


21.09.2022

Appellant present through counsel.

Preliminary arguments heard. Record perused.

Points raised need consideration. The appeal is admitted for regular hearing subject to all legal objections. Appellant is directed to deposit security and process fee within 10 days. Where-after, notices be issued to the respondents for submission of reply/comments. To come up for reply/comments on 17.11.2022 before S.B at Camp Court, Abbottabad.

Rs 100
Appellant Deposited
Security & Process Fee
27/9





(Rozina Rehman)
Member (J)
Camp Court, A/Abad

Form- A

FORM OF ORDER SHEET

Court of _____

Case No. - 887/2022

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	07/06/2022	<p>The appeal of Mr. Gul Faraz Ayub received today by registered post through Mr. Muhammad Liaqat Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR</p>
2-	14-7-22	<p>This case is entrusted to touring Single Bench at A.Abad for preliminary hearing to be put there on <u>20-7-22</u>. Notices be issued to appellant and his counsel for the date fixed.</p> <p> CHAIRMAN</p>
	20.07.2022	<p>Nemo for the appellant. Vide previous order, directions were issued that notices be issued to the appellant as well as his counsel for today, however on perusal of the case file, it transpired that Muharrar has not issued notices, therefore, explanation be called from him. Notices be issued to appellant as well as his counsel and to come up for preliminary arguments on 21.09.2022 before the S.B at Camp Court Abbottabad.</p> <p> (Salah-Ud-Din) Member (J) Camp Court Abbottabad</p>

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA,
PESHAWAR.

Appeal No. 887 of 2022

Gul Faraz Ayub

...APPELLANT

V E R S U S

Government of KPK through Secretary E&SED Khyber Pakhtunkhwa,
Peshawar and others.

...RESPONDENTS

SERVICE APPEAL

INDEX

S.No	Description of Document	Annexure	Page No.
1.	Service Appeal alongwith Verification and affidavit	--	1-10
2.	Copies of appointment order and charge report	"A" & "B"	11-12
3.	Copy of CNIC	"C"	13
4.	Copies of Certificate	"D"	14-15
5.	Copy of Academic and Professional Certificate	"E", "F" & "G"	16-18
6.	Copy of Promotion Notification	"H"	19
7.	Copy of Promotion Notification	"I"	20-21
8.	Copy of Service Book and Salary Slip	"J" & "K"	22-23
9.	Copy of departmental appeal	"L"	24-26
10.	Vakalat Nama	-	27

...APPELLANT

Through Counsel:

Dated:- 06/06/2022


(MUHAMMAD LIAQAT)
Advocate High Court Abbottabad

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA,
PESHAWAR.

Appeal No. _____ of 2022

**Gul Faraz Ayub D/o Mohammad Ayub R/o Lora Tehsil Havlian
District Abbottabad.**

...PETITIONER

V E R S U S

- 1) **Government of KPK through Secretary E&SED Khyber Pakhtunkhwa, Peshawar.**
- 2) **Director E&SE Khyber Pakhtunkhwa Peshawar.**
- 3) **District Education Officer (Female) Abbottabad.**
- 4) **Sub Divisional Education Officer (Female) Circle Lora Tehsil Havelian District Abbottabad.**

...RESPONDENTS

**APPEAL U/S 4 OF KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL ACT 1974 FOR THE
DECLARATION TO EFFECT THAT THE
IMPUGNED PROMOTION ORDER NO.697
DATED 26.02.2014 AND ALSO ORDER
NO.11034-43 DATED 08.12.2021 PASSED BY
RESPONDENT NO.3 WHERE | BY THE
PETITIONER IS ENTITLED FOR PROMOTION
AGAINST THE POST OF PSHT (BPS-1) WITH
EFFECT FROM THE DATE WHEN JUNIOR
TEACHER WERE PROMOTED AND ALSO**

PROMOTE AGAINST THE POST OF SST (G) BPS-16 FROM THE DATE WHEN JUNIOR TEACHER WERE PROMOTED AS SST WITH ALL BACK BENEFITS, PETITIONER ENTITLED FOR PROMOTION DUE TO MOST SENIOR TEACHER, AND RESPONDENT NO.3 NOT PROMOTED THE PETITIONER AND JUNIOR TEACHER WERE PROMOTED, BOTH THE IMPUGNED ORDERS ARE ILLEGAL, PERVERSE, DISCRIMINATORY AGAINST THE LAW AND FACT, BASED ON FAVORITISM AND NEPOTISM, HENCE LIABLE TO BE MODIFIED TO EXTENT OF PETITIONER.

PRAYER:

ON ACCEPTANCE OF INSTANT APPEAL IMPUGNED ORDER NO.697 DATED 26.02.2014 AND ORDER NO.11034-43 DATED 08.12.2021 PASSED BY RESPONDENT NO.3, AND NOT PROMOTED PETITIONER DUE TO SENIOR TEACHER, PETITIONER IS ENTITLED FOR PROMOTION AGAINST THE POST OF PST (BPS-15) WITH EFFECT FROM WHEN JUNIOR TEACHER WERE PROMOTED AND ALSO PROMOTE AGAINST THE POST OF SST (BPS - 16) FROM THE DATE WHEN JUNIOR TEACHER

WERE PROMOTED AS SST WITH ALL BACK BENEFITS, ANY OTHER RELIEF WHICH THIS HONOURABLE TRIBUNAL DEEM FIT AND APPROPRIATE GIVEN TO THE PETITIONER.

Respectfully Sheweth

Brief Facts of the case are as under:

1. That the appellant was appointed as PST vide appointment order issued under Endst: No.7744-47 dated 03.08.1986 and appellant took the charge on 01.08.1986. (Copies of appointment order and charge report are annexed as Annexure "A" & "B")
2. That the appellant permanent resident of Muhallah Tahale Lora Tehsil Havelian District Abbottabad. (Copy of CNIC is annexed as Annexure "C")
3. That the petitioner passed matric in year 1982 in Board of Intermediate and Secondary Education Peshawar and also passed Primary Teaching Certificate (PTC) on 02.04.1992 in Education Department

Peshawar. (Copies of Certificate are annexed as Annexure "D")

4. That appellant is passed BA-B-ed and intermediate in Year 2013 Intermediate Board Abbottabad. (Copy of Academic and Professional Certificate are annexed as Annexure "E", "F" and "G")
5. That appellant was promoted to Post of PSHT (BPS-15) vide impugned Notification No.697/EB/PST dated 26.02.2014 while some Junior Teacher to the appellant were promoted a PSHT earlier than the appellant. (Copy of Promotion Notification is annexed as Annexure "H")
6. That the seven year later on respondent No.3 also some Juniors Teachers were promoted against the post of SST (G) (PBS-16) under impugned Notification No.11034-43 dated 08.12.2024 but appellant was ignore from vested right of Promotion. (Copy of Promotion Notification is annexed as Annexure "I")

7. That the appellant Service Record is neat and clean and appellant serve 35 year in teaching but not promoted and Junior Teacher were promoted instead of Petitioner. (Copy of Service Book and Salary Slip is annexed as Annexure "J" and "K")
8. That as per terms and condition No.4 of promotion order of appellant dated 26.03.2014 the inter-se-seniority of appellant against as lower post is intact.
9. That the appellant filed departmental representation to respondent No.3 dated 10.02.2022, and respondent No.3 had not decide the appellant departmental appeal till now, and statutory period passed away and appellant filed service appeal in this Honourable Tribunal Court for her redresser. (Copy of departmental appeal is annexed as Annexure "L")

GROUND:-

- a. That the conduct of the respondents toward the petitioner is malafide,

discriminatory. Hence, respondents' department with malafide intentions has accommodated respondent No.3, who is blue eyed and influential having political backing, at the altar of the appellant, which is perverse, against the law and the impugned promotion order to the extent of respondent No.3 is liable to be set-aside.

- b. That as per service rules and regulations, only senior most employee / official is to be promoted on the principles of seniority cum of fitness provided the employee is otherwise fit and fulfills the requisite criteria for promotion prescribed by law. The petitioner is senior than respondent No.6 and he also fulfills the criteria prescribed for promotion
- c. That this fact may not be left to fade in oblivion that the appellant being senior has been denied the right of promotion without any cogent reason and justification which is against the Article 25 of the Constitution of Islamic Republic of

Pakistan 1973. The said Constitutional Article envisages that no discrimination may be meted out while dispensing with the rights of civil servants

d. That no stretch of the imagination disentitle the petitioner from promotion.

The respondents' department was supposed to follow rules, regulations on the subject. Superior Court has held in so many cases that when law prescribe a thing which is to be done in a particular manner, that must be done in that manner and not otherwise. The reason deter behind this maxim is that in case prescribed procedure is violated then there is likelihood of miscarriage of justice.

e. That the respondents' department has led the appellant to the place which is utterly unknown to the principle of natural justice, good governance, fair play and cannon of ethics.

- f. That good governance demand that whatever is due to a person that must be given to him / her without further delay.
- g. That the other points shall be urged at the time of arguments with the prior permission of this Hon'ble Court.
- h. That, the instant appeal is well within time.

PRAYER:

It is, therefore, humbly prayed that on acceptance of instant Appeal, impugned order No.697 dated 26.02.2014 and order No.11034-43 dated 08.12.2021 passed by respondent no.3, and not promoted petitioner due to senior teacher, petitioner is entitle for promotion against the post of PST (BPS-15) with effect from when junior teacher where promoted and also promote against the post of SST (BPS -16) from the date when Junior Teacher

were promoted as SST with all back benefits, any other relief which this Honourable Tribunal deem fit and appropriate given to the petitioner.

...APPELLANT

Through Counsel:

Dated:- 06/06/2022


(MUHAMMAD LIAQAT)

Advocate High Court Abbottabad

VERIFICATION:-

Verified that the contents of the instant Service Appeal are true and correct to the best of my knowledge and belief and that nothing material has been suppressed from this Honorable Tribunal Court.

Dated:- 06/06/2022


...APPELLANT

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA,
PESHAWAR.

Appeal No. _____ of 2022

Gul Faraz Ayub

...APPELLANT

V E R S U S

Government of KPK through Secretary E&SED Khyber Pakhtunkhwa,
Peshawar and others.

...RESPONDENTS

SERVICE APPEAL

AFFIDAVIT

I, Gul Faraz Ayub S/o Mohammad Ayub R/o Lora Tehsil Havlian District Abbottabad, *Appellant*, do hereby solemnly affirm and declare on Oath that the contents of instant *Service Appeal* are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Hon'ble Tribunal Court.

Dated:- 06/06/2022



6/6/22

Gul Faraz
DEPONENT

(11)

Annexure 'A'

Sub Divisional Education Officer
Abbottabad Sub Div Abbottabad.

No. _____/L/V.PTC;-
Late A. Abad _____/1986;-

To:-

The District Education Officer (F)
Abbottabad District Abbottabad;-

SUBJECT.
Memorandum;

APPOINTMENT ON LEAVE VACANCY

Reference application for leave bearing No. _____
date 31.7.86

it is submitted that Mrs/Mst. Farhanda Akhtar
PT/PTC Govt Girls primary School _____ has proceeded on leave
leave w.e.from 1.8.86 and the said post is lying vacant.

One Mat. Gulfaras Ayub D/O. Mohammed Ayub

resident of Lara Matric/FA/BA/ Candidate has been engaged
against the said leave vacancy from the above mentioned date @ RS. 560/- PM.
plus usual allowances under all services conditions applicable.
Subject to your approval so that the School may not suffer in the interest
of Public Service;-

You are therefore requested to kindly accord necessary
approval of the appointment from the said date. Her application along
with testimonials etc. etc. are enclosed herewith for perusal and
necessary action please;-

sd/
Sub Divisional Education Officer (F)
Abbottabad Sub Div Abbottabad;-

Encls(AS above).

Enclst No 7744-47/LV

Dated A. Abad the 3/8/86:-

Copy to:-

1. The Headmistress GG PS/CG MS
2. The Candidate Concerned with the remarks that she is allowed to work
against the above said leave vacancy from the said date @ RS. 560/-
PM. plus usual allowances under all the services conditions applicable
subject to the approval of the District Education Officer (F) A. Abad
She may produce eye health certificate from the Medical Superintendent
Abbottabad;-
3. The A.B. Local Office;-
4. The G.O. File;-

For Information and Necessary action please;-

Shamsher Ali
Sub Divisional Education Officer (F)
Abbottabad Sub Div Abbottabad;-

(12) چارج رپورٹ
Annexure "B" میں شامل شدہ تمام تلفراز ابویہ
تاریخ 4-8-86 آرڈر نمبر 47-7744 کے تحت
PS کے ذریعے پست پر ان کی طرف سے
چارج کیے جانے والے چارج رپورٹ ارسال فرماتے

چارج دیندہ

GulFeroz Ayub

چارج دیندہ

f. Yamin

Govt. Girls Primary School
Bachchan

s. No 371383

بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ

(14)

Roll No. 27035

Annexure "D"

BOARD OF INTERMEDIATE AND SECONDARY EDUCATION



Peshawar N.W.F.P. Pakistan

Secondary School Certificate Examination

SESSION 1982 (ANNUAL)

THIS IS TO CERTIFY THAT GUL FRAZ AYUB

Son/Daughter of MUHAMMAD AYUB KHAN

and a student of GOVT. GIRLS HIGH SCHOOL LORA ABBOTTABAD

has passed the *Secondary School Certificate Examination*

of the Board of Intermediate and Secondary Education, Peshawar held in April 1982

as a *Regular candidate*. He/She obtained 452 Marks out of 850

and has been placed in Grade C Representing Good

The Candidate passed in the following subjects:

- | | | | |
|------------|-----------------|-----------------|---------------------|
| 1. English | 3. Islamiyat | 5. PAK. STUDIES | 7. GEN. MATHEMATICS |
| 2. Urdu | 4. GEN. SCIENCE | 6. ISL. STUDIES | 8. ART |

He/She has been awarded Grade B on the basis of internal assessment by the Institution concerned.

Date of birth according to admission form is FOURTH AUGUST
one thousand nine hundred and SIXTY SEVEN (4-8-1967)

Asstt. Secretary

11th August, 1982

This certificate is issued without alteration or erasure.

Secretary

15

EDUCATION DEPARTMENT, N.-W.F.P.; PESHAWAR.



PRIMARY TEACHING CERTIFICATE (CONDENSED COURSE).

ROLL NO. 1814 Marks obtained 180/450
 Division .. Third(III)
 Certified that .. Gul. Faraz Ayoub.
 born on .. XXXX (XXX Nineteen hundred and XXX)
 Son/Daughter of .. Ayoub Khan.
 residence of .. XXXX Tehsil .. XXXX District .. Abbottabad.
 having passed the P. T. C. Examination held in 1991, is qualified to teach in Primary and Middle School
 except Eng'ish.
 Trained at District .. Abbottabad. From .. Private. To .. XXXXX

Dated Peshawar.
 the .. 2-4-1992.
 Prepared .. [Signature]
 Checked by .. [Signature]

[Signature]
 Registrar,
 Departmental Examinations,
 Education Department, Peshawar.

S.No. 0416287

(16)

(16)

Roll No. 82251

Annexure "E"

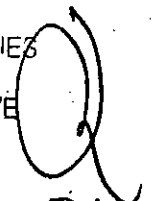
**Board of Intermediate and Secondary Education
Abbottabad
Khyber Pakhtunkhwa - Pakistan
HIGHER SECONDARY SCHOOL CERTIFICATE EXAMINATION
HSSC(A)2013
Humanities Group**

This is to certify that GULFARAZ AYUB
Son/Daughter of MUHAMMAD AYUB KHAN
A candidate from ABBOTTABAD DISTRICT
has passed the Higher Secondary School Certificate Examination of the Board of Intermediate and Secondary Education, Abbottabad held in May/June, 2013 as a Private Candidate. He/She has obtained 692 marks out of 1100 and has been placed in Grade B Representing VERY GOOD. The candidate passed in the following Subjects:

- | | | |
|-------------------|----------|-----------------------|
| 1.ENGLISH | 2.URDU | 3.ISL.EDU-PAK STUDIES |
| 4.ISLAMIC HISTORY | 5.CIVICS | 6.ISLAMYAT ELECTIVE |


Asstt. Secretary

This certificate is issued without alteration or erasure.


Secretary

Serial No. 016968

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

(17)

Registration No. 14-PA-1517

Roll No. 61119

HAZARA UNIVERSITY

Mansehra, Pakistan

(17)

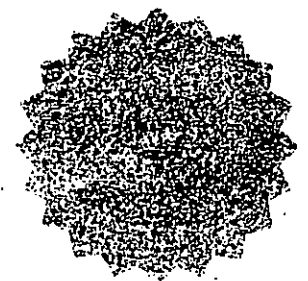
Annexure "F"



The University in recognition of the fulfilment of prescribed requirements has conferred upon
Mr / Ms Gulfaraz Ayub Son / Daughter of Muhammad Ayub Khan

The Degree of **BACHELOR OF ARTS** in the examination
held in June 2015 session Annual 2015 (Private)

He / She was placed in Second Division / Grade / CGPA.



[Signature]

Controller of Examinations

Date 04-09-2015

[Signature]

Vice Chancellor

[Signature]

Registrar

18

Annexure "G" 2

Allama Iqbal Open University Islamabad



Serial No. **282800**

Certified that Mr. / Ms. **GUL FARAZ AYUB**

Son / Daughter of **MUHAMMAD AYUB KHAN**

Registration No: **15PRI15688** Roll No: **BF628366**

having successfully completed the prescribed requirements

in semester **AUTUMN 2016** is awarded the degree of

Bachelor of Education (B.Ed)

He/She has secured **61** % marks and has been placed in **B** grade.

M. Khan

CONTROLLER OF EXAMINATIONS
[Signature]



VICE-CHANCELLOR

Result declared on: **August 25, 2017**

Date of Issue: **March 14, 2018**

NOTE: THIS DEGREE IS TO BE READ IN CONJUNCTION WITH THE TRANSCRIPT/PROVISIONAL CERTIFICATE ISSUED SEPARATELY

(19)

Annexure "H"

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) ABBOTTABAD.

NOTIFICATION

Consequent upon the recommendation of the Departmental Promotion Committee and in the pursuance of Government of Khyber Pakhtunkhwa Elementary & Secondary Education Notification No.SO(B&A)/1-8/ESSE/2012 dated 11/07/2012 and Finance Department Endorsement No.SO (FR)/FD/10-22(E) /2010 dated 16/07/2012, the Female senior PSTs BPS-12 are hereby promoted to the post of Senior Primary School Head Teacher BPS-15 (Rs-8500-7000-29500) Plus usual allowances as admissible under the rules on the regular basis under the existing recruitment policy of the Provincial Govt. Notified vide No.SO(PE)14-5/SSRC/Meeting/2012 teaching cadre dated 13/11/2012 in the interest of public service with immediate effect on the terms and conditions given below.

S.No.	Sen L.No.	NAME OF TEACHER	Present School	Present Circle	Promoted and posted as PSHT BPS-15	Posting Circle
1	314	Bibi Gulnaz	GGPS Sher by Syedian	Sherwan	GGPS Sher by Syedian	Sherwan
2	356	Gulfaraz Ayub	GGPS LORA	Lora	GGPS Goreeni	Lora
3	357	Nasreen Akhter	GGCMS Dherian	Qalandarabad	GGPS Bhogran	Boi
4	369	Busr in Nisa	GGPS Kiyala	Havelian	GGPS Hiran	Hajia Gali
5	421	Fareeda Akhtar	GGPS Bandi Phullan	Sherwan	GGPS Tathar	Sherwan
6	498	Ghazala Shahreen	GGPS Maim Ban	Qalandarabad	GGPS Jabri	Qalandarabad
7	515	Kalsoom Bibi	GGPS Sheikhul Bandi No.2	Abbottabad	GGPS Tarkot	Boi
8	590	Shagufta Tabassum	GG(Comp) PS ATD	Abbottabad	GGPS Pathian	Hajia Gali
9	590 B	Razia Khatoon	GGPS Khatora Khurd	Sherwan	GGPS Khalar Kathar	Sherwan
10	705	Farzana Shahreen	GGPS Lora	Lora	GGPS Ballangi	Lora
11	716	Saeeda Gul	GGPS Havelian St.	Havelian	GGPS Palkot	Hajia Gali
12	753	Amna Khatoon	GGPS Bacha Khurd	Sherwan	GGPS Thora Kalan	Sherwan
13	728	Azra Niaz	GGPS Uper Kurli	Birote	GGPS Uper Kurli	birote
14	749	Shagufta Fareeen	GGPS Lower Kurli	Birote	GGPS Lower Kurli	birote
15	785	Azra Bibi	GGPS Lower Kurli	Birote	GGPS Payian	birote
16	943	Nabeed Akhtar	GGPS Gali Balgran	Hajia Gali	GGPS Gali Balgran	Hajia Gali
17	959	Andhreen Akhtar	GGPS Malmula	Lora	GGPS Malmula	Lora
18	968	Nasreen Akhtar	GGPS Naclor	Abbottabad	GGPS Sambli Khoi	Boi
19	1031	Nadia Kousar	GGPS Dehri Kiata	Lora	GGPS Jab Gran	Lora
20	1030	Gulnaz Bibi	GGPS Dawata	Boi	GGPS Dawata	Boi
21	1072	Azra Ayaz	GGPS Bandi Phullan	Sherwan	GGPS Thal Faqir Ahmed	Sherwan
22	1091 B	Shahida Shahreen	GGPS Rajoya	Havelian	GGPS Jaglan Kholian	Dhamtour
23	1156	Purcesat Mustafa	GGPS Dabran	Hajia Gali	GGPS Dana Nooral	Hajia Gali
24	1144	Fatima Ghazalaz	GGPS Rawlay ATD	Dhamtour	GGPS Akireeta B.Gali	Dhamtour
25	1144 B	Kameez Fatima	GGPS Chumali	Lora	GGPS Chumali	Lora
26	1145	Majida Parveen	GGCMS Baerwal	Havelian	GGPS Dong Malach	birote
27	1147	Chumam Ara	GGPS Nawaika	Boi	GGPS Naka Boi	Boi
28	1149	Najida Sultan	GGPS Nur Kalan	Qalandarabad	GGPS Saial	Sherwan
29	1150	Sultana Bibi	GGPS Majuhan	Birote	GGPS Seri Khn Kalan	birote
30	1152	Azra Abbasi (Disable)	GGPS Bandian Birote	Birote	GGPS Majuhan	birote
31	1153	Riffat	GGPS Bagaotar	Nathia Gali	GGPS Darwaza	birote
32	1154	Sadaf Jadoon	GGCMS Mirpur	Abbottabad	GGPS Talkandi	Boi
33	1155	Zahira Bibi	GGPS Leon Patian	Qalandarabad	GGPS Hadora Bandi	Boi
34	1156	Azra Shahreen	GGPS Nawanshehr No-2	Abbottabad	GGPS Narwara	Hajia Gali
35	1157	Nadia Gali	GGPS Surjal	Birote	GGPS Khushi Koi	birote
36	1158	Farooz Naz	GGPS Havelian Station	Havelian	GGPS Maira Bala	Hajia Gali

28/11/2012
 28/11/2012

29	1172	Madina Akbar	GGCMS Dheran	Qalandarabad	GGPS Gali Moeran	Hoi
30	1173	Gulzar Bibi	GGPS Iskandri No.2	Abbottabad	GGPS Miran	Hajja Gali
31	1174	MATIAZ BEGUM	GGPS Kunj	Abbottabad	GGPS Lari	Hoi
32	1171	Dostira Khanam	GGPS Baldehri	Qalandarabad	GGPS Dabbari	Hoi
33	1172	Zobia Nisar	GGPS Thathi Ahmed Khan	Sherwan	GGPS Thathi Ahmed Khan	Sherwan
34	1173	Suriya Begum	GGPS Comprehensive ATD	Abbottabad	GGPS Nagri Fayeem	Hajja Gali
35	1174	Shaukat Bibi	GGPS Sherak-til-Bandi No-1	Abbottabad	GGPS Darwala	Hoi
36	1176	Khalida Perveen	GGPS Khathala	Sherwan	GGPS Bandi Matrich	Sherwan

Terms & Conditions.

- On their Promotion, the teacher concerned will be on probation for a period of one year in terms and section-6(2) of Khyber Pakhtunkhwa Civil servant Act 1973 read with rule 15(1) of civil servant (Appointment, Promotion & Transfer) Rules 1989.
- They will be governed by such rules and regulations as may be issued from time to time by the Government.
- Their services can be terminated at any time, in case their performance is found unsatisfactory during probationary period. In case of misconduct, they will be preceded under the rules from time to time.
- Their Inter-Se-Seniority on lower post will remain intact.
- They will give an undertaking to be recorded in their service book to the effect that if any over payments made to them in the light of this order will be recovered and if they are wrongly promoted they will be reversed.
- They should join their post within 15 days of the issuance of this notification. In case of failure to join their posts within 15 days of the issuance of this notification, their promotion will be automatic and no subsequent appeals will be entertained.
- Necessary entry should be recorded in their original service books.
- Charge report should be submitted to all concerned.
- Condition of verification of all the documents shall be ensured by the DDO concerned.
- No TADA is allowed.

Saiming Akbar
DISTRICT EDUCATION OFFICER
(FEMALE) ABBOTTABAD

Dated 26/2/2014

Order No 697 /IEB/PST

Copy forwarded to:

- PS to Secretary to Govt. of Khyber Pakhtunkhwa, E & SED Peshawar.
- Director E & SED Khyber Pakhtunkhwa Peshawar.
- District Accounts Officer Abbottabad.
- Sub Divisional Education Officer Female Abbottabad
- Budget & Accounts Officer Local Office.
- Officials concerned.
- Office File.

Saiming Akbar
DISTRICT EDUCATION OFFICER
(FEMALE) ABBOTTABAD

**RAJPUT BOOK DEPOT
& PHOTO STATE**
Lithana Road, Near High School, Lora
0334-8526460, 0992-464594

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) AHMEDABAD



90

Annexure I²⁰

0992-512531, 0992-162314

1) Nonfunctionalahmedabad@gmail.com

NOTIFICATION

Consequent upon the recommendations of Departmental Promotion Committee and in pursuance of the Government of Gujarat, Karkhankwa Elementary and Secondary Education Notification No. SO(4A)/1-18/EDSE/2012 dated 11-07-2012 and Finance Department Ed/Placement No. SO(F)/FD/10-22/6/2010 dated 16-07-2012 the following Senior CT, Senior DM, Senior (DIB/Chem), Senior (Math/Phy), Senior (PSY/PSY/PSY) are hereby promoted to the post of SST (DIB/Chem), SST (Math/Phy), SST (General) noted against each UPS-16 (No. 18910-1920/64510) respectively plus usual allowances as admissible under the rules on regular basis under the existing rules of the Government of Gujarat, on the terms and conditions given below with immediate effect.

A. SST (DIB/Chem)

ITEM NO. 1 PROMOTION OF SCT/CT TO SST(DIB/CHEM) UPS-16 ON REGULAR BASIS

Sl. No.	S/L No.	Name of Teacher/Designation	Name of Previous School	D.O.B	Date of regular Appt. of present post CT	Qualification	Promoted as SST and Place of Posting	Remarks
1	119	Farhanda Mustafa	GCMS Kanker Dala	01-04-1988	03-01-2016	M.Sc/M.Ed	GGHS Nadi Dango	AVP of SST(DIB)
2	115	Samina Rashid	GCMS Hantra	26-06-1986	07-01-2016	M.Sc/B.Ed	GGHS Wadran	AVP of SST(DIB)

B. SST (Math/Physics)

ITEM NO. 1 PROMOTION OF PSY TO SST(M/PHYS) UPS-16 ON REGULAR BASIS

Sl. No.	S/L No.	Name of Teacher/Designation	Name of Previous School	D.O.B	Date of regular Appt. of present post PSY	Qualification	Promoted as SST and Place of Posting	Remarks
1	355	Shahida Kanwal	GGPS Sallahad	05-02-1984	22-02-2010	M.Sc/B.Ed	GGHS Hantra	AVP of SST(M/Ph)

C. SST (General)

ITEM NO. 1 PROMOTION OF CT/SCT TO SST(G) UPS-16 ON REGULAR BASIS

Sl. No.	S/L No.	Name of Teacher/Designation	Name of Previous School	D.O.B	Date of regular Appt. of present post CT/SCT	Qualification	Promoted as SST and Place of Posting	Remarks
1	1	Rabeela Khanum	GGCMS No.1 ATD	15-08-1966	21-02-2013	MA/B.Ed	GGHS Hantra/Am Khan	AVP of SST(G)
2	2	Talal Abbasi	GGHS Bako	21-03-1967	21-07-2013	MA/B.Ed	GGHS Hantra (Tada)	AVP of SST(G)
3	3	Borzana Shaheed	GGHS Upper Kaha	01-01-1970	18-04-2014	MA/B.Ed	GGHS Hantra	AVP of SST(G)
4	4	Samina Younus	GGHS Kadai	10-03-1972	21-07-2013	MA/B.Ed	GGHS Taiwal	AVP of SST(G)
5	5	Yasmeen Anwer	GGHS Malki Pura	01-05-1968	21-05-2013	MA/B.Ed	GGHS Bim Nara	AVP of SST(G)
6	6	Hiba Rubina	GGCMS No.1 ATD	08-10-1969	10-04-2014	MA/B.Ed	GGHS Taiwal	AVP of SST(G)
7	7	Zahida Khatoon	GGCMS Nawasher	08-01-1972	21-02-2013	MA/B.Ed	GGMS Hantra Saib Khan	AVP of SST(G)
8	8	Gulabeen	GGCMS Malki Pura	02-07-1963	21-02-2013	MA/B.Ed	GGMS Langrial	AVP of SST(G)

170

ITEM NO. 2 PROMOTION OF DM/SDM TO SST(G) UPS-16 ON REGULAR BASIS

(21)

S/L No.	Name of Teacher/Designation	Name of Previous School	D.O.B	Date of regular Apptt at present post DM/SDM	Qualification	Promoted as SST and Place of Posting	Remarks
1	Saiqa Umer	GGMS, Nawabshah	02-02-1974	26-02-2013	MA/B.Ed	GGMS Nuhar Goll.	A.V.P of SST(G)

ITEM NO. 3 PROMOTION OF PSHT TO SST(G) RPS-16 ON REGULAR BASIS

Sr.	S/L No.	Name of Teacher/Designation	Name of Previous School	D.O.B	Date of regular Apptt at present post PSHT	Qualification	Promoted as SST and Place of Posting	Remarks
1	86	Asia Bibi	GGPS Gull Bahlan	01-02-1975	01-07-1997	BA/B.Ed	GGHS Barheeh	A.V.P of SST(G)
2	87	Nabeed Gul	GGPS Kartarpura	17-03-1975	05-07-1997	BA/B.Ed	GGHS Khanke Pun Ayubia	A.V.P of SST(G)
3	90	Shazia Iqbal	GGPS Bodla	25-03-1975	01-07-1997	MA/B.Ed	GGHS Lora	A.V.P of SST(G)

TERMS & CONDITIONS:

01. They would be on probation for a period of one year extendable for another one year.
02. They will be governed by such rules and regulations as may be issued from time to time by the Government.
03. 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.
04. Charge report should be submitted to all concerned.
05. Their seniority on lower post will remain intact.
06. No CA/DA is allowed for joining their duty.
07. They will give an undertaking to be recorded in their Service Book to the effect that if any over payment is made to them in light of this order, it will be recovered and if he/she is wrongly promoted he/she will be reverted.
08. Before handing over charge once again their document may be checked and if they have not the required relevant qualifications as per rules, they may not be handed over charge of the post.

(Ms. Behana Yasmeen)
District Education Officer
(Female) Abbottabad

Serial No. 11034-43 / EB/IV/Pran-5-CT/CT/5-DM/DM/PSHT to SST 2021 dated 08/12/2021

Copy for information to the:-

01. PS to Secretary to Govt. Khyber Pakhtunkhwa, E&SE Department Peshawar.
02. PA to Director E&SE, Khyber Pakhtunkhwa Peshawar.
03. Deputy Director (Establishment) Directorate of E&SE Peshawar.
04. District Account Office, Abbottabad.
05. District Monitoring Officer, Abbottabad.
06. BBAO Local office.
07. Principal/Head Mistress concerned schools.
08. SDO (Female) concerned.
09. HMIS Branch.
10. Official concerned.
11. Office file.

District Education Officer
(Female) Abbottabad
12/2021

(For Use in Police Department only)

④ Passed BA Exam: from Hazara University Mansehra under Roll # 6119 in 2015 as a private candidate and obtained 261/550 marks, placed in ^{Heirs} Second Division. Result declared on 04-09-2015. DMC has been verified vide Controller of Exam: HU. Mansehra Memo: # 17/CF/HU/2017/9449 dated 23-10-2017.

⑤ Passed B-Ed Exam from AGOU, Islamabad under Roll # BF628366 Reg: # 15PR115688 in the session Aut: 2016 as a private candidate and obtained 547/900 marks, Percentage/Grade 61/B, result declared on 25-08-2017. Transcript has been verified by the Assistant Controller of Exam: AGOU, Islamabad vide Memo: # F.1-5/Ver/115571 dated 30-10-2017.

Verification Roll No. _____ dated _____
 SDEC (F)
 Lora Abbottabad

Last Lamb impression

① Passed SSC Exam from BISE Peshawar under Roll No 27035 (Annual) 1952 Marks Grade "C" in the year 1952

Qualification	Year	Qualifications	Date
English	1952		
Pashto		B.L. ...	
Urdu		Pleadership Examination	
③ Passed TTC (Condensed) from the education department		Training School Final Examination	
Finger print Roll No 1314 and she		Other Qualifications—	
Drill instructing obtained 120 marks out of 450 and has been placed in third division. result Reserve duties was declared on 2.4.92		② Passed BA Exam under roll No 6119 obtained 261 marks on 04-9-2015 from BISE Peshawar. Result declared on 04-9-2015 from BISE Peshawar. Result verified at Page 567 File No 5.	

S.D.C. (F) Lora Abbottabad

S.D. Divisional Education Officer, Abbottabad

N.B.—A line to be drawn under the qualification possessed.

Dist. Govt. KP-Provincial
District Accounts Office Abbotabad
Monthly Salary Statement (November-2021)

23

Annexure K



Personal Information of Mrs GULFARAZ AYUB d/w/s of MUHAMMAD AYUB

Personnel Number: 00005418 CNIC: 1310171549150 NTN: 0
Date of Birth: 04.08.1967 Entry into Govt. Service: 04.08.1986 Length of Service: 35 Years 03 Months 028 Days

Employment Category: Active Temporary

Designation: PRIMARY SCHOOL HEAD TEACH 81058277-DISTRICT GOVERNMENT KHYBE

DDO Code: AD6300-

Payroll Section: 003 GPF Section: 001 Cash Center: 7

GPF A/C No: EDU/ 006370 Interest Applied: Yes **GPF Balance:** 1,198,164.00

Vendor Number: -

Pay and Allowances: Pay scale: BPS For - 2017 Pay Scale Type: Civil BPS: 15 Pay Stage: 21

Wage type		Amount	Wage type		Amount
0001	Basic Pay	44,050.00	1001	House Rent Allowance 45%	3,524.00
1210	Convey Allowance 2005	2,856.00	1300	Medical Allowance	1,500.00
1505	Charge Allowance	40.00	2148	15% Adhoc Relief All-2013	950.00
2199	Adhoc Relief Allow @10%	636.00	2211	Adhoc Relief All 2016 10%	3,255.00
2224	Adhoc Relief All 2017 10%	4,405.00	2247	Adhoc Relief All 2018 10%	4,405.00
2264	Adhoc Relief All 2019 10%	4,405.00	2309	Adhoc Relief All 2021 10%	4,405.00
2316	Teaching Allowance 2021	3,224.00			0.00

Deductions - General

Wage type		Amount	Wage type		Amount
3015	GPF Subscription	-2,890.00	3501	Benevolent Fund	-1,200.00
3609	Income Tax	-1,052.00	3990	Emp.Edu. Fund KPK	-125.00
4004	R. Benefits & Death Comp:	-600.00			0.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance

Deductions - Income Tax

Payable: 16,813.08 Recovered till NOV-2021: 5,247.00 Exempted: 4203.06 Recoverable: 7,363.02

Gross Pay (Rs.): 77,655.00 Deductions: (Rs.): -5,867.00 Net Pay: (Rs.): 71,788.00

Payee Name: GULFARAZ AYUB

Account Number: 2814-0

Bank Details: NATIONAL BANK OF PAKISTAN, 231609 NBP LORA, Abbotabad

Leaves: Opening Balance: Aailed: Eamed: Balance:

Permanent Address:

City: ATD Domicile: NW - Khyber Pakhtunkhwa Housing Status: No Official

Temp. Address:

City: Email: gulfrayyub@gmail.com

(24)

Annexure "L"

To

The District Education Officer (Female),
Abbottabad

**Subject: DEPARTMENTAL REPRESENTATION / BENEFIT OF EXTENSION OF
JUDGMENT PASSED IN SERVICE APPEAL NO. 561 of 2011 dated 04-01-2019
& 2009 SCMR I**

Respected Sir,

1. That the applicant was appointed as PST vide appointment order issued under Endst: No. 7744-47 dated 03-08-1986 and appellant took over the charge on 04-08-1986. (Copies of appointment order & charge report are annexed herewith as **Annexure "A" & "B"**).
2. That appellant is BA, B.Ed & passed the PTC course on 02-04-1992. (Copies of academic & professional certificate are annexed herewith as **Annexure "C", "D" & "E" respectively**).
3. That appellant was promoted to the post of PSHT (BPS-15) vide Notification Endst: No. 697/EB/PST dated 26-02-2014 while some junior teachers to the appellant were promoted as PSHT earlier than the appellant. (Copy of promotion Notification is annexed herewith as **Annexure "F"**).
4. That some juniors teachers were also promoted against the post of SST (G) BPS-16 but appellant was deprived from vested right of promotion.
5. That as per reported judgment **2019 PLC (CS) 355**, appellant was senior in lower grade i.e. PST to the other and the employee who was senior in lower grade would retain his seniority.
6. That as per Terms & Conditions No. **4** of promotion order of appellant dated 26-03-2014 the inter-se-seniority of appellant against lower post is intact.
7. That it is settled proposition of law that in the matter of promotion the limitation does not forecloses the right.
8. That as per judgment passed in Service Appeal No. 561/2011 dated 04-09-2021 identical issue was decided by Honourable Khyber Pakhtunkhwa Service Tribunal

Peshawar and directed the department to promote the appellant from the date when his juniors were promoted.

- 9. That as per 2009 SCMR I if the Service Tribunal or Supreme Court decides a point of law relating to the Terms & service of a civil servant which covers not only the case of civil servants who litigated but also of other civil servants who may have not taken any legal proceedings in such a case, the dictates & rule of good governance demand that the benefit of such judgment by Service Tribunal / Supreme Court be extended to other civil servants who not be parties to the litigation instead of compelling them to approach the Service Tribunal or any other forum.

- 10. That the valuable rights of the applicant are involved.

Keeping in view of the above fact & circumstances it is requested that on acceptance of instant departmental representation applicant may kindly be promoted against the post of PSHT (BPS-15) with effect from the date when junior Teachers were promoted and also promote against the post of SST (G) BPS-16 from the date when junior Teachers were promoted as SST with all constitutional back benefits.

Gul Faraz
10/2/22

Gul Faraz Ayub,
PSHT GGPS Goreeni
Sub Division Lora
Abbottabad

Dated:10-02-2022

26

No 1220

RGL57531891

Notices see reverse except in case of

Rs. 20 Ps.

uninsured letters of not more than the initial weight prescribed in the Post Office Guide or on which no acknowledgement is due.

Received a registered* addressed to

DEO

State-Station FEB 22

Initials of Receiving Office

Write here "letter", "postage packet" or "parcel" with the word "insured" when necessary.

Insured for Rs. (in figures) 1000 (in words)

If insured

Insurance fee Rs. Ps. Name and address of sender

Weight (in words) Kilo Grams
ATD 10/8/22

کورٹ فیس

وکالت نامہ

بعدالت جناب سروس لٹریچر ضیہ بھٹو محوایہ سٹار

عنوان: گلفراز ایسوسی ایٹس نامہ گولڈمنٹ R.P.R. وغیرہ

منجانب: ایڈووکیٹ

نوعیت مقدمہ: سروس ایڈیل

باعث تحریر آنکہ

مقدمہ مندرجہ میں اپنی طرف سے واسطے پیروی و جواب دہی کل کاروائی متعلقہ آل مقام
محمد لیامند ایڈووکیٹ یا ایڈووکیٹ یا ایڈووکیٹ یا ایڈووکیٹ
 کو وکیل مقرر کر کے اقرار کرتا ہوں کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا نیز وکیل
 صاحب موصوف کو کرنے راضی نامہ و تقرر ثالث و فیصلہ برحلف و دینے اقبال دعویٰ اور بصورت دیگر ڈگری
 کرانے اجراء وصولی چیک روپیہ و عرضی دعویٰ کی تصدیق اور اس پر دستخط کرنے کا اختیار ہوگا اور بصورت
 ضرورت مقدمہ مذکور کی کل یا کسی جزوی کاروائی کے لئے کسی اور وکیل یا مختار صاحب قانونی کو اپنے ہمراہ اپنی
 بجائے تقرر کا اختیار بھی ہوگا اور صاحب مقرر شدہ کو بھی وہی اور ویسے ہی اختیارات ہوں گے اور اس کا
 ساختہ پرداختہ مجھ کو منظور قبول ہوگا۔ دوران مقدمہ جو خرچہ و ہر جانہ التوائے مقدمہ کے سبب ہوگا اس کے
 مستحق وکیل صاحب ہوں گے۔ نیز بقایا رقم وصول کرنے کا بھی اختیار ہوگا۔ اگر کوئی پیشی مقام دورہ پر ہو یا
 حد سے باہر ہو تو وکیل صاحب موصوف پابند ہوں گے کہ پیروی مقدمہ مذکورہ کریں اور اگر مختار مقرر کردہ میں
 کوئی جز و بقایا ہو تو وکیل صاحب موصوف مقدمہ کی پیروی کے پابند نہ ہوں گے۔ نیز درخواست بمراد
 استجارت ناش بیضہ مفلسی کے دائرہ کرنے اور اس کی پیروی کا بھی صاحب موصوف کو اختیار ہوگا۔
 لہذا وکالت نامہ تحریر کیا تاکہ سند رہے۔

المرقوم: 06-06-2022

بمقام: سٹار

Attested

Accepted.

11/11/22