


FORM OF ORDER SHEET

Court of _____

Case No.- _____ 1889 /2022


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	21/12/2022	<p>The appeal of Mr. Muhammad Afzal resubmitted today by Mr. Muhammad Javed Khan Advocate. It is fixed for preliminary hearing before touring Single Bench at Swat on _____. Notices be issued to appellant and his counsel for the date fixed.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

The appeal of Mr. Muhammad Afzal son of Amir Salam Khan r/o Mohallah Bunr Mingora Babozai District Swat received today i.e. on 21.12.2022 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Copy of judgment order dated 26.10.2021 mention in para -11(annexure-i) is not attached with the appeal.
- 2- Annexures of the appeal are not in sequence.

No. 3681 /S.T,

Dt. 21/12 /2022


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR

Mr. Muhammad Javaid Khan. Adv

Re-Submitted in Compliance.
Javaid Khan

**Before The Khyber Pakhtunkhwa Service
Tribunal Peshawar at Camp Court Swat**

Service Appeal No. 1889/2022

*Muhammad Afzal Son of Amir Salam Khan R/o Mohallah
Bunr, Mingora, Tehsil Babozai, District Swat ...Appellant*

Versus

*Government of Khyber Pakhtunkhwa through Secretary
Elementary and Education and others.....respondents*

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Appellant
Through counsel

Muhammad Javald Khan
Advocate, Supreme Court of Pakistan
Cell No. 0343-9607492
Office: No. 1 Near Allah - O - Akbar
Masjid, College Colony Saidu Sharif Swat
Office No. 2: Room No. 23, 4th Floor Sultan
Tower, Makanbagh, Mingora, Swat

(1)

**Before The Khyber Pakhtunkhwa Service
Tribunal Peshawar at Camp Court Swat**

Service Appeal No. 1889/2022

Muhammad Afzal Son of Amir Salam Khan R/o Mohallah
Bunr, Mingora, Tehsil Babozai, District Swat ... Appellant

Versus

1) Government of Khyber Pakhtunkhwa through
Secretary Elementary and Education at Peshawar

2) Director Elementary & Secondary Education
Khyber Pakhtunkhwa at Peshawar.

3) District Education Officer (Male) Swat

..... (Respondents)

**Service Appeal U/S 4 OF THE GOVERNMENT OF
KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
ACT 1974 AGAINST THE NOTIFICATION DATED
25/10/2022 OF THE APPELLATE AUTHORITY
RESPONDENT NO.1 WHEREBY THE
DEPARTMENTAL APPEAL OF THE APPELLANT
WAS REJECTED ILLEGALLY, UNLAWFULLY
AND UNCONSTITUTIONALLY.**

Prayer of Appeal:

On acceptance of the instant service appeal the appellant
may kindly be granted notional promotion to the post of
Assistant BPS16 from the date of eligibility or 09/02/2019.

Respectfully Sheweth;

The appellant submits as under;

- 1) That the appellant was initially appointed as Junior Clerk vide appointment order dated 05/09/1985. (Copy of the appointment order dated 05/09/1985 is attached herewith as annexure "A")
- 2) That the appellant was then promoted to the post of Senior Clerk on 17/06/2008. (Copy of the order dated 17/06/2008 is attached herewith as annexure "B")
- 3) That in the year 2018, the respondent no. 2 sought annual confidential reports and other relevant documents of the appellant for promotion to the post of Assistant (BPS-16).
- 4) That the appellant submitted the requisite information within the stipulated time. It is pertinent to mention that the appellant was figured at serial no. 299 of the final seniority list so, the appellant was optimistic for his promotion in accordance with his position in seniority list and the number of the vacancies. (Copy of the seniority list is attached herewith as annexure "C")
- 5) That the meeting of the departmental promotion committee was not convened in accordance with the prescribed time period illegally, unlawfully and mala-fidely.
- 6) That the appellant got retired on 04/04/2019 whereas, the departmental promotion committee meeting was held on 27/11/2019, but even then the case of the promotion of the appellant was not presented before the departmental promotion committee nor was considered for notional

- 3

promotion. (Copy of the retirement order dated 27/03/2019 is attached herewith as annexure "D")

7) *That vide notification order dated 10/12/2019 respondent no.2 issued promotion order of so many other colleagues of the appellant to the post of Assistant (BPS-16) including Junior colleagues namely Muhammad Ibrar at serial no. 300 and Muhib Ullah at serial no. 301 of the seniority list. (Copy of the notification dated 10/12/2019 is attached herewith as annexure "E")*

8) *That the appellant after getting the knowledge of the said notification filed a departmental appeal against the impugned promotion order dated 10/12/2019 before respondent No. 1. (Copy of the departmental appeal is attached herewith as annexure "F")*

9) *That the respondent no. 1 did not bother to decide the departmental appeal of the appellant, hence the appellant then filed a writ of Mandamus No. 1266-M on 11/11/2020 before Honorable High Court Mingora Bench / Darul Qaza, Swat. (Copy of the writ petition 1266-M of 11/11/2020 is attached herewith as annexure "G")*

10) *That the respondents nos 2 & 3 then submitted their comments in the said writ petition. (Copy of the comments is attached here with as annexure "H")*

11) *That the said writ petition was decided on 26/10/2021 and the respondent no. 1 was directed to decide the departmental appeal of the appellant within a shortest possible time. (Copy of the order and judgment dated 26/10/2021 is annexed herewith as annexure "R")*

MBS

12) That the respondent no. 1, when failed to decide the departmental appeal of the appellant within the shortest possible time i.e. he failed to decide the departmental appeal of the appellant till 22/07/2022.

13) That the appellant then filed a contempt of court petition against the respondents nos. 1 & 3 before the Peshawar High Court Mingora Bench / Darul Qaza Swat Honorable Court on 22/07/2022. (Copy of the COC is attached herewith as annexure "J")

14) That when reply was sought from the respondents in the said COC from respondents nos. 1 & 3, they issued illegally, unlawfully, unconstitutionally the impugned notification dated 25/10/2022 without informing the appellant as well as the Honorable Peshawar High Court Mingora Bench / Darul Qaza Swat, because the next date of hearing in the said COC is 19/12/2022. (Copy of the impugned notification dated 25/10/2022 is attached herewith as annexure "I")

15) That the impugned notification dated 25/10/2022 is not tenable inter alia on the following grounds

Grounds:

- i. That the impugned notification dated 25/10/2022 is illegal, unlawful and unconstitutional.
- ii. That there was no fault on behalf of the appellant in delaying of the meeting of the Departmental Promotion Committee, hence the appellant cannot

be punished for the negligence and illegal action of the respondents.

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P.B.S

iii. That the impugned notification dated 25/10/2022 is a nullity in the eye of law for the reason that neither the appellant was heard in person as mentioned in Paragraph 6 of the impugned notification nor retirement of the appellant on 04/04/2019 is an impediment / bar in the process of notional promotion of the appellant.

iv. That no plausible reason has been mentioned in the impugned notification for its rejection.

v. That impugned notification has been passed in violation of the judgments of the Superior Court and this Honorable Tribunal. (Copies of the judgments are attached herewith as annexure "K")

vi. That Junior Colleagues of the appellant at serial no. 300 and 301 has been promoted through the impugned notification whereas, the appellant has been ignored despite being senior / meritorious in all respects.

vii. That after the submission of the required documents by the appellant i.e. ACR etc. the respondents were duty bound to place the name of the appellant before the Departmental Promotion Committee for grant of promotion / notional promotion because, sufficient vacancies were also available.

(6)

viii. That other grounds will be raised at the time of arguments with the permission of this Honorable Tribunal.


16) That this Service appeal is being filed against the notification issued by respondent no.1 on 25/10/2022 received by respondent no. 3 on 05/11/2022 and delivered to the appellant on 07/12/2022 at 4:00 P.M. (all these endorsements are present on the copy as well as the original notification) hence, this service appeal is within time and this Honorable Service Tribunal has got jurisdiction.

It is therefore, humbly prayed that on acceptance of the instant service appeal the appellant may kindly be granted notional promotion to the post of Assistant BPS16 from the date of eligibility or 09/02/2019.

Appellant


Muhammad Afzal

Through Counsel


Muhammad Javaid Khan

Advocate, Supreme Court of Pakistan

(7)

**Before The Khyber Pakhtunkhwa Service
Tribunal Peshawar at Camp Court Swat**

Service Appeal No. /2022

*Muhammad Afzal Son of Amir Salam Khan R/o Mohallah
Bunr, Mingora, Tehsil Babozai, District Swat ... Appellant*

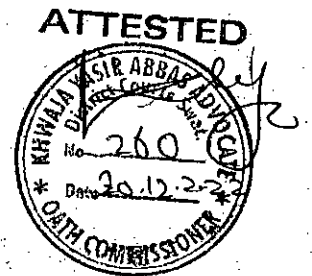
Versus

*Government of Khyber Pakhtunkhwa through Secretary
Elementary and Education and others respondents*

Affidavit

*I, Muhammad Afzal Son of Amir Salam Khan R/o Mohallah
Bunr, Mingora, Tehsil Babozai, District Swat, do hereby
solemnly affirm and declare on oath that the contents of
this appeal are true and correct to best of my knowledge
and belief, and no such like appeal is pending/ decided by
any competent court between the parties.*

*Deponent M Afzal
Muhammad Afzal*



(8)

**Before The Khyber Pakhtunkhwa Service
Tribunal Peshawar at Camp Court Swat**

Service Appeal No./2022

*Muhammad Afzal Son of Amir Salam Khan R/o Mohallah
Bunr, Mingora, Tehsil Babozai, District Swat ...Appellant*

Versus

*Government of Khyber Pakhtunkhwa through Secretary
Elementary and Education and others.....respondents*

Addresses of the parties:

ADDRESS OF APPELLANT :

*Muhammad Afzal Son of Amir Salam Khan R/o Mohallah
Bunr, Mingora, Tehsil Babozai, District Swat*

CNIC No. 15602-7985200-3

Cell 0341-9870062

ADDRESS OF RESPONDENTS :

- 1) *Government of Khyber Pakhtunkhwa through
Secretary Elementary and Education at Peshawar*
- 2) *Director Elementary & Secondary Education
Khyber Pakhtunkhwa at Peshawar.*
- 3) *District Education Officer (Male) Swat*

**Appellant
Through Counsel**
Muhammad Javaid Khan
Advocate, Supreme Court of Pakistan

(9)

**Before The Khyber Pakhtunkhwa Service
Tribunal Peshawar at Camp Court Swat**

Service Appeal No./2022

*Muhammad Afzal Son of Amir Salam Khan R/o Mohallah
Bunr, Mingora, Tehsil Babozai, District Swat ... Appellant*

Versus

*Government of Khyber Pakhtunkhwa through Secretary
Elementary and Education and others..... respondents*

Application for condonation of delay (if any)

Respectfully sheweth'

The applicant / appellant submits as under;

- 1. That the above titled service appeal has been filed before this Honorable Tribunal, in which no date of hearing is fixed so far.**
- 2. That the applicant / appellant requests for condonation of delay if any inter alia on the following grounds.**

Grounds;

- i. That this Service appeal is being filed against the notification issued by respondent no.1 on 25/10/2022 received by respondent no. 3 on 05/11/2022 and delivered to the appellant on 07/12/2022 at 4:00 P.M. (all these endorsements are present on the copy as well as the original notification) hence, this service appeal is within time.*
- ii. That according to the judgments of the superior courts lis may be decided on merit not on technicalities.*

It is therefore, humbly prayed that on acceptance of this application the delay (if any) in submission of this service appeal may be condoned graciously, please.

M. Beed

Appellant

Through Counsel

M. Javaid Khan
Muhammad Javaid Khan

Advocate, Supreme Court of Pakistan

Affidavit:

I, Muhammad Afzal Son of Amir Salam Khan R/o Bunr. Mingora, Tehsil Babozai, District Swat, do hereby solemnly affirm and declare on oath that the contents of this application are true and correct to best of my knowledge and belief.

M. Beed

Deponent

Muhammad Afzal



11

OFFICE ORDER.

Amir



APPOINTMENT.

Mr. Mohammed Afzal son of Amir Salam Khan resident of Jangal Swat is hereby appointed as junior clerk against newly created post at GHS, Jangal in APS. NO. 5 plus usual allowances admissible under the rules with immediate effect in the interest of public service with the following terms and conditions.

TERMS & CONDITIONS.

1. Charge report should be submitted to all concerned.
2. NO TA/DA & transfer grant is allowed being first appointment.
3. The appointment is purely temporary and subject to termination at any time without notice and assigning any reason. In case of resignation he should have to submit one month's prior notice to the Deptt. or for the one month's pay to the Govt. in lieu thereof.
4. He should produce his Health and Age certificate from the Medical Superintendent concerned.
5. The Head of the Institution concerned is required to check the original certificates of the candidate concerned before handing over the charge.
6. The candidate is required to take over charge within 4 days of the date which his appointment order will stand automatically cancelled.
7. The candidate should not be handed over the charge if his age exceeds 25 Years or below 18 years.

[Signature]
 (MR. JAMAL UDDIN)
 DISTRICT EDUCATION OFFICER (M)
 SWAT SAIDU SHARIF

OFFICE OF THE DISTRICT EDUCATION OFFICER (M) SWAT SAIDU SHARIF

Encls: NO. 20338-391A-4/m-5

Dated 15/12/85

Copy of the above is forwarded for information & n/s to:-

1. The Headmaster GHS, Jangal, Swat.
2. The Candidate concerned.

[Signature]
 DISTRICT EDUCATION OFFICER (M)
 SWAT SAIDU SHARIF

ATTESTED TO BE TRUE COPY

[Signature]
Attested to be true copy

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OFFICE OF THE EXECUTIVE DISTRICT OFFICER(S&L) SWAT AT G/KADA

OFFICE ORDER

Consequent upon on the recommendation of the Departmental promotion committee as contained in the minutes of the meeting issue Vide endst. No.10346 dated 24/05/2008, the competent authority has been pleased to order the promotion of the following officials from the post of junior clerks to the post of senior clerks-BPS-09 posted against vacant posts in the schools mentioned against each on regular basis with effect from the date of taking over charge.

S.No	Name Official	Office /School	Designation	Posted/Adjusted against the post of Senior clerk	Remarks
1	Mr. Rozi Khan	G.H.S.S. Kalam Swat	Junior Clerk	G.H.S.S. Kalam Swat	Against vacant Post
2	Mr. Liaqat Ali	G.G.H.S. Khawaza Khela Swat	Junior Clerk	G.H.S.S. Khawaza Khela Swat	Against vacant Post
3	Mr. Muhamamd Zarin	O/O DDO(M) Prg: Swat	Junior Clerk	G.H.S.S. Fatehpur Swat	Against vacant Post
4	Abdul Wadood	GHS Nawakalay Barikot	Junior Clerk	GHSS Kishwara Swat	Against vacant Post
5	Amir Malook	GHS Kanju	Junior Clerk	GHSS Kabal Swat	Against vacant Post
6	Muhamamd Afzal	GHS Nawakalay Mingora	Junior Clerk	GHSS Mankyal Swat	Against vacant Post

- Note: -
- (1) Charge report should be submitted to all concerned.
 - (2) Necessary entries shall be made in their service books accordingly.
 - (3) They will provide as under taking to the effect that they will not forgo their promotion under any circumstances.
 - (4) Their promotion is exposed to appeal by senior if any and the said order will be revised in case any appeal from the senior is received considered.

(SHER AFZAL KHAN)
EXECUTIVE DISTRICT OFFICER
SCHOOLS AND LITERACY SWAT

Endst: No. 12253-60 / Junior Clerk/Vol-1. Dated 17/6 /2008.

1. The Director Schools and Literacy NWFP, Peshawar
2. The District Co-ordination Officer Swat at Gul Kada.
3. The District Accounts Officer Swat at Saidu Sharif.
4. The Principals /Head Master concerned.
5. The DDO(M) Primary schools and Literacy Swat...
6. The Superintendent Secondary Male local office.
7. The P.A to EDO(S&L) Swat.
8. The official concerned.

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EXECUTIVE DISTRICT OFFICER
SCHOOLS AND LITERACY SWAT

HAIDER ALI

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Annex C

Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar

Final Seniority List of Senior Clerks in and under ESS, FATA, DCTE, PITE, Khyber Pakhtunkhwa corrected/updated upto 31-12-2017

S/NO	Name	Father's Name	Designation	Domicile	Date of Birth	Date of 1st apptt as J/C	D/O Prom: as S/Clerk (see clarification in remarks col)	Present place of posting Agency	Remarks
1	Rahmat Hussain	All Afzal	S/Clerk	Kurram	28/03/1963	24/10/1981	25-02-1991	GHS Kirman Kurram Agency	He was due to be promoted as S/Clerk w.e.f. 09-03-1991 alongwith his C/Parts but due to missing of his name in the S/List of J/Clerk, he could not be promoted as S/Clerk on his turn along with his C/Parts. Later on he was promoted as S/Clerk on 28-05-2014 through DPC on acceptance of his appeal. His inter-se seniority will remain intact with his C/Parts as per rule codify in vogue.
2	Muhammad Peverz	Fahmstullah	S/Clerk	Manshehra	05/05/1962	03/11/1981	15/11/1991	GHSS Dalida	Superceded for 4 years w.e.f. 12-01-04/1960
3	Muhammad Haqir	Gul Manan	S/Clerk	Karak	01/04/1960	24/11/1980	07/02/1993	GHSS, Chokara	Superceded for 4 years w.e.f. 12-04/01/1960
4	Iqbal Khan	Yaqoot Khan	S/Clerk	Peshawar	04/01/1960	07/10/1982	07/02/1993	GGCHSS Pesh.	Superceded for 4 years w.e.f. 12-01/01/1994
5	MUHAMMAD IBRAHIM	SHER AZAM KHAN	S/Clerk	MALAKAND	01/01/1959	27/10/1982	07/02/1993	Malakand	Superceded for 4 years w.e.f. 12-21/01/1994
6	HALEEM DAD	ALAH DAD	S/Clerk	Buner	21/01/1994	18/12/1982	07/02/1993	GHS TOTALAI	Superceded for 4 years w.e.f. 12-27/10/1964
7	Amir Khan	Dilparir	S/Clerk	Swat	27/10/1964	07/12/1982	31/05/1994	GHSS Mingora	Superceded for 4 years w.e.f. 12-23/11/1964
8	Zakiuddin	Muhammad	S/Clerk	Swabi	23/11/1964	20/10/1983	31/05/1994	GHS Lahor	Superceded for 4 years w.e.f. 12-02/04/1962
9	Muhammad Younis	Sohbat Khan	S/Clerk	Peshawar	02/04/1962	26/11/1983	25/05/1995	GHSS Umar Payan	Superceded for 4 years w.e.f. 12-18/04/1963
10	Noor Faraz Khan	Gul Faraz Khan	S/Clerk	Charsadda	18/04/1963	01/01/1984	25/05/1995	GHSS Sher Pao	Superceded for 4 years w.e.f. 12-06/04/1962
11	Sajdar Ali	Nawab Din	S/Clerk	Swabi	06/04/1962	17/03/1984	25/05/1995	GCMGHS Swabi	Superceded for 4 years w.e.f. 12-15/02/1964
12	MUSLIM KHAN	MEHRABAN SHAH	S/Clerk	Mardan	15/02/1964	17/06/1984	10/01/1996	DEO (M) Mardan	
13	Muhammad Ikram	Maroof Shah	S/Clerk	Mardan			10/01/1996	GHS: Takht Bhai Mardan.	
14	Abdul Wahab	Sultani Room	S/Clerk	Swat	05/11/1958	26/10/1983	10/01/1996	S.D.E.O FEMALEEE SWAT	
15	Mian Sher Shah	Muhammad Amir Mian	S/Clerk	Nowshera	03/04/1964	26/09/1984	10/01/1996	GHSS-Zarar Kaka Sahib	
16	Abdul Manan	Muhammad Hussain	S/Clerk	Chitral	12/10/1959	27/12/1981	25/03/1997	GHSS: Shahgram	

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282	Muhammad Yaqoob	Muhammad Ayub	S/Clerk	Kohat	15/03/1964	02/10/1988	29/05/2008	SDEQ(F) Kohat	
283	Asmat Ullah	Gul Zaman	S/Clerk	Karak	20/02/1964	02/09/1987	30/05/2008	GHSS Togh Bala	
284	Muhammad Arshid	Abbas Khan	S/Clerk	Kohat	05/03/1961	30/11/1988	30/05/2008	GHSS Ustetzi	
285	Atiz Muhammad	Sher Daraz Khan	S/Clerk	Bannu	20/02/1964	07/10/1989	31/05/2008	Bannu	
286	Abdul Majeed	Sardar Nawaz	S/Clerk	Bannu	16/01/1964	12/10/1989	31/05/2008	Bannu	
287	Akhtar Nawaz	Syed Nawaz	S/Clerk	Bannu	20/08/1962	22/10/1989	31/05/2008	Bannu	
288	Mugrab Shah	Azad Shah	S/Clerk	Bannu	01/05/1964	23/01/1990	31/05/2008	Bannu	
289	Mehmood Khan	Gul Saib Khan	S/Clerk	Bannu	20/01/1970	17/11/1990	31/05/2008	Bannu	
290	Khurshid Ahmad	Bilawal Khan	S/Clerk	Chitral	01/03/1964	23/01/1986	01/06/2008	DEO (M) Chitral	
291	Abdul Jabbar	Abdul Jalil	S/Clerk	Chitral	02/12/1958	06/01/1987	01/06/2008	SDEO (M) Booni	
292	Syed Jalal ud Din Shah	Syed Hayat Shah	S/Clerk	Chitral	04/03/1964	06/01/1987	01/06/2008	SDEO (M) Booni	
293	Amir ul Muik	Sardar ul Muik	S/Clerk	Chitral	15/05/1965	10/05/1987	01/06/2008	DEO (M) Chitral	
294	Rozil Khan	Alab Khan	S/Clerk	Swat	15/02/1958	01/05/1979	18/06/2008	GHSS Kalam	
295	Liagat Ali	Abdul Wadood	S/Clerk	Swat	28/01/1961	19/10/1983	18/06/2008	GHSS Marte	
296	Muhammad Zarin	Zar Gul	S/Clerk	Swat	11/02/1957	01/03/1984	18/06/2008	GHSS Balogram	
297	Abdul Wadood	Mehmood	S/Clerk	Swat	09/02/1962	02/06/1985	18/06/2008	GHSS Kishawera	
298	Amir Malook	Akbar Jan	S/Clerk	Swat	01/02/1966	04/09/1985	18/06/2008	GHSS Kabal	
299	Muhammad Aitzai	Amir Salam Khan	S/Clerk	Swat	04/04/1959	07/09/1985	18/06/2008	GHSS Mankyal	
300	MUHAMMAD IBRAR	SYED KARIM JAN	S/Clerk	MAJLAKAND	04/04/1967	04/10/1987	01/08/2008	Malakand	
301	Mohibullah	Abdul Hakim	S/Clerk	Dir (U)	01/10/1970	05/03/1990	29/08/2008	Dir Upper	
302	Mohammad Abbas	Jafar Khan	S/Clerk	Dir (U)	20/05/1970	04/06/1992	29/08/2008	Dir Upper	
303	Irshad Ali	Fazal Iahji	S/Clerk	Peshawar	01/11/1960	11/12/1985	30/08/2008	DE & SE KP Peshawar	
304	Farid Khan	Muhammad Aslam	S/Clerk	Peshawar	11/02/1964	15/12/1985	30/08/2008	DE (FATA) Peshawar	
305	Sher Alam	Kalu Khan	S/Clerk	FATA	06/06/1963	29/12/1985	30/08/2008	DE (FATA) Peshawar	
306	Mubarak Hussain	Abdul Manan	S/Clerk	FATA	02/10/1962	01/01/1986	30/08/2008	DE (FATA) Peshawar	
307	Abdul Majeed	Abdul Malik	S/Clerk	FATA	16/05/1964	09/02/1986	30/08/2008	DE (FATA) Peshawar	
308	Asmatullah	Mourad Khan	S/Clerk	Chaisadda	01/05/1966	04/03/1986	30/08/2008	RITE (F) Chaisadda	
309	Muhammad Farvez	Alab Khan	S/Clerk	Abbottabad	20/04/1961	08/03/1986	30/08/2008	DCTE Abbottabad	
310	Ismael Khan	Muhammad Gul	S/Clerk	FATA	14/01/1965	11/03/1986	30/08/2008	DE (FATA) Peshawar	
311	Attiaur Rahman	Baseer Khan	S/Clerk	Mohmand	07/05/1964	27/05/1986	30/08/2008	DE (FATA) Peshawar	
312	Gul Faraz	Wazir Khan	S/Clerk	FATA	05/06/1965	28/05/1986	30/08/2008	DE (FATA) Peshawar	
313	Mukhtiar Ahmad	Noor Ahmad	S/Clerk	Peshawar	05/12/1959	01/06/1986	30/08/2008	DE (FATA) Peshawar	
314	Alab Gul	Farid Gul	S/Clerk	FATA	12/04/1967	02/06/1986	30/08/2008	DE (FATA) Peshawar	
315	Syed Jalal Hussain	S. Akbar Hussain	S/Clerk	FATA	10/04/1962	04/06/1986	30/08/2008	DE (FATA) Peshawar	
316	Wali ur Rahman	Muhammad Zamin	S/Clerk	Bajawar	10/02/1965	13/07/1986	30/08/2008	AEO Bajawar Agency	
317	Hashmatullah	Azizullah	S/Clerk	Peshawar	08/11/1960	01/09/1986	30/08/2008	DE (FATA) Peshawar	
318	Inayatullah	Khamash Gul	S/Clerk	FATA	15/12/1965	02/09/1986	30/08/2008	DE (FATA) Peshawar	

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(15)

Amx^o D^o



OFFICE OF THE
DISTRICT EDUCATION OFFICER
(MALE) SWAT

OFFICE ORDER:

In exercise of powers delegated to the District Education Officer vide Director Elementary Secondary Education Khyber Pukhtunkhwa, Peshawar. No.1960-2037/F.No.4/Leave Cases (F) dated 10-06-2014. The undersigned is pleased to accord sanction to grant of Encashment of LPR w.e.f 04-04-2018 to 03-04-2019 (365 days) on full pay in r/o Mr. Muhammad Afzal Senior Clerk GHSS: Mankiyal District Swat as due and admissible to him under the leave Rules 1981.

He shall stand to retired from service with effect from 04-04-2019(A/N) on attaining the age of superannuation.

Necessary entry to this effect should be made in the relevant record

(Muhammad Amin)
DISTRICT EDUCATION OFFICER (M)

Endst: No: 1177-78 /P: File /LPR Dated 27/3/2019

Copy forwarded to:

- 1- The Director of Elementary and Secondary Education Khyber Pukhtunkhwa, Peshawar.
- 2- The District Comptrollers of Account Swat at Saidu Sharif.
- 3- The Principal GHSS: Mankiyal District Swat w/r to his No. 920 dated 22-02-2019 along with original Service Book.
- 4- P.A to the District Education Officer Swat local office.
- 5- The official concerned.

[Signature]
DISTRICT EDUCATION OFFICER (M)
SWAT

Affair

[Signature]
Mingora Swat.

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DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION KHYBER PAKHTUNKHWA PESHAWAR
 Phone: 091-9225340 Fax: 091-9225345

NOTIFICATION

Consequent upon the recommendation of the Departmental Promotion Committee (DPC) in its meeting held on 27/11/2019, the following Senior Clerks (B-16) working in and under the E&SE department Khyber Pakhtunkhwa/ NMTD/ DCTE/ PITE are hereby promoted to the post of Assistant (B-16) on regular basis and posted against vacant post of Assistant (B-16) in the office/institution as noted against each in the interest of public service with immediate effect.

S.N	Serial	Name	Domicile	Present Posting	Adjusted at
1	6	Muhammad Younis	Peshawar	GHSS Umar Payun Peshawar	DEO (F) Peshawar
2	8	Muhammad Tariq	Abbottabad	DEO (M) Abbottabad	DEO (F) Abbottabad
3	19	Amjad Ali	Charsadda	GSSAHSS Nisatta Charsadda	RTTE (F) Charsadda
4	21	Wajid Ali	Charsadda	DEO (M) Charsadda	SDEO (F) Charsadda
5	22	Muhammad Islam	Charsadda	GSSAHSS No 1 Charsadda	GHSS Pran Ghar District Mohmand
6	24	Shad Ali	Mardan	GHS Rustam Mardan	DEO (F) Mardan
7	25	Shaukat Ali	Mardan	GGMS No 3 Mardan	SDEO (M) Mardan
8	6	Sher Alam	Karak	GHSS Jehangiri Karak	DEO (F) Karak
9	27	Ali Mat Khan	Karak	SDEO (M) Takht Nasrati Karak	SDEO (M) Takht Nasrati Karak
10	28	Habib Ur Rehman	Karak	DEO (M) Karak	SDEO (M) Karak
11	29	Atiq Ullah	Karak	GHSS Karak	DEO (F) Karak
12	30	Luqman Gul	Karak	SDEO (F) Karak	SDEO (F) Karak
13	31	Zabit Ali	Hangu	GHSS Landi Kachal Kohat	DEO (F) Kohat
14	32	Muhammad Yahya	Peshawar	Directorate of E&SE Peshawar	Directorate of E&SE Peshawar
15	33	Hashmat Khan	Hangu	DEO (F) Hangu	DEO (F) Hangu
16	35	Muhammad Siraj	Hangu	GCMHS No 1 Hangu	DEO (M) Hangu
17	36	M Khalid	Mardan	GGHSS Shahbaz Ghani Mardan	DEO (F) Mardan
18	37	Muhammad Nisar Khan	Hangu	GGHSS Dattan Hangu	SDEO (F) Primary Hangu
19	38	Bakht Ali Khan	Karak	SDEO (F) Banda Daud Shah Karak	SDEO (M) Banda Daud Shah Karak
20	39	Akhtar Munir	Lakki	GHSS Abdul Khel Lakki Marwat	DEO (M) Lakki Marwat
21	40	Qasim Khan	Lakki	GSSBAK HSS S/Naurang Lakki Marwat	DEO (M) Lakki Marwat
22	41	Rehim Dil Khan	Lakki	GHSS Abakhel Lakki Marwat	SDEO (M) Lakki Marwat
23	42	Hidayatullah	Lakki	SDEO (F) Lakki Marwat	DEO (M) Lakki Marwat
24	43	Irsinad Ali	Mardan	GGHSS Malik Pura Abbottabad	DCTE Abbottabad
25	44	Majidullah	Dir Upper	DEO (F) Dir Upper	PITE Peshawar

Assistant District Officer (E&SE) Elementary & Secondary Education Swat



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**DIRECTORATE OF ELEMENTARY & SECONDARY
EDUCATION KHYBER PAKHTUNKHWA PESHAWAR.**
Phone: 091-9225340 Fax: 091-9225345

NOTIFICATION.

Consequent upon the recommendation of the Departmental Promotion Committee (DPC) in its meeting held on 27/11/2019, the following Senior Clerks (B-14) working in and under the E&SE department Khyber Pakhtunkhwa/ NMTD/ DCTE/ PITE are hereby promoted to the post of Assistant (B-16) on regular basis and posted against vacant post of Assistant BPS-16 in the office/institution as noted against each in the interest of public service with immediate effect:-

S.N.	Sen. #	Name	Domicile	Present Posting	Adjusted at	Remarks
1	6	Muhammad Younis	Peshawar	GHSS Urmar Payan Peshawar	DEO (F) Peshawar	A. V. P
2	8	Muhammad Tariq	Abbottabad	DEO (M) Abbottabad	DEO (F) Abbottabad	A. V. P
3	19	Amjad Ali	Charsadda	GSSAHSS Nisatta Charsadda	RITE (F) Charsadda	A. V. P
4	24	Wajid Ali	Charsadda	DEO (M) Charsadda	SDEO (F) Charsadda	A. V. P
5	22	Muhammad Islam	Charsadda	GSUHHSS No 1 Charsadda	GHSS Pran Ghar District Mohmand	A. V. P
6	24	Shad Ali	Mardan	GHS Rustam Mardan	DEO (F) Mardan	A. V. P
7	25	Shaukat Ali	Mardan	GGMS No 3 Mardan	SDEO (M) Mardan	A. V. P
8	6	Sher Alam	Karak	GHSS Jehangiri Karak	DEO (F) Karak	A. V. P
9	27	Ali Mat Khan	Karak	SDEO (M) Takht Nasrati Karak	SDEO (M) Takht Nasrati Karak	Already occupied
10	28	Habib Ur Rehman	Karak	DEO (M) Karak	SDEO (M) Karak	A. V. P
11	29	Atiq Ullah	Karak	GHSS Karak	DEO (F) Karak	A. V. P
12	30	Luqman Gul	Karak	SDEO (F) Karak	SDEO (F) Karak	Already occupied
13	31	Zabih Ali	Hangu	GHSS Landi Kachal Kohat	DEO (F) Kohat	A. V. P
14	32	Muhammad Yahya	Peshawar	Directorate of E&SE Peshawar	Directorate of E&SE Peshawar	A. V. P
15	33	Hashmat Khan	Hangu	DEO (F) Hangu	DEO (F) Hangu	A. V. P
16	35	Muhammad Siraj	Hangu	GCMHS No 1 Hangu	DEO (M) Hangu	A. V. P
17	36	M Khalid	Mardan	GGHSS Shahbaz Ghari Mardan	DEO (F) Mardan	A. V. P
18	37	Muhammad Nisar Khan	Hangu	GGHSS Dallah Hangu	SDEO (F) Primary Hangu	A. V. P
19	38	Bakht Ali Khan	Karak	SDEO (F) Banda Daud Shah Karak	SDEO (M) Banda Daud Shah Karak	A. V. P
20	39	Akhtar Munir	Lakki	GHSS Abdul Khel Lakki Marwat	DEO (M) Lakki Marwat	A. V. P
21	40	Qasim Khan	Lakki	GSBAK HSS S/Naurang Lakki Marwat	DEO (M) Lakki Marwat	A. V. P
22	41	Rehman Khan	Lakki	GGHS Abakhel Lakki Marwat	SDEO (M) Lakki Marwat	A. V. P
23	42	Hidayatullah	Lakki	SDEO (F) Lakki Marwat	DEO (M) Lakki Marwat	A. V. P
24	43	Irshad Ali	Mardan	GGHSS Malik Pura Abbottabad	DCTE Abbottabad	A. V. P
25	44	Majidullah	Dir Upper	DEO (F) Dir Upper	PITE Peshawar	A. V. P

Munir Khan ***

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S.N	Sen #	Name	Domicile	Present Posting	Adjusted at	Remarks
26	45	Naimat Ali Shah	Kohat	DEO (M) Kohat	DEO (M) Kohat	
27	46	Muhammad Yousaf	Kohat	SDEO (F) Lachi Kohat	SDEO (M) Lachi Kohat	
28	47	Muhammad Ijaz	Kohat	GGHSS Lachi Kohat	RITE (F) Kohat	
29	48	Taj Dar Muhammad Khan	Bannu	GHS No 1 Bannu	DEO (M) Bannu	
30	49	Imshad Khan	Kohat	GSSAHS No 2 Kohat	SDEO (F) Kohat	
31	50	Abdur Razzaq	Battagram	SDEO (F) Battagram	DEO (F) Battagram	
32	51	Muhammad Yousaf	Battagram	SDEO (M) Battagram	DEO (F) Battagram	
33	52	Amir Ur Rehman	Battagram	SDEO (M) Battagram	DEO (M) Battagram	
34	53	Muhammad Afzal	Battagram	DEO (M) Battagram	DEO (M) Battagram	
35	54	Abdul Karim	Battagram	DEO (M) Battagram	DEO (M) Battagram	
36	55	Abdul Wahab Shah	Battagram	DEO (M) Battagram	DEO (M) Battagram	
37	56	Raju	Battagram	DEO (F) Battagram	DEO (F) Battagram	
38	57	Syed Riaz Hussain Shah	Battagram	DEO (F) Battagram	DEO (F) Battagram	
39	58	Shahideen	Battagram	GHSS Peshora Battagram	SDEO (M) Battagram	
40	59	Amir Ullah Khan	Bannu	GGHSS Bangwi Khujari Bannu	DEO (F) Bannu	
41	60	Humimullah	Bannu	GHSS Nurat Bannu	DEO NWA Miranshah	
42	61	Habib-Ur-Rehman	DIK	DEO (F) Kulachi DIK	RITE (F) DI Khan	
43	63	Sar Madan	Buner	GHSS Batara Buner	DEO (M) Buner	
44	64	Jehan Zeb	Buner	GHSS Gagra Buner	DEO (M) Buner	
45	65	Muhammad Asif	Haripur	SDEO (M) Haripur	DEO (F) Haripur	
46	66	Javed Ahmad	DI Khan	GHSS No 4 DIK	SDEO (M) Prova DI Khan	
47	67	Mohammad Zahid	Swabi	GHS Karnal Sher Ali Kalliswabi	SDEO (M) Swabi	
48	68	Javaid Khan	Swabi	GHS No 1 Tordher Swabi	RITE (F) Swabi	
49	70	Muhammad Safer	Dir Lower	GHSS Ziarat Talash Dir Lower	DEO (M) Dir Lower	
50	71	Gul Zaman	Dir Lower	GCMSSG Timergara Dir Lower	RITE (F) Dir Lower	
51	72	Babo Haider	Dir Lower	GHSS Bagh Maidan Dir Lower	DEO Bajur	
52	73	Farhad	Dir Lower	GHSS Lal Qilla Dir Lower	DEO (M) Swat	
53	74	Maqbool Ahmad	Dir Lower	GHSS Mangai Dir Lower	DEO (M) Swat	
54	75	Muhammad Farooq	DI Khan	GHSS No 4 DIK	RITE (M) DI Khan	
55	76	Akhtar Nawaz	Bannu	RITE (M) Bannu	SDEO (F) Bannu	
56	77	Shah Qiaz Khan	Bannu	GGHSS Sgaghaz Azmat Khel Bannu	DEO (M) Bannu	
57	79	Wasi Ullah	Peshawar	DEO (F) Peshawar	DEO (M) Peshawar	
58	80	Muhammad Nasim	Peshawar	GHS No 3 Peshawar Cantt	Directorate NMD E&SE KP Peshawar	
59	81	Mukhtairud Din	Peshawar	GGHSS Jogiwara Peshawar City	GGCMHSS Peshawar city	
60	82	Roohul Amin	Peshawar	Directorate E&SE KP Pesh	Directorate E&SE KP Peshawar	

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S.N.	Sen #	Name	Domicile	Present Posting	Adjusted Post	Remarks
26	45	Naimat Ali Shah	Kohat	DEO (M) Kohat	DEO (M) Kohat	Already occupied
27	46	Muhammad Yousaf	Kohat	SDEO (F) Lachi Kohat	SDEO (M) Lachi Kohat	A. V. P
28	47	Muhammad Ijaz	Kohat	GGHSS Lachi Kohat	RITE (F) Kohat	A. V. P
29	48	Taj Dar Muhammad Khan	Bannu	GHS No 1 Bannu	DEO (M) Bannu	A. V. P
30	49	Inshad Khan	Kohat	GSSAHS No 2 Kohat	SDEO (F) Kohat	A. V. P
31	50	Abdur Razzak	Battagram	SDEO (F) Battagram	DEO (F) Battagram	A. V. P
32	51	Muhammad Yousaf	Battagram	SDEO (M) Battagram	DEO (F) Battagram	A. V. P
33	52	Amir Ur Rehman	Battagram	SDEO (M) Battagram	DEO (M) Battagram	A. V. P
34	53	Muhammad Afzal	Battagram	DEO (M) Battagram	DEO (M) Battagram	A. V. P
35	54	Abdul Karim	Battagram	DEO (M) Battagram	DEO (M) Battagram	A. V. P
36	55	Abdul Wahab Shah	Battagram	DEO (M) Battagram	DEO (M) Battagram	A. V. P
37	56	Raja	Battagram	DEO (F) Battagram	DEO (F) Battagram	A. V. P
38	57	Syed Riaz Hussain Shah	Battagram	DEO (F) Battagram	DEO (F) Battagram	A. V. P
39	58	Shahideen	Battagram	GHSS Peshora Battagram	SDEO (M) Battagram	A. V. P
40	59	Amir Ullah Khan	Bannu	GGHSS Bāngai Khujari Bannu	DEO (F) Bannu	A. V. P
41	60	Hamimullah	Bannu	GHSS Nurā Bannu	DEO NWA Miranshah	A. V. P
42	61	Habib-Ur-Rehman	DIK	DEO (F) Kulachi DIK	RITE (F) DI Khan	A. V. P
43	63	Sar Madan	Buner	GHSS Batara Buner	DEO (M) Buner	A. V. P
44	64	Jehan Zeb	Buner	GHSS Gagra Buner	DEO (M) Buner	A. V. P
45	65	Muhammad Asif	Haripur	SDEO (M) Haripur	DEO (F) Haripur	A. V. P
46	66	Javed Ahmad	DI Khan	GHSS No 4 DIK	SDEO (M) Prova- DI Khan	A. V. P
47	67	Mohammad Zahid	Swabi	GHS Karnal Sher Ali Kalliswabi	SDEO (M) Swabi	A. V. P
48	68	Javid Khan	Swabi	GHS No 1 Tordher Swabi	RITE (F) Swabi	A. V. P
49	70	Muhammad Sateer	Dir Lower	GHSS Ziarat Talash Dir Lower	DEO (M) Dir Lower	A. V. P
50	71	Gul Zaman	Dir Lower	GCMSS Timergara Dir Lower	RITE (F) Dir Lower	A. V. P
51	72	Babo Haider	Dir Lower	GHSS Bagh Maidan Dir Lower	DEO Bajur	A. V. P
52	73	Farhad	Dir Lower	GHSS Lal Qilla Dir Lower	DEO (M) Swat	A. V. P
53	74	Maqbool Ahmad	Dir Lower	GGHSS Manjai Dir Lower	DEO (M) Swat	A. V. P
54	75	Muhammad Farooq	DI Khan	GHSS No 4 DIK	RITE (M) DI Khan	A. V. P
55	76	Akhtar Nawaz	Bannu	RITE (M) Bannu	SDEO (F) Bannu	A. V. P
56	77	Shah Qiaz Khan	Bannu	GGHSS Sgagbaz Azmat Khel Bannu	DEO (M) Bannu	A. V. P
57	79	Wasi Ullah	Peshawar	DEO (F) Peshawar	DEO (M) Peshawar	A. V. P
58	80	Muhammad Nasim	Peshawar	GHS No 3 Peshawar Cantt	Directorate NMD E&SE KP Peshawar	A. V. P
59	81	Mukhtairud Din	Peshawar	GGHSS Jogiwara Peshawar City	GGCMHSS Peshawar city	A. V. P
60	82	Rooh Ul Amin	Peshawar	Directorate E&SE KP Pesh	Directorate E&SE KP Peshawar	Already Occupied

Munir Khan ***

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S.N	Sen. #	Name	Domicile	Present Posting	Adjusted at
61	83	Zakirullah	Peshawar	SDEO (F) Town-IV	SDEO (F) Town-IV
62	84	Marifat Shah	Peshawar	SDEO (M) Town-IV	SDEO (M) Town-IV
63	85	Irfanullah	Peshawar	DEO (M) Peshawar	DEO (M) Peshawar
64	86	Muhammad Tariq	Peshawar	GGHSS Chamkani Peshawar	Directorate NMD E&S KP Peshawar
65	87	Nasir Mughal	Peshawar	SDEO (F) Town-I Peshawar	SDEO (F) Town-I Peshawar
66	88	Abbas Khan	Peshawar	GHSS Wazir Bagh Peshawar	Directorate NMD E&S KP Peshawar
67	89	Fazale Malik	Peshawar	GHSS No 4 Kakshal Peshawar	Directorate NMD E&S KP Peshawar
68	90	Munzoor Khan	Peshawar	GHSS Peshawar Cmit	Directorate NMD E&S KP Peshawar
69	91	S Ramzan Shah	Munsehra	GHSS Lassar Thokre Munsehra	DEO (F) Munsehra
70	93	Mushtaq Ahmad	Munsehra	DEO (M) Munsehra	SDEO (M) Balakot Munsehra
71	94	Muhammad Riaz	Munsehra	GHSS Tullhatta Munsehra	DEO (M) Torgher
72	95	Muhammad Nawaz	Munsehra	GHSS (F) Munsehra	DEO (F) Torgher
73	96	Abdul Hameed	Munsehra	GHSS No 1 Munsehra	DEO (M) Munsehra
74	97	Nazir Ahmad	Tank	GHSS Gul Imam Tank	DEO (M) Tank
75	98	Amir Nawaz	Peshawar	GHSS Nahaqi Peshawar	Directorate NMD E&S KP Peshawar
76	99	Muhammad Ashraf Khan	Bannu	DEO (M) Bannu	DEO Sub Division Wazir Bannu
77	100	Riaz Ahmed	DIK	GHSS Ramak DIK	DEO (M) DI Khan
78	101	Shahid Ahmed	DIK	GGHSS Fazal Rahim DIK	SDEO (F) Paharpur DIK
79	102	Amjad Rizwan	DIK	GGHSS No 9 Dimpur DIK	DEO (M) DIK
80	103	Ahmad Saeed	DIK		SDEO (M) Parova DIK
81	104	Muhammad Saddique	Karak	SDEO (F) Takht-e Nusrati Karak	SDEO (F) Takht-e Nusrati Karak
82	105	Abdul Majeed	DIK	GHSS Kimi Shamozai DIK	SDEO (F) Parova DIK
83	106	Mohammad Afsar	Haripur	GPARKTHSS Dingi Haripur	DEO (M) Haripur
84	107	Sher Mohammad	Haripur	GHSS Beer Haripur	DEO (M) Haripur
85	108	Muhammad Asif	Haripur	GCMHSS No 1 Haripur	DEO (M) Haripur
86	109	Ahmad Nawaz	Haripur	GHSS Bagra Haripur	SDEO (M) Haripur
87	110	Akhtar Rehman	DIK	SDEO (F) Kulachi	SDEO (F) Tank
88	111	Anwar Muhammad	Malakand	SDEO (F) Swat Ranizai	DEO (M) Swat
89	112	Abdur Rehman	Malakand	GGHSS Kor Malakand	SDEO (M) Dargai Malkand
90	113	Abdul Ali	Malakand	DEO (F) Malakand	DEO (M) Shangla
91	114	Faridoon	Malakand	DEO (F) Malakand	DEO (F) Swat
92	115	Muhammad Hasham Khan	Tank	SDEO (F) Tank	DEO (F) Tank
93	116	Tariq Aziz	DIK	DEO (F) DIK	SDEO (F) DIKhan

Attested

S.N	Sen #	Name	Domicle	Present Posting	Adjusted Post	Remarks
61	83	Zakirullah	Peshawar	SDEO (F) Town-IV	SDEO (F) Town-IV	Already Occupied
62	84	Marifat Shah	Peshawar	SDEO (M) Town-IV	SDEO (M) Town-IV	Already occupied
63	85	Irfanullah	Peshawar	DEO (M) Peshawar	DEO (M) Peshawar	Already occupied
64	86	Muhammad Tariq	Peshawar	GGHSS Chamkani Peshawar	Directorate NMD E&SE KP Peshawar	A. V. P
65	87	Nasir Mughal	Peshawar	SDEO (F) Town-I Peshawar	SDEO (F) Town-I Peshawar	Already occupied
66	88	Abbas Khan	Peshawar	GHSS Wazir Bagh Peshawar	Directorate NMD E&SE KP Peshawar	A. V. P
67	89	Fazale Malik	Peshawar	GHSS No 4 Kakshal Peshawar	Directorate NMD E&SE KP Peshawar	A. V. P
68	90	Manzoor Khan	Peshawar	GGHSS Peshawar Cantt	Directorate NMD E&SE KP Peshawar	A. V. P
69	91	S Ramzan Shah	Mansehra	GHSS Lissan Thankre Mansehra	DEO (F) Mansehra	A. V. P
70	93	Mushtaq Ahmad	Mansehra	DEO (M) Mansehra	SDEO (M) Balakot Mansehra	A. V. P
71	94	Muhammad Riaz	Mansehra	GHSS Talhatta Mansehra	DEO (M) Torgher	A. V. P
72	95	Muhammad Nawaz	Mansehra	RITE (F) Mansehra	DEO (F) Torgher	A. V. P
73	96	Abdul Hameed	Mansehra	GHSS No 1 Mansehra	DEO (M) Mansehra	Already Occupied
74	97	Nazir Ahmad	Tank	GHSS Gul Imam Tank	DEO(M) Tank	A. V. P
75	98	Amir Nawaz	Peshawar	GHSS Nahaqi Peshawar	Directorate NMD E&SE KP Peshawar	A. V. P
76	99	Muhammad Ashraf Khan	Bannu	DEO(M) Bannu	DEO Sub Division Wazir Bannu	A. V. P
77	100	Riaz Ahmed	DIK	GHSS Ramak DIK	DEO (M) DI Khan	A. V. P
78	101	Shahid Ahmed	DIK	GGHSS Fazal Rahim DIK	SDEO (F) Paharpur DI K.	A. V. P
79	102	Aamjad Rizwan	DIK	GGHSS No 9 Dinpur DIK	DEO (M) DI K	A. V. P
80	103	Ahmad Saeed	DIK		SDEO (M) Parova DIK	A. V. P
81	104	Muhammad Saddique	Karak	SDEO (F) Takht-e Nusrati Karak	SDEO (F) Takht-e Nusrati Karak	A. V. P
82	105	Abdul Majeed	DIK	GHSS Kimri Shamoza DIK	SDEO (F) Parova DIK	A. V. P
83	106	Mohammad Afsar	Haripur	GPARKTHSS Dingi Haripur	DEO (M) Haripur	A. V. P
84	107	Sher Mohammad	Haripur	GHSS Beer Haripur	DEO (M) Haripur	A. V. P
85	108	Muhammad Asif	Haripur	GCMHSS No 1 Haripur	DEO (M) Haripur	A. V. P
86	109	Ahmad Nawaz	Haripur	GHSS Bagra Haripur	SDEO (M) Ghazi Haripur	A. V. P
87	110	Akhtar Rehman	DIK	SDEO (F) Kulachi	SDEO (F) Tank	A. V. P
88	111	Anwar Muhammad	Malakand	SDEO (F) Swat Ranizai	DEO (M) Swat	A. V. P
89	112	Abdur Rehman	Malakand	GGHSS Kot Malakand	SDEO (M) Dargai Malakand	A. V. P
90	113	Abdul Ali	Malakand	DEO (F) Malakand	DEO (M) Shangla	A. V. P
91	114	Faridoon	Malakand	DEO (F) Malakand	DEO (F) Swat	A. V. P
92	115	Muhammad Hashim Khan	Tank	SDEO (F) Tank	DEO(F) Tank	A. V. P
93	116	Tariq Aziz	DIK	DEO (F) DIK	SDEO (F) DIKhan	A. V. P

Munir Khan ***

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S.N	Sen. #	Name	Domicile	Present Posting	Adjusted at
94	117	Shahzada Saleem	Mardan	GHSS Gujar Gari Mardan	SDEO (F) Takht Bala Mardan
95	118	Hamidul Haq	Dir Lower	GGHSS Kumbhar Dir Lower	SDEO (M) Matta Swat
96	119	Naseeb Badshah	Dir Lower	SDEO (M) Timergara Dir Lower	DEO (M) Dir Lower
97	120	Muhammad Israr	Dir Lower	RITE (F) Dir Lower	RITE (F) Barikot Swat
98	121	Muhammad Imran	Dir Lower	DEO (F) Dir Lower	DEO (F) Dir Lower
99	122	Saeed Ur Rahman	Dir Lower	GHSS Chakdarra Dir Lower	DEO (F) Upper Chitral
100	123	Abdul Qayum Khan	Mardan	GHSS Sharqi-Hoti Mardan	Directorate NMD-E&S KP Peshawar
101	124	Arif Saleem	Kohat	GGHSS Behzadi Chikarkot Kohat	DEO (M) Kohat
102	125	Muhammad Yaqoob	Kohat	SDEO (F) Kohat	DEO (F) Hangu
103	126	Asmatullah	Karak	GHSS Togh Bala Kohat	GCMHS Kohat
104	127	Abdul Majeed	Bannu	GHSS Kotka Mohm Khan Bannu	GHSS Nadir Budin Kot Sul Division W. Bannu
105	128	Akhtur Nawaz	Bannu	RITE (F) Bannu	RITE (F) Bannu
106	129	Muqarrab Shah	Bannu	DEO (M) Bannu	GCITE Mirali North Waziristan
107	130	Mehmood Khan	Bannu	GHS No 2 Bannu	DEO (M) Bannu
108	131	Khurshid Ahmad	Chitral	DEO (M) Lower Chitral	DEO (M) Chitral Lower
109	132	Syed Julal Ud Din Shah	Chitral	SDEO (M) Mastuj Upper Chitral	SDEO (M) Mastuj Chitral
110	133	Amir UjMulk	Chitral	DEO (M) Chitral Lower	DEO (F) Chitral
111	134	Liaqat Ali	Swat	GGHSS Gwalera Swat	SDEO (M) Khuwara Khela Swat
112	135	Abdul Wadood	Swat	GHSS Balogram Swat	DEO (M) Swat
113	136	Amir Malook	Swat	GHSS Kabal Swat	DEO (M) Swat
114	137	Muhammad Ibrar	Malakand	GHS No 1 Dheri Allakand Malakand	DEO Bajaur
115	138	Mohibullah	Dir Upper	SDEO (M) Dir Upper	DEO (M) Dir Upper
116	139	Mohammad Abbas	Dir (U)	GHSS Akhagram Dir U	DEO (F) Dir Upper
117	140	Irshad Ali	Peshawar	Directorate of E&S	Directorate of E&S
118	141	Farid Khan	Peshawar	GGHSS Samand Khan Killi USD Peshawar	DEO Hassan Khel Sub Division
119	142	Sher Alam	FATA	DEO SWTD	GHSS Shahoor South Waziristan
120	143	Mubarak Hussain	FATA	GHSS Spin Dhand Bara Khyber	GHSS Spin Dhand Bara Khyber
121	144	Abdul Majid	FATA	GGHSS Chailunni Mohmand	DEO Mohmand
122	145	Asmatullah	Charsadda	RITE (F) Charsadda	SDEO (F) Nowshera
123	146	Muhammad Parvez	Abbottabad	DCITE Abbottabad	DEO (F) Abbottabad
124	148	Ataur Rahman	Mohmand	DEO Mohmand	GGHSS Chalanar Mohmand
125	149	Gul Faraz	FATA	GHS Gulshan Jan Kot NWA	GHSS Fedak North Waziristan
126	153	Wali Ur Rahman	Bajaur	GHSS Gardai Bajaur	DEO Bajaur

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S.N.	Sen. #	Name	Domicile	Present Posting	Adjusted at	Remarks
94	117	Shahzada Saleem	Mardan	GHSS Gujar Gari Mardan	SDEO (F) Takht Bahi Mardan	A. V. P
95	118	Hamidul Haq	Dir Lower	GGHSS Kumbar Dir Lower	SDEO (M) Malta Swat	A. V. P
96	119	Naseeb Badshah	Dir Lower	SDEO (M) Timergara Dir Lower	DEO (M) Dir Lower	A. V. P
97	120	Muhammad Israr	Dir Lower	RITE (F) Dir Lower	RITE (F) Barikot Swat	A. V. P
98	121	Muhammad Imran	Dir Lower	DEO (F) Dir Lower	DEO (F) Dir Lower	A. V. P
99	122	Saeed Ur Rahman	Dir Lower	GHSS Chakdarra Dir Lower	DEO (F) Upper Chitral	A. V. P
100	123	Abdul Qayyum Khan	Mardan	GHSS Sharqi Hoti Mardan	Directorate NMD E&SE KP Peshawar	A. V. P
101	124	Arif Saleem	Kohat	GGHSS Behzadi Chikarkot Kohat	DEO (M) Kohat	A. V. P
102	125	Muhammad Yaqoob	Kohat	SDEO (F) Kohat	DEO (F) Hangu	A. V. P
103	126	Asmatullah	Karak	GHSS Togh Bala Kohat	GCMHS Kohat	Already occupied
104	127	Abdul Majeed	Bannu	GHSS Kotka Mohm Khan Bannu	GHSS Nadir Budin Khel Sub Division Wazir Bannu	A. V. P
105	128	Akhtar Nawaz	Bannu	RITE (F) Bannu	RITE (F) Bannu	Already occupied
106	129	Muqarab Shah	Bannu	DEO (M) Bannu	GCTE Mirali North Waziristan	A. V. P
107	130	Mehmood Khan	Bannu	GHS No 2 Bannu	DEO (M) Bannu	A. V. P
108	131	Khurshid Ahmad	Chitral	DEO (M) Lower Chitral	DEO (M) Chitral Lower	A. V. P
109	132	Syed Jalal Uddin Shah	Chitral	SDEO (M) Mastuj Upper Chitral	SDEO (M) Mastuj Chitral	A. V. P
110	133	Amir Ullah	Chitral	DEO (M) Chitral Lower	DEO (F) Chitral	A. V. P
111	134	Liaqat Ali	Swat	GGHSS Gwalerai Swat	SDEO (M) Khuwaza Khela Swat	A. V. P
112	135	Abdul Wadood	Swat	GHSS Balogram Swat	DEO (M) Swat	A. V. P
113	136	Amir Mjlook	Swat	GHSS Kabal Swat	DEO (M) Swat	A. V. P
114	137	Muhammad Israr	Malakand	GHS No 1 Dheri Alladand Malakand	DEO Bajur	A. V. P
115	138	Mohdullah	Dir Upper	SDEO (M) Dir Upper	DEO (M) Dir Upper	A. V. P
116	139	Muhammad Abbas	Dir (U)	GHSS Akhagram Dir U	DEO (F) Dir Upper	A. V. P
117	140	Irshad Ali	Peshawar	Directorate of E&SE	Directorate of E&SE	A. V. P
118	141	Farid Khan	Peshawar	GGHSS Samand Khan Killi HSD Peshawar	DEO Hassan Khel Sub Division	A. V. P
119	142	Sher Alam	FATA	DEO SWTD	GHSS Shahoor South Waziristan	A. V. P
120	143	Mubarak Hussain	FATA	GHSS Spin Dhand Bara Khyber	GHSS Spin Dhand Bara Khyber	A. V. P
121	144	Abdul Majid	FATA	GGHSS Ghailanai Mohmand	DEO Mohmand	A. V. P
122	145	Asmatullah	Charsadda	RITE (F) Charsadda	SDEO (F) Newshehra	A. V. P
123	146	Muhammad Parvez	Abbottabad	DCTE Abbottabad	DEO (F) Abbottabad	A. V. P
124	148	Attar Rahman	Mohmand	DEO Mohmand	GGHSS Ghalanai Mohmand	A. V. P
125	149	Gul Faraz	FATA	GHS Gulshan Jan Kot NWA	GHSS Tedak North Waziristan	A. V. P
126	153	Wali Ur Rahman	Bajaur	GHSS Gardai Bajaur	DEO Bajour	A. V. P

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S.N	Sen. #	Name	Domicle	Present Posting	Adjusted at
127	158	Nisar Ahmad	Dir (U)	SDEO (F) Dir Upper	DEO (M) Dir Upper
128	159	Muhammad Irfan	Malakand	DEO (F) Malakand	DEO (F) Swat
129	160	Namdar Ali	Swabi	GGHSS Kunda Swabi	DEO (M) Haripur
130	161	Mohammad Zia	Swabi	DEO (M) Swabi	Directorate NMD E&S KP Peshawar
131	162	Faizur Rehman	Swabi	GGHSS Topi Swabi	SDEO (F) Abbottabad
132	163	Hukam Khan	Swabi	GHSS Ismaila Swabi	RITE (F) Abbottabad
133	164	Yahya Gul	Swabi	GCMHSM Swabi	GGHSS Abbottabad
134	165	Hakimeen Khan	Swabi	GHSS Mansabdar Swabi	DEO (M) Haripur
135	166	Muhammad Ayub	Tank	GGHSS Arna Khel Tank	DEO (F) Tank
136	169	Muhammad Aslam	Lakki	GHSS Darra Pizzu Lakki	DEO (F) Lakki Marwat
137	171	Nawab Ali Khan	Lakki	GHSS Masha Mansoor Lakki	DEO (M) Lakki Marwat
138	172	Talizar Khan	Kohistan	DEO (M) Kohistan Lower	DEO (M) Kohistan lower
139	173	Inayatur Rahman	Kohistan	GHSS Bankad Kohistan	SDEO (M) Daset Kohistan
140	174	Gul Shuzuda	Kohistan	DEO (F) Kohistan	DEO (M) Kohistan Lower
141	175	Mohammad Nawaz	Kohistan	DEO (F) Upper Kohistan	DEO (M) Kohistan Pak Kohistan
142	176	Noor ul Hadi	Kohistan	DEO (M) Kohistan	DEO (M) Kohistan
143	177	Didur Khan	Kohistan	DEO (M) Kohistan Upper	DEO (M) Kohistan Upper
144	178	Sher Dad	Kohistan	GHSS Badakot Kohistan	DEO (F) Kohistan

Consequential transfer In respect of the following senior clerk is hereby ordered on their BPS in the interest of Public service with immediate effect.

S.No	Name & Designation	Present Address	Adjusted at
1.	Farhatullah S/Clerk working against Assistant post	Directorate of E&SE Khyber Pakhtunkhwa DEO (F) Dir-Lower	Directorate of E&SE Khyber Pakhtunkhwa Directorate NMD E&SE KP Peshawar
2	Fazal Rehman Assistant	GHSS Chamkani Peshawar	GHSS Wazir-Bagh Peshawar
3	Akbar Shah Senior Clerk	SDEO (M) Drosh Chitral Lower	DEO(M) Chitral Lower
4	Sharifullah Senior Clerk working against Computer Operator Post	DEO (M) Peshawar	GGHSS Jogiwaru Peshawar city
5	Malik Shahid Ali working against Assistant Post	GGHSS No. 1 Nowshera	GGHSS Adizai Peshawar
6	Manzoor Hussain S/Clerk	DEO (F) Mardan	GGHSS Kandara Mardan
7	Shahid Ahmad S/Clerk working against Assistant Post	DEO (F) Nowshera	GGHSS Unjar Payan Peshawar
8	Fazal Dyan S/Clerk	DEO(F) Mardan	Services placed at the Disposal Mardan
9	Bachah Husain S/Clerk working against Assistant Post	SDEO (F) Nowshera	GGHSS Chamkani Peshawar
10	Jehanzeb S/Clerk	SDEO(M) Takht bhai Mardan	DEO (M) Charsadda
11	Muhammad Javed S/Clerk		

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S/N	Sen	Name	Domicile	Present Posting	Adjusted to	Remarks
127	158	Nisar Ahmad	Dir (U)	SDEO (F) Dir Upper	DEO (M) Dir Upper	A. V. P
128	159	Muhammad Irfan	Malakand	DEO (F) Malakand	DEO (F) Swat	A. V. P
129	160	Namdar Ali	Swabi	GGHSS Kunda Swabi	DEO (M) Haripur	A. V. P
130	161	Mohammad Zia	Swabi	DEO (M) Swabi	Directorate NMD E&SE KP Peshawar	A. V. P
131	162	Faizur Rehman	Swabi	GGHSS Topi Swabi	SDEO (F) Abbottabad	A. V. P
132	163	Hakam Khan	Swabi	GHSS Ismaila Swabi	RITE (F) Abbottabad	A. V. P
133	164	Yahya Gul	Swabi	GCMHSM Swabi	GGCHSS Abbottabad	A. V. P
134	165	Hakimullah Khan	Swabi	GHSS Mansabdar Swabi	DEO (M) Haripur	A. V. P
135	166	Muhammad Ayub	Tank	GGHSS Ama Khel Tank	DEO (F) Tank	A. V. P
136	169	Muhammad Aslam	Lakki	GHSS Darra Pizzu Lakki	DEO (F) Lakki Marwat	A. V. P
137	171	Nawab Ali Khan	Lakki	GHSS Masha Mansoor Lakki	DEO (M) Lakki Marwat	A. V. P
138	172	Talizar Khan	Kohistan	DEO (M) Kohistan Lower	DEO (M) Kohistan lower	A. V. P
139	173	Inayatullah Rahman	Kohistan	GHSS Bankad Kohistan	SDEO (M) Dassu Kohistan	A. V. P
140	174	Gul Shazada	Kohistan	DEO (F) Kohistan	DEO (M) Kohistan Lower	A. V. P
141	175	Muhammad Nawaz	Kohistan	SDEO (M) Upper Kohistan	DEO (M) Kohistan Palas Kohistan	A. V. P
142	176	Noor ul Haq	Kohistan	DEO (M) Kohistan	DEO (M) Kohistan	A. V. P
143	177	Dilzar Khan	Kohistan	DEO (M) Kohistan Upper	DEO (M) Kohistan Upper	A. V. P
144	178	Sher Dad	Kohistan	GHSS Badakot Kohistan	DEO (F) Kolaipalas	A. V. P

Consequential transfer in respect of the following senior clerk is hereby ordered on their own pay BPS in the interest of Public service with immediate effect.

No.	Name & Designation	Present Posting	Adjusted to	Remarks
1	Farhatullah S/Clerk working against Assistant post	Directorate of E&SE Khyber Pakhtunkhwa	Directorate of E&SE Khyber Pakhtunkhwa	A. V. P of Sr. Clerk Vice S.No. 117
2	Fazal Rehman Assistant	DEO (F) Dir Lower	Directorate NMD E&SE KP Peshawar	A. V. P
3	Akbar Shah Senior Clerk	GHSS Chamkani Peshawar	GHSS Wazir Bagh Peshawar	Vice Abbas Khan S.No.66
4	Sharifullah Senior Clerk working against Computer Operator Post	SDEO (M) Drosh Chitral Lower	DEO (M) Chitral Lower	Vice Amir ul Mulk S.No.110
5	Malik Shahid Ali working against Assistant Post	DEO (M) Peshawar	GGHSS Jogiwara Peshawar city	Vice Mukhtar Ud Din S.No.59
6	Manzoor Hussain S/Clerk	GGHSS No.1 Nowshera	GHSS Adizai Peshawar	Vice Muhammad Tariq S.No.64
7	Shahid Ahmad S/Clerk working against Assistant Post	DEO (F) Mardan	GGHSS Kandarai Mardan	A. V. P
8	Fazal Dyan S/Clerk	DEO (F) Nowshera	GHSS Urmar Payan Peshawar	Vice M. Younas S.No.1
9	Bachah Hussain S/Clerk working against Assistant Post	DEO (F) Mardan	Services placed at the Disposal of DEO (M) Mardan	
10	Jehanzeb S/Clerk	SDEO (F) Nowshera	GGHSS Chamkani Peshawar	A. V. P
11	Muhammad Javed S/Clerk	SDEO (M) Takht bhai Mardan	DEO (M) Charsadda	Vice Wajid Ali S.No.4

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12	Muhammad Wisal S/Clerk	GHSS Gumbat Mardan	GHSS No.1 Charsudda
13	Rahman ullah S/Clerk	GHSS Pir Sabaq Nowshera	GHSS Pranghar Muhmmad RITE (F) Mansehra
14	Syed Imtiaz Hassan Shah S/Clerk (working against KPO Post)	Sub Division Education Officer (M) Balakot Mansehra	
15	Arshad Khan S/Clerk	GHSS Adizai Peshawar	GHSS No.2 Peshawar Cantt
16	Riaz S/Clerk	GHSS Chagharmati Peshawar	GHSS No. 3 Peshawar Cantt.
17	Muhammad Khalid Senior Scale Stenographer BPS-16 working against Assistant post	DEO(M) DIKhan	Adjusted against the post of Supdt.BPS-17 at DEO(M) DIKhan OPS.
18	Noorshad Senior Clerk working Assistant	GGHSS Ghalani Mohmand	GGHSS Ghalani Mohmand
19	Shafi Jan Senior Clerk	GGHSS Keshgi Payan Nowshera	GHSS Chagharmati Peshawar
20	Syed Fayyaz Ali Shah Senior Clerk	GGHSS No.2 Pabbi NSR	GHSS Chamkani Peshawar
21	Nisar Ahmad, Assistant	DEO (M) Dir Lower under transfer to DEO (M) Swat	DEO (M) Shangla

Notes:

1. DHOs (M/F) are directed to adjust those S/Clerks/KPO/Steno who are working against posts at their end.
2. Charge report should be submitted to all concerned.
3. They all shall remain on probation for one year extendable for further next year.

(Dr.) Hafiz Muhammad Ibrahim
DIRECTOR
Directorate E&SE KP Peshawar

Dated Peshawar the 10/10/19

Endst: No 4165-4235 A-23/MS/Promotion Senior to Assistant/ 2019.

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

- 1) Accountant General, Khyber Pakhtunkhwa, Peshawar.
- 2) Director Curriculum & Teacher Education, Khyber Pakhtunkhwa, Abbottabad
- 3) Director PITE, Khyber Pakhtunkhwa, Peshawar.
- 4) Addl; Director (Establishment) NMD Local Directorate:
- 5) District Education Officers (Male & Female)/NMD concerned.
- 6) District Accounts Officers concerned.
- 7) Principals/ Headmasters/Headmistress concerned.
- 8) Sub: Divisional Education Officers (Male & Female) concerned.
- 9) Assistant Director (Exam) at PITE Peshawar.
- 10) Officials concerned.
- 11) PA to Director E&SE Khyber Pakhtunkhwa, Peshawar.
- 12) PA to Additional Director (Estab:) E&SE Khyber Pakhtunkhwa, Peshawar.
- 13) Master File.

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Assistant Director (Admin)
Directorate E&SE Khyber Pakhtunkhwa
Peshawar

12	Muhammad Wisai S/Clerk	GHSS Gumbat Mardan	GHSS No.1 Charsadda	Vice Muhammad Islam S.No.5
13	Rahmatullah S/Clerk	GHSS Pir Sabaq Nowshera	GHSS Pranghar Mohmand	A.V.P
14	Syed Imtiaz Hassan Shah S/Clerk (working against KPO Post)	Sub Division Education Officer (M) Balakot Mansehra	RITE (F) Mansehra	A.V.P
15	Ashraf Khan S/Clerk	GHSS Adizai Peshawar	GGHSS No.2 Peshawar Cantt	Vice Manzoor Khan S.No. 68
16	Riaz S/Clerk	GHSS Chagharmati Peshawar	GHSS No. 3 Peshawar Cantt.	A.V.P
17	Muhammad Khalid Senior Scribe Stenographer BPS-16 working against Assistant post	DEO(M) DIKhan	Adjusted against the post of Supd. BPS-17 at DEO(M) DIKhan OPS.	A.V.P
18	Noorshad Senior Clerk working Assistant	GGHSS Ghalani Mohmand	GGHSS Ghalani Mohmand	A. Vacant post of Senior Clerk
19	Shafi Jan Senior Clerk	GGHSS Khesghi Payan Nowshera	GHSS Chagharmati Peshawar	A.V.P
20	Syed Fayyaz Ali Shah Senior Clerk	GGHSS No.2 Pabbi NSR	GHSS Chamkani Peshawar	A.V.P
21	Nisar Ahmad, Assistant	DEO (M) Dir Lower under transfer to DEO (M) Swat	DEO (M) Shangla	A.V.P

Notes:

1. DEOs (M/F) are directed to adjust those S/Clerks/KPO/Steno who are working against Assistant posts at their end.
2. Charge report should be submitted to all concerned.
3. They all shall remain on probation for for one year extendable for further next year.

(Dr: Hafiz Muhammad Ibrahim)
DIRECTOR
Directorate E&SE KP Peshawar

4165-4235

Endst: No _____ A-23/MS/Promotion Senior to Assistant/ 2019. Dated Peshawar the 10/12/2019

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

12

- 1) Accountant General, Khyber Pakhtunkhwa, Peshawar.
- 2) Director Curriculum & Teacher Education, Khyber Pakhtunkhwa, Abbottabad.
- 3) Director PITE, Khyber Pakhtunkhwa, Peshawar.
- 4) Addl: Director (Establishment) NMD Local Directorate.
- 5) District Education Officers (Male & Female)/NMD concerned.
- 6) District Accounts Officers concerned.
- 7) Principals/ Headmasters/Headmistress concerned.
- 8) Sub-Divisional Education Officers (Male & Female) concerned.
- 9) Assistant Director (Exam) at PITE Peshawar.
- 10) Officials concerned.
- 11) PA to Director E&SE Khyber Pakhtunkhwa, Peshawar.
- 12) PA to Additional Director (Estab): E&SE Khyber Pakhtunkhwa, Peshawar.
- 13) Master File.

10/12/19
Assistant Director (Admin)
Directorate E&SE Khyber Pakhtunkhwa
Peshawar

Munir Khan

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To:

The Secretary
To Government of Khyber Pakhtunkhwa
Elementary & Secondary Education Peshawar.


Subject: - APPEAL FOR PROMOTION TO THE POST OF ASSISTANT BPS.16.

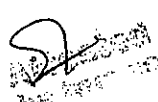
Sir

I have the honor to bring the following few lines for your kind and sympathetic consideration with the hope that it will receive immediate and positive response.

- 1:- That my name is Muhammad Afzal Khan S/O Mir Salam Khan resident of Mingora Swat.
- 2:- That I was working / serving as Senior Clerk -14 at Government Higher Secondary School Mankeyal District Swat to the best of my ability and capability.
- 3:- That my name was reflected at S. No 299 of the Provincial seniority list of Ministerial Staff /Senior Clerk.
- 4:- That the Director Elementary & Secondary Education Khyber Pakhtunkhwa directed some Senior Clerk including me in the year 2018 to submit their Annual Confidential Report, synopsis and other documents for promotion to the post of Assistant B-16.
- 5:- That I readily complied and sent my ACRSs etc. to the Directorate.
- 6:- That I was sure that I was sure that the School and Literacy Department will arrange PSB in the shortest possible period.
- 7:- That in the mean while I was retired from service on superannuation on 03/04/2019.
- 8:- That the Department issued the requisite order of promotion on 10/12/2019 vide No.4165-4235 and I was stirred in to a feeling of surprise that junior to me Muhammad Ibrar name appearing at S. No 300 and Mr. Mohibullah his name appearing at S. No. 301 of the Provincial list and were junior to me had been promoted and I had been left. That had the Department conducted PSB earlier I would have been retired in B-16.

In view of above it is requested that the Directorate may be asked to give me notional promotion from 03/04/19 to safe guard me from financial and mental loss.

Obediently yours

 Muhammad Afzal Khan 8/8/2020
 S/O
 Mir Salam Khan, Mohallah Banr
 Near GHS No. 1 Mingora Swat.
 Contact NO. 0341 9870062


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BEFORE THE PESHAWAR HIGH COURT MINGORA
BENCH / DAR-UL-QAZA, SWAT

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W.P No 1266 M of 2020

Muhammad Afzal son of Amir Salam Khan resident of
Mingora, Tehsil Babozai, District Swat.

.....Petitioner

VERSUS

1. Govt. of Khyber Pakhtunkhwa through Secretary Education at Peshawar.
2. Director Education Govt. of Khyber Pakhtunkhwa at Peshawar.
3. District Education Officer Swat at Gulkada, Swat.
4. District Account Officer Swat at Saidu Sharif, Swat.

.....Respondents

WRIT PETITION

WRIT PETITION UNDER ARTICLE 199 OF

THE CONSTITUTION OF ISLAMIC

REPUBLIC OF PAKISTAN, 1973.

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Additional Registrar

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Respectfully Sheweth,

(A)

Brief facts giving rise to the instant writ petition are as under:-

1) That the petitioner initially was appointed as Junior Clerk vide appointment order dated 05-09-1985. (Enclosed annexure "A"), and later on he was promoted to senior clerk vide office order dated 17-06-2008 (Enclosed annexure "B").

2) That in 2018 the respondent No. 2 sought annual confidential report, other relevant document for promotion to the post of Assistant (BPS-16) and the petitioner submitted the same in the office concerned, as the petitioner was reflected at serial No. 299 of the final seniority list, so he was optimistic qua his promotion. (Copy of seniority list is attached as annexure "C")

3) That the Departmental Promotion Committee (DPC) call their meeting on 27-11-2019 although the petitioner as per directions submitted his relevant documents before the respondent No. 2, but meanwhile the petitioner was dropped from promotion due his retirement on 04-04-2019. (Copy of retirement order is attached as annexure "D")

That the respondent No. 2 issued the promotion order of his colleagues vide promotion order dated 10-12-2019.

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[11 NOV 2020 4]

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(A)

(copy of promotion order dated 10-12-2019 is attached as annexure "E")

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- 5) That the petitioner extremely aggrieved filed an appeal, but no response has been received till to date, so the petitioner has left no other efficacious remedy except to file the instant petition inter alia on the following grounds.

GROUND:-

A) That the act of the respondent as not considering the petitioner for promotion although the petitioner submitted the ACR, synopsis and other documents for promotion, so the act of the respondents who delayed the promotion process cannot prejudice the case of petitioner and such act is not sustainable in the eyes of law, and void ab-initio be struck down.

B) That after getting knowledge qua impugned promotion order the petitioner submitted appeal and pray for notional proforma promotion but no heed was paid thereto, so the rights of petitioner even after retirement has been safeguarded by the law, and such

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act of the respondents cannot deprive the petitioner from his legitimate rights.

- C) That the same issue has been resolved by this honorable court (Peshawar High Court Peshawar) in writ petition No. 2946-P of 2018 vide judgment dated 21-07-2020, wherein the honorable court allowed the petition and directed the respondent to initiate the requisite process of notional promotion within shortest possible time. (Copy of the writ petition & judgment dated 21-07-2020 is attached may be considered part of this petition) so, as per rule of consistency the petitioner is entitled to be treated alike and under the mandate of Article 4 & 25 of the Constitution no one be discriminated.
- D) That as per dictum reported as 2009 SCMR page 1 if a court decide point of law, in such a case the dictates of justice and rule of good governance the benefit of the said decision be extended to other, who may not be parties to that litigation instead of compelling him to approach to any legal forum, so on this analogy the petitioner is entitled for the relief claim herein.

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E) That the act of the respondent who fail to exercise their power (regarding not issue the promotion order in time although the petitioner fulfilled all the responsibilities, submitted the ACRs etc) vested to them under the law, so no one be prejudice by such alleged act as there is no fault on part of petitioner.

F) That the junior colleagues has been promoted although the respondent was legally duty bound to promote the petitioner along with so many other colleagues, but they delayed the process of promotion just to accommodate / promote their blue eyed, hence such act of the respondents is not tenable.

i) That further grounds, with leave of this Honorable Court, would be raised at the time of arguments before this Honorable Court.

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PRAYER

It is therefore, humbly prayed that, on acceptance of the instant writ petition, this honorable court may please

- i) To declare the impugned action taken in conduct demonstrated by the respondent by not considering the petitioner for proforma promotion as illegal, without lawful authority and of no legal effect.
- ii) To direct the respondent to consider the petitioner for proforma promotion according to law and to give him his rights available to him in law along with all back benefits included arrears of salary and other emoluments with effect from his entitlement.
- iii) Any other relief which this Honorable Court deems fit and proper in the circumstances may also be very kindly granted.

Petitioner

Through Council

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Advocate, High Court

BEFORE THE PESHAWAR HIGH COURT MINGORA
BENCH / DAR-UL-QAZA, SWAT

35

W.P No 1266 M. of 2020

Muhammad AfzalPetitioner

VERSUS

Govt. of KP and others.....Respondents

CERTIFICATE:

(As per directions of my client) No such like Writ petition earlier has been filed by the petitioners on the subject matter before this Honorable Court.

[Signature]
ADVOCATE

LIST OF BOOKS IN CONCERNED WRIT

1. Constitution Islamic Republic of Pakistan, 1973.
2. Case Law as per need.

[Signature]
Advocate

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BEFORE THE PESHAWAR HIGH COURT MINGORA
BENCH DAR-UL-QAZA SWAT

36

W.P No. 1866 -M/2020

Muhammad Afzal:.....(Petitioner)

VERSUS

Govt of KPK & others..... (Respondents)

AFFIDAVIT

I, Muhammad Afzal S/o Amir Salam Khan R/o Mohallah Banr, Tehsil Babozai, District Swat, do hereby solemnly affirm and declares on oath that, all the contents of the accompanying writ petition are true and correct to the best of my knowledge and belief and nothing has been kept concealed or withheld from this august court.

DEPONENT

M Afzal

MUHAMMAD AFZAL
CNIC No. 15602-7985200-3

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11 NOV 2020

Additional Registrar

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S.No. _____
Certified that the above was verified on Solemn
affirmation before me on this 11th day
of NOV 2020 by Muhammad Afzal
S/o Amir Salam Khan R/o Swat who
was identified by S.K.P.

who is personally known to me
[Signature]
ADDL REGISTRAR
Peshawar High Court
Mingora Bench/Dar-ul-Qaza, Swat.

BEFORE THE PESHAWAR HIGH COURT MINGORA
BENCH / DAR-UL-QAZA, SWAT

37

W.P No 266 M of 2020

Muhammad AfzalPetitioner

VERSUS

Govt. of KP and others.....Respondents

ADDRESSES OF THE PARTIES

PETITIONER

Muhammad Afzal son of Amir Salam Khan resident of
Mingora, Tehsil Babozai, District Swat.

Cell No: 0341-9870062 CNIC No: 156027985200-

RESPONDENTS

1. Govt. of Khyber, Pakhtunkhwa through Secretary
Education at Peshawar.
2. Director Educaiton Govt. of Khyber Pakhtunkhwa at
Peshawar.
3. District Education Officer Swat at Gulkada, Swat.
4. District Account Officer Swat at Saidu Sharif, Swat.

Petitioner

Through Council

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11 NOV 2020

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SYED ABDUL HAQ
Advocate, High Court

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Annex H
38



BEFORE THE PESHAWAR HIGH COURT MINGORA BENCH / DARULOAZA SWAT

Writ petition No. 1266-M/2020

Muhammad Afzal S/O Amir Salam Khan R/O Mingora Tehsil Babozai, District Swat.

.....Petitioner

Versus

1. Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Peshawar.
2. Director Elementary and Secondary Education Khyber Pakhtun Khwa at Peshawar.
3. District Education officer (Male)
4. District Account officer Swat at Saidu Sharif, Swat.

.....Respondents.

Parawise Comments on Behalf of the Respondent No.2 & 3

**Respectfully shewith
Preliminary objections**

1. That the petitioner is not aggrieved person within the meaning of Article 199 of the constitution of Islamic republic of Pakistan.
2. That the petitioner has no cause of action / locus standi because the petitioner has two alternate remedies in the shape of filling an appeal/ representation for redressal of his grievances (if any) and then the learned service tribunal has exclusive domain to resolve the matters founded on the terms and conditions of the service, hence without exhausting these remedies, the instant petition is not maintainable.
3. That the petitioner has not come to this honourable court with clean hands.
4. That the petitioner has filled this instant writ petition just to pressurize the respondents.
5. That the instant Writ petition is against the prevailing law and rules.
6. That the petitioner has filled this instant Writ petition on malafide motives.

FILED TODAY that the instant Writ petition is not maintainable in the present form and above in the present circumstances of the issue.

01 APR 2020 The petitioner stopped by his own conduct by accepting the initial

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FACTS

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1. That the Para No.1 correct, hence, being a civil servant the learned service tribunal has exclusive domain to resolve the matters founded on the terms and conditions of the service.
2. That the Para No.2 is correct to the extent of seniority number of the Petitioner, the rest of the Para pertains to record. Moreover mere submission of ACR and other documents does not create any vested right of promotion.
3. That the Para No.3 is correct to the extent of the (DPC) meeting and retirement of the Petitioner before the DPC meeting, however it is worth to mention here that the Petitioner got retired on 4.4.2019 more than seven months before the departmental promotion committee (DPC) meeting. Therefore he was not considered for promotion. According to rule 3 of the Khyber Pakhtunkhwa Civil servants (appointment, promotion & transfer) Rules, 1989, "appointment to posts shall be made by any of the following methods, namely:-
 - a) By promotion or transfer in accordance with the provisions contained in Part-II of these rules; and
 - b) By initial recruitment in accordance with the provisions contained in Part-II of these rules."

According to rule 5 of these rules, in each department or office of the Government there shall be one or more departmental promotion committee and selection committee or departmental selection board. While according to rule 7 of these rules, "promotions and transfer to posts other than those falling within the purview of the provincial selection board shall ordinarily be made on the recommendation of appropriate Departmental promotion committee."

Therefore without the recommendations of the departmental promotion committee recommendations, one cannot be promoted.

(DPC minutes & APT rules relevant pages as Annexure A,B)

4. That the Para No.4 is correct.
5. That the Para No.6 is incorrect. The Petitioner has not filed any department appeal. He has two alternate remedies in shape of filing an appeal for redressal of his grievances (if any) and then the learned service tribunal has exclusive domain to resolve matters founded on the terms and conditions of the service. Thus the instant Writ petition of the petitioner is bereft of any merit hence liable to be dismissed inter-alia following grounds.

GROUND

- A. That the Para No. (A) is incorrect and not admitted. The act of the

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- Paras, the Petitioner got retired more than seven months before the DPC meeting, therefore he was not considered for promotion.
- B. That the Para No. B is incorrect and not admitted. The Petitioner is not entitled for notional promotion.
 - C. That the Para No. C pertains to the Honourable court judgment hence no comments. However the issue in the instant writ Petition is quite different from that of the judgment.
 - D. That the Para no. D is is about the Honourable court judgments, hence no comments.
 - E. That the Para No.E is incorrect and not admitted. Mere submission of ACRs does not create any vested right of promotion.
 - F. That the Para No.F is incorrect and not admitted. The Petitioner was no more in service at the time of DPC; therefore he was not entitled for promotion.
 - G. That the para No.G is irrelevant, hence, no comments.

It is therefore very humbly prayed that the instant writ petition of the petitioner may be dismissed with cost in favour of the respondents.

DISTRICT EDUCATION OFFICER (M)
SWAT AT GULKADA

Director Elementary and Secondary
Education Khyber Pakhtun Khwa

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(3)

BEFORE THE PESHAWAR HIGH COURT MINGORA BENCH / DARULQAZA SWAT

Writ petition No. 1266-M/2020

Muhammad Afzal S/O Amir Salam Khan R/O Mingora Tehsil Babozai, District Swat:

.....Petitioner

Versus

1. Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Peshawar.
2. Director Elementary and Secondary Education Khyber Pakhtun Khwa at Peshawar.
3. District Education officer (Male)
4. District Account officer Swat at Saidu Sharif, Swat.

.....Respondents.

AFFIDAVIT

I, Bakht Rahman litigation officer Office of the DEO (M) Swat do hereby solemnly affirm and declare on oath on the directions and on behalf of the Respondent No. 2 & 3 that the contents of the comments are true and correct to the best of my knowledge and belief and nothing has been kept secret from this august court.



Bakht Rahman
Litigation officer O/O DEO (M) Swat

S.No. 1543
Certified that the above was verified on Solemn
affirmation before me on this 01st day
of APR 2021 by Bakht Rahman
S/o Amir Salam Khan Swat who
was identified by self
Who is personally known to me.

ADDL. REGISTRAR
Peshawar High Court
Mingora Bench

FILED TODAY

01 APR 2021

ADDL. REGISTRAR


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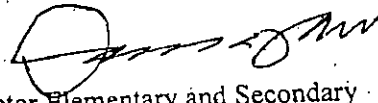


OFFICE OF THE
DISTRICT EDUCATION OFFICER (MALE)
Swat (Cell # 0946 9240209-228)

AUTHORITY LETTER

Mr. Bakht Rahman litigation officer office of the DEO (M) Swat is hereby authorized to Submit the Para wise comments in W.P No.1266-M/2020 titled Muhammad Afzal Versus Government of KPK and others in Peshawar High Court Mingora Bench/ darul Qaza Swat on behalf of respondent No.2 & 3


DISTRICT EDUCATION OFFICER
(M) SWAT AT GULKADA


Director, Elementary and Secondary
Education Khyber Pakhtun Khwa


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Minutes of the meeting regarding Departmental Promotion Committee (DPC) for the promotion of Senior Clerks B-14 to the post of Assistant B-16 of Elementary & Secondary Education Department Khyber Pakhtunkhwa/DC&TE held on 27/11/2019.

Meeting of the Departmental Promotion Committee was held on 27th November 2019 at 11:00 AM under the Chairmanship of Director (E&SE) Elementary & Secondary Education, Khyber Pakhtunkhwa.

The following attended the meeting:-

S.No.	Name, Designation & Address
1	Dr. Hafiz Muhammad Ibrahim, Director E&SE, Khyber Pakhtunkhwa, Peshawar
2	Mr. Muhammad Raqib, Section Officer (Primary), Representative of Admin Department
3	Mr. Iftikhar Ahmad Shamozai, Director (PE&S), E&SE, Khyber Pakhtunkhwa, Peshawar.
4	Mr. Hanif Ur Rehman, Additional Director (Estbl.), NMD, Directorate of E&SE
5	Mr. Umar Nawaz, Deputy Director (F&A), E&SE, Khyber Pakhtunkhwa, Peshawar

Meeting started with the recitation from the Holly Quran. The chair welcomed the participants and tabled the agenda regarding the promotion cases of Senior Clerks B-14 to the post of Assistants B-16 on regular basis. The Departmental Promotion Committee (DPC) checked/ scrutinized the records of the following senior Clerks B-14 working in and under the Directorate of E&SE/ DCTE/PITE/NMD and the following decision were made.

Serial #	Name	Address	Date of Birth	Domicile	Decision of the Committee
1	Muhammad Pervez	GGHSS G.Habibullah Manselra	05/03/1962	Manselra	Declined to accept promotion dated 16-11-2019. Hence superseded for 4 years
2	Muhammad Hanif	SDEO (F) Karak	01/04/1960	Karak	Declined to accept promotion dated 18-11-2019. Hence superseded for 4 years
3	Iqbal Khan	GHSS Hazar khani Peshawar	04/01/1960	Peshawar	Deferred for want of Documents
4	Amin Khan	GHSS Mingora Swat	27/10/1964	Swat	Deferred for want of Documents
5	Zakiuddin		27/11/1964	Swabi	Retired
6	Muhammad Younis	GHSS Umar Payan Peshawar	02/04/1962	Peshawar	Recommended for promotion to the post of Assistant B-16 on regular basis.
7	Noor Faraz Khan	SDEO (F) Tongi	18/04/1963	Charsadda	Superseded due to non actualization of previous promotion dated 12-11-2016.
8	Muhammad Tariq	DEO (M) Abbottabad.	05/05/1966	Abbottabad	Recommended for promotion to the post of Assistant B-16 on regular basis
9	Nasrullah Jan	AEO SWA	20/03/1961	SWA	Deferred for want of Documents
10	Zia Ud Din	GGHSS Shinkhri Manselra	03/08/1965	Manselra	Declined to accept promotion dated 18-11-2019. Hence superseded for 4 years
11	Sher Afzal	GHSS Olandar Shangla	03/02/1960	Shangla	Declined to accept promotion dated 18-11-2019. Hence superseded for 4 years
12	Raham Zeh	GGHSS Badwan Dir Lower	01/04/1967	Dir Lower	Declined to accept promotion dated 18-11-2019. Hence superseded for 4 years
13	Rahmanullah	DEO (M) Dir	01/05/1967	Dir (U)	Retired
14	Ilisanul Haq	GGHSS Samar Bagh Dir Lower	23/11/1969	Dir Lower	Retired
15	Raza Khan	GGHSS Harichand Charsadda	14/01/1965	Charsadda	Declined to accept promotion dated 18-11-2019. Hence superseded for 4 years
16	Said Ahmad	DEO (M) Buner	01/01/1964	Buner	Retired
17	Shahi Room	DEO (M) Buner	01/04/1963	Buner	Retired
18	Sar Anjum Khan	DEO (F) Buner	01/02/1971	Buner	Already promoted. Mistakenly placed his name in the seniority of senior clerks issued on 31-10-2019.
19	Anjad Ali	GSSA/HSS Nisatta Charsadda	30/09/1968	Charsadda	Recommended for promotion to the post of Assistant B-16 on regular basis.
20	Muhammad Yousaf	GHSS Mandani Charsadda	25/04/1964	Charsadda	Declined to accept promotion dated 6-08-2018. Hence superseded for 4 years
21	Wajid Ali	DEO (M) Charsadda	05/05/1964	Charsadda	Recommended for promotion to the post of Assistant B-16 on regular basis
22	Muhammad Islam	GSU/HSS No 1 Charsadda	01/04/1968	Charsadda	Recommended for promotion to the post of Assistant B-16 on regular basis.
23	Duran Shah		21/05/1966	Charsadda	Retired
24	Shad Ali	GHS Rustam Mardan	07/01/1962	Mardan	Recommended for promotion to the post of Assistant B-16 on regular basis.
25	Shaukat Ali	GGMS No 3 Mardan	13/02/1963	Mardan	Recommended for promotion to the post of Assistant B-16 on regular basis.
26	Sher Alam	GHSS Jehangiri Karak	12/01/1965	Buner	Recommended for promotion to the post of Assistant B-16.

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No	Name	Address	Date of Birth	Domicile	Decision of the Committee
27	Ali Khan	SDEO (M) Karak	10/01/1962	Karak	on regular basis.
28	Habib Ur Rehman	DEO (M) Karak	05/09/1965	Karak	Recommended for promotion to the post of Assistant B-16 on regular basis
29	Amir Ullah	GHSS Karak	01/04/1966	Karak	Recommended for promotion to the post of Assistant B-16 on regular basis
30	Iqbal Gul	GIS Sahib Abdul Karak	22/03/1969	Karak	Recommended for promotion to the post of Assistant B-16 on regular basis
31	Zahid Ali	GHSS Lachi Kohat	09/03/1963	Hangu	Recommended for promotion to the post of Assistant B-16 on regular basis
32	Muhammad Yaqin	Directorate of ESS: Peshawar	01/03/1972	Peshawar	Recommended for promotion to the post of Assistant B-16 on regular basis
33	Hashmi Khan	DEO (F) Hangu	09/01/1973	Hangu	Recommended for promotion to the post of Assistant B-16 on regular basis
34	Sajid Ahmad		13/04/1973		Deferred for want of documents
35	Muhammad Sanyal	OCMHS No 1 Hangu	01/04/1974	Hangu	Recommended for promotion to the post of Assistant B-16 on regular basis
36	M Khalid	GGHSS Shahbaz Ghari Mardan	13/03/1967	Mardan	Recommended for promotion to the post of Assistant B-16 on regular basis
37	Muhammad Nisar Khan	SDEO (F) Primary Hangu	11/01/1969	Hangu	Recommended for promotion to the post of Assistant B-16 on regular basis
38	Bakht Ali Khan	SDEO (F) Banda Daud Shah Karak	10/02/1966	Karak	Recommended for promotion to the post of Assistant B-16 on regular basis
39	Akhtar Munir	GHSS Abdul Khel Lakki Marwat	12/12/1967	Lakki	Recommended for promotion to the post of Assistant B-16 on regular basis
40	Qasim Khan	GSBAK HSS S/Aurang Lakki Marwat	11/12/1964	Lakki	Recommended for promotion to the post of Assistant B-16 on regular basis
41	Rehman Didi Khan	DEO (M) Lakki Marwat	03/09/1963	Lakki	Recommended for promotion to the post of Assistant B-16 on regular basis
42	Hidayatullah	SDEO (F) Lakki Marwat	28/03/1963	Lakki	Recommended for promotion to the post of Assistant B-16 on regular basis
43	Ishad Ali	GGHSS Malik Pura Abbotabad	06/06/1963	Mardan	Recommended for promotion to the post of Assistant B-16 on regular basis
44	Majidullah	DEO (F) Dir Upper	20/12/1976	Dir U	Recommended for promotion to the post of Assistant B-16 on regular basis
45	Naimat Ali Shah	DEO (F) Kohat	01/04/1964	Kohat	Recommended for promotion to the post of Assistant B-16 on regular basis
46	Muhammad Yousaf	SDEO (F) Lachi Kohat	13/04/1965	Kohat	Recommended for promotion to the post of Assistant B-16 on regular basis
47	Muhammad Ijaz	GGHSS Lachi Kohat	01/04/1966	Kohat	Recommended for promotion to the post of Assistant B-16 on regular basis
48	Taj Dar Muhammad Khan	GHS No 1 Bannu	29/03/1967	Bannu	Recommended for promotion to the post of Assistant B-16 on regular basis
49	Imdad Khan	GSSAHS No 2 Kohat	25/01/1964	Kohat	Recommended for promotion to the post of Assistant B-16 on regular basis
50	Ahmed Razaq	SDEO (F) Battagram	04/04/1966	Battagram	Recommended for promotion to the post of Assistant B-16 on regular basis
51	Muhammad Yousaf	SDEO (M) Battagram	06/03/1967	Battagram	Recommended for promotion to the post of Assistant B-16 on regular basis
52	Amir Ur Rehman	SDEO (M) Battagram	05/04/1966	Battagram	Recommended for promotion to the post of Assistant B-16 on regular basis
53	Muhammad Afzal	DEO (M) Battagram	12/05/1967	Battagram	Recommended for promotion to the post of Assistant B-16 on regular basis
54	Ahmed Kasim	DEO (M) Battagram	02/02/1968	Battagram	Recommended for promotion to the post of Assistant B-16 on regular basis
55	Ahmed Wahab Shah	DEO (M) Battagram	20/04/1971	Battagram	Recommended for promotion to the post of Assistant B-16 on regular basis
56	Raja	DEO (F) Battagram	07/03/1965	Battagram	Recommended for promotion to the post of Assistant B-16 on regular basis
57	Syed Riaz Hussain Shah	DEO (F) Battagram	08/03/1971	Battagram	Recommended for promotion to the post of Assistant B-16 on regular basis
58	Shahideen	SDEO (M) Battagram	07/01/1970	Battagram	Recommended for promotion to the post of Assistant B-16 on regular basis
59	Amir Ullah Khan	GGHSS Bangui Khujari Bannu	01/04/1963	Bannu	Recommended for promotion to the post of Assistant B-16 on regular basis
60	Hamidullah	GHSS Nur Bannu	01/04/1962	Bannu	Recommended for promotion to the post of Assistant B-16 on regular basis
61	Habib-Ur-	DEO (F) Kulachi DIK	10/06/1964	DIK	Recommended for promotion to the post of Assistant B-16

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#	Name	Address	Date of Birth	Domicile	Decision of the Committee
	Rehman				
62	Muhammad Imran		30/03/1963	Buner	on regular basis.
63	Sar Mudan	GHSS Dataro Buner	01/04/1967	Buner	Retired
64	Jahan Zeb	GHSS Gagra Buner	12/04/1972	Buner	Recommended for promotion to the post of Assistant B-16 on regular basis
65	Muhammad Asif	SDEO (M) Haripur	15/05/1961	Haripur	Recommended for promotion to the post of Assistant B-16 on regular basis.
66	Javed Ahmad	GHSS No 4 DIK	02/02/1966	DIK	Recommended for promotion to the post of Assistant B-16 on regular basis.
67	Mohammad Zahid	GHS Karnal Sher Ali Kalli swabi	22/11/1963	Swabi	Recommended for promotion to the post of Assistant B-16 on regular basis
68	Javid Khan	GHS No 1 Tordher Swabi	16/01/1963	Swabi	Recommended for promotion to the post of Assistant B-16 on regular basis.
69	Nisar Ahmad	GHSS Saddo Swabi	15/02/1963	Swabi	Recommended for promotion to the post of Assistant B-16 on regular basis.
70	Muhammad Safer	GHSS Ziarat Tolash Dir Lower	15/02/1963	Dir Lower	Declined to accept promotion dated 6-11-2019. Hence superseded for 4 years
71	Gul Zuman	GCMSC Timergara Dir Lower	01/06/1964	Dir Lower	Recommended for promotion to the post of Assistant B-16 on regular basis.
72	Babu Haider	GHSS Bagh Maidan Dir Lower	04/03/1969	Dir Lower	Recommended for promotion to the post of Assistant B-16 on regular basis.
73	Farhad	GHSS Lal Qilin Dir Lower	02/09/1964	Dir Lower	Recommended for promotion to the post of Assistant B-16 on regular basis.
74	Maqbool Ahmad	GGIIS Manjai Dir Lower	01/06/1967	Dir Lower	Recommended for promotion to the post of Assistant B-16 on regular basis.
75	Muhammad Farooq	GHSS No 4 DIK	23/03/1960	DIK	Recommended for promotion to the post of Assistant B-16 on regular basis.
76	Akhter Nawaz	RITE (M) Bannu	04/03/1966	Bannu	Recommended for promotion to the post of Assistant B-16 on regular basis.
77	Shah Qiaz Khan	GGHSS Sgaghaz Armat Khel Bannu	16/04/1969	Bannu	Recommended for promotion to the post of Assistant B-16 on regular basis.
78	Juma Khan		11/04/1969	Bannu	Retired
79	Wasi Ullah	DEO (M) Peshawar	02/03/1963	Peshawar	Recommended for promotion to the post of Assistant B-16 on regular basis.
80	Muhammad Nasim	GHS No 3 Peshawar Cantt	14/08/1965	Peshawar	Recommended for promotion to the post of Assistant B-16 on regular basis.
81	Mukhtairud Din	GGHSS Jogiwara Peshawar City	09/12/1960	Peshawar	Recommended for promotion to the post of Assistant B-16 on regular basis.
82	Rooh Ull Amin	GSSGHSS Peshawar Cantt	07/02/1964	Peshawar	Recommended for promotion to the post of Assistant B-16 on regular basis.
83	Zakirullah	GHS Badaber Peshawar	15/01/1968	Peshawar	Recommended for promotion to the post of Assistant B-16 on regular basis.
84	Marifat Shah	DEO (M) Peshawar	18/02/1967	Peshawar	Recommended for promotion to the post of Assistant B-16 on regular basis.
85	Irfanullah	DEO (M) Peshawar	29/01/1964	Charsadda	Recommended for promotion to the post of Assistant B-16 on regular basis.
86	Muhammad Tariq	GGHSS Chumkani Peshawar	15/03/1965	Peshawar	Recommended for promotion to the post of Assistant B-16 on regular basis.
87	Nasir Mughal	SDEO (F) Town-1 Peshawar	20/09/1963	Peshawar	Recommended for promotion to the post of Assistant B-16 on regular basis.
88	Abbas Khan	GHSS Wazir Bagh Peshawar	02/03/1966	Peshawar	Recommended for promotion to the post of Assistant B-16 on regular basis.
89	Fazale Malik	GHSS No 4 Kakshal Peshawar	25/09/1963	Peshawar	Recommended for promotion to the post of Assistant B-16 on regular basis.
90	Manzoor Khan	GGHSS Peshawar Cantt	07/05/1967	Peshawar	Recommended for promotion to the post of Assistant B-16 on regular basis.
91	S Ramzan Sliah	GHSS Lassan Tihankr Manshra	15/02/1966	Manshra	Recommended for promotion to the post of Assistant B-16 on regular basis.
92	Naseem Ijaz		02/06/1963	Manshra	Deferred for want of documents.
93	Mushtaq Ahmad	SDEO (M) Booni Upper Chitral	26/11/1964	Manshra	Recommended for promotion to the post of Assistant B-16 on regular basis.
94	Muhammad Riaz	GHSS Pallatta Manshra	10/06/1963	Manshra	Recommended for promotion to the post of Assistant B-16 on regular basis.
95	Muhammad Nawaz	RITE (F) Manshra	04/02/1962	Manshra	Recommended for promotion to the post of Assistant B-16 on regular basis.
96	Abdul Hameed	GHSS No 1 Manshra	14/04/1967	Manshra	Recommended for promotion to the post of Assistant B-16 on regular basis.
97	Nazir Ahmad	GHSS Gul Imam Tank	22/03/1960	Tank	Recommended for promotion to the post of Assistant B-16

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Sl. No.	Name	Address	Date of Birth	Domicile	Decision of the Committee
					on regular basis
98	Amir War	GHSS Nakai Peshawar	14/03/1960	Peshawar	Recommended for promotion to the post of Assistant B-16 on regular basis
99	Muhammad Ashraf Khan	DEO(M) Bannu	06/04/1961	Bannu	Recommended for promotion to the post of Assistant B-16 on regular basis
100	Riaz Ahmed	GHSS Ramak DIK	20/04/1968	DIK	Recommended for promotion to the post of Assistant B-16 on regular basis
101	Shahid Ahmed	GGHSS Fajal Rahim DIK	10/11/1962	DIK	Recommended for promotion to the post of Assistant B-16 on regular basis
102	Amjad Rizwan	GGHSS No 9 Dinpur DIK	02/01/1967	DIK	Recommended for promotion to the post of Assistant B-16 on regular basis
103	Ahmad Saeed	GGHSS Charadada	19/07/1966	Charadada	Recommended for promotion to the post of Assistant B-16 on regular basis
104	Muhammad Saddique	SDEO (F) Takht-e-Nusrati Karak	03/03/1964	Karak	Recommended for promotion to the post of Assistant B-16 on regular basis
105	Abdul Majeed	GHSS Kiri Shamozai DIK	12/10/1960	DIK	Recommended for promotion to the post of Assistant B-16 on regular basis
106	Mohammad Afzar	GPARKHSS Dingi Haripur	03/01/1966	Haripur	Recommended for promotion to the post of Assistant B-16 on regular basis
107	Sher Muhammad	GHSS Beer Harpur	10/01/1966	Haripur	Recommended for promotion to the post of Assistant B-16 on regular basis
108	Muhammad Asif	GCMHSS No 1 Haripur	01/03/1969	Haripur	Recommended for promotion to the post of Assistant B-16 on regular basis
109	Ahmad Nawaz	GHSS Bagri Haripur	26/12/1968	Haripur	Recommended for promotion to the post of Assistant B-16 on regular basis
110	Akhtar Rehman	SDEO (F) Kulachi	18/03/1968	DIK	Recommended for promotion to the post of Assistant B-16 on regular basis
111	Anwar Muhammad	SDEO (F) Swat Razatal	15/01/1963	Malakand	Recommended for promotion to the post of Assistant B-16 on regular basis
112	Abdul Rehman	GGHSS Kiri Malakand	06/12/1962	Malakand	Recommended for promotion to the post of Assistant B-16 on regular basis
113	Abdul Ali	DEO (F) Malakand	10/03/1968	Malakand	Recommended for promotion to the post of Assistant B-16 on regular basis
114	Faridoon	DEO (F) Malakand	03/04/1968	Malakand	Recommended for promotion to the post of Assistant B-16 on regular basis
115	Muhammad Husham Khan	SDEO (M) Tank	01/03/1968	Tank	Recommended for promotion to the post of Assistant B-16 on regular basis
116	Tariq Aziz	DEO (F) DIK	10/02/1969	DIK	Recommended for promotion to the post of Assistant B-16 on regular basis
117	Shahzade Saleem	GHSS Gujar Gari Mardan	08/03/1962	Mardan	Recommended for promotion to the post of Assistant B-16 on regular basis
118	Hamidul Haq	GGHSS Kumbhar Dir Lower	18/05/1970	Dir Lower	Recommended for promotion to the post of Assistant B-16 on regular basis
119	Naseeb Budshah	SDEO (M) Timgerna Dir Lower	17/02/1965	Dir Lower	Recommended for promotion to the post of Assistant B-16 on regular basis
120	Muhammad Ishaq	RITE (F) Dir Lower	02/08/1964	Dir Lower	Recommended for promotion to the post of Assistant B-16 on regular basis
121	Muhammad Imran	DEO (F) Dir Lower	01/03/1963	Dir Lower	Recommended for promotion to the post of Assistant B-16 on regular basis
122	Saeed Ur Rehman	GHSS Chakdara Dir Lower	15/06/1969	Dir Lower	Recommended for promotion to the post of Assistant B-16 on regular basis
123	Abdul Qayum Khan	GHSS Sharqi Hori Mardan	03/04/1964	Mardan	Recommended for promotion to the post of Assistant B-16 on regular basis
124	Arif Saleem	GGHSS Behzadi Chikarkoi Kohat	01/06/1965	Kohat	Recommended for promotion to the post of Assistant B-16 on regular basis
125	Muhammad Yaqoob	SDEO (F) Kohat	15/03/1964	Kohat	Recommended for promotion to the post of Assistant B-16 on regular basis
126	Asmat Ullah	GHSS Togh Bala Kohat	20/02/1964	Karak	Recommended for promotion to the post of Assistant B-16 on regular basis
127	Abdul Majeed	GHSS Kotki Mohm Khan Bannu	16/01/1964	Bannu	Recommended for promotion to the post of Assistant B-16 on regular basis
128	Akhtar Nawaz	RITE (F) Bannu	20/08/1962	Bannu	Recommended for promotion to the post of Assistant B-16 on regular basis
129	Muqarrab Shah	DEO (M) Bannu	01/05/1964	Bannu	Recommended for promotion to the post of Assistant B-16 on regular basis
130	Mehmood Khan	GHS No 2 Bannu	20/01/1970	Bannu	Recommended for promotion to the post of Assistant B-16 on regular basis
131	Khurshid Ahmed	DEO (M) Lower Chitral	01/03/1964	Chitral	Recommended for promotion to the post of Assistant B-16 on regular basis
132	Syed Jalal Ud Din Shah	SDEO (M) Mastuj Upper Chitral	04/03/1964	Chitral	Recommended for promotion to the post of Assistant B-16 on regular basis

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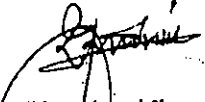
S. No.	Name	Address	Date of Birth	Domicile	Decision of the Committee
133	Amir Ul Mulk	DEO (M) Chitral Lawyer	15/05/1963	Chitral	Recommended for promotion to the post of Assistant B-16 on regular basis.
134	Lingqi Ali	GGHSS Gwalerai Swat	28/01/1961	Swat	Recommended for promotion to the post of Assistant B-16 on regular basis.
135	Abdul Wadood	GHSS Balagram Swat	09/02/1962	Swat	Recommended for promotion to the post of Assistant B-16 on regular basis.
136	Amu Malook	GHSS Kbnal Swat	01/02/1966	Swat	Recommended for promotion to the post of Assistant B-16 on regular basis.
137	Mulhammad Ibrat	GHS No 1 Dheri Atandud Malakand	04/04/1967	Malakand	Recommended for promotion to the post of Assistant B-16 on regular basis.
138	Mahibullahi	SDEO (M) Dir Upper	01/10/1970	Dir Upper	Recommended for promotion to the post of Assistant B-16 on regular basis.
139	Mohammad Abbas		20/05/1970	Dir (U)	Recommended for promotion to the post of Assistant B-16 on regular basis.
140	Irshad Ali	Directorate of E&SE	01/11/1960	Peshawar	Recommended for promotion to the post of Assistant B-16 on regular basis.
141	Farid Khan	GGHSS Samand KhanKili HSD Peshawar	11/02/1964	Peshawar	Recommended for promotion to the post of Assistant B-16 on regular basis.
142	Sher Alam	DEO SWTD	06/06/1963	FATA	Recommended for promotion to the post of Assistant B-16 on regular basis.
143	Mubarak Hussain	GHSS Spin D'and Bara Khyber	02/10/1962	FATA	Recommended for promotion to the post of Assistant B-16 on regular basis.
144	Abdul Majid	GGHSS Ghallani Mohmand	16/03/1964	FATA	Recommended for promotion to the post of Assistant B-16 on regular basis.
145	Asmatullah	RITE (F) Charsadda	01/05/1966	Charsadda	Recommended for promotion to the post of Assistant B-16 on regular basis.
146	Muhammad Parvez	DCTE Abbottabad	20/04/1961	Abbottabad	Recommended for promotion to the post of Assistant B-16 on regular basis.
147	Ismail Khan		14/01/1963	FATA	Died
148	Aftab Rahman	DEO Mohmand	07/05/1964	Mohmand	Recommended for promotion to the post of Assistant B-16 on regular basis.
149	Gul Faraz	GHS Gutshan Jan Kot NWA	05/06/1963	FATA	Recommended for promotion to the post of Assistant B-16 on regular basis.
150	Mukhtiar Ahmad		05/12/1959	Peshawar	Died
151	Ajab Gul		12/04/1967	FATA	Deferred for want of documents
152	Syed Jalal Hussain		10/04/1962	FATA	Deferred for want of documents
153	Wali Ur Rahman	GHSS Gardai Bajaur	10/02/1963	Bajaur	Recommended for promotion to the post of Assistant B-16 on regular basis.
154	Hashmatullah		08/11/1960	Peshawar	Deferred for want of documents
155	Inayatullah	GGHSS Landi Kot Khyber Agency	15/12/1963	FATA	Retired
156	Tahir Iqbal	Directorate of E&SE	21/01/1968	Peshawar	Deferred due to seniority dispute.
157	Arshad Munir	Directorate of E&SE	10/05/1967	Peshawar	Deferred due to seniority dispute.
158	Nisar Ahmad	SDEO (F) Dir Upper	01/01/1967	Dir (U)	Recommended for promotion to the post of Assistant B-16 on regular basis.
159	Muhammad Irfan	DEO (F) Malakand	16/01/1963	Malakand	Recommended for promotion to the post of Assistant B-16 on regular basis.
160	Namdar Ali	GGHSS Kundu Swabi	25/05/1963	Swabi	Recommended for promotion to the post of Assistant B-16 on regular basis.
161	Mohammad Zia	DEO (M) Swabi	04/01/1964	Swabi	Recommended for promotion to the post of Assistant B-16 on regular basis.
162	Faizur Rehman	GGHSS Topi Swabi	04/02/1967	Swabi	Recommended for promotion to the post of Assistant B-16 on regular basis.
163	Hukani Khan	GHSS Ismaila Swabi	10/05/1967	Swabi	Recommended for promotion to the post of Assistant B-16 on regular basis.
164	Yahya Gul	GCMHSM Swabi	13/04/1968	Swabi	Recommended for promotion to the post of Assistant B-16 on regular basis.
165	Hakimeen Khan	GHSS Mansabdar Swabi	22/01/1969	Swabi	Recommended for promotion to the post of Assistant B-16 on regular basis.
166	Muhammad Ayub	GGHSS AmnKhel Tank	10/05/1970	Tank	Recommended for promotion to the post of Assistant B-16 on regular basis.
167	Tahir Mehmood	RITE (F) Kohat	06/03/1973	Kohat	Deferred due to wrongly entered/ placed in the seniority. His correct seniority is to be determined later on.
168	Rashid Ahmad	Retired	22/02/1963	Swat	Retired
169	Muhammad Aslam		07/04/1961	Lakki	Recommended for promotion to the post of Assistant B-16 on regular basis.

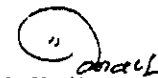
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Sr No	Name	Address	Date of Birth	Domicile	Decision of the Committee
170	Rafiq Ullah		04/02/1969	Lakki	Deferred for want of documents
171	Navab Ali Khan	GHSS Masha Mansoor Lakki	01/12/1965	Lakki	Recommended for promotion to the post of Assistant B-16 on regular basis.
172	Talwar Khan	DEO (M) Kohistan Lower	02/02/1974	Kohistan	Recommended for promotion to the post of Assistant B-16 on regular basis.
173	Inayatullah Rahman	GHSS Bankad Kohistan	02/01/1975	Kohistan	Recommended for promotion to the post of Assistant B-16 on regular basis.
174	Gul Shazada	DIO (F) Kohistan	01/01/1971	Kohistan	Recommended for promotion to the post of Assistant B-16 on regular basis.
175	Mohammad Nawaz	SDEO (F) Upper Kohistan	03/06/1971	Kohistan	Recommended for promotion to the post of Assistant B-16 on regular basis.
176	Noorul Hadi	DIO (M) Kohistan	01/06/1972	Kohistan	Recommended for promotion to the post of Assistant B-16 on regular basis.
177	Didar Khan	DEO (M) Kohistan Upper	15/04/1975	Kohistan	Recommended for promotion to the post of Assistant B-16 on regular basis.
178	Shir Dad	GHSS Dadkot Kohistan	13/11/1975	Kohistan	Recommended for promotion to the post of Assistant B-16 on regular basis.


The meeting ended with the vote of thanks from & to.

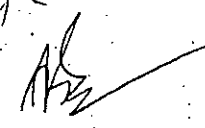

 (Mr. Muhammad Raquaz)
 Section Officer (Primary)
 Representative of Administrative Department
 E&SE, Khyber Pakhtunkhwa, Peshawar


 (Mr. Iftikhar Ahmad Shamoza)
 Director (PE&S)
 E&SE, Khyber Pakhtunkhwa, Peshawar


 (Mr. Hanif Ur Rehman)
 Additional Director (NMD)
 E&SE, Khyber Pakhtunkhwa, Peshawar


 (Mr. Umar Nawaz)
 Deputy Director (F&A)
 E&SE, Khyber Pakhtunkhwa, Peshawar


 (Dr. Hafiz Muhammad Ibrahim)
 DIRECTOR
 Elementary & Secy: Education, Peshawar

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**THE 'KHYBER' PAKHTUNKHWA CIVIL SERVANTS
(APPOINTMENT, PROMOTION & TRANSFER) RULES, 1989**

**PART-I
GENERAL**

1. **Short title and commencement:** - (1) These rules may be called the ²[Khyber Pakhtunkhwa] Civil Servants (Appointment, Promotion and Transfer) Rules, 1989.

(2) They shall come into force at once.

2. **Definitions:-**(1) In these rules, unless the context otherwise requires:-

(a) "Appointing Authority" in relation to a post, means the persons authorized under rule 4 to make appointment to that post;

(b) "Basic Pay Scale" means the Basic Pay Scale for the time being sanctioned by Government, in which a post or a group of posts is placed;

(c) "Commission" means the ³[Khyber Pakhtunkhwa] Public Service Commission;

⁴(d) "Departmental Promotion Committee" means a committee constituted for making selection for promotion or transfer to such posts under a Department, or offices of Government, which do not fall within the purview of the Provincial Selection Board;

⁵(dd) "Departmental Selection Board" means a Board constituted for the purpose of making selection for initial recruitment /appointment to posts under a Department or office of Government in Basic Pay Scale 17 not falling within the purview of the Commission:

Provided that more than one such committees may be constituted for civil servants holding different scales of pay".

(e) "Departmental Selection Committee" means a committee constituted for the purpose of making selection for initial appointment to posts under a department, or office of Government [in Basic Pay Scale 17 and below not falling within the purview of the Commission];

(f) "Post" means a post sanctioned in connection with the affairs of the Province, but not allocated to all Pakistan Unified Grades; and

¹ For the words "NWFP" or "North-West Frontier Province", wherever occurred, the words "Khyber Pakhtunkhwa" substituted by the Khyber Pakhtunkhwa Laws (Amendment) Act, 2011 (Khyber Pakhtunkhwa Act No. IV of 2011) published in the Khyber Pakhtunkhwa Government Gazette Extraordinary dated 2nd April, 2011

² Sub. by the Khyber Pakhtunkhwa Act No. IV of 2011.

³ Sub. by the Khyber Pakhtunkhwa Act No. IV of 2011.

⁴ Substituted by Clause (d) of sub-rule (1) of Rule 2 vide Notification No. SOR-I (S&GAD) 4-1/80 (Vol-II) dated 14-01-92.

⁵ Clause (dd) added by Notification No. SOR-III (S&GAD) 2-7/86, dated 8-12-1994

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⁶(g) "Provincial Selection Board" means the Board constituted by Government for the purpose of selection of civil servants for promotion or transfer to posts in respect whereof the appointing authority under rule 4 is the Chief Minister and shall consist of such persons as may be appointed to it by Government from time to time.

(2) Words and expressions used but not defined in these rules shall have the same meanings as are assigned to them in the ⁷[Khyber Pakhtunkhwa] Civil Servants Act, 1973 (⁸[Khyber Pakhtunkhwa] Act XVIII of 1973) or any other statutory order or rules of Government for the time being in force.

3. **Method of Appointment:-** (1) Appointment to posts shall be made by any of the following methods, namely:-

(a) by promotion or transfer in accordance with the provisions contained in Part-II of these rules; and

(b) by initial recruitment in accordance with the provisions contained in Part-III of these rules.

(2) The method of appointment, qualifications and other conditions applicable to a post shall be such as laid down by the Department concerned in consultation with the ⁹Establishment and Administration Department and the Finance Department.

4. **Appointing Authority:-** The authorities competent to make appointment to posts in various basic pay scales shall be as follows:-

S.No.!	Posts !	Appointing Authority
¹⁰ 1. (a)	Posts in Basic Pay Scale 18 and above including posts in Basic Pay Scale 17 borne on any of the following services; (i) Former Provincial Civil Service (Executive Branch); (ii) Former Provincial Civil Service (Judicial Branch); and (iii) Provincial Civil Secretariat Service.	Chief Minister
	¹¹ (b) Posts in Basic Pay Scale 17	Chief Secretary

⁶ Clause (g) substituted by Notification No. SOR-I(S&GAD) 4-1/80/II, dated 14-01-1992.

⁷ Sub. by the Khyber Pakhtunkhwa Act No. IV of 2011.

⁸ Sub. by the Khyber Pakhtunkhwa Act No. IV of 2011.

⁹ For the words "Services and General Administration" wherever occurred, substituted with the words "Establishment and Administration" by Notification No. SO(O&M) E&AD/8-6/2001 dated 30-05-2001.

¹⁰ Substituted by Notification No. SOR-I(S&GAD)4-1/75/Vol-I, dated 22-08-1991..

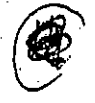
¹¹ Substituted by Notification No. SOR-III(E&AD)2(144)03 dated 16-09-2003.

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other than those covered by
(a) above and the post of
Deputy Superintendent of
Police; and.

¹²(c) Posts of Deputy Superintendents of Police. Provincial Police Officer/
Inspector General of Police.

2. Posts in Basic Pay Scale 16.

(a) In the case of Secretariat of the Government of ¹³[Khyber Pakhtunkhwa], the Chief Secretary.

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¹² Inserted by Notification No. SOR-III(E&AD)2(144)03 dated 16-09-2003.

¹³ Sub.by the Khyber Pakhtunkhwa Act No. IV of 2011.

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(b) In case of High Court, the Chief Justice; and

(c) In the case of Attached Department:

(i) the Head of Attached Department concerned; and

(ii) In any other case the Secretary of the Department concerned.

3. Posts in Basic Pay Scales 3 to 15.

(a) In the case of civil Servants borne on ministerial establishment of Civil Courts subordinate to High Court, the officer authorized as such by the Chief Justice; and

(b) In other cases

(i) an officer declared under the relevant Delegation of Powers Rules, which shall to this extent be deemed as operative; or

(ii) Where no such appointing authority has been declared, the Secretary to Government or the Head of an Attached Department/ Office, as the case may be.

4. posts in Basic pay Scale 1 and 2.	Deputy Secretary incharge of Administration or office, as the care may be
--------------------------------------	---

5. ¹⁴Departmental Promotion & Selection Committee/Board- (1) In each Department or office of Government there shall be one or more Departmental Promotion Committee and Departmental Selection Committee ¹⁵(or, as the case may be, Departmental Selection Board), the composition of which shall be determined by the Establishment and Administration Department or the Department in consultation with the Establishment and Administration Department.

(2) Each such Committee (or the Board, as the case may be), shall consist of at least three members, one of whom shall be appointed as Chairman.

¹⁴ The heading of rule 5 substituted by Notification No. SOR-I(S&GAD)2-7/86, dated 8-12-1994.

¹⁵ The words inserted by Notification No. SOR-III(S&GAD)2-7/86, dated 8-12-1994

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16. **Procedure when recommendation is not accepted:-** When an appointing authority for Basic Pay Scale 17 or below does not accept the recommendation of a Departmental Promotion or Selection Committee, or the Departmental Selection Board, as the case may be, it shall record its reasons and obtain order of the next higher authority.

PART-II

APPOINTMENT BY PROMOTION OR TRANSFER

7. **Appointment by Promotion or Transfer.** ¹⁷(1) Except as otherwise provided in any service rules for the time being in force, appointment by promotion or transfer to posts in respect whereof the appointing authority under rule 4 is the Chief Minister shall ordinarily be made on the recommendation of the Provincial Selection Board and promotion and transfer to posts other than those falling within the purview of the Provincial Selection Board shall ordinarily be made on the recommendation of appropriate Departmental Promotion Committee".

(2) Appointment by transfer shall be made from amongst the persons holding appointment on regular basis in the same basic pay scale, in which the posts to be filled, exist.

(3) Persons possessing such qualifications and fulfilling such conditions as laid down for the purpose of promotion or transfer to a post shall be considered by the Departmental Promotion Committee or the Provincial Selection Board for promotion or transfer, as the case may be.

(4) No promotion on regular basis shall be made to posts in Basic Pay Scale 18 to 21 unless the officer concerned has completed such minimum length of service as may be specified from time to time.

¹⁸(5) If on an order of promotion or before promotion any civil servant declines in writing, to accept promotion, such civil servant shall not be considered for such promotion for the next four years following order.

Provided that if he declines to avail the benefit of promotion for the second time, then he shall stand superseded permanently for such promotion.

8. **Inter-Provincial Transfer:-**(1) Persons holding appointment in BPS 1 to 15 under Federal Government and other Provincial Government may, in deserving cases, be transferred to equivalent posts under these rules:-

Provided that:-

- (i) the Federal Government or the Government of the Province concerned, as the case may be, has no objection to such a transfer;
- (ii) the person seeking transfer possesses the requisite qualification and experience and the post to which his transfer is intended can, under the rules, be filled by transfer;
- (iii) the person concerned holds appointment to the post in his parent Department on regular basis;

¹⁶ Rule-6 substituted by Notification No. SOR-III(S&GAD)2-7/86, dated 8-12-1994

¹⁷ Sub rule (1) substituted by Notification No. SOR-I(S&GAD)4-1/80/II, dated 14-01-1992.

¹⁸ Sub rule (5) inserted by Notification No. SOR-VI(E&AD)1-3/2009/Vol-VIII, dated 22-10-2011.

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BEFORE PESHAWAR HIGH COURT MINGORA
BENCH / DARUL QAZA SWAT

COC No. _____/2022

In

Writ Petition No. 1266-M/2020

Muhammad Afzal Son of Amir Salam Khan Resident
of Mingora, Tehsil Babozai District Swat. (Retired
Senior Clerk Education Department)

.....Petitioner

VERSUS

1) Muatasim, Billah Secretary Elementary & Secondary
Education Government of Khyber Pakhtunkhwa at
Civil Secretariat Peshawar.

2) Hafiz Ibrahim Director Elementary & Secondary
Education Government of Khyber Pakhtunkhwa at at
Civil Secretariat Peshawar.

.....Respondents

APPLICATION UNDER ARTICLE 204 OF THE
CONSTITUTION OF ISLAMIC REPUBLIC OF
PAKISTAN 1973, READ WITH SECTION 3 & 4
OF THE CONTEMPT OF COURT ORDINANCE
2003 FOR INFLATING CONTEMPT OF COURT

(55)

PROCEEDINGS AGAINST THE CONTEMNORS/
RESPONDENTS.

Respectfully Sheweth:

- 1) That the Petitioner filed a writ petition No. 1266-M/2020 with interim relief before this Honorable Court. (Copy of writ petition is attached as annexure "A").
- 2) That this Honorable Court vide order and judgment Dated: 26/10/2021 directed the Respondents to decide the departmental appeal of the Petitioner within one month positively. (Copy of order and judgment Dated: 26/10/2021 is attached herewith as annexure "B").
- 3) That the Petitioner then submitted an application Dated: 23/12/2021 before the Respondent No.2 for implementation of the said order of this Honorable Court. (Copy of application Dated: 23/12/2021 is attached as annexure "C").

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4) That despite the repeated submissions of the Petitioners, the Respondents are reluctant to obey the orders of this Honorable Court.

5) That the Respondents are not complying with the orders of this Honorable Court and are intentionally disobeying the orders of this August Court, hence the present Contempt of Court Application inter alia on the following grounds.

Grounds:-

- a) That the actions and inaction of Respondents are illegal, unlawful and violation of the orders, passed by this Honorable Court.
- b) That the Respondents / Contemnors have very blatantly and intentionally violated the orders of this Honorable Court, and are liable to be punished in accordance with law.
- c) That the orders of this Honorable Court have been brought in the knowledge of Respondents and they are well aware of the said orders, but despite that, they are reluctant to obey the said orders.
- d) That the action and inactions of the Respondents are illegal, unlawful, without lawful authority, against the norms of justice,

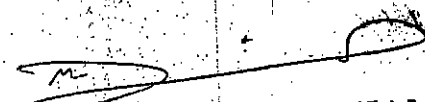
thus the Respondents be directed to act in accordance with law rules, and regulations.

- e) That the Petitioner has been deprived of their fundamental legal rights which are enshrined in the Constitution of Islamic Republic of Pakistan, 1973.
- f) That other grounds will be raised at the time of arguments with prior permission of this Honorable Court.

It is therefore humbly prayed that by accepting the instant petition Respondents / Contemnors be punished for abusing, disobeying and creating illegal obstructions in the implementations of the decision / order and judgment Dated: 26/10/2021 of this Honorable Court.

Any other remedy which is just and appropriate may also be awarded in favor of the Petitioner against the Respondents/ Contemnors.

Petitioner
Through Counsel


 MUHAMMAD JAVAID KHAN
 Advocate Supreme Court
 of Pakistan

(58)

BEFORE THE PESHAWAR HIGH COURT,
MINGORA BENCH / DAR-UL-QAZA AT SWAT

COC No. _____/2022

In

Writ Petition No. 1266-M/2020.

Muhammad Afzal

..... Petitioner

VERSUS

Muatasim Billah and other

..... Respondents.

CERTIFICATE

Certified that no other such COC is pending on the same subject matter or decided by this August Court or any other competent court between the parties. Moreover, a notice in respect of institution of the instant COC.

M. Z. ead
Petitioner

Through Counsel

M. Z. ead
MUHAMMAD JAVAID KHAN
Advocate Supreme Court
of Pakistan

(59)

BEFORE THE PESHAWAR HIGH COURT,
MINGORA BENCH / DAR-UL-OAZA AT SWAT

COC No. _____/2022

In

Writ Petition No. 1266-M/2020

Muhammad Afzal

Petitioner

VERSUS

Muatasim Billah and other

Respondents

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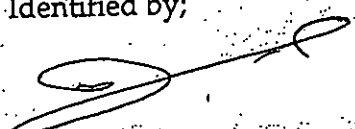
It is hereby stated oath that the contents of this COC are true and correct to the best of my knowledge and belief and nothing has been kept concealed from this August court.

Deponent


Muhammad Afzal

CNIC No. 15602-7985200-3

Identified by;


MUHAMMAD JAVAID KHAN
Advocate Supreme Court
of Pakistan

(60)

BEFORE THE PESHAWAR HIGH COURT,
MINGORA BENCH / DAR-UL-OAZA AT SWAT

COC No. _____/2022

In

Writ Petition No. 1266-M/2020

Muhammad Afzal

..... Petitioner

VERSUS

Muatasim Billah and other

..... Respondents

MEMO OF ADDRESSES

Addresses of Petitioner:

Muhammad Afzal Son of Amir Salam Khan Resident of Mingora, Tehsil Babozai District Swat. (Retired Senior Clerk Education Department).

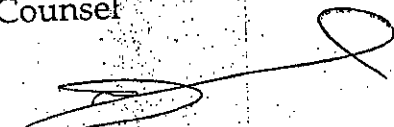
CNIC No. 15602-7985200-3

Cell: 0341-9870062

Address of Respondent:

- 1) Muatasim Billah Secretary Elementary & Secondary Education Government of Khyber Pakhtunkhwa at Civil Secretariat Peshawar.
- 2) Hafiz Ibrahim Director Elementary & Secondary Education Government of Khyber Pakhtunkhwa at at Civil Secretariat Peshawar.

Petitioner
Through Counsel


MUHAMMAD JAVAID KHAN
Advocate Supreme Court
of Pakistan

Annex "I"

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GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

NOTIFICATION

The Peshawar Dated 25th October, 2022

No.SO(PE)/2-1/2022 Appeal /Muhammad Afzal S/C: -

1. WHEREAS, Muhammad Afzal, was initially appointed as Junior Clerk (BS-05) dated 05-09-1985 and, later on, he was promoted as Senior Clerk (BS-07) on 17-06-2008.
2. WHEREAS, the petitioner was asked to furnish Confidential Report in 2018 and other relevant documents for the promotion to the post of Assistant (BS-16) he submitted the same to the concerned office. As the petitioner was at serial No-299 in the final seniority list.
3. WHEREAS, the Departmental promotion Committee called its meeting on 27th November 2019, but the petitioner was dropped from promotion due to his retirement on 04th April 2019. The promotion order was issued on 10th December 2019.
4. WHEREAS, the petitioner being aggrieved, filed an appeal to appellate authority but no response was received. So, the petitioner, having no other efficacious remedy filed the instant petition in the honorable Peshawar High Court Mingora Bench (Dar-UI-Qaza) Swat.
5. WHEREAS, the honorable Peshawar High Court Mingora Bench (Dar-UI-Qaza) Swat directed respondent No-1 Secretary Elementary & Secondary Education Department Khyber Pakhtunkhwa to Decide the subject petition as departmental Appeal/ Presentation within shortest possible time.
6. WHEREAS, The Petitioner was heard in person. He did not provide any documents or evidence to prove his claim. He admitted that he was retired on 04th April 2019 while the Departmental Promotion Committee meeting was held on 27th November 2019, as such, he has no right to be promoted after his retirement.
7. NOW, THEREFORE, in view of the available record, factual position, documents and personal hearing, the instant appeal is rejected.

SECRETARY

Endst: No & date even:

Copy forwarded to:

1. The Registrar, Peshawar High Court Mingora Bench (Dar-UI-Qaza) Swat.
2. The Director, Elementary & Secondary Education, Khyber Pakhtunkhwa Peshawar.
3. The District Education Officer (M), District Swat.
4. Section officer litigation-III E&SE Department.
5. The PS to Secretary, Elementary & Secondary Education Department
6. The PA to Deputy Secretaries (AB/ Legal) Elementary & Secondary Education Department
7. Muhammad Afzal Ex- Senior Clerk office of DEO(M) Swat.

Received by
on 7/12/2022
4 p.m as DEO Swat.
MBal
11/12/2022 l.p.m.

SECTION OFFICER (PRIMARY)

27/10/22

Annex "K"

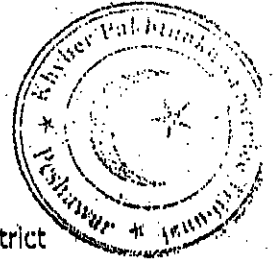
62

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 7593/2021

Date of Institution ... 14.10.2021

Date of Decision ... 21.01.2022



Taj Noor Son of Said Noor R/o Hero Shah Gandero Shah, Tehsil Dargal District Malakand. ... (Appellant)

VERSUS

Government of Khyber Pakhtunkhwa through Chief Secretary Government of Khyber Pakhtunkhwa at Civil Secretariat Peshawar and others. ... (Respondents)

Farhad Ali Shah
Advocate ... For Appellant

Asif Masood Ali Shah,
Deputy District Attorney ... For respondents

AHMAD SULTAN TAREEN ... **CHAIRMAN**
ATIQU-UR-REHMAN WAZIR ... **MEMBER (EXECUTIVE)**

JUDGMENT

ATIQU-UR-REHMAN WAZIR MEMBER (E):- Brief facts of the case are

that the appellant was appointed as Additional Government Pleader/Additional Public Prosecutor in law department vide order dated 28-11-1998, who later on was promoted to BPS-18 as Public Prosecutor, subsequently to BPS-19 but was left out in promotion to BPS-20, against which the appellant filed departmental appeal dated 18-07-2018, which was rejected. The appellant filed Writ Petition No. 1089-M/2018, which was disposed of vide judgment dated 01-12-2020, was treated as departmental appeal and was referred to respondents for necessary action as per law. The respondents rejected such departmental appeal vide order dated 25-06-2021. Feeling aggrieved, the appellant again filed Writ Petition No. 759-M/2021, which was disposed of vide judgment dated 28-09-2021 and was

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PESHAWAR HIGH COURT, MINGORA BENCH
(DAR-UL-QAZA), SWAT

FORM OF ORDER SHEET

Court of

Case No of

Serial No. of order or proceeding	Date of Order or Proceedings	Order or other Proceedings with Signature of Judge and that of parties or counsel where necessary.
1	2	3
	26.10.2021	<p><u>W.P 1266-M/2020</u></p> <p>Present: Syed Abdul Haq, Advocate for the Petitioner.</p> <p>Mr. Razauddin Khan, A.A.G for the official Respondents.</p> <p>***</p> <p><u>ISHTIAQ IBRAHIM, J.</u>- This petition under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973, has been filed by the petitioner with the following prayer;</p> <p>“It is, therefore, humbly prayed that on acceptance of the instant writ petition, this Hon’ble Court may please</p> <ol style="list-style-type: none"> 1. To declare the impugned action taken in conduct demonstrated by the respondent by not considering the petitioner for proforma promotion as illegal, without lawful authority and of no legal effect; and 2. To direct the respondent to consider the petitioner for proforma promotion according to law and to give him his rights available to him in law alongwith all back benefits included arrears of salary and other emoluments with effect from his entitlement. 3. Any other relief which this Hon’ble Court deems fit and proper in the circumstances may also be very kindly granted.” <p>2. Record shows that the departmental appeal/ representation filed by the petitioner is still pending</p>

Sabz Ali* (D.B)

HON'BLE MR. JUSTICE ISHTIAQ IBRAHIM
HON'BLE MR. JUSTICE S.M ATTIQUE SHAH

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adjudication before respondent No.1. i.e. Secretary to Government of Khyber Pakhtunkhwa Elementary & Secondary Education. Learned counsel for the petitioner also stated at he would be satisfied if respondent No.1 is directed to decide said departmental appeal/representation of the petitioner within a shortest possible time. In this view of the matter, respondent No.1 is directed to decide the departmental appeal/representation of the petitioner in accordance with law, within one month positively after receipt of the copy of this order. Office is directed to send a copy of this order to respondent No.1 for compliance.

3. This writ petition is disposed of accordingly in the above terms.

Announced
26.10.2021

JUDGE

JUDGE

referred to this tribunal being the proper forum for the issue in hand. The appellant has prayed that he may be granted notional promotion alongwith all back benefits including pensionary benefits from the date of entitlement i.e. 28-11-2015.

02. Learned counsel for the appellant has contended that filing/rejection of the departmental appeal of the appellant for notional promotion vide impugned order dated 25-06-2021 is illegal, unlawful and un-constitutional and in violation of Article-4, 10A, 25,38,260,264 alongwith other Articles of the Constitution; that promotion of the appellant to the post of BPS-20 was deferred due to non-availability of PER for the year 2016, the same however, were timely submitted to the respondent No 5 and documentary proof to this effect is available on record; that the appellant was entitled for promotion to BPS-20 in that time, but it was due to laxity on part of the respondents that the appellant was kept deprived of his legal right; that it was responsibility of the respondents to inform the appellant of the shortcomings in the forthcoming PSB, but the respondents kept the appellant ignorant of such situation; that negligence on part of the respondents shall not be attributed to the appellant and the appellant may not be punished for follies of the respondents; that the appellant during the course of litigation reached his age of superannuation dated 03-03-2019 and retired from service; that now the appellant is entitled to be given proforma/notional promotion with effect from the date of his entitlement i.e. 28-11-2015

03. Learned Deputy District Attorney for the respondents has contended that the appellant is praying for his promotion to BPS-20, whereas the appellant reached his age of superannuation on 03-03-2019, hence his appeal may be dismissed being infructuous; that the appellant was at serial No. 12 of the seniority list during the course of promotion, hence he was not the senior most amongst his colleagues; that departmental appeal of the appellant was properly examined but was found devoid of merit, hence was rejected; that the appellant

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 By: _____
 Deputy District Attorney

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 By: _____
 Deputy District Attorney

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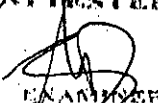
reached his age of superannuation, otherwise he would have been promoted in the forthcoming PSB.

04. We have heard learned counsel for the parties and have perused the record.

05. Record would reveal that the appellant fought a long legal battle for his promotion to BPS-20 but could not succeed during service. The appellant knocked at the door of Honorable High Court Peshawar for his promotion to BPS-20 and his petition was converted into departmental appeal, which was considered by the respondents but was rejected on the grounds that case of the appellant for promotion to BPS-20 was deferred by Provincial Selection Board (PSB) in its meeting held on 26-02-2018 due to non-availability of his PER for the year 2016 and until meeting of next PSB was convened, the appellant reached his age of superannuation, hence he was not entitled for notional promotion under promotion policy 2009. It is un-disputed that the appellant was considered for promotion but was deferred due to want of PER, but the appellant cannot in any way be held responsible for such deficiency and was wrongly denied promotion as providing PER of the petitioner to the promotion board was responsibility of the respondents, hence we see no reason why this appeal should not be accepted.

06. Record would suggest that appellant was at serial No 12 and promotions were made including his colleagues as well as juniors but the appellant was deferred for a reason, which cannot be attributed to the appellant. As per practice in vogue, deficiency if any is met out well before meeting of the PSB. Record would show that the appellant had already submitted his PER to the office of respondent No 5 and it was his responsibility to make it available to PSB. Nothing is available on record to show that the appellant was not fit for promotion nor any other reason is assigned by the respondents in their comments.

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 EXAMINER
 Kayhan Peshawar
 Service Tribunal
 Peshawar


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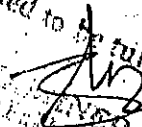
07. We are of the considered opinion that the appellant has not been treated in accordance with law, as his case for promotion was deferred for want of PER; meaning thereby, that he was entitled for promotion at that point of time but was ignored for a reason beyond his control. The appellant having retired meanwhile, was entitled to all benefits, which would have accrued to him in case he had been promoted in the relevant year on the recommendation of promotion board.

08. In view of the forgoing discussion, the instant appeal is accepted. The appellant is held entitled to proforma promotion from the date, his other colleagues/juniors were promoted alongwith all consequential benefits. Parties are left to bear their own costs. File be consigned to record room.

ANNOUNCED
21.01.2022


(AHMAD SULTAN TAREEN)
CHAIRMAN


(ATIQ-UR-REHMAN WAZIR)
MEMBER (E)

Certified to be true copy

Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Date of Presentation of Application 24-01-22
Number of Words 1600
Copying Fee 18/-
Urgent -
Total 18/-
Name of Applicant _____
Date of Completion of Copy 11-4-22
Date of Delivery of Copy 18-5-22

1973 S C M R 304

Present : Muhammad Yaqub Ali and Waheeduddin Ahmad, JJ

C. P. S. L. A. No. 366 of 1972

THE PROVINCE OF THE PUNJAB THROUGH THE
SECRETARY, SERVICES AND GENERAL ADMINISTRATION,
LAHORE—Petitioner

versus

Syed MUHAMMAD ASHRAF—Respondent

C. P. S. L. A. No. 367 of 1972

THE PROVINCE OF THE PUNJAB THROUGH THE
SECRETARY, SERVICES AND GENERAL ADMINISTRATION,
LAHORE—Petitioner

versus

Syed MAZHAR HUSSAIN RIZVI AND 2 OTHERS—Respondents

C. P. S. L. A. No. 79 of 1973

THE SECRETARY TO THE GOVERNMENT OF WEST
PAKISTAN (NOW PUNJAB PROVINCE), IRRIGATION AND
POWER DEPARTMENT, LAHORE—Petitioner

versus

MUHAMMAD SHAFIQ—Respondent

Civil Petitions for Special Leave to Appeal Nos. 366, 367 of 1972 and 79 of 1973, decided on 25th April 1973.

(On appeal from the judgment and orders of the Lahore High Court, dated the 12th May 1972 in L. P. As. Nos. 68 and 67 of 1972 and W. P. No. 1691-S of 1968).

Civil services—Arrears of salary—Civil servant for no fault of his own, wrongly prevented from rendering service to State to higher post to which he was admittedly entitled—Should be given salary for the higher post.

Kamal Mustafa Bokhary, Assistant Advocate-General Punjab (Mohammad Ashraf, Advocate with him) instructed by Sh. Ijaz Ali, Advocate-on-Record for Petitioners (In all the Cases).

Nemo for Respondents.

Date of hearing: 25th April 1973.

ORDER

WAHEEDUDDIN AHMAD, J.—This order will dispose of Civil Petitions Nos. 366 and 367 of 1972 and 79 of 1973, in which common question of law is involved.

The respondents are members of the Ministerial Services of the Punjab Province who had rendered war service during the Second World War. On their representations, the seniority and other benefits under the rules relating to concession of war service to ex-servicemen was made. It was ordered that respondent in Civil Petition No. 366 of 1972 will be treated as substantive permanent senior clerk from the 14th October 1955 and as Assistant from the 3rd of August, 1960 respectively. His salary as Senior Clerk and as an Assistant will be fixed from the date of his promotion and he shall also be entitled to the arrears of pay on this account.

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In Civil Petition No. 367 of 1972, the respondents were found by the petitioner to have been deemed to be appointed against reserved vacancies and thus eligible to the benefit of their seniority on account of their war service in accordance with the provisions of the Punjab Government Service (War) Amendment Rules, 1943, read with the Punjab Government Service (War) Amendment Rules (West Pakistan Repeal) Ordinance, 1963 and an order was passed on the 27th June 1968, wherein the dates on which they would have been promoted to higher ranks, if their war service had been counted towards the seniority from the very beginning, were indicated and the dates of pro forma promotion on that basis were also mentioned.

In Civil Petition No. 79 of 1973, the respondent claimed that he was employed as a temporary Clerk with the Controller of Military Accounts on the 12th November 1941 and was relieved on the 26th November 1946 for taking up appointment as Second Grade Clerk on the 27th November 1946 in the Irrigation Department of the Punjab Government. He made a representation to the Departmental Authorities for the grant of war service benefit to him. During the pendency of the writ petition, an order was passed by the Secretary, Irrigation and Power Department in March 1969, allowing the respondent the benefit of war service from 12th November 1941 to 15th August 1945 assigning him seniority in accordance with such benefit as also allowing him pro forma dates of promotion with the direction that his pay in the grade of Assistant and Superintendent will be fixed with reference to the assumed dates of his promotion to the said grades.

In all the petitions, the petitioners allowed the arrears of pay for the period for which the respondents actually performed the duties of the respective posts from the assumed dates of appointments. The respondents challenged this order in Writ Petitions Nos. 129 of 1967, 716 of 1967 and 1691-S of 1968 respectively. They claimed arrears of pay on the basis of assumed dates of promotions. In Civil Petition No. 366 of 1972, the order dated the 7th August, 1965 was amended by another order passed on the 26th March 1966. The effect of the last mentioned order was that the respondent was held entitled to the arrears of pay only for the actual period of duty performed on the higher posts. In Writ Petition No. 129 of 1967, it was held that the respondent was entitled to receive Rs. 11,671.78 minus the amount already paid to him towards the arrears of salary. Writ Petition No. 716 of 1967 was also allowed on the 11th February 1971. It was held that the respondents were entitled to arrears of pay as claimed by them. Writ Petition No. 1691-S of 1968 was accepted on the 12th December 1972.

The respondent was directed to rectify the mistake in assumed dates of his promotions and also allowing him the benefit of salary for the posts to which he is presumed to have been promoted under these assumed dates taking the 31st March 1946 as the terminal date of war service.

The petitioners challenged the first two orders in Letters Patent Appeals Nos. 67 and 68 of 1972 and both of them were dismissed by order dated the 12th May 1972. The petitioners seek permission to file an appeal against the said order passed in the above-mentioned appeals and Writ Petition No. 1691-S of 1968.

Mr. Kamal Mustafa Bokhary, learned Assistant Advocate General for the petitioners, has contended that the High Court has not properly appreciated the points involved in these cases and the respondents were not entitled to the arrears of salary in the grade against which they have never worked and that they were only entitled to the arrears of pay to which actually they performed the duties in all posts. In Civil Petition No. 366 of 1972, the learned Assistant Advocate-General, admitted that the first order was modified by another order passed on the 26th March 1968 without any show-cause notice to the respondent. This order, therefore is a nullity in the eye of law. In view of this the Department was bound to pay him salary as Senior Clerk and as an Assistant to be fixed from the date of his promotion in view of the order dated the 7th August 1965.

In Civil Petition No. 367 of 1972, we agree with the High Court that in the case of a servant who, for no fault of his own, is wrongly prevented from rendering service to the State in the higher post to which he is admittedly entitled he should be given salary for the higher post.

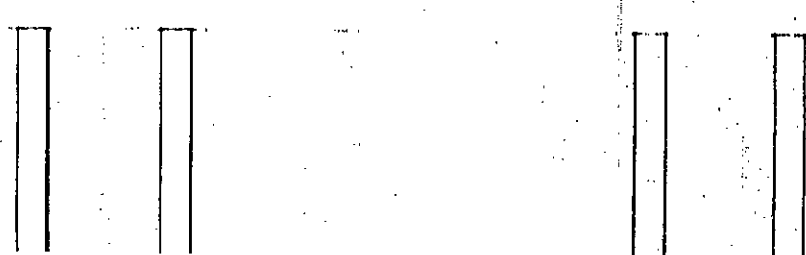
In Civil Petition No. 79 of 1973, we agree with the High Court that by a subsequent notification under the India and Burma (Termination of Emergency) Order, 1946 the termination of the Emergency was fixed on the 1st April 1946 and the petitioner was entitled to claim benefit of war service from the 12th November 1941 to the 31st March 1946 and the order denying him the benefit of service beyond 15th August 1945 up to 31st March 1946 is without lawful authority.

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After hearing the learned counsel for the petitioners, we are satisfied that the judgments of the High Court in all the three matters are correct and no exception can be taken to it. Accordingly, the petitions are dismissed.

Leave refused.

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1985 S C M R 1394

Presc: Muhammad Haleem, C.J., Shafiur Rahman, Zaffar Hussain Mirza and Mian Burhanuddin Khan, JJ

Syed SULTAN SHAH--Appellant

versus

GOVERNMENT OF BALUCHISTAN and another--Respondents

Civil Appeal No. 243 of 1978, decided on 20th March, 1985.

(On appeal from the judgment and order of the Baluchistan Service Tribunal, Quetta, dated 18-8-1977).

(a) Constitution of Pakistan (1973)---

---Art. 212(3)--Leave granted to examine whether after granting pro forma promotion to appellant, he was not wrongfully denied pay for period of pro forma promotion and whether Service Tribunal had not correctly decided his entitlement to arrears of pay for that period.

(b) Balochistan Civil Services Act (IX of 1974)--

---Ss.9 & 17--Civil service--Fundamental Rule, 17--Pro forma promotion- Arrears of pay--Entitlement for--Appellant subjected to disciplinary proceedings resulting in punishment--Successfully challenged in Civil Court--Restored to office, awarded pro forma promotion but denied arrears of pay under provision of Fundamental Rule 17--Order impugned--Held: Fact of pro forma promotion itself implies recognition of entitlement to be promoted from a date in post--Civil servant, who for no fault of his own is wrongfully prevented from rendering service to State in higher post to which he is admittedly entitled, should be given salary for higher post--Appellant, held, was entitled to salary in spite of provision of Fundamental Rule-17. --[Civil service],

Postmaster - General v. Muhammad Hasham P L D 1978 S C 61 and The Province of the Punjab v. Syed Muhammad Ashraf 1973 S CMR 304 ref.

Muhammad Bilal, Advocate Supreme Court and Imtiaz Muhammad Khan, Advocate-on-Record for Appellant.

Munnawar Ahmad Mirza, Advocate-on-Record for Respondents Nos. 1 and 2.

Date of hearing: 20th March, 1985.

JUDGMENT

SHAFIUR RAHMAN, J.--Leave to appeal was granted under Article 212(3) of the Constitution to examine whether after granting pro forma promotion to the appellant as Tehsildar from 26-10-1968 the appellant was not wrongfully denied the pay of the post of the Tehsildar for the period of pro forma promotion and whether the Service Tribunal Baluchistan had not correctly decided his entitlement to arrears of pay for that period.

2. The appellant was, holding the post of Naib-Tehsildar when he was subjected to disciplinary proceedings resulting in punishment awarded to him. He challenged it in the Civil Court and succeeded. Thereafter he was restored to office and his claim to pro forma promotion was also recognised in the following terms by Board of Revenue:-

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"In view of the facts narrated above and taking into consideration the advice of Services and General Admn: Deptt: the Member, Board of Revenue, Balochistan is pleased to order restoration of seniority to Mr. Sultan Shah as Tehsildar w.e.f. 26-10-1968 and place his name at S. No. 52-A i.e. between the names of Messrs Mohabat Khan Jogazai and Abdur-Rehman Shah in the tentative seniority List of Tehsildars as it stood on 28-2-1975. The above-named Tehsildar will not be entitled for arrear of pay etc. as a result of this pro forma promotion under F.R. 17 11

3. It is the last sentence in the order of the Board of Revenue which aggrieved the appellant who appealed to the Baluchistan Service Tribunal. The Service Tribunal dismissed his claim observing as follows:—

"In view, of above facts so narrated I would say in the nutshell that as defined under rule 17 of F.R. the appellant would not be entitled to arrears of pay etc. from 26-10-1968 in his capacity as Tehsildar. For the convenience of parties it would be seen that the rule 17 say that unless any exceptions specifically made in these rules sub-rule (2) an officer shall begin to draw the pay and allowances attached to his tenure of post from the date when he assumes the duties of that post.

In conclusion I would direct in my capacity as member of this Tribunal that appellant is not entitled to his claim under rule 17(i), Fundamental rule unless any exceptions specifically made in the rule/rules. I do not accept the claim on basis of above rule."

4. The learned counsel for the appellant contended that the order of pro forma promotion of the appellant was in fact a recognition of the assertion of the appellant that he was in all respects eligible for promotion and that he was wrongfully kept back and not promoted when he was due to be promoted. In such a situation after ordering pro forma promotion the appellant could not be denied the remuneration to which he was otherwise entitled. He has relied on Postmaster-General v. Muhammad Hasham P L D 1978 S C 61.

5. The learned Advocate-General, Baluchistan, has relied in support of the judgment of Service Tribunal entirely on the provisions of Fundamental Rule 17.

6. Fundamental Rule 17 invoked by the respondent and upheld by the Service Tribunal provides as follows:---

"F.R. 17.--(1) Subject to any exceptions specifically made in these rules and to the provisions of sub-rule (2), and officer shall begin to draw the pay and allowances attached to his tenure of a post with effect from the date when he assumed the duties of that post and shall cease to draw them as soon as he ceases to discharge those duties.

(2) The date from which a person recruited overseas shall commence to draw pay on first appointment shall be determined by the general or special orders of the authority by whom he is appointed."

Undoubtedly, this is the general law which must prevail in most of the ordinary cases. However, it cannot be invoked or pressed into service for justifying or partly justifying a wrongful act. The Courts will not permit the denial of the benefit, if it is found or is traceable to the wrongful act of the party itself. The effect of promotion is to recognize the fact that the official concerned was entitled to be promoted from a date in the past, that he was wrongfully deprived of it that the wrong must be redressed by giving him pro forma promotion and his due seniority a date in the past. The logical consequence of it is that all the ancillary benefits which follow the ante-dating of the promotion and seniority must be allowed to the official concerned unless, of course, there appears ex officio some justification for denying him such a benefit.

The impugned order passed by the Board of Revenue does not disclose any such justification or basis for depriving him of his remuneration in the higher grade. None is discernible from the record either.

7. The law on the point has already been laid down by this Court in The Province of Punjab v. Syed Muhammad Ashraf 1973 S C M R 304 and other connected cases in which pro forma promotion had been ordered and the

5/29/2020

1985 S C M R 1394

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officials concerned were not entitled to arrears of salary in the grade against which they had never worked. This Court approved the view taken by the High Court that in case a civil servant, who for no fault of his own is wrong prevented from rendering service to the State in the higher post to which he is admittedly entitled he should be given salary for the higher post. The decision fully governs the case in hand and the appellant was entitled to the salary in spite of Fundamental Rule 17.

8. It has been brought to our notice that the Government of Baluchistan has from the 17th of May, 1981 recognised this principle and given effect to it. Clause (ii) of the circular prescribes that when an official was under suspension or facing departmental enquiry on serious charges and his promotion had been deferred, eventually was exonerated of the charges and was given promotion from the date on which he would have otherwise been promoted, the Government servant may be granted pro forma promotion with financial benefit provided it could be held on the basis of his service record and performance that he would have been promoted on the due date but of the circumstances he was incorrectly treated as junior or was facing a departmental enquiry or was overlooked. The fact of pro forma promotion itself implies recognition of entitlement to be promoted from a date in the past.

9. In the circumstances and for the reasons we accept the appeal set aside the judgment of the Service Tribunal and allow the claim of the appellant to arrears of pay from the date of his pro forma promotion as Tehsildar. No order as to costs.

M. I. Appeal accepted.

بعدالت جناب سرورس سرسوتل جی کپیٹاں مقام لہستان اور برائے کیمپ کورٹ سوات سوات سوات

مورخہ 19 دسمبر 2022 منجانب ایڈووکیٹ

مقدمہ محمد افضل بنام حکومت بڈلیر حکمہ لہستان

دعویٰ سرورس سوات

جرم

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنے طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ آن مقام کیمپ کورٹ سوات کینڈا خیر اور خیران ایڈووکیٹ سہیل کورٹ اور محمد عابد جاوید ایڈووکیٹ کو مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ و تقرر ثالث و فیصلہ برحلف دینے جواب دہیا و اقبال دعویٰ اور درخواست ہر قسم کی تصدیق زر اور اس پر دستخط کرنے کا اختیار ہوگا۔ نیز بصورت عدم پیروی یا ڈگری ایک طرف اپیل کی برآمدگی اور منسوخ مذکور کے مکمل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنی ہمراہ یا اپنی بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی جملہ مذکورہ بالا اختیارات حاصل ہونگے اور اسکا ساختہ برواختہ منظور و قبول ہوگا۔ اور دوران مقدمہ میں جو خرچہ و ہرجانہ التوائے مقدمہ کے سبب سے ہوگا اسکے مستحق وکیل صاحب ہونگے۔ نیز بقایا و خرچہ کی وصولی کرتے وقت کا بھی اختیار ہوگا۔ اگر کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہونگے کی پیروی مقدمہ مذکور لہذا وکالت نامہ لکھ دیا کہ سند رہے

2022

ماہ دسمبر

المرقوم 19

العبد

گواہ شد

العبد

محمد افضل ایڈووکیٹ

العبد

گواہ شد

العبد

Attested & Accepted by
کیلیے منظور ہے

M. Javid Khan

کیمپ کورٹ سوات سوات سوات

بمقام