

15.12.2021

None present on behalf of the appellant. Mr. Muhammad Adeel Butt, Addl. AG for the respondents present.

Notice be issued to appellant and his counsel for the next date of hearing. Case to come up on 21.02.2022 before the D.B at camp court, D.I.Khan.

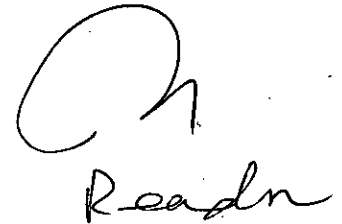


(Rozina Rehman)
Member (J)
Camp Court, D.I.Khan



Chairman
Camp Court, D.I.Khan

Due to retirement of the Honorable
Chairman to come up for the same
as before on 29/6/2022

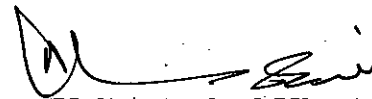


Readn

29th June, 2022

The appeal was called a number of time but the appellant did not turn up nor he deposited the security and process fee as per order of the court. Dismissed in default. Consign.

2. Pronounced in open court in D.I.Khan and given under my hand and seal of the Tribunal on this 29th day of June, 2022.



(Kalim Arshad Khan)

Chairman
Camp Court D.I.Khan

29.07.2021

Nemo for the appellant.


The appellant in this appeal belongs to District Tank and the appeals belonging to the said area are usually heard at D.I.Khan which for the time being is discontinued. The appellant may be under impression that his appeal will be fixed at camp court D.I.Khan is not in attendance. However, I have gone through the memorandum of appeal which discloses arguable points. Therefore, this appeal is admitted for full hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments in office within 10 days after receipt of notices, positively. If the written reply/comments are not submitted within the stipulated time, or extension of time is not sought through written application with sufficient cause, the office shall submit the file with a report of non-compliance. File to come up for arguments on 26.10.2021 before the D.B at camp court, D.Khan.

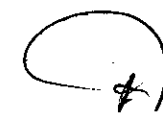

Chairman

26.10.2021

Nemo for appellant.

Security and process fee was not deposited. Appellant/counsel be put on notice to deposit the same within 10 days of the receipt of notice, where-after, notices be issued to respondents for submission of reply/comments within 10 days in office after the receipt of notices. If the reply/comments are not submitted within stipulated time, the office shall submit the file with a report of non-compliance. To come up for arguments on 15.12.2021 before D.B at Camp Court, D.I.Khan.


(Atiq ur Rehman Wazir)
Member(E)
Camp Court, D.I.Khan

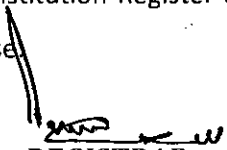
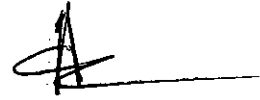

(Rozina Rehman)
Member(J)
Camp Court, D.I.Khan

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- _____ 4983/2021 _____

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	04/05/2021	<p>The appeal of Mr. Hizbullah Khan resubmitted today by Mr. Zia-ur-Rehman Qazi Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	04/06/2021	<p>This case is entrusted to S. Bench Peshawar. Notices be issued to appellant/counsel for preliminary hearing on <u>29</u>/07/2021.</p> <p style="text-align: right;"> CHAIRMAN</p>

The appeal of Mr. Hizbullah Khan CT Teacher GMS Baghul Jadeed Jandola Distt. Tank received today i.e. on 12/04/2021 is incomplete on the following score which is returned to the counsel for the appellatant for completion and resubmission within 15 days.

- 1- Copy of rejection order of departmental mentioned in para-a of the grounds of appeal is not attached with the appeal which may be placed on it.
- 2- Annexures of the appeal may be attested.
- 3- One more copy/set of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 722 /S.T,

Dt. 15/04 /2021


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Zia-ur-Rehman Qazi Adv. D.I.Khan.

Respected Sir,
objections at serial no 2 & 3 have been removed
write the objection at serial no. 1 may please
be put up before Honorable Bench for reply because
departmental appeal rejection order mentioned
in para (a) of the ground was notionally been
arrailed.

Re-submitted. please.


Mr. Zia-ur-Rehman Qazi
Adv.

**BEFORE THE SERVICE TRIBUNAL, KHYBER
PAKHTUNKHWA, PESHAWAR**

Service Appeal No of 2021

Hizbullah Khan **Appellant**

VERSUS

Government of K.P.K & others **Respondents**

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4.	Copy of the seniority list.	<u>B</u>	12-13
5.	Copy of the impugned Promotion Order No. 6607-15 Dated 07.12.2020.	<u>C</u>	14-15
6.	Copy of the Departmental Appeal Dated 28.12.2020.	<u>D</u>	16
7.	Copy of the Khyber Pakhtunkhwa Service Tribunal Act, 1974.	<u>E</u>	17-19
8.	Copy of K.P.K Civil Servant Act, 1973.	<u>F</u>	20-29
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Dated:-05.04.2021

Hizbullah
Appellant
Through Counsel



Zia-ur-Rahman Kazi
Advocate Supreme Court of Pakistan,
Dera Ismail Khan

①

BEFORE THE SERVICE TRIBUNAL, KHYBER
PAKHTUNKHWA, PESHAWAR

4983
Service Appeal No of 2021

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 4835

Date: 12/4/2021

Hizbullah Khan

C.T Teacher, Government Middle School (GMS), Baghul Jadeed, Sub-
Division Jandola Merged District Tank.

Appellant

VERSUS

1. **Government of Khyber Pakhtunkhwa** through Secretary Elementary & Secondary Education, Khyber Pakhtunkhwa Peshawar.
2. **Director** Elementary & Secondary Education, Khyber Pakhtunkhwa Peshawar.
3. **District Education Officer (Male)** Sub-Division Jandola Merged District Tank.
4. **Sub Divisional Officer (Male)**, Sub-Division Jandola Merged District Tank.
5. **District Account Officer**, Tank/Dera Ismail Khan.
6. **Bait Ullah** C.T Teacher Government Middle School (GMS) Karam Bobal Sub-Division Jandola Merged District Tank.
7. **Muhammad Tariq**, C.T Teacher Government Middle School (GMS) Baghul Jadeed Sub-Division Jandola Merged District Tank.

Respondents

16/11/21
Ziaul Admin
Add
5.04.21

Filed to-day
Registrar
12/4/2021
Re-submitted to-day
and filed.
Registrar
09/05/2021

2

**SERVICE APPEAL UNDER SECTION 04 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974
AIMED AGAINST THE IMPUGNED PROMOTION ORDER
NO. 6607-15 DATED 07.12.2020 OF RESPONDENTS NO.
06 & 07 FROM THE POST OF C.T TO SST (GENERAL)
BPS-16 BEING PATENTLY ILLEGAL, VOID-AB-INITO,
AGAINST THE MANDATE OF SECTION 09 OF THE K.P.K
CIVIL SERVANT ACT, 1973**

PRAYER IN SERVICE APPEAL

- a) On acceptance of instant service appeal, this Tribunal may be pleased to set aside/struck down the impugned Promotion Order No. 6607-15 Dated 07.12.2020 of Respondents No. 06 & 07 from the post of C.T to SST (General) BPS-16 being patently illegal, void-ab-initio, against the mandate of section 09 of the K.P.K Civil Servant Act, 1973 and ineffective upon the valuable rights of the Appellant.
- b) To direct the official Respondents to consider the case of the Petitioner for promotion from the post of C.T to SST BPS-16 (General) from the date when the post fell vacant or from the date when the impugned promotion Order Dated 07.12.2020 has been passed.

14/04/2021
Ziauddin Khan
05.04.2021

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c) To grant any other relief *ex debito justitiae* due to the Appellant may please be extended in his favour as against the Respondents.

Note:- Addresses given above shall suffice the object of service

Respectfully Sheweth,

The Appellant humbly submits as under:-

1. That Appellant was appointed as Certified Teacher (C.T) (BPS-09) through appointment Order No. 617-20 Dated 27.02.2001 by the then Agency Education Officer, F.R Tank. Throughout his service career, the Petitioner served the Education Department with zeal and zest and never gave any occasion to his high-ups of any complaint. Copy of the appointment Order No. 617-20 Dated 27.02.2001 of the Appellant is enclosed as Annexure "A".
2. That Appellant has almost 20 years unblemished service career at his credit and as earlier stated, he was appointed as Certified Teacher (C.T) (BPS-09) on 27.02.2001. From 01.03.2001 to 06.09.2005, the Appellant worked in (BPS-09). From 07.09.2005 to 30.09.2007, he worked as Certified Teacher but in BPS-14 and from 01.10.2007 till date, he is still working as Certified Teacher but in BPS-15.
3. That Petitioner is serving the Department for last 20 years without any complaint and was expecting for his promotion to SST (BPS-16) because his name is placed as Senior to Respondents No. 06 & 07 namely Baitullah and Muhammad

Handwritten signature and date: 05-04-21

(4)

Tariq respectively in the seniority list of the office of District Education Officer Sub-Division Jandola Merged District Tank. Copy of the seniority list is enclosed as Annexure "B".

4. **That** official Respondents conducted a meeting of the Departmental Promotion Committee and in blatant violation of service laws and rules, ignored the case of the Petitioner for promotion to the post of SST (BPS-16) and through impugned Promotion Order No. 6607-15 Dated 07.12.2020, promoted Respondents No. 06 & 07 from the post of C.T to SST (General) BPS-16 despite the fact that they are juniors to the Appellant. Copy of the impugned Promotion Order No. 6607-15 Dated 07.12.2020 is enclosed as Annexure "C".
5. **That** against the impugned Promotion Order No. 6607-15 Dated 07.12.2020 of the Respondents No. 06 & 07, the Appellant voiced his grievance by filing within time departmental appeal to the Departmental Appellate Authority on 28.12.2020, which has not been responded up till now, hence, after lapse statutory period of ninety days, the same deemed to be rejected. Copy of the Departmental Appeal Dated 28.12.2020 is enclosed as Annexure "D".
6. **That** Appellant is also going to file a constitutional petition in the Peshawar High Court D.I.Khan Bench against the impugned Promotion Order No. 6607-15 Dated 07.12.2020 of the Respondents No. 06 & 07 due to certain legal complications as reflected in section 04 (b) of the KPK Service Tribunal Act, 1974. Copy of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 is enclosed as Annexure "E".
7. **That** feeling aggrieved from the impugned Departmental action in the shape of impugned Promotion Order No. 6607-15 Dated 07.12.2020 of the Respondents No. 06 & 07 and implied

Ziauddin Khan
5.04.21

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Departmental Appeal's rejection Order and having left with no other efficacious or alternate remedy, the instant service Appeal on the following grounds.

G R O U N D S

- a. **That** impugned Promotion Order No. 6607-15 Dated 07.12.2020 of the Respondents No. 06 & 07 along with Departmental Appeal's rejection Order is against law, facts of the case, patently illegal, void-ab-initio and material available on the record. The impugned Promotion Order No. 6607-15 Dated 07.12.2020 of the Respondents No. 06 & 07 is liable to be reversed and official Respondents needs to be directed to consider the case of the Appellant for promotion as aforesaid.
- b. **That** as reflected from the record of the case as well as section 09 of the K.P.K Civil Servant Act, 1973 that the post of SST (General) (BPS-16) is a non-selection post which has to be filled on the basis of seniority-cum-fitness, therefore, the impugned Promotion Order No. 6607-15 Dated 07.12.2020 of the Respondents No. 06 & 07 has been issued/passed by infringing the principle of seniority, hence, is liable to struck down and the Appellant is entitled to be considered for promotion. For ease of reference, copy of K.P.K Civil Servant Act, 1973 is enclosed as Annexure "F".
- c. **That** impugned action in the shape of impugned Promotion Order No. 6607-15 Dated 07.12.2020 of the Respondents No. 06 & 07 is unwarranted because the golden principle of seniority has been violated and undue favour has been extended in favour of the Respondents No. 06 & 07 by issuing their promotion Order which is liable to be struck down.

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Transcript
05.04.21

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- d. **That** legal and factual aspects of the controversy have not been appreciated in its true perspective by the official Respondents by issuing impugned Promotion Order No. 6607-15 Dated 07.12.2020 of the Respondents No. 06 & 07 and violation of section 09 of K.P.K Civil Servant Act, 1973 is palpable from the record, therefore, the impugned action is calling for interference.
- e. **Counsel** for Appellant may please be allowed to urge additional grounds at the time of final hearing.

It is therefore, most humbly prayed that instant Service appeal may please be allowed as prayed for.

Dated:-05.04.2021


Hizbullah

ID Card No. 12201-8299869-7
C.T GMS Baghul Jadeed
Sub-Division Jandola
(FR) Tank District Tank.
Cell No.0345-9848730

Through Counsel


Zia-ur-Rahman Kazi

Advocate Supreme Court of Pakistan,
Dera Ismail Khan

7

**BEFORE THE SERVICE TRIBUNAL, KHYBER
PAKHTUNKHWA, PESHAWAR**

Service Appeal No of 2021

Hizbullah Khan Appellant

VERSUS


Government of K.P.K & others Respondents

AFFIDAVIT

I, **Hizbullah Khan**, C.T GMS Baghul Jadeed Sub-Division Jandola (FR) Tank District Tank, the Appellant, do hereby solemnly affirm and declare on oath:-

1. **That** accompanying service appeal has been drafted by my Counsel following my instructions
2. **That** all Para wise contents of the service appeal are true and correct to the best of my knowledge, belief and information;
3. **That** nothing has been deliberately concealed from this August Tribunal nor anything contained therein is based on exaggeration or distortion of facts.

Dated:-05.04.2021


Deponent

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**BEFORE THE SERVICE TRIBUNAL, KHYBER
PAKHTUNKHWA, PESHAWAR**

Service Appeal No of 2021

Hizbullah Khan Appellant

VERSUS

Government of K.P.K & others Respondents

SERVICE APPEAL

List of Books refereed:

1. The Constitution of Islamic Republic of Pakistan, 1973.
2. The K.P.K Civil-Servant Act, 1973.
3. K.P.K Appointment, Promotion, Transfer Rules 1989.
4. K.P.K Service Tribunal Act, 1974.
5. K.P.K Service Tribunal Rules, 1974.
6. Judicial Precedents, favouring the case of the Appellant.


Counsel for Appellant 21

Note:-

Service Appeal and Annexures along with seven sets thereof are being presented in seven separate enclosed covers.


Counsel for Appellant 21

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**BEFORE THE SERVICE TRIBUNAL, KHYBER
PAKHTUNKHWA, PESHAWAR**

Service Appeal No of 2021

Hizbullah Khan Appellant

VERSUS

Government of K.P.K & others Respondents

SERVICE APPEAL

MEMO OF ADDRESSES OF THE PARTIES

APPELLANT

Hizbullah Khan

C.T Teacher, Government Middle School (GMS), Baghul Jadeed, Sub-Division Jandola Merged District Tank.

RESPONDENTS

1. **Government of Khyber Pakhtunkhwa** through Secretary Elementary & Secondary Education, Khyber Pakhtunkhwa Peshawar.
2. **Director** Elementary & Secondary Education, Khyber Pakhtunkhwa Peshawar.
3. **District Education Officer (Male)** Sub-Division Jandola Merged District Tank.
4. **Sub Divisional Officer (Male)**, Sub-Division Jandola Merged District Tank.

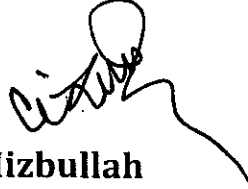
Hizbullah Khan
05.04.21

10

5. **District Account Officer**, Tank/Dera Ismail Khan.
6. **Bait Ullah**, C.T Teacher Government Middle School (GMS) Karam Bobal Sub-Division Jandola Merged District Tank.
7. **Muhammad Tariq**, C.T Teacher Government Middle School (GMS) Baghul Jadeed Sub-Division Jandola Merged District Tank.

Dated:-05.04.2021

Your Humble Appellant



Hizbullah

ID Card No. 12201-8299869-7

C.T GMS Baghul Jadeed

Sub-Division Jandola

(FR) Tank District Tank.

OFFICE OF THE AGENCY EDUCATION OFFICER PR TANK/DIKHAN.APPOINTMENT.

Mr. Hizbullah s/o Gul Manjan FA/CT r/o PR Tank candidate of CT merit order No. 2 (Session wise) is hereby appointed as CT in BPS-9 (Rs, 1605-97-3060) plus usual allowances as admissible under the rules at GHS Pir Tangi PR Tank against vacant SV/CT post in the interest of public service w.e. from the date of his taking over charge.

NOTES:-

1. No TA/DA is allowed on first appointment.
2. Charge reports should be submitted to all concerned in duplicate.
3. The candidate should obtained Health & Age certificate from Medical Supdt: DHQH DIKhan.
4. This appointment is made purely on temporary basis and is liable to termination at any time without any notice or assigning any reason. In case he wish to resign his service they will have to give one month prior notice or forfeit one month pay in lieu thereof.
5. His Academic & Professional certificates should be checked before his taking over charge, after his arrival/taking over charge too, his monthly salary should not be drawn till the verification of his certificates from the quarter concerned.
6. He should not be handed over charge of the post if he is below 18 or above 33 years age.
7. If he fail to take over charge within 15 days after the issue of this order, that his order will be considered as cancelled and this office may be informed immediately so that an other candidate standing on merit be appointed.
8. Probation period of the appointment will be two years as laid by the Govt.

(HAO NAWAZ KHAN WAZIR)
AEO PR Tank/D.I.Khan.

Encl: No. 617-20 /A-2/CT/SV Dated DIK: the 27/2/2001.

Copy to:-

- 1:- The Director of Education (BATA) WFP Feshawari for information please.
- 2:- Headmaster GHS Pir Tangi PR Tank.
- 3:- AEO PR Tank.
- 4:- Candidate concerned.

Agency Education Officer,
PR Tank/DIKhan at DIKhan.

Allahia
Wazir

27/2/2001

Best copy (11-A)

OFFICE OF THE AGENCY EDUCATION OFFICER FR TANK/ DIKHAN

APPOINTMENT:

Mr. Hizbullah S/O Gul Marjan FA/Ct r/o FR Tank candidate of CT Merit order No. 2(session wise) is hereby appointed as CT in BPS-09 (RS, 1605-97-3060) plus usual allowances as admissible under the rules at GHS Pir Tangi FR Tank against vacant SV/CT post in the interest of public service w.e. from the date of this taking over charge.

NOTICE:-

1. No DA/DA is allowed on first appointment.
2. Charge reports should be submitted to all concerned in duplicate.
3. The candidate should obtained Health & Age certificate from Medical Supdt DHQH DI Khan.
4. This appointment is made purely on temporary basis and is liable to termination at any time without any notice or assigning any reason. In case he wish to resign his service they will have to give once month prior notice or forefeet one month any in lieu thereof.
5. His academic & Professional certificate should be checked before his taking over charge, after his arrival/taking over charge too, his monthly salary should not be drawn till the verification of his certificates from the quarter concerned.
6. He should not be handed over charge of the post if he is below 18 or above 33 years age.
7. If he fail to take over charge within 15 days after the issue of this order, that his order will be considered as cancelled and this office may be informed immediately so that another candidate standing on merit be appointed.
8. Probation period of the appointment will be two years as laid by the govt.

(Haq Nawaz Khan Wazir)
AEO FR Tank/D.I. Khan

Enst: No. 617-20/A-2/CT/SV
27/02/2001.

Dated DIK: the

Copy to:-

1. The director of Education (ATA) NWFP Peshawar for information please.
2. Headmaster GHS.Pir Tangi FR Tank.
3. AEO FR Tank
4. Candidate concerned.

Attended
Wh

(Agency Education Officer)
AEO FR Tank/D.I. Khan

OFFICE OF THE DISTRICT EDUCATION OFFICER, SUB DIVISION JANDOLA

Seniority List of CT Teachers(Male/Female), Working in Sub: Division Jandola (3rd:DPC for SST)

S.No	Name with Academic & Prof: Qualif:	F/Name	BPS	DOB	Domicile	D/o 1st entry into Govt: Service	D/o of apptt: in the present post	Seniority Date	Place of Posting	Remarks
1	Gulam Khan BA CT	Amir Khan	15	01/06/1961	SD Jandola	15/02/1982	01/09/1984	01/09/1984	GHS Khirgi	
2	Ghulam Din BA S.CT	Jan Gul	16	14/09/1961	SD Jandola	15/12/1981	15/07/1986	15/07/1986	GHS Mir Azam Kor	
3	Musa Khan BA S.CT (Tech.)	Mirabat Khan	16	12/06/1964	SD Jandola	19/11/1986	19/11/1986	19/11/1986	GHS Daulat Khan Koroona	
4	Mumtaz Khan M.A S.CT/B.Ed.	Said Bad shah	16	03/08/1964	SD Jandola	03/09/1988	03/09/1988	17/09/1988	GHS Din Muhammad Kor	BA 3rd Division
5	Sanallah F.Sc CT	Amanullah	15	02/03/1969	SD Jandola	09/09/1989	09/09/1989	14/11/1990	GHS Khirgi	
6	Jahanzeb Khan B.Sc CT	Muhammad shah	15	06/09/1970	SD Jandola	30/05/1993	30/05/1993	30/05/1993	GHS Jandola,	
7	Sher Muhammad BA S.CT	Ali Bat Khan	16	05/01/1966	SD Jandola	01/02/1990	01/02/1990	25/12/1993	GHS Mir Azam Kor	
8	Gula Jan BA S.CT	khan Mir	16	08/01/1967	SD Jandola	21/03/1990	21/03/1990	25/12/1993	GHS Pir Tangi	
9	Alamgir BA S.CT	Zar Gul Din Khan	16	10/10/1963	SD Jandola	18/10/1981	09/12/1994	09/12/1994	GHS Pir Tangi	
10	Ali Muhammad M.A/B.Ed S.CT/B.Ed.	Abdul Qadir	16	02/02/1966	SD Jandola	18/10/1995	18/10/1995	18/10/1995	GHS Pir Tangi	B.Ed Al-Khair
11	Gul Badshah FA CT	Zalo Khan	15	05/11/1969	SD Jandola	03/12/1988	02/11/1995	02/11/1995	GHS Daulat Khan Koroona	
12	Niaz Muhammad M.A/B.Ed S.CT/B.Ed.	Badshah Khan	16	07/03/1971	SD Jandola	20/11/1995	20/11/1995	20/11/1995	GHS Daulat Khan Koroona	
13	M.Ibrahim M.A/B.Ed S.CT/B.Ed.	Said Ghulam	16	05/03/1973	SD Jandola	08/01/1996	08/01/1996	08/01/1996	GHS Daulat Khan Koroona	BA 3rd Div, B.Ed Al-Khair Add:Phy:/Math
14	Gul Amir BA S.CT	Jan Gul Khan	16	13/08/1963	SD Jandola	01/10/1985	15/01/1996	15/01/1996	GMS Gabar Ali Khel NO. 1	
15	Muhammad Amin BA S.CT (Tech.)	Faizullah	16	05/12/1969	SD Jandola	17/01/1996	17/01/1996	17/01/1996	GMS Shuza	
16	Muhammad Mumtaz Khan BA S.CT/B.Ed.	Amir Zaman	16	12/04/1971	SD Jandola	26/03/1996	26/03/1996	26/03/1996	GHS Pir Tangi	
17	M.Iqbal M.A CT/B.Ed.	Mian Gul	15	05/02/1969	SD Jandola	21/09/1998	21/09/1998	21/09/1998	GMS Aba Khel	
18	Umar Gul M.A CT	Ali Bat Khan	15	12/05/1972	SD Jandola	21/09/1998	21/09/1998	21/09/1998	GMS Khaisarai	
19	Zaro Gul M.A/M.Ed CT/B.Ed.	Naseeb Khan	15	01/09/1971	SD Jandola	28/10/1998	28/10/1998	28/10/1998	GMS Baghul Jadeed	B.Sc;Add;Subject (Bio/Ch.)
20	Main-ud-Din BA CT (Tech.)	Abdul Hamid	15	10/01/1965	SD Jandola	10/12/1999	10/12/1999	10/12/1999	GHS Daulat Khan Koroona	
21	Asmatullah M.A CT/B.Ed.	Nasrullah	15	03/04/1971	SD Jandola	06/05/1996	25/01/2001	25/01/2001	GMS Ghundi Shekhan	
22	Hizbullah BA CT/B.Ed.	Gul Marjan	15	04/02/1973	SD Jandola	01/03/2001	01/03/2001	01/03/2001	GMS Baghul Jadeed	

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Annexure "B"

Attended
[Signature]

Seniority List of CT Teachers(Male/Female), Working in Sub: Division Jandola (3rd:DPC for SST)

No	Name	Qualification	Category	Name	Age	DOB	Posting	Seniority Date	Seniority Date	Seniority Date	Place of Posting	Remarks
23	M.Azam	BA	CT	Zarghun Shah	15	06/01/1971	SD Jandola	02/09/2002	02/09/2002	02/09/2002	GHS Kirri wam	
✓ 24	Baitullah	M.A	CT/B.Ed	Kaees Khan	15	01/01/1973	SD Jandola	02/09/2002	02/09/2002	02/09/2002	GMS Karam Bobai,	
✓ 25	M.Tariq	M.A	CT/B.Ed	Dilbar Khan	15	04/01/1977	SD Jandola	02/09/2002	02/09/2002	02/09/2002	GMS Baghul Jadeed	
26	Saadat Khan	MA	CT/B.Ed	Mehar Khan	15	15/09/1973	SD Jandola	01/09/2003	01/09/2003	01/09/2003	GMS Girni	
27	Said Alam	M.A	B.Ed/CT	Rais Khan	15	06/04/1975	SD Jandola	01/09/2003	01/09/2003	01/09/2003	GHS Khirgi	
28	M.Zaman	BA	CT	Gul Sher	15	20/03/1970	SD Jandola	16/09/2003	16/09/2003	16/09/2003	GHS Mir 'Azam Kor'	
29	Inayatullah	M.A	CT/B.Ed	Rais Khan	15	20/12/1974	SD Jandola	16/09/2003	16/09/2003	16/09/2003	GMS Neimat Khel Jadid	
30	Hashmat Khan	BA	CT	Haibat Khan	15	01/03/1976	SD Jandola	17/09/2003	17/09/2003	17/09/2003	GHS Khirgi	
31	Najibullah	BA	CT	Shaukat Ali	15	01/04/1975	SD Jandola	29/11/2005	29/11/2005	29/11/2005	GHS Khirgi	
32	Abdul Naveed	M.A	CT/B.Ed	Abdul Hamid	15	02/02/1974	SD Jandola	21/09/1998	05/03/2007	05/03/2007	GHS Ghundi Shekhan	
33	M.Arifullah Shah	MA	CT/B.Ed	Mahboob Shah	15	19/02/1973	SWA	01/09/2009	01/09/2009	01/09/2009	GMS Shuza	
34	Yasin Khan	M.A	CT/B.Ed	Shadi Khan	15	19/08/1977	SD Jandola	17/09/2005	01/09/2009	01/09/2009	GMS Rustam Kalai	
35	Mohabat Khan	M.A	CT/B.Ed	Sawa Dirr	15	30/09/1980	SD Jandola	01/09/2009	01/09/2009	01/09/2009	GHS Jandola,	
36	M.Mudasar Inayat	BA	CT/B.Ed	Inayatullah	15	09/03/1981	SD Jandola	01/09/2009	01/09/2009	01/09/2009	GHS Kirri Wam	
37	Hamidullah	M.A	CT/B.Ed	Zinda Khan	15	20/04/1986	SD Jandola	01/09/2009	01/09/2009	01/09/2009	GHS Ghundi Shekhan	
38	Khairullah	B.Sc	CT/B.Ed	Abdul Latif	15	01/01/1991	SD Jandola	04/03/2011	04/03/2011	04/03/2011	GHS Kirri Wam	B.Sc;Addl:Subject(Math/Phy:)
39	Damsaz Khan	BA	CT	Umar Daraz Khan	15	01/05/1987	SD Jandola	08/05/2013	08/05/2013	08/05/2013	GHS Daulat Khan Koroona	B.Sc (Math/Phy)
40	Anwar Kamal	MA	CT	Pasham Khan	15	02/01/1981	SD Jandola	06/10/2017	06/10/2017	06/10/2017	GHS Jandola,	
41	M.Tariq Zaman	MA	CT	Qamar Zaman	15	05/03/1984	SD Jandola	06/10/2017	06/10/2017	06/10/2017	GHS Sobati Kach	
42	Adnan Ahmad Khan	MA/M.Phil	CT	Nisar Ahmad Khan	15	22/05/1935	SD Jandola	06/10/2017	06/10/2017	06/10/2017	GMS Shuza	
43	Mumtazullah	MA	CT	M.Ali	15	16/09/1987	SD Jandola	06/10/2017	06/10/2017	06/10/2017	GHS Daulat Khan Koroona	B.Sc(Bio/Chem)
44	Hamidullah	MA	CT	Qismat Khan	15	20/09/1957	SD Jandola	06/10/2017	06/10/2017	06/10/2017	GMS Gabbar Ali Khel	B.Sc(Bio/Chem)
45	M.Anwar	MA	CT	Mangal Baz	15	02/01/1985	SD Jandola	06/10/2017	06/10/2017	06/10/2017	GMS Kazim Kor'	

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Attested


Notification

In pursuance of the Government of Khyber Pakhtunkhwa Elementary and Secondary Education Notification No.SO(PE)/1-5/SSRC/Meeting/2013/Teaching Cadre dated 27 July 2014 and recommendations of the Departmental Promotion Committee, the following SCTs/CTs, SDMs/DDMs, SATs/ATs, SPTs/PTs, Senior Qaris/Qaris, PSITs/SPSTs/PSTs of Sub Division Jandola, are hereby promoted to the post of SST (Bio-Chem), SST (Phy/Maths), SST (General) and posted in the schools noted against each in BPS-16 (Rs. 18010-1520-6.1510) plus usual allowances as admissible under the rules on regular basis under the existing policy, on the terms and conditions given below, with immediate effect in the interest of public service.

1. SCT/CT TO SST (General) BPS-16.

S. No	Sen No	Name	School	DOB	D of App: as Regular CT	Quali	Name of School where posted
1	10	Ali Muhammad	GHS Pir Tangi	2/2/1966	18/10/1995	BA/B.Ed	GMS Kharsari
2	13	Niaz Muhammad	GHS Daula Kh: Korrana	7/3/1971	20/11/1995	BA/B.Ed	GMS Moulana Abad Kor
3	16	Muhammad Muntaz Khan	GHS Pir Tangi	12/4/1971	20/3/1996	BA/B.Ed	GMS Ping(Musa Khan)
4	17	Muhammad Iqbal	GMS ABA Khel	5/2/1969	21/9/1998	BA/B.Ed	GMS Muhammad Ayub Kor
5	21	Asmat Ullah	GHS Ghundi Shekhan	3/4/1971	25/1/2001	BA/Bed	GMS Muhammad Gul(Shin Kach)
6	24	Haithullah	GMS Behal Karam	1/1/1972	2/9/2002	BA/BE-1	GMS Karam Bobal
7	25	Muhammad Tariq	GMS Baghul Jadeed	1/1/1977	2/9/2002	BA/Bed	GMS Baghul Jadeed

2. Sr. CT/CT TO SST (Bio/Chem) BPS-16.

S. No	Sen No	Name of official	School	DOB	D of App: as Regular CT	Quali	Name of School where posted
1	19	Zaro Gul	GMS Baghul Jadeed	1/9/1971	28/10/1998	BSC/B.Ed	GHS Jandola

3. Sr. CT/CT TO SST (Phy/Maths) BPS-16.

S. No	Sen No	Name of official	School	DOB	D of App: as Regular CT	Quali	Name of School where posted
1	38	Khair Ullah	GHS Kiri Wam	1/1/1991	1/3/2011	BSC/B.Ed	GHS Kirri Wam

4. PSIT/SPST/PST TO SST (General) BPS-16.

S. No	Sen No	Name of official	School	DOB	D of App: as Regular PST	Quali	Name of School where posted
1	31	Said Akbar	GPS Khirgi	16/2/1972	25/9/1990	BA/B.Ed	GMS Hashim Khan Korrana
2	56	Kiimatullah	GPS Gul Hawas Khan Kot	1/3/1973	1/9/1999	BA/B.Ed	GMS Passa Din Korrana

Number of ...	DOJ	Def App on ...	Q ...
Number of ...	DOJ	Def App on ...	Q ...
Number of ...	DOJ	Def App on ...	Q ...


Terms and conditions: -

The undersigned hereby certifies that the above information is true and correct to the best of his knowledge and belief. He further certifies that the same is true and correct to the best of his knowledge and belief.

(Hafiz Dr. Muhammad Ibrahim)

Deputy Director (Legal)

For the Government of Punjab
 Ministry of Education
 Government of Punjab
 Lahore

Astoria


Deputy Director (Legal)
 Merqad District

Notification

In pursuance of the Government of Khyber Pakhtunkhwa Elementary and Secondary Education Notification No.SO(PE)/4-5/SSRC/meeting//2013/Teaching Cadre dated 24th July,2014 and recommendations of the Departmental Promotion Committee, the following SCT's /CT;s SDMs/DMs,SATs/ATs,STTs Senior Qaris/Qaris,PSHTs/SPSTs/PSTs of Sub Division Jandola ,are hereby promoted to the post of SST (Bio-Chem),SST (Phy,math) ,SST (General) and posted in the schools noted against each in BPS-16 (RS.18910-1520-64510)plus usual allowances as admissible under the rules on regular basis under the existing policy,on the terms and conditions given below, with immediate effect in the interest of Public service.

1. SCT/CT TO SST (General) BPS-16

S.NO	Sen No	Name	School	DOB	D of App: as Regular CT	Qual	Name of School where posted
1	10	Ali Muhammad	GHS Pir Tangi	2/2/1966	18/10/1995	BA/B.Ed	GMS Khasari
2	13	Niaz Muhammad	GHS Daulat Khan Korrana	7/3/1971	20/11/1995	BA/B.Ed	GMS Moulana Abad Kor
3	16	Muhammad Mumtaz Khan	GHS Pir Tangi	12/4/1971	26/3/1996	BA/B.Ed	GMS Ping (Musa Khan)
4	17	Muhammad Iqbal	GMS ABA Khel	5/2/1969	21/9/1998	BA/B.Ed	GMS Muhammad Ayub Khan
5	21	Asmat Ullah	GHS Ghundi Sheikhan	3/4/1971	25/1/2001	BA/B.Ed	GMS Muhammad Gul (Shin Kach)
6	24	BaitUllah	GMS Karam Bobal	1/1/1972	2/9/1998	BA/B.Ed	GMS Karam Bobal
7	25	Muhammad tariq	GMS Baghul Jadeed	4/1/1977	2/9/2002	BA/B.Ed	GMS Baghul Jadeed

2. Sr CT/CT TO SST (BIO/Chem)BPS-16

S.NO	Sen No	Name of Official	School	DOB	D of App: as Regular CT	Qual	Name of School where posted
1	19	Zaro Gul	GMS Baghul Jadeed	1/9/1971	28/10/1998	BSC/B.Ed	GHS Jandola

3. Sr CT/CT TO SST (Phy/Math)BPS-16

S.NO	Sen No	Name of Official	School	DOB	D of App: as Regular CT	Qual	Name of School where posted
1	38	Khair Ullah	GHS Kiri Wam	1/1/1991	4/3/2011	BSC/B.Ed	GHS Kirri Wam

1. PSHT/SPST/PST TO SST (General)BPS-16

S.NO	Sen No	Name of Official	School	DOB	D of App: as Regular CT	Qual	Name of School where posted
1	31	Said Akbar	GPS Khirgi	16/2/1972	25/9/1990	BA/B.B.Ed	GMS Hashim Khan Korrana
2	58	Kiramatulhah	GPS Gul Hawas Khan Kot	1/3/1973	1/9/1999	BA/B.B.Ed	GMS Passa Din Korrana

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64	Bad Shah Mir	GPS Ismail Kuorona	11-04-1974	02-09-2002	B.A/B.Ed	GMS Sila Khan Kuorona
64	Ihsan Ullah	GPS Sinab Gul Kuorona	03-02-1972	01-09-2013	M.A/B.Ed	GMS Naimat Khel Jadedabad

5. SDM/DM to SST General (BPS-16)

S. No	Sen No	Name of Official	School	DOB	D of App Regular Dm	Qualification	Name of school where posted
1	5	Naser Shah	GMS Shuza	14-01-1965	13-04-1996	B.A, B.Ed	GMS Saraghar Yar Khan

6. SAT/AT to SST (General) BPS-16

S. No	Sen No	Name of Official	School	DOB	D of App Regular Dm	Qualification	Name of school where posted
1	6	Ghulam Muhammad	GHS Jandola	18-03-1976	01-10-2009	B.A, B.Ed	GHS Jandola

7. SST/IT to SST General BPS-16

S. No	Sen No	Name of Official	School	DOB	D of App Regular Dm	Qualification	Name of school where posted
1	19	Zubair Ahmad	GHS Jandola	10-07-1978	01-09-2001	B.A, B.Ed	GHS Jandola

TERMS AND CONDITIONS:-

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

(Hafiz Dr. Muhammad Ibrahim)
 Director Elementary & Secondary Education
 Khyber Pakhtunkhwa
 Dated Peshawar the 07-12-

Endst: No.6607155
2020.

Copy forwarded for information and necessary action to the.

1. Accountant General Khyber Pakhtunkhwa Peshawar.
2. District Education Officer Sub Division Jandola.
3. District Accounts Officer Tank
4. PS to Secetary Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
5. PS to Secretary Finance Khyber Pakhtunkhwa Peshawar.
6. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
7. Principal/Head Mistress Concerned.
8. Promotes Concerned
9. M/File

Signed


Deputy Director (ISTAB)
 Merged District

Annexure "D"
for SSI

16

To,

The Secretary Elementary & Education
Khyber Pakhtunkhwa
Peshawar

THROUGH

PROPER CHANNAL

SUBJECT:

DEPARTMENTAL APPEAL AGAINST IGNORING THE
UNDERSIGNED FROM GENUINE PROMOTION FROM
PROMOTION C.T TO S.S.T POST.

Respected Sir,

I Mr. Hizbullah Khan C.T GMS Baghul Jadeed (FR) Tank Sub Division Jandola, District Tank loge departmental appeal against order No.6607-15 Dated:07-12-2020 issued by director E&SE KPK for the redrearsal of my legitimate rights which have been denied to me so for (copy attached)

My grievance are as under:-

- 1) That I am C.T Teacher with 19 Years service at my credit.
- 2) That my name stands most senior in the seniority list before Mr. Bait Ullah C.T & Muhammad Tariq C.T Teachers (Copy attached)
- 3) That the junior to me at Serial No.6 & 7 namely M/S 1) Bait Ullah, 2) Muhammad Tariq have been promoted to the post of S.S.T where (as I have been ignored from the S.S.T promotion being senior to them.)
- 4) That there is no any complaint or adverse remarks against my carrier of service.
- 5) That promotion to the post of S.S.T is my genuine rights for which I have lodged the instant appeal.
Keeping in view my legitimate right I may be promote against the post (S.S.T with all back benefits keeping my seniority in tact.

Thanking You, Sir, in anticipation.

DICRY 110=07
28/12/2020

Recd on
28/12/2020

[Signature]

[Signature]

[Signature]
Your Obediently

Hizb Ullah Khan
S/o Gul Marjan
C.T GMS Baghul Jadeed
Sub Division Jandola
(FR) Tank District Tank

(17)

THE ¹[KHYBER PAKHTUNKHWA]
SERVICE TRIBUNALS ACT, 1974.

²[KHYBER PAKHTUNKHWA] ACT NO. I OF 1974.

[28th March, 1974]

CONTENTS.

PREAMBLE

SECTIONS:

1. Short title, commencement and application.
2. Definitions.
3. Tribunals.
- 3A. Adhoc Appointment.
- 3B. Tenure, Terms and condition of service of Chairman and member.
4. Appeals to Tribunals.
5. Constitution of Benches.
6. Hearing of appeals and, their disposals.
7. Power of Tribunals.
8. Abatement of Suits and other proceeding.
9. Limitation.
10. Re-appeal and transfer of cases.
11. Power to make Rules.
12. Repeal.

¹Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

²Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

Attested
[Signature]

¹[(4) The Chairman and members of a Tribunal shall be appointed by the Governor in consultation with the Chief Justice of the Peshawar High Court.]

(5) The Chairman or a member of a Tribunal may resign his office by writing under his hand addressed to the Governor.

(6) The Chairman or a member of a Tribunal may be appointed by name or by designation.

²[3-A Adhóc appointment.—The Governor may, if necessary or expedient, for a particular case or cases, make an ad hoc appointment on the Tribunal of person qualified to be Chairman or a member as the case may be.]

³[3-B Tenure, Terms and conditions of service of Chairman and members. (1) The Chairman and a member shall hold office for a period of three years or until he attains the age of sixty years, whichever is earlier, and shall not be eligible for re-appointment:

Tenure, Terms and conditions of service of Chairman and members.

Provided that if a judge of the High Court is appointed as Chairman, he shall hold office for a period of three years or until he attains the age of superannuation as judge of the High Court whichever is earlier.

(2) In case, a retired judge of the High Court is appointed as Chairman under clause (a) of sub-section (3) of section 3, he shall hold office for a period of three years and shall not be eligible for re-appointment.

(3) The other terms and conditions of service of the Chairman and members shall be such as may be determined by the Governor.]

4. Any civil servant aggrieved by any final order, whether original or appellate made by a departmental authority in respect of any of the terms and conditions of his service may, within thirty days of the communication of such order to him ⁴[or within six months of the establishment of the appropriate Tribunal, whichever is later], prefer an appeal to the Tribunal having jurisdiction in the matter:

Appeals to Tribunals

Provided that ----

¹ Substituted vide Khyber Pakhtunkhwa Act No. XXII of 2013, S.2(b).

² Inserted vide Khyber Pakhtunkhwa Act No. XIII of 1976, S.2.

³ Inserted vide Khyber Pakhtunkhwa Act No. XXII of 2013, S.3.

⁴ Inserted vide Khyber Pakhtunkhwa Act No. IX of 1974, S.3 (a).

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[Signature]

- (a) Where an appeal, review or representation to a departmental authority is provided under the¹[Khyber Pakhtunkhwa]Civil Servants Act, 1973, or any rules against any such order, no appeal shall lie to a Tribunal unless the aggrieved civil servant has preferred an appeal or application for review or representation to such departmental authority and a period of ninety days has elapsed from the date on which such appeal, application or representation was preferred;²
- (b) no appeal shall lie to a Tribunal against an order or decision of a departmental authority determining-
- (i) the fitness or otherwise of a person to be appointed to or hold a particular post or to be promoted to a higher post or grade :or
- (ii) the quantum of departmental punishment or penalty imposed on a civil servant as a result of a departmental inquiry, except where the penalty imposed is dismissal from service, removal from service or compulsory retirement³[; and].
- ⁴[(c) no appeal shall lie to a Tribunal against an order or decision of a departmental authority made at any time before the 1st July, 1969.]

Explanation.—In this section, "departmental authority" means any authority other than a Tribunal which is competent to make an order in respect of any of the terms and conditions of service of civil servants.

5. (1) There may be constituted one or more Benches, each consisting of— Constitution of Benches.
- (a) the Chairman alone ; or
- (b) the Chairman and one or more members ; or
- (c) ⁵[one preferably judicial member] or more member,

¹ Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

² Omitted vide Khyber Pakhtunkhwa Act No. IX of 1974, S.3(b)(i).

³ Replaced vide Act No IX of 1974, S.3 (b)(ii).

⁴ Added vide Khyber Pakhtunkhwa Act No IX of 1974, S.3 (b) (iii).

⁵ Substituted vide Khyber Pakhtunkhwa Act No. XXII of 2013, S.4(i)(a)

Atul

[Signature]

THE ¹[KHYBER PAKHTUNKHWA] CIVIL SERVANTS ACT, 1973.

²[KHYBER PAKHTUNKHWA] ACT NO. XVIII OF 1973)
[11th November, 1973].

CONTENTS

PREAMBLESECTIONS

1. Short title, extend and commencement.
2. Definitions.
3. Terms & Conditions.
4. Tenure of office of civil servants.
5. Appointment.
6. Probation.
7. Confirmation.
8. Seniority.
9. Promotion.
10. Posting and transfers.
11. Termination of services.
- ³[11A. Absorption of civil servants rendered surplus.
- ⁴[11B. Absorption or appointment of Federal employees.
12. Reversion to a lower ³ post.
- ¹[12A. Certain persons to be liable to removal or reversion.

¹Subs Vide the Khyber Pakhtunkhwa Act IV of 2011.
²Subs Vide the Khyber Pakhtunkhwa Act IV of 2011.
³Inserted vide the Khyber Pakhtunkhwa Ordinance No. VI of 2001.
⁴Inserted vide the Khyber Pakhtunkhwa Act No. XXXVIII of 2015.

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as may be prescribed.

(2) A civil servant promoted to a post ¹[* * *] on regular basis shall be eligible for confirmation, after rendering satisfactory service for the period prescribed for confirmation therein.

(3) There shall be no confirmation against any temporary post.

(4) A civil servant who, during the period of his service, was eligible to be confirmed in any service or against any post retires from service before being confirmed shall not merely by reason of such retirement, be refused confirmation in such service or post or any benefits accruing there from.

(5) Confirmation of civil servant in a service or post shall take effect from the date of occurrence of permanent vacancy in that service or post or from the date of continuous officiating, in such service or post, whichever is later.

8 (1) For proper administration of service, cadre or ²[post] the appointing authority shall cause a seniority list of the members for the time being of such service cadre or ³[post] to be prepared but nothing herein contained shall be construed to confer any vested right to a particular seniority in such service, cadre or ⁴[post] as the case may be. Seniority.

(2) Subject to the provisions of sub-section (1), the seniority of a civil servant shall be reckoned in relation to other civil servants belonging to the same service or ⁵[cadre] whether serving in the same department or office or not, as may be prescribed.

(3) Seniority on initial appointment to a service, ⁶[Cadre] or post shall be determined as may be prescribed.

(4) Seniority in a post, service or cadre to which a civil servant is promoted shall take effect from the date of regular appointment to that post;

⁷[(5) The seniority lists prepared under sub-section (1) shall be revised and notified in the official Gazette at least once in a calendar year, preferably in the month of January.]

9. (1) A civil servant possessing such minimum qualification as may be prescribed shall be eligible for promotion to a ¹[higher] post for the time being Promotion.

¹ The word "or grade" omitted by Khyber Pakhtunkhwa Ord.No IV of 1985.

² The word "Grade" substituted by Khyber Pakhtunkhwa Ord. No.IV of 1985.

³ The word "Grade" substituted by Khyber Pakhtunkhwa Ord. No.IV of 1985.

⁴ The word "Grade" substituted by Khyber Pakhtunkhwa Ord. No.IV of 1985.

⁵ The word "Grade" substituted by Khyber Pakhtunkhwa Ordinance No.IV of 1985.

⁶ The word "Grade" subs. by Khyber Pakhtunkhwa OrdNo.IV of 1985.

⁷ Added vide the Khyber Pakhtunkhwa Act No.I of 1989.

*Ahmed
Wahid*

reserved under the rules for departmental promotion in ²[* * *] the service or cadre to which he belongs.

(2) A post referred to in sub-section (1) may either be a selection post or a non-selection post to which promotion shall be made as may be prescribed —

- (a) in the case of a selection post, on the basis of selection on merit; and
- (b) in the case of a non-selection post, on the basis of seniority — cum- fitness.

10. Every civil servant shall be liable to serve anywhere within or outside the Province in any post under the Federal Government, or any Provincial Government or local authority, or a an corporation or body set up or established by any such Government: Posting and transfers.

Provided that nothing contained in this section shall apply to a civil servant recruited specifically to serve in a particular area or region:

Provided further that where a civil servant is required to serve in a post outside his service or cadre, his terms and conditions of service as to his pay shall not be less favourable than those to which he would have been entitled if he had been so required to serve.


11. (1) The service of civil servant may be terminated without notice.- Termination of services.

- (i) during the initial or extended period of his probation:

Provided that, where such civil servant is appointed by promotion on probation or, as the case may be, is transferred from one ³[service] cadre or post to another ⁴[service] as he holds a line against his former post in such ⁵[service] or cadre but he shall be reverted to his former ⁶[service] cadre or post, as the case may be;

- (ii) on the expiry of the initial or extended period of his employment; or

¹ The word "higher" inserted vide Khyber Pakhtunkhwa Ord.No.V of 1985.
² The words "the higher grade of" omitted by Ord No. IV of 1985.
³ The word "Grade", subs.by Khyber Pakhtunkhwa Ord.No.IV of 1985.
⁴ The word "Grade", subs.by Khyber Pakhtunkhwa Ord.No.IV of 1985.
⁵ The word "Grade", subs.by Khyber Pakhtunkhwa Ord.No.IV of 1985.
⁶ The word "Grade", subs.by Khyber Pakhtunkhwa Ord.No.IV of 1985.

Attended




**GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT**

Peshawar, dated the 24th July, 2014.

NOTIFICATION

No.SO(PE)4-5/SSRC/Meeting/2013/Teaching Cadre:- In pursuance of the provisions contained in sub rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Elementary and Secondary Education Department in consultation with the Establishment Department and the Finance Department hereby directs that in this Department's Notifications No.SO(G)S&LD/1-28/2003/Vol-II dated, 09-04-2004, Notification No.SO(G)S&L/1-69/06/Vol-1/DPE/LIB dated, 13-11-2007, and Notification No.SO(PE) 4-5/SSRC/Meeting/2012/Teaching Cadre, dated, 13.11.2012, the following further amendments shall be made, namely:

AMENDMENTS

In the Appendix,-

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

1	2	3	4	5
1.	Subject Specialist (BPS-17)	i. At least second class Master's Degree or four years BS Degree in the relevant subject; and ii. Bachelor of Education or Master of Education (Industrial Art or Business Education) or M.A Education or equivalent qualification from a recognized University.	23 to 35 years	(a) Fifty per cent by promotion, on the basis of seniority-cum-fitness, for the relevant subject from amongst the Secondary School Teachers (BPS-16), with at least five years service as such and having qualification mentioned in column No. 3. Note: If no suitable candidate is available in the relevant subject the post falling in their promotion quota shall be filled by initial

(1)

Aliya
[Signature]

24

				recruitment; and (b) fifty percent by initial recruitment.
1A	Director Physical Education (BPS-17)	At least second class Master's Degree in Physical Education from a recognized University.	22-35 years	(a) Fifty percent by promotion, on the basis of seniority-cum-fitness, from amongst Senior Physical Education Teachers (BPS-16), with at least five years service as Senior Physical Education Teacher and Physical Education Teacher and having qualification mentioned in column No. 3: Provided that if no suitable person is available from amongst Senior Physical Education Teachers for promotion then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from amongst the Physical Education Teachers, with at least five years service as such and having qualification mentioned in column No. 3; Note:- If no suitable candidate is available in the relevant cadres of the above teachers, the post falling in their promotion quota shall be filled by initial recruitment; and (b) fifty percent by initial recruitment"; and

Arindam

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

1	2	3	4	5
25 "1B.	Secondary School Teacher (BPS-16)	<p>I. At least second class Bachelor Degree's from a recognized University on need basis from the following groups with two subject</p> <p>(a) (Chemistry, Botany or Zoology), Or</p> <p>(b) (Physics, Maths "A" or "B" or Statistics) Or</p> <p>(c) (Humanities and other equivalent groups at degree level with English as compulsory subject;</p> <p>and</p> <p>II. Bachelor of Education or Master of Education (Industrial Art or Business Education) or M.A Education or equivalent qualifications from a recognized University.</p>	21 to 35 years.	<p>(1) Seventy Five per cent by promotion, on the basis of seniority-cum-fitness, from the district concerned in the following manner:</p> <p>(a) forty per cent from amongst the Senior Certified Teachers (BPS-16), with at least five years service as Senior Certified Teacher and Certified Teacher and having qualification mentioned in column No.3:</p> <p>Provided that if no suitable candidate is available from amongst Senior Certified Teachers for promotion then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from amongst Certified Teachers, with at least five years service as such and having qualification mentioned in column No. 3;</p> <p>(b) four per cent from amongst the Senior Drawing Masters(BPS-16), with at least five years service as Senior Drawing Masters and Drawing Masters and having qualification mentioned in column No.3:</p>

Amended
Indra

26

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

27

				<p>Provided that if no suitable candidate is available from amongst Senior Theology Teachers for promotion then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from amongst Theology Teachers with at least five years service as such and having qualification mentioned in column No. 3;</p> <p>(e) three per cent from amongst the Senior Qaris (BPS-16), with at least five years service as Senior Qari and Qari and having qualification mentioned in column No.3:</p> <p>Provided that if no suitable candidate is available from amongst the Senior Qaris then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from Qaris with at least five years service as such and having qualification mentioned in column No. 3;</p> <p>(f) twenty per cent from amongst the Primary School Head Teachers (BPS-16), with at least seven years service as Primary School Head Teachers and Senior Primary School Teachers and Primary School Teachers and having qualification mentioned in column No. 3:</p> <p>Provided that if no suitable candidate is available from amongst</p>
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Attested
[Signature]

28

				<p>Primary School Head Teachers for promotion then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from amongst Senior Primary School Teachers with at least seven years service as Senior Primary School Teachers and Primary School Teachers and having qualification mentioned in column No.3:</p> <p>Provided further that if no suitable candidate is available from amongst Senior Primary School Teachers for promotion then the post shall be filled from amongst Primary School Teachers with at least seven years service as such and having qualification mentioned in column No. 3; and</p> <p>(ii) twenty Five percent by initial recruitment.</p> <p>Note:</p> <p>I. If no suitable candidate is available in the relevant cadre of the above teachers, the post falling in their promotion quota shall be filled by initial recruitment.</p> <p>II. Posts of General SST and SSTs-1 Science and SST-2 Science shall be filled by promotion or initial recruitment, each on need basis separately."</p>
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Attached
John

**SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT**

Endst : of even No & date:

- 29
1. The Secretary to Government of Khyber Pakhtunkhwa, Establishment and Administration Department Peshawar.
 2. The Secretary to Government of Khyber Pakhtunkhwa, Finance Department Peshawar.
 3. The Secretary to Government of Khyber Pakhtunkhwa, Law Department Peshawar
 4. The Secretary Khyber Pakhtunkhwa, Public Service Commission Peshawar.
 5. The Accountant General Khyber Pakhtunkhwa Peshawar.
 6. The Director, Elementary and Secondary Education Department Khyber Pakhtunkhwa Peshawar.
 7. The Director of Education (FATA) Peshawar.
 8. The Director, Curriculum and Teacher Education Khyber Pakhtunkhwa Abbottabad.
 9. The Director, (PITE) Khyber Pakhtunkhwa Peshawar.
 10. The Director, ESRU Elementary and Secondary Education Department Khyber Pakhtunkhwa Peshawar.
 11. Manager Government Printing Press Khyber Pakhtunkhwa Peshawar.
 12. The Deputy Director, EMIS (S&SE) Department Khyber Pakhtunkhwa Peshawar.
 13. All District Education Officer (M&F) in Khyber Pakhtunkhwa.
 14. All District Account Officer in Khyber Pakhtunkhwa.
 15. All Agency Education Officer in FATA
 16. All Agency Account Officer in FATA.
 17. PS to Governor Khyber Pakhtunkhwa. Peshawar.
 18. PS to Chief Minister Khyber Pakhtunkhwa. Peshawar.
 19. PS to Chief Secretary Khyber Pakhtunkhwa. Peshawar.
 20. PS to Minister E&SE Khyber Pakhtunkhwa. Peshawar.
 21. PS to Secretary E&SE Khyber Pakhtunkhwa. Peshawar.
 22. Master file

(ZAMIN KHAN MOMAND)
SECTION OFFICER (PRIMARY)

Attested
Zamin

وکالت نامہ

قیمتی ایک روپیہ		کورٹ فیس
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بجالات جناب سپروس ٹریڈنگ کمپنی کے پی کے مشاڈر
 Appellant منجانب
 حزب اللہ خان نام موبائل حکومتی کے پی کے دفتر

دعویٰ یا جرم
 تفصیل دعویٰ یا جرم
 Service Appeal No 10 of 2021

باعث تحریر آنکہ

مقدمہ مندرجہ بالا عنوان میں اپنی طرف واسطے بیرونی وجوہات کے پیش یا تصفیہ مقدمہ نام
 قضاة الرحمن عارفی ایڈووکیٹ سپریم کورٹ آف پاکستان

کو حسب ذیل شرائط پر وکیل مقرر کیا ہے کہ میں پیشی پر خود یا ہذا بذریعہ رو برو عدالت حاضر ہوں گا اور ہر وقت پکارے جانے مقدمہ وکیل صاحب موصوف کو اطلاع دے کر حاضر عدالت کروں گا اگر پیشی پر مظہر حاضر نہ ہو اور مقدمہ میری غیر حاضری کی وجہ سے کسی طور میرے خلاف ہو گیا تو صاحب موصوف اس کے کسی طرح ذمہ دار نہ ہوں گے نیز وکیل صاحب موصوف صدر مقام پکھری کے علاوہ یا پکھری کے اوقات سے پہلے یا پیچھے یا بروز تعطیل بیرونی کرنے کے ذمہ دار نہ ہوں گے اور مقدمہ صدر پکھری کے علاوہ اور جگہ سماعت ہونے یا بروز تعطیل یا پکھری کے اوقات کے آگے یا پیچھے پیش ہونے پر مظہر کوئی نقصان پہنچے تو اس کے ذمہ دار یا اسکے واسطے کسی معاوضہ کے ادا کرنے یا محنت نہ واپس کرنے کے بھی صاحب موصوف ذمہ دار نہ ہوں گے مجھ کو کل ساختہ پر داخستہ صاحب موصوف مثل کردہ ذات خود منظور قبول ہو گا اور صاحب موصوف کو عرض دعویٰ یا جواب دعویٰ یا درخواست اجراء اسمائے ڈگری نظر ثانی و اپیل نگرانی و ہر قسم درخواست ہر قسم کے بیان دینے اور پر ثالثی یا راضی نامہ و فیصلہ برحلف کرنے اقبال دعویٰ کا بھی اختیار ہو گا اور بصورت مقرر ہونے تاریخ پیشی مقدمہ مذکور بیرون از پکھری صدر بیرونی مقدمہ مذکور نظر ثانی اپیل و نگرانی و برآمدگی مقدمہ یا منسوخ ڈگری یک طرفہ یا درخواست حکم انتہائی یا ترقی یا اگر ترقی قبل از فیصلہ اجراء ڈگری بھی صاحب موصوف کو بشرط ادا سنگی علیحدہ مختا بیرونی کا اختیار ہو گا اور تمام ساختہ پر داخستہ صاحب موصوف مثل کردہ بز خود منظور و قبول ہو گا اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار ہو کہ مقدمہ مذکورہ یا اس کے کسی جزو کی کارروائی یا بصورت درخواست نظر ثانی اپیل نگرانی یا دیگر معاملہ و قدمہ مذکورہ کسی دوسرے وکیل یا بیرسٹر کو اپنے بجائے یا اپنے ہمراہ مقرر کریں اور ایسے مشیر قانون کو بھی ہر امر میں وہی اور ویسے اختیارات حاصل ہوں گے جیسے صاحب موصوف کو حاصل ہیں اور دوران مقدمہ میں جو کچھ ہر جانہ التواء پڑے گا وہ صاحب موصوف کا حق ہو گا مگر صاحب موصوف کو پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا تو صاحب موصوف کو پورا اختیار ہو گا کہ مقدمہ کی پروی نہ کریں اور ایسی صورت میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا

لہذا وکالت نامہ لکھ دیا ہے تاکہ سند رہے

مورخہ 05 ماہ 04 2021

مضمون وکالت نامہ من لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے

Accepted
 Muhammad Qasim Jinnah
 07/4/2021

Appellant
 Hizbullah Khan

وکالت نامہ

(31)

قیامتی ایک روپیہ		کورٹ فیس
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جناب سردس ڈسٹریکٹ سیشن جج، مشہور عدالت

Appellant: محترم
حزب اللہ خان بنام
موصوفی حکومتی لے آؤٹ دفترہ

دعویٰ یا جرم
تفصیل دعویٰ یا جرم
Service Appeal No 1 of 2021

باعث تحریر آنکہ

مقدمہ مندرجہ بالا عنوان میں اپنی طرف داسے بیرونی وجوہات برائے پیشی یا تصفیہ مقدمہ بنام
Muhammad Shahid Adv. M.C

کو حسب ذیل شرائط پر وکیل مقرر کیا ہے کہ میں پیشی پر خود یا ہذا بذریعہ رو برو عدالت حاضر ہوتا رہوں گا اور ہر وقت پکارے جانے مقدمہ وکیل صاحب موصوف کو اطلاع دے کر حاضر عدالت کروں گا اگر پیشی پر مظہر حاضر نہ ہو اور مقدمہ میری غیر حاضری کی وجہ سے کسی طور میرے خلاف ہو گیا تو صاحب موصوف اس کے کسی طرح ذمہ دار نہ ہوں گے نیز وکیل صاحب موصوف صدر مقام پکھری کے علاوہ یا پکھری کے اوقات سے پہلے یا پیچھے یا بروز تعطیل بیرونی کرنے کے ذمہ دار نہ ہوں گے اور مقدمہ صدر پکھری کے علاوہ اور جگہ ساعت ہونے یا بروز تعطیل یا پکھری کے اوقات کے آگے یا پیچھے پیش ہونے پر مظہر کوئی نقصان پہنچے تو اس کے ذمہ دار یا اسکے واسطے کسی معاوضہ کے ادا کرنے یا محنت نہ واپس کرنے کے بھی صاحب موصوف ذمہ دار نہ ہوں گے مجھ کو کل ساختہ پر داخستہ صاحب موصوف مثل کردہ ذات خود منظور قبول ہو گا اور صاحب موصوف کو عرض دعویٰ یا جواب دعویٰ یا درخواست اجراء اسمائے ذگری نظر ثانی پینل نگرانی و ہر قسم درخواست ہر قسم کے بیان دینے اور پر حاشی یا راضی نامہ و فیصلہ برطرف کرنے اقبال دعویٰ کا بھی اختیار ہو گا اور بصورت مقرر ہونے تاریخ پیشی مقدمہ مقرر بیرون از پکھری صدر بیرونی مقدمہ مقرر نظر ثانی اپیل و نگرانی و برآمدگی مقدمہ یا مشغولی ذگری یک طرفہ یا درخواست حکم اتناہی یا ترقی یا گرفتاری قبل از فیصلہ اجراء ذگری بھی صاحب موصوف کو بشرط ادا کی علیحدہ مختصم بیرونی کا اختیار ہو گا اور تمام ساختہ پر داخستہ صاحب موصوف مثل کردہ از خود منظور و قبول ہو گا اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار ہو کہ مقدمہ مذکورہ یا اس کے کسی جزو کی کارروائی یا بصورت درخواست نظر ثانی اپیل نگرانی یا دیگر معاملہ و قدمہ مذکورہ کسی دوسرے وکیل یا بیرٹر کو اپنے بجائے یا اپنے ہمراہ مقرر کریں اور ایسے مشیر قانون کو بھی ہر امر میں وہی اور دیے اختیارات حاصل ہوں گے جیسے صاحب موصوف کو حاصل ہیں اور دوران مقدمہ میں جو کچھ ہر جانہ التواء پڑے گا وہ صاحب موصوف کا حق ہو گا مگر صاحب موصوف کو پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا تو صاحب موصوف کو پورا اختیار ہو گا کہ مقدمہ کی پروی نہ کریں اور ایسی صورت میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا

لہذا وکالت نامہ لکھ دیا ہے تاکہ سند رہے

مورخہ 05 ماہ 04 2021

مضمون وکالت نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے

Attended
By

M. M. Khan

M. M. Khan

Appellant
Hijbullah Khan