teachers (BPS-16), with at least five years service as such and having qualification mentioned in column No. 3.  Note: If no suitable candidate is available in the relevant subject the post falling in their promotion quota shall be filled by initial

(1)

Handwritten signature/initials

12

1A	Director Physical Education (BPS-17)	At least second class Master's Degree in Physical Education from a recognized University.	22-35 years	<p>recruitment; and (b) fifty percent by initial recruitment.</p> <p>(a) Fifty percent by promotion, on the basis of seniority-cum-fitness, from amongst Senior Physical Education Teachers (BPS-16), with at least five years service as Senior Physical Education Teacher and Physical Education Teacher and having qualification mentioned in column No. 3:</p> <p>Provided that if no suitable person is available from amongst Senior Physical Education Teachers for promotion then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from amongst the Physical Education Teachers, with at least five years service as such and having qualification mentioned in column No. 3;</p> <p>Note:- If no suitable candidate is available in the relevant cadres of the above teachers the post falling in their promotion quota shall be filled by initial recruitment; and</p> <p>(b) fifty percent by initial recruitment; and</p>
----	--------------------------------------	---	-------------	--



(ii) against Serial No. 1B, as so renumbered, for the existing entries, the following shall be substituted, in respective columns, namely:

1	2	3	4	5
1B.	Secondary School Teacher (BPS-16)	<p>I. At least second class Bachelor Degree's from a recognized University on need basis from the following groups with two subject</p> <p>(a) (Chemistry, Botany or Zoology), Or (b) (Physics, Maths "A" or "B" or Statistics) Or (c) (Humanities and other equivalent groups at degree level with English as compulsory subject;</p> <p style="text-align: center;">and</p> <p>II. Bachelor of Education or Master of Education (Industrial Art or Business Education) or M.A Education or equivalent qualifications from a recognized University.</p>	21 to 35 years.	<p>1. Seventy Five per cent by promotion, on the basis of seniority-cum-fitness, from the district concerned in the following manner:</p> <p>(a) forty per cent from amongst the Senior Certified Teachers (BPS-16), with at least five years service as Senior Certified Teacher and Certified Teacher and having qualification mentioned in column No.3:</p> <p style="text-align: center;">Provided that if no suitable candidate is available from amongst Senior Certified Teachers for promotion then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from amongst Certified Teachers, with at least five years service as such and having qualification mentioned in column No.3;</p> <p>(b) four per cent from amongst the Senior Drawing Masters(BPS-16), with at least five years service as Senior Drawing Masters and Drawing Masters and having qualification mentioned in column No.3:</p>

13

Act  
etc



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				<p>Provided that if no suitable candidate is available from amongst Senior Drawing Masters for promotion then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from amongst Drawing Masters with at least five years service as such and having qualification mentioned in column No. 3;</p> <p>(c) four per cent from amongst the Senior Arabic Teachers(BPS-16), with at least five years service as Senior Arabic Teachers and Arabic Teachers, and having qualification mentioned in column No.3:</p> <p>Provided that if no suitable candidate is available from amongst Senior Arabic Teachers for promotion then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from Arabic Teachers with at least five years service as such and having qualification mentioned in column No. 3;</p> <p>(d) four per cent from amongst the Senior Theology Teachers(BPS-16), with at least five years service as Senior Theology Teachers and Theology Teachers and having qualification mentioned in column No.3</p>
--	--	--	--	---

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			<p>— Provided that if no suitable candidate is available from amongst Senior Theology Teachers for promotion then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from amongst Theology Teachers with at least five years service as such and having qualification mentioned in column No. 3;</p> <p>(e) three per cent from amongst the Senior Qaris (BPS-16), with at least five years service as Senior Qari and Qari and having qualification mentioned in column No.3;</p> <p>Provided that if no suitable candidate is available from amongst the Senior Qaris then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from Qaris with at least five years service as such and having qualification mentioned in column No. 3;</p> <p>(f) twenty per cent from amongst the Primary School Head Teachers (BPS-16), with at least seven years service as Primary School Head Teachers and Senior Primary School Teachers and Primary School Teachers and having qualification mentioned in column No. 3;</p> <p>Provided that if no suitable candidate is available from amongst</p>
--	--	--	---

Ans  
CIC

16

				<p>Primary School Head Teachers for promotion then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from amongst Senior Primary School Teachers with at least seven years service as Senior Primary School Teachers and Primary School Teachers and having qualification mentioned in column No.3:</p> <p>Provided further that if no suitable candidate is available from amongst Senior Primary School Teachers for promotion then the post shall be filled from amongst Primary School Teachers with at least seven years service as such and having qualification mentioned in column No.3; and</p> <p>(ii) twenty five percent by initial recruitment.</p> <p><b>Note:</b></p> <p>I. If no suitable candidate is available in the relevant cadre of the above teachers, the post falling in their promotion quota shall be filled by initial recruitment.</p> <p>II. Posts of General SST and SSTs-1 Science and SST-2 Science shall be filled by promotion or initial recruitment, each on need basis separately."</p>
--	--	--	--	---

SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

Endst : of even No & date:

1. The Secretary to Government of Khyber Pakhtunkhwa, Establishment and Administration Department Peshawar.
2. The Secretary to Government of Khyber Pakhtunkhwa, Finance Department Peshawar.
3. The Secretary to Government of Khyber Pakhtunkhwa, Law Department Peshawar.
4. The Secretary, Khyber Pakhtunkhwa, Public Service Commission Peshawar.
5. The Accountant General Khyber Pakhtunkhwa Peshawar.
6. The Director, Elementary and Secondary Education Department Khyber Pakhtunkhwa Peshawar.
7. The Director of Education (FATA) Peshawar.
8. The Director, Curriculum and Teacher Education Khyber Pakhtunkhwa Abbottabad.
9. The Director, (PITE) Khyber Pakhtunkhwa Peshawar.
10. The Director, ESRU Elementary and Secondary Education Department Khyber Pakhtunkhwa Peshawar.
11. Manager Government Printing Press Khyber Pakhtunkhwa Peshawar.
12. The Deputy Director, EMIS (S&SE) Department Khyber Pakhtunkhwa Peshawar.
13. All District Education Officer (M&F) in Khyber Pakhtunkhwa.
14. All District Account Officer in Khyber Pakhtunkhwa.
15. All Agency Education Officer in FATA.
16. All Agency Account Officer in FATA.
17. PS to Governor Khyber Pakhtunkhwa, Peshawar.
18. PS to Chief Minister Khyber Pakhtunkhwa, Peshawar.
19. PS to Chief Secretary Khyber Pakhtunkhwa, Peshawar.
20. PS to Minister E&SE Khyber Pakhtunkhwa, Peshawar.
21. PS to Secretary E&SE Khyber Pakhtunkhwa, Peshawar.
22. Master file

(ZAMIN KHAN MOMAND)  
SECTION OFFICER (PRIMARY)



MOHMAND TRIBAL DISTRICT

No 4250 Dated 3-12- 2021

To

The Director,  
Elementary & secondary Education  
Khyber Pakhtunkhwa Peshawar.

ANNEX D

18

Subject:- AT QUATA IN SST (B/CH)

It is stated for your kind information that this office had n promoted any SST (Bio/Chem) from AT Cader till now .

The requisite % /Quata is as under for your perusal please.

S.NO	Session	Post	%	Rem:
1	2019-20	3	0.16%	No c
2	2019-20	5	0.26%	
3	2020-21	6	0.32%	
	Total	14	<u>0.74</u>	

Therefore as per policy this office selected for Promotion one name: Fazli Rabi AT to SST (Bio/Chm) please.

District Education Off  
Mohmand Tribal Di

**OFFICE OF THE DISTRICT EDUCATION OFFICER TRIBAL DISTRICT MOHMAND  
(SST SCIENCE BIO/CHEMISTRY)**

WORKING PAPERS FOR DEPARTMENTAL PROMOTION COMMITTEES FOR THE PROMOTION OF <sup>SAT/AT</sup> SDN/DN (MALE) POST TO SST B-16

Vacant SST (S) post w.e.f 31-07-2021 upto date	8
of initial recruitment 25%	2
of Promotion @75%	6
of promotion AT/SAT 4%	1
to be promoted	1
needed for Promotion	1

**LIST OF SAT/TT (M) FOR THE PROMOTION TO SST B-16**

S.L No.	Name Official	Desig	BPS.No	Place of posting.	Date of birth.	D/O appttment as regular Ct.	Qualification		Subject	Whether eligible for promotion.	Remarks
							Academic Qualification	Professional Qualification			
40	Fazli Rabi	AT	15	GMS Hashmali Aqrab Dag	1/9/1984	16/1/2016	B.Sc (Bio/Ch	S. Alamia/M Ed	Bio/Chemistry	Yes	Rejected due to no study leave

**Certificate.**

It is certified that all the SAT/AT (Male Science) included in the panel for promotion to the posts of SST B-16.

hold the posts on regular basis and none of them is holding the post on adhoc/acting charge basis/contract.

are completed the required minimum length of qualifying service and qualifications as required for promotion to the posts of SST B-16 under the rules.

one of them is on deputation to any organization under the federal/provincial/autonomous/semi autonomous/intersectoral organizations.

either any disciplinary/departamental proceedings/anti corruption/judicial enquiry is pending against them nor has any penalty been imposed upon any one of them in the last five years.

no one is on long leave/Es-Pakistan leave.

their ACRs synopsis are free from adverse remarks.

they are all alive and serving.

their service books are enclosed herewith.

their 1st appointment order are attached herewith.

the seniority list of AT teachers is final, undisputed and not subject to dispute.

The departmental promotion committee is requested to determine the suitability of the above SCT/CT for promotion to the posts of SSTs B-16.

(1) Certified that Mr. Fazli Rabi AT has passed B.A Exam from Peshawar University obtaining marks 345/550 & B.Sc (Bio/Ch) from Quid-e-Azam College obtaining marks 369/550 in session 2019-2020.

(2) Certified that he has not been provided NOC from the DEO till now. For B.Sc.

Noted from DEO.  
Recommended as deputy  
Promotion provided.  
P.S.L. B.Sc.

11/9/20

*[Signature]*  
District Education Officer  
Tribal District Mohmand

ANNEX

E

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OFFICE OF THE DISTRICT EDUCATION OFFICER TRIBAL DISTRICT NOWMAND  
(SST SCIENCE BIO/CHEMISTRY) (Deferred Post)

WORKING PAPERS OF DEFERRED CANDIDATE FOR DEPARTMENTAL PROMOTION COMMITTEES FOR THE PROMOTION OF SAT/AT (MALE) - POST TO SST B-16

Total Vacant SST (S) post	18
Share of initial recruitment 25%	4.5
Share of Promotion @75%	13
Share of promotion AT/SAT 4%	0.69
Net to be promoted	0.69
Proposed for Promotion	0.69

LIST OF SAT/AT (M) FOR THE PROMOTION TO SST B-16

S.No.	S.I. No.	Name Official	Desig	BPS.No	Place of posting.	Date of birth.	D/O appointment as regular CT.	Qualification			Whether eligible for promotion.	Remarks
								Academic Qualification	Profession alQualific ation	Subject		
											Yes/No	
1	40	Fazli Rabi	AT	15	GMS Hashmali Agrab Dag	1/9/1984	16/1/2016	B.Sc (Bio/Ch	S. Alamia/M	Bio/Chemis try		

Certificate.

- It is certified that all the SAT/AT (Male Science) included in the panel for promotion to the posts of SST B-16.
  - Hold the posts on regular basis and none of them is holding the post on adhoc/acting charge basis/contract.
  - Have completed the required minimum length of qualifying service and qualifications as required for promotion to the posts of SST B-16 under the rules.
  - None of them is on deputation to any organization under the federal/provincial/Autonomous/Semi autonomous/interstatio Organizations.
  - Neither any disciplinary/departmental proceedings/Anti corruption/judical enquiry is pending against them nor has any penalty been imposed upon any one of them during the last five years.
  - No one is on long leave/Ex-Pakistan leave.
  - Their ACK's synopsis are free from adverse remarks.
  - They are all alive and serving.
  - Their service books are enclosed herewith.
  - Their 1st appointment order are attached herewith.
  - The seniority list of AT teachers is final, undisputed and not subjudice.
- The departmental promotion committee is requested to determine the suitability of the above SCT/CT for promotion to the posts of SSTs B-16.

District Education Officer  
Tribal District Nowmand

M/S

g/c

ANNEX "F" 20

DPC #5

ANNEX 4

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DIRECTORATE OF ELEMENTARY &  
SECONDARY EDUCATION KHYBER  
PAKHTUNKHWA

## Notification

Consequent upon the recommendations of the Departmental Promotion Committee and in pursuance of the Government of Khyber Pakhtunkhwa Elementary and Secondary Education Notification No.SO(PE)/4-5/SSRC/Meeting/2013/Teaching Cadre dated 24<sup>th</sup> July, 2014, the following SCT/CT and PSHT/SPST/PST, are hereby promoted to the post of SST(G), SST (Bio/Chem) and SST (Phy/Maths) in BPS-10 (Rs. 18910-15260-64510) plus usual allowances as admissible under the rules on regular basis under the existing policy, on the terms and conditions given below, with immediate effect:

### A: Promotion To SST (G)

#### ITEM No.1 SCT/CT TO SST(G)

S No	Sen No	Name	School	DOB	D of App. as Regular CT	Quali	Remarks
1	09	Muhammad Israr	GMS Rawal Kor	10/01/1971	24/07/1999	BA/BEd	Services are placed at the disposal of DEO Mohmand for further posting against the post of SST(G)
2	11	Shah Iran	GHS Sulhan Khwar	10/02/1968	01/09/1999	BA/B.Ed	-do-
3	13	Said Rehman	GMS Atangor	24/01/1967	01/09/1999	BA/B.Ed	-do-
4	14	Abdul Wahid	GHSS Ghallamat	06/04/1969	01/09/1999	BA/B.Ed	-do-

#### ITEM No.2 PSHT/SPST/PST TO SST (G)

S No	Sen No	Name	School	DOB	D of App. as Regular PST	Quali	Remarks
1	56	Asif Khan	GPS Kalim Kore	6/4/1969	22/10/1991	BA/BEd	Services are placed at the disposal of DEO Mohmand for further adjustment against the post of SST(G)
2	101	Shaukat Ali Khan	GPS Khatk Shrif	10/01/1973	25/10/1994	BA/B.Ed	-do-

### B: Promotion To SST (Bio/Chem)

#### ITEM No.1 SCT/CT TO SST (Bio/Chem)

S.No	Sen No	Name of	School	DOB	D of App. as Regular CT	Quali	Remarks
	91	Rajwali Khan	GMS Sajawal	2/04/1985	16/01/2016	BSc/BEd	Services are placed at the disposal of DEO Mohmand for further adjustment against the post of SST (Bio/Chem)



DPC # 5

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92	Saim Dan Khan	GHS Hajj Yar Jan Kili	10/4/1986	16/1/2016	BSc/B.Ed	Ido
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**G. Promotion To SST (Phy/Maths)**  
**ITEM No. 1. SCT/CT TO SST (Phy/Maths)**

S. No	Sen No	Name	School	DOB	D of App. as Regular CT	Qualif	Remarks
	88	Muhammad Qasim	GHS Hajj Yar Jan Kili	4/01/1993	13/04/2012	BSc/B.Ed	Services placed at the disposal of DEO Mohmand for further adjustment against the post of SST (Phy/Maths)

**ITEM No. 2. PHST/SPST/PSU TO SST (Phy/Maths)**

S. No	Sen No	Name	School	DOB	D of App. as Regular PST	Qualif	Remarks
	165	Bahrn Karam	GPS Qalagal	08/04/1971	21/02/1998	BSc/B.Ed	Services are placed at the disposal of DEO Mohmand for further adjustment against the post of SST (Phy/Maths)

**Terms and Conditions:-**

1. They would be on probation for a period of one year extendable for further period of one year.
2. They will be governed by such rules and regulations as and when issued from time to time by the Govt.
3. Their services can be terminated at any time; in case their performance is found unsatisfactory during probationary period. In case of misconduct, they shall be proceeded under the rules framed from time to time.
4. Charge report should be submitted to all concerned.
5. No TA/DA is allowed for joining the duty.
6. 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 the light of this order will be recovered and if they are wrongly promoted, they will be reverted.
7. Before handing over charge once again their documents may be checked if they have not the prescribed qualifications as per rules, they may not be handed over charge of the post.
8. The prescribed qualifications/ documents may be verified from the concerned Universities/ Institutions by the DEO concerned

(Hafiz Dr. Muhammad Ibrahim)  
 Director Elementary & Secondary Education  
 Khyber Pakhtunkhwa  
 Dated Peshawar the 3/12/2021.

Encls: No. 16149-56

Copy forwarded for information and necessary action to the:-

1. Accountant General Khyber Pakhtunkhwa Peshawar.
2. District Education Officer Mohmand.
3. District Accounts Officer Mohmand.
4. PS to Secretary Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
5. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
6. Principal/Head Master concerned.
7. Promotees Concerned.
8. M/File.

*(Signature)*  
 Deputy Director (Genl)  
 Merged District

درخواست برائے نظر دل (Representation)

جناب عالی

مذکورہ گزارش ہے کہ مسائل کا تعلق تمام اضلاع میں ہند سے ہے۔ اور حالیہ DPC میں مسائل کو AT کیڈو سے SST (Bio/Chem) پر پروموشن دینے سے روک دیا گیا۔ کیونکہ DPC میں SST (Bio/Chem) کے لیے 06 پوسٹیں تھیں۔

① دسمبر 2020 میں ملکہ تعلیم ہند نے SST (Bio/Chem) کی ابتدائی भरچوں کے لیے 05 پوسٹیں مشترکہ کر دیے۔ جن پر भरچیاں بھی ہوئی۔ اس کے مطابق DPC کے لیے 75% کے لحاظ سے 15 نشستوں کا حق بنتا ہے۔

② دسمبر 2021 پر ملکہ تعلیم ہند نے ابتدائی भरچوں کے لیے ایک اور اشتہار جاری کیا جس میں SST (Bio/Chem) کی ابتدائی भरچوں کی 08 نشستیں شائع کی گئی۔ اس اشتہار کے مطابق DPC کے لیے 75% کے لحاظ سے 18 پوسٹوں کا حق بنتا ہے۔

③ جناب عالی AT کیڈو کی دو سہ ماہی ٹیسٹس جو گزشتہ DPC میں اس کیڈو کے استعمال میں نہیں لایا گیا ایک سمدق لینے کے لیے DEO آفس

سے اس کیڈو ریت کو بیا کیا گیا اور وہ اس لیے اس قسم کے ٹیسٹس گزشتہ DPC میں تصور کیا جا رہا ہے۔ اس پر رد و موخر ہو گئی ہیں اور یہ امر بالکل کے خلاف بھی نہیں ہے۔ مگر جو کسی قسمت میرے لیے اس کو بھی تصور نہیں کیا گیا۔

حالیہ DPC میں SST (Bio/Chem) کے لیے صرف 06 پوسٹیں تھیں کی ہیں۔ اگر یہ DPC 2020 کے اشتہار کے لحاظ سے

ہوئے تو DPC کے لیے 15 پوسٹیں اور اگر یہ 2021 کے اشتہار کے لحاظ سے ہو تو DPC کے لیے کل 18 پوسٹیں بنتی ہیں۔ 15 پوسٹوں کے حساب سے میرا حصہ 0.6 ہے اور 18 نشستوں کے حساب میرا حصہ 0.72 بنتا ہے۔

لہذا آپ صاحبان سے التماس ہے کہ آپ بریائی کر کے فرمیں भरچوں کو 25% کے لحاظ سے اور DPC کو 75% کے لحاظ سے اپنا حصہ

دے کر مشکور فرمائیں۔

آپ کا صالح فرماں  
فضل ربی ولد زیارت گل خلیفہ  
F. Rabi  
تاریخ: 14/12/2021  
موبائل نمبر: 0303-6844917

①  
~~Also~~  
please inquire into  
all the ~~three~~ applications  
submit report within in 10 days.  
14-12-21

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**VAKALATNAMA**

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,**  
**PESHAWAR**

APPEAL NO: \_\_\_\_\_ OF 2022

Fazal Rabbi (APPELLANT)  
(PLAINTIFF)  
(PETITIONER)

**VERSUS**

Education Deptt. (RESPONDENT)  
(DEFENDANT)

I/We Fazal Rabbi  
Do hereby appoint and constitute **NOOR MUHAMMAD KHATTAK Advocate, Peshawar** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

Dated. \_\_\_\_/\_\_\_\_/2022

F. Rabbi <sup>Fazli-Rabbi</sup>  
CLIENTS (A. T)

**ACCEPTED**  
**NOOR MUHAMMAD KHATTAK**  
**KAMRAN KHAN**

Haider Ali  
**HAIDER ALI**  
&  
**KHANZAD GUL**  
**ADVOCATES**

"A"

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**  
JUDICIAL COMPLEX (OLD), KHYBER ROAD,  
PESHAWAR.

No.

Recd  
✓

APPEAL No..... 471 ..... of 2022.

Mr. Fazli Rabi

Appellant/Petitioner

Versus

The Secy (B&SE) Deptt. Pesh.

RESPONDENT(S)

Notice to Appellant/Petitioner

Mr. Fazli Rabi, AT (BPS-15)  
GMS Zareef Rahmat Said, Tehsil  
Yakka Ghund Distt. Mohmand

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 27/5/2022 at 9:00 AM

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

Registrar,

Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

**"A"**

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.  
JUDICIAL COMPLEX (OLD), KHYBER ROAD,  
PESHAWAR.**

No.

APPEAL No..... of 20

S.B

Recd

471

22

Mr. Fazli Rabi

Appellant/Petitioner

Versus

← The Secy (ESSE) Dept. Pesh. RESPONDENT(S)

Notice to Appellant/Petitioner

✓ — Mr Fazli Rabi, AT (BPS-15)  
GMS Zareef Rahmat Said, Tehsil  
Yakka (Thund - Distt: Mohmand)

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on..... at.....

. 27/5/2022 9:00 AM

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

Registrar,

Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.