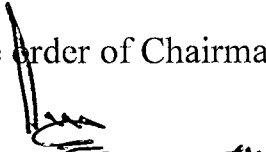


Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 1564/2022

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	07/11/2022	<p>The appeal of Mst. Saqiba Bibi resubmitted today by Mr. Saqib Alam Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on _____. Notices be issued to appellant and her counsel for the date fixed.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

REPLY TO THE OBJECTION

To the reply objection No. 1 better copy of annexure C place on file.

Reply to objection No. 2 this appeal against the impugned minutes dated 15.04.2012 during the pendency of the petitioner departmental appeal of the petitioner/ appellant the said impugned notification was issued. But if the challenge minutes declared null and void the notification dated 11.08.2022 will become baseless.

Objection No. 3 and 4 fulfilled.

Through Counsel for  petitioner / appellant


Saqib Alam Advocate High Court District
Courts Nowshera.

The appeal of Ms. Saqiba Bibi Associate Professor Zoology GGDC Nowshera received today i.e. on 05.10.2022 is incomplete on the following score which is returned to the counsel for the appellatant for completion and resubmission within 15 days.

- 1- Annexure-C of the appeal is illegible which may be replaced by legible/better one.
- 2- Copy of departmental appeal against the impugned order dated 11.8.2022 is not attached with the appeal which may be placed on it.
- 3- Annexures of the appeal may be attested.
- 4- One copy/set of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 2775 /S.T,

Dt. 07/10 /2022


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Saqib Alam Adv. Pesh.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR

Appeal No. 1569 /2022

Ms. Saqiba Bibi(Appellant)

Versus

The Government of Khyber Pakhtunkhwa etc(Respondents)

INDEX

S. NO	Description of Documents	Annexure	Pages
1.	Appeal / Grounds <i>Attidavit</i>		01-03 <i>3A</i>
2.	Copy of Order dated 09-03-2022	A	04
3.	Copies of letter dated: 15-04-2022 with Minutes <i>BETTER COPY</i>	B	05-12
4.	Copy of Departmental Appeal along with receipt <i>BETTER COPY</i>	C	13-14 <i>13A</i>
5.	Copy of Order dated: 11-08-2022	D	15-16
6.	Wakalatnama		17

APPELLANT

Dated: 28-09-2022

Through Counsel



(Saqib Alam Advocate)

High Court District Court Nowshera

①

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. 1564 /2022

Ms. Saqiba Bibi, Associate Professor Zoology (BPS-19),
Govt. Girls Degree College, Nowshera.

.....APPELLANT.

VERSUS

1. The Government of Khyber Pakhtukhwa through Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
2. The Secretary Higher Education Department, Pakhtunkhwa, Peshawar
3. The Secretary Establishment Department Khyber Pakhtunkhwa, Peshawar.
4. The Director Higher Education Department, Khyber Pakhtunkhwa, Peshawar
5. Mst. Ghazala Yasmin' Professor at Girls Home Economics College Pirpai, Nowshera
6. Mst. Tahammul, Professor at GGDC, Tajo Bibi Charsada.
7. Mst. Humaira Bibi, Principal / Professor at GGDC Dabgari Peshawar.
8. Mst. Anila Ghani, Principal at GGDC Jalozai Nowshera.
9. Mst. Rubina Imad, Principal GGDC Sawal Dher Mardan
10. Mst. Tahira Rashid Professor at GGDC Sale Saleh Haripur
11. Mst. Shazia, Professor at GFC(W) Peshawar,
12. Mst. Rabia Khatoon, Professor GPGC(W) No. 1 Abbottabad.

.....RESPONDENTS

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE MINUTES DATED 15.04.2022 AND SUBSEQUENT NOTIFICATION DATED 11.8.2022 WHEREBY THE APPELLANT HAS BEEN IGNORED FOR PROMOTION TO THE POST PROFESSOR (BPS 20) AND THE PRIVATE RESPONDENT BEING JUNIORS TO THE APPELLANT WERE PROMOTED AND AGAINST THE INACTION OF THE RESPONDENTS BY NOT DECIDING THE DEPARTMENTAL APPEAL OF APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS.

PRAYER:

That on acceptance of this appeal the impugned minutes dated 15.04.2022 and subsequent Notification dated 11.8.2022 to the extent of appellant and private respondents may kindly be set aside and the appellant be promoted to the post of professor (BPS 20) w.e.f when the private respondents were promoted to the subject post with all back benefits including seniority.

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR**

APPEAL NO. 1564 /2022

Ms. Saqiba Bibi, Associate Professor Zoology (BPS-19),
Govt. Girls Degree College, Nowshera.

..... **APPELLANT**

VERSUS

- 1- The Government of Khyber Pakhtukhwa through Chief Secretary, Khuber Pakhtunkhwa Peshawar.
- 2- The Secretary Higher Education Department, Khyber Pakhtunkhwa, Peshawar.
- 3- The Secretary Establishment Department Khyber Pakhtunkhwa, Peshawar.
- 4- The Director Higher Education Department, Khyber Pakhtunkhwa, Peshawar.
- 5- Mst. Ghazala Yasmin, *Principal G Girls Home Economics College Pishpai Nowshera*
- 6- Mst. Tahammul, *Professor G GDC Tajo Bibi Chahada.*
- 7- Mst. Humaira Bibi, *Principal G GDC Dabgari Peshawar.*
- 8- Mst. Anila Ghani, *Principal G GDC Jalozai Nowshera.*
- 9- Mst. Rubina Imad, *Principal G GDC Sawal Dher Maidan*
- 10- Mst. Tahira Rashid, *Professor G GDC Sara Sakhi Hui Pui*
- 11- Mst. Shazia, *Professor G GDC Peshawar.*
- 12- Mst. Rabia Khatoun, *Professor G GDC Maidan.*

..... **RESPONDENTS**

**APPEAL UNDER SECTION 4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974
AGAINST THE MINUTES DATED 15.04.2022 AND
SUBSEQUENT NOTIFICATION DATED 11.8.2022
WHEREBY THE APPELLANT HAS BEEN IGNORED FOR
PROMOTION TO THE POST PROFESSOR (BPS 20) AND
THE PRIVATE RESPONDENT BEING JUNIORS TO THE
APPELLANT WERE PROMOTED AND AGAINST THE
INACTION OF THE RESPONDENTS BY NOT DECIDING
THE DEPARTMENTAL APPEAL OF APPELLANT WITHIN
THE STATUTORY PERIOD OF NINETY DAYS.**

PRAYER:

**That on acceptance of this appeal the impugned
minutes dated 15.04.2022 and subsequent Notification
dated 11.8.2022 to the extent of appellant and private
respondents may kindly be set aside and the appellant
be promoted to the post of professor (BPS 20) w.e.f
when the private respondents were promoted to the
subject post with all back benefits including seniority.**

Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the appellant.

R/SHWETH:

ON FACTS:

1. That the appellant is the employee of the respondent department and performing her duty as Associate Professor of Zoology (BPS-19) with zeal and zest and up to the entire satisfaction of the superiors.
2. That vide order dated 09.03.2022 the appellant was transferred from Swabi to GGDC Nowshera. Copy of the order dated 09.03.2022 is attached as annexure.....**A.**
3. That vide letter dated 15.04.2022 minutes of the meeting of PSB held on 06.04.2022 regarding promotion of associate Professor (BPS 19) to the post of Professor (BPS 20) and its approval to the respondent No. 2. That the appellant at serial No. 14 was deferred on the basis of quantification irrespective of the fact that the service record of the appellant is much better than the private respondents and also the private respondents are juniours to the appellant. Copies of the letter dated 15.04.2022 along with minutes are attached as annexure.....**B.**
4. That appellant feeling aggrieved from the impugned decision of PSB Vide letter dated 15.04.2022 preferred departmental appeal but the same has not been decided within the statutory period of ninety days. Copy of the departmental appeal is attached as annexure**C.**
5. That having no other remedy the appellant preferred the instant appeal on the following grounds amongst others.

GROUND:

- A.** That by not promoting the appellant to the post of Professor (BPS-20) and promoting the private respondents to the subject post vide impugned PSB decision and the inaction of the respondents are against the law, facts, norms of natural justice and materials on the record hence not tenable and liable to be set aside.
- B.** That appellant has not been treated by the respondent Department 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, the treatment meted out to the appellant is clearly based on discrimination and malafide and as such the respondents violated the principle of natural justice.
- D. That appellant is fully entitled to be promoted to the post of Professor (BPS-20) with all back benefits including seniority in light of the section 9 of the Khyber Pakhtunkhwa Civil Servant Act, 1973 read with the Khyber Pakhtunkhwa Civil Servant (Appointment, Promotion and Transfer) Rules, 1989.
- E. That respondents violated Article 38(e) of the Constitution of Islamic Republic of Pakistan 1973, according to which state is bound to eliminate disparity in the income and earning of individuals including persons in the services of the Federation, thus in light of the above quoted Article of the Constitution the respondents are duty bound to promote the appellant to the post of Professor (BPS-20).
- F. That appellant seeks permission to advance other grounds and proofs at the time of hearing.

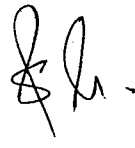
It is therefore, most humbly prayed that the appeal of the appellant may very graciously be accepted as prayed for, please.

Dated: 28-09-2022

APPELLANT


SAQIBA BIBI

THROUGH:


SAQIB ALAM

ADVOCATE

3A

BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR

Appeal. No. _____/2022

Ms. Saqiba Bibi.....(Appellant)

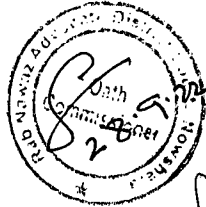
Versus

1) The Government of Khyber Pakhtunkhwa etc.....(Respondents)

AFFIDAVIT

As per instruction of my client, do hereby solemnly affirm and declare on oath that the contents of Appeal are true and correct to the best of my knowledge and nothing has been concealed from this Honorable Court.

Dated: 28-09-2022



ATTESTED

Appellant

THROUGH COUNSELS

Saqib Alam Advocate

High Court District Courts Nowshera.



GOVERNMENT OF KHYBER PAKHTUNKHWA
HIGHER EDUCATION, ARCHIVES &
LIBRARIES DEPARTMENT
CIVIL SECRETARIAT

Dated Peshawar the 09/03/2022

NOTIFICATION

NO.SO(C-1)/HE/I-5/Posting/Transfer The Competent Authority is pleased to order the transfer /posting of the following Female teaching staff of college cadre of Higher Education Department, Khyber Pakhtunkhwa in the interest of public service, with immediate effect.

S.#	Name & Designation	From	To
✓ 1	Ms.Shakeela Nadir, Associate Professor of Zoology (BS-19)	GGDC, Rustam, Mardan	GGDC, Tarkha, Nowshera
2	Ms.Saqiba Bibi, Associate Professor of Zoology (BS-19)	GGDC, Kohta, Swabi	GGDC, Nowshera

SECRETARY
HIGHER EDUCATION DEPARTMENT

ENDS: NO. & DATE EVEN.

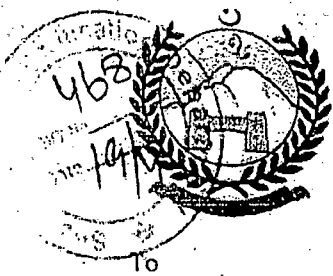
Copy forwarded to the:

1. Director, Higher Education Khyber Pakhtunkhwa.
2. Principals of the Government Colleges concerned.
3. District Accounts Officers concerned.
- ✓ 4. Officer concerned.
5. PS to Secretary, Higher Education Department Khyber Pakhtunkhwa.
6. Master File.


(RIAZ)
SECTION OFFICER (COLLEGES-I)

**IMMEDIATE
CONFIDENTIAL**

5



**GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT**

NO. SO(PSB)ED/1-4/2022/P-268
Dated Peshawar the 15/04/2022

The Secretary to Govt. of Khyber Pakhtunkhwa
Higher Education department.

**SUBJECT: - MINUTES OF THE MEETING OF PROVINCIAL SELECTION
BOARD HELD ON 06.04.2022.**

**PROMOTION OF ASSOCIATE PROFESSOR FEMALE BS-19 TO
THE POST OF PROFESSOR BS-20 OF COLLEGE CADRE**

Dear Sir,

I am directed to refer to Higher Education department letter No. SO(C-1)/HE/1-5/PSB/2021 dated 02/03/2022 on the subject and to forward herewith an extract of **Agenda Item No (54)** of the minutes/recommendations of the meeting of Provincial Selection Board held on **06.04.2022** as well as copy of approved summary wherein the Chief Minister, Khyber Pakhtunkhwa being competent authority in terms of Rule 4 (d) (a) of the Khyber Pakhtunkhwa (Appointment, Promotion & Transfer) Rules, 1989 has approved the recommendations of the PSB, for further necessary action.

Yours faithfully,

[Signature]
SECTION OFFICER (PSB)

Encl: As Above.

Pl process early
[Signature]
AS
ASC

[Signature]
[Signature]
19/4/22

ITEM NO. (54)

6

HIGHER EDUCATION, ARCHIVES AND LIBRARIES DEPARTMENT

(Meeting of PSB held on 06.04.2022)

SUBJECT:- PROMOTION OF ASSOCIATE PROFESSOR FEMALE BS-19 TO THE POST OF PROFESSOR BS-20 COLLEGE CADRE.

Secretary Higher Education, Archives and Libraries apprised the Board that due to retirement, 21 posts of Professor BS-20 are lying vacant.

2. According to service rules the post is required to be filled as under:-

- i. By promotion on the basis of seniority cum fitness from amongst the persons holding the post in BS-19 in the college cadre, Higher Education Department with at least Seventeen (17) years service in BS-17 and above, provided that in case of persons initially appointed in BS-18 or BS-19, the length of service for promotion in their cases shall at least be Twelve (12) years in BS-18 and above or five (05) years in BS-19, as the case may be.
- ii. Successful completion of mandatory training prescribed by the Govt. for college teachers in BS-17 from time to time.

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

S#.	NAME OF OFFICER	RECOMMENDATIONS OF THE BOARD
1.	MstRahila Anjum <i>(Signature)</i> Secretary (PSB) Govt. of Madhya Pradesh Establishment Department	Her date of birth is 30/10/1964. She joined government service on 07.12.1988 in BS-17. She was promoted to BS-19 on 25.11.2011. She has completed the prescribed length of service for promotion. She was promoted as Professor BS-20 vide Higher Education Department notification dated 05.04.2018. She did not actualize her promotion. According to the Higher Education Department she has forgone her promotion. She has now requested for consideration of her promotion. The Board observed that according to Rule 7 (5) of APT Rules 1989, if on an order of promotion or before promotion, any civil servant declines in writing, to accept promotion, such civil servant shall not be considered for such promotion for the next four (4) years following the order. Provided that if he declines to avail the benefit of promotion for the second time, then he shall stand superseded permanently for such promotion. The same rule has been deleted on 06.08.2020. However, it is still applicable on such

		<p>officials who opted not to be promoted before 06.08.2020. She opted not to be promoted vide her application dated 31.05.2018, since she will not be considered for promotion for a period of four years.</p> <p>The Board did not consider her promotion.</p>
2.	MstSaceda Begum	<p>Her date of birth is 10.03.1972. She joined government service on 19.03.1995 in BS-17. She was promoted to BS-19 on 10.03.2014. She has completed prescribed length of service for promotion. She has undergone mandatory training for promotion. No enquiry is pending against her. Her PER dossier is complete. Her service record upto 2020 is generally good. Her quantified Score is 51 and the Board awarded her 19 out 30 marks.</p> <p>The Board recommended the Officer for promotion to the post of Professor BS-20 on regular basis. She will be on probation for a period of one year.</p>
3.	MstKhalidaAdeeb	<p>Her date of birth is 01.03.1965. She joined government service on 12.08.1995 in BS-17. She was promoted to BS-19 on 10.03.2014. She has completed prescribed length of service for promotion. She has undergone mandatory training for promotion. No enquiry is pending against her. Her PER dossier is complete. Her service record upto 2020 is generally good. Her quantified Score is 51 and the Board awarded her 19 out 30 marks.</p> <p>The Board recommended the Officer for promotion to the post of Professor BS-20 on regular basis. She will be on probation for a period of one year.</p>
4.	Mst-Shamim Ara	<p>Her date of birth is 11.04.1971. She joined government service on 13.04.1996 in BS-17. She was promoted to BS-19 on 10.03.2014. She has completed prescribed length of service for promotion. She has undergone mandatory training for promotion. No enquiry is pending against her. Her PER dossier is complete. Her service record upto 2020 is generally good. Her quantified Score is 50 and the Board awarded her 20 out 30 marks.</p> <p>The Board recommended the Officer for promotion to the post of Professor BS-20 on regular basis. She will be on probation for a period of one year.</p>
5.	MstTahira Sultana	<p>Her date of birth is 03.03.1971. She joined government service on 21.11.1997 in BS-17. She was promoted to BS-19 on 02.07.2020. She has completed prescribed length of service for promotion. She has undergone mandatory training for promotion. No enquiry is pending against her. Her PER dossier is complete. Her service record upto 2020 is generally good. Her</p>

Secretary (BS-20/21) Govt. of Karnataka, Sriranghwa Education Department

		<p>quantified Score is 50 and the Board awarded her 20 out of 30 marks.</p> <p>The Board recommended the Officer for promotion to the post of Professor BS-20 on regular basis. She will be on probation for a period of one year.</p>
6.	Mst Saboohi Jehan	<p>Her date of birth is 01/01/1968. She joined government service on 15.04.1998 in BS-17. She was promoted to BS-19 on 10.03.2014. She has completed prescribed length of service for promotion. She has undergone mandatory training for promotion. No enquiry is pending against her. Her PER dossier is complete. Her service record upto 2020 is generally good. Her quantified Score is 54 and the Board awarded her 16 out of 30 marks.</p> <p>The Board recommended the Officer for promotion to the post of Professor BS-20 on regular basis. She will be on probation for a period of one year.</p>
7.	Mst Rabia Sikandar	<p>Her date of birth is 12/03/1970. She joined government service on 20.11.1997 in BS-17. She was promoted to BS-19 on 10.03.2014. She has completed prescribed length of service for promotion. She has undergone mandatory training for promotion. No enquiry is pending against her. Her PER dossier is complete. Her service record upto 2020 is generally good. Her quantified Score is 52 and the Board awarded her 18 out of 30 marks.</p> <p>The Board recommended the Officer for promotion to the post of Professor BS-20 on regular basis. She will be on probation for a period of one year.</p>
8.	Mst Farhat Jabeen	<p>Her date of birth is 02/02/1968. She joined government service on 29.11.1997 in BS-17. She was promoted to BS-19 on 10.03.2014. She has completed prescribed length of service for promotion. She has undergone mandatory training for promotion. The Board was informed that a departmental fact finding enquiry had been initiated on a complaint received from Provincial Ombudsman Secretariat vide Higher Education Department letter dated 29.03.2022. No formal inquiry is pending against her. Her PER dossier is complete. Her service record upto 2020 is generally good. Her quantified Score is 51 and the Board awarded her 19 out of 30 marks.</p> <p>The Board recommended the Officer for promotion to the post of Professor BS-20 on regular basis. She will be on probation for a period of one year.</p>
9.	Mst Safia Rehana	<p>Her date of birth is 14/10/1966. She joined government service on 01/04/1998 in BS-17. She was promoted to BS-19 on 10.03.2014. She has completed prescribed</p>

Section Officer (PSP)
Govt. of Karnataka
Education Department

		<p>length of service for promotion. She has undergone mandatory training for promotion. No enquiry is pending against her. Her PER dossier is complete. Her service record upto 2020 is generally good. Her quantified Score is 51 and the Board awarded her 19 out 30 marks.</p> <p>The Board recommended the Officer for promotion to the post of Professor BS-20 on regular basis. She will be on probation for a period of one year.</p>
10.	Mst Maimoona Jabee	<p>Her date of birth is 10.08.1971. She joined government service on 10.04.1998 in BS-17. She was promoted to BS-19 on 10.03.2014. She has completed prescribed length of service for promotion. She has undergone mandatory training for promotion. No enquiry is pending against her. Her PER dossier is complete. Her service record upto 2020 is generally good. Her quantified Score is 54 and the Board awarded her 16 out 30 marks.</p> <p>The Board recommended the Officer for promotion to the post of Professor BS-20 on regular basis. She will be on probation for a period of one year.</p>
11.	Mst Tahira Nigar	<p>Her date of birth is 22.01.1970. She joined government service on 12.07.1997 in BS-17. She was promoted to BS-19 on 10.03.2014. She has completed prescribed length of service for promotion. She has undergone mandatory training for promotion. No enquiry is pending against her. Her PER dossier is complete. Her service record upto 2020 is generally good. Her quantified Score is 57 and the Board awarded her 15 out 30 marks.</p> <p>The Board recommended the Officer for promotion to the post of Professor BS-20 on regular basis. She will be on probation for a period of one year.</p>
12.	Mst Tehmina Gul	<p>Her date of birth is 27.12.1970. She joined government service on 22.04.1998 in BS-17. She was promoted to BS-19 on 10.03.2014. She has completed prescribed length of service for promotion. She has undergone mandatory training for promotion. No enquiry is pending against her. Her PER dossier is complete. Her service record upto 2020 is generally good. Her quantified Score is 52 and the Board awarded her 18 out 30 marks.</p> <p>The Board recommended the Officer for promotion to the post of Professor BS-20 on regular basis. She will be on probation for a period of one year.</p>
13.	Mst Nihayat Begum	<p>Her date of birth is 01.05.1970. She joined government service on 05.01.1998 in BS-17. She was promoted to BS-19 on 10.03.2014. She has completed prescribed</p>

Secretary (ESR)
Govt. PKI College, Khwa
Bhawal, Dist. Bhawal, Sindh

	<p>length of service for promotion. She has undergone mandatory training for promotion. No enquiry is pending against her. Her PER dossier is complete. Her service record upto 2020 is generally good. Her quantified Score is 57 and the Board awarded her 15 out of 30 marks.</p> <p>The Board recommended the Officer for promotion to the post of Professor BS-20 on regular basis. She will be on probation for a period of one year.</p>
<p>14. MstSaqiba Bibi</p>	<p>Her date of birth is 04.09.1970. She joined government service on 21.11.1997 in BS-17. She was promoted to BS-19 on 10.03.2014. She has completed prescribed length of service for promotion. She has undergone mandatory training for promotion. No enquiry is pending against her. Her PER dossier is complete except 2018 which is under process. Her quantified score is 48 and the Board awarded her 15 out of 30. She could not cross the required threshold for promotion. According to Para III (a) (iii) of Promotion Policy 2009, in case of failure to attain the requisite threshold, he/she shall be superseded and the next officer of the panel shall be considered for promotion.</p> <p>The Board recommended her supersession</p>
<p>15. Mst Ghazala Yasmin</p> <p><i>[Handwritten signature]</i> <small>PSB) Banktwa Name</small></p>	<p>Her date of birth is 10.10.1967 She joined government service on 09.12.1997 in BS-17. She was promoted to BS-19 on 09.12.2014. She has completed prescribed length of service for promotion. She has undergone mandatory training for promotion. No enquiry is pending against her. Her PER dossier is complete. Her service record upto 2020 is generally good. Her quantified Score is 51 and the Board awarded her 19 out of 30 marks.</p> <p>The Board recommended the Officer for promotion to the post of Professor BS-20 on regular basis. She will be on probation for a period of one year.</p>
<p>16. MstTahammul</p>	<p>Her date of birth is 21.08.1972. She joined government service on 12.01.1988 in BS-17. She was promoted to BS-19 on 10.03.2014. She has completed prescribed length of service for promotion. She has undergone mandatory training for promotion. No enquiry is pending against her. Her PER dossier is complete. Her service record upto 2020 is generally good. Her quantified Score is 50 and the Board awarded her 20 out of 30 marks.</p> <p>The Board recommended the Officer for promotion to the post of Professor BS-20 on regular basis. She will be</p>

17.	Mst Humaira Bibi	<p>on probation for a period of one year.</p> <p>Her date of birth is 28.04.1973. She joined government service on 12.12.1997 in BS-17. She was promoted to BS-19 on 10.03.2014. She has completed prescribed length of service for promotion. She has undergone mandatory training for promotion. No enquiry is pending against her. Her PER dossier is complete. Her service record upto 2020 is generally good. Her quantified Score is 54 and the Board awarded her 14 out 30 marks.</p> <p>The Board recommended the Officer for promotion to the post of Professor BS-20 on regular basis. She will be on probation for a period of one year.</p>
18.	Mst Anila Ghani	<p>Her date of birth is 11.04.1971. She joined government service on 26.11.1997 in BS-17. She was promoted to BS-19 on 10.03.2014. She has completed prescribed length of service for promotion. She has undergone mandatory training for promotion. No enquiry is pending against her. Her PER dossier is complete. Her service record upto 2020 is generally good. Her quantified Score is 51 and the Board awarded her 19 out 30 marks.</p> <p>The Board recommended the Officer for promotion to the post of Professor BS-20 on regular basis. She will be on probation for a period of one year.</p>
19.	Mst Rubina Imad	<p>Her date of birth is 17.7.1970. She joined government service on 18.04.1998 in BS-17. She was promoted to BS-19 on 10.03.2014. She has completed prescribed length of service for promotion. She has undergone mandatory training for promotion. No enquiry is pending against her. Her PER dossier is complete. Her service record upto 2020 is generally good. Her quantified Score is 50 and the Board awarded her 20 out 30 marks.</p> <p>The Board recommended the Officer for promotion to the post of Professor BS-20 on regular basis. She will be on probation for a period of one year.</p>
20.	Mst Tahira Rashid	<p>Her date of birth is 01.3.1973. She joined government service on 04.04.1998 in BS-17. She was promoted to BS-19 on 10.03.2014. She has completed prescribed length of service for promotion. She has undergone mandatory training for promotion. No enquiry is pending against her. Her PER dossier is complete. Her service record upto 2020 is generally good. Her quantified Score is 52 and the Board awarded her 18 out 30 marks.</p> <p>The Board recommended the Officer for promotion to the post of Professor BS-20 on regular basis. She will be</p>

Section Officer (P&A)
 Govt. of Punjab
 Education Department
 Lahore

21.	Mst Shazia	<p>on probation for a period of one year.</p> <p>Her date of birth is 15.02.1970. She joined government service on 01.04.1998 in BS-17. She was promoted to BS-19 on 09.12.2014. She has completed prescribed length of service for promotion. She has undergone mandatory training for promotion. No enquiry is pending against her. Her PER dossier is complete. Her service record upto 2020 is generally good. Her quantified Score is 51 and the Board awarded her 19 out 30 marks.</p> <p>The Board recommended the Officer for promotion to the post of Professor BS-20 on regular basis. She will be on probation for a period of one year.</p>
22.	Mst Rabia Khaton	<p>Her date of birth is 14.11.1972. She joined government service on 17.04.1998 in BS-17. She was promoted to BS-19 on 10.03.2014. She has completed prescribed length of service for promotion. She has undergone mandatory training for promotion. No enquiry is pending against her. Her PER dossier is complete. Her service record upto 2020 is generally good. Her quantified Score is 50 and the Board awarded her 20 out 30 marks.</p> <p>The Board recommended the Officer for promotion to the post of Professor BS-20 on regular basis. She will be on probation for a period of one year.</p>

Section Officer (PSB)
Govt. of Punjab
Education Department

Ms. Farhat
100, Main Street, Sargodha
Cell: 9991234567, Peshawar

DEPARTMENTAL APPEAL AGAINST THE DECISION DATED 15-04-2022 OF THE PROVINCIAL SELECTION BOARD,

THROUGH PROPER CHANNEL

Respected Sir,

1. I am pleased that the undersigned was appointed as Lecturer BPS-17 on 21-11-1997 in Higher Education Department on the recommendations of the KP Public Service Commission. And later on promoted to BPS-18 on 2007. The undersigned was further promoted to BPS-19 on 10-06-2014.

2. According to service rules, the appellant was entitled to be considered for promotion to BPS-20 as Associate Professor on the basis of seniority cum fitness. The appellant was at serial no. 14 of the seniority list of Associate Professors, however due to the lapses and illegality of the departmental authorities, this humble appellant was not recommended for promotion, rather she was superseded by juniors.

3. The Honorable Supreme Court of Pakistan vide its decision reported in 1989 SCMR 208 has held that statutory rules are prevailing over any policy matter. The promotion policy has prevailed in the instant case and the rules have been ignored. The quantification formula is a policy matter and then the award of marks by the members of "PSB" for declaring any civil servant as fit for promotion is also illegal. More so the award of marks by the members of "PSB" is not structured and depends on the Personal whims of the members of the "PSB". The undersigned was given marks only 15, whereas other fellow Associate Professors were awarded marks up to 20, which is injustice and against the rules and law.

In view of the above it is requested that the undersigned may be considered for promotion to the post of Professor BPS-20 on the basis of statutory service rules of the department and the supersession of the undersigned by my junior Associate Professors may be set aside in the interest of justice and fair play.

15-5-2022

No. 579

RGL74092413

Postages see reverse.
Postage is affixed except in case of
uninsured letters of not more than
the initial weight provided in the
Post Office Guide or on which no
acknowledgment is due.

Rs. Ps.

Registered or insured
addressed to

Write here "letter", "postcard", "packet" or "parcel"
Indicate of receiving office with the word "insured" if so necessary.
(insured for Rs. in figures) (in words)

If insured:

Insured for Rs.	Rs.	Weight	Kilo
	(in words)		Grams
Name and address of sender			

14



GOVERNMENT OF
KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT

15

DATED PESHAWAR, THE AUGUST 11, 2022

NOTIFICATION

NO.SO(E-I)E&AD/9-88/HED/2022. Consequent upon their promotion from BS-19 to BS-20 on regular basis, as notified by this Department notification of even No. dated 26.04.2022, postings/transfers and adjustments of the following Female Professors/Principals of Higher Education Department are hereby ordered in the public interest, with immediate effect:-

S.R.#	NAME OF THE OFFICER	FROM	TO
1.	Ms Saeeda Begum (BS-20)	Associate Professor of Electronics, GGDC No.2, Hayatabad, Peshawar	Principal, GGDC, No 2 Hayatabad Peshawar vice Sr No 15
2.	Ms Khalida Adeeb (BS-20)	Associate Professor of Pashto/Principal, GGDC Jalozai, Nowshera	Professor, GGDC Bacha Khan, Peshawar, against the vacant post
3.	Ms Shamim Ara (BS-20)	Associate Professor of Islamiyat GGDC No 2, Chitti Dheri, Mansehra	Professor, GGDC No 1 Mansehra, against the vacant post
4.	Ms. Tahira Sultana (BS-20)	Associate Professor of Mathematics, GGDC Khanpur, Haripur	Principal, GGDC, Khanpur, Haripur, against the vacant post
5.	Ms. Saboohi Jehan (BS-20)	Associate Professor of Islamiyat, GGDC KDA, Kohat	Professor, GGDC KDA, Kohat, against the vacant post
6.	Ms. Rabia Sikandar (BS-20)	Associate Professor of Mathematics, GGDC No 1 Charsadda	Professor, GCGC, Peshawar against the vacant post
7.	Ms. Farhat Jabeen (BS-20)	Associate Professor of Geography/Principal, GGDC Sawladher, Mardan	Professor, GGPGC Mardan, against the vacant post
8.	Ms. Safia Rehana (BS-20)	Associate Professor of Islamiyat, GGDC Maneri, Swabi	Principal GGDC Maneri, Swabi against the vacant post
9.	Ms. Maimoona Jabeen (BS-20)	Associate Professor of Chemistry/Principal GGDC Darazinda, D.I Khan	Principal, GGDC Darazinda, D.I.Khan, against the vacant post
10.	Ms. Tahira Nigar (BS-20)	Associate Professor of History, GGDC Mandian, Abbottabad	Professor, GGDC Mandian, Abbottabad, against the vacant post.
11.	Ms. Tehmina Gul (BS-20)	Associate Professor of Chemistry, GGDC, Qalandarabad, Abbottabad	Professor, GGDC Parhina, Mansehra, against the vacant post.
12.	Ms. Nihayat Begum (BS-20)	Associate Professor of Pashto/Principal, GGDC, Zaryab Colony, Peshawar.	Principal, GGDC, Zaryab Colony, Peshawar, against the vacant post.
13.	Ms. Ghazala Yasmin (BS-20)	Associate Professor of Zoology, GGDC, Pirpai, Nowshera	Professor, G Girls Home Economics College, Pirpai, Nowshera, against the vacant post.
14.	Ms. Tahammul (BS-20)	Associate Professor of Pashto, GGDC No.2, Tajo Bibi, Charsadda	Professor, GGDC, Tajo Bibi, Charsadda, against the vacant post.
15.	Dr. Humaira Bibi (BS-20)	Associate Professor of Physics, GCGC, Peshawar.	Principal/Professor, GGDC, Dabgari, Peshawar, against the vacant post.
16.	Ms. Anila Ghani (BS-20)	Associate Professor of Botany/Principal, GGDC No.2, Hayatabad.	Principal, GGDC, Jalozai, Nowshera, against the vacant post.
17.	Ms. Rubina Imad (BS-20)	Associate Professor of Chemistry, GGPGC, Mardan.	Principal, GGDC, SawalDheri, Mardan, against the vacant post.



(18)

**GOVERNMENT OF
KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT**

(Page-2)

S.R.#	NAME OF THE OFFICER	FROM	TO
18.	Ms. Tahira Rashid (BS-20)	Associate Professor of Islamiyat GGDC, Sarai Saleh, Haripur	Professor (G.C. II) Sarai Saleh Haripur, against the vacant post
19.	Ms. Shazia Bangash (BS-20)	Associate Professor of Islamiyat, GFC (W), Peshawar	Professor (G.C. III) Peshawar, against the vacant post
20.	Ms. Rabia Khatoon (BS-20)	Associate Professor of Islamiyat GGPGC Mardan	Professor GGDC, Mardan, against the vacant post
ADJUSTMENT			
21.	Ms. Anjuman Ara (BS-19)	Associate Professor of Chemistry, GGDC, Manki Swabi	Principal/Professor (G.C. I) Zaida, Swabi, in her own pay & scale, against the vacant post
22.	Ms. Bibi Rubina Shaheen (BS-20)	Professor of Economics GPGCW, Mandian, Abbottabad	Professor, GPGCW No. 3, Abbottabad, against the vacant post
23.	Dr. Safia Gul (BS-20)	Professor of Economics, GGDC, Mathra, Peshawar	Principal, GGDC Jarnool, Khyber, against the vacant post
24.	Ms. Ayesha Balool (BS-19)	Associate Professor/Principal, GGDC, KTS, Haripur	Principal, GGDC No. 2, Haripur, in her own pay & scale, against the vacant post
25.	Ms. Robina Shafique (BS-20)	Professor of English, GGDC, Thana Malakand	Professor, GGDC, Mandian, Abbottabad, against the vacant post

**CHIEF SECRETARY
GOVERNMENT OF KHYBER PAKHTUNKHWA**

Endst. No. and date even.

Copy forwarded to the:-

- 1 Principal Secretary to Governor, Khyber Pakhtunkhwa.
- 2 Principal Secretary to Chief Minister, Khyber Pakhtunkhwa
- 3 Secretary to Govt. of Khyber Pakhtunkhwa, Higher Education Department.
- 4 Accountant General, Khyber Pakhtunkhwa.
- 5 All Divisional Commissioner's in Khyber Pakhtunkhwa.
- 6 All Deputy Commissioner's in Khyber Pakhtunkhwa (concerned)
- 7 Director, Higher Education, Khyber Pakhtunkhwa, Peshawar.
- 8 PSO to Chief Secretary, Khyber Pakhtunkhwa.
- 9 CSO to Chief Secretary, Khyber Pakhtunkhwa
- 10 All District Accounts Officers concerned
- 11 PS to Chief Secretary, Khyber Pakhtunkhwa.
- 12 PS to Secretary Establishment/PS to Secretary Administration Departments
- 13 PS to Special Secretary (L)/ PA's to AS (Litigation)/D S (Admn), D.S. (Estt. V)
- 14 SO(Secret)/SO(HRD-I)/SO(E-II)/DD(IT) and ACSO Cypher E&AD
- 15 PS to Managing Director, Khyber Pakhtunkhwa II Board, Peshawar
- 16 Principal/Professors concerned colleges
- 17 Manager, Govt. Printing Press Peshawar

(ZIA-UL-HAQ)
SECTION OFFICER (ESTT. I)
PH: # 091-9210529

ATTESTED
/u

13(A)

BETTER COPY

To

The Chief Minister

Chief Minister Secretary

Kyber Pakhtunkhwa Peshawar.

Subject: departmental Appeal against the decision dated 15.04.2022 of the provincial selection board.

Through proper channel

Respected sir,

1. It is submitted that the undersigned was appointed as lecturer BPS-17 on 21.11.1997 in higher education department on the recommendation of the KP public service commission and later on promoted to BPS-18 on 2007. The under signed was further promoted on BPS- 19 on 10.03.2014.
2. According to service rules, the appellant was entitled to be considered for promotion to BPS-20 as associate professor on the basis of seniority cum fitness. The appellant was at serial no. 14 of the seniority list of associate professors, however due to the lapses and illegality of the departmental authorities. this humble appellant was not recommended for promotion, rather she was superseded by juniors.
3. The honorable supreme court of Pakistan vide its decision reported in 1989 SCMR 808 has held that statutory rules are prevailing over any policy matter. The promotion policy has prevailed in the instant case and the rules have been ignored. The qualification formula is a policy matter and then the award of marks by the member of "PSB" for declaring any civil servant as fit for promotion is also illegal. More so the award of marks by the member of "PSB" is not structured and depends on the personal whims of the members of "PSB" the undersigned was given marks only 15, whereas other fellow associate professors were awarded Marks up to 20, which is injustice and against the rules and law.

In view of the above it is requested that the undersigned may be considered for promotion to the post of professor BPS-20 on the basis of statutory service rule of the departments and on supersession of the undersigned by my junior associate professor may be set aside in the interest of justice and fair play.

Your faithful

Mst. Saqiba Bibi
Associate Professor
GGDC Nowshera.

بعد الت حساب سروس ٹریبونل ضلع کٹواہ

کورٹ فیس

مورخہ: 20ء منجانب ایڈوائزر صاحب

مقدمہ: ^{بنام}

دعویٰ: اپیل 4/5/11

جرم:

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دی وکل کاروائی متعلقہ آن مقام متجاوز کے لئے خاص حالت کے لئے مقرر کر کے اترار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی مکمل کاروائی کا اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ و تقریر ثالث و فیصلہ پر حلف دینے جواب دی اور اقبال دعویٰ اور بصورت ڈگری کرانے اجراء اور وصولی چیک روپیہ اور عرضی دعویٰ اور درخواست ہر قسم کی تصدیق زراس پر دستخط کرنے کا اختیار ہوگا۔ نیز بصورت عدم پیروی یا ڈگریں ایک طرفہ یا اپیل کی برآمد ہوگی اور منسوخی دائر کرنے کی اپیل نگرانی و نظارتی و پیروی کرنے کا اختیار ہوگا اور بصورت ضرورت مذکور کے عمل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنی ہمراہ یا اپنی بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو بھی جملہ مذکورہ بالا اختیارات حاصل ہونگے اور اس کا سااختہ برداختہ منظور و قبول ہوگا اور دوران مقدمہ میں جو خرچہ و ہرجانہ التوائے مقدمہ کے سبب سے ہوگا ایسکے مستحق وکیل صاحب ہونگے۔ نیز بقایا و خرچہ کی وصولی کرتے وقت کا اس اختیار ہوگا اگر کوئی تاریخ پیشی مقام دورہ پر ہو یا عدسے باہر ہو تو وکیل صاحب پابند ہونگے کی پیروی مقدمہ مذکور لہذا اوقات نامہ لکھ دیا نا کہ سندر ہے۔

المرقوم 28 ماہ ستمبر 2022ء

بد گواہ شدہ ذہ اللہ

سناور کے لئے منظور ہے

بمقام:

bc-09-0644

Sagibalamadvocat

03139739439

Sagibalamadvocate@gmail.com