HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No: 868/2022

Mr. Muhammad Karim..... Appellant

Versus

Govt. of Khyber Pakhtunkhwa

Through Chief Secretary, Higher Education

& others......Respondents

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HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No: 868/2022

Mr. Muhammad Karim		······ <i>P</i>	Appellant
	Versus	Kbybet Pakhtukhwa Barvice Tribuaal	
Govt. of Khyber Pakhtunkhwa		Diary No. 2430	· · · · · · · · · · · · · · · · · · ·
Through Chief Secretary, Higher Educ & others		13-112/22 Re	spondents
			-

AFFIDAVIT

I, Ihsan Ullah Khan, Litigation Officer, Higher Education Department do hereby declare and affirm on oath that the contents of "Parawise Comments" are correct to the best of my knowledge and belief and that nothing has been concealed from this Honourable Court.

Identified by:

ATTESTED Deponent 2.mai

BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

Service Appeal # 868/2022 Muhammad Karim...... Appellant

Versus

SUBJECT:- PARAWISE COMMENTS ON BEHALF OF RESPONDENTS NO.1-5

PRELIMINARY OBJECTIONS: -

Respectfully Sheweth: -

- 1. That, the Apellant has got no locus standi/cause of action, to file the instant petition.
- 2. That, the Appellant has not come to the Tribunal with clean hands and trying to conceal material facts.
- 3. That the present is barred by Law and limitation.
- 4. That the Appellant is estopped by his own conduct to file the present petition.
- 5. That the appeal is bend for misjoinder and non-joinder of necessary parties.

Facts: -

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1- Pertains to record.

2- Correct to the extent that the promotion case of the petitioner was placed before the Provincial Selection Board (PSB) in its meeting held on 24.03.2017 but the Board recommended to defer his case for promotion to BPS-20 due to pending inquiry and weak service record. (Annex-A)

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- 3- Correct to the extent that the case of the petitioner was again deferred by the Provincial Selection Board that an inquiry was pending against him and his service record was also weak as his efficiency index was 45.47 which is below the required threshold. (Annex-B) The required threshold for BPS-20 is 70.
- 4- Correct to the extent that the petitioner was deferred for 3rd time due to same reason i.e. pending inquiry and weak service record. (Annex-C)
- 5- Correct.
- 6- Correct to the extent that the case of the petitioner was again placed before the Provincial Selection Board in its meeting held on 17.09.2018 as the Board was informed that an inquiry was pending against him. At the time of meeting of Provincial Selection Board, the disciplinary proceedings were not finalized and lastly a minor penalty "censure" was imposed upon the petitioner vide notification dated 03.10.2018. (Annex-D)
- 7- Correct to the extent that Provincial Selection Board in its meeting held on 26.12.2018, deferred the promotion of the petitioner as his efficiency index was 48.17 which is below the required threshold. (Annex-E)
- 8- Correct to the extent that the Provincial Selection Board in its meeting held on 19.04.2019, deferred the promotion of the petitioner due to his weak service record as his efficiency index was 48.05 below the required

threshold. (Annex-F) The Board recommended to watch the performance of the petitioner. (Annex-G)-

9- Correct to the extent that the Provincial Selection Board in its meeting held on 23.09.2019 superseded the petitioner due to his weak service record as his efficiency index was 48.05 below the required threshold and the Board desired to further watch the performance of the petitioner (**Annex-H**). Moreover, as per ESTA Code, if a civil servant is superseded he shall not be considered for promotion until he earns one year PER for the ensuing one full year. (**Annex-I**)

10- Correct to the extent that the petitioner has been exonerated from minor penalty of censure vide notification dated 07.05.2020 in light of Service Tribunal decision but as far as the Supersession is concerned, it is the domain of the Provincial Selection Board.

11- Correct to the extent that the appellant filed Writ Petition No. 2670/2020. Wherein he prayed that;

- **Declare** the PSB decision dated: 23-09-2019 and order dated: 07-05-2020 to the extent of maintaining supersession as illegal, unlawful, discriminatory, without any justification, as the petitioner's PER was expunged & Censure was converted into Exoneration by the Tribunal and authority and there exists no reason to deny the promotion to BPS-20 to the petitioner from his due date 2017.
- II. **Direct** the respondent to consider the petitioner for promotion to BPS-20 w.e.f 2017 with all back and consequential service benefits.
- III. Any other remedy deems appropriate that may also be awarded in favour of petitioner.

and the same was decided vide judgment dated: 03-11-2021 (Annex-J) operating part of the judgment is read as under;

"Notification dated: 07-05-2020 issued by the Secretary, Higher Education Department, Peshawar to the extent, whereby, Petitioner's request for conversion of his supersession into the deferment was declined, is not sustainable. He shall deemed deferred for promotion at the relevant time. Accordingly, we allow and dispose of this Writ Petition with the direction to the respondents to place the case of the petitioner for promotion to the post of Professor (BPS-20) in the forthcoming meeting of "the PSB" and to consider his case for promotion strictly in accordance with law."

12- Correct to the extent that the appellant was promoted to BPS-20 vide Notification dated: 18-01-2022. with immediate effect as per policy. As far as his review petition regarding antedate promotion is considered, the same has been regretted by the competent authority vide letter dated: 02-08-2022 (Annex-K) as it does not cover under para VI of promotion policy 2009. (Annex-L)

Grounds: -

1.

- A) Incorrect. As already explained in para 12 of facts.
- B) Already explained in preceding paras of Facts.
- C) Incorrect. As Already explained in preceding paras of facts. His Seniority has been fixed with his batchmates as evident from letter dated: 02-08-2022 (attached as Annex-K)



D. Each and every case has its own facts and grounds which needs to be decided on merit.^{**} The petitioner is trying to mislead the Hon'ble court. The petitioner was deferred due to pending inquiry as well as weak service record.

- E. Already explained in preceding paras of Facts & Grounds.
- F. Incorrect. As already explained in preceding paras of Facts & Grounds.
- G. Already explained in preceding paras of Facts & Grounds.
- H. Already explained in preceding paras of Facts & Grounds.
- I. Incorrect. As already explained in preceding paras of Facts.
- J. Pertains to record. However, each & every case has his own circumstances.
- K. Incorrect as already explained in the preceding paras of facts and grounds.
- L. Incorrect. As per policy promotion is always notified from immediate effect.
- M. Incorrect. As already explained in preceding paras.
- N. Incorrect. As already explained in preceding paras.
- O. That the respondents may be allowed to raise additional grounds at the time of arguments.

Prayers:-

It is, therefore, humbly prayed that on acceptance of instant Para-wise Comments the instant Service Appeal may graciously be dismissed with cost.

Ch

Govt. of Khyber Pakhtunkhwa Respondent No. 1 & 02

Secretary, Higher Education, Archives, & Libraries Department Govt. of Khyber Pakhtunkhwa Respondent No. 04

Establishment Department Govt. of Khyber Pakhtunkhwa Respondent No. 3

Director, Higher Education Department Respondent No. 05

(11) SIG IN THE (Meeting of PSB held on 24.03.201) PRUMETION OF MALE ASSOCIATE PROFESS R BS-15 TO THE POST Secretion Higher Education, Archives and Libro es apprised the Board to retire unt and 4 tier structure in FATA, eighty wo (82) posts of Male BS-20 art ring vacant. Accordiant to service rules the post is required to to filled as under:-By promotion on the pasis of seniority cum itness from amongst the per ons holding the post in BS-19 in the collers cadre Higher Education Department, with atleast seventeen (17) yes is service in BS-17 and ecore; provided that in case of persons initian appointed in BS-18 or Es 19, the length of service for promotion in their cases shall atleast be two:lve (12) years in BS-18 and above or www. (12) years in BS-19, as the Su mandatory training prescribed by the Govt for Colle 28 Teachers in BS-19 from time to time. Coir, e cadre teachers in BS-19, and BS-20 wi also be exempted from the r andatory training attor attaining the age of 18 years or above. service record of the officers included in the panel was discussed as follows: -OF OFFICER RECOMMENDATIONS OF THE BOURD 3.³2.5 (Cost Nuhamma and the df birth is 15.05.1957. He joined government service on 14.10.1981 and appointed as Lecturer BS-17 on 2.10,1984. He was promoted as Associate Professor BS-19 on 26.05.2010. The Board in its meeting held on 07.08,2013 and 30.06.2014 recommended to defer his promotion as an enquiry was r iding against him. According to Higher Education depar ment he was awarded a minor penalty of censure on 03.11.1.115. The Board in its metting held on 30.11.2015 recommended to defer his promotion as the Board observed the his service record is weak and his promotion will be cons dered after he carns Officer (PSE one more PER. According to Higher E jucation department typer Pakhtunia he carned FER for the year 2015. / minor pencity was menf:Dopartmei . imposed on hum due to which three ; arks were deducted from his score. The Board observed that his score is still Par Boardinecommended to defer his pin rotion akhi_. :: His date of birth is 06.03.1960. He joined government ammad Kharı service on 01.03.1936 and appointed as Lecturer BS-17 - 2. 8 on 11.03.1987. He was promoted as Associate Professor 뚢の ttested

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PSB-IV

PER GRADING AND QUANTIFICATION FORM IN RESPECT OF MR. MUHAMMAD KARIM ASSOCIATE PROFESSOR OF STATISTICS REGULAR PROMOTION FROM B-19 TO B-20

Anner

Seniority No.

Year	Period	and the second	Pen Picture Reporting Officer	Countersigning Officer	PERs Assessment	Fitness for Promotion	Score
	From	To	Reporting Officer	1	· · · · · · · · · · · · · · · · · · ·		
	······································		Previous Scale B-17		- Curd		2.33
1991	1.9.91	31.12.91	He is a very frank man. Any college outside Chitral District.	Agreed with R.O.	Good	Fit	
1992	1.1.92	31.12.92	He is a constraint man. Any college outside Chilinal District. Dir will be suitable for him in future transfer.	Agreed with R.O.	Good	Fit	1. L.
1993	1.1.93	24 12 03	He is a very frank man	Agreed with R.O.	Good	Fit	
1214	1,1,000 1	- 31. i2.94	with his teaching. He is punctual and hard working lecturer		n na Pa	- Fit	•
1995	1.1.95	31.12.95	He is a very obedient man. A good teacher .He feels responsibility. He is dutiful , imatured and a balanced person.	Agreed with R.O.	Good	Fit	<u> </u>
1996	1.1.96	31.12.96	He is a god teacher, mature and balanced. He is hard	Agreed with R.O.	Good	Fit	
			working. Well behaved and well groomed.	Agreed with R.O.	Good	Fit	?
1997 - 1998	1.1.97 1.1.98	31.12.97 31.12.98	rie is a cooperative colleague and a devoted teacher. His posting in this college is a suitable for him and for the	Agreed with R.O.	Good	Fit	7
5		04.40.00	students.		Good	Fit	7
1909	1.1.99	31,12,99	this college is suitable for him.		Good	Fit	7
2000	1.1.2000	31.12.2000	His performance including result are good . He is a devoted teacher and wiling worker.	Agreed with R.O.		65.33/9.33	7X2=14

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Providuo Sudio B-18

			The substant and devoted teacher	Adreed with R.O.	V.Good	Fit	10
2001	1.1.2001	31.12.2001	He is a willing worker and devoted teacher .	Agreed with R.O.	Good	Fit	7
2002	1.1.2002	31.12.2002	He is a balanced professor & good teacher , showing good results.	Agreed with R.O.	Good	Fit	7
2003	1.1.2003	31.12.03	As a whole the officer is good ,hard worker . Students are satisfied. Obedient and cooperative with his elders.			Fit	7
2004	1.1.2004	31.12.2004	Intelligent teacher having full command on his subject,	Agreed with R.O.	Good	ru -	
	المسير المراجع المراجع		 reliable under pressure, Careful in mancial matters. The officer maintains good working relation with his superiors colleagues as well as subordinates. His public relation is 				
2005'-	1.1.2005	31.12.2005	good.	Agreed with R.O.	Good	Fit	7
2005 -			performance in co curricular and extra curricular activities is good. He has government on his subject with full clacs control. Always ready to shoulder responsibility specially in				-
, i			Imaintaining View Inchesis very efficient.	Agrec 1 with R.O.	Good	Fit	7
2006	1.1.2006	31.12.2006	As an intelligent and qualified teacher, he leaches statistics to the entire satisfaction of students. With profound	Agrice a married		· · · ¹	, 1
	· ·		knowledge of his subject, he maintain full class control.	Agreed with R.O.	Good	Fit	7
2007	1.1.2007	4.6.2007	With well built physique ,the officer is an excellent and competent teacher .He takes keen interest in curricular and				
	5.6.2207	31.12.2007	extra curricular activities of the college. He is a god teacher of the students remained satisfied with his teaching methodology. He is cooperative & willing	Agreed with R.O.	Good	Fit	
	<u> </u>	31.12.2008	worker.	Agreed with R.O.	Good	Fit	9
2008	1.4.2008		teaching methodology. He is competent in his competent.			Fit	8
2009	1.1.2009 -	31.12.2009	Participates his hand toward the estution of prot.ems. He is				
•	1.1.2010	31.12.2010	Ho takes interest in college activities entrustedby the	· · · Agreed with R.O.	Good 🐄	1, 20 – L II	

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Precent Scale B-14

		·		Agreed with R.O.	Good	Fit	7
2011	1.1.2011		Capable but a bit emotional.		V.Good	Fit ·	8
- 2012	1.1.2012		A bit emotional but honest with regormative attitude and with practical work capacity. Hardworking officer but needs improvement of emotional	1	Good	Fit	7
2013	1.1.2013		stability. The officer is polite and hardworking. He is ermotionally		Good	Fit	7
2014	1.1.2014	31.12.2014	stable and can work under stress. I found him cooperative.				
2015	1.1.2015			A Frincipal of an educational institution who neither knows his job description nor has anything as specific eachievements to indicate, does not qualify to be ranked as "Very Good". In	Below Average	Not Fit	
			· · · · · ·	overall performance grading needs an objective review. (ADVERSE CONVEYED)			
			the sector pupping officer	Agreed with R.O.	Good	Fit	7
2016	1.1.2016	31.12.2016	He is hardworking and punctual officer.	_ <u></u>	L	37/6	6.16X5=30.8

COMPREHENSIVE EFFICIENCY INDEX

•	-			Duint Obtained	
PERs	Basic Scale	Agregate Score	Weightage Factor	Point Obtained	
•		30.8	30.8X42/50	25.87	
Quantified	Present Scale		36.8X28/50	20.60	
Score 60:40 @	Previous Scale (A+B)	36 8			
70%	(i)Additions*			<u> </u>	
	(ii)Deletions**	46.47-1=		- 45.47	
,• •	(in)Deletione	0	0	45.47	
	Total		ed threshold on CEI to	BS-20 is 70	
		Require	so mesiona on occine	,00201010	

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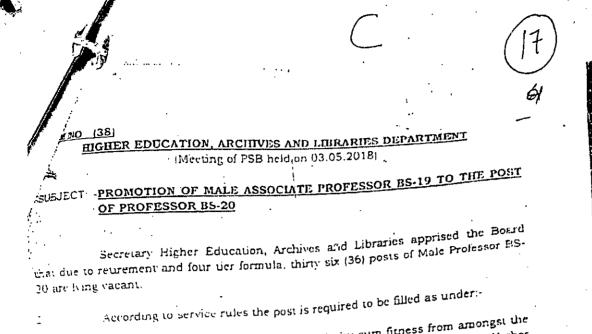
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ADVERSE FOR THE SCALLER

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By promotion on the basis of seniority cum fitness from amongst the persons helding the post in BS-19 in the college cadre Higher Education Department, with atleast seventeen (17) years service in BS-17 and above provided that in case of persons initially appointed In BS-18 or BS-19, the length of service for promotion in their cases shall atleast be twelve (12) years in BS-16 and above or five (05) years in BS-19, as the case may be.

Successful completion of mandatory training prescribed by the Govt for Colleges Teachers in BS-19 from time to time.

11

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

S. NO	Karim	RECOMMENDATIONS OF THE BOARD d His date of birth isi01.02.1966. He joined government service as Lecturer BS-17 on 01.09.1991. He was appointed to BS- 19 on 01.02.2011. He has undergone mandatory training required for promotion. The Board in its meeting held on 24.03.2017 & 28.12.2017 recommended to defer his promotion as the Board was informed that an enquiry was pending against him and his service record was also weak. Position is still the same.	•
· · · · · · · · · · · · · · · · · · ·	Mustafa	The Board recommended to defer his promotion. m ' dis date of birth is 02.08.1961. He joined government service as Lecturer BS-17 on 01.03.1986. He was promoted to BS-19 on 09.01.2012 The Board in its meeting held on 24.03.2017 on 09.01.2017 recommended to defer his promotion as he had 1.2.12.2017 recommended to defer his promotion as he had and undergone mandatory training required for promotion, which he has now undergone. No enquiry is performing against his service record upto 2017 is generally good. The Board recommended the Officer for promotion to the point.	
	Knyper Paknunkhw Sishment Department	The Board recommender	6).
25:25	ALSTIMO IL O'CLO		•
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	(``	M Sullen Scanned	with CamScanner

GOVERNMEN OF KHYBEL PAKHTUNKHWA HIGHER E UCATION, ARCHIVES & LIBNA JES DEPARTMENT CULL SECRETARIAT

No.SO(Ce))HE/1-2/Summary for CM/2017/Karim Khan Dated Peshawar the 03/10/2018

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The Director, Higher Education Khyber Pakhtur thwa, Peshawar.

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Suc, et.

To

INQUIRY REGARDING CORRUPTION / EMBEZZLEMENT OF MR. KARIM KHAN, PRINC PAL, GDC LACHI (KOHAT).

I am directed to refer to the subject noted above and to state that the competer. a mority (Chief Minister) has been pleased to confirm the minor penality "censure" upo M., Karim Khan, Principal, Government Degree ollege Lachi (Kohat). The said Principal ma

ka. Ity be directed to be careful in future.

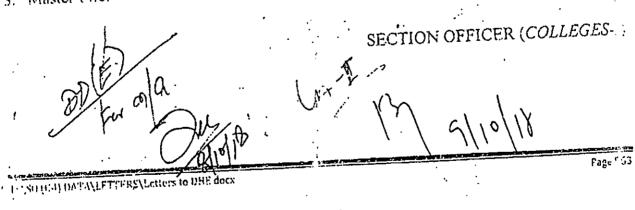
(RIAZ) SECTION OFFICER (COLLEGES-

N. S

FINDST: NO. & DATE EVEN.

Conv forwarded to the:

- 1. PS to Secretary to Govt. of Khyber Pakhy nkhwa, Higher Education Department.
- 2. Mr. Karim Khan, Principal, Government De ; ee College Lachi (Kohat).
- 3. Master File.





FLIC GRADING ARE SCHOOL STORE TO STORE STORE MR. MUHAMMAD KARIW ASSOCIATE PPOFESSOR OF STATISTICS REGULAR PROMOTION FROM 8-19 TO 8-20

Proves E

1.1.2001

1.1.2002

2001

2002

Seniority No.

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						PERs	Fitness for	Score	
				Pon Picture	i i	1			
	Year	Peri	iod rf FER			- teasement	Promotion		
1			To	Reporting Officer	Countersigning Officer	Assessment	Tromoson	I	
		From	10			•			

			Previous Scale B-17			T	202
1991	1.9.91	31.12.91	He is a very frank man. Any college outside Chitral District.	Agreed with R.O.	Good	. Fit	2.33
1992	1 1.92	31,12,92	He is a very frank man. Any college outside Chitral District. Dir	Agreed with R.O.	Good	Fit	7
1992			will be suitable for him in future transfer.	Agreed with R.O.	Guod	Fit	ī
1993	1.1.93	31,12.93		Agreed with R.O.	Good		7
1994	1.1.94	31,12.94	I likes his classes regularity and the students are satisfied with his teaching. He is punctual and hard working lecturer. He is a very obedient man.		•		
i		31 42 04	A good teacher the the stating the in "utiful matured	Apreed with R.O.	T ind !	Fi	· / .
7 1		•.	unit d Baranova Blavall.		Good		
1,96	1.1.96	31 12.96	He is a god teacher, mature and balanced. He is hard working.	Agreed with R.O.			
		31.12.97	Well behaved and well-groomed	Agreed with R.O.	Good	- Fit	7
-1997 1998	1.1.97 1.1.98	31.12.98	He is a cooperative colleague and a devoted teacher. His posting in this college is a suitable for him and for the stud mis.	/ areed with R.O.	Good	Fit	7
1999	1.1.99	31.12.99	He is a willing worker and devoted teacher . His posting to this	Agress with R.O.	Good	Fit	7
2000	7,1 2000	31.12.2000	college is suitable for him. His performance including result are good . He is a devoted	Acreed with R.O.	Good	Fit	7
2000	1.7000		teacher and wiling worker.	· ·····		65.33/9.33	7X2=1

	Previous Scale B-18	
31.12.2001	He is a willing worker and devoted teacher .	Apreed with R.O.
	He is a balanced professor & good teacher , showing good	Agreed with R.O.

results.

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			the a ntiole the other to good thand we try . Students and	Acread with R.O.	Chod	- ni 	7
2003	1.1.2003	31,12.03	satisfied. Obedient and cooperative with his elders.	Agreed with R.O.	Good	Fit	7
2004	1.1.2004	31.12.2004	Intelligent teacher having bill commands on the bary and reliable communicating person ,shares responsibilities and reliable under pressure, Careful in financial matters . The officer maintains good working relation with his superiors ,colleagues as well as subordinates . His public relation is good.				
2005	1.1.2005	31.12.2005	With healthy and robust physique and talent .The officer's performance in co curricular and extra curricular activities is good. He has got full command on his subject with full class control. Always ready to shoulder responsibility specially in maintaining discipline he is very efficient.	Agreed v. ¹ th R.O.	Good	Fit	7
2005	1.1.2006	31.12.2006	As an intelligent and qualified teacher, the teaches statistics to the entire satisfaction of students. With profound knowledge of his subject, he maintain full class control.	Abreed with R.O.	Good	Fil	7
2007	1.1.2007	4.6.2007	With well built physique the officer is an excellent and competent teacher. He takes keen interest in curricular and extra	Agreed with R.O.	Grod .	Fil	7
2007			curricular activities of the college.	Apreed with R.O.	Good	Fit	
· •	5.6.2207	31 12 0007	He is a gon teacher of the structure structure structure		· · · · · · · · · · · · · · · · · · ·		
2008	1.1.2008	31,12,2008	He is cooperative. The students remained satisfied with his teaching mathodelogy. He is competent in his competent. In his	Apreed with R.O.	Good	Fit	
			Participates his hand toward the solution of problems. He is fully	Agreed with R.O.	V.Good	Fit	8
2009	1.1.2009	31,12,2009	devoted to his tear hing. He takes interest in college activities entrusted by the Principal.	Agreed with R.O.	Good	Fit	7
2010	1.1.2010	31.12.2010	He takes interest in conege activities children, the	· /		76/10	7.6X3=

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	Present Scale B-19 Agreed with R.O.	Good	Fit	7
2011	2.2011 Capable but a bit emotional. Acreed w. J. R.O.	V.Good	Fit	8
2012 1.1.2012	practical work capacity Agreed with B.O.	Good	Fit	7
2013 1.1.2013 31.	12.2013 Hardworking officer but fideus improvements in providence in the stability.		<u>i</u>	<u></u>

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		· · · · · · · · · · · · · · · · · · ·	The offerer is optim and hard verking. He is a material and	able April ed with R.O.	Good	F#	1. 7.4
		•	and can work under stress. I found him cooperative.				
			He is hardworking and dutiful. He is helpful, cooperative	and A Principal of an educational	V.Good	Fit	8
2015	1.1.2015	31.12.2015	punctual. He is emotionally stable and can work under press	ure.] insutuien who herefor knowe			
			(V.Good)	his job description nor has enything as specific			
				achievements to indicate, does			
	[7		not qualify to be ranked as			
				"Very Good". In view of the above, his overall performance			
1				grading needs an objective			
				review. (ADVERSE			
				CONVEYED) . EXPUNGED VIDE ILETTER NO SO (C-I)			
	-			HE/1-2/2016 LACHI KOHAT			
		-		KARIM KHAN/ NOTE FOR	4		
				CS/4872 dated peshawar 26.6.2018		1	
						I	
i				Agreed with R.Q.	Good	Fit	7
2016	1.1.2016	31.12.2016	He is hardworking and punctual officer.	- INCOSS H		Fit	7
-	1 1(1 1)	11227?	See adoment		ب سويه ا	, 51/7	1 7.28 \$5=3

Director Hollesteadration Ny Earlier Kinva Kinvbar Road Pashawar. Kinvbar Road Pashawar.

بمعربة

COMPREHENSIVE EFFICIENCY INDEX

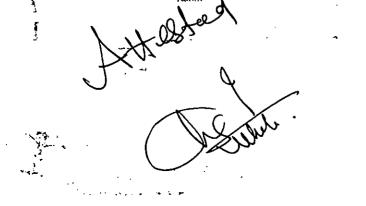
PE states	Ser Basic Scale	Agregate Score	Weightage Factor-	Philade
	Present Scale	36.4	36.4X42/50	30.57
Quant'';ed	Previous Scale (A+B)	36.8	36.8X28/50	20.60
Score 60:40 @ 70%	(i)Additions*	1		
1079	(ii)Doletions*			(-3)
	Total	0	0	48.17
			I description of CE	it to 35-20 is 70

Required threshold on CEI to 3S-20 is 70

ADVERSE FOR THE YEAR 1015 AND EXPUNCED.

Impose and confirm minor panalty of "Consure" Vide noEfication No.SO(C-1)/HE/1-2/summary to CM/2017/karim khan/1342-44-+

Muhammad Karim



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PLE OF A STATE OF STATE TOPH IN MARCH T

MR. MUHAMMAD KAPIM ASSOCIATE PROFESSOR OF AD TIS JOS

REGULAR PROME TODY FROM 8-19 TO 8-20

Seniority No.

					·	FERs	Fillness for	Scott
Ycar	Feriod c: PER	Repurting Officer	Pro ricture	Counter	ining Officer		Promotion	-
	From	Reparting Street		<u></u>		· ·		

-				Provious Scale B-17		Good	Fit	2.33	
			51, 12,91	He is a very frank man. Any cellege outside Chitral District.	Agreeri with R.O.				
ſ	1991	1.9.91			Agreed with R.O.	Good	Fil	7	
i F	1992	1.1.92	31.12.92	He is a very trank man. Any college outside Chiltrat District. Dir will be suitable for him in Gure transfer.	Act se with P.O.	Good	Fit	7	
			31.12.93	He is a very frank man.	Agreed with R.O.	Good	Fil	······································	
	1990	1,193	31.12.94	I likes his classes regularity and the students are satisfied with his teaching. He is punctual and hard working lecturer. He is a	Agreed with R.O.				1
1	1294	1.54		second continon	Acreed with R.O.	Good	Fit	7	
İ			,11°-	A good factory 11 foots responsibility. Ho is cubicit, inclured	Added wan K.O.	-		·	· · ·
-				He is a god teacher , mature and ball and . He is hard	Agrand with R.O.	Good	, , , , , , , , , , , , , , , , , , , ,		
-	296	43.53	31.12.06	working.	Agreed with R.O.	Gund	Fit		
<u>-</u> .	(05.7	11.37	1.17.97	Well behaved and well groomed.	40.410	·Gooti	Fit	<i>!</i> .	به المنتخب الم
-	1098	1.1 83	1,12.98	pusting in this college is a suitable for him and for the students		,			
			-	He is a willing worker and devoted teacher . His positing to the	Ared wit R.O.	Good	Fit	i	
	1909	1,1.90	01,12,93	I we to a track a far bit the	A set will R.O.	Good	EN.		7
	200.	1,1 3000	12 2000	Headlege is suitable for him. Hes performance inclusing result are good . He is a devutor reacher and willing worker.			55.33/9.33	77.2=14	
	1	ļ			1 :	:		L	

	Pravious Scale P-18	At used with IR.O. V.Goed Fit 10
2001 1.1.20.1 31.1.2		An end with R.O. Good II 7
2002	revelts.	

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				1				
2593	1.1 2003	51 12.03	satisfied. Obsurgent and cooperative with his elders.	hpreed with K. D.	Good			
2004	1.1.2004	31.12.2004	Intelligent teacher having full command on his subject, confident communicating person ,shares responsibilities and reliable under pressure, Careful in financial matters . The officer maintains good working relation with his superiors ,colleagues as well ac subordinates . His public relation is good.	Agreed with R.O.	Good	Fit	7	
2005	1.1 2905	31.12 2005	With healthy and robust physique and talent .The officer's performance in co curricular and extra curricular activities is goud. He has got full command on his subject with full class control. Always ready to shoulder responsibility specially in maintaining discipline he is very efficient.	Agized with R.O.	Good	Fit	7	
2006	1.1.2006	31.12.2006	As an intelligent and qualified teacher, he teaches statistics to the entire satisfaction of students. With profound knowledge of his subject, he maintain full class control.	Agreed with R.O.	Good	Fit	7	
2007	1.1.2007	4 6.2007	With well built physique, the officer is an excellent and competent teacher. He takes keen interest in curricular and extra curricular activities of the college.	Agried with R.O.	Good	eit	7	·
	5.6.2207	31.12.2007	He is a god teacher of the students remained satisfied with his teaching methodolc mr. He is cooperative & willing	Agreed with R.O	Gord	Fil		
2005	1.1 2008	31 12.2005	He is cooperative. The students remained satisfied with his teaching methodology. He is competent in his competent. In his relevant subject.	Agried with R.O	Good	Fit	<u>و</u> ا	
2309	1,1,2009	31.12.2030	devoted to his teaching	- Agreed with K.O.	√.Good *	* Fit	8	\$21, <u>27</u> ,44
2010	1.1.2010	31.12.2010	He takes interest in college activities entrusted by the Principal.	Agreed with R.O.	Good	Fit	7	
الدم محمد وحمير	L					76/10	7.6X3=22.8	
			Prescid Scale B-19	<u> </u>			·	•
2011	1.1.2011	31.12.2011	Capable but a bit emotional.	Agreed with R.O.	Goou	Fit	7 .	
2012	1.1.2012	31.12.2612	A bit emotional but henest with regormative attitude and with practical work capacity.	Agreed with R.O.	V.Gaod	Fit	8	
2013	1.1.2013	31.12.2013	Hardworking childer but needs improvement of emotional stability.	Aorobd with 17.0.	Good	Fit		•
•		The second	and a second					

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	11201	17,2314	The officer is polite and hardworking. He is emiotionally stable and can work under stress. I found him cooperative.	Act ned with R.O.	Good	Fit	. 7
2015	1.1.2015	31.12.2015	He is hardworking and dutiful. He is helpful, cooperative and punctual. He is emotionally stable and can work under pressure. (V.Good)	A Principal of an educational institution who neither knows his job rescription nor has any pring as specific achievements to indicate, does not quarity to be ranked as "Very Good". In view of the above, his overall performance grading needs an objective review. (ADVERSE CONVERED). EXPUNGED VIDE LITTER NO SO (C-I) HE/1-2/1015 LAGHI KOHAT KARIM KHAN/ NOTE FOR CS/4872 dated peshawar 20.6 2918	V.Good	Fit	8
			the state of a matual officer	Agreed with R.O.	. Good	Fit	1
2016	1.1.2016	31,12,2016	He is hardworking and punctual officer.	LAGRE	Good	Fit	I (
<u>, 2017</u>		to godin.		Fur Countersigned.	Guni		
2018	1,1.2018	31.12.2018	Emotionally stable and cooperative.			58/8	7.25X5=30.24

		COM	PREHENSIVE EFFIC	IENCY INDEX	Stating Street
	Basic Scale	Agregate Score	Weightage Factor	Point Obtained	
PERs	Present Scale	36.25	36.25X42/50	30.45	
Quantified	Previous Scale (A+B)	36.8	36.8×28/50	20.60	
Score 60:40 @					
70%	(i)Additions*	51.05-3=48.05		48.05	
	(ii)Deletions**	51.05-3-40.05		48.05	
	Total		uired threshold on GE	1 to BS 20 is 70	لى
		Req	lifec miesiloid on Ge		

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Muhammad Karim

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ADVERSE FOR THE YEAR 2015 AND EXPUNGED.

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Implementation of censure.

IMMEDIATE CONFIDENTIAL GOVERNMENT OF KHYBER PAKHTUNKHWA ESTABLISHMENT DEPARTMENT NO SO(PSB)ED/1-4/2019/P-216 Dated Peshawar, the 07.05.2019 Τb The Secretary to Govt of Khyber Pakhtunkhwa, Higher Education Department SUBJECT - MINUTES OF THE MEETING OF PROVINCIAL SELECTION BOARD PROMOTION OF ASSOCIATE PROFESSOR BS POST OF PROFESSOR BE 20 OF COLLEGE CADRE TO THE Dear Sir, I am directed to refer to Higher H on Department letter No. SO(C-I/HE/1-13/PSB meeting/2019 dated 26.03.2019 of the subject and to forward herewith an extract of item No. (55) of the minutes recommendations of the meeting of Provincial Selection Epard haid on 19.04.2019 as well as copt of approved summary wherein the chief Minster being competent authority in terms the Khyber Pathhunkhwa (Appointment, Promotion & Transfer) Rules, 1989 has approved the recommendation of the PSB for further necessary action. and the second 2Yours faithfully, 11 71512079 (Abdul Hameed) SECTION OFFICER (PSB) C Ercl: As Above SΦ the stee 0519 7.77

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ł	TEM NO (55)			PSB meeting held	on 19.04.20
	A CARLENDER THE AND A CARLENDER			AMESTIC: AMEN	
		(Meeting of PS	B held on 19.04.	2019)	
`	SUBJECT: -PROMOTION	1 211-	1 1 1 1 1 1 1 1 1 1 2 1 2 1 2 1 2 1 2 1	SSOR BS-19 TO T	HE DOST OF
	PROFESSOR	BS-20. 2 1 1			AE FOST OF
	Secretary High	er Education, Ar	chives and Libra	mies apprised the Bo	and that one to
ŀ				ng wacami s	
Ē	2 According to se	rvice nules the p	ost ils required to	beilled as under	All all and the second se
	li. "By pro	motion on the L	basiş of seniori	ty our fitness from	amongst the
t E		шааша тенро:	37.110 135.179 116:11	a chiloga andro "Lin	and the second second second second second
	provided	that in case of	persons initially	ypars service in BS- apppinted in BS-18	or BS-19; the
			000 1-41-40 1 3001 (CONSTAL)	cases shall atleast t ns in BS-19, as the c	
	iii. Success	ful completion a	of mandatory tra	aming prescribed thy	the Gov for
		i eachers in BS	-119 mgm time tợ i		
		of the officers linc	uded in the pane	al wes discussed as f	ollows:
	S. NAME OF OFFICER	RECOMMEN	DATIONS OF TH	the loss of the second se	
1	1. Mr. Muhammad Karim	His date of bir	th is 01024366	. Helioined governme	ant service as
		Lecturer RS-1	/ on 01.09.199	I He was promoted	to BS-19 on
1			ne Board in lit	s meeting held on	24.03.2017
	Amin	128.112.2017	03:05:2018, to defer this prov	17.09.2018 % and a	26.12.2018
$\ \cdot \cap$	America	I mineration attitution	y was bending a	adalast inim ilm which i	he has been little in the
	Stor on Content (25,8) Stor on Content (25,8) Kin/del Fair Dapartment	weak. Hence	the Board	desired to further	
	Section Crificar (Countrient	penformance. 1	Position is still th	e same.	
	ovt. Olistinie				
	Ear	The Board rec	ommended to de	fermis promotion.	
	2.; Mr. Hidayatullah Jan		1	Hejoined governme	ne 20 - 5 - 5 - 5 - 5 - 5 - 5 - 5 - 5 - 5 -
		I Lecturer BS-17	7. on 17.07,1990	He was promoted	to BS-19 on the Star
		28.112.2011 rec	commended to d	meeting held on 24.	sibe had not to base of
1		undergone trai	ming mandatory	for promotion which	the masime v
		17.09.2018 a	nd 26.12.2018	meeting held on recommended to	03.05.2016; ;; ;; ;; ;; ;; ;; ;; ;; ;; ;; ;; ;; ;
		l pionionomas m	IS ISEIVICE RECORD	was weak and the B	oard desired I 1973 35
		PER for the ye	ar 2018. No lem	e. He has now earned uny is pending again	d Very Good
		service record	upto 120118 iis gen	erally good.	
	Nutosted				
	ALL	Tihe Board reco	mmended the Q	flicer for promotion t	o the post of
l		Hrotessor BS-2	<u>o on regular ba</u>	sis. He will be on pro	bation for a state
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			in the second	A Street	
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ITEM NO (64)

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25B mouting held .: n ZR.OR 2019.

(Meting c: PSB held on 23.09.2019)

SUBJECT:- PROMOTION OF MALE & SSOCIATE PROFESSOR BS-19 TO THE POST OF PROFESSOR BS-20.

Secretary Higher Educatio. Archives and Libraries apprised the Board that due to retirement, eighteen (18) posts of Male F: plessor BS-20 are lying vacant.

According to service rules the post is required to be filled as underta-

"By promotion on the basis of sectority cum filtness from amongst the persons holding the post in BS-19 in the college cadre Highs: Education Department, with all ast seventeen (17) years service in BS-17 and above; provided that in cas. of persons initially appointed in BS-18 c/ BS-19, the length of service for promotion in their cases shall atleast be twelve (12) years in BS-18 and a love or five (05) years in BS-19, as the case may be.

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

S.#	NAME OF OFFICER	RECOMP ENDATIONS OF THE BOARD
1	Mr. Muhammad Karim	His date (birth is 01:02 1966. He joined governmen: service as
		Leoturer : S-17 on 01 09 1991. He was promoted to BS-19 on
	I	01.02.20; 12 He has undergone training mandatory for
i		promoticy. The Board in its meeting held on 74.03.2017,
	_	28.12,20 , 03:05.2018, 17:09.2018, 26.12.1 , 18 and
i	and the second	28.12.20
	Allerand .	wasting med that an enquiry was pending against hit; in which
	tool .	hethosic the subsequently awarded a potrality of censul; and his
	Section (ISLOC (PSB)	service" cond was also weak. Hence, the Boardestred to
		futurer votch his performance. Position is still the same
	ather or Destine	
·		
		The Boar, recommended his supersession.
		a <u></u>
2.	M. Shaji ur Rehman	His date : birth is 01.04.1963. He joined governmer : service as
		Lecturer : S-17 on 19.09.1989. He was promoted BS-19 on
•		0901.20 2 The Brand in its meeting held on .: 1.03.2017
		2812.2017 recommended to defer his promotion as the had not
	1	un ergor . training mandatory for promotion which he has now
		undergor Previously, his promotion was deferred lue to his
		weak ser, ce record and the Board deshod to furthe watch his
-	,	nerionnalize. Now, his quantification of PERs has been re-
	1 /	calculate: as per promotion policy, 2009, accounting to which, he
	1 //	secured -13 marks instead of 48. No enquiry is pent agains
	1	him. His prvice record upto 2018 is generally good.
		The Bo: c recommended the Officer for prometion to tr. postic
		Professi BS-20 on regular basis. He will be on pro
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ESTA CODE [Establishment Code Khyber | akhtunkhwa]

inter-se-seniority in the lower grade can be determined, the officer older in age shall be treated senior.

- (e) If a civil servant is superseded he shill not be considered for promotion until he earns one PER for the insuing one full year.
- (f) If a civil servant is recommended for promotion to the higher basic scale/post by the PSB/DPC and the recommendations are not approved by the competent authority while a period of six months from such recommendations, they would lapse. The case of such civil servant would require placement to care the PSB/DPC afresh.

Vi ____ Date of Promotion:

Promotion will always be notified with Immediate + fect.

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VII. Notional Promotion:

In respect of civil servants who retire (or expire) :fter recommendation of their promotion by the PSB/DPC, but before its ϵ : proval by the competent, authority, their promotion shall be deemed to have taken effect from the date of recommendation of the PSB/DPC, as the case may be, and their pension shall be calculated as per pay which they would have received had they not retired/expired.

VIII. Promotion of Civil Servants who are awarded min penalties.

- (a) The question of promotion to BS-18 and above in case of civil servant: who have been awarded mino transities has been settled by the adoption of quantification of PEE3 and CEI which allows consideration of such cases for promotio, subject to deduction of 5 marks for each major penalty, 3 marie for each minor penalty, and 1 mark for each adverse PER from the quantified score and recommendation for promotion on attal tig the relevant qualifying threshold.
- (b) However, the CEI policy is not applicat > o civil servants in BS-16 and below. In this case, the concerned ssessing authorities will take into consideration the entire service =cord with weightage to be given for recent reports and any minor benalty will not be a bar to promotion of such a civil servant.

D: Promotion in case of pending investigations by NAB:

If there are any NAB investigations being conducted against an efficer, the fact of such investigations needs to be placed before the relevant promotion for a which may take a considered decision on merits of the case.

2. All the existing instructions on the subject shall and superseded to the ni ve extent, with immediate effect. Arithmetic more PERs

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JUDGMENT, HEET PESHAWAR HIGH COURT, PESHAWAR JUDICIAL DEP RTMENT

W.P. No.267(P/2020

Muhammad Karim

Vs.

The Government of Khyber Pakhtunkhwa through its Chief Secretary, Peshawar and others

Date of hearing03.11.2021Petitioner(s) by:Muhamm: Asif Yousafzai, Advocate.Respondent(s) by:Muhamm: Riaz Khan, AAG.

JUDGMENT

**: · · **

IJAZ ANWAR, J. This writ petition has been filed under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973, with the following prayer:-

"It is, therefore, most hum liv prayed that on acceptance of this writ petition, the al-gust Court may be pleased to:-

- i. Declare the PSB d ision dated 23.09.2019 and order dated 07.05 3020 to the extent of maintaining super: sion as illegal, unlawful, discriminatory, without any justification, as the petitioner's PER wiss expunged & Censure was converted into Exoreration by the Tribunal and authority and there exists no reason to deny the promotion to BPS-70 to the petitioner from his due date (2017).
- ii. Direct the respondents to consider the petitioner for promotion to 1978-20 w.e.f. 2017 with all back and consequer tial service benefits.

iii. Any other remedy vicems appropriate that may also be awarded in favour of the petitioner".

Attested

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2. In essence, petiti per is aggrieved of the actions of the respondents who me and again denied him promotion to the post of Prc ssor (BPS-20) on the ground of pending inquiry against he entry of adverse remarks in ACR for the year, 2015, weak ervice record and penalty of censure.

3. Comments were called from respondents who submitted the same, wherein they opposed the issuar.co of desired writ asked for by the criticoner.

4. Arguments heard Record perused.

5. Perusal of the reind reveals that petitioner has called in guestion the decisi i of the Provincial Selection Board dated 23.09.2019 (here hafter to be referred as "the PSB"), whereby, he was, the "i, considered for promotion but recommended for supersession. It would be relevant to reproduce the relevant para pertaining to the recommendations of "the PSE" as under:-

"His date of birth i 01.02.1966. He joined Government service as Lacturer on 01.09.1991. He was promoted to BS-15 on 01.02.2011. He has undergone training manufatory for promotion. The Board in its meeting hele in 24.03.2017, 28.12.2017, 03.05.2018, 17.09.2018, 26.12.2015 and 19.04.2019 recommended to defer his comotion as the Board was informed that an enquiry pending against him in which he has been subsequently awarded a penalty of censure and his service record was also weak. Hence, the Board descred to furt, or watch his performance. Position is still the same".

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6. From the perusa. If the minutes of "the PSB" meeting dated 22.09.2019, it appears that initially on 24.03.2017, 28.12.2017, 03.05.2018, 17.09.2018, 26.12.2018 and 19.04.2018, the petitioner's case for promotion was deferred by "one PSB" on the ground that an inquiry is pending against hir;; however, vide the impugned recommendations of "the PSE", he was superseded on the ground that a penalty of cer are was awarded to him and that his service record was also weak.

7. Admittedly, petitioner was awarded a minor penalty of "censure" vide order dated 03.10.2018, pursuant to departmental proceedings initiated against him under the Government Servants (Efficiency & Discipline) Rules, 2011, however, against the said order, he has approached the Khyber Pakhtunkhwa Service Tribunal, Peshawar by filing Appeal No.221/2011, which was decided on 29.11.2019 and accordingly, the order of penalty of censure dated 03.10.2018 was set-aside. The Competent Authority, accordingly, implemented the laid judgment of the Khyber Pakhtunkhwa Service Tribu al vide Notification dated 07.05.2020 and exonerated the petitioner of the charges, how/ever, his request for conversion of supersession into deferment was declined vide the said Notification.

8. In the comment, it has been disclosed that petitioner was again consider, for promotion by "the PSB" in its meeting held on 12.06. 20 and this time, the Board

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has decided to keep him on j rformance watch till the next PSB meeting and the Boz 1 did not consider him for promotion.

9. The main case c the petitioner is pertaining to his promotion from the post Associate Professor (BPS-19) to the post of Professor (BPS-20). According to the Service Rules, the follow g pre-requisite criteria is mentioned:-

- i. By promotion on the invision seniority cum fitness from amongst the permus holding the post in BS-19 in the college radre Higher Education Department, with atorist seventeen (17) years service in BS-17 and rove; provided that in case of persons initially apointed in BS-18 or BS-19, the length of service promotion in their cases shall atleast be twelve (12) years in BS-18 and above or five (05) years in BS-19, as the case may be.
- ii. Successful completion of mandatory training prescribed by the Gov. for Colleges Teachers in BS-19 from time to tin. College cadre teachers in BS-19 and BS-20 will also be exempted from the mandatory training aper attaining the age of 58 years or above.

「北京都長

10. The question before this Court is not regarding the eligibility of the petitic er for promotion, because, admittedly, he is a senior cost officer and fulfills the criteria, mentioned in the recuitment rules; however, the objection of the respondents is on his fitness. The reasons, mentioned in the minutes of "the PSB" meeting are that ever since his earlier consider tion on 24.03.2017, inquiry is

Attested

pending against the petitions and similarly, his adverse ACR for the period starting 5 om 01.01.2015 to 31.12.2015. The judgment dated 10.02.2018 of the Khyber Pakhtunkhwa Service Triburul, Peshawar passed in Appeal No.530/2017 transpires that the said ACR for the year, 2015 was set aside.

11. Now the only reason on the basis of which petitioner has not been consilored for promotion in the last PSB meeting, is that his pervice record is weak. The synopsis of the ACRs of the petitioner, commencing from the year 1991 till the year 2015, transpires that except for the year, 2015, he was throughout rated as "good" and "very good officer" and besides, acverse ACR for the year, 2015 has since been set-aside by the Khyber Pakhtunkhwa Service Tribunal, Peshawar as such, remarks of the Reporting Officer are to be given weight where he has ranked him as "very good off art".

12. In view of the abave, when neither there is any penalty against the petitioner lost in the entire service record nor any adverse entries then there was no reason for the respondents to have declined his request for the conversion of his supersession into defendent.

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13. The learned AAC representing the respondents remained unable to bring on the record anything in black and white to support the alleration that petitioner has weak service record.

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14. For what has been discussed above, we are of the considered opinion that Notification dated 07.05.2020 issued by the Secretary, higher Education Department, Peshawar to the extent, which by, petitioner's request for conversion of his supersession into deferment was declined, is not sustainable. He shall be deemed deferred for promotion at the relevant time. Accordingly, we allow and dispose of this writ petition with direction to the respondents to place the case of the petitioner for promotion to the post of Professor (GPS-20) in the forthcoming meeting of "the PSB" and to consider his case for promotion strictly in accordance with law.

Arnounced Dt:03.11.2021

oo in Som Senior Puisne Judge Judge

(DB) Hon'ble Mr. Justice Rooh-ul-Amin Khan e-d Hon'ble Mr. Justice Haz Anivar

Muhampadullah

Attelded





OF KHYBER PAKHTUNKHWA GOVERNMEN CATION, ARCHIVES & HIGHER ED LIBRAR' S DEPARTMENT

> No.SO(C-I)/HE/I-107/2022/M.Karim / 16/23 Dated Peshawar the 02/08/2022

The Director, Higher Education Departme Khyber Pakhtunkhwa, Peshawar. 5T NOTIFICATION NO.SO.F.I)K&AL/9-98/

100 Subject: -

<u>_</u>___

10.

AGź PETITION REVIEW PESHAWARATHE JANUARI

said order for consideration of his antedated pressotion with all consequential benefits w.e.f 10.f 2017 i.e dure of 1st deferment instead of 18.01.2022.

2. 2022. Serin, Assoc I am directed to refer to the object noted above and to state that Muhamma Professor of Statistics (BS-19) GPGC, Kohat www, promoted to the post of Professor (BS-20) ide Establisha Department's no flication dated 18.01.2022 maps review petition to Chief Minister Khyber P kl unkhwa against

The supersession of the appell t in PSB meeting dated 23.9.2019 has been converted into defean by Deshawar High Court vide judgment dated 3.11.2021.A summary for Chief Minister Khyber Pakhtunkhwa recordingly moved regarding review petition the appellant and the appellate authority approact para 10 of summary that the name of the appellant is required to be placed before his erstwhile juniors in the seniority lis professor (BS-20) in terms of para V (d) of p motion policy, 2009. However, the request of the patitioner regard anticidated promotion with all back benefits is not covered under para vi of promotion policy,2009

publication will always be notified with immer ate effect.

I am further directed to say . If necessary action may kindly be taken according thwith intimatic this department.

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SECTION OFFICER (COLL)

(RIAZ)

SECTION OFFICER (COLLECES-I)

y: <u>Director</u> (Dé

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"Copy forwarded to: 1. PS to Secretary, Higher Education Dep tment. Master file

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VI. Date of Promotion:

Promotion will always be notified with immediate effect.

VII. Notional Promotion:

In respect of civil servants who retire (or expire) after recommendation of their promotion by the PSB/DPC, but before its approval by the competent authority, their promotion shall be deemed to have taken effect from the date of recommendation of the PSB/DPC, as the case may be, and their pension shall be calculated as per pay which they would have received had they not retired/expired.

VIII. Promotion of Civil Servants who are awarded minor penalties.

(a) The question of promotion to BS-18 and above in case of civil servants who have been awarded minor penalties has been settled by the adoption of quantification of PERs and CEI which allows consideration of such cases for promotion subject to deduction of 5 marks for each major penalty, 3 marks for each minor penalty and 1 mark for each adverse PER from the quantified score and recommendation for promotion on attaining the relevant qualifying threshold.

(b) However, the CEI policy is not applicable to civil servants in BS-16 and below. In this case, the concerned assessing authorities will take into consideration the entire service record with weightage to be given for recent reports and any minor penalty will not be a bar to promotion of such a civil servant.

IX. Promotion in case of pending investigations by NAB:

If there are any NAB investigations being conducted against an officer, the fact of such investigations needs to be placed before the relevant promotion for awhich may take a considered decision on merits of the case.

2. All the existing instructions on the subject shall stand superseded to the above extent, with immediate effect.

Attested

Yours faithfully,

(MUHAMMAD ABID MAJEED) Special Secretary (Regulations)