

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 156/2018

Date of Institution ... 15.01.2018
Date of Decision ... 23.06.2021

Mr. Munsif Khan S/o Zaman Khan Sher Kera, Peshawar.

... (Appellant)

VERSUS

Secretary Elementary & Secondary Education Khyber Pakhtunkhwa and two others.

... (Respondents)

MR. NOOR MUHAMMAD KHATTAK

Advocate

...

For Appellant

MR. ASIF MASOOD ALI SHAH

Deputy District Attorney

...

For Respondents

MR. SALAH-U-DIN

...

MEMBER (JUDICIAL)

MR. ATIQ UR REHMAN WAZIR

...

MEMBER (EXECUTIVE)

JUDGMENT

Mr. ATIQ UR REHMAN WAZIR MEMBER (E): - Brief facts of the case

are that the appellant was initially appointed as Arabic Teacher (AT) on 13-11-1999 and was promoted to the post of Senior Arabic Teacher on 08-08-2016. The departmental selection committee in its meeting held on 02-10-2017 made certain promotions, but ignored the appellant. Feeling aggrieved, the appellant filed departmental appeal 04-10-2017, which was not responded to, hence the instant service appeal with prayers that respondents may be directed to promote the appellant to the post of Secondary School Teacher (General) from due date with all back benefits.

02. Written reply/comments were submitted by respondents.

03. Arguments heard and record perused.

04. Learned counsel for the appellant contended that as per criteria envisaged in relevant service rules dated 24-07-2014, 4% quota is reserved for promotion from the post of senior Arabic teacher to that of Secondary School Teacher (General); that 14 posts of SST(G) were available for promotion, upon which the respondents have made promotions of nine teachers and left the remaining five posts vacant; that as per 4% allocation, one among fourteen posts was required to be allocated to the share of Senior Arabic Teacher but the respondents ignored the appellant in spite of the fact that the appellant having the requisite qualifications and seniority and was eligible in every respect for promotion to the next grade; that ignoring the appellant despite having vacancies and not taking action on the departmental appeal of the appellant is against law and rule and norms of justice; that cases of promotion cannot be dealt with in an arbitrary manner but in accordance with law. Reference was made on PLD 2013 SC 195. Learned counsel for the appellant added that the appellant has legal vested right to be considered for promotion from the date of availability of post in his quota. Reliance was made on 1997 SCMR 515; that inaction of the respondents not to consider the appellant for promotion is against the spirit of Section 9 of Civil Servant Act, 1973 and service rights duly protected under the Civil Servant laws. The learned counsel prayed that the respondents may be directed to consider the appellant for promotion to the post of SST (G) from due date with all back benefits.

05. Learned Deputy District Attorney appeared on behalf of respondents have contended that 20 posts of SST(G) were available which were further

divided amongst CT, PST and DM as per their share; that drawing master, Arabic teachers and theology teachers holding 4% quota each and Qari holding 3% quota were taken together and one post was allocated, upon which the senior most DM was promoted; that five posts as mentioned by the appellant are not lying vacant, but were allocated to science subjects and the appellant having no right to be promoted against the posts of science subjects; that departmental appeal of the appellant was not considered, as he has no right to be promoted against science subjects according to policy in vogue. Learned Deputy District Attorney prayed that the instant appeal being devoid of merit may be dismissed.

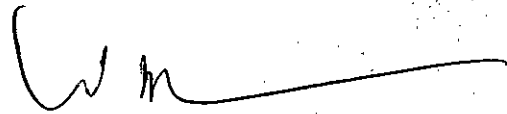
06. We have heard learned counsel for the parties and have perused the record. According to contention of the appellant, out of total sanctioned posts allocated for promotion to the post of SST (G), five posts were allocated by the departmental selection committee to science subjects without approval of any competent forum; that as per service rules issued vide notification dated 24-07-2014 by Elementary & Secondary Education Department, allocated percentage of posts for promotion from the posts of Drawing Master, Senior Arabic Teach and Theology Teacher is 4% each and 3% for the post of Qari, but the respondents have clubbed all such percentage, making it 15% together with allocation of only one post to all cadres, against which one Drawing Master was promoted, which is in violation of their own rules notified to this effect. The appellant had agitated his grievance before the appellate authority by way of filing departmental appeal, which was not decided, therefore, keeping in view the facts and circumstances of the matter in hand, it would be appropriate that the departmental appeal may be decided by the appellate authority in accordance with law/rules.

07. In light of the above discussion, it is directed that the appellate authority shall decide the appeal of the appellant within a period of one month of the receipt of copy of this judgment, failing which the appellant would be at liberty to seek his remedy as available to him under the law. The appeal in hand is disposed of accordingly. Parties are left to bear their own costs. File be consigned to record room.

ANNOUNCED
23.06.2021



(SALAH-U-DIN)
MEMBER (JUDICIAL)



(ATIQ UR REHMAN WAZIR)
MEMBER (EXECUTIVE)

23.06.2021

Mr. Noor Muhammad Khattak, Advocate for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

Vide our detailed judgment of today, separately placed on file, it is directed that the appellate authority shall decide the appeal of the appellant within a period of one month of the receipt of copy of this judgment, failing which the appellant would be at liberty to seek his remedy as available to him under the law. The appeal in hand is disposed of accordingly. Parties are left to bear their own costs. File be consigned to record room.

ANNOUNCED

23.06.2021



(SALAH-U-DIN)
MEMBER (JUDICIAL)




(ATIQ UR REHMAN WAZIR)
MEMBER (EXECUTIVE)


29.03.2021

Appellant alongwith counsel present.

Riaz Khan Paindakheil learned Assistant Advocate General alongwith Muhammad Haroon ADO for respondents present.

Former made a request for adjournment; Last chance is given with direction to provide Member Copy of the instant case on the next date of hearing. To come up for arguments on 21/06/2021 before D.B.



(Atiq ur Rehman Wazir)
Member (E)

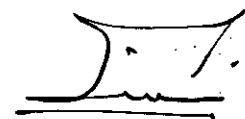

(Rozina Rehman)
Member (J)

21.06.2021

Appellant alongwith his counsel Mr. Noor Muhammad Khattak, Advocate, present who submitted fresh Vakalatnama on behalf of the appellant, which is placed on record. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

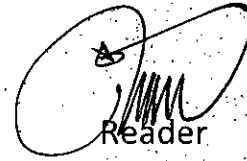
Partial argument heard. To come up for remaining arguments before the D.B on 23.06.2021.


(ATIQU-UR-REHMAN WAZIR)
MEMBER (EXECUTIVE)


(SALAH-UD-DIN)
MEMBER (JUDICIAL)

28.07.2020

Due to COVID19, the case is adjourned to 14.10.2020 for the same as before.



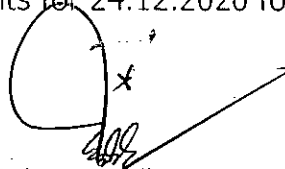
Reader

14.10.2020

Nemo for parties.

Mr. Kabir Ullah Khattak learned Additional Advocate General present.

Preceding two dates were adjourned on a Reader's note, therefore notice be issued to appellant/counsel and respondents for 24.12.2020 for arguments, before D.B.



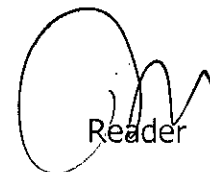
(Mian Muhammad)
Member (E)



(Rozina Rehman)
Member (J)

24.12.2020


Due to summer vacation, case is adjourned to 29.03.2021 for the same as before.




Reader

16-12-2019

Appellant in person present. Mr. Riaz Paindakheil learned Assistant Advocate General present. Appellant submitted application for adjournment. Application allowed. Adjourn. To come up for arguments on 20.02.2020 before D.B.



Member


Member

20-02-2020

Junior to counsel for the appellant present. Mr. Zia Ullah learned Deputy District Attorney present. Junior to counsel for the appellant seeks adjournment as senior counsel is not available. Adjourned. To come up for arguments on 21.04.2020 before D.B.


Member


Member

Due to Covid-19, the case is adjourned. To come up for the same on - 28/07/2020


Reader

14.02.2019

Appellant in person and Addl. AG alongwith Daud Jan, Superintendent for the respondents present.

Due to general strike on the call of Khyber Pakhtunkhwa Bar Council, instant matter is adjourned to 03.05.2019 before the D.B.


Member


Chairman

03.05.2019

Learned counsel for the appellant and Mr. Muhammad Jan learned Deputy District Attorney alongwith Mr. Daud Jan, Superintendent for the respondent present. Learned counsel for the appellant submitted rejoinder and seeks adjournment. Adjourn. To come up for arguments on 18.07.2019 before D.B.



Member


Member

18.07.2019

Learned counsel for the appellant present. Mr. Riaz Khan Paindakhel learned Assistant Advocate General for the respondents present. Learned counsel for the appellant requested for adjournment. Adjourned. To come up for arguments on 08.10.2019 before D.B.


(Hussain Shah)
Member


(M. Amin Khan Kundi)
Member

8-10-19

Due to tour of Honble Member
to Camp Court said the case
is adjourned to 16-12-19


Reader

03.09.2018 Counsel for the appellant and Mr. Kabirullah Khattak, Additional Advocate General, for the respondents present. Written reply not submitted. Learned Additional AG, Requested for adjournment. Adjourned. To come up for written reply/comments on 31.10.2018 before G.B.

MA
(Muhammad Amin Kundi)
Member

31-10-18

*Due to Retirement of Honorable
Chairman the Tribunal is non-functional
therefore the case is adjourned to come up
for the same on 17-12-2018*

Rejoinder

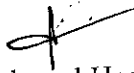
17.12.2018

Junior to counsel for the appellant and Mr. Kabirullah Khattak learned AAG alongwith Mr. Daud Jan Superintendent present. Representative of the respondents submitted written reply/comments on behalf of respondents No.2 & 3. Learned AAG stated that respondent No.1 relies upon the reply of the respondents No.2 & 3. Adjourn. To come up for rejoinder if any and arguments on 14.02.2019 before D.B-1

D.B-1
Member

12.04.2018

Counsel for the appellant present and seeks adjournment.
Adjourned. To come up for preliminary hearing on 04.05.2018
before S.B.


(Ahmad Hassan)
Member

04.05.2018

The Tribunal is non-functional due to retirement of our
Hon'ble Chairman. Therefore, the case is adjourned. To
come up for same on 29.06.2018.


Reader

29.06.2018

Learned counsel for the appellant present.
Preliminary arguments heard.

Through the present service appeal, the appellant (Senior
Arabic Teacher) seeks his appointment as Secondary School
Teacher on the strength of four per cent quota from amongst
the Senior Arabic Teachers.

Points raised need consideration. The present 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 notices be issued to the
respondents for written reply/comments. To come up for
written reply/comments on 24.07.2018 before S.B

Appellant Deposited
Security & Process Fee


Member





24.07.2018

Learned counsel for the appellant and Mr. Muhammad Jan
learned Deputy District Attorney present. Written reply not submitted.
Mr. Hamed Ur Rehman AD representative of the respondent
department absent. He be summoned with the direction to furnish
reply/Para wise comments on the next date fixed as 03.08.2018 before
S.B

Form-A
FORM OF ORDERSHEET

Court of _____

Case No. 156/2018


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	01/02/2018	<p>The appeal of Mr. Munsif Khan resubmitted today by Mr. Muhammad Asif Yousafzai Advocate may be entered in the Institution Register and put up to Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	07/02/18	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>19/02/18</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
	19.02.2018	<p>Junior counsel for the appellant present and seeks adjournment. Adjourned. To come up for preliminary hearing on 21.03.2018 before S.B.</p> <p style="text-align: right;"> (Gul Zeb Khan) Member</p>
21.03	2018	<p>Appellant absent. Learned counsel for the absent. Adjourn. To come up for preliminary hearing on 12.04.2018 before S.B</p> <p style="text-align: right;"> Member</p>

The appeal of Mr. Munsif Khan son of Zaman Khan Sher Kera Peshawar received today i.e. on 15.01.2018 is incomplete on the following score which is returned to the counsel for the appellants for completion and resubmission within 15 days.

- 1- Index of the appeal be prepared according to Khyber Pakhtunkhwa Service Tribunal rules 1974.
- 2- Signature of appellants requires on the memorandum of appeal.
- 3- Annexures-B & C of the appeal are missing.
- 4- Copy of departmental appeal against the impugned order dated 11.10.2017 and its rejection order are not attached with the appeal 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. 122 /S.T,


Dt. 16/01 /2018


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. M.Asif Yousafzai Adv. Pesh.

Respected Sir,

- 1- Removed
- 2- Removed
- 3- Removed
- 4- Departmental appeal is at annexure F-page-29 which was not resubmitted.
- 5- Remove.

Resubmitted after
compliance


**BEFORE HON'BLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.**

Service Appeal No. 156 /2018

Munsif Khan

Vs

Education Deptt.:

INDEX

<u>Sr. No.</u>	<u>Description of Documents</u>	<u>Annexure</u>	<u>Page</u>
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3	Initial Appointment Order	--A--	04
4	Promotion Order cum Seniority list	--B--	05
5	List Sanctioned Vacant Posts	--C--	06
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15/11/2018

Through

Appellant

(Signature)

(M. Asif Yousafzai)

Advocate Supreme Court

(Signature)

(Taimur Ali Khan)

Advocate High Court

(Signature)

Syed Noman Ali Bukhari

Advocate

(Signature)

(Asad Mahmood)

Advocate High Court

1

**BEFORE HON'BLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.**

Service Appeal No. 156 /2018

Munsif Khan S/O Zaman Khan
Sher Kera, Peshawar

.....APPELLANT

VERSUS

1. Secretary (E&SE) KPK, Peshawar
2. Director Education (FATA), KPK, Peshawar
3. Agency Education Officer(Male), FR Peshawar

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 41

Dated 15-1-2018

.....RESPONDENTS

**SERVICE APPEAL UNDER SECTION 4 OF THE
KPK SERVICE TRIBUNALS ACT,1974 FOR
DIRECTING THE RESPONDENTS TO CONSIDER
THE APPELLANT, BEING ELIGIBLE AND SENIOR
MOSTAND ON THE BASIS OF 4% QUOTA, FOR
PROMOTION AGAINST THE POST OF SST(G)AND
AGAINST NOT TAKING ANY ACTION ON THE
DEPARTMENTAL APPEAL OF THE WITHIN
STATUTORY PERIOD OF NINETY DAYS.**

PRAYER:

Filed to-day
Registrar
15/1/18

**THAT ON ACCEPTANCE OF THIS SERVICE
APPEAL, THE RESPONDENTS MAY KINDLY BE
DIRECTED TO CONSIDER THE APPELLANT FOR
PROMOTION TO THE POST OF SST(G) FROM DUE
DATE WITH ALL BACK AND CONSEQUENTIAL
BENEFITS. ANY OTHER REMEDY WHICH THIS
AUGUST TRIBUNAL DEEMS FIT AND
APPROPRIATE MAY ALSO BE AWARDED IN
FAVOUR OF APPELLANT.**

Re-submitted to -day
and filed.

Registrar
12/1/18

RESPECTFULLY SHEWETH,

FACTS:

1. That appellant has been in service with respondents department since 13.11.1999 as Arabic Teacher (AT). The appellant was promoted as Senior Arabic Teacher vide endorsement No. 8233-60

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dated 08.08.2016 and is at Sr. No. 1 in seniority list of his AT cadre. **(Copy of appointment letter and promotion notification attached as Annex- A& B)**

2. That on 16.08.2017 total available posts of SST(General) were 14, having quota of 4% shares for promotion. Being the senior most Senior Arabic Teacher (SAT) and also having the requisite qualification, so the appellant was entitled for promotion against the available seats of SST(General). **(Copy of vacancies detail, academic documents and rules are attached as Annex-C, D & E)**
3. That against sanctioned 14 available posts, respondents have made promotion of 09 teachers and left the remaining 05 posts vacant, despite the fact that appellant was next in number and also eligible senior most. The respondent malafidely not considered the appellant for promotion.
4. That feeling aggrieved from aforementioned act of respondents, appellant filed departmental appeal on 25-09-2017 which was not responded within statutory period of 90- days, hence this instant service appeal. **(Copy of departmental appeal attached as Annex-F).**
5. That appellant has a solid and cogent cause of action to file this instant service appeal.

GROUND:

- A. That not considered the appellant for promotion despite having vacancies and not taking action on the departmental appeal of the appellant is against the law and rule, norms of justice.
- B. That 09 teachers have been promoted to SST(G) by Director Education (FATA) and 05 SST(G) posts have been left vacant.
- C. That the appellant is deprived of right to promotion for SST (G) despite the fact that 05 posts lying vacant in the same cadre.
- D. That despite being eligible and senior most, the appellant is deprived of promotion shows malafide at respondents end.

- E. That it has been held, by the apex Court, in case of Anita Turab (PLD2013SupremeCourt195) that matter of tenure, appointment, posting, transfer and promotion of service could not be dealt in an arbitrary manner but in accordance to law. In case of statutory provisions, rules or regulations, the appointment of Civil Servants must be done honestly and scrupulously and discretion must be exercised in structured, transparent and reasonable manner, and thus the verdict of the Honorable Supreme Court fully support the appellant's case.
- F. That there is no legal embargo for promotion of appellant, therefore, the appellant has legal vested right to be considered for promotion from the date of post availability for him in his quota. (1997-SCMR-515).
- G. That inaction and omission of respondent department, not to consider the appellant for promotion is against the very spirit of section 9 of Civil Servants Act, 1973 and service rights duly protected under the Civil Servant laws.
- H. That the appellant, being eligible and senior most in seniority list, is not considered for promotion despite the availability of 05 vacant posts is violation of express provision of law. This act of respondents is not recognized by law and is of no legal worth.
- I. That appellant seeks permission to advance other legal and legitimate grounds at the time of hearing.

This honourable Tribunal is requested that the appeal may kindly be granted in the terms as prayed above in order to ensure the implementation of service policy

15/11/2008



(Asad Mahmood)
Advocate High Court

Through

Appellant



(M. Asif Yousafzai)
Advocate Supreme Court



(Taimur Ali Khan)
Advocate High Court



(Syed Noman Ali Bukhari)
Advocate

APPOINTMENT.

Consequent upon selection by the Selection Committee, the following candidates are temporarily appointed on Rs. 1605/- PM fixed in EPS 9 plus usual allowance as admissible under the Rules, i.e.f. the dates of their taking over charge in the schools noted against their names:-
FR PESHAWAR.

S.No.	Name of Candidate with father's Name.	Posted at	Remarks.
1.	Muhammad Shouib S/O Taza Khan	G.S. Faridi FR Peshawar	Against a vacant AT/OT post.
2.	Akbar Hussain S/O Ali Mat Shah	G.S. Banmir KELLI FR Peshawar	-do-
3.	Saeed Khan S/O Sheraz Khan	G.S. Kohi Hassan Khel FR Peshawar	-do-
4.	Muhammad Khan S/O Zaman Khan	G.S. Gul Akbar Killi FR Peshawar.	-do-
5.	Wahid Zaman S/O Janas Khan	G.S. Noor Ali Killi FR Peshawar	-do-
<u>KHYBER AGENCY:</u>			
1.	Jamaluddin S/O Muhammad Ashraf	GMS, Hisara (Khyber)	Against a vacant OT/AT post
2.	Said Rasool S/O Khitab Khan	GMS, Madghali Attati (Khyber)	-do-
3.	Khalid Khan S/O Muzamil Shah	GMS, Hashim Kbad (Khyber)	-do-
4.	Abdur Razaq S/O Abdur Rashid	GMS, Shalobar. (Khyber Agency)	-do-
5.	Abdul Aziz S/O Mir Alam	GMS, Jabba (Khyber)	-do-
6.	Nimatullah S/O Muhammad Karim	BHS, Kharghali (Khyber)	-do-
7.	Muhammad Noor S/O Satif Noor	GMS, Prang Darya	-do-
8.	Anwarul Haq S/O Mir Zamir	GMS, Durma Kor (Khyber)	-do-
9.	Khalilur Rehman S/O Said Janab	GMS, Chora (Khyber)	-do-

- Note:-
1. Charge reports should be submitted to all concerned.
 2. The appointment of the candidates are being made purely on temporary basis and are liable to termination at any time without assigning any reasons. In case they wish to resign their post they shall have to give one month prior notice or forfeit one month pay in lieu thereof.
 3. Their original Educational Certificates/Degrees, date of birth and domicile Certificates should be checked before they are handed over charge of the post and attest copies thereof be kept on record of the school/office.
 4. ~~They should be sent to the Agency Surgeon concerned for Medical Examination the day on which they report their arrival for duty and no pay should be drawn for, unless and until they produce their health and age certificate from the said Surgeon.~~

N.P.2-

ATTESTED

Initial appointment

6. The pay scale and service rules would be subject to revision in accordance with the orders to be passed by the Government of NWFP, from time to time.
7. Their verification roll of character and antecedents should be got verified by the concerned authority and the same may be kept on office record.
8. They should not be handed over charge of the post if they are below 18 years or above 35 years age.
9. If they fail to report their arrival for taking overcharge within 15 days a report to this effect should be sent to this Directorate.
10. The untrained candidates will not claim graded pay till they acquire the prescribed qualification for the post of Arabic Teacher.
11. They will not apply for transfer till completion of normal tenure at their present station.
12. Their certificates be got verified from the concerned authority by Agency Education Officer/Headmaster

(Dr. Sher Adam Khan)
Director of Education
FATA, N.W.F.P. Peshawar

Dated Peshawar the 13-11-199.

Encl: No. 5544365

Copy forwarded for information to the:-

1. Regional Director of Education-FATA Peshawar Region Peshawar.
2. Agency Education Officer concerned.
3. Headmasters concerned.
4. Candidates concerned.

Director of Education
FATA, N.W.F.P. Peshawar



AT(M)

FATA SECRETARIAT
Directorate of EducationWarsak Road Peshawar, Pakistan
Phone. 091-9210166 Fax 091-9210216

No. _____/

dated ___/___/2017

Notification:

Consequent upon the recommendation of the Departmental Promotion Committee and in pursuance of the Govt: of Pakistan Finance Division (Regulation Wing) Notification No.1(32)R-1/2015-582/2016 dated 25.7.2016 Islamabad, SO (Edu) Notification No.FS/SO(Edu)/SSD/Up-Gradation/2882-94 dated 22.6.2016 and duly Endorsed by Directorate of Education FATA vide No.8233-60 dated 8.8.2016, the following AT (M) B-15 are hereby promoted to the post of Sr.AT (M) B-16 (Rs.15880-1280-54280) plus usual allowances as admissible under the rules on regular basis on terms and conditions given below with effect from **20.2.2013** and further they will be posted in the Govt: Higher Secondary / High Schools by the Agency Education Officer concerned against the newly upgraded Sr.AT BPS-16 posts.

Total No. of AT (M) Posts duly verified by the AGPR	20
1/3 share of Senior AT Posts	7
Share of promotion 100%	7
Already promoted to B-16 Sr.AT	Nil
No of Senior AT Posts available for promotion	7
Recommended for promotion to Sr. AT	7

S.#	Sen: No	Name	Name of school	Date of Birth	Date of Regular Apptt: against AT Post	Remarks
1	7	Munsif Khan	GHS Gul Akber	15.5.1972	13.11.1999	Services placed at the disposal of AEO FR Peshawar for further posting.
2	8	Saeed Khan	GMS Gulab Sher	03.02.1978	16/11/1999	Services placed at the disposal of AEO FR Peshawar for further posting.
3	9	Muhammad Haroon	GHS Kandi Zarin Khel	07.12.1981	27/08/2003	Services placed at the disposal of AEO FR Peshawar for further posting.
4	10	Muhammad Imran	GMS Baz Mir-Killi	27.07.1974	01/09/2003	Services placed at the disposal of AEO FR Peshawar for further posting.
5	11	Muhammad Hanif	GMS Noor Ali	04.03.1975	01/09/2003	Services placed at the disposal of AEO FR Peshawar for further posting.
6	12	Zahid Khan	GHS Kandaw	22.08.1980	01/09/2003	Services placed at the disposal of AEO FR Peshawar for further posting.
7	13	Ashfaq Ahmad	GHS Kohi Hassan Khel	11.11.1973	06/12/2004	Services placed at the disposal of AEO FR Peshawar for further posting.

ATTESTED

Seniority List

**DETAILED OF SANCTIONED VACANT POSTS OF SST (GENERAL) & SST
(SCIENCE) MALE IN F.R PESHAWAR, DATED 16-08-2017**

S.#	Name of School	Vacant Posts SST (General)/Remarks	No of vacant Posts SST (General)
01	GHS Gul Akbar Killi F.R Pesh,	Mr Abdul Muhammad,(SST,Gen) promoted to(H.M)	01
02	GHS Kandaw F.R Peshawar .	Mr Gul Was Khan (SST, Gen) promoted to (S.S)	01
03	GHS Sra Dargai F.R Peshawar	Mr Yar Hassan (SST, Gen) Promoted to (H.M).	01
04	GMS Noor Ali Killi F.R Pesh,	Mr Hussain Ali (SST, Gen) due to Transferred.	01
05	GMS Pastawani F.R Peshawar.	Mr. Vacant (SST,Gen) Retired case	01
06	GHS Shamshtoo F.R Peshawar.	Mr Hisar Khan (SST,Tech) due to retired.	01
07	GHS Sama Badaber FR Psh	Vacant SST (G)	01
08	GHS Zarin Khel F.R Peshawar.	Mr Amir Nawaz (SST,Gen) due to promoted(H.M)	01
09	GHS Janakor F.R Peshawar.	Mr Fazli Karim (SST,Gen) promoted to(H.M)	01
10	GHS Janakor F.R Peshawar.	Mr. Abdul Qayyum (SST,Gen) Promoted to (H.M)	01
11	GHS Faridi F.R Peshawar.	Mr Muhd,Ibrahim (SST,Gen) due to transferred.	01
12	GHS Musa Dara F.R Peshawar.	Mr. Vacant (SST,Gen)	01
13	GHS Musa Dara F.R Peshawar	Mr. Vacant (SST,Gen)	01
14	GHS Shamshatoo F.R Peshawar	Mr Mehmood Alam (SST,Gen) due to trasferred	01
Total sanctioned vacant Posts SST (General)			14

S.#	Name of School	Vacant Posts SST (Sc)/Remarks	No of vacant Posts SST (Science)
01	GHS Gul Akbar Killi F.R Pesh,	Mr Jafar Khan (SST,Sc) due to promoted (S.S)	01
02	GHS Kandaw F.R Peshawar	Mr Zahid khan (SST,Sc) due to promoted(H.M)	01
03	GHS Musa Dara F.R Peshawar	Mr. Vacant Post (SST,Sc)	01
04	GHS Said Azam Killi F.R Pesh,	Mr. Vacant Post (SST,Sc)	01
05	GHS Bora No.1 F.R Peshawar.	Mr. Vacant Post (SST,Sc)	01
06	GHS Zarin Khel F.R Peshawar	Mr Vacant Post (SST,Sc)	01
Total sanctioned vacant SST (Science) Posts			06

ATTESTED

A

SCIENCE) MALE IN F.R. PESHAWAR. DATED 16-08-2017
... AND VACANT POSTS OF SST (GENERAL) & SST

19

s.No 592260



Roll No. 9295

BOARD OF INTERMEDIATE AND SECONDARY EDUCATION

Peshawar N.W.F.P. Pakistan

Secondary School Certificate Examination

SESSION 1988 (ANNUAL)



THIS IS TO CERTIFY THAT Munsif Khan
Son/Daughter of Zaman Khan
and a student of Govt: High School, Adezai, Peshawar.

has passed the *Secondary School Certificate Examination*
of the Board of Intermediate and Secondary Education, Peshawar held in April 1988
as a *Regular candidate*. He/She obtained 362 Marks out of 850
and has been placed in Grade Representing Fair

The Candidate passed in the following subjects:

- | | | | |
|------------|---------------------|--------------|----------------|
| 1. English | 3. Islamiyat | 5. Physics | 7. Mathematics |
| 2. Urdu | 4. Pakistan Studies | 6. Chemistry | 8. Biology |


He/She has been awarded Grade on the basis of internal
assessment by the Institution concerned.

Date of birth according to admission form is Fifteenth May,
one thousand nine hundred and Seventy Two (15-5-1972)


Asstt. Secretary

31st August 1988

This certificate is issued without alteration or erasure.


Secretary

ATTESTED



Board of Intermediate & Secondary Education

PESHAWAR

18574

DETAILED MARKS CERTIFICATE
Secondary School Certificate Examination
(SCIENCE GROUP)

Session 19 88 (Annual/Supplementary)

Name Munsif Khan
Father's Name Zaman Khan Roll No. 9295


SUBJECT	Total Number of marks allotted	MARKS OBTAINED	
		In figures	In words
1. English	150	50	
2. Urdu	150	78	
3. Islamiyat	75	52	
4. Pakistan Studies	75	27	
5. Mathematics	100	28	
6. Physics	100	41	
7. Chemistry	100	39	
8. Biology	100	47	
Total	850	362	<i>Three hundred & Sixty two</i>

Note: Errors/omissions excepted

F: Failed in the paper(s)

SB No

Date 25/8/88 19 88


Controller of Examination
Board of Intermediate & Secondary Education
PESHAWAR

ATTESTED


★

S. No. 292260



Roll No. 7984

BOARD OF INTERMEDIATE AND SECONDARY EDUCATION



**Peshawar N.W.F.P. Pakistan
INTERMEDIATE EXAMINATION**

Humanities Group

SESSION 1994 (SUPPLEMENTARY)


THIS IS TO CERTIFY THAT Munsif Khan
Son/Daughter of Zaman Khan
and a resident of Peshawar District
Registered No. _____ has passed the *Intermediate Examination* of the
Board of Intermediate and Secondary Education, Peshawar held in December 1994.
as a *Private candidate*. He/She obtained 513 Marks out of 1100
and has been placed in Grade Representing Fair
the Examination was taken as a whole/in parts.


Asstt. Secretary


Secretary

This certificate is issued without alteration of erasure.

ATTESTED



Board of Intermediate & Secondary Education PESHAWAR

DETAILED MARKS CERTIFICATE
Intermediate Examination Humanities Group
SESSION 19 94 (Annual/Supplementary)



Sr. No. 128384

Name Munsif Khan

Father's Name Zaman Khan

Roll No. 7984

Subjects	Subjects Marks	MARKS OBTAINED			
		Part-I	Part-II	Total in	
				Figures	Words
1. English	200			74	
2. Urdu	200			89	
3. Islamic Education	50			42	
4. Pakistan Studies	50			87	
5. Civ	200			109	
6. Pa	200			112	
7. 9.5	200				
Total	1100			573	D

Note : Errors/Omissions excepted. Five hundred, Thirteen

Date _____ 19 _____

Controller of Examinations
Board of Intermediate & Secondary Education
PESHAWAR

Prepared by [Signature] Checked By [Signature]

ATTESTED



UNIVERSITY OF PESHAWAR

(PAKISTAN)

PASSED/RE-APPEARED/FAILED

48815

DETAILED MARKS CERTIFICATE

BACHELOR OF ARTS EXAMINATION 199²⁰⁰¹ (Annual / Supplementary)

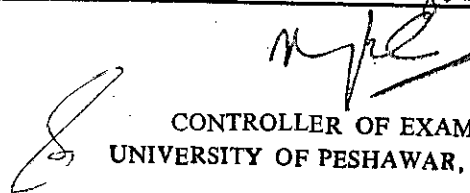
Mr./Ms. Mumsij Khan Roll Number 102215

The candidate secured the following marks and has been placed in Second Division.

SUBJECTS	MARKS		
	allotted	obtained	In words
1. ENGLISH	150	58	Fifty eight
2. <u>Pashto</u>	150	75	Seventy five
3. <u>Isl. Studies</u>	150	88	Eighty eight
4. PAKISTAN STUDIES	40	20	Twenty only
5. ISLAMIYAT	60	39	thirty nine
Total ..	550	280	Two Hundred & Eighty only

The examination was taken as a WHOLE / IN PARTS

Dated 5 SEP 2001 19...


 CONTROLLER OF EXAMINATIONS.
 UNIVERSITY OF PESHAWAR, PAKISTAN.

ATTESTED





University of Peshawar

(Pakistan)

Session ANNUAL, 2001

MANSIF KHAN

SON

of

ZAMAN KHAN

and a student

of DISTRICT PESHAWAR

having passed the prescribed

examination held in JUNE, 2001 is this day admitted by the University

of Peshawar to the Degree of

Bachelor of Arts

in the SECOND Division

The Examination was taken ~~as a whole~~ / in parts

Serial No. 058202

Azal Khan
Registrar

Registration No. 92-90-15335

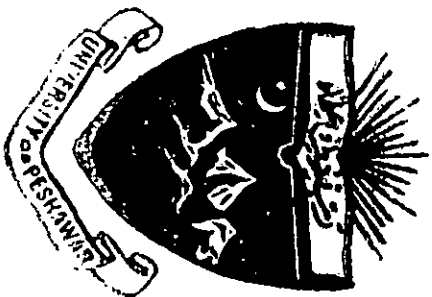
Countersigned

Roll No. 102215

Z. Malik

Result declared on 25TH SEPTEMBER, 2001

Vice-Chancellor



ATTESTED

No 013656

Registration No AUP (E) 1640 - 2002

Al-Khair University (AUC)



Session 2002

This is to certify that

Munsif Khan S/O Zaman Khan

Has obtained the Degree of

Bachelor of Education

in this University at the Examination held in August , 2002

Controller of Examinations

Chancellor

Muzaffarabad March 24 , 2005

ATTESTED

A

No 015107

Registration No AUP (E) 1672 - 2003

Al-Khair University (AUC)



Session 2003 - 2004

This is to certify that

Munsif Khan S/O Zaman Khan

Has obtained the Degree of

Master of Education

in this University at the Examination held in August, 2004

P. Bashir

Controller of Examinations

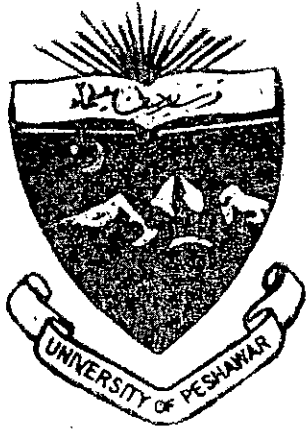
[Signature]

Chancellor

Muzaffarabad September 1, 2005

ATTESTED

[Signature]



UNIVERSITY OF PESHAWAR
(Pakistan)

Master of Arts in Arabic
Final
Annual Examination-2005
Detailed Marks Certificate

Private Candidate from Pesh-City

Required: Pass Percentage - 40, Aggregate Pass Percentage - 45

Name: *Munsif Khan*

Gender: *Male* Roll No. **19209**

Father's Name: *Zaman Khan*

Registration No. **92-PC-16535**

Papers/Subjects	Marks Obtained		
	Maximum Marks	in Figures	in Words
Religious Literature "Al-Hadith" (VI)	100	74	Seventy Four
Modern Literature "Poetry & Prose" (VII)	100	88	Eighty Eight
Literary History of Arabs (VIII)	100	40	Forty Only
Rhetoric (IX)	100	46	Forty Six
Essay Writing (X)	100	47	Forty Seven
Viva Voce	100	50	Fifty Only
M.A Previous Marks	500	322	Three Hundred and Twenty Two
Total:	1100	667	Six Hundred and Sixty Seven

Errors and omissions are subject to subsequent rectification

The examination was passed *as a Whole in First division.*

Examination Held in Theory: 22-08-05-09; Viva Voce: 07-10-05, 2005
Result Declared on February 03, 2006

Controller of Examinations
University of Peshawar

DMC issued on: 05/02/06 at 17:01:19
M.A.2's Engineering, Very First Time In History of Peshawar University

Nº 014680

ATTESTED

A

Book No. 31Serial No. 3032

AL-KHAIR UNIVERSITY (AJK)



DETAILED MARKS CERTIFICATE

This is to certify that Munsif Khan
 Son/Daughter of Zaman Khan
 Registration No AUP(E)1640-2002 Roll No. 2324
 has passed Bachelor of Education Annual/Supplementary Examination
 held in August 20 02 in 2nd Division and obtained 629 marks.

The Marks obtained in each subject are given below:-

Papers	SUBJECTS	Marks Obtained	Maximum Marks
COMPULSORY SUBJECTS			
I	Philosophy & History of Education	39	100
II	Educational Psychology	59	100
III	School Administration	64	100
IV	i. Islamiyat ii. Pakistan Studies	47	100
V	Urdu Language & Literature ii. English Language & Literature	44	100
ELECTIVE SUBJECTS			
VI-VII	Teaching of Islamic Studies	112	200
VI-VII	Teaching of Pakistan Studies	88	200
	Practical Skill in Teaching (Part-II)	176	200
TOTAL :		629	1100

Note: This DMC is issued, errors and omissions excepted, as a NOTICE only. An entry appearing in it does not in itself confer any right or privilege independently to the grant of a proper Certificate / Degree which will be issued under the Regulations in due course.

Muzaffarabad, the 20th of January, 2003.

Prepared by [Signature]

Checked by [Signature]

[Signature]
 DY. CONTROLLER OF EXAMINATIONS
 for
 CONTROLLER OF EXAMINATIONS

ATTESTED
[Signature]

AL-KHAIR UNIVERSITY (AJK)



DETAILED MARKS CERTIFICATE

This is to certify that Munsif Khan
 Son/Daughter of Zaman Khan
 Registration No. AUP(E)1672-2003 Roll No. 3272
 has passed Master of Education (New Course) ~~Annual~~ Supplementary Examination
 held in August 20 04 in 2nd Division and obtained 411 marks.

The Marks obtained in each subject are given below:-

Papers	SUBJECTS	Marks Obtained	Maximum Marks
I	Philosophy of Education	33	100
II	Educational Psychology	53	75
III	Educational Research & Statistics	68	100
IV	Educational Measurement & Evaluation	54	100
V	Curriculum Development & Implementation	47	100
VI	Instructional Technology & Computer	37	100
VII(a)-i	Educational Administration & Supervision	51	75
VII(b)-iii	Techniques of Counselling	29	75
VIII	Population Education	39	75
TOTAL :		411	800

Note: This DMC is issued, errors and omissions excepted, as a NOTICE only. An entry appearing in it does not in itself confer any right or privilege independently to the grant of a proper Certificate / Degree which will be issued under the Regulations in due course.

Muzaffarabad, the 6th of November, 2004

Prepared by [Signature]

Checked by [Signature]

[Signature]
 DY. CONTROLLER OF EXAMINATIONS
 for
 CONTROLLER OF EXAMINATIONS

ATTESTED

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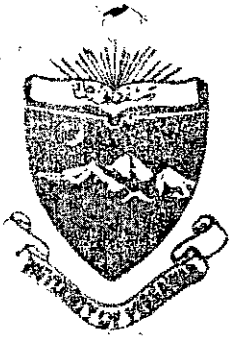
No. 0032139

University of Peshawar

Pakistan

Detailed Marks Certificate

20



Master of Arts in Pashto
Final
Annual Examination 2009
Peshawar



Name: **MUNSIF KHAN**
Father's Name: **ZAMAN KHAN**

Gender: *Male* Roll No: **29151**
Registration No: **92-PC-16535**

Private
Division: **2nd**

Papers	Max Marks	Marks Obtained	
		In Figures	In Words
Modren Poetry-VI	100	68	Sixty Eight
Modren Prose-VII	100	40	Forty Only
Detail Study of Khushal-VIII	100	54	Fifty Four
Critical Literature Rhetoric-IX	100	66	Sixty Six
Essay-X	100	54	Fifty Four
Viva Voce	100	55	Fifty Five
Previous	500	258	Two Hundred and Fifty Eight
Final	1100	595	Five Hundred and Ninety Five

Errors & omissions are subject to subsequent rectification.

Chances Availed: 3

The Examination was taken In Parts

Examination held From 24-Jul-2009 to 20-Aug-2009

Result Declared on Thursday, January 28, 2010

Issue Date: 29-Jan-2010

9:08 am

(Dr. Mohammad Shafi)
ADDITIONAL CONTROLLER OF EXAMINATIONS
UNIVERSITY OF PESHAWAR

Computerized by RTC

Prepared by Computer Cell

ATTACHED

B

اللَّهُمَّ صَلِّ عَلَى مُحَمَّدٍ

University of

(Pakistan)

Session ANNUAL

MUNSIF KHAN

Son of

of DISTRICT PESHAWAR

having

held in AUGUST 2003 is this day admitted

to the Degree

Master of

in SECOND B

The Subject of Examination

The examination was taken at

Serial No 041265

Registration No. 92-PC-16332

Roll No- 23644

Result Declared on MARCH 31, 2004





GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

Peshawar, dated the 24th July, 2014.

NOTIFICATION

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

AMENDMENTS

In the Appendix,-

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

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

(1)

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

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

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

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

APPROVED

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

ATTACHED

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

Endst : of even No & date:

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

ATTESTED

(ZAMIN KHAN MOMAND)
SECTION OFFICER (PRIMARY)

عنوان: ”درخواست برادر پر موشن از کیڈر A.T (مردانہ) 4% کوٹہ
ٹو ایس ایس ٹی (جنرل) BPS-16“

عرض ہے کہ فدوی F.R پشاور میں SAT (مردانہ) پوسٹ کے ناطے (4% فیصد کوٹہ برائے پروموشن SST(G) پوسٹ کے لئے سیناریٹی لسٹ میں اول پوزیشن پر ہے۔ جب کہ F.R پشاور میں موجودہ 14 ایس ایس ٹی (جنرل) مردانہ پوسٹ خالی پڑے ہوئے ہیں۔

جناب والا! فدوی سروس رولز 2014ء کے مطابق پروموشن کا حق دار ہے، کیوں کہ کلیہ $56 = 100/56 = 4 \times 14$ (i.e)۔ جناب عالی! فدوی کا اعشاریہ 50 فیصد سے زیادہ حق بنتا ہے۔ جسے قانون کے مطابق ایک پوسٹ مان لیا جاتا ہے۔ فدوی کی دیگر کوالیفیکیشن سروس ریکارڈ اسے سی آر ز وغیرہ سب ٹھیک ہیں۔ پس مہربانی فرما کر فدوی کو سینئر عریبک ٹیچر کوٹہ (4%) کے تحت SST(G) پوسٹ پر تعیناتی کے احکامات صادر فرما کر مشکور فرمائیں۔

جناب عالی! فدوی کو باوثوق ذرائع سے معلوم ہوا ہے کہ مذکورہ بالا 14 ایس ایس ٹی (جنرل) کے اکثر Sanction پوسٹوں کو SST(Sc) میں Convert کر دیئے گئے ہیں، جس کی وجہ سے سینئر ترین ٹرینڈ اور اہل اساتذہ کرام کی حق تلفی ہو رہی ہے۔ جب کہ اس کے برعکس Settle Area خیر پختہ نخواستوں میں SST(G) پوسٹوں کو اپنی پوزیشن پر رکھا گیا ہے۔ البتہ ضرورت کی بنیاد پر KPK میں ہر سکول کیلئے SST(Sc) کی نئی آسامیاں Create کرا چکے ہیں۔

لہذا جناب عالی کی خدمت اقدس میں اپیل کی جاتی ہے کہ SST(G) کے 14 خالی پوسٹوں پر الگ Seniority-cum-Fitness سروس رولز 2014ء کے مطابق سیناریٹی لسٹ پر جنرل SST اساتذہ کرام کے تعیناتی کے احکامات صادر فرمائیں اور موجودہ SST(Sc) کے 6 خالی پوسٹوں پر الگ Seniority-cum-Fitness سروس رولز 2014ء کے مطابق سیناریٹی لسٹ پر سائنس SST اساتذہ کرام کے تعیناتی کے احکامات صادر فرما کر مشکور فرمائیں۔

امید کی جاتی ہے کہ آپ صاحبان درخواست ہذا پر اولین فرصت میں ہمدردانہ و مشفقانہ غور فرمائیں گے۔ عین نوازش ہوگی

تحریر مورخہ 25-09-2017 العارض

منصف خان (SAT)

گورنمنٹ ہائی اسکول گل اکبر کے F.R پشاور

CNIC NO-17301-1504286-1

Mobile No - 0342-9082822

نوٹ:- مندرجہ ذیل Documents کے فوٹو کاپیاں attached کی جاتی ہیں۔

(1) F.R پشاور میں خالی SST(G) پوسٹوں کی تفصیل / فہرست باوثوق ذرائع سے حاصل کی ہیں۔

(2) سیناریٹی لسٹ آف (ATs) مردانہ ایف آر پشاور (FATA) Issued by D.E

(3) سیناریٹی لسٹ آف (ATs) مردانہ ایف آر پشاور Issued by A.E.O F.R Peshawar

ہجرت سروس رولز 2014

VAKALAT NAMA

NO. _____/20

IN THE COURT OF Service Tribunal Peshawar

Munsif Khan (Appellant)
(Petitioner)
(Plaintiff)

VERSUS

Education Department (Respondent)
(Defendant)

I/we Munsif Khan

Do hereby appoint and constitute **M.Asif Yousafzai, Advocate, Peshawar**, to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate/Counsel on my/our 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 15-01-2018

Munsif Khan
(CLIENT)

ACCEPTED

M. ASIF YOUSAFZAI
Advocate

Asad Mahmood

Advocate

Taimal Ali Khan
Adv

M. ASIF YOUSAFZAI
Advocate High Court,
Peshawar.

OFFICE:
Room No.1, Upper Floor,
Islamia Club Building,
Khyber Bazar Peshawar.
Ph.091-2211391-
0333-9103240

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL.

SERVICE APPEAL NO. 156/2018

Mr. Munsif Khan S/O Zaman Khan Sherker Peshawar
.....**Appellant.**

Versus

- 1. Secretary to Govt. of KPK Elementary & Secondary Education Department Peshawar.**
- 2. Director Education new merged Districts.**
- 3. District Education Officer Tribal District FR Peshawar.**
.....**Respondents.**

Parawise Comments on behalf of Respondent No.2&3.

Preliminary objections.

- *That the Appellant has got no cause of action, locus standi to file the instant Petition.*
- *That the Honorable Court have no jurisdiction to adjudicate up as the matter being service matter and also relates to affairs of FATA, Article 247 of constitution of Pakistan intact.*
- *That the appellant has concealed material facts from honorable court.*
- *That the appellant has not come to this Court with clean hands.*
- *That the appellant case is badly time barred.*
- *That the appellant is estopped by his own conduct to bring the instant Petition.*

Respectfully Sheweth.

- 1. Correct to the extent that the appellant was appointed as Arabic Teacher on 13-11-1999 and promoted as senior Arabic Teacher vide endst No. 8233-60 dated 08-08-2016. But at the time of Departmental Promotion Committee 20 vacant posts of SST (Male) were available which were further divided amongst C.T, PST and DM as per their share Detail are attached for ready references as **annexure-A**). In SST (G) allocate, DM, AT,TT and Qari collecting got only one SST (G) post, which is given to Senior D.M, seniority list of DM, AT, TT for the post of SST attached as **Annexure-B**).*
- 2. Incorrect. According to record available and as per criteria Mr. Lal Mat Khan DM the most senior DM has been promoted as he was appointed on 01-09-1994 while the appellant appointed is 13-11-1999. Therefore the appellant is not entitle for promotion as per Policy / criteria.*

3. Incorrect. The remaining 5 posts relates to science subject i.e 2 posts for Physics and 3 posts for Biology. Therefore the appellant has no right for promotion on Science subject being Arabic teacher.
4. Incorrect. The Competent Authority has not consider the Departmental appeal of the appellant as he has no right according to policy invogue in Education Department.
5. Incorrect. As explained in para No. 1&2 above.

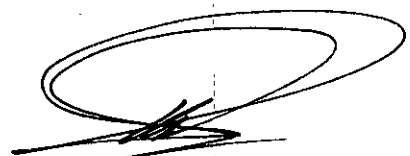
GROUND.

- A. Incorrect. Respondents has not taken action which is against Law & rules..
- B. Incorrect. The remaining 5 posts relates to Science subject and according to criteria Arabic teacher cannot be promoted without rules / law.
- C. No comments. As explained in para-B above.
- D. Incorrect. The appellant has no right for promotion on science subject being Arabic teacher.
- E. Incorrect. According to Honorable Supreme Court of Pakistan judgment each and every case has its own merit and circumstances.
- F. Incorrect. The appellant has no legal vested right to be considered for promotion against science subject being relates to Arts group.
- G. Incorrect. As explained in para- F above.
- H. Incorrect. The appellant is senior in the seniority list of Arabic teacher not in the combined seniority list (copy of policy is attached as Annexure-C).
- I. Respondents are also seeks permission to advance other grounds and proofs at the time of arguments.

Pray.

In the light of above factual position it is humbly prayed that the appeal in hand may very graciously be dismissed having no legal foots.

Respondent No.2



**Director Education new
merged Districts**

Respondent No.3




**District Education Officer
Tribal District FR Peshawar**

AFFIDAVIT

We, the above respondents, do hereby solemnly affirm and declare, that the contents of the comments are true and correct to the best of our knowledge and belief that nothing has been concealed from this Honorable Court.

Respondent No.2

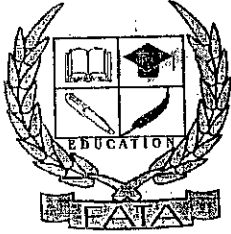


***Director Education new
merged Districts***

Respondent No.3



***District Education Officer
Tribal District FR Peshawar***



f-R (m) (M)

10A

**FATA SECRETARIAT
DIRECTORATE OF EDUCATION**

KHYBER PAKHTUNKHWA, WARSAK ROAD PESHAWAR, PAKISTAN
PHONE: 091-9210166 FAX 091-9210216

No. _____ Date ____/____/2017

MINUTES OF THE MEETING OF DEPARTMENTAL PROMOTION COMMITTEE HELD ON 2.10.2017 AT 10:00 AM IN OFFICE OF THE DIRECTOR EDUCATION, FATA PESHAWAR.

A meeting of the Departmental Promotion Committee was held on 2.10.2017 at 10:00 AM under the Chairmanship of Director Education FATA to discuss the promotion cases of SCT/CT,SDM/DM, SAT/ AT, STT/TT, SQari/Qari, PSHT/ SPST/PST, Male to the posts of SST (Bio-Chem), SST (Phy-Maths), SST (General) of the Education Department, FATA. The following attended the meeting:-

1. **Mr. Hashim Khan**
Director Education
FATA Secretariat, Peshawar
2. **Mr. Hanifur Rehman**
Addl: Director (Estab)
Directorate of Education
FATA Secretariat, Peshawar
3. **Mr. Abdur Rauf Shah**
Agency Education Officer
FR Peshawar
4. **Representative**
Social Sectors Deptt:
FATA Secretariat, Peshawar
5. **Representative**
Directorate of E&SE
KPK, Peshawar

In Chair

The meeting started with recitation from the Holy Quran. The Chair welcomed the participants. The following items were considered by the DPC and the decisions recorded are reflected against each item:

DETAIL OF VACANT POSTS OF MALE					
Detail of distribution		SST SC/Bio /Chem B-15	SST SC Maths /Phy B-16	SST Arts B-16	Total
Total Vacancies		07	04	09	20
25% Initial Recruitment		02	01	02	05
75% Promotion Share		05	03	07	15
Promotion 75% By	40% CT	03	02	04	09
	20% PST	01	01	02	04
	4% DM	01	---	01	02
	4% AT	} 15%			
	4% TT				
3% Qari					
Total		05	03	07	15

A. SST (Bio/Chem)

ITEM NO.1 PROMOTION OF SCT/CT TO SST (Bio/Chem) BPS-16 ON REGULAR BASIS

The case of promotion of SCT/CT to the post of SST (Bio/Chem) BPS-16 was considered and the DPC recommended as under:-

Total No. of SST vacant post of SSTs (Bio/Chem)	07
25% share initial recruitment	02
75% share for Promotion.	05
40 % Share of promotion of Senior CT/CT	03
Posts available for promotion	05
Proposed for Promotion	04
Recommended for promotion	04
Balance posts	01

S.N	S.I.No.	Name of Official	Place of posting	D/O Birth	Date of Appott; regular CT	Qualification	Remarks
1	43	Muhammad Khaliq	GHS Janakor	20.10.1972	01.09.2003	BSc/M.ed	Considered suitable for promotion to the post of SST Bio/Chem (BPS-16) on regular basis with immediate effect.
2	56	Qaisar Zaman	GMS Bazmir	01.08.1981	24.08.2006	M.Sc/B.ed	Considered suitable for promotion to the post of SST Bio/Chem (BPS-16) on regular basis with immediate effect.
3	57	Ahmad Jamal	GHS Kandaw	01.01.1982	16.08.2009	M.Sc/B.ed	Considered suitable for promotion to the post of SST Bio/Chem (BPS-16) on regular basis with immediate effect.

Number of Male SCT/CT cleared for promotion = 3

ITEM NO.2. PROMOTION OF PSHT/SPST/PST TO SST (Bio/Chem) BPS-16 ON REGULAR BASIS.

The case of promotion of PSHT/SPST/PST to the post of SST (Bio/Chem) BPS-16 was considered and the DPC recommended as under:-

Total No. of SST vacant post of SSTs (Bio/Chem)	07
25% share initial recruitment	02
75% share for Promotion.	5
20% Share of promotion of PSHT/SPST/PST	01
Posts available for promotion	01
Proposed for Promotion	01
Recommended for promotion	01
Balance posts	00

S.#	S.I.No.	Name of Official	Place of posting	D/O Birth	Date of Appott; regular PST	Qualification	Remarks
1	127	Zia ul Islam	GSMZHSS Samabada ber(Pri. Sect)	01.09.1983	01.09.2009	BSc/B.Ed	Considered suitable for promotion to the post of SST Bio/Chem (BPS-16) on regular basis with immediate effect.

Male PSHT/SPST/PST cleared for promotion = 01

B. SST (Phy-Maths)

ITEM NO.1. PROMOTION OF SCT/CT TO SST (Phy/Maths) BPS-16 ON REGULAR BASIS

The case of promotion of SCT/CT to the post of SST (Phy-Maths) BPS-16 was considered and the DPC recommended as under:-

Total No. of SST vacant post of SST (Phy-Mahts)	04
25% share initial recruitment	01
75% share for Promotion.	03
40 % Share of promotion of Senior CT/CTs	02

Posts available for promotion	02
Proposed for Promotion	02
Recommended for promotion	01
Balance posts	01

S.No	Sl.No.	Name of Officials	Place of posting	D/O Birth	Date of Appott; regular CT	Qualification	Remarks
1	19	Abdul Waheed	GHS Kohi Hassan Khel	18.05.1971	23.10.1995	BSc/B.Ed	Considered suitable for promotion to the post of SST Phy-Maths (BPS-16) on regular basis with immediate effect

Number of Male SCT/SCT cleared for promotion = 01

ITEM NO.2. PROMOTION OF PSHT/SPST/PST TO SST (Phy-Maths) BPS-16 ON REGULAR BASIS

The case of promotion of PSHT/SPST/PST to the post of SST (Phy-Maths) BPS-16 was considered and the DPC recommended as under:-

Total No. of SST vacant post of SSTs (Phy-Maths)	04
25% share initial recruitment	01
75% share for Promotion.	03
20 % Share of promotion of PSHT/SPST/PST	01
Posts available for promotion	01
Proposed for Promotion	01
Recommended for promotion	01

S.No	Sl.No.	Name of Official	Place of posting	D/O Birth	Date of Appott; regular PST	Qualification	Remarks
1	38	Muhammad Arif	GPS Pakhi Kandaw	28.08.1967	22.09.1987	M.Sc/M.ed	Considered suitable for promotion to the post of SST Phy-Maths (BPS-16) on regular basis with immediate effect.

Number of Male PSHT/SPST/PST cleared for promotion = 01

C. SST (General)

ITEM NO.1 PROMOTION OF Sr.CT/CT TO SST (General) BPS-16 ON REGULAR BASIS

The case of promotion of Sr; CT/CT to the post of SST (General) BPS-16 was considered and the DPC recommended as under:-

Total No. of SST General (M) Posts vacant Posts	09
25% share initial recruitment	02
75% share for Promotion.	07
40 % Share of promotion of Sr; CT/CT	04
Posts available for promotion	04
Proposed for Promotion	04
Recommended for promotion	04

S.No	S.L No	Name of Official	Place of Posting	Date of Birth	Date of Appott: as Regular CT	Qualification	Remarks
1	03	Dilawar Khan	GHS Bora No.1	12.03.1963	12.09.1987	MA/B.ed	Considered suitable for promotion to the post of SST (General) BPS-16 on regular basis with immediate effect
2	08	Abdul Majeed	GHS Faridi	30.04.1967	09.03.1991	BA/M.ed	Considered suitable for promotion to the post of SST General (BPS-16) on regular basis with immediate effect
3	09	Muhammad Ayaz	GHS Bora No.1	02.12.1958	22.10.1991	MA/B.ed	Considered suitable for promotion to the post of SST General (BPS-16) on regular basis with immediate effect
4	10	Muhammad Javid	GHS Said Azam	01.09.1969	31.05.1992	MA/M.ed	Considered suitable for promotion to the post of SST General (BPS-16) on regular basis with immediate effect

Number of Male SCT/CT cleared for promotion = 04

ITEM NO.2 PROMOTION OF PSHT/SPST/PST TO SST (General) BPS-16 ON REGULAR BASIS

The case of promotion of PSHT/SPST/PST to the post of SST (General) BPS-16 was considered and the DPC recommended as under:-

Total No. of SST General (M) Posts vacant Posts	09
25% share initial recruitment	02
75% share for Promotion.	07
20 % Share of promotion of PSHT/SPST/PST	02
Posts available for promotion	02
Proposed for Promotion	02
Recommended for promotion	02

S.N	Sl.No.	Name of Official	Place of posting	D/O Birth	Date of Appott; regular PST	Qualification	Remarks
1	25	Fazal -e-Subhan	GPS Sher Baz Korona	21.03.1967	12.09.1987	BA/B.ed	Considered suitable for promotion to the post of SST General (BPS-16) on regular basis with immediate effect.
2	35	Khial Zamir	GPS Abdur Rashid	25.09.1965	14.09.1988	BA/B.Ed	Considered suitable for promotion to the post of SST General (BPS-16) on regular basis with immediate effect.

Number of Male PSHT cleared for promotion = 02

ITEM NO.3 PROMOTION OF SDM/DM TO SST (General) BPS-16 ON REGULAR BASIS

The case of promotion of SDM/DM to the post of SST (General) BPS-16 was considered and the DPC recommended as under:-

Total No. of SST General (M) Posts vacant Posts	09
25% share initial recruitment	02
75% share for Promotion.	07
4 % Share of promotion of SDM/DM	01
Posts available for promotion	01
Proposed for Promotion	01
Recommended for promotion	01

S. No	S.L No	Name of Official	Place of Posting	Date of Birth	Date of Appott: as Regular DM	Qualification	Remarks
1	03	Lal mat Khan	GHS Said Azam	25.03.1969	01.09.1994	MA/B.E d.	Considered suitable for promotion to the post of SST General (BPS-16) on regular basis with immediate effect.

Number of Male DM/SDM cleared for promotion = 01

The meeting ended with a vote of thanks to and from the chair.

Mr. Abdur Rauf Shah
Agency Education Officer
FR Peshawar

Mr. Hanifur Rehman
Addl: Director (Estab)
Directorate of Education
FATA Secretariat, Peshawar

Representative
Social Sectors Deptt:
FATA Secretariat, Peshawar

Representative
Directorate of E&SE
KPK, Peshawar

Mr. Hashim Khan
Director Education
FATA Secretariat, Peshawar

OFFICE OF THE AGENCY / REGULATIONS OFFICER FR. B-16 REG.

WORKING PAPERS FOR DEPARTMENTAL PROMOTION COMMITTEES FOR THE
PROMOTION OF SDM/DM TO SST REGULAR B-16.

Total No.s of vacant SST posts: =20

Method of recruitment	Total posts
25%	5
40% by promotion from SCT/CT	Bio+Chem:3 Phy+M: 02 Gen:04
20% by promotion from PST/SPST/PSHT	Bio+chem: 1 Phy+M: 1 Gen: 02
4% by promotion from SDM/DM	Bio-chem.: 01
4% by promotion from SAT/AT	Gen: 01
4% by promotion from STT/TT	
3% by promotion from S Qari/Qari	

75% by promotion

LIST OF DM (MALE) FOR THE PROMOTION OF SDM/DM TO SST B-16 REGULAR.

S.#	S.L#	Name of Teachers	F/Name	BPS	Acad: Qualifi:	Prof:Qualif:	Date of birth per SSC Certificate	Date of 1st app	Date of declaration as regular DM	Present School of Posting	Whether eligible for promotion. Yes/NO	Remarks
1	3	Lal Mat Khan	Allaha Khan	16	MA,	DM, B.Ed	25-03-69	01-09-94	01-09-94	GHS Said Azam	✓	clear
2	4	Hayat Khan	Itbar Gul	16	BA,	DM, B.ed	01-04-71	23-09-94	23-09-94	GHS Bora		
3	7	Ghulam Said	Gul Mar Khan	15	BA	DM, b.ed	01-07-71	17-12-94	25-05-96	GMS Aziz ur Rehman		
4	8	Muhammad Khan	Khan Muhammad Khan	15	BA,	DM, B.Ed	01-03-67	22-09-98	22-09-98	GHS Jana Kor		
5	9	Muhammad Umer	Zafran Gul	15	BA,	DM, B.ed	12-11-71	02-03-96	31-03-01	GHS Kohi Hassan Khet		
6	10	Naseem Gul	Khair Gul	15	M:A	DM, B.ed	08-04-71	20-12-00	20-12-00	GHS Shamshatoo		
7	13	Gernil Khan	Said Afzal	15	MA	DM, B.Ed	07-07-75	19-04-01	19-04-01	GHS Faridi		

*checked by
Haji Masood 2/10
AEO FR*

Certificate:

1. It is certified that all the SDM/DMs (Male) included in the panel for the promotion to SST Posts.
 - a. Hold the posts on regular basis and none of them is holding the post on adhoc/acting charge basis/contract.

WORKING PAPERS FOR DEPARTMENTAL PROMOTION COMMITTEES FOR THE
PROMOTION OF STT/TT TO SST REGULAR B-16.

Total No.s of vacant SST posts: =20

Method of recruitment	Total posts
25%	5
40% by promotion from SCT/CT	Bio-Chem:3 Phy-M: 02 Gen:04
20% by promotion from PST/SPST/PSHT	Bio+chem: 1 Phy-M: 1 Gen: 02
4% by promotion from SDM/DM	Bio +chem.: 01
4% by promotion from SAT/AT	Gen: 01
4% by promotion from STT/TT	
3% by promotion from S.Qari/Qari	

75% by promotion

LIST OF TT (MALE) FOR THE PROMOTION OF STT/TT TO SST B-16 REGULAR.

S.#	S.L.#	Name of Official	F/Name	BPS	Acad: Qualif:	Professional Qualif:	Date of Birth per SSC Certificate	Date of Appointment as Regular TT	Present School of Posting/	Whether eligible for promotion. Yes / No	Remarks
1	17	Muhammad Shoaib	Taza Khan	16	MA	B/Ed,CT,Arabic(H), Sanad	04-05-72	05-10-94	GMS Muhdi Shah		
2	19	Mujahid Shah	Rahim Shah	15	BA	B.ed	01-03-71	21-11-94	GPS sher man Shah		
3	30	Haq Nawaz Khan	Zaman Khan	16	MA, B.ed	Shohat: Almiya	09-03-74	01-10-95	GHS Sra Dargai		
4	40	Noor Said mir	Abdullah mir	16	BA	B/Ed,Arabic(H)	25-09-79	20-10-01	GHS Faridi		
5	41	Asghar Shah	Rehman Shah	15	MA, B.ED	Arabic(H),	10-01-76	22-10-01	GPS Sher Dil		
6	42	Ramdad Khan	Momin Khan	16	FA, B.E D	Shadatul Alamiya	04-11-76	22-10-01	GMS Bazmir		
7	44	Inam Sher	Zarbat Sher	16	MA(isl)	B/Ed	25-07-79	24-10-01	GHS Zarine Khel		
8	48	Samin khan	Shah Wali	16	MA(isl)	B/Ed,Sanad Yafra	20-02-79	01-09-03	GHS Kohi Hassan Khel		

WORKING PAPERS FOR DEPARTMENTAL PROMOTION COMMITTEES FOR THE PROMOTION OF SAT/AT TO SST REGULAR B-16.

Total No.s of vacant SST posts: =20

Method of recruitment	Total posts	
25%	5	
75% by promotion	40% by promotion from SCT/CT	Bio+Chem:3 Phy+M; 02 Gen:04
	20% by promotion from PST/SPST/PSHT	Bio+chem: 1 Phy+M: 1 Gen: 02
	4% by promotion from SDM/DM	Bio +chem.: 01
	4% by promotion from SAT/AT	Gen: 01
	4% by promotion from STT/TT	
	3% by promotion from S.Qari/Qari	

LIST OF AT (MALE) FOR THE PROMOTION OF SAT/AT TO SST B-16 REGULAR.

S.#	S.L.#	Name of Teachers	F/Name	BPS	Academic Qualif:	Professional Qualif:	Date of Birth per SSC Certificate	Date of Appointment as Regular AT	Present School of Posting.	Whether eligible for promotion Yes/NO	Remarks.
1	3	Muhammad Aslam	Wali Khan	15	MA(Arabic)	Arabic(H)B.Ed	29-10-74	19-05-93	GMS Aziz ur Rehman		
2	4	Munsif Khan	Zaman Khan	16	MA(Isl,Arabic,Pa shto)	Sanad yafta M.Ed	15-05-72	13-11-99	GHS Gul Akbar		
3	5	Saeed Khan	Sheraz Khan	16	MA(Isl, Arb)	B.ed,	03-02-78	16-11-99	GHS Kandi Zarin Khei		
4	6	Muhammad Haroon	Azam Khan	16	MA(Isl,A),	B.Ed	07-12-81	27-08-03	GHS Said Azam		
5	7	Muhammad Imran	Moin Gul Khan	16	MA(A)	B-Ed 26-07-2008	27-07-74	01-09-03	GHSS Samabadabera		
6	8	Muhammad Hanif	Akbar Shah	16	B.A	Shahdatul Almiya,B..Ed	04-03-75	01-09-03	GMS Noor Ali		

*Checked by
Mae Ali 9/10
Haji Masood Ali 17
AEO FR Khatwat*

BEFORE THE KKP, SERVICE TRIBUNAL, PESHAWAR.

Service Appeal No. 156/2018

Munsif Khan

VS

Education Department etc

.....
REJOINDER ON BEHALF OF APPELLANT
.....

RESPECTFULLY SHEWETH:

Preliminary Objections:

- (1-6) All objections raised by the respondents are incorrect and baseless. Rather the respondents are estopped to raise any objection due to their own conduct.

FACTS:

- 1 First portion of Para-1 of the appeal is correct hence no comment while the rest of Para is incorrect hence denied as there are 14 SST General Post and the appellant was at Sr. No. 1 at the time of promotion and as the appellant have 4 percent share for promotion and being senior and eligible was entitled for promotion against the available SST (General).
- 2 Incorrect. As replied Para-1 above.
- 3 Incorrect there were total 20 posts for promotion in which 14 posts were for SST (General) while the remaining 5 posts coming in share of Science Subject but the respondent promoted only 09 posts on SST (General) and malafidely converted the remaining 5 posts to Science Subject due to which the appellant was deprived from his legal right of promotion to SST (General) on the basis of 4 percent quota for promotion due to illegal conversion of 05 posts to Science Subject.
- 4 Incorrect the appellant has genuinely cause of action due to which he filed departmental appeal for his grievances and as per superior courts judgment the department is legally bound to decide the departmental appeal of the appellant with speaking order.
- 5 Incorrect as explained in Para-1, 2 & 3 above.

GROUND:

- A. Not replied according to Para-A of the appeal moreover Para-A of the appeal is correct.

- B. Incorrect 9 posts has been filed by promotion on SST (General) basis and the remaining 05 posts was illegally converted to Science Subject without giving any reason and justification due to which the appellatant was deprived from his legal right of promotion on the basis of 04 percent quota of promotion.
- C. Incorrect as replied Para-B of the above.
- D. Incorrect the appellatant was entitled for promotion on 04 percent quota on SST (General) being senior most and eligible.
- E. Incorrect the respondents have violated the Honorable Supreme Court Judgment reported as PLD 2013 195 by not promoting on the basis of 04% quota for promotion on SST (General).
- F. Incorrect the appellatant being most senior and eligible is entitled for promotion on 4 % quota on SST (General). Moreover there are 14 posts of SST General on which only 09 posts were filled on promotion one the remaining 05 was illegally converted to Science Subject without any reasoning and justification due to which the appellatant was deprived from his legal of promotion on 04 % quota.
- G. Incorrect as explained Para-F above.
- H. Incorrect while Para-H of the appeal is correct.
- I. Legal.

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

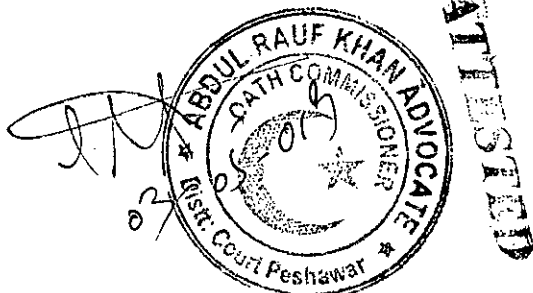
APPELLANT

Through:

M. Asif Yousafzai
(M. ASIF YOUSAFZAI)
ADVOCATE SUPREME COURT

AFFIDAVIT

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



[Signature]
DEPONENT

BEFORE THE KKP, SERVICE TRIBUNAL, PESHAWAR.

Service Appeal No. 156/2018

Munsif Khan

VS

Education Department etc

.....
REJOINDER ON BEHALF OF APPELLANT
.....

RESPECTFULLY SHEWETH:

Preliminary Objections:

- (1- 6) All objections raised by the respondents are incorrect and baseless. Rather the respondents are estopped to raise any objection due to their own conduct.

FACTS:

- 1 First portion of Para-1 of the appeal is correct hence no comment while the rest of Para is incorrect hence denied as there are 14 SST General Post and the appellant was at Sr. No. 1 at the time of promotion and as the appellant have 4 percent share for promotion and being senior and eligible was entitled for promotion against the available SST (General).
- 2 Incorrect. As replied Para-1 above.
- 3 Incorrect there were total 20 posts for promotion in which 14 posts were for SST (General) while the remaining 5 posts coming in share of Science Subject but the respondent promoted only 09 posts on SST (General) and malafidely converted the remaining 5 posts to Science Subject due to which the appellant was deprived from his legal right of promotion to SST (General) on the basis of 4 percent quota for promotion due to illegal conversion of 05 posts to Science Subject.
- 4 Incorrect the appellant has genuinely cause of action due to which he filed departmental appeal for his grievances and as per superior courts judgment the department is legally bound to decide the departmental appeal of the appellant with speaking order.
- 5 Incorrect as explained in Para-1, 2 & 3 above.

GROUNDS:

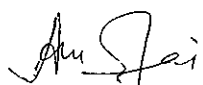
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- G. Incorrect as explained Para-F above.
- H. Incorrect while Para-H of the appeal is correct.
- I. Legal.

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

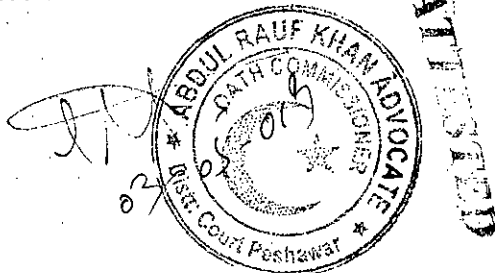
APPELLANT

Through:


(M. ASIF YOUSAFZAI)
ADVOCATE SUPREME COURT

AFFIDAVIT

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




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Service Appeal No. 156/2018

Munsif Khan

VS

Education Department etc

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- H. Incorrect while Para-H of the appeal is correct.
- I. Legal.

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

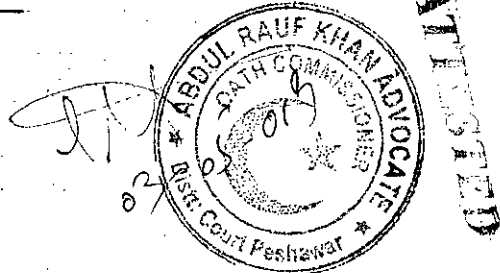
APPELLANT

Through:

M. Asif Yousafzai
(M. ASIF YOUSAFZAI)
ADVOCATE SUPREME COURT

AFFIDAVIT

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



M. Asif Yousafzai
DEPONENT

VAKALATNAMA

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

_____ OF 2021

Munsif Khan

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

Education Dept

(RESPONDENT)
(DEFENDANT)

I/We Munsif Khan

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

Dated. ____/____/2021

Munsif Khan
CLIENT

Mir Zaman Safi
ACCEPTED

NOOR MOHAMMAD KHATTAK

MIR ZAMAN SAFI

Afrasiab Khan Wazir
AFRASIAB KHAN WAZIR

&

Haider Ali
HAIDER ALI
ADVOCATES

OFFICE:

Flat No.4, 2nd Floor, Juma Khan
Plaza, near FATA Secretariat,
Warsak Road, Peshawar.
Mobile No.0345-9383141

KHYBER PAKHTUNKWA SERVICE TRIBUNAL, PESHAWAR

No. 1304 /ST

Dated 15/07/2021

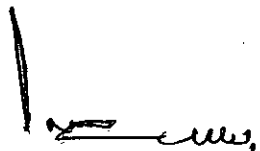
To

The Secretary E&SE,
Government of Khyber Pakhtunkhwa,
Peshawar.

Subject: JUDGMENT IN APPEAL NO. 156/2018, MR. MUNSIF KHAN.

I am directed to forward herewith a certified copy of Judgement dated 23.06.2021 passed by this Tribunal on the above subject for strict compliance.

Encl: As above


REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR.