

Sr. No	Date of order/ proceedings	Order or other proceedings with signature of Judge or Magistrate
1	2	3
	17.11.2016	<p style="text-align: center;"><u>BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR</u></p> <p style="text-align: center;">Appeal No. 908/2013</p> <p style="text-align: center;">Syed Shaheen Shah Versus Secretary Elementary & Secondary Education Officer and 2 others.</p> <p style="text-align: center;"><u>JUDGMENT</u></p> <p style="text-align: center;"><u>MUHAMMAD AZIM KHAN AFRIDI, CHAIRMAN:-</u></p> <p>Counsel for the appellant and Mr. Ziaullah, Government Pleader alongwith M/S Hameedur Rahman, AD & Waheed Gul, ADO for respondents present.</p> <p>2. Syed Shaheen Shah S/O Syed Zamir Shah Arabic Teacher hereinafter referred to as the appellant has preferred the instant service appeal under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 against order dated 28.12.2012 whereby appellant was reverted from BPS-14 to BPS-09 and, apart from fixation of his pay in BPS-09, recovery of an amount of Rs. 1,61,144/- was also ordered.</p> <p>3. Brief facts of the case of the appellant are that he was serving as Arabic Teacher in Government High School, Manduri Kohat when he secured qualification of Shahadat-ul-Almia Fil Uloom-Al-Islamia Itikhad-ul-Madaris Hoti Mardan and, on the strength of the said qualification, promoted to BPS-</p>

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17.11.16

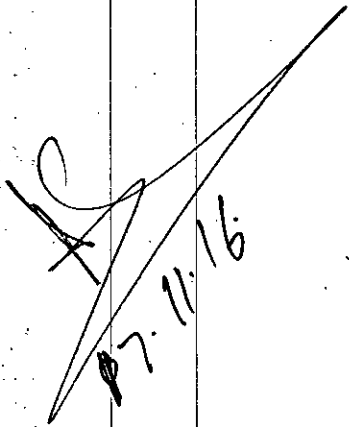
14 on 01.05.2000. Vide impugned order dated 28.12.2012 the appellant's pay was re-fixed in BPS-09 and directions of recovery of Rs. 1,61,144/- were made where-against appellant preferred departmental appeal which was not responded and hence the instant service appeal.

4. Learned counsel for the appellant has argued that the appellant was granted BPS- 14 on 01.05.2000 and his pay was accordingly fixed in the said scale as prescribed by rules. That apart from withdrawal of the said scale BPS-14, recovery was also ordered. That this Tribunal vide judgment dated 28.11.2005 in service appeal No. 323/2004 titled "Kaleem Nawaz Versus Secretary to Government of NWFP Education Department, Peshawar & 3 others" decided on 28.11.2005 had set aside orders to the extent of recovery from similarly placed employees and as such the appellant was also entitled to the same relief being a similarly placed employee.

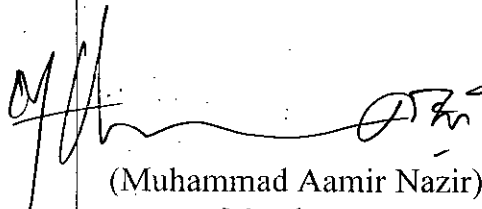
5. Learned Government Pleader has argued that the appellant was not granted BPS-14 in the mode and manners prescribed by rules and, moreover, his qualification was not a recognized one and as such he was not entitled to the relief claimed.

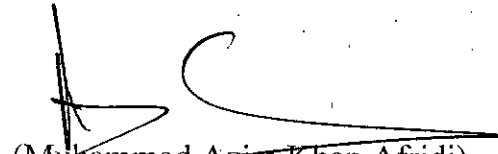
6. We have heard arguments of learned counsel for the parties and perused the record.

7. So far as grant of BPS-14 to the appellant is concerned, learned counsel for the appellant has fairly conceded during the course of arguments that the appellant was not entitled to the

A handwritten signature and the date '27.11.16' are written in the left margin of the page. The signature is a stylized cursive mark, and the date is written in a simple, bold font.

same as other similarly placed employees were not granted the said scale by this Tribunal in its judgment dated 28.11.2005 passed in service appeal No. 323/2004. So far as the issue of recovery is concerned it was directed by this Tribunal in the said judgment that no recovery of excess salary paid to the appellants be made while serving in higher scales. Keeping in view the judgment of this Tribunal referred to above and similar status of the appellant, we partially allow the instant appeal to the extent of disputed recovery with the directions to the respondents that recovery of excess salary paid to the appellant in BPS-14 shall not be made from the appellant. The appeal is accepted in the above terms. Parties are left to bear their own costs. File be consigned to the record room.


(Muhammad Aamir Nazir)
Member


(Muhammad Azim Khan Afridi)
Chairman

17.11.16

ANNOUNCED
17.11.2016

25.04.2016

Counsel for the appellant and Abid Hussain, ADO respondent No. 2 alongwith Mr. Adeel But, GP for official respondents present. The learned Judicial Members is on official tour to D.I. Khan, therefore, case is adjourned to 20.7.2016 before D.B.


Chairman

20.07.2016

Mr. Ibrahim Shah, Assistant for learned counsel for the appellant and Mr. Sarmast Khan, Assistant alongwith Mr. Kabirullah Khan Khattak, Assistant AG for the respondents present. Mr. Ibrahim Shah, Assistant for learned counsel for the appellant submitted that the learned senior counsel is busy in the august Supreme Court of Pakistan for today and may not be available before this Tribunal. He requested for adjournment. Adjournment granted. To come up for arguments on 17-11-16 before D.B.


MEMBER


MEMBER

15.04.2015

None present for appellant. M/S Khurshid Khan, SO for respondent No. 1, Abid Hussain, ADO for respondent No. 2 and Rafiqullah, Senior Auditor for respondent No. 3 alongwith Addl: A.G present. Written reply by respondents No. 1 and 2 not submitted. Requested for further adjournment. Last opportunity granted for submission of written reply/comments by respondents No. 1 and 2 for 13.7.2015 before S.B.


Chairman

13.07.2015

Counsel for the appellant, M/S Khurshid Khan, SO for respondent No. 1, Abid Hussain, ADO for respondent No. 2 and Rafiqueullah, Senior Auditor for respondent No. 3 alongwith Addl: A.G for respondents present. Written reply by respondents No. 1 and 2 also submitted. The appeal is assigned to D.B for rejoinder and final hearing for 25.11.2015.


Chairman

25.11.2015

Counsel for the appellant, M/S Roz Wali, DEO, Abid Hussain, ADO Muhammad Atif, DAO alongwith Asst: AG for respondents present. Arguments could not be heard due to learned Member (Judicial) is on official tour to D.I. Khan. Therefore, the case is adjourned to 25/4/16 for arguments.


Member

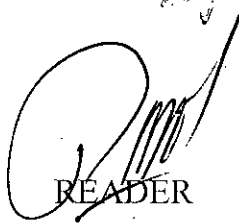
08.09.2014

Counsel for the appellant and Mr. Muhammad Jan, GP with Rafiqullah, Senior Auditor for respondent No. 3 present. The learned Member is on leave. To come up for the same on 02.12.2014.


READER

2.12.2014

Clerk to counsel for the appellant and Mr. Muhammad Jan, GP present. The Tribunal is incomplete. To come up for the same on 17.2.2015.


READER

17.2.2015

Appellant in person and Mr. Muhammad Jan, GP with Syed Ihsan Shah, ADO and Rafiqullah, Senior Auditor for the respondents present and requested for time to be granted to submit written reply. To come up for the same on 15.4.2015.


MEMBER

Appeal No. 908/2013.
Syed Shabeer Shah.

7. 13.03.2014

Appellant with counsel present. Preliminary arguments heard and case file perused. Counsel for the appellant contended that the appellant has not been treated in accordance with law/rules. The appellant was allowed BPS-14 on 01.05.2000 on the basis of Sanad from Itihad-ul-Madaris Hoti Mardan. On 28.12.2013 the audit party reported that the Sanad not recognized by the government, hence award of BPS-14 was illegal and order recovery of Rs. 1,61144/- as over payment made to the appellant on account of monthly pay in BPS-14. He filed departmental appeal on 05.01.2013 which has not been responded within the statutory period of 90 days, hence the present appeal on 29.04.2013. Points raised at the Bar need consideration. The appeal is admitted to regular hearing subject to all legal objections. The appellant is directed to deposit the security amount and process fee within 10 days. Thereafter, Notices be issued to the respondents for submission of written reply/comments on 30/5/2014.

Appellant deposited
process fee & security
Rs. 180/- Bonds Receipt
attached with file

Member

8. 13.03.2014

This case be put before the Final Bench 11 for further proceedings.

Chairman

30.05.2014

Clerk to counsel for the appellant and AAG with Syed Ihsan Shah, ADO and Rafiqullah, Senior Auditor for the respondents present and requested for time. To come up for written reply on 08.9.2014.

MEMBER

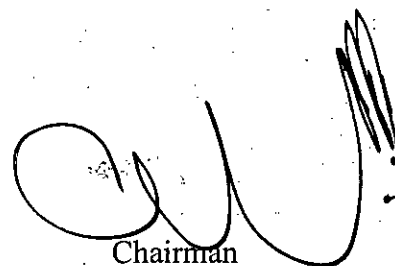
3.
01.08.2013

Clerk of counsel for the appellant present and requested for adjournment. Case is adjourned. To come up for preliminary hearing on 28/10/2013.


Member


4.
28.10.2013

Mr. Ibarhim Shah, Advocate on behalf of learned counsel for the appellant present and requested for adjournment due to non-availability of counsel for the appellant. To come up for preliminary hearing on 10.12.2013.


Chairman

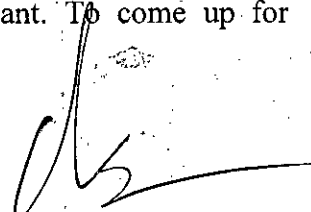
5.
10.12.2013

Clerk of counsel for the appellant present and requested for adjournment. To come up for preliminary hearing on 28.01.2014.


Member

6.
28.01.2014

Mr. Ibrahim Shah, Advocate on behalf of learned counsel for the appellant present and requested for adjournment due to non-availability of counsel for the appellant. To come up for preliminary hearing on 13.03.2014.


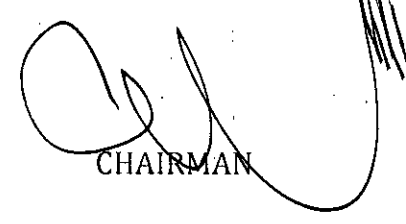

Member

Form- A

FORM OF ORDER SHEET

Court of _____

Case No. 908/2013


S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	20/05/2013	<p>The appeal of Syed Shaheen Shah re-submitted today by Mr. M.Amin Khattak Lachi Advocate, may be entered in the Institution Register and put up to the Worthy Chairman for preliminary hearing.</p> <p style="text-align: right;"> REGISTRAR</p>
2	15-7-2013	<p>This case is entrusted to Primary Bench for preliminary hearing to be put up there on <u>1-8-2013</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>

The appeal of Syed Shaheen Shah Son of Syed Zamir Shah received today i.e. on 29/04/2013 is incomplete on the following scores which is returned to the counsel for the appellatant for completion and resubmission within 15 days.

- 1- Appeal may be got signed by the appellatant.
- 2- Copy of Impugned order is not attached with the appeal which may be placed on it.
- 3- Annexures of the appeal may be attested.
- 4- Five more copies/ set of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 694 /S.T,

Dt. 30/04 /2013.

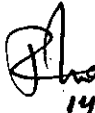

REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

MR. M.AMIN KHATTAK LACHI ADV. PESH.

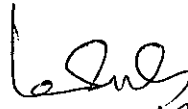
14/5/2013

جناب عالی :-

یہ کہ تہہ مدعونین بالا میں فائل کو مکمل کرنے کیلئے
فقوڑا وقت درکار ہے۔ وقت فراموشی جا نہیں


14/5/13
=

Time for resubmission of appeal is extended upto
24-05-13 after removal of observations.


14/5/13

Time the deduction process
is stand and check form

Some Book page - 19. no
paper order is passed.

Council for
Appellant
Mz

کمیٹی کے ذریعہ درخواستیں دیکھی گئیں اور ان کے بارے میں
درج ذیل نوٹس جاری کیا گیا ہے۔

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.....
.....

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA
PESHAWAR

S.A No. 908/2013

Syed Shaheen Shah Appellant

V E R S U S

Secretary, Elementary and Secondary Education
Peshawar and others. Respondents

I N D E X

S.No	Description of Documents	Annexure	Pages
1.	Service appeal		1-3
2.	Copy of appointment order		4
3.	Copies of Service Book		5-20
4.	Copy of judgment dated 28.11.2002		21-27
5.	Copy of departmental appeal <i>with order dated 30-9-1989</i>		28 - 29
6.	Wakalatnama <i>سید شاہین شاہ</i>		30

Appellant

Through

Date: / /2013

Muhammad Amin Khattak Lachi
Advocate,
Supreme Court of Pakistan
Office: A-11, Bilal Plaza Shoba
Bazaar Peshawar
Cell:0300-9151041

1

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA
PESHAWAR

S.A No. 908 /2013

AWP P. Peshawar
Case No. 849
29-4-13

Syed Shaheen Shah S/o Syed Zamir Shah

Arabic Teacher Government Meddle School

Baraghzai Kalan Kohat.Appellant

V E R S U S

1. Secretary, Elementary and Secondary Education Peshawar.
2. District Education Officer Male Kohat.
3. District Account Officer District Kohat. Respondents

APPEAL AGAINST THE ORDER DATED 28.12.2012 WHEREBY
THE RESPONDENT NO.2 PASSED AN ORDER FOR FIXATION OF
PAY IN BPS-19 AND REVERTED IN BPS-9 FROM BPS-14 AND
ALSO PASSED AN ORDER FOR RECOVERY OF AMOUNT
RS.1,61144.

Respectfully Shewith:

Brief Facts:

1. That appellant was appointed as a Arabic Teacher in Government High School Manduri at Kohat on 05.04.1999.

Filed to-403
29/4/13

That appellant serve to the entire satisfaction of their superior and there was no complaint against the appellant.

3. That on 01.05.2000 the appellant passed Shahadat-ul-Almia Fil Ulloom Al-Islamia Itihad-ul-Madaris Hoti Mardan.

Re-submitted to-403
and filed.

20/5/13

4. That on the basis of this Sanad the appellant was promoted in BPS-14 on 01.05.2000.
5. That appellant till date is a serving in BPS-14 but on 28.12.2012 the respondents passed pay fixation order through wherein appellant pay was fixed in BPS-9 and was directed to recovery of Rs.1,61144/-.
6. That feeling aggrieved from the same the appellant filed a departmental appeal but no response is given, hence this service appeal is filed on the following grounds;

GROUND:

- A. That the impugned order dated 28.12.2012 is illegal against the law and facts and is liable to be set aside.
- B. That appellant was appointed and promoted through proper service rules and laws and there is no wrong on the part of the appellant and it was the duty of the respondents to clarify all the pre requisites for the promotion or appointment in BPS-14.
- C. That under the principle of locus potentia the appellant is entitle to BPS-14 and benefits are enjoyed cannot be withdrawn after the lapse of sufficient time
- D. That it is the duty of the authority that before the appointment for BPS-14 the required qualification of the appellant should be scrutinized under the principle of caveat emptor.

- E. That since the appellant served in BPS-14 and the recovery on the part of the respondents is illegal and their order is liable to be struck down.
- F. That some other grounds may be adduce during the course of arguments.

It is, therefore, prayed that on acceptance of this appeal the impugned order of reversion may be set aside and appellant may kindly be allowed to serve in BPS-14 and the recovery order may also be declared illegal.

سید شہنشاہ بقیہ خود

Appellant

Through

Dated : /04/2013



Muhammad Amin Khattak Lachi
Advocate,
Supreme Court of Pakistan

(4)

OFFICE OF THE DISTRICT EDUCATION OFFICER(M) SECONDARY KOHAT

APPOINTMENT

Consequent upon the orders of the High-ups of the Education Department NWFP, Peshawar in the meeting held on 22-3-99, the following candidates selected by the District Selection Committee Kohat for the post of Arabic Teacher are hereby appointed in the Basic Pay Scale No.09 (Rs. 1605-97-3060) plus usual allowances as admissible against the newly created/vacant posts in the school noted against each with immediate effect subject to the terms & conditions detailed below:-

S/No	Name with Father's Name and address	Date of Birth	Merit Position	School where appointed	Remarks
1.	Khaista Gul son of Masood Gul R/O Rehman Abad, Shakardara, Kohat	12-10-71	1/44.25	GMS Paka Topi	Vacant post.
2.	Muhammad Mushtaq son of Gul Haider, R/O Garhi Bohram Shah, Kohat	18-3-63	2/41.54	GHS Maslin Abad	Vacant post.
3.	Muhammad Sadiq son of Muhammad Ismail, R/O Kamal Khel, Kohat	01-3-73	3/40.81	GMS Khamatoo	N. C. P
4.	Hafizur Rehman son of Habibur Rehman, R/O Tor Chapri Bando, Kohat	06-11-74	4/38.98	GMS Char Ghari	N. C. P
5.	Fazal Noor son of Allah Noor, R/O Dhoda Kohat	01-1-69	5/36.10	GHS Torastana	Vacant post.
6.	Javid Akhtar Shah son of Mutabar Shah, R/O Showeki, Kohat	11-3-66	6/33.70	GHS Showeki	Vacant post.
7.	Said Rehman son of Toti Gul, R/O Warshand, Lachi, Kohat	01-6-72	7/33.50	GHS Malgin	Vacant post.
8.	Ghulam Reza son of S. Mehmood, R/O Dhoda, Kohat	02-4-72	8/32.97	GHS Sur Gul	Vacant post.
9.	Shaheen Shah son of S. Zamir Shah, R/O Dhand Sagheri, Kohat	22-12-68	9/31.79	GHS Mandoori	Vacant post.
10.	S. Kamil Hussain son of Iltaf Hussain, R/O Bositang, Kohat	13-12-79	10/30.63	GHS Jabbar	Vacant post.
11.	Muhammad Ajmal Khan son of Maaazam Din, R/O Paka Topi, Kohat	15-1-77	11/30.00	GMS Kandar	N. C. P
12.	Nijat Ali son of Abdur Rauf Rauf, R/O Chorlaki, Kohat	20-2-66	12/28.75	GMS Kamar	N. C. P
13.	Mati-Ur-Rehman son of Molvi Muhammad Jamil, R/O Shakardara, Kohat	02-5-71	13/28.67	GHS Nandraka	Vacant post.
14.	Khalid Khan son of Malang Sher, R/O Muhammad Zai, Kohat	10-8-68	14/26.08	GMS Dhok Sherzaman	N. C. P
15.	Taj Ali Khan son of Azim Khan, R/O Chishana, Kohat	10-2-69	15/18.00	GMS Khadar Khel	Vacant post.

M

Attested

[Signature]
2

10.85 G.S. Darmalak

Vacant
post.

Abdul Hakim, R/O
Gabri, Shakardara, Kohat

Vacant
post.

TERMS AND CONDITIONS

1. They will be governed by such rules & regulations as may be prescribed by the Govt: from time to time for the category of the Govt: servants which they belong.
2. Their services will be liable to termination on one month notice either side. In case of resignation without notice on one month pay will be forfeited in lieu thereof.
3. They should join the post within 15 days of the issue of this notification.
4. Their Inter-se-Seniority will be determined in accordance with the Departmental selection committee.
5. Charge report should be sent to all concerned.
6. They shall be in probation for a period for 2 years and will neither apply for long leave nor seek admission in any College/University.
7. They will produce in the Bank receipt for the fee deposited in connection with verification of their Certificate/Diploma/Degree/Sanadat and other testimonials etc before handing over charge and in case any of their documents proved fake their appointment will be considered as cancelled without any right or privilege.
8. Service Books of the teacher/officials must be prepared complete in all respects before handing over charge.
9. Their pay will not be drawn by the concerned DDO till the process of the verification of their documents is completed.
10. They are required to produce Health & age certificate from the Medical authorities concerned, before taking over charge.
11. Charge should not be given to the over age candidates. His case for age relaxation be sent to the concerned quarter.
12. Efforts for transfer the completion of tenure will disqualify him from the service.
13. No TA/DA etc is allowed.
14. An undertaking shall be obtained from the Master & Bachelor Degree holder teacher/officials etc that they will serve the Deptt: for at least 5 years, unless he is selected by the public Service Commission for any post.

NOTE: Complete information for each category (separately) in consolidated list on the prescribed proforma (attached) along with charge report be submitted by the lower office to the District Education Officer (Male) Secondary Kohat within a week positively.

(MIAN SAADAT SHAH)
DISTRICT EDUCATION OFFICER
(MALE) SECONDARY KOHAT

Endst: No. 3913-50 / Apptt/AT/III-LE

Dated: Kohat the 5/04/99

Copy of the above is forwarded for information to the:-

1. Accountant General, NWFP, Peshawar.
2. Director of Secondary Education NWFP Peshawar.
3. Principals/Headmaster concerned.
4. PS to Secretary to Govt: of NWFP, Edu, Deptt:
5. District Account Officer, Kohat
6. Candidate concerned
7. Master File.

5

Passed & qualified the Qural or Tajweed-ul-Quran ul
Karam from Tawfiq ul-Uloom Madrasah Sherpur Peshawar
on 11th Hajar, Qural Sharban

Name

National

Residence

P.O.

Father's r

Date of bi

can be as

Exact height

Personal m

Left hand/right

Little Finger

Passed oriental Faculty Exam at Arabi
from 1875 Peshawar under Roll No. 7
obtaining 219 marks in 2nd Div.

Result declared on 7.3.91.

Signature

Passed Exam of Arabic & Islamic
Studies from Wafaqul Madaris-ul-Arabia,
Pakistan in 16.5.1990 in Sharbat
obtaining 98/100 marks.

Signature
Govt. High School,
Chand Sialkot (Koll)

Passed 4th (A) Exam 1992
under Roll No 46632 from
B.S.E. Peshawar, securing 495/500 marks
Result declared on 1.2.92.

Passed Honorary Arabic Exam 1994
1994 under Roll No. 194 from
B.S.E. Peshawar, securing 243/600 marks
Result declared 1994.

Signature

Passed Shahadat-ul-Alma Fil-Uloom ul-Islamia wa
Arabia (M.A Arabic/Illumiyat) from Itbar ul-Madaris
Al-Arabia Wali Fair Huti Mandan Under Roll No. 643 marks
obtained 360/600 in 2nd Division. Result declared on
4.05.2000.

Signature
21/05/2000

Note:—The entries
lines 9 and 10
میں دستخطوں کے لیے

6

Name: Sayed Shahinshah
(نام)

Nationality and Religion: Islam / Pakistani
(قومیت اور مذہب)

Residence: village Shaweki
P.O. Shaweki, Tehsil (Kohat) Kohat

Father's name and residence: Zamir Shah
(والد کا نام اور پتہ) (As above)

Date of birth by Christian era as nearly as
can be ascertained: 22-12-1968
(تاریخ پیدائش مطابق سن عیسوی)

Twenty two^{second} December, N.H. of Sixty
(22-12-1968) Eight of

Exact height by measurement: 5-4
(قد و قامت)

Personal mark for identification: Scar on forehead 143-89-126940
(نشان شناخت)

Left hand/right hand thumb and finger-impressions of (None-gazetted) officer.
(سود کی صورت میں بائیں اور عورت کی صورت میں دائیں ہاتھ کی انگلیوں کے نشانات)

Little Finger (چھنگیا)

Ring Finger (چھنگیا کے ساتھ کی انگلی)

Middle Finger (انگشت ممالہ)

Fore Finger (انگشت شہادت)

Thum (انگوٹھا)

Signature of Government servant: [Signature]
(سرکاری ملازم کے دستخط)

Signature and designation of the Head of
the Office, or other Attesting Officer: [Signature]
Head of School
Govt. High School
Huzud Kohat (Kohat)

(تصدیق کنندہ افسر کے دستخط اور نام)

24.10.91

ATTENDED

Note:—The entries in this page should be renewed or re-attested at least every five years and the signatures in lines 9 and 10 should be dated. Finger prints need not be taken after every 5 years under this rule.

اس صفحہ کے مندرجات کم از کم ہالچ سال بعد تصدیق ہونا ضروری ہیں اور ہر ۵ سال کے بعد تصدیق کی ضرورت نہیں۔
تاریخ ہونی چاہئے۔ انگلیوں کے نشانات کیلئے ہر ہالچ سال کے بعد تصدیق کی ضرورت نہیں۔

1	2	3	4	5	6	7	8	9	
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 rule 3.20 of C.S.R. (Pb.) volume II	Pay in substantive post	Additional pay for officiating	Other emoluments falling under the term "pay"	Date of appointment	Signature of Government servant	Signature designation of the Head of the office or of the Attesting Officer in attestation of column 1 to 8	
Qari Post G. H. S. Dhand Saghir	عاری مستقل یا قائم مقام	اگر عاری ہے تو کہا وہ بدل کے مطابق پیشن کا مستحق ہے	تنخواہ بطور عاری ملازمت	زائد تنخواہ زائد تنخواہ بطور قائم مقام	ماسوائے تنخواہ دیگر الادویس	تاریخ تقریری	دستخط سرکاری ملازم	Signature designation of the Head of the office or of the Attesting Officer in attestation of column 1 to 8	
				RS. P.	RS. P.				
				Pay Scale No = 7		(RS = 750 - 31 - 1370)			
				750/-	04/10/89 F.N. That			Head of office	
				781/-	1/12/90 That			That	
				MPS-7 Rs. 10,985-60-1995					That
				MPS-5 Rs. 6,720-25-1350					Govt. Dhand S
				Pay Rs. 781/-	781/-	M			
				1275/-	1275/-	P.M			
				13307/-	13307/-	13307/-	That		
				13307/-		That			Govt. High and Saghir
				13307/-		That			Govt. High Dhand Sag

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(8)

8	9	10	11	12	13	14	15				
Signature of Government servant	Signature and designation of the Head of the office or other Attesting Officer in attestation of columns 1 to 8	Date of termination or appointment	Reason of termination (such as promotion, transfer, dismissal etc.)	Signature of the Head of the office or other Attesting Officer	<p>LEAVE</p> <p>Allocation of periods of leave on average pay upto four months (or earned leave not exceeding 120 days) to which leave salary is debitable to another Government</p> <table border="1"> <tr> <th data-bbox="831 448 940 797">Nature and duration of leave taken</th> <th data-bbox="940 448 1207 797">Govt. to which debitable</th> </tr> <tr> <td>رضت کی معیار</td> <td>گورنمنٹ سے رقم ادا ہوگی</td> </tr> </table>	Nature and duration of leave taken	Govt. to which debitable	رضت کی معیار	گورنمنٹ سے رقم ادا ہوگی	Signature of the head of the office or other Attesting officer	Reference to a recorded punishment, or censure or reward or praised of the Government servant
Nature and duration of leave taken	Govt. to which debitable										
رضت کی معیار	گورنمنٹ سے رقم ادا ہوگی										
<p>(1370)</p> <p>Head Master Govt. High School Dhand Saghri (Kohat)</p> <p>30/11/90</p>	<p>Head Master Govt. High School Dhand Saghri (Kohat)</p> <p>30/11/90</p>	<p>30/11/90</p>	<p>وجوہات انتقال ملازمت ترقی انتظامیہ یا برطرفی</p>	<p>رستخدا افسر مجاز</p>	<p>بچار ماہ سبک کارخصت کیلئے اوسط تنخواہ کا تعین</p>	<p>رستخدا افسر مجاز</p>	<p>مقرر باجزا یا غیر مناسبت کر دی کاریکارڈ</p>				
<p>Head Master Govt. High School Dhand Saghri (Kohat)</p> <p>30/11/91</p>	<p>Head Master Govt. High School Dhand Saghri (Kohat)</p> <p>30/11/91</p>	<p>30/11/91</p>	<p>Head Master Govt. High School Dhand Saghri (Kohat)</p>	<p>Head Master Govt. High School Dhand Saghri (Kohat)</p>	<p>Head Master Govt. High School Dhand Saghri (Kohat)</p>	<p>Head Master Govt. High School Dhand Saghri (Kohat)</p>	<p>Head Master Govt. High School Dhand Saghri (Kohat)</p>				
<p>Head Master Govt. High School Dhand Saghri (Kohat)</p> <p>30/11/92</p>	<p>Head Master Govt. High School Dhand Saghri (Kohat)</p> <p>30/11/92</p>	<p>30/11/92</p>	<p>Head Master Govt. High School Dhand Saghri (Kohat)</p>	<p>Head Master Govt. High School Dhand Saghri (Kohat)</p>	<p>Head Master Govt. High School Dhand Saghri (Kohat)</p>	<p>Head Master Govt. High School Dhand Saghri (Kohat)</p>	<p>Head Master Govt. High School Dhand Saghri (Kohat)</p>				
<p>Head Master Govt. High School Dhand Saghri (Kohat)</p> <p>28/2/91</p>	<p>Head Master Govt. High School Dhand Saghri (Kohat)</p> <p>28/2/91</p>	<p>28/2/91</p>	<p>Head Master Govt. High School Dhand Saghri (Kohat)</p>	<p>Head Master Govt. High School Dhand Saghri (Kohat)</p>	<p>Head Master Govt. High School Dhand Saghri (Kohat)</p>	<p>Head Master Govt. High School Dhand Saghri (Kohat)</p>	<p>Head Master Govt. High School Dhand Saghri (Kohat)</p>				

9

1	2	3	4	5	6	7	8	9
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 rule 3.20 of C.S.R. (Pb.) volume II	Pay in substantive post	Additional pay for officiating	Other emoluments falling under the term "pay"	Date of appointment	Signature of Government servant in column 8	Signature and title of Head of the Government servant in column 9
درجہ ملازمت	عارضی مستقل تمام مقام	اگر عارضی ہو گیا وہ روز کے ساتھ ہی پیشن کا مستحق ہے	تنخواہ بطور عارضی ملازمت	زائد تنخواہ زائد تنخواہ بطور تمام مقام	ماسوائے تنخواہ دیگر الادرس	تاریخ تقریری	دستخط اور دستخط سرکاری مجاز ملازم	Signature and title of Head of the Government servant in column 9
Qari Post G.H.S. Dhaud Saghris (Kohat)	Off/Perm.	BPS-07C1095-60-1995	RS. 1395/- P.M.			1-12-92	That	
-do-	Off/Perm.		RS. 1455/- P.M.			1-12-93	That	
-do-	Office of the Accountant General N.W.F.P. Peshawar	Pay fixed in the revised Pay Scales 1991 of Rs. 1095-60-1995 (B-7) to Rs. 1275/- P.M.N.F.F. 1-0-1991 with next increment on 1-12-1991	1966/- P.M.			1-6-95	That	HEAD Govt: M hand Sug
Qari Post at G.H.S. Dhaud Saghris	Off/Perm.		RS. 2047/- P.M.			1-12-94	That	
-do-	-do-		RS. 2128/- P.M.			1-12-95	That	
-do-	-do-		RS. 2209/- P.M.			1-12-96	That	

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Signature and title of Head of the Government servant in column 9

HEAD

Govt: M

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Principal

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8	9	10	11	12	13		14	15
Signature of Government servant	Nature and position of Head or other officer in whom the duties are entrusted	Date of termination or appointment	Reason of termination (such as promotion, transfer, dismissal etc)	Signature of the Head of the office or other Attesting Officer	LEAVE		Signature of the head of the office or other Attesting officer	Reference to any recorded punishment, or censure or reward or praised of the Government servant
					Nature and duration of leave taken	Allocation of periods of leave on average pay up to four months (or earned leave not exceeding 120 days) to which leave salary is debitable to another Government		
					Period	Govt. to which debitable		
<i>[Signature]</i>	Head Master Govt. High School, Dhand Saghri (Kohat)	30/9/93	Increment	<i>[Signature]</i> Head Master Govt. High School, Dhand Saghri (Kohat)	30/9/93	Govt. to which debitable	<i>[Signature]</i> Govt. High School, Dhand Saghri (Kohat)	Services from 12.9.92 to 31.3.93
<i>[Signature]</i>	Head Master Govt. High School, Dhand Saghri (Kohat)		Revisions pay scale	<i>[Signature]</i> Head Master Govt. High School, Dhand Saghri (Kohat)			<i>[Signature]</i> Govt. High School, Dhand Saghri	
<i>[Signature]</i>	HEAD MASTER Govt. High School Dhand Saghri (Kohat)			<i>[Signature]</i> HEAD MASTER Govt. High School Dhand Saghri (Kohat)	30/9/94 (A)		<i>[Signature]</i> Govt. High School, Dhand Saghri	Exam: from Jamia Mannia Panipat (Aboora Khattak) under Rule NO: 329 obtaining 324 marks out of 600. Result declared on 13/2 certificate NO: 806/1993
<i>[Signature]</i>	Principal G.B.S. Dhand Saghri			<i>[Signature]</i> Principal G.B.S. Dhand Saghri Kohat	30/9/95 (A)		<i>[Signature]</i> Govt. High School, Dhand Saghri	
<i>[Signature]</i>	Principal H.S. Dhand Saghri Kohat			<i>[Signature]</i> Principal G.B.S. Dhand Saghri			<i>[Signature]</i> Govt. High School, Dhand Saghri	

11

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 rule 3.20 of C.S.R. (Pb.) volume II	Pay in substantive post	Additional pay for officiating	Other emoluments falling under the term "pay"	Date of appointment	Signature of Government servant
درجہ ملازمت	عارضی مستقل تائیم مقام	اگر عارضی ہے تو کیہ دوروں کے مطابق پیشن کا مستحق ہے	تنخواہ ٹیپور عارضی ملازمت	زائد تنخواہ بظہور تائیم مقام	ماسوائے تنخواہ دیگر الائٹنس	تاریخ تقریری	دستخط سرکاری ملازم
Gari post at GHS Shand Sagari	Off/Perm:		RS. P. BPS-07 (1480-81-2695)	RS. P. RS:- 2290/- PM 12/97 2209/- RS:- 2371/- PM 01-12-98 2290/-		12/97 01-12-98	That That
-50-	-50-						
<p>Pay fixed in BPS-09 i-e (1605-97-3060/-) due to appointed as AT w-e 7 09-08-99</p>							
AT at GHS Mandori (Kohat)	Temp./Offig:			Rs:- 2381/- PM 09/04/99 (F/N) 97/- Rs: 2478/- 09/04/99 (F/N)			That That
				(Note) One Pre-mature Increment due to promoted as AT.			
AT at GHS Mandori (Kohat)	Temp./Offig:			Rs: 2381/- 09/04/99 One Pre-mature Increment: 97/- Rs: 2478/- 09/04/99			That That
do	do			Rs:- 2575/- 01/12/99			That

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19/9/99

20/9/99

21/9/99

22/9/99

23/9/99

24/9/99

25/9/99

26/9/99

27/9/99

28/9/99

29/9/99

30/9/99

12

Signature of Government servant	Date of termination or appointment	Termination (such as promotion, transfer dismissal etc)	Signature of the Head of the office of other Attesting Officer	LEAVE		Signature of the head of the office or other Attesting officer	Reference to any recorded punishment, or censure or reward or praised of the Government servant
				Nature and duration of leave taken	Allocation of periods of leave on average pay upto four months (or earned leave not exceeding 120 days) to which leave salary is debitabale to another Government		
دستخط سرکاری ملازم	تاریخ انقطاع ملازمت	وجوہات انقطاع ملازمت قرضی، تبادلہ یا برطرفی	دستخط افسر نجات	نوعیت و معیار	Govt. to which debitabale	دستخط افسر نجات	سزا یا سزا یا غیرت سب کارکردگی کا ریکارڈ
Principal and Saghr Kohat	30/9/97	11/97	[Signature]		Govt. to which debitabale		14-2-95 1-3-95
Principal Dhand Saghri Kohat	30/9/97	11/97	[Signature]				14-2-95 1-3-95
Principal Dhand Saghri Kohat	30/9/98	11/98	[Signature]				
Principal Dhand Saghri Kohat	08/04/99	(Appointed as AT/Relived)	[Signature]				
Principal Dhand Saghri Kohat	12/1/98		[Signature]				
Principal Dhand Saghri Kohat	19/6/95		[Signature]				
Principal Dhand Saghri Kohat	30/11/95		[Signature]				
Principal Dhand Saghri Kohat	30/11/99	Annual increment	[Signature]				
Principal Dhand Saghri Kohat	30/11/97	Awarded BPS-14	[Signature]				

BPS 1480-81 2695
1-6-1994
1-12-1994
1966/

Passed A.T.C Exam from Adama School
Open University, Islamabad under
Roll No. D.6428658 obtaining 65 marks (B)
out of 100 marks. Course Certificate: 605
Registration No: 214-NUF-02-08
Result declared on 22-12-15

PRINCIPAL
G.H.S. Dhand Saghri KOHAT
1-12-95 30/11-96
Principal
G.H.S. Dhand Saghri Kohat

13

1	2	3	4	5	6	7	8	9
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 rule 3.20 of C.S.R. (Pb.) volume II	Pay in substantive post	Additional pay for officiating	Other emoluments falling under the term "pay"	Date of appointment	Signature of Government servant	Signature and designation of the Head of the office or other person in charge of the column 8
درجہ ملازمت	عارضی مستقل قائم مقام	اگر عارضی ہے تو کیا وہ رول کے مطابق پیشن کیا مستحق ہے	تنخواہ بطور عارضی ملازمت	زائد تنخواہ زائد تنخواہ بطور قائم مقام	مانٹونے تنخواہ دیگر الاؤنس	تاریخ تقرری	مستطبرکاری ملازم	مستطبرکاری ملازم
GHS Dhand Sagar (Kohat)	Temp/offg.	Awarded BPS-14 (2065-161-14801-) w.e.f 01-05-2000 due to passing Shehadat-ul-Abmia Fil-ulaom-ul-Islamia Wa Arabia (MA Arabic/Islamiat)	RS. P. 2575	RS. P. 2709	2271/-	12/98		
—do—	—do—	Revision of Pay in BPS-14 i.e; 3100-240-103001- w.e.f 01/12/2001	2672	2870		01/12/2000		
AT. at GHS Mandsoni (Kohat)	Temp/offg.		2768/-	3031/-	4150/-	01/12/2001		
The off paytt. may pls be recovered from 11/26 of 11/98 e 81/- P.M.		Office of the Pay fixed in the of 3148.6 e. Rs. 19.66/2 with next pay	2695	4540		01/12/2001		
Res. 2025/2		Account Officer Pay Fixation Party P.E. Peshawar						

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8	9	10	11	12	13	14	15				
Signature of Government servant	Name and designation of Head the or other officer in charge in column 8	Date of termination or appointment	Reason of termination (such as promotion, transfer dismissal etc)	Signature of the Head of the office of other Attesting Officer	<p style="text-align: center;">بھتیجی LEAVE</p> <p>Allocation of periods of leave on average pay upto four months (or earned leave not exceeding 120 days) to which leave salary is debitable to another Government</p> <table border="1" style="width: 100%;"> <tr> <th data-bbox="744 411 838 784">Nature and duration of leave taken</th> <th data-bbox="838 411 1121 660">Govt. to which debitable</th> </tr> <tr> <td data-bbox="744 660 838 784">رضت کی نوعیت و معیار</td> <td data-bbox="838 660 1121 784">Period عرصہ</td> </tr> </table>	Nature and duration of leave taken	Govt. to which debitable	رضت کی نوعیت و معیار	Period عرصہ	Signature of the head of the office or other Attesting officer	Reference to any recorded punishment, or censure or reward or praised of the Government servant
Nature and duration of leave taken	Govt. to which debitable										
رضت کی نوعیت و معیار	Period عرصہ										
<p>دستخط سرکاری ملازم</p>	<p>دستخط مجاز</p>	<p>تاریخ انقطاع ملازمت</p>	<p>وجوہات انقطاع ملازمت ترقی و تبادلہ یا برطرفی</p>	<p>دستخط افسر مجاز</p>	<p>چار ماہ تک کی رخصت کیلئے اوسط تنخواہ کا تعین</p>	<p>دستخط افسر مجاز</p>	<p>سزا یا جزا یا فہرست کارکردگی کارکن کا</p>				
<p>2/8</p>	<p>AT-1107ED</p>	<p>Annual Increment 30/11/2000</p>	<p>Promoted</p>	<p>Appointed for the post of Arabic Teacher in PPS-09 (1605-97-200) at GHS Mandoori (UK), vide D.O. Secy Khat Endst No. 3913-5/1/1999 AT-III-NE dated 5 April 99 and Sub. No. 10 of 08 April 99 (A-N).</p>	<p>Service from 1-12-98 to 08-4-99 verified from office record.</p>	<p>08-4-99</p>	<p>08-4-99</p>				
<p>That</p>	<p>Annual Increment 30/11/2000</p>	<p>T-4372 3-1-2000</p>	<p>Revision of Pay</p>	<p>Drawn Rs: 797/2 on a/c of one Pre-mature Increment on appointment as AT.</p>	<p>Service verified w.e.f 09.04.99 to 30.11.99 from the office record.</p>	<p>08-4-99</p>	<p>08-4-99</p>				
<p>That</p>	<p>Annual Increment 30/11/2000</p>	<p>3467/-</p>	<p>Awarded</p>	<p>Awarded Rs-14</p>	<p>UNDER TAKING</p>	<p>30-11-99</p>	<p>30-11-99</p>				
<p>A.O</p>	<p>30/11/2000</p>	<p>3467/-</p>	<p>Awarded</p>	<p>Awarded Rs-14</p>	<p>I, Mr. Syed Shah AT, of this school hereby give the undertaking to the effect that if any over payment is made to me as a result of incorrect award of one pre-mature (Promotion Increment) PPS-09 on 09-04-99, deducted later on, it will be made good by recovery from my Pay/Pension/Productivity as may be fixed by Govt.</p>	<p>30-11-99</p>	<p>30-11-99</p>				
<p>A.O</p>	<p>30/11/2000</p>	<p>3467/-</p>	<p>Awarded</p>	<p>Awarded Rs-14</p>	<p>(MRS SYED SHAHEEN SAMI) ARABIC TEACHER</p>	<p>30-11-99</p>	<p>30-11-99</p>				

1	2	3	4	5	6	7	8	9
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 rule 3.20 of C.S.R. (Pb.) volume II	Pay in substantive post	Additional pay for officiating	Other emoluments falling under the term "pay"	Date of appointment	Signature of Government servant	Signature of Head of the office or other officer in charge in columns 10 to 8

AT. at GHS Mandoori (Kohat)

Temp. officiating

(BPS-14-3100-240-10300/-)

Rs. 4780/- pm

01-12-2022

Prath

AT GHS Baraghza Kalan Kohat

Rs. 4780/- pm

24/12/02

Retrained
Attended copy of card
was produced
The teacher concerned was
referred to Govt. on...
Officially

Rs. 5020/- pm

1-12-2003

Rs. 5260/- pm

1-12-2003

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8	9	10	11	12	13	14	15	
				LEAVE				
Signature of Head of the Government servant		Date of termination or appointment	Reason of termination (such as promotion, transfer, dismissal etc.)	Signature of the Head of the office of other Attesting Officer	Nature and duration of leave taken	Allocation of periods of leave on average pay upto four months (or earned leave not exceeding 120 days) to 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 praised of the Government servant
Date of termination or appointment		Reason of termination (such as promotion, transfer, dismissal etc.)	Signature of the Head of the office of other Attesting Officer	Nature and duration of leave taken	Govt. to which debitable			
تاریخ انقطاع ملازمت		وجوہات انقطاع ملازمت ترقی، تبادلہ یا برطرفی	دستخط افسر مجاز	رضیت کی نوعیت و معیار	Period عرصہ			
		<p>28/12/2002 Transferred to 2002 & relieved</p> <p>District Officer Secy Edu. Kohat</p>		<p>دستخط افسر مجاز</p>	<p>چار ماہ تک کی رخصت کیلئے اوسط تنخواہ کا تعین</p>	<p>دستخط افسر مجاز</p>	<p>سزا یا جزا یا جوہر یا سزا کارکردگی کا ریکارڈ</p>	
		<p>30/11/2003</p> <p>District Officer Secy Edu. Kohat</p>		<p>دستخط افسر مجاز</p>	<p>Service verified w.e.f. 01-12-1999 to 30-11-2001 from the office record.</p>	<p>دستخط افسر مجاز</p>		
		<p>30/11/2003</p> <p>District Officer Secy Edu. Kohat</p>		<p>دستخط افسر مجاز</p>	<p>Service verified w.e.f. 01-12-2001 to 23-12-2002 from the A.P. Roll & other office record.</p>	<p>دستخط افسر مجاز</p>		
		<p>30/11/2003</p> <p>District Officer Secy Edu. Kohat</p>		<p>دستخط افسر مجاز</p>	<p>Service Verified w.e.f. 24-12-02 to 30-11-03 from the Acquittance roll and other office record.</p>	<p>دستخط افسر مجاز</p>		
		<p>30/11/2004</p> <p>District Officer (Schools & Literacy) District Kohat</p>		<p>دستخط افسر مجاز</p>	<p>Service Verified w.e.f. 01-12-2003 to 30-11-2004 from the Acquittance and other office record.</p>	<p>دستخط افسر مجاز</p>		
		<p>30/06/05</p> <p>District Officer (Schools & Literacy) District Kohat</p>		<p>دستخط افسر مجاز</p>	<p>Service Verified w.e.f. 01-12-2004 to 30-11-2005 from the Acquittance and other office record.</p>	<p>دستخط افسر مجاز</p>		

1 Name of post	2 Whether substantive or officiating and whether permanent or temporary	3 If officiating, state— (i) substantive appointment or (ii) whether service counts for pension under rule 3.20 of C.S.R. (Ph.) volume II	4 Pay in substantive post	5 Additional pay for officiating	6 Other emoluments falling under the term "pay"	7 Date of appointment	8 Signature Government servant	9 Signature and designation of the Head of the Office or other Attesting Officer in the Station (columns 1 to 8)
A.T. B-14 C.M.S, Boraghedi Kalan Kohat	غرض مستقل تمام مقام	ارغرض توجہ دور دل کے مطابق پیشن کا مستحق ہے	تفخواہ بطور غرض ملازمت	زائد تفخواہ زائد تفخواہ بطور تمام مقام	ماسوائے تفخواہ دیگر الاؤنس	تاریخ تقریری	دستخط سرکاری ملازم	دستخط افسر نجاز
A.T. B-14 C.M.S, Boraghedi Kalan Kohat	REVISION OF BPS-14 (3565-275-11815) Temp/Off.	RS. P. (6040/-) PM	RS. P. (6040/-) PM	RS. P. (6040/-) PM	01-07-05	01-07-05	26	District C Schools & T District K
do	do	RS. (6315/-) PM	RS. (6315/-) PM	RS. (6315/-) PM	01-12-05	01-12-05	26	District C Schools & District K
do	do	RS. 6590/-	RS. 6590/-	RS. 6590/-	01-12-06	01-12-06	26	District C Schools & District K
do	do	Scale revised w.e.f 01-7-2007 (BPS-14) 4150-315-13550	RS. (7565/-)	RS. (7565/-)	01-7-2007	01-7-07	26	District C Schools & District K
do	do	RS. (7880/-)	RS. (7880/-)	RS. (7880/-)	01-12-07	01-12-07	26	District C Schools & District K

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8	9	10	11	12	13		14	15
Signature of Government servant	Signature and designation of the Head of the office or other Attesting Officer in Testation of columns 1 to 8	Date of termination or appointment	Reason of termination (such as promotion, transfer, dismissal, etc.)	Signature of the Head of the office or other Attesting Officer	LEAVE		Signature of the head of the office or other Attesting officer	Reference to any recorded punishment, or censure or reward or praised of the Government servant
					Nature and duration of leave taken.	Allocation of periods of leave on average pay upto four months (or earned leave not exceeding 120 days) to which leave salary is debitable to another Government		
					Period	Govt. to which debitable		
دستخط سرکاری ملازم	دستخط افسر مجاز	تاریخ انقطاع ملازمت	وجوہات انقطاع ملازمت ترقی، تبادلہ یا برطرفی	دستخط افسر مجاز	رضعت کی نوعیت و معیار	چار ماہ تک کی رخصت کیلئے اوسط تنخواہ کا تعین	دستخط افسر مجاز	سزا، جزا یا غیر سزا کارکردگی کا ریکارڈ
	District Officer Schools & Literacy District Kohat	30/05	A/gmc	District Officer Schools & Literacy District Kohat				
	District Officer (Schools & Literacy) District Kohat	30/06	A/gmc					
	District Officer (M) S&L Kohat	30/7	Seal renewal	District Officer (M) S&L Kohat				
	District Officer (M) S&L Kohat	30/7	A/gmc	District Officer (M) S&L Kohat				
	District Officer (M) S&L Kohat	30/6	2008	District Officer (M) Elementary & Secy: Edns Kohat				

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1	2	3	4	5	6	7	8	9
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 rule 3.20 of C.S.R. (Pb.) volume II	Pay in substantive post	Additional pay for officiating	Other emoluments falling under the term "pay"	Date of appointment	Signature of Government servant	Signature of the Officer in charge of the office or of the Attesting Officer in the attestation column 1 to 8
درجہ ملازمت	عارضی مستقل تائم مقام	اگر عارضی ہے تو کیا دوروں کے مطابق پیش کا مستحق ہے	تنخواہ بطور عارضی ملازمت	زالہ تنخواہ زالہ تنخواہ بطور تائم مقام	ماسوائے تنخواہ دیگر الاؤنس	تاریخ تقریری	دستخط سرکاری ملازم	دستخط افسر مجاز
AT Post at L.M.S, Brajheli Kolan	Temp	Revised	Entry	B.P.S.	14			76
	Overpayment							District Elementary Kohat.
	115/2000 to 11/2000 = 938/-							
	2 x 134 = 2376/-							
	12/2000 to 11/2001 = 15720/-							
	198 x 12 = 19080/-							
	12/2001 to 6/05 = 13800/-							
	320 x 43 = 13800/-							
	7105 to 6/07 = 54720/-							
	795 x 24 = 53460/-							
	707 to 6/8 = 17150/-							
	12 x 1150 = 13800/-							
	718 to 6/11 = 10620/-							
	1520 x 36 = 20100/-							
	2/11 to 12/12 = 17150/-							
	18 x 570 = 10260/-							
	Total Rs 161144/-							
	Revised Entry B.P.S. 14 (8000-610-26300)							
	NOTE							
	Of post at							
	115/2000 to date							
	ADMITTED							
	Pay Fixed in the sense of Post Pay Scale							
	R.B.P.S. 3185-190-8805							
	Pay Fixed @ Rs. 6415/-							
	L.I. 3870-230-10720							
	Pay Fixed @ Rs. 7960/- w.e.f. 01-07-2008							
	R.B.P.S. 6200-380-17600							
	Pay Fixed @ Rs. 14180/- w.e.f. 01-07-2011							
	Pay Fixed @ Rs. 14180/- w.e.f. 01-12-2011							
	Accounts Officer							
	Signature							

8	9	10	11	12	13	14	15				
Signature of Government servant	Signature and designation of the Head of the Office or other Attesting Officer in the columns 1 to 8	Date of termination or appointment	Reason of termination (such as promotion, transfer, dismissal, etc.)	Signature of the Head of the office of other Attesting Officer	<p>پھٹی LEAVE</p> <p>Allocation of periods of leave on average pay upto four months (or earned leave not exceeding 120 days) to which leave salary is debitable to another Government</p> <p>چار ماہ تک کی رخصت کیلئے اوسط تنخواہ کا تعین</p> <table border="1"> <tr> <th data-bbox="940 647 1019 747">Period</th> <th data-bbox="1019 647 1176 747">Govt. to which debitable</th> </tr> <tr> <td>عرصہ</td> <td>گورنمنٹ سے رقم ادا ہوگی</td> </tr> </table>	Period	Govt. to which debitable	عرصہ	گورنمنٹ سے رقم ادا ہوگی	Signature of the head of the office or other Attesting officer	Reference to any recorded punishment, or censure, or reward or praised of the Government servant
Period	Govt. to which debitable										
عرصہ	گورنمنٹ سے رقم ادا ہوگی										
<p>دستخط سرکاری ملازم</p>	<p>دستخط افسر مجاز</p>	<p>تاریخ شہادہ ملازمت</p>	<p>وجوہات انتقال ملازمت یا برطرفی</p>	<p>دستخط افسر مجاز</p>	<p>رخصت کی نوعیت و معیار</p>	<p>دستخط افسر مجاز</p>	<p>سزا یا جزا یا نوبت یا کارکردگی کا ریکارڈ</p>				
<p>9-6-2008</p> <p>District Officer (II) Elementary & Secy: Edu; Kohat.</p>	<p>30/11/2008</p>	<p>30/11/2008</p>	<p>30/11/2008</p>	<p>30/11/2008</p>	<p>30/11/2008</p>	<p>30/11/2008</p>	<p>30/11/2008</p>				
<p>26-11-2009</p> <p>District Officer (II) Elementary & Secy: Edu; Kohat.</p>	<p>30/11/2009</p>	<p>30/11/2009</p>	<p>30/11/2009</p>	<p>30/11/2009</p>	<p>30/11/2009</p>	<p>30/11/2009</p>	<p>30/11/2009</p>				
<p>7-6-2010</p> <p>District Officer (II) Elementary & Secy: Edu; Kohat.</p>	<p>30/11/2010</p>	<p>30/11/2010</p>	<p>30/11/2010</p>	<p>30/11/2010</p>	<p>30/11/2010</p>	<p>30/11/2010</p>	<p>30/11/2010</p>				
<p>30-6-2011</p> <p>District Officer (II) Elementary & Secy: Edu; Kohat.</p>	<p>30/11/2011</p>	<p>30/11/2011</p>	<p>30/11/2011</p>	<p>30/11/2011</p>	<p>30/11/2011</p>	<p>30/11/2011</p>	<p>30/11/2011</p>				
<p>30-11-2011</p> <p>Distt: Officer (M) (E&S) Edu; Kohat.</p>	<p>30/11/2011</p>	<p>30/11/2011</p>	<p>30/11/2011</p>	<p>30/11/2011</p>	<p>30/11/2011</p>	<p>30/11/2011</p>	<p>30/11/2011</p>				
<p>2001</p> <p>Distt: Officer (M) (E&S) Edu; Kohat.</p>	<p>2001</p>	<p>2001</p>	<p>2001</p>	<p>2001</p>	<p>2001</p>	<p>2001</p>	<p>2001</p>				
<p>2005</p> <p>Distt: Officer (M) (E&S) Edu; Kohat.</p>	<p>2005</p>	<p>2005</p>	<p>2005</p>	<p>2005</p>	<p>2005</p>	<p>2005</p>	<p>2005</p>				
<p>2005</p> <p>Distt: Officer (M) (E&S) Edu; Kohat.</p>	<p>2005</p>	<p>2005</p>	<p>2005</p>	<p>2005</p>	<p>2005</p>	<p>2005</p>	<p>2005</p>				

REGISTERED

30-11-2005 from the Acquittanc
office records

District Officer (M) S&B Kohat

Service verified wef 1-12-2006 to 30/11-2008 from the Acq. Roll & other office record

District Officer (II) Elementary & Secy: Edu; Kohat.

Service verified wef 1-12-2008 to 30/11-2010 from the Acq. Roll & other office record.

District Officer (II) Elementary & Secy: Edu; Kohat.

Service verified wef 1-12-2010 to 30-11-11 from Acq. Roll & other office Record.

District Officer (M) (E&S) Edu; Kohat.

2

SERVICE APPEAL NO. 323/2004

Date of institution ... 26.04.2004

Date of decision ... 28.11.2005

Kaleem Nawaz alias Kaleemullah S/o Rab Nawaz,
R/O Kaleem Abad, D.I. Khan, presently C/O EDO(S&L),
D.I. Khan. .. Appellant

VERSUS

1. Secretary to Govt. of NWFP,
Education Department, Peshawar.
2. Director of Education (S&L), NWFP, Peshawar.
3. Executive District Officer(S&L), D.I. Khan.
4. District Accounts Officer, D.I. Khan. .. Respondents

APPEAL AGAINST THE ORDER DATED 12.01.2004 OF
RESPONDENT NO.4 VIDE WHICH THE APPELLANT HAS
BEEN HELD TO BE NOT ENTITLED FOR PAY IN B-15
AND THE RECOVERY HAS BEEN ORDERED TO BE MADE
FROM THE APPELLANT FROM THE DATE OF HIS
APPOINTMENT.

Sayed Zafar Abbas Zaidi, &
Farmanullah Khattak
Advocates.

.. For appellant

Mr. Noor Zaman Khan,
Addl: Govt. Pleader.

For respondents

Mr. Abdul Sattar Khan,
Mr. Azmat Hanif Crankai.

Chairman
Member

JUDGMENT

ABDUL SATTAR KHAN, CHAIRMAN: The appellant

namely Kaleem Nawaz is serving as FET in the Education
Department ever since his appointment on 11.01.96. He

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ATTORNEY

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is also holder of qualifications of B.A and SDPE + M.Sc Physical Education. It is alleged that Physical Education is taught as a subject in Matric as well as in colleges. The teachers who perform the same duties in the colleges are known as 'DPEs'. That requirement for appointment both in schools and colleges is a diploma of SDPE. The appointees in the colleges are given B-16 while the appointment in schools, in case of SDPEs was in B-15 in accordance with the instructions issued by the Government of NWFP Finance Department vide Notification dated 24th August, 1983. It is further alleged that the Education Department in consultation with the Finance Department also allowed three advance increments to all those appointees who had Master Degrees to their credit in the field of Physical Education. That the appellant was initially appointed in BS-14. He was allowed BS-15 w.e.f 13.01.96 on the basis of Notification, of the Finance Department, referred to above. However, this concession was withdrawn and the PETs' appointments were specified to be in B-9 and when the matter was finally considered, all the teachers who have been granted BS-15 were later on ordered to be having BS-9, were given BS-15 as personal grades w.e.f 12.1.95. On this analogy, the appellant was also entitled to the same benefit on the principle of consistency and to avoid discriminatory treatment. However, in dis-regard of the above facts, respondent No.4 has re-agitated the matter and a recovery has been ordered from the appellant from his pay on the mistaken view that the appellant was not entitled to BS-15. After exhausting his departmental remedy, the appellant has come up in appeal

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to the Tribunal for the redressal of his grievances.

2. Notices were sent to the respondents. They turned up and contested the appeal by filing their separate written replies. Various factual and legal pleas were raised. It was also inter alia alleged that existing entries appearing against S.No. 6 of annex-II of impugned circular letter dated 24/8/83 were deleted ab-initio and inserted with new entries vide Finance Department corrigendum No. FD(PCR)5-1/93 dated 9.6.94. Hence, due to deletion of these entries, the appellant was not entitled to be allowed B-15. However, as per Finance Department letter dated 12.1.95, only those existing PETs were eligible for B-15 (as personal to them) who were possessing prescribed academic/professional qualification and serving in High Schools. Similar nature appeal of Shafiq-ur-Rehman, PET has already been dismissed by the Hon'ble High Court vide its decision dated 23.4.02 in appeal No. 153/99. That the appellant is also not entitled to three advance increments on the basis of M.Sc; qualification. No replication, in rebuttal, was filed by the appellant.

3. Arguments heard and record perused.

4. Learned counsel for the appellant argued that on the basis of principle of locus-poenitentiae, the appellant is entitled to BS-15; that the benefit once enjoyed cannot be withdrawn after the lapse of 8 years; that the circular letter of 1994 of Finance Department has no legal value and it cannot over-ride the powers of the competent authority and more-so when it is not notified in the official gazette and that there is no

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material/notification to the effect that the Administrative Department has consented to it. Lastly, it was argued that the appellant has been discriminated as some of his colleagues are receiving/enjoying the benefit of BS-15, while the appellant has been deprived of the same benefit. As such the appellant is entitled to BS-15 and no recovery be made from him.

5. In reply it was urged that similar nature of case was decided by the High Court on 23.4.02 and no relief was granted to the petitioner ; that the case of the present appellant is also at par with those who have been denied the benefit of BS-15 and that the circular letter of 1994 is a legal one, therefore, the appeal is liable to be dismissed.

6. The Tribunal holds that the claim of the appellant is groundless. He is not entitled to the award of BS-15. The award of BS-15 to the appellant was an error which was rectified through a corrigendum issued by the Finance Department vide letter No. FD(PRC)5-1/93 dated 9.6.94. However, to compensate these ^{PETs} already in receipt of BS-15, the Provincial Government allowed BS-15 to ^{F.D} them as personal vide letter dated 12.1.95, therefore, the provision of the above letter was specific to those mentioned above and not general. The relevant para of the Finance Department's letter dated 12.1.95 reads as under:

"Pay Scales of P.T.Is

BPS-15 would be admissible with effect from 1.7.1983 to the existing P.T.Is with BA/B.Sc qualifications with senior diploma in physical education and working in the Government High/ Comprehensive High Schools as personal to them."

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EX-PARTER
NWFP Service Tribunal
Peshawar
GHCW

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The appellant was either appointed after 12.1.95 or has qualified BA/B.Sc with senior diploma in Physical Education after 12.1.95, therefore, he cannot be placed in BS-15. He is only entitled to be placed in the scale as admissible to him in the light of F.D's letter No. FD(PRC)1-1/89 dated 7.8.91. The appellant is also not entitled to three advance increments on the basis/strength of higher qualification of M.Sc Physical-Education in view of the Finance Department's Notification. The principle of locus-poenitentiae is not applicable as the appellant was erroneously allowed BS-15 which was later on withdrawn and he has enjoyed ^{sufficiently} the benefit of the Notification of the Finance Department of 1983. The Peshawar High Court, Peshawar in W.P. No. 153 of 1999 filed by Shafiq-ur-Rehman, dis-allowed the concession of BS-15 to those FETs, holding qualifications of BA/B.Sc with senior diploma. It was also held that grant of BPS-15 to the teachers was an error as it was unreasonable that they be given a jump of six steps to be granted BS-15. The error was later on corrected by issuing a corrigendum by the Finance Department.

7. Further, joint departmental appeal was filed by the present appellant namely Kaleem Nawaz with co-appellants namely Kashif Rehman, Sayed Mohsin Abbas, Jamshed Khan and Mohammad Khalid. Like-wise, joint departmental appeal was filed by Muhammad Aslam appellant with co-appellants namely Muhammad Ayaz S/o Sarfaraz, Muhammad Younis, Salah-ud-Din, Muhammad Attahar, Munawar-Hussain Shah, Abaul Salam Shmas, Muhammad Sajjid, Muhammad Naveed Ahmad, Muhammad Behram, Habib-ur-Rehman,

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 EXCISE OFFICER
 NWFP Services Division
 Peshawar

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Muhammad Zahoer, Muhammad Ayaz S/o Rab Nawaz, Azmatullah & Abdul Samad, respectively. Filing of joint departmental appeal is violation of the NWFP Civil Servants (Appeal) Rules, 1986. According to Rule-3, sub-rule(2) where the order of the competent authority affects more than one civil servant, every affected civil servant shall prefer the appeal separately. The present departmental appeal by the appellant has been filed by 8 persons jointly, whereas the appeal filed by Muhammad Aslam and co-appellants has been filed by 16 persons jointly. So this departmental appeal as well as the departmental appeal filed by the co-appellants are in total violation of sub-rule(2) of Rule-3 of Appeal Rules *ibid* which would mean that no departmental appeal has been filed in the present appeal as well as in the connected appeals, whereas filing of departmental appeal is *sine-qua-non*. Reliance is placed on the authority of the august Supreme Court of Pakistan in C.Ps No. 351-P to 357-P of 1999 titled, "Muhammad Sheeb & 6 others-Vs-Director Primary Education NWFP, Peshawar & 3 others", decided on 15.7.99. Lastly, the appellant is claiming financial benefits, whereas the Govt. of NWFP Finance Department has not been impleaded as party. Impleadment of necessary party i.e. F.D was essential. On this score the instant appeal and connected appeals No. 324, 325, 326 & 327 of 2004 are also liable to be dismissed. As such no case for indulgence of the Tribunal was made out. Accordingly, the instant appeal fails and is dismissed.

8. This order/judgment shall also dispose of 24 other connected appeals bearing No. 324 to 327 of 2004; 462 to 464/04, 466 to 470/04, 478 to 482/04, 556 and 557 of 2004 as well as appeals No. 598 to 602 of 2004 filed by Kashif Rehman, Sayed Mohsin Abbas, Jamshed Khan, &

NWFP Peshawar
 CIVIL APPEALS TRIBUNAL
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Muhammad Khalid, Muhammad Aslam, Muhammad Ayaz S/o Sarfraz, Muhammad Younis, Salah-ud-Din, Muhammad Attahar, Munawar-Hussain Shah, Abdul Salam Shmas, Muhammad Sajjid, Muhammad Haveed Ahmad, Muhammad Behram, Habib-ur-Rehman, M. Zeheer, Muhammad Ayaz s/o Rab Nawaz, Azmatullah & Abdul Samad and Laiq Zaman, Lais Khan, Intikhab Gul, Ikramullah & Haider Muhammad appellants respectively in the same manner involving common questions of law & facts.

9. This judgment shall also dispose of Service Appeal No. 819 of 2004 titled, "Dost Muhammad-Vs-Govt. of NWFP through Secretary of Education (S&L) Civil Sectt: Peshawar & others". The appellant an A.T in the Education-Department was allowed BS-14 on getting qualification of Shahadat-ul-Alamia. The Pay Fixation Party re-fixed his pay in BS-9 and recovery was also ordered to be made from him. Since the appellant has obtained the Sanad of Shahadat-ul-Alamia from Madrassa of Hoti Mardan which is not recognized by Peshawar University. BS-14 is admissible to those A.Ts having qualification of Shahadat-ul-Alamia subject to the condition that the degree/sanad is obtained from the Institution declared as authorised by the University of Peshawar vide letter No. 10357/59/9-C/Vol: VXI/9-C/ACAD/V dated 19.4.94. The Sanad of the appellant is not recognized by the Peshawar University, therefore, he is not entitled to BS-14 ^{his pay} and has rightly been fixed in BS-9 by the Pay Fixation Party. However, no recovery be made from all the appellants regarding the excess salary received by them in higher grades. No order as to costs. File be consigned to the record.

ANNOUNCED
28.11.2005

Azmat Hanif Orakzai
(AZMAT HANIF ORAKZAI)
MEMBER

Abdul Sattar Khan
(ABDUL SATTAR KHAN)
CHAIRMAN
NWFP SERVICE TRIBUNAL
PESHAWAR.

12-00
14-00
7/3/06
2005
7/3/05

حضور صاحب ڈسٹرکٹ انجینئر اسسٹنٹ (سرورائٹ) خانہ کورنگ

شماران: ایپل برائے بی بی 14-BPS اور سٹیوٹی Recovery.

جناب عالی

گزارش ہے۔ سر فزوی محبت علی بیگم کو ریٹائرمنٹ کی سول مزدوری میں 9-4-1999
 کو تعینات کیا گیا اور 09-BPS پر خدمات سر انجام دیتا رہا اور فزوی 1-5-2000 سے
 میں شہادہ اعلاہیہ فی العلوم الاسلامیہ اتحاد المدینہ سٹیوٹی پارٹنر سے یا اس
 کیا۔ جس پر شہدہ لقیہ نے فزوی کو 14-BPS کا مستحق قرار دے کر 1-5-2000 سے
 14-BPS دے دیا۔ اور فزوی بحال 14-BPS کے مطابق خدمات سر انجام دیتا
 رہا لیکن 28-12-2012 کو Pay fixation Party نے فزوی سے 14-BPS
 کاٹ کر 09-BPS میں تنخواہ 01-A fix اور فزوی کے ذمہ مل رقم کی سٹیوٹی
 یعنی Recovery - 161149/- کی بنیادی جو کہ فزوی کے ساتھ سر اسسٹنٹ کی
 ہے اور فزوی کا فزوی ہے جو کہ فزوی کی طرف سے ہے۔ مثلاً کے اس موجودہ
 دور میں مال بچوں کی نفالت بھی مشکل کی جاتی ہے۔ اور ادیہ سے اتنا بڑا
 کورج فزوی اس قلیل تنخواہ میں آٹھانے سے عاجز ہے۔ اور فزوی کو جو
 خدمات 14-BPS کے دے گئے ہیں وہ اس کے لیے فزوی میں فزوی 14-BPS
 خدمات بھی انجام دیتا رہا۔ لہذا شہدہ لقیہ کے کسی کو باہمی یا غلطی کا فزوی
 بہتر زمرہ دار نہیں ہے۔ 28-12-2012 Pay fixation Party کا فیصلہ
 قانون کے بالکل منافی اور غیر منصفانہ ہے۔
 لہذا فزوی آپ صاحبان کی خدمت میں بذریعہ درخواست اپیل کرتا ہے
 کہ فزوی کو 14-BPS کی بجائی اور Recovery نیز کورج مال کے
 سٹیوٹی کے افسانہ صارفین

نواز حسین سٹیوٹی

تاریخ 5-1-2013

الغرضی

آپ کا سرورائٹ اسسٹنٹ شہادہ لقیہ بیگم کو ریٹائرمنٹ کی سول مزدوری میں

Encl: No 165- dated 5-1-2013

Forwarded to D.E.O. Kohat for further necessary action please.

HEAD MASTER, Govt. Middle School, Bughdi Kalan Kohat

APPOINTMENT.

Appointment of the following candidates against Qari posts in B.P.S-7 (Rs.750-31-1370) on the terms and conditions given at the end, is hereby ordered in the schools given against their names in the interest of public service with effect from the date of their taking over charge.

<u>S.No.</u>	<u>Name and Address of Candidate</u>	<u>Posted At</u>	<u>Remarks</u>
1.	S. Shahinshah S/O Zamir Shah r/o Shaweki Teh; & Distt; Kohat.	GHS, Dhand Saghri.	Against vacant post of Qari.
2.	S. Ilmi-Hassan S/O Sayyed Mohammad Qasim r/o Spinawari Tehsil & District Kohat.	GHS, Khadizai.	Against vacant post of Qari.

TERMS & CONDITIONS.

1. No TA/DA is allowed on fresh appointment/charge reports should be submitted to all concerned in duplicate.
2. The appointment of the candidates are purely temporary and liable to termination at any time without assigning any reasons.
3. The candidates should produce their Health & age certificates from the Medical Supdt; concerned.
4. They should not be allowed to takeover charge of their posts if their age exceeds 25 years or below 18 years of age.
5. In case of resignation they will have to submit one month prior notice or they shall forfeit one month pay to the Govt.
6. Their appointment are subject for further conditions that they are domiciled of N.W.F.P.
7. If they fail to takeover charge of the post within a week of the their order the offer of appointment shall stand cancelled.

(MOHAMMAD RAZA)
DISTRICT EDUCATION OFFICER,
(MALE) KOHAT.

Endst: No. 9478-79 /I-AE/Qari/Apptt; Dated Kohat the 30-09/1989.

Copy of the above forwarded for information and necessary action to the:-

1. Headmaster, Govt: High School Dhand Saghri.
2. Headmaster, Govt: High School Khadizai.

Amended

GC

FOR/ DISTRICT EDUCATION OFFICER,
(MALE) KOHAT.

Shah 30/9/89
Dy; D.E.O. (M) Kohat.

30/9/89

ATTENDED

کورٹ فیس

قیمت ایک روپیہ

Appellant

۲۰ء منجانب

مقدمہ

مقدمہ

جوئے

جرم

سید شہنشاہ

بنام سید مسٹر

سروس سہیل

باعث تحریر آنکھ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جوابدہی کل کاروائی متعلقہ آس مقام کے لئے

کیا اور کیے شدہ میں صد لاکھ روپے کی رقم کو کورس کیا اور

مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا اختیار ہوگا۔ نیز وکیل صاحب کو کرنے راضی نامہ و تقرر ثالث و فیصلہ برحلف دینے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرانے اجراء اور وصولی چیک در روپیہ اور عرضی دعویٰ اور درخواست ہر قسم کی تصدیق زر اس پر دستخط کرنے کا اختیار ہوگا۔ نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی ابجد منصوخی و نیز دائر کرنے اپیل نگرانی نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ اور بصورت ضرورت مقدمہ مذکور کے کل یہاں بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ بالا اختیارات حاصل ہوں گے۔ اور اس کا ساختہ پر داختم منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ و ہر جانہ التوائے مقدمہ کے سبب سے ہوگا۔ اس کے مستحق کیا صاحب موصوف ہوں گے نیز بقایا خرچہ کی وصولی کرنے کا بھی اختیار ہوگا۔ اور کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر وکیل صاحب پابند نہ ہوں گے۔ کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سندر ہے۔

۲۰۱۳ء

ماہ

الع

سید شہنشاہ بقلم خود

Accepted
in Khairat
M. M. M.

کے لئے منظور ہے۔

مقام کیا

BEFORE THE KHYBER PAKTUNKHWA SERVICE TRIBUNAL PESHAWAR.

SERVICE APPEAL NO.908/2013

SYED SHAHEEN SHAH -----

APPELLANT

DISTRICT ACCOUNTS OFFICER, KOHAT

RESPONDENT NO 3

Para wise reply to the appeal is as under

PRELIMINARY OBJECTION

1. That the appeal is not tenable in its present form.
2. That the appellant has no locus standardized.
3. That the appellant has concealed material facts from the honorable court.
4. That the appellant has not come to the court with clean hands.

FACTS

1. The appellant was initially appointed as a Qari in BPS 7 on 30/09/1989. He was subsequently appointed as Arabic Teacher in BPS-9 w.e.f 09/04/1999.
2. No comments.
3. That the appellant has obtained Sanad of Shahadat- ul- Almia Fie Ullom-al-Islamia from ITHAD UL MADARAS Hoti Mardan which is not recognized by the university of Peshawar as well as provincial Govt.
4. That the appellant obtained BPS-14 on the basis of unrecognized Sanad. Revised entry of BPS 14 was made in Service Book by the Head Master of the school without obtaining formal sanction from the Competent authority /DEO.
5. Incorrect the over payment was pointed out by the competent forum i.e. pay fixation party of the office of Accountant General Khyber Pakhtunkhwa Peshawar. The appellant has not imp leaded the competent forum.
6. No comments.

GROUND

- A. Incorrect. The recovery of over payment of pay has correctly been ordered by the competent forum i.e. pay fixation party in accordance with law & rules.
- B. Incorrect. The appellant being Arabic Teacher is entitled to BPS-9 due to non-possessing of sanad of Shahadat-ul- Almia from recognized Madras registered with Wafaq-ul-Madaris. BPS 14 is allowed to those Arabic teachers who possess the qualification of trained fazil with BA/Bsc 2nd division with five years teaching experience or Ma Arabic or equivalent qualification.
- C. Incorrect. BPS-14 is not allowed due to lack of prescribed qualification.
- D. Incorrect. The appellant has got BPS-14 without obtaining sanction of the competent authority i.e. District Education Officer.
- E. Incorrect. The appellant has served against the post of AT BPS-9. BPS 14 is granted as personal on possessing of prescribed qualifications as stated in Para "B" above. The appellant does not pass the sanad of Shahadat ul Almia from recognized Madrasa affiliated with wafaqul Madaris.
- F. No comments

PRAYER

In view of the humble submission dwelt upon above it is humbly prayed that the appeal being non maintainable may kindly be dismissed with cost.

DISTRICT ACCOUNTS OFFICERS

DISTRICT ACCOUNTS OFFICERS

KOHAT

RESPONDANT NO.3

AFFIDVIT

I Respondent No:3 do hereby solemnly affirm and declare on oath that the contents of the ^{refd to} appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable court.

Dated.05.09.2014.

[Signature]
District Accounts Officer
Kohat.

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GOVERNMENT OF NORTH WEST FRONTIER PROVINCE
FINANCE DEPARTMENT

NOTIFICATION

Peshawar, dated the 7th August, 1991.

No.FD(PRC)1-1/89- In exercise of all the powers enabling him in this behalf the Governor of the North-West Frontier Province is pleased to order the following scales of pay/benefits to various categories of Teachers with effect from 1-7-1991.

1. Name of the Post.	3. Benefits extended
2. 1. Primary School Teachers (PTC/J.V)	<p>All the present and future primary school teachers who hold the qualification of F.A/F.Sc. (2nd Division) plus existing prescribed professional training shall be placed in BPS-9 with 1/3rd in selection grade BPS-10.</p> <p>All other teachers who do not possess higher qualification shall continue getting existing pay scale with selection grade accordingly.</p> <p>However, the higher scales/grades allowed to these teachers will be personal to them and the inter-seniority will remain intact.</p>
2. Elementary school Teachers (E.S.T/ S.V/P.E.T/ Drawing Masters/PTI.	<p>All the present and future elementary school teachers who possess the qualification of B.A/B.Sc (2nd Division) plus existing prescribed professional training shall be placed in BPS-14 with 1/3rd in Selection Grade BPS-15.</p> <p>All other teachers who do not possess higher qualifications shall continue getting existing pay scales with Selection Grade accordingly.</p> <p>However, the higher scales/grade allowed to these teachers will be personal to them and the inter-seniority will remain intact.</p>
3. Arabic Teachers.	<p>All the present and future Arabic Teachers who possess the qualification of Trained Fazil with B.A/B.Sc. (2nd Division) and five years/teaching experience or M.A. Arabic or equivalent qualifications shall be placed in BPS-14 with 1/3rd in Selection Grade BPS-15</p>

contd.....

Sl. No.	Name of the Post.	Benefits extended.
1.	2.	

All other teachers who do not possess higher qualification shall continue getting existing pay scale with Selection Grade accordingly.

However, the higher scale/grade allowed to these teachers will be personal to them and the inter-seniority will remain intact.

4. Secondary School Teachers.

All the present and future Secondary School Teachers with prescribed qualification under the Rules shall be placed in BPS-16 with 1/3rd in Selection Grade BPS-17.

The advance increments sanctioned by Finance Department vide Para 9 of its letter No. FD (SR-1)1-67/82 dated 26-2-1983 will not be admissible on acquiring /possessing qualifications for which higher pay scales are being sanctioned through this notification.

SECRETARY TO GOVERNMENT OF
North West Frontier Province,
Finance Department.

Endst. No. FD(PRC)1-1/89. Dated Peshawar the, 7th August, 1991.

A copy is forwarded to the Accountant General, NWFP, Peshawar for information and necessary action.

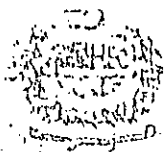
(Signature)
(GHULAM DASTGIR AKHTAR)
Deputy Secretary (Regulation)
Finance Department.

Endst. No. FD(PRC)1-1/89. Dated Peshawar, the 7th August, 1991.

A copy is forwarded to:-

1. All Administrative Secretaries to Govt. of NWFP.
2. All Commissioners of Division, N.W.F.P.
3. All Heads of Attached Departments NWFP
4. The Secretary to Governor, NWFP
5. The Registrar, Peshawar High Court, Peshawar.
6. The Secretary Public Service Commission, NWFP.
7. The Registrar Service Tribunal, NWFP.
8. All Dy. Commissioners/Political Agents/District and Session Judges in NWFP.

(Signature)
(GHULAM DASTGIR AKHTAR)
Deputy Secretary (Regulation)
Finance Department.



HIGHER EDUCATION COMMISSION

Sector D-2, Islamabad Ph: 9257508-Fax No. 9257505

URL: www.hec.gov.pk

Director
Accreditation & Attestation

No. 3-16/HEC/AA/2004

April 7, 2004

Assistant Director (SNE),
Directorate of Education,
EATA, N.W.F.P., Peshawar.

Subject: GUIDANCE

Dear Sir,

With reference to your letter No. 5186 dated 1st April, 2004 on the subject, it is informed that per decision of the Equivalence Committee of erstwhile UGC, the Higher Education Commission considers only final Sanad "Shahadatul Alimiya Fil Uloomul Arabia wal Islamia" awarded by following Wafaq/Tanzeem ul Madaris, Rabit-ul-Madaris and five individual Madaris as equivalent to M.A Arabic/Islamic Studies for the purpose of teaching Arabic and Islamic Studies in Colleges and Universities and for pursuing higher studies:

a. Names of Wafaq/Tanzeem & Rabit-ul-Madaris

1. Wafaq-ul-Madaris Al-Arabia, Mackazi Office Gordon Town, Sher Shah Road, Multan.
2. Tanzeem-ul-Madaris Alhe Sunnat, Jamia Noorania, Ghari Shohi, Lahore
3. Wafaq-ul-Madaris Al-Salbiya, Hajjabad Post Code 38600, Faisalabad.
4. Wafaq-ul-Madaris Shia, Jamia-al-Muntazar, 21, Block, Model Town, Lahore.
5. Rabit-ul-Madaris Al-Islamiya, Mansoorah, Lahore.

b. Names of five Individual Madaris/Institutions:

1. Jamia Islamiya Minhaj-ul-Quran, 366 Model Town, Lahore.
2. Jamia Taleemiat-e-Islamiya, Sargodha Road, Faisalabad.
3. Jamia Ashrafiya, Feroz Pura Road, Lahore.
4. Darul Uloom Mohammediya Ghousia, Bhera Distt, Sargodha.
5. Darul Uloom, Korangi Creek, Karachi.

Since, Itihadul Madaris Par Hesi, Mardan is NOT an approved deeni madrisa, therefore, Degrees/awards issued by Itihadul Madaris Par Hesi, Mardan are Not Recognized by the Higher Education Commission.

Muhammad Javed
27/4/04

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 908/2013

Syed Shaheen Shah AT GMS Baraghzi Kalan Kohat **Appellant**

VERSUS

1. Secretary to Government of Khyber Pakhtunkhwa E&SE Department Peshawar.
2. District Education Officer (Male) Kohat
3. District Account Officer Kohat Respondents

PARAWISE COMMENTS ON BEHALF OF RESPONDENT NO.1 AND 2

Respectfully Sheweth

Para wise comments on behalf of respondent no.01 and 02 are as under:

PRELIMINARY OBJECTIONS:

1. That the instant appeal is badly time barred.
2. That the appellant has no cause of action.
3. That the appellant has not come to this Honorable Court with clean hands.
4. That the appellant has concealed material facts from this Honorable Tribunal.
5. That the appellant has been stopped by his conduct to file the appeal.
6. That the appellant has no locus standi to file the appeal.

FACTS:


1. Not correct that the appellant was appointed initially on Qari Post in BPS-07 w.e.f 30.09.1989 and was promoted to Arabic Teacher post in BPS-09 on 09.04.1999 (Annexure A and B)
2. Pertaining to the appellant's record.
3. Admitted, but there is no Departmental Permission obtained by the appellant.

4. Not correct as stated that the Sanad of Shahadat Ul Alamia fil uloom e Islamia from Madrasa Par Hoti Mardan is not acceptable as it is not recognized by HEC BPS-14 directly awarded by the Principal concerned who is not competent (Annexure C).
5. Not correct as stated that the Pay Fixation party has reverted him to BPS-09 on 28.12.2012 with recovery of over payment Rs.161, 144/- according to policy (Annexure D).
6. Not admitted that the appeal is not on the record.

GROUNDS

- A. Not Concerned. The impugned order is according to law.
- B. Not Correct as stated the same has been explained in Para 4.
- C. Not Correct as stated as in Para 4.
- D. Not correct as stated that no notification for promotion from BPS-09 to BPS-14 has been issued in this regard in favor of the appelland.
- E. Incorrect that ~~it~~ has been made by the Fixation Party according to Rules.
- F. That the respondents will produce more grounds at the time of arguments.

It is therefore humbly prayed that the instant appeal may graciously be dismissed with cost.


SECRETARY
E&SE Khyber Pakhtunkhwa,
Peshawar.


DISTRICT EDUCATION OFFICER
(MALE) KOHAT

Annexure A

DISTRICT EDUCATION OFFICER, (MALE) KOHAT.

(29)

Appointment of the following candidates against B.P.S-7 (Rs.750-31-1370) on the terms and conditions given at the end, is hereby ordered in the schools against their names in the interest of public service effect from the date of their taking over charge.

<u>Name and Address of Candidate</u>	<u>Posted At</u>	<u>Remarks</u>
S. Shahinshah S/O Zamir Shah r/o Shaweki Teh; & Distt; Kohat.	GHS, Dhand Saghri.	Against vacant post of Qari.
S. Iqbal-Hassan S/O Sayyed Mohammad Masim r/o Spinawari Tehsil & District Kohat.	GHS, Khadizai.	Against vacant post of Qari.

TERMS & CONDITIONS.

1. No TA/DA is allowed on fresh appointment/charge reports should be submitted to all concerned in duplicate.
2. The appointment of the candidates are purely temporary and liable to termination at any time without assigning any reasons.
3. The candidates should produce their Health & age certificates from the Medical Supdt; concerned.
4. They should not be allowed to takeover charge of their posts if their age exceeds 25 years or below 18 years of age.
5. In case of resignation they will have to submit one month prior notice or they shall forfeit one month pay to the Govt.
6. Their appointment are subject for further conditions that they are domiciled of N.W.F.P.
7. If they fail to takeover charge of the post within a week of the their order the offer of a appointment shall stand cancelled.

(MOHAMMAD RAZA)
DISTRICT EDUCATION OFFICER,
(MALE) KOHAT.

Endst: No. 2478-79 /I-AB/Qari/Apptt; Dated Kohat the 30-09/1989.

Copy of the above forwarded for information and necessary action to the:-

1. Headmaster, Govt: High School Dhand Saghri.
2. Headmaster, Govt: High School Khadizai.

Amir

JK

M.R. 30/9/89
Dy; D.E.O. (M) Kohat.

FOR/ DISTRICT EDUCATION OFFICER,
(MALE) KOHAT.

7/5
30/9/89

(4)

OFFICE OF THE DISTRICT EDUCATION OFFICER(M) SECONDARY KOHAT

APPOINTMENT

Consequent upon the orders of the High-ups of the Education Department NWFP, Peshawar in the meeting held on 22-3-99, the following candidates selected by the District Selection Committee Kohat for the post of Arabic Teacher are hereby appointed in the Basic Pay Scale No. 09 (Rs. 1605-97-3060) plus usual allowances as admissible against the newly created/vacant posts in the school noted against each with immediate effect subject to the terms & conditions detailed below:-

S/No	Name with Father's Name and address	Date of Birth	Merit Position	School where appointed	Remarks
1.	Khaista Gul son of Masood Gul R/O Rehman Abad, Shakardara, Kohat	12-10-71	1/44.25	GMS Paka Topi	Vacant post.
2.	Muhammad Mushtaq son of Gul Haider, R/O Garhi Behram Shah Kohat	18-3-63	2/41.54	GHS Maslin Abad	Vacant post.
3.	Muhammad Sadiq son of Muhammad Ismail, R/O Kamal Khel, Kohat	01-3-73	3/40.81	GMS Kharmatoo	N. C. P
4.	Hafizur Rehman son of Habibur Rehman, R/O Tor Chapri Ban Kohat	06-11-74	4/38.98	GMS Char Chari	N. C. P
5.	Fazal Noor son of Allah Noor, R/O Dhoda Kohat	01-1-69	5/36.10	GHS Torastana	Vacant post.
6.	Javid Akhtar Shah son of Mutabar Shah, R/O Showeki, Kohat	11-3-66	6/33.70	GHS Showeki	Vacant post.
7.	Said Rehman son of Toti Gul, R/O Warshand, Lachi, Kohat	01-6-72	7/33.50	GHS Malgin	Vacant post.
8.	Ghulam Raza son of S. Mehmood, R/O Dhoda, Kohat	02-4-72	8/32.97	GHS Sur Gul	Vacant post.
9.	Shaheen Shah son of S. Zamir Shah, R/O Dhanā Sagheri Kohat	22-12-68	9/31.79	GHS Mandoeri	Vacant post.
10.	S. Kamil Hussain son of Iltaf Hussain, R/O Bositang, Kohat	13-12-79	10/30.63	GHS Jabbar	Vacant post.
11.	Muhammad Ajmal Khan son of Maaazam Din, R/O Paka Topi, Kohat	15-1-77	11/30.00	GMS Kandar	N. C. P
12.	Nijat Ali son of Abdur Rauf Rauf, R/O Chorlaki, Kohat	20-2-66	12/28.75	GMS Kamar	N. C. P
13.	Mati-Ur-Rehman son of Moli Muhammad Jamil, R/O Shakardara, Kohat	02-5-71	13/28.67	GHS Nandraka	Vacant post.
14.	Khalid Khan son of Malang Sher, R/O Muhammad Zai Kohat	10-8-68	14/26.08	GMS Dhok Sherzaman	N. C. P
15.	Taj Ali Khan son of Azim Khan, R/O Chishana (Guner), Kohat	10-2-69	15/18.00	GMS Khadar Khel	Vacant post.

Attested

[Signature]
 District Education Officer
 Kohat
 2/9/02

16. Nazirullah son of 01-9-74 15/16.85 GMS Dermalak Vacant
 Chulaz Habib R/O post.
 Dermalak, Kohat
17. Nazir Muhammad son of 01-9-74 17/13.90 GMS Gurgara Vacant
 Aboul Hakim, R/O post.
 Gabri, Shakardara, Kohat

TERMS AND CONDITIONS

1. They will be governed by such rules & regulations as may be prescribed by the Govt. from time to time for the category of the Govt. servants which they belong.
2. Their services will be liable to termination on one month notice either side. In case of resignation without notice on one month pay will be forfeited in lieu thereof.
3. They should join the post within 15 days of the issue of this notification.
4. Their Inter-se-Seniority will be determined in accordance with the Departmental selection committee.
5. Charge report should be sent to all concerned.
6. They shall be in probation for a period for 2 years and will neither apply for long leave nor seek admission in any College/University.
7. They will produce in the Bank receipt for the fee deposited in connection with verification of their Certificate/Diploma/Degree/Sanadat and other testimonials etc before handing/taking over charge and in case any of their documents proved fake their appointment will be considered as cancelled without any right or privilege.
8. Service Books of the teacher/officials must be prepared complete in all respect before handing over charge.
9. Their pay will not be drawn by the concerned DDO till the process of the verification of their documents is completed.
10. They are required to produce Health & age certificate from the Medical authorities concerned, before taking over charge.
11. Charge should not be given to the over age candidates. His case for age relaxation be sent to the concerned quarter.
12. Efforts for transfer the completion of tenure will disqualify him from the service.
13. No TA/DA etc is allowed.
14. An undertaking shall be obtained from the Master & Bachelor Degree holder teacher/officials etc that they will serve the Deptt. for at least 5 years, unless he is selected by the public Service Commission for any post.

NOTE: Complete information for each category (separately) in consolidated list on the prescribed proforma (attached along with charge report) be submitted by the lower office to the District Education Officer (Male) Secondary Kohat within a week positively.

(MIAN SAADAT SHAH)
 DISTRICT EDUCATION OFFICER
 (MALE) SECONDARY KOHAT

Endst: No. 3913-50 /Apptt/AT/III-LE

Dated: Kohat the 5/04/99

Copy of the above is forwarded for information to the:-

1. Accountant General NWFP, Peshawar.
2. Director of Secondary Education NWFP Peshawar.
3. Principals/Headmaster concerned.
4. PS to Secretary to Govt. of NWFP, Edu. Deptt.
5. District Account Officer, Kohat.
6. Candidate concerned.
7. Master File.

HIGHER EDUCATION COMMISSION

Sector H-9, Islamabad, Phone: +92-51-90400900,90400912,90400917,90400913
 Fax: +92-51-90400902, URL: <http://www.hec.gov.pk>

Syed Afaq Ahmad
 Assistant Director (A&A)
 saahmad@hec.gov.pk

No. 3-16/HEC/A&A/2011/49
 January 20, 2011

The Section Officer (Board/TRG:),
 Elementary & Secondary Education Department,
 Government of Khyber Pakhtunkhwa,
 Peshawar—KPK.

Subject: Application For Equivalency of the Asnad of Shahadatul Almia to M.A. (Arabic/Islamabad).

Dear Sir,

With reference to your letter No. S/O(B/T)E&SE/16-3/2010/Verification dated December 31, 2010 on the subject cited above, it is informed that as per decision of the Equivalence Committee of the Higher Education Commission, final Sanad "Shahadatul Almiya Fil Uloomal Arabia wal Islamia" held from following recognized Wafaq, Tanzeem, Rabit-ul-Madaris and five individual Madaris in prescribed manner is recognized by the Higher Education Commission as equivalent to M.A Arabic/Islamic Studies for the purpose of teaching Arabic and Islamic Studies in Colleges and Universities and for pursuing higher studies

For employment in fields other than teaching, however, such Sanad holders are required to qualify in two additional elective subjects other than Arabic and Islamic Studies at the B.A level from a University. Further, they would also have to qualify in the compulsory subjects of Pakistan Studies and Islamic Studies at the B.A level.

a. Names of Wafaq/Tanzeem & Rabit-ul-Madaris

1. Wafaq-ul-Madaris Al-Arabia, Markazi Office Gordon Town, Sher Shah Road, Multan.
2. Tanzeem-ul-Madaris Alhe Sunnat, Jamia Naeemia, Ghari Shaho, Lahore
3. Wafaq-ul-Madaris Al-Salfia, Hajiabad Post Code 38600, Faisalabad.
4. Wafaq-ul-Madaris Shia, Jamia-al-Muntazar, H. Block, Model Town, Lahore.
5. Rabita-ul-Madaris Al Islamia Mansoor Road, Lahore.

b. Names of five Individual Madaris/Institutions:

1. Jamia Islamia Minhaj-UI-Quran, 366 Model Town, Lahore.
2. Jamia Taleemat-e-Islamia, Sargodha Road, Faisalabad.
3. Jamia Ashrafia, Feroz Pura Road, Lahore.
4. Darul Uloom Mohamadiah Ghousia Bhera Distt. Sargodha.
5. Darul Uloom, Korangi Creek, Karachi.

The approved mode of education for the purpose of recognition of final Deeni Sanad is as under:

- Middle School Certificate involving 8-year of study is entrance requirement for:
- Shahadatul Sanvia Aama: 2-year of study
- Shahadatul Sanvia Khasa: 2-year of study
- Shahadatul Alia: 2-year of study
- Shahadatul Almiya: 2-year of study

The sanad Shahadatul Alia awarded by any Religious Institution is NOT recognized as equivalent to B.A. degree but is mandatory requirement for admission in Shahadatul Almiya and for recognition of the same.

Kindly note the *Shahadat ul Sanvia Ama* and *Shahadat ul Sanvia Asnads* are considered as equivalent to Matric and Intermediate by the Inter Board Committee of Chairman (IBCC) with certain conditions. In this regard you may contact IBCC for the purpose.

The *Ittehad-ul-Madaris, Par Hoti Mardan*, is NOT an approved Deeni Wafaq. Therefore, Asand awarded by the *Ittehad-ul-Madaris, Par Hoti Mardan*, is NOT recognized by the Higher Education Commission Islamabad.

It is also to inform you that equivalence is determined on individual basis and upon submission of detail documents on the prescribed equivalence proforma (E-02) which can be downloaded from the HEC website: www.hec.gov.pk.

Yours faithfully,



(Syed Afaz Ahmad)
Assistant Director (A&A)
For Director General (A&A)

The approved mode of education for the purpose of recognition of final Degree should be as under:

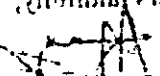
- Middle School Certificate involving 8-year of study is entrance requirement for
- Shababul Uloom
- Shababul Uloom
- Shababul Uloom
- Shababul Uloom
- Shababul Uloom

The award of Shababul Uloom is NOT recognized as equivalent to B.A. degree but is mandatory requirement for admission in Shababul Uloom and for recognition of the same.

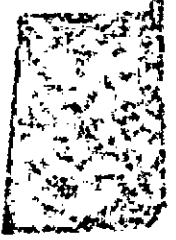
Kindly note the Shababul Uloom in Sarva Alim and Shababul Uloom in Sarva Alim are considered as equivalent to Matric and intermediate by the Joint Board Committee of Chairman (JBC) with certain conditions. In this regard you may contact JBC for the purpose.

The Uloom-ul-Madaris, Far Holi Madrasa, is NOT an approved Deeni Madrasa. Therefore award awarded by the Uloom-ul-Madaris, Far Holi Madrasa, is NOT recognized by the Higher Education Commission Islamabad.

It is also to inform you that equivalence is determined on individual basis and upon submission of detail documents on the prescribed equivalence programs (H-02) which can be downloaded from the HEC website: www.hec.gov.pk

Yours faithfully,

 Assistant Director (H-02)
 For Director General (H-02)

1/1



Annexure D

19

1	2	3	4	5	6	7	8	9
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 rule 3.20 of C.S.R. (Pb.) volume II	Pay in substantive post	Additional pay for officiating	Other emoluments falling under the term "pay"	Date of appointment	Signature of Government servant	Signature of the Head of the office or other Attesting Officer in attestation columns 1 to 8
AT Post at Gms. Brajgudi Kolan	عارضی مستقل قائم مقام	اگر عارضی ہے تو یہ وہ رول کے مطابق پیش کا مستحق ہے	تنخواہ بطور عارضی ملازمت	زائد تنخواہ بطور قائم مقام	ماسوائے تنخواہ دیگر الاؤنس	تاریخ تقرری	دستخط سرکاری ملازم	دستخط انسپشنر مجاز
over payment	$115/2000 \text{ to } 11/2000 = 938/-$ $7 \times 134 =$ $12/2000 \text{ to } 11/2000 = 2376/-$ $196 \times 12 =$ $12/2000 \text{ to } 6/2000 = 15720/-$ $300 \times 13 =$ $765 \text{ to } 6/07 = 19080/-$ $795 \times 24 =$ $717 \text{ to } 6/18 = 13800/-$ $6 \times 1150 =$ $78 \text{ to } 6/19 = 54720/-$ $15200 \times 36 =$ $211 \text{ to } 12/12 = 53460/-$ $18 \times 3520 =$ Total Rs. 161144/-	Revised Entry BPS. 14 (4920-3800-26320)	Rs. 79600/-	Rs. 94800/-		7/2008		76 District Element Kohat.
			Rs. 98600/-			12/2008		76 District Element Kohat.
			Rs. 102400/-			12/2009		76 District Element Kohat.
			Rs. 106200/-			12/2010		76 District Element Kohat.
		Revised Entry BPS. 14 (8000-810-26300)	Rs. 141500/-	Rs. 171500/-		7/2011		Distt: (B&S) B
			Rs. 177600/-			12/2011		Distt: C (B&S) B
		Pay Fixed @ Rs. 6415/- Pay Fixed @ Rs. 3870, 2220, 10720 Pay Fixed @ Rs. 7960/- R.B.P.S. 6200-3800-12600/- Pay Fixed @ Rs. 14180/-		1. 1994 pay fixed = 57 Rs. 1966/- per 94 amount due for 12/94				pay

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Case No.908/2013

Syed Shaheen Shah Appellant

Versus

Secretary, Elementary & Secondary Education & others . . . Respondents

= = = = =

REJOINDER ON BEHALF OF THE APPELLANT

= = = = =

Respectfully Sheweth:

Preliminary Objection:

- 1. All the preliminary objections taking by the respondent No.3 are illegal against the law and having no legal footing.

REPLY ON FACTS:

- 1. Para No.1 of reply of respondent No.3 is correct to the extent that appellant was appointed as Arabic Teacher on 05.04.1999.
- 2. Para No.2 needs no reply.
- 3. Para No.3 is incorrect, appellant passed the Sanad of Shahadat-ul-Almia Fil Uloom Al Islamia, which is recognized by the authority but inadvertently the Sanad of the appellant is rejected.
- 4. Para No.4 is correct, that appellant was promoted and given BPS-14 appellant served and performed duty in BPS-14 and deliver his services, which was sanction by the competent authority.
- 5. Para No.5 is incorrect, no over payment was made by the respondent to the appellant because appellant performed his duty and served the department so the recovery on behalf of the

respondent from the appellant is illegal in the light of the judgment of superior court.

6. Para No.6 needs no reply.

GROUNDS:

- A. Ground A is incorrect, the recovery order of over payment from the appellant is illegal.
- B. Ground B is incorrect, appellant on the principal of locus potentia is entitled to remain in BPS-14 and also entitled for payment for the period for which the appellant served the department.
- C. Ground C is incorrect, appellant is entitled to remain in BPS-14 and the department cannot withdraw their sanction for up gradation.
- D. Ground D is incorrect, proper sanction is given before the up gradation in BPS-14 by the competent authority.
- E. Ground "E" is not incorrect, appellant is entitled for BPS-14 and also for the remuneration for the period for which he served if needs no reply.

It is, therefore, prayed that on acceptance of this rejoinder the appeal of the appellant may be allowed.

Appellant

Through



Date:

Muhammad Amin Khattak Lachi
Advocate,
Supreme Court of Pakistan



Ibrahim Shah
Advocate, High Court,
Peshawar

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Case No.908/2013

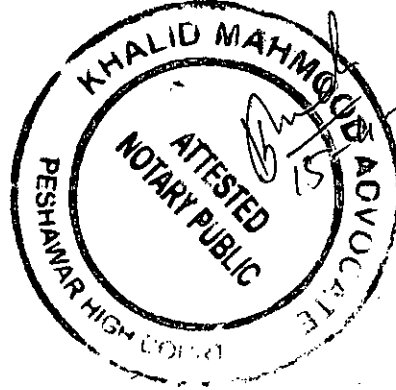
Syed Shaheen Shah Appellant

Versus

Secretary, Elementary & Secondary Education & others . . . Respondents

A F F I D A V I T

I, Syed Shahin Shah S/o Syed Zamir Shah Arabic Teacher Government Middle School Baraghzai Kalan, Kohat, do hereby solemnly affirm and declare that the contents of the accompanying **rejoinder** are true and correct to the best of my knowledge and belief and nothing has been concealed from this learned court.



سید شاہین شاہ

Deponent

from Ithad-ul-Madaras, Hoti Marrdan, which is recognized by the authority initially, but latter on without no reason the respondent refused to accept the said Sanad.

4. That Para No 4 is incorrect, on the basis of the said Sanad, the appellant was promoted and given BPS-14 and performed his duty and delivered his services which was sanction by the competent authority.
5. That Para No 5 is incorrect, no over payment was made by the respondents to the appellant because appellant performed his duty and served the department so the recovery order of the respondent from the appellant is illegal in the light of the judgment of higher courts and appellant is also entitled for the relief on the principle of potential.
6. That Para No 6 is not disputed.

Grounds:-

- A. That Para A is totally incorrect. The impugned order dated 28/12/2012 regarding the recovery is totally illegal and is liable to be set aside because the appellant served and delivered his services for the said period.
- B. That Para B is incorrect. Appellant was appointed and promoted though paper services rules and there is no fault on behalf of the appellant and that was the duty

(3)

of the respondent to clarify all the free requisite for the promotion or appointment in BPS-14.

- C. That Para C is incorrect. Appellant is entitled to remain in BPS-14 and the department cannot withdraw their sanction for up-gradation nor can made any recovery.
- D. That Para D is incorrect. Proper sanction is given before the up-gradation in BPS-14 by the competent authority.
- E. That Para E is incorrect. Appellant was appointed and promoted through proper procedure and law and the appellant delivered his services for the department and is entitled for the same up-gradation as well as for the remuneration for the period for which he served.

It is, therefore, prayed that on acceptance of this Rejoinder, appeal may be accepted.

Dated:- 25/02/2016

Through:-

&


Appellant

Muhammad Amin Khattak
Lachi
Advocate Supreme Court
of Pakistan.

Ibrahim Shah,
Advocate High Court,
Peshawar.

from Ithad-ul-Madaras, Hoti Marrdan, which is recognized by the authority initially, but latter on without no reason the respondent refused to accept the said Sanad.

- 4. That Para No 4 is incorrect, on the basis of the said Sanad, the appellant was promoted and given BPS-14 and performed his duty and delivered his services which was sanction by the competent authority.
- 5. That Para No 5 is incorrect, no over payment was made by the respondents to the appellant because appellant performed his duty and served the department so the recovery order of the respondent from the appellant is illegal in the light of the judgment of higher courts and appellant is also entitled for the relief on the principle of potential.
- 6. That Para No 6 is not disputed.

Grounds:-

- A. That Para A is totally incorrect. The impugned order dated 28/12/2012 regarding the recovery is totally illegal and is liable to be set aside because the appellant served and delivered his services for the said period.
- B. That Para B is incorrect. Appellant was appointed and promoted though paper services rules and there is no fault on behalf of the appellant and that was the duty

of the respondent to clarify all the free requisite for the promotion or appointment in BP-14

C That Para C is incorrect. Appellant is entitled to remain in BP-14 and the department cannot withdraw their sanction for up-gradation nor can make any recovery.

D. That Para D is incorrect. Proper sanction is given before the up-gradation in BP-14 by the competent authority.

E. That Para E is incorrect. Appellant was appointed and promoted through proper procedure and law and the appellant delivered his services for the department and is entitled for the same up-gradation as well as for the remuneration for the period for which he served.

It is, therefore, prayed that an acceptance of this Rejoinder, appeal may be accepted.

Dated:- 22/02/2018

Through:-

Muhammad Amin Khattak
Lathi
Advocate Supreme Court
of Pakistan
Ibrahim Shah,
Advocate High Court,
Peshawar.

&

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KHYBER PAKHTUNKWA SERVICE TRIBUNAL, PESHAWAR

No. 1951 /ST

Dated 22 / 11 / 2016

To


The D.E.O (Male),
Kohat.

Subject: -

JUDGMENT

I am directed to forward herewith a certified copy of Judgement dated 17.11 .2016 passed by this Tribunal on the above subject for strict compliance.

Encl: As above


REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR.

5	Cr.P.613/2016 (Miscellaneous Criminal Cases / Bail After Arrest) (S.J.) (C.O.)	Rehman Ullah @ Insaf v. The State & another	Tehmina Mohibullah Kakakhel Chaudhry Akhtar Ali, AOR (Rwp) A.G. KPK R - Notice
6	C.A.1085/2013 (Execution Petitions / Proceedings) copy (S.J.)	Mst. Najma Zakia v. Tehsil Municipal Administration Bahawalpur & another	S. Safdar Hussain, AOR (Pesh) Syed Asghar Hussain Sabzwari, Sr. ASC (Rwp) R Ex-Parte Syed Fayyaz Ahmed Sherazi, AOR (Lhr) Mr. Ahmed Mansoor Chishti, ASC
and	C.M.A.5610/2013 in C.A.1085/2013 (Stay)	Mst. Najma Zakia v. Tehsil Municipal Administration Bahawalpur & another	S. Safdar Hussain, AOR (Pesh) Syed Asghar Hussain Sabzwari, Sr. ASC (Rwp) R Ex-Parte Syed Fayyaz Ahmed Sherazi, AOR (Lhr) Mr. Ahmed Mansoor Chishti, ASC
7	C.A.1470/2015 (Service / Others) (D.B.) (C.O.)	The Divisional Superintendent, Pakistan Railways, Rawalpindi & others v. Syed Irshad Ali Abid	Mr. Ahmed Nawaz Chaudhry, AOR Mr. M. D. Shahzad Feroz, ASC (Ibd) Syed Rifaqat Hussain Shah, AOR (Rwp) Imran Fazal, ASC (Rwp)
and	C.M.A.7177/2015 in C.A.1470/2015 (Stay)	The Divisional Superintendent, Pakistan Railways, Rawalpindi & others v. Syed Irshad Ali Abid	Mr. Ahmed Nawaz Chaudhry, AOR Mr. M. D. Shahzad Feroz, ASC (Ibd) Syed Rifaqat Hussain Shah, AOR (Rwp) Imran Fazal, ASC (Rwp)
8	C.A.812/2016 (Election / of Local Bodies) (S.J.)	Muhammad Mamoon Tarar & another v. District Returning Officer, Hafizabad & others	Chaudhry Akhtar Ali, AOR (Rwp) Mr. Muhammad Ahsan Bhoon, ASC (Lhr) R - Notice Mr. Mahmood A. Sheikh, AOR Syed Rifaqat Hussain Shah, AOR (Rwp) Mr. Kamran Murtaza Sh., ASC (Qta)
and	C.A.813/2016 (Election / of Local Bodies) (S.J.)	Muhammad Mamoon Tarar & another v. Election Commission of Pakistan, Islamabad through its Secretary & others	Chaudhry Akhtar Ali, AOR (Rwp) Mr. Muhammad Ahsan Bhoon, ASC (Lhr) R - Notice Mr. Mahmood A. Sheikh, AOR Syed Rifaqat Hussain Shah, AOR (Rwp) Mr. Kamran Murtaza Sh., ASC (Qta)
and	C.A.1299/2016 (Election / of Local Bodies) (S.J.)	Mehmood Ahmad Mohli v. Election Commission of Pakistan, through its Chief Election Commission, Islamabad, etc	Mr. A. H. Masood, AOR (Lhr) Mr. Abid Saqi, ASC (Lhr) R - Notice Mrs. Tasneem Amin, AOR (Lhr) Rai Zamir-Ul-Hassan, ASC
9	C.P.47/2016 (Writ Petition / Others) (Ch.O.)	Salman Sarwar Abro v. The Government of Sindh thr. Prosecutor General Sindh, Karachi & others	Mr. M. S. Khattak, AOR (Rwp) Mr. Muhammad Ilyas Khan, ASC (Lhr) R - Notice

	and CrI.O.P.118/2015 (Contempt of Court / Disobedience of Court Orders) (Ch.O.)	Muhammad Akram Khan v. Iftikhar Hussain Baber	P - In Person
6	C.A.1020/2013 (Specific Performance of Contract Cases) (S.J.)	Kaniz Fatima v. Akbar Ali	Syed Rifaqat Hussain Shah, AOR (Rwp) Mr. Nazir Ahmed Bhutta, ASC (Ibd) Mr. Mir Aurang Zaib, AOR (Qta) Muhammad Amjad Iqbal Qureshi, (Rwp) ASC
7	C.A.153/2015 (Family / Maintenance Allowance) (S.J.)	Asmat Jan v. Muhammad Arif & others	Mr. Arshad Ali Ch, AOR Syed Nayab Hassan Gardezi, ASC (Ibd) Syed Zafar Abbas Naqvi, AOR (Rwp) Syed Mumtaz Hussain, ASC (Rwp)
8	CrI.P.963/2015 (Summoning of Accused)	Shehzad Ahmad v. The State & another	Mr. Mahmood A. Sheikh, AOR Ch. Abdul Aziz, ASC (Ibd) Addl. Prosecutor General Punjab Chaudhry Akhtar Ali, AOR (Rwp) Sardar Muhammad Aslam, ASC
9	CrI.P.14/2016 (Superdari)	Shahzad Gul v. The State	Mr. Ahmed Nawaz Chaudhry, AOR Zahid Yousaf Qureshi, ASC Special Prosecutor General ANF
10	C.P.1810/2016 (NAB / Bail) (D.B.) (C.O.)	Saeed Ahmed Khan v. The State thr. Chairman, National Accountability Bureau, Islamabad	Chaudhry Akhtar Ali, AOR (Rwp) Sardar Muhammad Aslam, ASC Prosecutor General NAB R - Notice
11	C.P.1975/2016 (Suit for Possession / Others) (S.J.) (Ch.O.)	Abdul Majeed v. Nazar Muhammad	Mr. Ahmed Nawaz Chaudhry, AOR Ms. Ruqia Samee, ASC
12	C.P.2149/2016 (Rent/Ejectment / Others) (S.J.) (Ch.O.)	M/s The Brands, Islamabad v. The Rent Conroller, Islamabad-West & others	Chaudhry Akhtar Ali, AOR (Rwp) Raja Muqsit Nawaz Khan, ASC (Ibd)

Wednesday, 20-Jul-2016

1	CrI.P.736/2016 (Miscellaneous Criminal Cases / Bail After Arrest) (S.J.)	Zia ur Rehman v. The State & another	Syed Rifaqat Hussain Shah, AOR (Rwp) Mr. Tariq Mahmood, Sr. ASC (Qta)
2	C.P.855-L/2016 (NAB / Bail) (D.B.) (C.O.)	Mehmood Anwar Zubairi v. The State through Prosecutor General NAB, Thokar Niaz Baig, Lahore, etc	Mr. Mahmudul Islam, AOR (Lhr) Mr. Adnan Shuja Butt, ASC (Lhr) Prosecutor General NAB R - Notice Syed Rifaqat Hussain Shah, AOR (Rwp) Rashden Nawaz Kasuri, ASC (Lhr)
3	CrI.P.48-P/2016 (Miscellaneous Criminal Cases / Bail After Arrest) (C.O.)	Ihsan Rauf v. The State & another	K. G. Saber, AOR (Pesh) M. Amin Khattak Lachi, ASC A.G. KPK R - Notice
4	CrI.P.611/2016 (Miscellaneous Criminal Cases / Bail After Arrest) (S.J.) (C.O.)	Taj Ali alias Taj Mali v. The State & another	Mr. Ahmed Nawaz Chaudhry, AOR Ch. Muhammad Aslam Ghuman, (Ibd) ASC A.G. KPK R - Notice

(Handwritten signatures and notes)

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