

16.04.2019

Learned counsel for the appellant and Mr. Muhammad Jan learned Deputy District Attorney present.

Arguments heard. File perused.

During the course of arguments Learned counsel for the appellant admitted that the appellant (SPHT) is not senior to other colleagues of the appellant/promotees mentioned in the impugned promotion order dated 12.10.2017 on the basis of date of first appointment or on the basis of date of birth.

Plea of Learned counsel for the appellant is that since the appellant attained the requisite qualification required for the post of SST (General) prior to the promotees mentioned in the impugned promotion order, therefore, the appellant should not have been ignored while promoting the other colleagues of the appellant. The contention of learned counsel for the appellant is found without any force. Consequently the present service appeal is dismissed in limine. No order as to costs. File be consigned to the record room.



(Muhammad Hamid Mughal)
Member

ANNOUNCED.

16.04.2019

27.12.2018

Learned counsel for the appellant present and seeks adjournment. Adjourn. To come up for preliminary hearing on 01.02.2019 before S.B.



Member

01.02.2019

Counsel for the appellant present and requested for adjournment.

Adjourned to 16.04.2019 for preliminary hearing before S.B.



(MUHAMMAD AMIN KHAN KUNDI)
MEMBER


06.08.2018

Mr. Noor Muhammad Khattak, Advocate counsel for the appellant present.. Mr. Kabirullah Khattak, Addl:AG for respondents present. Learned counsel for the appellant made a request for adjournment. Granted. Case to come up for preliminary hearing on 17.09.2018 before S.B.

17.09.2018


Clerk to counsel for the appellant present and made a request for adjournment due to general strike of the Bar. Case to come up for preliminary hearing on 18.09.2018 before S.B.


Chairman


(Ahmad Hassan)
Member

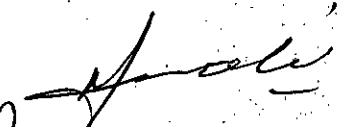
18.09.2018

Counsel for the appellant present and made a request for adjournment. Granted. Case to come up for preliminary hearing on 11.08.2018 before S.B.


Member

8-11-2018

Due to Retirement of Honorable
Chairman the Tribunal is nonfunctional
therefore the case is adjourned to
come up for the same on
27-12-2018


Reader

13.04.2018

Learned counsel for the appellant present.
Preliminary arguments heard.

Learned counsel for the appellant argued that through the present appeal the appellant (SCT) has made impugned the notification dated 12.10.2017 whereby the appellant was ignored from promotion to the rank of SST (General) despite being senior and fully qualified while most of the junior colleagues of the appellant were promoted; that the departmental appeal of the appellant was not responded.

In view of the submissions of the learned counsel for the appellant, preadmission notices be issued to the respondent department for 04.06.2018 to meet the point that whether the appellant was senior as well as fully qualified at the time of issuance of impugned order or otherwise..



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 and seeks adjournment. Adjourned. To come up for preliminary hearing on 06.08.2018 before S.B.



Member

Form-A
FORM OF ORDERSHEET

Court of _____

Case No. 351/2018

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	09/03/2018	<p>The appeal of Mr. Imran Afridi presented today by Mr. Noor Muhammad Khattak Advocate may be entered in the Institution Register and put up to Learned Member for proper order please.</p> <p style="text-align: right;"><i>[Signature]</i> REGISTRAR 9/3/18</p>
2-	12/03/18.	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>27/03/18.</u></p> <p style="text-align: right;"><i>[Signature]</i> MEMBER</p>
27.03.2018		<p>Learned counsel for the appellant present and seeks adjournment. Adjourn. To come up for preliminary hearing on 13.04.2018 before S.B</p> <p style="text-align: right;"><i>[Signature]</i> Member</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. 351 /2018

IMRAN AFRIDI (SPHT) VS ACS (FATA) & OTHERS

INDEX

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6	Notification dated 24-07-2014	E	10 – 16
7	Vakalat nama	17

APPELLANT

THROUGH:



MUHAMMAD MAAZ MADNI

Advocate, Peshawar

0333-9313113, 0314-9965666

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. 351 /2018

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 358

Dated 09-3-2018

IMRAN AFRIDI, SPHT (BPS-15),
Govt. Primary School, Sahib Shah Khyber Agency.

.....APPELLANT

VERSUS

- 1- The Additional Chief Secretary (FATA), FATA Secretariat, Warsak Road, Peshawar.
- 2- The Director of Education (FATA), FATA Secretariat, Warsak Road, Peshawar.
- 3- The Agency Education Officer, Khyber Agency at Jamrud.

.....RESPONDENTS

APPEAL UNDER SECTION-4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974 AGAINST
THE IMPUGNED NOTIFICATION DATED 12-10-2017
WHEREBY THE APPELLANT HAS COMPLETELY BEEN
IGNORED FROM PROMOTION TO THE RANK OF SST
(GENERAL) AND AGAINST NOT TAKING ANY ACTION ON
THE DEPARTMENTAL APPEAL DATED 10-11-2017 OF
APPELLANT WITHIN THE STATUTORY PERIOD

PRAYER:

That on acceptance of this appeal the impugned Notification dated 12-10-2017 may very kindly rectify/modify to the extent of appellant by directing the respondents to consider the appellant for regular promotion to the rank of SST (General) with all consequential benefits. Any other remedy which this august Tribunal deems fit may also be awarded in favor of the appellant.

R/SHEWETH:

ON FACTS:

- 1- That appellant was initially appointed in the respondent Department as PTC now PST vide order dated 19-03-1995 by the respondent no. 3 after fulfilling all the codal formalities required for the post.
- 2- That the appellant is highly qualified having M.Ed Degree along with the relevant qualification required for the post of PST and as such was promoted to the rank of SPHT.

Filed to-day
Registrar
9/3/18

- 3- That right from the date of appointment the appellant is performing his duty quiet efficiently, whole heartedly and upto the entire satisfaction of his high ups.
- 4- That the appellant was also given seniority and accordingly was placed at Serial No. 222 of the Seniority List prepared and maintained for PSHT by the respondents at Khyber Agency. Copy of the Seniority List is attached as annexure A.
- 5- That, the respondent Department issued the impugned notification dated 12-10-2017 where upon most of the colleagues of the appellant was promoted to the post of SST (General) by completing ignoring the appellant from regular promotion. Copy of the impugned order dated 12-10-2017 is attached as annexure B.
- 6- That feeling aggrieved from the impugned Notification dated 12-10-2017 the appellant preferred Departmental appeal which was properly forwarded by respondent no. 3 to Respondent No. 2 vide letter dated 10-11-2017 but no reply has been received so far. Copy of letter & Departmental Appeal is attached as annexure C&D.
- 7- That the appellant feeling highly aggrieved from the inaction of the respondent has no other adequate remedy but to approach this Honourable Tribunal on the following grounds amongst the others:

GROUND:

- A- That the impugned Notification dated 12-10-2017 is against the law, facts, norms of natural justice and materials on the record hence not tenable and liable to be modified/rectified.
- B- That the appellant has not been treated by the respondent Department in accordance with law and rules on the subject noted above and as such the respondent violated article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.
- C- That it is very much clear from the attached seniority list that the appellant is senior most teacher according to the date of birth and that of first appointment as PST but in spite of that the appellant has completely been ignored by the respondents to be promoted to the post SST (General).
- D- That the respondent department acted in arbitrary and malafide manner by not promoting the appellant to the post of SST (General).

- E- That the respondent Department discriminated the appellant while issuing the impugned Notification dated 12-10-2017.
- F- That, it is pertinent to mention here that the appellant has completed all the requisite qualification required for the post of SST (General) more prior from that of the ones got promoted in the impugned order dated 12-10-2017.
- G- That, the impugned notification dated 12-10-2017 is issued by the respondents in a hasty manner as the respondent have violated their own rule & regulation for the purpose of the matter in question and keeping a combined seniority list. Copy of the notification dated 24-07-2014 is attached as annexure E.
- H- That, despite of clear vacant post available in the home Agency of the appellant the respondents have ignored the appellant from promotion to the post of SST (General).
- I- That, the act of the respondent is against the dictum enshrined in Article 38 (e) of the Constitution of Islamic Republic of Pakistan, that to *“reduce disparity in the income and earning of the individual including persons in different classes in the service of Pakistan”*.
- J- That appellant seeks permission to advance other grounds and proofs at the time of hearing.

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


Dated: 28-02-2018

APPELLANT


IMRAN AFRIDI

THROUGH:


NOOR MOHAMMAD KHATTAK,

&

MUHAMMAD MAAZ MADNI
Advocate, Peshawar

19
12
F

PST-

4

Annexure - A

AGENCY EDUCATION OFFICE KHYBER AGENCY AT JAMRUD

LIST OF PST MALE ELIGIBLE FOR PROMOTION

Seniority No	Name	F/Name	Qualification		Designation	BPS	D/O Birth	Domicile	D/O Ist Entry Into Govt Service	D/O App: In the Present Post	Place of Posting	D/O Passing of Prof: Exam result/D/O Promotion	Consideration Date	BA Result Declaration Date	B.ED Result Declaration Date	Remarks
			Prof :	Acad :												
45	Ali Man Shah	Madi sher	MA	PTC/Bed	PSHT	15	03-04-1962	Khyber	10-06-1980	10-06-1980	GPS sher Haider	25-01-1986	25-01-1986	31.10.2000	22.12.2006	
78	Jahan Zeb khan	Khan Badshah	BA	PTC/CT	PSHT	15	02-04-1960	Khyber	13-12-1979	13-12-1979	GHS AlamGudar	29-11-1987	29-11-1987	10.03.2010	04.01.2013	
99	saif ur Rahman	Shahbaz Khan	MA	Bed	PSHT	15	01-06-1969	Khyber	10-07-1989	10-07-1989	GPS Ogdar dara	10-07-1989	10-07-1989	15.01.1994	25.12.2004	
101	Muhammad Wajid	Rehman gul	MA	PTC/BED	PSHT	15	12-01-1969	Khyber	03-09-1988	03-09-1988	GHS Jamrud-2	26-08-1989	26-08-1989	25.05.2000	25.01.2007	
118	Teka dar khan	Stana Mir	BA	PTC/CT/BED	PSHT	15	03-08-1969	Khyber	25-10-1987	25-10-1987	GPS Ali Masjid	14-11-1990	14-11-1990	22.02.2011	04.01.2013	
123	Gul Habib	Ali Mohammad	BA	PTC/Bed	PSHT	15	22-08-1965	Khyber	03-09-1988	03-09-1988	GPS Wali Baba	14-11-1990	14-11-1990	31.08.2015	17.01.2017	
130	FAZAL AKBAR	Muhammad Akbar	BA	PTC	PSHT	15	01-02-1970	Khyber	07-10-1990	07-10-1990	GPS Redi Gul	14-11-1990	14-11-1990	22.11.1999	26.07.2005	
143	Jan Akbar	Khawja mir	MA	PTC/CT/Med	PSHT	15	03-10-1972	Khyber	07-10-1990	07-10-1990	GHS Alam Gudar	22-10-1991	22-10-1991	31.03.1997	04.10.2002	
145	Izat Shah	Qudrat Shah	MA	PTC/CT/Bed	PSHT	15	28-04-1970	Khyber	07-10-1990	07-10-1990	GPS Redi Gul	05-11-1991	05-11-1991	11.10.2003	10.02.2010	
162	Abdullah	Adul Qahar	BA	PTC/Bed	PSHT	15	11-03-1972	Khyber	25-11-1992	25-11-1992	GPS Zabir Noor	25-11-1992	25-11-1992	04.03.1999	12.08.2002	
166	Inamullah	Hatim Khan	MA	PTC/M.Ed/CT	PSHT	15	01-02-1973	Khyber	03-12-1992	03-12-1992	GPS Jan Badshah	03-12-1992	03-12-1992	09.04.1997	26.05.2005	
169	shahab Ud din	Ahmad jan	MA	PTC/CT/Bed	PSHT	15	01-04-1971	Khyber	23-12-1992	23-12-1992	GPS Ghundi Jamrud	23-12-1992	23-12-1992	28.04.2000	25.01.2007	
170	Hidayat Ullah	Inayat Ullah	BA	PTC/Bed	PSHT	15	27-11-1969	Khyber	23-12-1992	23-12-1992	GPS Ali shah killi	23-12-1992	23-12-1992	04.06.2001	26.06.2014	
172	Nazar khan	sher Rehman	MA	PTC/CT/Bed	PSHT	15	02-12-1969	Khyber	23-01-1993	23-01-1993	GHS Jamrud-2	23-01-1993	23-01-1993	07.03.1996	10.02.2010	
175	Gul Muhammad	Lal Khan	BA/Bed	PTC/CT	SPHT	15	05-07-1969	Khyber	23-01-1993	23-01-1993	GPS Spin Dhand	25-12-1993	25-12-1993	22.05.2002	13.02.2004	
Seniority No	Name	F/Name	Qualification		Designation	BPS	D/O Birth	Domicile	D/O Ist Entry Into Govt Service	D/O App: In the Present Post	Place of Posting	D/O Passing of Prof: Exam result/D/O Promotion	Consideration Date	BA Result Declaration Date	B.ED Result Declaration Date	Remarks
		Prof :	Acad :													
200	Tahir khan	Zain khan	BA	PTC/BED	SPHT	15	15-03-1969	Khyber	01-01-1990	01-01-1990	GHS Sur Kamar	29-05-1994	29-05-1994	12.10.2007	04.01.2013	
209	Khalil UR Rehman	Razm Ali	BA	PTC	SPHT	15	25-03-1971	Khyber	27-09-1994	27-09-1994	GHS Ghundi	27-09-1994	27-09-1994	28.12.1998	18.07.2011	
210	Baghdadi shah	Bilal Shah	MA	PTC/CT/Bed	SPHT	15	10-02-1970	Khyber	27-09-1994	27-09-1994	GPS Bara Dara	27-09-1994	27-09-1994	02.01.2001	10.02.2010	
221	Farman Ali	Razam Ali	MA	PTC/Bed	SPHT	15	20-02-1968	Khyber	19-03-1995	19-03-1995	GPS khan Akbar	19-03-1995	19-03-1995	30.08.1994	24.02.1999	
222	Imran Afridi	Dilshad	BA	PTC/CT	SPHT	15	05-08-1970	Khyber	19-03-1995	19-03-1995	GPS Sahib shah	19-03-1995	19-03-1995	31.12.1997	13.01.2004	
229	Irfan khan	Gul Mand	BA	PTC/Bed	PST	12	05-10-1974	Khyber	09-09-2002	30-09-1988	GPS Fazal Ahmad	18-06-1996	18-06-1996	08.04.2005	10.02.2010	
243	Samar Khan	Abdul Qayum	MA	PTC/CT/Bed	SPHT	15	10-11-1971	Khyber	31-10-1996	31-10-1996	GPS Shanki	31-10-1996	31-10-1996	08.02.1996	25.01.2007	
244	Abdul Wadood	Pir Haider	Mcom	PTC/B.Ed	SPHT	15	05.03.1969	Khyber	01.11.1996	01.11.1996	GPS Jalal Din No1	01.11.1996	01.11.1996	12.07.1994	22.12.2005	
260	Noor Rahim	Hakim Khan	MA	PTC	SPHT	15	03-01-1976	Khyber	19-09-1998	19-09-1998	GPS Sher Khan	19-09-1998	19-09-1998	09.04.1997	17.02.2004	
266	Attiq Ur Rehman	Ali Rehman	MA	PTC/CT/Bed	SPHT	15	14-04-1974	Khyber	19-09-1998	19-09-1998	GPS T.D bazar	19-09-1998	19-09-1998	09.04.1997	12.01.2008	
267	sher Yaz Dan	Gul Jamal	BA	PTC/Bed	SPHT	15	10-02-1973	Khyber	19-09-1998	19-09-1998	GPS khan Akbar	19-09-1998	19-09-1998	30.05.2001	10.02.2010	
268	Samir Jan	Karim shah	BA	PTC/BED	SPHT	15	02-01-1979	Khyber	19-09-1998	19-09-1998	GPS Shamsheer killi	19-09-1998	19-09-1998	25.11.2000	26.07.2008	
269	Haider Khan	Niaz Gul	BA	PTC/Bed	SPHT	15	01-03-1972	Khyber	19-09-1998	19-09-1998	GPS Jamrud	19-09-1998	19-09-1998	17.03.1994	10.02.2010	
273	Menhajuddin	Yarbaz Khan	Bcom	PTC/CT/Bed	SPHT	15	15-01-1971	Khyber	19-09-1998	19-09-1998	GPS Khurma Tang	19-09-1998	19-09-1998	31.05.1994	20.02.2002	
275	Lal Faqir	Mohammad Saddiq	BA	PTC/CT/Bed	SPHT	15	10-10-1972	Khyber	19-09-1998	19-09-1998	GPS Hussain Gul	19-09-1998	19-09-1998	24.12.2003	26.07.2008	

B.Ed

ATTESTED

B.Ed

D

DTA

Agency Education Officer Ref: _____
 Khyber Agency at Jamrud Dated: ____/____/2017
 Placement

Consequent upon the notification of FATA Secretariat Directorate of Education Khyber Pakhtunkhwa, Warsak Raod Peshawar, Pakistan Endost: No. 15113-60 dated 11/10/2017, the SCTs/CTs, PSITs/SPSTs/PSTs, SDMs/DMs, SATs/ATs STTS/TTs, of Khyber Agency who whave been promoted to SSTs (Bio-Chem), SSTs (Phy-Maths), SSTs (General) male vide said notification, are placed at the vacant SSTs (Bio-Chem), SSTs (Phy-Maths), SSTs (General) male posts noted against each with immediate effect in public interest.

Placement of SST (Bi/Chem) BPS-16
 (Promoted from SCT/CT)

S No	St: No	Name	Present place of posting	Placement
1	91	Islam uddin	GHS Jaffar Khan	Against the vacant SST (Bio-Chem) Post at GHS Jaffar Khan
2	92	Khan Afzal	GHS Janas Khan	Against the vacant SST (Bio-Chem) post at GHS Janas Khan
3	109	Wasim	GHS Jamrud No. 2	Against the vacant SST (Bio-Chem) post GHS Jamrud No. 2
4	115	Ilauddin	GHS Ghundi	Against the vacant SST (Bio-Chem) post at GHS Ghunid
5	158	Wahabuddin	GHS Jamrud 1	Against the vacant SST (Bio-Chem) post at GHS Jamrud 1
6	185	Shah Muhammad Khan	GMS Shalobar No. 1	Against the vacant SST (Bio-Chem) post at GHS Jan Khan
7	190	Haji Gul	GMS Sheenki Bara	Against the vacant SST (Bio-Chem) post at GHS Muhammad Khan Kali LKL
8	191	Ali Gul	GHS Kohi Sher Haider	Against the vacant SST (Bio-Chem) post at GHS Kohi Sher Haider

Placement of SST (Bi/Chem) BPS-16
 (Promoted from PSIT/SPST/PS)

S No	St: No	Name	Present place of posting	Placement
1	238	Bagh e Haram	GPS Azam Din	Against the vacant SST (Bio-Chem) Post at GHS Akhun Talab Bara Khyber Agency
2	263	Muhammad Farooq	GPS Gul Muran	Against the vacant SST (Bio-Chem) post at GHS Sama Ghari Khyber Agency
3	409	Asif Noor	GPS Tood Kamar	Against the vacant SST (Bio-Chem) post at GHS Tood Kamar BZK LKL Khyber Agency
4	427	Said Muhammad	GPS Sher Bahadar	Against the vacant SST (Bio-Chem) post at GHS Madghali Attari

ATTESTED



Placement of SST (Phy-Maths) BPS-16
(Promoted from SCT/CT)

S No	St: No	Name	Present place of posting	Placement
1	95	Akhtar Hussain	GHSS No. 1 Jamrud	Against the vacant SST (Phy-Maths) Post at GHS Jaffar Khan
2	112	Muhammad arif	GHS Lora Maina	Against the vacant SST (Phy-Maths) Post at GHS Lora Maina Jamrud

Placement of SST (Phy-Maths) BPS-16
(Promoted from PSITT/SPST/PST)

S No	St: No	Name	Present place of posting	Placement
1	212	Hidayat Ullah	GPS Gudar No. 1	Against the vacant SST (Phy-Maths) Post at GHS Sur Kamar Jamrud
2	514	Muhammad Rafiq	GPS Tauda Mela	Against the vacant SST (Phy-Maths) Post at GHS Paindi Lalma Jamrud
3	546	Musafar Shah	GHS Jan Khan	Against the vacant SST (Phy-Maths) post at GHS Jan Khan Killi Bara Khyber Agency

Placement of SST (General) BPS-16
(Promoted from Sr: CT/CI)

S No	St: No	Name	Present place of posting	Placement
1	4	Fazle Rehman	GHS Kam Shalman	Against the vacant SST (General) Post at GMS Chapari Jamrud
2	5	Muhammad Yaseen	GHS Muhammad Khan	Against the vacant SST (General) Post at GHS Muhammad Khan LKL
3	6	Musharaf Khan	GHS Jamrud No. 2	Against the vacant SST (General) Post at GMS Jabba Jamrud
4	8	Adam Khan	GHS Jan Khan	Against the vacant SST (General) Post at GMS Karna Khel
5	15	Muhammad Sher	GHS Jamrud No. 1	Against the vacant SST (General) Post at GHS Jamrud No. 1
6	18	Habib ur Rehman	GMS Akram Killi	Against the vacant SST (General) Post at GMS Speen Qabar
7	20	Aurang Zeb	GHS Mian Morcha Jamrud	Against the vacant SST (General) Post at GMS Kambela Jamrud Khyber
8	21	Aqal Khan	GMS Akram Killi	Against the vacant SST (General) Post at GHS Gul Zamir
9	24	Zahid Ullah	GHS Hashim Abad	Against the vacant SST (General) Post at GHS Hashim Abad Jamrud

Placement of SST (General) BPS-16
(Promoted from PSITT/SPST/PST)

S No	St: No	Name	Present place of posting	Placement
1	78	Jehan Zeb Khan	GHS Alam Gudar	Against the vacant SST (General) Post at GMS Gandow Bara Khyber Agency

ATTESTED




ATTESTED

1. They would be on probation for a period of one year extendable for a further period of one year.
2. They will be governed by such rules and regulation as and when issued from time to time by the provincial Govt.
3. Their services can be terminated at any time, in case their performance is found unsatisfactory during probationary period. In case of misconduct, they shall be proceeded under the rules framed from time to time.
4. Charge report should be submitted to concerned.
5. No T/A/D/A is allowed for joining his duty.
6. They will give an under taking to be recorded in their service book to the effect that if any overpayment is made to him/her in the light of his order will be recovered and if he/she is wrongly promoted, he/she will be reverted.
7. Before handing over charge once again their document may be checked if they have not the prescribed qualifications as per rules, they may not be handed over charge of the post.

TERMS AND CONDITIONS

S No	Sr. No	Name	Present place of posting	Placement
40	122	Gul Habib	GPS Wali Baba	Against the vacant SST (General) Post at GHS Chora Jamrud
(Promoted from SIDM/DM)				
Placement of SST (General) RPS-16				
1	1	Farid Alam	GHS Abdul Ghafoor Khan	Against the vacant SST (General) Post at GHS Shagal Jamrud
(Promoted from SAT/AT/O)				
Placement of SST (General) RPS-16				
1	9	Said Bahoo Jan	GHS Zeen Tara	Against the vacant SST (General) Post at GHS Zeen Tara LKL
(Promoted from PSIT/PSST/PSST)				
Placement of SST (General) RPS-16				
1	72	Muhammad Yousaf	GPS Warmando	Against the vacant SST (General) Post at GMS Latif K III LKL

Encl: N. 2181-88 placement/SSTs/M/33 Nos dated 12-10-2017

- 1) Director Education FATA at Peshawar.
- 2) Political Agent Khyber at Peshawar.
- 3) PS to ACS FATA.
- 4) PS to Secretary SSD FATA.
- 5) Agency Accounts Officer Khyber
- 6) SSTs Concerned.
- 7) Principals/Head Masters of Stations/Schools Concerned.
- 8) Sup: Local Office.

Agency Education Officer.
Khyber Agency at Jamrud.

ATTESTED



Oxofers

CT. PST. DM

Agency Education Office
Khyber Agency at Jamrud
Phone: 091-5820265 Fax 091-5820265

Ref: _____
Dated: ___/___/2017

5

Placement

Annexure - B

Consequent upon the notification of FATA Secretariate Directorate of Education Khyber Pakhtunkhwa, Warsak Road Peshawar, Pakistan ndst:No.15113-60 Dated:11/10/2017, all the SCTs/CTs, PSHTs/SPSTs/PSTs, DMs/DMs, SATs/ATs STTs/TTs, of Khyber Agency who have been promoted to SSTs (Bio-Chem), SSTs (Phy-Maths), SSTs (General) male vide said notification, are hereby placed at the vacant SSTs (Bio-Chem), SSTs (Phy-Maths), SSTs (General) male posts noted against each with immediate effect in public interest.

PLACEMENT OF SST (Bio/Chem) BPS-16
PROMOTED FROM SCT/CT

Sl. No.	Name	Present Place of posting	Placement
91	Ishan Uddin	GHS Jaffar Khan	Against Vacant SST(Bio-Chem) Post at GHS Jaffar Khan
92	Khan Afzal	GHS Janas Khan	Against Vacant SST(Bio-Chem) Post at GHS Janas Khan
102	Wasim Khan	GHS Jamrud No 2	Against Vacant SST(Bio-Chem) Post at GHSS No.1 Jamrud
111	Mirzauddin	GHS Chand	Against Vacant SST(Bio-Chem) Post at GHSS No.1 Jamrud
135	Wahab-U-Din	GHS Jamrud 1	Against Vacant SST(Bio-Chem) Post at GHSS No.1 Jamrud
147	Shah Muhammad Khan	GMS Shalobar No 1	Against Vacant SST(Bio-Chem) Post at GHS Jan Khan
149	Haj Gul	GMS Sheena Har	Against Vacant SST(Bio-Chem) Post at GHS Muhammad Khan Killi-LKL
191	Ali Gul	GHS Kohi Sher Haider	Against Vacant SST(Bio-Chem) Post at GHS KOHI SHER HAIDER

PLACEMENT OF SST (Bio/Chem) BPS-16
PROMOTED FROM PSHT/SPST/PST

18/11/2017

Sl. No.	Name	Present Place of posting	Placement
238	Dagh e Haram	GPS Azam Din	Against Vacant SST(Bio-Chem) Post at GHS Akhun Talab Bara Khyber Agency
285	Muhammad Farooq	GPS Gul Muran	Against Vacant SST(Bio-Chem) Post at GHS Samu Ghari Khyber Agency
409	Asif Noor	GPS Tood Karoun	Against Vacant SST(Bio-Chem) Post at GHS Tood Karoun Khyber Agency

ATTESTED

[Signature]

PLACEMENT OF SST (Phy-Maths) BPS-16

(PROMOTED FROM SC/UCO)

6

Sr. No.	Name	Present Place of posting	Placement
15	Akhtar Hussain	✓ GHSS No.1 Jamrud	Against Vacant SST(Phy-Maths) Post at GHSS No.1 Jamrud
112	Muhammad Afif	GHS Lora Maina	Against Vacant SST(Phy-Maths) Post at GHS Lora Maina Jamrud

PLACEMENT OF SST (Phy-Maths) BPS-16

(PROMOTED FROM PSUI/SPST/PST)

Sr. No.	Name	Present Place of posting	Placement
232	Hidayat Ullah	GPS Gudar No.1	Against Vacant SST(Phy-Maths) Post at GHS Sur Kamar Jamrud
344	Muhammad Rafeq	✓ GPS Tauda Mela	Against Vacant SST(Phy-Maths) Post at GHS Poindi Labna Jamrud
546	Musafar Shah	GHS Jan Khan	Against Vacant SST(Phy-Maths) Post at GHS Jan Khan Killi Bara Khyber Agency

PLACEMENT OF SST (General) BPS-16

(PROMOTED FROM SGT/SI/CO)

[Signature]
18/17/07

Sr. No.	Name	Present Place of Posting	Placement
4	Fazle Rehman	GHS Kam Shalman	Against Vacant SST(General) Post at GMS Chapari Jamrud
5	Muhammad Yaseen	GHS Muhammad Khan	Against Vacant SST(General) Post at GHS Muhammad Khan I.K.I.
6	Musharaf Khan	GHS Jamrud No.2	Against Vacant SST(General) Post at GMS Jubba Jamrud
8	Adam Khan	GHS Jan Khan	Against Vacant SST(General) Post at GMS Karnu Khel
15	Muhammad Sher	✓ GHS Jamrud No.1	Against Vacant SST(General) Post at GHS Jamrud No.1
18	Habib ur Rehman	GMS Akram Edli	Against Vacant SST(General) Post at GMS Speen Qabar
20	Aurang Zeb	GHS Mian Murehin Jamrud	Against Vacant SST(General) Post at GMS Kambela Jamrud Khyber
21	Aqal Khan	GMS Akram Killi	Against Vacant SST(General) Post at GHS Gul Zamir
24	Zabid Ullah	GHS Hashim Abad	Against Vacant SST(General) Post at GHS Hashim Abad Jamrud

PLACEMENT OF SST (General) BPS-16

(PROMOTED FROM PSUI/SPST/PST)

ATTESTED
[Signature]

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	Killi	GMS Khaista Gul Jamrud
2 Gul Habib	GPS Wali Baba	Against Vacant SST(General) Post at GHS Chora Jamrud

PLACEMENT OF SST (General) BPS-16
PROMOTED FROM SD/DAI/DM

SDM. D.M

S.L. No	Name	Present Place of Posting	Placement
	Farid Alam	GHS Abdul Ghafoor Khan	Against Vacant SST(General) Post at GHS SHAGAJ JAMRUD

PLACEMENT OF SST (General) BPS-16
PROMOTED FROM SAI/AC/IO

S.L. No	Name	Present Place of Posting	Placement
9	Said Bahoo Jan	GHS Zeen Tara	Against Vacant SST(General) Post at GHS Zeen Tara LKL

PLACEMENT OF SST (General) BPS-16
PROMOTED FROM ST/TL

S.L. No	Name	Present Place of Posting	Placement
72	Muhammad Yousaf	GPS Warmundo	Against Vacant SST(General) Post at GMS Latif Killi LKL

Terms and conditions

- 1 They would be on probation for a period of one year extendable for a further period of one year.
- 2 They will be governed by such rules and regulations as and when issued from time to time by the provincial Govt.
- 3 Their services can be terminated at any time, in case their performance is found unsatisfactory during probationary period. In case of misconduct, they shall be proceeded under the rules framed from time to time.
- 4 Charge report should be submitted to all concerned.
- 5 No TA/DA is allowed for joining his duty.
- 6 They will give an under taking to be recorded in their service book to the effect that if any overpayment is made to him/her in the light of this order will be recovered and if he/she is wrongly promoted, he/she will be reverted.
- 7 Before handing over charge once again their document may be checked if they have not the prescribed qualifications as per rules, they may not be handed over charge of the post.

ATTESTED



6 No. 2181-88 placement/SSTs/M/33Nos Dated: 12/10/2017

Director Education FATA at Peshawar.

Political Agent Khyber at Peshawar

PS to ACS FATA.


PS to Secretary SSD FATA:

Agency Accounts officer Khyber

SSTs concerned.

Principals/Head Mastres of Stations/Schools concerned.

Sup: Local office.


Agency Education Officer
Khyber Agency at Jamrud
12/10/17

ATTESTED



8



Agency Education Office
Khyber Agency at Jamrud
PHONE. 091-5820584 FAX 091-5820584

No: 340/
Date: 10/11/2017

Annexure - C

To

The Director Education,
FATA at Peshawar

Subject:- SENIORITY LIST.
Memo

Enclosed find please herewith in original application in respect of the following CTs/PSTs on subject cited above:

The case is submittd for further necessary action please

AGENCY EDUCATION OFFICER
KHYBER AGENCY AT JAMRUD

ATTESTED

(9)

بخدمت جناب ڈائریکٹر صاحب ایجوکیشن فائنا
بوساطت ایجنسی ایجوکیشن آفیسر صاحب خیبر ایجنسی

Admin

(درخواست برآمد ہمدردانہ/منصفانہ طور)

Annexure - D

FAFA
جناب عالی!

Encl No = 8181-88

۱۵/۱۸ مودبانہ گزارش کی جاتی ہے کہ SST پروموشن آرڈر بمطابق نمبر: 60-15113 مورخہ 18/10/2017 کی ہے۔ جو کہ Deptt: Promotion Policy کے منافی ہے۔ جس سے ان اساتذہ جو کہ Bed لیول پر ہیں۔ ان کی حق اور حوصلہ شکنی ہوئی ہے۔ ان اساتذہ کے اس سلسلے میں درجہ ذیل تحفظات ہیں۔

- ①۔ فائنا میں SST اساتذہ کرام کی ترقی/ترقی ڈیپارٹمنٹس پر موشن پالیسی کے مطابق Prescribed Qualification کے سناریو کے مطابق ہو رہی تھی۔ لیکن اس بار پالیسی کو پامال کر کے اساتذہ کو SST پوسٹ پر ترقی دی گئی ہے۔ جو کہ مذکورہ بالا پالیسی کے منافی ہے۔
 - ②۔ فائنا میں SNE پرانی ہے لہذا پرانے SNE کے مطابق SST سائنس اور SST جنرل کی پوسٹنگ ڈسٹریوشن ہونی چاہیے۔ یعنی جتنے تعداد میں SST سائنس کے پوسٹ Vacant ہیں اس تعداد میں SST سائنس کو ترقی دی جائے اور جتنی تعداد میں SST جنرل کے سیٹ خالی ہیں۔ اتنی تعداد میں SST جنرل تعینات/ترقی دی جائے۔
 - ③۔ فائنا میں KPK کے طرز پر SST پروموشن کی گئی ہے۔ جو کہ اس پالیسی کی فائنا میں Implementation غلط ہے۔ کیونکہ KPK میں نئی SNE کے مطابق SST کی ترقی/ترقی کی گئی ہے۔ جبکہ فائنا میں پرانے خالی پوسٹیں/پرانے SNE میں نئی پالیسی کے مطابق SST کو ترقی دی گئی ہے۔ جو ہمارے سسر اساتذہ کی حق تلفی کی گئی ہے۔
- لہذا استدعا ہے کہ درجہ بالا حقائق اور تحفظات کو مدنظر رکھ کر حالیہ SST پروموشن آرڈر کو منسوخ کر کے حق پرستی پرانے SNE کے مطابق پروموشن آرڈر جاری کی جائے۔ بصورت دیگر ہم سسر اساتذہ عدالت جانے پر مجبور ہونگے۔

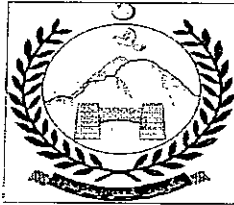
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B

العارض

دستخط:	پوسٹ	کوالیفیکیشن	نام	✓
<i>[Signature]</i>	PSHT	MA-B.Ed	محمد علی	① ✓
<i>[Signature]</i>	PSHT	MA. B,Ed	انعام اللہ	② ✓
<i>[Signature]</i>	SCT	M.A. BED	درویش خان	③ ✓
<i>[Signature]</i>	SCT	B.A. Bed	شرفان	④ ✓
<i>[Signature]</i>	SCT	MA, B,Ed: /MED:	عبدالغفر	⑤ ✓
<i>[Signature]</i>	SAM	MA BEd	سکھو خان	⑥ ✓
<i>[Signature]</i>	SCT	MA/Bed, MED:	عبدالغنی	⑦ ✓
<i>[Signature]</i>	PSHT	MA/ B-Ed	فرمان علی	⑧ ✓
<i>[Signature]</i>	PSHT	MA. B,Ed	سکھو خان	⑨ ✓
<i>[Signature]</i>	PSHT	M.A. Y. Ed	جان اکبر	⑩ ✓
<i>[Signature]</i>	PSHT	B-A/B.Ed	شیریں	⑪ ✓
<i>[Signature]</i>	SCT	BA/BED	دنیا	⑫ ✓

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GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

Peshawar, dated the 24th July, 2014.

Annexure - E

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,-

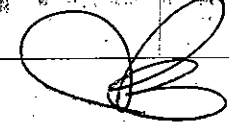
- (i) Serial No. 1 shall be renumbered as 1B and before Serial No. 1B, as so renumbered, the following new entries shall be inserted in respective columns, namely:

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 M.A Education or equivalent qualification from a recognized University.	23 to 35 years	(a) Fifty per cent by promotion, on the basis of seniority-cum-fitness, for the relevant subject from amongst the Secondary School Teachers (BPS-16), with at least five years service as such and having qualification mentioned in column No. 3. Note: If no suitable candidate is available in the relevant subject the post falling in their promotion quota shall be filled by initial

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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	(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: 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; 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 (b) fifty percent by initial recruitment"; and

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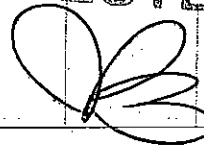


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(ii) against Serial No. 1B, as so renumbered, for the existing entries, the following shall be substituted, in respective columns, namely:

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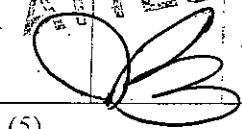
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				<p>Provided that if no suitable candidate is available from amongst Senior Drawing Masters for promotion then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from amongst Drawing Masters with at least five years service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

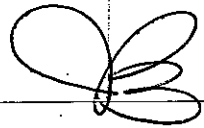

			<p>Provided that if no suitable candidate is available from amongst Senior Theology Teachers for promotion then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from amongst Theology Teachers with at least five years service as such and having qualification mentioned in column 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>
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ATTESTED



			<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)

VAKALATNAMA

In the Court of KP Service Tribunal, Pesh:

OF 2018

Imran Afridi

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

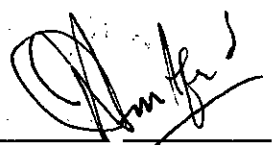
ACS FATA & OTHERS

(RESPONDENT)
(DEFENDANT)

I/We Imran Afridi

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. 02 / Mar / 2018



CLIENT



ACCEPTED

NOOR MOHAMMAD KHATTAK
&
MUHAMMAD MAJAZ MADNI
ADVOCATES

OFFICE:

Flat No.3, Upper Floor,
Islamia Club Building, Khyber Bazar,
Peshawar City.

Phone: 091-2211391

Mobile No.0345-9383141