

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 873/2014

Date of Institution ... 05.06.2014

Date of Decision ... 18.01.2022

Mr. Nasir Hussain, Incharge Headmaster (BPS-17), GHS Bushera, Kurram Agency.
... (Appellant)

VERSUS

The Additional Chief Secretary FATA, FATA Secretariat Warsak Road, Khyber
Pakhtunkhwa, Peshawar and others. ... (Respondents)

Noor Muhammad Khattak,
Advocate ... For Appellant

Muhammad Riaz Khan Paindakheil,
Assistant Advocate General ... For respondents

AHMAD SULTAN TAREEN ... **CHAIRMAN**
ATIQU-UR-REHMAN WAZIR ... **MEMBER (EXECUTIVE)**

JUDGMENT

ATIQU-UR-REHMAN WAZIR MEMBER (E):- This single judgment shall dispose of the instant service appeal as well as the following connected service appeals, as common question of law and facts are involved therein.

1. Service Appeal bearing No. 933/2013 titled Nasir Hussain
2. Service Appeal bearing No. 934/2013 titled Dildar Hussain
3. Service Appeal bearing No. 874/2014 titled Dildar Hussain

02. Brief facts of the case are that the appellant joined Education Department as Senior English Teacher (Technical-BPS-16) vide order dated 01-04-1987. Vide order dated 30-03-2011, the appellant was posted as Head Master (BPS-17) in his own pay and scale and before this the appellant was also awarded selection grade (BPS-17) vide order dated 21-01-2009. Before merger of SET technical,

general and science, in the seniority list prepared for SET Technical, the name of the appellant was at serial No. 73 of the seniority list issued on 30-06-2007. Because of different seniority lists of SET technical, science and general, SET who belong to General and Science cadre had been promoted to BPS-17 post on regular basis, while the SET who belong to technical cadre were left out in such promotions. Feeling aggrieved, other colleagues of the appellant filed a writ petition in Peshawar high court for merging the seniority list, which was accepted and in pursuance the respondents merged the seniority list and issued a combined seniority list vide order dated 30-06-2010, but name of the appellant was not included in such seniority list. feeling aggrieved, the appellant filed departmental appeal, which was not responded, hence the instant appeal with prayers that the respondents may be directed to include the name of the appellant at a right place in the list of SET issued vide notification dated 30-06-2010.

03. Learned counsel for the appellant has contended that not including the name of the appellant in the combined seniority list of SETs issued on 30-06-2010 is against law, fact and norms of natural justice, hence is liable to be set aside; that the appellant has not been treated in accordance with law, hence his rights secured under the Constitution has badly been violated; that inspite of senior most employee of the respondents department and having more than 25 years service at his credit, the appellant name was ignored in the combined seniority list of SETs; that many colleagues and junior colleagues of the appellant have been regularly promoted on the post of head master, but the appellant has been ignored in such promotions despite the seniority position under the pretext that his name has not been included in the combined seniority list.

04. Learned Assistant Advocate General for the respondents has contended that the appellant has been working against the post of SET (Technical) and was adjusted against the post of head master in his own pay and scale vide order

dated 30-03-2011, therefore plea of the appellant regarding his promotion and adjustment against the post of head master in BPS-17 is against the facts and notification dated 30-03-2011; that cadre of the appellant is basically SET(Technical), therefore, the respondents department has prepared a separate seniority list for the said cadre, hence being a stranger and out cadre official, the appellant cannot be included in the seniority list pertaining to the SET General and Science, hence he has been rejected for the grant of BPS-17; that it is correct that a combined seniority list has been issued by the respondents vide order dated 30-06-2010, wherein the name of the appellant could not be included due to the non regularization of his service against SET Technical post on the ground that seniority against a post is normally granted from the date of passing of professional qualification/service regularization against the post in question.

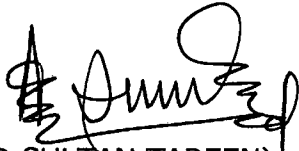
05. We have heard learned counsel for the parties and have perused the record.

06. Record reveals that there were three groups in one cadres of SET i.e. SET Technical, General and Science and separate seniority lists were maintained for each groups. The appellant being SET Technical was at serial No. 73 of the seniority list of SET Technical issued on 30-06-2007. Certain colleagues of the appellant filed Writ Petition No. 870/2010 for merger of the seniority list of all the three groups, which was allowed by the High Court vide judgment dated 05-03-2010. In compliance, the respondents issued a combined seniority list on 30-06-2010, where name of the appellant was not included, against which the appellant filed departmental appeal which was also not taken into consideration. Judgment of the honorable High Court is very clear having no ambiguity and ignoring name of the appellant from joint seniority list is not understandable. Placed on record is a promotion order dated 26-02-2013, where colleagues and junior of the appellant is shown as promoted as head master in BPS-17, but the appellant is left out for no obvious reason. Representative of the respondents later on realized

that the name of the appellant was erroneously not included in the seniority list, which will be included in the forthcoming seniority list.

07. In view of the foregoing discussion, the instant service appeal as well as connected service appeals are accepted. Respondents are directed to include name of the appellants in appropriate place in the seniority list issued on 30-06-2010 and to consider him for promotion from the date, his juniors were promoted. Parties are left to bear their own costs. File be consigned to record room.

ANNOUNCED
18.01.2022



(AHMAD SULTAN TAREEN)
CHAIRMAN



(ATIQ-UR-REHMAN WAZIR)
MEMBER (E)



**KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR**

No. _____ /ST

Dated: _____ /2022

All communications should be
addressed to the Registrar KPK Service
Tribunal and not any official by name.

Ph:- 091-9212281
Fax:- 091-9213262

To

The Secretary E&SE,
Government of Khyber Pakhtunkhwa,
Peshawar.

Subject: JUDGMENT IN APPEAL NO. 873/2014, MR. NASIR HUSSAIN & OTHERS.

I am directed to forward herewith a certified copy of Judgement dated
18.01.2022 passed by this Tribunal on the above subject for compliance please.

Encl: As above

REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR

ORDER


18.01.2022

Learned counsel for the appellant present. Mr. Muhammad Riaz Khan Painsakheil, Assistant Advocate General for respondents present. Arguments heard and record perused.

Vide our detailed judgment of today, separately placed on file, the instant service appeal as well as connected service appeals are accepted. Respondents are directed to include name of the appellants in appropriate place in the seniority list issued on 30-06-2010 and to consider him for promotion from the date, his juniors were promoted. Parties are left to bear their own costs. File be consigned to record room.

ANNOUNCED

18.01.2022



(AHMAD SULTAN TAREEN)
CHAIRMAN

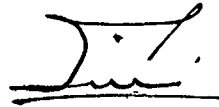


(ATIQU-UR-REHMAN WAZIR)
MEMBER (E)

09.12.2021

Mr. Khanzad Gul, Associate of the learned senior counsel for the appellant and Mr. Noor Zaman Khattak, District Attorney for the respondents present.

Learned senior counsel for the appellant is not in attendance to argue the appeal due to his engagement before the Hon'ble Peshawar High Court, Peshawar. Adjourned to 11.01.2022 for arguments before the D.B. Learned counsel for the appellant shall ensure his presence to argue the case on the date fixed.



(Salah-ud-Din)
Member(J)



Chairman

11.01.2022

Mr. Noor Muhammad Khattak, Advocate for appellant and Mr. Muhammad Riaz Khan Painsdakhel, Asstt. AG for the respondents present.

Arguments heard. To come up for order on 18.01.2022 before the D.B.



(Atiq-ur-Rehman Wazir)
Member(E)

Chairman

10.03.2021 Junior to counsel for the appellant present.

Riaz Khan Paindakheil learned Assistant Advocate General for respondents present.

Former made a request for adjournment as senior counsel is indisposed; granted. To come up for arguments on 3/6/2021 before D.B.



(Atiq ur Rehman Wazir)
Member (E)



(Rozina Rehman)
Member (J)

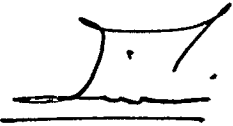
03.06.2021

Mr. Noor Muhammad Khattak, Advocate, for the appellant present. Mr. Noor Zaman Khattak, District Attorney for the respondents present.

Learned counsel for the appellant requested for adjournment being not prepared for arguments today. Adjourned. To come up for arguments before the D.B on 02.08.2021.



(ATIQU-UR-REHMAN WAZIR)
MEMBER (EXECUTIVE)



(SALAH-UD-DIN)
MEMBER (JUDICIAL)

02.08.2021


Counsel for the appellant present.

Mr. Riaz Ahmed Painakheil, Assistant Advocate General for respondents present.

Former requests for adjournment to further prepare the brief. Adjourned. To come up for arguments on 09.12.2021 before D.B.



(Atiq-Ur-Rehman Wazir)
Member (E)

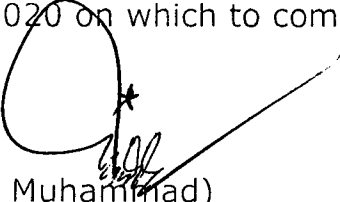


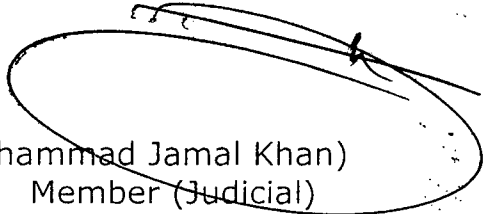
(Rozina Rehman)
Member (J)

23.09.2020

Mr. Mir Zaman Safi, Advocate for appellant is present. Mr. Riaz Ahmad Paindakheil, Assistant Advocate General for the respondent is also present.

According to learned counsel that his senior counsel is indisposed of today and requested for adjournment. Adjourned to 15.12.2020 on which to come up for arguments before D.B.


(Mian Muhammad)
Member (Executive)


(Muhammad Jamal Khan)
Member (Judicial)

15.12.2020

Junior to counsel for appellant and Mr. Kabirullah Khattak learned Addl. AG for respondents present.


Due to COVID-19 the case is adjourned for the same on 10.03.2021 before D.B.


READER

03.01.2020

Learned counsel for the appellant present. Mr. Riaz Paindakhel learned Assistant Advocate General for the respondents present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 27.02.2020 before D.B.


(Hussain Shah)
Member


(M. Amin Khan Kundi)
Member

27.02.2020

Appellant with counsel present. Mr. Riaz Khan Paindakheil learned Assistant Advocate General present. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for order on 01.04.2020 before D.B.


Member


Member

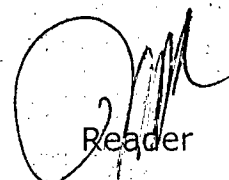
01.04.2020

Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 25.06.2020 before D.B.


Reader

25.06.2020

Due to public holiday on account of COVID-19 the case is adjourned for the same on 23.09.2020 before D.B.


Reader

03 .09.2019

Junior to counsel for the appellant present. Mr. Usman Ghani learned District Attorney for the respondents present. Junior to counsel for the appellant seeks adjournment as senior counsel for the appellant is not in attendance. Adjourned. To come up for arguments on 15.10.2019 before D.B



(Hussain Shah)
Member



(M. Amin Khan Kundi)
Member

15.10.2019

Appellant absent. Learned counsel for the appellant absent. Mr. Riaz Khan Paindakheil learned Assistant Advocate General present. Being an old case, last opportunity is granted. Adjourn. To come up for arguments on 25.11.2019 before D.B. Appellant be put to notice for the date fixed.



Member



Member

25.11.2019

Due to general strike of the bar, the case is adjourned. To come up on 03.01.2020 before D.B.



Member



Member


28.02.2019 Bench is incomplete, therefore the case is adjourned. To come up on 8.4-2019


READER

08.04.2019

Junior to counsel for the appellant present. Asst: AG for respondents present. Junior to counsel for the appellant seeks adjournment. Adjourned. Case to come up for arguments on 23.05.2019 before D.B.


(Ahmad Hassan)
Member


(M. Amin Khan Kundi)
Member

23.05.2019

Mr. Mir Zaman Safi, Advocate for appellant and Mr. Ziaullah, DDA for the respondents present.

In pursuance to directions contained in order dated 04.12.2018 learned counsel for the appellant has submitted copies of the requisite record which are placed in connected appeal No. 874/2014. To come up for arguments before the D.B on 10.07.2019 alongwith aforementioned Service Appeal.


Member


Chairman

10.07.2019

Learned counsel for the appellant and Mr. Zia Ullah learned Deputy District Attorney present. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 03.09.2019 before D.B.



Member



Member

04.12.2018

Counsel for the appellant present. Mr. Muhammad Riaz Khan
Paindakhel, Asst: AG for respondents present.

The case was argued at length, when attention of learned
counsel for the appellant was drawn towards non-availability of
degree acquired by the appellant on the basis of which his services
were regularized as SET, he was clueless. He is directed to make
available the following documents. (1) B.Ed Degree acquired by the
appellant. (2) Order of regularization passed by the respondents.
(3) Whether tentative seniority list can be challenge^d in this Tribunal.
(4) Final seniority list if notified by the respondents. (5) Option
exercised by the appellant for inclusion of his name in the seniority
list on the basis of judgment of august Peshawar High Court. Case to
come up for further proceedings/arguments on 10.01.2019 before
D.B.


(Ahmad Hassan)
Member


(M. Amin Khan Kundi)
Member

10.01.2019


Learned counsel for the appellant and Mr. Muhammad Jan
learned Deputy District Attorney present. Learned counsel for the
appellant seeks adjournment. Adjourn. To come up for arguments on
24.01.2019 before D.B.


Member


Member

24.01.2019

Junior to counsel for the appellant present. Mr. Muhammad
Jan, DDA for respondents present. Junior to counsel for the
appellant seeks adjournment. Adjourned. Case to come up for
arguments on 28.02.2019 before D.B.


(Ahmad Hassan)
Member


(M. Amin Khan Kundi)
Member

30.10.2018

Due to retirement of Hon'ble Chairman, the Tribunal is incomplete. Therefore, the case is adjourned. To come up for the same on 04.12.2018.



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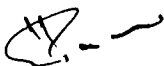
21.02.2018

Due to non availability of D.B. Adjourned. To come up on 24.04.2018 before D.B.


(Gul Zohra Khan)
Member

24.04.2018 Learned counsel for the appellant and Mr. Kabir Ullah Khattak, learned Additional Advocate General present. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 05.07.2018 before D.B.

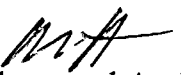

(Ahmad Hassan)
Member


(Muhammad Hamid Mughal)
Member

05.07.2018

Junior counsel for the appellant and Mr. Ziaullah, Deputy District Attorney official respondents No. 1 to 5 present. Junior counsel for the appellant requested for adjournment on the ground that learned senior counsel for the appellant is not available today. Adjourned. To come up for arguments on 20.09.2018 before D.B.


(Ahmad Hassan)
Member


(Muhammad Amin Kundi)
Member

20.09.2018

Since ~~20~~ September 2018 has been declared as public holiday on account of Muharam Ul Haram. Therefore, the case is adjourned. To come up for the same on

30-10-18


Reader

31.05.2017

Agent to counsel for the appellant and Mr. Muhammad Adeel Butt, Additional AG for the respondent present. Agent to counsel for the appellant requested for time to file rejoinder. Request accepted. To come up for rejoinder and arguments on 26.09.2017 before D.B.



(Muhammad Amin Khan Kundi)
Member



(Gul Zeh Khan)
Member

26.09.2017

Junior to counsel for the appellant and Asst: AG for respondents present. Junior to counsel for the appellant seeks adjournment as senior counsel was busy before the Daar-UI-Qaza, Swat. Adjourned. To come up for arguments on 27.12.2017 before D.B.



Member



Chairman

27.12.2017

Counsel for the appellant present. Mr. Muhammad Jan,, Deputy District Attorney for the respondents present. Counsel for the appellant seeks adjournment. Adjourned. To come for arguments on 21.02.2018 before the D.B.



Member

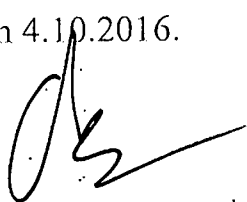


Chairman

18.5.2016

Agent to counsel for the appellant and Addl. AG for respondents present. Agent to counsel for the appellant requested for time to file rejoinder case to come for rejoinder/arguments on 4.10.2016.

Member



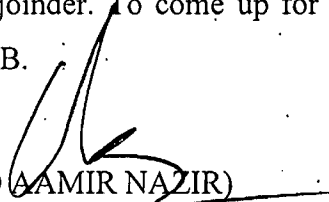
Member



04.10.2016

Agent to counsel for the appellant and Mr. Daud Jan, Superintendent alongwith Mr. Usman Ghani, Sr.GP for official respondents No. 1 to 5 present. Rejoinder on behalf of the appellant not submitted and requested for further time to file rejoinder. To come up for rejoinder and arguments on 6.2.17 before D.B.

(MUHAMMAD AAMIR NAZIR)
MEMBER



(PIR BAKHSH SHAH)
MEMBER



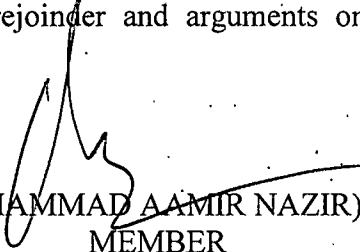
06.02.2017

Counsel for appellant, M/S Khurshid Khan, SO, Hameed-ur-Rehman, AD (Lit.) and Daud Jan, Superintendent alongwith Mr. Muhammad Adeel Butt, Additional AG for official respondents No. 1 to 5 present. Rejoinder not submitted. Learned counsel for appellant seeks adjournment. Adjourned. To come up for rejoinder and arguments on 31.05.2017 before D.B.

(ASHFAQUE TAJ)
MEMBER



(MUHAMMAD AAMIR NAZIR)
MEMBER



08.06.2015

Counsel for the appellant present. Learned counsel for the appellant argued that identical appeal No. 874/2014 has been admitted to regular hearing.

In view of the above, this appeal is also admitted to regular hearing. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply for 31.8.2015 before S.B.

Appellant Deposited
Security & Process Fee




Chairman

31.08.2015

Agent of counsel for the appellant. Respondents are not in attendance. Fresh notices be issued to them for submission of written reply/comments for 12.11.2015 before S.B.


Chairman

12.11.2015

Counsel for the appellant, M/S Daud Jan, Supdt. and Irshad Muhammad, SO alongwith Addl: A.G for respondents present. Written reply not submitted. Requested for adjournment. Last opportunity granted. To come up for written reply/comments on 9.2.2016 before S.B.


Chairman

09.02.2016

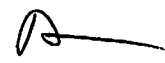
Counsel for the appellant, M/S Khurshid Khan, SO and Hameed-ur-Rehman, AD (lit.) alongwith Addl: A.G for respondents present. Para-wise comments submitted. The appeal is assigned to D.B for rejoinder and final hearing for 18.5.2016.


Chairman

6.

02.03.2015

Counsel for the appellant present. Requested for adjournment. Adjourned to 30.03.2015 for preliminary hearing before S.B.

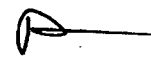


Member

7

30.3.2015

Counsel for the appellant present and requested for adjournment. Therefore, case is adjourned to 27.4.2015 for preliminary hearing.



MEMBER

8.

27.04.2015

Clerk of counsel for the appellant present, and requested for adjournment. To come up for preliminary hearing on 08.06.2015 before S.B.

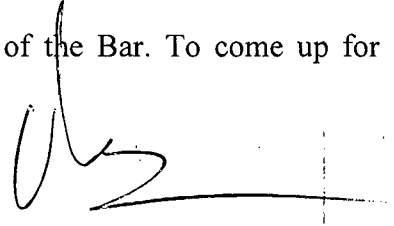


Member

3,

01.09.2014

Clerk of counsel for the appellant present, and requested for adjournment due to General Strike of the Bar. To come up for preliminary hearing on 27.10.2014.



Member

4,

27.10.2014

Counsel for the appellant present, and requested for adjournment. Request accepted. To come up for preliminary hearing on 09.12.2014.



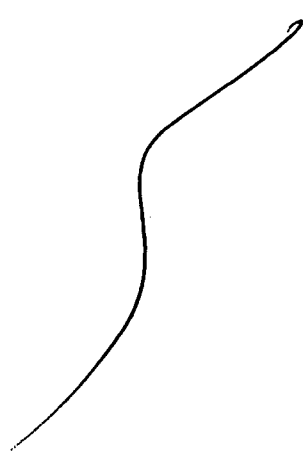
Member

5,

Reader Note:

09.12.2014



Clerk of counsel for the appellant present. Since the Tribunal is incomplete, therefore, case is adjourned to 02.03.2015 for the same.


Reader

Form - A
Form of Order Sheet

Court of _____

Case No. 873/2014


S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	19/06/2014	<p>The appeal of Mr. Nisar Hussain resubmitted today by Mr. Noor Muhammad Khattak Advocate may be entered in the Institution register and put up to the Worthy Chairman for preliminary hearing.</p> <p style="text-align: right;"> REGISTRAR</p>
2	20-6-2014	<p>This case is entrusted to Primary Bench for preliminary hearing to be put up there on <u>1-9-2014</u></p> <p style="text-align: right;"> CHAIRMAN</p>

The appeal of Mr. Nasir Hussain Incharge Headmaster GHS Bushera, Kurram Agency received today i.e. on 05.06.2014 is incomplete on the following score which is returned to the counsel for the appellatant for completion and resubmission within 15 days.

Annexures of the appeal are illegible which may be replaced by legible/better one.

No. 877 /S.T,

Dt. 05/6 /2014.


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Noor Muhammad Khattak Adv. Pesh.

Note:

*Sir, All objections has been removed,
hence re-submitted today dated 19.6.2014.*



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. 873 /2014

Nasir Hussain

VS

Education Department

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7.	Vakalat nama	28.

APPELLANT

THROUGH:


NOOR MOHAMMAD KHATTAK
ADVOCATE

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. 873 /2014

836
5/6/14

Mr. Nasir Hussain, Incharge Headmaster (BPS-17),
GHS Bushera, Kurram Agency..... **Appellant**

VERSUS

- 1- The Additional Chief Secretary FATA, FATA Secretariat Warsak Road, Khyber Pakhtunkhwa, Peshawar.
- 2- The Secretary (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
- 3- The Secretary Finance Department, Khyber Pakhtunkhwa, Peshawar.
- 4- The Director of (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
- 5- The Director of (E&SE) Department FATA, FATA Secretariat Khyber Pakhtunkhwa, Peshawar.
- 6- Mr. Mohammad Ajmal Khan, Headmaster (BPS-17), C/O Director FATA (E&SE) Department, FATA Secretariat, Warsak Road Peshawar.

..... **Respondents**

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974 AGAINST THE ORDER DATED 26.2.2013 WHEREBY JUNIOR COLLEAGUE OF THE APPELLANT i.e. RESPONDENT No.6 HAVE BEEN REGULARLY PROMOTED TO THE POST OF HEADMASTER (BPS-17) WHILE THE APPELLANT HAS BEEN IGNORED WITHOUT ANY REASON AND CLEAR JUSTIFICATION AND AGAINST NOT TAKING ACTION ON THE DEPARTMENTAL APPEAL OF APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS

5/6/14

PRAYER:

That on acceptance of this appeal the respondents may be directed to Consider the appellant for regular promotion to the post of Headmaster (BPS-17) from the date when the respondent No.6 was promoted to the post of Headmaster (BPS-17) i.e. w.e.f. 26.2.2013 with all consequential benefits. Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the appellant.

R.SHEWETH:

ON FACTS:

admitted to
and filed.
5/6/14

- 1- That appellant joined the Elementary & Secondary Education Department as SET Technical (BPS-16) vide order dated 01.04.1987. That right from appointment till date the appellant is serving the E&SE Department quite efficiently and up to the entire satisfaction of his superiors.
- 2- That appellant after serving of more than 30 years the E&SE Department vide order dated 30.03.2011 promoted the appellant to the post of Headmaster BPS-17 in his own pay and scale. That it is very pertinent to mentioned that appellant has also availed the benefits of selection grade BPS-17 vide order dated 21.01.2009. Copies of the posting order and selection Grade are attached as annexure **A and B.**
- 3- That before the merging of SET Tech: Science and General, the seniority list prepared for the SET Tech: the name of the appellant was at serial No. 73 which was issued vide order dated 30.06.2007. Copy of the seniority list is attached as annexure **C.**
- 4- That because of different seniority lists of Tech, Science and General those SETs belongs to Science and General cadres were promoted to the post of Headmaster BPS-17 on regular basis while the SETs who belongs to Tech, cadre were left out in those promotions. That feeling aggrieved appellant colleagues who belongs to SETs Tech, Knocked the door of the Hon'ble Peshawar High Court Peshawar for the merging ad combined seniority list of SET Tech, Science and General. That the same was accepted in favor of appellant colleagues. Copies of the judgment and COC are attached as annexure **D & E.**
- 5- That on the basis of that judgment of Hon'ble Peshawar High Court Peshawar dated 05.03.2010 the E&SE Department issued combined seniority list vide Notification dated 30.06.2010. That astonishingly the name of the appellant was totally ignored in the said seniority list, though appellant should have deserved to be placed above at serial No.17 of the said seniority list. That on the basis of that combined seniority list the respondent No.6 who was junior to appellant have been promoted to the post Headmaster (BPS-17) vide order dated 26.2.2013 but the appellant was left out with out any fault on his part. Copies of the seniority list and impugned order are attached as annexure **F and G.**
- 6- That feeling aggrieved appellant filed Departmental appeal against the order dated 26.2.2013 but no reply has been received so far. Hence the present appeal on the following

grounds amongst. Copy of the Departmental appeal is attached as annexure as H.

GROUND:

- A- That the impugned order dated 26.2.2013 issued by the respondent Department is against the law, facts, norms of natural justice and materials on the record hence not tenable and liable to be set aside.
- B- That the appellant has not been treated by the respondents in accordance with law and rules on the subject noted above and as such the respondents violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.
- C- That inspite of senior most employee of the respondent Department and having more than 30 years of service in the respondent Department the appellant has not been promoted to the post of Headmaster (BPS-17) though junior to appellant i.e. respondent No.6 has been promoted.
- D- That the respondent Department acted in arbitrary and malafide manner by not promoting the appellant to the post of Headmaster (BPS-17) from the date when respondent No.6 was promoted i.e. 26.2.2013.
- E- That it is the basic principle of natural justice that no one should be punished on the fault of others.
- F- That junior colleague to the appellant i.e. respondent No.6 have been regularly promoted on the post of Headmaster (BPS-17) vide order dated 26.2.2013 but the appellant has been ignored in the said promotion despite of senior most employee of the respondent Department only on the pretext that his name has not been enlisted in the combined seniority list.
- G- That appellant seeks permission to advance other grounds and proofs at the time of hearing.

It is therefore most humbly prayed that the appeal of the appellant may be accepted as prayed for.

APPELLANT


NASIR HUSSAIN

THROUGH:


**NOOR MOHAMMAD KHATTAK
ADVOCATE**

**FATA SECRETARIAT
(COORDINATION & ADMINISTRATION DEPARTMENT)
WARSAK ROAD PESHAWAR**

ORDER:

Mr.Nasir Hussain SET (Tech) is hereby transferred from Government High School Zeran Kurram Agency to Government High School Bushera Kurram Agency against the post of Headmaster ((BPS-17) in his own pay and scale in the interest of public service.

2. This order will take office from 19.04.2011.

SECRETARY (ADMIN & COORD)

No. FS/E/100-80(Vol-5)/3541-4)

Dated 30/3/2011

Copy forwarded to the all concerned:

ATTESTED

BA

FRI 10. 12. 2009

10. 04. 2011



FATA SECRETARIAT
(COORDINATION & ADMINISTRATION DEPARTMENT)
WARSAK ROAD PESHAWAR

ORDER :-

Mr. Nasir Hussain SET (Tech:) is hereby transferred from Government High School Zeran Kurram Agency to Government High School Bushera Kurram Agency against the post of Headmaster (BS-17) in his own pay and scale, in the interest of public service.

2- This order will take effect from 19-04-2011.

SECRETARY (ADMN & COORD)

No FSME/100-80 (Vol-5)/3521-47
Dated 30/3/2011
Copy to:-

1. Director Education (FATA)
2. Agency Education Officer Kurram Agency
3. Headmaster, GHS Zeran Kurram Agency
4. Headmaster, GHS Bushera Kurram Agency
5. Agency Accounts Officer Kurram Agency
6. PS to Secretary (Admn & Coord) Department, FATA Secretariat
7. Officer concerned

ATTESTED

(Muhammad Abbas Khan)
Section Officer (Estab)

AKHTUNKHWA

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B-5

P.1

To: 0928312455

Nasir Hussain S/c

COPI

DIRECTORATE OF ELEMENTARY & SECY EDUCATION N.W.F.P. PESHAWAR

NOTIFICATION

Consequent upon the approval of the Departmental Promotion Committee (DPC) accorded in its Meeting hold on 9-10-28 10-11-2008 & 13-11-2008, the Director Elementary & Secondary Education NWFP Peshawar is pleased to allow Selection Grade E-17 in respect of the following SETs (Technical) of the school Administration Branch (Mex Section) of the school noted against their names:-

S/No Name & Designation/Address

- 1. Nasir Hussain SET(Tech:) GHS Miran, Kurram Agency

Awarded S/Grade w.c.f

12-9-1989

X X

2 to 7

X X

DIRECTOR Elementary & Secondary Edu: NWFP Peshawar

Edict No. 2258-75/F.No. 311/A-14/SET(m)Tech: S. Grade dated 21-1-09

Copy forwarded to the:-

- 1. The Director of Education (FATA) NWFP Peshawar

2-8

X X

Sd/- x x/x DEPUTY DIRECTOR (ESTAB) ELEMENTARY & SECONDARY EDUCATION NWFP PESHAWAR

DIRECTORATE OF EDUCATION (FATA), N.W.F.P PESHAWAR

Dated Pesh. the 12/3/09

Edict: No. 3322-23

Copy of the above is forwarded to the:-

- 1. Agency Accounts Officer, Kurram Agency at Parachinar
- 2. Prl./Headmaster GHS Miran, Kurram Agency

ATTESTED

Signature and stamp of Deputy Director Education FATA, N.W.F.P PESHAWAR dated 12/3

Selection Grade (BPS-17)

Vertical stamp with dates: 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009

**DIRECTORATE OF SCHOOLS & LITERACY
N.W.F.P PESHAWAR**

NO. 7998-924

DATED, PESHAWAR THE, 29/10/2007.

TO

- 1- The Director of Education (FATA), NWFP, Peshawar.
- 2- The Director of Curriculum & Teacher Education NWFP, Abbotabad.
- 3- All the Executive District Officers (S/L) in NWFP.

Revised

**Subject: FINAL SENIORITY LIST OF SET (TECHNICAL) (MALE)
OF SCHOOLS & LTRACY, NWFP/FATA CORRECTED UP TO
30.06.2007**

Memo:

A copy of the Final Seniority list of SET (Technical) (Male) is enclosed herewith for information of all concerned who are working under your jurisdiction. The said seniority list should be brought into the notice of all SETs (Tech) and their signature (for having seen and checked the list thoroughly) should be obtained from them and kept in your office for record.

DEPUTY DIRECTOR (ESTABLISHMENT)
SCHOOLS & LITERACY, NWFP, PESHAWAR

Endst: No. 7925-27

Copy forwarded to all concerned.

ATTESTED



C-6

Sect. (Tech)

DIRECTORATE OF SCHOOLS & LITERACY
N.W.F.P. PESHAWAR

NO. 7998-924 / A.S.S.U SET (TECH)/2007

DATED PESHAWAR THE 29 11/2007.

To:

1. The Director of Education (FATA), NWFP, Peshawar.
2. The Director of Curriculum & Teacher Education NWFP, Abbotabad.
3. All the Executive District Officers (S/L) in N.W.F.P.

Revised
Subject: FINAL SENIORITY LIST OF SET (TECHNICAL) (MALE) OF SCHOOLS & LITERACY, NWFP / FATA CORRECTED UP TO 30-06-2007

Memo: A copy of the Final Seniority List of SET (Technical) (Male) is enclosed herewith for information of all concerned who are working under your jurisdiction. The said Seniority List should be brought into the notice of all SETs (Tech) and their signature (for having seen and checked the list thoroughly) should be obtained from them and kept in your office for record.

[Signature]
27/11

DEPUTY DIRECTOR (ESTABLISHMENT)
SCHOOLS & LITERACY, NWFP, PESHAWAR.

Endst. No. 7995-27

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

1. Assistant Director (Litigation) Local Directorate
2. PS, to Secretary, Schools & Literacy, Dep't. Govt. of NWFP.
3. PA, to Director Schools & Literacy, NWFP, Peshawar.

[Signature]
27/11

DEPUTY DIRECTOR (ESTABLISHMENT)

BETTER COPY OF PAGE-7**REVISED**

S#	NAME & DESIGNATION OF SET TECHNICAL	D.O.B	DOMICIL E
1.	Mr.Mumtaz khan, ASDE(M) kulachi	15.12.1951	D.I. KHAN
2.	Mr. M. Zahid, SET, GHS khal Dir	05.04.1952	Dir
11.	Mr. Abdul Majid, ASDO(M)	20.07.1956	D.I.Khan
73.	Mr. Nasir Hussain, SET, GMS zeran kurram	15.02.1959	Kurram
74.	-----	-----	-----
75.	-----	-----	-----
79.	Mr. Dildar Hussain, SET, GHS Zeran K. Agency	12.01.1981	K. Agency
132.	Mr. Sahib Zada, SET,GHSS, Jamrud	15.12.1962	FR Peshawar

**DEPUTY DIRECTOR (ESTABLISHMENT)
SCHOOLS & LITRACY, NWFP, PESHAWAR**

ATTESTED



11 R.T.P

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REVISIT

FINAL SENIORITY LIST OF SETS (TECHNICAL) OF SCHOOLS AND LITERACY NWFP/FATA CORRECTED UP TO 30-06-2007.

S.No	NAME & DESIGNATION OF SET TECHNICAL	D.O.Birth	Domicile	Date of 1st Apptt In Edu Deptt	Date of Apptt as SET, Tech	Date of Approval as SET (Tech)	Remarks
R x 1	Mr. Mumtaz Khan, ASDE(M) Kulachi D.I.K	15.12.1951	D.I.Khan	25.03.1972	08.05.1974	08.05.1974	
R x 2	Mr. Muhammad Zahid, SET, GHS, Khal Dir	05.04.1952	Dir	03.07.1972	13.11.1975	13.11.1975	
R - 3	Mr. Ashfaq Ahmad, SET, GHS, No.2 Pesh: City	08.01.1952	Peshawar	01.10.1976	01.10.1976	01.10.1976	
4	Mr. Muhammad Iqbal, SET, GHS, No.2 Pesh, City	19.05.1958	Peshawar	03.11.1976	03.11.1976	03.11.1976	
R 5	Mr. Muhammad Nisar, ASDO(M) Peshawar	15.08.1952	Peshawar	08.11.1976	08.11.1976	08.11.1976	
6	Mr. Sultan Bahadar, SET, GHS, Ghazi Haripur	13.05.1954	Haripur	05.05.1976	16.11.1976	16.11.1976	
7	Mr. Muhammad Aslam, SET, GHS, Ghazi, Haripur	01.03.1951	Haripur	16.11.1976	16.11.1976	26.01.1978	
8	Mr. Samiullah Khan, SET GEC (M) Jamrud, Khy. Agy:	10.04.1957	Kohat	12.02.1977	12.02.1977	12.02.1978	
9	Mr. Firdos Khan, SET, GHS, Gubahtar Peshawar	15.09.1951	Peshawar	01.11.1972	15.03.1978	01.12.1979	
R - 10	Mr. Muhammad Saif, SET, GHSS, Shabaz Garhi, Mardn	07.04.1950	Mardan	18.09.1973	01.11.1980	01.11.1980	
11	Mr. Abdul Majid, ASDO(M) D.I.Khan	20.07.1956	D.I.Khan	22.12.1976	03.12.1980	03.12.1980	
R - 12	Mr. Rehmakillah, SET, GHS, Akhruwal, FR Kohat	10.10.1948	FR Kohat	15.09.1973	09.05.1981	09.05.1981	
R 13	Mr. Ghayour Pervez SET, GCHS, Kohat	01.01.1953	Kohat	01.01.1978	01.01.1978	03.09.1981	
14	Mr. Mitah Gul SET, GHS, Pabbi Nowshera	20.04.1959	Nowshera	01.10.1980	06.01.1982	15.02.1982	
15	Mr. Muhammad Ishaq Khan, SET, GATTC, Peshawar	12.05.1958	Peshawar	01.06.1982	01.03.1982	01.03.1982	
R 16	Mr. Hamidullah Khan, ADEO(M) D.I.Khan	16.05.1952	D.I.Khan	05.05.1974	31.01.1978	31.03.1983	
17	Mr. Karim Jaf, SET, No.2, Peshawar City	09.03.1959	Charsadda	25.10.1981	25.10.1981	31.03.1983	
18	Mr. Jamshaid Khan, SET, GHS, Bughdada Mardan	14.01.1954	Mardan	13.01.1979	22.01.1984	22.01.1984	
R 19	Mr. Nizamullah, SET, GHSS, No.1, Tank	15.01.1952	Tank	01.03.1975	25.10.1982	27.10.1984	
R 20	Mr. Faziur Rehman, SET, GHS, Akhruwal FR Kohat	11.12.1945	FR Kohat	05.12.1984	25.03.1987	25.03.1987	
R 21	Mr. Meharrunus Samad, SET, GHS, Akhruwal FR Kohat	01.01.1953	FR Kohat	10.01.1978	25.03.1987	25.03.1987	

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72	Mr. Badiuz Zaman, SET, GHSS, Ko.2, DIK	01.04.1982	DIKhan	11.04.1981	25.05.1988	06.02.1989
73	Mr. Nasir Hussain, SET, GHS, Zajan, Kurram	15.02.1959	Kurram	07.01.1979	07.04.1987	06.02.1989
74	Mr. Sajad Ahmad, SET, GHSS, Saha Manshehra	15.05.1983	Manshehra	11.11.1982	19.10.1989	19.10.1989
75	Mr. Muhammad Khalid, SET, GHS, Havelan A. Abad	01.05.1983	Abdottabad	26.12.1987	19.10.1989	19.10.1989
76	Mr. Hafzur Rehman, SET, GHS, Swab	30.03.1983	Mardan	12.12.1989	12.12.1989	12.12.1989
77	Mr. Rashid Ahmad, SET, GHS, Toghiala Kohat	29.12.1980	Kohat	04.02.1987	21.10.1990	21.10.1990
78	Mr. Attaullah Jan, SET, GHS, Fawa A. Abad	01.04.1958	Manshehra	21.11.1981	15.12.1990	15.12.1990
79	Mr. Dildar Hussain, SET, GHS, Zeran, K. Agency	12.01.1981	K. Agency	09.02.1982	15.12.1990	15.12.1990
80	Mr. Zakirullah, SET, GHS, Swabi	02.01.1964	Mardan	27.12.1990	27.12.1990	27.12.1990
81	Mr. Muntaz Pervez, SET, GHS, Shabaz Garh Mardan	14.03.1980	Mardan	04.11.1981	29.12.1990	30.12.1990
82	Mr. Israj Khan, SET, GHS, Marghuz Swabi	30.11.1959	Mardan	14.03.1979	17.01.1991	17.01.1991
83	Mr. Atlas Khan, SET, GHS, Dara Zinda FR DIK	05.12.1964	FR DIK	10.12.1985	19.02.1985	19.02.1991
84	Mr. Muhammad Younis, SET, GHS, No.2 Bannu	25.11.1946	Bannu	02.11.1972	04.11.1978	10.10.1991
85	Mr. S. Keramat Hussain, SET, GHS,	10.01.1957		28.03.1980	20.03.1980	16.10.1991
86	Mr. S. Shabir Hussain Shah, SET, GHS, Aizal	30.07.1951	K. Agency	28.10.1980	28.10.1990	16.10.1991
87	Mr. Noor Elahi, SET, GHS,	09.01.1952		27.03.1981	27.03.1991	16.10.1991
88	Mr. Hussain Khan, SET, GHS, Paardiva, K. Agency	01.04.1951	Kurram	16.11.1980	16.11.1980	16.10.1991
89	Mr. Muhammad Aizal, SET, GHS, No.1 Haripur	10.04.1948	Haripur	01.11.1978	26.10.1981	16.10.1991
90	Mr. Farhad Islam, SET, GHS, Sulbhan Khawar, M. Agy.	01.01.1960	Kurram	09.03.1983	00.03.1983	16.10.1991
91	Mahmud Ali, SET, GHS, Kurram	01.04.1959	Kurram	08.03.1983	08.03.1983	16.10.1991
92	Mr. Khalid Mahmood, SET, GHSS, T.T. Ship Haripur	15.07.1962	Haripur	02.11.1982	01.10.1983	16.10.1991
93	Mr. Rehmatullah Khan, SET, GHS, Daraban Kalac, DIK	03.01.1959	DIKhan	25.10.1982	30.04.1984	16.10.1991
94	Mr. Muhammad Zaman, SET, GHS, Habsullah Khan	12.07.1958	Bannu	28.11.1981	05.09.1984	16.10.1991
95	Mr. Fazlullah, SET, GHS, Sherpac Charsadda	26.12.1954	Charsadda	08.01.1985	08.04.1985	16.10.1991
96	Mr. Muhammad Iqbal, SET, GHSS, Shabaz Garh Mdnr	11.03.1957	Mardan	25.01.1983	25.04.1985	16.10.1991

ATTESTED

[Signature]

122	Mr. Haribedul Haq, SET, GHS, Barawal Bandi Dir U	Dir Upper	04.10.2003
123	Mr. Muhammad Sahib Khan SET, GCHMS, Tank	Kohat	04.10.2003
124	Mr. Muzamil Ahmad, SET, GHS, Kayala Ora, Agyi	Karak	04.10.2003
125	Mr. Zahidullah Khan SET, GHS, Kamigurram SWA	Banna	04.10.2003
126	Mr. Ebnadur Nawaz, SET, GHS, Ayune Chitral	Karak	04.10.2003
127	Mr. Rashid Ahmad, SET, GHS, Ghazi Haripur	Haripur	04.10.2003
128	Mr. Nasseer Khan SET, GHS, Sherwan A. Abad	Haripur	04.10.2003
129	Mr. S. Zafar Ali Shah, SET, GHS, Pawa A. Abad	Haripur	04.10.2003
130	Mr. Pir Mussain Shah, SET, GHS, Chitral	Manshara	04.10.2003
131	Mr. Nasseer Zada, SET, GHS, Chitral	Haripur	04.10.2003
132	Mr. Sahib Zada, SET, GHSS, Jamrud	FR Peshawar	01.12.2004

SHAH

DEPUTY DIRECTOR (ESTABLISHMENT)
SCHOOLS & LITERACY, NWFP, PESHAWAR.

AM PESHAWAR

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PESHAWAR HIGH COURT, PESHAWAR.

FORM 'A'
FORM OF ORDER SHEET

D-10

S.No.	Date of order	Order or other proceedings with signature of the Judge
1	2	3
	5.3.2010.	<p><u>W.P.No.870/2010.</u></p> <p>Present: Mr.Ibad-ur-Rehman, Advocate for the petitioners. _____</p> <p><u>ABDUL AZIZ KUNDI, J.</u> Jehanzeb and six others, employees of Education Department as SETs, seek issuance of an appropriate writ directing the respondents to treat them equally in the matter of promotion with other senior English Teachers(General) and act in accordance with law and further to declare the undertaking obtained from them by the respondents as void, illegal and un-warranted.</p> <p>2. Earlier the petitioners had filed W.P.No.656/2007 and a Division Bench of this court vide order dated 31.10.2007 while converting the said writ petition into departmental appeal, sent the same to Secretary, Government of NWFP, Schools and Literacy Department, Peshawar, for disposal.</p> <p>3. Pursuant to the said order after considerable correspondence amongst various offices of the department, ultimately Director of</p>

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ATTESTED
M. K. R.
Peshawar High Court

ATTESTED

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(2) (1)

Education, vide its letter bearing No.3894-F. No.A-SS/SL/B-16/Appeal, dated 5.6.2009, addressed to secretary, Govt: of NWFP (Elementary and secondary Education) Department, proposed allocation of 5% share to SET (Technical) for promotion to the posts of Head Masters in B-17 (Regular). Government of NWFP, Elementary and Secondary Education Department, responded to the same, vide its number SO. (PE)9-4/SET-Tech/Gen/07/court cases, dated Peshawar the 31-7-2009. and paras-2 and 3 of the same are reproduced hereunder:-

2. In the light of the foregoing it is proposed that:
- i. The SET (Tech) and SET (Commerce) may be included in the seniority list of SET (General/Science) with the condition that this inclusion will only be for the purpose of promotion to the post of Headmaster (B-17) in light of the service rules for the posts of Headmaster duly notified vide Notification No.SOG/ S&LD/ 1-28/2003/VOL.II dated 9.04.2004 and these SETs (Technical and Commerce) will not claim any other benefits which will accrue of their inclusion in the seniority list that would affect the SET (General/Science).
 - ii. A written undertaking will be obtained from all SET (Tech) and SET (Commerce) regarding the condition mentioned in para-1 above which will also discourage further litigation. This condition will be reflected in the revised seniority list of all SETs.
 - iii. This inclusion in the seniority list will be compulsory and any teacher who does not furnish the relevant undertaking mentioned in para-ii above will be kept on static list and he/she will not claim any service benefits which his other colleagues will enjoy.

ATTESTED

ATTESTED

EXAMINED

3. The Directorate is advised to implement the above decisions in letter and spirit and send compliance report."

4. Thereafter, the Directorate of Elementary and Secondary Education, Peshawar, vide its letter dated 25.9.2009, addressed to all Executive District Officers (E&SE) in NWFP, directed that a written undertaking be obtained from the SETs (Tech)/SET (Commerce) (on judicial Stamp Paper) as under:-

"I am agreed for including my name in the General seniority list of SETs and I will not claim any other benefits which will accrue of my inclusion in the general seniority list. This condition will be reflected in the revised seniority list of all SETs. I will also not make further litigation."

5. After hearing the learned counsel for the petitioner at some length, - whose main grievance was that inspite of the aforesaid decision as contained in the letter dated 31.7.2009, respondents are not implementing the said decision in letter and spirit, resulting into non-issuance of a joint seniority list and making promotion strictly in accordance with the said decision. Learned counsel ultimately argued that if this court directs the respondent department to strictly adhere to the said decision and give the petitioners and others alike them, their due rights as highlighted

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above, petitioners shall feel satisfied.

Accordingly, we direct the respondents to strictly adhere to the said decision while making promotions on regular basis to the posts of Headmasters in B-17 from SETs and while doing so, keep the merit as their prime goal. This writ petition, with these observations, is accordingly disposed of in limine.

sd/ Abdul Aziz Khan
sd/ M. Ethar ul Din

CERTIFIED TO BE TRUE COPY

Examiner
Peshawar High Court Peshawar
Authorized Under Section 75 Act's Order
9/3/10

DI-15542
sd/ Registrar
9/3

M. Gul

No. 10031
Date of Presentation of Application 6/3/2010
No of Pages 5
Copying Fee 10
Urgent Fee
Total 10
Date of Preparation of Copy 9/3/2010
Date of Delivery of Copy
Received by M. Gul

ATTESTED

sd/

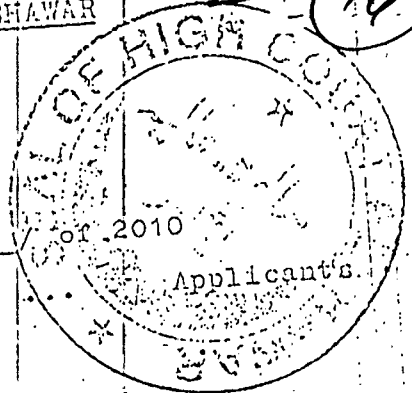
IN THE PESHAWAR HIGH COURT PESHAWAR

E-14

CM 1060/2010

IN RE:

Contempt of Court Application No. 152 of 2010
Jehan Zeb SET and others...



VERSUS

Secretary to Govt of Khyber Pakhtunkhwa
Schools and Literacy Department and others...

Respondents

APPLICATION FOR BRINGING TO THIS HONOURABLE COURT FURTHER CONTEMPTUOUS ATTITUDE OF THE OFFICIAL RESPONDENTS BY DEFEATING, FLOUTING AND DISREGARDING THE ORDER OF THIS HONOURABLE COURT DATED 3.8.2010.

Respectfully Showeth:

1. That the above mentioned Contempt of Court Application was fixed for hearing on 3.8.2010 and this Honourable Court very graciously wanted to pass order in the Contempt of Court Application but the official respondents requested for three months time to implement the order of this Hon'ble Court dated 5.3.2010. This Honourable Court very graciously granted time to the official respondents but in fact they wanted to get time to defeat the orders of this Honourable Court through very technical means, they sent a notice to the applicants on 25.8.2010 asking them to submit certain documents which were not relevant in the case of the applicants and hence preparation of the joint seniority under the circumstances will be at the parcel of the petitioners. The notification dated 17.1.2009 mentioned in the above mentioned letter is for B.A Teachers etc and no

ATTESTED

FILED TODAY
Deputy Registrar
06 OCT 2010

ATTESTED

Deputy Registrar
Peshawar High Court

998

(15)

PESHAWAR HIGH COURT PESHAWAR

ORDER SHEET

Date of Order or Proceedings	Order or other Proceedings with Signature of Judge or that of parties or counsel where necessary
	2
3-8-2010	<p><u>C.O.C.No.152/2010 in W.P.No.870/2010.</u></p> <p>Present: Mian Mohibullah Kakakhel, Advocate for the petitioners.</p> <p>Mr. Ishtiaq Ibrahim, A.A.G for the respondents alongwith Mr. Muhammad Arfeen, Secretary Education, Hakeem Ullah Khan, Additional Director S&L and Mosam Khan, Assistant Director S&L.</p> <p>Sayyeda Sarwat Jehan, Directress of Education, respondent No.6.</p> <p>The latter produced before the Court tentative seniority list against which right of representation has been given to huge number of employees/teachers for which 30 days statutory time is required whereafter an Appellate Committee will hear the grievance petition/representation thus, in these circumstances, both requested that they may be given three months time whereafter the judgment of this Court would be given full effect. Adjourned. Be re-listed after three months.</p> <p><i>3/8/10</i></p> <p><i>Sd: Dost Muhammad Khan</i> <i>Sd: Zia ul Rehman Khan</i></p> <p style="text-align: center;">CERTIFIED TO BE TRUE COPY</p> <p style="text-align: right;">Peshawar Authorized to issue Orders</p>

ATTACHED

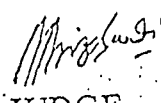

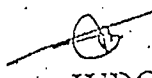
99

25-10-10

16

PESHAWAR HIGH COURT, PESHAWAR.

FORM 'A'
FORM OF ORDER SHEET

Date of order.	Order or other proceedings with the order of Judge
24.6.2010.	<p><u>C.O.C. 152/2010 in W.P. 870/2010.</u></p> <p>Present: Mian Mohibullah Kakakhel, advocate for petitioners.</p> <p>-----</p> <p>Notice of this C.O.C. be issued to respondents 5 to 8 directing them to explain their position in writing within ten days in respect of the judgment passed by this court on 5.3.2010 in W.P.870/2010. Office of Advocate General shall be intimated to facilitate reply of the said respondents positively within the stipulated period.</p> <p style="text-align: right;">  JUDGE </p> <p style="text-align: center;"> ATTESTED  </p> <p style="text-align: right;">  JUDGE </p>

15502

JOINT TENTATIVE SENIORITY LIST OF SETs GENERAL SCIENCE TECHNICAL AND COMMERCE OF ELEMENTARY AND SECONDARY EDUCATION
Khyber PUKHTUN KHWA PREPARED ON 30-05-2010

F-17

S.No	Name and qualification	School/Office	Year of B.Ed	Date of Birth/ Domestic	Date of Ist. Appntn Edu Deptt.	D/o of Appoint./Approval of SET	Remarks
1	2	3	4	5	6	7	8
1	Mr Muhammad Zahid SET (Tech) ✓						
2	Mr. Ashfaq Ahmed SET (Tech) ✓	GHS Khal Di					
3	Mr. Jehanzeb SET (Tech) ✓	GCMHS-Peshawar City		05.04.52/Di			
4	Mr. Muhammad Iqbal SET (Tech) ✓	GCMHS Pesh City	1976	03.01.52/Pesh	13/11/1975	13.11.75	
5	Mr. Muhammad Nisar SET (Tech) ✓	GCMHS Pesh City	1976	2.11.51/Pesh	01.10.76	01.10.75	
6	Mr. Sultan Bahadar SET (Tech) ✓	ASDO Pesh	1976	19.05.55/Pesh	3.10.76	8.10.76	
7	Mr. Muhammad Aslam SET (Tech) ✓	GHS Gazi Haripur	1976	15.08.52/Pesh	03.11.76	03.11.76	
8	Mr. Firdos Khan SET (Tech) ✓	GHS No 2 Haripur	1976	13.05.54/Haripur	13.11.76	05.11.75	
9	Mr. Abdul Malik SET (Tech) ✓	GHSS Gulbaha	1976	01.05.54/Haripur	16/11/1975	16.11.76	
10	Mr. Ghayour Pervez SET (Tech) ✓	ASDEO (M) Di Khan	1976	15.09.51/Pesh	15.11.76	26/01/1978	
11	Mr. Ishaq Khan SET (Tech) ✓	GCHS Kohat		23.07.55/DiK	15/03/1975	01/12/1975	
12	Mr. Anwar Shah SET BA BED	GATTC Pesh		01.01.53/Kohat	03/12/1950	03/12/1950	
13	Mr. Hamidullah Khan (Tech) ✓	GHS Azam Warsak SwA	1982	12.05.55/CHD	01.01.78	03.09.81	
14	Mr. Karim Jan SET (Tech) ✓	ADEO D.I. Khan	1983	18-2-59/SWA	01/03/1982	01/03/1982	
15	Mr. Ikramullah Khan BA:Bed SET	GCMHS Peshawar City		18.05.52/DiK	05/12/1950	16/04/1953	
16	Mr. Muhammad Ayaz Khan SET (Tech)	GHS Sadici Khel FR Bannu		09.03.59/CHD	01/01/1976	31.08.1983	
17	Mr. Amir Nawaz Khan, SET (Tech) ✓	GHS Karak	1984	5-10-54/FR Bannu	25.10.81	31.09.83	
18	Mr. Munawar Jan MA:Bed (Tech) ✓	GCMHS No.1 Lakki		01.11.51/Karak	15.05/1950	03/02/1954	
19	Mr. Muhammad Hasrat Khan, SET (Tech) ✓	GHSS Bilitang Kohat	1985	02.09.58 Lakki	03.10.87	03.10.87	
20	Mr. Haq Nawaz BA:MA (Tech)	GHS No 2 Haripur	1984	12-1-58/Karak	24/10/1967	24.10.87	
21	Mr. Asif Hussain Khan BA:BED	GHS Alooji A. Abad	1985	15.01.51/Haripur	24-2-79	21-10-87	
22	Mr. Ubaidullah BA:Med	GMS Bhooni Bala Kot Mansehra	1986	1-4-61/A. Abad	22.10.87	22.10.87	
23	Mr. Samiullah MA Urdu Med	GMS Khabal Mansehra	1983	1-9-50/Mansehra	10-5-69	22-10-87	
24	Mr. Misal Khan MA:BED	GHS Akbari DiKhan	1965	22-10-52/Mansehra	11-10-72	22-10-87	
25	Mr. Abdur Rashid BSc:MA	GHS Kiri Haider DiKhan	1984	10-2-54/DiKhan	21-12-72	22-10-87	
26	Mr. Shah Muhammad MA:Med	GHS Chajian A. Abad	1981	20-11-55/DiKhan	13-2-78	22-10-87	
27	Mr. Manzoor Elahi BA BED	GHS Masha Mansoor Lakki	1984	5-4-54/A. Abad	23-10-81	22-10-87	
28	Mr. Fida Muhammad BA:BED	GHS No2 Haripur	1981	16-9-57/Bannu	14-9-82	22-10-87	
29	Mr. Muhammad Asif Shah SET (Tech) ✓	GMS Kohi Nara	1984	23-5-55/A. Abad	10-9-74	23-10-87	
30	Mr. Mir Zafar Ahmed SET (Tech) ✓	GHS No.2 Haripure	1984	1-4-57/A. Abad	12-12-78	23-10-87	
31	Mr. Zaffar Ahmad BA:MA	GHS No.2 Abbott Abad	1985	03.11.1951	12-12-78	23-10-87	
32	Mr. Razaur-Rehman BA:MA	GHS No.2 A. Abad	1985	05.11.1955 Man	23/10/1957	23.10.87	
		GHS Ghazi Hamlet Haripur	1986	5-11-58/A. Abad	10-5-69	23-10-87	
			1986	15-10-51/Haripur	7-9-71	24-10-87	
					19.4.70	24-10-87	

6/5/16
 2/16
 4-1987

ATTESTED

S.No	Name and qualification	School/Office	Year of B. Ed	Date of Birth / Domicile	Date of Ist. Apptt. in Edu Deptt.	D/o of Appointt./Approval of SET	Remarks
33	Mr. Abdul Hamid MA:BEEd	GHS Gara Mohabat DIK	1981	9-2-52/DIKhan	13-2-82	24-10-87	
34	Mr. Shabir Ahmad MA:BEEd	GMS Mohammad Akbar Bannu	1981	15-12-51/Bannu	14-1-74	25-10-87	
35	Mr. Mahwar Din MA:BEEd	GHS Kiri haider DIKhan	1981	18-1-60/Bannu	17-2-74	25-10-87	
36	Mr. Mohammad Ail BA:MA	GMS Jabacha Mansehra	1985	9-3-54//Mansehra	19-11-79	25-10-87	
37	Mr. Abdul Haya MA:BEEd	GHS Behsan Khan Bannu	1981	17-4-51/Bannu			
38	Mr. Riazur Rehman BA:BEEd	GHS Tofikan Haripur	1984	15-2-58//Mansehra			
39	Mr. Ghulam Mohammad BA:BEEd:MEd	GHS Abdul Khel Bannu	1981	8-10-51/Bannu	4-3-81	28-10-87	
40	Mr. Jamal Nesar MA:BEEd	GHS Ustarzai payan Kohat	1982	20.10.57/Bannu	14.1.82	27.10.78	
41	Mr. S. Afzal Hussain Shah BA:MEd	GHS Lahan Benda	1984	1-1-62/Haripur	24-6-78	11-11-87	
42	Mr. Hamidullah Shah SET(Tech)	GHSS T. Nasrati Karak		01.03.1980	29/10/1987	29/10/1987	
43	Mr. Allah Nawaz MA:BEEd	GHS Dhap Shamali DIKhan	1981	1-7-56/DIKhan	1-4-74	22-11-87	
44	Mr. Abdur Rashid BA:BEEd	GHS Muryali DIKhan	1981	1-5-57/DIKhan	4-11-78	29-11-87	
45	Mr. Mumtaz Khan BA:BEEd	GMS Gandi Umar Khan DIK	1981	15-2-51/Bannu			
46	Mr. Haider Ali MA:BEEd	GHS Nothia Payan Peshawar	1980	8-6-51/Charsadda	11-1-69	1-12-87	
47	Mr. Fazli Mebood MA:BEEd	GHS No.4 Kakshai Peshawar	1980	10-10-50/Peshawar	1-5-75	1-12-87	
48	Mr. Ajmal Khan MA:	GHS sher Pao Charsadda	1985	3-1-54/Charsadda			
49	Mr. Ruhullah MA:MEd	GHS Nahaqi Peshawar	1985	15-8-57/Peshawar	18-4-72	2-12-87	
50	Mr. Ahmad Shah MA:BEEd	GHSS No.1 Peshawar City	1980	1-2-55/Peshawar	1-10-72	2-12-87	
51	Mr. Shamsahad Khan MA:BEEd	GHS Takht Bhai Mardan	1980	10-7-49//Mardan	20-10-73	2-12-87	
52	Mr. Mohammad Hussain MA:BEEd	GHS Gaddar Mardan	1980	12-9-49//Mardan	20-2-75	2-12-87	
53	Mr. Sabihud Din MA:BEEd	GHS Prang Charsadda	1980	10-11-48/Charsadda	15-11-76	2-12-87	
54	Mr. Shaq Khan MA:BEEd	GHSS No1 PESH City	1980	18-3-51/Charsadda			
55	Mr. Gul Sher BA:MA	GHS Machi Mardan	1985	1-5-55//Mardan	18-4-72	3-12-87	
56	Mr. Izzat Gul BA:BEEd	GHS Machi Mardan	1985	12-3-51/Charsadda	18-1-82	3-12-87	
57	Mr. Mir Salam MA:	GHS Nothia Payan Peshawar	1980	8-6-52//Mardan	11-4-74	5-12-87	
58	Mr. Ashiq Hussain BA:BEEd	GMS Ustarzai Bala Kohat	1985	25-9-61//Kohat	13-9-82	5-12-87	
59	Mr. Murali Ali BA:MA	GHS Degai Swabi	1985	1-4-61//Swabi	29-10-83	5.12.87	
60	Mr. Khawaja Mohammad BA:BEEd	GMS Bassoo Maira	1984	14-4-54//Haripur	11.04.1974	05.12.1987	
61	Mr. Ghulam Murtaza BSc:BEEd	GHS Karori Mansehra		5-10-59//Mansehra			
62	Mr. Muhammad Mushtaq	GHS Khushal Mansehra	1985	27.3.58//Mans	13-9-88	6-12-87	
63	Mr. Hazrat Ali MA:BEEd	GHS Jijal Kohistan	1985	1-3-51//Kohistan	29-12-76	6-12-87	
64	Mr. Husnur Rehman MA:BEEd	GHS Charsadda	1980	10-2-49//Charsadda	21-11-81	6-12-87	
65	Mr. Saifur Rehman MA:BEEd	ADEO (M) Primary Kohistan	1985	16-4-52//Kohistan	6-12-87	5-12-87	
66	Mr. Mohammad Ashtat SET:MA	GHS Kararim Mansehra	1985	12-6-54//Mansehra	1-9-88	7-12-87	
67	Mr. Taqiuddin MA	GHS Naseer Killi Mardan	1983	1-1-60//Mardan	10-11-80	7-12-87	
68	Mr. Rohullah MA:LLB:BEEd	GHS Tarnab Charsadda	1981	4-5-58//Charsadda	1-4-81	3-12-87	
69	Mr. Mehboobur Rehman MA:BEEd	GMS. Said Abad Mardan	1980	6-12-58//Mardan	27-11-78	9-12-87	
70	Mr. Mohammad Iqbal BA:BEEd	GMS Gandian A.Abad	1985	4-6-56//Haripur			

ATTESTED

[Signature]

17 18

	Name and qualification	School/Office	Year of B.Ed	Date of Birth / Domicile	Date of Ist. Appnt in Edu Deptt.	D/o of Appoint/Approval of SET	Remarks
51-1	2	3	4	5	6	7	8
71	Mr. Rustam Khan MA	ASDEO (M) Battagram	1987	3-2-56/Battle gram			
72	Mr. Syed Mohammad Shah MA:BED	GHS Pabbi Nowshera	1984	1-10-50/Nowshera			
73	Mr. Muhammad Riaz SET (Tech) ✓	GHS Kulohand Umarzai CHD	1986	03.10.1951/Charsadda	18-2-80	13-12-87	
74	Mr. Nasir Khan BA:MEd	GHS Gbazi	1985	1-7-60/A.Abad	18/10/1987	15/12/1987	
75	Mr. Dil Bahader BA:BED	GHS Chemhatti A.Abad	1984	21-3-55/A.Abad	18.12.1986	13.12.1987	
76	Mr. Malik Aman BA:BED	GHS Mansabdar Mardan	1980	7-7-50/Mardan	1-9-70	16-12-87	
77	Mr. Mohammad Huzur Rehman SET (Tech) ✓	GHSS Gulbaha Peshawar	1986	03/10/1951/CHD	15-9-81	16-12-87	
78	Mr. Rashid Ahmad MA:MEd	GMS Badan Ruslam Mardan	1985	12-3-54/Mardan	16/12/1987	16/12/1987	
79	Mr. Gul Zamir MA:BED	GMS Gandaf Swabi	1985	1-12-55/Swabi	1-4-82	16-12-87	
80	Mr. Hamdullah MA:MEd	GHSS. Thand koi Swabi	1984	412-56/Swabi	3-2-87	16-12-87	
81	Mr. Abdus Sumad MA:MEd	GHS Top Swabi	1984-87	7-5-56/Swabi	16-12-87	15-12-87	
82	Mr. Rahim Shah BA:BED	GMS Takail Gadoon	1984	15-2-61/Swabi	22-4-79	17-12-87	
83	Mr. Shamsur Rizq MA:LLB.BEd	GHS Jhangai Bunir	1986	1-1-58/Bunir	17-12-87	17-12-87	
84	Mr. Naimat Khan MA:BED	GHS No.1 Nowshera Cntl.	1985	21-4-57/Swabi	16-12-87	15-12-87	
85	Mr. Baharmand Khan	GHS Topai Bunir	1985	2-4-60/Bunir	7-12-78	21-12-87	
86	Mr. Abdul Latif SET (Tech) ✓	GHS Zaida Swabi	1985	05/09/1961/Swabi	22-12-87	22-12-87	
87	Mr. Khan Bahader MA:BED	GHS Kharki Dhair Malakand	1985	15-4-55/Malakand Agr.	17/12/1987	17/12/1987	
88	Mr. Sher Wazir MA:BED	GHS Hon Chitral	1983	10-4-54/Chitral	13-5-75	24-12-87	
89	Mr. Mohammad Ashfaq BA:BED	GMS Jodba Mansehra	1984	13-1-53/Mansehra	16-8-88	3-1-88	
90	Mr. Sher Bad Shah MA:BED	GHS Hero Shah Malakand	1985	14-3-55/Malakand Agr.	20-10-73	4-1-88	
91	Mr. Noorul Huda BA:BED	GHS Topai Bunir	1984	6-5-50/Bunir	17-9-71	4-1-83	
92	Mr. Rustam Khan MA:BED	GMS Bigwani Shumali DIKhan	1982	25-6-52/DIKhan	9-1-83	4-1-88	
93	Mr. Misal Khan MA:BED	GMS Tajori DIKhan	1982	1-8-51/DIKhan	22-4-72	5-1-88	
94	Mr. Mohammad Usman Khan MA:BED	GHS Rori DIKhan	1982	22-5-58/DIKhan	5-1-77	5-1-88	
95	Mr. Mohammad Latif BA:BED	GMS Wanda Kali DIKhan	1987	1-1-52/DIKhan	9-2-80	5-1-88	
96	Mr. Mohammad Yaqoob BA:BED	GMS Dn Muhammad FR Tank	1985	25.12.55	6-5-81	9-1-88	
97	Mr. Nasrullah Jan. BA B Ed SET	GHS Bazu Khel, Lakki	1985	27.10.58/Lakki	21/11/1987	09/01/1988	
98	Mr. Abdul Mohammad Dilsoz	GHS Shahpinwal (FR Kohat)	1981	20-8-51/Karak	26/05/1981	09/01/1988	
99	Mr. Afsar Khan MA	GHS N.3 Kohat	1982-84	15-11-56/Karak	7-1-76	10.1.88	
100	Mr. Afsar Zaman BA:BED	GHS Bizen Khel Bannu	1981	12-6-52/Bannu	27-5-82	21-1-83	
101	Mr. Mohammad Latif Shah BA:BED	GHS Zaida Swabi	1987	5-9-53/Swabi	21-10-81	3-2-88	
102	Mr. Sar Jan MA:BED	GHS Akharwal FR Kohat	1987	1-10-60/FR Kohat	20-10-76	8-2-88	
103	Mr. Rafiq Ali MA:BED	GHS Haryana Swabi	1985	1-11-52/Swabi	20-9-81	9-2-88	
104	Mr. Abdur Rehman MA:BED	GHS Sirsina Swat	1985	5-1-55/Swat	21-11-84	9-2-88	
105	Mr. Mohammad Hanif BSc	GHS Koi Bahara FR DIKhan	1987	1-4-59/DIKhan	20-10-76	8-2-88	
106	Mr. S.Mr Zahid Shah BSc	GHS Akbar Pura Peshawar	1987	28-12-58/Nowshera	20-9-81	9-2-88	
107	Mr. Jehanzeb SET (Tech) ✓	GHS Habibullah, FR Bannu		15.01.51/FR Bannu			
108	Mr. Amir Azam SET (Tech) ✓	GHS No.1 Mansehra		16.03.1955/Mansehra	7-1-76	09/02/1988	
					19/12/1982	09.02.88	

ATTESTED



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

Dated Peshawar the 26-02-2013.

G-22

NOTIFICATION

No. SO(PE)/2-6/DPC Meeting (26-12-2012):

On the recommendations of the Departmental Promotion Committee, the Competent Authority is pleased to promote the following Male SETs (BS-16) to the post of Head Masters (BS-17) on regular basis with immediate effect:-

S#	Name and Designation	Proposed place of Posting	Remarks
1.	Abdul Samad SET/HM GMS Rural Academy Peshawar.	HM B-17 GHSS Pir Pai Nowshera	A.V.P
2.	Nisar ud Din SET GCMHS No.2 Peshawar City.	HM B-17 GHS Ghari, Chandan Peshawar	A.V.P
3.	Rashid Khan, SET GHS Doulat Korooni FR Tank	Service placed at the disposal of DE(FATA)	
4.	Muhammad Ashraf SET GHS Chitta Bhatta Mansehra	HM B-17 GHSS Lassan Thakral Mansehra	
5.	Painda Khan SET GHS Pir Tangi FR Tank	Service placed at the disposal of DE(FATA for further posting)	
6.	S. Aftab Ali Shah SET GHS No.2 Hangu	HM B-17 GHS Tora Stana Kohat	A.V.P
7.	Bahadar Muhammad SET GHS Sarai Bala Dir Lower	HM B-17 GHS Shal Kandi Dir Lower	A.V.P
8.	Shaukat Ali SET GHS Maina Dog Dir Upper	HM B-17 GHS Nehag Dir Upper	A.V.P
9.	Masud Ali SET GHS Kharaki Malakand	HM B-17 GHS Patrak Dir Upper	A.V.P
10.	Atta Ullah Khan SET/ADO O/O DEO(M) Dir Lower	HM B-17 GHS Lajbook Dir Lower	A.V.P
11.	Khadim Muhammad SET/HM GMS Tangi Payeen Dir Lower	HM B-17 GHS Shoreshing Dir Lower	A.V.P
12.	Khurshid Ali Khan SET GHS Ningolai Swat	HM B-17 GHS Mankiyal Swat	A.V.P
13.	Nizam-ud-Din SET GHSS Sandovi Shangla	HM B-17 GHS Dheri Kandow Shangla	A.V.P
14.	Muhammad Fida Hussain SET/HM GMS Kama Agra Malakand.	HM B-17 GHS Inzergai Malakand.	A.V.P
15.	Hidayatullah SET/HM GMS Aggo Dir Lower	HM B-17 GHSS Kalkot Dir Upper	A.V.P
16.	Aqal Zada SET GHSS Sandovi Shangla	HM B-17 GHSS Sandovi Shangla	A.V.P
17.	Mustaqim Shah SET/HM GMS Anderhi Dir Lower	HM B-17 GHS Miskini Dir Lower	A.V.P
18.	Malik Zaman Khan SET GHSS Bangi Khan Khujari Bannu	HM B-17 GHS Umar Khel Tank	A.V.P
19.	Gul Hatim Shah SET GCHSS Bannu	HM B-17 GHS Sero Bada Khel Bannu	A.V.P
20.	Mr. Faizur Rehman SET GHS No.2 Paharpur D.I.Khan	HM B-17 GHS Kachi Katgarh D.I.Khan	A.V.P
21.	Mr. Gul Zamin SET GHS Mianadam Swat	HM B-17 GHS Mian Adam Swat	His promotion will be effective from the date of DPC meeting held on 26-12-2012 under instructions vide notification No. SOR-VI(E&AD)1-16/2005, dated 22-03-2006 for the purpose of financial benefits being died on 15.01.2013.

211.	Mr. Rochul Amin SET GHSS Doschra Charsadda	HM B-17 GHS Khanpur Mardan	A.V.P
212.	Mr. Basharatullah GMS Kanawar Charsadda	HM/VP B-17 GHSS Sherpao Charsadda	A.V.P
213.	Mr. Sardar Ghani, SET GHS Mansabdar Swabi	HM B-17 GHS Ismailia Swabi	A.V.P
214.	Mr. Misbanullah GMS Sarwani Charsadda	HM B-17 GHS Deri Sikandar Khan Chd.	A.V.P
215.	Mr. Amanullah Khan SET GHSS Lal Qilla Dir Lower	HM B-17 GHS Munda Dir Lower	A.V.P
216.	Mr. Suleman Shah SET GHS Police Colony Peshawar	HM B-17 GHS Mughalki Nowshera	A.V.P
217.	Mr. Muhammad Urfaan SET/HM GMS Dagg Ismail Khel Nowshera	HM B-17 GHS Shah Kot Nowshera	A.V.P
218.	Mr. Shabir Ahmad SET/HM GMS Bara Gate Peshawar Cantt	HM B-17 GHS Masho Khel Peshawar	A.V.P
219.	Mr. Abdul Qayum SET/HM GMS Mami Khel Karak	HM B-17 GHS Sur Gul Kohat	A.V.P
220.	Mr. Ghanimat Khan SET/HMGMS Karak	HM B-17 GHS Hayat Abad (Melo) Karak.	A.V.P
221.	Mr. Syed Muddasir Shah SET GHSS Karak	HM B-17 GHS Makoori Karak	A.V.P
222.	Mr. Shahzada SET/Instructor PITE Peshawar	HM B-17 GHS Makhband Malakand Agency.	A.V.P
223.	Mr. Jehanzeb SET GHS Hassa D.I.Khan	HM B-17 GHS Loni D.I.Khan	A.V.P
224.	Mr. Javed Ahmad SET GHS Sector No 4 Haripur	HM B-17 GHS M.D. Maira Haripur	A.V.P
225.	Mr. Karim Khan SET GHSS Gul Iman Tank	HM B-17 GHS Daraki Tank	A.V.P
226.	Mr. Runul Amin SET GHS PAF Shaheen Camp Peshawar	HM B-17 GHS Muhammad Ali Killy Peshawar	A.V.P
227.	Mr. Bakht-e-Akbar SET GHS Tootano Banda Swat	HM B-17 GHS Kass Shingrai Swat	A.V.P
228.	Mr. Sayed Hassan SET GHSS Ziarat Talash Dir Lower	HM B-17 GHS Damtal Dir Lower	A.V.P
229.	Mr. Muhammad Zafar Khan, SET GHS Badbar Killy Dir Lower	HM B-17 GHS Badin Dir Lower	A.V.P
230.	Mr. Muhammad Israr SET GHS Gul Maqam Malakand	HM B-17 GHS Pacha Killy Dir Upper	A.V.P
231.	Mr. Qayum Nawaz SET GHS Rangpur Shumali D.I.Khan	HM B-17 GHS Kotla Ledhian D.I.Khan	A.V.P
232.	Mr. Habibullah Shah SET GHS Kotar Pan NSR	HM B-17 GHS, Kotar Pan Nowshera	A.V.P
233.	Mr. Muhammad Saeed SET GHSS No.4 Peshawar City	HM B-17 GHS Zahir Abad Peshawar	A.V.P
234.	Mr. Aurangzeb SET GHS Chamhatti Abbottabad	HM B-17 GHS Madserian Mansehra	A.V.P
235.	Mr. Muhammad Hanif SET GHS Sherwan Abbottabad	HM B-17 GHS Lal Khela Abbottabad	A.V.P
236.	Mr. Abdul Munaf Shah SET GHS Bail Haripur	HM B-17 GHS Bail Haripur	A.V.P
237.	Mr. Muhammad Maroof SET GMS Darra Shohal Mansehra	HM B-17 GHS Bajna Mansehra	A.V.P
238.	Mr. Bashir Ahmad SET GHS Samandar Kaltha Abbottabad	HM B-17 GHS Kimi Rakat Abbottabad	A.V.P
239.	Mr. Jaffar Khan SET GMS Palai Charsadda	HM B-17 GHS Saro Killy Charsadda	This promotion will be effective from the date of DPC meeting held on 26-12-2012 under instructions vide notification No. SOR-VI(EGAD)1-16/2005, dated 22-03-2005 for the purpose of financial benefits being after the DPC meeting
240.	Mr. Zahoor Ahmad SET GHS No.4 Kalabat Haripur	HM B-17 GHS Chajjian Haripur	A.V.P
241.	Mr. Muhammad Miskeen Khan SET GHSS Phutra Mansehra	HM B-17 GHS Moorat Mansehra	A.V.P
242.	Mr. Insanur Rehman SET GHSS Chakdara Dir Lower	HM B-17 GHS Shingora Dir Upper	A.V.P

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242.	Mr. Ahmad Saeed SET GHS Rajjar No.1 Charsadda	HM B-17 GHSS Manga Dargah Charsadda	A.V.P
243.	Mr. Muhammad Firdos Khan SET GHSS Peshawar	HM B-17 GHS Baghpur Dera Haripur	A.V.P
244.	Mr. Muhammad Banaras SET GHS Garhi Habibullah Manshara	HM B-17 GHS Doga Manshara	A.V.P
245.	Mr. Muhammad Irshad SET GHS Sarai Gadai Haripur	HM B-17 GHS Garam Toom Haripur	A.V.P
246.	Mr. Boshirul Islam SET GMS Sachan Kalan Manshara	HM B-17 GHS Bhakki Manshara	A.V.P
247.	Mr. Naeem Shah SET GHS Naryab Hangu	HM B-17 GHS Naryab Hangu	A.V.P
248.	Mr. Saleh Muhammad SET GMS Elai Buner	HM B-17 GHS Budal Buner	A.V.P
249.	Mr. Muhammad Sher SET GHS Gulozai Peshawar	HM B-17 GHS Kuz Kana Shangla	A.V.P
250.	Mr. Muhammad Riaz SET GHS Boobak Charsadda	HM B-17 GHS Pandher Buner	A.V.P
251.	Mr. Ashraf Khan SET/AAEO Miran Shah. NWA	Services placed at disposal of DE(FATA) for further posting.	
252.	Mr. Amin Akbar SET GHS Ouch Khwar Swabi.	HM B-17 GHS Salim Khan No.2 Swabi	Vice Sr.No.289
253.	Mr. Riaz Ahmad SET GCMHS Wadudia Swat.	HM B-17 GHS Asala Swat	A.V.P
254.	Mr. Syed Abid Shah SET GHS Rustam Mardan	HM B-17 GHS Biringan Mardan	A.V.P
255.	Mr. Habibur Rehman SET GHSS GadiZai Buner	HM B-17 GHS Batai Buner	A.V.P
256.	Mr. Abdul Nasir SET GHS Gujrat Mardan	HM B-17 GHS Beeka Swabi	A.V.P
257.	Mr. Saifur Rehman GCMHS Lakki	HM B-17 GHS Kheru Khel Lakki Marwat.	A.V.P
258.	Mr. Zaman Khan SET GHS Mansabdar Swabi.	HM B-17 GHS Gail Amuzai Haripur	A.V.P
259.	Mr. Muhammad Sabir SET GHS Kutwal Abbottabad	HM B-17 GHS Beran Gail Abbottabad	A.V.P
260.	Mr. Shah Gul SET GHS Sardar Garhi Peshawar	HM B-17 GHS Manahi Nowshera	A.V.P
261.	Mr. Saeedullah Jan SET GHS Harichand Charsadda	HM B-17 GHS Khawaja Hawas Charsadda	A.V.P
262.	Mr. Atteur Rehman SET GHS Paroa D.I.Khan	HM B-17 GHS Naivela D.I.Khan	A.V.P
263.	Mr. Sher Wali Khan SET GHS Dawtai SWA	Services placed at disposal of DE(FATA) for further posting.	
264.	Mr. Rizamud Din SET GHS Dosali NWA	Services placed at disposal of DE(FATA) for further posting.	
265.	Mr. Khairud Din SET GHS Sararogha SWA	Services placed at disposal of DE(FATA) for further posting.	
266.	Mr. Raza Muhammad SET GMS Oucha Dara SWA	Services placed at disposal of DE(FATA) for further posting.	
267.	Mr. Gul Naib Khan SET GHS Tappi NWA	Services placed at disposal of DE(FATA) for further posting.	
268.	Mr. Jehangir Khan SET/HM GMS Nanak Reahzai SWA	Services placed at disposal of DE(FATA) for further posting.	
269.	Mr. Haider Ali SET GMS Debba SWA	Services placed at disposal of DE(FATA) for further posting.	
270.	Mr. Sher Daraz SET Mandus Kot NWA	Services placed at disposal of DE(FATA) for further posting.	
271.	Mr. Fazal Karim SET GMS Chancharo Khat Charsadda.	HM B-17 GHS Toorlandi Charsadda	A.V.P
272.	Mr. Sarfaraz Khan SET GHS Nakband Peshawar	HM B-17 GHS Nakband Peshawar	A.V.P
273.	Mr. Habib Khan SET/HM GMS Shakari SWA	Services placed at disposal of DE(FATA) for further posting.	
274.	Mr. Nasib Gul SET GHS Shahu Khel Hangu	HM B-17 GHS Shahu Khel Hangu	A.V.P
275.	Mr. Muhammad Akbar Shah GMS Sher Kot Kohat	HM B-17 GHS Chiker Kot Bala Kohat.	A.V.P
276.	Mr. Sultan Muhammad Khan SET GHS Shahoor SWA	Services placed at disposal of DE(FATA) for further posting.	
277.	Mr. Hamiduz Zaman SET GHS Kam Shilman Khyber Agency	Services placed at disposal of DE(FATA) for further posting.	
278.	Mr. Shaheen Shah SET/HM GMS Sardar Garhi Charsadda	HM B-17 GHS Mirza Charsadda	A.V.P

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280.	Mr. Khadim Rasool SET/ADO O/O DEO(M) Tank	HM B-17 GHS Baragi Lakki Marwat	A.V.P
281.	Mr. Sarfaraz Khan SET GHS Bangiwala SWA-	HM B-17 GHS Wanda Moazzam D.I:Khan	A.V.P
282.	Mr. Aji Rehman SET GHS Spulga NWA.	Services placed at disposal of DE(FATA) for further posting.	
283.	Mr. Israr Hussain SET GHSS Ustarzai Payan Kohat	HM B-17 GHS Kulachi DIK.	A.V.P
284.	Mr. Rehmat Shah SET GHS Jandola FR Tank	HM B-17 GHSS Ustarzai Payan Kohat	A.V.P
285.	Mr. Muhammad Ajmal Khan SET GHS Kotkai SWA	Services placed at disposal of DE(FATA) for further posting.	
		Services placed at disposal of DE(FATA) for further posting.	

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CONSEQUENTIAL POSTING / TRANSFERS

285	Mr. Bahader Shah, SS(Chemistry) working as HM B-17 at GHS Jalbai Swabi	SS(Chemistry) GHSS Chanai Gadoon Swabi	A.V.P
287	Mr. Sajjad, SS (Maths) working as HM B-17 at GHS Pati Kalan Mardan	SS(Maths) GHSS Koi Barmol Mardan	A.V.P
288	Mr. Adnan, SS(PS) working as HM B-17 Asota Swabi	SS(PS) GHSS Kabgani Swabi	A.V.P
289	Mr. Habibur Rehman SS(Physics) working as HM B-17 GHS Salim Khan No.2 Swabi	SS(Physics) GHSS Totalai Buner	A.V.P
290	Mr. Anwar Shah B-17 HM GHSS Sama Badhber FR Peshawar	HM B-17 GHSS Jalsai Swabi	A.V.P

2. On their promotion, the Head Masters concerned will be on probation for a period of one year, in terms of Section 6(2) of NWFP Civil Servant Act, 1973 read with Rule 15(1) of the NWFP Civil Servant (Appointment, Promotion & Transfer) Rules, 1989.

3. No. TA /DA allowed.

SECRETARY

Endst. No. & date as above.

1. The Additional Chief Secretary (FATA), FATA Secretariat Warsak Road Peshawar.
2. The Secretary to Govt. of Khyber Pakhtunkhwa, Finance Department.
3. The Secretary to Govt. of Khyber Pakhtunkhwa, Establishment Department.
4. The Accountant General Khyber Pakhtunkhwa, Peshawar.
5. PSO to Chief Secretary to Govt. of Khyber Pakhtunkhwa.
6. The Director (E&SE) Khyber Pakhtunkhwa Peshawar.
7. The Director Education FATA, Warsak Road, Peshawar with the request that the newly promoted Headmasters may be adjusted against original posts of Headmaster BS-17. No wrong posting whatsoever may be made.
8. The Director Curriculum & Teachers Education, Abbotabad.
9. The Director ESRU, Khyber Pakhtunkhwa.
10. The District Education Officers, Elementary & Secondary Education concerned.
11. The District Accounts Officers concerned.
12. PS to Secretary E&SE Department.
13. Head Masters/SS concerned.
14. Office File.

ATTESTED

SECTION OFFICER PRIMARY

The Hon'ble Secretary (E&SE) Department,
Khyber Pakhtunkhwa Peshawar.

**Subject: DEPARTMENTAL APPEAL FOR THE GRANT OF
REGULAR PROMOTION TO THE POST OF HEADMASTER (BPS-
17) FROM THE DATE WHEN APPELLANT COLLEAGUES/JUNIOR
COLLEAGUES WERE PROMOTED W.E.F. 24-01-2011**

R/SHEWETH:

ON FACTS:

- 1- That appellant joined the Elementary and Secondary Education Department as SET Tech: (BPS-16) vide order dated 01-04-1987. That right from appointment till date the appellant is serving the E&SE Department quite efficiently and up to the entire satisfaction of the superiors.
- 2- That appellant after serving of more than 30 years the E&SE Department vide order dated 30-03-2011 promoted the appellant to the post of Headmaster BPS-17 in his own pay and scale. That it is very pertinent to mention that appellant has also availed the benefits of selection grade BPS-17 vide order dated 21-01-2009.
- 3- That before the merging of SET Tech, Science and General, the seniority list prepared for the SET Tech, the name of the appellant was at Serial No. 73 which was issued vide order dated 30-06-2007.
- 4- That because of deferent seniority lists of Tech, Science and General those SETs belongs to Science and General cadres were promoted to the post of Headmaster BPS-17 on regular basis while the SETs who belongs to Tech cadre were left out in those promotions. That feeling aggrieved appellant colleagues who belongs to SETs Tech knocked the door of the Hon'ble Peshawar High Court Peshawar for the merging and combined seniority list of SET Tech, Science and General. That the same was accepted in favor of appellant colleagues.
- 5- That on the basis of that judgment of Hon'ble Peshawar High Court Peshawar dated 05-03-2010 the E and SE Department issued combined seniority list vide Notification dated 30-06-2010. That astonishingly the name of the appellant was totally ignored in the said seniority list, though appellant should have deserved to be placed above at serial No. 17 of the said seniority list. That on the bases of that combined seniority list many of appellant colleagues

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and junior colleagues were promoted but the appellant was left out with out any fault on his part.

6- That feeling aggrieved and having no other remedy appellant filed this Departmental appeal before your good self on the following grounds amongst the others.

GROUND:

- A- That not including /enlisting the name of appellant in the combined seniority list of SET'S issued on 30-06-2010 is against the law, facts and norms of natural justice.
- B- That the appellant has not been treated by the concerned authority in accordance with law and rules on the subject above and as such the concerned authority violated Article 4 and 25 of the constitution of Pakistan 1973.
- C- That inspite of senior most employee of the Department and having more than 30 years of service in the respondent Department the appellant name is ignored in the combined seniority list of SETs.
- D- That the respondent Department acted an arbitrary and malifide manner by not including the name of appellant in the combined seniority list of SET's.
- E- That many colleagues and junior colleagues of appellant have been regularly promoted on the post of Headmaster BPS-17 but the appellant has been ignored in those promotions despite of senior most employee of the respondent Department only on the pretext that his name has not been enlisted in the combined seniority list.

It is therefore most humbly prayed that on acceptance of this Departmental appeal the appellant may very kindly be promoted to the post of Headmaster (BPS-17) on regular basis from the date when appellant colleagues/junior colleagues were promoted w.e.f. 24-01-2011. Any other remedy which your good self deems fit may also be awarded in favor of the appellant.

Dated: 05-02-2014

APPELLANT



Nasir Hussain

In charge Headmaster (BPS-17),
GHS Bushera, Kurram Agency



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BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Service Appeal No: 873/2014

Nasir Hussain I/C Headmaster BPS-17 GHS Bushera (Kurram)Appellant.

VERSUS

Secretary E&SE Department, Khyber Pakhtunkhwa & others.

.....Respondents

PARAWISE COMMENTS FOR & ON BEHALF OF RESPONDENTS No: 255

Respectfully Sheweth :-

The Respondents submit as under:-

PRELIMINARY OBJECTIONS.

- 1 That the Appellant has got no cause of action / locus standi .
- 2 That the instant Service Appeal is badly time barred.
- 3 That the Appellant has concealed material facts from this Honorable Tribunal in the instant service appeal.
- 4 That the instant service appeal is based on malafide intentions.
- 5 That the Appellant has not come to this Honorable Tribunal with clean hands.
- 6 That the Appellant is ^{not} entitled for the relief he has sought from this Honorable Tribunal .
- 7 That the instant Service Appeal is against the prevailing law & rules.
- 8 That the instant appeal is based on malafide intentions just to put extra pressure on the Respondents for gaining illegal service benefits against the post of SET(Tech:).
- 9 That the Appellant has been treated as per law, rules & up-gradation policy.
- 10 That the appeal is not maintainable in its present form.
- 11 That the appeal is bad for mis joinder & non joinder of the necessary parties.
- 12 That the instant Service Appeal is barred by law
- 13 That the Appellant is not competent to file the instant appeal against the respondents.
- 14 That the Notification dated 26-2-2013 is legally competent & is liable to be maintained.

FACTS

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

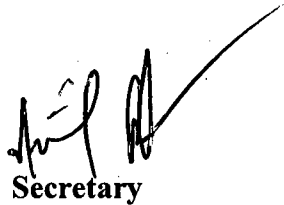
- 44
- 2 That Para-2 is incorrect & misleading on the grounds that the appellant has been working against the SET(Tech:) & was adjusted against In-charge Headmaster post at GHS Bushera (Kurram Agency) vide Notification dated 30-3-2011 in his own pay & scale of BPS-16 & not against the Headmaster post in BPS-17. Therefore, the plea of the appellant regarding his promotion & adjustment / working against the Headmaster post in BPS-17(Regular) is against the facts & Notification dated 30-3-2011. (Copy of the same as Annexure-A).
 - 3 That Para-3 is correct to the extent that the Respondent Department has prepared & maintained the seniority list of the SETs(Tech:) working in the Respondent Department.
 - 4 That Para-4 is incorrect & denied on the grounds that the cadre of the appellant is basically SET(Tech:). Therefore, the Respondent Department has prepared a separate seniority list for the said cadre, hence being a stranger & out of cadre candidate, the appellant cannot be included in the seniority list pertaining to the SETs(General) & Science, hence he has been rejected for the grant of BPS-17 (Regular) against the Headmaster post by the Respondents. Whereas rest of the para pertains to the court record , hence needs no comments.
 - 5 That Para-5 is correct to the extent that a combined seniority list has been issued by the Respondent Department vide Notification dated 3-6-2011, wherein the name of the appellant could not be included due to the non regularization of his service against the SET(Tec:) post on the grounds that seniority against a post is normally granted from the date of passing of professional qualification / service regularization against the post in question. Therefore, the impugned Notification dated 26-2-2013 is legally competent & liable to be maintained in the interest of justice. (Copy of the said Notification as Annexure-B)
 - 6 That Para-6 is incorrect & denied. No departmental appeal has been filed by the appellant against the impugned Notification to the appellate authority . However the Respondents further submit on the following grounds inter alia :-

GROUNDS

- A Incorrect & not admitted. The impugned Notification dated 26-2-2013 is in accordance with law, rules & policy, hence liable to be maintained.
- B Incorrect & not admitted .The statement of the appellant is baseless & is liable to be dismissed on the grounds that the appellant has been treated as per law, rules & seniority policy vide Notification dated 26-2-2013. Therefore, the plea of the appellant is liable to be dismissed in terms of the above made submissions mentioned in the foregoing Paras.
- C Incorrect & denied. Detailed reply has been given in the foregoing Paras.
- D Incorrect and not admitted. The department has acted as per law, rules & policy vide Notification dated 26-2-2013 in the instant case.
- E Incorrect & denied. No fault has been made by the Respondents as explained above, hence denied in toto.
- F Incorrect & denied. The statement of the appellant is baseless on the grounds that he has been treated as per law, rules & policy vide Notification dated 26-02-2013 by the Respondent Department.
- G Legal, however, the Respondents seek leave of this Honorable Tribunal to submit additional grounds & record at the time of arguments.

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



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

30/12/2008

Director
E&SE Department Khyber
Pakhtunkhwa, Peshawar.
(Respondents No: 4&5)



Secretary
(Finance) Department Khyber
Pakhtunkhwa, Peshawar.
(Respondent No: 3)

30/12/2008

(A)

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FORM NO. 10174039

Rev. 24 2009 07/03/2011



FATA SECRETARIAT
COORDINATION & ADMINISTRATION DEPARTMENT
WARSAK ROAD PESHAWAR

ORDER

Mr. Nasir Hussain SET (Tech) is hereby transferred from Government High School Zeran Kurram Agency to Government High School Bushera Kurram Agency against the post of Headmaster (BS-17) in his own pay and scale, in the interest of public service.

2. This order will take effect from 19-04-2011.

SECRETARY (ADMIN & COORD)

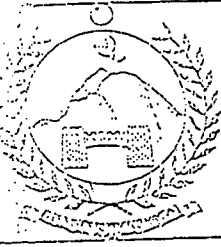
No FSA/100-80 (Vol-5)/3541-42
Dated 20/04/2011
Copy to:-

1. Director Education (FATA)
2. Agency Education Officer Kurram Agency
3. Headmaster, GHS Zeran Kurram Agency
4. Headmaster, GHS Bushera Kurram Agency
5. Agency Accounts Officer Kurram Agency
6. PS to Secretary (Admn & Coord) Department, FATA Secretariat
7. Officer concerned

ATTESTED

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(Muhammad Abbas Khan)
Section Officer (Estab)



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

Dated Peshawar the 26-02-2013

NOTIFICATION

No. SO/PEV/2-6/DPC Meeting (26-12-2012):

On the recommendations of the Departmental Promotion Committee, the Competent Authority is pleased to promote the following Male SETs (BS-16) to the post of Head Masters (BS-17) on regular basis with immediate effect:-

Sr	Name and Designation	Proposed place of Posting	Remarks
1.	Abdul Samad SET/HM GMS Rural Academy Peshawar.	HM B-17 GHSS Pir Pai Nowshera	A.V.P
2.	Nisar ud Din SET/GCMHS No.2 Peshawar City.	HM B-17 GHS Ghari Chandan Peshawar	A.V.P
3.	Rashid Khan, SET GHS Doulat Koroono FR Tank	Service placed at the disposal of DE(FATA)	
4.	Muhammad Ashraf SET GHS Chitta Bhatta Manshra	HM B-17 GHSS Lassan Thakral Manshra	
5.	Painda Khan SET GHS Pir Tangi FR Tank	Service placed at the disposal of DE(FATA for further posting.	
6.	S. Akab Ali Shah SET GHS No.2 Hangu	HM B-17 GHS Tora Stana Kohat	A.V.P
7.	Bahadar Muhammad SET GHS Sarai Bala Dir Lower	HM B-17 GHS Shal Kandi Dir Lower	A.V.P
8.	Shaukat Ali SET GHS Maina Dog Dir Upper	HM B-17 GHS Nehag Dir Upper	A.V.P
9.	Masud Ali SET GHS Kharaki Malakand	HM B-17 GHS Patrak Dir Upper,	A.V.P
10.	Atta Ullah Khan SET/ADC C/O DEO(M) Dir Lower	HM B-17 GHS Lajbook Dir Lower	A.V.P
11.	Khadim Muhammad SET/HM GMS Tangi Paveen Dir Lower	HM B-17 GHS Shoreshing Dir Lower	A.V.P
12.	Khurshid Ali Khan SET GHS Ningelai Swat	HM B-17 GHS Mankiyal Swat	A.V.P
13.	Nizam-ud-Din SET GHSS Sandovi Shangla	HM B-17, GHS Dheri Kandow Shangla	A.V.P
14.	Muhammad Fida Hussain SET/HM GMS Kama Agra Malakand.	HM B-17 GHS Inzergai Malakand.	A.V.P
15.	Hidayatullah SET/HM GMS Aggo Dir Lower	HM B-17 GHSS Kalkot Dir Upper	A.V.P
16.	Aqal Zada SET GHSS Sandovi Shangla	HM B-17 GHSS Sandovi Shangla	A.V.P
17.	Mustaqim Shah SET/HM GMS Anderhi Dir Lower	HM B-17 GHS Miskini Dir Lower	A.V.P
18.	Malik Zaman Khan SET GHSS Bangi Khan Khujari Bannu	HM B-17 GHS Umar Khel Tank	A.V.P
19.	Gul Halim Shah SET GCHSS Bannu	HM B-17 GHS Sero Bada Khel Bannu	A.V.P
20.	Mr. Faizur Rehman SET GHS No.2 Panharpur D.I.Khan	HM B-17 GHS Kachi Katgarh D.I.Khan	A.V.P
21.	Mr. Gul Zamin SET GHS Mianadam Swat	HM B-17 GHS Mian Adam Swat	His promotion will be effective from the date of DPC meeting held on 26-12-2012 under instructions vide notification No. SOR-VI(E&AD)1-16/2005, dated 22-03-2006 for the purpose of financial benefits being died on 15.01.2013.

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271	Mr. Rochol Amin SET GHSS Dosehra Charsadda	HM B-17 GHS Khanpur Munda	AMP
272	Mr. Basharatullah GMS Kanawar Charsadda	HM/VP B-17 GHSS Sherpao Charsadda	AMP
273	Mr. Sardar Ghani, SET GHS Mansabdar Swabi	HM B-17 GHS Ismailia Swabi	AMP
274	Mr. Mischunullah GMS Sarwani Charsadda	HM B-17 GHS Deri Sikanter Khan Chd.	AMP
275	Mr. Amjadullah Khan SET GHSS Lal Qilla Dir Lower	HM B-17 GHS Munda Dir Lower	AMP
276	Mr. Sulomon Shah SET GHS Police Colony Peshawar	HM B-17 GHS Mughzaki Nowshera	AMP
277	Mr. Muhammad Urfaq SET/HM GMS Darg Ismaili Khel Nowshera	HM B-17 GHS Shah Kot Nowshera	AMP
278	Mr. Shabir Ahmad SET/HM GMS Bara Gate Peshawar Cantt	HM B-17 GHS Masho Khel Peshawar	AMP
279	Mr. Abdul Qayum SET/HM GMS Wami Khel Karak	HM B-17 GHS Sur Gul Kohat	AMP
280	Mr. Ghaniat Khan SET/HMGMS Karak	HM B-17 GHS Hayat Abed (Mejo) Karak.	AMP
281	Mr. Syed Muddasir Shah SET GHSS Karak	HM B-17 GHS Makoori Karak	AMP
282	Mr. Shahzada SET/Instructor PITE Peshawar	HM B-17 GHS Makhband Malakand Agency.	AMP
283	Mr. Jehanzeb SET GHS Hassa D.I.Khan	HM B-17 GHS Loni D.I.Khan	AMP
284	Mr. Javed Ahmad SET GHS Sector No 4 Haripur	HM B-17 GHS M.D. Meiro Haripur	AMP
285	Mr. Karim Khan SET GHSS Gulistan Tank	HM B-17 GHS Daraki Tank	AMP
286	Mr. Ruhul Amin SET GHS PAF Shaheen Camp Peshawar	HM B-17 GHS Muhammad Ali Killy Peshawar	AMP
287	Mr. Bakht-e-Akbar. SET GHS Toolano Banda Swat	HM B-17 GHS Kass Shingrai Swat	AMP
288	Mr. Sayed Hassan SET GHSS Ziarat Talash Dir Lower	HM B-17 GHS Dantel Dir Lower	AMP
289	Mr. Muhammad Zafar Khan, SET GHS Badbar Killy Dir Lower	HM B-17 GHS Badin Dir Lower	AMP
290	Mr. Muhammad Israr SET GHS Gul Macan Malakand	HM B-17 GHS Pacha Killy Dir Upper	AMP
291	Mr. Qayum Nawaz SET GHS Rangpur Shumail D.I.Khan	HM B-17 GHS Kotta Lochan D.I.Khan	AMP
292	Mr. Habibullah Shah SET GHS Kotar Pan NSR	HM B-17 GHS, Kotar Pan Nowshera	AMP
293	Mr. Muhammad Saeed SET GHSS No.4 Peshawar City	HM B-17 GHS Zahir Abad Peshawar	AMP
294	Mr. Aurangzeb SET GHS Chamhull Abbottabad	HM B-17 GHS Madsorian Mansehra	AMP
295	Mr. Muhammad Hanif SET GHS Sherwan Abbottabad	HM B-17 GHS Lal Khela Abbottabad	AMP
296	Mr. Abdul Munaf Shah SET GHS Bail Haripur	HM B-17 GHS Bail Haripur	AMP
297	Mr. Muhammad Maroof SET GMS Durra Shehal Mansehra	HM B-17 GHS Bajna Mansehra	AMP
298	Mr. Bashir Ahmed SET GHS Samander Kalha Abbottabad	HM B-17 GHS Kiri Kalan Abbottabad	AMP
299	Mr. Jaffer Khan SET GMS Patal Charsadda	HM B-17 GHS Soro Killy Charsadda	AMP This provision will be effective from the date of OPC meeting held on 23-12-2005 under instructions vide notification No. SOR-VI(OCAD)1-16/2005, dated 23-03-2005 for the purpose of financial benefits being after the OPC meeting
300	Mr. Zehoor Ahmad SET GHS No.4 Kalabat Haripur	HM B-17 GHS Chajjian Haripur	AMP
301	Mr. Muhammad Miskeen Khan SET GHSS Phula Mansehra	HM B-17 GHS Moorat Mansehra	AMP
302	Mr. Insanur Rehman SET GHSS Chakdera Dir Lower	HM B-17 GHS Shingrai Dir Upper	AMP

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[Signature]

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242.	Mr. Anis Saeed SET GHS Rajjar No.1 Charsadda	HM B-17 GHSS Mangla Bazar Charsadda	A.V.P.
243.	Mr. Muhammad Firdos Khan SET GHSS Pardan Haripur	HM B-17 GHS Baghaur Chak Haripur	A.V.P.
244.	Mr. Muhammad Banaras SET GHS Gazi Habibullah Mansohra	HM B-17 GHS Doga Mansohra	A.V.P.
245.	Mr. Muhammad Irshad SET GHS Sarai Gadal Haripur	HM B-17 GHS Garam Tochi Haripur	A.V.P.
246.	Mr. Bashirul Islam SET GMS Sachan Kalan Mansohra	HM B-17 GHS Bhakki Mansohra	A.V.P.
247.	Mr. Nabeem Shah SET GHS Naryab Hangu	HM B-17 GHS Naryab Hangu	A.V.P.
248.	Mr. Saleh Muhammad SET GMS Elai Buner	HM B-17 GHS Budai Buner	A.V.P.
249.	Mr. Muhammad Sher SET GHS Gulozai Peshawar	HM B-17 GHS Kuz Kana Shangla	A.V.P.
250.	Mr. Muhammad Riaz SET GHS Boobak Charsadda	HM B-17 GHS Pancher Buzher	A.V.P.
251.	Mr. Ashraf Khan SET/AEO Miran Shah NWA	Services placed at disposal of DE(FATA) for further posting.	
252.	Mr. Amin Akbar SET GHS Ouch Khwar Swabi	HM B-17 GHS Salim Khan No.2 Swabi	Vice Sr.No.289
253.	Mr. Riaz Ahmad SET GCMHS Wacudia Swat	HM B-17 GHS Asala Swat	A.V.P.
254.	Mr. Syed Abid Shah SET GHS Rustam Mardan	HM B-17 GHS Biringan Mardan	A.V.P.
255.	Mr. Habibur Rehman SET GHSS Gadirai Buner	HM B-17 GHS Batai Buner	A.V.P.
256.	Mr. Abdul Nasir SET GHS Gujrat Mardan	HM B-17 GHS Beeka Swabi	A.V.P.
257.	Mr. Saifur Rahman GCMHS Lakki	HM B-17 GHS Kheru Khel Lakki Marwat	A.V.P.
258.	Mr. Zaman Khan SET GHS Mansabdar Swabi	HM B-17 GHS Gali Anulzai Haripur	A.V.P.
259.	Mr. Muhammad Sabir SET GHS Kutwal Abbottabad	HM B-17 GHS Beron Gali Abbottabad	A.V.P.
260.	Mr. Shah Gul SET GHS Sardar Garhi Peshawar	HM B-17 GHS Manahi Nowshera	A.V.P.
261.	Mr. Saadullah Jan SET GHS Harichand Charsadda	HM B-17 GHS Khawaja Hawas Charsadda	A.V.P.
262.	Mr. Ataur Rehman SET GHS Paroa D.I.Khan	HM B-17 GHS Naiveia D.I.Khan	A.V.P.
263.	Mr. Sher Wali Khan SET GHS Dawtai SWA	Services placed at disposal of DE(FATA) for further posting.	
264.	Mr. Nazam Din SET GHS Dosali NWA	Services placed at disposal of DE(FATA) for further posting.	
265.	Mr. Khairud Din SET GHS Sararogha SWA	Services placed at disposal of DE(FATA) for further posting.	
266.	Mr. Raza Muhammad SET GMS Oucha Dara SWA	Services placed at disposal of DE(FATA) for further posting.	
267.	Mr. Gul Nafe Khan SET GHS Tappi NWA	Services placed at disposal of DE(FATA) for further posting.	
268.	Mr. Jahangir Khan SET/HM GMS Nanak Raohzai SWA	Services placed at disposal of DE(FATA) for further posting.	
269.	Mr. Haider Ali SET GMS Debba SWA	Services placed at disposal of DE(FATA) for further posting.	
270.	Mr. Sher Doraz SET Mandus Kol NWA	Services placed at disposal of DE(FATA) for further posting.	
271.	Mr. Fazal Karim SET GMS Chancharo Khat Charsadda	HM B-17 GHS Tcorlandi Charsadda	A.V.P.
272.	Mr. Saferuz Khan SET GHS Nakband Peshawar	HM B-17 GHS Nakband Peshawar	A.V.P.
273.	Mr. Habib Khan SET/HM GMS Shokari SWA	Services placed at disposal of DE(FATA) for further posting.	
274.	Mr. Nasib Gul SET GHS Shahu Khel Hangu	HM B-17 GHS Shahu Khel Hangu	A.V.P.
275.	Mr. Muhammad Akbar Shah GMS Sher Kot Kohat	HM B-17 GHS Chiker Kot Bala Kohat	A.V.P.
276.	Mr. Sultan Muhammad Khan SET GHS Shahoor SWA	Services placed at disposal of DE(FATA) for further posting.	
277.	Mr. Hamiduz Zaman SET GHS Kam Shilman Khyber Agency	Services placed at disposal of DE(FATA) for further posting.	
278.	Mr. Shahen Shah SET/HM GMS Suroor Gazi Charsadda	HM B-17 GHS Mirza Charsadda	A.V.P.

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280	Mr. Rasool Rasool SEWADO C/O DEO/1 Tank	HM B-17 GHS Baragi Lakki Marwat	
281	Mr. Saifullah Khan SET GHS Bangiwala SWA	HM B-17 GHS Wanda Moazzam D.I.Khan	A.V.P
282	Mr. An Kamran SET GHS Spalgu NWA	Services placed at disposal of DE(FATA) for further posting.	
283	Mr. Iqbal Hussain SET GHSS Ustarzai Poyan Kohat	HM B-17 GHSS Ustarzai Poyan Kohat	A.V.P
284	Mr. Rahmat Shah SET GHS Jandola FR Tank	Services placed at disposal of DE(FATA) for further posting.	
285	Mr. Muhammad Ajmal Khan SET GHS Kotkai SWA	Services placed at disposal of DE(FATA) for further posting.	

CONSEQUENTIAL POSTING / TRANSFERS

286	Mr. Bahader Shah, SS(Chemistry) working as HM B-17 at GHS Jalbal Swabi	SS(Chemistry) GHSS Chanar Gadoon Swabi	A.V.P
287	Mr. Sajjad, SS (Maths) working as HM B-17 at GHS Pati Kalan Mardan	SS(Maths) GHSS Koi Barmol Mardan	A.V.P
288	Mr. Adnan, SS(PS) working as HM B-17 Asota Swabi	SS(PS) GHSS Kabgani Swabi	A.V.P
289	Mr. Habibur Rehman, SS(Physics) working as HM B-17 GHS Salim Khan No.2 Swabi	SS(Physics) GHSS Totalai Buner	A.V.P
290	Mr. Anwar Shah B-17 HM GHSS Sama Bachbar FR Peshawar.	HM B-17 GHSS Jalsai Swabi	A.V.P

On their promotion, the Head Masters concerned will be on probation for a period of one year in terms of Section 6(2) of NWFP Civil Servant Act, 1973 read with Rule 15(1) of the NWFP Civil Servant (Appointment, Promotion & Transfer) Rules, 1966.

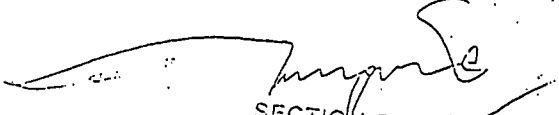
No. TA/DA allowed.

SECRETARY

Encl. No. & date as above.

- The Additional Chief Secretary (FATA), FATA Secretariat Warsak Road Peshawar.
- The Secretary to Govt. of Khyber Pakhtunkhwa, Finance Department.
- The Secretary to Govt. of Khyber Pakhtunkhwa, Establishment Department.
- The Accountant General Khyber Pakhtunkhwa, Peshawar.
- PSO to Chief Secretary to Govt. of Khyber Pakhtunkhwa.
- The Director (E&SE) Khyber Pakhtunkhwa Peshawar.
- The Director Education FATA, Warsak Road, Peshawar with the request that the newly promoted Headmasters may be adjusted against original posts of Headmaster BS-17. No wrong posting whatsoever may be made.
- The Director Curriculum & Teachers Education, Abbotabad.
- The Director ESRU, Khyber Pakhtunkhwa.
- The District Education Officers, Elementary & Secondary Education concerned.
- The District Accounts Officers concerned.
- PS to Secretary, E&SE Department.
- Head Masters/SS concerned.
- Office File.

ATTESTED


SECTION OFFICER PRIMARY

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KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.

No.

APPEAL No..... 873 of 20 14

Mr. Nasir Hussain

Appellant/Petitioner

Versus

Additional Chief Secy PATA


RESPONDENT(S)

Notice to ~~Appellant/Petitioner~~ Mr. Nasir Hussain

Incharge Headmaster (BPS-17) GHS
Bushera, Kurram Agency

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 25-11-2014 at 9:00 AM at Peshawar.

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.


Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.



**KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR**

No. 955 /ST

Dated: 15-4- /2022

All communications should be
addressed to the Registrar KPK Service
Tribunal and not any official by name.

Ph:- 091-9212281
Fax:- 091-9213262

To

The Secretary E&SE,
Government of Khyber Pakhtunkhwa,
Peshawar.

Subject: JUDGMENT IN APPEAL NO. 873/2014, MR. NASIR HUSSAIN & OTHERS.

I am directed to forward herewith a certified copy of Judgement dated
18.01.2022 passed by this Tribunal on the above subject for compliance please.

Encl: As above

REGISTRAR

KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR