

11.04.2021

Appellant present through counsel. Preliminary arguments heard. Record perused.

Points raised need consideration. Instant appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notice be issued to respondents for submission of written reply/comments. To come up for reply/comments on 15.06.2022 before S.B.


Rs 500/-  
A. H. H. H.  
18/4/22

  
(Rozina Rehman)  
Member (J)

15<sup>th</sup> June 2022

Appellant present in person. Mr. Kabirullah Khattak, Addl. AG alongwith Majid Ullah, Superintendent for the respondents present.

Respondents have not submitted written reply/comments. The learned AAG seeks time for submission of written reply/comments. Last chance is given. To come up for written reply/comments on 03.08.2022 before S.B.

  
(Kalim Arshad Khan)  
Chairman

The appeal of Farhat Begum, CT (BS-15), GGHS Chapper, District Dir Upper received today i.e. on 25.03.2022 is incomplete on the following score which is returned to the counsel for the appellatant for completion and resubmission within 15 days.

1. Checklist is not attached with the appeal.
2. Appeal has not been flagged/marked with annexure marks.
3. Annexures of the appeal may be attested.
4. Copy of impugned order against which appellatant made departmental appeal mentioned in the memo of the appeal is not attached with the appeal which may be placed on it.
5. Five more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 772 /S.T,

Dt. 29-3- /2022

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Taimur Ali Khan Adv. Pesh.

*Respected Sir,*

*1- Removed*


*2- Removed*

*3- Removed*

*4- copy of impugned order is not present with  
appeal.*

*5- Removed*

*Resubmitted after compliance*

  
*8/4/22*

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

Case Title: Farhat Begum vs EDU 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?	✓	
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 A.G/D.A.G?	✓	
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 cuttings/overwriting?	✓	
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: \_\_\_\_\_

Taimur Ali Khan

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



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

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

SERVICE APPEAL NO. 558 /2022

Farhat Begum

V/S

Education Department

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5.	Copy of order dated 30.11.2006	B	09-11
6.	Copy of writ petition	C	12-15
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9.	Copies of order dated 01.08.2016 and dated 25.07.2017	F&G	20-23
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APPELLANT

THROUGH:

  
TAIMUR ALI KHAN  
(ADVOCATE HIGH COURT)

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

SERVICE APPEAL NO. 558 /2022

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V/S


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APPELLANT

THROUGH:

  
TAIMUR ALI KHAN  
(ADVOCATE HIGH COURT)

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

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

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 162

Dated 25/3/2022

Farhat Begum, CT (BS-15),  
GGHS Chapper, Dir Upper.

(APPELLANT)

VERSUS

1. The Secretary Elementary & Secondary Education Khyber Pakhtunkhwa, Civil Secretariat Peshawar.
2. The Director, Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.
3. The District Education Officer, (Female) Dir Upper.

(RESPONDENTS)

Filed to-day

Registrar

25/3/2022

-----  
APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNALS ACT 1974, FOR ANTEDEDATION OF APPOINTMENT ORDER OF THE APPELLANT W.E.F 30.11.2006 BY THE MODIFYING HER APPOINTMENT ORDER DATED 28.07.2007 AND ALSO ANTEDATED HER PROMOTION TO THE POST CT (BPS-15) WITH EFFECT FROM 01.08.2016 BY MODIFYING HER PROMOTION ORDER DATED 08.01.2017 AND AGAINST NOT TAKING ACTION ON THE DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN WITHIN STATUTORY PERIOD 90 DAYS.

**PRAYER:**

THAT ON THE ACCEPTANCE OF THIS APPEAL, THE RESPONDENTS MAY KINDLY BE DIRECTED TO ANTEDATED THE APPOINTMENT ORDER OF THE APPELLANT W.E.F 30.11.2006 "THE DATE ON WHICH HER

BATCHMATES AND JUNIORS WERE APPOINTED" BY THE MODIFYING HER APPOINTMENT ORDER DATED 28.07.2007 AND ALSO ANTEDATED HER PROMOTION TO THE POST CT (BPS-15) WITH EFFECT FROM 01.08.2016 "THE DATE WHEN HER BATCHMATES AND JUNIOR WERE PROMOTED" BY MODIFYING HER PROMOTION ORDER DATED 08.01.2017. ANY OTHER REMEDY WHICH THIS AUGUST TRIBUNAL DEEMS FIT AND APPROPRIATE THAT MAY ALSO BE AWARDED IN FAVOUR OF APPELLANT.

**RESPECTFULLY SHEWETH:**

**FACTS:**

1. That the appellant is the permanent resident of village Chapper Tehsil Wari, District Dir Upper. The department advertised numerous post of various discipline in daily Mashriq on 04.06.2006 including 6 posts for Union Council Chapper. According to the Govt. policy 75% seats be filled in through Union Council wise while 25% on open merit, so 5 post should be go to Union Council and one post to open merit. The appellant being eligible applied for the post of PST (then PTC). **(Copy of advertisement is attached as Annexure-A)**
2. That after conducting test and interview, merit list was prepared and the appellant was placed at Sr.No.3 of the said list. The department issued the appointment order on 30.11.2006, wherein the appellant was ignored for no reason. **(Copy of order dated 30.11.2006 is attached as Annexure-B)**
3. That the appellant filed the writ petition No.04/2007 with the prayer to direct the competent authority to issue order of the appointment of the appellant since 30.11.2006 with all service benefits in the Honourable Peshawar High Peshawar. **(Copy of writ petition is attached as Annexure-C)**
4. That the said writ petition was heard by the Honourable Court on 10.07.2007 and during hearing of the case, the Executive District Officer (S&L) Dir upper stated at the bar that at present three posts of PST were laying vacant in the Union Council to which the appellant belong on which the Honourable Court allowed the case of the appellant and directed the Executive District Officer (S&L) Dir upper to appoint the appellant on one of the vacant posts. **(Copy of judgment dated 10.07.2007 is attached as Annexure-D)**

5. That in the pursuance of the decision dated 10.07.2007 of Honourable Peshawar High Court Peshawar in writ petition No.04/2007, the appellant was appointed on the post of PST with effect from 10.07.2007 instead of due date 30.11.2006 "the date on which her batchmates and juniors were appointed" vide order dated 28.07.2007. **(Copy of order dated 28.07.2007 is attached as Annexure-E)**
6. That the batchmates of the appellant namely Amrozia Bibi and Esmat Bahar were promoted to the post of CT on 01.08.2016, while the appellant was promoted to the post of CT on 25.07.2017 despite the fact that all of them were appointed on the basis of same advertisement and Esmat Bahar was low in merit order than the appellant in the initial appointment to the post of PST. **(Copies of order dated 01.08.2016 and dated 25.07.2017 are attached as Annexure-F&G)**
7. That due to not appointing the appellant along with her batchmates w.e.f 30.11.2006, her batchmates and juniors were promoted to the post of CT on 01.08.2016, while the appellant was promoted to the post of CT on 25.07.2017, therefore, the appellant filed departmental appeal on 30.11.2021 for antedation of her appointment w.e.f 30.11.2006 by modifying her appointment order dated 28.07.2007 and also for antedation of her promotion to the post CT (BPS-15) with effect from 01.08.2016 "the date when her batchmates and junior were promoted" by modifying her promotion order dated 01.08.2017, which was not responded within the statutory period of ninety days. **(Copy of departmental appeal is attached as Annexure-H)**
8. That the appellant has no other remedy except to file the instant service appeal in this Honourable Service Tribunal on the following grounds amongst others.

**GROUND:-**

- A) That not appointing the appellant with his batchmates w.e.f 30.11.2006 and not promoting her to the post of CT w.e.f 01.08.2016 with batchmates and juniors are against the law, rules, facts, norms of justice and material on record, therefore not tenable.
- B) That the appellant was at Sr. No. 03 of the merit order of PST, however, she was not appointment on 30.11.2006 along with her batchmates and juniors, against which she filed Writ petition No. 04/2007 in the Honourable High Court Peshawar. The said writ petition was heard by the Honourable Court on 10.07.2007 and during hearing of the case, the Executive District Officer (S&L) Dir upper stated at the bar that at present three posts of PST were laying vacant in the Union Council to which the appellant belong on which the Honourable Court allowed the case of the appellant and directed the



Executive District Officer (S&L) Dir upper to appoint the appellant on one of the vacant posts, which means that the appellant has been punished for no fault by not appointing him along with his batchmates w.e.f 30.11.2006.

- C) That the appellant has filed the writ petition No.04/2007 for appointment with effect from 30.11.2006 which was allowed, therefore, the appellant is entitle to be appointed with effect from 30.11.2006 instead of 10.07.2007.
- D) That due to not appointing the appellant with his batchmates and juniors on 30.11.2006, the appellant has been deprived from his legal right of promotion to the post of CT on 01.08.2016 as his junior namely Esmat Bahar was promoted to the post of CT on 01.08.2016, while the appellant was promoted to the post of CT on 25.07.2017, which is against the norms of justice and fair play.
- E) That the appellant has not been treated in accordance with law and rules and has been deprived from her legal right of appointment w.e.f 30.11.2006 along with her batchmates and promotion to the post of CT w.e.f 01.08.2016.
- F) That the appellant seeks permission of this Honourable Tribunal to advance others grounds and proofs at the time of hearing.

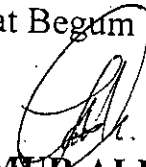
It is, therefore most humbly prayed that the appeal of the appellant may be accepted as prayed for.



**APPELLANT**

Farhat Begum

THROUGH:



**TAIMUR ALI KHAN**  
**(ADVOCATE HIGH COURT)**

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

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

Farhat Begum

V/S

Education Department

.....

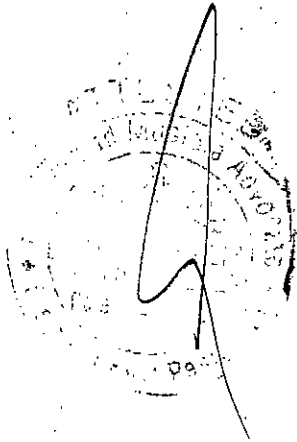
**AFFIDAVIT**

I, Farhat Begum, CT (BS-15), GGHS Chapper, Dir Upper, (Appellant) do hereby affirm and declare that the contents of this service appeal are true and correct and nothing has been concealed from this Honourable Tribunal.

*Phat*

**DEPONENT**

Frahat Begum  
(APPELLANT)



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

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

Farhat Begum

V/S

Education Department

.....  
**APPLICATION FOR CONDONATION OF DELAY IN THE**  
**INSTANT APPEAL**

**RESPECTFULLY SHEWETH:**

1. That the instant appeal is pending before this Honourable Tribunal in which no date is fixed so far.
2. That the appellant applied for the post of PST and after conducting test and interview by the respondent department, the appellant was at Sr.No.3, but was not appointed and the candidates low in merit were appointed on 30.11.2006 against which the appellant filed writ petition No.04/2007 with they prayer to direct the competent authority to issue appointment order of the appellant since 30.11.2006, which is allowed on 10.07.2007 and in the pursuance of that decision the appellant was appointed on the post of PST w.e.f 10.07.2007 instead of 30.11.2006 the date on which her batchmates and juniors were appointed.
3. That due not appointing the appellant from due date i.e 30.11.2006 the batchmates and juniors were promoted to the post of CT on 01.08.2016; while the appellant was promoted on 25.07.2017 and due late appointment and promotion, the appellant is getting less salary than his batchmates and juniors and her pension will be also effected in future and as monetary benefits is involve in the instant appeal and such like issues are recurring cause of action and no limitation run against such like issues and plethora are judgments of superior courts are present on this point.
4. That the august Supreme Court of Pakistan has held that decision on merit should be encouraged rather than knocking-out the litigants on

technicalities including limitation. Therefore, appeal needs to be decided on merit (PLD-2003(SC)-724).

5. That the the instant appeal may kindly be decide on merit as the appellant has good case to be decided on merit.

It is therefore most humbly prayed that on the basis of above submission, the instant appeal may be decided on merit by condoning the delay to meet the ends of justice.



APPELLANT

THROUGH:



(TAIMUR ALI KHAN)  
ADVOCATE PESHAWAR

**AFFIDAVIT**

It is affirmed and declared that the contents of application are true and correct to the best of my knowledge and belief and nothing has been concealed from this august Tribunal.



DEPONENT



اللہ ہی کے لئے ہیں مشرق و مغرب (قرآن حکیم)

# Daily MASHRIQ Peshawar

روزنامہ مشرق

پشاور کے بانی  
سید تاج میر شاہ

ABC CERTIFIED

پشاور اسلام آباد سوات خیبر پختونخوا

جلد 39 تاریخ 7 جمادی الاول 1427ھ 4 جون 22، 2006ء قیمت 10 روپے پوائے ای ایم ای اور ایم 300 شمارہ

الطبع والی جال ہے کہ وہ اپنے (DST) ٹیکسٹا سرور 1226786  
ساز سے سات بجے تک باخبر حالت اور کبھی خود اپنا پتہ  
خود کے صورت پر مبنی ہوتی تو اس کا پتہ لگایا جائے۔

پشاور کے بانی سید تاج میر شاہ کی پشاور کے بانی سید تاج میر شاہ کی  
پشاور کے بانی سید تاج میر شاہ کی پشاور کے بانی سید تاج میر شاہ کی

**پشاور کے بانی سید تاج میر شاہ کی**

(1) ایک ایک ہزار روپیہ قیمت کوٹہ میں پشاور کے بانی سید تاج میر شاہ کی پشاور کے بانی سید تاج میر شاہ کی

کوتہ میں پشاور کے بانی سید تاج میر شاہ کی پشاور کے بانی سید تاج میر شاہ کی

نمبر	پتہ	رقبہ	قیمت	تاریخ	تاریخ	تاریخ	تاریخ
1	کوٹہ میں پشاور کے بانی سید تاج میر شاہ کی	0.316	7570	11-01-06	11-01-06	11-01-06	11-01-06
2	کوٹہ میں پشاور کے بانی سید تاج میر شاہ کی	0.092	3090	11-01-06	11-01-06	11-01-06	11-01-06
3	کوٹہ میں پشاور کے بانی سید تاج میر شاہ کی	0.200	11250	11-01-06	11-01-06	11-01-06	11-01-06
4	کوٹہ میں پشاور کے بانی سید تاج میر شاہ کی	0.100	3250	11-01-06	11-01-06	11-01-06	11-01-06
5	کوٹہ میں پشاور کے بانی سید تاج میر شاہ کی	0.616	14170	11-01-06	11-01-06	11-01-06	11-01-06
6	کوٹہ میں پشاور کے بانی سید تاج میر شاہ کی	0.403	18910	11-01-06	11-01-06	11-01-06	11-01-06
7	کوٹہ میں پشاور کے بانی سید تاج میر شاہ کی	0.249	11520	11-01-06	11-01-06	11-01-06	11-01-06
8	کوٹہ میں پشاور کے بانی سید تاج میر شاہ کی	3.800	82250	11-01-06	11-01-06	11-01-06	11-01-06
9	کوٹہ میں پشاور کے بانی سید تاج میر شاہ کی	7.000	158750	11-01-06	11-01-06	11-01-06	11-01-06
10	کوٹہ میں پشاور کے بانی سید تاج میر شاہ کی	2.100	40250	11-01-06	11-01-06	11-01-06	11-01-06
11	کوٹہ میں پشاور کے بانی سید تاج میر شاہ کی	0.272	8690	11-01-06	11-01-06	11-01-06	11-01-06
12	کوٹہ میں پشاور کے بانی سید تاج میر شاہ کی	0.350	8250	11-01-06	11-01-06	11-01-06	11-01-06
13	کوٹہ میں پشاور کے بانی سید تاج میر شاہ کی	0.350	8250	11-01-06	11-01-06	11-01-06	11-01-06

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**درخواستیں منظر عام پر آئیں**

گورنمنٹ اور نجی شعبہ میں پشاور کے بانی سید تاج میر شاہ کی پشاور کے بانی سید تاج میر شاہ کی

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پشاور کے بانی سید تاج میر شاہ کی پشاور کے بانی سید تاج میر شاہ کی

B 9

**OFFICE OF THE DEPUTY DISTRICT OFFICER (FEMALE) WARI DIR UPPER.**

**ADJUSTMENT.**

Consequent upon her appointment by the Executive District Officer Schools & Literacy Dir Upper **ON UNION COUNCIL MERIT** vide Endst:No:4246-50/ F.No. 03/EDO/ S&L/ADO(P) dated 17-11-2006 on the following terms and conditions, She is further adjusted against vacant PST (PTC) **Female** post in the school noted against her name with immediate effect in the interest of public service.

S#	Name	Fathers Name	U/Council	BPS	School where posted	Remarks
01	Mst: Shabnam	Mohd Haleem	Chapper	07	GGPs Jelar No.2	A.V.P

**TERMS AND CONDITIONS.**

1. The appointee will be on probation for a period of one year in terms of Rule-15(1) of NWFP Civil Servants (Appointment, Promotion and transfer) Rules 1989.
2. The Certificates/Degrees of the appointee will be verified from the concerned institutions on the expenses of the teacher concerned. No pay etc is allowed before Verification of Certificates/degrees.
3. Her Service will be considered as regular but without pension and gratuity in terms of section-19 of NWFP Civil servants Act, 1973 as amended by NWFP Civil servants Act 2005.
4. She will contribute C.P fund @ 10% of the minimum of pay and 10% contribute will be made by the Government.
5. The appointees will provide Health and age Certificate from the concerned Medical Superintendent.
6. Her age should not be less than 18 years and above 35 years.
7. The appointee will be governed by such rules and regulations/polices as prescribed by the Government from time to time.
8. If the appointees fail to take over charge within in fifteen days after issuance of this order, their appointments may be deemed as automatically canceled.
9. Charge report should be submitted to all concerned.
10. No TA /DA is allowed.
11. The errors and omissions in merit etc if found at any stage can be rectified and the affectee will have no right to claim the order already issued.
12. The appointees will strictly abide the terms and conditions laid down therein.

DEPUTY DISTRICT OFFICER  
FEMALE WARI DIR UPPER

Endst :No: 547-51 / F.No.01/DDO(F)/Estt: Dated Wari the: 30/11 /2006.

Copy forwarded to the:-

1. Zilla Nazim Dir Upper
2. District Co-Ordination Officer Dir Upper.
3. Director schools & Literacy NWFP Peshawar.
4. Executive District Officer S&L Dir Upper.
5. District Accounts Officer Dir Upper.
6. Appointees concerned.

DEPUTY DISTRICT OFFICER  
FEMALE WARI DIR UPPER

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⑩

**OFFICE OF THE DEPUTY DISTRICT OFFICER (FEMALE) WARI DIR UPPER.**


**ADJUSTMENT.**

Consequent upon her appointment by the Executive District Officer Schools & Literacy Dir Upper As per court decision of Honourable Service Tribunal NWFP Peshawar vide Endst: No: 4281-84/ F.No. 03/EDO/ S&L/ADO(P) dated 17-11-2006 on the following terms and conditions. She is further adjusted against vacant PST (PTC) Female post in the school noted against her name with immediate effect in the interest of public service.

Sl. No.	Name	Fathers Name	U/Council	Sl. No.	School where posted	Remarks
01	Mst. Sami Hajar	Nisarullah	Chagpur	07	OGPS Ashwary	A.V.P

**TERMS AND CONDITIONS:**


1. The appointee will be on probation for a period of one year in terms of Rule-15(1) of NWFP Civil Servants (Appointment, Promotion and transfer) Rules 1989.
2. The Certificates/Degrees of the appointee will be verified from the concerned institutions on the expenses of the teacher concerned. No pay etc is allowed before Verification of Certificates/Degrees.
3. Her Service will be considered as regular but without pension and gratuity in terms of section-19 of NWFP Civil servants Act, 1973 as amended by NWFP Civil servants Act 2005.
4. She will contribute C.P.Fund @ 10% of the minimum of pay and 10% contribute will be made by the Government.
5. The appointees will provide Health and age Certificate from the concerned Medical Superintendent.
6. Her age should not be less than 18 years and above 35 years.
7. The appointee will be governed by such rules and regulations/policies as prescribed by the Government from time to time.
8. If the appointees fail to take over charge with in fifteen days after issuance of this order their appointments may be deemed as automatically canceled.
9. Charge report should be submitted to all concerned.
10. No TA/DA is allowed.
11. The errors and omissions in merit etc if found at any stage can be rectified and the appointee will have no right to claim the order already issued.
12. The appointees will strictly abide the terms and conditions laid down therein.

  
DEPUTY DISTRICT OFFICER  
FEMALE WARI DIR UPPER

Endst: No: 567-71 / F.No.01/DDO(F)/Estt: Dated Wari the: 30/11/2006.

Copy forwarded to the:-

1. Zilla Nazim Dir Upper
2. District Co-Ordination Officer Dir Upper.
3. Director schools & Literacy NWFP Peshawar.
4. Executive District Officer S&L Dir Upper.
5. District Accounts Officer Dir Upper.
6. Appointees concerned.

  
DEPUTY DISTRICT OFFICER  
FEMALE WARI DIR UPPER

**OFFICE OF THE DEPUTY DISTRICT OFFICER (FEMALE) WARI DIR UPPER**

**ADJUSTMENT**

Consequent upon their appointment by the Executive District Officer Schools & Literacy Dir Upper on Open Merit bases vide D.O. No. 4256-66/F.No. 07/PTM/S&L/DO(U) dated 17-11-2005 on the following terms and conditions they are (together) adjusted against vacant PST (PTC) Female posts in the schools noted against each name with immediate effect in the interest of public service.

Sr	Name	Officers Name	Ex-Gratia	HT/50	School where posted	Its grade
01	Mrs. Latifa	Mahd Raouan	Al-Bayram	07	GATES ZAKOS	A.V.P
02	Mrs. Amrooda Hassan	Uthi Nasser Kham	Changier	07	GATES Alotba	A.V.P
03	Mrs. Azzah Khalid	Ghulam Khalid	Ushayma	07	GATES Ushayma	A.V.P
04	Mrs. Sami Rishi	Jasim Kham	Dhahana	07	GATES Dhaifa Kham Kham	A.V.P
05	Mrs. Zahra Bibi	Abdour Rahman	Wadi	07	GATES Wadi	A.V.P
06	Mrs. Ayesha Gul	Mahd Nasser A	Mohay	07	GATES Khammar (Mehay)	A.V.P
07	Mrs. Sami Hassan Ibrahim Dahi	Yusef Mahdi	Wadi	07	GATES Wadi	A.V.P
08	Mrs. Ayesha Rashid	Sahar Mahdi	Wadi	07	GATES Wadi	A.V.P

**TERMS AND CONDITIONS**

- 01- The appointee will be on probation for a period of one year in terms of Rules 150 of NWFP Civil Servants (Appointment, Promotion and Transfer) Rules 1959.
- 02- The Certificate/Degree of the appointee will be verified from the concerned institutions on the expenses of the teacher concerned. No pay etc is allowed before verification of Certificate/Degree.
- 03- Their Service will be considered as regular but without pension and gratuity in terms of section 19 of NWFP Civil Servants Act, 1977 as amended by NWFP Civil Servants Act 2005.
- 04- They will contribute C.P. Fund @ 10% of the minimum of pay and 10% contribute will be made by the Government.
- 05- The appointees will provide Health and age Certificate from the concerned Medical Superintendent.
- 06- Their age should not be less than 18 years and above 35 years.
- 07- The appointee will be governed by such rules and regulations/policies as prescribed by the Government from time to time.
- 08- If the appointees fail to take over charge within fifteen days after issuance of this order, their appointments may be deemed as automatically cancelled.
- 09- Character report should be submitted in all concerned.
- 10- No TA/DA is allowed.
- 11- The wages and conditions in merit etc if found at any stage can be rectified and the officer will have no right to claim the same already issued.
- 12- The appointees will strictly abide by the terms and conditions laid down therein.

/s/ DEPUTY DISTRICT OFFICER  
FEMALE WARI DIR UPPER

Encl: No. 566-11 / F.No. 01/DO(F)EST: Dated Wari Dir: 30/11/2006  
Copy forwarded to the:-

1. Zilla Nazim Dir Upper
2. District Co-Ordination Officer Dir Upper.
3. Director Schools & Literacy NWFP Peshawar.
4. Executive District Officer S&L Dir Upper.
5. District Accounts Officer Dir Upper.
6. Appointees concerned.

/s/ DEPUTY DISTRICT OFFICER  
FEMALE WARI DIR UPPER



BEFORE THE PESHAWAR HIGH COURT, PESHAWAR



W.P.No. 4 of 2006

Farhat Begum D/o Abdullah

R/ Chapper, Tehsil Wari

District Dir Upper.

Petitioner

Versus

1. Executive District Officer  
(S&L), Dir Upper
  2. District Coordination Officer,  
Dir Upper
  3. Director, S&L, NWFP, Peshawar.
  4. Secretary, NWFP, Peshawar.
  5. Asmat Bahar D/O Niamatullah  
P.T.C. Teacher,  
Govt. Primary School Ashrai, Tehsil Wari  
District Dir Upper
  6. Khais Begum D/O Zar Muhammad  
PTC GGPS, Jelar No.1, Upper Dir
- Respondents

WRIT PETITION UNDER ARTICLE 199 OF  
THE CONSTITUTION OF THE ISLAMIC  
REPUBLIC OF PAKISTAN, 1973.

FILED TODAY

30

ATTESTED

EXAMINER

Peshawar High Court

(13)

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**Respectfully Sheweth,**

1. That petitioner is the permanent resident of village Chapper, Tehsil Wari, District Dir and has in her credit educational qualifications of Secondary School Certificate, Faculty of Arts and Primary Teaching Certificate, passed in Grade-B. (Copies as Annex: "A").
2. That respondent/ department advertised numerous posts of various disciplines in Daily Mashriq on 04.06.2006 including 6 posts for Union Council, Chapper. According to the Govt. policy 75% seats shall be filled in through council wise while 25% on open merit, so 5 posts shall go to Union Council and one post to open merit. (Copy as Annex: "B").
3. That to fill up the said posts according to the policy, two ladies were transferred to the schools situated at Union Council, Chapper. Amina Bibi from Govt. Girls Primary School, Nasafa to GGPS, Chapper and Shamim Bibi from GGPS Daslor to GGPS Umraili Payan. This transfer was against the policy as they were belonging to other Union Councils.
4. That after conducting test and interview on 14.6.2006 and 20.6.2006, merit list was prepared and petitioner was placed at S.No.3 of the said list, securing 43.94 score, while Respondent No.5 and 6 was placed at S.No.7 and 14 of the list, securing 42.69 and 31.8 scores, in merit list. (Copy as Annex: "C").
5. That on 30.11.2006, Respondent No.1 issued orders of appointment of the teacheresses and petitioner was ignored for no reason. (Copies as Annex: "D").

B  
Ammar Ahmad  
30.11.2006

**ATTESTED**  
EXAMINER  
Gushawar High Court

6. That on 4.12.2006, petitioner submitted representation before Respondent No.2 which was marked to Respondent No.1 for favourable consideration and Assistant District Officer (S&L) primary for enquiry and report but in vain. (Copy is Annex: "E").

7. That having no other efficacious remedy for relief, petitioner invokes the extraordinary constitutional jurisdiction of this hon'ble court, inter alia, on the following grounds;

**GRUNDS:-**

- a. That not only petitioner has the requisite educational qualifications for appointment to the post of PTC/ PST but has also qualified the merit and has scored more marks than others but she was ignored, being poor lady, on account of political interference.
- b. That Respondent No.6 who was disabled and was selected but was adjusted in the said Union Council and defeated one seat of the said Union Council.
- c. That the impugned orders are not in accordance with merit policy of the Govt. and vested rights of the petitioner were infringed by violating law, rules and principles of natural justice.
- d. That on one hand, the Govt. is stressing upon the Union Council-wise appointments but on the other hand, two transfer orders have been issued. Had the said two transfer orders from other union councils not made during filling up of the said posts in the said Union Council, petitioner should have not been ignored.

**ATTESTED**  
EXAMINER  
Peshawar High Court

Director of Education  
Peshawar

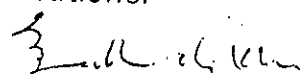
- e. That appointments on the basis of the union councils negates section 10 of the Civil Servant Act, 1973.
- f. That the impugned orders are based on malafide and political victimization, so are liable to reversal.

It is, therefore, very humbly prayed that on acceptance of this Writ Petition, this hon'ble court, in exercise of the extraordinary constitutional jurisdiction, may graciously be pleased to:-

- a. Declare order dated 30.11.2006 of Respondent No.1 to be illegal, improper, unjust, arbitrary, discriminatory, malafide, without lawful authority and of no legal effect.
- b. Direct the competent authority, Respondent No.1 to issue order of appointment of petitioner since 30.11.2006 with all service benefits, and / or
- c. Any other writ, direction, orders deemed proper and not specifically asked for, may also be granted/ given.

**INTERIM RELIEF:**

By keeping in view the aforesaid facts and circumstances of the case, the operation of the impugned orders dated 30.11.2006 be suspended or petitioner be appointed as PTC teacher provisionally till the decision of the case.

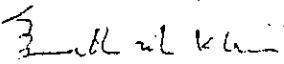
Petitioner  
 through   
 Saadullah Khan Marwat  
 Advocate,

**LAW BOOKS:**

- 1. Constitution of the Islamic Republic of Pakistan, 1973.
- 2. Law books as per need.

**CERTIFICATE:**

Certified that no such writ petition has been filed earlier on the subject matter in this honourable court.

  
 ADVOCATE

**ATTESTED**  
  
**EXAMINER**  
 Peshawar High Court

① 16

**PESHAWAR HIGH COURT PESHAWAR.**

**ORDER SHEET**

Serial No. of Order or Proceedings	Date of Order or Proceedings	Order or other Proceedings with Signature of Judge or that of parties or counsel where necessary
1	2	3
	10-7-2007	<p><b><u>W.P.No.4/2007.</u></b></p> <p>Present: Mr.Saadullah Khan Marwat, Advocate for the petitioner.</p> <p>Pir Liaqat Ali Shah, Advocate- General for respondents 1 to 4 alongwith D.E.O.</p> <p style="text-align: center;">—————</p> <p><b><u>DOST MUHAMMAD KHAN, J:-</u></b> Petitioner Farhat Begum a resident of Union Council Chapper, Tehsil Wari, District Dir Upper with academic qualifications i.e Secondary School Certificate, Faculty of Arts and Primary Teaching Certificate applied for the post of PST advertised vide public notice appeared in daily "Mashriq" Peshawar dated 4-6-2006. According to her, in the merit list she was at Sr.No.3 but she was not appointed and other teachers were brought to the Union Council on transfer basis thus, her right was infringed in a manner not authorized by law.</p> <p>2. The plea of respondent No.1 is that as per government policy that female teachers should not be transferred to far flung area but preferably be given jobs to them in their own Union Council thus, questioned transfers were</p>

ATTESTED

EXAMINER  
Peshawar High Court

made to the Union Council under consideration and when he was confronted with the legal proposition that once posts are advertised then, the vacancy should be clearly mentioned which has not been done in the instant case hence, leaving room for ulterior consideration and foul play, the learned Advocate-General came to his rescue and stated that the transfer order of the other teachers to the Union Council in question were made prior to the advertisement which was disputed by the learned counsel for the petitioner.

3. At the last leg of the submission, respondent No.1, stated at the bar that at present three posts of PST are lying vacant in the Union Council to which the petitioner belongs and she could be accommodated on one of the post, so that to curtail the life of litigation and to redress the grievance of the petitioner and that the already posted teachers who were having low merits are not disturbed as that action would give birth to another litigation.

4. To the last submission/concession made at the bar, the learned counsel for the petitioner agreed and it was also endorsed by the learned Advocate-General.

ATTESTED  
EXAMINER  
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5. This petition is admitted and is accordingly allowed. Respondent No.1 is directed to appoint the petitioner on one of the vacant posts and the rest of the vacant posts be advertised for other eligible candidates.

6. Before parting with this judgment, we would like to direct the Secretary Education Government of NWFP (School and Literacy) as well as the Secretary Higher Education, Government of NWFP to issue a Circular letter to all the E.D.Os (School and Literacy) of all the Districts of the Province that in future if vacant posts are advertised then, its full description alongwith the number of vacant posts be clearly mentioned so that there remains no ambiguity/vacuum on the part of the Authority concerned. Copy of this order be also sent to the Chief Secretary, Government of NWFP, besides the two Secretaries for necessary action.

ed/Dr. M. Iqbal Khan  
ed/Raj M. Khan

CERTIFIED TO BE TRUE COPY

Examiner  
Peshawar High Court Peshawar  
Authorized Under Section 75 Acts Ord.

Issue  
13/7  
17/7/07

532

~~No. of Pages~~

~~Date of Presentation of Application~~ 17/7/07

~~No. of Pages~~ 2

~~Copying Fee~~ 100/-

~~Urgent Fee~~ 100/-

~~Total~~ 200/-

~~Date of Preparation Copy~~ 17/7/07

~~Date of Delivery of Copy~~ 17/7/07

~~Received by~~

**OFFICE ORDER.**

Consequent upon the decision of the Honourable Peshawar High Court Peshawar, dated 10.07.2007, in Writ Petition No.4/2007 Farhat Begum versus EDO Schools & Literacy Dir upper and others, Mst: Farhat Begum Daughter of Abdullah Resident of Chappar is hereby appointed as PST teacher in BPS-07 plus usual allowances as admissible to her under the rules on regular basis but without **PENSION** and **GRATUITY** in terms of Section -19 of the Civil servants Act 1973 as amended vide NWFP Civil Servants (Amendment) Act 2005 bearing No.SOR-6(E&AD)13-1/2005 dated 10.08.2005 and adjusted at GGPS Jelar No.1 against vacant post with effect from 10.07.2007 subject to the following terms and conditions in the interest of public service:-

**TERMS AND CONDITIONS.**

- 01- The appointment is made subject to the maturity of decision and legal opinion of Advocate General NWFP.
- 02- The appointee will be on probation for a period of one year in terms of Rule-15(1) of NWFP Civil Servants (Appointment, Promotion and Transfer) Rules 1989.
- 03- The Certificates /Degrees of the appointee will be verified from the concerned institutions. No pay etc is allowed before verification of certificates/degrees.
- 04- The Deputy District Officer Male/Male/Drawing & Disbursing officer concerned will verify their academic, professional and domicile certificates from the institutions concerned. No pay etc is allowed before the verification of certificates otherwise the DDO concerned will be personally held responsible for any consequences.
- 05- Her Services will be considered as regular but without pension and gratuity in terms of Section -19 of NWFP Civil Servants Act, 1973 as amended by NWFP Civil Servants Act 2005.
- 06- She will contribute C.P Fund @ 10 % of the minimum of pay and 10 % contribute will be made by the Government.
- 07- The appointee will provide Health and age certificate from the concerned Medical Superintendent.
- 08- Her age should not be less than 18 years and above 35 years.
- 09- The appointees will be governed by such rules and regulations /polices as prescribed by the Government from time to time.
- 10- If the appointee fail to take over charge with in fifteen days after issuance of this order, their appointments may be deemed as automatically canceled.
- 11- Charge report should be submitted to all concerned.
- 12- No TA /DA is allowed.
- 13- The errors and omissions in merit etc if found at any stage can be rectified and the affectee will have no right to claim the order already issued.
- 14- The appointees will strictly abide the terms and conditions laid down therein.

(HAJI ABDUR RAHMAN)  
EXECUTIVE DISTRICT OFFICER,  
SCHOOLS & LITERACY DIR UPPER.

No 13149-57 /F-Fathat/EDO/S&L/ADO(P) Dated 28 /07/2007..

Copy forwarded to the .:

1. Registrar, Peshawar High Court Peshawar.
2. Zilla Nazim Dir Upper.
3. District Coordination Officer Dir Upper.
4. P.S to Secretary School & Literacy Department NWFP Peshawar.
5. Director Schools & Literacy NWFP Peshawar.
6. Deputy District Officer (Female) Wari.
7. District Accounts Officer Dir Upper.
8. Deputy District Officer (MALE) Dir & Wari.
9. Appointee concerned.

  
EXECUTIVE DISTRICT OFFICER,  
SCHOOLS & LITERACY DIR UPPER.



F 20

**OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) DISTRICT DIR UPPER**

**OFFICE ORDER**

Consequent upon the recommendation of Departmental Promotion Committee and pursuant to the Govt. Khyber Pakhtunkhwa Elementary & Secondary Education Department Notification SO(B&A)-18/E&SE/2012 Dated: 16/07/2012 AND Finance Department No (FR)/FD/10-22/2010 Dated: 16/07/2012. The following PSHT/SPST/PSTs are hereby promoted to CT BPS:15(Rs-13510-1124-110) plus usual allowances and admissible under the Rules on regular basis under the existing policy of Government Khyber Pakhtunkhwa and they are further adjusted in the schools noted against each name subject to the following terms and conditions with immediate effect in the interest of public service.

Seniority No	Name & Designation	Present school	School where adjusted	Remarks
17	Naseem Bahar, PSHT ✓	GGPS Abakand No:1	GGHSS Dir	Against newly created post
36	Jamila, PSHT ✓	GGPS Pashita	GGMS Pashita	-do-
37	Sabiha Bano, SPST ✓	GGPS Janbhatti	GGHS Janbhatti ✓	-do-
42	Rukhsana Begum, PSHT ✓	GGPS Amloknar	GGMS Amloknar	A.V.P
75	Fozia Jabeen, PSHT ✓	GGPS Kalsho	GGMS Chukiatan	A.V.P
77	Sarhad Faiz, PSHT ✓	GGPS Lakaro Chinarano	GGHSS Dir	Against newly created post
119	Dilhasiat, SPST ✓	GGPS Khan Shaheed	GGMS Kass Dir	A.V. Post
123	Jehan Wala, PSHT ✓	GGPS Gullbagh	GGHS Wari	Against newly created post
169	Shawkat Ara, SPST ✓	GGPS Kotkey	GGMS Chukiatan	A.V. Post
176	Bibi Maryam, PSHT ✓	GGPS Mattan	GGMS Darora	A.V. Post
187	Taslim Yarmullah, PSHT ✓	GGPS Tikerkot	GGMS Sundrawal	A.V. Post
192	Razia Bibi, SPST ✓	GGPS Wari(P)	GGHS Wari(P)	A.V. Post
206	Majida, PSHT ✓	GGPS Badalali(B)	GGMS Daskore(P)	A.V. Post
217	Shaheen, SPST ✓	GGPS Junkass	GGMS Barikot	A.V. Post
240	Mumilkat, SPST ✓	GGPS Panakot No:1	GGHSS Dir	Against newly created post
265	Jawhar Bibi, SPST ✓	GGPS Nawoo	GGMS Kass Dir	-do-
269	Romina Begum, SPST ✓	GGMS Usheral	GGHS Samkoot	-do-
300	Fazilat, SPST ✓	GGPS Kandaro Nehag	GGMS Sundal	-do-
302	Irum Naz, PSHT ✓	GGPS Nasirabad	GGHS Akhgram	A.V. Post
308	Nabla, PST ✓	GGHS Akhgram	GGHS Akhgram	A.V. Post
312	Shazia Attayallah, PSHT ✓	GGPS Kornira	GGHS Akhgram	-do-
313	Rukhsana Bibi, SPST ✓	GGPS Daskore(B)	GGMS Daskore(B)	A. V. Post
325	Haseena Irfan, PST ✓	GGPS Dir No:1	GGHS Panakot	Against newly created post
358	Jamila Akber, PSHT ✓	GGPS M:Arif Kalay	GGHS Sheringal	-do-
366	Amia Bibi, PSHT ✓	GGPS Zakoo	GGMS Shinkari	A.V. Post
367	Zuhra Bibi, PSHT ✓	GGPS Shahikot	GGHS Janbhatti ✓	A.V. Post
378	Yasmin Zia, SPST ✓	GGPS Miara Khwar	GGMS Kass Dir	A.V. Post
389	Nabowal Bibi, SPST ✓	GGPS Moha	GGHS Gogyal	A.V. Post
397	Asmat Bahar, PSHT ✓	GGPS Shakana	GGMS Chapper	-do-
398	Rugia Bibi, SPST ✓	GGPS Milanadoag	GGMS Doag(P)	-do-
399	Anisa, SPST ✓	GGPS Surlat No:1	GGHS Sundrawal	-do-
400	Shaheen Begum, SPST ✓	GGPS Darora No:1	GGMS Darora	-do-
403	Bacha Iqbal, SPST ✓	GGPS Panakot No:02	GGMS Qulandi	-do-
408	Khudija Bibi, SPST ✓	GGPS Rehankot	GGMS Qulandi	-do-

10	Ruqia Bibi, PST	GGPS Janbhatti ✓	GGMS Janbhatti	-do-
12	Falak Naz, PST	GGPS Panakot No:01	GGMS <i>Dehli</i>	-do-
14	Nehayat Bibi, PST	GGPS Nawoo	GGMS Chuktalan	-do-
15	Naheed, PST	GGPS Gandigar(B)	GGHS Gandigar	-do-
11	Seema Gulfaraz, SPST ✓	GGPS Mian banda	GGMS Bibyawar	-do-
17	Bibi Maryam, SPST ✓	GGPS Manal sar	GGMS Ganori	-do-
15	Salma Begum, SPST ✓	GGPS Dir No:1	GGHS Dir	-do-
17	Amroza, PST	GGPS Chapper	GGMS Chapper	-do-
13	Tahira Naz, PST	GGPS Tarpatar	GGMS Tarpatar	-do-

**TERMS AND CONDITIONS**

- They will be on probation for a period of one year extendable for another one year.
- They will governed by such Rules and Regulation as may be issued from the Govt; time to time.
- Their service can be terminated at any time in case of her performance is found satisfactory during the probation period. In case of mis-conduct they will be processed under the prescribed Rules.
- Charge reports should be submitted to all concerned.
- Their enter seniority on lower post will remain intact.
- No TA/DA is allowed.
- They will give an undertaking to the effect that any over payment is made to them in the light of this order will be recovered, if they will wrongly promoted and they will be reversed to the previous post.

(BIBI HALEEMA)  
 DISTRICT EDUCATION OFFICER  
 (FEMALE) DISTRICT DIR UPPER.

Dist No: 1796-1847 / F. promotion/CT(F)/ADQ(S)/Dated Dir Upper the: 1/8 /2016.

Copy forwarded to the:

- 01- Director Elementary & Secondary Education Khyber Pakhtunkhwa-Peshawar.
- 02- District Accounts Officer Dir Upper.
- 03- SDEOs (Female) Dir/ Wari for information & necessary action.
- 04- Head Mistresses concerned.
- 05- Accountant (Female) Middle school local office.
- 06- Focal Person, EMIS local office.
- 07- Mistresses concerned.

*[Signature]*  
 DISTRICT EDUCATION OFFICER  
 (FEMALE) DISTRICT DIR UPPER.  
 1/8/16

53

**OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) DISTRICT DIR UPPER.**

**OFFICE ORDER.**

Consequent upon on the recommendation of Departmental Promotion committee and in pursuance of the Govt: of Khyber Pakhtunkhwa Elementary & Secondary Education Department Notification No:SO(PE)4-S/SSRC/Meting/2012/Teaching cadre Dated:13/11/2012 amended vide No: SO(PE)/SSRC/Meting/2013 teaching Dated:13/11/2012 in Rule(2)of Rules (3) of KPK Civil servants (appointment/transfer, 1989).The following PSHT/SPST/PSTs are hereby promoted to the post of CT BPS:15( Rs:-16120-1330-56020)Plus usual allowances as admissible under the rules on regular basis under the existing policy of Government Khyber Pakhtunkhwa and they are further adjusted in the schools noted against each names subject to the following terms and conditions with immediate effect in the interest of public service.

#	S/L No	Name of Teacher	Fathers Name	Present school	School where adjusted	CNIC No	Remarks
1-	67	Azra Jabeen	Abdul Ail Jan	GGPS Chukyatan No.1	GGHS Panakot	15701-7165609-6	A.V.P.
2-	79	Khalida Gran	Gran Sald	GGPS Shandal Bagh	GGMS Qulandi	15701-2398578-0	A.V.P
3-	169	Rafida Bibi	Fazal wadood	GGPS Bandal Nehag	GGHS Sundal	15702-9182653-0	A.V.P.
4-	178	Shafaat Bibi	Sher Bahadar Khan	GGPS Kakad	GGHS Wari(P)	15702-8608771-0	A.V.P.
5-	202	Nihayat Begum	Jehan zeb	GGPS Daskor Payeen	GGMS Daskore(B)	15702-2412128-4	A.V.P.
6-	205	Rahat Begum	Shah Wazir Khan	GGPS Gogyal	GGHS Gogyal	15702-2443391-0	A.V.P.
7-	214	Khalida Begum	Badshah zada	GGPS Kakad	GGMS Kakad	15702-2401828-2	A.V.P.
8-	221	Mahla Bibi	Inayat Khan	GGPS Daskor Payeen	GGMS Daskore(B)	15702-6204134-6	A.V.P.
9-	231	Yesmin Bibi	Taj Mohd;Khan	GGPS Duryal	GGMS Pashta	15702-6904791-2	A.V.P
10-	233	Samina Begum	Sultan Muhammad	GGPS Chumra	GGHSS Gandigar	15701-4189764-6	A.V.P.
11-	261	Farhat Mullah	Fazal Mullah	GGPS Shamoryar	GGMS Bilbyawar	15701-1149732-8	A.V.P
12-	280	Aisha Zeb	Jehan Zeb	GGPS Wari Bala	GGHS Wari(P)	15702-8818745-4	A.V.P.
13-	326	Ishrat Jabeen	Mian Gul Said	GGPS Seratal	GGHS Bilbyawar	15701-9678433-2	A.V.P.
14-	328	Norina Bibi	Gul akbar	GGPS Akhgram	GGHS Akhgram	15702-4690458-8	A.V.P.
15-	336	Sahila Bibi	Ashraf Khan	GGPS Bekaray	GGHSS Dir	15701-5902841-0	A.V.P.
16	344	Kalsoom Bibi	Abdul Qayoom	GGPS Wari (P)	GGHS Wari(B)	15702-2406788-6	A.V.P.
17	346	Nasreen Bibi	Salam wahid	GGPS Tangal	GGHS Wari(P)	15702-2403263-4	A.V.P.
18	349	Taslim Bibi	Khalirur Rahman	GGPS Gogyal	GGHS Sharningal	15702-6170686-8	A.V.P.
19	380	Lubna Begum	Mohammad Rahim	GGPS Akhgram	GGHS Akhgram	15702-6299720-6	A.V.P.
20	393	Musarat Jehan	Toti Mohammad	GGPS New Kakad	GGMS Kakad	15702-0640991-6	A.V.P.
21	408	Shafaat Bbi	Jehan zeb	GGPS Shalga	GGMS Shalga	15702-2933757-6	A.V.P
22	425	Shabana Anjum	Zegrawar Khan	GGPS Akhgram	GGHS Akhgram	15705-0850364-4	A.V.P.
23	427	Asla Khaliq	Ghulam Khaliq	GGPS Osoral	GGHS Wari(P)	15702-0331706-2	A.V.P
24	429	Farhat Begum	Abdullah	GGPS Chopper	GGMS Chopper	15702-5563827-0	A.V.P.
25	432	Zakia Bibi	Sher Zamin	GGPS Garawary	GGMS Shahikot	15704-9811434-8	A.V.P.
26	434	Sabila Bibi	Sayed Fazal Ghafoor	GGPS Ganori	GGHS Ganori	15701-9320480-2	A.V.P.
27	450	Hajira	Sayed Ali	GGPS M.Aarif Kaly	GGMS Doag(P)	15000-1825327-4	A.V.P
28	452	Nazla	Bakht Zamin	GGPS Shalga	GGMS Shalga	17201-0903715-4	A.V.P.
29	453	Mehnaz	Bakht zamin	GGPS Shalga	GGMS Shalga	17201-0913310-4	A.V.P.
30	454	Alia Bibi	Chaman Khan	GGPS Ashary	GGHS Wari (P)	15702-7113434-4	A.V.P.
31	461	Mehnaz Begum	Shah Jehan Khan	GGPS Alawari	GGHS Akhgram	15702-6053625-4	A.V.P.
32	465	Farzana Bibi	Ashbar Khan	GGCMS Mula Paw	GGHS Wari(P)	15702-5798531-4	A.V.P.
33	466	Napina Anjum	Bakht Zamin	GGPS Mani Wari	GGHS Wari(P)	15702-5250645-2	A.V.P
34	468	Shabnam Bibi	Muhammad Arif	GGPS Daid ibi B	GGMS Badalai	15702-8115354-4	A.V.P.
35	473	Minhas Bibi	Mohd;zahir Shah	GGPS Jelar No 1	GGMS Jelar	15702-1655126-4	A.V.P
36	475	Niaz Begum	Muhib Gul	GGPS Sundal	GGHS Sundal	15702-6564782-0	A.V.P.
37	481	Sajida Akber	Akber Sald Khan	GGPS Klot	GGHSS Sharningal	15701-1148633-2	A.V.P.
38	489	Samina Bibi	Shafullah	GGPS Jaber	GGHS Jabar	15701-7420482-2	A.V.P
39	510	Shagufra Naz	Bakhtawar Khan	GGPS Chukyatan No:1	GGMS Kass Dir	15402-1386051-6	A.V.P.
40	544	Tahlra Naz	Rahmat Ghafoor	GGPS Unkar	GGMS Kass Dir	15701-7569377-4	A.V.P.

(23)

41	550	Gul Naz	Niaz bahadar	GGPS Markhano	GGMS Pashta	15701-1104609-6	A.V.P.
42	551	Salma Tabasum	Wazir Zada	GGPS Daskore (B)	GGHS Wari(P)	15702-9865127-8	A.V.P.
43	552	Fertishta Naz	Khair Mohammad	GGPS Panakot No.2	GGMS Kass Dir	15702-4783500-6	A.V.P.
44	559	Nilam Naz	Falak Naz	GGPS Moha	GGHS Wari(P)	15702-1887086-2	A.V.P.
45	566	Qasida Tabasum	Shahzada Jan	GGPS Jughabang	GGHS Kotkal	15702-6606770-2	A.V.P.
46	569	Sheema	Milan Asghar Ali Shah	GGPS Bibyawar	GGMS Bibyawar	15702-7262591-8	A.V.P.
47	597	Samina	Taj Muhammad	GGPS Katan Bala	GGMS Kattan(P)	15701-7262591-8	A.V.P.
48	618	Shaukat Ara	Hazrat Umar	GGPS Barawal	GGMS Tikar Kot	15704-7625002-4	A.V.P.
49	624	Nasira Bibi	Akhun Zada	GGPS Milana Daag	GGHS Sheringal	15701-6485550-2	A.V.P.

**TERMS AND CONDITIONS.**

- 1- They will be on probation for a period of one year extendable for another one year.
- 2- They will governed by such rules and regulation as may be issued from the Govt: time to time.
- 3- Their services can be terminated at any time, in case of his performance is found unsatisfactory during the probation period. In case of miss conduct they will be proceeded under the rules framed from time to time. In case of misconduct they will be proceeded under the framed rules
- 4- Charge reports should be submitted to all concerned.
- 5- Their enter seniority on lower post will remain intact.
- 6- No TA/DA is allowed.
- 7- They will give and undertaking to this effect that any overpayment is made to them in light of this order will be recovered if they will wrongly promoted and they will be reversed to the previous post.
- 8- They shall take over charge on their new stations after 31/07/2017.

DISTRICT EDUCATION OFFICER  
(FEMALE) DISTRICT DIR UPPER.

Endst No 22/90/67 /F:/CT/Apptt/In-service, PST, 2017/ Dated Dir Upper the: 25/7/2017.

Copy forwarded to the:-

- 01- Director E&SE Khyber Pakhtunkhwa Peshawar.
- 02- Deputy Commissioner Dir Upper.
- 03- District Nazim Dir Upper.
- 04- District Accounts Officer Dir Upper.
- 05- SDEOs (Female) Dir/ Wari.
- 06- Head Mistresses concerned.
- 07- Teachers concerned.

  
DISTRICT EDUCATION OFFICER  
(FEMALE) DISTRICT DIR UPPER.

FileCTApptt/Amln/steno

F (24)

To

The Director (Elementary & Secondary Education),  
Khyber Pakhtunkhwa, Peshawar.

**SUBJECT: DEPARTMENTAL APPEAL FOR ANTEDATION OF APPOINTMENT ORDER OF THE APPELLANT W.E.F 30.11.2006 BY THE MODIFYING HER APPOINTMENT ORDER DATED 28.07.2007 AND ALSO ANTEDATED HER PROMOTION TO THE POST CT (BPS-15) WITH EFFECT FROM 01.08.2016 BY MODIFYING HER PROMOTION ORDER DATED 08.01.2017**

Respected Sir,

1. That the appellant is the permanent resident of village Chapper Tehsil Wari, District Dir Upper. The department advertised numerous post of various discipline in daily Mashriq on 04.06.2006 including 6 posts for Union Council Chapper. According to the Govt. policy 75% seats be filled in through Union Council wise while 25% on open merit, so 5 post should be go to Union Council and one post to open merit. The appellant being eligible applied for the post of PST (then PTC).
2. That after conducting test and interview, merit list was prepared and the appellant was placed at Sr.No.3 of the said list. The department issued the appointment order on 30.11.2006, wherein the appellant was ignored for no reason.
3. That the appellant filed the writ petition No.04/2007 with the prayer to direct the competent authority to issue order of the appointment of the appellant since 30.11.2006 with all service benefits in the Honourable Peshawar High Peshawar.
4. That the said writ petition was heard by the Honourable Court on 10.07.2007 and during hearing of the case, the Executive District Officer (S&L) Dir upper stated at the bar that at present three posts of PST were laying vacant in the Union Council to which the appellant belong on which the Honourable Court allowed the case of the appellant and directed the Executive District Officer (S&L) Dir upper to appoint the appellant on one of the vacant posts.
5. That in the pursuance of the decision dated 10.07.2007 of Honourable Peshawar High Court Peshawar in writ petition No.04/2007, the appellant was appointed on the post of PST with effect from 10.07.2007 instead of due date 30.11.2006 "the date on which her batchmates and juniors were appointed" vide order dated 28.07.2007.

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6. That the batchmates of the appellant namely Amrozia Bibi and Esmat Bahar were promoted to the post of CT on 01.08.2016, while the appellant was promoted to the post of CT on 01.08.2017 despite the fact that all of them were appointed on the basis of same advertisement and Esmat Bahar was low in merit order than the appellant in the initial appointment to the post of PST.
7. That due to not appointing the appellant along with her batchmates w.e.f 30.11.2006, her batchmates and juniors were promoted to the post of CT on 01.08.2016, while the appellant was promoted to the post of CT on 01.08.2017, therefore, the appellant file this departmental appeal for antedation of her appointment w.e.f 30.11.2006 by modifying her appointment order dated 28.07.2007 and also for antedation of her promotion to the post CT (BPS-15) with effect from 01.08.2016 "the date when her batchmate and junior were promoted" by modifying her promotion order dated 01.08.2017 on the following grounds.

**GROUND:-**

- A) That not appointing the appellant with his batchmates w.e.f 30.11.2006 and not promoting her to the post of CT w.e.f 01.08.2016 with batchmate and junior are against the law, rules, facts, norms of justice and material on record, therefore not tenable.
- B) That the appellant was at Sr. No. 03 of the merit order of PST, however, she was not appointment 30.11.2006 along with her batchmates and juniors against which she filed Writ petition No. 04/2007 in the Honourable High Court Peshawar. The said writ petition was heard by the Honourable Court on 10.07.2007 and during hearing of the case, the Executive District Officer (S&L) Dir upper stated at the bar that at present three posts of PST were laying vacant in the Union Council to which the appellant belong on which the Honourable Court allowed the case of the appellant and directed the Executive District Officer (S&L) Dir upper to appoint the appellant on one of the vacant posts, which means that the appellant has been punished for no fault by not appointing him along with his batchmates w.e.f 30.11.2006.
- C) That the appellant has filed the writ petition No:04/2007 for appointment with effect from 30.11.2006 which was allowed, therefore, the appellant is entitle to be appointed with effect from 30.11.2006 instead of 10.07.2007.
- D) That due to not appointing the appellant with his batchmates and juniors on 30.11.2006, the appellant has been deprived from his legal right of promotion to the post of CT on 01.08.2016 as his junior namely Esmat Bahar was promoted to the post of CT on 01.08.2016,

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while the appellant was promoted to the post of CT on 01.08.2017, which is against the norms of justice and fair play.

- E) That the appellant has not been treated in accordance with law and rules and has been deprived from her legal right of appointment w.e.f 30.11.2006 along with her batchmates and promotion to the post of CT w.e.f 01.08.2016.

It is therefore, most humbly requested that on acceptance of this departmental appeal, the appointment of the appellant may kindly be antedated to 30.11.2006 by modifying her appointment order dated 28.07.2007 and also antedate her promotion to the post of CT to 01.08.2016 by modifying her promotion order dated 01.08.2017 by revising her seniority on the post of PST and CT.

Phat

Appellant

Date:

863  
20-11-2017

Farhat Begum CT (BPS-15)  
GGHS Chapper, Dir Upper

**VAKALAT NAMA**

NO. \_\_\_\_\_/2021

IN THE COURT OF KP Service Tribunal, Peshawar

Farhat Begum

(Appellant)  
(Petitioner)  
(Plaintiff)

VERSUS

Education Deptt

(Respondent)  
(Defendant)

I/We, Farhat Begum

Do hereby appoint and constitute Taimur Ali Khan, Advocate High Court 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 costs.

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. The Advocate/Counsel is also at liberty to leave my/our case at any stage of the proceedings, if his any fee left unpaid or is outstanding against me/us.

Dated \_\_\_\_\_/2021

Phat

(CLIENT)

ACCEPTED

TAIMUR ALI KHAN  
Advocate High Court  
BC-10-4240  
CNIC: 17101-7395544-5  
Cell No. 0333-9390916

**OFFICE:**

Room # FR-8, 4<sup>th</sup> Floor,  
Bilour Plaza, Peshawar,  
Cantt: Peshawar



**“B”**

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

No.

*SB*

Appeal No. *558* of 2022

*Farhat Begum* Appellant/Petitioner

Versus

*The Secy ESSE KPK Civil Secretariat Peshawar* Respondent

Respondent No. *(1)*

*26/4*

REGISTRAR  
 No. \_\_\_\_\_  
 Dated \_\_\_\_\_

Notice to: — *The Secy ESSE KPK Civil Secretariat Peshawar*

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on *15/04/2022* at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. ~~Copy of appeal has already been sent to you vide this office Notice No.....dated.....~~

Given under my hand and the seal of this Court, at Peshawar this *19th*

Day of *April* 2022.

*For Reply*

*[Signature]*  
 Registrar,  
 Khyber Pakhtunkhwa Service Tribunal,  
 Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.  
 2. Always quote Case No. While making any correspondence.

**"B"**

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

SB

No.

Appeal No. 353 of 2022

Farhat Begum

Appellant/Petitioner

Versus

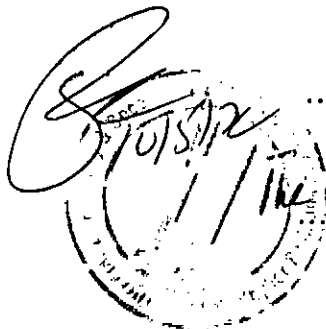
Secy E & SE KPK (Civil Secretariat Peshawar)

Respondent

(2)

Respondent No.

Notice to: The Director, E & SE KPK Peshawar



WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on.....15/06/2022.....at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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Copy of appeal is attached. ~~Copy of appeal has already been sent to you vide this office Notice No.....dated.....~~

19th

Given under my hand and the seal of this Court, at Peshawar this.....

Day of.....April.....2022

For Recd

Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.  
2. Always quote Case No. While making any correspondence.

**"B"**

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

No. *Regd*

*SB*

Appeal No. *558* of 20*22*

*Farhat Begum* Appellant/Petitioner

*The Secy ESSE KPK Civil Secretariat Peshawar* Respondent

Respondent No. *(3)*

Notice to: — *The DEO (Female) Dir Upper*

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on.....*15/06/2022*.....at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. ~~Copy of appeal has already been sent to you vide this office Notice No.....dated.....~~

Given under my hand and the seal of this Court, at Peshawar this.....*13/4*.....

Day of.....*April*.....20*22*

For *Regd*

*[Signature]*  
Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.  
2. Always quote Case No. While making any correspondence.

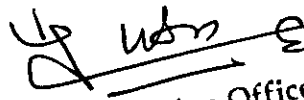
To

The Chairman Sb,  
Service Tribunal  
Peshawar.

Subject Authority Letter.

R/Six.

Mr. {Majeed Khan} <sup>Appelle</sup> Suptt. B-17 is hereby  
authorised to attend the Court on 15.6.2022  
in the case Service appeal No 558 Farhat Begum  
CT v/s Education Department.

  
District Education Officer 19/6  
Female Upper Dir  
