Form- A

FORM OF ORDER SHEET

Court of	
	•
Case No	1395/ 2022

S.No.	Date of order proceedings	Order or other proceedings with signature of judge					
1	2	3					
1-	26/09/2022	The appeal of Mr. Abdul Ghafoor Rashid presented today by I Shahzad Shakoor Advocate. It is fixed for preliminary hearing before tour					
		Single Bench at A.Abad on Notices be issued to appellant and					
		his counsel for the date fixed. By the order of Chairman					
•		REGISTRAR '					
,							
	·						

Service Appeal No:_

Abdul Ghafoor Rashid

Versus

Govt of KP through Secretary (E &SE),

SERVICE APPEAL

INDEX

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}	Copy of Shahadat ul Sanwia khasa plus HSSC (F.A) in three Additional Subjects, all documents including equivalence certificate.	В	12 to 16
1	Copy of Shahadat ul Alia plus Bachelor Degree (B.A) in Two Additional Subjects, all documents including equivalence certificate	С	17 to 23
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Dated 24/09/2022

Through

(Rashid Iqbal Khan Jadoon) Advocate IBC Islamabad

(Abdul Ghafoor Rashid)

Appellant

(Shahzad Shakoor)

Advocate High Court Abbottabad

Attorney Abbottabad.

Abbott Law Chamber

Office No 51, Ayub Tanoli lawyer plaza Abbottabad. 0333-5025002, 0316-9343818



BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Service Appeal No: 1395 of 2022

Abdul Ghafoor Rashid S/O Kala, Senior Arabic Teacher(SAT), Government High School Mirpur Abbottabad R/O Muhallah Islamia Park, behind Ayub Medical college Abbottabad.

Appellant

Versus

- 1 The Government of Khyber Pakhtunkhwa through Secretary (Elementary & Secondary Education), Department, Peshawar.
- 2 The Director, Directorate of Elementary & Secondary Education Department, Peshawar.
- 3 The District Education Officer, Elementary & Secondary Education Department, Abbottabad.

Respondents

APPEAL UNDER SECTION 4 OF KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974, AGAINST THE IMPUGNED NOTIFICATION NO SO(PE)/5-19/reinstatement/Speaking order/2022 DATED 12/09/2022, ISSUED BY RESPONDENTS, WHEREBY RESPONDENTS BY CONSIDERING PARTIALLY, INSTEAD OF COMPLETE QUALIFICATIONAL RECORD OF APPELLANT, DENIED THE PROMOTION RIGHTS FROM SAT TO SST (G) RELATING TO APPELLANT, WHICH IS INEFFECTIVE UPON THE RIGHTS OF THE APPELLANT AND ALSO ILLEGAL UNLAWFUL AGAINST THE FACTS OF THE CASE.

PRAER:-

ON ACCEPTANCE OF INSTANT SERVICE APPEAL, THE IMPUGNED NOTIFICATION NO SO(PE)/5-19/reinstatement/Speaking order/2022 DATED 12/09/2022, ISSUED BY RESPONDENTS MAY

PLEASE BE SET ASIDE, AND RESPONDENTS BE DIRECTED TO ISSUE FURTHER NOTIFICATION/ORDER RELATING TO APPELLANT'S PROMOTION AS SST (G) ON THE BASIS OF WORKING PAPER OF DPC, FROM SAT TO SST(G) DATED 11.11.2019 ALONGWITH ALL BACK BENEFITS AND SENIORITY POSITION.

Respectfully Sheweth,

FACTS

- 1) That appellant joined Elementary & Secondary Education Department and presently he is working in the capacity of Senior Arabic Teacher (SAT).
- 2) That appellant completed his both religious and general Education/Qualification for further promotion, the whole position/bio data of qualification/Education is as under
 - a) Shahadat ul Sanwia **Aama** plus SSC (Matric) in three Additional Subjects, all documents including equivalence certificate are annexed as **Annexure "A"**
 - b) Shahadat ul Sanwia **khasa** plus HSSC (F.A) in three Additional Subjects, all documents including equivalence certificate are annexed as **Annexure "B"**
 - c) Shahadat ul Alia plus Bachelor Degree (B.A) in Two Additional Subjects, all documents including equivalence certificate are annexed as **Annexure "C"**
 - d) Bachelor of Education (B.Ed) Professional, from AIOU Islamabad under Roll No K-6286123, year 2002 documents relating to Bachelor of Education are annexed as **Annexure** "D"
 - e) Master of Education (M.Ed) Professional, from Sarhad University of Science & Technology Peshawar under Roll No



19-SP-02579, year 2020 documents relating to Master of Education are annexed as **Annexure "E"**

- f) Shahadat ul Almia equal to MA Arabic & MA Islamiyat under R.No 167year 1984. documents relating to Shahadat ul Almia are annexed as **Annexure "F"**
- g) Master of Art in Islamiyat under Roll No 12150, session 1992, University of Peshawar. documents relating to Master of Art in Islamiyat are annexed as <u>Annexure "G"</u>
- h) Master of Art in Arabic under Roll No 12359, session 1996, University of Peshawar. documents relating to Master of Art in Arabic are annexed as **Annexure "H"**
- 3) That being qualified, the name of appellant for promotion from SAT to SST (G) on seniority basis, was reflected at S.No 1, in working paper for DPC dated 11.11.2019. Copy of working paper and Check list are annexed as **Annexure "I"**
- 4) That before the year 2020, all mentioned qualifications herein above at Para 2 were entered on relevant page of service book and other office record of respondents, but subsequently respondents incorrectly, unlawfully illegally deferred appellant case of promotion on the reason of BA 3rd in 11.11.2019. Copy of relevant pages of service book are annexed as **Annexure "J"**
- That appellant filed Constitution Petitions, W.P No 1518-A of 2019, order dated 25/11/2020, W.P No 1596-A of 2020, order dated 09/02/2022 and W.P No 221-A of 2022, order dated 15/03/2022, subsequently High Court sent the Writ Petition to respondents and treated it as departmental appeal and directed to decide it, in accordance with law. Copies of titled page of Writ Petitions along with orders are annexed as Annexure "K" "L"& "M" respectively
- 6) That respondent No 1 rejected the Departmental Appeal through impugned Notification on 12/09/2022, and appellant's instant



appeal is within 30 days after issuance of final order of respondents, Copy of Departmental impugned final order/Notification is annexed as <u>Annexure "N"</u> Hence this appeal inters—alia on the following ground.

Grounds

- a) That the impugned Notification/order dated 12/09/2022, passed by respondents is against the facts and they did not took any trouble to examine the case properly, and committed misreading and non-reading the un-rebutted documentary facts, and incorrectly declared BA 3rd Division.
- b) That appellant passed his Bachelor of Arts in second Division, the correct actual position is explained below
 - i) Roll No 17379, registration No 17-AUST-P-2427, result declaration date 15/09/2018, BA only 02 Subjects, English marks 58/150 and Pakistan Studies 22/40 (42.10 %)
 - ii) Roll No 11, registration No 7183, Shahadat ul Alia in 06 subjects Marks 366/600 (61.00%)
 - iii) Total 61.00 + 42.10 = 103.10/200 total Percentage 51.55%. which is second Division.
- c) That appellant passed two subject (English & Pakistan Studies) of BA from AUST for fulfillment the requirements of SST (G) and respondents declared only two subject as BA, how they rejected departmental appeal on the basis of only two subjects of BA?
- d) That it is undoubted fact that respondents illegally snatched the legal rights of the appellant in an uncivilized way in a

5

very haste manner, which is against the equity and there is no single example is available in the civilized society.

- e) That the impugned action of respondents is apparent activity of serious disapproval of the policy of the Government, which is beyond its jurisdiction and tried to create self made complications.
- f) That appellant fulfilled the road map of competent forum, i.e, Higher Education Commission Islamabad, and respondents are trying to exercise the powers and legal competency of HEC Islamabad, Moreover respondents, by rejecting Departmental Appeal dated 12/09/2022 has illegally challenged the constitutional powers and authority of HEC. Copy of letter dated 17/03/2017 of HEC Islamabad. Copy of HEC letter dated 17/03/2017 is annexed as Annexure "O"
- g) That appellant is dragged into litigation, the conduct of the respondents is admittedly arbitrary capricious unjust and against all norms of justice and as such requires indulgence of this Honourable Court by awarding appropriate Cost to the respondents.
- h) That respondents ignored the provisions of Article 4 and 25 of the Constitution of Pakistan while exercising their illegal impugned Notification and their exercising discretionary powers in refusing the relief to the appellant.

It is, therefore, respectfully prayed that on acceptance of instant service appeal, the impugned Notification No SO(PE)/5-19/reinstatement/speaking order/2022 dated 12/09/2022, issued by respondents may please be set aside, and respondents be directed to issue further notification/order relating to appellant's promotion as SST (G) on the basis of working paper of DPC, from SAT to SST(G) dated 11.11.2019 alongwith all back benefits and seniority position.

6

Any other relief for which the appellant is entitled, and the same is not asked/prayed specifically, may very kindly be granted in favour of the appellant.

Dated 24/09/2022

(Abdul Ghafoor Rashid)

Appellant

Through

(Rashid Iqbal Khan Jadoon)

Advocate IBC Islamabad

(Shahzad Shakoor)

Advocate High Court Abbottabad

Attorney Abbottabad.
Abbott Law Chamber
Office No 51, Ayub Tanoli lawyer plaza
Abbottabad. 0333-5025002, 0316-9343818

<u>AFFIDAVIT</u>

I, Abdul Ghafoor Rashid S/O Kala, Senior Arabic Teacher(SAT), Government High School Mirpur Abbottabad R/O Muhallah Islamia Park, behind Ayub Medical college Abbottabad, do here by affirm on oath that contents of instant appeal is correct and true according to my best knowledge and belief and nothing has been suppressed from this Honourable Tribunal and this instant appeal is first appeal & same nature of any other appeal is not pending before

Dated 24/09/2022

Honourable Tribunal

(Abdul Ghafoor Rashid)

Appellant

CNIC No 13101-5371715-5

DEPONENT

متحان أشهادة التانوية العامة في العلوم الإسلامية والعن رميترك الدرجة الصغرى ٤٠ الدرجة الكبرى ١٠٠ بحيح الدريجا ١٠٠٠ الدريجا المحصلة ٧٩ 70 المذكورة الملحقة بوفاق الملأد يوراعلاه فئ امتمان الشهادة الشانوسية الم الكادة الناحق 3/ WALL 0 1700





BOARD OF INTERMEDIATE AND SECONDARY EDUCATION ABBOTTABAD

AB 2154598161

Controller of Examination

Khyber Pakhtunkhwa (Pakistan)

Secondary School Certificate Examination

			No: Np :		15459 UMANI		·		
		:	(CLA	SS X)			
**			ssion		016 (/	\ <u>nnua</u>	<u>l)</u> ::		7) 62
ame:	ABDUL GHA	AFOOR R	ASHID				· .	<u> </u>	200
ther's Name :	KALA	. <u>.</u> .	<u>. – </u>						· .
ate of Birth :	15-08-1964							· ·	
eg: No:	0015AB/AD-	SSCMP1	6						
	ABBOTTABA	\D				,			·
	ABBOTTABA	\D						· -	. <u> </u>
istrict as secured the	e marks show	n against	each s	ubject L as a	in the	Seco	ondar	y Scholate.	ool Certificate Examination
istrict as secured the		n against	each s ch/Apri Total	las a	Priva	e Seco ate Ca Pal Marks 0	andic rt-II btained	y Scholate.	ool Certificate Examination Marks in Words
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English	e marks show	n against	ch/Apri Total	as a	Priva	Parks 0	andic rt-II btained	late. Total	Marks in Words
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as secured the class 10th) he English	e marks show ld in the mont Subjects	n against	Total 150 150	as a Pa Marks (Th 41 39	Priva	Pa Marks 0 Th 18	andic	Total 59 82	Marks in Words Fifty-Nine Eighty-Two

Note: Errors/Omissions excepted. Any mistake in the Name, Father's Name & DOB must be intimated within 30 days of the issuance date of this certificate. Visit with

0

S. No. 0709638

QUALIFYING SUBJECTS F

Roll No. 154598

Board of Intermediate and Secondary Education Abbottabad

Khyber Pakhtunkhwa-Pakistan

SECONDARY SCHOOL CERTIFICATE EXAMINATION

SSC (ANNUAL) 2016

This is to certify that	ABDUL	GHAFOOR RASHID		 	•	
Son/Daughter of	KALA		*			-

A candidate from ABBOTTABAD DISTRICT

has passed the Secondary School Certificate Examination of the Board of Intermediate and Secondary Education, Abbottabad

held in March/April, 2016 as a Private candidate. He/She has obtained 202 marks out of 400.

Date of Birth according to admission form is 15 AUGUST, 1964.

The candidate passed in the following subjects:

ENGLISH

LIRDI.

PAKISTAN STUDIES

Asstt. Secretary

This certificate is issued without alteration or erasure

Siter Board Committee of Chairman

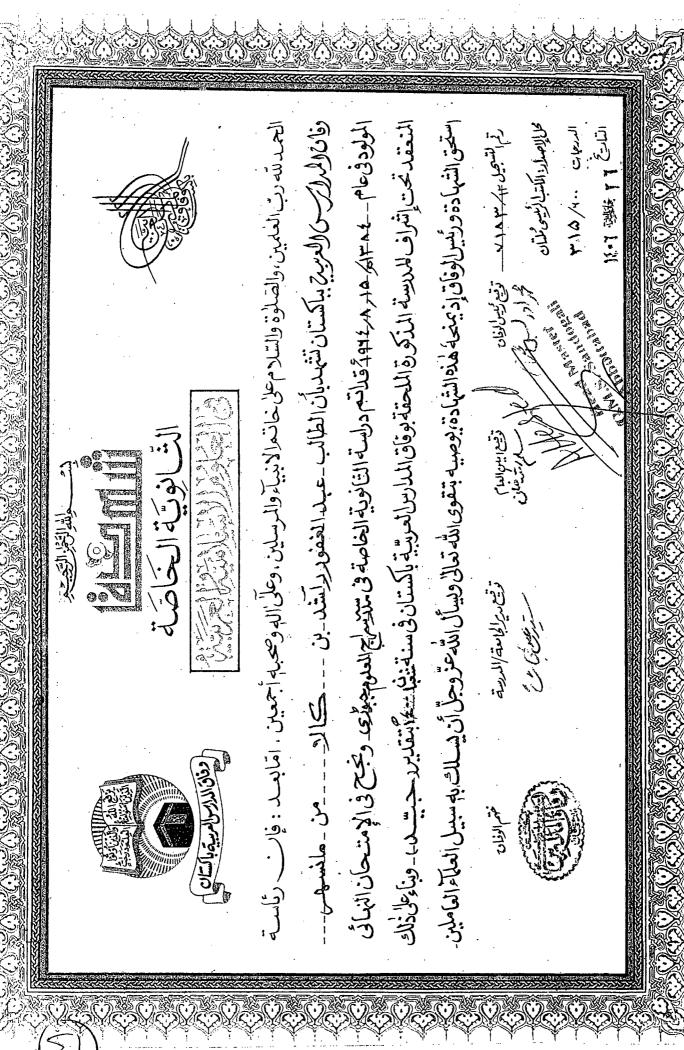
Government of Pakistan Islamabad

Equivalence Certificate

Certified that Mr. /Ms. abdul Ghafoor Rashid s/d of M	
date of birth 15-08-1964 has qualificationshahadat-ul-Sai	wia Aama and SSC in three additional Subject
of Country and / or Examining Body wafaq-Ul-Madarise-Ul-Arabia, Pakistan/BISE, Which is considered equivalent to Secondary School Cer Group: Arts	B B
Marks obtained: In Figures 534 out of 900 In Words Five Hundred & Thirty Four only	
Ref IBCC/D.M/2018 (95) Date 08-03-2018 Section Incharge Ulahimah	Hussain Ahmad Madni Secretary



A Resident Control of the Control of





BOARD OF INTERMEDIATE AND SECONDARY EDUCATION ABBOTTABAD

Khyber Pakhtunkhwa (Pakistan)

Higher Secondary School Certificate Examination

Part - !!

Session: 2017 (Supply)

PROVISIONAL & DETAILED MARKS CERTIFICATE

	Roil No: 31213	اورد: يردام كالم يز وكرير كيين مين ماند تعديل ش
	Group: <u>HUMANITIES</u>	
Name:	ABDUL GHAFOOR RASHID	
Father Name:	KALA	
Reg No:	6752AB/AD-intMP17	
Institution/ District	ABBOTTABAD	The Mot About Hand

has secured the marks shown against each subject in the Higher Secondary School Certificate Examination Part-II held in the month of October/November as a Private Candidate.

				Ma	rks Ol	otained	
Marks			Part-II		Totai	Marks in Words	
<u> </u>	Theory	Pract	Theory	Pract		marks in Holds	
200	45		33		· 78	Seventy-Eight	
200	43		63		106	One Hundred Six	
50			17		17	Seventeen	
	200	200 45 200 43	Theory Pract 200 45 200 43	Theory Pract Theory 200 45 33 200 43 63	Marks Part-I Theory Pract Theory Pract Pract 200 45 33 200 43 63	Theory Pract Theory Pract 200 45 33 78 200 43 63 106	

Total: 450

400

Date: 22 December, 2017

Remarks

Qualifying Subjects

Checked By:

The same of the sa

Controller of Examinations

Two Hundred One Only

Note: Errors / Omissions excepted. Any error in Name, Father Name etc must be intimated within 30 days after declartion of result (22-12-2017). Visit us: www.biseatd.edu.pk
12 MODERN SCHOOL SYSTEM MANSEHRA ROAD ABBOTTABAD (BOYS)





Roll No. 31213

Qualifying Subjects

S. No.: 0389757

Khyber Pakhtunkhwa-Pakistan HIGHER SECONDARY SCHOOL CERTIFICATE EXAMINATION 5/2017
Humanities Group

This is to certify that ABDUL GHAFOOR RASHID

Son/Daughter of KALA

A candidate from ABBOTTABAD DISTRICT

has passed the Higher Secondary School Certificate Examination of the Board of Intermediate & Secondary Education. Abbottabad

held in Sep/Oct, 2017 as a Private Candidate. He/She has obtained 201 marks out of 450.

The candidate passed in the following Subject:

1. ENGLISH

3. PAKISTAN STUDIES

This certificate is issued without alteration or erasure.

Serial No. 024525

Miter Board Committee of Chairmen

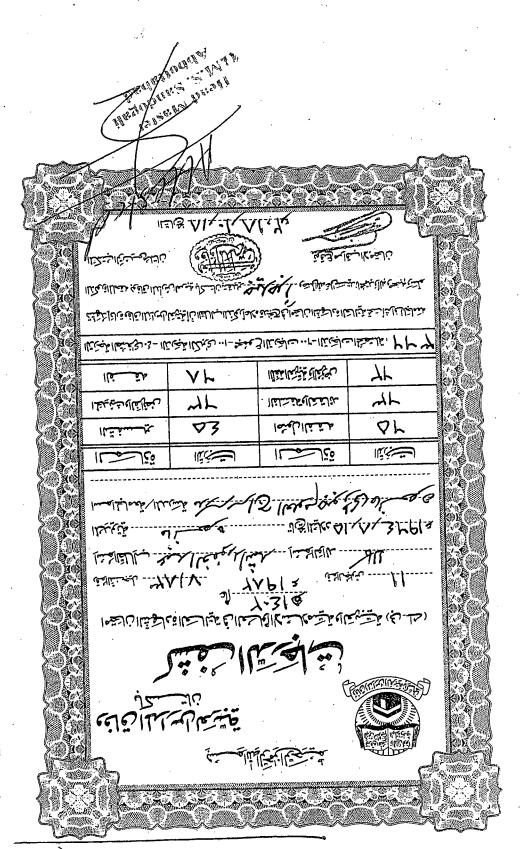


Government of Pakistan Islamabad

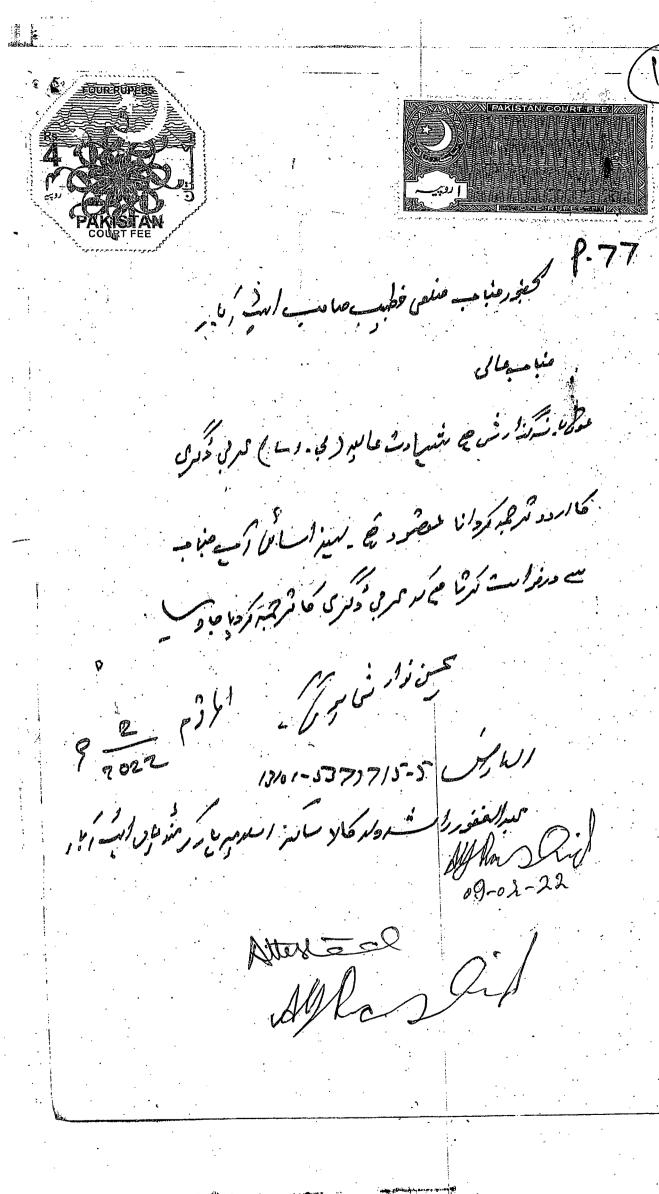
Equivalence Certificate

Certified that Mr./Ms	ABDUL GHAFOOR RASHID	s/d of Ar.	KALA
date of hirth 15-08-1964	_ has qualificationsi	nahadat-Ui-Sanwia Khasa and HSSC in three	additional Subjects:
of Country and / or Examining ?	Body Wafaq-Ul-Madarise-Ul-Arabia,	Pakistan /BISE, Abbottabad. in Pear _	1980-2017
Uhich is con Group	sidered equivalent to Higher Sec Humanities	condary School Certificate of	Pakistan
Marks obtained: 539 In Figures	化二氯化二甲酰胺 化电子电子 化二氯化二氯化二二二二二二二二二二二二二二二二二二二二二二二二二二二二二二二		
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Section Incharge Cula	he hadred	Hus	Sain Ahmad Madni Secretary

FI) JOHNEXNEE







مرالك الرعن الرقع المر ملوة ك لعد وفاق المراس العربير المال فا داره وس ا ت الحصول را سے رطاب می عمدالعقور راسم ولركالا مسكنه ما يرو تارار سيرالش 15 الست 1964 نه مراسران العلم جنوری مال میره میں اعلی لقلیم کمل کے وفاق المدرس العربير واكتان على ملحقه ورج مالا مدر العالم عالى مره ت زر الله المعان عالى المعالم مالانه المعان عالى الله كالمالى ماهلى البن بناء برستى وأرابي وما فى المرارس العرب ك صرر ان كو لقوى و برامر طرى J. 4. 1 Sin is Sol is 1. 2 yr, 2 / Cups & - 26; Juis 633 (25/3 Find, Low 7183 10 3/10 مول عال شهادت عابيم 1982 O 61 0 366/600 1 02/ Juplo B.A. Col installed on ار ا ا (فرست دُولِزن ا (دُوپلیلٹ) 100 حبريث فجزالفن 100 Atterial trict Khateeb Abbettabad 10 FEB 2022





BBOTTABAD UN OF SCIENCE & TECHNOLOGY

Detailed Marks Certificate

Bachelor of Arts

Part-II **Annual Examination 2018**

Name:

Abdul Ghafoor Rashid

Registration No:

17-AUST-P-2427

Father's Name: Kala

Roll No:

17379

District:

ABBOTTABAD

Subjects	Max Marks	Ma	Marks Obtained		
Subjects		In Figures	In Words	·	
English (comp)	75	25	Twenty Five		
Pak Studies (Comp)	40	22	Twenty Two	;	
	·				
Part-I Marks	75	33		<u> </u>	
Total Marks	190	80	Eighty only		

Chance Availed:

Percentage: 42.10

Examination held from: June 22, 2018 to July 20, 2018

Result Declared on:

September 15, 2018

Controller of Examinations **AUST**

Errors and Omissions are accepted

The University reservers the right of rectifiying the errors & Omissions in the result at any time, on the basis of orignal record, any mistake in Name, Father's Name etc must be intimated within 60 days of the result declaration date.

de Date: September 24, 2018

Serial No. 000583



Registration	Niα	17-AUST-P-2427
Kealgnanon	TACH	

Roll No. _____17379

ABBOTTABAD UNIVERSITY OF SCIENCE & TECHNOLOGY, PAKISTAN



The Unit	ersity in recognition of the fulfilment of prescribed requirements has conferred upon ABDUL GHAFOOR RASHID Son / Daughter of KALA
WII. / WO	The Degree of
	in the examination held in <u>June,2018</u> session <u>ANNUAL EXAMINATION 2018</u>
	He / She was placed inTHIRD Division / Grade / CGPA. THE EXAMINATION WAS TAKEN AS WHOLE
	Registra: Controller of Examinations
	DateSEPTEMBER 15,2018 Vice Chancellor



HIGHER EDUCATION COMMISSION

H-9, ISLAMABAD, PAKISTAN, Website: http://www.hec.gov.pk

Fizza Noor Assistant Director (A&A)

No. 8(16)/A&A/2018/HEC/ /2951 November 13, 2018

Mr. Abdul Ghafoor Rashid S/o Kala Mohallah Islamia Park, Behid Ayub Medical College, Abbottabad. Mobile:- 0345-9543399

Subject:

Equivalence of Sanad "Shahadatul Alia fil Uloomal Arabia wal Islamia" awarded by Wafaq ul Madaris Al-Arabia, Multan, Pakistan.

Dear Sir,

With reference to your application dated November 5, 2018 on the subject, it is informed that as per decision of the Higher Education Commission's Equivalence and Accreditation Committee, the Commission recognizes the Sanad "Shahadatul Alia fil Uloomal Arabia wal Islamia" held by you from Wafaq ul Madaris Al-Arabia, Multan, Pakistan as equivalent to Bachelor (Pass) degree involving 14-year of schooling for the purpose of job and further study upon qualifying compulsory subjects viz. English and Pakistan Studies at Bachelor (Pass) level from Abbottabad University of Science & Technology, Abbottabad and provision of equivalence of Sanvia Aama and Sanvia Khasa from Inter Board Committee of Chairmen (IBCC), as Matric and Intermedaite, respectively.

An applicant who is intended to get admission in formal Master degree (other than Islamic Studies or Arabic) in a university after "Shahadatul Alia fil Uloomal Arabia wal Islamia" may opt any other two (02) elective subjects (other than Arabic and Islamic Studies) at Bachelor (Pass) level in addition to compulsory subjects (referred to above) as per his/her choice. He/She would also be required to fulfill all the requirements of admitting university.

Yours faithfully,

(Fizza Noor)

Serial No. 238

ALLAMA IQBAL OPEN UNIVERSITY, ISLAMABAD



TRANSCRIPT

This is to cert	ify that Mr./Ms	ABDUL GHAFOOR RA	ASHID	<u> </u>
	of <u>Kala</u> (-6286123)	Registration No. <u>00</u> -	MMA-1183 has succ	essfully completed
all the require	ements of the $m{B}$.	Ed~in~Arabic~ deSemester.	egree programme with the	following courses
Course		Title of the Cou	ırse	% of Marks Obtained
Code				527 523

Course	Title of the Course	% of Marks Obtained
Code		55
2600	Perspectives of Education	
2601 .	School Organization and Management	49
2602	Guidance, Assessment and Research	71
	Educational Psychology	48
2603		48
2604	Islam, Pakistan and Modern World	53
2505	Functional English	
2606	Teaching of Arabic	49
2607	Teaching of Arabic Linguistics Workshop	46
	Workshop	52
2608	Workshop Total Marks:	471/900

He/she has obtained 52 % marks and has been placed in grade 6.

Result Declaration Date: 26TH FEB, 2003.

Prepared by:

Checked by: ___

Japul d Controller of Examinations

ote: This transcript is issued, errors and omissions expected, as a provisional document only. An entry appearing in it does not in itself confer any right or privilege independently to the grant of a proper Degree which will be issued under the regulations in due course.

25

Plana Ialamahad Aniversity



Son / Daughter of	KALA		
Registration No:	00-NMA-1183	_ Roll No:	K-6286123
having completed	the prescribed	requirements	in semester

ISLAMABAD.-DATED:

May 18, 2005

/ Slama

THIS DEGREE IS TO BE READ IN CONJUNCTION WITH THE TRANSCRIPT, ISSUED SEPARATELY





Transcript No.SU/ 064000

Name:

Abdul Ghafoor Rashid

Reg. No: SUIT-19-02-036-0425

Father's Name: Kala

Roll No: 19-SP-02579

Degree: Master of Education

Enrollment Date: 08 Apr, 2019

Faculty: Arts, Social Sciences and Education

Completion Date: 21 July, 2020

Spring	g Sem	ester 2019	Cr Hrs	Marks	Grade	GPs	Remarks
SME	626	Comparative Education	3 - 0	. 77	В	9	
SME	627	Computers in Education	3 - 0	66	C+	7.5	
SME	628	Educational Research	3 - 0	69	C+	7.5	
SME	629	Advance Educational Psychology	3 - 0	84	B+	10.5	
SME	630	Guidance and Counseling	3 - 0	72	В	9	•
		Cum Cr: 15.0 GPA: 2.900 Cum GPA: 2	.90 State	us: PTD	•		
Fall S	emest	er 2019					
SME	632	Education in Pakistan: Problems Issues & Trends	3 - 0	75	В	9	
SME	633	Curriculum Development and Implementation	3 - 0	74	В	9	
SME	635	Teacher Education in Pakistan	3 - 0	73	В	9	
SME	638	Higher Education	3 - 0	74	В	9	
SME	639	Women Education	3 - 0	75	В	9	
SME	653	Teaching Strategies	3 - 0	74	В	9	
SME	654	Economics of Education	3 - 0	75	В	9	*

Cum Cr: 36.0 GPA: 3.000 Cum GPA: 2.96 Status: QFD Marks Obtained: 888 Total Marks: 1200 Overall Percentage: 74.00%

(Errors and omissions are subject to subsequent rectification)

--- END OF TRANSCRIPT --

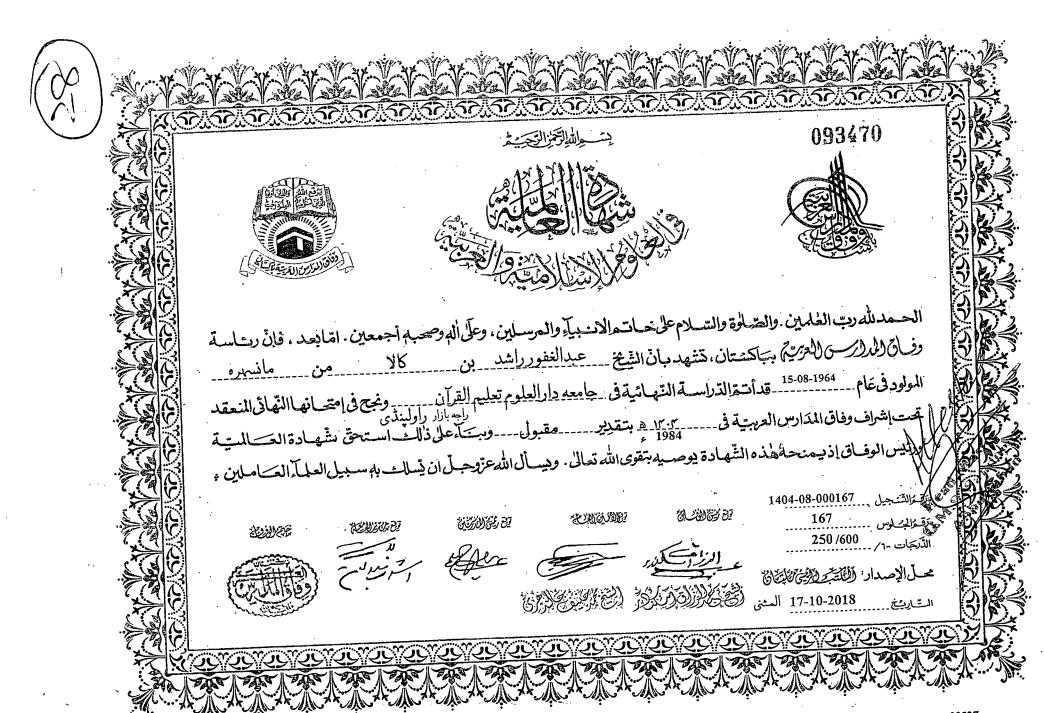
(Degree Completed)

of Examinations

(Errors and omissions are subject to subsequent rectification)

Knnexues E

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UNIVERSITY OF PESHAWAR (PAKISTAN)



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Mr. 1 Ms Abdul Ghafoos	Roll No. 12150
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ABDUL CHAFOOR RASHID

, is this day admitted by the Amiversity of Peshawar having passed the prescribed Examination STRICT HANGERIA

to the Degree of

Master of Arts

in the

SECOND

Aibision

The subject of Examination being

Examination was taken as a whole / in-parts

Registrar

Countersigned

Serial Nº 014011

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UNIVERSITY OF PESHAWAR

(PAKISTAN)

Detailed Marks Certificate

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# University of Peshawar

(Pakistan)

Session Annual 1996

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#### OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) ABBOTTABAD OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) ABBOTTABAD CHECK LIST FOR DEPARTMENTAL PROMOTION COMMITTEE FOR THE PROMOTION OF SAT TO SST (G) (11-11-2019)

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5 <u>No</u>	o.   ^	6	Name of Official ABDUL GHAFFOR Rashid		Name of School GH5 Mirpur	Date of Birth	Date of Appointment as Regular AT 15-Aug-85		Last 6 Years ACRs	Vears	515	Non Involv Cert:		Last Pay Slip	BA/ BS Degree	Degree	Servic e Book	Whethe eligible not	r Committee Decision
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## BEFORE HONOURABLE PESHAWAR HIGH COURT, BENCH ABBOTTABAD

W.P. No. 1518 -A/2019

Abdul Ghafoor, present SAT Government High School Mirpur, Abbottabad.

... PETITIONER

#### **VERSUS**

- 1. Government of Khyber Pakhtunkhwa through Secretary KPK.
  Peshawar
- 2. Director Education Khyber Pakhtunkhwa, Peshawar.
- 3. District Education Officer (Male), Abbottabad.

....RESPONDENTS

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Certified to be True Copy

2 7 NOV 2020

Pastawar High Court Atd. Bench

Authorized Under Se: 75 Evid Ordns

地位的特征

WRIT PETITION UNDER ARTICLE 199 OF CONSTITUTION OF ISLAMIC REPUBLIC OF PAKISTAN 1973, FOR DECLARATION TO THE EFFECT THAT THE PETITIONER OBTAINED DEGREE OF SHADAT-UL-ALIA FROM WAFAQ UL MADARAS ARABIA PAKISTAN AND PASSED COMPULSORY SUBJECT OF BA IN THE YEAR 2018. HENCE, SANAT SHADAT-UL-ALIA OF THE

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PETITIONER IS EQUAL TO B.A. BUT RESPONDENT
DEPARTMENT IS NOT GOING TO PROMOTE THE
PETITIONER AS SET GENERAL WHICH IS
PERVERSE AGAINST THE LAW AND
RESPONDENTS ARE BOUND TO PROMOTE THE
PETITIONER ON THE BASIS OF SENIORITY CUM
FITNESS CUM QUALIFICATION.

PRAYER: ON ACCEPTANCE OF INSTANT WRIT
PETITION RESPONDENTS MAY BE DIRECTED TO
PROMOTE THE PETITIONER FROM SAT TO SST
GENERAL. ANY OTHER RELIEF WHICH THIS
HONOURABLE COURT DEEMS FIT AND PROPER
IN THE CIRCUMSTANCES OF THE CASE MAY
ALSO BE GRANTED TO THE PETITIONER.

Respectfully Sheweth:-

The facts forming the background of the instant writ

petition are arrayed as under;-

Certified to be True

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That the petition

Peshawar High Count Atd. Bench

Authorized Under Se: 75 Evid Ordns.

With, compulsor

That the petitioner is serving as Senior Arabic Teacher having qualification of Shadat-ul-Alia with compulsory subject Le English & Pakistan Studies. Besides, the petitioner is MA in Islamiyan

Alterta Da Sail

PESHAWAR HIGH COURT, ABBOTTABAD

FORM OF ORDER SHEET

Case No......of... Date of Order of Order or other Proceedings with Signature of Judge Proceedings

25.11.2020 WP No. Mr. Muhammad Arshad Khan Tanoli, Advocate Present: for petitioner.

> MOHAMMAD IBRAHIM KHAN, J. At the very outset, learned counsel for petitioner requested for withdrawal of the instant writ petition in order to file afresh one.

> > Order accordingly.

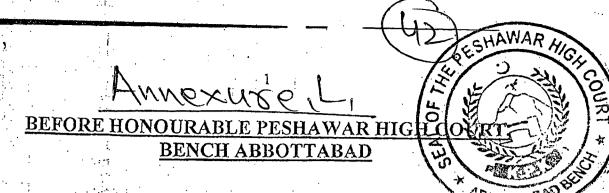
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Authorized Under

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W.P No. 1596 -A/2020

Abdul Ghafoor, present SAT Government High School Mirpur, Abbottabad.

...PETITIONER

#### VERSUS

- 1. Government of KP through Chief Secretary KP, Peshawar.
- 2. Secretary Elementary & Secondary Education KP, Peshawar.
- 3. Secretary Establishment K.P Peshawar.
- 4. Secretary Finance K.P Peshawar.
- 5. Director Elementary & Secondary Education, K.P Peshawar.
- 6. District Education Officer (Male), Abbottabad.

... RESPONDENTS

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EXAMINER

1 2 FEB 2022

Peshawar High Court Atd. Bench
Authorized Under Se: 75 Evid Ordna

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WRIT PETITION UNDER ARTICLE 199 OF CONSTITUTION OF ISLAMIC REPUBLIC OF PAKISTAN 1973, FOR DECLARATION TO THE EFFECT THAT THE PETITIONER OBTAINED DEGREE OF SHADAT-UL-ALIA AND SHAHADAT UL ALMIYA FROM WAFAQ UL MADARAS ARABIA PAKISTAN AND PASSED COMPULSORY



SUBJECT OF BA IN THE YEAR 2018, HENCE. SANAT SHADAT-UL-ALIA OF THE PETITIONER IS **EQUAL** TO B.A BUT RESPONDENTS' DEPARTMENT IS NOT GOING TO PROMOTE THE PETITIONER AS SST GENERAL DUE TO THE SOLE REASON THAT AS PER NOTIFICATION NO. SO (PE)4-5/SSRC/ MEETING/2013/ TEACHING CADRE DATED 24/07/2014 WHERE IN SECOND CLASS BACHELOR DEGREE IS MANDATORY WHICH SHOULD HAVE BEEN AFTER "SECOND CLASS RECOGNIZED BACHELOR DEGREE" **FROM** UNIVERSITY OR EQUIVALENT SANADS FROM WHICH WAFAQ UL MADRASA PAKISTAN SHOULD BE INSERTED. WITHOUT INSERTING OR RECOGNIZED FROM EQUIVALENT SANADS MADARAS PAKISTAN WOULD BE ULTRA VIRES RIGHTS OF THE FUNDAMENTAL TO PETITIONER HTS OF THE PETITIONER.

Certified to be-True Copy EXAMINER

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Peshawar Bigh Court Atd. Bench Authorized Under Se: 75 Evid Ordns:

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PRAYER: ON ACCEPTANCE OF INSTANT WRIT
PETITION RESPONDENTS MAY BE DIRECTED TO
INSERT IN COLUMN NO. 3 AFTER SECOND CLASS
BACHELOR DEGREE FROM RECOGNIZED
UNIVERSITY, OR EQUIVALENT SANADS FROM
WAFAQ UL MADARAS PAKISTAN. ANY OTHER

.

RELIEF WHICH THIS HONOURABLE COURT DEEMS FIT AND PROPER IN THE CIRCUMSTANCES OF THE CASE MAY ALSO BE GRANTED TO THE PETITIONER.

Respectfully Sheweth:-

The facts forming the background of the instant writ petition are arrayed as under;-

- That the petitioner is serving as Senior Arabic

  Teacher having qualification of Shadat-ul-Alia

  with compulsory subject i.e English & Pakistan

  Studies. Besides, the petitioner is MA in Islamiyat

  and Arabic as well as B.Ed qualification. Copy of

  Shadat-ul-Alia with two compulsory subjects,

  Sanat of M.A Islamiyat and Arabic & B.Ed are

  annexed as Annexure "A".
- 2. That the petitioner as per law out of total 75% posts 4% Senior Arabic Teacher are to be promoted as SST General. Relevant rules on the subject are annexed as Annexure "B".

FILED TODAY
ADDITIONAL REGISTRAR
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Peshawar High Court Atd. Sench

thorized Under Se: 75 Evid Ordns

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PESHAWAR HIGH COURT, ABBOTTABAD BENCH.
FORM OF ORDER SHEET

Court of consequences are

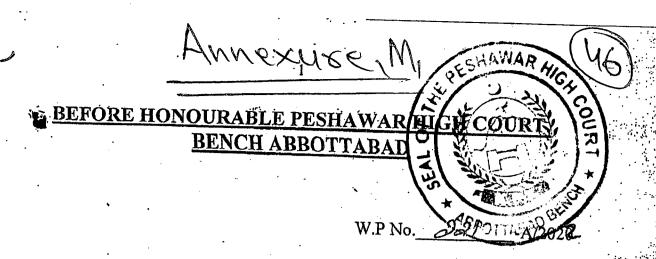
Case No.

Date of Order of Proceedings	Order or other Proceedings with Signature of Judge (s)					
1	2	THE PERSON NAMED IN				
09.02.2022	WP No. 1596-A/2020:	Todayorgane*				
	Present: Mr. Muhammad Arshad Khan Tavoli, Advo	cate				
	***	•				
	MOHAMMAD IBRAHIM KHAN, J. After arguing the	cas				
	to some extent, learned counsel for petitioner requested	fo				
	withdrawal of the instant whit petition in order to file a t	resl				
	writzpelition in accordance with law.					
A Section (1997)	Order accordingly	T.				
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Peshawar High Court Atd. Bench Authorized Under Se: 75 Evid Ordns:

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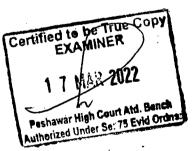
Abdul Ghafoor, present SAT Government High School Mirpur, Abbottabad.

...PETITIONER

#### **VERSUS**

- 1. Government of KP through Chief Secretary KP, Peshawar.
- 2. Secretary Elementary & Secondary Education KP, Peshawar.
- 3. Secretary Establishment K.P Peshawar.
- 4. Secretary Figure K.P Peshawar.
- 5. Director Elementary & Secondary Education, K.P Peshawar.
- 6. District Education Officer (Male), Abbottabad.

....RESPONDENTS



WRIT PETITION UNDER ARTICLE 199 OF CONSTITUTION OF ISLAMIC REPUBLIC OF PAKESTAM 1972, FOR DECLARATION TO THE EFFECT THAT THE PETITIONER OBTAINED DEGREE OF SHADAT-UL-ALIA AND SHAHADAT UL ALMIYA FROM WAFAQ UL MADARAS ARABIA PAKISTAN AND PASSED COMPULSORY

SUBJECT OF BA IN THE YEAR 2018. HENCE, SANAT SHADAT-UL-ALIA OF THE PETITIONER IS 1ST EQUAL TO DIVISION OF B.A RESPONDENTS' DEPARTMENT IS NOT GOING TO PROMOTE THE PETITIONER AS SST GENERAL DUE TO THE SOLE REASON THAT AS PER NOTIFICATION NO. SO (PE)4-5/SSRC/ · TEACHING CADRE MEETING/2013/ DATED 24/07/2014 WHEREIN SECOND CLASS BACHELOR DEGREE IS MANDATORY WHICH SHOULD HAVE BEEN AFTER "SECOND CLASS BACHELOR DEGREE" FROM RECOGNIZED UNIVERSITY OR SANADS FROM EOUIVALENT MADRASA PAKISTAN WHICH SHOULD INSERTED. OR EQUIVALENT SANADS FROM RECOGNIZED MADARAS PAKISTAN IT NOT MOULD BE ULTRA VIRES FUNDAMENTAL RIGHTS OF THE PETITIONER

Certified to Se True Copy
EXAMINER

17 Mar 2022

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Buttonized Winter Se: 75 Exist Out.



PRAYER: ON ACCEPTANCE OF INSTANT WRIT
PETITION RESPONDENTS MAY BE DIRECTED TO
INSERT IN COLUMN NO. 3 AFTER SECOND CLASS
BACHELOR DEGREE FROM RECOGNIZED
UNIVERSITY, THE SENTENCE OR EQUIVALENT
SANADS FROM WAFAQ UL MADARAS

Alter



PAKISTAN. ANY OTHER RELIEF WHICH THIS HONOURABLE COURT DEEMS FIT AND PROPER IN THE CIRCUMSTANCES OF THE CASE MAY ALSO BE GRANTED TO THE PETITIONER.

Respectfully Sheweth:-

The facts forming the background of the instant writ petition are arrayed as under;-

Teacher having qualification of Shadat-ul-Alia with compulsory subject i.e English & Pakistan Studies. Besides, the petitioner is MA in Islamiyat and Arabic as well as B.Ed qualification. Copy of Shadat-ul-Alia with two compulsory subjects, Sanat of M.A Islamiyat and Arabic & B.Ed are annexed as Annexure "A".

Certified to be True Copy
EXAMINER

1 7 MAR 2022

Peshawar High Court Atd. Bench
Authorized Under Se: 75 EVId Ordns:

2.

That the petitioner as per law out of total 75% posts 4% Senior Arabic Teacher are to be promoted as SST General. Relevant rules on the subject are annexed as Annexure "B".

ADDITIONAL PRICIETARY
PESHAWAR IN PROPERTY OF THE PROPERTY OF

## PESHAWAR HIGH COURT, ABBOTTABLE

FORM OF ORDER SHE

Date of Order of Proceedings	Orde	r or othe	r Proceedings with	Signature	POLITICA POLITICA	s) BEN
1			2			e e e e e e e e e e e e e e e e e e e
15.03.2022	W.P.No.22	21-A/20	)22 <u>.</u>			<del></del>
	Present:	Mr. Advo	Muhammad	Arshad etitioner.	Khan	Tanoli,
			4	<del>(***</del>	· •	
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WIQAR AHMAD. J. Learned counsel for the petitioner after a while requested that instant writ petition be sent to respondent No.2 to consider same as departmental appeal filed before him and decide it in accordance with law. Request is justified. The writ petition is sent to respondent No.2 to treat it appeal filed by petitioners and decide it in accordance with law. After decision of appeal or passage of mandatory period provided for filing appeal before Khyber Pakhtunkhwa Service Tribunal, Peshawar, petitioner shall be at liberty to approach Service Tribunal for redressal of his grievance in accordance with law. Office is directed to retain copies of this petition in the office record.

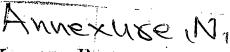
Certified to be True Copy
EXAMINER

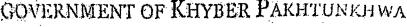
1 7 MAR 2022

Peshawar High Court Atd. Bench juthorized Under Sel 75 Evid Ordns: Attesta Day

other states

Hon'ble Mr. Jurtice Wigar Ahmad Hon'ble Mr. Jüstice Kamran Hayat Miankhel





RLEMENTARY AND SECONDARY EDUCATION DEPARTMENT Block "A" Opposite M PA's Hostel, Civil Secretariat Peshawar Phone No. 091-9223587



Dated Peshawar the September, 12th, 2022

#### NOTIFICATION

#### No.SO(PE)/5-19/reinstatement/Speaking order/2022: -

WHEREAS, the petitioner namely Mr. Abdul Ghafoor, SAT BPS-16 (Personal) at GHS Mir Pur District Abbottabad has filed a Writ Petition No. 221-A/2022 under title Abdul Ghafoor VS Government of Khyber Pakhtunkhwa und others under Article 199 of the Constitution of Islamic Republic of Pakistan before the Honorable Peshawar High Court Abbottabad Bench for the insertion in Column-3/ of existing Service Rules notified by this Department vide Notification No. SO (PE)4-5/SSRC/Meeting.2013/Teaching Cader dated 24-07-2014, after second class Bachelor Degree from recognized University or equivalent Sanads from Wifaqul Madaris Pakistan in the promotion policy for promotion from SAT to the post of SST (General) (BPS-16).

- 2. AND WHEREAS, the titled case was fixed for hearing on 15-03-2022 before the learned Bench of the Peshawar High Court Abbottabad which was remitted to the Respondent No. 2 i.e Scoretary E&SE Department Khyber Pakhtunkhwa Peshawar for disposal as Departmental appeal.
- 3. AND WHEREAS, perusal of the academic record of the petitioner pertaining to his B.A Degree obtained from the Abbottabad University of Science and Technology (AUST) under Registration No. 17-AUST-P-2427, Roll No. 17379 with the date of result declaration as 15-09-2018 shows that the petitioner has passed his B.A Degree in 3rd division which is against the current promotion policy Notified vide Notification dated 24-07-2014 with reference to Sr. No. 1B of the aforementioned policy of the respondent Department.
- 4. AND WHEREAS, having gone through the whole case record including the academic qualification of the petitioner as well as the above cited promotion Policy & Rules in field, the petitioner is not entitled for the grant of promotion to the post of SST (G) in BPS-16 (Regular).
- 5. AND WHEREAS, in compliance with the orders of the Honorable Peshawar High Court Abbottabad Bench dated 15-03-2022 in WP No. 221-A/2022 under case titled Abdul Ghafoor VS Government of Khyber Pakhtunkhwa, the Departmental appeal was examined in detail in light of the relevant law/rules and was found void of merit and legal cover. Beside, reliance was also placed on judgment of the Hon able Peshawar High Court Peshawar in W.P. No. 1316-P/2017 in case titled Roheen Naz vs DEO(F) etc.
- 6. In view of the above, the appeal stands rejected.

SECRETARY E&SE DEPARTMENT

#### Endst: No & date even:

Copy of the above is forwarded to the:-

- /l. Learned Additional Registrar (J) Peshawar High Court Peshawar
- 2. Learned Advocate General for Khyber Pakhtunkhwa Peshawar
- 2. District Education (Male) Abbottabad.
- A. Mr. Abdul Ghafoor, SAT BPS-16 (Personal) at GHS Mir l'ur District Abbottabad

5. PA to Director, Elementary & Secondary Education Khyber Pakhunkhwa.

(MUHAMMAI) ISHAQ) (MUHAMMAI) (MUHAMMAI) ISHAQ) (MUHAMMAI) (MUHAMAI) (MUHAMAI) (MUHAMAI) (MUHAMMAI) (MUHAMAI) (MUHAMAI) (MUHAMAI) (MUHAMAI) (MUHAMAI) (MUHAMAI) (MUHAMAI) (MUHAMAI) (MUHAMAI) (MUHAMMAI) (MUHAMAI) (MUHAMMAI) (MUHAMAI) (MUHAMMAI) (MUHAMAI) (MUHAMMAI) (MUHAMAI) (MUHAMAI) (MUHAMAI) (MUHAMAI) (MUHAMA

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# Higher Education Commission

Sector H-9, Islamabad (Pakisian) Exchange: (051) 90400000 Tele: (051) 90400909 Fax: No: (051) 90400902

URL: www.licc.gov.pk

Deputy Director Accreditation & Attestation

No.8 (61)/A&A/2017/HEC October 13, 2017

Subject:

Equivalence of Sanad Shahadatul Alia fil Uloomal Arabia wal Islamia awarded by approved Decni Institutions

In pursuance of the recommendations of a Committee held under the Chairmanship of Honorable Minister of State for Federal Education and Professional Training with the Heads of religious Institutions Ittehad-e-Tanzeemat ul Madaris Pakistan and approval thereof by the Higher Education Commission's Equivalence and Accreditation Committee in its 6th Meeting held on 6th February, 2017 under the Chairmanship of Chairman HEC, the following decisions are made and notified for information of all the stakeholders:

- Shahadatul Alia fil Uloomal Arabia wal Islamia will be recognized by HEC as equivalent to Bachelor (Pass) degree upon qualifying compulsory subjects viz. English and Pakistan Studies at Bachelor (Pass) level from AIOU or any other Charlered University subject to award of equivalence of Sanvia Anma and Sanvia Khasa by IBCC. Equivalence of Shahadatul Sanvia Aama and Shahadatul Sanvia Khasa will be awarded by IBCC as per their recommendations.
- The concerned Wasaq may admit the students towards Shahadatul Sanvia Aama as ii. per their own system of education i.e. Mutawasta equivalent to Middle standard and HEC will not require Middle School Certificate from the holders of Deeni Asnad.
- The students who are desirous to get admission in formal Master degree iii. (other than Islamic Studies or Arabic) in a University after Shahadatul Alia may opt any other two (02) elective subjects (other than Arabic and Islamic Studies) in addition to compulsory subjects as per their discretion.
- This issues with the approval of the Competent Authority. 2.

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#### Distribution:

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- Heads of five religious Institutions Ittehad-e-Tanzeemat ul Madaris, Pakistan.
- Heads of five individuals Deeni Madaris.
- The Registrar, all Public Sector Universities.
- The Chairman, Pakistan Madrassah Education Board (PMEB).
- The Secretary, Federal/Provincial Public Service Commissions.
- The Secretary, IBCC, Islamabad.
- The Controller of Examinations, AIOU, Islamabad.

### Copy for Information to:

- JEA, Ministry of Federal Education and Professional Training, Islamabad.
- ES to Chairman, HEC
- SPS to ED, HEC
- DG (Acad), HEC
- Consultant (QA), HEC
- DG (QAA), HEC
- Director (Media), HEC
- Director (A&A), HEC
- All HEC's Regional Centers

