### FORM OF ORDER SHEET

Court of	*		•	
		-		
Case No			V V-	1757/2022

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1.	2	3
1	07/12/2022	The appeal of Mr. Tariq Hussain resubmitted today
		by Mr. Noor Muhammad Khattak Advocate. It is fixed for
		preliminary hearing before Single Bench at Peshawa
		on Notices be issued to appellant and his counse
		for the date fixed.
		By the order of Chairman
		REGISTRAR W
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The appeal of Mr. Tariq Hussain PET GHHS Patrak District Dir Upper received today i.e. on 16.11.2022 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Check list is not attached with the appeal.
- 2- Appeal has not been flagged/marked with annexures marks.
- 3- Annexures of the appeal may be attested.
- 4- Appeal may be page marked according to the Index of the appeal.
- 5- Affidavit may be got attested by the Oath Commissioner.
- 6- Copies of impugned and old rules mentioned in the memo of appeal are not attached with the appeal which may be placed on it.
- 7- Copy of promotion notification mentioned in the memo of appeal is not attached with the appeal which may be placed on it.
- 8- Departmental appeal having no date be dated.
- 9- Six more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal

**SERVICE TRIBUNAL** KHYBER PAKHTUNKHWA PESHAWAR.

Noor Muhammad Khattak Adv. Pesh.

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### BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

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<b>SERVICE</b>	<b>APPEAL N</b>	o. / /	<u>/</u> /2022
			/

TARIQ HUSSAIN

VS EDUCATION DEPTT:

INDEX

S.NO.	DOCUMENTS	ANNEXURE	PAGE
1.	Memo of appeal with Affidavit	***************************************	1 – 3
2.	Appointment order	Α	4-5
3.	Copy of the impugned rules and promotion notification dated 08.12.2020	B & C	6-16
4.	Copies of the old rules dated 13.11.2012	D	17-32
5.	Copy of the Educational Testimonials	E	33-36
6.	Copies of the Departmental Appeal and Registry Receipt	F	37-38
7.	Vakalatnama		39

APPELLANT

Through:

NOOR MOHAMMAD KHATTAK ADVOCATE SUPREME COURT OF PAKISTAN

-1-

### BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 1757/2022

Khyher Po**ki**tuskings Service Tribahui

1313 No. 1959

Mr. Tariq Hussain, PET (BPS-15), GHHS Patrak, District Dir Upper. David 16-11-2022

APPELLANT

### **VERSUS**

- **1-** The Secretary, Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.
- **2-** The Secretary Establishment Department, Khyber Pakhtunkhwa, Peshawar.
- **3-** The Secretary Finance Department, Khyber Pakhtunkhwa, Peshawar.
- **4-** The Director, Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.

..... RESPONDENTS

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED NOTIFICATION DATED 24-07-2014 WHEREBY THE 4% PROMOTION QUOTA RESERVED FOR PET CADRE HAS BEEN DONE AWAY IN VIOLATION OF SECTION 09 OF THE CIVIL SERVANT ACT 1973 READ WITH RULE-7 OF THE APT RULES, 1989 AND AGAINST NO ACTION TAKEN ON THE DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS.

PRAYER:

Hileden-day

That on acceptance of this appeal the impugned notification dated 24-07-2014 may very kindly be rectified/modified in the light of the notification dated 13.12.2012 to the extent of allocation of quota for the cadre of the appellant i.e. PET cadre may kindly be restored and the appellant may kindly be considered for promotion to the post of SST BPS-16 with all back and consequential benefit. Any other remedy which this august Tribunal deems fit, may also be awarded in favor of the appellant.

### R/SHWETH: ON FACTS:

- 1. That the appellant was appointed against the post of PET BPS-15 vide order dated 28.03.2017 and has been performing his duties with devotion and up to the entire satisfaction of his superiors. Copy of the initial appointment order dated 28.03.2017 is attached as Annexure.
- 2. That other colleagues of the appellant belonging to other cadres have been promoted to the post of SST BPS-16 while the appellant was ignored. Having no prospects of promotion given by the department through the impugned rules dated 24.07.2014.

- That the appellant fulfills the above mentioned criteria and the petitioner has the requisite qualification to be promoted to the post of SST BPS-16 under the old rules dated 13.12.2012 but to the ibid impugned notification the promotion quota has been done away in violation of section 9 of the civil servant act 1973 read with rule-7 of the APT Rules, 1989. Copy of the Educational Testimonials is attached as Annexure
- That the appellant feeling aggrieved from the impugned notification dated 24.07.2014, preferred departmental appeal dated 16.07.2022 to the competent authority but in vain. Copies of the Departmental Appeal and Registry Receipt are attached as annexure.
- That the appellant feeling aggrieved and having no other remedy filed the instance service appeal on following grounds inter alia.

### **GROUNDS:**

- A- That the impugned notification dated 24-07-2014 whereby the 4% promotion quota reserved for PET cadre that has been done away by the respondents is against the law, facts, norms of natural justice and materials on the record hence not tenable and liable to be modified/rectified.
- B- That appellant has not been treated by the respondents Department in accordance with law and rules on the subject noted above and as such the respondents violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.
- C- That impugned notification dated 24-07-2014 whereby the 4% promotion quota reserved for PET cadre has been done away by the respondents is also violative of Section 24(a) of the General Clauses Act, 1897.
- **D-** That, the treatment meted out to the appellant is clearly based on discrimination and malafide and as such the respondents violated the principle of natural justice.

- **E-** That the respondents acted in arbitrary and malafide manner while issuing the impugned notification.
- That not allocating promotion quota to the post of SST (BPS-16) to the cadre of the appellant is violative of section-9 of the Civil servant Act, 1973 read with rule 7 of the APT rules, 1989.
- G- That the action and inaction of the respondents is violative of Article 38 (e) of the Constitution of Pakistan, 1973.
- H- That appellant seeks permission to advance other grounds and proofs at the time of hearing.

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

Dated: 15.11.2022

**APPELLANT** 

TARIO HUSSAIN

THROUGH:

NOOR MUHAMMAD KHATTAK ADVOCATE SUPREME COURT

WALEED ADNAN

**UMAR FAROOQ MOMAND** 

MUHAMMAD AYUB

KHANZAD GUL ADVOCATES

### <u>AFFIDAVIT</u>

I, Tariq Hussain, PET (BPS-15), GHHS Patrak, District Dir Upper, do hereby solemnly affirm and declare on Oath that the contents of this **Service Appeal** are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Hon'ble Court.

DEPONENT



### OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE)

Dir Upper (Phone # 0944 -881400)

APPOINTMENT

Consequent upon the recommendation of the Departmental Selection Committee, appointment of the following candidates are hereby ordered purely on merit against the vacant posts of Physical Education Teacher on Adhoc School basis policy in BPS: 15 (Rs.13510/-) Fixed plus usual allowances as admissible to them under the Rules and existing policy of the Provincial Government on the terms & conditions given below with effect from the date of their taking over charge in the interest of public service.

Father's Name	Name of school	D/O Birth	Score	Remarks
	GHSS Patrak	14/08/1989	112.93	A.V.Post
	GMS Gamdat	01/01/1991	107.59	A.V.Post
	GMS Jarjuray	01/01/1984	102.13	A.V.Post
	GMS Naszat	18/02/1979	101.41	A.V.Post
	GMS Havagai Cha	01/08/1990	99.88	A.V.Post
		07/05/1993	98.93	A.V.Past
		09/03/1983	98.77	A.V.Post
_	FRENEY'S NAME SHAH WAZIR'XHAN SULTAN KHAN KHALIL AHMAD AH SYED FATAH JAN UMAR ZAMIN MUHAMMAD ABDUL WAHAB FAZAL RAHIM SHAH	SHAH WAZIR KHAN GHSS PƏTƏR.  SULTAN KHAN GMS GƏMDƏL  KHALIL AHMAD GMS Jərjurəy  H SYED FATAH JAN GMS Nəsrət  UMAR ZAMIN GMS HƏYƏBƏL CHƏ  MUHAMMAD ABDUL WAHAB GMS KİBOL	SHAH WAZIR XHAN   GHSS PƏYƏK   14/08/1989	SHAH WAZIR XHAN         GHSS Patrale         .14/08/1989         .112.91           SULTAN KHAN         GMS Gamdat         .01/01/1991         .107.59           KHALIL AHMAD         GMS Jarjuray         .01/01/1984         .102.13           AH         SYED FATAH JAN         GMS Nasirat         .18/02/1979         .101.41           UMAR ZAMIN         GMS Hayagai Cha         .01/08/1990         .99.88           MUHAMMAD ABDUL WAHAB         GMS Kilool         .07/05/1993         .98.93

### Terms & Conditions

- 1. No TA/DA is allowed.
- 2. Charge reports should be submitted to all concerned.
- 3. Appointment is purely on temporary & ad hoc basis for one year period with effect from 28.03.2017 to 27,03.2018.
- 4. They should not be handed over charge if their age exceeds 35 (Thirty Five) or below 18 years of age.
- 5. Appointment is subject to the condition that their certificates/documents must be verified from the concerned authorities, and anyone found producing bogus certificate/s or degree/s their appointment shall be cancelled and they will be reported to the Law enforcing agencies for further legal action.
- 6. Their services are liable to termination on one month's prior notice from either side. In case of resignation without notice their one month pay/allowances shall be forfelted to the Government
- 7. Pay shall not be drawn until and unless a certificate issued by this office that to the effect that their documents have been verified.
- 8. They should join their posts within 30 days of the issuance of this notification. In case of failure to join the post within 30 days of the issuance of this Notification their appointment shall stand expired automatically and no subsequent appeal etc. shall be entertained.
- 9. Health & Age Certificate should be produced from the Medical Superintendent before taking over charge.
- 10. They will be governed by such Rules and Regulations as may be issued from time to time by the Government.
- 11. Their services shall be terminated at any time in case their performance is found unsatisfactory during their service period. In case of misconduct, they shall be proceeded against under the relevant rules & regulations announced from time to time.
- 12. Their appointment is Ad hoc and school based. They shall have to serve at their place of posting and their services are not transferable to any other station.

- 13. Before handing over charge to them, their documents may be checked and if found bogus or take they may be reported to this office for necessary action.
- 14. Posting with In the selected five schools is the wholly solely authority of the appointing authority and no one has the right to claim for a specific school.
- 15. All the Principal / Headmasters are required to collect an affidavit from each candidate that he will follow all the terms and condition listed above and will keep it on record.
- 16. Errors and omissions will be acceptable within the specified period.

(DR.HAFIZ MUHAMMAD IBRAHIM) DISTRICT EDUCATION OFFICER MALE DIR UPPER

Endst No: 16/6-73 PET/Appointment/Ad hoc/NTS dated: 28/03/2017

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

- 1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
- 2. District Account Officer Dir Upper.
- 3. Principal/Headmaster concerned.
- 4. Deputy DEO Male Local Office.
- 5. The B&AO Local Office
- 6. The Supdt Secondary Local Office.
- 7. The candidates concerned.
- 8. Master File.

DISTRICT EDUCATION OFFICER



# COVERNMENT OF KIRBER PAKHTUNKITWA TARY & SECONDARY EDUCATION DEPARTME

Peshawar, dated the 24th July, 2014.

and Secondary Education Department in consultation with the Establishment Department and the Finance Department vereby directs that in this Department's Notifications to SOLPE) a-5/SSRC/Meeting/2014/Teaching Cadre: - In pursuance of the provisions contained in sub rule (2) of de 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Elementary Meeting/2012/Teaching Cadre, dated, 13.11.2012, the following further amendments shal 13-11-2007,

### STREMENTS

umbered as LB and before Serial No. LB, as so renumbered, the following new entries shall be

	• •	5. to 12.	. <u> </u>	
			H	-] e
· · · · · · · · · · · · · · · · · · ·			Subject Specialist (BPS-17)	inserted in respective columns, na
	equivalent qualification from a recognized University.	ii. Bachelor of Education or Master of Education (Industrial Art or Business Education) or MA Education of	four years BS Degree in the relevant years subject; and	inserted in respective columns, namely:  3 (a)
			years	231035
promotion quota siluit se f	Note: If no suitable candidate is available in their relevant subject the post falling in their relevant subject the post falling in their	mentioned in column No. 3.	subject from amongst the Secondary School Teachers (BPS-16), with at least five years	(a) Fifty per cent by promotion, on the basis

Franchur and having qualification manthoned in column No. 3:  Provided that if no suitable person is available front amongst Senior Physical Education Teachers for promotion, in the past shall be filled by promotion, on the amongst the Physical Education Teachers amongst the Physical Education Teachers amongst the Physical Education Teachers with at least five years service as such and having qualification mentioned in column No. 3:  Note:- If no suitable candidate is available in the relevant cadres of the above teachers, the post falling in their promotion quota shall be filled by initial recruitment; and (b) fifty percent by initial recruitment; and		
years  Physical Education Teachers (E at bast fine years service as Se	Thyskal Education from a recognized thateerally.	LA Director Physical (physical) (physical)
(b) flip percent by initial regruinment.	market and design the first and the second of the first and the second of the second o	

TRANSPORT AND THE Il Bachelor of Education or Muster of (c) (Humanities and other equivalent granps at degree level with English (b) Thouse, Math. X. or T. or Senistica) a) (Chambery, Raymy or Tooley). qualifications Bunness an compulary subject; Education Fancation University on need been from the AND THE PROPERTY WHICH THE PROPERTY Charles I Education Park Comme and Andustria magnized aquitation

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district eventered in the Jefferential experient 

column Na.t. housing Corolled Teachers (1179-16), with at least Transfer und Osrafied THE PERSON NAMED IN COLUMN TWO IS NOT THE PERSON NAMED IN COLUMN TWO IS NAM forty per cent from amounted the Settler driet for the state of the stat The state of the s

candidate is available haning than the past shall be filled by members rum arungst Cartified Transition I least five years never us such and the bond of seminary the Provided united () Inch THE PROPERTY OF

four per cent from assungst the Senior The years service as Semin Drawing Musters and Druming Musters and Drawing Musical(BPS-16), with at least

Bettex CoPY

(ii) against Serial No. 1B, as so renumbered, for the existing entries, the following Shall be substituted, in respective columns, namely:

on the basis of seniority-cum-titness, from amongst Certified Teachers, with at least five years service as such and having qualification mentioned in column No. 3;  (b) four-per-cent from amongst the Senior Drawing Masters (BPS-16), with at least five years service as Senior Drawing Masters and Drawing mentioned in having qualification mentioned in	qualifications from a recognized. University.		
on the basis of seniority-cum-fitness from amongst Certified Teachers, with at least five years service as such and having qualification mentioned in column No. 3;  (b) four-per-cent from amongst the Senior Drawing Masters (BPS-16), with at least five years service as Senior Drawing Masters and	from a		
on the basis of seniority-cum-fitness from amongst Certified Teachers, with at least five years service as such and having qualification mentioned in column No. 3;  (b) four-per-cent from amongst the Senior Drawing Masters(BPS-16), with at least	from a		
on the basis of seniority-cum-fitness, from amongst Certified Teachers, with at least five years service as such and having qualification mentioned in column No. 3;  (b) four-per-cent from amongst the Senior	from a		
on the basis of seniority-cum-fitness, from amongst Certified Teachers, with at least five years service as such and having qualification mentioned in column No. 3;	from a		
on the basis of seniority-cum-titness from amongst Certified Teachers, with at least five years service as such and having qualification mentioned in	from a		
on the basis of seniority-cum-fitness from amongst Certified Teachers, with at least five years service as such and			
on the basis of seniority-cum-fitness from amongst Certified Teachers, with	, OT		
on the basis of seniority-cum-fitness	Ή.		
			_
then the post shall be filled by promotion,	II. Bachelor of Education or Master of		
Senior Certified Teachers for promotion	and		
candidate is available from amongst			
Provided that if no suitable	as compulsory subject;		
	groups at degree level with English		
column No.3:	(c) (Humanities and other equivalent		
having qualification mentioned in			
Teacher and Certified Teacher and	Or		
five years service as Senior Certified	(b) (Physics, Maths "A" or "B" or Statistics)		
Certified Teachers (BPS-16), with at least	<i>0</i> r		
(a) forty per cent from amongst the Senior	(a) (Chemistry, Botany or Zoology),		
	following groups with two subject		
district concerned in the following manner:	University on need basis from the	. :	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
11 11 11 11 11 11 11 11 11 11 11 11 11	Degree's from a recognized years.	Teacher (BPS-16)	F
21 to 35 1. Seventy Five per cent by promotion, on the	I. At least second class Bachelor 2	Secondary School	אל"
4 5	Co	Ŋ	1

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(3)

candidate is awaitable from amongst Senior Drawing Masters for promotion then the post shall be filled by promotion, on the busis of seniority-cum-fitness, on the busis of seniority-cum-fitness, on amongst Drawing Masters with all from amongst Drawing Masters with all least five years service as such and least five years service as such and least five years service as such and least five qualification mentioned in huving qualification

four per cent from amongst the Senior Arabic Teachers (BPS-16), with at least five years survice as Senior Arabic Teachers and Arabic Teachers, and having qualification mentioned in column No.3:

Provided that if no suitable candidate is available from amongst Senior Arabic Teachers for promotion the post shall be filled by promotion, on the basis of seniority-cum-fitness, from Arabic Teachers with at least five years service as such and having qualification mentioned in

d) four per cent from amongst the Senior Theology Teachers (BPS-16), with at least five years service as Senior Theology Teachers and Theology Teachers and having qualification mentioned in replanting to the column.

candidate is awallable from amonyst. Seniar Theology Teachers for promotion then the post shall be filled by promotion, on the basis of seniarity-cam-fitness, from amongst Theology Teachers with at least five years service as such and having qualification mentioned in column No. 3:

Provided that if no suitable

(c) three per cent from amongst the Scrior Qaris (BPS-16), with at least five years service as Senior Qari and Qari and having qualification mentioned in column No.3:

Provided that If no suitable candidate is available from amongst the

candidate is available from amongst the Senior Qaris then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from Qaris with at least five years service as such and having qualification mentioned in column No. 3:

Primary School Head Teachers (BPS-16), with at least seven years service as Primary School Head Teachers and Senior Primary School Teachers and Primary School Teachers (PPS-16).

Provided that if no suitable andidate is available from amongst

Primary School Head Tenchers for promotion then the post shall be filled by promotion, on the basis of seniority-cuntfiness, from amongst Senior Primary School Teachers with at least seven years service as Senior Primary School reachers and Primary School Teachers and Primary School Teachers and Primary School Teachers and Primary School Teachers and Paulification mentioned in

Provided further that if no suitable candidate is available from amongst Senior Primary School Teachers for promotion then the post shall be filled from amongst Primary School Teachers with at least seven years service as such and having qualification mentioned in column No. 3; and

ii) twenty Five percent by initia recruitment.

If no suitable candidate is available in the relovant cadre of the above teachers, the post falling in their promotion quota shall be filled by initial recruitment.

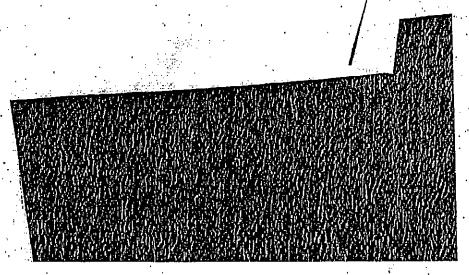
Posts of General SST and SSTs-1 Science and SST-2 Science shall be filled by promotion or initial recruitment, each anneed hasis separately.

SECRETARY TO GOVERNMENT OF KITCH

ELEMENTARY & SECONDARY EDUCATION

- he Secretary to Government of Khyber Pakhtunkhwa, Establishment and Administration Department Peshawar.
- he Secretary to Government of Khyber Pakhtunkhwa, Finance Department Peshawar he Secretary to Government of Khyber Pakhtunkhwa, Law Department Peshawar
- he Secretary Khyber Pakhtunkhwa, Public Service Commission Peshawar.
- he Accountant General Khyber Pakhtunkhwa Peshawar. Director, Elementary and Secondary Education Department Khyber Pakhtunkhwa Peshawar.
- he Director of Education (FATA) Peshawar.
- he Director, ESRU Elementary and Secondary Education Department Khyber Pakhtunkhwa Peshawar he Director, (PITE) Khyber Pakhtunkhwa Peshawar. Director, Curriculum and Teacher Education Khyber Pakhtunkhwa Abbottabad.
- Manager Government Printing Press Khyber Pakhtunkhwa Peshawar. eputy Director, EMIS (S&SE) Department Khyber Pakhtunkhwa Peshawor.
- All District Education Officer (M&F) in Khyber Pakhtunkhwa District Account Officer in Klyber Pakhtunkhwa.
- All Agency Account Officer in FATA. Agency Education Officer in FATA
- .8. PS to Chief Minister Khyber Pakhtunkhwa. Peshawar PS to Governor Khyber Pakhtunkhwa. Peshawar.
- 20. PS to Minister E&SE Khyber Pakhtunkhwa. Peshawar. PS to Chief Secretary Khyber Pakhtunkhwa. Peshawar.

ECTION OFFICER (PRIMARY (ZAMIN KHAN MOMAND)





· Promotion to SST of District Malakand

### DIRECTORATE OF ELEMENTARY AND SECONDARY EDUCATION KHYBER PAKHTUNKHWA PESHAWAR

Consequent upon the recommendations of the Departmental Promotion Committee and in pursuance of the Jovernment of Khyber Pakhtunkhwa Elementary and Secondary Education Notification No.So(B&A)/1-18/E&SE /2012, Dated 11.07.2012 and Finance Department Endorsement No.SO(FR)/FD/10-22(E) dated 16.07.2012, the following SCT/CT,SDM/DM,SAT/AT,STT/TT,S.Qari/Qari and PSHT/SPST/PST are hereby promoted to the posts of SST(G), SST(B/C) and SST(P/M) in BPS-16 (Rs.18910-1520-64510) respectively, plus usual allowances as admissible under the rules on regular basis under the existing policy of the Provincial Government, on the terms and conditions as given below with immediate effects, and further they will be adjusted by the District Education Officer concerned:

ITEM No.1: PROMOTION of SCT (BPS-16) MALE TO THE POST OF SST (G) BPS-16 ON

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<b>~</b> J	
T.	
<i>.</i>	

REGULAR BASIS	 20	· · · · · · · · · · · · · · · · · · ·
Total No. Of Vacant Post Of SST (G)	 . 5	
25% Share initial Recruitment Of SST (G)	 15	
75% Promotion Quota Of SST (G)	8	
40% SCT/CT Promotion Quota Of SST (G)	 8	
Posts Available for Promotion to SST (G)	7	
Proposed SCT for Promotion to SST(G)	1	
Defessed of Promotion from SCT/CT to SST (G)		·

\$ #	Sn #	Name	Name of School	D0.0 0.	Date of Appointment as Regular SCT	Qual:	Remarks  Services are placed at the disposal of DEO(M) Malakand
1	9	Ahmad Jan	Oherl Kot	02.02.1964	03.03.2013	MA B.Ed	for further adjustment against the post of SST(G) in BPS-
2	20	Zahir Shah	GHS Wartalr	01.03.1969	03.03.2013	BA B.Ed	Services are placed at the disposal of DEO(M) Malakand for further adjustment against the post of SST(G) in BP5-16, on regular basis with immediate effect
3	21	Lutf Ullah	GHSS Kot	08.05.1970	03.03.2013	BA B.Ed	Services are placed at the disposal of DEO(M) Malakand for further adjustment against the post of SST(G) in BPS-15, on regular basis with immediate effect
4	23	Mehammad Rashid	GHS Jolagram	06.02.1972	03.03.2013	BA B.Ed	Services are placed at the disposal of DEO(M) Malakand for further adjustment against the post of SST(G) in BPS-16, on regular basis with immediate effect
5	25	Sajad Ahmad	GH55 Oherl Jolagram	04.02.1968	03.03.2013	MA M.Ed	te on cogular basis with immediate effect
8	26	Arsala Khan		16.04.1971	03.03.2013	MA M.Ed	for further adjustment against the post of SST(G) in evidence of service has swith immediate effect
	7 30	Rukhsar Muhammar	GCMHS	04.03.1964	16.03.2013	MA B.Ed	The second and the sect of \$511(4) IN MYS

ITEM No.2: PROMOTION of SDM (BPS-16) MALE TO THE POST OF SST (G) BPS-16 ON REGULAR BASIS Total No. Of Vacant Post: Of SST (G) 25% Share Initial Recruitment Of SST (G) .75% Promotion Quota Of SST (G) 0.80 4% SDM/DM Promotion Quota Of SST (G) Posts Available for Promotion to SST (G) Proposed SDM/DM for Promotion to SST(G)

S #	Sn #	Name	Name of School	Date of Birth	Date of Appointment . as Regular SDM	Qual:	Remarks
1	11/	Sami Ullah	GHS Menerdi	14.02.1969	21.02.2013	DM B.Ed	Services are placed at the disposal of DED(M) Malakand for further adjustment against the post of SST(G) in BPS- 16, on regular basis with immediate affect;

13	FN	i N	7. P.	NOMOTIO	N of SAT	(BPS-16) M	ALE TO THE	POST OF	DF SST (G) BPS-16 ON REGULAR BASIS	_
7		No	niv.	cant Post	Of SST (G)				20	
7	5 1/6	Sha	re init	al Recruiti	nent Of SS	T (G)			5	
Ž.	%	Piro	motla	n Quota Ol	SST (G)				15	
4	96)5	AT/	ATPr	motion Q	unta Of 59	1 (G)			0.80	
þ	ošt	sΑ	railabl	e for Prom	otion to S	ST (G)			1	
2	rop	ose	d SAT	AT for Pro	motion to	o 55T(G) '			1	•
s	_	5n			Name	Date of	Date of	Qual:	Remarks	
Ħ	۱,۱	H	\'	1	of \	Birth	Appointment	١. ١		
1		٠.		. 1	School		as Regular SAT			
Ŀ	_		1		GHS Nal	01.05.1968	21.02.2013	MA	Services are placed at the disposal of DEO(M) Malakand	
ļ <sup>1</sup>	١,	9 .	Abd Rah	, 1	ו ופאו כוחט	01,03,1300	22,02,2013	(Arb),	for further adjustment against the post of SST(G) in BPS-	
ł			•	1.				M.Ed		
٦	TE	M M	in At i	ROMOTI	ON of ST	r (BPS-16) N	ALE TO THE	POST C	OF SST (G) BPS-16 ON REGULAR BASIS	
				Vacant Pos					20	
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2	480	Shams Ul Wahab	GPS Ghamgin Abad	10.03.1979	08.11,2004	B.Sc, B.Ed	Services are placed for further adjustms BPS-15, on regular :	ed applicable	he post o	f SST(P/N	

### Terms and Conditions:

- They would be on probation for a period of one year extendable for another one year.
   They will be governed by such rules and regulations as may be issued from time to time by the Covt.
- 3) Their services can be terminated at any time, in case their performance is found uncatisfactory during the probationary period. In case of misconduct, they shall be proceeded under the rules framed from time to time.
- Charge report should be submitted to all concerned.
  - Their inter- service-Seniority on lower post will remain intact.
  - No TA/DA is allowed for joining their duty.

They will give an under-taking to be recorded in their Service-Books to the effect that if any over-payment is made to them in light of this order, will be recovered and if they are wrongly promoted, they will be reversed.

Before handing over charge, their document may be checked. If they have not the required relevant qualification as per rules, they may not be handed over the charge of the post.

(Haliz Ur. Muhammad Ibrahim)

Director

Elementary and Secondary Education Khy'ser Pakhtonkhwa Peshawar

File No. 1/Promotion SST (BPS-16) Dated Pestiniwar the 11/2/12020 Copy forwarded for information and necessary action to the:

1. Accountant General Khyber Pakhtunkhwa Peshawar

2. District Education Officer (M) Malakand

3. District Accounts Officer Malakand

4. Officials Concerned
5. PS to the Secretary to the Govt: Khyber Pakhtunkhwa E&SE Department

6. PA to the Director, E&SE, Khyber Pakhtunkhwa Peshawar 7. M/File

Deputy Director (Estub:) Elementary and Secondary Education Khyber Pakhaakhya Peshawar

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## GOVERNMENT OF THE KHYBER PAKHTUNKHWA ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT.

### OTIFICATION

Peshawar, dated the November 13,2012

applicable to all the posts specified in Column No. 2 of the said Appendix and the schedule therewith. lays down the method of recruitment, qualification and other conditions specified in the Appendix to this Notification which shall be the Elementary and Secondary Education Department in consultation with the Establishment Department and the Finance Department hereby Pakhunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 and in supersession of all Notifications issued in this behalf, No.SO(PE)4-5/SSRC/Meeting/2012/Teaching Cadre: In pursuance of the provisions contained in sub rule (2) of rule 3 of the Khyber

# SECRETARY TO GOVERNMENT OF THE KHYBER PAKHTUNKHWA ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT

Endst No. & Date as above.

Copy forwarded to:-

- The Secretary to Govt. of Khyber Pakhtunkhwa, Establishment Department
- The Secretary to Govt. of Khyber Pakhtunkhwa, Finance Department
- The Secretary to Govt. of Khyber Pakhtunkhwa, Law Department
- The Secretary Khyber Pakhtunkhwa, Public Service Commission Peshawar
- The Accountant General, Khyber Pakhtunkhwa Peshawar
- The Director (E&SE) Khyber Pakhtunkhwa Peshawa

**线技术记录** 

19. Its co. Minister E&SF Kirybox Pakhtunkhwa Pashaw 18. P. S. tu. Chief Secretary, Khyber Pakhlunkhy 13. All Executive District Officers Elementary & Secondary Education in Knyber Pakhturkhwa 14. All District Accounts Officers in Khyber Pakhturkhya (Agency Accounts Officers FATA) 6. R.S. to Governor, Khyoer Pakhtinkhwa. P.S to Chief Minister, Knyber Pakhlunkhwag All District Coordination Officers in Khyber Pakhtunklaya. All Agency Education Officers FATA he Deputy Director Delabaser EMIS) E&SE Department. Fe Chector Construence Trachers Education Abbeliabed pe Director ESNU Elementary & Secondary Education Klyber Pakhtu

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- The Director Education (FATA) Khyber Pakhtunkhwa, Peshawar
- The Director Curriculum & Teachers Education Abbottabad.
- The Director (PITE) Khyber Pakhtunkhwa Peshawar.
- 10. The Director ESRU, Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.
- The Deputy Director Database (EMIS) E&SE Department.
- All District Coordination Officers in Khyber Pakhtunkhwa.
- All Executive District Officers Elementary & Secondary Education in Khyber Pakhtunkhwa.
- 14. All District Accounts Officers in Khyber Pakhtunkhwa /Agency Accounts Officers in FATA.
- All Agency Education Officers in FATA.
- P.S to Governor, Khyber Pakhtunkhwa.
- P.S to Chief Minister, Khyber Pakhtunkhwa.
- P.S to Chief Secretary, Khyber Pakhtunkhwa.
- 19. PS to Minister E&SE Khyber Pakhtunkhwa Peshawa
- PS to Secretary E&SE Department.

21. Master File.

Section Officer (Primary)

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### APPENDIX

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	condidate is available amongst the Princary School Head Teachers for promotion, then the posts will be filled by pigniotion on the basis of sentority completes, from amongst Sentor Printary School Teachers with al-least two years service and having qualification prescribed for initial recruitment to	sixty per cent by promotion, on the basis of seniority-cum-finess, from unitongst the Printary School Head Teachers with at least five years service as such and baving qualification prescribed for traitial recruitment of Certified Teacher (Home Economics).	prescribed for tytust recrutment of Certified Teacher (Agriculture).  In case of non availability of suitable person for promotion, then by initial recruitment, and	prometten, then the posts will be filled by premeter of the bugist of seniority-combitioness. Itom amongst Senior Primary School Trachers with at least five years service and having qualification
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	mid having qualification prescribed to initial rescribination of Drawing Masser, patient provided that if no suitable candidate is available for promotion the on the basis of sentority-cum-itares on the basis of sentority-cum-itares from Sentor Primary School Teacher with all-past twe years acretic and having with all-past twe years acretic and having malification prescribed for mid-lines for primorion then by initial cambridate for primorion, then by initial recruiting in	Eighty for cent by inition perfuturent and twenty for cent by promotion, on the basis of seniority-cunt-filmens, from the primary School idea amongs, the primary School idea with strikets five years service.	Certified Teacher (Fixing Economics).  Note: In case of non availability of suitable person for promution, then by initia
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		University with one year vocational training	Certified Teacher (Home Economics).
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_		institute with nine months training from	person for promotion, then by initial recruitment.
		Training center of the level of certified Teacher Agro Technical (Home Economics).	
		Teacher rigio yourself (a	
		Days from a recognized University 18 to	o 35 (a) Eighty per cent by initial
17.	Drawing Master (BPS-15).	Bachelor's Degree from a recognized University with one year Drawing Master (DM) course year	
	(12)	Certificate.	(b) twenty per cent by promotion, on the basis of seniority-cum-fitness, from
			amongst the Primary School, Head
			Teachers with at least five years service and having qualification prescribed for initial recruitment of Drawing Master:
			Provided that if no suitable
			candidate is available for promotion then on the basis of seniority-cum-fitness,
			from Senior Primary School Teachers with at least five years service and having
		•	qualification prescribed for initial recruitment of Drawing Master.
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			candidate for promotion, then by initial recruitment.
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Teacher (BPS-14).	Senior Primary School			(BPS-15)	Teacher (PSH1)	Primary School Head	177.1	***					•		,			•	•	•							leacher (Dro-19).	Physical Education	
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		2.7																		<u> </u>		-	· · · · · · · · · · · · · · · · · · ·	•	•	· .		years.	CC 01 91
	fitness, from amongst Primary School Leachers	By promotion, on the basis of seniority-cum-	recruitment of Primary School 1 cacner.	having qualification prescribed for him	Teachers with at least tell years or initial	fitness, from amongst service and	By-promotion, on the passer Primary School	the bacis of senionity-cum-	recruitment.	candidate for promotion, uten of minute	Note: In case of non-availability of suitable	ביי ביי ביי ביי ביי ביי ביי ביי ביי ביי	Teaclet.	Thinks	initial recruitment of Physical Education	and having qualification prescribed for	Teachers with at least five years service	from amongst Senior Frimary School	on the basis of senionty-cum-nucss,	candidate is available for promotion then	Provided that if no suitable	Leacher	initial recruitment of ruysical communication	and having qualification prescribed for	Teachers with at least DVC years service	amongst the rumary occurred the	basis of seniority-cum-litness, from	i a	(a) Digital post control

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	RPS-12)	Primary School	
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	itemia vili	Iniciniciale  a) recognidate Teacher Ce from a recognized  Secondary	
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	Santid 18 to 35 years.	From 18 to 35 School years, reation	
	By initial recruitment.	By initial-ree level: provid within the U the adjectnt	with at least having under
The state of the s	rwitment	By initial-recruitment on merit of Unit level: provided that if no suitable, which the Union Council is available, which the Union Councils on merit, the adjacent Union Councils on merit.	with at least live years service as a having analification, prescribed for recruitment of Primary School Teacher
	To Birth Chinese	By initial-recruitment on merit at Union Court level: provided that if no suitable, candidate within the Union Council is available, then from the adjector Union Councils on merit.	h
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	, cm e	from a recognized institution.	(BPS-12).	
By initial recruitment.	18 to 35	uran and Qirat Sanad	Qari	22.
	.	from a recognized Oill Versity: :		•
		two years Associate Degree in Education		•
	•	recognized Board in second Division with		<u></u>
• 1		Giv Secondary School Certificate, from a	•	
the adjacent Union Councils on ment.		from a recognized Institute; or		
within the Union Council is available, then from	,	Teacher Certificate/ Diploma in Education	(BPS-12).	
level: provided that if no suitable candidate is	·	(i) Intermediate or equivalent quantication, from 10 to 22	Primary School Teacher	21.
By initial recruitment on merit at Union Council		in last amilification from		
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with at least five years service as such and				

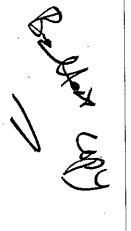
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Theology Teacher		
Catagory of Qualification	Total Marks 100	
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BA/45c	Marks distributed N 30/16/al thirds "	٠.
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## SCHEDULE

Selection criterion and other conditions for direct recruitment against the below mentioned posts shall be as an

## ARABIC TEACHER

Category of Qualification SSC HSSC -BA/B.Sc M.A Arabic/ Shahdatul Alamia Fil Uloomul Arabia wal Islamia from a	Total Marks 100  Marks Obtained * 20/ Total Marks  Marks Obtained * 20/ Total Marks  Marks Obtained * 20/ Total Marks  Marks Obtained * 20/ Total Marks
-BA/B Sc	Marks Obtained * 20/ Total Marks
M.A Arabic/ Shahdatul Alamia Fil Uloomul Arabia wal Islamia from a	Marks Obtained * 20/ Total Marks
recognized Tanzimul Wafaqul Madaris	
Other MA/M.Sc/M.Ed/MA Edu	Marks Obtained * 15/ Total Marks
M Phil/PhD	Marks = 05

# THEOLOGY TEACHER

Category of Onalification	Total Marks 100
category or deallingation	Marks Obtained * 20/ Total Marks
SSC	
שככר	Marks Obtained * 20/ Total Warks
1000	Marks Obtained * 20/ Total Marks
BA/B.Sc	410.11
M.A Islamiyat / Shahdatul Alamia Fil Uloomul Arabia wal Islamia from a	Marks-Obtained 20/ 10tal Marks
recognized Tanzimul Wafagul Madaris	
C	Marks Obtained * 15/ Total Marks
Other MA/M.Sc/M.Ed/MA Edu	
M. Phil/PhD	Marks = U5

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Manufall Control	CT Certificant Disturca in Estection	n.t/BSc	nssc	Circiots of Qualification	(Conem), Industrial et as Agriculture (Home Economics)	Cortflet Teacher	. 1							
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## **QARI/QARIA**

QARI/QARIA	
Category of Qualification	Total Marks 100
SSC	al Marks
Qari Sanad from a recognized Intitution	Marks Obtained * 20/ Total Marks
HSSC	Marks Obtained * 20/ Total Marks
BA/B.Sc	Marks Obtained * 20/ Total Marks
M.A/M.Sc/M.Ed	Marks Obtained * 15/ Total Marks
M. Phil/PhD	Marks = 05

# PCERTIFIED TEACHER

The state of the s	The Artist Strategy of the strategy of	
	Marks = 05	M. Phil/PhD
,	Marks Obtained * 15/ Total Marks	Other MA/M.Sc/M.Ed/MA Edu
· · · · · · · · · · · · · · · · · · ·		Education/ADE
The state of the s	Marks Obtained * 20/ Total Marks	CT Certified Diploma in
during his selection.	Marks Obtained * 20/ Total Marks	BA/B.Sc
for MS will be added to the total score obtained by a candidate	ívlarks Obtained * 20/ Total Marks	HSSC
District pharks for EDoS Eutra Macks for Succand District Marks	Table Optioned (12) The Money	The second secon
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	320 FIL	Marin condition X 10 mond marks "	•	
	DM Certificate	Morels adjustment A 3th Describeraries of		
	MARINEW Ed / MA Ein	Marks ablained X 15 Costs marks		
	MEMBERS -	Marks = 118		
	Physical Education Teacher		Far Candidate of Science group	
	Category of Qualification	Total Marks 100	S. Egyest reserve for E.S. 5. Eviden marks for B. See and	<u> </u>
	SSC	District and a second second second	3. Experiments for 3.5% with received in the selection	¥
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• .	BA/USe	Marks obtained (X 26) total merice =		
	JDPE or Equivalent Confidents	Marks obligated N 18 A total unit 88 "		

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## **SCHEDULE**



## DRAWING MASTER

Category of Qualification		Total Marks 100
SSC	Marks Obtained * 20/ Total Marks	5 Extra marks for F.Sc 5 Extra Marks for B.Sc and
HSC	Marks Obtained * 20/ Total Marks	5 Extra Marks for MS will be added to the total
BA/B.Sc	Marks Obtained * 20/ Total Marks	score obtained by a candidate during his
DM Certificate	Marks Obtained * 20/ Total Marks	selection.
Other MA/M.Sc/M.Ed/MA Edu	Marks Obtained * 15/ Total Marks	
M. Phil/PhD	Marks = 05	

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	PHYSICAL EDUCATION TEACHER		
•	Category of Qualification	Total Marks 100	For Candidate of Science Group
	,	Marks Obtained * 20/ Total Marks	5 Extra marks for F.Sc 5 Extra Marks for 8.5c and 5 Extra
	HSSC	Marks Obtained * 20/ Total Marks	Marks for MS will be added to the total score obtained by
	BA/B.Sc	Marks Obtained * 20/ Total Marks	a candidate during his selection.
	JDPE or Equivalent Certificate	Marks Obtained * 20/ Total Marks	.1
	Other MA/M.Sc/M.Ed/MA Edu	Marks Obtained * 15/ Total Marks	
	M. Phil/PhD	Marks = 05	7

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#### PRIMIERY . SCHOOL TEACHER

Category of Qualification	Total Marks 100	For Candidate of Science Group
SSC	Marks Obtained * 20/ Total Marks	5 Extra marks for F.Sc 5 Extra Marks for MSc will be
HSSC	Marks Obtained * 20/ Total Marks	added to the total score obtained by a candidate
BA/B.Sc	Marks Obtained * 20/ Total Marks	during his selection.
PST Certified Diploma in Education/ADE	Marks Obtained * 20/ Total Marks	
Other MA/M.Sc/M.Ed/MA Edu	Marks Obtained * 15/ Total Marks	
M. Phil/PhD	Marks = 05	

Other Conditions:-

S. No. 13995



33-Roll No



Board of Intermediate and Secondary Education
Malakand

Session 2008 (Annual)		:
Enrol No: 1110840212637	Group	Science
This is to certify that TARIQ HUSSAIN		
(C) 12		
and a student of UNIVERSITY PUBLIC SCHOOL SHERE	VGAL.	
The has passed the Pecondary School Lectificate Examination	of the	Board
of Intermediate and Secondary Sing . Makand held in	April	,2008
as a Regular Candidate. The ablained 605 his out of 900 and	has bee.	is placed
in Grade B Depresenting Very good	-	
The candidate passed in the following subjects		
1. English 2. Unto 3. Pakistan Studies 4. Islamic Edu 5. Physics 6. Chemistry 7 Biology 8. Mathematic		Ta .
Date of hirth according to admission form is: Fanteenth August Nineteen Eig	hty-Nine	(14:08:1989
Issue Date: 09 SEP 2009		and the state of t
		4

Secretary



Roll No.

Marks Improved

# Board of Internediate and Secondary Education Malakand, Rhyber Pakhtunkhwa, Pakistan INTERMEDIATE EXAMINATION

Session 2011 (Annual) Pre-Engineering Group TARIQHUSSAIN

SHAH WAZIR KHAN

has passed the Fleigher Rendury Poloot, Cortificate Examination of the Board of Ex-Student of University Boys College Sheringal, District Dir (U) Gan of

Internatint and Pecandury Education, ORatikand hold in April 2011 as a Private Candidate. The allanged 688 CHarles out of 1100 and has been pland in Frede B. Beprocuting Nery good. The examination was taken as a whole.

erial No., 000662

# Dir There, Eheber Pakhtunkhwa, Pahistan



Having fulfilled all the requirements for the Degree of

BS (4-YEAR) Management Science

Tariq Hussain S/O Shah Wazir Khan

is admitted to the above Degree in Session 2010-2014

Roll No: 285 Registration No: SBBU/C/MS/H-10-2553

Final Examination Year: 2015

Result declared on: 7-7-2015

Controller of Examinations

Registrar

Vice Chancellor

#### ALLAMA IQBAL OPEN UNIVERSITY, ISLAMABAD

#### PROVISIONAL RESULT CARD

Sorial No

382357

Roll No.

BG625897

Registration No. Final Somostor

15GDR01669 SPR-2016

TARIQ HUSSAN

Father's Name SHAH WAZIR KHAN

Addres

VILL PATRAK P/O PATRAK .

Tehsil

KALKOT

Distract

DIR (UPPER)

has successfully completed

PRIMARY TEACHING CERTIFICATE

of passed courses is as under

Semester '	Course	Title of Courses	Ma	rke
_	Code		Maximum	Obtaine
SPR- 16	0611	PRACTICAL WORKSHOP & TEACHING PRACTICE	100	7B
SPR- 16	0617	TEACHING OF URDU	100	61
SPR- 16	0618	TEACHING OF MATHEMATICS	100	86
SPE- 16	0619	TEACHING OF SCIENCES & PHYSICAL	100	73
SPR- 16	0620	TEACHING OF ISLAMIAT & SOCIAL STUDIES	100	70
AUT- 15	0613	PRINCIPLES OF EDUCATION	100	65
AUT- 15	0514	EDUCATIONAL PSYCHOLOGY	100	67
EI -TUA	0615	SCHOOL ORGANIZATION	100	73
AUT- 15	0616	SCHOOL COMMUNITY & PRACTICAL ARTS	100	70
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Credit

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JANUARY 10,2017

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Result Declared Date of Issue

JANUARY 20,2017

Total Marks/Obtained Percentage/Grade

71

This result card is issued provisionally, errors and unission excepted, as a notice only. Any entry appearing in this card does not used right or privilege on a candidate for the grant of certificate/degree/diploma, which will be issued under the rules/regulations on the original reenrd of the university student.

Controller of Exa

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To,

The Secretary Elementary & Secondary Education Department, Khyber Pakhtunkhwa, Peshawar.

Subject:-

DEPARTMENTAL APPEAL AGAINST THE IMPUGNED NOTIFICATION DATED 24/7/2014 WHEREBY THE PROMOTION QUOTA OF THE APPELLANT CADRE i.e. PET TO THE POST OF SST(BPS-16) HAS BEEN DONE AWAY IN AN ILLEGAL MANNER AND IN VIOLATION OF SECTION-9 OF THE CIVIL SERVANTS ACT 1973 READ WITH RULE-7 OF THE APPOINTMENT, PROMOTION & TRANSFER RULES, 1989

Respected Sir,

The following facts are submitted for perusal and sympathetic consideration:-

That the appellant was initially appointed against the post of Physical Education Teacher (PET) BPS-15 vide order dated 28.3.2017 That other colleagues of the appellant belonging to other cadres have been promoted to the post of SST (BPS-16) due to promotion quota while the appellant was ignored, having no prospects of promotion given by the department in the impugned rules dated 24/7/2014.

That previously as per Notification dated 13-12-2012 there was 4% quota reserved for PET cadre in the promotion of SST (BPS-16) with at least five years service as such and having qualification in column 3 of appendix to the service rules i.e. 2<sup>nd</sup> class Bachelor Degree with two subjects as Chemistry, Botany, Zoology, Physics, Mathematics, Statistics, Humanities and other equivalent groups from a recognized University; OR MA in Education or Bachelor's Degree in Education from a recognized university. That the appellant fulfills the above mentioned criteria and thus deserves to be promoted to the post of SST (BPS-16) under the old rules but to the ibid impugned Notification the promotion quota has been done away in violation of Section 9 of the Civil Servant Act, 1973 read with rule 7 of the APT rules, 1989:

Forgoing in view, it is humbly requested that on acceptance of this departmental appeal the impugned notification dated 24/7/2014 may kindly be modified/rectified to the extent of allocation of quota for the cadre of the appellant i.e. PET cadre may kindly be restored and the appellant may kindly be consider for promotion to the post of SST (BPS-16) with all back benefits.

Yours obediently,

Tariq Hussain PET (BPS-15), Education Department.

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