BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, CAMP COURT SWAT

Service Appeal No 1350/2013

Date of Institution... 16.09.2014

Date of decision... 04.10.2017

Anwar Sultana W/O Ghafoor Khan Advocate, Principal, GGHS No. 1 Mingora Swat. ... (Appellant)

Versus

1. Government of Khyber Pakhtunkhwa through Chief Secretary, Peshawar and others. ... (Respondents)

DR. ADNAN KHAN,
Advocate ... For appellant.

MR. MUHAMMAD ZUBAIR,
District Attorney ... For respondents.

MR. NIAZ MUHAMMAD KHAN, ... CHAIRMAN
MR. GUL ZEB KHAN, ... MEMBER

JUDGMENT

NIAZ MUHAMMAD KHAN, CHAIRMAN: - Arguments of the learned counsel for the parties heard and record perused.

FACTS

2. The appellant was initially recruited in the respondent department in the year, 1973. Lateron she was promoted upto BPS-17 in the year, 1991. She was however sent on deputation to Allama Iqbal Open University on 01.02.2003. She remained on deputation there for almost 7 years. She came back to parent department in the year, 2010. In the meantime when she was on deputation some promotions were made from BPS-17 to BPS-18 on 29.05.2009. The appellant admittedly was eligible and fit for promotion in terms of seniority as is apparent from the minutes of the meeting dated 03.12.2009 but she was not promoted on the sole ground that she had gone on deputation to Allama Iqbal Open University.

She was afterward promoted on 29.05.2013 with immediate effect. Feeling aggrieved from promotion with immediate effect, the appellant filed departmental appeal on 30.05.2013 which was not responded to and thereafter, the appellant filed the present appeal on 16.09.2013.

ARGUMENTS

3. The learned counsel for the appellant argued that there is no controversy regarding the eligibility or fitness of the appellant on 21.03.2009 and sole ground for not promoting her was her deputation. He argued that deputation is no hurdle in her promotion. In this regard he relied on a judgment reported as PLJ 2011 Tr. C (Services) 38. The learned counsel for the appellant further added that there are plethora of rulings on the subject in support of case of the appellant.

4. On the other hand the learned District Attorney argued that the appellant being on deputation at the relevant time was not entitled for promotion and the department had rightly refused her promotion in the year 2009.

CONCLUSION

5. The only point for determination for this Tribunal is whether deputationist who is legally on deputation can be deprived of promotion in his/her ~~tarn~~ turn in the parent department. The judgment referred to by the learned counsel for the appellant speaks about such entitlement. The promotion policy of the government of Khyber Pakhtunkhwa of 2009 is very much clear. In para 4 of the said policy which deals with the promotion of the officer who is on deputation, long leave and foreign training. Para- IV (b) of this policy lays down that a civil servant who is on deputation will be asked to return before his case come up for consideration. If he failed to return he will not be considered for promotion. He will be considered for promotion after earning one calendar PER and his seniority shall remain intact. In

the present case the minutes of the meeting dated 21.3.2009 clearly shows that the department never asked the appellant one year before or even on 21.3.2009 to return back and simply left her out of promotion. Had she refused to come back her case could have been one of supersession which is not the case here. She did return back on the expiry of extended period of deputation and after serving three years she was promoted which means that the requirement of earning of one calendar PER was fulfilled by the appellant. In such case when she had served for three years in the parent department after return from deputation and had earned the PER more than one calendar year her seniority should have been kept intact as per promotion policy referred to above.

6. The present appeal is therefore, accepted and the appellant is promoted from the due date i.e 21.3.2009 by keeping her seniority intact. The learned counsel for the appellant informed this Tribunal that the appellant has since retired in December, 2013 and she would be entitled only for back benefits including her pensionary benefits etc. She is therefore held entitled for all back benefits including pensionary benefits. Parties are left to bear their own costs. File be consigned to the record room.

(Niaz Muhammad Khan)
Chairman
Camp Court, Swat

(Gul Zeb khan)
Member

ANNOUNCED
04.10.2017

05.09.2017

Since 4th September, 2017 has been declared as public holiday on account of Eidul Azha, therefore, case is adjourned to 004.10.2017 for the same at camp court, Swat. Notices be issued to the parties for the date fixed.

Chairman
Camp court, Swat.

4.10.2017

Appellant alongwith counsel and Mr. Muhammad Zubair, District Attorney alongwith Habibullah, Senior Auditor for the respondents present. Arguments heard and record perused.

Vide our detailed judgment of today, this appeal is accepted. Parties are left to bear their own costs. File be consigned to the record room.

Member

Chairman
Camp Court, Swat.

ANNOUNCED
4.10.2017

1350/13

08.12.2016 Counsel for the appellant and Mr. Usman Ghani, Assistant alongwith Mr. Muhammad Zubair, Sr.GP for the respondents present. Written reply by respondents No. 1 to 4 submitted. Learned Sr.GP relies on the same on behalf of respondent No. 5. Cost of Rs. 1000/- paid and receipt thereof obtained from the learned counsel for the appellant. The appeal is assigned to D.B for rejoinder and final hearing for 05.04.2017 at camp court, Swat.

Chairman
Camp court, Swat

05.04.2017 Husband of the appellant present. Mr. Usman Ghani, Assistant alongwith Mr. Muhammad Zubair, Senior Government Pleader for respondents also present. Husband of the appellant requested for adjournment on the ground that learned counsel for the appellant is not available. Adjourned. To come up for rejoinder and arguments on 08.08.2017 before D.B at Camp Court Swat.

(AHMAD HASSAN)
MEMBER

(MUHAMMAD AMIN KHAN KUNDI)
MEMBER
Camp Court Swat.

08.08.2017 Clerk of counsel for the appellant and Mr. Muhammad Zubair, District Attorney for respondents present. Clerk of counsel for the appellant submitted rejoinder and seeks adjournment as his counsel is not in attendance due to strike of the bar. Adjourned. To come up for arguments on 4.9.2017 before the DB at camp court, Swat.

Member

Chairman
Camp court, Swat

06.04.2016 Appellant in person and Mr. Muhammad Ishaq, Senior Clerk for official respondents present. None present for private respondents No. 6 to 15 despite issuance of notice. Hence proceeded ex-parte. The learned Sr.GP requested for adjournment. To come up for written reply/comments on 08.6.2016 before S.B at camp court, Swat.

Chairman
Camp Court, Swat.

08.06.2016 Husband of the appellant and Mr. Amir Qadar, GP for official respondents No. 1 to 5 present. Written reply not submitted. Requested for further adjournment. Last opportunity granted. To come up for written reply/comments of official respondents No. 1 to 5 on 08.09.2016 before S.B at camp court, Swat.

Chairman
Camp court, Swat.

08.09.2016 Junior to counsel for the appellant and Mr. Amir Muhammad Khan, Computer Operator alongwith Mian Amir Qadar, GP for the official respondents present. Written reply not submitted despite last opportunity. Requested for further adjournment. Last opportunity further extended subject to payment of cost of Rs. 1000/- which shall be borne by the respondents from their own pockets. To come up for written reply/comments and cost on 08.12.2016 at camp court, Swat.

Chairman
Camp Court, Swat.

13.01.2016 Barrister Dr.Adnan Khan, Advocate for appellant present. Submitted Wakalat Nama and requested for adjournment. To come up for preliminary hearing before S.B on 3.2.2016 at Camp Court Swat.

Chairman
Camp Court Swat

3.2.2016 Counsel for the appellant present. Learned counsel for the appellant argued that that the appellant was appointed is PST in Education Department in the year 1973 and was granted selection grade to BPS-17 in the year 1984 and her services were regularized as Headmistress (BPS-17) in the year 1991. That it was in 2003 when appellant was appointed in Alama Iqbal Open University on deputation as Deputy Regional Director where from she was reverted to her parent Department in the year 2008. That other colleagues of the appellant including her junior colleagues were promoted to BPS-18 while appellant was ignored despite her entitlement constraining her to prefer service appeal No. 1615/2011 which is subjudice before this Tribunal. That meanwhile appellant was promoted vide order dated 29.5.2013 with immediate effect though she was entitled to promotion with retrospective effect as she was eligible and the vacancy have become available in the year 2009 where-against she preferred departmental appeal on 30.5.2013 which was not respondent and hence the instant service appeal on 16.9.2013.

Appellant Deposited
Security & Process Fee

That the appellant is entitled to promotion to BPS-18 from the year 2009 and not with immediate effect as stated in the impugned notification dated 29.5.2013.

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 6.4.2016 before S.B at Camp Court Swat.

Chairman
Camp Court Swat

18 6.7.2015 Agent of counsel for the appellant present. Submitted Wakalat Nama. Requested for adjournment. Adjourned to 7.9.2015 for preliminary hearing before S.B at camp court Swat.

Chairman
Camp Court Swat

7.9.2015 Counsel for the appellant present. Seeks adjournment. To come up for preliminary hearing on 5.10.2015 before S.B at Camp Court Swat.

Chairman
Camp Court Swat

5.10.2015 Counsel for the appellant present. Learned counsel for the appellant requested for adjournment as he is engaged today. Adjourned to 7.12.2015 for preliminary hearing before S.B at Camp Court Swat.

Chairman
Camp Court Swat

7.12.2015 Counsel for the appellant present. Requested for adjournment. Last opportunity granted. To come up for preliminary hearing on 13.01.2016 before S.B at Camp Court Swat.

Chairman
Camp Court Swat

14. 02.03.2015 None present for appellant. Notice be issued to counsel for the appellant for preliminary hearing for 15.04.2015 before S.B.

Member

15. 15.04.2015 Counsel for the appellant is not in attendance due to strike of the Bar. Adjourned for preliminary hearing to 28.04.2015 before S.B.

Chairman

16. 28.04.2015 None present for appellant. Assistant A.G for respondents present. Adjourned for preliminary hearing to 15.5.2015.

Chairman

17 15.05.2015 None present for appellant. Assistant A.G for respondents present. Notice to appellant and her counsel be issued for preliminary hearing for 6.7.2015 at Camp Court Swat as the matter pertains to the territorial limits of Malakand Division.

Chairman

10. 25.07.2014 Clerk of counsel for the appellant present and requested for adjournment. Request accepted. To come up for preliminary hearing on 23.09.2014.

Member

11. 23.09.2014 Mr. Naveed Akhtar, Advocate and Mr. Qasim Khan, Advocate present and filed Wakalat Nama on behalf of the appellant. To come up for preliminary hearing on 17.11.2014.

Member

12. Reader Note:

17.11.2014 Clerk of counsel for the appellant present. Since the Tribunal is incomplete, therefore, case is adjourned to 29.12.2014 for the same.

Reader

13. Reader Note:

29.12.2014 No one is present on behalf of the appellant. Since the Tribunal is incomplete, therefore, case is adjourned to 02.03.2015 for the same.

Reader

7. 17.03.2014 Clerk of counsel for the appellant present and submitted an application for adjournment. Application accepted. To come up for preliminary hearing on 06.05.2014.

Member

8. 06.05.2014 Clerk of counsel for the appellant present and moved an application for adjournment. Application allowed. To come up for preliminary hearing on 16.06.2014.

Member

9. 16.06.2014 Clerk of counsel for the appellant present and filed an application for adjournment, wherein the learned counsel for the appellant was busy in Islamabad High Court Islamabad. Application allowed. To come up for preliminary hearing on 25.07.2014.

Member

4. 4.11.2013 Counsel for the appellant present and requested for adjournment so that this case is also heard alongwith a similar nature case pending for hearing at Peshawar. To come up for further preliminary arguments at camp court Swat on 6.1.2014.

Chairman
Camp Court Swat

5. 06.01.2014 Counsel for the appellant present and once again requested for fixation of this appeal alongwith connected appeal pending at Peshawar. To come up for further proceedings/further preliminary arguments at Peshawar alongwith connected appeal on 04-02-2014

Chairman
Camp Court Swat

6. 04.02.2014 Clerk of Mr. Khan Akbar Khan, Advocate present and filed fresh Wakalat Nama on behalf of the appellant. To come up for preliminary hearing on 17.03.2014.

Member

Form- A

FORM OF ORDER SHEET

Court of _____

Case No. 1350/2013

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	18/09/2013	The appeal of Mst. Anwar Sultana resubmitted today by Mr. Ghafoor Khan Advocate may be entered in the Institution Register and put up to the Worthy Chairman for preliminary hearing. REGISTRAR
2	20-9-13	This case is entrusted to Touring Bench Swat for preliminary hearing to be put up there on 07-10-2013. CHAIRMAN
3.	7.10.2013	Counsel for the appellant present and heard. In view of the fact that the appellant is claiming seniority against those persons who were promoted in the year 2009, when the appellant was on deputation, and the appellant did not challenge promotion of those persons from BS-17 to 18 on her arrival from deputation till such time when she was promoted from BS-17 to BS-18 on regular basis vide notification dated 29.5.2013, a pre-admission notice be issued to the learned AAG/G.P for arguments and assistance on the question of limitation whether the appeal would nevertheless be maintainable after lapse of almost four years. To come up for further preliminary arguments at camp court Swat on 04.11.2013. Chairman Camp Court Swat

The appeal of Mst. Anwar Sultana W/O Ghafoor Khan received today i.e. on 16.09.2013 is incomplete on the following scores which is returned to the counsel for the appellant for completion and resubmission within 15 days.

1- Appeal may be got signed by the appellant.
2- Addresses of respondent Nos. 6, 7, 9 to 11 and 14 are incomplete which may be completed according to the Khyber Pakhtunkhwa Service Tribunal rules 1974.
3- Annexures of the appeal may be attested.
4- 17 more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 1309 /S.T,

Dt. 16/09 /2013.

REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Ghafoor Khan Adv. Swat.

objections Removed & Re-submitted please

Ghafoor Khan 16/9/013

BEFORE THE SERVICE TRIBUNAL, KPK, PESHAWAR

Service Appeal No. 1350 /2013

Anwar Sultana.....Appellant

VERSUS

Govt of KPK and others.....Respondents

ADDRESSES OF PARTIES

APPELLANT:

Anwar Sutlana w/o Ghafoor Khan Advocate,
Principal GGHS No.1, Mingora Swat

RESPONDENTS:

1. Govt of KPK through Chief Secretary, KPK, Peshawar
2. Education Department through Secretary Education, KPK at Peshawar
3. Director of Elementary & Secondary Education (E&SE), Province of KPK at Dabgari Garden, Peshawar
4. EDO (E&SE), Female, District Swat at Saidu Sharif, Swat
5. District Accounts Officer (DAO) swat at Saidu Sharif, Swat
6. Mst. Robina Shaheen, Vice Principal, GGHS, University Town, Peshawar
7. Rabia Tabassum, Headmistress, GGHS, Polra, Mansehra, District Mansehra
8. Mst. Parveen Akhtar, Instructor, Female College, Abbottabad
9. Mst. Amtur Rab, Principal, GGHS, Rashakai, Distt Nowshera
10. Mst. Farhat Begum wife of Taj Hameed, Headmistress GGHS, Phase-I, Hayatabad Peshawar
11. Mst. Hamida Begum, Headmistress (died/ deleted from the panel of respondents)
12. Mst. Bibi Amna, Principal, GGHS, Parachinar, Kurram Agency
13. Mst. Khalida Adib, Headmistress, GGHS Jandola, FR Tank
14. Mst. Maryam, Headmistress, GGHS Manglawar, Distt Swat
15. Mst. Bibi Amna, Headmistress, GGHS, Kabal, Distt Swat

Appellant

Through

Ghafoor Khan
Advocate, Swat

Date: 16/9/2013

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA AT PESHAWAR

S.A No._____ OF 2013

Mst. Anwar Sultana **VERSUS** **Govt, K.P.K & others**

INDEX

Appellant
Through
Ghafoor Khan
Advocate High Court
Mob# 03339462246

16/9/2013

(1)

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA AT PESHAWAR

S.A No._____ OF 2013

Diary No. 1377
Dated 16/9/13

Anwar Sultana W/O Ghafoor Khan Advocate Principle GGHS No.1 Mingora Swat.

..... (Appellant)

VERSUS

1. Govt K.P.K through chief secretary K.P.K at Peshawar.
2. Education Department through secretary education K.P.K at Peshawar.
3. Director of elementary & secondary education (E&S.E) province of K.P.K at Dabgari Garden Peshawar.
4. E.D.O (E&S.E) Female of district swat at saidu sharif swat.
5. District account officer (D.A.O))swat at saidu sharif Swat.
6. Mst. Robina Shaheen, H.M Lakkimarwat.
7. Mst. Rabia Tabasum ,H.M Abbotabad.
8. Mst. Parveen Akhtar, H.M Principle GGHSS Sherwan Abbotabad.
9. Mst. Amturab, H.M GGHS, District Swat.
10. Mst. Farhat Begum W/o Taj Hamid, H.M GGHS Hayat Abad Peshawar.
11. Mst. Hamida Begum, H.M Malakand. Died (Deleted)
12. Mst. Bibi Amna, H.M Khuram Agency.
13. Mst. Khalida Adib, H.M D.I Khan.
14. Mst. Maryam, H.M GGHS Manglowar District Swat.
15. Mst. Bibi Amna, H.M GGHS Kabal District Swat.

..... (Respondents)

Filed to-day
Registrar
16/9/13

Re-submitted to-day
and filed;
Registrar
18/9/13

APPEAL UNDER SECTION 4 OF THE SERVICE TRIBUNAL ACT 1974, AGAINST THE ORDER NO.SO(S/F)E&S.E/1-3-2013/PSB PROMOTION FROM BS17 TO BS18 DATED 29/05/2013 WHEREBY THE APPELLANT, HAS PROMOTED TO BPS 18 WITH IMMEDIATE AFFECT I.E. 29/05/2013 INSTEAD OF 29/05/2009.

PRAYER IN APPEAL:

On acceptance of the instant appeal the order No. So(S/F)E&S.E/1-3-2013/Psb Promotion From Bs17 To Bs18 Dated 29/05/2013 be cancelled and may promotion will be order to BPS-18 along with other promoted persons Respondents 6 to 15 who are been promoted on 29-05-2009 along with other benefits for which I am entitled. Any other remedy coupled with cost, which is efficacious and appropriate in peculiar circumstanced of the case may please be graciously granted, through not specifically prayed for.

RESPECTFULLY SHEWETH:

Relevant facts leading to instant appeal are enumerated as under.

1. *That I have join education department on 25/09/1973 I promoted to S.E.T on 08/04/1978, depart have wrongly been mentioned date 18/02/1979.*

2. *That selection grade has been granted to petitioner on jun, 1984(BS-17) and regular promotion to BS-17 as headmistress on 30/03/1991 according to the decision of service tribunal (N.W.F.P) dated 17/02/2009.*

3. *That petitioner has gone to Allama Iqbal open university on deputation on 01/02/2003 and remain their for 7 years up to 01/02/2010 and working there as deputy regional director at swat as in grade BS-18 (copy of relevant papers attach as annexure" A")*

4. *That in during of my deputation period some of my colleagues who were joiner to me were promoted to BS 18 on 29/05/2009 department, has not adopted the rules and regulation of promotion of BS-18 and I have left over from promotion to BS-18 without legal grounds(copy of the order of 29/05/2009 is attached as annexure "B")*

5. *That according to services tribunal decision a revise seniority list has been issued, in which all the servants promoted to BS-17 from the date of taking over charge, in which my date of taking over charge is 30/03/1991.(copy of decision of service tribunal and revise list is attached as annexure "C")*

6. *That a seniority list dated 01/06/2011 has been issued by department of the headmistress etc of BS-17, in which my name has been entered on serial No.4 which was illegal against facts on record void on may rights challenged it through on appeal/ application before the department on 09/06/2011 and wait for 90 days, but department ignore my appeal, because my position will be in the seniority list of grade BS-18 I am not in BS-17 in such circumstances I filed a service appeal before this honorable tribunal which is still pending before this tribunal during the pendency of my appeal, department promoted me to BS-18, the order is issued on 29/05/2013 in which I was promoted from immediate effect and not from 29/05/2009.(copy of seniority list of 01/06/2011 is attached as annexure "D")*

7. *That according to seniority list issued in 2003 some of the servants at serial No.68 106,109,172and 173 are already promoted to BS-18, who are most junior to me.(copy of seniority list of 2003 is annexure "E")*

8. *That on 01/02/2010 I returned from deputation to my parent department, and department posted me on newly created post of BS-18 (for which I am deserving to be posted) in Centennial Model*

GGHSS No.1 Saidu Sharif Swat, and letter on I have been transfer to GGHS Mingora No.1 Swat, against BS-19 and I am still working against BS-19.(Copy are attached as annexure "F")

9. *That it is an established law that when any Government servant deserving for a high grade and that servant is already working on that high grade then that person will be entitled for the salary of that higher grade and also entitled for promotion from that date but the department intentilly ignored this settled principal of law and I have not promoted to BS-18 from 29/05/2009.*

10. *That I have filed an appeal/ application before the competent authority against the impugned order dated 29/05/2013 on 30/05/2013 and wait for 90 days according to the rules but department is not willing to promote me from the date i.e. 29/05/2009 from which I am entitled for promotion and also not willing to give me other benefits of BS-18 from my deserving date, therefore I am filling this petition/ appeal before this honorable tribunal.(Copy of impugned order dated 29/05/2013 departmental appeal and its covering latter is attached as annexure "G")*

11. *That order of promotion from BS-17 to BS-18 issued on dated 29/05/2009 according to seniority list my place of seniority is between serial No.19------20, and from 20 un words all the officials are junior to me, and they were promoted on 29/05/2009 thus the department intentilly disturbed my seniority.(copy is already attached)*

12. *That I have arrayed respondents No.6-15, whose names are mentioned in the order dated 29/05/2009 and are still and service all the others promoted officials are retired from service and they are not suffering, and therefore they are made parties as respondents.*

13. *That in seniority list issued in 2003 my name is in serial No.66, while the name of Mst. Arfa Kausar is on serial No.100, it means that Mst. Arfa Kausar is junior to me but in the impugned order dated*

(5)

29/05/2013, Mst. Arfa Kausar is promoted from BS-17 to BS-18 from 21/05/2013, while I have been promoted from 29/05/2013, which is also an illegality and also discrimination of the department.(copy attached for ready reference)

14. *That the appellant may kindly be allowed to raise other grounds at the time of arguments.*

It is therefore most humbly prayed that on acceptance of this instant appeal the impugned order 29/05/2013 passed by department/ Govt. may be cancelled, keeping and view my seniority, I may be promoted from 29/05/2009 along with my other collogues I also requesting for the back benefit from 29/05/2009.

Any other remedy coupled with cost which is officious and appropriate in peculiar circumstances of the case may pleased be graciously granted, through not specifically prayed for.

Appellant
Through
Ghafoor Khan
Advocate High Court
Mob# 03339462246

16/9/013

CERTIFICATE:

As per instructions of my client, it is certified that no such like **Civil Appeal** has earlier been filed by the appellant before this Honorable Court.

Advocate

16/9/013

(6)

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA AT PESHAWAR

S.A No._____ OF 2013

Anwar Sultana *VERSUS* *Govt, K.P.K & others*

AFFIDAVIT

I, Ghafoor Khan Advocate, swat as per instructions of my client, do hereby solemnly affirm and declare that the contents of the accompanying Civil appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.

Ghafoor Khan
DEPONENT
16/9/013

ATTESTED
16.09.2013
MIAN SIBGHAT ULLAH SHAH
ADVOCATE
Notary Public/Oath Commissioner
Peshawar High Court Peshawar.

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA AT PESHAWAR

C.A No._____ OF 2013

Anwar Sultana *VERSUS* *Govt, K.P.K & others*

ADDRESSES OF THE PARTIES

APPELLANT

Anwar Sultana W/O Ghafoor Khan Advocate Principle GGHS No.1 Mingora Swat.

CNIC No. 15602-0236684-4

Mobile No. 03005745028

RESPONDENTS

1. *Govt K.P.K through chief secretary K.P.K at Peshawar.*
2. *Education Department through secretary education K.P.K at Peshawar.*
3. *Director of elementary & secondary education (E&S.E) province of K.P.K at Dabgari Garden Peshawar.*
4. *E.D.O (E&S.E) Female of district swat at saidu sharif swat.*
5. *District account officer (D.A.O))swat at saidu sharif Swat.*
6. *Mst. Robina Shaheen, H.M Lakkimarwat.*
7. *Mst. Rabia Tabasum ,H.M Abbotabad.*
8. *Mst. Parveen Akhtar, H.M Principle GGHSS Sherwan Abbotabad.*
9. *Mst. Amturab, H.M GGHS, District Swat.*
10. *Mst. Farhat Begum W/o Taj Hamid, H.M GGHS Hayat Abad Peshawar.*
11. *Mst. Hamida Begum, H.M Malakand.*
12. *Mst. Bibi Amna, H.M Khuram Agency.*

13.Mst. Khalida Adib, H.M D.I Khan.

14.Mst. Maryam, H.M GGHS Manglowar District Swat.

15.Mst. Bibi Amna, H.M GGHS Kabal District Swat.

Appellant
Through
Ghafoor Khan
Advocate High Court
Mob# 03339462246

16/9/013

8-A

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA AT PESHAWAR

S.A No._____ OF 2013

Mst. Anwar Sultana **VERSUS** **Govt, K.P.K & others**

APPLICATION FOR EARLY HEARING OF THE SERVICE APPEAL NUMBER MENTIONED ABOVE.

Respectfully Sheweth:

1. *That the above mentioned service appeal is pending before this August Court and the date for hearing has not been fixed till the moment.*
2. *That the instant service appeal is for the retrospective promotion with along with previous benefits.*
3. *That the appellant petitioner is retiring on 06/12/2013 and the petitioner wants to decide the present petition during her service.*

It is, therefore, requested that on acceptance of this application an early date for hearing may kindly be fixed in the above mentioned service appeal be disposed up according to law and justice.

Petitioner/ Appellant
Through
Ghafoor Khan
Advocate High Court
Mob# 03339462246

16/9/013

AFFIDAVIT:

I, GHAFOOR KHAN ADVOCATE *High Court, do hereby solemnly affirm declare on oath that per instruction of my client are true and correct to the best of my knowledge and belief.*

ATTESTED

16.9.013

MIAN SIBGHAT ULLAH SHAH
ADVOCATE
Notary Public/Oath Commissioner
Peshawar High Court Peshawar.

DEPONENT

16/9/013

Ap-8

Annexure-A

(9)

OFFICE OF THE EXECUTIVE DISTRICT OFFICER (SCHOOLS & LITERA...

RELEVING CHIT

In compliance with the Notification of the Registra Allama Iqbal Open University Islamabad issued order No.F-12/2003/ Admn:421 dated dated 21.1.2003, Mrs:Anwar Sultana Headmistress GGH No.02 Saidu Sharif District Swat is hereby relived from the said schools w.e.f. 31.01-2003(A.Noon) and she is directed to report f duty her new office ~~forthwith~~.

DISTRICT OFFICER (F)
SCHOOLS & LITERACY SWAT.

U"G"

Attested
16/9/2013

ALLAMA IQBAL OPEN UNIVERSITY
(Registrar's Department)

No. F.5-181/2003-Admn/1307 Dated: 11th April, 2003.

OFFICE ORDER

Having been relieved from the parent Department i.e. Executive District Officer (Literacy and Education) Swat vide Relieving Chit dated 22.03.2003 w.e.f.31.01.2003 (A.N), Mrs. Anwar Sultana, Headmistress, Govt. Girls High School No.2 Saidu Sharif has assumed the charge of the post of Deputy Regional Director, Regional Office, AIOU, Swat on deputation for an initial period of three years, with effect from 01.02.2003 (F.N) on the normal terms and conditions of deputation in her own pay and scale.

(Tariq Mahmood Khokhar)
Assistant Registrar-I

Distribution:

1. Mrs. Anwar Sultana,
   Deputy Regional Director,
   Regional Office, AIOU, Swat.
2. Director Regional Services.
3. All Deans/Heads of Departments.
4. All RDs/DRDs/ARDs
5. Assistant Regional Director, Swat.
6. Acting Treasurer.
7. Audit Officer.
8. The Executive District Officer,
   Literacy & Education, Swat.
9. The Assistant Director (Estab:),
   Directorate of Schools & Literacy,
   N.W.F.P, Peshawar.
10. Syed Mubarak Shah,
    Section Officer (Schools),
    Govt. of N.W.F.P,
    Schools & Literacy Department, Peshawar.
11. The District Accounts Officer, Swat.
12. PS to the Vice-Chancellor.
13. Personal File.
14. Master File.

Attested

GOVERNMENT OF N.W.F.P
SCHOOLS & LITERACY DEPARTMENT

Dated Peshawar the 12-03-2008.

NOTIFICATION.

NO.SO(S)4-10/2000/ Vol-IV. In pursuance of NOC of Establishment & Administration Department Govt: of NWFP issued vide letter No.SOR-I(E&AD)/1-14/82 Vol.XII dated 03-03-2008, the Competent Authority has been pleased to approve the extension in deputation for further period of Two years w.e.f. 1-02-2008 to 31-01-2010, in respect of Mst. Anwar Sultana, Headmistress (BS-17) Government Girls High School No.2 Saidu Sharif Swat NWFP Schools & Literacy Department to Allama Iqbal Open University Regional Centre Swat (Total period of deputation including the instant period comes to 07 years).

SECRETARY.

ENDST. NO. & DATE EVEN.

Copy forwarded for information and further necessary action to:

1- Ilyas Ahmad, Registrar Allama Iqbal Open University Sector H.8 Islamabad Pakistan.
2- Director, Schools & Literacy, NWFP, Peshawar.
3- EDO(S&L) Swat.
4- District Accounts Officer, Swat.
5- SO (Reg:I) Govt. of NWFP, Establt: & Admn. Department (Reg: Wing) Peshawar w/r to his letter No.SOR-I (E&AD)/1-14/82 Vol.XII dated 03-03-2008.
6- PS to Secretary (S&L) Department.
7- Officer concerned.
8- Office order file.

(NASRULLAH KHAN)
SECTION OFFICER (SC. IOC.S).

Attested

Annexure -B

(4) (12)

GOVERNMENT OF NWFP
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

Dated May 29, 2009

NOTIFICATION.

NO.SO(S)1-3/2009/Promotion BS-17 to BS-18(Female). The Competent Authority in consultation with the Provincial Selection Board is pleased to promote the following Female officers of the Elementary & Secondary Education Department from BS-17 to BS-18 on regular basis with immediate effect: -

S. No	Name	S. No	Name	S. No	Name
1	Mst Gulshad Begum	2	Mst Tabassum Jabeen,	3	Mst Nusrat Mah Jabeen
4	Mst Farkhanda Akhtar	5	Mst Qamar Yasmin,	6	Mst Nusrat Shaheen,
7	Mst Nasim Akhtar,	8	Mst Nasim Asad,	9	Mst Bilqees Surayya
10	Mst Chand Bibi,	11	Mst Farkhanda Shaheen,	12	Mst Sajida Parveen,
13	Mst Noor Mahal	14	Mst Mah Jabeen	15	Mst Zahida Nasreen,
16	Mst Rukhsana Naheed	17	Mst Munawar Sultana,	18	Mst Nishat Begum,
19	Mst Majida Bibi	20	Mst Bakht Nazira	21	Mst: Bibi Ghufrania
22	Mst Shamsia Waseem	23	Mst Bibi Salma	24	Mst Rukh Taj Begum
25	Mst Bibi Asma	26	Mst Robina Shaheen	27	Mst Nasreen
28	Mst Waheeda Parveen (Ayaz)	29	Mst Abida Khatoon	30	Mst Syeda Arjumand Begum
31	Mst Rabia Tabussum	32	Mst Parveen Akhter,	33	Mst Naseem Akhter
34	Mst Shams Akhtar	35	Mst Jamila Khatoon	36	Mst Safira Begum
37	Mst Syeda Nighat	38	Mst Naseem Akhter	39	Mst Yasmin Sultan
40	Mst Gulbahar	41	Mst Chaman Bahar	42	Mst Amtur Rab
43	Mst Farhat Begum	44	Mst Dil Arama	45	Mst Mehrun Nisa
46	Mst Hamida Begum	47	Mst Bibi Amina	48	Mst Shamim Akhter
49	Mst Khalida Adib	50	Mst Miraj Begum	51	Mst Asia Khatoon
52	Mst Rashida Parveen	53	Mst Akhtar Begum	54	Mst Dilara Begum
55	Mst Nasim Akhter	56	Mst Nargis Parveen	57	Mst Shazia Sadiq
58	Mst S. Naubahar Binte Haidar	59	Mst Tasnim Shabir	60	Mst Rubina Qayum
61	Mst Sabina Shaheen	62	Mst Robina Shaheen	63	Mst Rehana Yasmin
64	Mst Farzana Lalsher	65	Mst Nizakat Faiz	66	Mst Naheed Shereen
67	Mst Neelofar Nazeef	68	Mst Firasat Hadi	69	Mst Abre Saba
70	Mst Shazia Noor	71	Mst Safia	72	Mst Atia Sultana
73	Mst Somia Sadiq	74	Mst Zaibun Nisa	75	Mst Iffat Ara
76	Mst Nasira Umar Shah	77	Mst Zainab Bibi	78	Mst Parveen Zaib
79	Mst Waheeda Khatoon	80	Mst Haseena Begum	81	Mst Naseem Akhter
82	Mst Nusrat Parveen	83	Mst Shagufta Naz	84	Mst Parveen Akhter

2. The officers so promoted will remain on probation for a period of one year in terms of section-6(2) of NWFP Civil Servants Act, 1973 read with Rule-15 (1) of NWFP Civil Servants (Appointment, Promotion and Transfer) Rules, 1989.

3. The Provincial Government in consultation with Provincial Selection Board is further pleased to appoint the following Female officers of the Elementary & Secondary

Attested

Education Department from BS-17 to BS-18 on acting charge basis with immediate effect: -

S. No	Name	S. No	Name	S. No	Name
1	Mst Bibi Nasreen	2	Mst Bibi Maryam	3	Mst Bibi Amina

4. On their promotion on regular/acting charge basis as the case may be the following posting/transfer orders are made in the public interest with immediate effect:-

S #.	Name of officer	Proposed Posting	Remarks
1	Mst Gulshad Begum Headmistress (BS-17) GGHS Parhina Mansehra	Principal (BS-18) GGHSS Balakot Mansehra	Against Vacant post
2	Mst Tabassum Jabeen, Subject Specialist (BS-17) GGCHSS Peshawar	Principal, (BS-18) GGHSS Sherpao, Charsadda	Against Vacant post
3	Mst Nusrat Mah Jabeen Headmistress (BS-17) GGHSS Paroa DIK	Principal (BS-18) GGHSS, Paroa DIK	Already occupied by her
4	Mst Farkhanda Akhtar Subject Specialist (BS-17) Director Curriculum & Teaches Education Abbottabad.	Principal (BS-18) GGHSS Lora, Abbottabad	Against Vacant post
5	Mst Qamar Yasmin, Headmistress (BS-17) GGHS Hisam D.I.Khan	Principal (BS-18) GGHS Shahbaz Azmat Khel, Bannu	Against Vacant post
6	Mst Nusrat Shaheen, Headmistress (BS-17) GGHS Almira A.Abad	DO (F) (BS-18) E&SE, Abbottabad	Against Vacant post
7	Mst Nasim Akhtar, Headmistress (BS-17) GGHS Mayar Mardan	Vice Principal (BS-18) GGHSS Toru, Mardan	Against Vacant post
8	Mst Nasim Asad, Instructor (BS-17) GATTC Peshawar	Principal (BS-18) GGHSS Harichand, Charsadda	Against Vacant post
9	Mst Bilqees Surayya Instructor (BS-17) GEC(F) Jamrud.	Vice Principal, (BS-18) GGHSS Landi Kotal KAgency	Vacant post.
10	Mst Chand Bibi, (BS-17) I/C DO E&SE, (F) Mansehra	DO (BS-18) (F), E&SE, Mansehra.	Already occupied by her
11	Mst Farkhanda Shaheen, DDO (BS-17) (F) E&SE, A.Abad	V. Principal (BS-18) GGCHSS Abbottabad.	Against Vacant post
12	Mst Sajida Parveen, Headmistress (BS-17) GGHS Basso Mira Haripur	Principal (BS-18) GGHSS Kot Najibullah, Haripur	Against Vacant post
13	Mst Noor Mahal Subject Specialist (BS-17) GGHSS No.2 Bannu	Her promotion to BPS-18 is considered w.e.f 19-03-09, as she has retired from service on 4.4.2009 on superannuation.	---
14	Mst Mah Jabeen Instructor (B-17) RITE (F) Barikot, Swat	Instructor (BS-18) RITE (F) Barikot. Swat	Against Vacant post
15	Mst Zahida Nasreen, Subject Specialist (BS-17) GGHSS No.6 D.I. Khan	Instructor (BS-18) RITE (F) Bannu	Against Vacant post
16	Mst Rukhsana Naheed, (BS-17) I/CVice Principal GGCMS No.1 Haripur	Vice Principal (BS-18) GGCMS No.1 Haripur.	Already occupied by her
17	Mst Nishat Begum, Headmistress (BS-17) GGHSS Jangle Khel, Kohat	Her promotion to BS-18 is considered w.e.f 19-03-09, as she has retired from service on 20.3. 2009 on superannuation.	---
18	Mst Munawar Sultana, I/C Instructor (BS-17) RITE (F) DI Khan	Instructor (BS-18) RITE (F) Kohat	Against Vacant Post
19	Mst Majida Bibi Subject Specialist (BS-17) GGHSS Havelian, A.Abad	Principal (BS-18) GGHS Lahor Swabi	Against Vacant post
20	Mst Bakht Nazira Headmistress (BS-17) GGHS Thana Malakand	Principal (BS-18) GGHSS Ouch Dir (L).	Vice S.No. 100
21	Mst: Bibi Ghufrania Headmistress (BS-17) GGHS Totano Banda Swat	Principal (BS-18) GGHSS Odigram, Swat	Against Vacant post

Attested

75	Mst Iffat Ara, Subject Specialist (BS-17) GGHSS Comp. A.Abad	Instructor (BS-18) RITE (F) Mansehra.	Vice S. No. 98
76	Mst Nasira Umar Shah Subject Specialist (BS-17) GGHSS Shah Dhand Baba Mardan	Principal, (BS-18) GGHSS, Sawaldher,Mardan	Against Vacant post
77	Mst Zainab Bibi, Subject Specialist (BS-17) GGHSS Shah Dhand Baba Mardan	Principal (BS-18) GGHSS Shahbaz Garhi Mardan	Against Vacant post
78	Mst Parveen Zaib Subject Specialist (BS-17) GGHSS Lady Grifth, Pesh:	Instructor(BS-18) RITE (F) Dargai, Malkand	Against Vacant post
79	Mst Waheeda Khatoon, Headmistress (BS-17) GGHS Naiwala D.I.Khan	Vice Principal (BS-18) GGHS Karak	Against Vacant post
80	Mst Haseena Begum Headmistress (BS-17) GGHS Khar Bajawar	Principal (BS-18) GGHSS Khar Bajawar	Against Vacant post
81	Mst Naseem Akhter Subject Specialist (BS-17) GGHSS Ghoriwala Bannu	Principal (BS-18) GGHSS Ghoriwala Bannu	Against Vacant post
82	Mst Nusrat Parveen Headmistress (BS-17), GGHS Rajar Charsadda	Principal, (BS-18) GGHSS, Utmanzai, Charsadda	Vice S. No. 95
83	Mst Shagufta Naz Headmistress (BS-17) GGHS Kach DI Khan	Principal (BS-18) GGHSS Kakki Bannu	Against Vacant post
84	Mst Parveen Akhter Subject Specialist (BS-17) GGHSS Dhamtor, Abbottabad	Principal (BS-18) GGHSS Sherwan, Abbottabad .	Against Vacant post
85	Mst Bibi Nasreen Headmistress (BS-17) GGHS Mirpur Abbottabad	Principal (BS-18) GGHSS Malikpura, Abbottabad on acting charge basis.	Against Vacant Post.
86	Mst Bibi Maryam I/C Principal (BS-17) GGHSS Manglawar Swat	Principal (BS-18) GGHSS Manglawar, Swat on Acting Charge basis.	Already occupied by her
87	Mst Bibi Aimna Headmistress (BS-17) GGHS Afzal Abad Swat.	Instructor (BS-18) RITE(F), Barikot, Swat. on acting charge basis.	Against Vacant post

5. Consequentional posting/transfer of the following female officers is hereby ordered in the public interest with immediate effect: -

88	Mst Misra Gul, (BS-17) I/C Headmistress, GGHS Ghazi Haripur	Headmistress, (BS-17), GGHS, Hattar Haripur	Vice S.No.45
89	Mst Mukraj Mukhtiar, (BS-17), I/C Head Mistress, GHSS Parachinar	Headmistress, (BS-17), GGHS College Col: Parachinar	Vice S.No.47
90	Mst Nafees Bibi, (BS-17), I/C Head Mistress, GGHSS Jandola, FR Tank	Headmistress, (BS-17), GGHS Kiri Jam, FR Tank.	Vice S.No. 49
91	Mst Samina Naz, (BS-17), Subject Specialist (Home Eco) on return from leave	Subject Specialist, (BS-17), Home Economics GGHSS BSD Peshawar	Vice S.No.64
92	Mst Samina Begum, (BS-17), IC DO (F) Tank	Headmistress, (BS-17), GGHS Naiwala, D.I.Khan	Vice S.No.79
93	Mst Mukhtiar Begum (B-17) I/C Principal GGHS Khair Abad, Nowshera	Headmistress, (BS-17), GGHS Nowshera Kalan No.1, NSR	Vice S.No. 36
94	Mst Rukhsana Jamil, (BS-17), I/C Vice Principal, GGHSS BSD Peshawar	Headmistress, (BS-17), GGHS Urmar Payan Peshawar	Against Vacant post
95	Mst Jamila Akhter, (BS-17), I/C Principal, GGHS Utmanzai Charsadda	Headmistress, (BS-17), GGHS, Rajar, Charsadda	Vice S.No.82
96	Mst Bibi Zainab, (BS-17), Instructor, RITE (F) Dargai	Headmistress, (BS-17), GGHS, Musazai ,Peshawar	Against Vacant post
97	Mst: Shamim Akhtar, (BS-17), I/C Principal, GGHSS Landi Kothal, Khyber Agency	HM (BS-17), GGHS Kari Gar Garhi Khyber Agency	Vice S. No. 39
98	Mst: Shaheen Akhtar (BS-17), I/C Instructor RITE (F) Mansehra.	Headmistress, (BS-17), GGHS, Trangri Bala Mansehra	Vice S.No.33
99	Ms Lubna Nawaz, (BS-17), Subject Specialist, GGHSS Shabqadar Fort, Charsadda	Instructor (BS-17), GATTTC Gulbahar, Peshawar	Vice S. No. 8
100	Mst.Nusrat Begum, (BS-17), I/C Principal, GGHSS Ouch Dir (L) (She is basically Headmistress BS-17).	HM (BS-17) GGHS Thana Malakand.	Vice S.No.20

Attested

(15)

101	Mst: Khalida Shah, (BS-18) Instructor RITE (F),Peshawar	DO (F) (BS-18) E&SE, Peshawar	Against Vacant post
102	Mst: Anisa Gohar, V/P (BS-18) GGCHSS Peshawar.	Principal (BS-18) GGHSS Khair Abad Nowshera	Vice S.No 93
103	Mst: Tehmina Noor Instructor (BS-18), RITE (F), Peshawar	Instructor (BS-18), RITE (F), Rajjar Charsadda	Against Vacant post

6. No TA/DA is allowed.

SECRETARY

Endst of Even No.& Date

Copy forwarded for information & n/action:

1- The Accountant General, NWFP, Peshawar.
2- The Special Secretary to Chief Minister, NWFP.
3- The Director, Elementary & Secondary Education, NWFP, Peshawar.
4- The Director Curriculum & Teachers Education, Abbottabad.
5- The Director Education (FATA), NWFP.
6- District/ Agency Accounts Officers Concerned.
7- EDOs, E&SE, concerned.
8- Officers concerned.
9- PSO to Chief Secretary, NWFP.
10- PS to Minister for Education, NWFP.
11- PS to Secretary, E&SE Department, NWFP.
12- PAs to Special Secretary/Additional Secretary, E&SE Department, NWFP.
13- PA to Deputy Secretary (Admn) E&SE Department, NWFP.
14- Office order file.

(SYED AHMED KHAN)
SECTION OFFICER (SCHOOLS)

Taj Muhammad

Attested

Attested

PRINCIPAL,
G.C.H.S.S. Manglor,
(SWAT.)

Annexure-C (16)

BEFORE THE N.W.F.P, SERVICE TRIBUNAL, PESHAWAR.

APPEAL NO. 1091/2008

Date of institution 05.08.2008
Date of decision 17.02.2009

Mrs. Gohar Sani,
Head Mistress,
GGHS Kharkai Malakand Agency,
Tehsil & District Dargai. ..(Appellant)

VERSUS

1. The Govt. of N.W.F.P, through Secretary Education N.W.F.P, Peshawar.
2. The Director Secondary Education (Schools). Now Schools and Literacy N.W.F.P, Peshawar.
3. The Deputy Director Secondary Education (Schools). Now Schools and Literacy NWFP, Peshawar.
4. The Secretary S&GAD, NWFP, Peshawar.
5. The Secretary Finance Department, NWFP, Peshawar.
6. E.D.O (S&L), District Malakand at Batkhela. (Respondents)

Attested

ATTESTED
EXAMINER
N.W.F.P. Service Tribunal
Peshawar

APPEAL TO THE EFFECT THAT THE APPELLANT IS ENTITLED TO SENIORITY AS WELL AS OTHER BENEFITS FROM 1.4.2001 AND NOT FROM 1.3.2008 WITH IMMEDIATE EFFECT.

Mr.Javed A.Khan, Advocate. For appellant
Mr.Zahid Karim Khalil, A.G.P. For respondents

...

Mr.Justice(R)SalimKhan, Chairman
Mr.Bismillah Shah. Member

....

JUDGMENT

JUSTICE(R)SALIM KHAN, CHAIRMAN:- This appeal No. 1091 of 2008 by Gohar Sani is similar to Appeal No. 1092 of 2008 by Zuhail Headmistress and Appeal No. 1093 of 2008 by Nazakat Begum Headmistress.

2. Gohar Sani appellant contended that Selection Grade was granted to her in BPS-17 on 18.10.1993 and she was declared promoted to BPS-17 on 24.12.1997. She was awarded regular Grade-17 from 18.10.1993, and she was posted as Incharge Headmistress , GGHS Agra, Malakand Agency, from

1.4.2001. Her promotion as Headmistress (BPS-17) was notified on 01.3.2008. She submitted departmental appeal on 15.4.2008. The same was not decided. The present appeal was filed on 5.8.2008. The departmental appeal dated 15.4.2008 is prima-facie time-barred from 1.3.2008.

3. The learned counsel for the appellants contended that the August Supreme Court of Pakistan had clearly decided in many cases, including the case reported as 2006 SCMR 1938, that where a civil servant was qualified to be promoted to a higher post, that he/she was posted to such post on officiating or acting charge basis only because requisite exercise of allowing regular promotion of such a person to the higher post was delayed by the competent authority, and where he/she was found fit subsequently for such promotion and was promoted on regular basis, then the civil servant was entitled not only to the salary attached to the post, but was also entitled to all consequential benefits from the date from which such a person was put to that post on officiating or acting charge basis.

4. By now, the principles are very clear. A person is entitled to the pay, including the salary, allowances and other financial benefits, of the post to which such a person is posted and for which such a person renders services. When a vacancy is available for a person, but he is posted against the said vacancy on officiating or acting charge basis, and he is fit and eligible for posting to that post on regular basis, the delay caused by the Authorities in posting such person to that post on regular basis does not adversely affect the rights of such person for appointment to that post on regular basis with effect from the date on which he took charge of the vacant post on officiating or acting charge basis, provided that such person is found eligible and fit for posting to that post on regular basis. His promotion/posting to such a post

Attested

(5) (18)

have to be ante-dated to the date on which he first took charge of the post when it was available vacant for his turn.

5. In the light of the above, we find that all the three appellants were posted to the clear vacancies on officiating/acting charge basis, their cases for regular posting were delayed, without any of their faults, and they were entitled to regular promotion/posting to their respective posts on regular basis with effect from the dates on which they, respectively, took charge of their posts initially on officiating/acting charge basis, when they are found fit for promotion/posting to such posts on regular basis.

6. We, therefore, accept all the three (3) appeals. The parties are, however, left to bear their own costs, with direction to the official respondents to provide such rights to all other similarly placed persons under their control.

Sd/- Justice (R) Salim Khan
Chairman
Sd/- Bismillah Shah
Member

ANNOUNCED
17.02.2009

12:00 15-6-09
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2
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15-6-09
15-6-09

Attested

GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

Dated Peshawar the May 20, 2011

NOTIFICATION

NO.SO(S/M)E&SED/1-5/08/Incharge SS/HMs/Instrs.(Female): In pursuance of Court judgements and recommendations of the Committee, the Competent Authority is pleased to promote the following incharge Subject Specialists/ Headmistresses/ Instructors (Female) on regular basis from the date of their incharge posting noted against each.

S #	Name of Officers with Designation	Date of their Regular Appointment as SET	Date of Regularization as Incharge SS/HM/Instructors
(1)	(2)	(3)	(4)
1	Mst. Waduha Yasmin H/M GGHS Par Hoti Mardan (Rtd)	04.04.1977	25.02.1990
2	Mst. Shamim Akhtar Sarfaraz DO (PITE), Peshawar	04.04.1977	25.02.1990
3	Mst. Amsal Khadjeea, Instructor (RITE) Female, Abbottabad (promoted to BS-18)	04.04.1977	25.02.1990
4	Mst. Nayar Hafiz, Principal (RITE) Female, Abbottabad (Rtd)	04.04.1977	25.02.1990
5	Mst. Rasheeda Naheed Instructor (RITE) Female, Abbottabad (Rtd)	04.04.1977	25.02.1990
6	Mst. Mehmood un Nisa, H/M GGHS No.2 Haripur (Rtd)	04.04.1977	25.02.1990
7	Mst. Nuzhar Ara Principal GGHS Billitagn, Kohat (promoted to BS-18)	04.04.1977	25.02.1990
8	Mst. Umme Kalsoom V/Principal GGHS No.1 Mansehra (promoted to BS-18)	04.04.1977	25.02.1990
9	Mst. Naheed Ghazala DO (F) Lakki (promoted to BS-18	04.04.1977	25.02.1990
10	Mst. Bibi Hajira SDEO (F) Peshawar (Rtd)	04.04.1977	25.02.1990
11	Mst. Mumtaz Begum H/M GGHS Pota, D.I.Khan (Rtd)	14.01.1978	25.02.1990
12	Mst. Bibiya Begum Subject Specialist GGHS Kanar (Rtd)	04.04.1977	25.02.1990
13	Mst. Rahat Bano SDEO (F) Tangi (Rtd)	04.04.1977	25.02.1990
14	Mst. Mumtiqat Tajdar Inst. RITE (F) Peshawar (Rtd)	04.04.1977	25.02.1990
15	Mst. Roshen Arra Inst. RITE (F) Jamrud (Rtd)	14.01.1978	25.02.1990
16	Mst. Taslim Naheed Prl. GGHSS Shabqadar Chd (Promoted B-18)	14.01.1978	25.02.1990
17	Mst. Parveen Akhter HM GGHS Kulachi DIK (Promoted B-18)	14.01.1978	25.02.1990
18	Mst. Tabasum Jabeen HM GGHS Sherpao Chd (Promoted B-18)	14.01.1978	25.02.1990

Attested

Executive District Officer
Diary No. 1234
Date 6/6/06

	Name of Officers with Designation	Date of their Regular Appointment as SET	Date of Regularization as Incharge SS/HM/Instructors
19	Mst Nasrat Mahjabeen HM GGHS No1 DIK (Promoted B-18)	14.01.1978	25.02.1990
20	Mst Sajida Parveen HM GGHS Com: Peshawar (Rtd)	14.01.1978	25.02.1990
21	Mst Anwar Jan HM GGHS Com Peshawar (Rtd)	14.01.1978	25.02.1990
22	Mst Farkhanda Akhtar HM GGHS Malik Prov A Abad (Promoted B-18)	14.01.1978	25.02.1990
23	Mst Fahad Parveen HM GGGHS A Abad (Rtd)	14.01.1978	25.02.1990
24	Mst Omar Yasmeen HM GGHS Prova DIK (Promoted B-18)	14.01.1978	25.02.1990
25	Mst.Tahmina Nilofar HM GGHS No 1 DIK (Rtd)	14.01.1978	25.02.1990
26	Mst.Nusrat Shaheen HM GGHS No.2 Hariour (Promoted B-18)	14.01.1978	25.02.1990
27	Mst.Naseem Akhtar HM GGHS Par Holi Mardan (Promoted B-18)	14.01.1978	25.02.1990
28	Mst.Naseem Asad Pdt GGHSS Harichand (Promoted B-18)	14.01.1978	25.02.1990
29	Mst.Saeeda Khalida HM GGHS BSD Peshawar (Rtd)	14.01.1978	25.02.1990
30	Mst.Musarat Afza HM GGHS Jamrud Khy/Agy (Rtd)	14.01.1978	25.02.1990
31	Mst.Dilshah Bano ADEO (F) Peshawar (Rtd)	14.01.1978	25.02.1990
32	Mst.Balqis Suria Inst RITE (F) Jamrud (Promoted B-18)	18.02.1979	30.03.1991
33	Mst.Chano Bibi I/C DEO (F) Mansehra (Rtd)	18.02.1979	30.03.1991
34	Mst Farkhanda Shaheen I/C DEO (F) A Abad (Promoted B-18)	18.02.1979	30.03.1991
35	Mst Sajida Parveen HM GGHS Baso Maira Haripur (Rtd)	18.02.1979	30.03.1991
36	Mst.Noor Maha SS GGHS No 2 Bannu (Rtd)	18.02.1979	30.03.1991
37	Mst.Naseem Akhtar SS GGHS Dargai Mkd (Rtd)	18.02.1979	30.03.1991
38	Mst.Saeeda Bano SS GGHS Topi Swabi (Rtd)	18.02.1979	30.03.1991
39	Mst Mahjabeen Inst RITE (F) Barikot (Rtd)	18.02.1979	30.03.1991
40	Mst.Imtiaz Begum ADEO FATA (Rtd)	18.02.1979	30.03.1991
41	Zahida Nasreen Inst RITE (F) Bannu (Promoted B-18)	18.02.1979	30.03.1991
42	Mst.Zainab Nisa SS GGHSS No.6 (Rtd)	18.02.1979	30.03.1991
43	Mst.Shahmim Akhtar Inst RITE (F) DIK (Rtd)	18.02.1979	30.03.1991
44	Mst.Rukhsana Naheed HM GGHS Haripur (Rtd)	18.02.1979	30.03.1991
45	Mst.Nishat Begum HM GGHS Jangal Khel Kohat (Rtd)	18.02.1979	30.03.1991
46	Mst.Shahmim Akhtar SS GGHS Dhamtor A Abad (Rtd)	18.02.1979	30.03.1991
47	Mst.Zaibun Nisa Inst RITE (F) Mkd (Rtd)	18.02.1979	30.03.1991
48	Mst.Johar Ara HM GGHS Ghar Bagh Swat (Rtd)	18.02.1979	30.03.1991

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	Name of Officers with Designation	Date of their Regular Appointment as SET	Date of Regularization as Incharge SS/HM/Instructors
49	Mst.Naik Parveen HM GGHS Harichand Chd (Died)	18.02.1979	30.03.1991
50	Mst.Saeeda Bano HM GGHS Kalabat Swabi (Rtd)	18.02.1979	30.03.1991
51	Mst.Manawar Sultana HM GGHS No 2 DIK (Promoted B-18)	18.02.1979	30.03.1991
52	Mst.Majida Bibi HM GGHS Panian Haripur (Promoted B-18)	18.02.1979	30.03.1991
53	Mst.Anwar Sultana HM GGHS Shadi Sharif	18.02.1979	30.03.1991
54	Mst.Bakht Nazira HM GGHS Tarai Akd (Rtd)	18.02.1979	30.03.1991
55	Mst.Bibi Ghufrania CHM GGHSS Mingora (Promoted B-18)	15.03.1979	30.03.1991
56	Mst.Hamida Begum Dy.DEO (F) DIK (Rtd)	15.03.1979	30.03.1991
57	Mst.Zahida Bano HM GGHS Nowshera Kalan (Rtd)	15.03.1979	30.03.1991
58	Mst.Akhtar Begum HM GGHS Malakand (Rtd)	15.03.1979	30.03.1991
59	Mst.Yasmeen Ara HM GGHS Panjpir Swabi (Rtd)	15.03.1979	30.03.1991
60	Mst.Shamsia Waseem Inst: PITE Peshawar (Rtd)	15.03.1979	30.03.1991
61	Mst.Bibi Salima HM GGHS Jalala (Promoted B-18)	15.03.1979	30.03.1991
62	Mst.Zuhra Almas Inst: RITE (F) Bannu (Rtd)	15.03.1979	30.03.1991
63	Mst.Meher Nighar HM GGHS Bagrotar A.Abad (Rtd)	15.03.1979	30.03.1991
64	Mst.Rukhtaj Begum SS GGCHSS A.Abad (Rtd)	15.03.1979	30.03.1991
65	Mst.Jamila Khatoon SDEO (F) Kohistan (Rtd)	15.03.1979	30.03.1991
66	Mst.Mehfooz Sultana HM GGHS Gadwalian Haripur (Rtd)	15.03.1979	30.03.1991
67	Mst.Bibi Asmsa HM GGHS Dhodial Mansehra (Rtd)	15.03.1979	30.03.1991
68	Mst.Robina Shaheen V/Prl: GGHS U/Town Pesh: (Promoted B-18)	15.03.1979	30.03.1991
69	Mst.Dilshad HM GGHS Gujar Gari Mardan (Died)	15.03.1979	30.03.1991
70	Mst.Bakhtiar Hanif Dy. DEO (F) Mardan (Rtd)	19.04.1979	30.03.1991
71	Mst.Rasmida Akhtar SS GGHSS Parachinar Curam Agy: (Rtd)	19.04.1979	30.03.1991
72	Mst.Parveen Akhtar SDEO (F) Swabi (Rtd)	19.04.1979	30.03.1991
73	Mst.Anwar Fatima HM GGHS Nothia Pesh: (Rtd)	19.04.1979	30.03.1991
74	Mst.Shafqat Parveen V/Prl: GGHSS Parachinar	19.04.1979	30.03.1991
75	Mst.Rahat Begum HM GGHS Bam Khel Swabi	19.04.1979	30.03.1991
76	Mst.Bibi Mashala HM GGHS Jamrud (Rtd)	19.04.1979	30.03.1991
77	Mst.Ifat Jenan HM GGHS Wana S.W Agy.(Rtd)	19.04.1979	30.03.1991
78	Mst.Parveen Akhtar HM GGHS Dagai Swabi (Rtd)	19.04.1979	30.03.1991

Attested

S #	Name of Officers with Designation	Date of their Regular Appointment as SET	Date of Regularization as Incharge SS/HM/Instructors
434	Mst.Atta Bano SS GGHSS Mnripura A.Bad (Awarded by Cout))	21.09.1999	31,08,2000
435	Mst.Hamida Bano SS GGHSS BSD Pesh: ((Awarded by Cout))	18.02.1999	31,08,2000
436	Mst.Sabiha SS GGHSS Lahore Swabi ((Awarded by Cout))	12.07.1999	31,08,2000
437	Zarifa Rani SS GGHSS BSD Pesh (selected in B-18 as lecturer)(Awarded by Cout)	12.07.1999	31,08,2000
438	Mst.Nagina Sayal SS GGHSS University Town Pesh ((Awarded by Cout))	12.07.1999	31,08,2000
439	Mst.Tahira Tabsum SS GGHSS Sakhakot Malakand	12.07.1999	31,08,2000
440	Mst.Bakht Bibi SS GGHSS BSD Peshawar	12.07.1999	31.08.2000
441	Mst.Nasreen Aslam SS GGHSS Balakot Mansehra	23.05.1995	18.02.2003
442	Mst.Riffat Begum SS GGHSS Charsadda (Awarded by Court)	24.05.1995	18.02.2003
443	Mst.Bibi Aftab SS GGHSS Oghi Mansehra	24.05.1995	18.02.2003
444	Mst.Sajida Bibi SS GGHSS Malik Pura A.Abad	25.03.1996	18.02.2003
445	Mst.Fouzia Amin SS GGHSS Pharpur DIKhan	26.07.1997	18.02.2003
446	Mst.Nilofer Saeed SS GGHSS Chowkara Karak	18.02.1999	18.02.2003
447	Mst.Naz Begum SS GGHSS Sherpao Charsadda ((Awarded by Cout))	21.09.1999	18.02.2003
448	Mst.Musrat Begum SS GGHSS No.6 DIKhan	12.07.1999	18.02.2003
449	Mst.Muneera Begum SS GGHSS Kulachi DIKhan	12.07.1999	18.02.2003
450	Mst.Salma Kalsoom SS GGHSS Kalabet Swabi	12.07.1999	18.02.2003
451	Mst.Nooreen Afzal Inst; RITE (F) Dabgari Peshawar	12.07.1999	18.02.2003
452	Mst.Azra Begum SS Chakdra Dir Lower	12.07.1999	18.02.2003
453	Mst.Gule Rana SS GGHSS Com Peshawar	12.07.1999	18.02.2003
454	Mst.Alia Iqbal SS GGHSS Chamkani Peshawar	12.07.1999	18.02.2003
455	Mst.Ambereen Fathima SS GGHSS Tank	12.07.1999	18.02.2003
456	Mst.Nusrat Parveen SS GGHSS Kulachi DIKhan	12.07.1999	18.02.2003
457	Mst.Saleema SS GGHSS Toru Mardan	12.07.1999	18.02.2003
458	Mst.Shabna Rehman SS GHSS Titer Khel Lakki	12.07.1999	18.02.2003
459	Mst.Aqila Akhter SS GGHSS Kotisaddat Bannu	12.07.1999	18.02.2003
460	Mst.Zubaida Bibi SS GGHSS Akora Khattak Nowshrea	12.07.1999	18.02.2003
461	Mst.Farida Sabeen SS GGHSS University Town Pesh	12.07.1999	18.02.2003
462	Mst.Shaheen Sheryaz SS GGHSS Chowkara Karak ((Awarded by Cout)	12.07.1999	18.02.2003

Attested

Secretary to Government of Khyber Pakhtunkhwa
Elementary & Secondary Education Department
Peshawar

...rs.(Female) / Competent A... ...ers/ Instructor...

22

19

No. & Date:

Copy forwarded to the:-

Accountant General, Khyber Pakhtunkhwa Peshawar.
All Directors in E&SE, Khyber Pakhtunkhwa.
All EDOs E&SE, Khyber Pakhtunkhwa.
All District Accounts Officer/ Agency-Accounts Officer, Khyber Pakhtunkhwa.
PS to Minister E&SE, Khyber Pakhtunkhwa.
PS to Chief Secretary, Khyber Pakhtunkha.
PS to Secretary, Establishment Department Govt. of Khyber Pakhtunkhwa.
PS to Secretary, E&SE, Department, Khyber Pakhtunkwa.
Officers concerned.
Office order file

Director E&SE is requested to circulate the above Notification/List to all concerned as well as provide two sets of the same to this office immediatoly.

(MUJEEB-UR-REHMAN)
SECTION OFFICER (SCHOOLS/MALE)

Attested

Annexure-D Annexure-B (23)

OFFICE OF THE EXECUTIVE DISTRICT OFFICER(ELE &SECY:EDU: SWAT GULKADA

No. 7537-600 /Seniority List/H/M & SS(F) Dated 16/6/ /2011.

To

All the Principal/Headmistresses,
GGHSS/GGMS in District Swat.

Subject:- SENIORITY LIST OF HEADMISTRESS/SUBJECT SPECIALIST

Memo:-

The Seniority List of Headmistress & Subject Specialist has been issued by the Govt:of Khyber Pakhtunkhwa, Peshawar vide Notification No.SO(S)F(E&SE)4-24/2010/TSLF(F)BPS:17 dated Peshawar the 02-05-2011 and received in this office on 29/05/2011 on the subject noted above.

You are requested to attend this office to check their particulars and submit appeal/objection/complaints if any to this office with in a week time positively for onward submission to the quarter concerned.

EXECUTIVE DISTRICT OFFICER
ELE &SECY:EDU:SWAT GULKADA.

Endst:No. /

Copy to the:-

1. Section Officer(Schools)Elementary & Secy:Education Khyber Pakhtunkhwa Peshawar with reference to her office No cited above.
2. Director Elementary & Secy:Education Khyber Pakhtunkhwa,Peshawar.
3. P.A to EDO(E&SE)Local Office.

EXECUTIVE DISTRICT OFFICER
ELE &SECY:EDU:SWAT GULKADA.

"G"

Attested

TENTATIVE SENIORITY LIST OF HEAD MISTRESS/SUBJECT SPECIALIST FEMALE ,BPS-17,OF ELEMENTARY & SECONDARY EDUCATION DEPARTMENT KHYBER PUKHTUNKHWA PREPARED UPTO 31-03-2011

S.No	Name of officers with designation	Qualification	Date of Birth	Domicile	Date of 1st Appointment in Edu: Deptt	Date of Promotion /Appointment in BPS-17	Method of recruitment	REMARKS
1	2	3	4	5	6	7	8	9
1	Mst Dilafroz H.M GGHS Pind Kargo Khan ATD.	MA,M.Ed	30-09-1962	Bannu	27-9-1989	29-01-1992	Direct Selectee	
2	Mst Zahida Parveen d/o Badiuz Zaman SS GGHSS Hajia Gali ATD.	MA, B.Ed	23-02-1968	Haripur	2-2-1992	09.07.1992	-do-	
3	Mst Sobia Azim SS GGCHSS Peshawar City.	M.Sc M.Ed	21-09-1969	Peshawar	2-8-1993	02.08.1993	-do-	
4	Mst Anwar Sultan H.M Deputy Regional Directress Allama Iqbal Open University Swat [redacted]	BA, B.Ed	06.12.1953	Swat	25-9-1973	18-10-1993	By promotion	
5	Mst Arifa Kausar d/o Mir Akbar Ali H.M GGHS Civil Quarter Peshawar.	BA, B.Ed	22-5-1953	Peshawar	26-9-1975	18-10-1993	-do-	
6	Mst Saeeda Begum H.M GGHS Khadeozai Dir (L)	BA, B.Ed	1-1-1956	Dir	13-4-1981	13-8-1995	-do-	
7	Mst Safia Begum d/o Ghulam Akbar Shah H.M GGHS Kityari Dir (L)	BA, B.Ed	15-6-1957	Dir	13-4-1981	13-8-1995	-do-	
8	Mst Zuhra Bibi d/o Asmat Ullah Khan H.M GGHS Nishtar Abad Peshawar.	BA, B.Ed	1-4-1958	Malakand	13-4-1981	13-8-1995	-do-	
9	Mst Parveen Shamshad H.Shamshad Khan SS GGHSS Mathra Peshawar.	M.Sc, B.Ed	3-6-1953	Mardan	19-12-1976	13-8-1995	-do-	
10	Mst Bibi Sakina H.M GECT (F) Jamrud.	M.Sc, B.Ed	16-4-1954	Mardan	29-3-1978	13-8-1995	-do-	
11	Mast Hamida Begum d/o M.Saeed H.M GGHS Bahrain Swat.	MA, B.Ed	30-7-1952	Swat	16-4-1978	13-8-1995	-do-	
12	Mst Zahida Parveen H.M GGHS Ghallanai Moh:Agy	BA, B.Ed	1-1-1957	Mohmand	10-5-1980	13-8-1995	-do-	
13	Mst Nasreen Nighat H.M GGHS Parhinna Mansehra.	BA, B.Ed	17-12-1956	Mansehra	1-9-1981	13-8-1995	-do-	
14	Mst Bibi Khalida Abbasi d/o Ali Khan Abbasi H.M Bherkund Mansehra.	BA, B.Ed	1-1-1953	Mansehra	1-9-1981	13-8-1995	-do-	
15	Mst Mehmooda Sultana d/o Aodul Khaliq Khan H M GGHSS Teri Karak	MSc B.Ed	10/4/1951	Kohat	18-11-1981	13-08-1995	-do-	
16	Mst Bibi Aziza H.M GGHSS Balakot Mansehra.	BA, B.Ed.	15-5-1952	A/Abad	25-8-1982	13-8-1995	-do-	
17	Mst Kausar Tasneem d/o Malik Sher Zaman H.M GGHS Bandi Dhundar.	BA, B.Ed	6-6-1955	Mansehra	13-12-1981	13-8-1995	-do-	
18	Mst Khairun Nisa d/o H.Abdul Wahab H.M GGHS Jamal Garhi Mardan	BA, B Ed	13-1-1955	Mardan	18-11-1979	13-8-1995	-do-	
19	Mst Shahnaz Begum d/o Malik Muhammad Iqbal H.M GGHS Mangloor Mansehra.	BA, B.Ed	1-1-1955	Mansehra	7-7-1979	13-8-1995	-do-	
20	Mst Irshad Begum d/o Ali Murad SS GGHSS No.2 Bannu.	MA, B.Ed	1-1-1953	Bannu	9-6-1971	13-8-1995	-do-	
21	Mst Rehana Nasreen d/o Khuda Bakhash H.M GGHS Shahbaz Khel Lakki.	BA, B Ed	25-5-1953	Kohat	15-11-1976	13-8-1995	-do-	

Attested

Annex-(C)

25

GOVERNMENT OF NWFP
SCHOOLS & LITERACY DEPTT:

Dated Pesh: the 22/ 8 / /2003

/IFICTION.

No. SO (S) 4-24/2003/TSL/Female.In exercise of the powers conferred under sub ion (I) of Section –8 of the North West Frontier Province Civil Servants Act, 1973 (NWFP Act .XVIII of 1971), the Tentative Seniority list of B-17 officers of the Schools Administration nch (Women Section) Schools & Literacy Department as it stood on 31-5-2003 is notified for ormation of all concerned.

SECRETARY TO GOVT: OF NWFP
SCHOOLS AND & LITERACY DEPTT:

ndst: No. and date even.
Copy forwarded to the: -

Director of Schools and literacy NWFP, Peshawar.
Director of Education, FATA, NWFP, Peshawar.
Director of Curriculum Teachers Education NWFP, at Abbottabad.
All the Executive Distt. Officers (Schools & Literacy) in NWFP.
All the Distt. Officers (F) Schools & Literacy in NWFP.
All the Principals GGHS/ GGHSS in NWFP.
All the Principals RITE in NWFP.
All the Officers concerned with the request that they should see their position and submit appeals/objections etc duly supported with documentary proof if any within one month of the issue of the seniority list failing which no appeal will be considered thereafter.

(SYED MUBARIK SHAH)
SECTION OFFICER (SCHOOLS)
GOVT: OF N.W.F.P SCHOOLS &
LITERACY DEPARTMENT.

Attested

(26)

(26)

			Date of Birth		Date of 1st Appointment	Date of Regular Apointm	
	Farhanda Shaheen H.M	BA.B.Ed	2-3-1953	A/Abad	17-2-1979	18-10-1993	-do-
	Mst Sajida Parveen H.M	BA.B.Ed	26-10--1950	A/Abad	26-9-1974	18-10-1993	-do-
53	Mst Noor Mahal SS	MA.B.Ed	5-4-1949	Bannu	2-9-1972	18-10-1993	-do-
54	Mst Mah jabeen H.M	MA.B.Ed	6-3-1950	Peshawar	12-4-1975	18-10-1993	-do-
55	Mst Imtiazs Begum H.M	MA.B.Ed	15-1-1946	Peshawar	18-2-1979	18-10-1993	-do-
56	Mst Zahida Nasreen H.M	BA.B.Ed	6-2-1950	D.I.Khan	2-9-1971	18-10-1993	-do-
57	Mst Zainab Nisa H.M	BA.B.Ed	1-1-1949	Bannu	13-6-1970	18-10-1993	-do-
58	Mst Shamim Akhtar H.M	BSc.B.Ed	1-10-1947	D.I.Khan	7-12-1972	18-10-1993	-do-
59	Mst Rukhsana Naheed H.M	BA.B.Ed	3-4-1951	Hazara	30-5-1973	18-10-1993	-do-
60	Mst Nishat Begum H.M	M.Sc.B.Ed	21-3-1949	Kohat	3-3-1976	18-10-1993	-do-
61	Mst Shamim Akhtar SS	MA.B.Ed	24-11-1948	Hazara	1-10-1978	18-10-1993	-do-
	Mst Zaibun Nisa H.M	BA.B.Ed	1-4-1954	Malakand	1-6-1978	18-10-1993	-do-
	H.M	M.Sc.B.Ed	1-4-1945	Mardan	22-9-1975	18-10-1993	-do-
		MA.B.Ed	1-12-1952	D.I.Khan	9-9-1978	18-10-1993	-do-
		MA.B.Ed	23-7-1955	A/Abad	20-12-1978	18-10-1993	-do-
		BA.B.Ed	6-12-1953	Swat	25-9-1973	18-10-1993	-do- — 6/12/2013
		BA.B.Ed	3-1-1950	Malakand	22-2-1968	18-10-1993	-do-
		MA.B.Ed	20-2-1952	Swat	12-2-1974	18-10-1993	-do- — 20/2/2012
		MA.B.Ed	11-9-1947	Bannu	27-5-1978	18-10-1993	-do-

Attested

(27)

	...naz Begum SS			Kohat	4-9-1977		-do-	
	...da Arjumand Bano M	M.Sc.B.Ed	17-5-1950	A/Abad	21-5-1977	18-10-1993	-do-	
	Mst Ra...a Tabassum H.M	BA.B.Ed	5-2-1954	A/Abad	10-5-1979	18-10-1993	-do-	
	Mst Parveen Akhtar H.m	BA.B.Ed	16-12-1953	Mansehra	10-5-1979	18-10-1993	-do-	
	Mst Naseem Akhtar H.M	BA.B.Ed	1-12-1953	D.I.Khan	10-12-1976	18-10-1993	-do-	
	Mst Shams Akhtar H.M	BA.B.Ed	1-8-1950	Kohat	12-12-1975	18-10-1993	-do-	
	Mst Jehantab H.M	MA.B.Ed	12-6-1946	Peshawar	10-4-1979	18-10-1993	-do-	
	Mst Jamila Khatoon H.M	MA.B.Ed	20-5-1953	Peshawar	3-12-1971	18-10-1993	-do-	
6	Mst Nargis Bano H.M	BA.B.Ed	1-5-1945	Peshawar	22-11-1979	18-10-1993	-do-	
7	Mst Safira Begum H.M	BA.B.Ed	25-8-1950	Mansehra	20-5-1979	18-10-1993	-do-	
98	Mst Syeda Nighat Shaheen	BA.B.Ed	1-1-1953	Kohat	18-11-79	18-10-1993	-do-	
99	A Nasim Akhtar H.M BSc B.Ed Mst Shamim Akhtar H.M	BSc.B.Ed	10-4-52 5-1-1949	Kohat	11-11-1979	18-10-1993	-do-	
100	Mst Arifa Kausar H.M	BA.B.Ed	22-5-1953	Peshawar	28-9-1975	18-10-1993	-do-	
101	Mst Yasmin Sultan H.M	MA.B.Ed	4-4-1951	Peshawar	21-1-1976	18-10-1993	-do-	
102	Mst Surriya Akhtar H.M	MA.M.Ed	22-1-1947	Peshawar	14-9-1967	18-10-1993	-do-	
103	Mst Gul Bahar SS	MA.B.Ed	13-1-1955	Dir	5-12-1976	18-10-1993	-do-	1/2/2008
104	Mst Nish Baha H.M	MA.B.Ed	1-2-1948	Swat	1-5-1965	18-10-1993	-do-	
105	Mst Chaman Bahar SS	MA.B.Ed	3.2.1951	Mardan	9-3-1971	18-10-1993	-do-	1/2/2008
106	Mst Amtur Rab H.M	BA.B.Ed	1-12-1953	Swat	1-11-1975	18-10-1993	-do-	

Attested

107	Mst Farhat Begum H.M	BA.B.Ed	14-11-1955	Swat	23-2-1973	18-10-1993	-do-	1/1/2011
108	Mst Dil Arama H.M	BA.B.Ed	1-1-1951	Swat	1-3-1972	18-10-1993	-do-	12/10/2010
109	Mst Mehrun Nisa H.M	MA.B.Ed	12-10-1950	Swat	3-3-1973	18-10-1993	-do-	
110	Mst Hamida Begum H.M	BA.B.Ed	1-3-1954	Malakand	20-9-1975	18-10-1993	-do-	
111	Mst Bibi Amina H.M	BA.B.Ed	25-4-1957	Kurram Agency	1-3-1981	18-10-1993	-do-	
112	Mst Shamim Akhtar H.M	MA.B.Ed	24-2-1948	Bannu	3-5-1966	18-10-1993	-do-	
113	Mst Shamim Akhtar H.M	MA.B.Ed	20-10-1953	Hazara	2-12-1979	18-10-1993	-do-	
114	Mst Khalida Addeb Khanum H.M	BA.B.Ed	1-6-1954	D.I.Khan	14-12-1977	18-10-1993	-do-	
115	Mst Miraj Begum SS	MA.B.Ed	22-6-1952	A/Abad	29-10-1980	18-10-1993	-do-	
116	Mst Asia Khatoon H.M	BA.B.Ed	1-1-1951	D.I.Khan	22-12-1976	18-10-1993	-do-	
117	Mst Gul-e-Rana H.M	BA.B.Ed	7-1-1949	A/Abad	4-1-1975	18-10-1993	-do-	
118	Mst Rashida Parveen H.M	B.Sc.B.Ed	16-1-1953	A/Abad	1-11-1980	18-10-1993	-do-	
119	Mst Akhtar Begum SS	MA.B.Ed	18-10-1949	D.I.Khan	24-12-1976	18-10-1993	-do-	
120	Mst Qamrun Nisa H.M	MA.B.Ed	1-6-1961	D.I.Khan	4-10-1970	18-10-1993	-do-	
121	Mst Khalida Akhtar SS	M.Sc.B.Ed	11-4-1963	Peshawar	1-1-1994	1-1-1994	By initial recruitme	
122	Mst Dilara Beguin SS	M.Sc.B.Ed	9-10-1962	Mardan	1-1-1994	1-1-1994	-do-	
123	Mst Nasim Akhtar SS	M.Sc.B.Ed	15-2-1969	Mardan	1-1-1994	1-1-1994	-do-	
124	Mst Nargis Parveen SS	M.Sc.B.Ed	25-3-1966	Nowshera	6-10-1990	1-1-1994	-do-	

(28)

Attested

	Mst Nusrat Parveen H.M	MA.B.Ed	4-12-1952	Mardan	11-12-1973	13-8-1995	-do-
	Mst Hafeeza Begum SS	MA.B.Ed	1-12-1948	Peshawar5	4-12-1970	13-8-1995	-do-
164	Mst Sajida Begum SS	MA.B.Ed	3-3-1948	Peshawar	1-9-1969	13-8-1995	-do-
165	Mst Mehtab Begum H.M	MA.B.Ed	20-5-1955	Kohat	1-6-1976	13-8-1995	-do-
166	Mst Shagufta Naz H.M	MA.B.Ed	10-4-1953	D.I.Khan	26-11-1980	13-8-1995	-do-
167	Mst Badar Sultana SS	MA.B.Ed	4-5-1946	Peshawar	11-6-1963	13-8-1995	-do-
168	Mst Bakh wadi SS	MA.B.Ed	6-8-1947	D.I.Khan	28-6-1968	13-8-1995	-do-
169	Mst Shamim Mehdi H.M	MA.B.Ed	18-8-1947	Kohat	24-5-1964	13-8-1995	-do-
170	Mst Parveen Akhtar H.M	MA.B.Ed	3-10-1955	A/Abad	12-4-1946	13-8-1995	-do-
171	Mst Bibi Nasreen H.M	B.Sc.B.Ed	31-12-1956	Mardan	6-10-1981	13-8-1995	-do-
172	Mst Bibi Maryam H.M	BA.B.Ed	5-2-1955	Swat	16-9-1974	13-8-1995	-do-
173	Mst Bibi Amina H.M	BA.B.Ed	15-8-1957	Swat	25-3-1978	13-8-1995	-do-
174	Mst Saeeda Begum H.M	BA.B.Ed	1-1-1958	Dir	13-4-1981	13-8-1995	-do-
175	Mst Safia Beum H.M	BA.B.Ed	15-6-1957	Dir	13-4-1981	13-8-1995	-do-
176	Mst Zuhra Bibi H.M	BA.B.Ed	1-4-1958	Malakand	18-4-1981	13-8-1995	-do-
177	Mst Parveen Shamshad SS	M.Sc.B.Ed	3-6-1953	Mardan	19-12-1976	13-8-1995	-do-
178	Mst Bibi Sakina H.M	M.Sc.B.ed	16-4-1954	Mardan	29-3-1978	13-8-1995	-do-
179	Mast Hamida Begum H.M	MA.B.Ed	30-7-1952	Swat	18-4-1978	13-8-1995	-do-
180	Mst Zahida Parveen H.M	BA.B.Ed	1-1-1957	Mohamand	10-5-1980	13-8-1995	-do-

29

(29)

Attested

32/7/2012

(32)

To

Executive District Officer (S &L)
Swat.

Subject: **Arrival Report/Promotion to BPS-18**

Respected sir,

With due respect I want to inform you that prior to January 2002, I was serving on the post of Head Mistress, Govt: Girls High School No.02 Saidu Sharif Swat. In February 2002, my services were hired by Allama Iqbal Open University in capacity of Deputy Regional Directress Swat. Hence from February 2002 onwards, I had been serving on the post of Deputy Regional Directress at Regional Centre AIOU Swat.

Now that my deputation period of Seven years expires on 31st January 2010, I am forwarding my arrival report to your good self (copy enclosed).

Further more, it is stated that two posts are lying vacant in Education department. i.e., **Head Mistress at GGHS Shahdara and DO (Female)**. I request you to kindly appoint me on one to the highlighted post.

Sadly, due to my deputation, my colleagues have been promoted to BPS 18, while I am still placed in BPS 17. I request you to place me in BPS 18 and oblige.

With regards

Anwar Sultana W/O Ghaffor Khan Advocate
Barkaly Saidu Sharif Swat. 26/07/08

Attested

Annex - D

31

28

GOVERNMENT KHYBER PAKHTOON KHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

Dated Peshawar the 7.7.2010

NOTIFICATION

No.SO(S)E&SE/4-16/2010/Anwar Sultana: On arrival from deputation, Ms. Anwar Sultana, Headmistress, BS-17 (awaiting posting) is adjusted/posted against the newly upgraded post of Principal [redacted] at GGHS No.1 Centennial Girls Model High School Saidu Sharif Swat, in her own pay scale, in the public interest, in relaxation of ban, till further orders.

2- **No TA/DA is allowed.**

SECRETARY

Attested

ENDST: NO. & DATE EVEN.

Copy to :-

1. The Accountant General Peshawar.
2. Director E&SE, Peshawar.
3. The Executive District Officer (E&SE) concerned.
4. The District Accounts Officer concerned.
5. The DDEA E&SE Deptt.
6. PS to Minister for E&SE.
7. PS to Secretary E&SE Dept.
8. PA to Addl. Secretary (E&SE) Dept.
9. Officer concerned.
10. Office order.

Section Officer (Schools)

(32)

GOVERNMENT OF KHYBRR PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION
DEPARTMENT

Dated Peshawar the, October 13, 2011

NOTIFICATION

NO.SO(S/F)/E&SE/3-2/2011/Principals/Vice Principals (Female) : In partial modification of this Department's Notification of even No dated August 6, 2011 the place of posting of Mst. Anwar Sultana, Headmistress (BS-17) GGHS No.1 Saidu Sharif Swat at S.No.10, may be read as Incharge Principal, GGHS No.1 Mingora, Swat instead of Headmistress GGHS Khawaza Khela Swat in the interest of public service.

2. The above orders will be effective subject to the condition that she will give an undertaking/Affidavit on legal paper/stamp paper to Secretary E&SE/Director E&SE Peshawar to the effect that she will not claim seniority, financial benefits and graded pay to the higher post.

3. No TA/DA is allowed.

SECRETARY

Endst: of even No. & Date:

Copy forwarded to the:

1. Accountant General ,Khyber Pakhtunkhwa Peshawar
2. Director ,E&SE Khyber Pakhtunkhwa Peshawar.
3. Executive District Officer E&SE concerned.
4. District Accounts Officer concerned.
5. Incharge EMISE ,E&SE Department
6. PS to Secretary Elementary and Secondary Education Department
7. Officer concerned.
8. Office order file.

13-10-11

SECTION OFFICER (S/F)

Attested

(33)

GOVERNMENT OF KHYBER PAKHTUNKHWA ELEMENTARY & SE DEPARTMENT

Dated Peshawar the, May 29, 2013.

NOTIFICATION

NO.SO(S/F)E&SE/1-3/2013/PSB Promotion From BS-17 to BS-18):- On the recommendation of the Provincial Selection Board, the Competent Authority (Chief Minister Khyber Pakhtunkhwa) is pleased to promote the following female officers (Teaching Cadre) of Elementary & Secondary Education Department from BS-17 to BS-18 on regular basis with immediate effect except S.No.2.

S. #	Name of Female Officers
1.	Mst. Anwar Sultana I/C Principal (BS-17)
2.	Mst. Arifa Kausar, Headmistress (BS-17) w.e.f 21-05-2013 on notional basis as recommended by PSB.
3.	Mst. Saeeda Begum, Headmistress (BS-17)
4.	Mst. Safia Begum, Headmistress (BS-17)
5.	Mst. Parveen Shamshad, Subject Specialist (Maths) (BS-17)

Attested

2. In terms of Section 6(2) of Khyber Pakhtunkhwa Civil Servants Act, 1973 read with rule-15(1) of the Khyber Pakhtunkhwa Civil Sevants (Appointment, Promotion & Transfer) rules, 1989 the above female officers except S.No.2 of the Teaching Cadre on their promotion shall be on probation for a period of one year

3. Consequent upon the above, the following posting / transfer and adjustments are made:

S. #	Name of officers & Present Stations	Proposed place of posting	Remarks
i.	Mst. Anwar Sultana (BS-17) working as I/C Principal GGHS No.1 Mingora, Swat.	Principal (BS-18) GGHS No.1 Mingora, Swat.	Post already occupied by her
ii.	Mst. Arifa Kausar, Headmistress (BS-17) GGHS Civil Quarter, Peshawar.	Principal (BS-18) GHSS GGHSS Civil Quarter, Peshawar.	Against Vacant Post (On notional promotion as recommended by PSB on 21-05-2013, because she retired from the service on the same date.
iii.	Mst. Saeeda Begum, Headmistress (BS-17) GGHS Khadegzai, Dir Lower.	Principal (BS-18) GGHS Totakan, Malakand.	Vice S.No.vi
iv.	Mst. Safia Begum, Headmistress (BS-17) GGHS Kityari, Dir Lower.	Principal (BS-18) GGHSS Chakdara, Dir Lower.	Against Vacant Post
v.	Mst. Parveen Shamshad, Subject Specialist (Maths) (BS-17) GGHSS Mathra, Peshawar.	Principal (BS-18) GGHSS Mandani, Charsadda.	Against Vacant Post

(33)

CONSEQUENTIAL POSTING / TRANSFER

vi.	Mst. Mehnaz Bibi Headmistress (BS-17) GGHS Totakan, Malakand. (working in BS-18)	Headmistress (BS-17) Garhi Usmani Khel, Malakand.	Against Vacant Post.

4. No TA / DA are allowed.

SECRETARY

Endst.of even No & date

Copy forwarded to the:-

1. PS to Chief Minister Khyber Pakhtunkhwa.
2. PS to Chief Secretary Khyber Pakhtunkhwa.
3. Accountant General, Khyber Pakhtunkhwa Peshawar.
4. Director, E&SE, Peshawar.
5. DEOs (F) concerned.
6. District Accounts Officer concerned.
7. Incharge EMIS, E&SE Department.
8. P.S to Secretary E&SE Department.
9. Officer concerned.
10. Office order file.

(BEENISH IMRAN)
SECTION OFFICER (S/F)

Attested

O.P.S.J.

بخدمت جناب سیکرٹری صاحب محکمہ تعلیم صوبہ خیبر پختونخوا بمقام پشاور

بوساطت ای ڈی صاحبہ زنانہ محکمہ تعلیم ضلع سوات

جناب عالی!

گزارش کی جاتی ہے کہ میں سال 1973 سے محکمہ تعلیم میں خدمات انجام دے رہی ہوں اور 30/03/1991 سے بحیثیت ہیڈ مسٹریس (BPS-17) پر کام کر رہی ہوں۔ میں علامہ اقبال اوپن یونیورسٹی میں بحیثیت ڈپٹی ریجنل ڈائریکٹریس (ڈیپوٹیشن BPS-18) میں 01/02/2003 سے 31/01/2010 تک خدمات انجام دیتی رہی تھی اور اس طرح 01/02/2010 سے واپس اپنی ڈیپارٹمنٹ محکمہ تعلیم کو آئی ہوں اور (BPS-18) کے اگینسٹ گورنمنٹ گرلز سینٹینٹل ماڈل ہایئر سیکنڈری سکول نمبر 1 سیدو شریف ضلع سوات میں تعینات ہوئی تھی جو کہ بعد میں میرا تبادلہ گورنمنٹ گرلز ہائی سکول نمبر 1 مینگورہ (حاجی بابا) (BPS-19) کے اگینسٹ ہوئی اور تاحال مذکورہ سکول میں تعینات ہوں۔ مجھ سے جونیئر ہیڈ مسٹریسز جو سال 1993 سے بحیثیت ہیڈ مسٹریسز تعینات ہیں۔ ان کو 29/05/2009 میں ریگولر (BPS-18) پروموشن مل چکی ہے۔ جبکہ مجھے BPS-18 میں بمورخہ 29/5/2013 پروموشن دے دی گئی ہے۔ حالانکہ میں 29/5/2009 میں پروموشن ملنے والے ہیڈ مسٹریسز سے سینئر ہوں۔

لہٰذا استدعا ہے کہ میری پروموشن BPS-18 کو اس وقت سے کی جائے جس وقت سے یعنی (29-05-2009) سے پروموشن کی مستحق ہو چکی تھی۔ مگر بوجہ ڈیپوٹیشن پر رہنے میں غیر قانونی طور پر پروموشن سے محروم رکھی گئی تھی۔ ڈیپارٹمنٹ کا حکمنامہ بابت میری پروموشن (BPS-18) محررہ 29/5/2013 خلاف قانون اور خلاف انصاف ہیں۔ اس میں بھی سیریل نمبر 2 کو 21-5-2013 سے پروموشن دے دی گئی ہے۔ جبکہ میری پروموشن 29-05-2013 سے ہیں۔ بمعہ Back Benifits دی جا کر دادرسی کی جائے اس ضمن میں عدالت ہائے بالا کے چند فیصلہ جات برائے ملاحظہ کرنے لف کی جاتی ہیں تاکہ اس کو نظیر بنا کر میرے ساتھ انصاف ہو سکے اور میری پروموش کو 29/5/2009 سے کنسیڈر کی جائے اور میری سنیارٹی کو متاثر نہ کی جائے۔ میری ملازمت کا ریکارڈ مندرجہ ذیل ہے۔

1۔ آغاز ملازمت 25-09-1973

2۔ سلیکشن گریڈ 17 جون 1984

(جاری ہے)

Attested

3۔ ریگولر BPS-17 بحیثیت ہیڈ مسٹریس 30-03-1991

4۔ (بی ایڈ) بحیثیت SET ٹیچر 8/1/1978

5۔ 29-05-2009 کو دیگر مجھ سے جونیئر ہیڈ مسٹریسز کو پروموٹ کی گئی ہیں جبکہ مجھے بوجہ ڈیپوٹیشن پر ہونے پر موٹ نہ کی گئی ہے۔

6۔ 29/5/2013 کو میری پروموشن BPS-18 کو ہوئی ہے۔ جس سے میری سینیارٹی اور دیگر سابقہ فوائد سے مجھے محروم رکھا گیا ہے۔

المرقوم: 30/05/2013

عریضہ

انور سلطانہ ہیڈ مسٹریس گورنمنٹ گرلز ہائی سکول نمبر 1 حاجی بابا مینگورہ سوات

03005745028

Attested

38

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) AT SAIDU SHARIF SWAT.

NO 2450 /P.F/Principal Dated 7/6/ /013

To

The Director
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar.

Subject:- APPEAL

Memo:-

The attached original appeal along with photo copies of other relevant documents for promotion from BPS-17 to BPS-18 w.e.f 29.5.2009 instead of 29.5.20013 in respect of Anwar Sultana, Headmistress Government Girls High School No.1 Mingora Swat is sent herewith for your perusal and further necessary action,please.

DISTRICT EDUCATION OFFICER
(FEMALE) SWAT.

Endst:NO_____/

Copy of the above is forwarded to:-

1.TheHeadmistress GGHS NO.1 Mingora for information w/r to her application dated 30.5.2013.

DISTRICT EDUCATION OFFICER
(FEMALE) SWAT.

Attested

16/9/013

37

بعدالت سروس ٹریبونل خیبر پختونخوا خدمات پشاور

16 ستمبر 2013ء منجانب اپیلانٹ

بنام حکومت وغیرہ

مسماۃ انور سلطانہ پرنسپل GGHS منگلورہ سوات

سروس اپیل بعنوان بالا

باعث تحریر آنکہ

مورخہ
مقدمہ
دعویٰ
جرم

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی وجواب دہی وکل کارروائی متعلقہ آن مقام پشاور/سوات کیلئے عفور خان ایڈووکیٹ سوات مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ کرنے وتقرر ثالث وفیصلہ برحلف دیئے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء اور وصولی چیک وروپیہ ارعرضی دعویٰ اور درخواست ہر قسم کی تصدیق زرایں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برامدگی اور منسوخی نیز دائر کرنے اپیل نگرانی ونظر ثانی وپیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ بااختیارات حاصل ہوں گے اور اس کا ساختہ پرداختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ وہرجانہ التوائے مقدمہ کے سبب سے وہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھدیا کہ سند رہے۔

المرقوم 16 ماہ ستمبر 2013ء

العبد گواہ العبد

بمقام پشاور/سوات کے لئے منظور ہے۔

Attested & accepted

0333 946 2246

0347 5095 342

مسماۃ انور سلطانہ پرنسپل GGHS منگلورہ سوات

Before the Chairman Service Tribunal
KPK, Peshawar

Mst. Anwar Sultana

Vs

Govt of KPK & others

Application for Adjournment

Respectfully sheweth:-

1) That the above captioned case is pending adjudication before this Hon'ble Tribunal, which is fixed for today i.e 17.03-2014.

2) That Counsel for appellant is busy in out station case and is un-able to assist this Hon'ble court for today

It is, therefore, most humbly requested that the captioned case may kindly be adjourned to some other date convenient to this Hon'ble Tribunal

Counsel for appellant

Mr. Khan Akbar

Through Noman Khan
Nowsher Khan
Clerk

dated 17/3/2014

Before the Chairman Service Tribunal
KPK, Peshawar

Anwar Sultana Vs The State

Application for Adjournment

Respectfully Sheweth :-

1) That the captioned appeal is pending adjudication before this Hon'ble Tribunal which is fixed for today i.e 6/5/2014

2) That Counsel for appellant Mr. Khan Akbar Khan is busy before the Peshawar High court, Peshawar and is unable to attend and assist this Hon'ble tribunal for today.

It is therefore most humbly prayed that on acceptance of this application the captioned case may kindly be adjourned to some other date convenient to this Hon'ble Tribunal

6/5/14

Counsel for appellant

Through Noman Khan

Noman Khan

Dated :- 6/5/2014

BEFORE THE CHAIRMAN SERVICE TRIBUNAL K.PK PESHAWAR

In Re:

Service Appeal No. 1350 /2013

Mst. Anwar Sultana.....Petitioner

VERSUS

Govt: of KPK & others.....Respondents

==========

APPLICATION FOR ADJOURNMENT.

==========

Respectfully Sheweth:-

1 That the above titled case is pending adjudication before this Honourable Tribunal, which is fixed for tomorrow i.e. 16.06.2014.

2 That the council for the Appellant namely Mr. Khan Akbar Khan Advocate is busy before the Islamabad High Court Islamabad, and is un-able to assist this Hounarable Tribunal on the date fixed.

It is, therefore, most humbly requested that on acceptance of this application, the above titled case may kindly be adjourned to some other date convenient to this honourabe Court.

Counsel for the Appellant
Mr. Khan Akbar Khan
Through

(NOUMAN KHAN)
Clerk

Dated:-16.06.2014

FINAL SENIORITY LIST OF HEAD MISTRESS/SUBJECT SPECIALIST FEMALE BPS-17,OF ELEMENTARY & SECONDARY EDUCATION DEPARTMENT KHYBER PUKHTUNKHWA AS stood on 8-8-2012

S.No.	Name of officers with designation	Qualification	Date of Birth	Domicile	Date of Ist Appointment in Edu; Deptt	Date of Promotion /Appointment in BPS-17	Method of recruitment	
1	2	3	4	5	6	7	8	
1	Mst Anwar Sultan H.M GGHS No.1 Mingora Swat	BA. B.Ed	06.12.1953	Swat	25-9-1973	30.03-1991	By promotion	
2	Mst Dilafroz H.M GGHS Pind Kargo Khan ATD.	MA.M.Ed	30-09-1962	Bannu	27-9-1989	29-01-1992	Direct Selectee	
3	Mst Arifa Kausar d/o Mir Akbar Ali H.M GGHS Civil Quarter Peshawar.	BA. B.Ed	22-5-1953	Peshawar	28-9-1975	04.05.1992	By promotion	
4	Mst Zahida Parveen d/o Badiuz Zaman SS GGHSS Hajia Gali ATD.	MA. B.Ed	23-02-1968	Haripur	2-2-1992	09.07.1992	Direct Selectee	
5	Mst Saeeda Begum H.M GGHS Khadegzai Dir (L)	BA. B.Ed	1-1-1958	Dir	13-4-1981	03.03.1993	By promotion	
6	Mst Safia Begum d/o Ghulam Akbar Shah H.M GGHS Kityari Dir (L)	BA. B.Ed	15-6-1957	Dir	13-4-1981	05.01.1993	-do-	
7	Mst Zuhra Bibi d/o Asmat Ullah Khan H.M GGHS Nishtar Abad Peshawar.	BA. B.Ed	1-4-1958	Malakand	18-4-1981	17.02.1993	-do-	
8	Mst Parveen Shamshad H.Shamshad Khan SS GGHSS Mathra Peshawar.	M.Sc. B.Ed	3-6-1953	Mardan	19-12-1975	17.02.1993	-do-	
9	Mst Bibi Sakina H.M GECT (F) Jamrud.	M.Sc. B.Ed	16-4-1954	Mardan	29-3-1978	17.02.1993	-do-	
10	Mst Zahida Parveen H.M GGHS Ghallanai Moh.Agy	BA. B.Ed	1-1-1957	Mohmand	10-5-1980	17.02.1993	-do-	
11	Mst Nasreen Nighat H.M GGHS Parhinna Mansehra.	BA. B.Ed	17-12-1956	Mansehra	1-9-1981	30.03.1993	-do-	
12	Mst Mehmooda Sultan SS GGHSS Teri Karak	MSc MEd	10.04.1954	Karak	18.1.1981	04.01.1994	-do-	
13	Mst Kausar Tasneem d/o Malik Sher Zaman H.M GGHS Bandi Dhundan ATD.	BA. B.Ed	6-6-1956	Mansehra	13-12-1981	04.01.1994	-do-	
14	Mst Khairun Nisa d/o H.Abdul Wahab H.M GGHS Jamal Garhi Mardan.	BA. B.Ed	13-1-1955	Mardan	18-11-1979	04.01.1994	-do-	
15	Mst Shahnaz Begum d/o Malik Muhammad Iqbal H.M GGHS Mangloor Mansehra.	BA. B.Ed	1-1-1955	Mansehra	7-7-1979	04.01.1994	-do-	
16	Mst Rehana Nasreen d/o Khuda Bakhash H.M GGHS Shahbaz Khel Lakki.	BA. B.Ed	25-5-1953	Kohat	15-11-1976	04.01.1994	-do-	
17	Mst Fakhrun Nisa d/o Rafat Ullah Khan SS GGHSS Jungel Khel Kohat.	MA. B.Ed	20-8-1953	Kohat	2-10-1972	04.01.1994	0	
18	Mst Sajida Nasreen d/o Ghulam Sarwar H.M GGHSS Kulachi DIK.	BA. B.Ed	14-4-1953	Bannu	5-5-1971	04.01.1994	-do-	

S.No.	Name of officers with designation	Qualification	Date of Birth	Domicile	Date of Ist Appointment in Edu; Deptt	Date of Promotion /Appointment in BPS-17	Method of recruitment
1	2	3	4	5	6	7	8
667	Nasreen Akhtar D/ Habib Khan GGHS Qamar Zaman Mandiu Bannu	MA. B.Ed	7.6.62	Bannu	5.12.90	27.03.2010	-do-
668	Bilqees D/O Sami ullah HM GGHS Passani Peshawar.	MA. M.Ed	29.8.62	Swat	1.2.86	27.03.2010	-do-
669	Shahida Naz D/ Muzamel Shah HM GGHS Bahadar Khel Karak.	B.Sc. B.Ed	10.5.62	Karak	5.12.90	27.03.2010	-do-
670	Farhat Yasmeen D/O Malak Ghuam Sadiq Khan HM GGHS Longkher Shah DIK.	MA. M.Ed	18.10.65	D.I.Khan	5.12.90	27.03.2010	-do-
671	Bibi Ghazala Perveen D/O Malak Mir Afzal HM GGHS Dassi Kohistan.	MA Edu:	15.5.64	Mansehra	5.12.90	27.03.2010	-do-
672	Bibi Mahjabeen D/O Said Wazir Ahmad HM GGHS Koto Dir (L)	BA. B.Ed	1.3.54	A.Abad	14.4.86	27.03.2010	-do-

Attested

District Education Officer (F)
District Swat

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BEFORE THEHONORABLE KHYBER PAKHATUNKHWA SERVICE TRIBUNAL PESHAWAR.

Service Appeal No: 1350/2013

Anwar Sultana Principal GGHS No: I Mingora District Swat. .....Appellant.

VERSUS

Secretary E&SE Department, Khyber Pakhtunkhwa & others. .....Respondents

PARAWISE COMMENTS ON&FOR BEHALF OF RESPONDENTS No: 1-4.

Respectfully Sheweth :-

The Respondents submit as under:-

PRELIMINARY OBJECTIONS.

1 That the Appellant has got no cause of action locus standi .

2 That the instant Service Appeal is badly time barred.

3 That the Appellant has concealed material facts from this Honorable Tribunal in the instant service appeal.

4 That the instant service appeal is based on mala fide intentions.

5 That the Appellant has not come to this Honorable Tribunal with clean hands.

6 That the instant Service Appeal is against the prevailing law & rules.

7 That the appellant has been deferred from promotion by the PSB vide meeting held on 21/3/2009.

8 That the Appellant has been treated as per law, rules & policy.

9 That the appeal is not maintainable in its present form.

10 That the appeal is bad for mis joinder & non joinder of the necessary parties.

11 That the instant Service Appeal is barred by law .

12 That the appellant is not entitled for the grant of promotion against the BPS-18 since 29/5/2009. Hence this Honorable Tribunal has no jurisdictions to entertain the instant appeal.

FACTS

1 That Para-1, needs no comments being pertains to the service record of the appellant.

2 That Para-2 is also needs no comments being relates to the award of Selection Grade & Promotion against BPS-17 post by the Respondent Department.

3 That Para-3 is correct to the extent that the appellant has served the Regional Office of the AIOU, Islamabad, Swat Branch against the Deputy Director post in response to the office order No: F-12/2003/ Admn: .421/Dated 21/01/2003, issued by the then District Officer (S&L) Department, Swat with reference to the office order No: 5-18/2003/Admn: 1307 /dated 11/4/2003 issued by the Asstt: Registrar-I AIOU, Islamabad. However, the period of deputation wef 31/01/2003 has been extended till 31/01/2010vide Notification dated 12/3/2008 issued by the Respondent No: 2(Copies of the relevant orders are attached as Annexures-A,B&C).

4 That Para-4 is also correct to the extent that the Respondent No: 2 vide Notification No: SO(S)1-3/2009 /Promotion BPS-17 to 18(F) dated 29/5/2009 has allowed promotion against the Headmistress post in BPS-18 to the eligible officers of the Respondent Department , wherein, the working papers of the appellant have also being submitted vide S/No: 24, for the PSB meeting held on 21/3/2009 under the Chairmanship of the Respondent No: 1. But the appellant has been rejected on the grounds that she was on deputation to the AIOU Islamabad Regional Office, Swat up to 31/01/2010. Hence she has been deferred from promotion against the BPS-18 post in the Respondent Department (Copy of the minutes are attached as Annexures D&E).

5 That Para-5, incorrect & denied. The judgment dated 17/2/2009 of this Honorable Tribunal rendered in Service Appeal No:1091 /208 titled Mrs. Gohar Sani VS Govt: is not applicable upon the case of appellant on the grounds that she has the on deputation to AIOU Islamabad since 31/01/2003 to 31/01/2010, in spite of this, her case for promotion was submitted to the concerned PSB, wherein, she was deferred (Copy of the said judgment is already attached with main appeal).

6 That Para-6 is incorrect & denied on the grounds that the appellant was no more present in the Respondent Department at the time of issuance of the Notification dated 29/5/2009 for promotion whereas, vide the impugned Notification dated 29/5/2013, the appellant has been promoted against the BPS-18 post on the basis of her seniority cum fitness in the interest of public service & with immediate effect (Copy of the same is Annexure-F).

7 That Para-7 is incorrect & denied. The appellant has reported for duty on 26/01/2010 & on the basis of the same, she has been adjusted against the Principal BPS-18 post at GGHS No: 1 Saidu Sharif District Swat. However, vide another Notification dated 13/10/2011 she has been adjusted at her present school as mentioned above in the title of this reply (Copies of the said Notifications are already attached).

8 That Para-8 needs no comments. Detailed reply has already been given in foregoing paras.

9 That Para-9 is incorrect & denied. The appellant was not working against the higher post in the Respondent Department. Hence she could not be promoted against the BPS-18 post vide Notification dated 29/5/2009 on the grounds that she was on deputation till 31/01/2010 to the AIOU, Islamabad.

10 That Para-10, incorrect & denied . No departmental appeal has been filed by the appellant against the impugned promotion Notifications dated 29/5/2009 &29/5/2013, nor any such record is available in the Respondent Department.

11 That Para-11 is incorrect & denied. The appellant has been treated as per law, rules & Promotion policy, vide the above mentioned Notifications issued by the Respondent No: 2 on the grounds that her case for promotion has been deferred by the PSB on 21/3/2009 as she was on her deputation to the AIOU, Islamabad till 31/01/2010. Whereas, under the rules she should have been worked against BPS-17 in the Respondent Department during the said period.

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12 That Para-12 is incorrect & denied. Detailed reply of this Para has been given in foregoing paras, hence needs no further comments.

13 That Para-13, incorrect & misleading. The appellant was on her deputation to the AIOU, Islamabad till 31/01/2010, hence she was rejected from promotion in BPS-18 against the Principal post in the Respondent Department.

14 That Para-14 needs no comments. However, the Respondents seek leave of this Honorable Tribunal to submit additional grounds & record at the time of arguments.

In view of the above made submissions, it is requested that this Honorable Tribunal may very graciously be pleased to dismiss the instant service appeal with cost in favour of the Respondent Department.

Dated 02/8/2016

12/8/2016

Director
E&SE Department Khyber
Pakhtunkhwa, Peshawar.
(Respondents No: 3&4)

24/8/16

Secretary
E&SE Department Khyber
Pakhtunkhwa, Peshawar
(Respondent No:1&2)

AFFIDAVIT

I, Khaista Rehman, Asstt: Director (Litigation-II) E&SE Department Khyber Pakhtunkhwa, Peshawar do hereby solemnly affirm and declare on oath that the contents of the instant Parawise Comments are true & correct to the best of my knowledge & belief.

Deponent

Annexure A (9)

OFFICE OF THE EXECUTIVE DISTRICT OFFICER (SCHOOLS & LITERACY)

(A)

RELEVING CHIT

In compliance with the Notification of the Registrar Allama Iqbal Open University Islamabad issued order No.F-12/2003/Admn:421 dated dated 21.1.2003, Mrs: Anwar Sultana Headmistress GGHS No.02 Saidu Sharif District Swat is hereby relived from the said schools w.e.f. 31.01-2003(A.Noon) and she is directed to report for duty her new office ~~immediately~~.

DISTRICT OFFICER (F)
SCHOOLS & LITERACY SWAT.

U"G"

Attested
16/9/2013

ALLAMA IQBAL OPEN UNIVERSITY
(Registrar's Department)

No. 5-18/2003-Admn/1307

Dated: 11th April, 2003.

OFFICE ORDER

Having been relieved from the parent Department i.e. Executive District Officer (Literacy and Education) Swat vide Relieving Chit dated 22.03.2003 w.e.f.31.01.2003 (A.N), Mrs. Anwar Sultana, Headmistress, Govt. Girls High School No.2 Saidu Sharif has assumed the charge of the post of Deputy Regional Director, Regional Office, AIOU, Swat on deputation for an initial period of three years, with effect from 01.02.2003 (F.N) on the normal terms and conditions of deputation in her own pay and scale.

(Tariq Mahmood Khokhar)
Assistant Registrar-I

Distribution:

1. Mrs. Anwar Sultana,
   Deputy Regional Director,
   Regional Office, AIOU, Swat.
2. Director Regional Services.
3. All Deans/Heads of Departments.
4. All RDs/DRDs/ARDs.
5. Assistant Regional Director, Swat.
6. Acting Treasurer.
7. Audit Officer.
8. The Executive District Officer,
   Literacy & Education, Swat.
9. The Assistant Director (Estab:),
   Directorate of Schools & Literacy,
   N.W.F.P, Peshawar.
10. Syed Mubarak Shah,
    Section Officer (Schools),
    Govt. of N.W.F.P,
    Schools & Literacy Department, Peshawar.
11. The District Accounts Officer, Swat.
12. PS to the Vice-Chancellor.
13. Personal File.
14. Master File.

Attested

1747
17/4/03

GOVERNMENT OF N.W.F.P
SCHOOLS & LITERACY DEPARTMENT

Dated Peshawar the 12-03-2008.

NOTIFICATION.

NO.SO(S)1-10/2000/ Vol-IV. In pursuance of NOC of Establishment & Administration Department Govt: of NWFP issued vide letter No.SOR-I(E&AD)/1-14/82 Vol.XII dated 03-03-2008, the Competent Authority has been pleased to approve the extension in deputation for further period of Two years w.e.f. 1-02-2008 to 31-01-2010, in respect of Mst: Anwar Sultana, Headmistress (BS-17) Government Girls High School No.2 Saidu Sharif Swat NWFP Schools & Literacy Department to Allama Iqbal Open University Regional Centre Swat (Total period of deputation including the instant period comes to 07 years).

SECRETARY.

ENDST. NO. & DATE EVEN.

Copy forwarded for information and further necessary action to:

1- Ilyas Ahmad, Registrar Allama Iqbal Open University Sector H.8 Islamabad Pakistan.
2- Director, Schools & Literacy, NWFP, Peshawar.
3- EDO(S&L) Swat.
4- District Accounts Officer, Swat.
5- SO (Regd) Govt. of NWFP, Establt: & Admn. Department (Regd Wing) Peshawar w/r to his letter No.SOR-I (E&AD)/1-14/82 Vol.XII dated 03-03-2008.
6- PS to Secretary (S&L) Department.
7- Officer concerned.
8- Office order file.

(NASRULLAH KHAN)
SECTION OFFICER (SCHOOLS).

Attested

CONFIDENTIAL
INTERMEDIATE

GOVERNMENT OF NWFP
ESTABLISHMENT DEPARTMENT

NO.SO(PSB)ED/1-4/2009/P-97
Dated Peshawar, the 28.3.2009.

To

The Secretary to
Government of NWFP,
Elementary & Secondary
Education Department.

SUBJECT: - **MINUTES OF THE MEETING OF PROVINCIAL SELECTION BOARD HELD ON 21.03.2009**

PROMOTION OF OFFICERS OF SCHOOL CADRE (FEMALE) FROM BPS-17 TO BPS-18

Dear Sir,

I am directed to refer to your department letter No.SO(S)/1-3/09/Promotion B-17 to B-18 (F) dated 9.3.2009 on the subject noted above and to forward herewith an extract of item No.19 of the minutes/recommendations of the meeting of Provincial Selection Board held on **21.03.2009** for further necessary action/obtaining approval of the competent authority.

2. It is pointed out for information/necessary action that the officers at S.No 97 to 99 of the panel have been recommended for appointment to BPS-18 on acting charge basis vice Mst. Sumaira Bukhari (S.No.85), Mst. Nasreen Bano (S.No.90) and Mst. Mehtab Begum (S.No.94) who were deferred due to non-availability of their PERs for the period of 2002, 2003 2004, 2006 and 2007, 2001 to 2007 and 1999 to 2007 respectively.

Yours faithfully

Put up Summary for CM. 28/3/09

(HAROON-UR-RASHID)
SECTION OFFICER (PSB)

Encl: As Above
Endst. of even No. & date.

A copy is forwarded to the Section Officer (School), Govt of NWFP, E&SE Department. He is requested to depute his representative to collect working papers from this office immediately.

SECTION OFFICER(PSB)

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.O.19

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ELEMENTARY & SECONDARY EDUCATION DEPARTMENT
(Meeting held on 21.03.2009)

SUBJECT: - **PROMOTION OF OFFICERS OF SCHOOL CADRE (FEMALE) FROM BPS-17 TO BPS-18**

E

Secretary Elementary & Secondary Education Department apprised the Board due to promotion, retirement, death and new creation, eighty six (86) posts in BPS-18 are lying vacant.

2. According to service rules the posts are required to be filled as under:-

a. Eighty percent by promotion on the basis of seniority cum fitness from amongst Head Mistress GGHS / Subject Specialists Government Comprehensive High Schools / Higher Secondary Schools and other equivalent posts in BPS-17 with five years service as such: and

b. Twenty percent by initial recruitment.

3. The service record of the officers included in the panel was discussed as follows:-

S.NO	NAME OF OFFICER	RECOMMENDATIONS OF THE BOARD
1	Mst. Gulshad Begum	Her date of birth is 22.2.1954. She joined government service on 14.4.1986. She was promoted to BPS-17 on 29.1.1992. The Board was informed that she remained on EOL from 8.3.1999 to 7.3.2004 and 15.6.2005 to 14.6.2007. The Board in its meeting held on 21.2.2005 deferred her promotion. She has earned very good report for the year 2008. No enquiry is pending against her. Her remaining service record is generally good. The Board recommended the officer for promotion to BPS-18 on regular basis with immediate effect. She will be on probation for a period of one year.
2	Mst. Dilafroz	Her date of birth is 30.9.1962. She joined government service on 27.9.1989. She was promoted to BPS-17 on 29.1.1992. The Board was informed that she remained on EOL from 1.9.01 to 30.6.04. The PSB in its meeting held on 21.2.2005 recommended to defer her promotion till she earn one PER. She reported for duty but again proceeded on EOL from 15.8.2004 to 13.10.2006 She again applied for leave which has been rejected. Enquiry is under process against her. The E&SE Department did not recommend her for promotion. The Board recommended to defer her promotion.
3	Mst. Zahida Parveen	Her date of birth is 23.2.1968. She joined government service on 2.2.1992. She was promoted to BPS-17 on 9.7.1992. The Board was informed that the PSB in its meeting held on 21.2.2005 recommended her for promotion to BPS-18 subject to condition that she earn good PER for the year 2004. She was not promoted as she proceeded on 730 days EOL on 8.3.2004. She again proceeded on EOL from 21.1.2008 to 20.1.2009 and

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		applied for deputation for a period of three years which is under process. The E&SE Department did not recommend her for promotion. The Board recommended to defer her promotion.
4	Mst. Shagufta Farid	Her date of birth is 4.4.1962. She joined government service on 22.8.1988. She was promoted to BPS-17 on 9.7.1992. The Board was informed that she was on 1095 days EOL with effect from 1.9.2003. The PSB in its meeting held on 21.2.2005 recommended her supersession for promotion to BPS-18. She applied for further extension upto 30.6.2008 which has been rejected. She did not join duty. Disciplinary action is under process against her. The E&SE Department did not recommend her for promotion. The Board recommended to defer her promotion.
5	Mst. Sobia Azim	Her date of birth is 21.9.1969. She joined government service on 2.8.1993 in BPS-17. The Board was informed that the PSB in its meeting held on 21.2.2005 recommended her promotion to BPS-18 subject to condition that her PER for the year 2004 is free from adverse remarks. She was not promoted as she proceeded on EOL w.e.f 15.2.2005 which was further extended upto 14.2.2009. The E&SE Department did not recommend her for promotion. The Board recommended to defer her promotion.
6	Mst. Tabassum Jabeen	Her date of birth is 30.11.1953. She joined government service on 1.9.1977. She was promoted to BPS-17 on 18.10.1993. No enquiry is pending against her. Her service record upto 2007 is generally good. The Board recommended the officer for promotion to BPS-18 on regular basis with immediate effect subject to the condition that she earns satisfactory PER for the year 2008 upto 15.4.2009. She will be on probation for a period of one year.
7	Mst. Nusrat Mah Jabeen	Her date of birth is 16.9.1952. She joined government service on 1.1.1978. She was promoted to BPS-17 on 18.10.1993. No enquiry is pending against her. Her service record upto 2007 is generally good. The Board recommended the officer for promotion to BPS-18 on regular basis with immediate effect subject to the condition that she earns satisfactory PER for the year 2008 upto 15.4.2009. She will be on probation for a period of one year.
8	Mst. Farkhanda Akhtar	Her date of birth is 2.3.1951. She joined government service on 19.3.1972. She was promoted to BPS-17 on 18.10.1993. No enquiry is pending against her. Her service record upto 2007 is generally good. The Board recommended the officer for promotion to BPS-18 on regular basis with immediate effect subject to the condition that she earns satisfactory PER for the year 2008 upto 15.4.2009. She will be on probation for a period of one year.
9	Mst. Qamar Yasmin	Her date of birth is 16.12.1951. She joined government service on 14.4.1978. She was promoted to BPS-17 on

		18.10.1993. No enquiry is pending against her. Her service record upto 2007 is generally good. The Board recommended the officer for promotion to BPS-18 on regular basis with immediate effect subject to the condition that she earns satisfactory PER for the year 2008 upto 15.4.2009. She will be on probation for a period of one year.
10	Mst. Nusrat Shaheen	Her date of birth is 6.4.1955. She joined government service on 11.3.1976. She was promoted to BPS-17 on 18.10.1993. No enquiry is pending against her. Her service record upto 2007 is generally good. The Board recommended the officer for promotion to BPS-18 on regular basis with immediate effect subject to the condition that she earns satisfactory PER for the year 2008 upto 15.4.2009. She will be on probation for a period of one year.
11	Mst. Nasim Akhtar	Her date of birth is 1.3.1951. She joined government service on 18.6.1974. She was promoted to BPS-17 on 18.10.1993. No enquiry is pending against her. Her service record upto 2007 is generally good. The Board recommended the officer for promotion to BPS-18 on regular basis with immediate effect subject to the condition that she earns satisfactory PER for the year 2008 upto 15.4.2009. She will be on probation for a period of one year.
12	Mst. Nasim Asad	Her date of birth is 20.8.1950. She joined government service on 7.11.1977. She was promoted to BPS-17 on 18.10.1993. No enquiry is pending against her. Her service record upto 2007 is generally good. The Board recommended the officer for promotion to BPS-18 on regular basis with immediate effect subject to the condition that she earns satisfactory PER for the year 2008 upto 15.4.2009. She will be on probation for a period of one year.
13	Mst. Bilqees Surriya	Her date of birth is 28.10.1951. She joined government service on 17.10.1978. She was promoted to BPS-17 on 18.10.1993. No enquiry is pending against her. Her service record upto 2007 is generally good. The Board recommended the officer for promotion to BPS-18 on regular basis with immediate effect subject to the condition that she earns satisfactory PER for the year 2008 upto 15.4.2009. She will be on probation for a period of one year.
14	Mst. Chanda Bibi	Her date of birth is 16.12.1949. She joined government service on 2.10.1971. She was promoted to BPS-17 on 18.10.1993. No enquiry is pending against her. Her service record upto 2007 is generally good. The Board recommended the officer for promotion to BPS-18 on regular basis with immediate effect subject to the condition that she earns satisfactory PER for the year 2008 upto 15.4.2009. She will be on probation till reiretment.
15	Mst. Farkhanda Shaheen	Her date of birth is 2.3.1953. She joined government service on 17.2.1979. She was promoted to BPS-17 on 18.10.1993. No enquiry is pending against her. Her service record upto 2007 is generally good.

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		The Board recommended the officer for promotion to BPS-18 on regular basis with immediate effect subject to the condition that she earns satisfactory PER for the year 2008 upto 15.4.2009. She will be on probation for a period of one year.
16	Mst. Sajida Parveen	Her date of birth is 26.10.1950. She joined government service on 26.9.1974. She was promoted to BPS-17 on 18.10.1993. No enquiry is pending against her. Her service record upto 2007 is generally good. The Board recommended the officer for promotion to BPS-18 on regular basis with immediate effect subject to the condition that she earns satisfactory PER for the year 2008 upto 15.4.2009. She will be on probation for a period of one year.
17	Mst. Noor Mahal	Already recommended for promotion by circulation.
18	Mst. Mah Jabeen	Her date of birth is 6.3.1950. She joined government service on 12.4.1975. She was promoted to BPS-17 on 18.10.1993. No enquiry is pending against her. Her service record upto 2007 is generally good. The Board recommended the officer for promotion to BPS-18 on regular basis with immediate effect subject to the condition that she earns satisfactory PER for the year 2008 upto 15.4.2009. She will be on probation for a period of one year.
19	Mst. Zahida Nasreen	Her date of birth is 6.2.1950. She joined government service on 2.9.1971. She was promoted to BPS-17 on 18.10.1993. No enquiry is pending against her. Her service record upto 2007 is generally good. The Board recommended the officer for promotion to BPS-18 on regular basis with immediate effect subject to the condition that she earns satisfactory PER for the year 2008 upto 15.4.2009. She will be on probation for a period of one year.
20	Mst. Rukhsana Naheed	Her date of birth is 3.4.1951. She joined government service on 30.5.1973. She was promoted to BPS-17 on 18.10.1993. No enquiry is pending against her. Her service record upto 2007 is generally good. The Board recommended the officer for promotion to BPS-18 on regular basis with immediate effect subject to the condition that she earns satisfactory PER for the year 2008 upto 15.4.2009. She will be on probation for a period of one year.
21	Mst. Nishat Begum	Already recommended for promotion by circulation.
22	Mst. Munawar Sultana	Her date of birth is 1.12.1952. She joined government service on 9.9.1978. She was promoted to BPS-17 on 18.10.1993. No enquiry is pending against her. Her service record upto 2007 is generally good. The Board recommended the officer for promotion to BPS-18 on regular basis with immediate effect subject to the condition that she earns satisfactory PER for the year 2008 upto 15.4.2009. She will be on probation for a period of one year.
23	Mst. Majida Bibi	Her date of birth is 23.7.1955. She joined government service on 20.12.1978. She was promoted to BPS-17 on 18.10.1993. No enquiry is pending against her. Her service record upto 2007 is generally good.

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		The Board recommended the officer for promotion to BPS-18 on regular basis with immediate effect subject to the condition that she earns satisfactory PER for the year 2008 upto 15.4.2009. She will be on probation for a period of one year.
24	Mst. Anwar Sultan	Her date of birth is 6.12.1953. She joined government service on 25.9.1973. She was promoted to BPS-17 on 18.10.1993. No enquiry is pending against her. Her service record upto 2007 is generally good. The Board was informed that she is on deputation to Alama Iqbal Open University upto 31.1.2010. The E&SE Department did not recommend her for promotion at this stage. The Board recommended to defer her promotion.
25	Mst. Bakht Nazira	Her date of birth is 3.1.1950. She joined government service on 22.2.1968. She was promoted to BPS-17 on 18.10.1993. No enquiry is pending against her. Her service record upto 2007 is generally good. The Board recommended the officer for promotion to BPS-18 on regular basis with immediate effect subject to the condition that she earns satisfactory PER for the year 2008 upto 15.4.2009. She will be on probation for a period of one year.
26	Mst. Bibi Ghufrania	Her date of birth is 20.2.1952. She joined government service on 12.2.1974. She was promoted to BPS-17 on 18.10.1993. No enquiry is pending against her. Her service record upto 2007 is generally good. The Board recommended the officer for promotion to BPS-18 on regular basis with immediate effect subject to the condition that she earns satisfactory PER for the year 2008 upto 15.4.2009. She will be on probation for a period of one year.
27	Mst. Shamsia Waseem	Her date of birth is 30.4.1949. She joined government service on 15.3.1979. She was promoted to BPS-17 on 18.10.1993. No enquiry is pending against her. Her service record upto 2007 is generally good. The Board recommended the officer for promotion to BPS-18 on regular basis with immediate effect subject to the condition that she earns satisfactory PER for the year 2008 upto 15.4.2009. She will be on probation till retirement.
28	Mst. Bibi Salma	Her date of birth is 1.2.1951. She joined government service on 23.4.1969. She was promoted to BPS-17 on 18.10.1993. No enquiry is pending against her. Her service record upto 2007 is generally good. The Board recommended the officer for promotion to BPS-18 on regular basis with immediate effect subject to the condition that she earns satisfactory PER for the year 2008 upto 15.4.2009. She will be on probation for a period of one year.
29	Mst Rukhtaj Begum	Her date of birth is 15.9.1949. She joined government service on 15.3.1979. She was promoted to BPS-17 on 18.10.1993. No enquiry is pending against her. Her service record upto 2007 is generally good. The Board recommended the officer for promotion to BPS-18 on regular basis with immediate effect subject to the condition that she earns satisfactory PER for the year

(33)

GOVERNMENT OF KHYBER PAKHTUNKHWA ELEMENTARY & SE DEPARTMENT

Dated Peshawar the, May 29, 2013.

NOTIFICATION

NO.SO(S/F)E&SE/1-3/2013/PSB Promotion From BS-17 to BS-18):- On the recommendation of the Provincial Selection Board, the Competent Authority (Chief Minister Khyber Pakhtunkhwa) is pleased to promote the following female officers (Teaching Cadre) of Elementary & Secondary Education Department from BS-17 to BS-18 on regular basis with immediate effect except S.No.2.

S. #	Name of Female Officers
1	Mst. Anwar Sultana I/C Principal (BS-17)
2	Mst. Arifa Kausar, Headmistress (BS-17) w.e.f 21-05-2013 on notional basis as recommended by PSB.
3	Mst. Saeeda Begum, Headmistress (BS-17)
4	Mst Safia Begum, Headmistress (BS-17)
5	Mst Parveen Shamshad, Subject Specialist (Maths) (BS-17)

Attested

2 In terms of Section 6(2) of Khyber Pakhtunkhwa Civil Servants Act, 1973 read with rule-15(1) of the Khyber Pakhtunkhwa Civil Sevants (Appointment, Promotion & Transfer) rules, 1989 the above female officers except S.No.2 of the Teaching Cadre on their promotion shall be on probation for a period of one year.

3 Consequent upon the above, the following posting / transfer and adjustments are made:

S. #	Name of officers & Present Stations	Proposed place of posting	Remarks
i.	Mst. Anwar Sultana (BS-17) working as I/C Principal GGHS No 1 Mingora, Swat.	Principal (BS-18) GGHS No.1 Mingora, Swat.	Post already occupied by her
ii.	Mst. Arifa Kausar, Headmistress (BS-17) GGHS Civil Quarter, Peshawar.	Principal (BS-18) GHSS GGHSS Civil Quarter, Peshawar.	Against Vacant Post (On notional promotion as recommended by PSB on 21-05-2013, because she retired from the service on the same date.
iii.	Mst. Saeeda Begum, Headmistress (BS-17) GGHS Khadegzai, Dir Lower.	Principal (BS-18) GGHS Totakan, Malakand.	Vice S.No.vi
iv.	Mst. Safia Begum, Headmistress (BS-17) GGHS Kityari, Dir Lower.	Principal (BS-18) GGHSS Chakdara, Dir Lower.	Against Vacant Post
v.	Mst. Parveen Shamshad, Subject Specialist (Maths) (BS-17) GGHSS Mathra, Peshawar.	Principal (BS-18) GGHSS Mandani, Charsadda.	Against Vacant Post

4

CONSEQUENTIAL POSTING / TRANSFER

vi.	Mst. Mehnaz Bibi Headmistress (BS-17) GGHS Totakan, Malakand. (working in BS-18)	Headmistress (BS-17) Garhi Usmani Khel, Malakand.	Against Vacant Post

4. No TA / DA are allowed.

SECRETARY

End'st.of even No & date

Copy forwarded to the:-

1. PS to Chief Minister Khyber Pakhtunkhwa.
2. PS to Chief Secretary Khyber Pakhtunkhwa.
3. Accountant General, Khyber Pakhtunkhwa Peshawar.
4. Director, E&SE, Peshawar.
5. DEOs (F) concerned.
6. District Accounts Officer concerned.
7. Incharge EMIS, E&SE Department.
8. P.S to Secretary E&SE Department.
9. Officer concerned.
10. Office order file.

(BEENISH IMRAN)
SECTION OFFICER (S/F)

Attested

O.E.S.J

(1)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR, CAMP COURT SWAT

Service Appeal No. 1350/2013

Anwar Sultana Ex-Principal GGHS No.1 Mingora, District Swat.

(Appellant)

VERSUS

Secretary E & S E Department Khyber Pakhtunkhwa and others.

(Respondents)

INDEX

Appellant
Through Counsel

Dr. Adnan Khan, Barrister-at-Law
Office: Adnan Law Associates,
Opposite Grassy Ground Mingora Swat
Cell No. 0346-9415233

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR, CAMP COURT SWAT

Service Appeal No. 1350/2013

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REJOINDER ON BEHALF OF APPELLANT IN RESPONSE TO PARA WAISE COMMENTS OF RESPONDENTS No.1 TO 4:

Respectfully Sheweth;

Rejoinder to preliminary objections:

1) Incorrect. The appellant has rightly filed the instant appeal and has got both *locus standii* and cause of action.

2) Incorrect. The appeal is within time and is not hit by law of limitation or laches.

3) Incorrect. The appellant has highlighted all relevant facts before this Hon'ble Tribunal.

4) Incorrect. No *mala fide* exists on behalf of the appellant in the instant appeal.

5) Incorrect. The appellant has approached this Hon'ble Tribunal with clean hands.

6) Incorrect. The appeal is not barred by any law of the land.

7) This objection of the answering respondents is evasive. Detailed reply is given in factual reply.

8) Incorrect. The appellant has been treated in violation of law, rules and policy.

9) Incorrect. The appeal is maintainable in its present form.

10) Incorrect. All necessary and relevant parties have been joined as respondents in the instant appeal.

11) Incorrect. The appeal is maintainable and no law has barred the filing of this appeal.

12) Incorrect. The appellant is entitled for promotion since her deprivation from her due right to promotion. Furthermore, being a matter pertaining to the terms and conditions of service of a civil servant, this Hon'ble Tribunal has the exclusive jurisdiction to entertain the instant appeal.

ON FACTS:

1) No need of reply.

2) No need of reply.

(4)

3) No need of reply.

4) This assertion of the answering respondents is denied to the extent that a civil servant while on deputation cannot be deprived from promotion; when such promotion is due as a matter of right. The appellant, no doubt was on deputation during the intervening period and there is no dispute that she was denied promotion on the ground of deputation. Having no fault of her in the whole episode, the appellant is entitled to promotion against the post of BPS-18, since her deferment for promotion against the said post.

5) This reply of the answering respondents is denied. Judgments of this Hon'ble Tribunal have the effect of judgments in *rem* and not in *personam*. Once a benefit has been given by this Tribunal to a civil servant, then similarly placed persons cannot be deprived of the fruits of such a benefit. Article 25 of the Constitution mandating equal protection of law would also enshrine so. Furthermore, the case of Mrs. Gohar Sani is not distinguishable from the present case.

6) This reply of the answering respondents is denied. Non-presence of a civil servant in his parent department is no ground for depriving him/her from promotion, particularly when civil servants junior to him/her are promoted to superior posts. No doubt the appellant was promoted later on to BPS-18 but it was made at a belated stage and not at a point when such promotion was due.

7) Pertains to record and detailed reply already given, hence no need of further reply.

8) No need of reply.

9) Detailed reply already given. Hence, no need of further comments.

10) This reply of the answering respondents is denied. Departmental appeal as per the relevant rules has been filed before the appellate authority by the appellant.

11) This reply of the answering respondents is denied. Needless to say that the appellant has been treated in violation of the relevant law, rules and promotion policy. Furthermore, the appellant has also been discriminated when civil servant junior to the appellant were promoted.

12) No need of further comment. Hence, no need of comment.

13) Detailed reply already given. Hence, no need of comment.

14) Being a legal assertion, no need of further comment.

In view of the above, these submissions may be considered graciously and the titled appeal may be allowed in its letter and spirit.

Appellant through counsel

Dr. Adnan Khan, Barrister-at-Law

(6)

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AFFIDAVIT

I, Adnan Khan (Appellant's Counsel) do hereby affirm and declare that all contents of the annexed rejoinder are true and correct to the best of my knowledge and nothing has been kept concealed from this Hon'ble Tribunal.

DEPONENT

Dr. Adnan Khan

ATTESTED

ATTESTED

Ghulam Ahad Advocate
OATH COMMISSIONER
District Courts Swat
No. 40 Date 07/08/017