

BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
CAMP COURT D.I.KHAN

SERVICE APPEAL NO. 1232/2013

Date of institution ... 20.08.2013
Date of judgment ... 27.12.2017

Hafiz Abdur Rehman S/o Khwaja Ahmad
Junior Instructor (Electrical)
Government Technical Vocational Centre,
Dera Ismail Khan.

... (Appellant)

VERSUS

1. Govt. of Khyber Pakhtunkhwa through Chief Secretary, Provincial Secretariat, Peshawar.
2. The Secretary Establishment Department, Khyber Pakhtunkhwa, Peshawar.
3. The Secretary, Finance Department, Khyber Pakhtunkhwa, Peshawar.
4. The Secretary, Industries, Commerce, Manpower & Technical Education Department, Khyber Pakhtunkhwa, Peshawar.
5. Director General, Technical Education & Manpower Training Department, Khyber Pakhtunkhwa, Peshawar.
6. Mr. Attaullah Khan, Presently, Lecturer (Electrical), through Director General (Respondent No. 5)
7. Fr. Fahad Amin, Presently, Lecturer (Electrical), through Director General (Respondent No. 5)

... (Respondents)

APPEAL UNDER SECTION-4 OF KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL ACT, 1974 SEEKING PROMOTION AS
LECTURER (BPS-17) AGAINST RESERVED QUOTA AS PER
RULES.

Mr. Muhammad Ismail Alizai, Advocate. ..

For appellant.

Mr. Farhaj Sikandar, District Attorney ..

For official respondents No. 1 to 5.

Mr. MUHAMMAD AMIN KHAN KUNDI ..

MEMBER (JUDICIAL)

MR. MUHAMMAD HAMID MUGHAL ..

MEMBER (JUDICIAL)

JUDGMENT

MUHAMMAD AMIN KHAN KUNDI, MEMBER:- Counsel for the appellant present. Mr. Farhaj Sikandar, District Attorney alongwith Mrs. Irum Sultana, Deputy Director (litigation) for the respondents also present. Arguments heard and record perused.

M. Amin
27.12.2017

2. Brief facts of the present service appeal are that the appellant was initially appointed as Trade Instructor in the Technical Education Department and after 12 years service he was appointed as Junior Instructor (Electrical) in BPS-14 posted at Government Vocation Centre for Boys in Dera Ismail Khan. That as per rule 40% quota was allocated to Junior Instructors of BPS-14 towards promotion to the post of Lecturer (BPS-17). That the appellant was at serial No. 7 in the seniority list issued for the year 2011 while private respondents No. 6 & 7 junior to the appellant were at serial No. 8 & 9 respectively. In April 2013 a proposal of promotion of employees serving as Junior Instructors (BPS-14) to the post of Lectures (BPS-17) was prepared in the light of seniority list but the name of the appellant was missing in that list. That private respondents No. 6 & 7 junior to the appellant were promoted but the appellant was ignored. That the appellant also challenged the notification of promotion of the respondents dated 16.04.2013 through departmental appeal but the same was not responded hence, the present service appeal.

3. Learned counsel for the appellant contended that the appellant was serving as Junior Instructor (Electrical) BPS-14. It was further contended that private respondents No. 6 & 7 were also serving in the said department. It was further contended that the seniority list of Junior Instructors (Electrical) BPS-14 diploma holders was prepared on 31.12.2011 wherein the appellant has been shown at serial No. 7 while the name of private respondents No. 6 & 7 have been shown at serial No. 8 & 9. It was further contended that 40% quota was allocated to Junior Instructors BPS-14 towards promotion to the post of Lecturer (BPS-17) but the respondent-department have ignored the appellant from promotion and have promoted the private respondents No. 6 & 7 to the post of Lecturer (BPS-17) without any valid reason vide order dated 16.04.2013. It was further contended that the appellant also filed departmental appeal on 24.6.2013 but the same was not responded. It was further contended that the appellant was entitled for promotion being senior to the private respondents No. 6 & 7 but the respondent-

W. Amin
27/12-2017

department have illegally ignored the appellant therefore, prayed for acceptance of appeal.

4. On the other hand, learned District Attorney for the official respondents opposed the contention of learned counsel for the appellant and contended that Departmental Promotion Committee was constituted for promotion but the appellant was not founded fit for promotion therefore, it was contended that the private respondents No. 6 & 7 was rightly promoted.

5. Perusal of the record reveals that the appellant was serving in Technical Education & Manpower Training Department, Khyber Pakhtunkhwa, Peshawar as Junior Instructors (Electrical) in BPS-14 and private respondents No. 6 & 7, ^{were in} also serving the said department as Junior Instructors (Electrical) in BPS-14. The record further reveals that a seniority list of Junior Instructor (Electrical) BPS-14 diploma holders was prepared on 31.12.2001 by the respondent-department wherein the name of the appellant has been shown at serial No. 7 of the seniority list while the private respondents No. No. 6 & 7 have been shown at serial No. 8 & 9 in the said seniority list meaning thereby that the appellant is senior then private respondents No. 6 & 7 but the respondent-department have promoted the private respondents No. 6 & 7 junior to the appellant from the post of Junior Instructors (Electrical) BPS-14 to the post of Lecturer (Electrical) BPS-17 and have illegally ignored the appellant from promotion therefore, we accept the appeal and direct the respondents to consider the appellant for promotion to the post of Lecture (Electrical) BPS-17 from the date when his juniors were promoted to the said post. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
27.12.2017

Hamid
(MUHAMMAD HAMID MUGHAL)
MEMBER
CAMP COURT D.I.KHAN

Muhammad Amin
(MUHAMMAD AMIN KHAN KUNDI)
MEMBER
CAMP COURT D.I.KHAN

27.12.2017

Counsel for the appellant present. Mr. Farhaj Sikandar, District Attorney alongwith Mrs. Irum Sultana, Deputy Director (litigation) for official respondents No. 1 to 5 also present. Arguments heard and record perused.


Vide our detailed judgment of today consisting of three pages placed on file, we accept the appeal and direct the respondents to consider the appellant for promotion to the post of Lecture (Electrical) BPS-17 from the date when his juniors were promoted to the said post. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED

27.12.2017



(MUHAMMAD HAMID MUGHAL)
MEMBER
CAMP COURT D.I.KHAN



(MUHAMMAD AMIN KHAN KUNDI)
MEMBER
CAMP COURT D.I.KHAN

THE COURT OF SERVICE TRIBUNAL PESHAWAR
AT CAMP COURT D.I.KHAN

Case No. 1232/13

Hafiz Abdul Rehman VS Technical Education

Fresh addresses respondent No. 6 & 7

1. Mr. Attaullah Khan Lecturer (Electrical) Govt: College of Technology
Peshawar.
2. Mr. Fahad Amin Lecturer (Electrical) Commerce Collage of Jamrod.

Appellant

H. A. Rehman ^{du}
27/09/17

Hafiz Abdur Rehman



Government of Khyber Pakhtunkhwa
Industries, Commerce & Technical Education
Department

NOTIFICATION

No. SOII(ND)1-17/2017. / 930-40

On the recommendation of the Departmental Promotion Committee, the Competent Authority is pleased to promote the following Junior Instructors (BPS-15) to the post of Lecturers (BPS-17) in the Khyber Pakhtunkhwa Technical Education & Vocational Training Authority (KP-TEVTA) on regular basis, with immediate effect:-

S.No.	Name of of the officials
1.	Mr. Iftikhar Ahmad,
2.	Hafiz Abdur Rehman,
3.	Mr. Shah Jehan,
4.	Mr. Ibrar Hussain,
5.	Mr. Azhar Iqbal,
6.	Muhammad Ibrar,
7.	Mr. Abdullah Shah,
8.	Mr. A'auliah,
9.	Mr. Akbar Ali,
10.	Mr. Javed Iqbal,
11.	Mr. Khalid Gul,
12.	Mr. Shahbaz Haider,
13.	Mr. Manzoor Khan,
14.	Mr. Mujeeb Ur Rehman,
15.	Mr. Fazle Elahi,
16.	Mr. Asmatullah, GTVC (B) D.I. Khan.
17.	Mr. Muhammad Razaqat,
18.	Mr. Sardar Bahadur,
19.	Mr. Hidayat Ullah,
20.	Mr. Asmatullah, GCT, Kohat

2. The officers will remain on probation for a period of one year extendable for further period of one year in terms of Section-6(2) of Khyber Pakhtunkhwa, Civil Servants Act, 1973 read with Rule-15(1) of Khyber Pakhtunkhwa, Civil Servants (Appointment, Promotion and Transfer) Rules, 1989.

3. Consequent upon their promotion, the following transfer/posting of officers are hereby order:-

S.No	Name & Present Posting	Promoted/posted as
1.	Mr. Iftikhar Ahmad, GTVC (B) Bannu.	Lecturer (Electrical) BS-17 Advance Technical Teachers Training College, Hayatabad Peshawar against the vacant post.
2.	Hafiz Abdur Rehman, GCT, D.I. Khan	Lecturer (Electrical) BS-17 Govt; College of Technology, Peshawar against the vacant post.
3.	Mr. Shah Jehan, GCT, Nowshera.	Lecturer (Electrical) BS-17 Govt; College of Technology, Swabi against the vacant post.

4.	Mr.Ibrar Hussain, GCT, Swat.	Lecturer (Electronics) BS-17 Govt; College of Technology, Timergara against the vacant post.
5.	Mr.Azhar Iqbal, GCT, Abbottabad.	Lecturer (Civil) BS-17 Govt; College of Technology, Nowshera against the vacant post.
6.	Muhammad Ibrar, GPI, Sardar Garhi, Peshawar	Lecturer (Civil) BS-17 Govt; College of Technology, Peshawar against the vacant post.
7.	Mr.Abdullah Shah, GCT, Peshawar	Lecturer (Auto) BS-17 Govt; College of Technology, Peshawar against the vacant post.
8.	Mr.Attaullah, GTVC (B), Chakdara	Lecturer (Mech;) BS-17 Govt; College of Technology, Timergara against the vacant post.
9.	Mr.Akbar Ali, GCT, Tangi	Lecturer (Mech;) BS-17 Govt; College of Technology, Tangi against the vacant post.
10.	Mr.Javed Iqbal, GCT, Nowshera	Lecturer (Mech;) BS-17 Govt; College of Technology, Nowshera against the vacant post.
11.	Mr.Khalid Gul, GCT, Bannu	Lecturer (Mech;) BS-17 Govt; College of Technology, Bannu against the vacant post.
12.	Mr.Shahbaz Haider, GCT, Peshawar	Lecturer (Mech;) BS-17 Govt; College of Technology, Peshawar against the vacant post.
13.	Mr.Manzoor Khan, GCT, Bannu.	Lecturer (Electrical) BS-17 Govt; College of Technology, Bannu against the vacant post.
14.	Mr.Mujeeb Ur Rehman, GTI, Bara	Lecturer (Electrical) BS-17 Govt; Technical Teacher Training College Hayatabad Peshawar against the vacant post.
15.	Mr.Fazle Elahi, GTVC (B), D.I.Khan	Lecturer (Electrical) BS-17 Govt; College of Technology, D.I.Khan against the vacant post.
16.	Mr.Asmatullah, GTVC (B) D.I.Khan	Lecturer (Mech;) BS-17 Govt; College of Technology, D.I.Khan against the vacant post.
17.	Mr.Muhammad Rafaqat, GCT, Peshawar	Lecturer (Mech;) BS-17 Govt; College of Technology, Peshawar against the vacant post.
18.	Mr.Sardar Bahadur, GTVC (B) Chakdara	Lecturer (Mech;) BS-17 Govt; Polytechnic Institute, Timergara against the vacant post.
19.	Mr.Hidayat Ullah, GPI, Takhtbai	Lecturer (Mech;) BS-17 Govt; College of Technology, Nowshera against the vacant post.
20.	Mr. Asmatullah, GCT, Kohat.	Lecturer (Mech;) BS-17 Govt; College of Technology, Kohat against the vacant post.

Secretary to Govt. of Khyber Pakhtunkhwa,
Industries, Commerce & Technical Education
Department.

Endst.No.SOIII(IND)1-17/2017

Dated Pesh. the 25th January, 2017

Copy is forwarded to:-

1. Principal Secretary to Chief Minister Khyber Pakhtunkhwa, Peshawar.
2. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
3. The Managing Director KP-TEVTA University Town, Peshawar.
4. PSO to Chief Secretary Khyber Pakhtunkhwa, Peshawar.
5. The District Accounts Officers, Swabi, Timergara, Nowshera, Charsadda, Bannu, D.I.Khan, Nowshera and Kohat.
6. The Principals concerned.
7. The officers concerned.
8. PS to Secretary IC&TE.
9. File/office copy.


ZAHIR SHAH
SECTION OFFICER-III



Khyber Pakhtunkhwa
Technical Education & Vocational Training
Authority KP-TEVTA
3-A Chinnar Road, University Town
Peshawar

TEVTA
KHYBER PAKHTUNKHWA

OFFICE ORDER

Mrs. Irum Sultana, Deputy Director (Litigation) of HQ Office, Peshawar KP-TEVTA is hereby directed to proceed to D.I.Khan on 26-12-2017 and to attend the Service Tribunal Khyber Pakhtunkhwa, Camp Office, D.I.Khan, in Service Appeal No.1232/2013 Titled Hafiz Abdur Rehman VS Govt. of Khyber Pakhtunkhwa on 27-12-2017 on behalf of Khyber Pakhtunkhwa TEVTA Peshawar.

**MANAGING DIRECTOR
KP-TEVTA**

Endst: No.TEVTA /Lit:/

5348 (1-3)

Dated 26/12/2017.

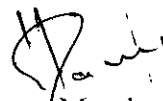
- ✓ 1) Accountant, Local Directorate.
- 2) Officer Concerned.
- 3) Office copy:


**DIRECTOR (Admn./HR)
KP-TEVTA**

24.10.2017

Counsel for the appellant and Mr. Farkhaj Sikandar, District Attorney for respondents present. Learned District Attorney stated that respondent No.5 has not furnished the requisite record despite the issuance of letter in this respect. The present appeal pertains to the year 2013, however, the same is lingering on due to lack of interest of respondent department. Consequently the salary of respondent No. 5 is hereby attached till he furnishes the requisite record before this Court. Warrant of attachment of salary be issued accordingly. To come for record and arguments on 28.11.2017 before D.B at camp Court D.I.Khan.

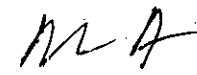

Member
(Executive)


Member
(Judicial)
Camp Court D.I.Khan

28.11.2017

Appellant in person present. Representative of the respondents department also submitted authority letter on behalf of official respondent alongwith Mr. Farhaj Sikandar District Attorney also present. Representative of the respondent department stated that he will submit the requisite record mention in the previous order dated 24.10.2017 on the next date. To come up for such record arguments on 27.12.2017 before D.B at Camp Court D.I.Khan.


(Gul Zeb Khan)
Member



(Muhammad Amin Khan Kundi)
Member
Camp Court D.I.Khan

Service Appeal No. 1232/2013

25.07.2017

Counsel for the appellant present. Mr. Atta Ullah, Superintendent, along with Mr. Farhaj Sikandar, District Attorney for official respondents No. 1 to 5 also present. Learned counsel for the appellant requested for adjournment. Adjourned. To come up for arguments on 26.09.2017 before D.B at Camp Court D.I.Khan.



(Gul Zeb Khan)
Member


(Muhammad Amin Khan Kundi)
Member
Camp Court D.I. Khan

26.09.2017

Appellant with counsel and Mr. Farhaj Sikandar, District Attorney for the respondents present. Respondent department is directed to furnish copies of working paper vis-a-vis impugned promotion order. Fresh notices be issued to respondents No. 5 & 6 through registered post for the date fixed. To come up^{for} arguments on 24/10/2017 before DB at Camp Court D.I.Khan.


Member
(Executive)


Member
(Judicial)
Camp Court D.I.Khan

THE COURT OF SERVICE TRIBUNAL PESHAWAR
AT CAMP COURT D.I.KHAN

Case No. 1232/13

Hafiz Abdul Rehman VS Technical Education

Fresh addresses respondent No. 6 & 7

1. Mr. Attaullah Khan Lecturer (Electrical) Govt: College of Technology
Peshawar.
2. Mr. Fahad Amin Lecturer (Electrical) Commerce Collage of Jamrod.

Appellant

H. Arif

27/09/17

Hafiz Abdur Rehman

30.08.2016

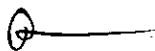
Appellant in person and Mr. Farhaj Sikandar, GP for respondents present. Rejoinder submitted. To come up for arguments on 24.10.2016 at camp court D.I Khan.



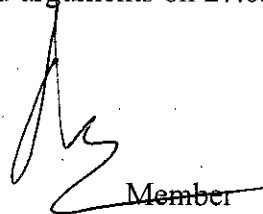
Member
Camp court D.I. Khan

24.10.2016

Counsel for the appellant and Mr. Attaullah, Superintendent alongwith Mr. Farhaj Sikandar, Government Pleader for official respondents No. 1 to 5 present. Private respondents No. 6 & 7 are not present. They be summoned positively for next date. To come up for attendance of private respondents No. 6 & 7 and arguments on 27.03.2017 before D.B at Camp Court D.I.Khan.



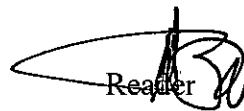
Member



Member
Camp Court D.I.Khan

27.03.2017

Since tour is hereby cancelled, therefore, the case is adjourned for the same on 25.07.2017.



Reader


1232/2013

23.2.2016

Counsel for the appellant and Mr. Farhaj Sikandar, GP for the respondents present. No reply received from the side of the respondent department. Learned counsel for the appellant stated before the Tribunal that the department is lingering on the proceedings and as a source of agony and wastage of time for the appellant side. The record shows that the case is old one and despite numerous opportunities, no reply is forthcoming from the side of the respondent-department, hence case is adjourned, subject to payment of cost of Rs. 1000/- to be recovered from the official respondents. Fresh notices be issued to official as well as private respondents through registered post. Last opportunity is given to the respondents for such reply on 24.5.16 at camp Court, D.I.Khan.


MEMBER
Camp Court, D.I.Khan

24.05.2016

 Appellant in person and Mr. Gul Badshah, Assistant alongwith Farkhaj Sikandar, GP for respondents present. Written reply submitted. To come up for rejoinder on 30.08.2016 at camp court D.I. Khan.


Member
Camp Court D.I.Khan

29.09.2015

Appellant with counsel and Mr. Farhaj Sikandar, GP with Pirzada Asim, Storekeeper for the respondents present. Representative of the respondents requested for adjournment stated that written statement duly prepared has been sent to Directorate at Peshawar for signature of departmental authority which will be submitted on the next date. It is evident that the appeal is an old one in which respondent department has not yet furnished its reply. Last opportunity is given to them. To come up for the same on 24-11-15 at camp court, D.I.Khan.



MEMBER

24.11.2015

Counsel for the appellant and Mr. Farhaj Sikandar, GP with Pirzada Asim, Storekeeper for the respondents present and requested for further time. The learned GP is also directed to contact the respondents. In case the respondents have not filed written reply on the next date, the matter will be brought into notice of Secretary Industries Department. To come up for written reply positively on 29-12-15 at camp court, D.I.Khan.



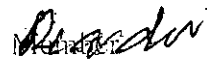
MEMBER

Camp Court, D.I.Khan

29.12.2015

Since tour to D.I.Khan for the month of December, 2015

has been cancelled, therefore, case is adjourned to 23.2.2016 for the same.



Camp Court, D.I. Khan

31.3.2015

Appellant in person and Mr Farhaj Sikander, GP for the respondents present. Despite the fact that notices were issued to the respondents, but no one is present on their behalf. In case of further negligence of the respondents besides imposing heavily penalty on the respondent deptt, the case may be heard on the material available on the record. To come up for reply/further proceeding on 25.5.15. at Camp Court D.I.Khan.


MEMBER

Camp Court, D.I.Khan

26.05.2015

Clerk of counsel for the appellant and Farhaj Sikandar, GP present. Fresh notices be issued to all the respondents through registered post by way of last chance. To come up for written reply/further proceedings on 28.7.2015 at camp court, D.I.Khan.


MEMBER

Camp court, D.I.Khan

28.07.2015

Appellant in person and Mr. Farhaj Sikandar, GP for the respondents present. Correct nomenclature of the department and addresses of the respondents be furnished within 7 days. Thereafter, notices be issued to the respondents. Case to come up for written reply/further proceedings at camp court, D.I.Khan on 29-9-15.


MEMBER

Camp Court, D.I.Khan



Khyber Pakhtunkhwa
Technical Education & Vocational Training
Authority KP TEVTA
3-A Chinnar Road, University Town
Peshawar

TEVTA
KHYBER PAKHTUNKHWA

AUTHORITY LETTER

✓
Mr. Attaullah, Superintendent (BPS-17) Govt: College of
Technology, D.I.Khan is hereby authorized to attend the Service Tribunal,
D.I.Khan in cases titled Hafiz Abdur Rehman, Mohammad Iqbal and
Pirzada Asim VS Government of Khyber Pakhtunkhwa & Others on behalf
of Managing Director Khyber Pakhtunkhwa Technical Education &
Vocational Training Authority.

22/11/2017

DEPUTY DIRECTOR (Lit)
KP-Technical & Vocational Training
Authority Peshawar.

29-12-14

Appellant in person present. No one is present on behalf of respondents. Case adjourned to 27-1-2015 for reply at Camp Court, D.I. Khan.

Le Gul
Registrar
Camp Court, D.I. Khan.

27-1-15

Appellant in person and G.P. for respondents present. Reply not filed. To come up for reply on 23-2-15 at Camp Court, D.I. Khan.

Member
Camp Court, D.I. Khan.

23-2-15

Appellant in person and G.P. present. No one is present on behalf of respondents. Notices be issued to respondents for submission of written reply on 31-3-2015 at Camp Court, D.I. Khan.

Member
Camp Court, D.I. Khan.

24.6.2014

Appellant present with his counsel and heard. The learned Counsel contended that appellant has impugned order dated 16.04.2013 whereby appellant has been ignored from promotion by the respondent department and his junior respondents No. 6 & 7 have been promoted against which he filed departmental appeal on 24.4.2013 with no fruitful results in those statutory period of 90 days. Hence this appeal on 20.08.2013. Points raised at the bar need consideration. The appeal is admitted to regular hearing ^{Subject to all just legal objections.} Process fee and security be deposited within 10 days. Thereafter, notices be issued to the respondents for submission of written reply on 29.09.2014 at camp court D.I. Khan.

Appellant Deposited
Security & Process Fee
Rs. 260/- Bank
Receipt is Attached with File.

[Handwritten mark]

Member
Camp Court, D.I. Khan

29-9-14.

Appellant in person and G.P. for respondents present. Case adjourned to 27-10-2014 for reply preliminary hearing at camp court, D.I.K.

[Signature]
Registrar
Camp Court, D.I.K.

27-10-14

Present as before on 29-9-14. Reply not received. To come up for reply on 24-11-14 at Camp Court, D.I.K.

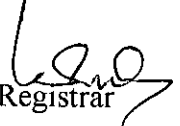
[Signature]
Registrar
Camp Court, D.I.K.

Appellant in person and G.P. for respondents. Tribunal is incomplete, therefore, this adj. to 29-12-2014 for written reply D.I.K.

[Signature]
Registrar
Camp Court, D.I.K.

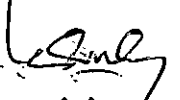
25.11.2013

Tour to Camp Court D.I.Khan has been discontinued vide order dated 31.10.2013. Therefore, notices be issued to the appellant/counsel for preliminary hearing on ~~14-1-2014~~ before Primary Bench at Peshawar.


Registrar


6-1-2014.

Tour to Camp Court, D.I.Khan has been resumed vide office order dated 23-12-13. Therefore, this case is fixed for preliminary hearing on 25-3-2014 at Camp Court, D.I.Khan,


Registrar

25-3-2014.



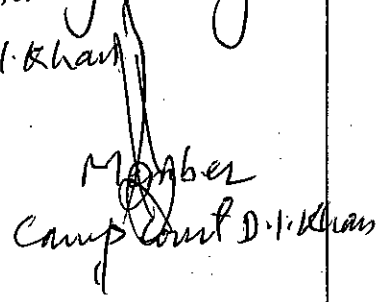
No one is present on behalf of appellant. Notice be issued to appellant/counsel for preliminary hearing on 23-6-2014 at Camp Court, D.I.Khan.


Member
Camp Court, D.I.K.

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 1232/2013

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	20/08/2013	<p>The appeal of Mr. Hafiz Abdur Rehman presented today by Mr. Muhammad Ismail Alizai Advocate may be entered in the Institution Register and put up to the Worthy Chairman for preliminary hearing.</p> <p style="text-align: right;"> REGISTRAR</p>
2	3-10-2013	<p>This case is entrusted to Touring Bench D.I.Khan for preliminary hearing to be put up there on <u>29-10-2013</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
3	29-10-2013	<p>No one is present on behalf of appellant. Fresh notices be issued to appellant and his counsel for preliminary hearing on <u>25-11-2013</u> at Camp Court D.I.Khan</p> <p style="text-align: right;"> Member Camp Court D.I.Khan</p>

GOVT COLLEGE OF TECHNOLOGY
DERA ISMAIL KHAN
0966-9280148

No.GCT/DIK/High Court/415

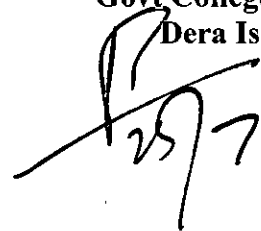
DATED: 25/07 2017

AUTHORITY LETTER.

Mr. Atta Ullah Khan Superintendant (BPS-17) Govt College of Technology Dera Ismail Khan is hereby authorized to attend the Service Tribunal Court Peshawar Bench D I Khan on 25.07.2017 in case of Hafiz Abdur Rehman V/S Govt of Khyber Pakhtun Khwa Peshawar on behalf of Managing Director KP-TEVTA Peshawar.



PRINCIPAL
Govt College of Technology
Dera Ismail Khan



PRINCIPAL
Govt: College of Technology
Dera Ismail Khan

Before The Service Tribunal, Khyber Pakhtunkhwa, Peshawar.

Service Appeal No. _____ /2013.

Appeal no. 1232/13

Hafiz Abdur Rehman.

Appellant.

Versus

Govt: of KPK, and others.

Respondents.

Service Appeal

I N D E X

<u>S.No.</u>	<u>Description of Documents</u>	<u>Annexure</u>	<u>Page(s).</u>
1.	Petition with Grounds of Appeal & affidavit.	--	2 — 5
2.	Copy of Service Rules.	A	6 — 12
3.	Copies of Acdm: records / Seniority List.	B & C	13 — 19
4.	Copy of Impugned notification.	D	20 — 20
5.	Copy of Representation.	E	21 — 23
6.	Vakalat-Nama	--	— 24

Dated: 18/8/2013.

H. Arif
Appellant, Through Counsel

Muhammad Ismail Alizai
(Muhammad Ismail Alizai)
Advocate High Court.

Before The Service Tribunal, Khyber Pakhtunkhwa Peshawar.

Service Appeal No. 1232 /2013

Hafiz Abdur Rehman S/o Khwaja Ahmad
Junior Instructor (Electrical)
Government Technical Vocational Centre,
Paharpur DIKhan

Appellant

VERSUS

1. Government of Khyber Pakhtunkhwa Through Chief Secretary Provincial Secretariat, Peshawar.
2. The Secretary, Establishment Department, Khyber Pakhtunkhwa, Peshawar.
3. The Secretary, Finance Department Khyber Pakhtunkhwa, Peshawar.
4. The Secretary, Industries, Commerce Manpower & KP Tevta Department Khyber Pakhtunkhwa, Peshawar.
5. Managing Director KP Tevta 3-A Chanar Road University Town Peshawar.
6. Mr. Attaullah Khan, Presently, Lecturer(Electrical) Managing Director (Respondent No.5).
7. Mr. Fahad Amin Presently Lecturer (Electrical) Managing Director (Respondent No.5).

Respondents

Note: all the respondents are necessary party to the list. The above given address of parties is sufficient for service

SERVICE APPEAL SEEKING PROMOTION AS LECTURER (BPS-17)
AGAINST RESERVED AS PER RULES

Before The Service Tribunal, Khyber Pakhtunkhwa, Peshawar.
 Service Appeal No. 1232 /2013.

~~1269~~
 20/8/13

Hafiz Abdur Rehman s/o Khwaja Ahmad,
 Junior Instructor (Electrical),
 Governement Technical Vocational Centre,
 Dera Ismail Khan.

Appellant.

Versus

1. Government of Khyber Pakhtunkhwa, through Chief Secretary, Provincial Secretariat, Peshawar.
 2. The Secretary, Establishment Department, Khyber Pakhtunkhwa, Peshawar,
 3. The Secretary, Finance Department, Khyber Pakhtunkhwa, Peshawar,
 4. The Secretary, Industires, Commerce, Manpower & Technical Education Department, Khyber Pakhtunkhwa, Peshawar,
 5. Dierector General, Technical Education & Manpower Training Department, Khyber Pakhtunkhwa, Peshawar,
 6. Mr. Ataullah Khan, Presently, Lecturer(Electrical), through
 Director General (Respondent No:5),
- Mr. Fahad Amin, Presently, Lecturer(Electrical),
 through Director General (Respondent No:5).

Respondents.

Note: All the respondents are necessary party to the lis. The above given address of parties is sufficient for service.

under Section 4 of Khyber Pakhtunkhwar Service Tribunal Act, 1974

SERVICE APPEAL SEEKING PROMOTION AS LECTURER (BPS-17)
AGAINST RESRVED QUOTA AS PER RULES.

5. That in consequence of the above said exercise, respondent department chose to issue a notification on promotion of seven Junior Instructors (BPS-14) to the post of Lecturer (BPS-17) including respondents Nos; 6 & 7, though junior to appellant, and thereby ignored the appellant from being promoted to the said post of Lecturer without assigning any lawful

4. That during April-2013 a proposal on promotion of employees serving in the cadres of Junior Instructors (BPS-14) in the respondent Department to the post of Lecturers (BPS-17) was prepared in light of the seniority list of each cadre yet, missing the name of the appellant for an apparent error on part of the respondents and the dealing hands. The appellant ought to have been considered for promotion in order of his seniority but for no good, valid and lawful reasons his name was not included in the list of candidates eligible for promotion, thus ignoring him altogether without any reason or rhyme / lawful justification and in blatant derogation of Law, Rules and Policy on the subject.

3. That the placement of the appellant in Seniority List for the year-2011 issued from office of Respondent No.5 stood at serial No.7 amongst his colleagues while respondents Nos; 6 & 7 are placed as junior to the appellant at serial Nos; 8 and 9, respectively. Copies of relevant academic records of the appellant and the Seniority List are placed herewith at Annexes B & C, respectively.

2. That as per rules a quota of 40% is allocated to Junior Instructors of BPS-14 towards promotion to the post of lecturer (BPS-17) in wake of arising of a vacancy. Copy placed herewith at Annex-A.

1. That the appellant was initially appointed as Trade Instructor in the Technical Education Department of Khyber Pakhtunkhwa Province and having served in said capacity for about 12 years was appointed as Junior Instructor (Electrical) in BPS-14, posted at Government Vocational Centre for Boys at Dera Ismail Khan. The appellant has already served in the later mentioned position now for above eleven (11) years. As such the appellant has served in the respondent Department for about 23 years. The appellant and respondents Nos; 6 & 7 are, for the purpose of terms and conditions of their service, under the general control of respondent No.5.

BRIEF FACTS:-

The appellant prefers the instant appeal on the grounds hereinafter submitted apropos the following facts ;

Respectfully Stated,

- e. That this Hon'ble Tribunal is vested with ample powers to adjudicate in the matter / appeal and that the petition is competent in limitation and jurisdiction.
- d. That the petitioner / appellant has been neglected in sheer violation of law, rules and policy of government on the point of promotion against reserved quota, as aforesaid.
- c. That the respondents failed to act in accordance with law and Rules while disposing off the matter pertaining to the promotion in lieu of 40% quota reserved for the cadre of prescribed employees, as such have caused grave miscarriage of justice to the appellant as against the constitutional guarantees.
- b. That the impugned Notification / order is on the face of it erroneous and discriminatory to the rights of the appellant. The appellant as such has been victimized by the respondents without any lawful justification.
- a. That the Notification / order of Respondent No. 4 impugned hereby, is against the law and rules / regulations framed thereunder, thus is not maintainable and is liable to be set-aside by declaring it as illegal, void ab-initio, unless rectified to the extent of inclusion of the name of appellant in accordance with his seniority.

GRUNDS:

- 7. That aggrieved due to above said inaction/omission on part of respondents, the appellant approaches this Hon'ble Tribunal through the instant appeal on, inter-alia, the following grounds:-
- 6. That being aggrieved, the appellant filed a representation with the concerned authority seeking his grievance redressed. However, till filing of instant appeal / culmination of statutory period, no order whatsoever, appears to have been passed by the appellate authority since no such communicate is received from the respondents. Copy of representation is placed herewith at **Annex-F**.

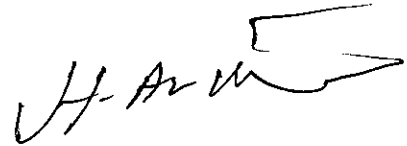
16.4.2013 is placed at **Annex-D**. Copy of impugned Notification dated or justifiable reason or excuse.

- f. That the counsel for the appellant may be kindly be allowed to raise additional grounds in due course, if need be.

Prayer:

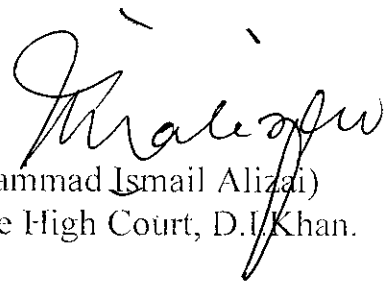
In view of the above noted grounds / submissions it is very humbly requested that the Notification / order of respondent No.4 may very graciously be set aside / cancelled by declaring the same as illegal, void-ab-initio, nullity in law, issued against the relevant rules and that the respondents may be required and directed to desist from discriminating the appellant in the matter of his promotion against the vacancy of Lecturer (BPS-17) in lieu of reserved quota of 40% allocated to the cadre of Junior Instructors in accordance with the notification and policy of government on the subject .

Humbly,



(Hafiz Abdur Rehman) Appellant,
Through counsel,

Dated. 18/08.2013.

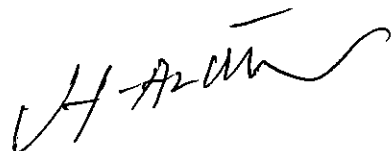


(Muhammad Ismail Alizai)
Advocate High Court, D.I.Khan.

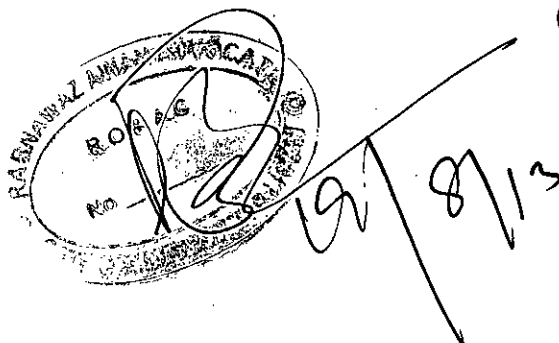
AFFIDAVIT

I, Hafiz Abdur Rehman s/o Khwaja Ahmad, the appellant, do hereby affirm on Oath and declare that contents of this petition are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Honourable Tribunal.

Dated: 18/08.2013



(Deponent).



Dr. (S. (Admin) P&ED)

Date: 26/12/13

Dated: 12-12-13

Secretary (P&ED)

13/12/2013

Dated: 12-12-13

GOVERNMENT OF KHYBER PAKHTUNKHWA
INDUSTRIES, COMMERCE AND TECHNICAL
EDUCATION DEPARTMENT

NOTIFICATION

Dated Peshawar, the _____

No. SO111(IND)TE/4-13/2013. In pursuance of the provisions contained in Sub-rule 21 of the rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 and in supersession of all notifications issued in this behalf, the Industries, Commerce & Technical Education Department, in consultation with the Establishment, Finance, Law Departments and Khyber Pakhtunkhwa Public Service Commission in the SSRC meeting on 16-11-2012, 19-11-2012 and 20-11-2012 under the Chairmanship of Secretary Establishment Department hereby lays down the method of recruitment, qualification and other conditions specified in column No. 3 to 5 of the Appendix to this Notification which shall be applicable to the posts belonging to the Teaching Cadre Staff of the Government College of Technology, Government Polytechnic Institute, Government Technical Teachers Training College, Government Technical Institutes (Male & Female) specified in column No. 2 of the said Appendix.

-Sd-

Secretary to Govt. of Khyber Pakhtunkhwa,
Industries, Commerce & Technical Education
Department.

Endst: No. SO111(IND)TE/4-13/2013

979

Dated Pesh, the 28th January, 2013.

Copy is forwarded to:-

1. All Administrative Secretaries to Govt. of Khyber Pakhtunkhwa, Peshawar.
2. The Secretary to Governor, Khyber Pakhtunkhwa.
3. Secretary to Chief Minister, Khyber Pakhtunkhwa.
4. All DCOs in Khyber Pakhtunkhwa.
5. All Head of Attached Departments.
6. All Districts and Session Judges, Khyber Pakhtunkhwa.
7. The Registrar, Peshawar High Court, Peshawar.
8. The Secretary, Board of Revenue, Khyber Pakhtunkhwa.
9. The Secretary, Khyber Pakhtunkhwa, Public Service Commission.
10. The Registrar, Khyber Pakhtunkhwa, Service Tribunal, Peshawar.
11. The Director General, Technical Education & Manpower Training, Peshawar.
12. PS to Chief Secretary, Khyber Pakhtunkhwa.
13. PS to Minister for Technical Education, Khyber Pakhtunkhwa.
14. PS to Secretary, IC&TE Department.
15. The Manager, Printing & Stationery Department, Khyber Pakhtunkhwa with the request that they ten printed copies (gazette copies) of the notification may be provided to Law Department and Establishment Department, Govt. of Khyber Pakhtunkhwa along with details of the gazette in which it is published.

Muhammad Ismail Ali
Advocate High Court
Dera Ismail Khan

(ANWAR-UL-HAQ)
DEPUTY SECRETARY-I

APPENDIX

APPOINTMENT, PROMOTION AND TRANSFER RULES FOR THE TEACHING CADRE STAFF OF THE GOVT: COLLEGES OF TECHNOLOGY, GOVT: POLYTECHNIC INSTITUTES, GOVT: TECHNICAL TEACHERS TRAINING COLLEGE, GOVT: TECHNICAL INSTITUTES, (MALE & FEMALE) OF THE DIRECTORATE GENERAL, TECHNICAL EDUCATION & MANPOWER TRAINING, KHYBER PAKHTUNKHWA / FATA

(ENGINEERING EDUCATION STREAM)

Sr.No	Nomenclature of the post	Minimum required qualification for initial recruitment	Age for initial recruitment	Method of recruitment
(1)	(2)	(3)	(4)	(5)
1	Professor / Principal (Technical Cadre) BPS-20 GCTs / GPIS ..			By promotion on the basis of selection on merit from amongst the Principals/Associate Professors (Technical Cadre) BPS-19 with at least seventeen years service in BPS-17 and above or twelve years service in BPS-19 and above or five years service in BPS-19 and successful completion of mandatory training of not less than three month as prescribed by the Government for such category of teachers from time to time.
2	Professor (Related Studies) BPS-20 GCTs / GPIS			By promotion on the basis of selection on merit from amongst the Associate Professors (Related Studies) BPS-19 with at least seventeen years service in BPS-17 and above or twelve years service in BPS-18 and above or five year service in BPS-19 and successful completion of mandatory training of not less than three months as prescribed by the Government for such category of teachers from time to time.
3	Principal/Associate Professor (Technical Cadre) BPS-19 GCTs / GPIS / GTTTCs / GTIS	(i) Ph.D in Engineering / D.Tech. in the relevant Technology from a recognized university with five years Teaching / Professional experience or	30 to 45 years	a) Eighty percent by promotion on the basis of seniority, cum fitness from amongst the Assistant Professors (BPS-18) (Technical Cadre) having: i. Bachelor Degree in Engineering or its equivalent qualification from recognized University or ii. B-Tech (Hons) Degree or its equivalent qualification from a recognized University and six months Teaching Management Training with twelve years service in B-17 and above or seven years service in B-18

Handwritten signature and stamp:
 Director General
 Technical Education & Manpower Training
 Peshawar

Handwritten signature and stamp:
 Director General
 Technical Education & Manpower Training
 Peshawar

(ii) 2nd Class Master's Degree in Engineering/ M-Tech: in the relevant Technology from a recognized University with seven years teaching / Professional experience or

(iii) 2nd Class Bachelor's Degree in Engineering / B. Tech: (Hons) in the relevant Technology from a recognized University with twelve years teaching / Professional experience.

(i) **Twenty** percent by initial recruitment in the relevant technology.

4 Associate Professor (Related Studies) BPS-19
OCTs/OPIS/OTS

(i) Ph.D in the relevant subject from a recognized university with five years Teaching / Professional experience at university/college/ institute level or

(ii) 2nd Class M.Phil in the relevant subject from a recognized University with seven years teaching/ Professional experience at University/ College / Institute level or

(iii) 2nd Class Master Degree in the relevant subject from a recognized University with twelve years Teaching / Professional experience at University/College / Institute level.

(i) **Eighty** percent by promotion on the basis of seniority cum fitness from amongst the Assistant Professors (Related studies) (BPS-18) having six months Teachers Training with twelve years service in B-17 and above, or seven years service in B-18.

(ii) **Twenty** percent by initial recruitment in the relevant subject.

Assistant Professor
(Technical Cadre) BPS-18
GCTs/GPIs/GTTTCs/GTIs

(i) Ph.D in Engineering / D-Tech in the relevant Technology from a recognized university or

(ii) 2nd Class Masters Degree in Engineering / D-Tech in the relevant Technology from a recognized University with three years teaching / Professional experience or

(iii) 2nd Class Bachelor Degree in Engineering or B-Tech (Hons) Degree in the relevant Technology from a recognized University with five years Teaching / Professional experience in the relevant field.

25 to 40 years

(a) Fifty percent by promotion on the basis of seniority cum fitness from amongst the Lecturers (Technical Cadre) BPS-17 having Bachelor Degree in Engineering or B-Tech (Hons) Degree or equivalent qualification from a recognized University with six months Teaching / Management Training and five years service.

(b) Ten Percent by promotion on the basis of seniority cum fitness from amongst the Lecturer (Technical Cadre) BPS-17 GCT / GPI / GTIs having Diploma of Associate Engineering with Six Month Teaching / Management Training and ten years service

(c) Forty percent by initial recruitment in the relevant technology.

Assistant Professor
(Related Studies) BPS-18
GCTs/GPIs/GTTTCs/GTI

(i) Ph.D in the relevant subject from a recognized University or

(ii) 2nd Class M.Phil in the relevant subject from a recognized University with three years Teaching / Professional experience at University / College / Institute level or

2nd Class Master Degree in the relevant subject from a recognized University with five years Teaching / Professional experience at University College/ Institute level.

25 to 40 years

(a) Sixty percent by promotion on the basis of seniority, cum fitness from amongst Lecturers (Related studies) BPS-17 having six months Teachers Training and five years service as such.

(b) Forty percent by initial recruitment in the relevant subject

2

<p>7 Lecturer (Technical Cadre) BPS-17- GCTs/GPIS/ GTTTCs/GTI</p>	<p>2nd Class Bachelor's Degree in Engineering or B-Tech (Hons) or Equivalent qualification in the relevant technology, from a recognized University.</p>	<p>21 to 35 years</p>	<p>(a) Forty Percent by promotion on the basis of seniority cum fitness from amongst the Juniors Instructors / Demonstrators (BPS-14) with Diploma of Associate Engineering in the relevant Technology from a recognized Institute having five year service as such and six months Teaching / Management Training Course from a recognized Institute;</p> <p>(b) Ten Percent by promotion on the basis of seniority cum fitness from amongst the Junior Instructors / Demonstrators (BPS-14) GCTs / GPIS / GTTTCs / GTIs having Bachelors Degree in Engineering or B-Tech (Hons) Degree in the relevant Technology from a recognized University with six months Teaching / Management Training Course from recognized Institute; and</p> <p>(c) Fifty percent by initial recruitment in the relevant technology.</p>
<p>8 Lecturer(Related Studies) BPS-17 GCTs/GPIS/GTIs/GTTTC</p>	<p>2nd Class Master Degree in the relevant subject from a recognized University.</p>	<p>21 to 35 years</p>	<p>By initial recruitment.</p>
<p>9 Junior Instructor BPS-14 GCTs/GPIS/GTIs/GTTTC</p>	<p>2nd Class Diploma of Associate Engineering in the relevant Technology from a recognized institute.</p>	<p>20 to 28 years</p>	<p>(a) Five percent by promotion on the basis of seniority cum fitness from amongst the Junior Draftsman (BPS-10) with Diploma of Associate Engineering in the relevant Technology from a recognized Institute having five years service as such and:</p> <p>(b) Ninety five percent by initial recruitment in the relevant technology.</p>
<p>10 Demonstrator BPS-14 GCTs/GPIS/GTIs/GTTTC</p>	<p>2nd Class Diploma of Associate Engineering in the relevant Technology from a recognized institute.</p>	<p>20 to 28 years</p>	<p>(a) Twenty percent by promotion on the basis of seniority cum fitness from amongst the junior Demonstrators (BPS-10) with Diploma of Associate Engineering in the relevant Technology from a recognized institute having five years service as such and</p> <p>(b) Eighty percent by initial recruitment in the relevant technology.</p>

A

Junior Draftsman BPS-10 GCTS/GPIS	2 nd Class secondary school certificate with two years Certificate of Draftsmanship in the relevant field from a recognized Institute with two years experience in the relevant field from registered firms / organization.	18 to 30 Years	By initial recruitment.
12 Junior Demonstrator BPS-10 GCTS/GPIS/GTIS/GTTTC	<ul style="list-style-type: none"> i) 2nd Class Secondary School Certificate from a recognized Board with G-II Level Course in the relevant trade from recognized institutes; or ii) 2nd Class Secondary School Certificate from a recognized Board with G-III Level Training Course or trade proficiency certificate in the relevant trade from a recognized institute and three years experience in the relevant field from registered firms / organization. 	20 to 28 Years	By initial recruitment.
Audio Video Projectionist (BPS-06) GCTS / GPIS	<ul style="list-style-type: none"> i). Secondary School Certificate from a recognized Board with G-II Level Course in the relevant trade from a recognized Institute; or ii). Secondary School Certificate from a recognized Board with Trade Proficiency Certificate in the relevant Trade from a recognized Institute 	20 to 23 Years	By initial recruitment.
13 Shop Ass stant(BPS-05)	i). 2 nd Class Secondary School Certificate from a recognized Board with G-II Level Course in the relevant trade from a recognized institutes; or	20 to 28 Years	a) Twenty percent by promotion from amongst the Shop Attendants having secondary school certificate from a recognized Board with trade proficiency certificate in the relevant trade and five years service as such;

	ii). 2 nd Class Secondary School Certificate from a recognized Board with trade proficiency certificate in the relevant trade from a recognized institute.		b) Five percent by promotion from amongst the Electrician Comp: Lab Assistants (BPS-05) GCTs/GPIs / GTIs and GTTCS c) seventy Five percent by initial recruitment.
15	Electrician (BPS-05)	i). Secondary School Certificate from a recognized Board with G-111 Level Course in the relevant trade from recognized institutes; or ii) Secondary School Certificate from a recognized Board with trade proficiency certificate in the relevant trade from a recognized institute.	18 to 28 Years By initial recruitment.
16	Shop Attendant (BPS-01)	Secondary School Certificate from a recognized board.	18 to 28 Years By initial recruitment.

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SECRETARY TO GOVERNMENT OF THE KHYBER PAKHTUNKHWA
INDUSTRIES, COMMERCE & TECHNICAL EDUCATION
DEPARTMENT

Bachelor from ... by Dec ... Govt. BPS 1

Government of Pakistan
Labour & Manpower Division
National Training Bureau
39, H-9, Islamabad

(13)
'B'
=

No. 1(28)NSTI-NTB/2006-55

Islamabad the, 17th April, 2006.

SUBJECT TRAINING OF TRAINERS (TOT)

I am directed to refer to this office letter of even No. dated 13.3.2006 with reference to your office letter No. SOIII(IND)TE/4-77/2006/130 dated 3.1.2006 and to say that the Training of Trainers Programme in 05 trades of Six Month duration is scheduled to be started from 15th May, 2006 in the Campus of National Training Bureau, Plot No 39, Sector H-9, Islamabad. You are requested to kindly direct your Instructors nominated for the above training programme (list attached) to report this Directorate (NTB) on 14th May, 2006. Further they may be informed that they will be provided free accommodation in the campus, substantial allowance @ Rs.6000/- per month and payment of actual traveling expenditures.

(Signature)
(JUMMA KHAN)
Deputy Director (ST)
Ph.9257496

To,

The Director,
Technical Education & Manpower Training,
Benevolent Fund Building,
Hall No.210-211, Saddar Road,
Peshawar Cantt

Copy endorsed to:

✓ Hafiz Abdul Rehman
Jr. Instructor
Electrical
Dte of Manpower & Training,
Benevolent Fund Building Hall No.210-211,
Saddar Road,
Peshawar

Date: 7/5/06

P.T.O

Date: 2/5/06

(Signature)

Principal
Govt. Tech. & Vocational
Centre (B) D.I.Khan

51

14

NAME OF ORGANIZATION

DTE. OF TECHNICAL EDUCATION & MANPOWER & TRAINING N.W.F.P.

LIST OF NOMINEES

S.No	Name of Instructors	Designation	Trade
1.	Mr. Muhamad Riaz ✓	Jr. Instructor	Turner/Machinist
2	Muhammad Saleem ✓	Jr. Instructor	Turner/Machinist
3	Manzoor Qader ✓	Jr. Instructor	Turner/Machinist
4	Sardar Bahadar, ✓	Instructor	Turner/Machinist
5	Danish Ahmad ✓	Instructor	Turner/Machinist
6	Muhammad Nazir. ✓	Instructor	Electrical
7	Mr. H. Abdur Rehman ✓	Instructor	Electrical
8	Munir Ahmad ✓	Instructor	Electrical
9	Shafatullah ✓	Instructor	Electrical
10	Bakhtiar Ali ✓	Instructor	Electrical
11	Ata Ullah Khan	Jr. Instructor	Electrical
12	Mehirdil Khan ✓	Jr. Instructor	Electrical
13	Muhammad Aftab ✓	Jr. Instructor	Electrical
14	Hafiz Abdul Rehman	Jr. Instructor	Electrical
15	Mr. Raj Wali	Instructor	RAC
16	Mr. Shaukat Ali	Instructor	RAC
17	Mr. Rehman Gul	Instructor	RAC
18	Mr. Gul Razim	Instructor	RAC
19	Mr. Khalid Khan	Instructor	Radio/TV
20	Mr. Hayat Khan	Instructor	Draughtsman Civil
21	Mr. Muhammad Yahya	Jr. Instructor	Draughtsman Civil

Encl. No. DTE&MT/14-E/NSII/2503(1-21) dated 27/4/2014
 Cpy for information and necessary action to
 All concerned nominees (1 to 21 nos).

A. Usman
 Principal
 Govt. Tech. & Vocational
 Centre (B) D.I. Khan

[Signature]
 DEPUTY DIRECTOR
 Technical Education
 N.W.F.P. Feshawar

Sr. No. 0045



15

Government of Pakistan NATIONAL TRAINING BUREAU

Ministry of Labour, Manpower & Overseas Pakistanis
ISLAMABAD

C E R T I F I C A T E

This is to certify that

Mr./Mrs./Miss:

HAFIZ ABDUR REHMAN

Son/Daughter/Wife of

KHAWAJA AHMED

Designation

JR. INSTRUCTOR

from

GTVC, D.I. KHAN

has successfully completed

in the trade of

ELECTRICAL

held at National Training Bureau, Islamabad.

from 15-05-2006

to 15-11-2006

Overall performance of the trainee is as under

Trade Theory. 81%

Trade practice. 78%

Teaching Techniques. 62%

In recognition thereof, this Certificate is awarded on

[Signature]
Director (HRD)
National Training Bureau

[Signature]
Principal
Govt. Tech. & Vocational
Centre (B) D.I. Khan

[Signature]
Director General
National Training Bureau

Aus led

[Signature]
Principal
Govt. Tech. & Vocational
Centre (B) D.I. Khan

DHS
16

11

FINAL SENIORITY LIST OF JUNIOR INSTRUCTORS (ELECTRICAL) BPS-14 DIPLOMA HOLDERS GCTs/GPIs IN THE TECHNICAL EDUCATION AND MANPOWER TRAINING DEPARTMENT KHYBER PAKHTUNKHWA AS STOOD ON 31-12-2011.

Sr.No.	Name of incumbent with academic qualification	Date of birth with domicile	Date of Ist entry into Govt. service	Regular appointment/ promotion to the present post			Present appointment	Remarks.
				Date	BPS	Method of recruitment		
1	Mr. Iftikhar Ahmad, DAE (Electrical) ii) B. Tech (Pass Course) Electrical	03-09-1967 Peshawar	08-05-2002	08-05-2002	14	Adjusted from surplus pool	Junior Instructor (Electrical) GTI Ekka Ghund	
2	Mr. Pervaiz Iqbal, i. DAE (Electrical) ii) One year Tech: Teachers Training Diploma	18-02-1959 Peshawar	28-04-1981	19-07-2002	14	Promotion	Junior Instructor (Electrical) GTI Bara	
3	Mr. Bilqias Khan, i. DAE (Electrical) ii) One year Tech: Teachers Training Diploma	05-07-1963 Bannu	21-12-1985	19-07-2002	14	-do-	Junior Instructor (Electrical) GCT Bannu	
4	Mr. Munir Ahmad Khan, i. DAE (Electrical) ii) One year Tech: Teachers Training Diploma	19-06-1962 DIKhan	24-04-1982	19-07-2002	14	-do-	Junior Instructor (Electrical) GTVC(B) Tank	
5	Mr. Farhad Ali, i. DAE (Electrical) ii) One year Tech: Teachers Training Diploma	01-01-1964 Mardan	01-09-1990	19-07-2002	14	-do-	Junior Instructor (Electrical) GCT Swabi	
6	Mr. Muhammad Javed, DAE (Electrical) ii) One year Tech: Teachers Training Diploma	02-01-1961 Peshawar	29-08-1990	19-07-2002	14	-do-	Junior Instructor (Electrical) GCT Peshawar	

Muhammad Ismail Ali
Advocate High Court
Dera Ismail Khan

Muhammad Khalil
DAE (CIVIL)

GTVC(B) - DIK

Signature

7	Hafiz Abdur Rehman, DAE (Electrical)	12-02-1965 Bannu	03-09-1990	19-07-2002	14	Promotion	Junior Instructor (Electrical) GCT Bannu
8	Mr. Ataullah Khan, i.DAE (Electrical) ii) B.A ii) 18 Months certificate. iii) One year Tech: Teachers Training Diploma	12-04-1962 Peshawar	01-02-1987	19-07-2002	14	-do-	Junior Instructor (Electrical) GCT Peshawar
9	Mr. Fahad Amin, DAE (Electrical)	20-02-1979 FR Bannu	22-07-2003	22-07-2003	14	Initial	Junior Instructor (Electrical) GTI Bara
10	Mr. Shah Jehan, DAE (Electrical)	14-04-1964 Mardan	05-09-1990	26-05-2004	14	Promotion	Junior Instructor (Electrical) GCT Nowshera
11	Mr. Saif ur Rehman, DAE (Electrical)	01-08-1958 DIKhan	04-02-1982	26-05-2004	14	-do-	Junior Instructor (Electrical) GTVc(B) DIK ✓
12	Mr. Mujeeb ur Rehman, DAE (Electrical)	15-01-1980 Peshawar	19-05-2006	19-05-2006	14	Initial	Junior Instructor (Electrical) GTI Bara
13	Mr. Tahir Mehmood, DAE (Electrical)	26-01-1984 Haripur	20-05-2006	20-05-2006	14	-do-	Junior Instructor (Electrical) GPI Haripur
14	Mr. Fazil Shah, DAE (Electrical)	05-11-1976 Charsadda	24-04-2006	24-04-2006	14	-do-	Junior Instructor (Electrical) GCT Tangi

15	Mr. Fazal Elahi, DAE (Electrical)	05-11-1976 DIK	30-05-2006	30-05-2006	14	Initial	Junior Instructor (Electrical) GTVC(B) DIK ② ✓
16	Mr. Aizaz Khan, DAE (Electrical)	20-06-1984 Malakand	05-05-2006	05-05-2006	14	-do-	Junior Instructor (Electrical) GCT Swat
17	Mr. Manzoor Khan, DAE (Electrical)	08-04-1975 FR Bannu	24-04-2006	24-04-2006	14	-do-	Junior Instructor (Electrical) GCT Bannu
18	Mr. Arshad Iqbal, DAE (Electrical)	25-04-1978 Peshawar	15-04-2006	15-04-2006	14	-do-	Junior Instructor (Electrical) GCT Peshawar
19	Mr. Inamullah Khan, DAE (Electrical)	15-06-1960 Charsadda	10-11-1990	15-05-2006	14	-do-	Junior Instructor (Electrical), GCT Tangi
20	Mr. Azhar Naeem, DAE (Electrical)	05-02-1970 Kohat	10-06-1993	11-12-2007	14	Promotion	Junior Instructor (Electrical) Kohat
21	Mr. Fayyaz Ullah Khan, DAE (Electrical)	06-09-1964 Bannu	08-11-1990	11-12-2007	14	-do-	Junior Instructor (Electrical) GCT Bannu
22	Mr. Mehri Dil, DAE (Electrical)	14-03-1958 Mardan	13-11-1990	11-12-2007	14	-do-	Junior Instructor (Electrical) GCT Nowshera
23	Mr. Mohib Ali, DAE (Electrical)	02-04-1969 Mardan	10-11-1990	11-12-2007	14	-do-	Junior Instructor (Electrical) GPI Takht Bhai

24	Mr. Muhammad Iqbal, DAE (Electrical)	05-04-1964 DIK	02-02-1991	11-12-2007	14	Promotion	Junior Instructor (Electrical) ² GTVc(B) DIK	
25	Mr. Shah Hussain, DAE (Electrical) 6 months Tech. Teacher Diploma	10-02-1971 Khyber Agency	07-01-1993	11-12-2007	14	-do-	Junior Instructor (Electrical) GTI Bara	
26	Mr. Ikram ul Qamar, DAE (Electrical)	15-06-1986 Haripur	26-02-2008	26-02-2008	14	-do-	Junior Instructor (Electrical) GPI Haripur	
27	Mr. Shahzad Baber, DAE (Electrical)	04-03-1987 Charsadda	26-02-2008	26-02-2008	14	-do-	Junior Instructor (Electrical), GPI Buner.	
28	Mr. Gul Muhammad DAE (Electrical) MA Islamiat	22-2-1973 Karak	29-4-2006	29-4-2006	14	Initial	Junior Instructor (Electrical) GPI Karak	He has opted for change of cadre and his absorption in Polytechnic stream
29	Mr. Shah Saud DAE (Electrical)	01-4-1977 Peshawar	17-07-1997	01-5-2007	14	-do-	Junior Instructor (Electrical) GCT Peshawar	-do-


DEPUTY DIRECTOR (ADMN)

'D' (20)

GOVERNMENT OF KHYBER PAKHTUNKHWA
INDUSTRIES, COMMERCE AND TECHNICAL
EDUCATION DEPARTMENT



Date: 16/4/2013

NOTIFICATION

No. SOIII(IND)TE/1-17/2013/DPC. On the recommendations of the Departmental Promotion Committee meeting held on 28-02-2013, the Competent Authority is pleased to promote the following officials of the Directorate of Technical Education, Khyber Pakhtunkhwa Peshawar as noted against their names with immediate effect:-

S.No	Name of Official	Promoted against the post
1	Mr.Pervaiz Iqbal, Junior Instructor(Electrical) Diploma Holder BPS-14	Recommended for promotion against the post of Lecturer (Electrical)BPS-17.
2	Mr.Balqias Khan, Junior Instructor(Electrical) Diploma Holder BPS-14	Recommended for promotion against the post of Lecturer (Electrical)BPS-17.
3	Mr.Munir Ahmad Khan, Junior Instructor(Electrical) Diploma Holder BPS-14	Recommended for promotion against the post of Lecturer (Electrical)BPS-17.
4	Mr.Farhad Ali, Junior Instructor(Electrical) Diploma Holder BPS-14	Recommended for promotion against the post of Lecturer (Electrical)BPS-17.
5	Mr.Muhammad Javed, Junior Instructor(Electrical) Diploma Holder BPS-14	Recommended for promotion against the post of Lecturer (Electrical)BPS-17.
6	Mr. Ataullah Khan, Junior Instructor(Electrical) Diploma Holder BPS-14	Recommended for promotion against the post of Lecturer (Electrical)BPS-17.
7	Mr.Fahad Amin, Junior Instructor(Electrical) Diploma Holder BPS-14	Recommended for promotion against the post of Lecturer (Electrical)BPS-17.

2. The above named promotees will be on probation for a period of one year in terms of section-6(2) of the Khyber Pakhtunkhwa, civil servants Act, 1973.

3. on their promotion the following posting are hereby ordered with immediate effect:-

Sr.No	Name of official	Proposed posting.
1	Mr.Pervaiz Iqbal Junior Instructor(Electrical) BPS-14 GTI Bara.	As Lecturer(Electrical)(BPS-17), GPI Sardar Garhi, Peshawar against the vacant post.
2	Mr.Balqias Khan, Junior Instructor(Electrical) BPS-14 GCT Bannu.	As Lecturer(Electrical)(BPS-17), GCT Bannu against the vacant post.
3	Mr. Munir Ahmad, Junior Instructor(Electrical) BPS-14 GTVC(Boys) Tank	As Lecturer(Electrical)(BPS-17), GPI Lakki against the vacant post.
4	Mr.Farhad Ali Junior Instructor(Electrical) BPS-14 GCT Swabi.	As Lecturer(Electrical)(BPS-17), GCT Swabi against the vacant post.
5	Mr.Muhammad Javed Junior Instructor(Electrical) BPS-14 GCT Peshawar	As Lecturer(Electrical)(BPS-17), GCT Peshawar against the vacant post.
6	Mr. Ataullah Khan, Junior Instructor(Electrical) BPS-14 GCT Peshawar	As Lecturer(Electrical)(BPS-17), GCT Peshawar against the vacant post.
7	Mr.Fahad Amin Junior Instructor(Electrical) BPS-14 GTI Bara	As Lecturer(Electrical)(BPS-17), GTI Bara against the vacant post.

Muhammad Ismail Akbar
Advocate High Court
Dera Ismail Khan

-Sd-
Secretary to Govt. of Khyber Pakhtunkhwa,
Industries, Commerce & Technical Education
Department.

(21)

E

OFFICE OF THE PRINCIPAL
GOVERNMENT TECHNICAL AND VOCATIONAL CENTRE
(BOYS), DERA ISMAIL KHAN

No.GTVC/DIK/PF/ 184
Dated 24/4/2013

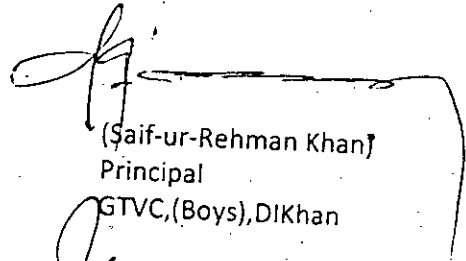
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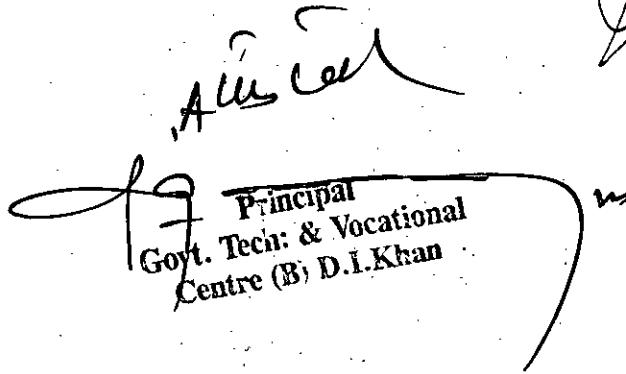
The Director General
Technical Education and Manpower Training
K.P.K,Peshawar

Subject:- DEPARTMENTAL APPEAL

Enclosed please find herewith an application / appeal in original in respect of Mr.Hafiz Abdur Rehman,Instructor of this office which is self explanatory for onward submission to the quarter concerned.

Encls: (As Above)


(Saif-ur-Rehman Khan)
Principal
GTVC,(Boys),DIKhan


Principal
Govt. Tech: & Vocational
Centre (B) D.I.Khan

(22)

To. The Chief Secretary,
Government of Khyber Pakhtunkhwa,
Peshawar.

Through:- Proper Channel.

Subject: DEPARTMENTAL APPEAL / REPRESENTATION AGAINST THE NOTIFICATION DATED 16.04.2013, VIDE WHICH BY IGNORING THE APPELLANT CERTAIN JUNIOR INSTRUCTORS (ELECTRICAL) WERE PROMOTED FROM BPS-14 TO BPS-17.

Respectfully Stated,

1. That the appellant is serving as Junior Instructor, Electrical (BPS-14), at Government Vocational Centre, Boys, Dera Ismail Khan, under the Ministry of Industries, Commerce and Technical Education Department for the last eleven years, whereas prior to that the appellant served as Junior Trade Instructor in the department for almost 12 years and the total service of the petitioner is almost 23 years.
2. That vide letter dated 17.04.2006 from the Government of Pakistan Labour and Manpower Division National Training Bureau, Islamabad, the Director of our department was asked to send the instructors nominated for training programme of six months duration, on which the appellant was also asked to attend the training programme at National Training Bureau, Islamabad, the recognized training bureau, where the appellant completed his training and a certificate to this effect was also issued to him. Copies of the letter and certificate are enclosed herewith.
3. That the department issued seniority list of the Junior Instructors (Electrical) BPS-14 on 31.12.2011, wherein the name of the appellant is at serial no. 7. Copy of the seniority list is enclosed herewith.
4. That on 28.02.2013 the Departmental Promotion Committee held its meeting, wherein amongst others the cases of Junior Instructors (Electrical) BPS-14 were also discussed and recommended for promotion to BPS-17 and it was for the astonishment of the appellant when he lay hands over notification dated 16.04.2013, wherein seven Junior Instructors (Electrical) BPS-14 were promoted to BPS-17, by dropping one Htikhar Ahmad at serial no. 1 and the appellant at serial no. 7. Copy of the notification is enclosed herewith.
5. That till date no reason whatsoever has come on surface as to why the appellant was not considered and promoted to BPS-17, whereas the seniority list clearly indicates that the petitioner is at serial no. 7 and he should have been promoted, having requisite qualification, experience and training, as per Appendix of appointment, promotion and transfer rules for teaching cadre staff of the Government Colleges of Technology, Polytechnic Institutes,

Government Technical Teachers College, Government Technical Institutes, etc. Copy of the Appendix is enclosed herewith.

- 6. That according to the seniority list, the name of the petitioner is at serial no. 7, whereas through impugned notification the department promoted the candidates up to serial no. 9, by dropping the appellant and thereby snatched the lawful rights to promotion from the appellant and that too without assigning any reason, which amount to the violation of law, rules and policy in vogue.

In view of the above made submissions, it is very humbly requested that on gracious acceptance of the instant departmental appeal / representation, the notification dated 16.04.2013 may very kindly be set aside / amended by including the name of the appellant for the purpose of promotion as Lecturer (Electrical) BPS-17 from the date of notification.

Your humble appellant,

(Hafiz Abdur Rahman)
Junior Instructors (Electrical) BPS-14,
Government Technical Vocational Centre,
Dera Ismail Khan.

Dated: 24.04.2013

Atm to
Mansoor
Mansoor
Advocate High Court
Dera Ismail Khan

Appeal No.1232/2013

**Hafiz Abdur Rehman, J/Instructor (Electrical),
Government Technical Vocational Centre..... APPELLANT.**

VERSUS

- 1) Government of Khyber Pakhtunkhwa through Chief Secretary,
Civil Secretariat, Peshawar.
- 2) Secretary Establishment & Administration Government of Khyber Pakhtunkhwa.
- 3) Secretary Finance Department Government of Khyber Pakhtunkhwa.
- 4) Government of Khyber Pakhtunkhwa through Secretary Industries, Technical
Education & Manpower Training Khyber Pakhtunkhwa, Peshawar.
- 5) The Director General, Technical Education and Manpower
Training Khyber Pakhtunkhwa, Peshawar.
- 6) Mr. Attaullah Khan, Presently, Lecturer (Electrical).
- 7) Mr. Fahad Amin,RESPONDENTS

PRELIMINARY OBJECTIONS:

- A- That the appeal is badly time barred.
- B- That the appellant has no cause of action.
- C- That the appellant has got no locus standi.
- D- That the appeal is incompetent in its present form.
- E- The appellant has not come to the court with clean hands.
- F- That the appeal is bad in its present form for non-joinder and mis-joinder of the necessary parties.

Reply on behalf of the Respondents No.1,2,3,4 and 5.

Respectfully Sheweth,

- 1) Pertains to record, have no comments.
- 2) Pertains to record.
- 3) Pertains to record.
- 4) It is correct with further clarification that promotion cases of all categories were processed under the Law / Rules. However, due to decision of some cases in various courts, amendment in Service Rules have been carried out in consultation with Admn: Department and as such cases for promotion are being consider accordingly. If the appellant is fit according to seniority sum-fitness, then he will be considered for promotion subject to availability of post in the relevant technology.
- 5) It is correct but respondent No.6 & 7 was senior then him as per rules.
- 6) It is incorrect. The representation of the appellant was properly processed which was not found suitable for any action under the rules while the case for promotion of the respondent No.6, 7 had been processed accordingly.
- 7) Needs no comments.

GROUND

- a) Comprehensive reply at para-4 ibid.
- b) It is incorrect with further clarification that the notification order is lawful and is not discriminatory toward the rights of the appellant.
- c) It is incorrect with further clarification that Department has acted in accordance with Laws & Rules while disposing off the matter pertaining to the promotion in lieu of 40% quota reserved for the cadre of prescribed employees.
- d) As explained in above paras.
- e) Needs no comments.
- f) Needs no comments.

In view of the above, it is requested that the instant appeal may be dismissed with cost as the same is not based on sound legal grounds and lawful facts.

So

Adh

RESPONDENT NO.1
Government of Khyber Pakhtunkhwa through
Chief Secretary, Peshawar.

Wahid

RESPONDENT NO.2)
Secretary Establishment & Administration
Government of Khyber Pakhtunkhwa.

Ullah

RESPONDENT NO.3)
Secretary Finance Department, Government of
Khyber Pakhtunkhwa

30 (11/11)

Alwan

RESPONDENT NO.4)
Secretary, Industries, Technical Education &
Manpower Training Khyber Pakhtunkhwa
Peshawar.

Adh

RESPONDENT NO.5)
Managing Director (KP, TEVTA) Technical
Education & Vocational Training Authority,
Khyber Pakhtunkhwa.

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR**

Appeal No.1232/2013

**Hafiz Abdur Rehman, J/Instructor (Electrical),
Government Technical Vocational Centre..... APPELLANT.**

VERSUS

**Government of Khyber Pakhtunkhwa through Chief Secretary,
Civil Secretariat, Peshawar. & Other.....RESPONDENTS**

AFFIDAVIT

I Muhammaed Rasool, Assistant Director Litigation Khyber Pakhtunkhwa, Technical & Vocational Training Authority Peshawar do hereby solemnly affirm and declare that contents of the accompanying reply are true to the best of my knowledge and belief.


DEPONENT

11101-3906115-7

Before The Service Tribunal, Khyber Pakhtunkhwa, Peshawar.

Service Appeal No:1232 /2013

Hafiz Abdur Rehman.

Versus

Govt; of KPK & Others.

(Appellant)

(Respondents)

Rejoinder to written statement filed by Respondents No. 1 to 5.

Respectfully, the appellant very humbly submits as under: -

On Preliminary Objections:-

Assertions made by the answering respondents from paras A to F are denied being incorrect, misconceived, against the law, without any substance to prove and an effort to colour the facts according to their own whims yet factually non-sustainable.

On Factual Objections:-

1. Needs no comments.
2. Needs no reply.
3. Needs no reply.
4. The answer furnished by the respondents to averments of the appellant as contained in corresponding para of main appeal is misleading thus is denied being incorrect in essence. The appellant is lingering on year after year to get his genuine grievance redressed but to no avail and the respondents are hushing the entire matter under lame technical excuses. The appellant relies on his submissions made in the corresponding para of appeal.
5. Though the issue is partly accepted by respondents rest part of para is misconceived thus denied. The appellant relies on his averments made in corresponding para of appeal.
6. Incorrect & Misconceived on part of answering respondents thus denied. The averment also militates against the settled law, rules as well judgment of the Tribunal.
7. Needs no comments / reply.

On Objections to Grounds:-

- A. Denied being factually and legally incorrect as submitted in para-4 above.
- B. Denied being factually and legally incorrect. The appellant also relies on his averments made in corresponding para of his appeal besides law on the subject.
- C. Denied being factually and legally incorrect. Besides, the appellant relies on his averments made in corresponding para of his appeal.
- D. Denied being factually and legally incorrect. Besides, the appellant relies on his averments made in corresponding para of his appeal.
- E. Needs no response.
- F. Needs no response.

PRAYER:

In view of the facts and grounds, as mentioned above as well as in the main appeal, it is requested to kindly direct the respondents to desist from discriminating the appellant besides granting the relief as sought / prayed through the main appeal. Grant of any other remedy deemed appropriate by the Hon'ble Tribunal in the circumstances of the matter is solicited, too.

Dated...30.8.2016.

Humbly,

H. Akbar Khan
Appellant,

Through Counsel.

Muhammad Ismail Alizai
(Muhammad Ismail Alizai)
Advocate High Court.

Affidavit.

I, Hafiz Abdur Rehman, the appellant, affirm and declare on oath that contents of this rejoinder are true & correct as per my knowledge & belief besides the records made available, and that nothing is willfully concealed or kept from the Tribunal.

Dated:30.8.16

Attested

Nauman Akbar Khan
Advocate
RO & AC
No. *Muhammad Khan*
Oath Commissioner

H. Akbar Khan
Deponent.

30/8/16

Before The Service Tribunal, Khyber Pakhtunkhwa, Peshawar.

Service Appeal No:1232 /2013

Hafiz Abdur Rehman.

(Appellant)

Versus

Govt; of KPK & Others.
.....

(Respondents)

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6. Incorrect & Misconceived on part of answering respondents thus denied. The averment also militates against the settled law, rules as well judgment of the Tribunal.
7. Needs no comments / reply.

On Objections to Grounds:-

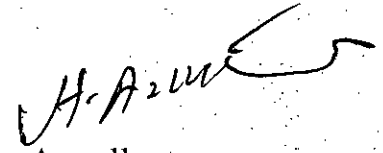
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- E. Needs no response.
- F. Needs no response.

PRAYER:

In view of the facts and grounds, as mentioned above as well as in the main appeal, it is requested to kindly direct the respondents to desist from discriminating the appellant besides granting the relief as sought / prayed through the main appeal. Grant of any other remedy deemed appropriate by the Hon'ble Tribunal in the circumstances of the matter is solicited, too.

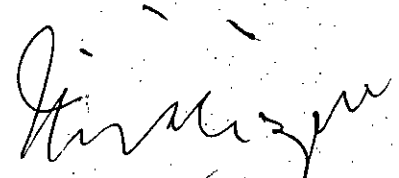
Dated...30.8.2016.

Humbly,



Appellant,

Through Counsel.



(Muhammad Ismail Alizai)
Advocate High Court.

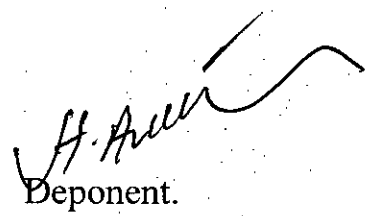
Affidavit.

I, Hafiz Abdur Rehman, the appellant, affirm and declare on oath that contents of this rejoinder are true & correct as per my knowledge & belief besides the records made available, and that nothing is willfully concealed or kept from the Tribunal.

Dated:30.8.16

Attested

Nauman Akbar Khan
Advocate
Oath Commissioner
RO & AC
No. [Signature]
D. Khan



Deponent.

30/8/16

On Objections to Grounds:-

- A. Denied being factually and legally incorrect as submitted in para-4 above.
- B. Denied being factually and legally incorrect. The appellant also relies on his averments made in corresponding para of his appeal besides law on the subject.
- C. Denied being factually and legally incorrect. Besides, the appellant relies on his averments made in corresponding para of his appeal.
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- E. Needs no response.
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PRAYER:

In view of the facts and grounds, as mentioned above as well as in the main appeal, it is requested to kindly direct the respondents to desist from discriminating the appellant besides granting the relief as sought / prayed through the main appeal. Grant of any other remedy deemed appropriate by the Hon'ble Tribunal in the circumstances of the matter is solicited, too.

Dated...30.8.2016.

Humbly,

H. A. [Signature]
Appellant,

Through Counsel.

[Signature]
(Muhammad Ismail Alizai)
Advocate High Court.

Affidavit.

I, Hafiz Abdur Rehman, the appellant, affirm and declare on oath that contents of this rejoinder are true & correct as per my knowledge & belief besides the records made available, and that nothing is willfully concealed or kept from the Tribunal.

Dated:30.8.16

Attested

Nauman Akbar Khan
Advocate
Oath Commissioner
No. [Signature]
RO & AC

H. A. [Signature]
Deponent.

30/8/16