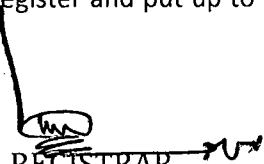

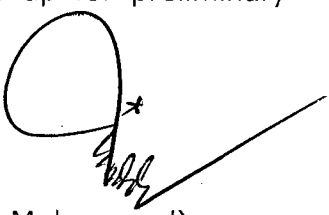


Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 947/2022

| S.No. | Date of order proceedings | Order or other proceedings with signature of judge |
|-------|---------------------------|--|
| 1 | 2 | 3 |
| 1- | 23/06/2022 | <p>The appeal of Mr. Said Muhammad resubmitted today by Mr. Yaqub Khan Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p> |
| 2- | 4/7/22 | <p>This case is entrusted to Single Bench at Peshawar for preliminary hearing to be put there on <u>13-7-22</u>. Notices be issued to appellant and his counsel for the date fixed.</p> <p style="text-align: right;"> CHAIRMAN</p> |
| | 13.07.2022 | <p>Appellant in person present and requested for adjournment on the ground that his counsel is not available today. Adjourned. To come up for preliminary hearing before the S.B on 14.09.2022.</p> <p style="text-align: right;"> (Mian Muhammad) Member (E)</p> |

The appeal of Mr. Said Muhammad son of Ali Muhammad PST GPS Arabi Banda District Mardan received today i.e. on 23.05.2022 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Check list is not attached with the appeal.
- 2- Appeal has not been flagged/marked with annexures marks.
- 3- Copy of seniority list dated 31.12.2017 mentioned in para-4 of the memo of appeal is not attached with the appeal which may be placed on it.
- 4- Copy application dated 29.03.2018 and letter dated 16.04.2018 mentioned in para-5 of the appeal are not attached with the appeal which may be placed on it.
- 5- Sub-rule-4 of rule-6 of Khyber Pakhtunkhwa Service Tribunal rules 1974 requires that every civil servant to whom the relief claimed may affect shall also be shown as respondent.
- 6- Annexures of the appeal are not in sequence which may be annexed serial wise as mentioned in the memo of appeal.


No. 1253 /S.T,

Dt. 6-6 /2022


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Yaqub Khan Adv. Mardan.

Sir,
objections removed, completed and
resubmitted please.


20/6/22

(S)

BEFORE THE KPK SERVICE TRIBUNAL OF PESHAWAR

APPEAL NO. 247 2022

Said Muhammad..... (Appellant)

VERSUS

D.E.O (E&SE) (M) Mardan & Others..... (Respondents)

INDEX

| S.NO | DESCRIPTION OF DOCUMENTS | ANNEXURE | PAGES | |
|------|-------------------------------------|----------|-------|----|
| 1. | Memo of appeal along with affidavit | | 01 | 03 |
| 2. | Copy of service book | A | 4 | 10 |
| 3 | Copy of order | B | — | 11 |
| 4 | Copy of judgment | C | 12 | 13 |
| 5 | Copy of letter & seniority | D | — | 14 |
| 6 | Copy of application and letter | E | 15 | 18 |
| 7 | Copy of W.P and order | F | 19 | 28 |
| 8 | Copy of order is attached | G | 29 | 31 |
| 9 | Copy order & Departmental Appeal | H | 32 | 40 |


YAQUB KHAN ADVOCATE

Ditt: Courts Mardan

Peshawar High Peshawar

①

BEFORE THE KPK SERVICE TRIBUNAL OF PESHAWAR

APPEAL NO. _____ 2022

Said Muhammad S/O Ali Muhammad PST GPS Arabi Banda District Mardan

(Appellant)
Khyber Pakhtunkhwa
Service Tribunal

VERSUS

Diary No. 817

Dated 23/05/2022

1. D.E.O (E&SE) (M) Mardan.
2. Director of (E & SE) Education KPK, Peshawar.
3. Fazal Subhan s/o Masoud Khan SPST GPS Mir Akbar (Respondent)
Khan Banda, Mardan, r/o Vill: Kagan, Mardan.

APEAL UNDER SECTION-4 THE KHYBER PAKHTUN KHWA SERVICE TRIBUNAL ACT, 1974, AGAINST THE IMPUGNED NOTIFICATION OF THE RESPONDENT NO 1 DATED 01/01/2022, WHEREBY JUNIOR PST THAN APPELLANT WERE PROMOTED FROM BPS-14 TO BPS-15, WHEREBY THE DEPARTMENTAL APPEAL FILED BEFORE THE RESPONDENT AGAINST THE IMPUGNED NOTIFICATION, AND AFTER LAPS OF 90 DAYS, APPELLANT FILED INSTANT SERVICE APPEAL.

PRAYERS:

That on acceptance of this appeal the impugned Notification dated 01-01-2022 may very kindly be modified /amended and the respondent May be directed to promote the appellant according to the Notification Dated 01-01-2022 with all back benefits. Any other remedy which this Tribunal deems fit that may also be awarded in favor of the appellant.

R/ SHEWETH:-

ON FACTS:

1. That the appellant was appointed as PST teacher BPS-14 with respondents department 26/04/1992 as regular basis.
(Copy of service book is as Annex: "A")
2. That the appellant was up-graded from BPS 7 to BPS 12 Vide order dated 01-07-2012
(Copy of order is attached as Annex: B)

3. That the appellant 'S name was not inducted in seniority list of PST teacher for which the appellant approached before service Tribunal through a service appeal, which was accepted vide / judgment dated 23/11/2017.

(Copy of judgment is as Annex C)

4. That petitioner filed an application along with judgment of service Tribunal before respondent No.1 which was allowed and the name of appellant was inducted in the seniority list of PST vide letter dated 22/03/2018 and seniority list of PST Dated 31/12/2017.

(Copy of letter and seniority is as Annex : " D")

5. That the appellant filed an application for Up-gradation from BPS-12 to BPS-14 vide application dated 29/03/2018 which is properly process vide letter dated 25/04/2018 and 16/04/2018.

(Copy of application and letter is as Annex: " E")

6. That appellant approached before honorable Peshawar High Court Peshawar through W.P No : 884-P/2019, which was allowed vide order /judgment of honorable Peshawar High Court Peshawar, dated 18/12/2019.

(Copy of W.P and order is as annex: " F")

7. That appellant approached before respondent for implementation of order/ judgment of Peshawar High Court Peshawar which was allowed and appellant was promoted from BPS-12 to BPS-14 Vide order dated 19/10/2020.

(Copy of order is as annex: " G")

8. That appellant filed an application for promotion from BPS-14 to BPS-15 but application of appellant is ignored and junior teacher than appellant are promoted to the post of SPST teacher to PSHT BPS-15 and appellant being senior most at S/No:1288 of seniority list is ignored vide order dated 01-01-2022 which is illegal, against law.

(Copy order & D/ Appeal is as Annex: "H")

9. That order of result No:1 dated 1/01/2022 is illegal, against law and facts and the appellant is entitled for promotion for the post PSHT BPS-15 on the following grounds.

GROUND:

A. That the impugned notification dated 01-01-2022 is ultra vires and against the law facts, norms of natural justice and materials on the recorded hence not tenable and is liable to be modified / set aside.

B. That appellant has not been treated by the respondent Department in accordance with law and rules on the Subject noted above and as such the respondents violated Article 4 and 25 of the constitution of the Islamic republic of Pakistan 1973.

C. That the respondents acted in arbitrary and malafide manner by not promoting the appellant to the post of PSHT (BPS-15) according to the notification dated 01-01-2022.

- D. That the respondents have promoted other colleagues of the appellant on the notification dated 01-01-2022, whereas the appellant was ignored from promotion on the basis of impugned notification dated 01-01-2022.
- E. That the act of the respondent is against article 38 (E) of the constitution of the Islamic Republic of Pakistan 1973.
- F. That the respondent violated section 9 of the civil servant Act, 1973 read with Rule 7 of the appointment, promotion and transfer rules, 1989 by not promoting the appellant to the post of PSHT (BPS-15).
- G. That this honorable court passed order on the same subject matter in formula of other similarly placed official namely sami nul Haq in appeal no 1020/ 2019 vide order / Judgments of this honorable Tribunal dated 1/06/2021 and as per reposted judgment of apex Supreme Court Pakistan SCMR 1996 page 1185, appellant is also entitle for the same benefit.

(Copy of judgment is attached)

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

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

Dated :

APPELLANT

THROUGH

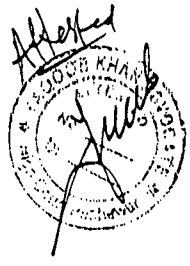
YAQUB KHAN ADVOCATE

Ditt: Courts Mardan

Peshawar High Peshawar

AFFIDAVIT

I Said Muhammad S/O Ali Muhammad (appellant), do here by state on solemn affirmation that the contents of this appeal are true and correct to the best of my knowledge and belief.



Deponent

(Said Muhammad)

Helds.

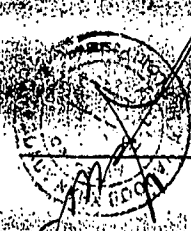
Handwritten marks: 4, 3, 2, 1

Verification Roll No. dated received back

② Passed & Die Examination Spring 1998 from AIGU Islamabad
 Under Roll No. 46150968 obtained Marks 492 out of 500
 que Result declared on 31-7-1999
 Left thumb impression

Signature: *[Handwritten Signature]*
 Officer (in Charge)

| Qualification | Date | Qualifications |
|-------------------|---|---|
| English | 1982 Under RNo 36421 from B.I.S.E. Pesh. Marks obtained 381/850 | First Arts |
| Pashtu | B.I. or B.A. by D. Govt. College, Peshawar | Pleadership examination |
| Urdu | | Training School Final examination |
| Plan-drawing | | Other qualifications - |
| Finger print | | Examination 2009 from B.I.S.E. Marks in English 2107-2009 |
| Drill instructing | | Marks in Urdu 435/1100 |
| Court duties | | Result declared on 1/8/05 |
| Reserve duties | | Dep'ty District Officer, Pesh. Govt. Muradpur |



N.B. - Line to be drawn under the qualification possessed

Note:—The entries in this page should be renewed or re-attested, at least every five years and the signature in lines 9 and 10 should be dated.

1. Name Mr. Said Muhammad

(5) (Signature)

2. Race Isham

3. Residence Mohallah: Qaimud-din Ward No 1. Post office
Tabkt Bhai Distt Mawdan

4. Father's name and residence Mr. Aki Muhammad
as above.

5. Date of birth by Christian era as 02.09.1963 (2nd September N.H.D Sixty three)
nearly as can be ascertained

6. Exact height by measurement 5-6

7. Personal marks for identification Scar on the outer angle of lt. eye

8. Left hand thumb and Finger impression of (non-gazetted) officer

Little Finger

Ring Finger

Middle Finger

Fore Finger

Thumb

9. Signature of Government servant.

(Signature)

10. Signature and designation of the Head of the Office, or other Attesting Officer.

By: A. Lamb
Mawdan Primary Mawdan.

Attested
Javed

| ① Name of post | Whether substantive or officiating and whether permanent or temporary | If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R. | Pay in substantive post | Additional Pay for officiating | Other emolument falling under the term "Pay" | Date of appointment | Signature of Government servant |
|--|---|--|-------------------------|--------------------------------|--|---------------------|---------------------------------|
| N/O DEO (M) Prvi | off/Temp | BPS No. I-600-13-860 | Rs. 600/- PM | | | 15/5/1991 | [Signature] |
| Mardan | | | | | | | |
| do | do | B.P.S No. I-920-28-1310 | Rs. 1076/- PM | ✓ | | 6/1/91 | [Signature] |
| do | do | | Rs. 1102/- | | | 12/1/91 | [Signature] |
| Elementary Teacher SEPS of Govt. Sargodha Mardan | do | BPS-5 (1035-49-1770) | Rs. 1035/- | | | 26/4/92 | [Signature] |
| do | do | | Rs. 1084/- | ✓ | | 1/12/1991 | [Signature] |
| do | do | Adv. M... Office of the Accountant General N.W.F.P. Peshawar Pay fixed in the Revised Pay Scales of No. 920-28-1310 (B-1) Rs. 1276/- P.M.W.L.F 1-6-1991 with next increment on 1-12-1991 | Rs. 1133/- | | | 1/12/92 | [Signature] |
| do | do | Accounts Officer Pay Fixation Party N.W.F.P. Peshawar | Rs. 1522/- | | | 1-6-94 | [Signature] |
| do | do | BPS-5 (1402-66-2390) | Rs. 1730/- | | | 12/96 | [Signature] |

5

7

~~6~~

| 9 | 10 | 11 | 12 | 13 | | 14 | 15 | |
|---|------------------------------------|--|--|------------------------------------|---|-------------------------------|---|---|
| | | | | Leave | | | | |
| Signature and designation of the head of the office or other attesting officer in attestation of columns 1 to 8 | Date of termination of appointment | Reason of termination (such as promotion, transfer, dismissal, etc). | Signature of the head of the office or other attesting officer | Nature and duration of leave taken | Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government | | Signature of the head of the office or other attesting officer | Reference to any recorded punishment or censure, or reward or praise of the Government Servant. |
| | | | | | Period | Government to which debitable | | |
| By <i>As Lamb</i> D.E.O. (Male) Mardan. | 31/5/91 | Revised B.P.S. | By <i>As Lamb</i> D.E.O. (Male) Mardan. | | | | Appointed as N/Acid B.P.S. No I-Rg 650-13-860 | Vide this office order No 1031-44/F.NG S/AE-I/ Appointed on 12/12/90 dated 12.5.91 |
| By <i>As Lamb</i> | 30/11/91 | Annual leave | By <i>As Lamb</i> D.E.O. (Male) Mardan. | | | | | |
| By <i>As Lamb</i> | 25/4/92 | Appointed E/T | By <i>As Lamb</i> D.E.O. (Male) Mardan. | | | | Service verified w.e.f 15/9/91 to 30/9/91 in the record maintained in this office | |
| By <i>As Lamb</i> | 30/11/92 | Annual leave | By <i>As Lamb</i> D.E.O. (Male) Mardan. | | | | | |
| By <i>As Lamb</i> | 31/5/94 | Revised pay | By <i>As Lamb</i> D.E.O. (Male) Mardan. | | | | Service verified w.e.f 11.12.91 to 25.4.92 in the record received of this office | ET |
| By <i>As Lamb</i> | 30/11/94 | A/snc. | By <i>As Lamb</i> D.E.O. (Male) Mardan. | | | | | |
| By <i>As Lamb</i> | 30/11/95 | A/snc. | By <i>As Lamb</i> D.E.O. (Male) Mardan. | | | | | |
| By <i>As Lamb</i> | 26.9.92 to 20.11.92 | Service verified | By <i>As Lamb</i> D.E.O. (Male) Mardan. | | | | Appointed as Elem. Teacher B.P.S. No. 05 Rs. 1035-49-1770 plus usual allowances in the D.E.O. (M) pay 11 Rs. 2451-54 dt. 25.9.1992. | |
| By <i>As Lamb</i> | 30/9/97 | | By <i>As Lamb</i> D.E.O. (Male) Mardan. | | | | | |

Attested

Lamb

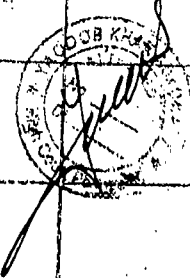
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
|---|---|---|-------------------------|--------------------------------|--|---------------------|---------------------------------|
| Name of post | Whether substantive or officiating and whether permanent or temporary | If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R. | Pay in substantive post | Additional pay for officiating | Other emolument falling under the term "Pay" | Date of appointment | Signature of Government servant |
| Elementary Teacher PS, Mian Gulzara Mardan | Off/Tmp | BPS-5 (1400-66-2390) | Rs. 1796/- PM | | | 12/97 | [Signature] |
| - do - | - do - | | Rs. 1862/- PM 1994 | | | 12/98 | [Signature] |
| | | of R. No. 66-2390 (B-5) 152/- With Next Warrant of 2-3-94 | | | | | |
| | | | | | | | |
| - do - | - do - | | Rs. 1928/- PM | | | 12/99 | [Signature] |
| VISIONABLY FIXATION DUE TO PRE-MATURE INCR: w.e. 26/92 | | | | | | | |
| pay on 25-4-92 L-B-I Use 1102/- | | | | | | | |
| pay on 26-4-92 B-5 Use 1133/- | | | | | | | |
| one pre mature incrs 49/- | | | | | | | |
| pay fixed in B-5 on 26/92 = 1182/- | | | | | | | |
| S.D.E.O (M) Mardan | | | | | | | |
| Revised Entries due to Awarded on A/O FR-22 (b) vide Notification (Court of NWFP Peshawar No. 50(CS) 7-3/99/FR-22 dated 17-5-2000 and allowed one pre mature incrs on promotion from Lower to Higher scale. | | | | | | | |
| Revised Entries B-5 (1035-49-1770) | | | | | | | |
| pay fixed one pre mature 1133/- | | | | | | | |
| 49/- | | | | | | | |
| 1182/- | | | | | | | |
| ET PS Mian Gulzara Mardan | | | | | | 26/92 | [Signature] |
| - do - | | | 1231/- | | | 12/92 | [Signature] |
| - do - | | | 1280/- | | | 12/93 | [Signature] |

17

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
|-----------------------------|---|--|-------------------------|--------------------------------|--|---------------------|---------------------------------|
| Name of post | Whether substantive or officiating and whether permanent or temporary | If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S.R. | Pay in substantive post | Additional Pay for officiating | Other emolument falling under the term "Pay" | Date of appointment | Signature of Government servant |
| ET G.E.P.S. Miangulzara | Sub/off | B.P.S No. 05 | RS (2415-115-5865) | | | 12/05 | [Signature] |
| do | do | | RS 4370/- | | | | |
| do | do | | RS 4485/- P.H | | | 12/06 | [Signature] |
| | | B.P.S-5 (2780-135-6830) | | | | | |
| | All cutting | | 5210/5 pm ✓ | | | | |
| | Attested P. | | 5180/- pm | | | 12/07 | [Signature] |
| | D.D.O. P. | | Rs=5345/5 pm ✓ | | | | |
| | (MIP) Mardan | | 5325/5 | | | 12/07 | [Signature] |
| | Pay Revised | | Rs=(3340-160-8140) | | | | |
| | | | Rs= 6380/5 pm | | | 12/08 | [Signature] |
| do | do | | Rs 6540/- PH | | | 12/08 | [Signature] |
| PST G.E.P.S. Miangulzara | do | 15 P.S No. 07 | Rs (3530-190-9230) | | | | |
| | do | | Rs (6570/- PH) | | | 12/08 | [Signature] |

5210/5

2007
OFFICE OF THE ACCIDENTANT GENERAL
N.W.F.P. PESHAWAR
PAY FIXED IN THE REVISED BASIC
PAY SCALES
OF RS. 2780-135-6830 (5)
AT RS. 5210/- P.M. 1.07.2007
With next increment on 1.12.2007



*forwarded to D.E.O. SB for implementation
and necessary action*

EDM
The District ED Officer, D.E.O -
(M) Primary Mardan

M.P. Khan
Arif
10

Subject: Application for Implementation of Order/Judgment of Honible Service Tribunal Peshawar dated 22/11/2017 in true Letter and spirit.

Respectfully Sheweth:

1. That Applicant is serving as PST Teachers with your kind honour since 1992.
 2. That applicants namely Said Muhammad PST Teacher GPS No. 2 Seri Behlol Takht Bhai Mardan under control SDEO Takht Bhai Mardan since 26/04/1992.
 3. That Applicant was appointed as an elementary Teacher in GPS Mian Gulzar Mardan vide order dated 26/04/1992 for teaching of Nursery Class to 5th class with same subject of Primary School Teacher.
 4. That applicant was upgraded from BPS-05 to BPS-07 vide order dated 21/02/2011
 5. That Applicant was again upgraded from BPS -07 to BPS - 12 vide order dated 1-7-2012
As Govt: Policy 13/11/2011. (Copy of Policy is attached)
 6. That Applicant is entitled for grant of Seniority as per Sec: 8(4) of Civil Servant act 1973 and applicant filed a departmental appeal before appellate authority i.e Director (E&SE) KPK Peshawar but in vain, hence applicant approached before the Service Tribunal KPK Peshawar, who accepted the appeal of appellant vide order/Judgment dated 22/11/2017. With direction to D.E.O (E&SE) Mardan to adjust the Seniority of applicant as per sec: 8(4) of Civil Servant act 1973. (Copy of Order / Judgment is attached)
 7. That as per sec: 8(4) of Civil Servant act 1973 coupled with the Judgment of Service Tribunal KPK Peshawar dated 22/11/2017, appellant is entitled for seniority from the date i.e 26/04/1992. in the seniority list of PST of District Mardan.
- It is therefore, humbly requested that applicant may please be placed at his proper place i.e from the date of 1st regular appointment i.e 26/04/1992 and order / Judgment of Service Tribunal KPK Peshawar dated 22/11/2017 may please be implemented in true letter and spirit.

*forwarded to ...
...
...
please ...*

Sincerely,
18-12-2017
Said Muhammad PST Teacher
GPS No. 2 Seri Behlol Takht Bhai

[Signature]
[Circular Stamp]

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) MARDAN.

NOTIFICATION.

Consequent upon the approval given Pursuance of Finance Department of Govt. of Khyber Pukhtoon Khawa Peshawar No. SO(FR) ED/10-22(E)2010 dated, 16.7.2012, Sanction is hereby accorded to the grant of BPS-12 w.e.f. 1.7.2012 ~~back~~ in respect of Mr, Said Muhammad, PST, GPS, Raza Khan Kotey Takht Bhai on the basis of Up-Gradation of the post.

NOTE:- Necessary entry to this effect should be made in their Service book.

(BAHADAR KHAN MARWAT)
DISTRICT EDUCATION OFFICER
(MALE) MARDAN.

Endst: No. 1138-40 / BPD-12 File, Dated Mardan the, 6/21 / 2013.

Copy to the :-

1. Sub-Divisional Education Officer (Male) Prg: Takht Bhai.
2. District Comptroller of Accounts Mardan.
3. Teacher concerned.

Haris
DISTRICT EDUCATION OFFICER
(MALE) MARDAN.

4/2/2013

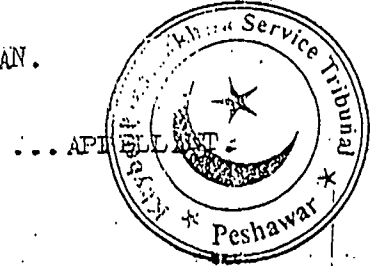
Atiqul
Jeelani

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTOONKHWA PESHAWAR.

Appeal NO. 1312 /2013.

Aux "C"
12
1997
28/8/13

BAID MUHAMMAD PST TEACHER GPS SERAI KORAGH, MARDAN
R/O VILLAGE AND TENSIL TAKHT BHAI, MARDAN.



VERSUS.

1. DIRECTOR OF EDUCATION KHYBER PAKHTOONKHWA PESHAWAR.
2. D.E.O (P) (M) MARDAN. RESPONDENTS.

L u/s 4 of Service Tribunal Act 1974 x/k

APPELLANT FOR INCLUDING THE NAME OF APPELLANT IN THE SENIORITY LIST OF PST TEACHER MARDAN ON THE BASIS OF HIS REGULAR APPOINTMENT OF APPELLANT AS A PST TEACHER VIDE ORDER DATED 25.04.1992 AS PER LAW AND RULE ACCORDINGLY.

R/sir,

Appellant humbly submits as under:-

That appellant is posted as PST teacher with respondent department.

2. That appellant has equipped requisite qualification for the post of PST teacher.

(Copy of Certificates is attached as Annex: "A").

ATTESTED

N/ Page 2

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Attested
[Signature]



2/8/13

9/9/13

Service Appeal No. 1312/2013



13

Muhammad PST Teacher GPS Serai Koragh, Mardan.

VERSUS

Director of Education Khyber Pakhtunkhwa Peshawar & another.

Order
22.11.2017

Learned counsel for the appellant present.

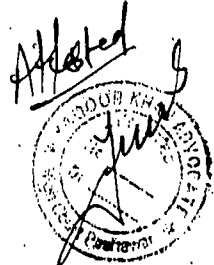
Learned Deputy District Attorney present.

Arguments heard. File perused.

Learned counsel for the appellant argued that he would press the present appeal to the extent that the respondent department may be directed to prepare seniority list of PST Teachers District Mardan strictly in accordance with the provision of Section 8 of Khyber Pakhtunkhwa Civil Servant Acts 1973.

Admittedly the appellant is a PST Teacher and as such is a Civil Servant too. The respondent department so far failed to produce any seniority list which includes the name of the appellant. In the circumstances of the case and in view of the stance of learned counsel for the appellant the respondent department is directed to prepare seniority list of PST Teachers District Mardan strictly in accordance with the legal provisions/Section 8 of the Khyber Pakhtunkhwa Civil Servant Act 1973. Parties are left to bear their own costs. File be consigned to the record room.

Disposed off accordingly.



Certified to be true copy
Director
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

(Gulzar Khan) (I. Hamid Mughal)
Members

Attested
Javed



OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) MARDAN

OFFICE ORDER

Ann D
14

In the light of decision of Service Tribunal Khyberpakhtunkhwa Peshawar dated 22-11-2017 in the appeal No.1311-12/2017, and the recommendation of Litigation officer, the placement of the following primary schools teachers is hereby made which may be read as follows.

1. The Seniority position in respect of Mr. Karim Khan s/o Muhammad Saleem, PST GPS Shamozai Katlang has been corrected from 21-02-2011 to 28-04-2000 i.e (on the basis of Passing PTC date) in the Seniority list of 2017.
2. The Seniority position in respect of Mr. Said Muhammad s/o Ali Muhammad, PST GPS No.2 Seri Behlol has been corrected from 21-02-2011 to 31-07-1999 i.e (on the basis of Passing PTC date) in the Seniority list of 2017.

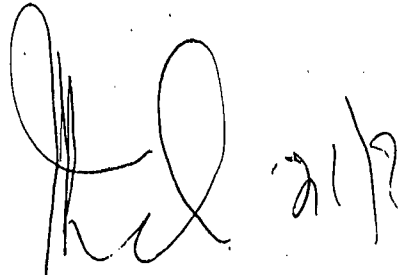

(IJAZ ALI KHAN)

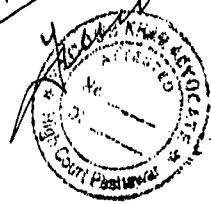
DISTRICT EDUCATION OFFICER
(MALE) MARDAN

2325-26
Endst:No. _____ /Dated: 22-3-2018

Copy forwarded to the:-

1. SDEO(M) Takht Bhal/Katlang along with service books.
2. Official concerned


DISTRICT EDUCATION OFFICER
(MALE) MARDAN

Attested


DISTRICT EDUCATION OFFICER (MALE) MARDAN
UPDATED SENIORITY LIST OF PST 2017-18

(124)

| Seniority No. | Teacher Name | Father Name | BPS | Acadmic Qual: | Domicile | D.O.B | D-O Ist Appointment | D/O Taking Over Charge in District Mardan | Name of School | D.O passing PTC | D.O passing CT |
|---------------|----------------------|---------------------------|-----|---------------|-----------------|------------|---------------------|---|---------------------|-----------------|----------------|
| 1 | Zahoor ul Haq | Noor ul Haq | 12 | SSC | Mardan | 05/09/1953 | 31/08/1974 | 24/10/1974 | Sufaid Abad | 24/10/1974 | |
| 2 | Aurangzeb Hussaini | Khawaja Muhammad Hussaini | 15 | BA | Mardan/ Swabi | 01/05/1956 | 03/05/1975 | 08/05/1975 | Fatma | 20/03/1975 | 29/11/1987 |
| 3 | Muhammad Zaman | Mir Aman | 15 | FA | Mardan | 04/04/1956 | 17/12/1975 | 03/01/1976 | GPS Khana Kotte | 20/03/1975 | 29/11/1987 |
| 4 | Naseer Ahmad | Faiz Ur Rahman | 15 | BA | Mardan | 15/06/1955 | 31/08/1976 | 01/09/1976 | Sheen Khal | 26/03/1975 | 02.04.1992 |
| 5 | Said Nawab | Shaikh Nawab | 15 | FA | Mardan | 03/09/1956 | 01/09/1976 | 01/09/1976 | Alo No2 | 20/03/1975 | 29/11/1987 |
| 6 | SIRAJ UNABI | GHULAM NABI | 12 | SSC | Mardan | 01/04/1956 | 16/10/1976 | 30/10/1976 | GPS BARO BANDA NO.1 | 20.03.1975 | |
| 7 | Fazli Subhan | Molvi Zain ul Abidin | 15 | BA | Mardan | 23/03/1956 | 11/11/1976 | 14/11/1976 | GPS No2 Zando Dheri | 20.03.1975 | 29/11/1987 |
| 8 | Zarqand Khan | Muslim | 15 | MA | Mardan | 15/12/1955 | 11/11/1976 | 20/11/1976 | Miangano Kili | 20/03/1975 | 29/11/1987 |
| 9 | Ibrahim Khan | Ahmad Khan | 15 | BA | Mardan | 24/12/1955 | 20/12/1976 | 22/12/1976 | Shobla | 20.03.1975 | 29/11/1987 |
| 10 | Fazli Akbar | Ghulam Rasool | 15 | BA | Mardan | 15/04/1955 | 22/12/1976 | 24/12/1976 | Chaman Abad | 20.03.1975 | 01.08.1988 |
| 11 | Zubair Muhammad | Maroof Shah | 15 | MA | Mardan | 20/06/1956 | 14/12/1977 | 15/12/1977 | Shahdand No. 2 T.B | 20.03.1976 | 29/11/1987 |
| 12 | Muhammad Ismail Shah | Mugadar Shah | 12 | F.A | Mdn(khyber age) | 17/02/1955 | 27/10/1977 | 08/01/1978 | Miangan | 20/03/1975 | 29/11/1987 |
| 13 | Zain Ul Wahab | Said Nabi | 12 | BA | Mardan | 08/02/1956 | 12/01/1978 | 25/01/1978 | Sher Abad | 20/03/1975 | 29/11/1987 |
| 14 | Fazal Muhammad | Said Ahmad | 12 | SSC | Mardan | 07/01/1956 | 02/03/1978 | 06/03/1978 | Charchoor | 27.05.1974 | |
| 15 | Fida Muhammad | Fateh Muhammad | 12 | MA | Mardan | 10/04/1955 | 02/03/1978 | 07/03/1978 | Bharat Khel | 26.05.1974 | 29/11/1987 |
| 16 | Maaz Ullah Khan | Sher ullah Khan | 12 | SSC | Mardan | 15/07/1955 | 26/03/1978 | 01/04/1978 | Jamal Abad | 20.03.1975 | |
| 17 | Ihsan Ullah | Faqir muhammad | 12 | SSC | Mardan | 28/12/1956 | 31/05/1975 | 01/10/1978 | GPS Khan M.K | 31/07/1978 | |
| 18 | Fazli Ghafoor | Akbar khan | 12 | SSC | Mardan | 01/02/1955 | 30/10/1978 | 04/11/1978 | Dalasa | 20/03/1975 | |
| 19 | kiramat Shah | Rehman Shah | 12 | SSC | Mardan | 07/08/1955 | 03/10/1978 | 04/11/1978 | Sawal Dher 1 | 21.10.1975 | |
| 20 | Akhtar Gul | Gul Rahim | 12 | FA | Mardan | 22/05/1956 | 30/10/1978 | 15/11/1978 | Shamozai | 21/10/1975 | 14.03.1991 |
| 21 | Muhammad Qasim | Abdul Qadus | 12 | FA | Mardan | 03/07/1956 | 15/11/1978 | 19/11/1978 | GPS No3 Mohib Banda | 31.10.1975 | 02.04.1992 |
| 22 | Said Mehmood | Sultan Mahmood | 12 | BA | Mardan | 25/03/1957 | 15/11/1978 | 20/11/1978 | Kohi Barmol No 1 | 29.05.1976 | 29.11.1987 |
| 23 | Saeed ur Rahman | Hakim Shah | 12 | FA | Mardan | 12/08/1956 | 15/11/1978 | 21/11/1978 | Kohi Barmol No 2 | 00.00.1976 | 29.11.1987 |
| 24 | Muhammad Bostan | Zardad | 12 | MA.BE.d | mardan | 12/09/1956 | 15/11/1978 | 22/11/1978 | Pati Kalan | 20.03.1975 | 01.08.1988 |
| 25 | Muhammad Karam Khan | Muhammad Hussain | 12 | SSC | Mardan | 15/07/1955 | 26/11/1978 | 30/11/1978 | Sarfraz Killi | 10.09.1976 | |
| 26 | Gul Hassan | Hakeem Khan | 12 | FA | Mardan | 10/01/1956 | 15/01/1979 | 17/01/1979 | Khadi Killi | 21/10/1975 | 31.01.1989 |
| 27 | Fayaz Gul | Hussain Gul | 12 | BA | Mardan | 03/08/1955 | 21/01/1979 | 23/01/1979 | Kalo Dheri | 21/10/1975 | 29/11/1987 |
| 28 | Mohammad Anees | Mohammad Idrees | 12 | FA | Mardan | 04/05/1956 | 30/05/1979 | 01/06/1979 | GPS.Sowaryan | 21/10/1975 | 14/03/1991 |
| 29 | Noorab Jan | Haji Shah Jan | 12 | SSC | Mardan | 05/10/1955 | 30/10/1979 | 08/11/1979 | Swato Kili | 20/03/1975 | |
| 30 | Misri Khan | Abbas Khan | 12 | BA | Mardan | 13/02/1956 | 23/11/1978 | 18/11/1979 | GPS, No.2 Baghdada | 20.03.1975 | |
| 31 | Dawar Khan | Umer Khan | 12 | F.A | Mardan | 03/02/1955 | 19/11/1979 | 28/11/1979 | Jungara | 21/09/1975 | 29/11/1987 |
| 32 | Muhammad Iqbal | Amir Sharaf | 12 | FA | Mardan | 25/04/1955 | 19/11/1979 | 28/11/1979 | Muslim abad | 21.10.1975 | 29.11.1987 |
| 33 | MUHAMMAD JAVED | YAR MUHAMMAD | 12 | MA | Mardan | 25/11/1956 | 03/12/1979 | 04/12/1979 | GPS GULSHAN ABAD | 20.03.1975 | 29.11.1987 |
| 34 | Muhammad Iqbal | Muhammad Rafiq | 15 | FA | Mardan | 10/05/1957 | 09/12/1979 | 12/12/1979 | GPS Lund Khwar | 21/10/1976 | 31/01/1989 |
| 35 | Abdul hameed | Abdur rehman | 12 | SSC | Mardan | 13/03/1955 | 11/12/1979 | 16/12/1979 | GPS Charcha | 30.03.1975 | |
| 36 | Sharif Ullah | Ihsan ullah | 12 | F.A | Mardan | 04/03/1956 | 22/12/1979 | 25/12/1979 | Jungara | 21.10.1975 | |
| 37 | Gul shed | Poshad | 12 | SSC | Mardan | 01/02/1956 | 27/12/1979 | 08/01/1980 | GPS Dagi | 20/03/1975 | |
| 38 | Mian said tahir | Mian said hazrat | 12 | SSC | Mardan | 01/09/1955 | 09/01/1980 | 20/01/1980 | GPS Manga | 12.04.1974 | |
| 39 | Fajar Hussain | Ali Rahman | 12 | BA | Mardan | 12/12/1955 | 29/12/1979 | 24/01/1980 | Badar Banda | 20/03/1975 | 01.08.1988 |
| 40 | Ihsan ur Rahman | Hazrat Yousaf | 12 | SSC | Mardan | 14/12/1955 | 28/01/1980 | 04/02/1980 | GPS NODEH | 21/10/1975 | |
| 41 | Khadim Hussain | Muhammad Shah | 12 | SSC | Mardan | 02/02/1955 | 16/02/1980 | 18/02/1980 | GPS Gado Mayar | 20/03/1975 | |

(14B)

| Seniority No. | Teacher Name | Father Name | BPS | Academic Qual: | Domicile | D.O.B | D-O 1st Appointment | D/OTakingOverCharge in District Mardan | Name of School | D.O passing PTC | D.O passing CT |
|---------------|--------------------|----------------------|-----|----------------|--------------|------------|---------------------|--|----------------------------|-----------------|----------------|
| 2104 | Abdul ahad | Wali muhammad | 14 | MA | Mardan(Dir | 10/07/1971 | 28/02/1993 | 01/06/1999 | GPS Salim khan | 21/11/1992 | 06/08/2002 |
| 2105 | Fazli Akbar | Fazal Mabood | 14 | BA | Mdn(Dir) | 13/11/1970 | 01/12/1990 | 16/06/1999 | GPS Salarai T.Bhai | 14/11/1990 | |
| 2106 | Ayub Khan | Durani | 14 | F.A | Mardan(Nsr) | 04/12/1970 | 22/05/1995 | 13/07/1999 | GPS Qasim No.1 | 09.01.1995 | |
| 2107 | Said Muhammad | Ali Muhammad | 12 | FA | Mardan | 02/09/1963 | 12/05/1991 | 31/07/1999 | GPS No.2 Seri Behlol | 31/07/1999 | |
| 2108 | Hamim ur Rahman | Khaista Rahman | 14 | MA | Mdn(Dir) | 13/12/1969 | 01/10/1988 | 01/08/1999 | GPS Faqir Koroona | 17/09/1988 | 29/05/1994 |
| 2109 | Gulzar Muhammad | Haleem Jan | 12 | SSC | mdn(moh:agen | 01/01/1960 | 26/09/1989 | 01/09/1999 | GPS Mehmood Abad | 29/05/1994 | |
| 2110 | Bakhtiar Khan | Akbar Khan | 14 | MA.B.ed | Mardan/Dir | 01/01/1975 | 23/04/1998 | 01/09/1999 | GPS, Akbar Khan Koty | 13.05.1997 | |
| 2111 | Shah Zamin Khan | Said Mukhtiar Jan | 14 | MA | Mdn(Dir) | 26/07/1975 | 24/04/1998 | 01/09/1999 | GPS Umer Dher Rustam | 13/05/1997 | 31/03/2002 |
| 2112 | Asghar Khan | Mukaram Khan | 14 | MA/B.Ed | Mardan | 11/02/1977 | 29/12/1999 | 06/01/2000 | GPS Bakhtair Killi Takkar | 20/10/1998 | 07/10/2002 |
| 2113 | Majeed ur Rahman | Shah said | 14 | BA | Mardan | 14/12/1973 | 15/01/2000 | 15/01/2000 | GuliBagh No.1 | 13/05/1997 | |
| 2114 | Rashid Maseood | Ghulam Habib | 12 | S.S.C | Mardan | 03/01/1975 | 16/01/2000 | 16/01/2000 | GPS Gado Mayar | 13/05/1997 | |
| 2115 | Ajmeer Khan | Shah Jee | 14 | MA.M.ed | Mardan | 03/11/1971 | 15/01/2000 | 17/01/2000 | GPS Gharib Abad Takkar | 25/05/1996 | 16/01/2013 |
| 2116 | Muhammad Zahid Jan | Mohammad Shafi | 14 | MA | Mardan | 01/10/1972 | 15/01/2000 | 17/01/2000 | GPS. Guli Bagh | 01.09.1996 | 11.05.1999 |
| 2117 | Muhammad Wali | Abdul Akbar | 14 | MA.B.ed | Mardan | 06/01/1973 | 15/01/2000 | 17/01/2000 | GPS Pir Saddi No.1 | 25/05/1996 | 05/05/2003 |
| 2118 | Tariq Ali | Nazar Baig | 14 | BA.B.ed | Mardan | 05/03/1973 | 15/01/2000 | 17/01/2000 | GPS No1 Mohib Banda | 13/05/1997 | 10/06/2000 |
| 2119 | Abdul Hadi | Muhammad Afzal | 14 | FA | Mardan | 01/04/1973 | 15/01/2000 | 17/01/2000 | GPS Kandari No.1 Sharqi | 11/05/1999 | |
| 2120 | Naeem khan | Mukaram khan | 14 | B.Sc | Mardan | 08/07/1973 | 15/01/2000 | 17/01/2000 | GPS No1 Baghdada | 13/05/1997 | 28/12/2006 |
| 2121 | Muhammad Hayat | Muhammad Israr Khan | 14 | BA | Mardan | 14/12/1974 | 15/01/2000 | 17/01/2000 | GPS Mayar No.2 | 01/07/1997 | |
| 2122 | Wazir gul afridi | Ghuncha gul | 14 | FA | Mardan | 03/01/1975 | 15/01/2000 | 17/01/2000 | GPS No.1 koragh | 13/05/1997 | |
| 2123 | Muhammad Ibrahim | Said Rahim | 14 | MA.M.ed | Mardan | 04/02/1975 | 15/01/2000 | 17/01/2000 | GPS No.2 Mohib Banda | 13/05/1997 | 08/07/2006 |
| 2124 | Muhammad Haroon | Muhammad Gul | 14 | BA | Mardan | 13/03/1975 | 15/01/2000 | 17/01/2000 | GPS NO.1 Baghdada | 27/02/1998 | |
| 2125 | Ali Khan | Bakht Zarin | 14 | FA | Mardan | 08/02/1976 | 15/01/2000 | 17/01/2000 | GPS Lala Jan Killi | 13/05/1997 | |
| 2126 | Aman Ullah Khan | Wahab Gul | 14 | MA/BED | Mardan | 06/04/1976 | 15/01/2000 | 17/01/2000 | Arabi Banda | 13.05.1997 | 12.08.2002 |
| 2127 | Muhammad Farooq | Abdul Sddiqq | 14 | FA | Mardan | 03/05/1978 | 15/01/2000 | 17/01/2000 | GPS Amir Zada Killi Takkar | 30/08/1996 | |
| 2128 | Salim gul | Rahmat gul | 14 | BA | Mardan | 01/04/1969 | 15/01/2000 | 18/01/2000 | GPS Police Line | 25/05/1996 | |
| 2129 | Ghazi Rahman | Gujar | 14 | BA | Mardan | 01/08/1969 | 15/01/2000 | 18/01/2000 | GPS Gharib Abad Rustam | 13/05/1997 | |
| 2130 | Pazir Gul | Inam Gul | 14 | MA.M.ed | Mardan | 11/03/1970 | 15/01/2000 | 18/01/2000 | GPS Shekhano Banda (LK) | 11/05/1999 | 07/06/2004 |
| 2131 | Younas Khan | Abdur Rahman Khan | 14 | BA | Mardan | 12/12/1970 | 15/12/1999 | 18/01/2000 | GPS Sikandary | 25/05/1996 | |
| 2132 | Muhammad Javed | Mir Asaf Ullah | 14 | MA.B.ed | Mardan | 04/05/1971 | 15/01/2000 | 18/01/2000 | Gul Abad 2 | 13/05/1997 | 20/12/2000 |
| 2133 | Kifayat Ullah | Khawaja Muhammad | 14 | FA | Mardan | 09/04/1972 | 15/01/2000 | 18/01/2000 | GPS Mingan Garyal | 25/05/1996 | |
| 2134 | Anwar Hussain | Ameen Ul Haq | 14 | FA | Mardan | 01/05/1972 | 15/01/2000 | 18/01/2000 | GPS Nihar Machi Rustam | 13/05/1997 | |
| 2135 | Muhammad Ishaq | Abdul Ghafar | 14 | FA | Mardan | 03/02/1973 | 15/01/2000 | 18/01/2000 | GPS Tekadar Killi Gujrat | 25/05/1996 | |
| 2136 | Akhtar Hussain | Watan Khan | 14 | BA | Mardan | 21/04/1973 | 15/01/2000 | 18/01/2000 | GPS Sadiq Abad Rustam | 13/05/1997 | |
| 2137 | Qabil Shah | Gharib Shah | 14 | FA | Mardan | 16/05/1973 | 15/01/2000 | 18/01/2000 | GPS Tanaroona Rustam | 13/05/1997 | |
| 2138 | Raj muhammad | Anwar khan | 14 | BA | Mardan | 06/07/1973 | 15/01/2000 | 18/01/2000 | GPS Shah killi | 30/06/1997 | |
| 2139 | Waqar Ahmad | Bashir Ahmad | 12 | SSC | Mardan | 01/04/1974 | 15/01/2000 | 18/01/2000 | GPS Palo Dhery 3 Rustam S | 25/05/1996 | |
| 2140 | Muhammad Islam | Sher Bahadar | 14 | MA | Mardan | 05/04/1974 | 15/01/2000 | 18/01/2000 | GPS No2 G.D Zar | 27/02/1998 | 25.04.2000 |
| 2141 | Zamin Shah | Noor Ahmad | 14 | MA.M.Ed | Mardan | 13/04/1974 | 23/06/1997 | 18/01/2000 | GPS Karim Abad (LK) | 13/05/1997 | 25/04/2000 |
| 2142 | Saeed ur Rahman | Siraj Ur Rahman | 14 | BA | Mardan | 25/06/1974 | 15/01/2000 | 18/01/2000 | GPS Khana Kote Bala Garhi | 01/09/1996 | |
| 2143 | Qazi Zubair Ahmad | Qazi Ihsan ur Rahman | 14 | MA B Ed | Mardan | 10/02/1975 | 15/01/2000 | 18/01/2000 | GPS No1 Gumbat | 11/05/1999 | 25/03/2001 |
| 2144 | Habib Zada | Gul Zada | 14 | FA | Mardan | 17/02/1975 | 15/01/2000 | 18/01/2000 | GPS Abbas Khan Killi | 01/09/1996 | |
| 2145 | Gulzar Ali | Muhammad Iohar | 14 | BA | Mardan | 05/03/1975 | 15/01/2000 | 18/01/2000 | GPS Mayar No.1 | 13/05/1997 | |
| 2146 | Sajeed gul | Rehmat gul | 14 | MA B ed | Mardan | 15/03/1975 | 15/01/2000 | 18/01/2000 | GPS Bakyan | 11/05/1999 | 25/04/2000 |
| 2147 | Muhammad Farooq | Muhammad Akber | 14 | FA | Mardan | 03/04/1975 | 15/01/2000 | 18/01/2000 | GPS No1 Gumbat | 27/02/1998 | |

| Seniorly No. | Teacher Name | Father Name | BPS | Acadmic Qual: | Domicile | D.O.B | D-O 1st Appointment | D/O Taking Over Charge in District Mardan | Name of School | D.O passing PTC | D.O passing CT |
|--------------|-----------------|--------------------|-----|---------------|---------------|------------|---------------------|---|------------------------|-----------------|----------------|
| 3513 | Muhammad Naseem | Muhammad Saleem | 12 | FA | Mardan | 20/04/1968 | 01/03/2013 | 09/03/2013 | GPS Tambulak | 01/04/1996 | |
| 3514 | Istiraj Khan | Jabar Khan | 12 | FA | Mardan | 15/04/1969 | 01/03/2013 | 09/03/2013 | GPS Sadaat Baba (LK) | 30/11/1994 | |
| 3515 | Sajid Ali | Abdul Ghani Khan | 12 | SSc | Mardan | 14/12/1970 | 01/03/2013 | 09/03/2013 | GPS Koragh No.1 | 00-00-1995 | |
| 3516 | Mujahid Khan | Samarqand Khan | 12 | FA | Mardan | 08/04/1974 | 01/03/2013 | 09/03/2013 | GPS Usman Banda (LK) | 30/08/1996 | |
| 3517 | Fayaz Ahmad | Juma Gul | 12 | FA | Mardan | 01/05/1970 | 01/03/2013 | 12/03/2013 | GPS Salak Ghundo | 01/09/1996 | |
| 3518 | Israr Ali | Muhammad Anwar | 12 | MA | Mardan | 04/04/1974 | 01/03/2013 | 13/03/2013 | GPS Muhmando Garo Shah | 20/03/1995 | |
| 3519 | Yousaf Khan | Lal Zada | 12 | FA | Mardan | 17/04/1972 | 01/03/2013 | 15/03/2013 | GPS Munawar Khan | 05/05/1996 | |
| 3520 | Sajjad Ahmad | Sher Muhammad | 12 | MA.B.Ed | Mardan | 03/12/1982 | 25/03/2013 | 26/03/2013 | GPS Gul Ahmad Killi | 09/01/2006 | |
| 3521 | Muhammad Irshad | Gul Roz | 12 | MA.B.ed | Mardan | 20/04/1985 | 25/03/2013 | 27/03/2013 | GPS Musafar Khan Killi | 09/01/2006 | 06/08/2011 |
| 3522 | Mumtaz Ali | Said Afzal | 12 | FA | Mardan | 20/03/1965 | 04/05/2013 | 07/05/2013 | GPS Pump Killi No.1 | 00-00-1996 | |
| 3523 | Zubair Ahmad | Fazal Bahadar | 12 | M.A/B.Ed/DM | Mardan | 02/02/1985 | 21/09/2013 | 21/09/2013 | GPS Chak Taja | 14/03/2009 | 03/07/2014 |
| 3524 | Syed Qaim Shah | Syed Musharaf Shah | 12 | BA | Mardan | 10/02/1974 | 09/10/2013 | 09/10/2013 | GPS Guli Bagh Hoti | 00-00-2005 | |
| 3525 | Amir Zeb | Mir Akbar | 12 | SSC | Mardan | 02/01/1971 | 05/11/2013 | 07/11/2013 | GPS Mir Akbar khan | 13/05/1997 | |
| 3526 | Imran ullah | Said Ghulam | 12 | MA | Mardan(Char) | 27/10/1983 | 03/05/2011 | 01/12/2013 | GPS Khan Mian Killi | 00-00-2008 | |
| 3527 | Roedad Hussain | Fazal Hussain | 12 | MA | Mardan(kohat) | 01/01/1978 | 16/12/2006 | 28/02/2015 | GPS Sanga | 06/06/2003 | |

Sd x x x v

DISTRICT EDUCATION OFFICER
(MALE) MARDAN

Attested

Yaqub

بکھنور چناب ڈیم سیکرٹری ایجوکیشن آفیسر صاحب دران

Annex E
15

ذراست برائے عطفاً کی 14=BPS

جناب عالی!

دوربانہ گزارش ہے کہ مسائل 26⁰⁹ 1992 سے (ایڈجسٹری پیپر
 مسئلہ 5 میرکام کر رہا تھا۔ مسائل 31⁰⁷ 1999 سے P.P.C. یاں کیا۔
 اس کے بعد مسائل 21⁰² 2011 سے P.P.C. ایڈجسٹ مسائل 07 مل گیا۔
 مگر مسائل کو بچھلے سرٹس کی بنیاد پر سینٹاریٹس نہیں ملی۔ اس کے
 اپنا سینٹاریٹس دران میں چلنے لگا۔ اس کے بعد 1311 سے دران
 نے مسائل کے حق میں دواہ 22⁰⁴ 2017 پر فیصلہ دیا گیا۔
 اس کے بعد 31⁰⁷ 1999 میں سینٹاریٹس کے نام مسائل کیا۔
 اسی نتیجے کے مرکز کو صرف 13⁰² 2013 کو B.P.S 14 مل گیا۔
 جناب عالی! درج بالا مرکز کے مطابق ہم بھی مسائل 14 کے حق دار
 ہیں۔

اس کے بعد صرف 2۔ کہ مسائل کو بھی مسائل 14 دینے کا حکم
 بہادر وکھنور میں مسائل ماحیا و عا کو ر 2 B - مگر

forwarded to S.O. (M) my
 P. Bhai for possible action
 please.

16/4/18
 Asstt. Sub. Div.
 Edu. Officer
 (M) P. Bhai

عرفین کھنور
 سرپرست دار عالی خد
 GPS سرپرست
 Forwarded to AS-DE-02 at 12

Attested
 Jureeb

(16)

SUB DIVISIONAL EDUCATION OFFICER,
MALE TAKHT BHAI.

No 8897 Dated 16/4 2018.

To

The District Education Officer,
Male Mardan.

Subject: Submission of application for BPS -14

Memo;

With reverence a self explanatory application on the subject noted above in respect of Mr. Said Muhammad PST GPS Seri Behloj Takht Bhai received to this office.

So it is submitted to your good office for further necessary action please.

Encl; original S/Book.


SUB DIVISIONAL EDUCATION OFFICER,
MALE TAKHT BHAI.

Attested
Yousaf

OFFICE OF THE DISTRICT EDUCATION OFFICER
(MALE) MARDAN

(17)

No. 3580-81 / Dated 25-4-2018

- 1. The SDEO(M) Katlang
- 2. The SDEO(M) Takht Bhai

Subject: UPGRADATION B-12 TO B-14

Memo:

Reference your letter No.350 dated 14-04-2018 and 8897 dated 16-04-2018

on the subject cited above.

The application along with service books in r/o Mr. Karim Khan PST GPS Shamoza No.2 Katlang and Mr. Said Muhammad PST GPS Seri Behlol Takht Bhai are returned with the remarks to submit their files in coming DPC.

Enclosed as above.

Encl. No. 8932 / Dated 27/4/18

DISTRICT EDUCATION OFFICER
(MALE) MARDAN

Forwarded in original to the -

- ① D.E.O (M) Mardian for information please.
- ② A.S.D.E.O (M) Circle T/Bhai, for doing the need full.
- ③ official concerned.

Attested

Sub Divisional Education Officer (Male) Primary Takht Bhai

Attested

Demanded received on 30/4/2018 30/4/20



OFFICE OF THE DISTRICT EDUCATION
OFFICER (MALE) MARDAN

~~18~~
18

NOTIFICATION

Consequent upon the recommendations of departmental promotion committee in its meeting held on 28-08-2020 and in pursuance of the Government of Khyber Pakhtunkhwa Elementary & Secondary Education Notification No.SO(B&A)/ 1-18/E & SI-2012 dated 11-2012 and No.SO(PE)/ 4-5/SSRC/Meeting/2012/ Teaching Cadre dated 13-11-2012, the following PST B-12 are hereby promoted conditionally in light of Court Decision to the post of SPST (BPS14) in teaching cadre on the terms and conditions given below with immediate effect.

| S/N | Seniority No. | Name of Teacher | Father Name | Name of School |
|-----|---------------|-----------------|--------------|-----------------|
| 1 | 2107 | Said Muhammad | Ali Muhammad | GPS Arabi Killi |

TERMS & CONDITIONS:-

1. This order is subject to the decision of CPLA from Honorable Court
2. He would be on probation for a period of one year extendable for another one year.
3. He would be governed by such rules and regulation as may be issued from time to time by the Govt.
4. Charge report should be submitted to all concerned
5. His Inter-Se-Seniority on lower post will remain intact.
6. No TADA is allowed for joining duty.
7. He will be giving undertaken to be recorded in his Service Book to the effect that if any overpayment is made to him in light of this order, will be recovered and if he is wrongly promoted, he will be reversed
8. He will take over charge of his post within 15 days positively

(Dr. Muhammad Idrees)

DISTRICT EDUCATION OFFICER
(MALE) MARDAN

5966-67

Order No. / Promotion PST to SPST / Dated 24-10-2020

Copy forwarded to the:

1. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. District Accounts Officer Mardan.
3. SDEO(M) Mardan, Takht Bhai, Kallang, Rustan.
4. District Monitoring Officer Mardan.
5. Official concerned.

DISTRICT EDUCATION OFFICER
(MALE) MARDAN

Affected



Anx P



JUDGMENT SHEET
PESHAWAR HIGH COURT, PESHAWAR
JUDICIAL DEPARTMENT

Writ Petition No.884-P of 2019

Said Muhammad
Versus
Govt. of Khyber Pakhtunkhwa Secretary
Education, Peshawar etc

JUDGMENT

Date of hearing: 18.12.2019

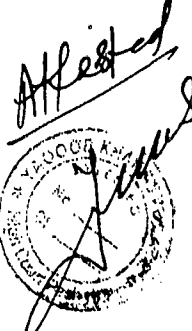
Mr. Yaqoob Khan, Advocate for the petitioner.

Mr. Arshad Ahmad Khan, AAG for the official respondents.

AHMAD ALI, J.- Through the instant Writ Petition, filed under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973, petitioner (Said Muhammad) has invoked the constitutional jurisdiction of this Court and prayed for the following relief:-

"It is, therefore, humbly prayed that on acceptance of this writ petition, petitioners may please be upgraded from BPS-12 to BPS-14 w.e.f the date of which junior officials are upgraded with all back benefits. Any other relief deemed fit may also be graciously awarded".

02. In essence, main grievance of the petitioner is that the respondent/department has upgraded junior to him, from BPS-12 to BPS-14

Attested

EXAMINER
Peshawar High Court

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EXAMINER
Peshawar High Court

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20

and thus ignored the petitioner which act of the respondent-department is illegal, against law and facts, hence, the instant writ petition.

03. Perusal of record reveals that petitioner was initially appointed as Primary School Teacher (BPS-07) vide order dated 26.04.1992 on regular basis and vide order dated 01.07.2012, he was then upgraded to BPS-12. The respondent/department had not included the name of the petitioner in the seniority list of PST, for which, he approached to the Service Tribunal through appeal, which was accepted vide Judgment/order dated 22.11.2017 and accordingly his name was inducted in the seniority list in question. Later-on, respondent/department promoted some officials who had the posts of Primary School Teachers (BPS-12) to the post of Senior Primary School Teachers (BPS-14) but the petitioner was left unattended and deferred.

04. Record further unfolds that the respondent / department vide Notification dated 31.01.2017, had promoted 360 Primary School Teachers from BPS-12 to the post of Senior Primary School Teacher (BPS-14) whereas, petitioner was ignored and junior to him, were promoted and this

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Jharkhand High Court


(21)



fact is also admitted by the respondent-department in their comments and highlighted the reason that the petitioner having qualification of F.A is not the prescribed qualification for promotion to the next higher post and due to this reason, petitioner was ignored/deferred.

05. To resolve the controversy, let's have a look over the qualification prescribed for initial recruitment of Primary School Teacher (BPS-12) and promotion to the post of Senior Primary School Teacher (BPS-14). The petitioner has placed on record a Notification dated 13.11.2012, issued by the Government of Khyber Pakhtunkhwa, Elementary and Secondary Education Department, Peshawar coupled with an Appendix wherein minimum qualification and experience for initial appointment or by transfer and method of recruitment to the next higher post have been given, relevant extract is reproduced below for ready reference: -

| Sr No. | Nomenclature | Minimum qualification and experience for initial appointment or by transfer | Age limit | Method of recruitment |
|--------|--|---|-----------|---|
| 20 | Senior Primary School Teacher (BPS-14) | | 18-35 | By promotion, on the basis of seniority-cum-fitness from amongst Primary School Teachers with atleast five years service as such and having qualification prescribed for initial recruitment of Primary School Teacher. |
| 21 | Primary School Teacher (BPS-12) | (i) Intermediate or equivalent qualification, from a recognized Board | | |

ATTESTED

EXAMINER
 Peshawar High Court

| | | |
|--|--|--|
| | with Primary School Teacher Certificate / Diploma in Education from a recognized institute; or (ii) Secondary School Certificate, from a recognized Board in second Division with two years Associate Degree in Education from a recognized University. | |
|--|--|--|

06. From the above, it is very much clear that for the post of Senior Primary School Teacher (BPS-14), the requisite qualification is Intermediate i.e. F.A and method of recruitment is *"By promotion, on the basis of seniority-cum-fitness from amongst Primary School Teachers with atleast five years service as such and having qualification prescribed for initial recruitment of Primary School Teacher"*, and the petitioner, as admitted by the respondent/department, having the qualification of F.A and lot of experience.

07. The petitioner in his credit has much experience from a decade in the Education Department because his entry into the government service is 1992 and he is still performing his duties with zeal and zest in the respondent/department with no any complaint.

08. For what has been discussed above, this Writ Petition is allowed and the respondents are directed to upgrade the petitioner from the

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EXAMINER
Beshawar High Court

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post of Primary School Teacher (BPS-12) to the
post of Senior Primary School Teacher (BPS-14)
with immediate effect.

L. Jan
JUDGE

[Signature]
JUDGE

Announced.
18.12.2019.

DB *[Signature]*
Hon'ble Mr. Justice Lal Jan Khattak
Hon'ble Mr. Justice Ahmad Ali

Himayat PS

CERTIFIED TO BE TRUE COPY
EXAMINER
Peshawar High Court, Peshawar
Authorized Under Article 87 of
the Constitution of Pakistan
14 JAN 2020

No. 21462
Date of Presentation of Application 11/01/2020
No of Pages 11-11
Copying fee 1
Total Rs 441
Date of Preparation of Copy 14/01/2020
Date of Delivery of copy 14/01/2020
Received By [Signature]

Attested
[Signature]
EXAMINER
PESHAWAR HIGH COURT

ATTESTED
EXAMINER
Peshawar High Court

Before The Peshawar High Court Peshawar



W.P.No _____/2018
Along with interim Relief

Said Muhammad PST Teacher GPS Serai Koragh, Mardan R/o Village
and Tehsil Takht Bhai District Mardanpetitioner

VERSUS

1. Govt, of KPK through Secretary Education Peshawar.
2. Director of Edmn KPK Peshawar.
3. District Education Officer (M) Mardan

.....Respondents

Writ petition under Article 199 of the constitution of
Islamic Republic of Pakistan 1973.

Sir,

Petitioner humbly submits as under

1. That petitioner is posted as PST Teacher (BPS-12) with
respondent department.

2. That petitioner was appointed as PST teacher (BPS-7) vide
order dated 26/04/1992 as regular basis. (Copy of service

Book is attached as Annex: "A")

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Peshawar High Court

3. That petitioner was up-graded from BPS-5 to BPS-12 vide

order dated 22/11/2017. (Copy of order is attached as Annex:

"B")

4. That petitioner's name was not inducted in seniority list of

PST teacher for which petitioner approached before

service Tribunal through a service appeal, which was

accepted vide order/ judgment dated 22/11/2017. (Copy of

judgment is attached as Annex: "C").

5. That petitioner filed an application along with judgment of

service Tribunal before respondent No.3 which was

allowed and the name of the petitioners were inducted in

the seniority list of PST vide letter dated 22/03/2018 and

seniority list of PST dated 31/12/2017. (Copy of letter and

seniority is attached as Annex: "D").

6. That petitioner filed an application for up-gradation from

BPS-12 to BPS-14 vide application dated 29/03/2018

which is properly process vide letter dated 25/04/2018

and 16/04/2018. (Copy of application and letter is attached as

Annex: "E").

7. That junior officials were upgraded from BPS-12 to BPS-14

and petitioner is ignored, which is illegal, against law and

facts and petitioner is entitled for up gradation on the

following grounds.

ATTESTED

EXAMINER
Peshawar High Court

GROUNDS:

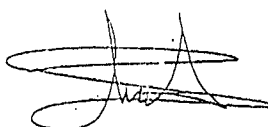
26

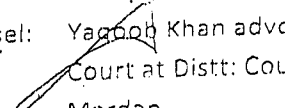
- A. That petitioner is entitled for up gradation from BPS-12 to BPS-14 on the basis of their seniority cum fitness as per law, rule and notification.
- B. That after junior officials were promoted from BPS-12 to BPS-14 while, petitioner is ignored, which is clearly discrimination and violation of rules and regulations.
- C. That petitioners were filed various applications for up gradations from BPS-12 to BPS-14 but in vain.
- D. That petitioners have got recurring cause of action because petitioner is receiving his salaries less than from his entitlement on each 1st of every month.
- E. That petitioners is senior most PST teacher in BPS-12 and entitled fro up gradation from BPS-12 to BPS-14 on the basis of his seniority.

Prayer

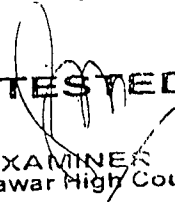
it is, therefore, humbly prayed that on acceptance of this writ petition, petitioners may please be upgraded from BPS-12 to BPS-14 w-e-f the date of which junior officials are upgraded with all back benefits. Any other relief deemed fit may also be graciously awarded.

Dated 28/11/2018


Petitioners Said Muhammad etc

Through Counsel:  Yaqoob Khan advocate High Court at Distt: Courts Mardan.

ATTESTED


EXAMINER
Peshawar High Court

Before The Peshawar High Court Peshawar

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27

W.P.No _____/2018

Said Muhammad etcpetitioners

VERSUS

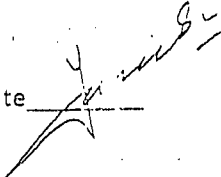
Govt, of KPK through Secretary Education etc

.....Respondent

Verdicate

It is certify that no such like writ petition has earlier been filed by the petitioner in this Honorable court. Further stated that being writ petition on the score that since there is no adequate and alternate legal remedy is available or perfidiously avail or approached lower forum, this case may be fixed before the Worthy Division Bench (D.B) of this Hon'able court.

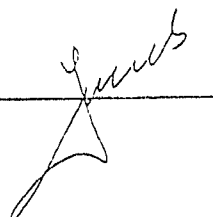
Advocate _____



Note


As per notification dated 18th March 2017 issued by the Worthy Office of Registrar Peshawar High Court Peshawar, the grounds of writ petition along with all appended annexure have been scanned in PDF format, while institution of this writ petition to avoid the certain requisitions of scanning, this case may be treated accordingly.

Advocate _____



Books for ref:-

- ✓ Constitution of Pakistan 1973
- ✓ C.P.C

ATTESTED

EXAMINER
Peshawar High Court

Before The Peshawar High Court Peshawar

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W.P.No _____/2018

Said Muhammadpetitioner

VERSUS

Govt. of KPK through Secretary Education etc

.....Respondent

WRIT PETITION

AFFIDAVIT

I, Said Muhammad PST Teacher GPS Serai Koragh, Mardan R/o Village and Tehsil Takht Bhai District Mardan, do hereby solemnly affirm and declare that the contents of the above mentioned writ petition are true and correct and correct to the best of my knowledge and nothing has been concealed from this Hon'able court.

Deponent

CNIC. 16102 - 2298822 - 7

Cell#: 0341-8001264.

Handwritten signature
Advocate

Attested

No: 07
Certified that the above was verified on solemnly affirmation before me in office, this adth day of January.....2019 by Said Muhammad s/o Ali Muhammad, s/o T. Khan, Mardan Who was identified by Masroor Khan, Adm Who is personally known to me:

Oath commissioner
Peshawar High Court, Sub-Registry, Mardan.

ATTESTED

EXAMINER
Peshawar High Court



OFFICE OF THE DISTRICT EDUCATION
OFFICER (MALE) MARDAN

Ann 'G'

29

NOTIFICATION

Consequent upon the recommendations of departmental promotion committee in its meeting held on 28-01-2020 and in pursuance of the Government of Khyber Pakhtunkhwa Elementary & Secondary Education Notification No.SO(B&A)/ 1-18/E & SE-2012 dated 11-2012 and No.SO(PE) 4-5/SSRC/Meeting/2012/ Teaching Cadre dated 13-11-2012, the following SPSTs B-14 are hereby promoted to the post of PSHTs B-15) in teaching cadre on the terms and conditions given below with immediate effect.

| S.No | Seniority No. | Teacher Name | Name of Present School | New School |
|------|---------------|------------------|------------------------|------------------------|
| 1 | 1058 | Shah Wazir Khan | GPS Khalidabad L/K | GPS khalidabad L/K |
| 2 | 1153 | Khalid Khan | GPS Miangan NO.1 (LK) | GPS Safi Abad |
| 3 | 1222 | Siddiq Ur Rahman | GPS Jaffar Abad Gujrat | GPS Jaffar Abad Gujrat |
| 4 | 1320 | Javed Khan | GPS Tordher T.Bhai | GPS Noroz Abad |
| 5 | 1340 | Gohar Ali | GPS No.2.Takht Bhai | GPS Amir Zada Killi |
| 6 | 1361 | Hussain Taj | GPS Afzal Abad No.1. | GPS Umar Khan-1 |
| 7 | 1416 | Kifayat Ullah | GPS Sikandary | GPS Noorman Khel-1 |
| 8 | 1427 | Iltaf Sadiq | GPS No.3 Kandar | GPS Miangan Kandar |
| 9 | 1433 | Baz Gul | GPS Gunjai | GPS Miskeen Abad |
| 10 | 1435 | Said Rafiq | GPS Noorman Khel No.2 | GPS Darmandoona |
| 11 | 1445 | Muhammad Qasim | GPS Ikrampur | GPS Zahir Abad |
| 12 | 1453 | Ijaz Ali Shah | GPS Gujrat | GPS Gujrat |
| 13 | 1455 | Gul Rahman | GPS kot Takhat Bhai | GPS Habib Noor Killi |
| 14 | 1456 | Ghulam Rahman | GPS Kanda Ghar | GPS Bangla |
| 15 | 1458 | Saleem Khan | GPS Tariq Abad Rustam | GPS Javid Abad-1 |
| 16 | 1459 | Muhammad Awais | GPS Memood Abad Gumbat | GPS Khani Koti |
| 17 | 1460 | Muhammad Zahid | GPS Memood Abad Gumbat | GPS Shamas Killi |
| 18 | 1461 | Saeed Ullah | GPS Nodeh Toru | GPS Chanchano Khat |
| 19 | 1462 | Tariq Naeem | GPS Shankar Karoona | GPS Ajab Gul Killi |
| 20 | 1463 | Muhammad Kamran | GPS Purana Hoti | GPS Sharqi Hoti |

(30)

| | | | | |
|----|------|--------------------|--------------------------------|---|
| 21 | 1465 | Ihsanullah | GPS Chilbanda | GPS Shagar-1 |
| 22 | 1470 | Mamrez | GPS Malik Abad Koragh | GPS Jalal Killi |
| 23 | 1471 | Taza Gui | GPS Kopar Banda T.Bhai | GPS Kopar Banda |
| 24 | 1472 | Ghulam Abbas | GPS Batal Koroona Mayar | GPS Jabba Mayar |
| 25 | 1473 | Fazli Tawab | GPS Jamil Abad Katlang | GPS Alo Janga |
| 26 | 1475 | Said Muhammad | GPS Shago Wand | GPS Gumbat-1 |
| 27 | 1476 | Muhammad Riaz | GPS Salim Khan | GPS Raziq Abad Katlang |
| 28 | 1477 | Muhammad Ibrahim | GPS Anarbaig-1 | GPS Anarbaig-1 |
| 29 | 1478 | Shamsul Zafar | GPS Farm korona | GPS Pilagi Katlang |
| 30 | 1479 | Amjad Ali | GPS No.2 Mohib Barida | GPS K.I Zai-2 |
| 31 | 1480 | Hussain Muhammad | GPS Chanona Katlang | GPS Serai Bacha Khel GPS Gulshan Abad Chamdheri |
| 32 | 1481 | Aziz Ahmad | GPS Gujrat | GPS Hisar Banda |
| 33 | 1489 | Wahid Ali | GPS Gul Mera (LK) | GPS Hisar Banda |
| 34 | 1490 | Wakeel Muhammad | GPS Shah Dhand No.1. (LK) | GPS Faris Killi |
| 35 | 1492 | Anwar Zaib | GPS Dundia | GPS Dundia |
| 36 | 1494 | Shams Ul Islam | GPS Janga (LK) | GPS Usman Banda |
| 37 | 1496 | Muhammad Nazir | GPS Sobaidar Killi | GPS Baru No.2 |
| 38 | 1497 | FahseenUllah | GPS, No.1 G.I.Zai | GPS Kunj |
| 39 | 1498 | Mir Hassan | GPS Landaki | GPS Gulibagh Hoti |
| 40 | 1499 | Wasi Ullah | GPS Sanga | GPS Tanoorona |
| 41 | 1501 | Muhammad Nabi | GPS Marghano Killi | GPS Marghano Killi |
| 42 | 1502 | Abdul Haleem | GPS GUJRAT | GPS Dilroz Banda |
| 43 | 1505 | Mujahid | GPS Shahid Abad | GPS Diyar Abad |
| 44 | 1510 | Nadeem Ayaz | GPS Sikandary | GPS Bari Cham |
| 45 | 1512 | Wajid Ali Shah | GPS Civil Colny No.2 Mardan | GPS Mistri Abad-1 |
| 46 | 1515 | Muhammad Ghufan | GPS Baba Abad | GPS Younas Tangi |
| 47 | 1518 | Asad Ali | GPS Gara Kool Bhai Khan | GPS Sald Rasan Banda |

(31)

| | | | | |
|----|------|---------------------------|-------------------------------|---|
| 48 | 1521 | Amir Zada | GPS Hospital koronaKhazana | GPS Ghazi Banda |
| 49 | 1522 | Syed Mukhtiar Ali Shah | GPS Qamar Abad Rustam | GPS Sufaid Daga |
| 50 | 1523 | Mawab Ali | GPS Talabkili | GPS Garyala |
| 51 | 1524 | Malang | GPS Chamtar | GPS Doshi |
| 52 | 1525 | Taj Muhammad | GPS Baringan Rustam | GPS Kata Khat |
| 53 | 1527 | Aln Ud Din | GPS Tara Banda Rustam | GPS Mirakbar Banda |
| 54 | 1528 | Alli Khan | GPS No.1 Mohib Banda | GPS Ghazi Baba |
| 55 | 1529 | Israr Gul | GPS No.2 Alo | GPS Pirano Banda GPS Gharib Abad (T.Bhai) |
| 56 | 1531 | RoohUl Amin | GPS Katlang | GPS Saeed Abad No.2 |
| 57 | 1533 | Darvesh Khan | GPS Dargar | GPS Suhbat Abad |
| 58 | 1534 | Nazir Ahmed | GPS Shamshad Abad 1 | |

TERMS & CONDITIONS:-

1. They would be on probation for a period of one year extendable for an another one year.
2. They would be governed by such rules and regulations as may be issued from time to time by the Govt.
3. Charge report should be submitted to all concerned.
4. Their Inter-Se-Seniority on lower post will remain intact.
5. No TA/DA is allowed for joining his duty.
6. They will be giving undertaking to be recorded in their Service Book to the effect that if any overpayment is made to them in light of this order, will be recovered and if he is wrongly promoted he will be reversed.
7. They will take over charge of their post within 15 days positively.
8. Before handing over charge once again their documents must be checked and if they have not the required relevant qualification as per rules, they may not be handed over charge of the said post.

(ZAHID MUHAMMAD)
DISTRICT EDUCATION OFFICER
(MALE) MARDAN

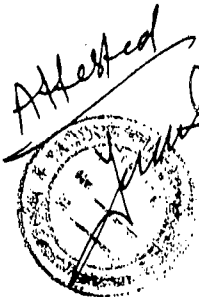
Endst No. 4882/En / Promotion SPST to PSHT Dated 19-09-2020

Copy forwarded to the:

1. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. District Accounts Officer Mardan.
3. SDEO(M) Mardan, Takht Bhai, Katlang, Rustam
4. District Monitoring Officer Mardan.
5. Official concerned.

Zahid Muhammad 19/9/2020
DISTRICT EDUCATION OFFICER
(MALE) MARDAN

Primary Sec





OFFICE OF THE DISTRICT EDUCATION OFFICER
(MALE) MARDAN

32

NOTIFICATION

Consequent upon the recommendations of departmental promotion committee in its meeting held on 31-12-2021 and in pursuance of the Government of Khyber Pakhtunkhwa Elementary & Secondary Education Notification No.SO(B&A)/ 1-184/ & SI-2012 dated 11-12-2012 and No.-SO(PE)4-5/SSRC/Meeting/2012/Teaching Cadre dated 13-11-2012, the following SPSTs B-14 are hereby promoted to the post of PSHTs B-15) in teaching cadre and adjusted in school mentioned against each against vacant posts on the terms and conditions given below with immediate effect.

| S.N | Seniority No. | Teacher Name | Father Name | Current School | Assigned Station |
|-----|---------------|---------------------|---------------------|------------------------------|---------------------------|
| 1 | 433 | MUHAMMAD IKRAM | MUHABAT KHAN | GPS Asaf Killi T. Bhai | GPS Seri Behlol-1 |
| 2 | 710 | MUHAMMAD NAEEM | MUHAMMAD IKRAM | GPS Kato (LK) | GPS Jamil Abad (LK) |
| 3 | 819 | MUHAMMAD YOUSAF | SHAHADAD | GPS Gulshanabad Chamdheri | GPS Pirobad Dubal Adda |
| 4 | 899 | RASHEED UR RAHMAN | ABDUR RAHIM | GPS No.2 Zando Dheri | GPS Khani Kati Bagh Killi |
| 5 | 992 | ASAD KHAN | WARIS KHAN | GPS Paindo Kote Rustam | GPS Sufaid Daga |
| 6 | 1019 | TARIQ ALI KHAN | GUL RAHMAN | GPS Jamra T. Bhai | GPS Jamra |
| 7 | 1027 | SAEED UR RAHMAN | HABIB UR RAHMAN | GPS DOSHI KATLANG | GPS Doshi |
| 8 | 1042 | KHUNREZ KHAN | GHANDAL KHAN | GPS Said Faqir Killi Katlang | GPS Salak |
| 9 | 1097 | SHAUKAT ALI KHAN | HUJAB GUL | GPS Check Baghdada | GPS Gujjar Garhi |
| 10 | 1117 | KHALID ZAMAN | EID-UZ-ZAMAN | GPS Nawab Khan Mardan | GPS Amanullah Banda |
| 11 | 1130 | MUHAMMAD SHOAIB | SAID NOOR SHAH | GPS SHAHDAND Lund Khwar | GPS Shahdand-3 |
| 12 | 1143 | MURAD ALI | GHULAM NABI | GPS Labour colony | GPS Shaheedabad(T) |
| 13 | 1160 | MUHAMMAD ZUBAIR | GUL MUHAMMAD | GPS Janbaz Naari | GPS Ibrahim Khan Killi |
| 14 | 1232 | MUHAMMAD RAFIQ KHAN | FATEH MUHAMMAD KHAN | GPS Chichar Katlang | GPS Chaman Abad |
| 15 | 1279 | MAQSOOD AHMED | ABDUL ISLAM | GPS Sokai | GPS Bagu Banda |
| 16 | 1290 | SHAH ZAMIN KHAN | SAID MUKHTIAR JAN | GPS Umer Dher Rustam | GPS Faqir Abad Shah Taari |
| 17 | 1298 | SALIM GUL | RAHMAT GUL | GPS Aslam Banda | GPS Gujranu Killi |
| 18 | 1300 | YUNAS KHAN | ABDUR RAHMAN KHAN | GPS Sikandary | GPS PirGarhi Malik Abad |
| 19 | 1310 | HABIB ZADA | GUL ZADA | GPS Abbas Khan Killi | GPS Salary Killi |
| 20 | 1315 | SARTAJ | MUHAMMAD JAN | GPS Shago Killi Toru | GPS Habib Khan Killi |
| 21 | 1321 | MUHAMMAD ISLAM | HAYA KHAN | GPS Ghala Dher No. 2 | GPS Usman Ghani Banda |

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| S.N | Seniority No. | Teacher Name | Father Name | Current School | Assigned Station |
|-----|---------------|-------------------|-------------------|---------------------------|---------------------------------|
| 22 | 1325 | SHER MUHAMMAD | RAHIM GUL | GPS SHAMSHAD ABAD 1 | GPS Sharif Abad-1 (Toru) |
| 23 | 1328 | MUHAMMAD HANAYUN | KHAWAS KHAN | GPS Narshak | GPS Guwar Khan Narshak |
| 24 | 1330 | AMJID ALI | NOSHERI KHAN | GPS Bhai Khan | GPS Goryala-2 |
| 25 | 1331 | SHER ALI | HAZRAT GUL | GPS Kot T.Bhai | GPS Qudrat Abad Kot Jungara |
| 26 | 1333 | MUHAMMAD ALI | SAID KHAN | GPS Shah Bat Khel (LK) | GPS Usman Banda (L/K) |
| 27 | 1335 | MUHAMMAD FAROOQ | JEHAN BAHADUR | GPS Kamargai Rustam | GPS Zaman Khan Koti |
| 28 | 1337 | KARIM KHAN | MOHAMMAD SALEEM | GPS Shamozai No.2 | GPS Khan Zamir Banda |
| 29 | 1340 | JAN MUHAMMAD | TAJ MUHAMMAD | GPS Yakh Kahi | GPS Dandaw |
| 30 | 1342 | ABID SHAH | FAZAL SHAH | GPS Tardherwal Gujrat | GPS Zubair Dheri |
| 31 | 1345 | ANVAR KHAN | SHAH JEHAN | GPS Adda Kallang | GPS Miangano Killi (Kati Garhi) |
| 32 | 1346 | IBRAHIM | MUHAMMAD ALI KHAN | GPS SAADAT BABA (LK) | GPS Hisar Banda (L/K) |
| 33 | 1347 | MUHAMMAD ISHAQ | DILBAR KHAN | GPS Muslim Abad (LK) | GPS Islam Gul Koroona |
| 34 | 1348 | HIDAYAT-UR-RAHMAN | SAID RAHMAN | GPS Miangano No. 2 (LK) | GPS Raidul Killi |
| 35 | 1351 | AHMAD SHAH | SALIM SHAH | GPS AZEEM SHAH Kallang | GPS Akbar Khan koroona |
| 36 | 1353 | NASEER AHMAD | ALI AHMAD | GPS Gul Abad 1 Rustam | GPS Sardar Abad |
| 37 | 1356 | ASHFAQ AHMAD KHAN | RAZA KHAN | GPS Bakhshali | GPS Kula Dheri |
| 38 | 1359 | ALI AKBAR | FAZLI RAHMAN | GPS Dad Muhammad Killi | GPS Nader Sher Killi |
| 39 | 1365 | HAROON KHAN | ABDUR RAZIQ | GPS Qasim No.1 Toru | GPS Gadbano Killi |
| 40 | 1367 | MUHAMMAD USMAN | SHER BAHADAR | GPS Sangar Baba | GPS Mamin Khan Kallang |
| 41 | 1368 | SYED YAQAR AHMAD | SYED SHAMSUL HADI | GPS Qasmi Kallang | GPS Ilyasi Kallang |
| 42 | 1371 | MUHAMMAD SHER | MASTALI JAN | GPS Naseer Killi | GPS Aziz Abad |
| 43 | 1372 | FAZAL SUBHAN | FAZAL RAHIM | GPS Mulyano Killi T.Bhai | GPS Ward-A Takhi Bhai |
| 44 | 1374 | GUL HAZAR KHAN | HASHIM KHAN | GPS No.3 Mohib Banda | GPS Chek Taja |
| 45 | 1376 | SAID AKBAR | PAINDA KHAN | GPS Zarin Abad Jalala | GPS Khat Killi |
| 46 | 1380 | AKHLAQ AHMAD | FAZAL BAHADAR | GPS Machi Rustam | GPS Faqir Shah Killi |
| 47 | 1381 | FAZAL AMAN | SAIR ULLAH KHAN | GPS Landaki | GPS No.1 Pirobad |
| 48 | 1382 | BADSHAH HUSSAIN | SULTAN SAID | GPS Gujrat | GPS Barikob |
| 49 | 1383 | MUHAMMAD YOUNAS | ZAMIR MUHAMMAD | GPS No.1 Mardan | GPS Roziq Abad(K) |
| 50 | 1384 | MUSTAJAB KHAN | ZARIN MUHAMMAD | GPS Mehmood Abad Hoti | GPS Younas Tanqil(K) |
| 51 | 1385 | SAEED-U-REHMAN | DURANAI | GPS Landaki | GPS Halki Kandari |
| 52 | 1386 | MUHAMMAD ZAHIR | AHMAD DIN | GPS KODINAKA | GPS kadinaka Gumbat |
| 53 | 1387 | WALID KHAN | MIR HASHIM | GPS Landaki | GPS Afzal Abad-1 |
| 54 | 1388 | MUHAMMAD YOUSAF | JANAS KHAN | GPS MEHMOOD ABAD PAR HOTI | GPS Afzal Abad-2 |

CA

| S.N | Seniority No. | Teacher Name | Father Name | Current School | Assigned Station |
|-----|---------------|-----------------|-----------------|------------------------|-------------------------|
| 55 | 1391 | SAEEDULLAH | FASIHULLAH | GPS Mistri Abad-2 | GPS Darmandoona(K) |
| 56 | 1392 | GULZAR KHAN | HAMEED GUL | GPS Gujrat | GPS Iftikhar Abad |
| 57 | 1395 | NAWAB ALI | SAIF UR RAHMAN | GPS Pir Sai Rustam | GPS Rashid Abad |
| 58 | 1396 | HAMEED MUHAMMAD | GHULAM MUHAMMAD | GPS No 1 Baro | GPS Gul Dheri Kata Khot |
| 59 | 1397 | SAJAD ALI | NAMDAR | GPS Dheri No 1 Katlang | GPS Gharib Abad-1 |
| 60 | 1401 | ZARTAJ | MUHAMMAD SIRAJ | GPS Kagan | GPS Kagan |
| 61 | 1402 | MUHAMMAD YUNAS | KHAN BAHADAR | GPS Nadeh Toru | GPS Rahim Shah Kilii |
| 62 | 1406 | NAVEED JAMAL | MUHAMMAD JAMAL | GPS Karwan Road | GPS Behram Khan Killi |
| 63 | 1407 | SHAMS UL QAMAR | BADRUD DUJA | GPS Khand Abad GUJNAT | GPS Zaman Shah(K) |
| 64 | 1408 | MURAD ALI | SHARIF GUL | GPS Landaki | GPS Munkara(K) |
| 65 | 1410 | AMJAD | SIRAJ MUHAMMAD | GPS Seri korona | GPS Seri Bacha Khell(K) |
| 65 | 1412 | FAZLE SUBHAN | MASAUD KHAN | GPS Kagan | GPS Mirakbar Khan Bando |

TERMS & CONDITIONS:-

1. They would be on probation for a period of one year extendable for another one year.
2. They would be governed by such rules and regulation as may be issued from time to time by the Govt.
3. Charge report should be submitted to all concerned
4. Their Inter-Se-Seniority on lower post will remain intact.
5. No TAJDA is allowed for joining his duty.
6. They will be giving undertaking to be recorded in their Service Book to the effect that if any overpayment is made to them in light of this order, will be recovered and if he is wrongly promoted he will be reversed
7. They will take over charge of their post within 15 days positively.
8. Before handing over charge once again their documents must be checked and if they have not the required relevant qualification as per rules, they may not be handed over charge of the said post.

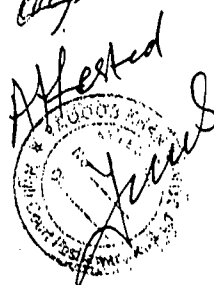
(Zulfiqar ul Mulk)
DISTRICT EDUCATION OFFICER
(MALE) MARDAN

Endst No. 24-6 / Promotion SPST to PSHT / Dated 01-01 / 2023.

Copy forwarded to the:

1. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. District Accounts Officer Mardan.
3. SDEO(M) Concerned.
4. District Monitoring Officer Mardan.
5. Official concerned.

DISTRICT EDUCATION OFFICER
(MALE) MARDAN



Before the Director of (E & SE) KPK Peshawar

(35)

Said Muhammad S/O Ali Muhammad PS Teacher Arabi Bando Tehsil & District Mardan. _____ (Applicant)

3. District Education Officer (M) Mardan _____ (Respondents)

Subject: appeal against order of respdt dated 01-01-2022, whereby, respdt has issued promotion order of respdt: No. 2 to S2 from BPS-14 to BPS-15 being Junior than appellant, while being senior most is ignored, which is illegal, against law and facts:

Sir,

1. That appellant is posted as PST Teacher BPS-14 with respect department.
2. That petitioner was appointed as PST Teacher (BPS-7) vide order dated 26/04/1992 as regular basis. (copy of service book is attached as Annex: "A").
3. That petitioner was up-graded from BPS-7 to BPS-12 vide order dated 01/07/2012. (Copy of order is attached as Annex: "B")
4. That petitioner's name was not inducted in seniority list of PST teacher for which petitioner approached before service Tribunal through a service appeal, which was accepted vide order/judgment dated 22/11/2017. (Copy of judgment is attached as Annex: "C")
5. That petitioner field an application along with judgment of service Tribunal before respondent No. 2 which was allowed and the name of the petitioners were inducted in the seniority list of PST vide letter dated 22/03/2018 and seniority list of PST dated 31/12/2017. (Copy of letter and seniority is attached as Annex: "D")
6. That petitioner filed an application for up-gradation from BPS-12 to BPS-14 vide application dated 29/03/2018 which is properly process vide letter dated 25/04/2018 and 16/04/2018. (copy of application and letter is attached as Annex: "E")
7. That appellant approached before honorable Pesh H.C Peshawar through w.f No: 884-P/2019, which was allowed vide order/judgment of Pesh H.C.

Peshawar dated 18/12/2019. (copy of w.f and order is attached as Annex: "F")

- 8. That appellant approached before respdt for implementation of order/judgment of pesh H.C. Peshawar which was allowed and appellant was promoted from BPS-12 to BPS-14 vide order dated 19/10/2020. (Copy of order is attached as Annex: "G")
- 9. That appellant filed an application for promotion from BPS-14 to BPS-15 but application of appellant is ignored and Junior teacher than appellant are promoted to the Post of SPST teacher BPS-15 and appellant being senior most at S/No: 1288 of seniority list is ignored vide order dated 01/01/2022, which is illegal, against law and facts on the following grounds. (Copy order is attached as Annex: "H")

Grounds: - A to E
Dated: 24-01-2022

Prayer

It is therefore, humbly prayed that on acceptance of this appeal order of respdt dated 01/01/2022 may please be modified to the extent that appellant may please be promoted from BPS-14 to BPS-15 instead of respdts No: 4 to 55 with all back benefit.

Appellant
Said Muhammad

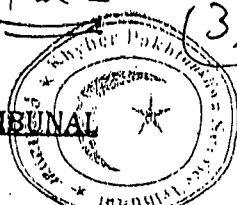
Through Counsel :-

Anx I

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**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR**

APPEAL NO. 1020 /2018



Mr. Sami Ul Haq, Primary School Teacher (BPS-12),
GPS Bahadar Khan Kotay, District Mardan.

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 1028

Dated 22/7/19

..... APPELLANT

VERSUS

- ✓ 1- The Government of Khyber Pakhtunkhwa through Secretary, Elementary & Secondary Education, Department, Peshawar.
- ✓ 2- The Secretary Establishment Department, Khyber Pakhtunkhwa, Peshawar.
- 3- The Secretary Finance Department, Khyber Pakhtunkhwa, Peshawar.
- ✓ 4- The Director, Elementary and Secondary Education, Khyber Pakhtunkhwa Peshawar.
- ✓ 5- The District Education Officer, District Mardan.

.....RESPONDENTS

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED NOTIFICATION DATED 30-01-2018 WHEREBY PROMOTION OF THE APPELLANT HAS BEEN DEFERRED ON THE BASIS OF THE ABOVE MENTIONED NOTIFICATION AND AGAINST THE APPELLATE ORDER DATED 02.07.2019 WHEREBY DEPARTMENTAL APPEAL OF THE APPELLANT HAS BEEN REJECTED ON NO GOOD GROUNDS.

Filed to-day
Registrar
22/7/19

PRAYERS:

That on acceptance of this appeal the impugned Notification dated 30-01-2018 may very kindly be modified/ amended and the respondents may be directed to promote the appellant to the post of SPST (BPS-14) according to the notification dated 13-11-2012 with all back benefits. Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the appellant.

R/SHEWETH:

ON FACTS:

Brief facts giving rise to the present appeal are as under:-

- 1- That appellant was initially appointed as Primary School Teacher (BPS-07) now (BPS-12) in District Mardan vide order dated 25-5-1987 on temporary basis and vide order dated 14.09.1989 the services of the appellant were regularized. Copies of the orders are attached as annexure A & B.

That the respondent Department issued notification dated 13-11-2012 whereby the respondent Department lay down the

Attended



Re-submitted to-day
and filed

22/7/19

STAMPED
22/7/19

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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

Service Appeal No. 1020/2019

Date of Institution ... 22.07.2019

Date of Decision ... 03.06.2021



Mr. Saminul Haq, Primary School Teacher (BPS-12), GPS Bahadar Khan Kotay,
District Mardan. ... (Appellant)

VERSUS

The Government of Khyber Pakhtunkhwa through Secretary Elementary &
Secondary Education Department, Khyber Pakhtunkhwa, Peshawar and four others.
... (Respondents)

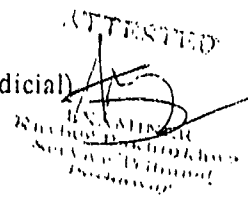
Present:

MR. ZAMAN SULTAN
Clerk

MR. HAMMAD ADEEL BUTT
Additional Assistant Clerk

AHMAD SULTAN TAREEN
ROZINA REHMAN

--- CHAIRMAN
--- MEMBER(Judicial)



JUDGEMENT.

ROZINA REHMAN, MEMBER(J):- The relevant facts leading to filing of instant appeal is that appellant was appointed as P.T.C.P.S.T having prescribed qualification. He was duly qualified and eligible for promotion however, promotion was denied only on the strength of amendments brought about through notification dated 3-01-2018. In this notification, requisite educational qualification was enhanced from intermediate to B.A. The appellant being senior most employee was to be promoted to the post of Senior Primary School Teacher (BPS-14) but his promotion was deferred on the reason that new service structure has been introduced vide notification dated 3-01-2018. Feeling aggrieved, he filed departmental appeal which was rejected, hence the present service appeal.

02. We have heard Mir Zaman Safi, Advocate for appellant and Muhammad Adeel Butt, Learned Additional Advocate General for the respondents and have gone through the record and the proceedings of the case in minute particulars.

03. Mir Zaman Safi, Advocate counsel appearing on behalf of appellants, inter-alia, contended that notification dated 30.01.2018 is ultra vires and the impugned appellate order dated 02.07.2019 is against law, facts and norms of natural justice. He argued that the impugned order is against the policy as a meeting was held on 08.05.2018 wherein issue of promotion was discussed at Serial No.10 and all the D.E.Os were directed that the promotion cases of the P.S.Ts to S.P.S.Ts/P.S.H.T must be entertained according to the previous policy of promotion while new rules are to be applied for new induction/recruitment. Learned counsel further submitted that the notification dated 30.01.2018 is not applicable in the case of appellant as at the time of his appointment, no such terms & conditions were incorporated in the appointment order of the appellant, hence, notification mentioned above has no legal value in the case of appellant and he is eligible for promotion in view of notification dated 13.11.2012. Learned counsel contended that identical service appeals were allowed by this Tribunal with directions to the Department to consider the cases of promotion of the appellant as per guidelines contained in the Promotion Policy of 2012, therefore, the instant case was also requested to be accepted keeping in view the order passed in the identical cases.

04. Against that learned A.A.G submitted that as per notification dated 30.11.2018, the requisite qualification for promotion is Bachelor Degree, whereas appellant does not fulfill the requisite qualification.

05. From the record, it is evident that the respondents had issued a notification dated 13.11.2012, wherein method of recruitment/promotion has been laid down for

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Primary School Teachers (P.S.T BPS-12) Senior Primary School Teacher (S.P.S.T BPS-14) and Primary School Head Teachers (P.S.H.T BPS-15). Criteria for promotion from PST to SPST is on the basis of seniority-cum-fitness with at least five years service with intermediate or equivalent qualification. Similarly, promotion from SPST to PSHT is based on seniority-cum-fitness with at least ten years service with intermediate or equivalent. Appellant was appointed as PST who is holding almost 20-25 years of service. The appellant being the senior most employee was going to be promoted but in the meanwhile, certain amendments were made in the promotion policy re-emerging as promotion policy 2018, wherein qualification for promotion was enhanced from Intermediate to Bachelor Degree, therefore, his request was turned down as by now he was not eligible for promotion according to new policy. The appellant was qualified for promotion under the Policy of the year 2012 but he was not promoted and his due right of promotion was violated. It is also evident from the Minutes of Meeting dated 16.05.2018 whereby respondent No.4 was conscious of the fact that promotions need to be done as per criteria laid down in 2012 Policy but somehow, the District Education Officer did not comply with such directions which resulted into miscarriage of justice.

6. In view of above, the instant appeal is accepted with direction to the respondents to consider the case of promotion of the appellant as per guidelines contained in the Promotion Policy of 2012. Parties are left to bear their own costs.

File be consigned to the record room.

ANNOUNCED
03.06.2021

Copy to be filed copy
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Ahmad Sultan Tareen

(AHMAD SULTAN TAREEN)
CHAIRMAN

Rozina Rehman
(ROZINA REHMAN)
MEMBER (J)

Abdullah
Khyber Pakhtunkhwa
Service Tribunal
Peshawar