

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No.337/2019

Date of Institution ... 06.03.2019
Date of Decision ... 15.09.2022

Miss Hilal (Drawing Master) D/O Muhammad Ibrahim, Government Girls
Higher Secondary School, Kalanga Aka Khel Tehsil Bara, District Khyber.

... (Appellant)

VERSUS

Government of Khyber Pakhtunkhwa through Secretary Elementary &
Secondary Education Peshawar and three others.

... (Respondents)

Ibad Ur Rehman,
Advocate

... For appellant.

Naseer Ud Din Shah,
Assistant Advocate General

... For respondents.

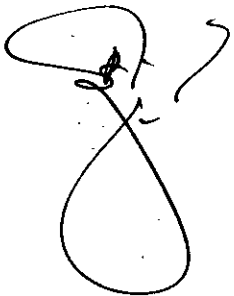
Rozina Rehman
Fareeha Paul

... Member (J)
... Member (E)

JUDGMENT

ROZINA REHMAN, MEMBER (J): The appellant has invoked the
jurisdiction of this Tribunal through above titled appeal with the prayer as
copied below:

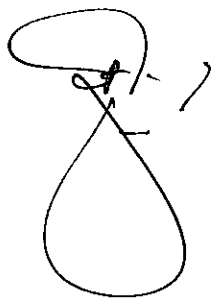
**“On acceptance of the instant appeal the respondents be
directed to amend the Notification Endst: No.1343-51
dated 15.10.2018 issued on the basis of Notification
No.12861-73 dated 11.10.2018, to the extent that the same
be given effect from 20.02.2013 only to the appellant, when
other colleagues of the appellant were given promotion/up-
gradation.”**



2. Brief facts of the case are that appellant was appointed as Drawing Master (BPS-09) on 21.05.2007 after fulfillment of all codal formalities as well as on the recommendation of Departmental Selection Committee and was posted at Government Girls High School Kalanga Aka Khel Bara. She passed her B.A Examination, therefore, she was granted BPS-14 on 10.07.2008 and later on was promoted to BPS-15 vide order dated 20.12.2008. As per Government policy, the post of DM was up-graded from BPS-15 to BPS-16, therefore, the post of appellant alongwith her other colleagues were also upgraded on 15.05.2014. It was on 21.02.2017 when colleagues of the appellant were promoted and granted BPS-16 w.e.f 20.02.2013, whereas, name of the appellant was missing in the notification therefore, she filed an application for insertion of her name and grant of BPS-16 w.e.f 20.02.2013. Her application was kept pending and in the meanwhile, a fresh notification was issued on 15.07.2018 regarding promotion of the appellant but the same was issued with immediate effect. she filed departmental appeal but to no avail, hence, the present service appeal.

3. We have heard Ibad Ur Rehman, Advocate learned counsel for the appellant and Naseer Ud Din Shah, learned Assistant Advocate General for respondents and have gone through the record and the proceedings of the case in minute particulars.

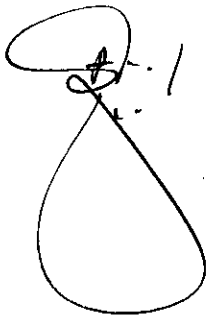
4. Ibad Ur Rehman Advocate, learned counsel for appellant argued that the order of respondents was wrong, unjustified and without lawful authority as the post of the appellant had already been upgraded to BPS-16 vide order dated 15.05.2014 and that order was never withdrawn. He contended that her junior most colleagues were promoted to BPS-16 w.e.f 20.02.2013 but the



appellant was promoted with immediate effect which act of the respondents was unjustified as appellant was penalized for no fault on her part. Lastly, he submitted that the appellant being eligible to be promoted was promoted and discriminated, therefore, she might be promoted w.e.f the date when her junior colleagues were promoted.

5. Conversely, learned AAG submitted that promotions were made vide Notification dated 21.02.2017, wherein, the name of appellant was missing due to non-submission of the relevant record as required for promotion and that she was telephonically informed to produce the relevant record but she failed and that all promotions/upgradations were made with immediate effect as per rules/policy.

6. After hearing the learned counsel for the parties and going through the record of the case with their assistance and after perusing the precedent cases cited before us, we are of the opinion that appellant was appointed against newly created DM post in BPS-09 upon the approval of Departmental Selection Committee alongwith two other ladies vide appointment order bearing endorsement No.3552-60 dated 21.05.2007. As per Notification bearing endorsement No.14937-42 dated 15.05.2014 appellant alongwith nine others were upgraded to the post of Senior DM (BPS-16) with immediate effect. Name of the appellant finds mention at Serial No.9 while one Miss Naila Durrani at Serial No.10. Again, vide Notification bearing endorsement No.3055-70 dated 21.02.2017 upon the recommendation of Departmental Promotion Committee, seven DMs (F) BPS-15 were promoted to Senior DMs (F) BPS-16 on regular basis w.e.f 20.02.2013. This notification is totally silent in respect of appellant while her junior Miss Naila



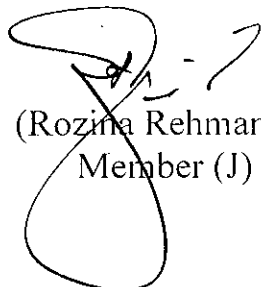
Durrani, whose post was upgraded to the post of Senior DM (BPS-16) alongwith appellant on 15.05.2014, is available at serial No. 7. As name of the appellant was not available in the above mentioned notification, therefore, she filed different applications and as a result, appellant alongwith one Kosar Begum were promoted in view of the notification for promotion from DM (F) to Senior DM (F) issued vide Director Education Merged Areas Warsak Road Peshawar i.e 11.10.2018 w.e.f the date of issuance of the mentioned Notification dated 11.10.2018. As evident from the record, nothing was brought on file in order to show any departmental proceedings against the appellant. Despite directions, minutes of Departmental Promotion Committee were not produced vide which colleagues of appellant were promoted while appellant was ignored in order to show the reason as to why appellant was not considered. The only reason mentioned by the respondents in their comments is that she failed to produce relevant documents before the Departmental Promotion Committee, which means that she was never superseded because she was later on promoted but with immediate effect.

7. We are unison on acceptance of this appeal in the light of our observation in the preceding paras which immediately calls for the acceptance of the instant service appeal as prayed for. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED

15.09.2022


(Fareeha Paul)
Member (E)


(Rozina Rehman)
Member (J)

ORDER

15.09.2022


Ibad Ur Rehman, Advocate for appellant present.

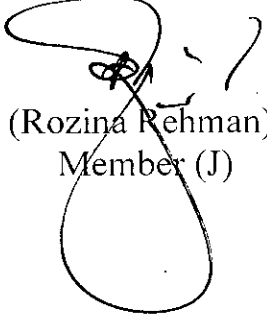
Naseer Ud Din Shah, learned Assistant Advocate General
for respondents present.

Vide our detailed judgment of today, containing 04 pages,
we are unison on acceptance of this appeal in the light of our
observation in the preceding paras which immediately calls for the
acceptance of the instant service appeal as prayed for. Parties are
left to bear their own costs. File be consigned to the record room.

ANNOUNCED

15.09.2022

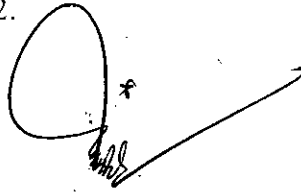

(Fareeha Paul)
Member (E)


(Rozina Rehman)
Member (J)

05.07.2022

Appellant with counsel present. Mr. Muhammad Adeel Butt,
Additional Advocate General for the respondents present.

Due to paucity of court time, arguments could not be heard.
Adjourned. To come up for arguments before the D.B on
15.09.2022.



(MIAN MUHAMMAD)
MEMBER (EXECUTIVE)

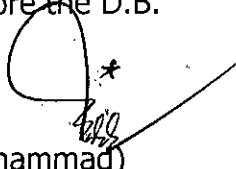


(SALAH-UD-DIN)
MEMBER (JUDICIAL)

08.10.2021

Appellant in person present. Mr. Kabirullah Khattak, Addl. AG for the respondents present.


Former seeks adjournment due to engagement of her learned counsel before the Hon'ble High Court today. Request is accorded. To come up for arguments on 16.12.2021 before the D.B.


(Mian Muhammad)
Member(Executive)


Chairman

16-12-21

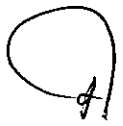
DB is on Tour case to come up
For the same on Dated. 27-1-22



Reader

27.01.2022

Appellant alongwith counsel present. Mr. Munawar Khan ADEO alongwith Muhammad Riaz Khan Paindakheil Assistant Advocate General for the respondents present.

Arguments could not be heard due to paucity of time, therefore, case is adjourned. To come up for arguments on 28.03.2022 before D.B.


(Rozina Rehman)
Member (J)


(Salah-Ud-Din)
Member (J)

28-3-2022

Proper DB Not available The case
is adjourned to come up for the same as
before on 5-7-2022


Reader

12.3.2021

D.B is not available, therefore the case is adjourned to 16.6.2021 for the same.



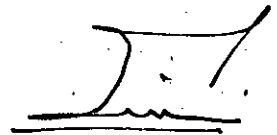
16.06.2021

Nemo for the appellant. Mr. Munawar Khan, ADO alongwith Mr. Javed Ullah, Assistant Advocate General for the respondents present.

Previous date was changed on Reader Note, therefore, notice for prosecution of the appeal be issued to the appellant as well as his counsel and to come up for arguments before the D.B on 08.10.2021.



(ATIQ-UR-REHMAN WAZIR)



(SALAH-UD-DIN)

08.10.2021 MEMBER (EXECUTIVE) person present MEMBER (JUDICIAL)

Khattak, Addl. AG for the respondents present.

Former seeks adjournment due to engagement of her learned counsel before the Hon'ble High Court today. Request is accorded. To come up for arguments on 16.12.2021 before the D.B.

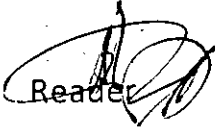
(Mian Muhammad)
Member(Executive)

Chairman

21.5.2020

Due to COVID19, the case is adjourned to

13/8/2020 for the same as before.


Reader

13.08.2020

Due to summer vacations case to come up for the same on
26.10.2020 before D.B.


Reader

26.10.2020

Proper D.B is on Tour, therefore, the case is
adjourned for the same on 21.12.2020 before D.B.


Reader

21.12.2020

Junior counsel for appellant is present. Mr. Kabirullah
Khattak, Additional Advocate General, for the respondents is
also present. Due to COVID-19, the case is adjourned to
12.03.2021 for the same.


Reader

16.01.2020 Appellant in person. Addl. AG for the respondents present.

Respondents No. 1 to 3 have not furnished reply/comments despite last opportunity . The matter is assigned to D.B for arguments on 19.03.2020. The appellant may furnish rejoinder to the parawise comments of respondent No.4, within one month, if so advised.

Chairman 

19.03.2020 None for the appellant present. Addl: AG for respondents present. Due to general strike on the call of Peshawar Bar Council, the case is adjourned. To come up for arguments on 21.05.2020 before D.B.


(MAIN MUHAMMAD)
MEMBER


(M.AMIN KHAN KUNDI)
MEMBER

14.10.2019

Appellant alongwith counsel and Addl. AG for the respondents present.

Learned AAG seeks time to procure reply/comments from the respondents.

Adjourned to 14.11.2019 on which date the requisite reply/comments shall positively be submitted.


Chairman

14.11.2019

Junior to counsel for the appellant and Addl. AG alongwith Waheedullah, ADEO for the respondents present.

Representative of respondents seeks time to furnish the reply/comments. Adjourned to 05.12.2019 on which date the requisite reply/comments shall positively be furnished.


Chairman

05.12.2019

Appellant in person and Mr. Kabirullah Khattak, Additional AG alongwith Mr. Waheedullah, ADEO on behalf of respondent No. 4 present.

Representative of respondent No. 4 submitted para-wise comments on behalf of respondent No. 4 which ^{are} placed on record. None one is in attendance on behalf of respondents No. 1 to 3 therefore, notices be issued to the them for written reply/comments for 16.01.2020 before S.B but as a last chance.


Chairman

Service Appeal No. 337/2019

16.08.2019

Counsel for the appellant Miss Hilal present. Preliminary arguments heard. It was contended by learned counsel for the appellant that the appellant was appointed as Drawing Master (BPS-9) vide order dated 21.05.2007. It was further contended that the post of the appellant was upgraded to BPS-14 on account of higher qualification. She was again upgraded to BPS-15 vide notification dated 20.12.2008 as revealed from the copy of service book of the appellant. It was further contended that the appellant^{W.F.M} alongwith her other colleagues was upgraded to BPS-16 vide notification dated 15.05.2014 but with immediate effect. It was further contended that the respondent-department again upgraded the other colleagues of the appellant to BPS-16 but with effect from 20.02.2013 vide order dated 21.02.2017 and the appellant was ignored by the respondent-department in the said order dated 21.02.2017 therefore, the appellant filed application for redressal of her grievances to the Agency Education Officer on 31.03.2017 but again the appellant was upgraded/promoted to the post of Senior Drawing Master (BPS-16) vide notification dated 11.10.2018 but with immediate effect. It was further contended that the appellant was already upgraded to BPS-16 vide order dated 15.05.2014 and the other colleagues of the appellant was upgraded to the said post of BPS-16 with effect from 20.02.2013 therefore, the grievances of the appellant was not redressed by the respondent-department. It was further contended that the appellant filed departmental appeal for rectification of notification dated 11.10.2018 on 06.11.2018 but the same was not responded hence, the present service appeal. It was further contended that since the appellant was already upgraded to BPS-16 vide notification dated 15.05.2014 alongwith her other colleagues however, the colleagues of the appellant were upgraded to BPS-16 on 20.02.2013 but the appellant was ignored therefore, the appellant filed departmental appeal to the respondent-department but again the grievance of the appellant was not redressed and the order dated 11.10.2018 is liable to be rectification. Learned counsel for the appellant also furnished copy of some additional documents, the same are placed on record.

The contention raised by learned counsel for the appellant need consideration. The appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days thereafter, notice be issued to the respondents for written reply/comments for 14.10.2019 before S.B.

MA
(MUHAMMAD AMIN KUNDI)

MEMBER

Appellant Deposited
Security & Process Fee

16/8/19

09.05.2019

Appellant in person present and seeks adjournment on the ground that her counsel is not available today. Adjourned to 26.06.2019 before S.B.


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

26.06.2019

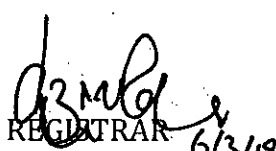

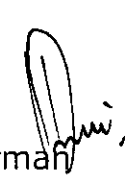
Appellant in person present and seeks adjournment as her counsel is not in attendance. Adjourn. To come up for further proceedings as per order sheet dated 08.04.2019 on 16.08.2019 before S.B.


Member

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 337/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	06/03/2019	<p>The appeal of Miss. Hilal presented today by Mr. Ibad-ur-Rehman Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR 6/3/19</p>
2-	11/03/19 08.04.2019	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>08/04/19</u>.</p> <p style="text-align: right;"> CHAIRMAN</p> <p>Counsel for the appellant present.</p> <p>Learned counsel for the appellant requests for time to place on record promotion order of appellant dated 11.10.2018 and also a better copy of placement order dated 15.10.2018.</p> <p>Adjourned to 09.05.2019 before S.B. The needful be done before the next date of hearing.</p> <p style="text-align: right;"> Chairman</p>

BEFORE THE HONOURABLE KP SERVICE TRIBUNAL PESHAWAR.

SERVICE APPEAL NO. 337 /2019.

Miss Hilal (Drawing Master)

Appellant

Versus


Government of Khyber Pakhtunkhwa & others

Respondents

INDEX

Sr.No	Description of documents	Annexure	Page No
1.	Grounds of Appeal		1-3
2.	Copy of Appointment Order	A	4
3.	Copy of Service Book	B	5-15
4.	Copy of Notification dated 15-05-2014	C	16
5.	Copy of Notification dated 21-02-2017	D	17-18
6.	Copy of Application	E	19
7.	Copy of Order dated 15-10-2018	F	20-21
8.	Departmental Appeal dated 06-11-2018	G	22-23
9.	Wakalatnama		24

Dated. 06/3/2019.


IBADUR RAHMAN
Advocate High Court
127-Sarhad Mansion
Hashtnagri, GT Road
Peshawar.
Cell: **0312-5932939**

1

BEFORE THE HONOURABLE KP SERVICE TRIBUNAL PESHAWAR.

SERVICE APPEAL NO. 337 /2019.

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 310
Dated 06/03/2019

Miss Hilal (Drawing Master) D/o Muhammad Ibrahim,
Government Girls Higher Secondary School, Kalanga Aka Khel
Tehsil Bara, District Khyber.

Appellant

Versus

- 1- Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Peshawar.
- 2- Director, Elementary & Secondary Education, Khyber Pakhtunkhwa Peshawar.
- 3- Director Education , Newly merged Districts, Warsak Road Peshawar.
- ✓4- District Education Officer, (Previously Agency Education Officer) District Khyber at Jamrud.

Respondents

Filed to-day

Amber
Registrar
4/3/19

APPEAL U/S 4 OF KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT AGAINST THE ORDER/NOTIFICATION 12861-73 DATED 11.10.2018 ISSUED BY RESPONDENT NO.3 ENDORSED BY RESPONDENT NO.4 VIDE NO. 1343-51 DATED 15.10.2018 AGAINST WHICH THE APPELLANT FILED A DEPARTMENTAL APPEAL DATED 06-11-2018 BUT THE SAME HAS NOT YET BEEN DECIDED.

Respectfully sheweth.

Appellant submits as under :-

- 1- That being fully qualified and after fulfillment of the requisite formalities as well as on the recommendations of the Departmental Selection Committee, the appellant was appointed as Drawing Master (BPS-9) vide order dated 21/5/2007 and was posted at Government Girls High School

Kalanga Aka Khel Bara. (Copy of the appointment order is attached as **Annexure A.**)

- 2- That as the appellant has passed her BA Examination, therefore, the appellant was granted BPS-14 vide AEO Khyber Endst: No. 6297-6301, dated 10-7-2008 and similarly, the appellant was granted BPS-15 vide order dated 20-12-2008. (copy of service book attached as **annex: B**)
- 3- That since then the appellant is performing her duties to the best of her abilities and to the entire satisfaction of her superiors.
- 4- That as per government policy the post of Drawing Master (DM) was upgraded from BPS-15 to BPS-16, therefore, the appellant alongwith her other colleagues were also granted the upgraded BPS-16 vide Endst No. 14937-42 dated 15.5.2014 (Copy enclosed as **Annex: C**).
- 5- That vide Notification No. 3055-70 dated 21.02.2017, the colleagues of the appellant were promoted and granted BPS-16 with effect from 20-02-2013 whereas the name of the appellant was missing in this notification, therefore, the appellant file an application for addition of the name of the appellant in the said notification and grant of BPS-16 wef 20-02-2013. (Copy attached as Annex: **D & E**).
- 6- That the said application of the appellant was still pending that in the meanwhile, a fresh notification No. 1343-51 dated 15/10/2018 regarding promotion/ upgradation of the appellant was issued but interestingly the same is issued with immediate effect. (Copy enclosed as **Annex: F**).
- 7- That the appellant duly filed a departmental appeal for the correction/corrigendum of the notification dated 15/10/2018 but still no response from their side. (Attached as **Annex: G**).
- 8- That the appellant being aggrieved and finding no other adequate remedy the appellant has left with no option but to approach this honourable tribunal on the following ground amongst others :-

GROUND:

- i. That the Act of the respondents is harsh, unjustified and without lawful authority.
- ii. That the appellant has already been upgraded to BPS-16 vide order dated 15-5-2014 which is still in field as the same has never been withdrawn.
- iii. That the junior most colleague of the appellant has been promoted/upgraded to BPS-16 w.e.f 20-02-2013 but strange enough

that the appellant has been promoted to BPS-16 vide order dated 15/10/2018 and that is too with immediate which is totally unjustified.

- iv. That the appellant has been penalized for no fault on the part of the appellant.
- v. That the appellant is duly eligible to be promoted when her other colleagues were promoted but the appellant was totally ignored.
- vi. That the appellant has badly been discriminated therefore. the act of the respondents is against the fundamental rights of the appellant enshrined in the Constitution of Pakistan.
- vii. That the act/conduct of the respondents towards the appellant is totally unjustified, illegal, void ab initio and without lawful authority.
- viii. That the appellant has been deprived from her legitimate right.
- ix. That the appellant be allowed to add any other ground at the time of arguments.

It is therefore humbly prayed on acceptance of instant appeal the respondents be directed to amend the notification Endst: No. 1343-51 dated 15/10/2018 issued on the basis of Notification No. 12861-73 dated 11.10.2018, to the extent that the same be given effect from 20-02-2013 only to the appellant. when other colleagues of appellant were given promotion/up gradation.

Any other remedy deem proper in the matter and not specifically asked for may also please be given with cost.

[Handwritten signature]

APPELLANT

Through:

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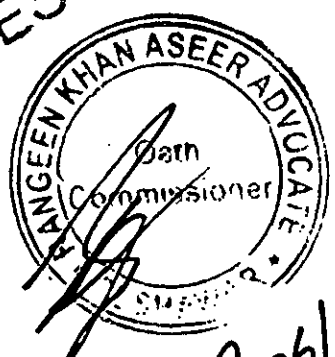
IBADUR RAHMAN
Advocate High Court
127-Sarhad Mansion
Hashtnagri, GT Road
Peshawar.

Dated. 06/3/2019.

AFFIDAVIT.

Stated on oath that the above contents are true and correct to the best of my knowledge and belief.

ATTESTED



[Handwritten signature]

DEPONENT

[Handwritten date]
20/03/19

Consequent upon the approval of the Departmental Selection Committee the following Female Local/Non Local Candidates of are here by appointed purely on temporary and Contract basis against newly created DM Posts in BPS No. 09 Rs, 2770-165-7720 P/M plus usual allowances as admissible under the rules w.e.f the date of their taking over charge in the schools noted against their names in the interest of public service.

S.No	Name Father's Name	Appointed At	Remarks
01	Gul Shan Ara D/O Sher Badshah Trained Local Sher Bad Shah	GGMS Ahmed Jan Killi Jamrud	Against newly created DM Post
02	Hilal D/O Muhammad Ibrahim Un-Trained Non Local	GGHSS Kolanga Bara	Against newly created DM Post
03	Nila Durrani D/O Sarwar Durrani Un-Trained Non Local	GGMS Musa Khan Loishalman LKL	Against newly created DM Post

Note:-

1. Charge report should be submitted to all concerned.
2. The appointment of the candidate being purely on temporary/ Contract basis & is liable to terminate at any time without any notice
3. If the candidate wishes to resign her post she will give one-month prior notice or her pay for one month will be forfeited in lieu thereof.
4. They should produce her original qualification certificates/ Domicile certificate before taking over charge and attested copies there of be kept on record of the school/ Office after proper verification from the quarters concerned.
5. They should produce her Health and Age certificate from the Agency surgeon concerned.
6. They may not be handed over charge if she is below 18 years or above 33 years
7. If they fails to report her arrival within 15 days of the issue of this appointment order then it will be treated as cancelled.
8. No salary may be drawn before the verifications of all the testimonials from the quarters concerned

(MR, ASMAT KHAN)
AGENCY EDUCATION OFFICER
KHYBER AGENCY AT JAMRUD

Endst: No 3552-60

Dated 21/5/ /2007

Copy forwarded to the:-

1. Director of Education FATA (NWFP) Peshawar
2. Agency Accounts Officer Khyber at Jamrud
3. Agency Surgeon Khyber Agency at Landi Kotal
4. Principal GGHSS Kolanga Bara
5. Head Mistress GGMS ~~Ahmed Jan Killi~~ ^{Jamrud} ~~Bara~~ ^{with} to her No 19 dated 2.5.07
6. Head Mistress GGMS Musa Khan Killi Landi Kotal
- 7-9 AAEO,s/Pay Clerk,s Concerned Local Office
- 9-11 Teachers concerned

Attested

AGENCY EDUCATION OFFICER
KHYBER AGENCY AT JAMRUD

SERVICE BOOK

80/1/6492

"B"
Annex - "B"
P-5

OF

Mr. MISS MALAL
S/o MR. AHMAD ALI ISRAHIL
Designation DN
Department STATISTICAL DATA

Price : Rs. 30/-

Hm
Attested

(For use in Police Department only)

P-6

Heirs:

- 1. _____
- 2. _____
- 3. _____

Verification Roll No. dated received back

1) Passed SSC from BISE Rahatpur year 2001 R. No. Marks obtained 530/250, Result Decl. on 14/6/2001

2) Passed F.Sc Left Thumb Impression from BISE Rahatpur year 2003 R. No. Marks obtained 623/1100, Result Decl. on 23/8/2003

Qualification	Date	Qualification	Date
2005 marks obtained 335/550		Result Decl. on	3/11/05

English	First Arts
4) Passed D.A. Exam from RITE (F) Charsadda year 2006 marks obtained 647/1000, Result on 23/1/2006	Pleadership examination

Plan-drawing

Training School Final examination

Finger Print

Other qualification:-

Drill Instructing

Court Duties

Reserve Duties

Handwritten signature and stamp

Signature to be drawn under the qualification possessed.

P. ⑦

3

17101-4568727-0

Note: The entries in this page should be renewed or re-attested at least every five years and the signature to line 9 and 10 should be dated.

1. Name: Miss Hilal

2. Race:

3. Residence: Village Angar Kohanna Rajjar Tehsil
Distt. Chasadda






4. Father's name and residence: Mr. Muhammad Ibrahim

5. Date of birth by Christian era as nearly as can be ascertained: 26-03-1985 (Twenty six March
N/A and Eighty five)

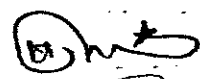
6. Exact height by measurement: 4-9

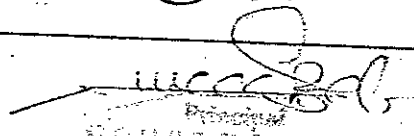
7. Personal marks for identification: Black mole on right side face.




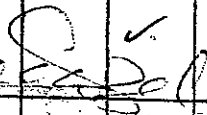
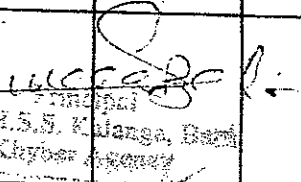

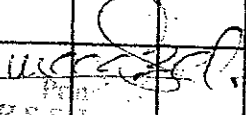



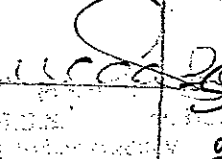



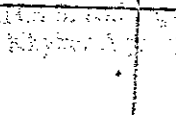
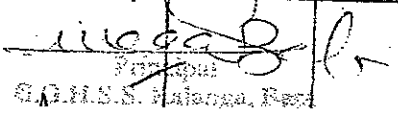
8. Left hand thumb and finger impression of (Non-Gazetted) officer:

Little Finger		Ring Finger	
Middle Finger		Fore Finger	
Thumb			

⑦
Attested

9. Signature of Government Servant: 

10. Signature and designation of the Head of the Office, or other Attesting Officer: 
Principal
S.O. H.S. Police
Kashmir Agency

9 Signature and Designation of the head of the office or other attesting officer in attestation of columns 1 to 8	10 Date of termination or appointment.	11 Reason of termination such as promotion, transfer, dismissal, etc.)	12 Signature of the head of the office or other attesting officer.	13 Leave		14 Signature of the head of the office or other attesting officer	15 Reference to any recorded punishment or censure or praise of the Government Servant.	
				Nature and duration of leave taken.	Allocation of period of leave on average pay upto four months for which leave salary is debitible to another Government			
					Period			Government to which debitible
	APPT: 27/5/07			Appointed as Don Post in BPS #09 (2770-165-720) at G.H.S.S. Kalanga vide AEO Khyber Endst. No.3552-60 dated 21.5.2007.				
	30/6/07	P/R						
	30/8/07	A/ML			T.R. 263 dt: 21.7.08 Duan D. 16428/ on ak Dill of Pysa Balamun wuf 23/5/07 to 30/4/08 due to BPS #14.			
	23/5/07	Allowed B-14		Allowed BPS #14 wuf 23/5/07 on ak of BA/Don and Division wide sanction AEO Khyber Endst. No = 6297-6301 dated. 10-7.08				
	30/6/07	P/R		Service verified wuf. 23.5.2007 to 30.11.08				
	30/11/07	A/ML		Burn pay bills and other office record.				
	30/6/08	P/R						

Attested

9

1	2	3	4	5	6	7	8
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "p"	Date of appointment	Signature of Government Servant
D.M. G.G.H.S.S. Kalanga Baza H Agency		BPS # 09 (2710-165-7720)	Rs. 2770/-			23 ⁵ / ₀₇	(H)mt*
U		Revised pay on 1-7-2007 BPS # 09 (3185-190-8885)					
N		Rs. 3185/- p.m				1 ⁷ / ₀₇	(H)mt*
N		Rs. 3375/- p.m				1 ¹² / ₀₇	(H)mt*
N		Revised entry BPS # 14 (3565-275-11815)					
	T no. 3565 dt. 11/12/07 D no. 238757 on 14/12/07 from 11/12/07 89/5/07 to 9/07	Rs. 3565/- p.m				23 ⁵ / ₀₇	(H)mt*
		Revised of pay on 1-7-2007 BPS # 14 (4100-315-13550)					
	Principal G.G.H.S.S. Kalanga, Baza Khyber Agency	Rs. 4100/- p.m				1 ⁷ / ₀₇	(H)mt*
N		Rs. 4415/- p.m				1 ¹² / ₀₇	(H)mt*
N	(H)mt*	BPS # 14 4920-380-18520					(H)mt*
	A.H. Steer	Rs. 5300/- p.m				1 ⁷ / ₀₈	(H)mt*

9	10	11	12	13		14	15
				Nature and duration of leave taken.	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government		
Signature and Designation of the head of the office or other attesting officer in attestation of columns 1 to 8	Date of termination or appointment.	Reason of termination such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting officer.	Period	Government to which debitable	Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure or praise of the Government Servant
<i>[Signature]</i> Principal G.G.H.S.S Kalanga Bara Khyber Agency	11/2/07	Allowed B-15	<i>[Signature]</i> Principal G.G.H.S.S Kalanga Bara Khyber Agency				
<i>[Signature]</i>	30/6/08	1/R	<i>[Signature]</i> Principal G.G.H.S.S Kalanga Bara Khyber Agency				
<i>[Signature]</i>	30/11/08	1/R	<i>[Signature]</i> Principal G.G.H.S.S Kalanga Bara Khyber Agency				
<i>[Signature]</i> Principal G.G.H.S.S Kalanga Bara Khyber Agency	30/11/09	1/R	<i>[Signature]</i> Principal G.G.H.S.S Kalanga Bara Khyber Agency				
<i>[Signature]</i> Principal G.G.H.S.S Kalanga Bara Khyber Agency	30/11/10	1/R	<i>[Signature]</i> Principal G.G.H.S.S Kalanga Bara Khyber Agency				
<i>[Signature]</i> Principal G.G.H.S.S Kalanga Bara Khyber Agency	30/11/11	1/R	<i>[Signature]</i> Principal G.G.H.S.S Kalanga Bara Khyber Agency				
<i>[Signature]</i> Principal G.G.H.S.S Kalanga Bara Khyber Agency	30/11/2011	1/R	<i>[Signature]</i> Principal G.G.H.S.S Kalanga Bara Khyber Agency				
<i>[Signature]</i>			<i>[Signature]</i> Principal G.G.H.S.S Kalanga Bara Khyber Agency				
<i>[Signature]</i>			<i>[Signature]</i> Principal G.G.H.S.S Kalanga Bara Khyber Agency				
<i>[Signature]</i>			<i>[Signature]</i> Principal G.G.H.S.S Kalanga Bara Khyber Agency				

① Allowed BPS #15 up to 1-10-2007 under sanction AEO Pkhor Prdst No. 907-13 dated 20/11/08

② I hereby opt to Take B-15 up to 2/12/07 instead of 1-10-07

Mrs Helal

Attested
Principal
G.G.H.S.S Kalanga Bara
Khyber Agency

Service verified up to 1-12-2008 to 30-11-10 from pay bill and other record of this school

Service verified up to 31/11/2012 from pay bill and other record of this school

Principal
G.G.H.S.S Kalanga Bara
Khyber Agency

[Signature]
Principal
G.G.H.S.S Kalanga Bara
Khyber Agency

(11)

1	2	3	4	5	6	7	8
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 374 C.S.R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "p"	Date of appointment	Signature Government
D.M. G.S. Kullanga		Revised Entry B-15 on a/c of upgr. pay scale (4350-350-14850)					
		Rs. 4700/- P.M.				2 ¹² / ₀₇	(M)*
		B-15 5220-420-17820					(M)*
		Rs. 5640/- P.M.				1 ⁷ / ₀₈	(M)*
		Rs. 6080/- P.M.				1 ¹² / ₀₈	(M)*
		6060/-					
		T.No. 653 Rs. 6480/- 20/12				1 ¹² / ₂₀₀₇	(M)*
		Prin Rs. 4670/- on a/c of upgr. pay scale					
		Attested to 15 with 21/12/13 to 30/1/14					
		M. C. S. Kullanga, D.A. Nhyber Agency					(M)*
		Rs. 6900/-				1 ¹² / ₁₀	(M)*
		BPS #15 8800-700-24000					
		Rs. 11300/-				1 ⁷ / ₂₀₁₁	(M)*
		Rs. 12000/-				1 ¹² / ₂₀₁₄	(M)*
		Rs. 12700/-				1 ¹² / ₂₀₁₃	(M)*
		Rs. 13400/-				1 ¹² / ₂₀₁₄	(M)*

9	Signature and Designation of the head of the office or other attesting officer columns 1 to 8	10	Date of termination or appointment	11	Reason of termination such as promotion, transfer, dismissal, etc.)	12	Signature of the head of the office or other attesting officer.	13	Leave - Allocation of period of leave on average pay upto four months for which leave salary is debtable to another Government which debtable to Government to which debtable
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Signature of the head of the office or other attesting officer
 Date of termination or appointment
 Reason of termination such as promotion, transfer, dismissal, etc.)
 Signature of the head of the office or other attesting officer.
 Leave - Allocation of period of leave on average pay upto four months for which leave salary is debtable to another Government which debtable to Government to which debtable

HEAD MISTRESS
 Govt. High School Kanganah
 Govt. High School Kanganah
 Govt. High School Kanganah
 Govt. High School Kanganah

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 Govt. High School Kanganah

Attended
 (15) Read

(12)

13

13
Signature
Government

1	2	3	4	5	6	7	8
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension - under Art. 371 - C.S.R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "p"	Date of appointment	Signature Government
DDI	BPS-16	(10000-800-34000)	Rs 12400/- P.M	800/-		02/12/2012	

Attested

~~DDI BPS-16 (10000-800-34000)~~

~~Rs 12400/- P.M
800/-~~

~~Pay fixed in BPS-16 13200/- P.M~~

~~Rs 14000/- P.M~~

(2011) Revised Entry B-16
ref 107572918.

DM
G. H. S. Solanki
Baser I.A.

(14100/-) - 16000/-

Rs 800/-

Rs (14900/-) - 16800/-

Rs (15000/-) - 15600/-

(2015) BPS NO. 16 12910-1035-43960
131 20157 - 17/2015

1	9	10	11	12	13		14	15	
					Leave				
Servant	Signature and Designation of the head of the office or other attesting officer in attestation of columns 1 to 8	Date of termination or appointment.	Reason of termination such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting officer.	Nature and duration of leave taken.	Allocation of period of leave on average pay upto four months for which leave salary is debit to another Government		Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure or praise of the Government Servant.
						Period	Government to which debit		
						<p><i>[Stamp]</i> B. Promoted vide No. BPS AM-18/7&SE 2012 dt 11.07.2012 & DPC Vide No. 14883-SB dt 17/07/2012 from BPS-15 10-16 with immediate effect</p> <p><i>[Signature]</i> CEO Khyber Agency</p>			
						<p><i>[Text]</i> Suspension / Illness / Premature death Date of 30-5-2014 to 12-2-2014 i.e. up to date from BPS 15 to BPS 15 Binan Dependent WO: PD. So. SA-11-133/ 2014 dated 30-5-2014</p>			
						<p><i>[Text]</i> IL No III dt-3/2/016 Promotional post w. ef 1/6/2014 to 31/12/2016 Rs-24371/2</p>			
						<p><i>[Text]</i> Maternity leave sanctioned 15/11/17 to 22/11/17 15 days on full pay vide ALI Letter No. 5726-7 Dated 22/11/2017</p>			

[Signature]
30/2/16 SR

[Signature]

(H) *
Attested

[Signature]

[Text]
Maternity leave sanctioned
15/11/17 to 22/11/17
15 days on full pay vide
ALI Letter No. 5726-7
Dated 22/11/2017

[Signature]

19

1 Name of post	2 Whether substantive or officiating and whether permanent or temporary	3 If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	4 Pay in substantive post	5 Additional Pay for officiating	6 Other emolument falling under the term "p"	7 Date of appointment	8 Signature of Government Servant
<i>Entry Revised Regarding Foreman's Month</i>							
		13:14:	3565	275		11/21/15	
			3565			13-5-2007	
		13:14:	4100	315		13/5/2007	
			4100			1-7-2007	
			4415			1-12-2007	
		13:15:	4350	350		14/8/50	
			4700	350		officiation up to 14/8/50 + Provision	
			5050			2-12-2007	
		13:15:	5290	420		17/8/80	
			6060			1-7-2008	
			6480			1-12-2008	
			6900			1-12-2009	
			7320			1-12-2010	
		13:15:	8500	700		29/5/00	
			12000			1-7-2011	
			12700			1-12-2011	
			13400			1-12-2012	
			14100			1-12-2013	
		13:16:	10000	800		24/00	
			14800	800		provision to 13:16	
			15600			15-5-2014	
			16400			1-12-2014	
		13:16:	12910	1035		43960	
			21190			1-7-2015	
			22925			1-12-2015	

(H) m
A Hated

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RPS-



Notification.

In pursuance of the Elementary & Secondary Education Department Khyber Pakhtunkhwa Notification No.(B&A)/1-18/E&SE 2012 dated 11.7.2012 and consequent upon recommendation of Departmental Promotion Committee, the following D.M B-15 (Female) in Khyber Agency are hereby up-graded to the post of Senior D.M (B-16) Rs.(10000-800-34000) plus usual allowances as admissible under the rules on regular basis under the existing policy of Provincial Govt. in teaching cadre. They are placed at the disposal of AEO Khyber Agency for further adjustment on the terms & conditions mentioned below with immediate effect.

S.No	Name	Place of Duty	Remarks
1	Tehmina	GGMS Tehsil Bara	Considered suitable for promotion to the post of (Female) Senior D.M BPS-16 on regular basis with immediate effect.
2	Robina Naz	GGMS Malang Ghari	
3	Nila Shahin	GGMS Yar Afzal Killi	
4	Sabin Shahzadi	GGMS Wali Khel	
5	Kousar Begum	GGMS Ghazi Gul	
6	Bushra Begum	GGHS Jamrud	
7	Safia Begum	GGMS Navai Qamar	
8	Samia Sardar	GGHS Gul Abad	
9	Hilal	GGHSS Kalanga	
10	Nila Durrani	GGMS Sarfaraz Killi	

Terms and Conditions

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

Director Education FATA

Endst.No. 14937-92

Dated Pesh:the 15/15/2014 ✓

Copy forwarded to the:-

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. Accountant General Khyber Pakhtunkhwa Peshawar.
3. Agency Accounts Officer Khyber Agency.
4. Agency Education Officer Khyber Agency
5. Official concerned.
6. P.A to Director Education FATA.

Additional Director (Estab)
Directorate of Education FATA.

(H m) ✓
Attested

Photo cut out



DM(F)

FATA SECRETARIAT
Directorate of EducationWarsak Road Peshawar, Pakistan
Phone. 091-9210166 Fax 091-9210216

No. _____/

dated ___/___/2017

Annex - "D"

17

Notification:

Consequent upon the recommendation of the Departmental Promotion Committee and in pursuance of the Govt. of Pakistan Finance Division (Regulation Wing) Notification No.1(32)R-1/2015-582/2016 dated 25.7.2016 Islamabad, SO (Edu) Notification No.FS/SO(Edu)/SSD/Up-Gradation/2882-94 dated 22.6.2016 and duly Endorsed by Directorate of Education FATA vide No.8233-60 dated 8.8.2016, the following DM (F) B-15 are hereby promoted to the post of Sr.DM (F) B-16 (Rs.15880-1280-54280) plus usual allowances as admissible under the rules on regular basis on terms and conditions given below with effect from 20.2.2013 and further they will be posted in the Govt. Higher Secondary / High Schools by the Agency Education Officer concerned against the newly upgraded Sr.DM BPS-16 posts.

Total No. of DM (F) Posts duly verified by the AAO	33
1/3 share of Senior DM Posts	11
Share of promotion 100%	11
Already promoted to B-16 SDM	Nil
No of Senior DM Posts available for promotion	11
Recommended for promotion to Sr.DM	7

S.#	Sen. No.	Name	Name of school	Date of Birth	Date of Regular Apptt. against DM Post	Remarks
1	2	Tehmina Naseem	GGMS Tehsil Bara	16/03/1962	20/01/1991	Services placed at the disposal of AEO Khyber for further posting.
2	4	Robina Naz	GGMS Malang Ghari	21/4/1971	20/9/1994	Services placed at the disposal of AEO Khyber for further posting.
3	6	Nila Shahin	GGMS Yar Afzai Killi	10/11/1964	15/10/1995	Services placed at the disposal of AEO Khyber for further posting.
4	7	Sabin Shahzadi	GGMS Wali Khel	22/03/1975	01/11/1999	Services placed at the disposal of AEO Khyber for further posting.
5	10	Miss Safia Begum	GGMS Navai Qamar	15/03/1978	01/09/2003	Services placed at the disposal of AEO Khyber for further posting.
6	12	Samia Sardar	GGHS Gul Abad	02/01/1976	14/10/2002	Services placed at the disposal of AEO Khyber for further posting.
7	14	Nila Durrani	GGMS Sarfaraz Killi	05/10/1980	29/05/2007	Services placed at the disposal of AEO Khyber for further posting.

2017/17

Attested

Terms & Conditions:

1. They would be on probation for a period of one year, extendible 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, she 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 the lower post will remain intact.
6. No TA/DA is allowed for joining him/her duty.
7. They will give an undertaking to be recorded in their Service Book to the effect that any over payment is made to her in the light this order will be recovered and if she is wrongly promoted, he will be reversed.

(Hashim Khan)
Director Education FATA

Endst: No. 3055-70 /File No.1/Promotion Senior CT B-16 dated 2/12/2017

Copy for information and necessary action is forwarded to the:

1. Accountant General (PR) Sub Office, Peshawar.
2. Agency Education Officer, Khyber Agency.
3. Agency Accounts Officer, Khyber Agency.
4. PS to Additional Chief Secretary FATA.
5. PS to Secretary SSD, FATA.
6. PS to Secretary Finance FATA Secretariat.
7. PA Director Education, local Directorate.
8. Official concerned.
9. Master File.

11/10/2017
Addl: Director (Estab)
Directorate of Education, FATA

Attested

گفتاور جناب ایجنسی ایکویٹیشن آفیسر خیر ایجنسی

(19)

درخواست نمبر BPS-16
2013

نمونہ

Annex "E"

جناب عالی!

تذکرہ میں ہے کہ سائلہ 2007 سے بطور
D.M ٹورنٹ ٹریڈنگ کمپنی سیکورٹری سکول ملنگ ہاؤس کراچی
میں اپنی خدمات سرانجام دے رہی ہے سائلہ کو 2014
میں BPS-16 دیا گیا ہے جبکہ اب میری دوسری ساتھی
ساتھیوں کو 2017 میں 2013 سے BPS-16 دیا گیا
ہے جو کہ میرے ساتھ ناقصاتی ہے
لہذا آپ سے گزارش ہے کہ مجھے بھی دوسری
ساتھی ساتھیوں کی طرح 2013 سے BPS-16 دیکر
مشکور فرمائیں

تاج محمد خان پور پوٹی

تاریخ 31/03/2017

ایمانی

Attested

(H.M)

عبدالولہ محمد البرہان
ڈائریکٹر

ٹورنٹ ٹریڈنگ کمپنی سیکورٹری سکول ملنگ ہاؤس کراچی

20

Annex - F

PLACEMENT:

Consequent upon the notification for promotion from DM (F) to Senior DM (F) B-16 issued vide Director of Education Newly Merged Tribal District Warsak Road Peshawar Endst: No. 12861 - 73 / File No.1/ Promotion Senior CT BPS-16 Dated 11/10/2018.

The following Senior DM's (F) (BPS-16) are hereby placed at the Stations/Schools noted against each with effect from the date of issuance of the above mentioned notification and on the terms and conditions given below.

S.#	Sen. No.	Name & Present Place of Posting	Proposed Posting on Promotion	Remarks
1	9	Kousar Begum, GGMS Payo Noor	GECT(F) Jamrud	Promoted
2	17	Miss Halal, GGMS Kalanga	GGHSS Kalanga	Promoted

Terms & Conditions:

1. They would be on probation for a period of one year, extendible 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, she 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 the lower post will remain intact.
6. No TA/DA is allowed for joining him/her duty.
7. They will give an undertaking to be recorded in their Service Book to the effect that any over payment is made to her in the light this order will be recovered and if she is wrongly promoted, she will be reversed.

CONSEQUENTIAL TRANSFER.

S#	Name	Place of Posting	Remarks
1	Laila, DM GECT(F) Jamrud	GGMS Payo Noor	

Attested

(MUHAMMAD JADOON KHAN)
DISTRICT EDUCATION OFFICER

Copy for information and necessary action is forwarded to the:

- 1 Director Education (NMTD) of Peshawar.
- 2 Accountant General (PR) Sub Office, Peshawar.
- 3 District Accounts Officer Tribal District Khyber at Jamrud.
- 4 PS to Additional Chief Secretary NMTD.
- 5 PS to Secretary SSD, NMTD.
- 6 PS TO Secretary Finance Secretariat.
- 7 ADEO(F) Concerned local office.
- 8 Superintendent local office.
- 9 Individual concerned.

(21)

Faisal Iqbal/

(H) m
Attested

DISTRICT EDUCATION OFFICER
TRIBAL DISTRICT KHYBER AT JAMRUD

کھنور مناب ڈسٹرکٹ ایجوکیشن آفیسر خیر ٹرائل

عنوان
تخلیہ اپیل
Annex - 9 (22)

مناب عالی!

سائلہ حسب ذیل عرفین اسان ہے

یہ کہ سائلہ بکثیت D.M ٹورنٹ لرنرز یا ایئر سلیڈری سکول

کلیدہ اکا خیل میں 23-5-2007 سے اپنی خدمات سرانجام
دے رہی ہوں سائلہ کو کوالہ نمبر 42-14937 فورف

2014-5-15 کو BPS-16 دیا گیا اور تاحال سائلہ BPS
میں اپنی خدمات انجام دے رہی ہے

یہ کہ سائلہ نے جو دیگر اسٹاٹوں کو 2017 میں جاری کردہ
آرڈر نے تحت BPS-16 دیا گیا اور ان اسٹاٹوں کو 2013 BPS
BPS-16 دیا گیا جبکہ نظر انداز کیا گیا حالانکہ سائلہ سے
جو سب اساتذہ کو بھی BPS-16 2013 سے دیا گیا

یہ کہ سائلہ نے اس بے انصافی کے خلاف باقاعدہ درخواست
جمع کی مگر سائلہ کا آرڈر غلطی سے 2013 ہی بجائے
برائے آرڈر فورف 10-11-2018 کو Immediate
with effect سے دیا گیا

تو یہ غلطی ہے بنیاد اور بے انصافی ہے جو نیک سائلہ
تو پہلے ہی سے BPS-16 میں کام کر رہی ہے۔

Attested
(H.M.)

لہذا گزارش ہے کہ سائل کا آرڈر BPS-16

میں دوسری سافٹی اپنا بیٹوں کی طرح

2013 سے آیا ہے

06 11 2018 فورم

الارض

ہلال ولد محمد ابراہیم

ڈرائنگ ماسٹر
گورنمنٹ کولنز پائپر سٹیٹ سکول ملتان

انجیل باڑہ

(H) *

(H) *
Attested

بعدالت صاحب سہرگودھا سول ٹریبونل لیسار

Appeal No _____ 2019

Appellant 2، پنجاب
بنام گورنمنٹ
حصہ بدلا

مورخہ
مقدمہ
دعویٰ
جرم

باعث تحریر آنکے

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ
 آن مقام لیسار کیلئے عبدالرحمن، ان خان شہید سہرازا اور دیگر
 مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز
 وکیل صاحب کو راضی نامہ کرنے و تقرر ثالثہ فیصلہ برحلف دیئے جواب دہی اور اقبال دعویٰ اور
 بصورت ڈگری کرنے اجراء اور صولی چیک و روپیہ عرضی دعویٰ اور درخواست ہر قسم کی تصدیق
 زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی
 نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور
 کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار
 ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ با اختیارات حاصل ہوں گے اور اس کا ساختہ
 پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ دہر جائنہ التوائے مقدمہ کے سبب سے وہ ہوگا۔
 کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی
 مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سندر ہے۔

4
5

المرقوم 05 ماہ مارچ 2019ء

العاب واہ العاب

بمقام لیسار کے لئے منظور ہے۔

Accepted

Sh. [Signature] Bd.

BEFORE THE KHYBER PUKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Appeal No: 337/2019.

Mst: Hilal **Appellant**

VERSUS

1. Government of Khyber Pakhtunkhwa, through Secretary E&SE
Education Peshawar and Others

..... **Respondents**

INDEX

S.NO	DESCRIPTION OF DOCUMENTS	ANNEXURE	PAGE
1	PARAWISE COMMENTS AND AFFIDAVIT	1-2
2	Notification dated 15.10.2018.	A	3-4

W-10
with
2
Deponent

BEFORE THE KHYBER PUKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Appeal No: 337/2019.

Mst: Hilal **Appellant**

VERSUS

1. Government of Khyber Pakhtunkhwa, through Secretary E&SE
Education Peshawar and Others
..... **Respondents**

Para-wise comments on behalf of respondent No: 4

Respectively Sheweth:

Preliminary Objection:

1. That the appellant has got no cause of action to file the instant appeal.
2. That the appellant has not come to this Honourable Tribunal with clean hands.
3. That the appellant has concealed material facts from this Honourable Tribunal.
4. That the appellant is estopped by his own conduct to bring the present appeal
5. That the tribunal has no jurisdiction to adjudicate the matter.

On Facts:

1. No comments, Pertains to the Appellant record.
2. That Para No.2 needs no comments as is concerned with the appellant qualification and promotion.
3. That Para No. 3 of the appeal also needs no comments as not concerned to the respondent.
4. Incorrect. DPC for any district teaching cadre posts including Drawing Master (DM) had not been notified nor conducted at that time.
5. That Para No.5 is correct to the extent that promotion were made vide notification No. 3055/70 dated 21-2-2017 in which the name of appellant was missing due to not-furnishing of relevant record as required for promotion. Even the appellant was telephonically informed to produce the required record but she failed to do so. "Law favors the vigilant not the indolent". It is also worth mentioning here that the appellant has not submitted any application to answering respondent.
6. That Para No.6 of the appeal is correct to the extent that a fresh notification No. 1343-51 Dated 15.10.2018 (**annex-A**) regarding promotion/up gradation was issued by respondent department while the rest of the Para is incorrect.
7. Para No.7 is incorrect as appellant has not submitted any application/departmental appeal.

On Grounds:

- i. The act of the respondent is legal and competent. Liable to be maintained.
- ii. Incorrect. That the same notification has already been withdrawn.
- iii. Incorrect. it is necessary to mentioned over here that as per rules/policy all the promotion/upgradation are made with immediate effect therefore the impugned notification is liable to be maintained (**annex-A**).
- iv. That the appellant has been treated as per law/rules.
- v. That the appellant was bound by her own conduct for delaying the required record for promotion.
- vi. That the appellant has been treated in accordance with law/rules and no discrimination has been done.
- vii. Action and omission of the respondent is according to law and appellant was treated in accordance with law.
- viii. Incorrect. Hence denied. As elucidated in Para 5 above.
- ix. Incorrect. The appellant was treated in accordance with law and while doing so no right of the appellant has been violated.
- x. Incorrect. As elucidated in para 5 above.
- xi. Incorrect. That the respondent department being bound to act in accordance with law.
- xii. Incorrect. Hence denied.

Pray:

Keeping in view the above legal and factual position, it is humbly requested that the instant appeal may kindly be dismissed with cost.

Respondent No. 4.

**District Education Officer
District Khyber**

AFFIDAVIT.

We the above respondents do hereby declare and affirm on oath that the above comments are true and correct to the best of our Knowledge and belief and that nothing has been concealed from this Honorable Tribunal.

Respondent NO. 4.

**District Education Officer
District Khyber**

DISTRICT EDUCATION OFFICE
TRIBAL DISTRICT KHYBER

AT JAMRD

Phone: 091-5820584

No. _____ / dated ____/____/2018

DM(F)

PLACEMENT:

Consequent upon the notification for promotion from DM (F) to Senior DM (F) B-16 issued vide Director of Education Newly Merged Tribal District Warsak Road Peshawar Endst: No. 12861 - 73 / File No. 1/ Promotion Senior CT BPS-16 Dated 11/10/2018.

The following Senior DM's (F) (BPS-16) are hereby placed at the Stations/Schools noted against each with effect from the date of issuance of the above mentioned notification and on the terms and conditions given below.

S.#	Sen: No.	Name & Present Place of Posting	Proposed Posting on Promotion	Remarks
1	9	Kousar Begum, GGMS Payo Noor	GECT(F) Jamrud	Promoted
2	17	Miss Halal, GGHSS Kalanga	GGHSS Kalanga	Promoted

Terms & Conditions:

1. They would be on probation for a period of one year, extendible for another 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, she 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 the lower post will remain intact.
6. No TA/DA is allowed for joining him/her duty.
7. They will give an undertaking to be recorded in their Service Book to the effect that any over payment is made to her in the light this order will be recovered and if she is wrongly promoted, she will be reversed.

CONSEQUENTIAL TRANSFER.

S#	Name	Place of Posting	Remarks
1	Laila, DM GECT(F) Jamrud	GGMS Payo Noor	

(MUHAMMAD JADOON KHAN)
DISTRICT EDUCATION OFFICER

Annexure 'A'

P-(3)

1343 - 51 / DM(F)(BPS-16) Promotion/ Faisal Iqbal,J/C

Dated

15/10/2019.

(G)

For information and necessary action is forwarded to the:

- 1 Director Education (NMTD) at Peshawar.
- 2 Accountant General (PR) Sub Office, Peshawar.
- 3 District Accounts Officer Tribal District Khyber at Jamrud.
- 4 PS to Additional Chief Secretary NMTD.
- 5 PS to Secretary SSD, NMTD.
- 6 PS TO Secretary Finance Secretariat.
- 7 ADEO(F) Concerned local office.
- 8 Superintendent local office.
- 9 Individual concerned.

P-4

DISTRICT EDUCATION OFFICER
TRIBAL DISTRICT KHYBER AT JAMRUD

Faisal Iqbal/

10/10/19

1

BEFORE THE HONOURABLE KP SERVICE TRIBUNAL PESHAWR.

APPEAL NO.337/2019

Miss Hilal Sr.DM

Versus

Education Deptt:

APPLICATION FOR FILING OF ADDITIONAL DOCUMENTS.


Respectfully sheweth,

- 1- That the titled appeal is pending before this honourable tribunal and is fixed for today.
- 2- That the appellant wants to place on file copies of Notification dated ¹⁶ 11/10/2018 and Placement order dated 15/10/2018 which are very much necessary for disposal of the titled appeal.
- 3- That there is no legal bar on placing on file these necessary documents.

It is therefore, humbly prayed that the above mentioned documents may kindly be placed on file.


Appellant

Through:


IBADUR RAHMAN
Advocate High Court
Peshawar.

Dated. 16 /8/2019.



Bakhtyar Ahmad
Siddiqui = 03335079597

(2)

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

Dated Peshawar, 11/07/2012

NOTIFICATION:

No. SO (B & A)/1-18/E&SE/2012:

Sanction of the Government of Khyber Pakhtunkhwa is hereby accorded to the up gradation of the posts for Grant of Incentive of Higher Pay Scale to different Categories/Cadres of teachers in Elementary & Secondary Education Department w.e.f. 01-07-2012 as per details given below:-

Sr. No.	Nomenclature of Teaching Cadre Post	Location	Existing Basic Pay Scale	New Approved Basic Pay Scale	Remarks
1.	Primary School Teacher (PST)	Govt. Primary School	BPS-5 BPS-6 BPS-7 BPS-9 BPS-10 BPS-12	(BPS-12)	The post of PST is upgraded to BPS-12. Accordingly, 33,497 posts of PSTs, already sanctioned in various pay scales are upgraded to BPS-12 for the present incumbents as well as future appointees.
2.	Senior Primary School Teacher (Sr. PST)	"do"	Newly Upgraded/Redesignated Post	(BPS-14)	22,331 posts of the existing PSTs in various existing pay Scales are upgraded to BPS-14 and redesignated as Senior PST. The posts will be filled in the manner as may be prescribed by the Elementary & Secondary Education Department by making necessary service rules or amending the existing service rules, if any, for the post.
3.	Primary School Head Teacher (PSHT)	"do"	Newly Upgraded/Redesignated Post	(BPS-15)	20,804 posts of the existing PSTs (one post in each Primary School) are upgraded to BPS-15 and redesignated as Primary School Head Teacher, and will be filled in the manner as may be prescribed by the Elementary & Secondary Education Department by making necessary service rules or amending the existing service rules, if any, for the post.
4.	Certified Teachers (CT)	Govt. Middle/High/Higher Secondary School	BS-09 BS-10 BS-12 BS-14 BS-15	(BPS-15)	All the existing posts of CTs are upgraded to BPS-15 for the present incumbents to the post as well as future appointees.
5.	Senior Certified Teachers (Sr. CT)	"do"	Newly Upgraded/Redesignated Post	(BPS-16)	One thirds (1/3 rd) of the total CT posts are upgraded to BPS-16 and redesignated as Senior CTs which will be filled in the manner as may be prescribed by the Elementary & Secondary Education Department by making necessary service rules or amending the existing service rules, if any, for the post.
6.	Arabic Teachers (A.T)	"do"	BS-09 BS-10 BS-12 BS-14 BS-15	(BPS-15)	All the existing posts of ATs are upgraded to BPS-15 for the present incumbents to the post as well as future appointees.
7.	Senior Arabic Teachers (Sr. AT)	"do"	Newly Upgraded/Redesignated Post	(BPS-16)	One thirds (1/3 rd) of the total AT posts are upgraded to BPS-16 and redesignated as Senior AT, which will be filled in the manner as may be prescribed by the Elementary & Secondary Education Department by making necessary service rules or amending the existing service rules, if any, for the post.
8.	Teacher of Theology (TT)	"do"	BS-07 BS-09 BS-10 BS-12 BS-14 BS-15	(BPS-15)	All the existing posts of TTs are upgraded to BPS-15 for the present incumbents to the post as well as future appointees.
9.	Senior Teacher of Theology (Sr. TT)	"do"	Newly Upgraded/Redesignated Post	(BPS-16)	One thirds (1/3 rd) of the total TT posts are upgraded to BPS-16 and redesignated as Senior TT, which will be filled in the manner as may be prescribed by the Elementary & Secondary Education Department by making necessary service rules or amending the existing service rules, if any, for the post.
10.	Drawing Masters (DM)	"do"	BS-09 BS-10 BS-12 BS-14 BS-15	(BPS-15)	All the existing posts of DMs are upgraded to BPS-15 for the present incumbents to the post as well as future appointees.
11.	Senior Drawing Masters (Sr. DM)	"do"	Newly Upgraded/Redesignated Post	(BPS-16)	One thirds (1/3 rd) of the total DM's posts are upgraded to BPS-16 and redesignated as Senior DM, which will be filled in the manner as may be prescribed by the Elementary & Secondary Education Department by making necessary service rules or amending the existing service rules, if any, for the post.

Physical Education Teachers (PET's)	"do"	BS-09 BS-10 BS-12 BS-14 BS-15	(BPS-15)	All the existing posts of PET's are upgraded to BPS-15 present incumbents to the post as well as future appointees.
Senior Physical Education Teachers Sr. PET's)	"do"	Newly Upgraded/ Redesignated Post	(BPS-16)	One thirds (1/3 rd) of the total PET's posts are upgraded to BPS-16 and redesignated as Senior PET, which will be filled in the manner as may be prescribed by the Elementary & Secondary Education Department by making necessary service rules or amending the existing service rules, if any, for the post.
Qari/Qaria	"do"	BPS-7 BPS-9 BPS-10 BPS-12 BPS-14 BPS-15	(BPS-12)	All the existing posts of Qari/Qaria are upgraded to BPS-12 for the present incumbents to the post as well as future appointees.
Sr.Qari/Sr.Qaria	"do"	Newly Upgraded/ Redesignated Post	(BPS-15)	One thirds (1/3 rd) of the total Qari/Qaria posts are upgraded to BPS-15 and redesignated as Senior Qari/Qaria, which will be filled in the manner as may be prescribed by the Elementary & Secondary Education Department by making necessary service rules or amending the existing service rules, if any, for the post.

2. A policy shall also be devised in the framework of input/output criteria in terms of qualification, length of service, regularity, punctuality, results, curricular and co-curricular achievements and other performance indicators, so that the teachers do not take the scheme for granted but work for it.

3. District wise/ school wise breakup of the posts is enclosed here with as Annexure-1.

SECRETARY

Encls: No. SO(FR)/FD/10-22(E)/2010 Dated Pesh: the 16/07/2012

Copy is forwarded to Accountant General Khyber Pakhtunkhwa, Peshawar.
All District Account Officers

SECTION OFFICER (FR)
FINANCE DEPARTMENT

List of even Number & Date.

- Copy of the above is forwarded to:-
1. The Secretary to Government of Khyber Pakhtunkhwa, Finance Department, with reference to his letter No SO(FR)/FD/10-22(E)/2010 dated 26.05.2012.
 2. P.S. to Secretary, E&SE Department, Khyber Pakhtunkhwa, Peshawar.
 3. P.S. to Special Secretary, E&SE Department, Khyber Pakhtunkhwa, Peshawar.
 4. P.S. to Deputy Secretary-II, E&SE Department, Khyber Pakhtunkhwa, Peshawar.
 5. P.S. to Minister of E&SE, Khyber Pakhtunkhwa.
 6. The Director, E&SE Khyber Pakhtunkhwa, Peshawar.
 7. All the Executive District Officers, E&SE Khyber Pakhtunkhwa.
 8. The Managing Director, Printing Press, Khyber Pakhtunkhwa, Peshawar.
 9. Master file.

(NOOR ALAM KHAN WAZIR)
SECTION OFFICER (B&A)
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT



Directorate of Education
Newly Merged Tribal Districts KPK

DM(F)

dated 11/10/18

(4)

Notification

All Tribal Teachers Promotion 2018

Consistent with the recommendation of the Departmental Promotion Committee and pursuant to the Government of Pakistan Finance Division (Regulation Wing) No. FC/2016/10229/1-2016-582-2016 dated 25.7.2016 Islamabad, SO (Edu) Notification No. PS/SO/Edu/SSD/1/Graduation/2016 dated 22.6.2016 and duly Endorsed by Directorate of Education FATA No. 82334/1/1/2016, the following DM (B-15) are hereby promoted to the post of Sr DM (B-16) Rs (15910-1520-64510) plus usual allowances and duties under the rules of regular basis on terms and conditions given below with immediate effect and further they will be posted in the Tribal Higher Secondary High Schools by the District Education Officer concerned against the ungraded Sr DM BPS-16 posts.

Total No. of DM (B-15) Posts duly verified by the DAO	11
Total No. of Senior DM Posts	11
Share of promotion posts	11
Already promoted to B-16 SDM	07
No. of Senior DM Posts available for promotion	04
Recommended for promotion to Sr DM	03

S.#	Sen: No.	Name	Name of school	Date of Birth	Date of Regular Apptt: against DM Post	Remarks
		Fahra Bakhsh	GGMS Sur Kamar No 1	01.01.1975	11.02.1999	Recommended subject to verification of BA degree from MEC
		Begum	GGMS Payo Noor	24.12.1978	05.05.2003	Services placed at the disposal of DEO Khyber for further posting
		Matal	GGHSS Kalanga	26.03.1985	23.05.2007	Services placed at the disposal of DEO Khyber for further posting

11/10/18

on probation for a period of one year, extendible for another one year

governed by such rules and regulations as may be issued from time to time by

can be terminated at any time in case their performance is found unsatisfactory

any period. In case of misconduct, she shall be proceeded under the rules

time.

submitted to all concerned.

lower post will remain intact

her duty.

7. They will give an undertaking to be recorded in their Service Book to the effect that any over payment is made to her in the light this order will be recovered and if she is wrongly promoted, he will be reversed.

(Hashim Khan)
Director Education NMTD

Endst: No. 1286 / File No. / Promotion Senior CT B-16 dated 11/10 / 2018 ✓

Copy for information and necessary action is forwarded to the:

1. Accountant General (PR) Sub Office, Peshawar.
2. District Education Officer, Khyber at jamrud.
3. District Accounts Officer, Khyber at jmarud.
4. PS to Additional Chief Secretary NMTD.
5. PS to Secretary SSD, NMTD.
6. PS to Secretary Finance FATA Secretariat.
7. PA Director Education, local Directorate.
8. Official concerned.
9. Master File.

All Tribal Teachers Association KPK

o/c Addl: Director (Estab)
Directorate of Education NMTD
11/10/18

The work of the Commission is to be carried out in accordance with the provisions of the Act and the Regulations made thereunder. The Commission shall have the powers and functions conferred upon it by or under the Act and the Regulations.

(Section 11)
Director of Education (11/11)

11/11/11

- 1. For information and necessary action is forwarded to the
- 2. Accounts Officer (AO) (11/11) Sub Officer, Revenue
- 3. District Officer (DO) (11/11) Sub Officer, Revenue
- 4. District Officer (DO) (11/11) Sub Officer, Revenue
- 5. To the Director of Education (11/11)
- 6. To the Director of Education (11/11)
- 7. To the Director of Education (11/11)
- 8. To the Director of Education (11/11)
- 9. To the Director of Education (11/11)
- 10. To the Director of Education (11/11)

Director of Education (11/11)
11/11/11

**DISTRICT EDUCATION OFFICE
TRIBAL DISTRICT KHYBER**

AT JAMRUD

Phone: 091-5820594

No. _____ / dated ____/____/2018

DM(F)

PLACEMENT:

Consequent upon the notification for promotion from DM (F) to Senior DM (F) B-16 issued vide Director of Education Newly Merged Tribal District Warsak Road Peshawar Indst: No. 12861 - 73 / File No.1/ Promotion Senior CT BPS-16 Dated 11/10/2018.

The following Senior DM's (F) (BPS-16) are hereby placed at the Stations/Schools noted against each with effect from the date of issuance of the above mentioned notification and on the terms and conditions given below:

S.#	Sen. No.	Name & Present Place of Posting	Proposed Posting on Promotion	Remarks
1	9	Kousar Begum, GGMS Payo Noor	GECT(F) Jamrud	Promoted
2	17	Miss Halal, GGSS Kalanga	GGSS Kalanga	Promoted

Terms & Conditions:

1. They would be on probation for a period of one year, extendible 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, she 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 the lower post will remain intact.
6. No TA/DA is allowed for joining him/her duty.
7. They will give an undertaking to be recorded in their Service Book to the effect that any over payment is made to her in the light this order will be recovered and if she is wrongly promoted, she will be reversed.

CONSEQUENTIAL TRANSFER.

S#	Name	Place of Posting	Remarks
1	Laila, DM GECT(F) Jamrud	GGMS Payo Noor	

(MUHAMMAD JADOON KHAN)
DISTRICT EDUCATION OFFICER

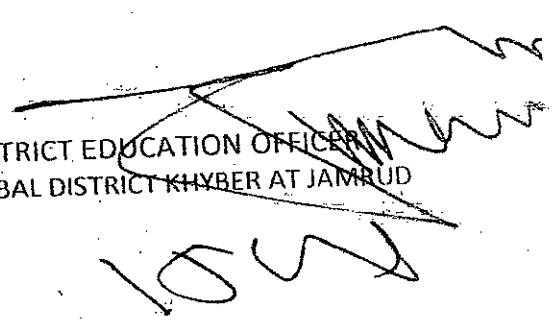
1343 - 51 / DM(F)(BPS-16) Promotion / Faisal Iqbal, J/C

Dated

15/10/2018: 6

for information and necessary action is forwarded to the:

- 1 Director Education (NMTD) at Peshawar.
- 2 Accountant General (PR) Sub Office, Peshawar.
- 3 District Accounts Officer Tribal District Khyber at Jamrud.
- 4 PS to Additional Chief Secretary NMTD.
- 5 PS to Secretary SSD, NMTD.
- 6 PS TO Secretary Finance Secretariat.
- 7 ADEO(F) Concerned local office.
- 8 Superintendent local office.
- 9 Individual concerned.


DISTRICT EDUCATION OFFICER
TRIBAL DISTRICT KHYBER AT JAMRUD

Faisal Iqbal/