

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

INDEX

S. No	Description of documents	Annexure	Page No.
1.	Parawise Comments		1-3
2.	Affidavit		4
3.	Minutes of PSB meeting 24-03-2017	A	5
4.	Quantification	B	6-8
5.	Minutes of PSB meeting 03-05-18	C	9
6.	Notification 03-10-2018	D	10
7.	Quantification	E	11-13
8.	Quantification	F	14-16
9.	Board recommended	G	17-18
10.	Minutes of PSB meeting 23-09-2019	H	19
11.	Esta Code Rule	I	20
12.	Judgment dated: 03-11-2021	J	21-26
13.	Letter dated: 02-08-2022	K	27
14.	Promotion Policy 2009	L	28


Respondent

HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No: 868/2022

Mr. Muhammad Karim..... Appellant

Versus

**Khyber Pakhtunkhwa
Service Tribunal**

Govt. of Khyber Pakhtunkhwa
Through Chief Secretary, Higher Education
& others.....

Diary No. 2430

Dated 22/12/22 Respondents

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

Ihsan Ullah Khan
Deponent



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

Service Appeal # 868/2022

Muhammad Karim..... Appellant

Versus

Govt. of Khyber Pakhtunkhwa

Through Chief Secretary, Govt; of Khyber Pakhtunkhwa &

others..... Respondents

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

PRELIMINARY OBJECTIONS: -

Respectfully Sheweth: -

1. That, the Appellant 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: -

- 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**)
- 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;

- I. **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: -

- 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:-

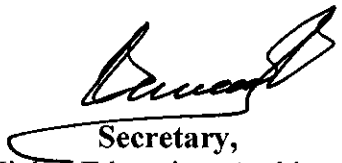
It is, therefore, humbly prayed that on acceptance of instant Para-wise Comments the instant Service Appeal may graciously be dismissed with cost.



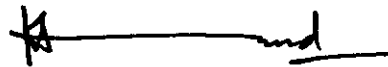
Chief Secretary,
Govt. of Khyber Pakhtunkhwa
Respondent No. 1 & 02



Secretary,
Establishment Department
Govt. of Khyber Pakhtunkhwa
Respondent No. 3



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



Director,
Higher Education Department
Respondent No. 05

A B

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PROMOTION OF MALE ASSOCIATE PROFESSOR BS-19 TO THE POST OF PROFESSOR BS-20

A Annex

10

Secretary, Higher Education, Archives and Libraries apprised the Board of retirement and 4 tier structure in FATA, eighty two (82) posts of Male or BS-20 are lying vacant.

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

By promotion on the basis of seniority cum fitness from amongst the persons holding the post in BS-19 in the college cadre Higher Education Department, with 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-18 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.

College cadre teachers in BS-19 and BS-20 will also be exempted from the mandatory training after attaining the age of 38 years or above.

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

NAME OF OFFICER	RECOMMENDATIONS OF THE BOARD
Muhammad	His date of birth is 15.05.1957. He joined government service on 14.10.1981 and appointed as Lecturer BS-17 on 02.10.1984. 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 pending against him. According to Higher Education department he was awarded a minor penalty of censure on 03.11.2015. The Board in its meeting held on 30.11.2015 recommended to defer his promotion as the Board observed that his service record is weak and his promotion will be considered after he earns one more PER. According to Higher Education department he earned PER for the year 2015. A minor penalty was imposed on him due to which three marks were deducted from his score. The Board observed that his score is still very low.
Yakhi Muhammad Khar	The Board recommended to defer his promotion. His date of birth is 06.03.1960. He joined government service on 01.03.1986 and appointed as Lecturer BS-17 on 11.03.1987. He was promoted as Associate Professor

Attested

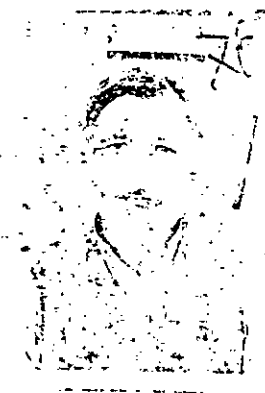
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Handwritten signature/initials

Annex B B B B

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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

Seniority No. 3

Year	Period of PER		Pen Picture		PERs Assessment	Fitness for Promotion	Score
	From	To	Reporting Officer	Countersigning Officer			


Previous Scale B-17

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 will be suitable for him in future transfer.	Agreed with R.O.	Good	Fit	7
1993	1.1.93	31.12.93	He is a very frank man.	Agreed with R.O.	Good	Fit	7
1994	1.1.94	31.12.94	He is a very frank man. He takes his classes regularly and the students are satisfied with his teaching. He is punctual and hard working lecturer. He is a very obedient man.	Agreed with R.O.	Good	Fit	7
1995	1.1.95	31.12.95	A good teacher. He feels responsibility. He is dutiful, matured and a balanced person.	Agreed with R.O.	Good	Fit	7
1996	1.1.96	31.12.96	He is a good teacher, mature and balanced. He is hard working.	Agreed with R.O.	Good	Fit	7
1997	1.1.97	31.12.97	Well behaved and well groomed.	Agreed with R.O.	Good	Fit	7
1998	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 students.	Agreed 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 college is suitable for him.	Agreed with R.O.	Good	Fit	7
2000	1.1.2000	31.12.2000	His performance including result are good. He is a devoted teacher and willing worker.	Agreed with R.O.	Good	Fit	7
						65.33/9.33	7X2=14

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Previous Scale B-1E

2001	1.1.2001	31.12.2001	He is a willing worker and devoted teacher .	Agreed with R.O.	V.Good	Fit	10	
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.	Agreed with R.O.	Good	Fit	7	
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 as subordinates . His public relation is good.	Agreed with R.O.	Good	Fit	7	
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 with R.O.	Good	Fit	7	
2005	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.	Agreed with R.O.	Good	Fit	7	
	5.6.2207	31.12.2007	He is a god teacher of the students remained satisfied with his teaching methodology . He is cooperative & willing worker.	Agreed with R.O.	Good	Fit		
2008	1.1.2008	31.12.2008	He is cooperative .The students remained satisfied with his teaching methodology .He is competent in his competent. In his relevant subject.	Agreed with R.O.	Good	Fit	9	
2009	1.1.2009	31.12.2009	Participates his hand toward the solution of problems. He is fully devoted to his teaching.	Agreed with R.O.	V.Good	Fit	8	
2010	1.1.2010	31.12.2010	He takes interest in college activities entrusted by the Principal	Agreed with R.O.	Good	Fit	7	
							76/10	75x3=228

Attended


Present Scale B-19

2011	1.1.2011	31.12.2011	Capable but a bit emotional.	Agreed with R.O.	Good	Fit	7
2012	1.1.2012	31.12.2012	A bit emotional but honest with regormative attitude and with practical work capacity.	Agreed with R.O.	V.Good	Fit	8
2013	1.1.2013	31.12.2013	Hardworking officer but needs improvement of emotional stability.	Agreed with R.O.	Good	Fit	7
2014	1.1.2014	31.12.2014	The officer is polite and hardworking. He is ertotionally stable and can work under stress. I found him cooperative.	Agreed 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 description nor has anything as specific achievements to indicate, does not qualify to be ranked as "Very Good". In overall performance grading needs an objective review. (ADVERSE CONVEYED)	Below Average	Not Fit	1
2016	1.1.2016	31.12.2016	He is hardworking and punctual officer.	Agreed with R.O.	Good	Fit	7
						37/6	6.16X5=30.8

COMPREHENSIVE EFFICIENCY INDEX

PERs Quantified Score 60:40 @ 70%	Basic Scale	Agregate Score	Weightage Factor	Point Obtained
	Present Scale	30.8	30.8X42/50	25.87
	Previous Scale (A+B)	36.8	36.8X28/50	20.60
	(i)Additions*			
	(ii)Deletions**	46.47-1=		45.47
	Total	0	0	45.47

Required threshold on CEI to BS-20 is 70

ADVERSE FOR THE YEAR 2015

Accepted
Chs 9
W/tdh

[Signature]
 Director of Education
 Khyber Pakhtoonkhwa
 Khyber Road Peshawar.

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NO (38)

HIGHER EDUCATION, ARCHIVES AND LIBRARIES DEPARTMENT

(Meeting of PSB held on 03.05.2018)

SUBJECT: PROMOTION OF MALE ASSOCIATE PROFESSOR BS-19 TO THE POST OF PROFESSOR BS-20

Secretary Higher Education, Archives and Libraries apprised the Board that due to retirement and four tier formula, thirty six (36) posts of Male Professor BS-20 are being vacant.

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

By promotion on the basis of seniority cum fitness from amongst the persons holding the post in BS-19 in the college cadre Higher Education Department, with 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-18 and above or five (05) years in BS-19, as the case may be.

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

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

S. NO	NAME OF OFFICER	RECOMMENDATIONS OF THE BOARD
1.	Mr. Muhammad Karim	His date of birth is: 01.02.1966. 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.
2.	Mr. Ghulam Mustafa	The Board recommended to defer his promotion. His 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 & 28.12.2017 recommended to defer his promotion as he had not undergone mandatory training required for promotion, which he has now undergone. No enquiry is pending against him. His service record upto 2017 is generally good.
	Section Officer (PSB) Govt of Khyber Pakhtunkhwa Establishment Department	The Board recommended the Officer for promotion to the post.

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

Annex

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

20

To

The Director,
Higher Education Khyber Pakhtunkhwa,
Peshawar.

Subject:

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

I am directed to refer to the subject noted above and to state that the competent authority (Chief Minister) has been pleased to confirm the minor penalty "censure" upon Mr. Karim Khan, Principal, Government Degree College Lachi (Kohat). The said Principal may be directed to be careful in future.

(RIAZ)
SECTION OFFICER (COLLEGES-I)

ENDST: NO. & DATE EVEN.

Copy forwarded to the:

1. PS to Secretary to Govt. of Khyber Pakhtunkhwa, Higher Education Department.
2. Mr. Karim Khan, Principal, Government Degree College Lachi (Kohat).
3. Master File.

SECTION OFFICER (COLLEGES-I)

For o/a

03/10/18

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9/10/18

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11/11/18

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MR. MUHAMMAD KARIM ASSOCIATE PROFESSOR OF STATISTICS
REGULAR PROMOTION FROM B-19 TO B-20

Seniority No. 1

Year	Period of PER		Pen Picture		PERs Assessment	Fitness for Promotion	Score	
	From	To	Reporting Officer	Counter Signing Officer				
Previous Scale B-17								
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 will be suitable for him in future transfer.		Agreed with R.O.	Good	Fit	7
1993	1.1.93	31.12.93	He is a very frank man.		Agreed with R.O.	Good	Fit	7
1994	1.1.94	31.12.94	I likes his classes regularly and the students are satisfied with his teaching. He is punctual and hard working lecturer. He is a very obedient man.		Agreed with R.O.	Good	Fit	7
		31.12.95	A good teacher. He is a very frank man. He is a very matured and balanced person.		Agreed with R.O.	Good	Fit	7
1996	1.1.96	31.12.96	He is a god teacher, mature and balanced. He is hard working.		Agreed with R.O.	Good	Fit	7
1997	1.1.97	31.12.97	Well behaved and well-groomed.		Agreed with R.O.	Good	Fit	7
1998	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 students.		Agreed 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 college is suitable for him.		Agreed with R.O.	Good	Fit	7
2000	1.1.2000	31.12.2000	His performance including result are good. He is a devoted teacher and willing worker.		Agreed with R.O.	Good	Fit	7
							65.33/9.33	7X2=14
Previous Scale B-18								
2001	1.1.2001	31.12.2001	He is a willing worker and devoted teacher.		Agreed with R.O.	V.Good	Fit	10
2002	1.1.2002	31.12.2002	He is a balanced professor & good teacher, showing good results.		Agreed with R.O.	Good	Fit	7

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2003	1.1.2003	31.12.03	As a whole the officer is good, hard working. Students are satisfied. Obedient and cooperative with his elders.	Agreed with R.O.	Good	Fit	7	
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 as subordinates. His public relation is good.	Agreed with R.O.	Good	Fit	7	
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 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.	Agreed with R.O.	Good	Fit	7	
	5.6.2007	31.12.2007	He is a god teacher of the students remained satisfied with his teaching. He is cooperative & willing worker.	Agreed with R.O.	Good	Fit		
2008	1.1.2008	31.12.2008	He is cooperative. The students remained satisfied with his teaching methodology. He is competent in his competent. In his relevant subject.	Agreed with R.O.	Good	Fit	7	
2009	1.1.2009	31.12.2009	Participates his hand toward the solution of problems. He is fully devoted to his teaching.	Agreed with R.O.	V.Good	Fit	8	
2010	1.1.2010	31.12.2010	He takes interest in college activities entrusted by the Principal.	Agreed with R.O.	Good	Fit	7	
							76/10	7.6X3=22.8

Present Scale B-19

2011	1.1.2011	31.12.2011	Capable but a bit emotional.	Agreed with R.O.	Good	Fit	7
2012	1.1.2012	31.12.2012	A bit emotional but honest with regormative attitude and with practical work capacity	Agreed with R.O.	V.Good	Fit	8
2013	1.1.2013	31.12.2013	Hardworking officer but needs improvement of emotional stability.	Agreed with R.O.	Good	Fit	7

Attested

Ms. G
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		31.12.2014	The officer is polite and hardworking. He is a member of Nohai and can work under stress. I found him cooperative.	Agreed 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 description nor has anything as specific achievements to indicate, does not qualify to be ranked as "Very Good". In view of the above, his overall performance grading needs an objective review. (ADVERSE CONVEYED). EXPUNGED VIDE LETTER NO SO (C-1) HE/1-2/2015 LACHI KOHAT KARIM KHAN/ NOTE FOR CS/4472 dated peshawar 26.6.2018	V.Good	Fit	8
2016	1.1.2016	31.12.2016	He is hardworking and punctual officer.	Agreed with R.O.	Good	Fit	7
						Fit	7
						51/7	7.28*5=36.

COMPREHENSIVE EFFICIENCY INDEX

Basic Scale	Agregate Score	Weightage Factor	Percentage
Present Scale	36.4	36.4X42/50	30.57
Previous Scale (A+B)	36.8	36.8X28/50	20.60
(i) Additions*			
(ii) Deletions**			(-3)
Total	0	0	48.17

Required threshold on CEI to BS-20 is 70

ADVERSE FOR THE YEAR 2015 AND EXPUNGED.

Impose and confirm minor penalty of "Censure" vide notification No.SO(C-1)/HE/1-2/summary to CM/2017/karim khan/1342-4-

Muhammad
Korim

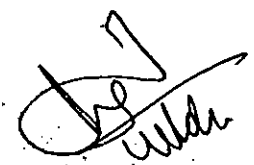
Attended
Dr. I. Khan

*Director Higher Education
Khyber Pakhtoon Khwa
Khyber Road Peshawar.*

MR. MUHAMMAD KARIM ASSOCIATE PROFESSOR OF STATISTICS
REGULAR PROMOTION FROM B-19 TO B-20

Seniority No. 5

Year	Period of PER		Description	Reporting Officer	Counter Signing Officer	FERs Assessment	Fitness for Promotion	Score	
	From	To							
Previous Scale B-17									
1991	1.1.91	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 will be suitable for him in future transfer.		Agreed with R.O.	Good	Fit	7	
1993	1.1.93	31.12.93	He is a very frank man.		Agreed with R.O.	Good	Fit	7	
1994	1.1.94	31.12.94	He likes his classes regularly and the students are satisfied with his teaching. He is punctual and hard working lecturer. He is a very obedient man.		Agreed with R.O.	Good	Fit	7	
1995	1.1.95	31.12.95	A good teacher. He feels responsibility. He is dutiful, matured and balanced person.		Agreed with R.O.	Good	Fit	7	
1996	1.1.96	31.12.96	He is a good teacher, mature and balanced. He is hard working.		Agreed with R.O.	Good	Fit	7	
1997	1.1.97	31.12.97	Well behaved and well groomed.		Agreed with R.O.	Good	Fit	7	
1998	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 students.		Agreed 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 college is suitable for him.		Agreed with R.O.	Good	Fit	7	
2000	1.1.2000	31.12.2000	His performance including results are good. He is a devoted teacher and willing worker.		Agreed with R.O.	Good	Fit	7	
								55.33/9.33	7*2=14
Previous Scale B-15									
2001	1.1.2001	31.12.2001	He is a willing worker and devoted teacher.		Agreed with R.O.	V.Good	Fit	10	
2002	1.1.2002	31.12.2002	He is a balanced professor & good teacher, showing good results.		Agreed with R.O.	Good	Fit	7	

Attested


F. Karim

2003	1.1.2003	31.12.2003	As a whole the officer is good hard worker. Students are satisfied. Obeuient and cooperative with his elders.	Agreed with R.O.	Good	Fit	7	
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 as subordinates. His public relation is good.	Agreed with R.O.	Good	Fit	7	
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 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.	Agreed with R.O.	Good	Fit	7	
	5.6.2207	31.12.2007	He is a god teacher of the students remained satisfied with his teaching methodology. He is cooperative & willing.	Agreed with R.O.	Good	Fit	7	
2008	1.1.2008	31.12.2008	He is cooperative. The students remained satisfied with his teaching methodology. He is competent in his competent. In his relevant subject.	Agreed with R.O.	Good	Fit	7	
2009	1.1.2009	31.12.2009	Participates his hand toward the solution of problems. He is fully devoted to his teaching.	Agreed with R.O.	Good	Fit	8	
2010	1.1.2010	31.12.2010	He takes interest in college activities entrusted by the Principal.	Agreed with R.O.	Good	Fit	7	
							76/10	7.6X3=22.8

Prescribed Scale B-19

2011	1.1.2011	31.12.2011	Capable but a bit emotional.	Agreed with R.O.	Good	Fit	7
2012	1.1.2012	31.12.2012	A bit emotional but honest with regormative attitude and with practical work capacity.	Agreed with R.O.	Good	Fit	8
2013	1.1.2013	31.12.2013	Hardworking officer but needs improvement of emotional stability.	Agreed with R.O.	Good	Fit	7

Attested

Dr. G. Usha

2014	1.1.2014	31.12.2014	The officer is polite and hard-working. He is emotionally stable and can work under stress. I found him cooperative.	Agreed 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 description nor has anything as specific achievements to indicate, does not qualify to be ranked as "Very Good". In view of the above, his overall performance grading needs an objective review. (ADVERSE CONVEYED) . EXPUNGED VIDE LETTER NO SO (C-I) HE/1-2/2013 LAGHI KOHAT KARIM KHAN/ NOTE FOR CS/4872 dated peshawar 26.6 2018	V.Good	Fit	8
2016	1.1.2016	31.12.2016	He is hardworking and punctual officer.	Agreed with R.O.	Good	Fit	7
2017	1.1.2017	31.12.2017	Emotionally stable and cooperative.	I AGREE	Good	Fit	7
2018	1.1.2018	31.12.2018	Emotionally stable and cooperative.	Not countersigned.	Good	55/8	7.25X5=36.25

COMPREHENSIVE EFFICIENCY INDEX

PERs	Basic Scale	Aggregate Score	Weightage Factor	Point Obtained
Quantified	Present Scale	36.25	36.25X42/50	30.45
Score 60.40 @ 70%	Previous Scale (A+B)	36.8	36.8X28/50	20.60
	(i) Additions*			
	(ii) Deletions**	51.05-3=48.05		48.05
	Total	0	0	48.05

Required threshold on CEI to BS 10 is 70

ADVERSE FOR THE YEAR 2015 AND EXPUNGED.
Implementation of censure.

Muhammad Karim

Attested

Ms 9
Ullah

[Handwritten signature]

**IMMEDIATE
CONFIDENTIAL**



**GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT**

NO. SO(PSE)ED/1-4/2019/P-216
Dated Peshawar, the 07.05.2019

To

The Secretary to Govt. of Khyber Pakhtunkhwa,
Higher Education Department

**SUBJECT: -MINUTES OF THE MEETING OF PROVINCIAL SELECTION BOARD
HELD ON 19.04.2019**

**PROMOTION OF ASSOCIATE PROFESSOR BS-13 (MALE) TO THE
POST OF PROFESSOR BS-20 OF COLLEGE CADRE**

Dear Sir,

I am directed to refer to Higher Education Department letter No. SO(C-1)/HE/1-13/PSB meeting/2019 dated 26.03.2019 on the subject and to forward herewith an extract of item No. (55) of the minutes/recommendations of the meeting of Provincial Selection Board held on 19.04.2019 as well as copy of approved summary wherein the Chief Minister being competent authority in terms of Rule 4 (1) (a) of the Khyber Pakhtunkhwa (Appointment, Promotion & Transfer) Rules, 1989 has approved the recommendation of the PSB for further necessary action.

Yours faithfully,

4-5/7/5/2019
(Abdul Hameed)
SECTION OFFICER (PSB)

Encl: As Above

Urgent
SO (C-1)

08/05/19

Attached

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attach*

HIGHER EDUCATION ARCHIVES AND LIBRARIES DEPARTMENT

(Meeting of PSB held on 19.04.2019)

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

Secretary Higher Education, Archives and Libraries apprised the Board that due to retirement, sixteen (16) posts of Male Professor BS-20 are lying vacant.

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

- ii. "By promotion on the basis of seniority cum fitness from amongst the persons holding the post in BS-19 in the college cadre Higher Education Department, with 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-18 and above or five (05) years in BS-19, as the case may be.
- iii. Successful completion of mandatory training prescribed by the Govt for Colleges Teachers in BS-19 from time to time.

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

S.#	NAME OF OFFICER	RECOMMENDATIONS OF THE BOARD
1.	Mr. Muhammad Karim	His date of birth is 01.02.1966. He joined government service as Lecturer BS-17 on 01.09.1991. He was promoted to BS-19 on 01.02.2011. He has undergone mandatory training for promotion. The Board in its meeting held on 24.03.2017, 28.12.2017, 03.05.2018, 17.09.2018 and 26.12.2018 recommended to defer his promotion as the Board was informed that an enquiry was pending against him in which he has been awarded a penalty of censure and his service record was also weak. Hence, the Board desired to further watch his performance. Position is still the same. The Board recommended to defer his promotion.
2.	Mr. Hidayatullah Jan	His date of birth is 30.03.1965. He joined government service as Lecturer BS-17 on 17.07.1990. He was promoted to BS-19 on 09.01.2012. The Board in its meeting held on 24.03.2017 and 28.12.2017 recommended to defer his promotion as he had not undergone training mandatory for promotion, which he has now undergone. The Board in its meeting held on 03.05.2018, 17.09.2018 and 26.12.2018 recommended to defer his promotion as his service record was weak and the Board desired to further watch his performance. He has now earned Very Good PER for the year 2018. No enquiry is pending against him. His service record upto 2018 is generally good. The Board recommended the Officer for promotion to the post of Professor BS-20 on regular basis. He will be on probation for a

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Section Officer (PSB)
Govt. of Khyber Pakhtunkhwa
Establishment Department

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HIGHER EDUCATION, ARCHIVES AND LIBRARIES DEPARTMENT
(Meeting of PSB held on 23.09.2019)

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

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

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

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

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

S.#	NAME OF OFFICER	RECOMMENDATIONS OF THE BOARD
1.	Mr. Muhammad Karim <i>Section Officer (PSB) Govt of Sindh, Higher Education Establishment Department</i>	His date of birth is 01.02.1966. He joined government service as Lecturer BS-17 on 01.09.1991. He was promoted to BS-19 on 01.02.2011. He has undergone training mandatory for promotion. The Board in its meeting held on 24.03.2017, 28.12.2017, 03.05.2018, 17.09.2018, 26.12.2018 and 19.04.2019 recommended to defer his promotion as the Board was informed that an enquiry was pending against him in which he has been subsequently awarded a penalty of censure and his service record was also weak. Hence, the Board desired to further watch his performance. Position is still the same. The Board recommended his supersession.
2.	Mr. Shafiq Rehman	His date of birth is 01.04.1963. He joined government service as Lecturer BS-17 on 19.09.1989. He was promoted to BS-19 on 09.01.2012. The Board in its meeting held on 24.03.2017, 28.12.2017 recommended to defer his promotion as he had not undergone training mandatory for promotion which he has now undergone. Previously, his promotion was deferred due to his weak service record and the Board desired to further watch his performance. Now, his quantification of PERs has been recalculated as per promotion policy, 2009, according to which, he secured 43 marks instead of 48. No enquiry is pending against him. His service record upto 2018 is generally good. The Board recommended the Officer for promotion to the post of Professor BS-20 on regular basis. He will be on promotion for a

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Annex - I

ESTA CODE [Establishment Code Khyber Pakhtunkhwa]

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 shall not be considered for promotion until he earns one PER for the ensuing 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 within a period of six months from such recommendations, they will lapse. The case of such civil servant would require placement before the PSB/DPC afresh.

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 fora which may take a considered decision on merits of the case.

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

First Step

Arithmetic
more PERs

100

Where

My = marks
Ny = Number
and Σ star

Second Step

Average marks
formula:
Average marks

Where
M = Marks for
T = Total number

Third Step

Weightage for posts having aggregate score again

- (i) to p
- (ii) to p
- (iii) to p
- (iv) to p

Where
A = Average marks
B = Average marks
C = Average marks
D = Average marks

Fourth Step

The following are put out in the third step for

A. Additions:
(i) for specialized institution, specialized a period of

Attached

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4/4/24

JUDGMENT FILED
PESHAWAR HIGH COURT, PESHAWAR
JUDICIAL DEPARTMENT

W.P. No.2670-P/2020

Muhammad Karim

Vs.

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

Date of hearing 03.11.2021

Petitioner(s) by: **Muhammad Asif Yousafzai, Advocate.**

Respondent(s) by: **Muhammad 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 humbly prayed that on acceptance of this writ petition, the august Court may be pleased to:-

- i. Declare the PSB decision dated 23.09.2019 and order dated 07.03.2020 to the extent of maintaining suspension as illegal, unlawful, discriminatory, without any justification, as the petitioner's PER was expunged & Censure was converted into Exonerated 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 respondents to consider the petitioner for promotion to BPS-20 w.e.f. 2017 with all back and consequential service benefits.*
- iii. Any other remedy seems appropriate that may also be awarded in favour of the petitioner".*

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2. In essence, petitioner is aggrieved of the actions of the respondents who have and again denied him promotion to the post of Professor (BPS-20) on the ground of pending inquiry against him, entry of adverse remarks in ACR for the year, 2015, weak service record and penalty of censure.

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

4. Arguments heard. Record perused.

5. Perusal of the record reveals that petitioner has called in question the decision of the Provincial Selection Board dated 23.09.2019 (hereinafter to be referred as "the PSB"), whereby, he was, though, considered for promotion but recommended for supersession. It would be relevant to reproduce the relevant para pertaining to the recommendations of "the PSB" as under:-

"His date of birth is 01.02.1966. He joined Government service as Lecturer on 01.09.1991. He was promoted to BS-19 on 01.02.2011. He has undergone training mandatory for promotion. The Board in its meeting held on 24.03.2017, 28.12.2017, 03.05.2018, 17.09.2018, 26.12.2015 and 19.04.2019 recommended to defer his promotion as the Board was informed that an enquiry was pending against him in which he has been subsequently awarded a penalty of censure and his service record was also weak. Hence, the Board desired to further watch his performance. Position is still the same".

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6. From the perusal of 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 "the PSB" on the ground that an inquiry is pending against him; however, vide the impugned recommendations of "the PSB", he was superseded on the ground that a penalty of censure 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.221/2018 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 said judgment of the Khyber Pakhtunkhwa Service Tribunal vide Notification dated 07.05.2020 and exonerated the petitioner of the charges, however, his request for conversion of supersession into deferment was declined vide the said Notification.

8. In the comments, it has been disclosed that petitioner was again considered for promotion by "the PSB" in its meeting held on 12.06.2020 and this time, the Board

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has decided to keep him on performance watch till the next PSB meeting and the Board did not consider him for promotion.

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

- i. *By promotion on the basis of seniority cum fitness from amongst the persons holding the post in BS-19 in the college cadre Higher Education Department, with at least seventeen (17) years service in BS-17 and above; provided that in case of persons initially appointed in BS-18 or BS-19, the length of service for promotion in their cases shall 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 Govt. for Colleges Teachers in BS-19 from time to time. College cadre teachers in BS-19 and BS-20 will also be exempted from the mandatory training after attaining the age of 58 years or above.*

10. The question before this Court is not regarding the eligibility of the petitioner for promotion, because, admittedly, he is a senior most officer and fulfills the criteria, mentioned in the recruitment 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 consideration on 24.03.2017, inquiry is

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pending against the petitioner and similarly, his adverse ACR for the period starting from 01.01.2015 to 31.12.2015. The judgment dated 15.02.2018 of the Khyber Pakhtunkhwa Service Tribunal, 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 considered for promotion in the last PSB meeting, is that his service 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, adverse 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 officer".

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

13. The learned AAC representing the respondents remained unable to bring on the record anything in black and white to support the allegation 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, whereby, 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 (SPS-20) in the forthcoming meeting of "the PSB" and to consider his case for promotion strictly in accordance with law.

Announced
Dt:03.11.2021

Rooh-ul-Amin Khan
Senior Puisne Judge

sd/
Judge

(DB) Hon'ble Mr. Justice Rooh-ul-Amin Khan and Hon'ble Mr. Justice Ijaz Anwar

Muhammadullah

Attested

15/11/21



GOVERNMENT OF KHYBER PAKHTUNKHWA
HIGHER EDUCATION, ARCHIVES &
LIBRARIES DEPARTMENT

No.SO(C-1)/HE/1-107/2022/M.Karim
Dated Peshawar the 02/08/2022

1663

To:

The Director,
Higher Education Department,
Khyber Pakhtunkhwa, Peshawar

Subject:-

REVIEW PETITION AGAINST NOTIFICATION NO.SO(E-1)/HE&AL/9-38/1/2022 DATED
PESHAWAR THE JANUARY 18, 2022.

I am directed to refer to the subject noted above and to state that *Muhamma Karim*, Associate Professor of Statistics (BS-19) GPGC, Kohat, was promoted to the post of Professor (BS-20) in the Higher Education Department's notification dated 18.01.2022. He has filed a review petition to Chief Minister Khyber Pakhtunkhwa against said order for consideration of his antedated promotion with all consequential benefits w.e.f 10.01.2017 i.e. date of 1st deferment instead of 18.01.2022.

The supersession of the appellant in PSB meeting dated 23.9.2019 has been converted into defeat by Peshawar High Court vide judgment dated 3.11.2021. A summary for Chief Minister Khyber Pakhtunkhwa accordingly moved regarding review petition of the appellant and the appellate authority approved para 10 of summary that the name of the appellant is required to be placed before his erstwhile juniors in the seniority list as Professor (BS-20) in terms of para V (d) of promotion policy, 2009. However, the request of the petitioner regarding antedated promotion with all back benefits is not covered under para vi of promotion policy, 2009 which provides promotion will always be notified with immediate effect.

I am further directed to say that necessary action may kindly be taken according to the rules with intra-departmental approval.

Riaz
(RIAZ)

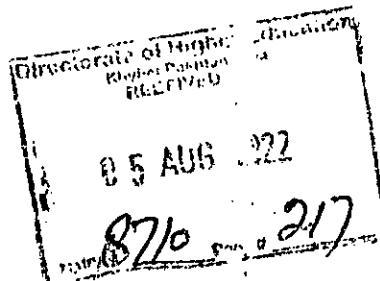
SECTION OFFICER (COLLECTIONS-1)

Copy forwarded to:

- 1. PS to Secretary, Higher Education Department.
- 2. Master file

(RIAZ)

SECTION OFFICER (COLLECTIONS-1)



Assessed DR (E)
[Signature]
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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 fora which 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.

Yours faithfully,

(MUHAMMAD ABID MAJEED)
Special Secretary (Regulations)

Attested
Ch. 9
with