

10.11.2022

Learned counsel for the appellant present. Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for official respondents present. None present on behalf of private respondents.

Reply/comments on behalf of respondents No. 1 to 4 have already been submitted, while respondents No. 6 & 7 have also placed reliance on the same. Learned Assistant Advocate General stated that respondent No. 5 also relies on the written reply already submitted by respondents No. 1 to 3.

Vide previous order sheet dated 06.10.2022, the appellant was directed to submit envelops and tickets for issuance of notices to respondents No. 5 & 8 but he did not submit the same, therefore, last chance is given to the appellant to submit the envelops and tickets for issuance of notice to private respondent No. 8 within 03 workings days from today in office. After submission of envelops and tickets by the appellant, fresh notices be issued to private respondent No. 8 for submission of reply/comments on 07.12.2022 before the S.B at Camp Court Swat.

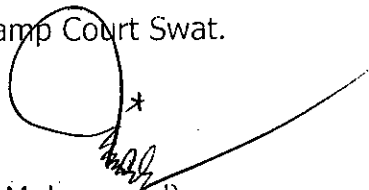


(Salah-Ud-Din)  
Member (J)  
Camp Court Swat

08.09.2022

Appellant in person present. Mr. Asif Masood Ali Shah, Deputy District Attorney alongwith Mian Asif Ali Shah, ADEO (Litigation) and Mr. Afzal Ali, Section Officer on behalf of official respondents No. 1 to 7 present. None present on behalf of private respondent No.8.

Reply/comments on behalf of official respondents No. 1 to 3 have already been considered vide order sheet dated 07.06.2022 while reply/comments on behalf of official respondents No. 4 submitted today which are placed on file. Copy of the same handed over to the appellant. Reply/comments on behalf of official respondents No. 5 to 7 and private respondent No 8 are still awaited. Learned Deputy District Attorney seeks time to contact the official respondents No. 5 to 7 for submission of reply/comments. Previous date was changed on the strength of Reader's Note, therefore, notice be issued to private respondent No. 8 for submission of reply/comments. Last opportunity is granted. Adjourned. To come up for reply/comments of official respondents No. 5 to 7 and private respondent No. 8 before the S.B. on 06.10.2022 at Camp Court Swat.


  
(Mian Muhammad)  
Member (E)  
Camp Court Swat

06.10.2022

Appellant in person present.

Riaz Khan Paindakhel, learned Assistant Advocate General present. Jamil Khan Senior Auditor for respondents No.6 & 7 present. Nemo for respondents No.5 & 8.

Reply on behalf of respondents No.1 to 4 has already been submitted. Representative of respondents No.6 & 7 submitted reliance report and stated that the respondents No.6 & 7 rely upon the reply of respondents No.1 to 3. Appellant is directed to submit envelopes and tickets for notice to respondents No.5 & 8 for reply. To come up for reply/comments of respondents No.5 & 8 on 10.11.2022 before S.B at Camp Court, Swat.

  
(Rozina Rehman)  
Member (J)  
Camp Court Swat


SCANNED  
KFST  
Peshawar

07.07.2022

Appellant present in person. Written reply on behalf of respondents No. 1 to 3 have already been considered vide order sheet dated 07.06.2022.

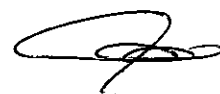
Muhammad Shafiq, Assistant for respondent No. 4 present. Mr. Noor Zaman, District Attorney present on behalf of respondents No. 5 to 7 and seeks time for submission written reply/comments.

No one present on behalf of private respondent No. 8. Therefore, notice be issued for submission of written reply/comments on 04.08.2022 before S.B at camp court, Swat.

  
(Fareeha Paul)  
Member (E)  
Camp Court, Swat

4.8.22

*Due to Summer Vacation the case is adjourned to 8.9.22 for the same.*



RECEIVED  
CAMP COURT  
SWAT  
07/07/2022

7<sup>th</sup> June, 2022

None for the appellant present. Mr. Kabirullah Khattak,  
Addl: AG for respondents present.

Learned AAG referred to the order sheet of the Hon'ble High Court, Peshawar dated 09.03.2021 wherein the writ petition was converted into appeal in view of the judgment of the august Supreme Court of Pakistan in the case of **"Muhammad Akram vs DCO, Rahim Yar Khan and others reported as 2017 SCMR 56"** and had directed to transmit the writ petition alongwith all documents to this Tribunal for decision in accordance with law and rules. Learned AAG also submitted that the comments on behalf of respondents No. 1 to 3 had already been submitted, which according to the directions of the Hon'ble Peshawar High Court, Peshawar, had been sent to this Tribunal, therefore, that might reply be considered as reply on behalf of respondents No. 1 to 3 and other respondents may be directed to submit written reply/comments. Order accordingly. To come up for written reply/comments of respondents No. 4 to 8 on 07.07.2022 before the S.B at camp court Swat.



(Kalim Arshad Khan)  
Chairman  
Camp Court Swat

07.02.2022

Tour is hereby canceled. Therefore, the case is adjourned to 04.04.2022 for the same as before at Camp Court Swat.

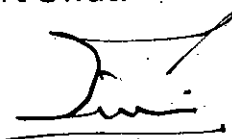


Reader

04.04.2022

Appellant in person present. Mr. Noor Zaman Khattak, District Attorney present.

Previous date was changed on Reader Note, therefore, notices be issued to official respondents No. 1 to 7 as well as private respondent No. 8 through registered post and to come up for submission of written reply/comments on 11.05.2022 before the S.B at Camp Court Swat.

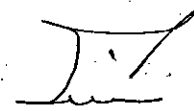


(Salah-Ud-Din)  
Member (J)  
Camp Court Swat

11.05.2022

Clerk of learned counsel for the appellant present. Mr. Naseeb Khan, Section Officer on behalf of official respondent No. 4 alongwith Mr. Noor Zaman Khattak, District Attorney present.

Vide previous order sheet, it was ordered that notices be issued to official respondents as well as private respondent No. 8 through registered post, however on perusal of the record, it transpired that the same have not been sent to them, therefore, in this respect explanation be called from the Muharrar. Notices be issued to official respondents No. 1 to 3, 5 to 7 as well as private respondent No. 8 through registered post and to come up for submission of written reply/comments on 07.06.2022 before the S.B at Camp Court Swat.



(Salah-Ud-Din)  
Member (J)  
Camp Court Swat

06.12.2021

Appellant alongwith his counsel present.

Mr. Muhammad Rasheed, Deputy District Attorney for respondents present.

Appellant submitted copies of memorandum of appeal which are placed on file. The same be issued to respondents with direction to submit written reply/comments. Adjourned. To come up for written reply/comments on 03.01.2022 before S.B at Camp Court Swat.



(Atiq Ur Rehman Wazir)  
Member (E)  
Camp Court, Swat

03.01.2022

Appellant in person present.

Vide order dated 06.10.2021 it was directed that notices be issued to the respondents for submission of written reply/comments, however the same have not been issued, therefore, explanation in this respect be called from Moharrar. Notices for submission of written reply/comments be issued to the respondents through registered post and to come up for submission of written reply/comments on 07.02.2022 before the S.B at Camp Court Swat.

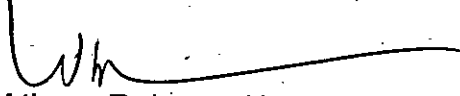



(Salah-Ud-Din)  
Member (J)  
Camp Court Swat

06.10.2021

Appellant present through counsel.

He submitted memorandum of appeal which is placed on file. Notice be issued to respondents with direction to submit written reply/comments in office within 10 days of the receipt of notices, positively. If the written reply/comments are not submitted within the stipulated time, the office shall submit the file with a report of non-compliance. To come up for arguments on 06.12.2021 before D.B at Camp Court, Swat.

  
(Atiq ur Rehman Wazir)  
Member(E)  
Camp Court, Swat

  
(Rozina Rehman)  
Member(J)  
Camp Court Swat

27.07.2021

Counsel for the appellant present. Preliminary arguments heard.

The appellant had approached the Hon'ble Peshawar High Court Peshawar through Writ Petition No. 775-M/2019 and when the said Writ Petition came up for hearing before the said court, it was diverted to this Tribunal vide order dated 09.03.2021, after its conversion to Service Appeal. In compliance with the said order, Addl. Registrar of the Peshawar High Court Peshawar Mingora Bench sent the file of the Writ Petition here vide his office letter No. 1153/Writ Petition, dated 24.03.2021; and accordingly, the same was registered as Service Appeal No. 4280/2021. The appellant is directed to file the proper memorandum of appeal before the next date. However, the Writ Petition already treated as service appeal is admitted for regular hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments in office within 10 days after receipt of notices, positively. If the written reply/comments are not submitted within the stipulated time, the office shall submit the file with a report of non-compliance. File to come up for arguments on 04.10.2021 before the D.B. at camp court, Swat.

Appellant Deposited  
Security and Process Fee

27/7/21

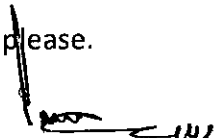

Chairman



Form-A  
FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No. 4280 /2021

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	30/03/2021	<p>The present appellant initially went in Writ Petition before the Hon'ble Peshawar High Court Mingora Bench and the Hon'ble High Court vide its order dated 09.03.2021 treated the Writ Petition into an appeal and sent the same to this Tribunal for decision in accordance with law. The same may be entered in the Institution Register and put up to the worthy Chairman for further order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	04/06/21	<p>This case is entrusted to S. Bench Peshawar. Notices be issued to appellant/counsel for preliminary hearing on 27/07/2021</p> <p style="text-align: right;"> CHAIRMAN</p>

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

Service Appeal No. 4280/2021  
Mr. Fazal Haqani.

Appellant

Versus

SCANNED  
KPS  
Peshawar

Secretary to Govt. of Khyber Pakhtunkhwa Finance Department and  
others.

Respondents

**INDEX**

<b>S#.</b>	<b>Subject</b>	<b>Annexure</b>	<b>Page No.</b>
01	Parawise Comments	----	1
02	Affidivit		2

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

Service Appeal No. 4280/2021  
Mr. Fazal Haqani

**SCANNED**  
**KPSI**  
**Peshawar**  
**Appellant**

**VERSUS**

1. The Secretary, Elementary & Secondary Education Department Khyber Pakhtunkhwa, Peshawar.
2. The Director, Elementary & Secondary Education Department, Khyber Pakhtunkhwa Peshawar.
3. The District Education Officer, (Male) District Shangla.
4. The Secretary Finance Department, Khyber Pakhtunkhwa, Peshawar.
5. The Secretary Establishment Department, Khyber Pakhtunkhwa, Peshawar
6. Accountant General of Khyber Pakhtunkhwa at Peshawar.
7. District Accountant Officer Shangla at Alpurai.
8. Atta ur Rahman S/o Bahrul Uloom R/o Korinang, District Shangla.

**Respondents**

**PARAWISE COMMENTS ON BEHALF OF RESPONDENT NO.04**

**Respectfully Sheweth.**

Secretary to Government of Khyber Pakhtunkhwa, Finance Department (Respondent No.04) do hereby endorse/relies on the Para-wise Comments already filed before the Honorable Services Tribunal Khyber Pakhtunkhwa by the Principal Respondents No. 01, 02 03.

The Para-wise Comments of Respondents No. 01, 02, 03 may be treated as reply of (Respondent No.04) Secretary Finance Department Government of Khyber Pakhtunkhwa as well.



**SECRETARY FINANCE**  
**GOVT.OF KHYBER PAKHTUNKHW**  
**(RESPONDENT NO.04)**

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

Service Appeal No. 4280/2021  
Mr. Fazal Haqani.

**Appellant**

**Versus**

Secretary to Govt. of Khyber Pakhtunkhwa Finance Department and  
others.

**Respondents**

**Reply /Parawise Comments on Behalf of Secretary Finance Govt. of**  
**Khyber Pakhtunkhwa Respondent No.-04**

**AFFIDAVIT**

I Afzal Ali, Section Officer Govt. of Khyber Pakhtunkhwa Finance Department do hereby solemnly affirm and declare on oath that the contents of Para-wise Comments in Service Appeal No. 4280/2021 on behalf of Secretary to Govt. of Khyber Pakhtunkhwa Finance Department is true and correct to the best of my knowledge and belief and that nothing has been concealed from the Honourable Tribunal.

**ATTESTED**



*Fazal Haqani*  
Deponent 7/9/2022

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

Service Appeal No. 4280/2021  
Mr. Fazal Haqani.

**Appellant**

**Versus**

Secretary to Govt. of Khyber Pakhtunkhwa Finance Department and  
others.

**Respondents**

**INDEX**

<b>S#.</b>	<b>Subject</b>	<b>Annexure</b>	<b>Page No.</b>
01	Parawise Comments	-----	1
02	Affidivit		2

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

**Service Appeal No. 4280/2021**

**Mr. Fazal Haqani**

**Appellant**

**VERSUS**

1. The Secretary, Elementary & Secondary Education Department Khyber Pakhtunkhwa, Peshawar.
2. The Director, Elementary & Secondary Education Department, Khyber Pakhtunkhwa Peshawar.
3. The District Education Officer, (Male) District Shangla.
4. The Secretary Finance Department, Khyber Pakhtunkhwa, Peshawar.
5. The Secretary Establishment Department, Khyber Pakhtunkhwa, Peshawar
6. Accountant General of Khyber Pakhtunkhwa at Peshawar.
7. District Accountant Officer Shangla at Alpurai.
8. Atta ur Rahman S/o Bahrul Uloom R/o Kornang, District Shangla.

**Respondents**

**PARAWISE COMMENTS ON BEHALF OF RESPONDENT NO.04**

**Respectfully Sheweth.**

Secretary to Government of Khyber Pakhtunkhwa, Finance Department (Respondent No.04) do hereby endorse/relies on the Para-wise Comments already filed before the Honorable Services Tribunal Khyber Pakhtunkhwa by the Principal Respondents No. 01, 02 03.

The Para-wise Comments of Respondents No. 01, 02, 03 may be treated as reply of (Respondent No.04) Secretary Finance Department Government of Khyber Pakhtunkhwa as well.



**SECRETARY FINANCE**  
**GOVT.OF KHYBER PAKHTUNKHWA,**  
**(RESPONDENT NO.04)**

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

Service Appeal No. 4280/2021  
Mr. Fazal Haqani.

**Appellant**

**Versus**

Secretary to Govt. of Khyber Pakhtunkhwa Finance Department and  
others.

**Respondents**

**Reply /Parawise Comments on Behalf of Secretary Finance Govt. of**  
**Khyber Pakhtunkhwa Respondent No.-04**

**AFFIDAVIT**

I Afzal Ali, Section Officer Govt.of Khyber Pakhtunkhwa Finance Department do hereby solemnly affirm and declare on oath that the contents of Para-wise Comments in Service Appeal No. 4280/2021 on behalf of Secretary to Govt. of Khyber Pakhtunkhwa Finance Department is true and correct to the best of my knowledge and belief and that nothing has been concealed from the Honourable Tribunal.

**ATTESTED**



*Fazal Haqani*  
Deponent 7/9/2022

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

Service Appeal No. 4280/2021  
Mr. Fazal Haqani.

**Appellant**

**Versus**

Secretary to Govt. of Khyber Pakhtunkhwa Finance Department and  
others.

**Respondents**

**INDEX**

<b>S#.</b>	<b>Subject</b>	<b>Annexure</b>	<b>Page No.</b>
01	Parawise Comments	-----	1
02	Affidivit		2



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

**Service Appeal No. 4280/2021**

**Mr. Fazal Haqani**

**Appellant**

**VERSUS**

1. The Secretary, Elementary & Secondary Education Department Khyber Pakhtunkhwa, Peshawar.
2. The Director, Elementary & Secondary Education Department, Khyber Pakhtunkhwa Peshawar.
3. The District Education Officer, (Male) District Shangla.
4. The Secretary Finance Department, Khyber Pakhtunkhwa, Peshawar.
5. The Secretary Establishment Department, Khyber Pakhtunkhwa, Peshawar
6. Accountant General of Khyber Pakhtunkhwa at Peshawar.
7. District Accountant Officer Shangla at Alpurai.
8. Atta ur Rahman S/o Bahrul Uloom R/o Kornang, District Shangla.

**Respondents**

**PARAWISE COMMENTS ON BEHALF OF RESPONDENT NO.04**

**Respectfully Sheweth.**

Secretary to Government of Khyber Pakhtunkhwa, Finance Department (Respondent No.04) do hereby endorse/relies on the Para-wise Comments already filed before the Honorable Services Tribunal Khyber Pakhtunkhwa by the Principal Respondents No. 01, 02 03.

The Para-wise Comments of Respondents No. 01, 02, 03 may be treated as reply of (Respondent No.04) Secretary Finance Department Government of Khyber Pakhtunkhwa as well.



**SECRETARY FINANCE**  
**GOVT.OF KHYBER PAKHTUNKHWA,**  
**(RESPONDENT NO.04)**

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

Service Appeal No. 4280/2021  
Mr. Fazal Haqani.

**Appellant**

**Versus**

Secretary to Govt. of Khyber Pakhtunkhwa Finance Department and  
others.

**Respondents**

**Reply /Parawise Comments on Behalf of Secretary Finance Govt. of**  
**Khyber Pakhtunkhwa Respondent No.-04**

**AFFIDAVIT**

I Afzal Ali, Section Officer Govt. of Khyber Pakhtunkhwa Finance Department do hereby solemnly affirm and declare on oath that the contents of Para-wise Comments in Service Appeal No. 4280/2021 on behalf of Secretary to Govt. of Khyber Pakhtunkhwa Finance Department is true and correct to the best of my knowledge and belief and that nothing has been concealed from the Honourable Tribunal.

**ATTESTED**



*Fazal Haqani*  
Deponent 7/9/2022

**BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA,  
PESHAWAR, CAMP COURT AT GULKADA, SWAT**

---

Service Appeal No. 4280 / 2021

---

Mr. Fazal Haqani.

... Appellant

**VERSUS**

Secretary E&SE and others.

... Respondents

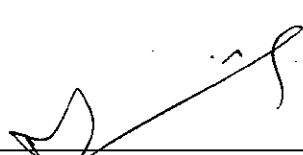
**Parawise comments on behalf of respondents No. 6 & 7**

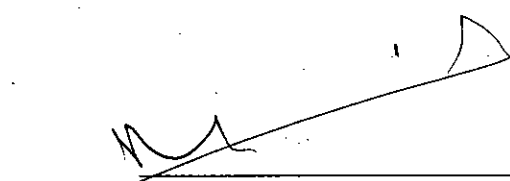
---

**Respectfully Sheweth:**

Accountant General of Khyber Pakhtunkhwa at Peshawar and District Accountant Officer Shangla at Alpurai (Respondents No. 6 & 7 respectively), do hereby endorse / relies on the parawise comments already filed before the Hon'ble Service Tribunal Khyber Pakhtunkhwa, by the principal respondents No. 1, 2 and 3.

The parawise comments of respondents No. 1, 2 and 3 may be treated as reply of present respondents No. 6 & 7 i.e. Accountant General of Khyber Pakhtunkhwa at Peshawar and District Accountant Officer Shangla at Alpurai.

  
\_\_\_\_\_  
Accountant General  
Khyber Pakhtunkhwa,  
(Respondent No. 6)

  
\_\_\_\_\_  
District Accountant Officer  
Shangla at Alpurai  
(Respondent No. 7)

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

Service Appeal No. \_\_\_\_\_ / 2021

Fazal Haqani S/o Fazal Mubin R/o Zara, Dherai, Tehsil Alpurai,  
District Shangla.

...Appellant

- VERSUS -

1. Government of Khyber Pakhtunkhwa through Secretary of Elementary & Secondary Education at Civil Secretariat Peshawar.
2. Director of Elementary & Secondary Education, Government of Khyber Pakhtunkhwa at Peshawar.
3. District Education Officer (M) Shangla.
4. Secretary to Government of Khyber Pakhtunkhwa, Finance Department at Peshawar.
5. Secretary to Government of Khyber Pakhtunkhwa, Establishment Department at Peshawar.
6. Accountant General of Khyber Pakhtunkhwa at Peshawar.
7. District Accountant Officer Shangla at Alpurai.
8. Attaur Rahman S/o Bahrul Uloom R/o Kormang, District Shangla.

...Respondents

**Appeal Under Section 4 of the Service Tribunal Act, 1974.**

Respectfully Sheweth;

1. That appellant is bonafide resident of Zara, Dherai, Tehsil Alpurai, District Shangla (Copy of NIC of appellant is annexure A).

2. That vide letter No. 3356-34 dated 31-12-2004, the appellant was appointed as Theology Teacher (TT) (Male) in Government Middle School Banr, District Shangla (Copy of appointment order is attached as annexure B).
3. That vide order Endst No. 3994-4000/File No.1/Promotion Senior TT B-16 Dated Peshawar the 28-05-2013, the appellant was promoted against the post of Senior TT (BPS-16) at Government High School Dehrai, Alpurai, District Shangla, however, later on vide office order / adjustment Endost: No. 2804-10 dated 03-06-2013, the appellant adjusted / transferred to the above said school in pursuance of the notification dated 28-05-2013 (Copies of notification dated 28-05-2013 and order dated 03-06-2013 are attached as annexure C & D).
4. That vide order Endost: No. 2938-42 dated 28-08-2017, the education department has promoted a junior one from STT to SST, despite the fact that appellant is senior, who is at serial No. 3 in the appointment order list, has been illegally dropped and respondent No. 8, who is at serial No. 17 in the above said appointment order list has been promoted from the post of Senior Theology Teacher (STT) to Secondary School Teacher (SST) (Copies of order dated 28-08-2017 is annexure E).
5. That after getting knowledge of the above said impugned promotion / upgradation of respondent No. 8, and another notification Endst: No. 4681-86/File No.2/Promotion SST B-16 Dated Peshawar the 22-02-2019, wherein some posts of STTs were upgraded to SSTs, but again appellant was illegally and unlawfully dropped and one Muhammad Karim S/o Mohammad Hanif R/o Maira, District Shangla, who was at serial No. 6 in the appointment order list, was upgraded instead of appellant, against which appeal was filed by appellant, and the District Education Officer (M) Shangla /

respondent No. 3 constituted a committee for recommendations, however after thorough inquiry of the committee constituted by respondent No. 3, the upgradation / promotion of Muhammad Karim was declared illegal, however the upgradation / promotion of respondent No. 8 remained undecided (Copies of notification, appeal, order dated 30-03-2019 of respondent No. 3 and order of respondent No. 2 are attached as annexure F, G, H & I respectively).

6. That appellant for several times has orally requested the official respondents to prepare seniority list of appellant, but the official respondents are clearly denying to prepare and handover the seniority list of appellant.
7. That being aggrieved from inactions, discriminatory attitude of respondents, the appellant has no other adequate and efficacious remedy, thus approached this august court inter alia on the following grounds.

**GROUNDS:**

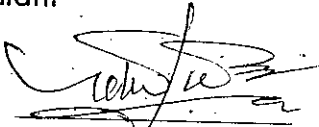
- i. That inaction and denial of the respondents to give promotion / upgradation to appellant from STT to SST is illegal, unlawful and against the principles of law and justice.
- ii. That under the terms of policy, the appellant was entitled to promotion / upgradation in SST being senior from respondent No. 8.
- iii. That though the appellant stood at serial No. 3 with merit position 49.22 and respondent No. 8 at serial No. 17 with merit position 40.72 at initial appointment order list, but even then the official respondents have illegally and unlawfully upgraded / promoted the respondent No. 8 instead of appellant being meritorious.

- iv. That the appointing authority illegally and without preparing an authentic seniority list, has favoured respondent No. 8 and promoted / upgraded him to the posts SST, whereas the policy needs seniority cum fitness and as per rules and Civil Servant Act, 1973, no vested right to particular seniority is allowed, thus the official respondents have made clear discrimination with the appellant.
- v. That according to the prevailing promotion policy of education department, 4% quota is reserved for promotion from STT to SST on seniority cum fitness base, but even then appellant has not been promoted.
- vi. That fundamental rights of the appellant has been violated by the respondents.
- vii. That promotions / upgradations of private respondents are in clear violation of established rules, law and policy and the appellant is entitled to be considered as SST.
- viii. That respondents have no power and authority to deprive the appellant from his accrued right of upgradation / promotion.
- ix. That the education department for their ulterior motives has consciously omitted discrimination with the appellant.
- x. That the education department / official respondents without adopting proper procedure have filled the SST posts without considering the appellant.
- xi. That respondents are not authorized to deny the preparation of seniority list.
- xii. Any other grounds not specifically raised will be argued with prior permission of this august court.

It is therefore very humbly prayed that, on acceptance of the instant writ petition;

- i. Inaction and denial of respondents from promotion / upgradation of appellant, may please be declared null and void.
- ii. Office Order Endost: No. 2938-42 dated 28-08-2017, may please be rectified and modified to the extent of giving promotion / upgradation to the appellant.
- iii. The appellant may please be declared to be entitle to promotion / upgradation from STT to SST.
- iv. The respondents may please be directed to promote / upgrade the appellant from STT to SST with all back benefits.
- v. Any other relief not specifically prayed but this august court deems proper may also be granted.

Appellant  
Through Counsel

  
Syed Saqanat Khan  
Advocate High Court  
Dated: 06-10-2021



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

Service Appeal No. \_\_\_\_\_ / 2021

Fazal Haqani.

...Petitioner

- VERSUS -

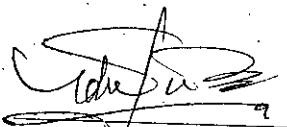
Govt: of KP and others.

...Respondents

**Certificate**

It is certified as per information of my client that no such like other service appeal has been earlier filed before this Hon'ble tribunal

Appellant  
Through Counsel

  
Syed Sultanat Khan  
Advocate High Court

**FORM OF ORDER SHEET**

Court of .....

Case No..... of.....

Date of Order or Proceedings	Order or other Proceedings with Signature of Judge and that of parties or counsel where necessary.
1	2
<p>09-03-2021</p>	<p><b><u>W.P No. 775-M/2019 with Interim Relief</u></b></p> <p><b>Present: Syed Sultanat Khan, Advocate for het petitioner.</b></p> <p><b>Mr. Haq Nawaz, Asst:A.G for the official respondents.</b></p> <p style="text-align: center;">*****</p> <p><b><u>WIQAR AHMAD, J.-</u></b> This order is directed to dispose of the petition filed by petitioner, under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973 (hereinafter referred to the "Constitution"), with the following prayer;</p> <p style="text-align: center;">"It is therefore very humbly prayed that on acceptance of the instant writ petition;</p> <ol style="list-style-type: none"> <li>i. Inaction and denial of respondents from promotion/upgradation of petitioner, may please be declared null and void;</li> <li>ii. Office order Endst No. 2938-42 dated 28.08.2017 may please be rectified and modified to the extent of giving promotion/upgradation to the petitioner</li> <li>iii. The petitioner may please be declared to be entitled to promotion/upgradation from STT to SST;</li> <li>iv. The respondents may please be directed to promote/upgrade the petitioner from STT to SST with</li> </ol>

Abdul Rehman

(D.B)

HON'BLE MR. JUSTICE IHTIAQ IBRAHIM  
HON'BLE MR. JUSTICE WIQAR AHMAD

all back benefits:

- v. Any other relief not specifically prayed but this august Court deems proper may also be granted."

2. The case was heard at some length, however when learned counsel for petitioner was asked with regard to jurisdictional contours of this Court in view of the bar contained in Article 212 of the Constitution, he stated that this Court has got no jurisdiction to entertain the petition in hand. He however requested that the instant petition may be converted into a service appeal and same may be sent to the Khyber Pakhtunkhwa Service Tribunal for adjudication.

3. Request of learned counsel for petitioner seems genuine, which is allowed. The instant writ petition is converted into an appeal in view of the law laid down by the august Supreme Court of Pakistan in its judgment given in the case of Muhammad Akram vs DCO, Rahim Yar Khan and others reported as *2017 SCMR 56* and office is directed to transmit the same along with annexures and comments etc, to the Khyber Pakhtunkhwa Service Tribunal, who shall decide the appeal of

petitioner according to law. Copy of the same be retained for office record.

Announced  
Dt: 09.03.2021

*[Signature]*  
JUDGE

*[Signature]*  
JUDGE

Certified to be True Copy

*[Signature]*

EXAMINER

Muzaffar High Court, Mingora/Dar-ul-Qaza, Swat  
Authorized Under Act No. 07 of Hassan-e-Shahadat Order 1984



**BEFORE THE PESHAWAR HIGH COURT MINGORA BENCH DARUL QAZA SWAT**

Writ Petition No.775-M/2019

Fazal Haqani S/O Fazal Mobin R/O Zara Dherai Tehsil Alpurai District Shangla.

(Petitioner)

**VERSUS**

1. The Government of Khyber Pakhtunkhwa through Secretary (E&SE) Khyber Pakhtunkhwa Peshawar.
2. The Director E & SE Khyber Pakhtunkhwa Peshawar.
3. The District Education Officer (M) at Alpurai District Shangla.
4. Secretary to Government of Khyber Pakhtunkhwa Finance Department at Peshawar.
5. Secretary to Government of Khyber Pakhtunkhwa Establishment Department at Peshawar.
6. Accountant General of Khyber Pakhtunkhwa at Peshawar.
7. District Accountant officer Shangla at Alpurai.
8. Attaur Rahman S/O Bahrul Uloom R/O Kormang District Shangla.

(Respondents)

**INDEX**

S.NO	Description of Documents	Annexure	Pages
1	Parawise Comments	-	1-2
2	Affidavit	-	3
3	Merit List	(A)	4-7
4	Copy of Mr. Fazal Haqani Appeal	(B)	8
5	Copy of Mr. Khalilullah Appeal	(C)	9
6	Copy Of Enquiry y Report	(D)	10-12
7	Copy Of Order Copy	(E)	13-14
8	Authority Letter from Respondents No.1, 2 & 3	(F)	15

Deponent 

Mian Asif Ali Shah S/O Jam Mian  
Assistant District Education Officer (M)  
Shangla

Writ Petition No.775-M/2019

A. No. 4280/21

Fazal Haqani S/O Fazal Mobin R/O Zara Dheral Tehsil Alpural District Shangla.

(Petitioner)

**VERSUS**

1. The Government of Khyber Pakhtunkhwa through Secretary (E&SE) Khyber Pakhtunkhwa Peshawar.
2. The Director E & SE Khyber Pakhtunkhwa Peshawar.
3. The District Education Officer (M) at Alpural District Shangla.
4. Secretary to Government of Khyber Pakhtunkhwa Finance Department at Peshawar.
5. Secretary to Government of Khyber Pakhtunkhwa Establishment Department at Peshawar.
6. Accountant General of Khyber Pakhtunkhwa at Peshawar.
7. District Accountant officer Shangla at Alpural.
8. Attaur Rahman S/O Bahrul Uloom R/O Kormang District Shangla.

(Respondents)

**PARAWISE COMMENTS ON BEHALF OF RESPONDENT NO 1, 2 & 3.****PRELIMINARY OBJECTIONS:-**

1. The Petitioner has no cause of action/locus standi.
2. The Petitioner has concealed the material facts from this Hon: Court, hence liable to be dismissed.
3. The Petitioner has not come to this Hon: Court with clean hands.
4. The Petitioner has filed the instant Writ Petition just to pressurize the respondents.
5. The Petitioner has filed the instant petition on mala fide motives.
6. The Petition may be dismissed being badly time barred.
7. That the Impugned order No. 2938-42 dated 28/08/2017 is lawful and liable to be maintained.

Respectfully Sheweth :

**FACTS.**

1. Correct as per record.
2. Correct as per record of this office.
3. Correct.
4. Incorrect because the respondent No. 8 was promoted to STT vide Notification No. 3994-4000/File No.1/Promotion Senior TT B-16 dated Peshawar the 28/05/2013 on the basis of the Seniority list issued at that time wherein the respondent No. 8 was at S# 33 while the Petitioner was at S# 63 who had no B.Ed which was the basic requirement for SST Post. (Copy of Seniority list is attached as Annexure "A")
5. Incorrect and baseless because the Petitioner submitted an appeal dated 30/01/2019 complaining against Mr. Muhammad karim not against the respondent No. 8 (Copy of Appeal is attached as Annexure") which shows that he had no interest to be promoted to SST but just make the process disputed after the laps of approximately two years, being badly time bared. Furthermore, on the said appeal an enquiry committee was constituted in light of the Director letter No. 9720 dated 26/01/2019 to probe into the matter and the enquiry officer recommended Mr. Khalilullah (as he also submitted an appeal) for promotion as SST. (Copy of Mr. Khalilullah Appeal is attached as Annexure "C" & Copy of the said enquiry is attached as Annexure "D")

*Subject is same  
all the relevant documents  
by Petitioner of the file  
Court*

*12/12/2020*

*12/12/2020*  
District Education Officer  
Khyber Pakhtunkhwa  
at Dar-ul-Qaza, S.W.A.P.

6. Incorrect and baseless as no correspondence regarding the issue of seniority list was carried out.
7. No need to comments. Therefore, the Impugned order dated 28/08/2017 being lawful may be maintained on the following grounds.

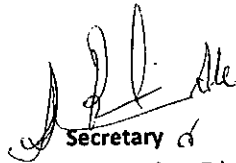
**GROUND:-**

- I. Incorrect.
- II. Incorrect as the respondent No. 8 was promoted as per existing policy.
- III. Incorrect, the respondent No. 8 was promoted to post of SST on the basis of Seniority list of STT wherein the petitioner is junior to the respondent No. 8. (Copy of the said order is attached as Annexure "E")
- IV. Incorrect and baseless as replied above.
- V. Correct to the extent that 4% quota is reserved for promotion from STT to SST.
- VI. Incorrect & baseless.
- VII. Incorrect
- VIII. Incorrect.
- IX. Incorrect as this office is bound to follow the Rules & Regulations.
- X. Incorrect
- XI. No need to comment.

**PRAYER:-**

*In view of the above, it is therefore, most humbly prayed that by acceptance of these Comments, the instant Writ Petition being badly time bared, unlawful & Speculative may graciously be dismissed with cost.*

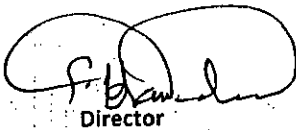
**Respondent No 1**



Secretary  
Elementary & Secondary Education  
Khyber Pakhtunkhwa Peshawar

SECRETARY  
Elementary & Secondary Education  
Dist. of Peshawar

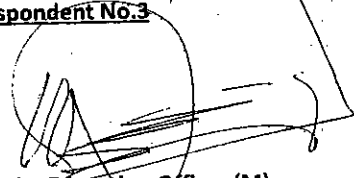
**Respondent No.2**



Director  
Elementary & Secondary Education  
Khyber Pakhtunkhwa Peshawar

SECRETARY  
Elementary & Secondary Education  
Dist. of Peshawar

**Respondent No.3**



District Education Officer (M)  
District Shangla

3

BEFORE THE PESHAWAR

JRT MINGORA BENCH DARUL QAZA SWAT

Writ Petition No.775-M/2019

4280/21

Fazal Haqani S/O Fazal Mobin R/O Zara Dherai Tehsil Alpurai District Shangla.

(Petitioner)

VERSUS

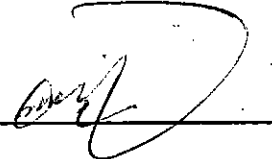
1. The Government of Khyber Pakhtunkhwa through Secretary (E&SE) Khyber Pakhtunkhwa Peshawar.
2. The Director E & SE Khyber Pakhtunkhwa Peshawar.
3. The District Education Officer (M) at Alpurai District Shangla.
4. Secretary to Government of Khyber Pakhtunkhwa Finance Department at Peshawar.
5. Secretary to Government of Khyber Pakhtunkhwa Establishment Department at Peshawar.
6. Accountant General of Khyber Pakhtunkhwa at Peshawar.
7. District Accountant officer Shangla at Alpurai.
8. Attaur Rahman S/O Bahrul Uloom R/O Kormang District Shangla.

(Respondents)

AFFIDAVIT

I Mian Asif Ali Shah Assistant District Education Officer O/O DEO (M) District Shangla do hereby solemnly affirm and declare on oath that the contents of these Parawise Comments are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.

Deponent



Mian Asif Ali Shah S/O Jam Mian  
ASSISTANT DISTRICT EDUCATION OFFICER (M)  
SHANGLA

CELL NO. 03008811866

CNIC NO. 15501-2279446-3

Dated: 01/12/2020



"A"

Annexure "A"  
Annexure "A"

(4)

SENIORITY LIST OF STT/T

MENTARY & SECONDARY EDUCATION IN DISTRICT SHANGLA

S#	Name of STT/TT With Place of Duty	Academic Qualification	Prof. Qualification	Father's Name	BPS	Date of Birth	Domicile	Date of First Entry in to Govt. Service	Date of Appointment as TT	Date of Taking over Charge in Present Post	Date of Promotion to S-TT	Remarks	Desig:
1	2	3	4	5	6	7	8	9	10	11	12	13	14
1	FAZAL MABOOD GMS Chichloo X	SSC	SY	SARDAR JEHAN	15	7-Jul-56	SHANGLA	12-Nov-80	12-Nov-80	12-Nov-80			
2	TAJ RAHIM TT GMS Barghanshal X	SY	SY	RAHIM GUL	15	3-Jan-57	SHANGLA	27-Feb-82	27-Feb-82	27-Feb-82		3 <sup>rd</sup> Division	TT
3	M.IDRESS TT GMS Bilkalai	SY	SY	M.BORHAN	15	30-Dec-60	SHANGLA	6-Jul-82	6-Jul-82	6-Jul-82		No SSC	TT
4	IHSANULLAH GMS Shahtoot	SSC	SY	MOHIBULLAH	15	6-Sep-57	SHANGLA	15-Jul-82	15-Jul-82	15-Jul-82		No SSC	TT
5	M.IDRESS TT	SY	SY	M.YOUNAS	15	30-May-60	SHANGLA	14-Mar-84	14-Mar-84	14-Mar-84		3 <sup>rd</sup> Division	TT
6	BASHIRUL HAQ GMS Langbar X	SY	SY	ABDUL HAKIM	15	12-Aug-54	SHANGLA	17/Mar/84	17/Mar/84	17/Mar/84		No SSC	TT
7	ABDUL WAHID GMS Aloch X	SY	SY	ABDUL JALAL	15	4-Sep-56	SHANGLA	2-Sep-84	2-Sep-84	2-Sep-84		No SSC	TT
8	FAZLI WADOOD.GMS Kulalai	SY	SY	FAZLI RABBI	15	1-Nov-57	SHANGLA	11-Mar-85	11-Mar-85	11-Mar-85		No SSC	TT
9	M.SHOIB GMS Dawlat Kalay	SY	SY	ABDUL BARI	15	1-Sep-63	SHANGLA	11-Mar-85	11-Mar-85	11-Mar-85		No SSC	TT
10	IHSANULLAH GMS Ajmir	SY	SY	NOORUL HUDA	15	15-May-63	SHANGLA	13-Apr-85	13-Apr-85	13-Apr-85		No SSC	TT
11	GULAB ROKHAN GHS Nakhtar	SY	SY	MONSHI	15	30-Nov-60	SHANGLA	30-Nov-85	30-Nov-85	30-Nov-85		No SSC	TT
12	ABDUL HAI GMS Sundia	SY	SY	TAIMUR SHAH	15	3-Dec-56	SHANGLA	16-Jan-86	16-Jan-86	16-Jan-86		No SSC	TT
13	SAYED QAYOUM GMS Larai Pirkhana	SY	SY	MUFTEE MAULANA	15	27-May-64	SHANGLA	24-May-86	24-May-86	30-Apr-03		No SSC	TT
14	M.AFSAR GMS Lahor	SY	SY	SAYED RAHMAT	15	10-Jan-61	SHANGLA	1-Mar-87	1-Mar-87	1-Mar-87		No SSC	TT
15	ABDUL HAQ GHSS Butyal	SY	SY	RAHMATULLAH	15	10-May-64	SHANGLA	11-May-87	11-May-87	11-May-87		No SSC	TT
16	GHANI MUHAMMAD GHS Kuz Paw		SY	DAWLAT KHAN	15	1-Jan-62	SHANGLA	29/Nov/88	29/Nov/88	29/Nov/88		No SSC	TT
17	M.ILYAS GHS Martung	SSC SY	SY	ABDUR RAUF	16	21-May-60	SHANGLA	17-May-90	17-May-90	17-May-90	1-Mar-13	No SSC	STT
18	MUHAMMAD DIN GMS Lodar	SY	SY	SAHIB ZADA	15	19-May-67	SHANGLA	19/May/90	19/May/90	19/May/90		No SSC	TT
19	MUHAMMAD ISMAIL GHS Pishloor	SSC SY	SY	SHAMSUR RAHMAN	16	1-May-68	SHANGLA	24-May-90	24-May-90	24-May-90	1-Mar-13		STT
20	FATUR RAHMan GHS Manai Maira	SY	SY	M.HALEEM	15	1-Mar-64	SHANGLA	13-Jan-91	13-Jan-91	13-Jan-91		No SSC	TT
21	KHAN ZADA GHS Dandai	MA Islamiyat	SY	KHALI RAHMAN	16	19-Jan-66	SHANGLA	19-Jan-91	19-Jan-91	19-Jan-91	1-Mar-13		STT
22	HANIFUR RAHMAN GHS Dara Serai	SY	SY	MASAOOD	15	1-Apr-67	SHANGLA	30-Jan-91	30-Jan-91	30-Jan-91			TT
23	MUMTAZUL HAQ GCMHS Chakisar	FA/SY	SY	AMIR ZAHID	16	25-May-61	SHANGLA	25-Jun-92	25-Jun-92	25-Jun-92	1-Mar-13		STT
24	ABOUL SALAM GMS Barkana	SY	SY	SAHIB ZADA	15	15-Nov-63	SHANGLA	1-Jul-92	1-Jul-92	1-Jul-92			TT
25	MATIULLAH GMS Dawcot	SY	SY	MUHSIN	15	28-Apr-65	SHANGLA	9-Apr-93	9-Apr-93	9-Apr-93		No SSC	TT
26	SAYED RAHMAN GMS Terawray		SY	ABDUL QASIM	15	1-Jan-62	SHANGLA	14-Dec-92	20-May-93	20-May-93		No SSC	TT
27	SALAMUDDIN GHS Dherai (A)	MA	SY	FAZAL MABOOD	16	28-Apr-70	SHANGLA	23-Jun-93	23-Jun-93	23-Jun-93	1-Mar-13		STT

*Handwritten signature*

28	ABDUR RAHMAN GMS Gunangar	SY	SY	MUHAMMAD TAIB	15	24-Dec-56	SHANGLA	13-Aug-94	13-Aug-94	13-Aug-94		No SSC	TT
29	FAZLUL HAQ GHS Kass Lilownai	FA	SY	KHUKULAY	16	1-Mar-70	SHANGLA	8-Oct-95	8-Oct-95	8-Oct-95	1-Mar-13		STT
30	JEHAN ZADA GHS Basi	SSC SY	SY	USMAN ZARIN	16	6-Jun-72	SHANGLA	2-Nov-96	2-Nov-96	2-Nov-96	1-Mar-13		STT
31	ANWAR FAROOQ		SY	NOORUL MAB	15	1-May-64	SHANGLA	10/Apr/99	10/Apr/99	10/Apr/99		No SSC	TT
32	AMIR WAHID GHS Fianza Puran	MA Islamyat	B.Ed	ABDUL WAHID	16	1-Jan-72	SHANGLA	1-Sep-97	1-Dec-99	1-Dec-99	1-Mar-13		STT
33	M.HABIB GHS Machkandai	MA Islamyat	SY	M.RAHMAN	16	1-Jan-77	SHANGLA	6-Apr-99	1-Jan-05	1-Jan-05	1-Mar-13		STT
34	ATAUR RAHMAN GHS Kormang	BA	SY	BAHRUL ULOOM	15	1-Jan-73	SHANGLA	1-Jan-05	1-Jan-05	1-Jan-05	1-Mar-13		STT
35	FAZLI AKBAR GHS Shang	MA Islamyat	SY	YOUSAF KHAN	16	1-Jun-75	SHANGLA	1-Jan-05	1-Jan-05	1-Jan-05	1-Mar-13		STT
36	M.KARIM GHS Dandai	FA	SY	M.HANIF	16	1-Sep-77	SHANGLA	1-Jan-05	1-Jan-05	1-Jan-05	1-Mar-13		STT
37	KIRAMAT KHAN GHS Gharai Kandaw	SSC/SY	SY	MUKARAM KHAN	16	20-Feb-79	SHANGLA	1-Jan-05	1-Jan-05	1-Jan-05	1-Mar-13		STT
38	NAZIR KHAN GHS Maira	SSC	SY	UMAR ZARIN	16	5-Mar-75	SHANGLA	1-Jan-05	1-Jan-05	1-Jan-05	1-Mar-13		STT
39	ZIA UL HAQ GHS Titwalan	SSC SY	SY	SERAJUL HAQ	16	1-Jan-72	SHANGLA	1-Mar-05	1-Mar-05	1-Mar-05	1-Mar-13		STT
40	ABDULLAH GHS Baina	BA/SY	SY	AMIR SULTAN	16	20-May-74	SHANGLA	1-Mar-05	1-Mar-05	1-Mar-05	1-Mar-13		STT
41	SARTAJ GHS Karora	MA Islamyat	SY	ABDUL GHAFUOR	16	5-Jun-74	SHANGLA	1-Mar-05	1-Mar-05	1-Mar-05	1-Mar-13		STT
42	SHER AFZAL GHS Danakool	MA Islamyat	SY	KHALI ROKHAN	16	15-Dec-74	SHANGLA	1-Mar-05	1-Mar-05	1-Mar-05	1-Mar-13		STT
43	RAHMATULLAH GHS Opal	MA Islamyat	B.Ed	SAID ABASS	16	1-Mar-75	SHANGLA	1-Mar-05	1-Mar-05	1-Mar-05	1-Mar-13		STT
44	KIFAYATULLAH GHS GHSS Shahpur	FA/SY	SY	NOORUL AHAD	16	15-Mar-75	SHANGLA	1-Mar-05	1-Mar-05	1-Mar-05	1-Mar-13		STT
45	ALI ABAS GHS Kotkay	SSC SY	SY	HAKIM KHAN	16	1-Apr-75	SHANGLA	1-Mar-05	1-Mar-05	1-Mar-05	1-Mar-13		STT
46	NOOR MUHAMMAD GHS Shikawlai	MA Islamyat	SY	MUHAMMAD GHYAS	16	2-May-75	SHANGLA	1-Mar-05	1-Mar-05	1-Mar-05	1-Mar-13		STT
47	ZAINUL ABBEDIN GHSS Olandar	SSC SY	SY	MUHAMMAD SAMIULLAH	16	25-May-75	SHANGLA	1-Mar-05	1-Mar-05	1-Mar-05	1-Mar-13		STT
48	NORUL AMIN GHS Sheshan Lilownai	BA SY	SY	BEHROZ KHAN	16	24-Nov-75	SHANGLA	1-Mar-05	1-Mar-05	1-Mar-05	1-Mar-13		STT
49	UBAIDUR RAHMAN GHS Ranyal	BA	SY	AMRALISTAN	16	1-Jan-76	SHANGLA	1-Mar-05	1-Mar-05	1-Mar-05	1-Mar-13		STT
50	IHSAN ULLAH GHS FAIZA	BA	SY	Muhammad Ghufuran	16	1-Apr-76	Shangla	1-Mar-05	1-Mar-05	1-Mar-05	1-Mar-13		STT
51	KHALILULLAH GCMHS Alpurai	MA Islamyat	SY	ABDUL KHALIQ	16	1-Apr-76	SHANGLA	1-Mar-05	1-Mar-05	1-Mar-05	1-Mar-13		STT
52	SHAFIQ ALI GCMHS Alpurai	MA/M.Ed	M.Ed	GUL MAHMMAD	16	26-May-77	SHANGLA	1-Mar-05	1-Mar-05	1-Mar-05	3-Jun-13		STT
53	ABDUL MALIK TT GHS Gharai Kandaw	BA/S.Y	S.Y	ZIAUL HAQ	16	12-Jun-77	SHANGLA	1-Mar-05	1-Mar-05	1-Mar-05	1-Mar-13		STT
54	ABDUL SHAKOOR GMS Drad	MA	S.Y	BAHRUL ULOOM	15	12-Mar-78	SHANGLA	1-Mar-05	1-Mar-05	1-Mar-05			TT
55	SAMIUL HAQ GHS Puran	MA	S.Y	FATEHUL ULOOM	16	10-Apr-78	SHANGLA	1-Mar-05	1-Mar-05	1-Mar-05	1-Mar-13		STT

*Handwritten signature*

6

15

56	NOORULLAH GHS Dherai Puran	MA	S.Y	HABIBUR RAHMAN	16	1-May-78	SHANGLA	1-Mar-05	1-Mar-05	1-Mar-05	1-Mar-13	STT
57	INAYATUL HAQ GHSS Sandóvi	MA Islamyat	S.Y	FAZAL RABI	16	2-Feb-79	SHANGLA	1-Mar-05	1-Mar-05	1-Mar-05	1-Mar-13	STT
58	SIRAJUD DIN TT	BA/B.Ed	B.Ed	M.SADIQ	15	1-Mar-79	SHANGLA	1-Mar-05	1-Mar-05	1-Mar-05		TT
59	KHALID AHMAD GHS Alpurai # 2	MA Islamyat	SY	ABDUL QAYOUM	16	10-Apr-79	SHANGLA	1-Mar-05	1-Mar-05	1-Mar-05	1-Mar-13	STT
60	KHALID KHAN GHSS Chawga	SSC	SY	JALANDAR KHAN	16	10-Apr-80	SHANGLA	1-Mar-05	1-Mar-05	1-Mar-05	3-Jun-13	STT
61	HAKIMULLAH GHS Puran	MA Islamyat	SY	RAHAT GUL	16	1-Jan-81	SHANGLA	1-Mar-05	1-Mar-05	1-Mar-05	1-Mar-13	STT
62	MUHAMMAD YAQOUB GHS Kormang	MA	SY	AMIR ZAREEN	16	1-Mar-81	SHANGLA	1-Mar-05	1-Mar-05	1-Mar-05	3-Jun-13	STT
63	BAKHT MAND ZEB GHS Pagorai	FA/SY	SY	MUSAFAR	16	20-Apr-81	SHANGLA	1-Mar-05	1-Mar-05	1-Mar-05	3-Jun-13	STT
64	FAZAL HAQANI GHS Dherai Alpurai	BA	SY	FAZAL MUBIN	16	18-Mar-83	SHANGLA	1-Mar-05	1-Mar-05	1-Mar-05	3-Jun-13	STT
65	ALI MUHAMMAD GMS Barbatkot	SSC SY	SY	MUHAMMAD SADIQ	15	1-Mar-79	SHANGLA	1-Mar-05	23-Dec-06	23-Dec-06		TT
66	<del>MUHAMMAD SALEM GMS</del>	BA SY	SY	FAREDOON	15	8-Dec-82	SHANGLA	24-Jul-07	24-Jul-07	24-Jul-07		TT
67	<del>DILAWAR GMS Enawar</del>	FA SY	SY	KAND FAROSH	15	18-Apr-79	SHANGLA	10-Oct-07	10-Oct-07	10-Oct-07		TT
68	ABDUL HAQ GMS Buneer Wall		SY	FAZLI RABBI	15	11-Apr-79	SHANGLA	1-Jan-11	1-Jan-11	1-Jan-11		TT
69	ZIA UL ISLAM GMS Katkor	MA	SY	ABDUR RAZAQ	15	1-Mar-84	SHANGLA	1-Jan-11	1-Jan-11	1-Jan-11		TT
70	<del>MUHAMMAD SALEM GMS Enawar</del>	MA	B.Ed	SAFOOR RAHMAN	15		SHANGLA	31-Oct-11	31-Oct-11	31-Oct-11		TT
71	DILAWAR KHAN GMS Soor Kamar		SY	AMANULLAH KAHN	15		SHANGLA	31-Oct-11	31-Oct-11	31-Oct-11		TT
72	QARIBULLAH GMS Dedal Kamach		SY	FAZAL MULA	15		SHANGLA	31-Oct-11	31-Oct-11	31-Oct-11		TT
73	SAJAD AHMAD GMS Pirabad		SY	ABDUL KABIR	15		SHANGLA	31-Oct-11	31-Oct-11	31-Oct-11		TT
74	WAKIL AHMAD GHS Kadona		SY	SADRATUL MUNTAHA	15		SHANGLA	31-Oct-11	31-Oct-11	31-Oct-11		TT
75	FARMAN ILAHI		SY	MUHAMMAD ANWAR	15		SHANGLA	31-Oct-11	31-Oct-11	31-Oct-11		TT
76	RAHMANULLAH GMS Barbatkot		SY	FAZAL JAMIL MIAN	15	16-Apr-87	SHANGLA	31-Oct-11	31-Oct-11	31-Oct-11		TT
77	ABDUL BASIR GMS Kabalgram		SY	QARIBUR RAHMAN	15		SHANGLA	31-Oct-11	31-Oct-11	31-Oct-11		TT
78	MUHAMMAD NASIR GMS Bazarkot		SY	NOOR HASSAN	15		SHANGLA	31-Oct-11	31-Oct-11	31-Oct-11		TT
79	M.ZIAUR RAHAMN GMS Karin Dara		SY	MUHAMMAD AYAZ	15		SHANGLA	31-Oct-11	31-Oct-11	31-Oct-11		TT
80	IKRAMULLAH GMS Sundia	M.A	SY	JAMILUD DIN	15	10-Mar-1980	SHANGLA	31-Oct-11	31-Oct-11	31-Oct-11		TT
81	IKRAMULLAH GMS Kerai		SY	NAJMULLAH	15		SHANGLA	31-Oct-11	31-Oct-11	31-Oct-11		TT
82	RAHMANI GUL GMS Banr	MA	MA	MUQAM GUL	15	13-Nov-84	SHANGLA	31-Oct-11	31-Oct-11	31-Oct-11		TT
83	RAHMATULLAH GMS Langbar Chakesar		SY	ABDUL WAHAB	15		SHANGLA	31-Oct-11	31-Oct-11	31-Oct-11		TT
84	MUHAMMAD NAWAZ GMS Kerai		SY	BAKHTYAR	15		SHANGLA	31-Oct-11	31-Oct-11	31-Oct-11		TT
85	FAZAL SUBHAN		SY	SAEEDULLAH JAN	15	2/Mar/86	SHANGLA	31/Oct/11	31/Oct/11	31/Oct/11		TT

Handwritten signature and date: 10/2/11

141

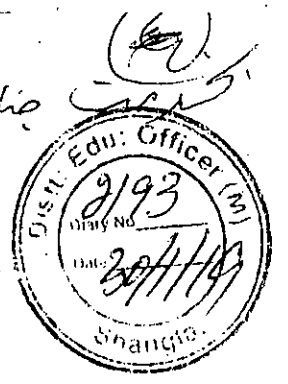
86	RUHULLAH GMS Kuzbatkot		SY	MUHAMMAD ZAKIR	15	1-Jul-70	SHANGLA	14-Jan-91	1-Nov-11	1-Nov-11		TT
87	ATTAULLAH KHAN	MA	B.Ed	JAN FRAZ	15	1-Jan-79	SHANGLA	6-Apr-99	1-Nov-11	1-Nov-11		TT
88	AHMAD NOOR GHS Alpurai # 2	MA	MA	MUHAMMADU DIN	15	15-Mar-80	SHANGLA	1-Nov-11	1-Nov-11	1-Nov-11		TT
89	HUSSIAN AHMAD GHS Kuzkana		SY	MUHAMMAD FAYAZ	15		SHANGLA	1-Nov-11	1-Nov-11	1-Nov-11		TT
90	SAMIULLAH GHS Karora		SY	SHAKIRULLAH	15		SHANGLA	1-Nov-11	1-Nov-11	1-Nov-11		TT
91	LATIFUL HAQ GHS Shawawoo	MA/B.Ed	B.Ed	KIFAYATULLAH	15	12-Mar-80	SHANGLA	1-Nov-11	1-Nov-11	1-Nov-11		TT
92	MUHAMMAD ABASS GMS Chagum	MA	SY	MENI	15	1-Jul-79	SHANGLA	1-Nov-11	1-Nov-11	1-Nov-11		TT
93	MUHAMMAD RAHIM GMS Sangrai	BA	SY	FAZAL KAREEM	15	15-Oct-85	SHANGLA	1-Nov-11	1-Nov-11	1-Nov-11		TT
94	WAQAR AHMAD GMS Larai	BA	SY	GUL MUHAMMAD	15	23-Apr-83	SHANGLA	1-Nov-11	1-Nov-11	1-Nov-11		TT
95												
96												
97												
98												

*Attested*  
*[Signature]*

DISTRICT EDUCATION OFFICER (M)  
SHANGLA  
*[Signature]*  
18/01/17

ضیرہ مختونخوا کالج

جناب ڈائریکٹر صاحب  
جناب عالی



آداب! گذارش ہے کہ میں حکم تعلیم میں

31/12 سے کنیت معلم و بنیات تعینات رہا۔ - س.ج. آسامی پر 6/13  
میں ترقی پائی۔ فی الحال میں گورنمنٹ ہائی سکول ڈھیری البوری  
میں بتعین رہا ہوں۔

حالیہ SST پروموشن ڈی پی سی میں میرٹ  
پر مجھ سے کمتر مہمی محمد کریم کو اولیت دی گئی ہے جو  
تقرر نامہ میں میرٹ پوزیشن نمبر 6 پر ہے جبکہ اسی تقرر نامہ  
میں، میں میرٹ پر سربیل نمبر 3 پر ہوں۔ SST پوسٹ  
پر تقرری پانا میرا اولین حق ہے۔ لہذا اپیل پیش خدمت ہے  
کہ محمد کریم کی جگہ میری تقرری SST پوسٹ پر تقرری کی  
احکامات صادر فرمائیں۔ فقط۔

محمد کریم

فضل حقانی S.T.T

گورنمنٹ ہائی سکول ڈھیری البوری ضلع شانگلہ

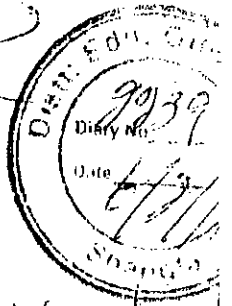
فون نمبر۔ 03449603454

Attested  
[Signature]

ADEO (S)  
For [Signature]  
[Signature]

Forwarded to The DEO (M)  
ER Secy: Shangla for favourable  
consideration.

[Signature]  
Principal  
GHS Dera Almurad 19



# درخواست (اپیل)

(D.E.O) ضلع شائنگھ

جناب عالی!

محضو رجناب ڈسٹرکٹ ایجوکیشن افسیر (M) ضلع  
 شائنگھ۔ حضور جناب سے مختلف کیڈرز سے  
 گزارش کی جاتی ہے کہ آپ کے دفتر سے لئے درخواستوں کی  
 S.S.T کو پروموشن کے لئے ڈی. پی. سی کے لئے درخواستوں کی  
 سال پوٹی تھی، چونکہ سکولوں کی چھٹیاں تھیں اور میں گھر پر نہیں  
 تھا، اس کے علاوہ فیس بک اور واٹس آپ سے بھی ہیں  
 واقف نہیں ہوں تاہم بروقت میں خبر نہیں ہوا، چونکہ  
 سپارٹس لسٹ میں میرا نام میرٹ کے مطابق ہے۔ لہذا میں  
 آپ کے حضور عاجزانہ التماس کرتا ہوں کہ آپ میرے  
 عاجزانہ اپیل کو منظور کر کے اس پر کارروائی کریں، تو  
 میں تاحیات ڈعاگو رہوں گا۔ فقط

العاض (KN)

آپ کا تابع فریمان۔ خلیل احمد S.T.T گورنمنٹ سٹیبل ماڈل  
 پائی سکول الہوریہ۔

Address  
 For reply but before  
 maybe get signed

6/02/19

Attested  
 [Signature]

for m/a p.  
 02/2/19



OFFICE OF THE DISTRICT

DISTRICT EDUCATION OFFICER (M) SHANGLA

ALPURAI

51108- Fax # 851108

CONTACT NO.

16

OFFICE ORDER

Consequent upon the appeal received from Mr. Khalil Ullah STT GCMHS Alpurai and Mr. Fazal Haqani STT GHS Dherai Alpurai regarding their promotion (Copies Enclosed).

The following committee is hereby constituted to probe in to the matter and submit report with clear cut recommendations within a week time positively.

1. Mr. Muhammad Siraj Principal GHS Dherai (Chairman)
2. Mr. Muhammad Iqbal I/C Principal GHS Lilownai (Member)

(Muhamamd Amin)  
District Education Officer (M)  
Shangla

Dated: 20/3/2019.

Endst: No. 1025-27/EB(S)/Appeal/AT/TT.

Copy of the above is forwarded to:-

1. PA to Director Elementary and Secondary Education Khyber Pakhtunkhwa, Peshawar.
2. The Enquiry Officers concerned.
3. Teachers concerned.

O/C

DY: District Education Officer (M)  
Shangla

Attested  
[Signature]

2/19

DA-III  
Date on file 20  
68  
20/04/19 19/4/19

(1)

**INQUIRY REPORT IN R/O MR. KHALIL ULLAH STT & MR. FAZAL HAQANI STT APPELLANTS FOR PROMOTION TO SST POST.**

**Introduction:-**

Reference to the office order No.1025-27/EB(S)/Appeal/AT/STT dated 30/3/2019 the appellate committee was constituted to dispose of the appeals submitted by Mr. Khalil Ullah STT GCMHS Alpurai and Mr. Fazal Haqani STT GHS Dehrai Alpurai against the expected promotion of Mr. Muhammad Karim STT GHS Manai Maira to SST.

**Brief history:-**

Mr. Khalil Ullah, Mr. Faza Haqani and Mr. Muhammad Karim etc were appointed as TT vide order No, 3356-34 dated 31/12/2004 by the competent authority DCO Shangla. According to the said appointment order Mr. Khalil Ullah S/O Abdul Khaliq stands on Serial No.01 with merit position 64.28 where as the Fazal Haqani S/O Fazal Mubin stands on serial No.3 with merit position 49.22 and Mr. Muhammad Karim S/O Muhammad Hanif stands on S. No.6 with merit position 44.82.

According to the existing rules, their seniority is to be determined from the date of their appointment in view of their merit position. The merit position has been highlighted in the preceding paragraph.

The current DPC for promotion to SST post for different cadres was held on 18/1/2019, wherein, Mr. Muhammad Karim STT was included in the working paper which aggrieved the appellants. The promotion order No. 4681-86 dated 22/2/2019 issued by the competent authority Director, Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar placing the services of Mr. Muhammad Karim SST for promotion to SST on discretion of the DEO (M) Shangla for further posting.

The DEO (M) Shangla submitted a letter No. 10 dated 1/3/2019 to the Directorate E&SED Khyber Pakhtunkhwa, Peshawar requesting for postponing the promotion of Muhammad Karim in view of appeals submitted by the aggrieved appellants till settlement of

*DA-III*  
*Line with relevant file*  
*20/4/19*

*Shahid*

*20/4/19*

*Accepted*  
*(Signature)*



Annexure 'E'

TTs (M) Shangla

153



Directorate of Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar

PH No. 091-9210389, 9210938,  
9210437, 9210957, 9210468  
Fax 091-9210936, 0800-33857  
E-mail rafiq\_kk851@yahoo.com

DEO (M)  
Shangla

**Notification**

Consequent upon the recommendations of the Departmental Promotion Committee and in pursuance of the Government of Khyber Pakhtunkhwa Elementary and Secondary Education Notification No SO(B&A)/1-18/E&SE/2012 dated 11.07.2012 and Finance Department Endorsement No SO(FR)/FD/10-22(E)/2010 dated 16.07.2012, the following Male TTs B-15 are hereby promoted to the post of Senior TT BPS-16 (Rs.10000-8000-34000) plus usual allowances as admissible under the rules on regular basis under the existing policy of the Provincial Government, in Teaching Cadre on the terms and condition given below with immediate effect and further they will be posted in the Government Higher Secondary /High Schools by the District Education Officers concerned against the newly upgraded Senior TT BPS-16 posts. they will be posted by the District Education Officer concerned on "School based":-

Total No. of TT (M) Posts duly verified by the DAO	112
1/3 share of Senior TT Posts	37
Share of promotion 100 %	37
Already Promoted to the post of Senior TT B-16	37
Posts available for Promotion	01
Promoted to the post of Senior TT B-16	01

S.No.	S.J. No.	Name of Teachers	Present Place of Posting	Date of Birth	Remarks
1	37	Attari Rehman	GHS Kurmang	01-06-1973	Services placed at the disposal of DEO (M) Shangla for further posting school based

**Terms and conditions:-**

- They would be on probation for a period of one year extendable for another one year.
- They will be governed by such rules and regulations as may be issued from time to time by the Govt.
- Their services can be terminated at any time, in case his performance is found unsatisfactory during probationary period. In case of misconduct, he shall be proceeded under the rules framed from time to time.
- Charge report should be submitted in all concerned.
- Their Inter-Se- seniority on lower post will remain intact.
- No TA/DA is allowed for joining his duty.
- They will give an under taking to be recorded in their service book to the effect that if any over payment is made to him in light this order will be recovered and if he is wrongly promoted he will be reversed.

(Muhammad Rafiq Khattak)

Director  
Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar.

336-41

Encls. No. / File No.1/Promotion Senior TT B-16: Dated Peshawar the 01/12/2014.

- Accountant General Khyber Pakhtunkhwa Peshawar.
- District Education Officers (M) Shangla
- District Accounts Officer Shangla
- Official Concerned.
- PS to the Secretary to Govt: Khyber Pakhtunkhwa E&SE Department.
- PA to the Director E&SE Khyber Pakhtunkhwa, Peshawar.
- M/ File

Dy: Director (Estab)  
Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar

Attended  
[Signature]

G. Shes gshel  
For placement order  
5/12/14

AOO (S) E&S  
[Signature]  
DEO  
05/12/14



OFFICE OF THE

DISTRICT EDUCATION OFFICER (M) SHANGLA

AT ALPURAI

CONTACT NO. (0996) 850639, 851108- Fax # 851108

OFFICE ORDER

In pursuance of the Director E & SE KPK Peshawar, Notification No 5004-9/File No. 2 promotion SSTs / (G)B-16; have been Promoted to the post of SST (G) noted against each in BPS 1 (Rs. 18910-1520-64510) plus usual allowances as admissible under the rules and are hereby adjusted against the vacant posts as per detail mentioned below in the best interest of public service from the date of their taking his over charge

S. #	Name	Post	Present School	School posted where	Remarks
1	Muhammad Numan	SST(G)	SCT GHS Dandai	GMS Piaz Maira	A.V.P
2	Muhammad Niaz	SST(G)	SCT GMS Bazarkot	GMS Bar Batkot	A.V.P
3	Sherin Zada	SST(G)	SCT GHS Fianza Pura	GHS Karin Dara	
4	Muhammad Sadullah	SST(G)	SCT GCMHS Alpurai	GHS Opal	
5	Gul Zada	SST(G)	PSHT GPS Danakul	GHS Danakul	
6	Abdul Jabbar	SST(G)	SDM GHS Baina	GHS Enawar	
7	Arfa Ur Rehman	SST(G)	SAT GHS Kormang	GHS Kormang	
8	Muhammad Saleem	SST(G)	SCT GHS Kass Lilownai	GMS Punyal	
9	Fazli Wadood	SST(G)	SCT GHS Lilownai	GMS Bazarkot	
10	Imdad Ullah	SST(G)	SAT GHS Murtung	GHS Murtung	

TERMS & CONDITIONS

1. They would be on Probation for a period of one year extendable for another one year.
2. They will be governed by such rules and regulations as may be issued from time to time by the Govt.
3. Their services can be terminated at any time, in case their performance is found unsatisfactory during probationary period. In case of misconduct, They shall be proceeded under the rules framed from time to time.
4. Charge report should be submitted to all concerned.
5. Their inter-se-seniority on lower post will remain intact.
6. No TA/DA is allowed for joining their duties.
7. They will give an under taking to be recorded in their service books to the effect that if any over payment is made to them in light of this order will be recovered and if they are wrongly promoted they will be reversed.
8. They will be governed by such rules and regulations as may be issued from time to time by the Govt.
9. Before handing over charge once again their documents may be checked if they have not the required relevant qualification as per rules they may not be handed over charge of their posts.

Endost: - No. 2938-42

DISTRICT EDUCATION OFFICER (M)

DISTRICT SHANGLA

Dated 28/8/2017

Copy forwarded for information to :-

- 1) PS to Secretary Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.
- 2) The Director Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.
- 3) The District Account Officer Shangla.
- 4) The Principal/Head Master Concerned
- 5) The District Monitoring Officer, Shangla.
- 6) The District Nazim, Shangla.
- 7) The Local accountants.
- 8) The Teacher Concerned.

Attested  
[Signature]

DISTRICT EDUCATION OFFICER (M)


AUTHORITY LETTER

As per Honorable Peshawar High court Mingora Bench/ Darul Qaza Swat requisite:  
Mr. Mian Asif Ali Shah Assistant District Education Officer (M) Shangla is hereby authorized to  
submit Joint Para wise Comments in Writ Petition No.775-M/20189 title Fazal Haqani Vs  
Government of Khyber Pakhtunkhwa & others on behalf of us.



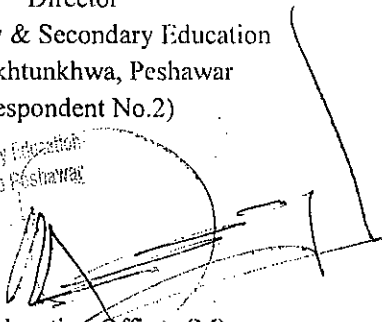
Secretary  
Elementary & Secondary Education  
Khyber Pakhtunkhwa, Peshawar  
(Respondent No.1)

Elementary and Secondary Education  
Government of Khyber Pakhtunkhwa



Director  
Elementary & Secondary Education  
Khyber Pakhtunkhwa, Peshawar  
(Respondent No.2)

Director  
Elementary & Secondary Education  
Khyber Pakhtunkhwa Peshawar



District Education Officer (M)  
District Shangla  
(Respondent No.3)

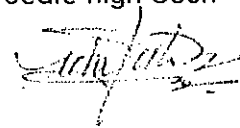
## BEFORE THE PESHAWAR HIGH AT PESHAWAR

### CHECK LIST

1.	Case Title	Fazal Haqani VS Govt. of KP and others
2.	Case is duly signed	Yes
3.	The law under which the case is preferred has been mentioned	Yes
4.	Approved file Cover is used	Yes
5.	Affidavit is duly attested and appended	Yes
6.	Case and annexures are properly paged and numbered according to index	Yes
7.	Copies of annexures are legible and attested. If not, then better copies duly attested have been annexed	Yes
8.	Certified copies of all the requisite documents have been filed	Yes
9.	Certificate specifying that no case on similar grounds was earlier submitted in this court, filed	Yes
10.	Case is within time	Yes
11.	The value for the purpose of court fee and jurisdiction has been mentioned in the relevant column	Yes
12.	Court fee in shape of stamp paper is affixed. (For writ Rs. 100 for other as required)	Yes
13.	Power for attorney is in proper form	Yes
14.	Memo of attorney is in proper form	Yes
15.	List of books mentioned in the petition.	Yes
16.	The requisite number of spare copies attached. (Writ Petition-3 Nos, Civil Appeal (SB-1, DB-2), Civil Revision (SB-1, DB-2)	Yes
17.	Case (Revision / Appeal / Petition etc) is filed on a prescribed form	Yes
18.	Power of attorney is attested by jail authority (For jail prisoners only)	No

It is certified that formalities / documentation as required in column 2 to 18 above, have been fulfilled.

Name: Syed Sultanat Khan  
Advocate High Court

Signature: 

Date:

#### FOR OFFICE USE ONLY

Case No.

Case received on

Complete in all respect: Yes/No (if no, the grounds)

Date in Court:

Signature:

(Reader)

Dated:

Countersigned:

(Add: Deputy Registrar)

**IN THE PESHAWAR HIGH COURT PESHAWAR**  
**OPENING SHEET FOR WRIT PETITION**

Case No. ....  
 Dated of Filing: .....  
 District: DISTRICT SWAT

Case Type: Writ Petition Nature of Original Proceedings: Initial

Original Order Forum	Date	Review / Appellate / Revision			Order	Bench
		S.#	Forum	Date		
					Interlocutory	Single Bench
					Final Order	Division Bench
						Full Court

1. Petitioner (s) : Fazal Haqani  
 Mobile No. 0344-9603454  
 Address: Zara, Dherai, Tehsil Alpurai, District Shangla. NIC: 15501 | 6150679 | 1

2. Petitioner (s) Counsel: Syed Sultana Khan  
 Mobile No. 0346-9451026  
 Address: 3<sup>rd</sup> Floor, Continental Plaza, Makanbagh, Mingora, District Swat. NIC: 15602 | 6321507 | 7

3. Respondents (s): Govt. of KP and others  
 Mobile No. Nil  
 Address: Peshawar & Shangla NIC: | | Nil

Original Order / Action / Inaction Complained of

Prayer:

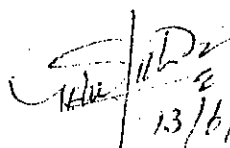
It is therefore very humbly prayed that, on acceptance of the instant writ petition:

- Inaction and denial of respondents from promotion / upgradation of petitioner, may please be declared null and void.
- Office Order Endost: No. 2938-42 dated 28-08-2017, may please be rectified and modified to the extent of giving promotion / upgradation to the petitioner.
- The petitioner may please be declared to be entitle to promotion / upgradation from STT to SST.
- The respondents may please be directed to promote / upgrade the petitioner from STT to SST with all back benefits.
- Any other relief not specifically prayed but this august court deems proper may also be granted.

Law / rules governing the original proceedings / Action / Inaction

Writ Petition Under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973

Signature of Petitioner or Counsel:

  
 13/6/18 Dated

**BEFORE THE PESHAWAR HIGH COURT MINGORA**  
**BENCH AT SWAT**

W.P No. 775 / 2019

Fazal Haqani.

...Petitioner

- VERSUS -


Govt: of KP and others.

...Respondents

**INDEX**

S #	Description of documents	Annexure	Pages
1.	Writ petition along with interim relief and list of books	.....	1-5
2.	Certificate	.....	6
3.	Affidavit	.....	7
4.	Memo Of Addresses	.....	8
5.	Copy of NIC of petitioner	A	8A
6.	Copy of appointment order	B	9-10
7.	Copies of notification dated 28-05-2013 and order dated 03-06-2013	C & D	11-13
8.	Copies of order dated 28-08-2017	E	14
9.	Copies of notification, appeal, order dated 30-03-2019 and order of respondent No. 2	F, G, H & I	15-26
10.	Court Fee	.....	27
11.	Notice for information	.....	28
12.	Wakalat Nama	.....	29

PETITIONER  
THROUGH COUNSEL

  
SYED SALTANAT KHAN  
ADVOCATE HIGH COURT  
Office: 3<sup>rd</sup> Floor, Continental Plaza,  
Makanbagh, Mingora, District  
Swat.

Cell: 0346-9451026

Dated: 15-06-2019

**FILED TODAY**

**15 JUN 2019**

Additional Registrar

**Re-Filed Today**

**27 JUN 2019**

Additional Registrar

**BEFORE THE PESHAWAR HIGH COURT MINGORA**  
**BENCH AT SWAT**

W.P No. 775 / 2019

Fazal Haqani S/o Fazal Mubin R/o Zara, Dherai, Tehsil Alpurai,  
 District Shangla.

...Petitioner

- VERSUS-

1. Government of Khyber Pakhtunkhwa through Secretary of Elementary & Secondary Education at Civil Secretariat Peshawar.
2. Director of Elementary & Secondary Education, Government of Khyber Pakhtunkhwa at Peshawar.
3. District Education Officer (M)Shangla.
4. Secretary to Government of Khyber Pakhtunkhwa, Finance, Department at Peshawar.
5. Secretary to Government of Khyber Pakhtunkhwa, Establishment Department at Peshawar.
6. Accountant General of Khyber Pakhtunkhwa at Peshawar.
7. District Accountant Officer Shangla at Alpurai.
8. Attaur Rahman S/o Bahrul Uloom R/o Kormang, District Shangla.

...Respondents

Writ Petition Under Article 199 of the Constitution of  
 Islamic Republic of Pakistan, 1973.

---

**FILED TODAY**  
**15 JUN 2019**

Additional Registrar

Respectfully Sheweth;

1. That petitioner is bonafide resident of Zara, Dherai, Tehsil Alpurai, District Shangla (Copy of NIC of petitioner is annexure A).
2. That vide letter No. 3356-34 dated 31-12-2004, the petitioner was appointed as Theology Teacher (TT) (Male) in Government Middle School Banr, District Shangla (Copy of appointment order is attached as annexure B).
3. That vide order Endst No. 3994-4000/File No.1/Promotion Senior TT B-16 Dated Peshawar the 28-05-2013, the petitioner was promoted against the post of Senior TT (BPS-16) at Government High School Dehrai, Alpurai, District Shangla, however, later on vide office order / adjustment Endost: No. 2804-10 dated 03-06-2013, the petitioner adjusted / transferred to the above said school in pursuance of the notification dated 28-05-2013. (Copies of notification dated 28-05-2013 and order dated 03-06-2013 are attached as annexure C & D).
4. That vide order Endost: No. 2938-42 dated 28-08-2017, the education department has promoted a junior one from STT to SST, despite the fact that petitioner is senior, who is at serial No. 3 in the appointment order list, has been illegally dropped and respondent No. 8, who is at serial No. 17 in the above said appointment order list has been promoted from the post of Senior Theology Teacher (STT) to Secondary School Teacher (SST) (Copies of order dated 28-08-2017 is annexure E).
5. That after getting knowledge of the above said impugned promotion / upgradation of respondent No. 8, and another notification Endst: No. 4681-86/File No.2/Promotion SST B-16 Dated Peshawar the 22-02-2019, wherein some posts of STTs were upgraded to SSTs, but again petitioner was illegally

**FILED TODAY**

15 JUN 2019

Additional Registrar



and unlawfully dropped and one Muhammad Karim S/o Mohammad Hanif R/o Maira, District Shangla, who was at serial No. 6 in the appointment order list, was upgraded instead of petitioner, against which appeal was filed by petitioner, and the District Education Officer (M) Shangla / respondent No. 3 constituted a committee for recommendations, however after thorough inquiry of the committee constituted by respondent No. 3, the upgradation / promotion of Muhammad Karim was declared illegal, however the upgradation / promotion of respondent No. 8 remained undecided (Copies of notification, appeal, order dated 30-03-2019 of respondent No. 3 and order of respondent No. 2 are attached as annexure F, G, H & I respectively).

6. That petitioner for several times has orally requested the official respondents to prepare seniority list of petitioner, but the official respondents are clearly denying to prepare and handover the seniority list of petitioner.
7. That being aggrieved from inactions, discriminatory attitude of respondents, the petitioner has no other adequate and efficacious remedy, thus approached this august court inter alia on the following grounds.

**GROUNDS:**

- i. That inaction and denial of the respondents to give promotion / upgradation to petitioner from STT to SST is illegal, unlawful and against the principles of law and justice.
- ii. That under the terms of policy, the petitioner was entitled to promotion / upgradation in SST being senior from respondent No. 8.
- iii. That though the petitioner stood at serial No. 3 with merit position 49.22 and respondent No. 8 at serial No. 17 with

**FILED TODAY**  
15 JUN 2019

Additional Registrar

merit position 40.72 at initial appointment order list, but even then the official respondents have illegally and unlawfully upgraded / promoted the respondent No. 8 instead of petitioner being meritorious.

- iv. That the appointing authority illegally and without preparing an authentic seniority list, has favoured respondent No. 8 and promoted / upgraded him to the posts SST, whereas the policy needs seniority cum fitness and as per rules and Civil Servant Act, 1973, no vested right to particular seniority is allowed, thus the official respondents have made clear discrimination with the petitioner.
- v. That according to the prevailing promotion policy of education department, 4% quota is reserved for promotion from STT to SST on seniority cum fitness base, but even then petitioner has not been promoted.
- vi. That fundamental rights of the petitioner has been violated by the respondents.
- vii. That promotions / upgradations of private respondents are in clear violation of established rules, law and policy and the petitioners is entitled to be considered as SST.
- viii. That respondents have no power and authority to deprive the petitioner from his accrued right of upgradation / promotion.
- ix. That the education department for their ulterior motives has consciously omitted discrimination with the petitioner.
- x. That the education department / official respondents without adopting proper procedure have filled the SST posts without considering the petitioner.

FILED TODAY

15 JUN 2019

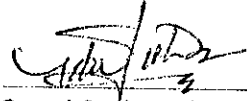
Additional Registrar

- xi. That respondents are not authorized to deny the preparation of seniority list.
- xii. Any other grounds not specifically raised will be argued with prior permission of this august court.

It is therefore very humbly prayed that, on acceptance of the instant writ petition;

- i. Inaction and denial of respondents from promotion / upgradation of petitioner, may please be declared null and void.
- ii. Office Order Endost: No. 2938-42 dated 28-08-2017, may please be rectified and modified to the extent of giving promotion / upgradation to the petitioner.
- iii. The petitioner may please be declared to be entitle to promotion / upgradation from STT to SST.
- iv. The respondents may please be directed to promote / upgrade the petitioner from STT to SST with all back benefits.
- v. Any other relief not specifically prayed but this august court deems proper may also be granted.

Petitioner  
Through Counsel

  
Syed Sattamat Khan  
Advocate High Court  
Dated: 15-06-2019

Interim Relief:

By way of interim relief the respondents may please be restrained from taking any adverse action against the petitioner, till disposal of the captioned writ petition.

  
Syed Sattamat Khan  
Advocate High Court  
15/6/19


List of Books:

- 1) Constitution of Islamic Republic of Pakistan 1973.
- 2) Civil Servant Act, 1973
- 3) Case law according to need.

**FILED TODAY**

15 JUN 2019

Additional Registrar

  
Syed Sattamat Khan  
Advocate High Court

**BEFORE THE PESHAWAR HIGH COURT MINGORA**  
**BENCH AT SWAT**

W.P No. 775 / 2019  
33

Fazal Haqani.

...Petitioner

- VERSUS -

Govt: of KP and others.

...Respondents

**Certificate**

It is certified that as per instruction received from my client that no such like other writ petition has been earlier filed before this august Court.

Petitioner  
Through Counsel

  
15/6/19  
Syed Salfanat Khan  
Advocate High Court

**FILED TODAY**

**15 JUN 2019**

**Additional Registrar**

**BEFORE THE PESHAWAR HIGH COURT MINGORA**  
**BENCH AT SWAT**

W.P No. 775-M / 2019

Fazal Haqani.

...Petitioner

- VERSUS -


Govt: of KP and others.

...Respondents

**Affidavit**

I, Fazal Haqani S/o Fazal Mubin R/o Zara, Dherai, Tehsil Alpurai, District Shangla, do hereby solemnly affirm and declares, all the contents of this writ petition are true and correct to the best of my knowledge and belief and nothing has been kept concealed therein from this august court.

Deponent:



Fazal Haqani  
(Petitioner In Person)

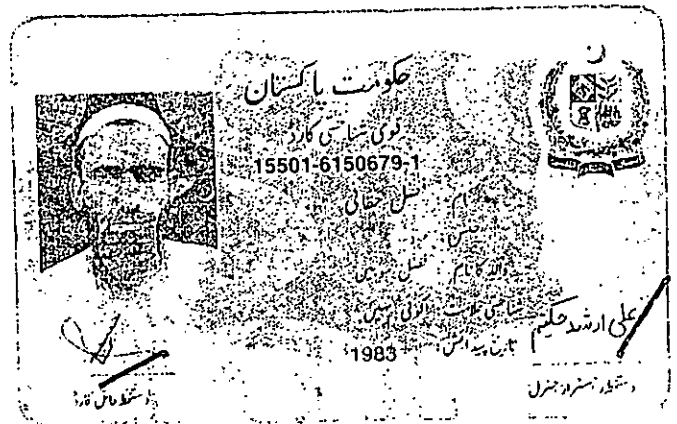
**FILED TODAY**

**15 JUN 2019**

Additional Registrar

S.No. 2711  
Certified that the above was verified on Solemn affirmation before me on this 15<sup>th</sup> day, of June 2019 by Fazal Haqani S/o Fazal Mubeen R/o Shangla who was identified by Kelly  
..... Who is personally known to me.

ADDL: REGISTRAR  
Peshawar High Court  
Mingora Bench/Dar-ul-Qaza, Swat.



**BEFORE THE PESHAWAR HIGH COURT MINGORA**  
**BENCH AT SWAT**

W.P No. 775 / 2019

Fazal Haqani.

...Petitioner

- VERSUS -

Govt: of KP and others.

...Respondents

**Memo of Addresses**

**Addresses of Petitioner:**

Fazal Haqani S/o Fazal Mubin R/o Zara, Dherai, Tehsil Alpurai,  
District Shangla.

CNIC No: 15501-6150679-1

Cell No: 0344-9603454

**Addresses of Respondents:**


1. Government of Khyber Pakhtunkhwa through Secretary of Elementary & Secondary Education at Civil Secretariat Peshawar.
2. Director of Elementary & Secondary Education, Government of Khyber Pakhtunkhwa at Peshawar.
3. District Education Officer (M)Shangla.
4. Secretary to Government of Khyber Pakhtunkhwa, Finance Department at Peshawar.
5. Secretary to Government of Khyber Pakhtunkhwa, Establishment Department at Peshawar.
6. Accountant General of Khyber Pakhtunkhwa at Peshawar.
7. District Accountant Officer Shangla at Alpurai.
8. Attaur Rahman S/o Bahrul Uloom R/o Kormang, District Shangla.

**FILED TODAY**

15 JUN 2019



Additional Registrar

Petitioner  
Through Counsel

  
15/6/19  
Syed Sultana Khan  
Advocate High Court




(8-A)

حکومت پاکستان  
ملی ایشیادہنگام  
15501-6150679-1  
مسئلہ حقان  
1983



ملی ایشیادہنگام  
15501-6150679-1  
مسئلہ حقان  
1983

T1J2LS قاتلین سہ 15501-6150679-1  
ملی ایشیادہنگام  
11333311804  
31/05/2023 17/06/2010  
ملی ایشیادہنگام  
15501-6150679-1  
مسئلہ حقان  
1983



Office order / Appointment.

Consequent upon the approval by the District Selection Board Shangla in its meeting held on 31/12/2004, the District Coordination Officer (Chairman DSB) District Shangla has been pleased to appoint the following candidates as T.T. (Male) Contract / Permanent (in case of already in-service) in BPS-07 (Rs.2220-120-5820) with usual allowances in schools noted against each from the date of taking over charge in the interest of public service.

S.#	Name of Candidate	Residence	Merit Position	School Where Posted	Nature of Eligibility/ Remarks
1	Khailullah S/O Abdul Khaliq	Lilownai	64.25	GCMHS Alurai	Open Merit
2	Badshah Zamin S/O Mohd Yamin	Lilownai	61.19	GHS Lilownai	Open Merit
3	Fazal Haqani S/O Fazal Mubin	Zara	49.22	GMS Banr	Open Merit
4	Hakimullah S/O Rahat Gul	Bengalai	46.56	GHS Puran	Open Merit
5	Jan-Rahman S/O Imralistan	Sangrai	45.33	GMS Sangrai	Open Merit
6	Mohd Karim S/O Mohd Hanif	Maira	44.82	GHS Dandai	Open Merit
7	Hisamuddin S/O Mohd Amin	Godar Banda	44.77	GHS Shikawlai	Open Merit
8	Abdul Malik S/O Ziaul Haq	Bengalai	44.70	GHS Gharai Kandaw	Open Merit
9	Mohd Habib S/O Mohd Rahman	Machkandar	44.43	GMS Enawar	Open Merit
10	Noorullah S/O habiburahman	Chagum (P)	44.22	GHS Gharai Kandaw	Open Merit
11	Shafiq Ahmad S/O Gul Mohd	Lilownai	43.74	GMS Larai (Lilownai)	Open Merit
12	Ihsanullah S/O Mohd Ghufan	Alpurai	43.63	GMS Gandaw	Open Merit
13	Noor Mohd S/O Mohd Ghayas	Kolalai	43.55	GHSS Chawqa	Open Merit
14	Fazal Akbar S/O Yosaf Khan	Maira	41.87	GMS Kuz Batkor	Open Merit
15	Samiul Haq S/O Fathul Uloom	Sundovi	41.32	GHS Puran	Open Merit
16	Abdullah S/O Amir Sultan	Shikawlai	41.31	GMS Kadona	Open Merit
17	Ataur Rahman S/O Bahrul Uloom	Kormang	40.72	GMS Kormang	Open Merit
18	Abdul Hadi S/O Abdul Qadeem	Ajmiar	40.14	GMS Chichlo	Open Merit
19	Mushtaq Ahmad S/O Mohd Sidiq	Ajmiar	39.93	GMS Sundia	Open Merit
20	Khalid Khan S/O Jalandar Khan	Enawar	39.83	GMS Dunkacha	Open Merit
21	Inayatul Haq S/O Fazal Rabbi	Sundovi	39.64	GHSS Sundovi	Open Merit
22	Noorul Amin S/O Bahroz Khan	Lilownai	39.51	GMS Shangla	Open Merit
23	Abdus Shakeer S/O Bahrul Uloom	Sundovi	39.22	GMS Drad	Open Merit
24	Dawlat Khan S/O Subhan	Chakisar	38.29	GMS Katkore	Open Merit
25	Rahmatullah S/O Said Abas	Karora	37.76	GMS Danakool	Open Merit
26	Nazir Khan S/O Umar Zarin	Maira	37.41	GMS Dawoct	Open Merit
27	Mohd Rahman S/O Fazal Karim	K. Kana	37.03	GHSS Butyal	Open Merit
28	Ziaul Haq S/O Sirjul Haq	Dankool	36.86	GHS Amnovi	Open Merit
29	Ali Abbas S/O Hakim Khan	Alpurai	36.64	GMS Chakal	Open Merit
30	Khalid Ahmad S/O Abdul Qayoom	Lilownai	36.61	GMS Managay	Open Merit
31	Kiramal Khan S/O Mukaram Khan	Bengalai	36.22	GMS Dedal	Open Merit
32	Sher Afzal S/O Khali Rokhan	Khadang	36.13	GMS Khadang	Open Merit
33	Bakht Mand Zeb S/O Musafar	Pagorai	35.85	GMS Pir Abad	Open Merit
34	Zainul Abidin S/O Mohd Samiullah	Damorai	35.39	GHS Dunkacha	Open Merit
35	Sirajuddin S/O Mohd Sadiq	Puran	35.36	GHS Dehrai Puran	Open Merit
36	Sartaj S/O Abdul Ghafoor	Shahtoot Kana	35.26	GMS Shahtoot	Open Merit

Terms & Conditions: -

- 1) The Appointment is purely on contract basis against BPS-09 plus usual allowances as admissible under the rules except the candidates already in service.
- 2) The initial period of appointment shall be three years, after which the contract will be renewed or otherwise by the appointing authority keeping in view the performance of the concerned in case of fresh candidates.
- 3) The appointment of the above candidates subject to the verification of their domicile/academic documents etc: from the concerned authority.
- 4) The service of the above candidates will be liable to termination at any time without assigning any prior notice / reason. In case of seeking resignation without prior notice, by any teacher, one month pay and allowances if any shall be forfeited to Govt. treasury.
- 5) The candidates should join their posts within fifteen days of the issue of their orders except the appointees in those schools where winter vacation is running. In such areas the appointees should take over charge from 01/03/2005 if applicable.



Better Copy  
Page 9

**OFFICE OF THE DISTRICT COORDINATION OFFICER DISTRICT SHANGLA.**

**Office order / Appointment.**

Consequent upon the approval by the District Selection Board Shangla in its meeting held on 31/12/2004, the District Coordination Officer (Chairman DSB) District Shangla has been pleased to appoint the following candidates as TT. (Male) Contract / Permanent (in case of already in-service) in BPS-07 (Rs.2220-120-5820) with usual allowances in schools noted against each from the date of taking over charge in the interest of public service.

S.#	Name of Candidate	Residence	Merit Position	School Where Posted	Nature of Eligibility/ Remarks
1	Khalilullah S/O Abdul Khaliq	Lilownai	64.28	GCMHS Alurai	Open Merit
2	Badshah Zamin S/O Mohd Yamin	Lilownai	61.19	GHS Lilownai	Open Merit
3	Fazal Haqani S/O Fazal Mubin	Zara	49.22	GMS Banr	Open Merit
4	Hakimullah S/O Rahat Gul	Bengalai	46.56	GHS Puran	Open Merit
5	Jan Rahman S/O Imralistan	Sangrai	46.33	GMS Sangrai	Open Merit
6	Mohd Karim S/O Mohd Hanif	Maira	44.82	GHS Dandai	Open Merit
7	Hisamuddin S/O Mohd Amin	Godar Banda	44.77	GHS Shikawlai	Open Merit
8	Abdul Malik S/O Ziaul Haq	Bengalai	44.70	GHS Gharai Kandaw	Open Merit
9	Mohd Habib S/O Mohd Rahman	Machkandai	44.43	GMS Enawar	Open Merit
10	Noorullah S/O habiburahman	Chagum (P)	44.22	GHS Gharai Kandaw	Open Merit
11	Shafiq Ahmad S/O Gul Mohd	Lilownai	43.74	GMS Larai (Lilownai)	Open Merit
12	Ihsanullah S/O Mohd Ghufuran	Alpurai	43.63	GMS Gandaw	Open Merit
13	Noor Mohd S/O Mohd Ghayas	Kolalal	43.55	GHSS Chawga	Open Merit
14	Fazal Akbar S/O Yosaf Khan	Maira	41.87	GMS Kuz Batkor	Open Merit
15	Samiul Haq S/O Fathul Uloom	Sundovi	41.32	GHS Puran	Open Merit
16	Abdullah S/O Amir Sultan	Shikawlai	41.31	GMS Kadona	Open Merit
17	Ataur Rahman S/O Bahrul Uloom	Kormang	40.72	GMS Kormang	Open Merit
18	Abdul Hadi S/O Abdul Qadeem	Ajmiar	40.14	GMS Chichlo	Open Merit
19	Mushtaq Ahamd S/O Mohd Sidiq	Ajmiar	39.93	GMS Sundia	Open Merit
20	Khalid Khan S/O Jalandar Khan	Enawar	39.83	GMS Dunkacha	Open Merit
21	Inayatul Haq S/O Fazal Rabbi	Sundovi	39.64	GHSS Sundovi	Open Merit
22	Noorul Amin S/O Bahroz Khan	Lilownai	39.51	GMS Shangla	Open Merit
23	Abdus Shakoor S/O Bahrul Uloom	Sundovi	39.22	GMS Drad	Open Merit
24	Dawlat Khan S/O Subhani	Chakisar	38.29	GMS Katkore	Open Merit
25	Rahmatullah S/O Said Abas	Karora	37.76	GMS Danakool	Open Merit
26	Nazir Khan S/O Umar Zarin	Maira	37.41	GMS Dawoot	Open Merit
27	Mohd Rahman S/O Fazal Karim	K. Kana	37.03	GHSS Butyal	Open Merit
28	Ziaul Haq S/O Sirjul Haq	Dankool	36.86	GHS Amnovi	Open Merit
29	Ali Abbas S/O Hakim Khan	Alpurai	36.64	GMS Chakal	Open Merit
30	Khalid Ahmad S/O Abdul Qayoom	Lilownai	36.61	GMS Managay	Open Merit
31	Kirammat Khan S/O Mukaram Khan	Bengalai	36.22	GMS Dedal	Open Merit
32	Sher Afzal S/O Khali Rokhan	Khadang	36.13	GMS Khadang	Open Merit
33	Bakht Mand Zeb S/O Musafar	Pagorai	35.85	GMS Pir Abad	Open Merit
34	Zainul Abidin S/O Mohd Samiullah	Damorai	35.39	GMS Dunkacha	Open Merit
35	Sirajuddin S/O Mohd Sadiq	Puran	35.38	GHS Dehrai Puran	Open Merit
36	Sarlaj S/O Abdul Ghafoor	Shahtool Kana	35.26	GMS Shahtool	Open Merit

**Terms & Conditions:-**

- 1) The Appointment is purely on contract basis against BPS-09 plus usual allowances as admissible under the rules except the candidates already in service.
  - 2) The initial period of appointment shall be three years, after which the contract will be renewed or otherwise by the appointing authority keeping in view the performance of the concerned in case of fresh candidates.
  - 3) The appointment of the above candidates subject to the verification of their domicile/academic documents etc: from the concerned authority.
  - 4) The service of the above candidates will be liable to termination at any time without assigning any prior notice / reason. In case of seeking resignation without prior notice, by any teacher, one month pay and allowances if any shall be forfeited to Govt. treasury.
  - 5) The candidates should join their posts with in fifteen days of the issue of their orders except the appointees in those schools where winter vacation is running. In such areas the appointees will take over charge from 01/03/2005. Failing which their appointment will be automatically treated as cancelled.
- The fresh candidates will not be handed over charge if: 1) 18 or below 18 years.

Asstt. District Officer  
District Shingla

Attested by

Syed S. Hanat Khan  
Advocate High Court  
0346-9451026

- 7) The appointment is subject to the production of health & age certificate from the medical Superintendent concerned in case of fresh appointment.
- 8) The concerned drawing disbursing officer should check their original Certificates / domicile etc before handing over charge and attested copies of the agreement signed on both the sides be furnished for record.
- 9) No TA/DA is allowed being fresh appointment and Charge report should be submitted in duplicate to all concerned.
- 10) The candidate will be governed by the terms and conditions of service mentioned in agreement enforced under the rules.
- 11) They will not claim seniority in case of appointment on contract base.
- 12) The fresh appointees will liable to be transferred/replaced by senior teachers working in far flung areas.
- 13) If documents of Academic Qualification / Samal etc of any one were found bogus OR any Madrasa was found unrecognised by the Education Department in a result of re verification / inquiry, appointment of such persons will be treated as cancelled automatically.

(SHER BAHADUR KHAN)  
DISTRICT COORDINATION OFFICER /  
CHAIRMAN DSB  
DISTRICT SHANGLA

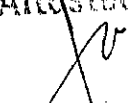
Endost: No. 3356-34

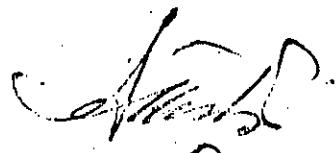
Dated 3/1/2004

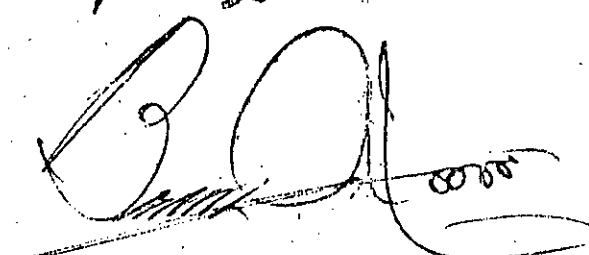
Copy to: -

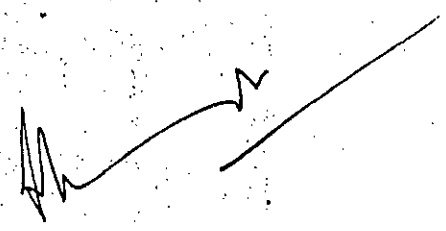
- 1) The secretary Schools & Literacy Department N.W.F.P, Peshawar.
- 2) The Director Schools & Literacy N.W.F.P, Peshawar.
- 3) The EDO Schools & Literacy Shangla.
- 4) The District Accounts Officer Shangla.
- 5) The Principal / H/M GHSS / GHS / GMS / Concerned.
- 6) The Candidates concerned.

Attested by

  
Syed Sultana Khan  
Advocate High Court  
0346-5451026





  
DISTRICT COORDINATION OFFICER /  
CHAIRMAN DSB  
DISTRICT SHANGLA

Executive District Officer  
Schools & Literacy  
District Shangla

(10)

- 7) Appointment is subject to the production of health & age certificate from the medical superintendent concerned in case of fresh appointment.
- 8) The concerned drawing disbursing officer should check their original Certificates / domicile etc before handing over charge and attested copies of the agreement signed on both the sides be furnished for record.
- 9) No TA/DA is allowed being fresh appointment and Charge report should be submitted in duplicate to all concerned.
- 10) The candidate will be governed by the terms and conditions of service mentioned in agreement enforced under the rules.
- 11) They will not claim seniority in case of appointment on contract base.
- 12) The fresh appointees will liable to be transferred/replaced by senior teachers working in far flung areas.
- 13) If documents of Academic Qualification / Sanad etc of any one were found bogus OR any Madrasa was found unrecognized by the Education Department in a result of re verification / inquiry, appointment of such persons will be treated as cancelled automatically.

(SHER BAHADUR KHAN)  
 DISTRICT COORDINATION OFFICER /  
 CHAIRMAN DSB  
 DISTRICT SHANGLA

Endost: No. 3356-34

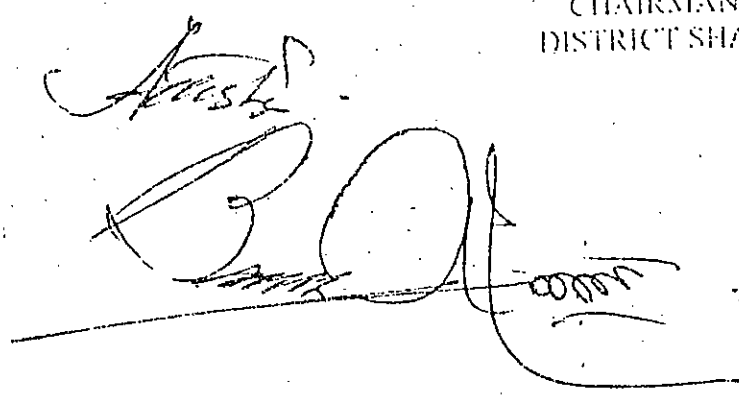
Dated 31/12/2004

Copy to: -

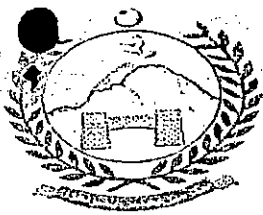
- 1) The secretary Schools & Literacy Department N.W.F.P. Peshawar.
- 2) The Director Schools & Literacy N.W.F.P. Peshawar.
- 3) The EDO Schools & Literacy Shangla.
- 4) The District Accounts Officer Shangla.
- 5) The Principal / H/M GHSS / GHS / GMS / Concerned.
- 6) The Candidates concerned.

DISTRICT COORDINATION OFFICER /  
 CHAIRMAN DSB  
 DISTRICT SHANGLA

19 20  
 4740  
 780



Executive District Officer  
 Schools & Literacy  
 District Shangla



**Directorate of Elementary and Secondary Education**  
**Khyber Pakhtunkhwa Peshawar**

PH No. 091-9210389, 9210938,  
9210437, 9210957, 9210468  
Fax 091-9210936, 0800-53857  
E-mail rafiq\_kk851@yahoo.com

Annexure  
"C"

### Notification

Consequent upon the recommendations of the Departmental Promotion Committee and in pursuance of the Government of Khyber Pakhtunkhwa Elementary and Secondary Education Notification NoSO(B&A)/1-18/E&SE/2012 dated 11.07.2012 and Finance Department Endorsement No SO(I/R)/FD/10-22(E)/2010 dated 16.07.2012, the following Male TTs B-15 are hereby promoted to the post of Senior TT BPS-16 (Rs.10000-800-34000) plus usual allowances as admissible under the rules on regular basis under the existing policy of the Provincial Government, on the terms and condition given below with immediate effect and further they will be posted in the Government Higher Secondary /High Schools by the District Education Officers concerned against the newly upgraded Senior TT BPS-16 posts:-

Total No. of TT (M) Posts duly verified by the DAO	112
1/3 share of Senior TT Posts	37
Share of promotion 100 %	37
Already promoted as STT B-16	31
Posts available for promotion	06
Promoted as STT B-16	05
Deferred for promotion	01

S#	S#	Name With	Place Of Duty	Date of Birth	Remarks
1	48	Abdullah TT	GHS Shikawalai	20/05/1974	Services placed at the disposal of DEO (M) Shangla for further posting.
2	60	Shafiq Ahmad TT	GMS Larai Liloonai	26/05/1977	---Do---
3	69	Khalid Khan TT	GMS Encwar	10/04/1980	---Do---
4	71	Muhammad Yaqoub TT	GHS Ranyal	01/03/1981	---Do---
5	73	Pazal Haqani TT	GHS Dehrai Alpurai	18/03/1983	---Do---

#### Terms and conditions:-

- 1 They would be on probation for a period of one year extendable for another one year.
- 2 They will be governed by such rules and regulations as may be issued from time to time by the Govt.
- 3 Their services can be terminated at any time, in case his performance is found unsatisfactory during probationary period. In case of misconduct, he shall be preceded under the rules framed from time to time.
- 4 Charge report should be submitted to all concerned.
- 5 Their Inter-Se seniority on lower post will remain intact.
- 6 No TA/DA is allowed for joining his duty.
- 7 They will give an under taking to be recorded in their service book to the effect that if any over payment is made to him in light this order will be recovered and if he is wrongly promoted he will be reversed.

(Muhammad Rafiq Khattak)  
Director  
Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar.

(12)

794-4000

Endst: No. / File No.1/Promotion Senior TT B-16: Dated Peshawar the 28/08/2013.

Copy forwarded for information and necessary action to the:

1. Accountant General Khyber Pakhtunkhwa Peshawar.
2. District Education Officers (M) Shangla.
3. District Accounts Officer Shangla.
4. Official Concerned.
5. PS to the Secretary to Govt: Khyber Pakhtunkhwa E&SE Department.
6. PA to the Director E&SE Khyber Pakhtunkhwa, Peshawar.
7. M/File

*[Handwritten Signature]*  
28/8/2013

**Dy: Director (Estab)**  
Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar



Annexure  
D11  
OFFICE OF THE  
DISTRICT EDUCATION OFFICER  
DISTRICT SHANGLA  
CONTACT NO. (0996) 850639, 851108- Fax # 851108

TT (M)  
SHANGLA II

OFFICE ORDER / ADJUSTMENT

Consequent upon the promotion/up gradation of TTs (M) to BPS-16 vide notification No. 3994-4000/File No.1/Promotion Senior TT B-16: Dated Peshawar the 28/05/2013 issued by the Director, E&SE, Khyber Pakhtunkhwa, Peshawar and the resultant of Promotion of TTs from Middle Schools as well as Up gradation of TT Posts in Higher/ High Schools in the District, the following TTs (M) BPS-16 and BPS-15 are hereby transferred / adjusted in their own pay / scale and schools as mentioned against their names each in the best interest of public service with effect from 29/05/2013. ✓

S.#	NAME OF TEACHER & DESIGNATION	BPS	FROM	TO	REMARKS
1	Abdullah TT	16	GMS Kulalai	GMS Baina	Up graded post
2	Shafiq Ahmad TT	16	GMS Larai Lilownai	GCMHS Alpurai	Up graded post
3	Khalid Khan TT	16	GMS Enawar	BHSS Chawga	Up graded post
4	Muhammad Yaghoob TT	16	GMS Sangrai	GMS Kormang	up graded post
5	Fazal Haqani TT	16	GMS Dherai (A)	GMS Dherai (A)	up graded post
6	Waqar Ahmad TT	15	GCMHS Alpurai	GMS Larai	Against serial # 2
7	Attarur Rahman TT	15	GMS Sangrai	GMS Sangrai	Against serial # 4
8	Jan Feroz TT	15	GMS Chawga	GMS Enawar	Against serial # 3
9	Fazli Wadond	15	GMS Baina	GMS Kulalai	Against serial # 1

TERMS AND CONDITION:

1. They would be on probation for a period of one year extendable for another one year
2. They would be governed by such rules and regulations as may be issued from time to time by the Govt.
3. Their services can be terminated at any time in case his performance is found unsatisfactory during probationary period in case of miss conduct, he shall be proceeded under the rules framed from time to time.
4. Charge report should be submitted to all concerned.
5. Their inter-se-seniority on lower post will remain intact.
6. No TA/DA is allowed for joining his duty.
7. They will give an under taking to this effect to be recorded in their service book to the effect that if any overpayment is made to him in light this order will be recovered and if he is wrongly promoted he will be reversed.

(MUHAMMAD JAVED)  
DISTRICT EDUCATION OFFICER (M/F)  
DISTRICT SHANGLA

ENDOST:- No. 2804-10 DATED 3/06/2013.

Copy of the above is forwarded for information and necessary action to:-

1. PS to Secretary Education Department Khyber Pakhtunkhwa.
2. PA to Director Education Department Khyber Pakhtunkhwa, Peshawar.
3. District Account Officer Shangla.
4. The DEO (M) Shangla.
5. The Principals/ Headmasters Concerned.
6. DEMIS Cell Shangla.
7. The Teachers Concerned.
8. Personal file.

DEPUTY DISTRICT EDUCATION OFFICER (M/F)  
DISTRICT SHANGLA

OFFICE OF THE DISTRICT EDUCATION OFFICER (M) SHANGLA

AT ALPURAI

CONTACT NO. (0996) 850639. 851108- Fax # 851108

Annexure  
"E"

OFFICE ORDER.

In pursuance of the Director E & SE KPK Peshawar, Notification No 5004-9/File No. promotion SSTs (G)B-16; have been Promoted to the post of SST (G) noted against each in BPS 1 (Rs. 18910-1520-64510) plus usual allowances as admissible under the rules and are hereby adjusted against the vacant posts as per detail mentioned below in the best interest of public service from the date of their taking his over charge.

S. #	Name	Post	Present School	School where posted	Remarks.
1	Muhammad Numan	SST(G)	SCT GHS Dandai	GMS Piaz Maira	A.V.P
2	Muhammad Niaz	SST(G)	SCT GMS Bazarkot	GMS Bar Batkot	A.V.P
3	Sherin Zada	SST(G)	SCT GHS Fiaza Pujan	GHS Karin Dara	
4	Muhammad Sadullah	SST(G)	SCT GCMHS Alpurai	GHS Opal	
5	Gul Zada	SST(G)	PSHT GPS Danaku	GHS Danakul	
6	Abdul Jabbar	SST(G)	SDM GHS Baina	GHS Enawar	
7	Atta Ur Rehman	SST(G)	SCT GHS Kormang	GHS Kormang	
8	Muhammad Saleem	SST(G)	SCT GHS Kass Lilowai	GMS Punyal	
9	Fazli Wadood	SST(G)	SCT GHS Lilowai	GMS Bazarkot	
10	Imdad Ullah	SST(G)	SCT GHS Murtung	GHS Murtung	

TERMS & CONDITIONS:-

1. They would be on Probation for a period of one year extendable for another one year.
2. They will be governed by such rules and regulations as may be issued from time to time by the Govt.
3. Their services can be terminated at any time, in case their performance is found unsatisfactory during probationary period. In case of misconduct, They shall be proceeded under the rules framed from time to time.
4. Charge report should be submitted to all concerned.
5. Their inter-se-seniority of lower post will remain intact.
6. No TA/DA is allowed for joining their duties.
7. They will give an undertaking to be recorded in their service books to the effect that if any over payment is made to them in light of this order will be recovered and if they are wrongly promoted they will be reversed.
8. They will be governed by such rules and regulations as may be issued from time to time by the Govt.
9. Before handing over charge once again their documents may be checked if they have not the required relevant qualification as per rules they may not be handed over charge of their posts.

DISTRICT EDUCATION OFFICER (M)  
DISTRICT SHANGLA

Dated 28/8/2017.

Endost: - No. 2938-42

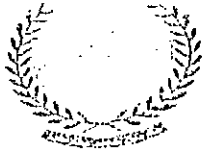
Copy forwarded for information to :-

- 1) PS to Secretary Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.
- 2) The Director Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.
- 3) The District Account Officer Shangla.
- 4) The Principal/Head Master Concerned
- 5) The District Monitoring Officer, Shangla.
- 6) The District Nazim, Shangla.
- 7) The Local accountants.
- 8) The Teacher Concerned.

DISTRICT EDUCATION OFFICER (M)  
DISTRICT SHANGLA

(11)  
Annexure  
(F)

SSTs (M) Shongla  
Directorate of Elementary and Secondary Education



**Notification**

Consequent upon the recommendations of the Departmental Promotion Committee and in pursuance of the Government of Khyber Pakhtunkhwa Elementary and Secondary Education Notification NASO(PE)/4-5/SSKC/Meeting/2013/Teaching Cadre dated 27 July 2014, the following SCTs/CTs, SDMs/DMs, SATs/ATs, STTs/TTs, Senior Quasis/Quasis, PSHTs/SPSTs/PSTs are hereby promoted to the post of SST (Bio-Chem), SST (Phy-Maths), SST (General) noted against each BPS-16 (Rs. 18910-1520-64510) plus usual allowances as admissible under the rules on regular basis under the existing policy of the Provincial Government, on the terms and condition given below with immediate effect and further they will be posted by the District Education Officer concerned.

**A. SST (Bio/Chem)**

**1. PROMOTION OF PSHT/SPST/PST TO SST (Bio/Chem) BPS-16.**

Total No. of SST Bio/Chem (M) Posts vacant Posts	04
25% share initial recruitment	01
75% share for Promotion.	03
20 % Share of promotion of PSHT/SPST/PST	01
Posts available for promotion	01
Proposed for Promotion	01
Recommended for promotion	01

S.No	S.I. No	Name of Official & Present Place of Posting	Date of Birth	Date of Appoint: as Regular PST	Qualification	Remarks
01		Dr. Farooq SPS, Dera	25/1983	11/12/11	BSc B Ed	Services placed at the disposal of DED (M) Shongla for further posting against SST (Bio/Chem) post.

**A. SST (Phy-Maths)**

**1. PROMOTION OF PSHT/SPST/PST TO SST (Phy-Maths) BPS-16.**

Total No. of SST Phy-Maths (M) Posts vacant Posts	04
25% share initial recruitment	01
75% share for Promotion.	03
20 % Share of promotion of PSHT/SPST/PST	01
Posts available for promotion	01
Proposed for Promotion	01
Recommended for promotion	01

S. No	S.I. No	Name of Official & Present Place of Posting	Date of Birth	Date of Appoint: as Regular PST	Qualification	Remarks
01		Dr. Farooq SPS, Dera	25/1983	11/12/11	BSc B Ed	Services placed at the disposal of DED (M) Shongla for further posting against SST (Phy-Maths) post.

**B. SST (General)**

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

Total No. of vacant Posts of SST (General)	17
25% share initial recruitment	04

*Handwritten signature*





SSTs (M) Shangla  
Directorate of Elementary and Secondary Education

**Notification**

Consequent upon the recommendations of the Departmental Promotion Committee and in pursuance of the Government of Khyber Pakhtunkhwa Elementary and Secondary Education Notification NoSO(PE)/4-5/SSRC/Meeting/2013/Teaching Cadre dated 24<sup>th</sup> July, 2014, the following SCTs/CTs, SDMs/DMs, SATs/ATs, STTs/TTs, Senior Qaris/Qaris, PSHTs/SPSTs/PSTs are hereby promoted to the post of SST (Bio-Chem), SST (Phy-Maths), SST (General) noted against each BPS-16 (Rs. 18910-1529-64510) plus usual allowances as admissible under the rules on regular basis under the existing policy of the Provincial Government, on the terms and condition given below with immediate effect and further they will be posted by the District Education Officer concerned.

**A. SST (Bio/Chem)**

**1. PROMOTION OF PSHT/SPST/PST TO SST (Bio/Chem) BPS-16.**

Total No. of SST Bio/Chem (M) Posts vacant Posts	04
25% share initial recruitment	01
75% share for Promotion.	03
20 % Share of promotion of PSHT/SPST/PST	01
Posts available for promotion	01
Proposed for Promotion	01
Recommended for promotion	01

S.No	S.L No	Name of Official & Present Place of Posting	Date of Birth	Date of Appoint: as Regular PST	Qualification	Remarks
1	80	Bakht Jinnal GPS Brain	3/2, 1983	1/11/2011	BSc/B.Ed	Services placed at the disposal of DEO (M) Shangla for further posting against SST (Bio/Chem) post.

**A. SST (Phy-Maths)**

**1. PROMOTION OF PSHT/SPST/PST TO SST (Phy-Maths) BPS-16.**

Total No. of SST Phy-Maths (M) Posts vacant Posts	04
25% share initial recruitment	01
75% share for Promotion.	03
20 % Share of promotion of PSHT/SPST/PST	01
Posts available for promotion	01
Proposed for Promotion	01
Recommended for promotion	01

S. No	S.L No	Name of Official & Present Place of Posting	Date of Birth	Date of Appoint: as Regular PST	Qualification	Remarks
1	79	Fasihul Islam GPS Sanganai	4/4/1983	1/11/2011	BSc/B.Ed	Services placed at the disposal of DEO (M) Shangla for further posting against SST (Phy-Maths) post

**B. SST (General)**

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

Total No. of vacant Posts of SST (General)	17
25% share initial recruitment	04

*[Handwritten signature]*

16

75% share for Promotion.	SSTs (M) Shangla	00
20 % Share of promotion of SCT/LT		06
Posts available for promotion		06
Proposed for Promotion		06
Recommended for promotion		06

S. No	S.L. No	Name of Official & Present Place of Posting	Date of Birth	Date of Appoint: as Regular CT	Qualifica tion	Remarks
1	18	Hasan Ali GHS	26.11.1939	1.7.1997	MA/B Ed	Services placed at the disposal of DEO (M) Shangla for further posting against SST (General) post.
2	19	Hasan Ali GHS	6.11.1967	1.1.1996	MA/B Ed	-----do-----
3	20	Azizullah Khan GHS	15.1.1969	13.7.1998	MA/B Ed	-----do-----
4	21	Muhammad GHS	1.1.1977	1.1.1998	MA/B Ed	-----do-----
5	22	Muhammad GHS	28.3.1981	1.1.1998	MA/B Ed	-----do-----
6	23	Muhammad GHS	29.10.1981	1.1.1998	MA/B Ed	-----do-----

**2. PROMOTION OF PSHT/SPST/PST TO SST (General) BPS-16.**

Total No. of vacant Posts of SST (General)	17
25% share initial recruitment	04
75% share for Promotion.	03
20 % Share of promotion of PSHT/SPST/PST	03
Posts available for promotion	03
Proposed for Promotion	03
Recommended for promotion	03

S. No	S.L. No	Name of Official & Present Place of Posting	Date of Birth	Date of Appoint: as Regular PST	Qualifica tion	Remarks
1	18	Disha Ali GHS Kolar	10.1.1976	7.01.1998	BA/B Ed	Services placed at the disposal of DEO (M) Shangla for further posting against SST (General) post.
2	19	Aliat Husein GHS	12.11.1969	1.3.1997	BA-B Ed	-----do-----
3	20	Hasan Ali GHS Ashra	29.01.1970	30.3.1998	BA-B Ed	-----do-----

**3. PROMOTION OF SDM/DM TO SST (General) BPS-16.**

Total No. of vacant Posts of SST (General)	17
25% share initial recruitment	04
75% share for Promotion.	13
0.1 % Share of promotion of SDM/DM	01
Posts available for promotion	01
Proposed for Promotion	01
Recommended for promotion	01

S. No	S.L. No	Name of Official & Present Place of Posting	Date of Birth	Date of Appoint: as Regular DM	Qualifica tion	Remarks
1	21	Muhammad Nawaz GHS	15.1.1971	15.7.1998	MA/B Ed	Services placed at the disposal of DEO (M) Shangla for further posting

*Handwritten signature*

Better copy page No-16

**SSTs (M) Shangla 2**

75% share for Promotion.	06
40 % Share of promotion of SCT/CT	06
Posts available for promotion	06
Proposed for Promotion	06
Recommended for promotion	06

S. No	S.L. No.	Name of Official & Present Place of Posting	Date of Birth	Date of Appoint: as Regular CT	Qualifica tion	Remarks
1	27	Fazal Noman GHS Chauda	26/11/1939	1/7/1998	MA/B.Ed	Services placed at the disposal of DEO (M) Shangla for further posting against SST (General) post.
2	28	Hussain Ali GHS, Sandora	6/12/1965	1/3/1998	MA/B.Ed	-----do-----
3	30	Azizullah Khan GHS Pogoran	15/1/1969	1/3/1998	MA/B.Ed	-----do-----
4	40	Ammullah GHS Amnava	1-1-1970	1/3-1998	MA/B Ed	-----do-----
5	41	Mohammad Ali GHS Domocai	18/5/1983	1/3-1998	MA/B Ed	-----do-----
6	42	Ahmad Zada GHS Poran	26/10/64	1/3/1998	MA/B Ed	-----do-----

**2. PROMOTION OF PSHT/SPST/PST TO SST (General) BPS-16.**

Total No. of vacant Posts of SST (General)	17
25% share initial recruitment	04
75% share for Promotion.	03
20 % Share of promotion of PSHT/SPST/PST	03
Posts available for promotion	03
Proposed for Promotion	03
Recommended for promotion	03

S. No	S.L. No	Name of Official & Present Place of Posting	Date of Birth	Date of Appoint: as Regular PST	Qualifica tion	Remarks
1	18	Dildar Ali GPS Kekor	11/3/1970	7/3/1990	BA/B.Ed	Services placed at the disposal of DEO (M) Shangla for further posting against SST (General) post.
2	19	Altaf Hussain GPS Naway Kalay Shapur	1/4/1964	7/3/1970	BA/B.Ed	-----do-----
3	20	Hidayat Ali GPS Ashru Borahat	29/4/1970	30/3/1970	BA/B.Ed	-----do-----

**3. PROMOTION OF SDM/DM TO SST (General) BPS-16.**

Total No. of vacant Posts of SST (General)	17
25% share initial recruitment	04
75% share for Promotion.	13
04 % Share of promotion of SDM/DM	01
Posts available for promotion	01
Proposed for Promotion	01
Recommended for promotion	01

S. No	S.L. No	Name of Official & Present Place of Posting	Date of Birth	Date of Appoint: as Regular DM	Qualifica tion	Remarks
1	30	Mohammad Nawab GHS Kadana	1/4/1971	16/2-1988	MA/B.Ed	Services placed at the disposal of DEO (M) Shangla for further posting

*Handwritten signature/initials*

17

SSTs (M) Shungla 3  
against SST (General) post

**4. PROMOTION OF SA/TA TO SST (General) BPS:**

Total No. of vacant Posts of SST (General)	17
25% share initial recruitment	04
75% share for Promotion	13
04% Share of promotion of SA/TA	01
Posts available for promotion	01
Proposed for Promotion	01
Recommended for promotion	01

S.No	S.I. No	Name of Official & Present Place of Posting	Date of Birth	Date of Appoint. as Regular	Qualification	Remarks
	13	Abhishek Kumar & Son, D.D. Shungla	19/11/77	11/11/2005	UACH Ed	Services placed at the disposal of DEO (M) Shungla for further posting against SST (General) post.

**5. PROMOTION OF ST/TT TO SST (General) BPS:**

Total No. of vacant Posts SST (General)	17
25% share initial recruitment	04
75% share for Promotion	13
04% Share of promotion of ST/TT	01
Posts available for promotion	01
Proposed for Promotion	01
Recommended for promotion	01

S.No	S.I. No	Name of Official & Present Place of Posting	Date of Birth	Date of Appoint. as Regular	Qualification	Remarks
	13	Abhishek Kumar & Son, D.D. Shungla	19/11/77	11/11/2005	UACH Ed	Services placed at the disposal of DEO (M) Shungla for further posting against SST (General) post.

**6. PROMOTION OF S.Qari/Qari TO SST (General) BPS:**

Total No. of vacant Posts of SST (General)	17
25% share initial recruitment	04
75% share for Promotion	13
03% Share of promotion of S.Qari/Qari	01
Posts available for promotion	01
Proposed for Promotion	01
Recommended for promotion	01

S.No	S.I. No	Name of Official & Present Place of Posting	Date of Birth	Date of Appoint. as Regular	Qualification	Remarks
	13	Ramesh Chandra GDSI Shungla	22/11/75	15/11/1995	UACH Ed	Services placed at the disposal of DEO (M) Shungla for further posting against SST (General) post.

**Terms and conditions:-**

1. They would be on probation for a period of one year extendable for another one year.
2. They will be governed by such rules and regulations as may be issued from time to time by the Govt.
3. Their services can be terminated at any time, in case their performance is found unsatisfactory during probationary period. In case of misconduct, they shall be proceeded under the rules framed from time to time.

*Handwritten signature*

SSTn (M) Shangla 3

against SST (General) post.

4. PROMOTION OF SAT/AT TO SST (General) BPS-

Total No. of vacant Posts of SST (General)	17
25% share initial recruitment	04
75% share for Promotion.	13
04 % Share of promotion of SAT/AT	01
Posts available for promotion	01
Proposed for Promotion	01
Recommended for promotion	01

S.No	S.L No	Name of Official & Present Place of Posting	Date of Birth	Date of Appoint: as Regular AT	Qualification	Remarks
1	18	Hammadullah GIS Machhokhar	22/5/1970	1/3/1998	MA/B Ed	Services placed at the disposal of DEO (M) Shangla for further posting against SST (General) post.

5. PROMOTION OF STI/TT TO SST (General) BPS-

Total No. of vacant Posts SST (General)	17
25% share initial recruitment	04
75% share for Promotion.	13
04 % Share of promotion of STI/TT	01
Posts available for promotion	01
Proposed for Promotion	01
Recommended for promotion	01

S.No	S.L No	Name of Official & Present Place of Posting	Date of Birth	Date of Appoint: as Regular TT	Qualification	Remarks
1	33	Muhammad Karam GIS Muzni (Muzni)	19/1977	1/1/2003	MA/B Ed	Services placed at the disposal of DEO (M) Shangla for further posting against SST (General) post.

6. PROMOTION OF S.Qari/Qari TO SST (General) BPS-

Total No. of vacant Posts of SST (General)	174
25% share initial recruitment	04
75% share for Promotion.	13
03 % Share of promotion of S.Qari/Qari	01
Posts available for promotion	01
Proposed for Promotion	01
Recommended for promotion	01

S.No	S.L No	Name of Official & Present Place of Posting	Date of Birth	Date of Appoint: as Regular Qari	Qualification	Remarks
1	10	Rahman Ud Din GIS Laitawa	4/1/1973	21/1/1995	BA/B Ed	Services placed at the disposal of DEO (M) Shangla for further posting against SST (General) post.

Terms and conditions:-

- 1 They would be on probation for a period of one year extendable for another one year.
- 2 They will be governed by such rules and regulations as may be issued from time to time by the Govt.
- 3 Their services can be terminated at any time, in case their performance is found unsatisfactory during probationary period. In case of misconduct, they shall be preceded under the rules framed from time to time.

*[Handwritten signature]*

18

SSTs (M) Shangha

- 1. Charge report should be submitted to an concerned
- 2. Their Inter Se seniority on lower post will remain intact.
- 3. No EA/DA is allowed for winning bid date
- 4. They will cure on under taking to be recorded in their service book to the effect that if any over payment is made to him in light this order will be recovered and if he/she is overpaid promoted he/she will be reversed.
- 5. They will be governed by such rules and regulations as may be issued from time to time by the Govt.
- 6. Their posting will be made on School based, they will have to serve at the place of posting, and their service is not transferable to any other station.
- 7. Before handing over charge once again their document may be checked if they have not the required relevant qualifications as per rules, they may not be handed over charge of the post.

(Muqiz Dr. Muhammad Ibrahim)  
 Director  
 Elementary and Secondary Education  
 Khyber Pakhtunkhwa Peshawar

Enclst: No. 4681-86. / File No. 27/Proration: SST II-10 Dated Peshawar the 22/2/2019

Copy forwarded for information and necessary action to the:-

1. Accountant General Khyber Pakhtunkhwa Peshawar.
2. District Education Officer (M) Shangha.
3. District Accounts Officer Shangha
4. Official Concerned.
5. PS to the Secretary to Govt. Khyber Pakhtunkhwa ESSF Department.
6. PA to the Director ESSF, Khyber Pakhtunkhwa, Peshawar.
7. M/ File

*(Signature)*  
 Dy: Director (Estdy)  
 Elementary and Secondary Education  
 Khyber Pakhtunkhwa Peshawar

Better copy page No-18

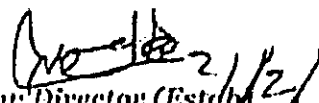
SSTs (M) Shangla a

- 4 Charge report should be submitted to all concerned.
- 5 Their Inter-Se seniority on lower post will remain intact.
- 6 No TA/DA is allowed for joining his duty
- 7 They will give an under taking to be recorded in their service book to the effect that if any over payment is made to him in light this order will be recovered and if he/she is wrongly promoted he/She will be reversed.
- 8 They will be governed by such rules and regulations as may be issued from time to time by the Govt.
- 9 Their posting will be made on School based, they will have to serve at the place of posting, and their service is not transferable to any other station.
- 10 Before handing over charge once again their document may be checked if they have not the required relevant qualifications as per rules, they may not be handed over charge of the post.

(Hafiz Dr. Muhammad Ibrahim)  
Director  
Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar

Endst: No. 4681-86. / File No.2/Promotion SST B-16: Dated Peshawar the 22/2/2019  
Copy forwarded for information and necessary action to the:-

1. Accountant General Khyber Pakhtunkhwa Peshawar.
2. District Education Officer (M) Shangla.
3. District Accounts Officer Shangla.
4. Official Concerned.
5. PS to the Secretary to Govt: Khyber Pakhtunkhwa E&SE Department.
6. PA to the Director E&SE Khyber Pakhtunkhwa, Peshawar.
7. M/File

  
Dy: Director (Estab) 2/2/19  
Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar



19

SSTs (M) Shaugla 3  
against SST (General) post

**4. PROMOTION OF SA/VA TO SST (General) BPS:**

Total No. of vacant Posts of SST (General)	17
25% share initial recruitment	04
25% share for Promotion	13
04% Share of promotion of SA/VA	01
Posts available for promotion	01
Proposed for Promotion	01
Recommended for promotion	01

S.No.	Sl. No.	Name of Official & Present Place of Posting	Date of Birth	Date of Appoint. as Regular	Qualification	Remarks
	01	...	...	...	...	Services placed at the disposal of DEO (M) Shaugla for further posting against SST (General) post.

**5. PROMOTION OF ST/TT TO SST (General) BPS:**

Total No. of vacant Posts SST (General)	17
25% share initial recruitment	04
25% share for Promotion	13
04% Share of promotion of ST/TT	01
Posts available for promotion	01
Proposed for Promotion	01
Recommended for promotion	01

S.No.	Sl. No.	Name of Official & Present Place of Posting	Date of Birth	Date of Appoint. as Regular	Qualification	Remarks
	01	...	...	...	...	Services placed at the disposal of DEO (M) Shaugla for further posting against SST (General) post.

**6. PROMOTION OF S. Qari/Qari TO SST (General) BPS:**

Total No. of vacant Posts of SST (General)	17
25% share initial recruitment	04
25% share for Promotion	13
04% Share of promotion of S. Qari/Qari	01
Posts available for promotion	01
Proposed for Promotion	01
Recommended for promotion	01

S.No.	Sl. No.	Name of Official & Present Place of Posting	Date of Birth	Date of Appoint. as Regular	Qualification	Remarks
	01	...	...	...	...	Services placed at the disposal of DEO (M) Shaugla for further posting against SST (General) post.

**Terms and conditions:-**

1. They shall be on probation for a period of one year extendable for another one year.
2. They shall be governed by such rules and regulations as may be issued from time to time by the Govt.
3. Their services can be terminated at any time, in case their performance is found unsatisfactory during probationary period. In case of misconduct, they shall be proceeded under the rules framed from time to time.

*Handwritten signature*



19

**SSTs (M) Shungla 3**  
against SST (General) post

**4. PROMOTION OF SAI/AL TO SST (General) BPS:**

Total No. of vacant Posts of SST (General)	17
25% share initial recruitment	04
75% share for Promotion	13
04% Share of promotion of SAI/AL	01
Posts available for promotion	01
Proposed for Promotion	01
Recommended for promotion	01

S. No.	S.I. No.	Name of Official & Present Place of Posting	Date of Birth	Date of Appoint. as Regular	Qualification	Remarks
	13	Alak Kumar Dasgupta Muz. Officer	1973	1993	B.A. H.L.D.	Services placed at the disposal of DEO (M) Shungla for further posting against SST (General) post.

**5. PROMOTION OF SSI/TT TO SST (General) BPS:**

Total No. of vacant Posts SST (General)	17
25% share initial recruitment	04
75% share for Promotion	13
04% Share of promotion of SSI/TT	01
Posts available for promotion	01
Proposed for Promotion	01
Recommended for promotion	01

S.No.	S.I. No.	Name of Official & Present Place of Posting	Date of Birth	Date of Appoint. as Regular	Qualification	Remarks
	13	Alak Kumar Dasgupta Muz. Officer	1973	1993	B.A. H.L.D.	Services placed at the disposal of DEO (M) Shungla for further posting against SST (General) post.

**6. PROMOTION OF S Quri/Quri TO SST (General) BPS:**

Total No. of vacant Posts of SST (General)	174
25% share initial recruitment	04
75% share for Promotion	13
03% Share of promotion of S Quri/Quri	01
Posts available for promotion	01
Proposed for Promotion	01
Recommended for promotion	01

S.No.	S.I. No.	Name of Official & Present Place of Posting	Date of Birth	Date of Appoint. as Regular	Qualification	Remarks
	13	Kamran Ullah Muz. Officer	1973	1993	B.A. H.L.D.	Services placed at the disposal of DEO (M) Shungla for further posting against SST (General) post.

**Terms and conditions:-**

- They shall be on probation for a period of one year extendable for another one year.
- They will be governed by such rules and regulations as may be issued from time to time by the Govt.
- Their services can be terminated at any time, in case their performance is found unsatisfactory during probationary period. In case of misconduct, they shall be proceeded under the rules framed from time to time.

*[Handwritten signature]*

SST<sub>0</sub> (M) Shangla 3

against SST (General) post.

4. PROMOTION OF SAT/AT TO SST (General) BPS-

Total No. of vacant Posts of SST (General)	17
25% share initial recruitment	04
75% share for Promotion.	13
04 % Share of promotion of SAT/AT	01
Posts available for promotion	01
Proposed for Promotion	01
Recommended for promotion	01

S. No	S.L. No	Name of Official & Present Place of Posting	Date of Birth	Date of Appoint. as Regular AT	Qualification	Remarks
1	13	Hammadah GIS Mochkunda	22/3/1970	13/1/1998	MA/B Ed	Services placed at the disposal of DEO (M) Shangla for further posting against SST (General) post.

5. PROMOTION OF STI/TT TO SST (General) BPS-

Total No. of vacant Posts SST (General)	17
25% share initial recruitment	04
75% share for Promotion.	13
04 % Share of promotion of STI/TT	01
Posts available for promotion	01
Proposed for Promotion	01
Recommended for promotion	01

S.No	S.L. No	Name of Official & Present Place of Posting	Date of Birth	Date of Appoint. as Regular TT	Qualification	Remarks
1	15	Muhammad Karim GIS Manna (Manna)	1/9/1973	1/1/2003	MA/B Ed	Services placed at the disposal of DEO (M) Shangla for further posting against SST (General) post.

6. PROMOTION OF S.Qari/Qari TO SST (General) BPS-

Total No. of vacant Posts of SST (General)	174
25% share initial recruitment	04
75% share for Promotion.	13
03 % Share of promotion of S Qari/Qari	01
Posts available for promotion	01
Proposed for Promotion	01
Recommended for promotion	01

S.No.	S.L. No	Name of Official & Present Place of Posting	Date of Birth	Date of Appoint. as Regular Qari	Qualification	Remarks
1	10	Rahman Ud Din GIS Lillawana	3/1/1973	21/3/1993	BA/B Ed	Services placed at the disposal of DEO (M) Shangla for further posting against SST (General) post.

Terms and conditions:-

- 1 They would be on probation for a period of one year extendable for another one year.
- 2 They will be governed by such rules and regulations as may be issued from time to time by the Govt.
- 3 Their services can be terminated at any time, in case their performance is found unsatisfactory during probationary period. In case of misconduct, they shall be proceeded under the rules framed from time to time.

*[Handwritten signature]*

اپیل (20) 11/11/2004

بھطور جناب ڈائریکٹر صاحب محکمہ ابتدائی و ثانوی تعلیم، ایلیمینٹری اینڈ سیکنڈری ایجوکیشن خیبر پختون خواہ

جناب عالی!

گزارش یہ ہے کہ سائیل محکمہ تعلیم میں 31/12/2004 سے ازرو آرڈر نمبر: 34-3356 مورخہ 31/12/2004 بحیثیت

معلم دینیات متعین رہا۔ مذکورہ بالا حکم نامہ میں میرا نام سیریل نمبر 3 پر درج ہے

جناب والا! اکتوبر 2017 میں SST پر موشن کی بابت سے مجھے لاعلم رکھا گیا اور عطا الرحمن جو STT میرٹ میں

مجھ سے پیچھے سیریل نمبر 17 پر واقع ہے اسے SST پوسٹ پر ترقی دی گئی اور مجھے نظر انداز کیا گیا۔

جناب والا! حال ہی میں یعنی جنوری 2019 میں SST پوسٹ پر ترقی کے سلسلے میں ایک بار پر مجھے نظر انداز رکھا گیا۔

سینارٹی میں مجھ سے پیچھے محمد کریم کو اولیت دی گئی ہے جو کہ تقرر نامہ میں سیریل نمبر 6 واقع ہے جبکہ اسی تقرر نامہ میں، میں سیریل نمبر 3

پر واقع ہوں

جناب والا! ماوراء میرٹ ترقی دینا میرے ساتھ نا انصافی اور میری حق تلفی کے ساتھ خلاف قانون بھی ہے۔

جناب والا! حق تلفیوں، نا انصافیوں اور قانون کی خلاف ورزیوں کا یہ سلسلہ کب تک چلتا رہے گا۔

آپ صاحبان باختیار ہیں کہ ان نا انصافیوں و حق تلفیوں اور قانون کی خلاف ورزیوں کو لگام دیں۔

لہذا! آپ صاحبان سے عاجزانہ اپیل ہے کہ اس سلسلے میں غیر جانبدارانہ انکوائری فرما کر ذمہ دار

اہلکاروں کو قرار واقعی سزا دیں تو قرین انصاف ہوگا۔ فقط

عریض

فضل حقانی STT جی ایچ ایس ڈھیری پوری ضلع شانگلہ خیبر پختون خواہ

موبائل نمبر: 0344-9603454 مورخہ: 06-02-2019



OFFICE OF THE DISTRICT EDUCATION OFFICER (M) SHANGLA  
AT ALPURAI

CONTACT NO. (0996) 850639, 851108- Fax // 851108

21

OFFICE ORDER

Consequent upon the appeals received from Mr. Khalil Ullah STT GCMHS Alpurai and Mr. Fazal Haqani STT GHS Dherai Alpurai regarding their promotion (Copies Enclosed).

The following committee is hereby constituted to probe in to the matter and submit report with clear cut recommendations within a week time positively.

1. Mr. Muhammad Siraj Principal GHS Dherai (Chairman)
2. Mr. Muhammad Iqbal I/C Principal GHS Lilownai (Member)

(Muhamamd Amin)  
District Education Officer (M)  
Shangla

Endst: No. 1025-27 / EB(S)/Appeal/AT/TT.

Dated: 30 / 3 / 2019.

Copy of the above is forwarded to:-

1. PA to Director Elementary and Secondary Education Khyber Pakhtunkhwa, Peshawar.
2. The Enquiry Officers concerned.
3. Teachers concerned.

DY: District Education Officer (M)  
Shangla



(14) Annexed  
"i"

**OFFICE OF THE  
DISTRICT EDUCATION OFFICER (MALE) SHANGLA**  
(Phone # 0996-850639) E-mail: deomshangla@gmail.com

**NOTIFICATION/ADJUSTMENT**

In pursuance of Notification issued by Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar bearing Endstt; No. 4687-92/File No.1/Promotion Senior Teachers (PSB-16) 2019 Dated Peshawar the 22/2/2019, the following AT, PSHTs, SDM, SCTs B-15 promoted to SST(M/P), SST(B/C), SST(G) BPS-16 @ (18910-1520-64510) and further services placed at the disposal of the DEO (M) Shangla are hereby adjusted against the post of SST(M/P), SST(B/C), SST(G) in the Schools mentioned against their names on the terms and condition given below as per under reference notification in the interest of public service w.e.f. 22/2/2019.

S#	Name with Designation & School	Name of School where adjusted	Remarks
1	Bakht Jamal PSHT GPS Braim	SST(B/C) GHS Dehrai Maira	AVP
2	Fasihul Lisan PSHT GPS Sangrai	SST(M/P) GHS Dehrai Maira	AVP
3	Fazal Maujood SCT GHSS Olandar	SST(G) GHS Larai Pirkhana	AVP
4	Hussain Ali SCT GHSS Sundvi	SST(G) GMS Khadang	Against Serial No.1 <del>is</del> consequentially
5	Azizullah SCT GHS Pagorai	SST(G) GHS RANYAL	AVP
6	Aminullah SCT GHS Amnovi	SST(G) GMS BAZARKOT	AVP
7	Muhammad Ali SCT GHS Damorai	SST(G) GMS SHAIHTOOT	AVP
8	Ahmad zada SCT GHSS Olandar	SST(G) GMS Katkor	AVP
9	Dildar Ali PSHT GPS Kikor	SST(G) GMS Seer Dandai	AVP
10	Altaf Hussain PSHT GPS Naway Kalay	SST(G) GMS PONYAL	AVP
11	Hidayat Ali PSHT GPS Biagalai	SST(G) GHS GANDAW	AVP
12	Muhammad Nawab SDM GHS Kadona	SST(G) GHS Dedal Kamach	AVP
13	Hameed Ullah SAT GHS Machkandai	SST(G) GMS Behar	AVP
<b>CONSEQUENTIAL TRANSFER</b>			
14	Abdul Ghafoor SST(G) GMS Khadang	SST(G) GMS Bar Paw Chakisar	AVP

**TERMS & CONDITIONS:**

1. They would be on probation for a period of one year extendable for another one year.
2. They will be governed by such rules and regulations as may be issued from time to time by the government.
3. Their services can be terminated at any time, in case of their performance is found unsatisfactory during probationary period. In case of misconduct, they shall be preceded under the rules framed from time to time.
4. Charge Report Should be submitted to all concerned.
5. Their inter-Se-Seniority on lower post will remain intact.
6. No TA/DA is allowed for joining their duties.
7. They will give an undertaking to be recorded in their Service Books to the effect that if any overpayment is made to them in the light of this order will be recovered and if they are wrong promoted, they will be reversed.

(MUHAMMAD AMIN)  
DISTRICT EDUCATION OFFICER (M)  
SHANGLA

Endst No. 483-90 EB (S)/DA-I Promotion/SST/2019

Dated: 15/3 / 2019

Copy forwarder for information & necessary action to the:-

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. Deputy Commissioner Shangla.
3. District Nazim Shangla.
4. District Monitoring Officer, IMU, Shangla.
5. District Accounts Officer Shangla.
6. Principal(s)/Headmaster(s)/Incharge(s) concerned.
7. Accountant Middle Schools.
8. The Officials Concerned.

DEPUTY DISTRICT EDUCATION OFFICER (M)  
SHANGLA

compulsory education to all children of the age of five to sixteen years in such manner as may be determined by law.]

26. Non-discrimination in respect of access to public places.  
- (1) In respect of access to places of public entertainment or resort, not intended for religious purposes only, there shall be no discrimination against any citizen on the ground only of race, religion, caste, sex, residence or place of birth.

(2) Nothing in clause (1) shall prevent the State from making any special provision for women and children.

27. Safeguard against discrimination in services. - (1) No citizen otherwise qualified for appointment in the service of Pakistan shall be discriminated against in respect of any such appointment on the ground only of race, religion, caste, sex, residence or place of birth :

Provided that, for a period not exceeding <sup>1</sup>[forty] years from the commencing day, posts may be reserved for persons belonging to any class or area to secure their adequate representation in the service of Pakistan :

Provided further that, in the interest of the said service, specified posts or services may be reserved for members of either sex if such posts or services entail the performance of duties and functions which cannot be adequately performed by members of the other sex <sup>2</sup>[ : ]

<sup>2</sup>[Provided also that under-representation of any class or area

<sup>1</sup>In the first proviso, subs. by the P. O. No. 14 of 1985, Art. 2 & Sch., which again subs. for "twenty" by the Constitution (Sixteenth Amdt.) Act, 1999 (Act VI of 1999), the Gaz. of Pak., Extr., Pt. I, P. No. 1237, dt. 5th August, 1999.

<sup>2</sup>In Article 27, in the second proviso, at the end full stop substituted by colon and thereafter third proviso inserted by the Constitution (Eighteenth Amendment) Act, 2010 (Act No. X of 2010), the Gaz. of Pak., Extr., Pt. I, P. No. 267, dt. 20th April, 2010.

negotiate  
write in  
the post  
rights or  
Ad Law  
order  
will  
fall

**Administrative institutions**

These institutions work under certain laws and are bound to act in accordance with these laws. High Court desired Presiding Officer to issue direction to all concerned that while receiving application for supply of certified copies of documents, a date be also given on the receipt issued for the copying fee, indicating that when applicant was required to attend the office for collecting the copies and if on the fixed date certified documents were not collected, then time would start running against him and an obligation would also be fixed on such person to state that why proceedings had not been filed within time.

**Administrative instructions**

Administrative instructions issued by competent Authority are binding as statutory Rules.

Statutory rules cannot be modified or amended by administrative instructions.

**Administrative decisions**

The administrative decision must have the following essentials:-

- 1) Administrative adjudication is mostly done by informal process. Written representation in such cases would be sufficient compliance of the principles of natural justice.
- 2) Where an authority had been authorised to make some order under the rule of law, such Authority alone could exercise powers in question. Where

anything was particular way not at all. Ord than the comp rank, would b moreso, when:

- 3) It is the duty o judicial authc making. The decision makir
- 4) Whenever any some order, i independently relevant circu. made a decisic under the ex. would be deen jurisdiction.
- 5) Every effort sh passed by publ down, inasmuc correctness att
- 6) Functionaries c the Constitution clearly within Governmental functionaries a perform their c action/orders/de State function principle, Hig

in service or post by  
 charge or

such service or post by  
 he reverted to the service  
 he was promoted or  
 st which he holds a lien, or  
 ch service or post, be

case of initial appointment  
 servant shall not be deemed  
 of probation satisfactorily  
 edents have been verified  
 ion of the appointing

on probation shall, on  
 on of his probation, be  
 on in a service or, as the  
 may be prescribed.

ted to a post or grade on  
 eligible for confirmation  
 factory service for the  
 onfirmation therein.

onfirmation against any

during the period of his  
 to be confirmed in any  
 post retires from service  
 ed shall not, merely by

reason of such retirement, be refused  
 confirmation in such service or post or any  
 benefits accruing therefrom.

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

#### 8. Seniority:

- (1) For proper administration of a service, cadre or grade, the appointing authority shall cause a seniority list of the members for the time being of such service, cadre or grade to be prepared, but nothing herein contained shall be construed to confer any vested right to a particular seniority in such service, cadre or grade, as the case may be.
- (2) Subject to the provisions of sub-section (1) the seniority of a civil servant shall be reckoned in relation to other civil servants belonging to the same service or grade, whether serving in the same department or office or not, as may be prescribed.
- (3) Seniority on initial appointment to a service, grade or post shall be determined as may be prescribed.
- (4) Seniority in the grade to which a civil servant is promoted shall, take effect from the date of regular appointment to a post in that grade:



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

Provided that, civil servants who are selected for promotion to a higher-grade in one batch shall on their promotion to the higher grade, retain their inter se seniority as in the lower grade.

#### 9. Promotion:

- (1) A civil servant possessing such minimum qualifications as may be prescribed shall be eligible for promotion to a post for the time being reserved under the rules for departmental promotion in the higher grade of the service or cadre to which he belongs.
- (2) A post referred to in sub-section (1) may either be a selection post or a non-selection post to which promotion shall be made as may be prescribed:-
  - (a) in the case of a selection post, on the basis of selection on merit; and
  - (b) in the case of a non-selection post, on the basis of seniority-cum-fitness.

#### Comments:

Section 9 of the Act provides for the promotion of the civil servants. The government may make rule for such promotion in the light of the section. According to 1996 SCMR 379, a civil servant was

registered on merit for appointment post along with his other batch-mates while ignoring civil servant appointments to those posts when they fell vacant. On exhausting departmental remedies, the High Court in its Constitutional jurisdiction granted him his grievance. Department admitted his eligibility to be appointed to specific post. He filed an appeal that due to "non-follow up" of civil servant his name was not on final selection list. High Court directed appointment of civil servant to specific post.

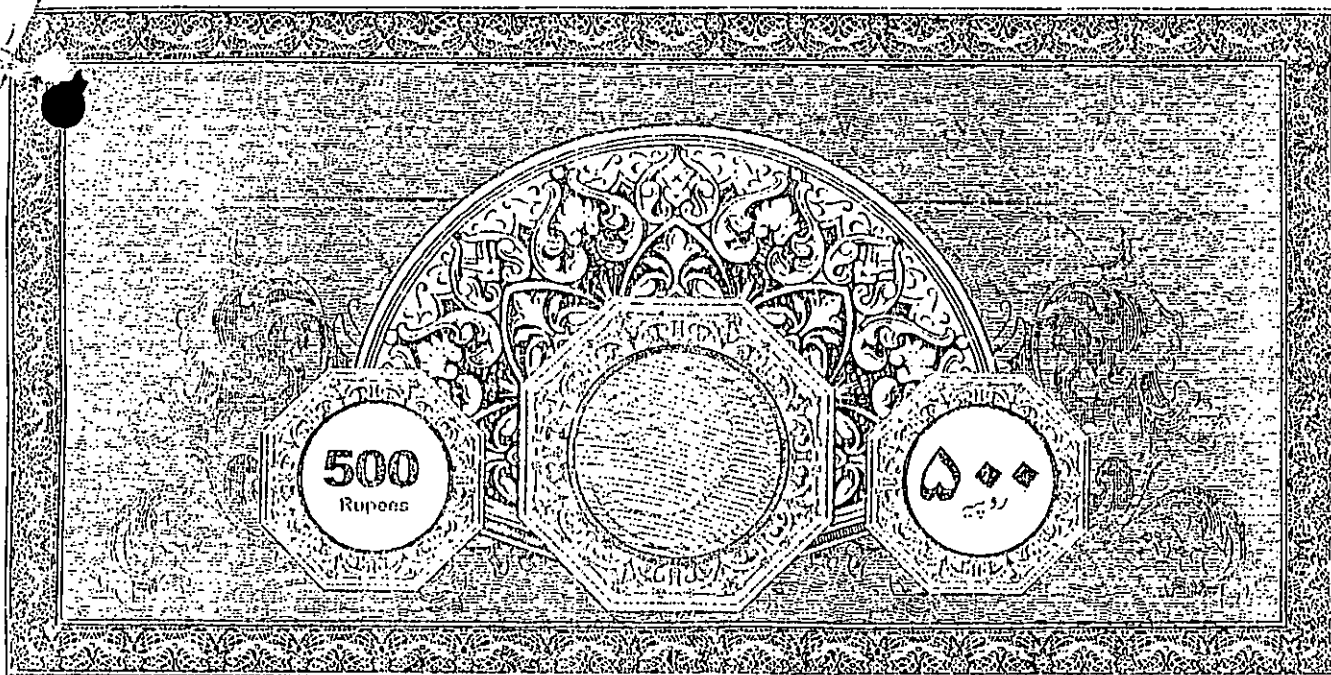
#### 10. Postings and transfers:

Every civil servant shall be posted anywhere within or outside the Province under the Federal Government, Provincial Government or local authority or a corporation set up or established by any law. Provided that, nothing contained in this section shall apply to a civil servant recruited specifically for a particular area or region:

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

#### Comments:

Civil servant is liable to be posted within or outside the Province to



PAKISTAN COURT FEE

فضل حقانی

بنی

حکومت

(28)

SYED SULTANAT KHAN



سید سلطنت خان

Advocate High Court,

ایڈووکیٹ ہائیکورٹ

Office: D-25 Continental Plaza  
Makranhigh Mingora  
Phone No. 0316-9951026

**NOTICE FOR INFORMATION**

To,

1. Government of Khyber Pakhtunkhwa through Secretary of Elementary & Secondary Education at Civil Secretariat Peshawar.
2. Director of Elementary & Secondary Education, Government of Khyber Pakhtunkhwa at Peshawar.
3. District Education Officer (M)Shangla.
4. Secretary to Government of Khyber Pakhtunkhwa, Finance Department at Peshawar.
5. Secretary to Government of Khyber Pakhtunkhwa, Establishment Department at Peshawar.
6. Accountant General of Khyber Pakhtunkhwa at Peshawar.
7. District Accountant Officer Shangla at Alpurai.
8. Affair Rahman S/o Bahrul Uloom R/o Kormang, District Shangla.

Assalam-U-Alaikum !

It is to bring into your kind notice, that, a writ petition in the august Peshawar High Court, Mingora Bench / Darul Qaza Swat, on behalf of Fazal Haqani (Petitioner) against you, has been filed, hence you are informed.

NO. 1128 RGL12854565 RC PS

Stamps affixed except in case of insured letters of not more than the initial weight prescribed in the Post Office Guide or on which no claim/ledgement is due.

Received by registered addressed to \_\_\_\_\_ Date-Stamp \_\_\_\_\_

\*Write here "letter", "postcard", "packet" or "parcel" with the word "insured" before if when necessary.

Insured for Rs. (in figures) \_\_\_\_\_ (in words) \_\_\_\_\_

Insurance fee Rs. \_\_\_\_\_ Ps. \_\_\_\_\_ Kilo Grams \_\_\_\_\_

Name and address of sender \_\_\_\_\_

*Syed Sultanat Khan*  
13/11/18  
Syed Sultanat Khan  
Advocate High Court

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

Service Appeal No. \_\_\_\_\_ / 2021

Fazal Haqani S/o Fazal Mubin R/o Zara, Dherai, Tehsil Alpurai,  
District Shangla.

...Appellant

- VERSUS -

1. Government of Khyber Pakhtunkhwa through Secretary of Elementary & Secondary Education at Civil Secretariat Peshawar.
2. Director of Elementary & Secondary Education, Government of Khyber Pakhtunkhwa at Peshawar.
3. District Education Officer (M) Shangla.
4. Secretary to Government of Khyber Pakhtunkhwa, Finance Department at Peshawar.
5. Secretary to Government of Khyber Pakhtunkhwa, Establishment Department at Peshawar.
6. Accountant General of Khyber Pakhtunkhwa at Peshawar.
7. District Accountant Officer Shangla at Alpurai.
8. Attaur Rahman S/o Bahrul Uloom R/o Kormang, District Shangla.

...Respondents

Appeal Under Section 4 of the Service Tribunal Act, 1974.

Respectfully Sheweth;

1. That appellant is bonafide resident of Zara, Dherai, Tehsil Alpurai, District Shangla (Copy of NIC of appellant is annexure A).

2. That vide letter No. 3356-34 dated 31-12-2004, the appellant was appointed as Theology Teacher (TT) (Male) in Government Middle School Banr, District Shangla (Copy of appointment order is attached as annexure B).
3. That vide order Endst No. 3994-4000/File No.1/Promotion Senior TT B-16 Dated Peshawar the 28-05-2013, the appellant was promoted against the post of Senior TT (BPS-16) at Government High School Dehrai, Alpurai, District Shangla, however, later on vide office order / adjustment Endost: No. 2804-10 dated 03-06-2013, the appellant adjusted / transferred to the above said school in pursuance of the notification dated 28-05-2013 (Copies of notification dated 28-05-2013 and order dated 03-06-2013 are attached as annexure C & D).
4. That vide order Endost: No. 2938-42 dated 28-08-2017, the education department has promoted a junior one from STT to SST, despite the fact that appellant is senior, who is at serial No. 3 in the appointment order list, has been illegally dropped and respondent No. 8, who is at serial No. 17 in the above said appointment order list has been promoted from the post of Senior Theology Teacher (STT) to Secondary School Teacher (SST) (Copies of order dated 28-08-2017 is annexure E).
5. That after getting knowledge of the above said impugned promotion / upgradation of respondent No. 8, and another notification Endst: No. 4681-86/File No.2/Promotion SST B-16 Dated Peshawar the 22-02-2019, wherein some posts of STTs were upgraded to SSTs, but again appellant was illegally and unlawfully dropped and one Muhammad Karim S/o Mohammad Hanif R/o Maira, District Shangla, who was at serial No. 6 in the appointment order list, was upgraded instead of appellant, against which appeal was filed by appellant, and the District Education Officer (M) Shangla /

respondent No. 3 constituted a committee for recommendations, however after thorough inquiry of the committee, constituted by respondent No. 3, the upgradation / promotion of Muhammad Karim was declared illegal, however the upgradation / promotion of respondent No. 8 remained undecided (Copies of notification, appeal, order dated 30-03-2019 of respondent No. 3 and order of respondent No. 2 are attached as annexure F, G, H & I respectively).

6. That appellant for several times has orally requested the official respondents to prepare seniority list of appellant, but the official respondents are clearly denying to prepare and handover the seniority list of appellant.
7. That being aggrieved from inactions, discriminatory attitude of respondents, the appellant has no other adequate and efficacious remedy, thus approached this august court inter alia on the following grounds:

**GROUND:**

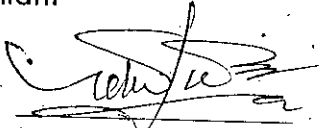
- i. That inaction and denial of the respondents to give promotion / upgradation to appellant from STT to SST is illegal, unlawful and against the principles of law and justice.
- ii. That under the terms of policy, the appellant was entitled to promotion / upgradation in SST being senior from respondent No. 8.
- iii. That though the appellant stood at serial No. 3 with merit position 49.22 and respondent No. 8 at serial No. 17 with merit position 40.72 at initial appointment order list, but even then the official respondents have illegally and unlawfully upgraded / promoted the respondent No. 8 instead of appellant being meritorious.

- iv. That the appointing authority illegally and without preparing an authentic seniority list, has favoured respondent No. 8 and promoted / upgraded him to the posts SST, whereas the policy needs seniority cum fitness and as per rules and Civil Servant Act, 1973, no vested right to particular seniority is allowed, thus the official respondents have made clear discrimination with the appellant.
- v. That according to the prevailing promotion policy of education department; 4% quota is reserved for promotion from STT to SST on seniority cum fitness base, but even then appellant has not been promoted.
- vi. That fundamental rights of the appellant has been violated by the respondents.
- vii. That promotions / upgradations of private respondents are in clear violation of established rules, law and policy and the appellant is entitled to be considered as SST.
- viii. That respondents have no power and authority to deprive the appellant from his accrued right of upgradation / promotion.
- ix. That the education department for their ulterior motives has consciously omitted discrimination with the appellant.
- x. That the education department / official respondents without adopting proper procedure have filled the SST posts without considering the appellant.
- xi. That respondents are not authorized to deny the preparation of seniority list.
- xii. Any other grounds not specifically raised will be argued with prior permission of this august court.

It is therefore very humbly prayed that, on acceptance of the instant writ petition;

- i. Inaction and denial of respondents from promotion / upgradation of appellant, may please be declared null and void.
- ii. Office Order Endost: No: 2938-42 dated 28-08-2017; may please be rectified and modified to the extent of giving promotion / upgradation to the appellant.
- iii. The appellant may please be declared to be entitle to promotion / upgradation from STT to SST.
- iv. The respondents may please be directed to promote / upgrade the appellant from STT to SST with all back benefits.
- v. Any other relief not specifically prayed but this august court deems proper may also be granted.

Appellant  
Through Counsel

  
Syed Saliqat Khan  
Advocate High Court  
Dated: 06-10-2021



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

Service Appeal No. \_\_\_\_\_ / 2021

Fazal Haqani,

...Petitioner,

- VERSUS -

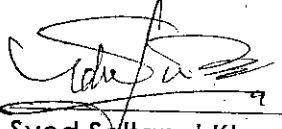
Govt: of KP and others.

...Respondents

**Certificate**

It is certified as per information of my client that no such like other service appeal has been earlier filed before this Hon'ble tribunal

Appellant  
Through Counsel

  
Syed Saltanat Khan  
Advocate High Court

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

Service Appeal No. \_\_\_\_\_ / 2021

Fazal Haqani S/o Fazal Mubin R/o Zara, Dherai, Tehsil Alpurai,  
District Shangla.

...Appellant

**- VERSUS -**

1. Government of Khyber Pakhtunkhwa through Secretary of Elementary & Secondary Education at Civil Secretariat Peshawar.
2. Director of Elementary & Secondary Education, Government of Khyber Pakhtunkhwa at Peshawar.
3. District Education Officer (M) Shangla.
4. Secretary to Government of Khyber Pakhtunkhwa, Finance Department at Peshawar.
5. Secretary to Government of Khyber Pakhtunkhwa, Establishment Department at Peshawar.
6. Accountant General of Khyber Pakhtunkhwa at Peshawar.
7. District Accountant Officer Shangla at Alpurai.
8. Attaur Rahman S/o Bahrul Uloom R/o Kormang, District Shangla.

...Respondents

**Appeal Under Section 4 of the Service Tribunal Act, 1974.**

Respectfully Sheweth;

1. That appellant is bonafide resident of Zara, Dherai, Tehsil Alpurai, District Shangla (Copy of NIC of appellant is annexure A).

2. That vide letter No. 3356-34 dated 31-12-2004, the appellant was appointed as Theology Teacher (TT) (Male) in Government Middle School Banr, District Shangla (Copy of appointment order is attached, as annexure B).
3. That vide order Endst No. 3994-4000/File No.1/Promotion Senior TT B-16 Dated Peshawar the 28-05-2013, the appellant was promoted against the post of Senior TT (BPS-16) at Government High School Dehrai, Alpurai, District Shangla, however, later on vide office order / adjustment Endost: No. 2804-10 dated 03-06-2013, the appellant adjusted / transferred to the above said school in pursuance of the notification dated 28-05-2013 (Copies of notification dated 28-05-2013 and order dated 03-06-2013 are attached as annexure C & D).
4. That vide order Endost: No. 2938-42 dated 28-08-2017, the education department has promoted a junior one from STT to SST, despite the fact that appellant is senior, who is at serial No. 3 in the appointment order list, has been illegally dropped and respondent No. 8, who is at serial No. 17 in the above said appointment order list has been promoted from the post of Senior Theology Teacher (STT) to Secondary School Teacher (SST) (Copies of order dated 28-08-2017 is annexure E).
5. That after getting knowledge of the above said impugned promotion / upgradation of respondent No. 8, and another notification Endst: No. 4681-86/File No.2/Promotion SST B-16 Dated Peshawar the 22-02-2019, wherein some posts of STTs were upgraded to SSTs, but again appellant was illegally and unlawfully dropped and one Muhammad Karim S/o Mohammad Hanif R/o Maira, District Shangla, who was at serial No. 6 in the appointment order list, was upgraded instead of appellant, against which appeal was filed by appellant, and the District Education Officer (M) Shangla /

respondent No. 3 constituted a committee for recommendations, however after thorough inquiry of the committee constituted by respondent No. 3, the upgradation / promotion of Muhammad Karim was declared illegal, however the upgradation / promotion of respondent No. 8 remained undecided (Copies of notification, appeal, order dated 30-03-2019 of respondent No. 3 and order of respondent No. 2 are attached as annexure F, G, H & I respectively).

6. That appellant for several times has orally requested the official respondents to prepare seniority list of appellant, but the official respondents are clearly denying to prepare and handover the seniority list of appellant.
7. That being aggrieved from inactions, discriminatory attitude of respondents, the appellant has no other adequate and efficacious remedy, thus approached this august court inter alia on the following grounds.

**GROUNDS:**

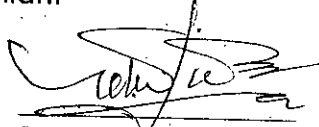
- i. That inaction and denial of the respondents to give promotion / upgradation to appellant from STT to SST is illegal, unlawful and against the principles of law and justice.
- ii. That under the terms of policy, the appellant was entitled to promotion / upgradation in SST being senior from respondent No. 8.
- iii. That though the appellant stood at serial No. 3 with merit position 49.22 and respondent No. 8 at serial No. 17 with merit position 40.72 at initial appointment order list, but even then the official respondents have illegally and unlawfully upgraded / promoted the respondent No. 8 instead of appellant being meritorious.

- iv. That the appointing authority illegally and without preparing an authentic seniority list, has favoured respondent No. 8 and promoted / upgraded him to the posts SST, whereas the policy needs seniority cum fitness and as per rules and Civil Servant Act, 1973, no vested right to particular seniority is allowed, thus the official respondents have made clear discrimination with the appellant.
- v. That according to the prevailing promotion policy of education department, 4% quota is reserved for promotion from STT to SST on seniority cum fitness base, but even then appellant has not been promoted.
- vi. That fundamental rights of the appellant has been violated by the respondents.
- vii. That promotions / upgradations of private respondents are in clear violation of established rules, law and policy and the appellant is entitled to be considered as SST.
- viii. That respondents have no power and authority to deprive the appellant from his accrued right of upgradation / promotion.
- ix. That the education department for their ulterior motives has consciously omitted discrimination with the appellant.
- x. That the education department / official respondents without adopting proper procedure have filled the SST posts without considering the appellant.
- xi. That respondents are not authorized to deny the preparation of seniority list.
- xii. Any other grounds not specifically raised will be argued with prior permission of this august court.

It is therefore very humbly prayed that, on acceptance of the instant writ petition;

- i. Inaction and denial of respondents from promotion / upgradation of appellant, may please be declared null and void.
- ii. Office Order Ehdost: No. 2938-42 dated 28-08-2017, may please be rectified and modified to the extent of giving promotion / upgradation to the appellant.
- iii. The appellant may please be declared to be entitled to promotion / upgradation from STT to SST.
- iv. The respondents may please be directed to promote / upgrade the appellant from STT to SST with all back benefits.
- v. Any other relief not specifically prayed but this august court deems proper may also be granted.

Appellant  
Through Counsel

  
Syed Sallanat Khan  
Advocate High Court  
Dated: 06-10-2021

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

Service Appeal No. \_\_\_\_\_ / 2021

Fazal Haqani.

...Petitioner

- VERSUS -

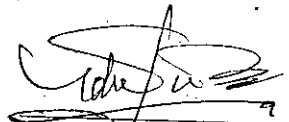
Govt: of KP and others.

...Respondents

**Certificate**

It is certified as per information of my client that no such like other service appeal has been earlier filed before this Hon'ble tribunal

Appellant  
Through Counsel



Syed Sultanat Khan  
Advocate High Court

**BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA,  
PESHAWAR, CAMP COURT AT GULKADA, SWAT**

---

Service Appeal No. **4280** / 2021

---

Mr. Fazal Haqani.

... Appellant

**VERSUS.**

Secretary E&SE and others.

... Respondents

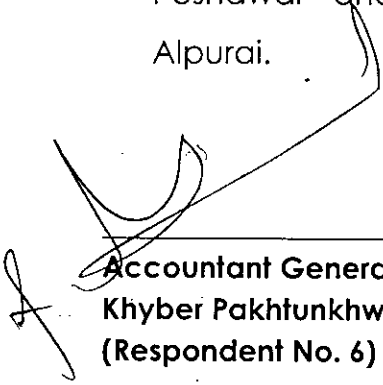
**Parawise comments on behalf of respondents No. 6 & 7**

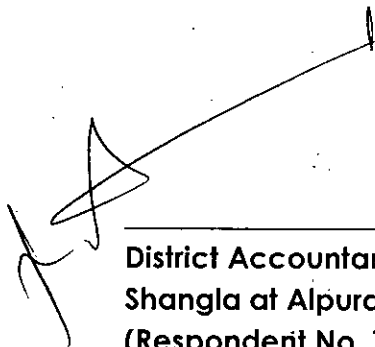
---

**Respectfully Sheweth:**

Accountant General of Khyber Pakhtunkhwa at Peshawar and District Accountant Officer Shangla at Alpurai (Respondents No. 6 & 7 respectively), do hereby endorse / relies on the parawise comments already filed before the Hon'ble Service Tribunal Khyber Pakhtunkhwa, by the principal respondents No. 1, 2 and 3.

The parawise comments of respondents No. 1, 2 and 3 may be treated as reply of present respondents No. 6 & 7 i.e. Accountant General of Khyber Pakhtunkhwa at Peshawar and District Accountant Officer- Shangla at Alpurai.

  
\_\_\_\_\_  
Accountant General  
Khyber Pakhtunkhwa,  
(Respondent No. 6)

  
\_\_\_\_\_  
District Accountant Officer  
Shangla at Alpurai  
(Respondent No. 7)



"A"

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

*MS Swat*

No.

*4280*

*21*

APPEAL No..... of 20

*Fazal Haganir*

Appellant/Petitioner

Versus

*Major Syed (E&SE)*

RESPONDENT(S)

*RESPNO 2 Director (E&SE)*

Notice to Appellant/Petitioner

*Pech*

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on *6-10-22* at *9:00 AM*

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.

*at camp Peshawar*  
*Swat*

*[Signature]*  
*28/9*

*[Signature]*  
Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

**“B”**

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**

JUDICIAL COMPLEX (OLD), KHYBER ROAD,  
PESHAWAR.

*Rose*  
No.

*TB Swat*

Appeal No. *4280* ..... of 20 *21*

*Fazal Hagan* ..... Appellant/Petitioner

Versus  
Through *Secy. (E&SE)* ..... Respondent

Respondent No. *8* .....

Notice to: *Atta ur Rehman s/o Baharul Uloom*  
*R/O Kormang Shangla*

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on *11-5-22* ..... at 8.00 A.M. If you wish to urge anything against the appellent/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of ~~appeal is attached~~. Copy of appeal has already been sent to you vide this office Notice No. .... dated .....

Given under my hand and the seal of this Court, at Peshawar this *18* .....

Day of *4* ..... 20 *22*

*at camp Court*

*Swat*

*[Signature]*

*[Signature]*

Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

- Note:
1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
  2. Always quote Case No. While making any correspondence.