

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Service Appeal No. 833/2019

BEFORE: KALIM ARSHAD KHAN --- CHAIRMAN
MIAN MUHAMMAD --- MEMBER(E)

Syeda Mehnaz Bibi, PST, Govt. Girls Primary School Anar Banda, Tehsil Banda Daud Shah, District Karak.

Presently, Transferred (Under Wedlock Policy) to the Federal Directorate of Education Islamabad and posted in Islamabad Model School I-VIII Sector I-10/4 Islamabad..... (Appellant)

VERSUS

1. The Government of Khyber Pakhtunkhwa through Chief Secretary, Peshawar.
2. The Secretary Education School and literacy, Peshawar.
3. The Director Elementary and Secondary Education, Khyber Pakhtunkhwa Peshawar.
4. The Accountant General Khyber Pakhtunkhwa, Peshawar.
5. Pay Fixation party through Accountant General Khyber Pakhtunkhwa Peshawar.
6. District Education Officer Karak.
7. District Education Officer Banda Daud Shah Karak.
8. District Account Officer Karak.
9. Federal Directorate of Education through Director General, Rohtas Road G-9/4.....(Respondents)

Present:

MALIK USMAN RAHIM KHATTAK ,
Advocate, --- For Appellant.

MR. MUHAMMAD RIAZ KHAN PAINDAKHEL
Assistant Advocate General --- For respondents.

Date of Institution ... 10.06.2019
Date of hearing ... 30.05.2022
Date of Decision ... 03.06.2022

JUDGEMENT.

MIAN MUHAMMAD, MEMBER(E):- The service appeal has been instituted against the impugned correspondence of respondent No. 6 bearing No. 212 dated 08.01.2019 whereby request of the appellant for up-gradation from PST (BS-9) to (BS-12) and pay fixation submitted to the Honourable Chief Justice of Supreme Court of Pakistan was turned down

and her application was filed by the Human Rights Cell of august Supreme Court of Pakistan on 26.01.2019.

02. Brief facts, as per memorandum of appeal, are that the appellant was appointed as PST (BS-07) on 31.03.2004. While posted at GGPS Anar Banda District Karak, her services were acquired by the Federal Directorate of Education Islamabad and her deputation period was initially approved for three years on 10.08.2007 followed by extension for further two years on 21.07.2010. After 05 years of deputation period, her request for permanent absorption in the Federal Government under Wedlock Policy, was considered by the Provincial government and her services were placed at the disposal of Federal Directorate of Education Islamabad on permanent basis vide order dated 19.09.2013. The post of PST was upgraded to BS-09 with effect from 01.10.2007 and then from BS-09 to BS-12 with effect from 01.07.2012 by the Provincial government. The Federal Directorate of Education Islamabad through a letter dated 14.11.2014 approached respondents No. 6 for revised LPC and revised entries in Service Book of the appellant which was however not responded whereafter she approached the Human Rights Cell of august Supreme Court of Pakistan through an application and on the basis of report of respondent No. 6 submitted to the Human Rights Cell of august Supreme Court of Pakistan on 08.01.2019, application of the appellant was filed on 26.01.2019. Feeling aggrieved, the instant service appeal was instituted on 12.06.2019.

03. On admission of the appeal, the respondents were put on notice to submit their reply/parawise comments which were submitted with negation to the assertions made in the appeal. We have heard arguments of the learned counsel for the appellant as well as learned Assistant Advocate General for the respondents and have gone through the available record.

04. Learned counsel for the appellant contended that the appellant was appointed as PST (BS-07) on contract basis for 03 years in District Karak on 31.03.2004 and subsequently her services were regularized in 2005. She was allowed BS-09 in the light of Finance Department Notification dated 07.08.1991. As her husband was serving in Federal government, she requested for transfer on deputation basis to Federal Directorate of Education Islamabad. The Provincial government placed her services on deputation basis initially for 03 years vide order dated 10.08.2007 followed by extension for another 02 years w.e.f. 07.08.2010 to 06.08.2012 vide order dated 21.07.2010. Learned counsel for the appellant further argued that before completion of her 05 years deputation period, the Federal Directorate of Education Islamabad approached the Provincial Government vide letter dated 28.08.2013 for NOC/consent of her permanent absorption and the Provincial Government vide order dated 19.09.2013 placed services of the appellant at the disposal of Federal Directorate of Education Islamabad on permanent basis. The issue regarding verification of pay and up-gradation arose when AGPR office advised on 27.03.2018 to get it verified from previous audit office. She submitted application to respondent No. 7 for verification of entries in her Service Book. The pay fixation party fixed her Pay in BS-07 instead of BS-09. Moreover, the Provincial Government upgraded the post of PST from BS-07 to BS-09 w.e.f. 01.10.2007 and further upgraded it in BS-12, 14 and 15 w.e.f. 01.07.2012 and appellant being Provincial Government employee was deprived of her legal rights. She therefore sought redressal of her grievances by submitting an application to the Honourable Chief Justice of Supreme Court of Pakistan. The report of respondent No. 6 dated 08.01.2019 is the impugned order on the basis of which the Human Rights Cell of august Supreme Court of Pakistan filed her application on 26.01.2019. The

appellant submitted departmental appeal through registered post to respondent No. 2 on 07.02.2019 which was not responded till filing of the service appeal on 12.06.2019. Learned counsel for the appellant further contended that the appellant being a deputationist to the Federal Government continued to be under the control of lending (parent) department of Provincial Government in matters of pay, leave, pension etc and the terms of her employment under the lending department should not be at variance to that of the borrowing department. The acts and omissions on part of the respondents are expressed violation of Section 24-A of the General Clauses Act as well as 2003 PLC (C.S) 503, he concluded his arguments.

05. Learned Assistant Advocate General on the other hand, rebutted arguments of the learned counsel for appellant on the ground that the service appeal is not maintainable under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 because there is no original or appellate order of which the appellant is aggrieved or has been challenged in the Service Tribunal. As the appellant was under 05 years deputation period when the post of PST was first upgraded to BS-09 w.e.f. 01.10.2007 and then in BS-12 w.e.f. 01.07.2012 the appellant was therefore not entitled for the benefits of up-gradation. The appellant accepted the order of her permanent absorption dated 19.09.2013 and never challenged it at any forum. The appellant has been treated as per law and rules applicable to her and no violation has been made by the respondents. The service appeal being not maintainable, may graciously be dismissed, he submitted.

06. It is evident from record that the appellant while posted as PST at GGPS Anar Banda District Karak, her services were placed at the disposal of Federal Directorate of Education Islamabad on deputation basis for three

(03) years vide order dated 10.08.2007. The period of deputation was further extended for two (02) years w.e.f. 07.08.2010 to 06.08.2012 on 21.07.2010. When five (05) years period of deputation completed on 06.08.2012, the Federal Directorate of Education Islamabad approached the Provincial Government on 28.08.2013 i.e. after over one year; soliciting NOC/Consent of the respondent department for permanent absorption of the appellant in Federal Government under the Wedlock policy. The respondent department placed the services of appellant at the disposal of Federal Directorate of Education Islamabad "on permanent basis without retaining her lien in Elementary & Secondary Education Department" vide order dated 19.09.2013. So far the question of up-gradation of PST to BS-09 and BS-12 is concerned, the appellant did not deny the fact that she was on deputation with Federal Directorate of Education Islamabad during the period 10.08.2007 to 06.08.2012 whereas the post of PST was upgraded from BS-07 to BS-09 w.e.f. 01.10.2007 and further upgraded from BS-09 to BS-12 w.e.f. 01.07.2012 by the Provincial Government of Khyber Pakhtunkhwa meaning thereby she was out of cadre, department and province for all practical purposes as she was on deputation to the Federal Government. On her permanent absorption in Federal Directorate of Education Islamabad, the right of retention of lien was denied to the appellant vide order dated 19.09.2013 but she did not agitate or challenged it under Clause (viii) of the Provincial Government's Deputation Policy dated 24.01.2007 which had given her the right to retain lien for a maximum period of three (03) years. The appellant was, therefore, required to have approached the appellate authority against the order which the appellant had felt aggrieved of but within thirty (30) days, under Rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appeal) Rules, 1986. It seems to be a classic case where the appellant was ignorant of law and her rights as a vigilant civil servant and

the maxim "law always supports the vigilant and not the indolent," suits and applies to her case.

07. What has been discussed in the preceding Paras, we have arrived at the conclusion that there is neither any impugned order nor appellate order to have been assailed in the instant service appeal, as per statutory requirement of Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974. We are, therefore, constrained to dismiss the appeal being not well founded. The appellant is, however, at liberty to approach the appropriate forum, if she so advised. Consign.

08. *Pronounced in open court at Peshawar and given under our hands and seal of the Tribunal this 3rd of June, 2022.*



(KALIM ARSHAD KHAN)
CHAIRMAN



(MIAN MUHAMMAD)
MEMBER(E)

ORDER

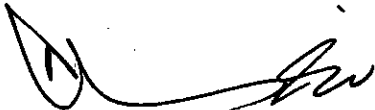
03.06.2022

Mr. Usman Rahim Khattak, Advocate for the appellant present.

Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for the respondents present.

02. Vide our detailed judgement of today separately placed on file containing (06) pages, we have arrived at the conclusion that there is neither any impugned order nor appellate order to have been assailed in the instant service appeal, as per statutory requirement of Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974. We are, therefore, constrained to dismiss the appeal being not well founded. The appellant is, however, at liberty to approach the appropriate forum, if she so advised. Consign.

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(KALIM ARSHAD KHAN)
CHAIRMAN


(MIAN MUHAMMAD)
MEMBER(E)

30th May, 2022

Counsel for the appellant present. Muhammad Riaz
Khan Paindakhel, Asst: AG for respondents present.

Arguments heard. To come up for order on 03.06.2022
before D.B.



(Mian Muhammad)
Member(E)

(Kalim Arshad Khan)
Chairman

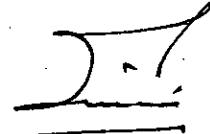
27.07.2021

Nemo for the appellant. Mr. Muhammad Sultan, Superintendent alongwith Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Previous date was changed on the basis of Reader Note, therefore, notice for prosecution of the appeal be issued to the appellant as well as her counsel and to come up for arguments before the D.B on 02.11.2021.



(ATIQU-UR-REHMAN WAZIR)
MEMBER (EXECUTIVE)



(SALAH-UD-DIN)
MEMBER (JUDICIAL)

02.11.2021

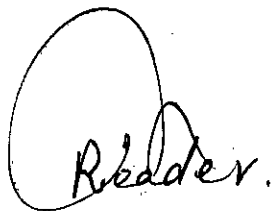
Clerk of counsel for the appellant and Mr. Noor Zaman Khattak, District Attorney for the respondents present.

The learned Member (Judicial) is on leave, therefore, case is adjourned. To come up for arguments on 07.02.2022 before the D.B.


Chairman

7-2-2022

Due to retirement of the Honable Chairman the case is adjourned to come up for the same as before on 30-05-2022


Reader.

29.09.2020

Counsel for the appellant, Addl. AG alongwith Umar Daraz, B&A and Zakiullah, Senior Auditor for the respondents present.

Comments on behalf of respondents No. 2, 3, 6 and 7 have already been submitted. Representative of respondent No. 4, 5 and 8 needs further time. Learned AAG is also required to contact respondent No. 9. To come up written reply/comments of respondents No. 4, 5, 8 and 9 on 19.11.2020, as a last chance.


Chairman

19.11.2020

Counsel for appellant and Addl; AG alongwith Zakiullah Senior Auditor for respondent No. 4 & 5 and Muhammad Rehman Senior Auditor for respondent No.8 present.

Representative of respondent No. 4 & 5 seeks time to file written reply/comments despite last chance. Representative of respondent No. 8 submitted written reply/comments. The appeal is posted to D.B for arguments. ^{03.02.2021} The appellant may submit rejoinder within a fortnight, if so advised.


Chairman

03.02.2021

Due to COVID-19, the case is adjourned to 08.04.2021 for the same.

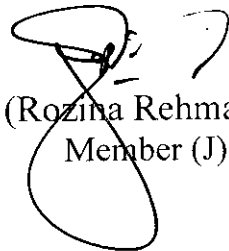

Reader

8-4-21 Due to demise of learned Chairman, case is adjourned to 27-7-21 for the same as before


Reader.

22.06.2020

Nemo for the appellant. Mr. Kabir Ullah Khattak learned Additional Advocate General present. Written reply not submitted. None present on behalf of respondents. Notice be issued to the respondents for written reply/comments. Adjourned. To come up for written reply/comments on 05.08.2020 before S.B.


(Rozina Rehman)
Member (J)

05.08.2020

Neither appellant nor her counsel is present. Mr. Kabirullah Khattak, Additional AG alongwith Mr. Umar Daraz, Budget & Accounts Officer on behalf of respondents No. 2, 3, 6 & 7 are present.

Representative of respondents No. 2, 3, 6 & 7 submitted written comments on behalf of respondents No. 2, 3, 6 & 7 while neither written reply on behalf of respondents No. 4, 5, 8 & 9 submitted nor anyone on their behalf is present, therefore, notices be issued to them for submission of written reply/comments. File to come up for written reply/comments on behalf of respondents No. 4, 5, 8 & 9 on 29.09.2020 before S.B.


(MUHAMMAD JAMAL KHAN)
MEMBER

833/2019

15.01.2020

Junior to counsel for the appellant present.
Requests for adjournment due to general strike of
the Bar today. Adjourned to 27.02.2020 before S.B.


Chairman

27.02.2020

Learned counsel for the appellant present. Preliminary
arguments heard.

Learned counsel for the appellant (PST) contended inter-
alia that the Pay Fixation Party has wrongly fixed the pay of the
appellant in BPS-07 in her Service Book.

Submissions made by the learned counsel for the appellant,
need consideration. The present service appeal is admitted for
regular hearing subject to all just legal objections. The appellant is
directed to deposit security and process fee within 10 days.
Thereafter notices be issued to the respondents for written
reply/comments. To come up for written reply/comments on
30.03.2020 before S.B.

Appellant Deposited
Security & Process Fee

04/3/20


Member

30.03.2020

Due to public holiday on account of COVID-19, the
case is adjourned for the same on 22.06.2020 before
S.B.


Reader

16.09.2019

Junior to counsel for the appellant present.

A request for adjournment is made due to general strike of the bar. Adjourned to 28.10.2019 for preliminary hearing before S.B.


Chairman

28.10.2019

Mr. Fazle Mahmood Advocate is present on behalf of learned counsel for the appellant.

An application for adjournment has been submitted on the ground that learned counsel ~~for~~ is engaged before the Honourable Bannu Bench of Peshawar High Court Peshawar today.

Adjourned to 10.12.2019 before S.B.


Chairman

10.12.2019

Junior to counsel for the appellant present.

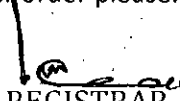


Requests for adjournment is made due to general strike of the Bar today. Adjourned to 15.01.2020 for preliminary hearing before S.B.


Chairman

Form- A
FORM OF ORDER SHEET

Court of _____

Case No.- 833/2019


S.No.	Date of order proceedings	Order or other proceedings with signature of judge		
1-	2	3		
1-	25/06/2019	<p>The appeal of Syed Mehnaz Bibi resubmitted today by Malik Usman Rahim Khattak Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR 25/6/19</p> <p>2-</p>	24.07.2019	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>24/07/19</u>.</p> <p style="text-align: right;"> CHAIRMAN</p> <p>Counsel for the appellant present.</p> <p>Learned counsel requests for time to submit an amended appeal wherein the Federal Directorate of Education, Government of Pakistan will be arrayed as respondent.</p> <p>May do so within one month. Adjourned to 16.09.2019 before S.B.</p> <p style="text-align: right;"> Chairman</p>

The appeal of Syeda Mehnaz Bibi PST GGPS Anar Banda Tehsil Banda Daud Shah Karak received today i.e. on 10.06.2019 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Annexures of the appeal may be attested.
- 2- Annexures of the appeal may be flagged.
- 3- Copy of impugned order and departmental appeal against it are not attached with the appeal which may be placed on it.
- ④- Four more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

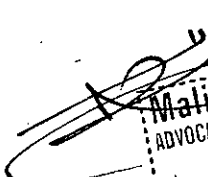
No. 1072 /S.T,

Dt. 12-6- /2019.



REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Malik Usman Rahim Khattak Adv. Pesh.

The submitted after completion. Note: Sir, the remaining spare copies shall be submitted after admission & notice to respondent. Now I submitted ⑤ five spare copies along with appeal.


Malik Usman Rahim Khattak
ADVOCATE HIGH COURT & FEDERAL SHARIAT COURT
15 JUN 2019
BC-10-7596
Mob: 0345-9182313, 0336-1990038

Impugned order Page 12
Appel / Representation
Page - 6


Malik Usman Rahim Khattak
ADVOCATE HIGH COURT & FEDERAL SHARIAT COURT
15 JUN 2019
BC-10-7596
Mob: 0345-9182313, 0336-1990038

IN THE SERVICE TRIBUNAL OF KHYBER PAKHTUNKHWA , PESHAWAR.

Syeda Mehnaz Bibi, PST, Govt. Girls Primary School Anar Banda, Tehsil Banda Daud Shah, District Karak.

Presently, Transferred (under wedlock policy) to the Federal Directorate of Education Islamabad and posted in Islamabad model School I-VIII Sector I-10/4 Islamabad.

Versus

The Government of Khyber Pakhtunkhwa through Chief Secretary, Peshawar.

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S. Mehnaz Appellant

Syeda Mehnaz Bibi

Through
Advocate Rozhin Shattak
& Federal Shariat Court of Pakistan

(1)

IN THE SERVICE TRIBUNAL OF KHYBER PAKHTUNKHWA, PESHAWAR.
(Ammended appeal) # 833/19

Syeda Mehnaz Bibi, PST, Govt. Girls Primary School Anar Banda, Tehsil Banda Daud Shah, District Karak.

Presently, Transferred (under wedlock policy) to the Federal Directorate of Education Islamabad and posted in Islamabad model School I-VIII Sector I-10/4 Islamabad.

Versus

1. The government of Khyber Pakhtunkhwa through Chief Secretary, Peshawar.
2. ✓ The Secretary Education School and literacy, Peshawar.
3. ✓ The Director, Elementary and Secondary Education, Khyber Pakhtunkhwa, Peshawar.
4. The Accountant General Khyber Pakhtunkhwa, Peshawar.
5. Pay Fixation party through Accountant General, K.P, Peshawar.
6. ✓ District Education Officer, KARAK
7. ✓ Deputy District education officer Banda Daud Shah KARAK
8. District Account officer Karak.
9. Federal Directorate of Education through Director General, Rohtas road G-9/4, Islamabad

APPEAL UNDER SECTION 4 OF THE SERVICE TRIBUNAL ACT 1973

The appellant respectfully submit the following facts for kind consideration of the Hon'able Tribunal;

- i). That the appellant was appointed as primary school teacher (BPS-07) on 31.3.2004 on contract basis for a period of 3 years vide order dated 31.03.2004 of the Executive District Officer Schools & Literacy, Karak. The appellant joined service on 05.04.2004.
- ii). That subsequently, the appellant was awarded BPS-9 w.e.f 05.04.2004 on the authority of Govt. of NWFP Finance Department Notification No.FD(PRC)1-1/89 dated 7.08.1991.
- iii). That services of contract employees including the appellant, who were appointed in the prescribed manner on or after 01.07.2001, were regularized on introduction of amendment in section 19 of the NWFP Civil Servant Act 1973 on 23.07.2005.
- iv). That husband of the appellant has been servicing in Institution under the Federal Government and due to his posting at Islamabad, the appellant was transferred/posted on deputation to Federal Directorate of Education Islamabad initially for a period of 3 years vide Government of NWFP School and Literacy Department order No.SO(PE)5-2/177/07/Syeda Mehnaz Bibi PTC dated 10.08.2007 which was further extended by two years vide Government of Khyber Pakhtunkhwa Elementary & Secondary Education Department Order No.SO(PE)5-2/02/IPT/KARAK/Vol.II dated 21.07.2010.
- v). That before completion of 5 years, the appellant submitted an application to the Federal Directorate of Education Islamabad requesting there in for permanent

-2-

absorption or extension in the deputation period and the Federal Directorate of Education vide letter No.F.2013/P/A Dep/14-16-179(W)/FDE dated 28.08.2013 requested the Government of Khyber Pakhtunkhwa Elementary & Secondary Education Department for its consent / NOC.

- vi). That pursuant to the above, the Government of Khyber Pakhtunkhwa placed services of the appellant at the disposal of the Federal Directorate of Education, Islamabad on permanent bases vide order NoSO(PE)E&SED/5-2/KARAK/Mehnaz Bibi PST/2013 dated 19.09.2013.
- vii). That since then the appellant has been serving under the Federal Directorate of Education, Islamabad as Metric Trained Teacher in BPS 09 however she has not been absorbed so far.
- viii). That subsequent to the transfer of the appellant to Federal Directorate of Education Islamabad, the post of Primary school teacher was upgraded to BPS-9 vide Government of NWFP Finance department Notification No.FD/SO(FR)10-22/2007 dated 26.01.2008 w.e.f 01.10.2007 and further to BPS 12, 14 and 15 vide Government of Khyber Pakhtunkhwa Elementary and Secondary Education Department Notification No.SO(B & A)/1-18/E&SE/2012 dated 11.07.2012 w.e.f.01.07.2012.
- ix). That similarly under the Federal Directorate of Education, the post of Matric Trained Teacher (MTT) was upgraded to BPS 14 w.e.f.01-01-2011 upon which the appellant submitted an application requesting there in for upgradation of her post. The Federal Directorate of Education Islamabad required the appellant vide letter dated 14-11-2014 to get required entries in her service book from her parent department. The appellant approached the District Education office KARAK and requested for the required entries in her service book but the same was declined.
- x). It is pertinent to mention that entries in the service book of the appellant were checked, verified and stamped by the office of Deputy District Education and District Account Office, Karak in year 2007, at the time when the appellant was initially transferred to Federal Directorate of Education Islamabad. However on its presentation to the AGPR Office, Islamabad, the same (her service book) was returned with the following observation on 27.03.18,
- "Pay may be got verified from previous audit office"
- xi). That the appellant sent her service book to Karak for its presentation to the District Account Office for the required entries however the said office refused to do the same saying that pay fixation party, especially meant for the purpose, was working in District Karak and that the task fall in their domain.
- xii). That after hectic efforts, the appellant managed to present and got her service book verified from the pay fixation party who astonishingly without any notice, fixed her pay in BPS 07 instead of BPS 09 in which she was on deputation to the Federal Directorate of Education. This gave rise to another strange anomaly after which the appellant tried her best to contact the pay fixation party as well as the district education office to resolve the issue but of no avail.
- xiii). That finally the appellant submitted an application along with her original Service Book to the Deputy District Education Officer Banda Daud Shah Karak with two fold prayer viz, to resolve the anomaly of down gradation from BPS 9 to BPS 7 by making requisite

corrections and also to fix her pay in the upgraded scale as per her entitlement vide Government of NWFP Finance department Notification No.FD/SO(FR)10-22/2007 dated 26.01.2008 and Government of Khyber Pakhtunkhwa Elementary and Secondary Education Department Notification No.SO(B& A)/1-18/E&SE/2012 dated 11.07.2012 .

xiv). That the Deputy District Education officer, Banda Daud Shah referred the matter to the office of District Education office Karak for opinion. The later kept the matter pending for several month without any reply or order. The appellant was, therefore, constrained to submit an application to the Chief Justice of Pakistan for redressal in accordance with law.

xv). That consequent upon the above, the Appellant received a letter from Director Human Right Cell, supreme Court of Pakistan along with copy of reply (letter No.212 dated 08.01.2019) from District Education Office Karak where in the required entries were refused by the responding department. Relevant contents of the letter are reproduced as under:

" The applicant /complainant was appointed as PST (07) techer on contract basis for three years 31.03.2004 in District Karak and upgraded to B- 09 in 2006 W.E.F 05.04.2004.

The services of the complainant were placed at the disposal of Federal Directorate of Education Islamabad on her request on 15.08.2007 in her own pay and scale on the terms and conditions specified by the Federal Directorate of Education vide order No.SO(PE)5-2/177/07//S dated 10.08.2007 initially for a period of three years (Annex-a.). On expiry of above period she was granted extension in deputation period for a further period of two years with effect from 15.8.2010 to 14.08.2012 on the same terms and conditions vide office order No.F.1-9/11-5-Dep(W)FDE dated 25.08.2010 (Annex-B).

After completion of five years of deputation the applicant /complainant applied for permanent absorption in Federal Directorate of Education Govt of Pakistan under wedlock/spouse policy.

The Federal Directorate of Education Islamabad approached this Department for provision/issuance of No objection certificate for her permanent absorption in Federal Directorate of Education vide letter No F.2013/PA-DEP/14-16-17(W)FDE dated 28.08.2013 (Annex-c.). Accordingly the applicant was placed at the disposal of Federal Directorate of Education on permanent bases without retaining her lien in the E&SED vide order No.SO(PE)E&SED/5-2/Karak/2013 dated 19.09.2013 (Annex-D) and relieved from the service of this Department.

Since the E&SED KPK upgraded the post of PST from B-09-B-12 in the year 2012 but she was on deputation to Federal Govt since 2007, hence she was not upgraded to B-12 and later on she was permanently absorbed in the Federal Govt Islamabad and she has remained no more the employee of the E&SED Govt of KPK."

xix). That feeling aggrieved of the above, the appellant sent a departmental appeal /representation through registered post on the address of respondent No 2 which has not been responded so far. The appellant is therefore constrained to file this appeal on the following grounds among others:

GROUND OF APPEAL

(1) That in Esta Code under the Heading of "Change in terms and conditions of Deputationists" it has been provided as under:

"....."

2. It may be recalled that a government servant on deputation continues to be under the rule making control of the lending government and is governed by the rules of the lending government in matters of pay, leave, pension, etc. The lending government accordingly have a right to determine, in consultation with the borrowing government, the terms of his employment under the latter and these terms should not be varied by the borrowing government without consulting the lending government....."

That as mentioned above, a deputationist continues to be under the rule making control of the lending government and is governed by the rules of the lending government in matter of pay and pensions etc. The appellant, being a deputationist till date, is entitled to have the required entries in her service book from the offices of respondents but respondent No.4 has declined the same for no legal reason. The only aversion that appellant's services have been placed permanently on the disposal of the Federal Directorate of Education Islamabad, can not be made a ground for the same, firstly, because all upgradations have taken place during the five years period of deputation i.e. the period during which appellant's services were not placed at the disposal of the Federal Directorate on permanent bases. Secondly, the appellant has not been absorbed under the Federal Directorate of Education Islamabad till day and being a deputationist, she is still governed by the rules of responding government in matters of pay and pension etc. Furthermore the impugned order/letter is silent about the entries of down gradation made by the pay fixation party (Respondent No.5).

- (2) That the impugned orders are arbitrary, illegal, unlawful, based on mala fide hence void ab initio having no weightage in the eyes of law.
- (3) That the impugned order is illegal, void ab initio and against the principle of locus poententiae, that the scale awarded to the appellant with effect from the date of her joining i.e. 2004) can not be withdrawn after lapse of 13-14 years.
- (4) That the impugned orders have been passed without holding regular inquiry for determining causes of the down gradation of the appellant after a period of about 13/14 years. The impugned order/ letter not only declines entries of upgradation but is also silent on the issue of her down gradation by the pay fixation party.
- (5) That the appellant has not been afforded an opportunity of personal hearing and the act/omission of the respondents is against the rules / regulations, good governance, transparency and the general principles of natural justice, fair play and equity, which in turn would definitely jeopardize the appellant.
- (6) That the acts and omissions on part of the respondents department is in express violation of Section 24 -A of the General Clause Act, 1987 which provides that an authority vested with any power is bound to exercise the same justly, fairly, reasonably and for the advancement of the purpose being vested therein. Reference is made to the judgment reported as "2003 PLC (CS) 503" where in it has been observed as under

"Treatment of the civil servants in accordance with law and in just and fair manner in the matter of advancement of her career is of paramount importance of good governance, otherwise his commitment to the job, dedication to duty, power to take decision and even his integrity might be confined to casualty ward" (Page 153)

- (7) That as held by the Hon able Supreme Court of Pakistan in a case reported as " 2003 SCMR 1140", "1995SCMT 950" and " 2010 SCMR 1301" EVERY PERSON DISCHARGING FUNCTIONS IN RELATION TO RIGHTS OF PEOPLE IS BOUND TO ACT FAIRLY JUSTLY AND IN accordance with law and exercise of power by public functionaries in derogation of law would amount to disobeying the command of law and constitution . In the case of the appellat , the departmental authorities have violated the above verdict of the Apex Court.
- (8) That fixation of the appellat's pay by Respondent No.5 in BPS-07 tantamounts to her down gradation and respondent No.5 (Pay fixation party) was/is not competent under the law to down grade the appellat.
- (9) That the appellat has not been dealt with in accordance with law, which itself is violative of the provisions of Article 4 and 25 of the Constitution of the Islamic Republic of Pakistan, 1973. The expressions " law" as employed in the said Article is positively of wider import, which also includes the duty of every public functionary to act in the given matter justly, fairly and in accordance with the principles of natural justice.

In view of the above mentioned facts and circumstances, it is respectfully prayed that the instant appeal may graciously be accepted and the impugned orders may kindly be set aside and in consequence thereof, respondents be directed to withdraw/rectify the entries of down gradation made by respondent No.5 in service book of the appellat and also to enter and verify pay of the appellat in the upgraded scales. Any other relief which is deem fit in the circumstances may also be granted.

Through
Mr. Hakim Asman Bashir Khattak
Advocate High Court Peshawar
& Federal Shariat Court of Pakistan

Yours obediently

S. Mehnaz

Syeda Mehnaz Bibi D/O Syed Farid Ullah Shah
Primary School Teacher Govt. Primary School Anar
Banda District Karak Presently posted/Transferred
under wedlock policy as MTT in Islamabad Model
School(I-VIII) I-10/4 Islamabad. (Residential Address
House NO.1745, st.No.11, I-14/4 Islamabad.)

Verification:

Solemnly verified that contents of the appeal are true and correct to the best of my knowledge and belief

Deponent

Date.

S. Mehnaz

Syeda Mehnaz Bibi

Mr. Hakim Asman Bashir Khattak
Advocate High Court Peshawar
& Federal Shariat Court of Pakistan

To

The Director,
Elementary and Secondary Education,
Khyber Pakhtunkhwa, Peshawar.

Subject:

Appeal/Representation against the order of District Education officer(Female),Karak conveyed vide letter No.212 dated 08.01.2019 through Director Human Rights Cell, Supreme Court of Pakistan, Islamabad whereby Correction and entries of pay in upgraded post in service Book of the appellant have been refused.

SIR,

I beg to submit the following the following facts for your kind considerations and appropriate order.

- i). That the appellant was appointed as primary school teacher (BPS-07) on 31.3.2004 on contract basis for a period of 3 years vide order dated 31.03.2004 of the Executive District Officer Schools & Literacy, Karak. The appellant joined service on 05.04.2004.
- ii). That subsequently, the appellant was awarded BPS-9 w.e.f 05.04.2004 on the authority of Govt. of NWFP Finance Department Notification No.FD(PRC)1-1/89 dated 7.08.1991.
- iii). That services of contract employees including the appellant, who were appointed in the prescribed manner on or after 01.07.2001, were regularized on introduction of amendment in section 19 of the NWFP Civil Servant Act 1973 on 23.07.2005,
- iv). That husband of the appellant has been serving in Institution under the Federal Government and due to his posting at Islamabad, the appellant was transferred/posted on deputation to Federal Directorate of Education Islamabad initially for a period of 3 years vide Government of NWFP School and Literacy Department order No.SO(PE)5-2/177/07/Syeda Mehnaz Bibi PTC dated 10.08.2007 which was further extended by two years vide Government of Khyber Pakhtunkhwa Elementary & Secondary Education Department Order No.SO(PE)5-2/02/IPT/KARAK/Vol.II dated 21.07.2010.
- v). That before completion of 5 years, the appellant submitted an application to the Federal Directorate of Education Islamabad requesting there in for permanent absorption or extension in the deputation period and the Federal Directorate of Education vide letter No.F.2013/P.A Dep/14-16-179(W)FDE dated 28.08.2013 requested the Government of Khyber Pakhtunkhwa Elementary & Secondary Education Department for its consent / NOC.
- vi). That pursuant to the above, the Government of Khyber Pakhtunkhwa placed services of the appellant at the disposal of the Federal Directorate of Education, Islamabad on permanent bases vide order NoSO(PE)E&SED/5-2/KARAK/Meahnaz Bibi PST/2013 dated 19.09.2013.

Attested To Be True Copy

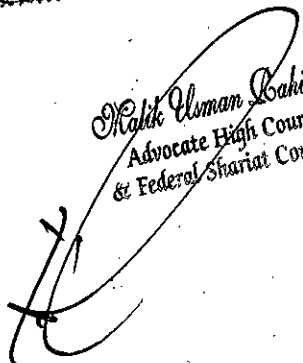
Malik Asman Bahim Khattak
Advocate High Court Peshawar
& Federal Shariat Court of Pakistan

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That since then the appellant has been serving under the Federal Directorate of Education, Islamabad as Metric Trained Teacher in BPS 09 however she has not been absorbed so far.

- viii). That subsequent to the transfer of the appellant to Federal Directorate of Education Islamabad, the post of Primary school teacher was upgraded to BPS-9 vide Government of NWFP Finance department Notification No.FD/SO(FR)10-22/2007 dated 26.01.2008 w.e.f 01.10.2007 and further to BPS 12, 14 and 15 vide Government of Khyber Pakhtunkhwa Elementary and Secondary Education Department Notification No.SO(B & A)/1-18/E&SE/2012 dated 11.07.2012 w.e.f.01.07.2012.
- ix). That similarly the post of Matric Trained Teacher (MTT) was also upgraded to BPS 14 w.e.f.01-01-2011 upon which the appellant submitted an application requesting there in for upgradation of her post. The Federal Directorate of Education Islamabad required the appellant vide letter dated 14-11-2014 to get revised entries in her service book from her parent department. The appellant approached the District Education office KARAK and requested for the required entries in her service book but the same was declined.
- x). It is pertinent to mention that entries in the service book of the appellant were checked, verified and stamped by the office of Deputy District Education and District Account Office, Karak in year 2007 at the time when the appellant was initially transferred to Federal Directorate of Education Islamabad. However on its presentation to the AGPR Office, Islamabad her service book was returned with the following observation on 27.03.18,
- "Pay may be got verified from previous audit office"
- xi). That the appellant sent her service book to Karak for its presentation to the District Account Office for the required entries however the said office refused to do the same saying that pay fixation party, especially meant for the purpose, was working in District Karak and that the task fall in their domain.
- xii). That after hectic efforts, the appellant managed to present and got her service book verified from the pay fixation party who astonishingly fixed her pay in BPS 07 instead of BPS 09 in which she was on deputation to the Federal Directorate of Education. This gave rise to another strange anomaly after which the appellant tried her best to contact the pay fixation party as well as the district education office to resolve the issue but of no avail.
- xiii). That finally the appellant submitted an application along with her original Service Book to the Deputy District Education Officer Banda Daud Shah Karak with two fold prayer viz, to resolve the anomaly of down gradation from BPS 9 to BPS 7 by making requisite corrections and also to fix her pay in the upgraded scale as per her entitlement vide Government of NWFP Finance department Notification No.FD/SO(FR)10-22/2007 dated 26.01.2008 and Government of Khyber Pakhtunkhwa Elementary and Secondary Education Department Notification No.SO(B& A)/1-18/E&SE/2012 dated 11.07.2012 .

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Malik Usman Bahim Khattak
Advocate High Court Peshawar
& Federal Shariat Court of Pakistan

- xiv). That the Deputy District Education Banda Daud Shah referred the matter to the office of District Education office Karak for opinion. The later kept the matter pending for several month without any reply or order. The appellat was, therefore, constrained to submit an application to the Chief Justice of Pakistan for redressal in accordance with law.
- xv). That now the Appellant has received a letter from Director Human Right Cell, supreme Court of Pakistan along with copy of reply from District Education Office Karak where in the required entries have been refused on the pretext that as the appellat's services have been placed at the disposal of Federal Directorate of Education, Islamabad on permanent bases therefore, the same could not be made by them.
- xvi). It is admitted that the services of the appellat have been placed at the disposal of Federal Directorate of Education, Islamabad on permanent bases in year 2013 however the post of PST was upgraded to BPS 9 on 26.01.2008 w.e.f.01.10.2007 and to BPS 12,14 and 15 on 11.07.2012 w.e.f.01.07.2012 in Khyber Pakhtunkhwa and the said post (MTT) was upgraded in Federal Govt. in year 2014. Which signifies that the post of PST was upgraded during the 5 years periods of deputation and the excuse made in the above reply is not available to them. Furthermore the appellat is still working under rule making control of the lending department as the FDE has not absorbed the appellat and she is still working as a deputationist.
- xvii). That in Esta Code under the Heading of "Change in terms and conditions of Deputationists" it has been provided as under:

".....

2. It may be recalled that a government servant on deputation continues to be under the rule making control of the lending government and is governed by the rules of the lending government in matters of pay, leave, pension, etc. The lending government accordingly have a right to determine, in consultation with the borrowing government ,the terms of his employment under the latter and these terms should not be varied by the borrowing government without consulting the lending government....."

In view of the above, the appellat is entitled to have entries of the upgraded post in her service book from her parent department.

it is therefore, humbly requested that the order of the District Education officer (Female) Karak conveyed vide letter No.212 dated 08.01.2019, being based upon conjectures and surmises and against facts and law, may graciously be set aside and the concerned office be directed to resolve the anomaly of down gradation from BPS 9 to 7 and to make the requisite entries of corrections and fixation of pay in the upgraded post as per entitlement of the appellat.

Attested To Be True Copy

Muhammad Usman Qasim Jhallaik
Advocate High Court Peshawar
& Federal Shariat Court of Pakistan

[Handwritten Signature]

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Yours obediently

S. Mehnaz

Syeda Mehnaz Bibi D/O Syed Farid Ullah Shah
Primary School Teacher Govt. Primary School Anar
Banda District Karak Presently posted/Transferred
under wedlock policy as MTT in Islamabad Model
School(I-VIII) I-10/4 Islamabad. (Residential Address
House NO.1036, I-10/4 Islamabad.)

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Atiq-ur-Rahman
Advocate High Court Peshawar
& Federal Shariat Court of Pakistan

11 230
IN THE SUPREME COURT OF PAKISTAN, ISLAMABAD

(Original Jurisdiction)

Regd. A.D.

HRC No. 81010-G/2018


Application: Syeeda Mahnaz Bibi,
Islamabad Model College for Girls (I-VIII),
Sector I-10/4, Islamabad.

To

Syeeda Mahnaz Bibi,
Islamabad Model College for Girls (I-VIII),
Sector I-10/4, Islamabad.

Take notice that in pursuance of order of the Hon'ble Chief Justice of Pakistan, your application has been filed, however you may avail remedies available under the rules/laws, if so desired and advised.

Islamabad: January 26, 2019.


Director
Human Rights Cell
Tel# 051-9220581/319
Fax # 051-9219516

Encl. Copy of report.

Attested To Be True Copy


Malik Usman Bahim Khattak
Advocate High Court Peshawar

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OFFICE OF THE DISTRICT EDUCATION OFFICER
(FEMALE) KARAK.

No. 212

Dated 08/01/019.

To

✓ The Director,
Human Rights Cell,
Supreme Court of Pakistan,
Islamabad.

SUBJECT: - HRC NO.81010-G/2018 SYEDA MEHNAZ BIBI VS DEO(F)
KARAK

I am directed to refer to your letter dated 11-12-2018 on the subject noted above and to submit the following report regarding subject matter:-

The applicant /complainant was appointed as PST(B-07) teacher on contract basis for three years on 31-3-2004 in District Karak and upgraded to B-09 in 2006 W.E.F 05-04-2004.

The services of the complainant were placed at the disposal of Federal Directorate of Education Islamabad on her request on 15-8-2007 in her own pay and scale on the terms and conditions specified by the Federal Directorate of Education vide order No.SO(PE)5-2/177/07/S dated 10-8-2007 initially for a period of three years(Annex-a). On expiry of above period she was granted extension in deputation period for a further period of two years with effect from 15-8-2010 to 14-8-2012 on the same terms and conditions vide office order No.F.1-9/11-5-Dep(W)FDE dated 25-8-2010(Annex-B).

After completion of five years of deputation the applicant/complainant applied for permanent absorption in Federal Directorate of Education Govt of Pakistan under wedlock/Spouse policy.

The Federal Directorate of Education Islamabad approached this Department for provision/issuance of No objection certificate for her permanent absorption in Federal Directorate of Education vide letter No.F.2013/PA-DEP/14-16-17(W)FDE dated 28-8-2013(Annex-C). Accordingly the applicant was placed at the disposal of Federal Directorate of Education on permanent basis without retaining her lien in the E&SED vide order No.SO(PE)E&SED/5-2/Karak/2013 dated 19-9-2013(Annex-D) and relieved from the service of this Department.

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Abdul Aman Bahim Khattak
Advocate High Court Peshawar
Federal Shariat Court of Pakistan

Px
Am

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Since the E&SED KPK upgraded the post of PST from B-09 to B-12 in the year 2012 but she was on deputation to Federal Govt since 2007, hence she was not upgraded to B-12 and later on she was permanently absorbed in the Federal Govt Islamabad and she has remained no more the employee of the E&SED Govt of KPK


(ZUBAIDA KHATTAK)
DISTRICT EDUCATION OFFICER,
Wz (FEMALE) KARAK

Endst.NO & date as above.

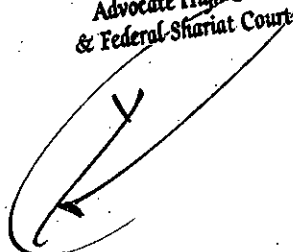
Copy to:-

1. Section Officer Lit-II Establishment Department Govt Of Khyber Pakhtonkhwa With Refrince to his official letter No so(lit-II)E&AD/1-1/2018dated 02.01.201p
2. PS to Secertary E & SED Govt of Khyber PKHTUN Khwa Peshawar.
3. SO litigation-III E & SED Govt of Khyber PKHTUN Khwa Peshawar.

Attested To Be True Copy

✓
(ZUBAIDA KHATTAK)
DISTRICT EDUCATION OFFICER,
(FEMALE) KARAK

Malik Usman Bahim Khattak
Advocate High Court Peshawar
& Federal Shariat Court of Pakistan



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5

OFFICE OF THE EXECUTIVE DISTRICT OFFICER SCHOOLS & LITERACY KARAK

APPOINTMENT

Consequent upon the recommendation of the District Recruitment/Selection Committee constituted by the Government of NWFP Schools and Literacy Department the following candidates are hereby appointed as PST (Primary School Teacher) on contract basis in BPS-7(2220-120-5820) PM Fixed plus usual allowance as admissible under the rules on 25% Open Merit and 75% Union Council wise basis w.e.f the date of their taking over charge on the terms and conditions mentioned below:-

(OPEN MERIT 25%) Posts=12

S.No	Name	Father's Name	Union Council	Address	Posted as	School where posted	Merit
1	Rahat Nasrin	M.Yousaf	Karak North	Ruhmat Abad	PST	GGPS Maloor	60.78
2	Zubda Akhtar	Gul Nawar Khan	Jehangiri	Y.Musakhan	PST	GGPS UChani Khel	60.58
3	Balqees	Sher Daraz Khan	T. Nasrathi	Dogara	PST	GGPS GMK Khel	60.3
4	Mehmooda Akhtar	Ali Ahmad Khan	T. Nasrathi	T. Nasrathi	PST	GGPS Edal Khel	59.93
5	Shereen Taj	Sadullah Jan	S.Abad	S.Abad	PST	GGPS Aziz Zebi	59.86
6	Farda Begum	Fazal Qayum	Teri	Ahmad Banda	PST	GGPS Bergi	59.84
7	Safia Yousaf	Yousaf Khan	South Karak	T.Karak	PST	GGPS Oabb Sangeni	59.71
8	Bibi Sajida	Noor Sahib Gul	South Karak	A.Karak	PST	GGPS Tarkha Koi	59.62
9	Fozia Naorin	Bahodin	Karak North	Karak	PST	GGPS Eesak Ghundi	59.47
10	Fazeelat Haq	Fazal Haq	Lalamber	Lalamber	PST	GGPS Charpara No2	58.46
11	Zahida Parveen	Pir Badshah	J.I.Khel	J.I.khel	PST	GGPS Shiekhan Mami K	57.66
12	Hijran Bibi	Afsar Khan	G.M.K,Khel	Tarki Khel	PST	GGPS Pur Dil Banda	57.44

(UNION WISE 75%)

SABIR ABAD Posts=7

S.No	Name	Father's Name	Union Council	Address	Posted as	School where posted	Merit
1	Rashida Hana	Hakib ur Rehman	S.Abad	S.Abad	PST	GGPS Sabir Abad No1	56.51
2	Maryam Aman	Aman Ullah	S.Abad	Makh Banda	PST	GGPS Dell Mola	56.09
3	Mobina Aman	Aman Ullah	S.Abad	Makh Banda	PST	GGPS Dell Mola	54.75
4	Shanaz Begum	Meraj Gul	S.Abad	Noor Killa	PST	GGPS Dhanj Edal Khel	54.58
5	Sultana Begum	Amir Zaman	S.Abad	Makh Banda	PST	GGPS Shanki Banda	51.13
6	Khurshid Begum	Saif ur Rehman	S.Abad	D.Mola	PST	GGPS Nari Edal Khel	48.95
7	Zahid Yasmin	Mehmood Khan	S.Abad	S.Abad	PST	GGPS Shawa Hindi Kaz	48.88

JANDERY Posts=5

S.No	Name	Father's Name	Union Council	Address	Posted as	School where posted	Merit
1	Noor Taj Begum	Raham Saeed	Jandari	Ahmad Khel	PST	GGPS Talab Khel	55.35
2	Asma Akhtar	Lal Sayed Khan	Jandari	Seri Khwa	PST	GGPS Shahdaan	52.67
3	Shazia Nahed	M.Nabi	Jandari	Sarat Khel	PST	GGPS Sra Khwa	51.7
4	Sadia Raees	Raees Khan	Jandari	T.Khwa	PST	GGPS Kashmiri	51.51
5	Jam Naz	Afzal Moh	Jandari	Talab Khel	PST	GGPS Mashki Khel	50.82

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Malik Usman Bahim Khattak
 Advocate High Court Peshawar
 & Federal Shariat Court of Pakistan

[Signature]
 EDO S&L KARAK

MITHA KHEL Posts=2

S.No	Name	Father's Name	Union Council	Address	Posted as	School where posted	Merit
1	Kausar Nisa	Fazal Monir	Mitha Khel	Mitha Khel	PST	GGPS Teran Koi	52.39
2	Kaloom Jehan	Abdul Rashid	Mitha Khel	Mitha Khel	PST	GGPS Sheno Argadi	48.9

PALOSA SAR Posts=3

S.No	Name	Father's Name	Union Council	Address	Posted as	School where posted	Merit
1	Zahida Bibi	Hassan Khan	Palosa Sar	Warjha Banda	PST	GGPS Shammahali	63.64
2	Obaid Begum	Izaf Mir	Palosa Sar	Palosa Sar	PST	GGPS Shammahali	52.54
3	Kulsoom Akhtar	Shahida Jahan	Palosa Sar	Kemari	PST	GGPS L/Chani Khel	51.47

LATAMBER Posts=1

S.No	Name	Father's Name	Union Council	Address	Posted as	School where posted	Merit
1	Ulfat Shahnam	Mohammad Ali	Lalamber	Lalamber	PST	GGPS Mandawa	55.91

GHUNDI MIR KHAN KHEL Posts=5

S.No	Name	Father's Name	Union Council	Address	Posted as	School where posted	Merit
1	Perveen	Musa Ali Khan	G.M.K.Khel	Mangar Khel	PST	GGPS Daraki Banda	52.5
2	Kausar Zareen	Asal Zareen	G.M.K.Khel	Ashkan Ali K.	PST	GGPS Daraki Banda	52.21
3	Zahida	Musa Ali Khan	G.M.K.Khel	Mangar Khel	PST	GGPS Kamali Zara Khel	52.00
4	Aqsan Bibi	Zawahir Jan	G.M.K.Khel	GMK Khel	PST	GGPS Gul Darshan	51.17
5	Atehanaz Bibi	Zahir Badshah	G.M.K.Khel	Badin Khel	PST	GGPS Gul Darshan	51.02

ESAK CHONTARA Posts=4

S.No	Name	Father's Name	Union Council	Address	Posted as	School where posted	Merit
1	Robina Akhtar	Said ul Amin	E.Chonira	Dabb B. Khel	PST	GGPS Hakim Khel	52.65
2	S.Mehnaz Bibi	S.Faridullah ch.	E.Chonira	E.Chonira	PST	GGPS Eesak Kh. Chak	51.99
3	Rifat Jehan	Abdur Rashid	E.Chonira	E.Chonira	PST	GGPS Maveez Khan Kor	50.65
4	Parveen Akhtar	Sakhi Bad Sh.	E.Chonira	E.Chonira	PST	GGPS Saif Ali Banda	50.28

TERI

Posts=4

S.No	Name	Father's Name	Union Council	Address	Posted as	School where posted	Merit
1	Mehwish Amir	Amir Sultan	Teri	Teri	PST	GGPS Eesak Khumari	56.07
2	Famaz Jabeen	M.Ayub	Teri	Ahmad Banda	PST	CMS Beroi	51.59
3	Iram Azmat	Azmat Ullah	Teri	Teri	PST	GGPS Eesak Khumari	51.36
4	Beena Amir	Amir Ullah	Teri	Teri	PST	GGPS Eesak Khumari	50.96

BAHADAR KHEL Posts=3

S.No	Name	Father's Name	Union Council	Address	Posted as	School where posted	Merit
1	Mehar Yasmeen	Azad Husain	B.Khel	B.Khel	PST	GGPS Ghoria Banda	56.89
2	Mussarat Yasmeen	Mohd.Raees	B.Khel	B.Khel	PST	GGPS Anar Banda	47.98
3	Mussarat Yasmeen	Mohd.Raees	E.Khel	B.Khel	PST	GGPS Anar Banda	46.08

EDO S&L KARAK

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 Advocate High Court Peshawar
 & Federal Shariat Court of Pakistan

JATTA ISMAIL KHEL

Posts=3

S.No	Name	Father's Name	Union Council	Address	Posted as	School where posted	Merit
1	Asma Jabeen	Sher Mohd	J.I.Khel	Mnkoori	PST	GGPS Mami Khel	45.2
2	Bus Khudara Begum	Lal Nawaz	J.I.Khel	Krapa	PST	GGPS Jatta I Khel	43.13
3	Yasmin Akhtar	Gul Rehman	J.I.Khel	Mami Khel	PST	GGPS Mami Khel	39.23

NARI PANOS

Posts=1

S.No	Name	Father's Name	Union Council	Address	Posted as	School where posted	Merit
1	Sadia naz	Hefzrehman	N.Panos	N.Panos	PST	GGPS Inzar Payan	56.27

SHAWA GUDI KHEL

Posts=2

S.No	Name	Father's Name	Union Council	Address	Posted as	School where posted	Merit
1	Mehma	Gul Zaman	S.G.Khel	Jarasi	PST	GGPS Jarasi	51.95
2	Asia Jehan	M.Nasir Khan	S.G.Khel	S.G.Khel	PST	GGPS Umar Jan Kooron	51.77

WANKI SIRAJ KHEL

Posts=1

S.No	Name	Father's Name	Union Council	Address	Posted as	School where posted	Merit
1	Khalida Zaheen	Fazal Haq	W.Siraj Khel	W.Siraj Khel	PST	GGPS Poya Sarki Lawag	55.22

WARRANA AHMAD ABAD

Posts=1

S.No	Name	Father's Name	Union Council	Address	Posted as	School where posted	Merit
1	Shameen Akhtar	Mehar Amin	Warrana.A	W.Musakan	PST	GGPS Shobli	54.10

(DISABLE QUOTA 2%) Posts=1

Posts=1

S.No	Name	Father's Name	Union Council	Address	Posted as	School where posted	Merit
1	Farkhanda yasmeen	Sir Anjam	Chokara	Dangar Wala	PST	GGPS Easak Khumari	50.39

TERMS & CONDITION

1. No TADA etc is allowed.
2. Charge reports should be submitted to all concerned in duplicate.
3. Appointment is purely on temporary & contract basis initially for three years.
4. They should not be handed over charge if he exceed 35 years or below 18 years of age.
5. Appointment is subject to the condition that the certificate/documents must be verified from the concerned authorities. Drawing Disbursing Officer must ensure before drawal of salary. If she is found producing bogus Certificate she will be reported to the law enforcing agencies for further action.
6. If he fails to take over charge within fifteen days, the appointment order will be deemed as cancelled.
7. Health and Age Certificate should be produced from the Medical Superintendent concerned before taking over charge.

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Muhammad Aman Bahim Khattak
 Advocate High Court Peshawar
 & Federal Shariat Court of Pakistan

- 8 Before handing over charge she will sign an agreement with the department (i.e DO(F) S&L Karak), otherwise this order will not be valid.
- 9 They will have to serve at the place of posting for the period of their agreement.

KHALID KHAN BALOCH
 DISTRICT COORDINATION OFFICER
 KARAK

41107-41113
 Encl: No. JAE-I/VPST/Appointment

31-3-2004

Copy of the above is forwarded to:

- 1. Director Schools & Literacy NWFP Peshawar.
- 2. District Nazim Karak.
- 3. District Coordination Officer Karak
- 4. District Officer (F) Schools & Literacy Karak.
- 5. Deputy District Officer (F) Schools & Literacy Karak
- 6. Deputy District Officer (F) Schools & Literacy BD Shah Karak.
- 7. District Account Officer Karak
- 8. Candidate concerned

Attested To Be True Copy

(FAIZ UR REHMAN)
 EXECUTIVE DISTRICT OFFICER
 SCHOOLS & LITERACY KARAK

Khalid Usman Bahim Khattak
 Advocate High Court Peshawar
 Co. Secy. of the Council of Peshawar

GOVERNMENT OF NORTH WEST FRONTIER PROVINCE
FINANCE DEPARTMENT.

NOTIFICATION

Peshawar, dated the 7th August, 1991.

No. FD(PRC)1-1/89- In exercise of all the powers enabling him in this behalf the Governor of the North-West Frontier Province is pleased to order the following scales of pay/benefit to various categories of Teachers with effect from 1-7-1991.

Sl. No.	Name of the Post.	Benefits extended.
1.	2.	3.

1. Primary School Teachers (PTC/J.V)

All the present and future primary school teachers who hold the qualification of F.A/F.Sc. (2nd Division) plus existing prescribed professional training shall be placed in BPS-9 with 1/3rd in selection grade BPS-10.

All other teachers who do not possess higher qualification shall continue getting existing pay scale with selection grade accordingly.

However, the higher scales/grades allowed to these teachers will be personal to them and the inter-seniority will remain intact.

2. Elementary school Teachers (E.S.T/ S.V/P.E.T/ Drawing Masters/PTI.

All the present and future elementary school teachers who possess the qualification of B.A/B.Sc. (2nd Division) plus existing prescribed professional training shall be placed in BPS-14 with 1/3rd in Selection Grade BPS-

All other teachers who do not possess higher qualifications shall continue getting existing pay scales with Selection Grade accordingly.

However, the higher scales/grade allowed to these teachers will be personal to them and the inter-seniority will remain intact.

Attested To Be True Copy

3. Arabic Teachers.

All the present and future Arabic Teachers who possess the qualification of Trained Fazil with B.A/B.Sc. (2nd Division) and five years teaching experience or M.A. Arabic or equivalent qualifications shall be placed in BPS-14 with 1/3rd in Selection Grade BPS-15

Malik Usman Bahin Khattak
Advocate High Court Peshawar
& Federal Shariat Court of Pakistan

Sl. No.	Name of the Post.	Benefits extended.
1.	2.	3.

All other teachers who do not possess higher qualification shall continue getting existing pay scale with Selection Grade accordingly.

However, the higher scale/grade allowed to these teachers will be personal to them and the inter-seniority will remain intact.

Secondary School Teachers.

All the present and future Secondary School Teachers with prescribed qualification under the Rules shall be placed in BPS-16 with 1/3rd in Selection Grade BPS-17.

The advance increments sanctioned by Finance Department vide Para 9 of its letter No. FD (SR-I)1-67/82 dated 24-8-1983 will not be admissible on acquiring /possessing qualifications for which higher pay scales are being sanctioned through this notification.

SECRETARY TO GOVERNMENT OF
North West Frontier Province,
Finance Department.

Endst. No. FD(PRC)1-1/89. Dated Peshawar the, 7th August, 1991.

A copy is forwarded to the Accountant General, NWFP, Peshawar for information and necessary action.

[Signature]
(GHULAM DASTGIR AKHTAR)
Deputy Secretary (Regulation)
Finance Department.

Endst. No. FD(PRC)1-1/89. Dated Peshawar, the 7th August, 1991.

A copy is forwarded to:-

1. All Administrative Secretaries to Govt. of NWFP.
2. All Commissioners of Division, N.W.F.P.
3. All Heads of Attached Departments NWFP
4. The Secretary to Governor, NWFP
5. The Registrar, Peshawar High Court, Peshawar.
6. The Secretary Public Service Commission, NWFP.
7. The Registrar Service Tribunal, NWFP.
8. All Dy. Commissioners/Political Agents/District and Session Judges in NWFP.

Witnessed To True Copy

[Signature]
Advocate High Court Peshawar & Federal Shariat Court of Peshawar
(GHULAM DASTGIR AKHTAR)
Deputy Secretary (Regulation)
Finance Department.

20

GOVERNMENT OF NWFP
SCHOOL & LITERACY DEPARTMENT

ANNEXURE A

ORDER.

NO. SO(PE)5-2/177/07/Syeda Mehnaz Bibi PTC. In pursuance of the Federal Directorate's of Education Islamabad letter No. F.4-9/2007/(W) FDE dated 26-07-2007, the services of Ms. Syeda Mehnaz Bibi PTC Govt. Girls Primary School Anar Banda District Karak (NWFP) are hereby placed at the disposal of the Federal Directorate of Education, Islamabad on deputation basis for initial period of 03 years, on the terms & conditions contained in the above quoted letter.

SECRETARY TO GOVT. OF NWFP
SCHOOL & LITERACY DEPARTMENT.

Endst. No. SO (PE)5-2/177/07/S.Mehnaz Dated Pesh: the, 10-8-07

Copy forwarded to:-

1. The Secretary to Govt. of NWFP Establishment Department w/r to his letter No. SORI (E&AD) 1-14/82(Vol-XI) dated 8-08-07
2. The Director General Federal Directorate of Education Islamabad w/r to his letter quoted above.
3. The Director School & Literacy NWFP Peshawar w/r to his letter No.7111/F.No.15/PTC(F) Karak dated 25-06-2007.
4. The Distt: Accounts Officer Karak.
5. The Executive District Officer School & Literacy Karak with the request to relieve and direct the teacher concerned to report to the Director General Federal Directorate of Education Islamabad for further posting.
6. Ms. Syeda Mehnaz Bibi PTC GGPS Anar Banda Karak.

SECTION OFFICER (PRIMARY)

Witnessed by Mr. Iqbal Bhatti

Malik Usman Bahim Khattak
Advocate High Court Peshawar
& Federal Shariat Court of Pakistan

13/08/07

21

ANNEXURE B

Attn:

Ms. Noor Rahman

GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

Dated Peshawar the 21-07-2010.

ORDER.

NO.SO(PE)5-2/02/IPT/Karak/ Vol. II.

In pursuance of the Establishment and Administration Department Govt. of Khyber Pakhtunkhwa NOC contained in letter No. SOR-I(E&AD)1-14/82 (Vol. XIX) dated 14-07-2010, the competent authority is pleased to extend the period of deputation for further two (02) years wef; 07-08-2010 to 06-08-2012 in respect of Ms. Syeda Mehnaz PTC GGPS Anar Banda Karak (Khyber Pakhtunkhwa) on deputation basis to Federal Directorate of Education Islamabad. Total period of deputation including the instant period comes to five (05) years.

SECRETARY TO GOVT. OF
KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY
EDUCATION DEPARTMENT.

Endst. No. & Date as above.

Copy forwarded to:-

1. The Secretary to Govt. of Khyber Pakhtunkhwa Establishment Department w/r to his letter No. quoted above.
- ✓ 2. The Director (General) Federal Directorate of Education Islamabad w/r to his letter No. F.1-9/115 (W) FDE dated 5-7-2010.
3. The Director Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.
4. The Executive District Officer E&SE Karak w/r to his letter No. 3805 dated 11-6-2010.
5. The District Accounts Officer, Karak.
6. Ms. Syeda Mehnaz PTC GGPS Anar Banda Karak.

SECTION OFFICER (PRIMARY)

Witnessed To Be True Copy

Malik Usman Bahim Khattak
Advocate High Court Peshawar
& Federal Shariat Court of Pakistan

Islamabad the 28th August, 2013.

To,

The Section Officer (Primary),
Elementary & Secondary Education Department,
Government of KPK,
Peshawar.

Subject: NO OBJECTION CERTIFICATE FOR PERMANENT ABSORPTION

I am directed to refer to the subject noted above and to say that, Mrs. Syed Mehnaz Bibi D.O.B 19.04.1977 D/O Fareed Ullah Shah was taken on deputation under FDE on 15.08.2007 in her own pay/grade & scale i.e MTT (B-09),

2. Now, in the light of approval of the Prime Minister of Pakistan, the FDE is preparing the case for permanent absorption of the deputationist for onward transmission to CA&D Division for DPC/DSC. In this regard, the NOCs of parent department for permanent absorption of the deputationists are required.

3. The deputationists will be absorbed with the approval of Competent Authority on the condition that, completion of 05-years deputation period, meet the wedlock policy, fulfillment of codal & procedural formalities, availability of posts and subject to provision in the recruitment rules.

4. Above in view, you are requested, the NOC / consent of your's department for permanent absorption in respect of Mrs. Syed Mehnaz Bibi may be furnished to this Directorate upto 20.09.2013 for further process please. Beyond 20.09.2013 the NOC/consent will not be acceptable.

5. This letter does not confer any right or claim of permanent absorption.

6. This is issued with the approval of Director General (Edu).

Copy to:

- ↓ E.D.O concerned.
- ↓ D.E.O concerned.
- ↓ Person concerned.

Attested To Be True Copy

(HASAN IMRAN BAIG)
Dy. Director Schools (FEMALE)

Malik Usman Bahim Khattak
Advocate High Court Peshawar
& Federal Shariat Court of Pakistan

(HASAN IMRAN BAIG)
Dy. Director Schools (FEMALE)

BulBul...007

Dated Peshawar the 19-09-2013.

27

ANNEXURE D

ORDER

No.SO(PE)E&SED/5-2/Karak/Mehnaz Bibi PST/2013. In pursuance of the Establishment & Administration Department Govt. of Khyber Pakhtunkhwa, NOC conveyed to the Elementary & Secondary Education Department vide letter No.SOR-I (E&AD)1-14/82/Vol.27 dated 18-09-2013, the services of Mrs. Syeda Mehnaz Bibi PST GGPS Anar Banda District Karak (Khyber Pakhtunkhwa) are hereby placed at the disposal of the Federal Directorate of Education, Islamabad on permanent basis without retaining her lien in the E&SE Department.

SECRETARY

Endst. No. & Date as above.

Copy forwarded to:-

1. The Secretary Establishment & Admn. Department Govt. of Khyber Pakhtunkhwa, w/r to his letter quoted above.
2. The Dy. Director Schools (Female) Government of Pakistan Federal Directorate of Education Islamabad w/r to his letter No.F.2013/P.A.-Dep/14-16-17(W) FDE dated 19-08-2013.
3. The Director, Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
4. The District Education Officer(F) Elementary & Secondary Education Karak.
5. The District Accounts Officer Karak.
6. Mrs. Syeda Mehnaz Bibi PST GGPS Anar Banda District Karak.

(HINA SAEED) 20-9-2013

Attested To Be True Copy

SECTION OFFICER (PRIMARY)

Malik Usman Baham Chhattak
Advocate High Court Peshawar
& Federal Shariat Court of Pakistan

Dated Peshawar, the 26th January, 2008.

NOTIFICATION

NO.FD/SO(FR)10-22/2007. In supercession of this Department's letter No.SO(FR)10-22(B)/2005 dated 01-10-2007 and in pursuance of the decisions of the meeting held under the Chairmanship of Secretary Establishment on 2-1-2008, the Competent Authority is pleased to allow upgradation for the incumbents of the posts as per details given below w.e.f. 1-10-2007:-

S.NO	Existing Designation and Pay Scale	Qualification	Upgraded Scale
1	Primary School Teacher (PST) (BPS-07).	FA/FSc and are trained teachers	BPS-09 (one time only)
2	Primary School Teacher (PST) with requisite experience renamed as Head Teacher/Head Mistress of Primary Schools (BPS-07).	Having 10 years service	BPS-12 (one time only)
3	CT (BPS-09).	BA/BSc and are trained teachers	BPS-15 (one time only)
4	SETs (BPS-16)	With at least ten years service. Upgradation to the post shall be made through DPC as per laid down procedure.	BPS-17
5	Qari/Qaria (BPS-07)	Hafiz Quran with SSC	BPS-12

SECRETARY TO GOVT. OF NWFP
FINANCE DEPARTMENT

Endst No. & Date even.

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

- 1) All the Secretaries in NWFP, Peshawar.
- 2) All the DCOs/EDOs Schools & Literacy Department, NWFP.
- 3) Accountant General, NWFP, Peshawar.
- 4) Director Schools & Literacy NWFP, Peshawar.
- 5) Director of Education FATA NWFP, Peshawar.
- 6) PSO to Chief Minister, NWFP.
- 7) PSO to Chief Secretary, NWFP.
- 8) PS to Secretary Finance Department, NWFP.
- 9) All District/Agency Accounts Officers in NWFP.

Assessed To Be True Copy

Malik Usman Bahim Khattak
Advocate High Court Peshawar
& Federal Shariat Court of Pakistan

(NAIB KHAN)
SECTION OFFICER (FR)



754
2/2/08
Director
Finance Department
NWFP, Peshawar



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

Dated Peshawar, 11.07.2012

NOTIFICATION:

No. SO (B & A)/I-18/E&SE/2012: Sanction of the Government of Khyber Pakhtunkhwa is hereby accorded to the up gradation of the posts for Grant of Incentive of Higher Pay Scale to different Categories/Cadres of teachers in Elementary & Secondary Education Department w.e.f. 01-07-2012 as per details given below:-

Sr. No.	Nomenclature of Teaching Cadre Post	Location	Existing Basic Pay Scale	New Approved Basic Pay Scale	Remarks
1.	Primary School Teacher (PST)	Govt. Primary School	BPS-5 BPS-6 BPS-7 BPS-9 BPS-10 BPS-12	(BPS-12)	The post of PST is upgraded to BPS-12. Accordingly, 33,497 posts of PSTs, already sanctioned in various pay scales are upgraded to BPS-12 for the present incumbents as well as future appointees.
2.	Senior Primary School Teacher (Sr. PST)	"do"	Newly Upgraded/ Redesignated Post	(BPS-14)	22,331 posts of the existing PSTs in various existing pay Scales are upgraded to BPS-14 and redesignated as Senior PST. The posts will be filled in the manner as may be prescribed by the Elementary & Secondary Education Department by making necessary service rules or amending the existing service rules, if any, for the post.
3.	Primary School Head Teacher (PSHT)	"do"	Newly Upgraded/ Redesignated Post	(BPS-15)	20,804 posts of the existing PSTs (one post in each Primary School) are upgraded to BPS-15 and redesignated as Primary School Head Teacher, and will be filled in the manner as may be prescribed by the Elementary & Secondary Education Department by making necessary service rules or amending the existing service rules, if any, for the post.
4.	Certified Teachers (CT)	Govt. Middle/High/Higher Secondary School	BS-09 BS-10 BS-12 BS-14 BS-15	(BPS-15)	All the existing posts of CTs are upgraded to BPS-15 for the present incumbents to the post as well as future appointees.
5.	Senior Certified Teachers (Sr. CT)	"do"	Newly Upgraded/ Redesignated Post	(BPS-16)	One thirds (1/3 rd) of the total CT posts are upgraded to BPS-16 and redesignated as Senior CTs which will be filled in the manner as may be prescribed by the Elementary & Secondary Education Department by making necessary service rules or amending the existing service rules, if any, for the post.
6.	Arabic Teachers (A.T)	"do"	BS-09 BS-10 BS-12 BS-14 BS-15	(BPS-15)	All the existing posts of ATs are upgraded to BPS-15 for the present incumbents to the post as well as future appointees.
7.	Senior Arabic Teachers (Sr. AT)	"do"	Newly Upgraded/ Redesignated Post	(BPS-16)	One thirds (1/3 rd) of the total AT posts are upgraded to BPS-16 and redesignated as Senior AT, which will be filled in the manner as may be prescribed by the Elementary & Secondary Education Department by making necessary service rules or amending the existing service rules, if any, for the post.
8.	Teacher of Theology (TT)	"do"	BS-07 BS-09 BS-10 BS-12 BS-14 BS-15	(BPS-15)	All the existing posts of TTs are upgraded to BPS-15 for the present incumbents to the post as well as future appointees.
9.	Senior Teacher of Theology (Sr. TT)	"do"	Newly Upgraded/ Redesignated Post	(BPS-16)	One thirds (1/3 rd) of the total TT posts are upgraded to BPS-16 and redesignated as Senior TT, which will be filled in the manner as may be prescribed by the Elementary & Secondary Education Department by making necessary service rules or amending the existing service rules, if any, for the post.
10.	Drawing Masters (DM)	"do"	BS-09 BS-10 BS-12 BS-14 BS-15	(BPS-15)	All the existing posts of DMs are upgraded to BPS-15 for the present incumbents to the post as well as future appointees.
11.	Senior Drawing Masters (Sr. DM)	"do"	Newly Upgraded/ Redesignated Post	(BPS-16)	one thirds (1/3 rd) of the total DMs posts are upgraded to BPS-16 and redesignated as Senior DM, which will be filled in the manner as may be prescribed by the Elementary & Secondary Education Department by making necessary service rules or amending the existing service rules, if any, for the post.

Attested To
Malik Usman Bahim Khattak
Advocate High Court Peshawar
& Federal Shariat Court of Pakistan

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


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

3. District wise/ school wise breakup of the posts is enclosed herewith as Annexure-A.

SECRETARY

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

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


SECTION OFFICER (FR)
FINANCE DEPARTMENT

Endst. Of even Number & Date.

Copy of the above is forwarded to:-

1. The Secretary to Government of Khyber Pakhtunkhwa, Finance Department, with reference to his letter No SO(FR)/FD/10-22(E)/2010 dated 26.06.2012.
2. P.S. to Secretary, E&SE Department, Khyber Pakhtunkhwa, Peshawar.
3. P.S. to Special Secretary, E&SE Department, Khyber Pakhtunkhwa, Peshawar.
4. P.S. to Deputy Secretary-II, E&SE Department, Khyber Pakhtunkhwa, Peshawar.
5. P.S. to Minister of E&SE, Khyber Pakhtunkhwa.
6. The Director, E&SE Khyber Pakhtunkhwa, Peshawar.
7. All the Executive District Officers, E&SE Khyber Pakhtunkhwa.
8. The Managing Director, Printing Press, Khyber Pakhtunkhwa, Peshawar.
9. Master file.

Attested To Be True Copy


Malik Usman Bahim Khattak
Advocate High Court Peshawar
& Federal Shariat Court of Pakistan

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

F.I-9/115-MTT (Dep) FDE
Government of Pakistan
Federal Directorate of Education

ANNEXURE

Islamabad, the 14th November, 2014

The Executive District Officer, (Education)
District Karak
Govt. of KPK

Subject: GRANT OF UPGRADATION.

I am directed to refer to the subject noted above and to say that Mrs. Syeda Mehnaz Bibi PST (B-09) Government Primary school Anar Banda Distt. Karak, Govt. of KPK was taken on deputation under FDE on 15-08-2007 and posted in Islamabad Model school (I-VIII), I-10/4, Islamabad.

2. Now, the Government of KPK has upgraded the post of PST BPS-09 to BPS-14. Hence she is requesting for her up gradation from PST, BPS-9 to PST BPS-14.

3. You are requested to provide the following documents for further process.

- i) Revised LPC
- ii) Revised entries in her Service Book.

Copy to:

- Person Concerned
- Personal File.

Attested To Be True Copy

(Signature)
(ABDUL RAZZAQUE)
Administrative Officer (Female)

(Signature)
Advocate High Court Peshawar
& Federal Shariat Court of Pakistan.
(ABDUL RAZZAQUE)
Administrative Officer (Female)

The Deputy District Education Officer (Female)

Banda Daud Shah, District Karak.

Subject; Entries in Service Book

Dear Madam

I beg to submit the following submission for your kind considerations and necessary actions.

1. It is respectfully submitted that I was appointed as primary school teacher on 31.3.2004 on contract basis for a period of 3 years vide order dated 31.03.2004 of the Executive District Officer Schools & Literacy, Karak. I joined service on 05.04.2004.
2. That subsequently, I was awarded BPS-9 w.e.f 05.04.2004 on the authority of Govt. of NWFP Finance Department Notification No.FD(PRC)1-1/89 dated 7.08.1991.
3. That services of contract employees including the applicant, who were appointed in the prescribed manner on or after 01.07.2001, were regularized on introduction of amendment in section 19 of the NWFP Civil Servant Act 1973 on 23.07.2005,
4. That my husband has been serving in the Supreme Court of Pakistan, Islamabad and under the wedlock policy I was transferred/posted on deputation to Federal Directorate of Education Islamabad on 13.08.2007 and since then I have been serving there as Matric Trained Teacher in BPS 09.
5. That my parent Department and District Account Office, Karak had checked, verified and stamped the entries in my service book before its handing over /transfer to the Federal School where I am posted. However on its presentation to the AGPR Office, my service book has been returned with the following observation on 27.03.18

"Pay may be got verified from previous audit office"
6. That after hectic efforts, I managed to present and got my service book verified from the pay fixation party who fixed my pay in BPS 07 instead of BPS 09 in which I have

Witnessed To Be True Copy

Malik Usman Raahim Khattak
 Advocate High Court Peshawar
 & Federal Shariat Court of Pakistan

been on deputation to the Federal Government. This has given rise to an anomaly which is requested to be resolved in the first instance.

7. That even if entries of the pay fixation party turn out to be correct, the same could only be taken upto 30.09.2007 because post of the primary school teacher has subsequently been upgraded to BPS 09 vide Government of NWFP Finance department Notification No.FD/SO(FR)10-22/2007 dated 26.01.2008 w.e.f 01.10.2007 and further to BPS 12,14 and 15 vide Government of Khyber Pakhtunkhwa Elementary and Secondary Education Department Notification No.SO(B & A)/1-18/E&SE/2012 dated 11.07.2012 w.e.f.01.07.2012.

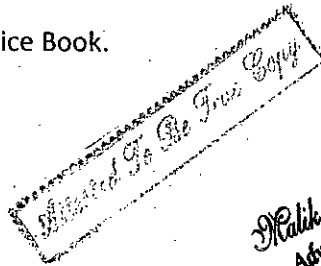
8. That being a deputationist, I am bound by the terms and conditions of service under my parent department and the barrowing department (FDE) on its own is not in a position to change the same.

It is therefore requested that incorrect entries in my service book may kindly be rectified and fresh entries with regard to upgradation of the post and fixation of pay in the upgraded scale may kindly be made in my enclosed Service Book.

Yours obediently

Syeda Mehnaz Bibi (Matric Trained Teacher)
F.G.Middle Model Girls School I-10/4
Islamabad. (03219068836)

Enclose:Original Service Book.



Malik Aman Bahim Khattak
Advocate High Court Peshawar
& Federal Shariat Court of Pakistan

اسلام آباد

جناب عالی

گزارش ہے کہ سائلہ مورخہ $31 \frac{3}{04}$ کو

ایگزیکٹو ڈسٹرکٹ آفس/سکول اینڈ لیٹر بی کرک (جسٹس خٹون خواہ) کے حکم نمبر $31 \frac{3}{04}$ کے تحت 03 سال کنٹریکٹ کے تحت بطور ایگزیکٹو سول استانی مقرر ہوئی اور سائلہ نے مورخہ $05 \frac{4}{04}$ کو حاضری شروع کی ہے

2۔ یہ کہ فنانس ڈیپارٹمنٹ کے نوٹیفیکیشن نمبر 89/1-1 (FD) (PRC) مورخہ $08 \frac{1991}{07}$ کے بروکٹ سائلہ کو تاریخ تفری سے BPS-09 دیا گیا۔

3۔ یہ کہ تمام کنٹریکٹ ملازمین بشمول سائلہ کی تفریوں مورخہ $07 \frac{23}{05}$ کو حکومت چیمبر خٹون خواہ نے مستقل کر دیئے۔

4۔ یہ کہ میرا خاوند ایک وفاقی ادارے کا ملازم ہے اور انکی پوسٹنگ اسلام آباد میں ہونے کی وجہ سے سائلہ کا تبادلہ بھی مورخہ $08 \frac{13}{07}$ کو چیمبر خٹون سے فیڈرل ڈائریکٹوریٹ آف انجوائمنٹ اسلام آباد کر لیا گیا اور اس وقت سے لیکر آج تک سائلہ فیڈرل ڈائریکٹوریٹ آف انجوائمنٹ اسلام آباد کے تحت بطور

Matric Trained Teacher (BPS-09) اپنی خدمات سرانجام دے رہی ہیں۔

ضروری دستاویزات NoC کی کاپیاں منسلک ہیں

5۔ یہ کہ بوقت تبادلہ میری سروس بک ڈسٹرکٹ کرک کے انجوائمنٹ اور اکاؤنٹ آفس دو لفون نے چیک اور تصدیق کر دیا تھا۔

6۔ یہ کہ تاریخ سال Deputation پورٹ کے تعلق پر FDE کی جھٹی نمبر FDE/14-16-17(W)/P-A-Dep/2013

True Copy

Malik Usman Bahim Khattak
Advocate High Court Peshawar
& Federal Shariat Court of Pakistan

(2)

محرہ 28⁸/₁₃ کے جواب میں مہری سروس خیر تھوخواہ حکومت

بذریعہ NOC جھٹی نمبر 7/2013 سبزی SO(PE)E&SED/5-2Karak/Mehmaz

مشکل طور پر فیڈرل ڈائریکٹوریٹ آف ایجوکیشن اسلام آباد کے حوالہ کیے
تاہم سائلہ کو ابھی تک یہاں پر مستقل نہیں کیا گیا ہے۔

7: یہ کہ اس اثناء میں پرائمری سکول ٹیچرز ایسٹ پی ٹی کے پوسٹ
کوئے - پی اور وفاق دونوں حکومتوں نے 9-BBS سے 14-BPS
وغیرہ میں Upgrade کر دیا جس پر سائلہ نے ایک درخواست
مورخ 3¹⁰/₁₄ کو فیڈرل ڈائریکٹوریٹ آف ایجوکیشن اسلام آباد

میں بھیج دی جس پر سائلہ سے بذریعہ جھٹی نمبر F-1-9/115-MIT(Dep)FDE
Parent Dep سے سروس بک پر Revised entry اور Revised pay slip

8: یہ کہ سائلہ نے اپنی سروس بک جمع جھٹی متذکرہ بالا ڈسٹرکٹ ایجوکیشن
آفس کرک بھیجا تاہم انھوں نے یہ کہہ کر انکار کیا کہ جب تک سائلہ
ویاں سروس Join نہ کرے اس وقت تک وہ سروس بک میں ایسے
Entries نہیں کر سکتے۔

9: یہ کہ سائلہ کا سروس بک بوقت ٹرانسفر کر کے بے ایجوکیشن اور
اکاؤنٹ آفس دونوں نے چیک تصدیق کر لیا تھا مگر مورخ 27³/₀₈
کو AGPR آفس نے اس پر مندرجہ ذیل observation دی

"Pay may be got verified from previous audit office"

10: یہ کہ درج بالا observation کی وجہ سے سائلہ نے اپنی سروس بک کرک
بھیج دی جہاں کافی محنت کے بعد Pay fixation پارٹی کے حوالہ کی

جنہوں نے سائلہ کی pay نامعلوم وجوہات کی بنا پر BPS-7

کی بجائے BPS-7 میں فیکس کر دی

(3)
11:- یہ کہ مندرجہ بالا حالات کیوجہ سے سائلہ نے ایک درخواست جمع کی ہے
اہل سروس بک ڈپٹی ڈسٹرکٹ ایجوکیشن آفیسر فی مل بانڈہ اور شاہ
کے دفتر میں عید الفطر کے بعد جمع کی ہے جس میں استدعا کی ہے کہ
سائلہ نے سروس بک میں غلط اندراجات کر دیے تو انکو درست کر
اور Upgraded پوسٹ میں سائلہ کی Pay fixation کے اندراجات
بھی کرے۔

12:- یہ کہ ڈپٹی ڈسٹرکٹ ایجوکیشن آفس بانڈہ اور شاہ نے سائلہ
کی درخواست جمع سروس بک ڈسٹرکٹ ایجوکیشن آفس
کرک ٹورنٹ کے لئے بھیج دی ہے جہاں پر یہ کافی شرحہ سے
پٹری ہے۔

13:- یہ کہ سائلہ کا خاوند دفتر حصر و فیات کی وجہ سے کرک
جانے اور سائلہ کے اس درخواست کے پیروی کرنے سے قاصر ہے۔

14:- سائلہ کا اہل سروس بک بھی درخواست کے ہمراہ ڈسٹرکٹ
ایجوکیشن آفس کرک میں پٹری ہے جسکی وجہ سے سائلہ
بیت پریشان ہے۔

15:- اگر سائلہ نے سروس بک پر گیارہ سال بعد خیر بختوں خواہ حکومت

کی Pay fixation party سے BPS-09 سے BPS-07 میں

Pay fixation کی اندراجات کر سکتی ہے تو ڈپٹی ایجوکیشن آفیسر

بانڈہ اور شاہ یا ڈسٹرکٹ ایجوکیشن آفس کرک کو Upgraded

پوسٹ میں سائلہ کی Pay fixation کی اندراجات میں کوئی قانونی
رکاوٹ حائل ہے۔

16:- یہ کہ دیگر مہربوت کے Deputationists کو انکے Parent Department

Upgraded Scale میں Pay fixation کے اندراجات کی ہیں اور وہ Parent Department
میں تنخواہیں لے رہی ہیں لیکن سائلہ کو ان کا

Admitted To Be True Copy
Advocate Ghulam Qasim Jhailani
Advocate High Court, Rawalpindi
& Federal Shariat Court of Pakistan

اینا حق دینے میں ٹال مٹول سے کام لے رہا ہے۔
 لہذا اس پر غما ہے کہ سائلہ کی کانوں کی مطابق دائرہ فرما
 کر مشکور فرمائیں۔

العارض

سرہ مینار بی

اسم - بیٹھ بٹھ
 اسلام آباد ماڈل سکول (گرنری)
 (i-viii)

سیکڑ آئیٹن 4 اسلام آباد

موبائل: 03219068836

درج ذیل نقولتے لف شرہ ہیں۔

1. مناس ڈیپارٹمنٹ نوٹیفیکیشن نمبر 7 آگست 1991ء

2. نقولتے این او سی

3. نقل (L.P.)

4. نقولتے سروس بک متعلقہ اندراجات

5. ایف۔ ڈی۔ ای لیٹر مورخہ 14-11-2014

Attested To Be True Copy

Malik Usman Bahim Khattak
 Advocate High Court Peshawar
 & Federal Shariat Court of Pakistan

IN THE SERVICE TRIBUNAL OF KHYBER PAKHTUNKHWA, PESHAWAR.

Appeal No. 833/2019

Syeda Mehnaz Bibi, PST, Govt. Girls Primary School Anar Banda, Tehsil Banda Daud Shah, District Karak.

Presently, Transferred (under wedlock policy) to the Federal Directorate of Education Islamabad and posted in Islamabad model School I-VIII Sector I-10/4 Islamabad.

Versus

The Government of Khyber Pakhtunkhwa through Chief Secretary, Peshawar.

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S. Mehnaz Appellant

Syeda Mehnaz Bibi

through

Malik Usman Rahim Khattak
Advocate High Court Peshawar

1

IN THE SERVICE TRIBUNAL OF KHYBER PAKHTUNKHWA, PESHAWAR.

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Presently, Transferred (under wedlock policy) to the Federal Directorate of Education Islamabad and posted in Islamabad Model School I-VIII Sector I-10/4 Islamabad.

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 839

Dated 10/06/2019

Versus

1. The government of Khyber Pakhtunkhwa through Chief Secretary, Peshawar.
2. The Secretary Education School and Literacy, Peshawar.
3. The Director, Elementary and Secondary Education, Khyber Pakhtunkhwa, Peshawar.
4. The Accountant General Khyber Pakhtunkhwa, Peshawar.
5. Pay Fixation party through Accountant General, K.P, Peshawar.
6. District Education Officer, KARAK
7. Deputy District Education Officer Banda Daud Shah KARAK
8. District Account Officer Karak.

APPEAL UNDER SECTION 4 OF THE SERVICE TRIBUNAL ACT 1973

Filed to-day

Registrar

10/6/19

i).

The appellant respectfully submit the following facts for kind consideration of the Hon'able Tribunal;

That the appellant was appointed as primary school teacher (BPS-07) on 31.3.2004 on contract basis for a period of 3 years vide order dated 31.03.2004 of the Executive District Officer Schools & Literacy, Karak. The appellant joined service on 05.04.2004.

ii).

That subsequently, the appellant was awarded BPS-9 w.e.f 05.04.2004 on the authority of Govt. of NWFP Finance Department Notification No.FD(PRC)1-1/89 dated 7.08.1991.

iii).

That services of contract employees including the appellant, who were appointed in the prescribed manner on or after 01.07.2001, were regularized on introduction of amendment in section 19 of the NWFP Civil Servant Act 1973 on 23.07.2005,

iv).

That husband of the appellant has been serving in Institution under the Federal Government and due to his posting at Islamabad, the appellant was transferred/posted on deputation to Federal Directorate of Education Islamabad initially for a period of 3 years vide Government of NWFP School and Literacy Department order No.SO(PE)5-2/177/07/Syeda Mehnaz Bibi PTC dated 10.08.2007 which was further extended by two years vide Government of Khyber Pakhtunkhwa Elementary & Secondary Education Department Order No.SO(PE)5-2/02/IPT/KARAK/Vol.II dated 21.07.2010.

Re-submitted to-day
and filed.

Registrar

25/6/19

v).

That before completion of 5 years, the appellant submitted an application to the Federal Directorate of Education Islamabad requesting there in for permanent

absorption or extension in the deputation period and the Federal Directorate of Education vide letter No.F.2013/P.A Dep/14-16-179(W)FDE dated 28.08.2013 requested the Government of Khyber Pakhtunkhwa Elementary & Secondary Education Department for its consent / NOC.

- vi). That pursuant to the above, the Government of Khyber Pakhtunkhwa placed services of the appellant at the disposal of the Federal Directorate of Education, Islamabad on permanent bases vide order NoSO(PE)E&SED/5-2/KARAK/Mehnaz Bibi PST/2013 dated 19.09.2013.
- vii). That since then the appellant has been serving under the Federal Directorate of Education, Islamabad as Metric Trained Teacher in BPS 09 however she has not been absorbed so far.
- viii). That subsequent to the transfer of the appellant to Federal Directorate of Education Islamabad, the post of Primary school teacher was upgraded to BPS-9 vide Government of NWFP Finance department Notification No.FD/SO(FR)10-22/2007 dated 26.01.2008 w.e.f 01.10.2007 and further to BPS 12, 14 and 15 vide Government of Khyber Pakhtunkhwa Elementary and Secondary Education Department Notification No.SO(B & A)/1-18/E&SE/2012 dated 11.07.2012 w.e.f.01.07.2012.
- ix). That similarly under the Federal Directorate of Education, the post of Matric Trained Teacher (MTT) was upgraded to BPS 14 w.e.f.01-01-2011 upon which the appellant submitted an application requesting there in for upgradation of her post. The Federal Directorate of Education Islamabad required the appellant vide letter dated 14-11-2014 to get required entries in her service book from her parent department. The appellant approached the District Education office KARAK and requested for the required entries in her service book but the same was declined.
- x). It is pertinent to mention that entries in the service book of the appellant were checked, verified and stamped by the office of Deputy District Education and District Account Office, Karak in year 2007, at the time when the appellant was initially transferred to Federal Directorate of Education Islamabad. However on its presentation to the AGPR Office, Islamabad, the same (her service book) was returned with the following observation on 27.03.18,

"Pay may be got verified from previous audit office"
- xi). That the appellant sent her service book to Karak for its presentation to the District Account Office for the required entries however the said office refused to do the same saying that pay fixation party, especially meant for the purpose, was working in District Karak and that the task fall in their domain.
- xii). That after hectic efforts, the appellant managed to present and got her service book verified from the pay fixation party who astonishingly without any notice, fixed her pay in BPS 07 instead of BPS 09 in which she was on deputation to the Federal Directorate of Education. This gave rise to another strange anomaly after which the appellant tried her best to contact the pay fixation party as well as the district education office to resolve the issue but of no avail.
- xiii). That finally the appellant submitted an application along with her original Service Book to the Deputy District Education Officer Banda Daud Shah Karak with two fold prayer viz, to resolve the anomaly of down gradation from BPS 9 to BPS 7 by making requisite

corrections and also to fix her pay in the upgraded scale as per her entitlement vide Government of NWFP Finance department Notification No.FD/SO(FR)10-22/2007 dated 26.01.2008 and Government of Khyber Pakhtunkhwa Elementary and Secondary Education Department Notification No.SO(B& A)/1-18/E&SE/2012 dated 11.07.2012 .

xiv). That the Deputy District Education officer, Banda Daud Shah referred the matter to the office of District Education office Karak for opinion. The later kept the matter pending for several month without any reply or order. The appellant was, therefore, constrained to submit an application to the Chief Justice of Pakistan for redressal in accordance with law.

xv). That consequent upon the above, the Appellant received a letter from Director Human Right Cell, supreme Court of Pakistan along with copy of reply (letter No.212 dated 08.01.2019) from District Education Office Karak where in the required entries were refused by the responding department. Relevant contents of the letter are reproduced as under:

" The applicant /complainant was appointed as PST (07) techer on contract basis for three years 31.03.2004 in District Karak and upgraded to B- 09 in 2006 W.E.F 05.04.2004.

The services of the complainant were placed at the disposal of Federal Directorate of Education Islamabad on her request on 15.08.2007 in her own pay and scale on the terms and conditions specified by the Federal Directorate of Education vide order No.SO(PE)5-2/177/07//S dated 10.08.2007 initially for a period of three years (Annex-a.). On expiry of above period she was granted extension in deputation period for a further period of two years with effect from 15.8.2010 to 14.08.2012 on the same terms and conditions vide office order No.F.1-9/11-5-Dep(W)FDE dated 25.08.2010 (Annex-B). After completion of five years of deputation the applicant /complainant applied for permanent absorbtion in Federal Directorate of Education Govt of Pakistan under wedlock/spouse policy.

The Federal Directorate of Education Islamabad approached this Department for provision/issuance of No objection certificate for her permanent absorbtion in Federal Directorate of Education vide letter No F.2013/PA-DEP/14-16-17(W)FDE dated 28.08.2013 (Annex-c.). Accordingly the applicant was placed at the disposal of Federal Directorate of Education on permanent bases without retaining her lien in the E&SED vide order No.SO(PE)E&SED/5-2/Karak/2013 dated 19.09.2013 (Annex-D) and relieved from the service of this Department.

Since the E&SED KPK upgraded the post of PST from B-09-B-12 in the year 2012 but she was on deputation to Federal Govt since 2007, hence she was not upgraded to B-12 and later on she was permanently absorbed in the Federal Govt Islamabad and she has remained no more the employee of the E&SED Govt of KPK."

xix). That feeling aggrieved of the above, the appellant sent a departmental appeal /representation through registered post on the address of respondent No 2 which has not been responded so far. The appellant is therefore constrained to file this appeal on the following grounds among others:

GROUND OF APPEAL.

(1) That in Esta Code under the Heading of "Change in terms and conditions of Deputationists" it has been provided as under:

2. It may be recalled that a government servant on deputation continues to be under the rule making control of the lending government and is governed by the rules of the lending government in matters of pay, leave, pension, etc. The lending government accordingly have a right to determine, in consultation with the borrowing government, the terms of his employment under the latter and these terms should not be varied by the borrowing government without consulting the lending government....."

That as mentioned above, a deputationist continues to be under the rule making control of the lending government and is governed by the rules of the lending government in matter of pay and pensions etc. The appellant, being a deputationist till date, is entitled to have the required entries in her service book from the offices of respondents but respondent No.4 has declined the same for no legal reason. The only aversion that appellant's services have been placed permanently on the disposal of the Federal Directorate of Education Islamabad, can not be made a ground for the same, firstly, because all upgradations have taken place during the five years period of deputation i.e. the period during which appellant's services were not placed at the disposal of the Federal Directorate on permanent bases. Secondly, the appellant has not been absorbed under the Federal Directorate of Education Islamabad till day and being a deputationist, she is still governed by the rules of responding government in matters of pay and pension etc. Furthermore the impugned order/letter is silent about the entries of down gradation made by the pay fixation party (Respondent No.5).

- (2) That the impugned orders are arbitrary, illegal, unlawful, based on mala fide hence void ab initio having no weightage in the eyes of law.
- (3) That the impugned order is illegal, void ab initio and against the principle of locus poententiae, that the scale awarded to the appellant with effect from the date of her joining i.e. 2004) can not be withdrawn after lapse of 13-14 years.
- (4) That the impugned orders have been passed without holding regular inquiry for determining causes of the down gradation of the appellant after a period of about 13/14 years. The impugned order/ letter not only declines entries of upgradation but is also silent on the issue of her down gradation by the pay fixation party.
- (5) That the appellant has not been afforded an opportunity of personal hearing and the act/omission of the respondents is against the rules / regulations, good governance, transparency and the general principles of natural justice, fair play and equity, which in turn would definitely jeopardize the appellant.
- (6) That the acts and omissions on part of the respondents department is in express violation of Section 24 -A of the General Clause Act, 1987 which provides that an authority vested with any power is bound to exercise the same justly, fairly, reasonably and for the advancement of the purpose being vested therein. Reference is made to the judgment reported as "2003 PLC (CS) 503" where in it has been observed as under

"Treatment of the civil servants in accordance with law and in just and fair manner in the matter of advancement of her career is of paramount importance of good governance, otherwise his commitment to the job, dedication to duty, power to take decision and even his integrity might be confined to casualty ward" (Page 153)

- (7) That as held by the Hon able Supreme Court of Pakistan in a case reported as " 2003 SCMR 1140", "1995SCMT 950" and " 2010 SCMR 1301" EVERY PERSON DISCHARGING FUNCTIONS IN RELATION TO RIGHTS OF PEOPLE IS BOUND TO ACT FAIRLY JUSTLY AND IN accordance with law and exercise of power by public functionaries in derogation of law would amount to disobeying the command of law and constitution . In the case of the appellant , the departmental authorities have violated the above verdict of the Apex Court.
- (8) That fixation of the appellant's pay by Respondent No.5 in BPS-07 tantamounts to her down gradation and respondent No.5 (Pay fixation party) was/is not competent under the law to down grade the appellant.
- (9) That the appellant has not been dealt with in accordance with law, which itself is violative of the provisions of Article 4 and 25 of the Constitution of the Islamic Republic of Pakistan, 1973. The expressions " law" as employed in the said Article is positively of wider import, which also includes the duty of every public functionary to act in the given matter justly, fairly and in accordance with the principles of natural justice.

In view of the above mentioned facts and circumstances, it is respectfully prayed that the instant appeal may graciously be accepted and the impugned orders may kindly be set aside and in consequence thereof, respondents be directed to withdraw/rectify the entries of down gradation made by respondent No.5 in service book of the appellant and also to enter and verify pay of the appellant in the upgraded scales. Any other relief which is deem fit in the circumstances may also be granted.

Yours obediently

S. Mehnaz

Syeda Mehnaz Bibi D/O Syed Farid Ullah Shah
 Primary School Teacher Govt. Primary School Anar
 Banda District Karak Presently posted/Transferred
 under wedlock policy as MTT in Islamabad Model
 School(I-VIII) I-10/4 Islamabad. (Residential Address
 House NO.1745, st.No.11,I-14/4 Islamabad.)

Malik Usman Rahim Khattak
Syeda Mehnaz Bibi
High Court Peshawar
Dist. Court Peshawar

Malik Usman Rahim
Khattak Advocate
High Court, Pesh

Verification:

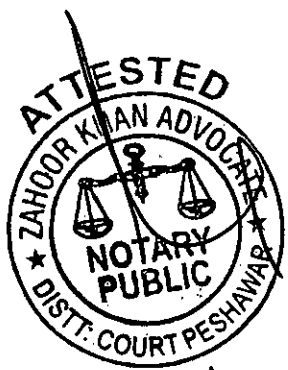
Solemnly verified that contents of the appeal are true and correct to the best of my knowledge and belief

Deponent

S. Mehnaz

Syeda Mehnaz Bibi

Date.



10/6/2019

6

To

The Director,
Elementary and Secondary Education,
Khyber Pakhtunkhwa, Peshawar.

Subject:

Appeal/Representation against the order of District Education officer(Female),Karak conveyed vide letter No.212 dated 08.01.2019 through Director Human Rights Cell, Supreme Court of Pakistan, Islamabad whereby Correction and entries of pay in upgraded post in service Book of the appellant have been refused.

SIR,

I beg to submit the following the following facts for your kind considerations and appropriate order.

- i). That the appellant was appointed as primary school teacher (BPS-07) on 31.3.2004 on contract basis for a period of 3 years vide order dated 31.03.2004 of the Executive District Officer Schools & Literacy, Karak. The appellant joined service on 05.04.2004.
- ii). That subsequently, the appellant was awarded BPS-9 w.e.f 05.04.2004 on the authority of Govt. of NWFP Finance Department Notification.No.FD(PRC)1-1/89 dated 7.08.1991.
- iii). That services of contract employees including the appellant, who were appointed in the prescribed manner on or after 01.07.2001, were regularized on introduction of amendment in section 19 of the NWFP Civil Servant Act 1973 on 23.07.2005,
- iv). That husband of the appellant has been serving in Institution under the Federal Government and due to his posting at Islamabad, the appellant was transferred/posted on deputation to Federal Directorate of Education Islamabad initially for a period of 3 years vide Government of NWFP School and Literacy Department order No.SO(PE)5-2/177/07/Syeda Mehnaz Bibi PTC dated 10.08.2007 which was further extended by two years vide Government of Khyber Pakhtunkhwa Elementary & Secondary Education Department Order No.SO(PE)5-2/02/IPT/KARAK/Vol.II dated 21.07.2010.
- v). That before completion of 5 years, the appellant submitted an application to the Federal Directorate of Education Islamabad requesting there in for permanent absorption or extension in the deputation period and the Federal Directorate of Education vide letter No.F.2013/P.A Dep/14-16-179(W)FDE dated 28.08.2013 requested the Government of Khyber Pakhtunkhwa Elementary & Secondary Education Department for its consent / NOC.
- vi). That pursuant to the above, the Government of Khyber Pakhtunkhwa placed services of the appellant at the disposal of the Federal Directorate of Education, Islamabad on permanent bases vide order NoSO(PE)E&SED/5-2/KARAK/Mehnaz Bibi PST/2013 dated 19.09.2013.

Attended

AO

Malik Usman Rahim Khattak
ADVOCATE HIGH COURT & FEDERAL SHARIAT COURT
25 JUN 2019
BC-10-7596
Mob: 0345-9182313, 0336-1990038

- vii). That since then the appellant has been serving under the Federal Directorate of Education, Islamabad as Metric Trained Teacher in BPS 09 however she has not been absorbed so far.
- viii). That subsequent to the transfer of the appellant to Federal Directorate of Education Islamabad, the post of Primary school teacher was upgraded to BPS-9 vide Government of NWFP Finance department Notification No.FD/SO(FR)10-22/2007 dated 26.01.2008 w.e.f 01.10.2007 and further to BPS 12, 14 and 15 vide Government of Khyber Pakhtunkhwa Elementary and Secondary Education Department Notification No.SO(B & A)/1-18/E&SE/2012 dated 11.07.2012 w.e.f.01.07.2012.
- ix). That similarly the post of Matric Trained Teacher (MTT) was also upgraded to BPS 14 w.e.f.01-01-2011 upon which the appellant submitted an application requesting there in for upgradation of her post. The Federal Directorate of Education Islamabad required the appellant vide letter dated 14-11-2014 to get revised entries in her service book from her parent department. The appellant approached the District Education office KARAK and requested for the required entries in her service book but the same was declined.
- x). It is pertinent to mention that entries in the service book of the appellant were checked, verified and stamped by the office of Deputy District Education and District Account Office, Karak in year 2007 at the time when the appellant was initially transferred to Federal Directorate of Education Islamabad. However on its presentation to the AGPR Office, Islamabad her service book was returned with the following observation on 27.03.18,

"Pay may be got verified from previous audit office"
- xi). That the appellant sent her service book to Karak for its presentation to the District Account Office for the required entries however the said office refused to do the same saying that pay fixation party, especially meant for the purpose, was working in District Karak and that the task fall in their domain.
- xii). That after hectic efforts, the appellant managed to present and got her service book verified from the pay fixation party who astonishingly fixed her pay in BPS 07 instead of BPS 09 in which she was on deputation to the Federal Directorate of Education. This gave rise to another strange anomaly after which the appellant tried her best to contact the pay fixation party as well as the district education office to resolve the issue but of no avail.
- xiii). That finally the appellant submitted an application along with her original Service Book to the Deputy District Education Officer Banda Daud Shah Karak with two fold prayer viz, to resolve the anomaly of down gradation from BPS 9 to BPS 7 by making requisite corrections and also to fix her pay in the upgraded scale as per her entitlement vide Government of NWFP Finance department Notification No.FD/SO(FR)10-22/2007 dated 26.01.2008 and Government of Khyber Pakhtunkhwa Elementary and Secondary Education Department Notification No.SO(B& A)/1-18/E&SE/2012 dated 11.07.2012 .

Attested

[Signature]

Malik Usman Rahim Khattak
 ADVOCATE HIGH COURT & FEDERAL SHARIAT COURT

★ ★ ★
 25 JUL 2018
 ★ ★ ★

BC-10-7596
 Mob: 0345-9182313, 0336-1990038

- xiv). That the Deputy District Education Banda Daud Shah referred the matter to the office of District Education office Karak for opinion. The later kept the matter pending for several month without any reply or order. The appellant was, therefore, constrained to submit an application to the Chief Justice of Pakistan for redressal in accordance with law.
- xv). That now the Appellant has received a letter from Director Human Right Cell, supreme Court of Pakistan along with copy of reply from District Education Office Karak where in the required entries have been refused on the pretext that as the appellant's services have been placed at the disposal of Federal Directorate of Education, Islamabad on permanent bases therefore, the same could not be made by them.
- xvi). It is admitted that the services of the appellant have been placed at the disposal of Federal Directorate of Education, Islamabad on permanent bases in year 2013 however the post of PST was upgraded to BPS 9 on 26.01.2008 w.e.f.01.10.2007 and to BPS 12,14 and 15 on 11.07.2012 w.e.f.01.07.2012 in Khyber Pakhtunkhwa and the said post (MTT) was upgraded in Federal Govt. in year 2014. Which signifies that the post of PST was upgraded during the 5 years periods of deputation and the excuse made in the above reply is not available to them. Furthermore the appellant is still working under rule making control of the lending department as the FDE has not absorbed the appellant and she is still working as a deputationist.
- xvii). That in Esta Code under the Heading of "Change in terms and conditions of Deputationists" it has been provided as under:

".....

2. It may be recalled that a government servant on deputation continues to be under the rule making control of the lending government and is governed by the rules of the lending government in matters of pay, leave, pension, etc. The lending government accordingly have a right to determine, in consultation with the borrowing government ,the terms of his employment under the latter and these terms should not be varied by the borrowing government without consulting the lending government....."

In view of the above, the appellant is entitled to have entries of the upgraded post in her service book from her parent department.

it is therefore, humbly requested that the order of the District Education officer (Female) Karak conveyed vide letter No.212 dated 08.01.2019, being based upon conjectures and surmises and against facts and law, may graciously be set aside and the concerned office be directed to resolve the anomaly of down gradation from BPS 9 to 7 and to make the requisite entries of corrections and fixation of pay in the upgraded post as per entitlement of the appellant.

Attested

[Signature]
Malik Usman Rahim Khattak
ADVOCATE HIGH COURT & FEDERAL SHARIAT COURT
25 JUN 2019
BC-10-7596
Mob: 0345-9182313, 0336-1990038

9

Yours obediently

S. Mehnaz

Syeda Mehnaz Bibi D/O Syed Farid Ullah Shah
Primary School Teacher Govt. Primary School Anar
Banda District Karak Presently posted/Transferred
under wedlock policy as MTT in Islamabad Model
School(I-VIII) I-10/4 Islamabad. (Residential Address
House NO.1036, I-10/4 Islamabad.)

Aded

~~16~~

Malik Usman Rahim Khattak
ADVOCATE HIGH COURT & FEDERAL SHARIAT COURT
25 JUN 2013
BC-10-7596
Mob: 0345-9182313, 0336-1990038

10

UMS1

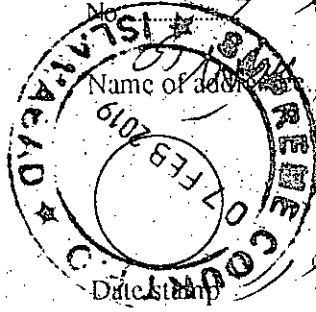
PAKISTAN POST OFFICE
U.M.S. RECEIPT

No. 7480225 Rs. 311

Name of addressee Mr. Malik Usman Rahim Khattak

Date stamp 25 FEB 2019 Post town of destination Rawalpindi

Signature of booking official [Signature]



Service instruction over leaf

Adesed

Malik Usman Rahim Khattak
 ADVOCATE HIGH COURT & FEDERAL SHARIAT COURT

★ ★ ★ 25 FEB 2019 ★ ★ ★

BC-10-7596
 Mob: 0345-9132313, 98336-1990038



11

IN THE SUPREME COURT OF PAKISTAN, ISLAMABAD

(Original Jurisdiction)

Regd. A.D.

HRC No. 81010-G/2018


Application: Syeeda Mahnaz Bibi,
Islamabad Model College for Girls (I-VIII),
Sector I-10/4, Islamabad.

To

Syeeda Mahnaz Bibi,
Islamabad Model College for Girls (I-VIII),
Sector I-10/4, Islamabad.


Take notice that in pursuance of order of the Hon'ble Chief Justice of Pakistan, your application has been filed, however you may avail remedies available under the rules/laws, if so desired and advised.

Islamabad: January 26, 2019.


Director
Human Rights Cell
Tel# 051-9220581/319
Fax # 051-9219516

Encl. Copy of report.

Attested


Malik Usman Rahim Khattak
ADVOCATE HIGH COURT & FEDERAL SHARIAT COURT
★
★
★
25 JUN 2019
BC-10-7596
Mob: 0345-9122313, 9936-1990038

14

12

OFFICE OF THE DISTRICT EDUCATION OFFICER
(FEMALE) KARAK.

No 212

Dated 08 / 01 / 019.

To

✓ The Director,
Human Rights Cell,
Supreme Court of Pakistan,
Islamabad.

SUBJECT: - HRC NO.81010-G/2018 SYEDA MEHNAZ BIBI VS DEO(F)
KARAK

I am directed to refer to your letter dated 11-12-2018 on the subject noted above and to submit the following report regarding subject matter:-

The applicant /complainant was appointed as PST(B-07) teacher on contract basis for three years on 31-3-2004 in District Karak and upgraded to B-09 in 2006 W.E.F 05-04-2004.

The services of the complainant were placed at the disposal of Federal Directorate of Education Islamabad on her request on 15-8-2007 in her own pay and scale on the terms and conditions specified by the Federal Directorate of Education vide order No.SO(PE)5-2/177/07/S dated 10-8-2007 initially for a period of three years(Annex-a). On expiry of above period she was granted extension in deputation period for a further period of two years with effect from 15-8-2010 to 14-8-2012 on the same terms and conditions vide office order No.F.1-9/11-5-Dep(W)FDE dated 25-8-2010(Annex-B).

After completion of five years of deputation the applicant/complainant applied for permanent absorption in Federal Directorate of Education Govt of Pakistan under wedlock/Spouse policy.

The Federal Directorate of Education Islamabad approached this Department for provision/issuance of No objection certificate for her permanent absorption in Federal Directorate of Education vide letter No.F.2013/PA-DEP/14-16-17(W)FDE dated 28-8-2013(Annex-C). Accordingly the applicant was placed at the disposal of Federal Directorate of Education on permanent basis without retaining her lien in the E&SED vide order No.SO(PE)E&SED/5-2/Karak/2013 dated 19-9-2013(Annex-D) and relieved from the service of this Department.

Malik Usman Rahim Khattak
ADVOCATE HIGH COURT & FEDERAL SHARIAT COURT
★ ★ ★
★ ★ ★
BC-10-7596
Mob: 0345-9102913, 0336-1990038

(13)

Since the E&SED KPK upgraded the post of PST from B-09 to B-12 in the year 2012 but she was on deputation to Federal Govt since 2007, hence she was not upgraded to B-12 and later on she was permanently absorbed in the Federal Govt Islamabad and she has remained no more the employee of the E&SED Govt of KPK


(ZUBAIDA KHATTAK)
DISTRICT EDUCATION OFFICER,
Wz (FEMALE) KARAK

Endst.NO & date as above.

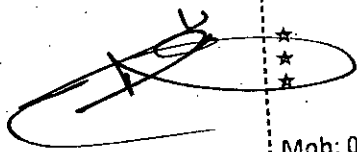
Copy to:-

1. Section Officer Lit-II Establishment Department Govt Of Khyber Pakhtonkhwa With Refrince to his official letter No so(lit-II)E&AD/1-1/2013dated 02.01.201p
2. PS to Secertary E & SED Govt of Khyber PKHTUN Khwa Peshawar.
3. SO litigation-III E & SED Govt of Khyber PKHTUN Khwa Peshawar.

/

(ZUBAIDA KHATTAK)
DISTRICT EDUCATION OFFICER,
(FEMALE) KARAK

Attested


Malik Usman Rahim Khattak
ADVOCATE HIGH COURT & FEDERAL SHARIAT COURT
★ ★ ★
25 JUN 2013
★ ★ ★
BC-10-7596
Mob: 0345-912313, 9336-199032

OFFICE OF THE EXECUTIVE DISTRICT OFFICER SCHOOLS & LITERACY KARAK

APPOINTMENT

Consequent upon the recommendation of the District Recruitment/Selection Committee constituted by the Government of NWFP Schools and Literacy Department the following candidates are hereby appointed as PST (Primary School Teacher) on contract basis in BPS-7(2220-120-5820) PM Fixed plus usual allowance as admissible under the rules on 25% Open Merit and 75% Union Council wise basis w.e.f the date of their taking over charge on the terms and conditions mentioned below.

(OPEN MERIT 25%) Posts=12

S.No	Name	Father's Name	Union Council	Address	Posted as	School where posted	Merit
1	Rahat Nasrin	M. Yousaf	Karak North	Rehmat Abad	PST	GGPS Mator	60.78
2	Zubida Akhtar	Gul Nawar Khan	Jehangiri	Y. Musak	PST	GGPS Uchari Khel	60.58
3	Balqees	Sher Daraz Khan	T. Nasrathi	Boqara	PST	GGPS GMK Khel	60.3
4	Mehmooda Akhtar	Ali Ahmad Khan	T. Nasrathi	T. Nasrathi	PST	GGPS Edal Khel	59.93
5	Shereen Taj	Sadullah Jan	S. Abad	S. Abad	PST	GGPS Aziz Zebi	59.86
6	Farida Begum	Fazal Qayum	Teri	Ahmadi Banda	PST	GGPS Bergi	59.84
7	Safia Yousaf	Yousaf Khan	South Karak	T. Karak	PST	GGPS Onbb Sangeni	59.71
8	Bibi Sajida	Noor Sahib Gul	South Karak	A. Karak	PST	GGPS Tarkha Koi	59.62
9	Fozia Naorin	Baho din	Karak North	Karak	PST	GGPS Eesak Ghundi	59.47
10	Fazeelat Haq	Fazal Haq	Latamber	Latamber	PST	GGPS Charpara No2	58.46
11	Zahida Parveen	Pir Badshah	J.I. Khel	J.I. Khel	PST	GGPS Snickhan Mami K	57.66
12	Hijran Bibi	Afsar Khan	G.M.K. Khel	Tarki Khel	PST	GGPS Pur Dil Banda	57.44

(UNION WISE 75%)

SABIR ABAD Posts=7

S.No	Name	Father's Name	Union Council	Address	Posted as	School where posted	Merit
1	Rashida Hans	Habib ur Rehman	S. Abad	S. Abad	PST	GGPS Sabir Abad No1	56.51
2	Maryam Aman	Aman Ullah	S. Abad	Makh Banda	PST	GGPS Doll Mela	56.09
3	Mobina Aman	Aman Ullah	S. Abad	Makh Banda	PST	GGPS Doll Mela	54.75
4	Shanz Begum	Meraj Gul	S. Abad	Noor Killa	PST	GGPS Dhan Edal Khel	54.58
5	Sultana Begum	Amir Zaman	S. Abad	Makh Banda	PST	GGPS Shanki Banda	51.13
6	Khurshid Begum	Saif ur Rehman	S. Abad	D. Mela	PST	GGPS Nari Edal Khel	48.99
7	Zahid Yasmin	Mehmood Khan	S. Abad	S. Akka	PST	GGPS Shawa Handi Kar	48.88

JANDERY Posts=5

S.No	Name	Father's Name	Union Council	Address	Posted as	School where posted	Merit
1	Noor Taj Begum	Raham Saeed	Jandari	Ahmad Khel	PST	GGPS Talab Khel	55.35
2	Asma Akhtar	Lal Sayed Khan	Jandari	Seri Khwa	PST	GGPS Shahdaan	52.67
3	Shazia Nahed	M. Nabi	Jandari	Sarat Khel	PST	GGPS Sra Khwa	51.7
4	Sadia Raees	Raees Khan	Jandari	T. Khwa	PST	GGPS Kashmir	51.51
5	Jam Naz	Afzal Moh	Jandari	Talab Khel	PST	GGPS Mashki Khel	50.82

EDO S&L KARAK

Malik Usman Rabim Khattak
ADVOCATE HIGH COURT & FEDERAL SHARIAT COURT

BC-10-7596

Mob: 0345-9182313, 0336-1990033

HA KHEL Posts=2

S.No	Name	Father's Name	Union Council	Address	Posted as	School where posted	Merit
1	Kausar Nisa	Fazal Monir	Mitha Khel	Mitha Khel	PST	GGPS Teran Koi	52.39
2	Kalloom Jehan	Abdul Rashid	Mitha Khel	Mitha Khel	PST	GGPS Sheno Jaggadi	48.9

PALOSA SAR Posts=3

S.No	Name	Father's Name	Union Council	Address	Posted as	School where posted	Merit
1	Zahida Bibi	Hassan Khan	Palosa Sar	Warijla Banda	PST	GGPS Shinnichala	63.64
2	Obaid Begum	Izai Mir	Palosa Sar	Palosa Sar	PST	GGPS Shumohaki	52.64
3	Kulsoom Akhtar	Shaista Jahan	Palosa Sar	Kemal	PST	GGPS U.Chani Khel	51.47

LATAMBER Posts=1

S.No	Name	Father's Name	Union Council	Address	Posted as	School where posted	Merit
1	Ulul Shaheen	Mohammad Ali	Latamber	Latamber	PST	GGPS Mandawa	53.91

GHUNDI MIR KHAN KHEL Posts=5

S.No	Name	Father's Name	Union Council	Address	Posted as	School where posted	Merit
1	Perveen	Musa Ali Khan	G.M.K.Khel	Mangar Khel	PST	GGPS Daraki Banda	52.5
2	Kausar Zareen	Asal Zareen	G.M.K.Khel	Ashkan Ali k	PST	GGPS Daraki Banda	52.21
3	Zahida	Musa Ali Khan	G.M.K.Khel	Mangar Khel	PST	GGPS Kamali Zera Khel	52.08
4	Aosan Bibi	Zawahir Jan	G.M.K.Khel	GMK Khel	PST	GGPS G.J Darshan	51.17
5	Mehnaz Bibi	Zahir Badshah	G.M.K.Khel	Badin Khel	PST	GGPS G.J Darshan	51.02

ESAK CHONTARA Posts=4

S.No	Name	Father's Name	Union Council	Address	Posted as	School where posted	Merit
1	Robina Akhtar	Said ul Amin	E.Chontra	Dabb B. Khel	PST	GGPS Hakim Khel	52.55
2	S.Mehnaz Bibi	S.Faridullah shah	E.Chontra	E.Chontra	PST	GGPS Easak Khajak	51.39
3	Rifat Jehan	Abdul Rashid	E.Chontra	E.Chontra	PST	GGPS Maveez Khan Kor	50.65
4	Parveen Akhtar	Saxhi Bad Shah	E.Chontra	E.Chontra	PST	GGPS Saif Ali Banda	50.28

TERI Posts=4

S.No	Name	Father's Name	Union Council	Address	Posted as	School where posted	Merit
1	Mehwish Amir	Amir Sultan	Teri	Teri	PST	GGPS Easak Khumari	56.07
2	Famaz Jabeen	M.Ayub	Teri	Ahmadji Banda	PST	CMS Bargi	51.59
3	Iram Azmat	Azmat Ullah	Teri	Teri	PST	GGPS Easak Khumari	51.36
4	Beena Amir	Amir Ullah	Teri	Teri	PST	GGPS Easak Khumari	50.96

BAHADAR KHEL Posts=3

S.No	Name	Father's Name	Union Council	Address	Posted as	School where posted	Merit
1	Azad Husain	Azad Husain	B. Khel	B. Khel	PST	GGPS Ghoie Banda	56.89
2	Mehar yasmeeen	Mohd. Raees	B. Khel	B. Khel	PST	GGPS Anar Banda	47.99
3	Mussarat Yasmeeen	Mohd. Raees	B. Khel	B. Khel	PST	GGPS Anar Banda	46.88

EDO S&L KARAK

Malik Usman Rahim Khattak
ADVOCATE-HIGH COURT & FEDERAL SHARIAT COURT

BC-10-7596

Mob: 0345-9192315, 9999-157005

JATTA ISMAIL KHEL

Posts=3

S.No	Name	Father's Name	Union Council	Address	Posted as	School where posted	Merit
1	Asma Jabeen	Shah Mohd	J.I.Khel	Makoori	PST	GGPS Mani Khel	45.2
2	Bus Khudara Begum	Lal Nawaz	J.I.Khel	Krapa	PST	GGPS Jatta I Khel	43.13
3	Yasmin Akhtar	Gul Rehman	J.I.Khel	Mami Khel	PST	GGPS Mami Khel	39.23

NARI PANOS

Posts=1

S.No	Name	Father's Name	Union Council	Address	Posted as	School where posted	Merit
1	Sadia naz	Hefzrehman	N.Panos	N.Panos	PST	GGPS Inzar Payan	56.27

SHAWA GUDI KHEL

Posts=2

S.No	Name	Father's Name	Union Council	Address	Posted as	School where posted	Merit
1	Mehma	Gul Zaman	S.G.Khel	Jarasi	PST	GGPS Jarasi	51.95
2	Asia Jehan	M.Nasir Khan	S.G.Khel	S.G.Khel	PST	GGPS Umar Jan Kooron	61.77

WANKI SIRAJ KHEL

Posts=1

S.No	Name	Father's Name	Union Council	Address	Posted as	School where posted	Merit
1	Khalida Zaheen	Fazal Haq	W.Siraj Khel	W.Siraj Khel	PST	GGPS Poya Sarki Lawad	55.22

WARRANA AHMAD ABAD

Posts=1

S.No	Name	Father's Name	Union Council	Address	Posted as	School where posted	Merit
1	Shameen Akhtar	Mehar Amin	Warrana.A	W.Musakan	PST	GGPS Shobli	54.10

(DISABLE QUOTA 2%)

Posts=1

Posts=1

S.No	Name	Father's Name	Union Council	Address	Posted as	School where posted	Merit
1	Farkhanda yasmeen	Sir Anjam	Chakara	Dangar Wala	PST	GGPS Eesak Khumari	50.39

TERMS & CONDITION

1. No TADA etc is allowed.
2. Charge reports should be submitted to all concerned in duplicate.
3. Appointment is purely on temporary & contract basis initially for three years.
4. They should not be handed over charge if he exceed 35 years or below 18 years of age.
5. Appointment is subject to the condition that the certificate/documents must be verified from the concerned authorities. Drawing Disbursing Officer must ensure before drawal of salary. If she is found producing bogus Certificate she will be reported to the law enforcing agencies for further action.
6. If he fails to take over charge within fifteen days, the appointment order will be deemed as cancelled.
7. Health and Age Certificate should be produced from the Medical Superintendent concerned before taking over charge.

Attested

Malik Usman Rahim Khattak
ADVOCATE HIGH COURT & FEDERAL SHARIAH COURT

BC-10-7596
Mob: 0345-9130313, 0345-1990037

17

- 8 Before handing over charge she will sign an agreement with the department (i.e DO(F) S&L Karak), otherwise this order will not be valid.
- 9 They will have to serve at the place of posting for the period of their agreement.

KHALID KHAN BALOCH
 DISTRICT COORDINATION OFFICER
 KARAK

41107-41113
 Encl: No. JAE-III/PST/Appointment

31-3-2004

Copy of the above is forwarded to:

- 1. Director Schools & Literacy NWFP Peshawar.
- 2. District Nazim Karak
- 3. District Coordination Officer Karak
- 4. District Officer(F) Schools & Literacy Karak
- 5. Deputy District Officer (F) Schools & Literacy Karak
- 6. Deputy District Officer (F) Schools & Literacy BD Shah Karak
- 7. District Account Officer Karak
- 8. Candidate concerned

(FAIZ UR REHMAN)
 EXECUTIVE DISTRICT OFFICER
 SCHOOLS & LITERACY KARAK

Attest

Malik Usman Rahim Khattak
 ADVOCATE HIGH COURT & FEDERAL SHARIAT COURT
 BC-10-7596
 Mob-0345-0182913, 0345-1900080

GOVERNMENT OF NORTH WEST FRONTIER PROVINCE
FINANCE DEPARTMENT

NOTIFICATION

Peshawar, dated the 7th August, 1991.

No. FD(PRC)1-1/89- In exercise of all the powers enabling him in this behalf the Governor of the North-West Frontier Province is pleased to order the following scales of pay/benefit to various categories of Teachers with effect from 1-7-1991.

Sl. No.	Name of the Post.	Benefits extended
1.	2.	3.

1. Primary School Teachers (PTC/J.V)

All the present and future primary school teachers who hold the qualification of F.A/F.Sc. (2nd Division) plus existing prescribed professional training shall be placed in BPS-9 with 1/3rd in selection grade BPS-10.

All other teachers who do not possess higher qualification shall continue getting existing pay scale with selection grade accordingly.

However, the higher scales/grades allowed to these teachers will be personal to them and the inter-seniority will remain intact.

2. Elementary school Teachers (E.S.T/ S.V/P.E.T/ Drawing Masters/PTI.

All the present and future elementary school teachers who possess the qualification of B.A/B.Sc. (2nd Division) plus existing prescribed professional training shall be placed in BPS-14 with 1/3rd in Selection Grade BPS-

All other teachers who do not possess higher qualifications shall continue getting existing pay scales with Selection Grade accordingly.

However, the higher scales/grade allowed to these teachers will be personal to them and the inter-seniority will remain intact.

3. Arabic Teachers.

All the present and future Arabic Teachers who possess the qualification of Trained Fazil with B.A/B.Sc. (2nd Division) and five years teaching experience or M.A. Arabic or equivalent qualifications shall be placed in BPS-14 with 1/3rd in Selection Grade BPS-15.

Malik Usman
Malik Usman Rahim Khattak
ASSOCIATE JUDGE, FEDERAL SHARIAT COURT

5 AUG 2013

BC-10-7596
Mob: 0345-9192313, 0336-199003

19

Sl. No.	Name of the Post.	Benefits extended.
1.	2.	3.

All other teachers who do not possess higher qualification shall continue getting existing pay scale with Selection Grade accordingly.

However, the higher scale/grade allowed to these teachers will be personal to them and the inter-seniority will remain intact.

Secondary School Teachers.

All the present and future Secondary School Teachers with prescribed qualification under the Rules shall be placed in BPS-16 with 1/3rd in Selection Grade BPS-17.

The advance increments sanctioned by Finance Department vide Para 9 of its letter No. FD (SR-I)1-67/82 dated 24-8-1983 will not be admissible on acquiring /possessing qualifications for which higher pay scales are being sanctioned through this notification.

SECRETARY TO GOVERNMENT
North West Frontier Province,
Finance Department.

Endst. No. FD(PRC)1-1/89. Dated Peshawar the, 7th August, 1991.

A copy is forwarded to the Accountant General, NWFP, Peshawar for information and necessary action.

(Signature)
(GHULAM DASTGIR AKHTAR)
Deputy Secretary (Regulation)
Finance Department.

Endst. No. FD(PRC)1-1/89. Dated Peshawar, the 7th August, 1991.

A copy is forwarded to:-

1. All Administrative Secretaries to Govt. of NWFP.
2. All Commissioners of Division, N.W.F.P.
3. All Heads of Attached Departments NWFP
4. The Secretary to Governor, NWFP
5. The Registrar, Peshawar High Court, Peshawar.
6. The Secretary Public Service Commission, NWFP.
7. The Registrar Service Tribunal, NWFP.
8. All Dy. Commissioners/Political Agents/District and Session Judges in NWFP.

Attested

(Signature)
(GHULAM DASTGIR AKHTAR)
Deputy Secretary (Regulation)
Finance Department.

Malik Usman Rahim Khattak
ADVOCATE HIGH COURT & FEDERAL SHARIAT COURT

contd...

BC-10-7596
Mob: 0345-9182313, 9936-1990032

GOVERNMENT OF NWFP
SCHOOL & LITERACY DEPARTMENT.

20
ANNEXURE A

ORDER.

NO. SO(PE)5-2/177/07/Syeda Mehnaz Bibi PTC. In pursuance of the Federal Directorate's of Education Islamabad letter No. F.4-9/2007/(W) FDE dated 26-07-2007, the services of Ms. Syeda Mehnaz Bibi PTC Govt. Girls Primary School Anar Banda District Karak (NWFP) are hereby placed at the disposal of the Federal Directorate of Education, Islamabad on deputation basis for initial period of 03 years, on the terms & conditions contained in the above quoted letter.

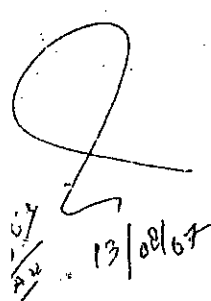
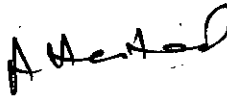
SECRETARY TO GOVT. OF NWFP
SCHOOL & LITERACY DEPARTMENT.

Endst. No. SO (PE)5-2/177/07/S.Mehnaz Dated Pesh: the, 10-8-07

Copy forwarded to:-

1. The Secretary to Govt. of NWFP Establishment Department w/r to his letter No. SORI (E&AD) 1-14/82(Vol-XI)dated 8-08-07
2. The Director General Federal Directorate of Education Islamabad w/r to his letter quoted above.
3. The Director School & Literacy NWFP Peshawar w/r to his letter No.7111/F.No.15/PTC(F) Karak dated 25-06-2007.
4. The Distt: Accounts Officer Karak.
5. The Executive District Officer School & Literacy Karak with the request to relieve and direct the teacher concerned to report to the Director General Federal Directorate of Education Islamabad for further posting.
6. Ms. Syeda Mehnaz Bibi PTC GGPS Anar Banda Karak.


SECTION OFFICER (PRIMARY)


13/08/07

Malik Usman Rahim Khattak
ADVOCATE HIGH COURT & FEDERAL SHARIAT COURT
25 JUN 2008
BC-10-7596
Mob: 0345-9182313, 0335-1990033

5

21

ANNEXURE B

Attn:

Ms. Noor Rahman

GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

Dated Peshawar the 21-07-2010.

ORDER.

NO.SO(PE)5-2/02/IPT/Karak/ Vok II.

In pursuance of the Establishment and Administration Department Govt. of Khyber Pakhtunkhwa NOC contained in letter No. SOR-I(E&AD)1-14/82 (Vol. XIX) dated 14-07-2010, the competent authority is pleased to extend the period of deputation for further two (02) years wef; 07-08-2010 to 06-08-2012 in respect of Ms. Syeda Mehnaz PTC GGPS Anar Banda Karak (Khyber Pakhtunkhwa) on deputation basis to Federal Directorate of Education Islamabad. Total period of deputation including the instant period comes to five (05) years.

SECRETARY TO GOVT. OF
KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY
EDUCATION DEPARTMENT.

Endst. No. & Date as above.

Copy forwarded to:-

1. The Secretary to Govt. of Khyber Pakhtunkhwa Establishment Department w/r to his letter No. quoted above.
2. The Director (General) Federal Directorate of Education Islamabad w/r to his letter No. F.1-9/115 (W) FDE dated 5-7-2010.
3. The Director Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.
4. The Executive District Officer E&SE Karak w/r to his letter No. 3805 dated 11-6-2010.
5. The District Accounts Officer, Karak.
6. Ms. Syeda Mehnaz PTC GGPS Anar Banda Karak.

SECTION OFFICER (PRIMARY)

A. Usman

Malik Usman Rahim Khattak
ADVOCATE HIGH COURT & FEDERAL SHARIAT COURT

25 JUN 2010

BC-10-7596
Mob: 0345-9192313, 0335-4990032

No. F.2013/P.A-Dep/14-16-17/(W) FDE
Government of Pakistan
Federal Directorate of Education

227

Islamabad the 28th August, 2013.

To,

The Section Officer (Primary),
Elementary & Secondary Education Department,
Government of KPK,
Peshawar.

ANNEXURE

Subject: NO OBJECTION CERTIFICATE FOR PERMANENT ABSORPTION

I am directed to refer to the subject noted above and to say that, Mrs. Syed Mehnaz Bibi D.O.B 19.04.1977 D/O Fared Ullah Shah was taken on deputation under FDE on 15.08.2007 in her own pay/grade & scale i.e MTT (B-09).

2. Now, in the light of approval of the Prime Minister of Pakistan, the FDE is preparing the case for permanent absorption of the deputationist for onward transmission to CA&D Division for DPC/DSC. In this regard, the NOCs of parent department for permanent absorption of the deputationists are required.

3. The deputationists will be absorbed with the approval of Competent Authority on the condition that, completion of 05-years deputation period, meet the wedlock policy, fulfillment of codal & procedural formalities, availability of posts and subject to provision in the recruitment rules.

4. Above in view, you are requested, the NOC / consent of your's department for permanent absorption in respect of Mrs. Syed Mehnaz Bibi may be furnished to this Directorate upto 20.09.2013 for further process please. Beyond 20.09.2013 the NOC/consent will not be acceptable.

5. This letter does not confer any right or claim of permanent absorption.

6. This is issued with the approval of Director General (Edu).

Hasan
(HASAN IMRAN BAIG)
Dy. Director Schools (FEMALE)

Copy to:

- ↓ E.D.O concerned.
- ↓ D.E.O concerned.
- ↓ Person concerned.

(HASAN IMRAN BAIG)
Dy. Director Schools (FEMALE)

DulBul...007

Abdool
Malik Usman Rahim Khattak
ADVOCATE HIGH COURT & FEDERAL SHARIAT COURT
25 AUG 2013
BC-10-7596
Mob: 0345-9132313, 9386-1990032

GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

Dated Peshawar the 19-09-2013.

ANNEXURE

ORDER

No.SO(PE)E&SED/5-2/Karak/Mehnaz Bibi PST/2013. In pursuance of the Establishment & Administration Department Govt. of Khyber Pakhtunkhwa, NOC conveyed to the Elementary & Secondary Education Department vide letter No.SOR-I (E&AD)1-14/82/Vol.27 dated 18-09-2013, the services of Mrs. Syeda Mehnaz Bibi PST GGPS Anar Banda District Karak (Khyber Pakhtunkhwa) are hereby placed at the disposal of the Federal Directorate of Education, Islamabad on permanent basis without retaining her lien in the E&SE Department.

SECRETARY

Endst. No. & Date as above.

Copy forwarded to:-

1. The Secretary Establishment & Admn. Department Govt. of Khyber Pakhtunkhwa, w/r to his letter quoted above.
2. The Dy. Director Schools (Female) Government of Pakistan Federal Directorate of Education Islamabad w/r to his letter No.F.2013/P.A.-Dep/14-16-17(W) FDE dated 19-08-2013.
3. The Director, Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
4. The District Education Officer(F) Elementary & Secondary Education Karak.
5. The District Accounts Officer Karak.
6. Mrs. Syeda Mehnaz Bibi PST GGPS Anar Banda District Karak.

(HINA SAEED) 20-9-2013

SECTION OFFICER (PRIMARY)

Malik Usman Rahim Khattak
ADVOCATE HIGH COURT & FEDERAL SHARIAT COURT
25 JUN 2013
BC-10-7596
Mob: 0345-9132313, 0335-1990033

GOVERNMENT OF NWFP
FINANCE DEPARTMENT

(REGULATION WING)

Dated Peshawar, the 26th January, 2008.

NOTIFICATION

NO.FD/SO(FR)10-22/2007. In supercession of this Department's letter No.SO(FR)10-22(B)/2005 dated 01-10-2007 and in pursuance of the decisions of the meeting held under the Chairmanship of Secretary Establishment on 2-1-2008, the Competent Authority is pleased to allow upgradation for the incumbents of the posts as per details given below w.e.f. 1-10-2007:-

S.NO	Existing Designation and Pay Scale	Qualification	Upgraded Scale
1	Primary School Teacher (PST) (BPS-07).	FA/FSc and are trained teachers	BPS-09 (one time only)
2	Primary School Teacher (PST) with requisite experience renamed as Head Teacher/Head Mistress of Primary Schools (BPS-07).	Having 10 years service	BPS-12 (one time only)
3	CT (BPS-09).	BA/BSc and are trained teachers	BPS-15 (one time only)
4	SETs (BPS-16)	With at least ten years service. Upgradation to the post shall be made through DPC as per laid down procedure.	BPS-17
5	Qari/Qaria (BPS-07)	Hafiz Quran with SSC	BPS-12

SECRETARY TO GOVT. OF NWFP
FINANCE DEPARTMENT

Endst No. & Date even.

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

- 1) All the Secretaries in NWFP, Peshawar.
- 2) All the DCOs/EDOs Schools & Literacy Department, NWFP.
- 3) Accountant General, NWFP, Peshawar.
- 4) Director Schools & Literacy NWFP, Peshawar.
- 5) Director of Education FATA NWFP, Peshawar.
- 6) FSO to Chief Minister, NWFP.
- 7) FSO to Chief Secretary, NWFP.
- 8) PS to Secretary Finance Department, NWFP.
- 9) All District/Agency Accounts Officers in NWFP.

(Signature)

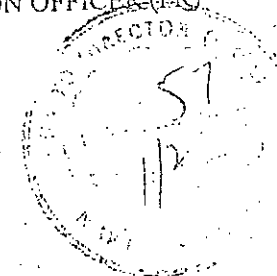
(Signature)

(NAIB KHAN)

SECTION OFFICER (FR)

(Signature)

D No. 754
Date 2/2/08
Director
Schools & Literacy
NWFP Peshawar



(Signature)

Malik Usman Rahim Khattak
ADVOCATE HIGH COURT & FEDERAL SHARIAT COURT
25 JUN 2008
BC-10-7596
Mob: 0345-9132313, 9956-1990083



(9)

(25)

ARSHAD ALI

GOVERNMENT OF KHYBER PAKHTUNKHWA

ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

Dated Peshawar, 11.07.2012

NOTIFICATION:

No. SO (B & A)/1-18/E&SE/2012: Sanction of the Government of Khyber Pakhtunkhwa is hereby accorded to the up gradation of the posts for Grant of Incentive of Higher Pay Scale to different Categories/Cadres of teachers in Elementary & Secondary Education Department w.e.f. 01-07-2012 as per details given below:-

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

Malik Usman Rahim Khattak
ADVOCATE HIGH COURT & FEDERAL SHARIAT COURT

25 JUL 2012

BC-10-7596
Mob: 0345-9192313, 9988-1999000

26/7/12

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

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

3. District wise/ school wise breakup of the posts is enclosed herewith as Annexure-A.

SECRETARY

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

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

[Signature]
SECTION OFFICER (FR)
FINANCE DEPARTMENT

Endst. Of even Number & Date.

Copy of the above is forwarded to:-

1. The Secretary to Government of Khyber Pakhtunkhwa, Finance Department, with reference to his letter No SO(FR)/FD/10-22(E)/2010 dated 26.06.2012.
2. P.S. to Secretary, E&SE Department, Khyber Pakhtunkhwa, Peshawar.
3. P.S. to Special Secretary, E&SE Department, Khyber Pakhtunkhwa, Peshawar.
4. P.S. to Deputy Secretary-II, E&SE Department, Khyber Pakhtunkhwa, Peshawar.
5. P.S. to Minister of E&SE, Khyber Pakhtunkhwa.
6. The Director, E&SE Khyber Pakhtunkhwa, Peshawar.
7. All the Executive District Officers, E&SE Khyber Pakhtunkhwa.
8. The Managing Director, Printing Press, Khyber Pakhtunkhwa, Peshawar.
9. Master file.

A. Usman
Malik Usman Rahim Khattak
ADVOCATE HIGH COURT & FEDERAL SHARIAT COURT

BC-10-7596
Mob: 0345-9182313, 9336-19943

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

F.1-9/115-MTT (Dep) FDE
Government of Pakistan
Federal Directorate of Education

Islamabad, the 14th November, 2014.

The Executive District Officer, (Education)
District Karak
Govt. of KPK

Subject: GRANT OF UPGRADATION.

I am directed to refer to the subject noted above and to say that Mrs. Syeda Mehnaz Bibi PST (B-09) Government Primary school Anar Banda Distt. Karak, Govt. of KPK was taken on deputation under FDE on 15-08-2007 and posted in Islamabad Model school (I-VIII), I-10/4, Islamabad.

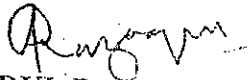
2. Now, the Government of KPK has upgraded the post of PST BPS-09 to BPS-14. Hence she is requesting for her up gradation from PST, BPS-9 to PST BPS-14.

3. You are requested to provide the following documents for further process.

- i) Revised LPC
- ii) Revised entries in her Service Book.


Copy to:

- Person Concerned
- Personal File.


(ABDUL RAZZAQUE)
Administrative Officer (Female)

(ABDUL RAZZAQUE)
Administrative Officer (Female)

Attested


Malik Usman Rahim Khattak
ADVOCATE HIGH COURT & FEDERAL SHARIAT COURT
★ 25 JUN 2014 ★
★ ★
BC-10-7596
Mob: 0345-9182313, 0336-1990038

29

Name and position of the head of the office or other attesting officer (Annexure B)	Date of termination or appointment	Reason of termination (such as promotion, transfer, dismissal etc.)	Signature of the head of the office or other Attesting officer	Name and duration of leave taken	Allocation of period of leave of average pay up to 12 months (or earned leave exceeding 120 days) to which leave salary is debitable to another Government		Signature of the Head of the office other attesting Officer	Reference to any recorded punishment of censure, or inward, or passed on the Government servants
					Period	Government to which debitable		
اسٹپنڈنٹ ایجوکیشن آفیسر	تاریخ: 15-8-2007	ترقی و تعلق ملازمت	اسٹپنڈنٹ ایجوکیشن آفیسر	رضعت کی فوجیت و سید	پارہ ایک کی رضعت کے لئے اوسط تنخواہ کا تین	Period: 15-8-07 to 13-8-07	Government: Government of Punjab	اسٹپنڈنٹ ایجوکیشن آفیسر

Approved & signed on 15/8/07
 Under & D. S. O. to be learned
 Encl: No-2837-38
 24/8/06

Malik Usman
 Dy. Dist. Officer
 Education
 Karak

Service up to 13-8-2007 on the basis of the entries made in the P. Book by the DDO is verified. This verification is subject to the receipt of the original P. Book.

Passed by Shabudatullah ALI, P. U. Com. AL-ARABIA wal Islamia, Jamia Jamal Nomal Qureshi Tond Lia wala Ferozabad Aland year 2004. marks 470/800

Dist. Office Karak
 23/8/07
 District Accounts Officer Karak

Service verified 13-8-07
 01-12-2005 to 13-07-2007
 From Acq. roll and other office record.

Join his duty in F.D.S. Project on (deputation) 15-8-2007. Vide: F.D.S. O/O No. F-49/2007. D.O. P.W. F.D.S. detail. 01-10-2007. Join her duty on 15-08-07

Secretary
 District Office (Female)
 Karak
 The above mentioned service verification date of 13-8-07 is recorded in D.D. C. No. 103/2007

V. Pringle / DDO
 F.C. Girls Middle School
 10/3, Islamabad.

Abdul
 9/10/07

Malik Usman Rahim Khattak
 ADVOCATE HIGH COURT & FEDERAL SHARIAT COURT
 25-11-2009
 BC-10-7596
 Mob: 0345-9182313, 0336-1990038

1 Name of Post	2 Whether Substantive of officiating any whether permanent or temporary	3 If officiating state- (i) substantive appointment of (ii) whether service counts for pension under rule 3-20 of C.S.R (Pb.) Volume II	4 Pay in substantive position		5 Additional pay for officiating		6 Other emoluments falling under the term pay	7 Date of appointment	Signature Government Servant
			Rs.	Ps.	Rs.	Ps.			
مارشلاز	عارضی سنیل عام نظام	اگر مارشلاز ہے تو اس کے سہ ماہیہ پنشن کا سہ ماہیہ ہے؟							
M.T.T. (P-9)	deponent temp.	Yes			3735 190			12/07	S.M.C.
2695/2007	37				(1) 52 to 506 204 150x355				
3420/2007	37				(2) 12 to 306 24x240				
4740/2008	59				(3) 12 to 506 28 26x230				
					(4) 12 to 506 35x380				
- do -	- do -	Yes.			3014 4740			07/08	S.M.C.
- do -	- do -	Yes			4970			12/08	S.M.C.

P.L.P. 2555-140-6755
 P.L.P. 2699-
 Date of Birth
 Accounts Officer
 Election Party
 Pushwar

Note: The account of P.L.P. is available on the web.

Malik Usman Rahim Khattak
 ADVOCATE HIGH COURT & FEDERAL SHARIAH COURT
 25 111 2111
 BG-10-2506
 Mob: 0345-918233, 9358-090038

To

The Deputy District Education Officer (Female)

Banda Daud Shah, District Karak.

Subject; Entries in Service Book

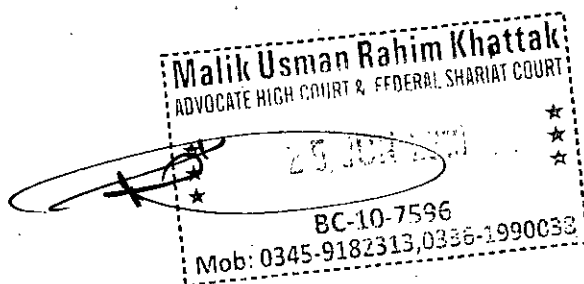
Dear Madam

I beg to submit the following submission for your kind considerations and necessary actions.

1. It is respectfully submitted that I was appointed as primary school teacher on 31.3.2004 on contract basis for a period of 3 years vide order dated 31.03.2004 of the Executive District Officer Schools & Literacy, Karak. I joined service on 05.04.2004.
2. That subsequently, I was awarded BPS-9 w.e.f 05.04.2004 on the authority of Govt. of NWFP Finance Department Notification No.FD(PRC)1-1/89 dated 7.08.1991.
3. That services of contract employees including the applicant, who were appointed in the prescribed manner on or after 01.07.2001, were regularized on introduction of amendment in section 19 of the NWFP Civil Servant Act 1973 on 23.07.2005,
4. That my husband has been serving in the Supreme Court of Pakistan, Islamabad and under the wedlock policy I was transferred/posted on deputation to Federal Directorate of Education Islamabad on 13.08.2007 and since then I have been serving there as Matric Trained Teacher in BPS 09.
5. That my parent Department and District Account Office, Karak had checked, verified and stamped the entries in my service book before its handing over /transfer to the Federal School where I am posted. However on its presentation to the AGPR Office, my service book has been returned with the following observation on 27.03.18

"Pay may be got verified from previous audit office"
6. That after hectic efforts, I managed to present and got my service book verified from the pay fixation party who fixed my pay in BPS 07 instead of BPS 09 in which I have

Attested



been on deputation to the Federal Government. This has given rise to an anomaly which is requested to be resolved in the first instance.

(Handwritten signature/initials)

7. That even if entries of the pay fixation party turn out to be correct, the same could only be taken upto 30.09.2007 because post of the primary school teacher has subsequently been upgraded to BPS 09 vide Government of NWFP Finance department Notification No.FD/SO(FR)10-22/2007 dated 26.01.2008 w.e.f 01.10.2007 and further to BPS 12,14 and 15 vide Government of Khyber Pakhtunkhwa Elementary and Secondary Education Department Notification No.SO(B & A)/1-18/E&SE/2012 dated 11.07.2012 w.e.f.01.07.2012.

8. That being a deputationist, I am bound by the terms and conditions of service under my parent department and the barrowing department (FDE) on its own is not in a position to change the same.

It is therefore requested that incorrect entries in my service book may kindly be rectified and fresh entries with regard to upgradation of the post and fixation of pay in the upgraded scale may kindly be made in my enclosed Service Book.

Yours obediently

Syeda Mehnaz Bibi (Matric Trained Teacher)
F.G.Middle Model Girls School I-10/4
Islamabad. (03219068836)

Enclose:Original Service Book.

Attest

Malik Usman Rahim Khattak
ADVOCATE HIGH COURT & FEDERAL SHARIAT COURT
★ 25 JUN 2013 ★
BC-10-7596
Mob: 0345-9182313, 0336-1990033

خدمت جناب چیف جسٹس سپریم کورٹ آف پاکستان

33

اسلام آباد

جناب عالی

گزارش ہے کہ سائلہ مورخہ $31 \frac{3}{04}$ کو

ایگزیکٹو ڈسٹرکٹ آفس/سکول اینڈ لیٹر سی کرکٹ (جیبر تختوں خواہ) کے حکم نمبر $31 \frac{3}{04}$ کے تحت 03 سال کنٹریکٹ کے پر بطور پیر انٹری سکول استانی مقرر ہوئی اور سائلہ نے مورخہ $05 \frac{4}{04}$ کو حاضری سرورس ہوئی

2۔ یہ کہ فنانس ڈیپارٹمنٹ کے نوٹیفیکیشن نمبر 1-1/89 (FD) (PRC) مورخہ $08 \frac{08}{1991}$ کے بروایت سائلہ کو تاریخ فروری سے BPS-09 دیا گیا۔

3۔ یہ کہ تمام کنٹریکٹ ملازمین بشمول سائلہ کی تفریہاں مورخہ $07 \frac{07}{23}$ کو حکومت جیبر تختوں خواہ نے مستقل کر دیئے۔

4۔ یہ کہ میرا خاوند ایک وفاقی ادارے کا ملازم ہے اور انکی پوسٹنگ اسلام آباد میں ہونے کی وجہ سے سائلہ کا تبادلہ بھی مورخہ $13 \frac{08}{07}$ کو جیبر تختوں سے فیڈرل ڈائریکٹوریٹ آف انجوائنٹمنٹ اسلام آباد سر کیا گیا اور اس وقت سے لیکر آج تک سائلہ فیڈرل ڈائریکٹوریٹ آف انجوائنٹمنٹ اسلام آباد کے تحت بطور

ماتریک ٹرینڈ ٹیچر (BPS-09) خرمات سر انجام دے رہی ہیں۔

ضروری دستاویزات NoC کی کاپیاں منسلک ہیں

5۔ یہ کہ بوقت تبادلہ میری سرورس بک ڈسٹرکٹ کرکٹ کے انجوائنٹمنٹ اور اکاؤنٹ آفس دونوں نے چیک اور تصدیق کر دیا تھا۔

6۔ یہ کہ پانچ سال Deputation پیریڈ کے تکمیل پر FDE کی جھٹی نمبر FDE/14-16-17(W)/P-A-Dep/2013

Admitted
Malik Usman Bahim Khattak
ADVOCATE HIGH COURT & FEDERAL SHARIAT COURT
25 JUN 2013
BC-10-7596
Mob: 0345-9182313, 0335-1990038

مالی

(2)

محرہ 28/13 کے جواب میں سروس خیر تحو خوات حکومت

بذریعہ NOC جھٹی نمبر 7/2013 B7/2013 SO(PE)E&SED/5-2Karak/Mehmaz

مشقل طور پر فیڈرل ڈائریکٹوریٹ آف انجولیشن اسلام آباد کے حوالہ لینے
تائیم سائلہ کو اٹھی تک یہاں پر مشقل نہیں

7: یہ کہ اس اثناء میں پرائمری سکول ٹیچرز ایسوسی ایشن کی پوسٹ
کوڑے پی اور وفاق دونوں حکومتوں نے BPS-9 سے BPS-14
وغیرہ میں Upgrade کر دیا جس پر سائلہ نے ایک درخواست
مورخہ 10/14 کو فیڈرل ڈائریکٹوریٹ آف انجولیشن اسلام آباد

میں بھیج دی جس پر سائلہ سے بذریعہ جھٹی نمبر F-1-9/115-MIT(Dep) Parent DEAP سے سروس بک پر Revised entry اور Revised Pay Slip
انے کا مطالبہ کیا گیا۔
8: یہ کہ سائلہ نے اپنی سروس بک جمع جھٹی متذکرہ بالا ڈسٹرکٹ انجولیشن
آفس کرک بھیجا تاہم انھوں نے یہ کہہ کر انتقال کیا کہ جب تک سائلہ
ویاں سروس Join نہ کرے اس وقت تک وہ سروس بک میں ایسے
Entries نہیں کر سکتے۔

9: یہ کہ سائلہ کا سروس بک بوقت ٹرانسفر کرکے بے انجولیشن اور
اکاؤنٹ آفس دونوں نے چیک تصدیق کر لیا تھا مگر مورخہ 27/3
کو AGPR آفس نے اس پر مندرجہ ذیل observation دی

"Pay may be got verified from Previous audit office"

10: یہ کہ درج بالا observation کی وجہ سے سائلہ نے اپنی سروس بک کرکے
بھیج دی جہاں کافی محنت کے بعد Pay fixation پارٹی کے حوالہ سے

Malik Usman Shahid Khattak
ADVOCATE HIGH COURT & FEDERAL SHARIAT COURT
25 JUN 2018
BC-10-7596
Mob: 0345-9182313, 0336-1990038

جنہوں نے سائلہ کی pay نامعلوم وجوہات
کی بجائے BPS-7 میں فیکس کر دی

Attested

(3)

11:- یہ کہ فنانس بال حالات کیوجہ سے سائل نے ایک درخواست جمع کی ہے
اصل سروس بک ڈپٹی ڈسٹرکٹ ایجوکیشن آفیسر فی میل بانڈہ درود شاہ
کے دفتر میں عبدالغفر نے بعد جمع کی ہے جس میں استدعا کی ہے کہ
سائل کے سروس بک میں غلط اندراجات اگر ہیں تو انکو درست کر
اور Up graded پوسٹ میں سائل کی Pay fixation کے اندراجات
بھی کرے۔

12:- یہ کہ ڈپٹی ڈسٹرکٹ ایجوکیشن آفس بانڈہ درود شاہ نے سائل
کی درخواست جمع سروس بک ڈسٹرکٹ ایجوکیشن آفس
کرک گورنمنٹ کالج پھج دی ہے جہاں پر یہ کافی عرصہ سے
پڑی ہے۔

13:- یہ کہ سائل کا خاوند دفتر محکمہ فیضان کی وجہ سے کرک
جانے اور سائل کے اس درخواست کے پیروی کرنے سے قاصر ہے۔

14:- سائل کا اصل سروس بک بھی درخواست کے ہمراہ ڈسٹرکٹ
ایجوکیشن آفس کرک میں پڑا ہے جسکی وجہ سے سائل
بیت پریشان ہے۔

15:- اگر سائل کے سروس بک پر گیارہ سال بعد خیبر پختونخواہ حکومت
کی Pay fixation party سے BPS-09 سے BPS-07 میں
Pay fixation کی اندراجات کر سکتی ہے تو ڈپٹی ایجوکیشن آفیسر
بانڈہ درود شاہ یا ڈسٹرکٹ ایجوکیشن آفس کرک کو Up graded
پوسٹ میں سائل کی Pay fixation کی اندراجات میں کوئی قانونی
حائل ہے۔

Deputationists کو انکے Parent Department
Pay fixation کے اندراجات کی ہیں اور وہ Up graded scale
میں تنخواہیں لے رہی ہیں لیکن سائل کو ان کا Parent Department

Malik Usman Rafiq Khattak
ADVOCATE HIGH COURT & FEDERAL SHARIAT COURT
Mob: 0300-219722
BC-10-7596
UP Graded Scale

36

اینا حق دینے میں مال موٹوں سے کام لے رہا ہے۔
لہذا اس پر غامبے نہ سائلہ کی قانون کی مطابق دادرسی فرما
کر مشورہ فرمائیں۔

العارض

سرہ منہا زنی بی

ایم۔ ٹی۔ ٹیٹو
اسلام آباد ماڈل سکول (گرنری)
(i-viii)

سیکڑ آئی۔ ٹی۔ 4 اسلام آباد

موبائل: 03219068836

درج ذیل نقولات لف شرہ ہیں۔

1:- مناس ڈیپارٹمنٹ نوٹیفیکیشن مجرہ 7 اگست 1991ء

2:- نقولات این۔ او۔ سی

3:- نقل L.P.C

4:- نقولات سروس بک منطلقہ اندراجات

5:- ایف۔ ڈی۔ ای لیٹر مورخہ 14-11-2014

محمد صلاح

Malik Usman Rahim Khattak
ADVOCATE HIGH COURT & FEDERAL SHARIAT COURT
★ 25 JUN 2014 ★
★ BC-10-7596 ★
★ Mob: 0345-9182313, 0335-1990033 ★



ایڈوکیٹ: مس عثمان رحمان
 بار کونسل ایسوسی ایشن نمبر: BC-10-7596
 رابطہ نمبر: 03459182313

بعدالت جناب: سید سید نبیر حسین ک.پ.اے

منجانب:	دعویٰ:
سید نبیر حسین	سید نبیر حسین
بنام	علت نمبر:
حکومت ک.پ.اے	مورخہ:
	جرم:
	تھانہ:

بابت تحریر آگے

سید نبیر حسین
 03219068896
 S. Mehmaz

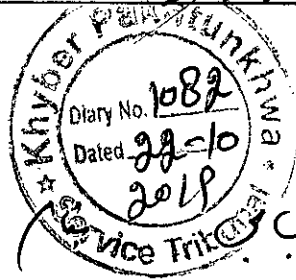
مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کارروائی متعلقہ
 اُن مقام کیلئے مس عثمان رحمان کو وکیل مقرر
 کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا، نیز وکیل صاحب کو
 راضی نامہ کرنے و تقرر ثالث و فیصلہ بر حلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق
 زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی، نیز
 دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی
 کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب
 مقرر شدہ کو وہی جملہ مذکورہ با اختیارات حاصل ہوں گے اور اس کا ساختہ پر داختم منظور و قبول ہوگا
 دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا کوئی تاریخ پیشی مقام دورہ یا حد سے
 باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سند رہے

الرقوم: 10/12/19

مقام: _____
 کے لیے منظور ہے۔

Accepted
 Malik Usman Raahim Kohattak
 Advocate High Court Peshawar
 Federal Shariat Court of Pakistan

حضرت صاحب کورٹ سروس ٹریڈنگ ۱۰.۰.۱۰



گورنمنٹ ۱۰.۰.۱۰ وغیرہ

سیدہ ممتاز بی

نمبر ۸۳۳/۱۹ سروس ریپرٹی ۲۸/۱۰/۲۰۱۹

درخواست نمبر ۲۸/۱۰/۱۹

صاحب عدالت

میں ایک ویسٹ ایبل ریفرنس اور ایک سروس ریپورٹ کے
میں پیشہ پڑی کورٹ بنوں ایچ میں جج
صادق امر گل وغیرہ بنام سیدہ ممتاز بی

میں تاریخ ۲۸/۱۰/۱۹

پہنچا ویسٹ ایبل ریفرنس اور سروس ریپورٹ ۱۰.۰.۱۰

put up to the court with relevant appeal.

گورنمنٹ ۱۰.۰.۱۰

Leander

سیدہ ممتاز بی
تاریخ ۲۸/۱۰/۱۹
صادق امر گل

Malik Aman Ullah
Advocate High Court Peshawar
Bar of Peshawar
Court of Peshawar

صاحب عدالت

موب # 03459182313

IN THE SERVICE TRIBUNAL OF KHYBER PAKHTUNKHWA , PESHAWAR.

Syeda Mehnaz Bibi, PST, Govt. Girls Primary School Anar Banda, Tehsil Banda Daud Shah, District Karak.

Presently, Transferred (under wedlock policy) to the Federal Directorate of Education Islamabad and posted in Islamabad model School I-VIII Sector-1, 10/4 Islamabad.

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 850

Dated 19-8-2019

Versus

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

Application for submission of Ammended memo of Parties.

1. That in compliance of order dated 24.07.19, Federal Directorate of Education through its Director General, has been added as respondent No.9 in the memo of parties of the above noted case.
2. The appellant therefore, respectfully submits amended memo of parties for kind consideration and placement on record of this appeal.

Appellant

S. Mehnaz

Through

Osman Rahim Khattak Advocate.

Osman Rahim Khattak
Advocate High Court Peshawar
& Federal Shariat Court of Pakistan

**BEFORE THE HON'ABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR.**

Service Appeal No. 833 of 2019

Syeda Mehnaz Bibi (Appellant)

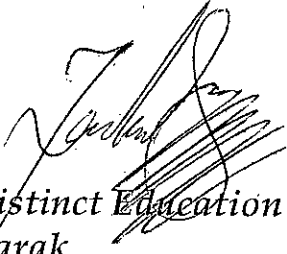
VERSUS

Govt: of KP & others (Respondents).

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Dated:- ----/07/2020


*Resp: No. 6 District Education Officer (Female),
Karak.*

1

**BEFORE THE HON'ABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR. .**

Service Appeal No. 833 of 2019

Syeda Mehnaz Bibi (Appellant)

VERSUS

Govt: of KP & others (Respondents).

WRITTEN COMMENTS.

Respectfully Sheweth

Parawise written comments on behalf of Respondents No. 2, 3, 6
& 7

Preliminary Objections.

1. That appellant has got no cause of action to file the instant appeal.
2. That the appellant has got no locus standi.
3. That the instant service appeal is against the law and facts.
4. That the appellant is estoppel to file the instant service appeal.
5. That the instant service appeal is not maintainable & entertainable in its present form.
6. That the appellant has not come to this Hon'able Tribunal with clean hands and concealed the material facts.
8. That the service appeal is liable to be dismissed due to mis-joinder and non-joinder of necessary parties.
9. That the appeal is badly time barred.

Factual Objections

1. Para No. 1 is correct.
2. Para No. 2 is correct.
3. Para No. 3 is correct.
4. Para No. 4 is correct.

5. Para No. 5 is correct.

(6)

Para No. 6 is correct, however, it is stated that although her services have been placed at the disposal of the Federal Directorate of Education, Islamabad on permanent basis **without retaining her lien in the E & SE Department** meaning thereby that the appellant will not be entitled of any benefits including up gradation & selection grade etc of deputation period of five (05) years.

7. Para No. 7 do not pertain to the answering respondents.

(8)

Reply of Para No. 8 is that although the post of Primary School Teacher has been up-graded to BPS-9 on 26/01/2008 in light of NWFP Finance Department Notification No .FD/SO(FR) 10-22/2007 w.e.f 01/10/2007 but on the request of appellant her services were placed on deputation to Federal Directorate of Education, Islamabad w.e.f 10/08/2007 for period of three (03 years) and the same was further extended by two (02) years w.e.f 21/07/2010. The appellant is not entitled to get benefits of BPS-09, 12, 14 & 15 of five (05) years deputation. Besides this she has not raised any objection against the order No. SO(PE)E & SED/5-2/Karak/Mehnaz Bibi/PST /2013 dated 19/09/2013 and even has not accepted the order mentioned under protest, therefore, she is not entitled to award BPS-12 due to five years deputation period.

9. That as stated above that the appellant is not entitled to award BPS- 12 of five (05) years deputation period as because her services were placed at the disposal of the Federal Directorate of Education, Islamabad on permanent basis without retaining her lien in the E SE Department vide order dated 19/09/2013

10. Reply of Para No. 10 is that the Education Department has rightly returned with the observation "*Pay may be got verified from previous audit office*".

11. That reply of this para has been given in the above mentioned paras and the department has rightly directed the appellant that the case does not come under the domain of Education Department.

12. That as stated that the appellant is not entitled to award BPS-12 as she performed his services for five (05) on deputation and she has accepted the transfer order dated 19/09/2013 with the remarks that her services wee placed at the disposal

of the federal Directorate of Education, Islamabad on permanent basis without retaining her lien in the E & SE Department.

13. Reply of this para has been given in details in the above mentioned Paras.
14. That the appellant was legally bound to adopt proper forum instead of filing application to Chief Justice of Pakistan.
15. That Education Department is rightly refused to award BPS-9, 12 & 14 to the appellant due to the reason mentioned above.
16. That the Education Department has adopted proper legal course with the case of appellant.

OBJECTIONS ON GROUNDS

1. Ground "1" will be agitated at the time of argument.
2. Ground "2" is incorrect and wrong hence denied.
3. Ground "3" is incorrect and wrong, however, it is stated that this point will be agitated at the time of argument.
4. Reply of ground "4" is that the case of appellant has been treated as per law and service rules, therefore, she is not entitled to award BPS-9, 12 & 14 due to remained for period of five (05) years in deputation.
5. Ground "5" is incorrect and wrong hence denied.
6. Ground "6" will be pressed at the time of argument.
7. Ground "7" will also be pressed at the time of argument.
8. Ground "8" pertains to respondent No. 5, hence need no comments.
9. Ground "9" is incorrect and wrong. The appellant has been treated as per law and service rules and has not been discriminated and has not violated provision of Article 4 and 25 of the Constitution of Islamic Republic of Pakistan, 1973.

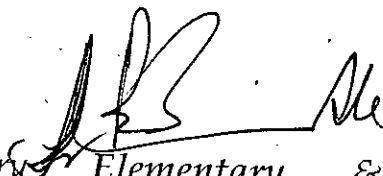
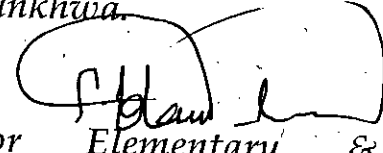
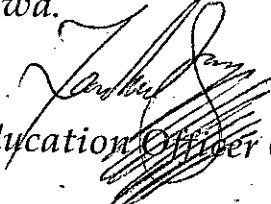

=====

Prayer

So it is, therefore, most humbly and respectfully prayed that keeping in view the above mentioned written statement this Hon'able Tribunal may very kindly be dismissed the instant Service Appeal with cost throughout.

=====

Dated:- -----/04/2020

1.  Secretary Elementary & Secondary
Education Department Khyber
Pakhtunkhwa.
2.  Director Elementary & Secondary
Education Department Khyber
Pakhtunkhwa.
3.  Distinct Education Officer (Female),
Karak.
3.  SDEO (Female) Baita Daud Shah
Karak.

BEFORE THE HON'ABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR.

Service Appeal No. 833 of 2019

Syeda Mehnaz Bibi (Appellant)

VERSUS

Govt: of KP & others (Respondents).

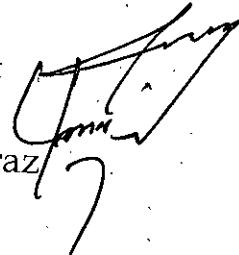
AFFIDAVIT

I, Umar Daraz, Budget Officer BPS -17 in the office of DEO (F), Karak do hereby solemnly affirm and declare on oath that all the contents of accompanying written statement are true and correct to the best of my knowledge and belief, nothing is lie and nothing has been concealed from this Hon'able court.

Dated 24/06/2020

Deponent

Umar Daraz



OFFICE OF THE DISTRICT EDUCATION OFFICER
(FEMALE) KARAK.

AUTHORITY

Mr. Umar Daraz, Budget & Accounts Officer (B-17) is hereby authorized to attend the Honourable Service Tribunal Khyber Pakhtunkhawa Peshawar in connection with Service appeal No.833/2019 titled Mst:Syeda Mehnaz Bibi versus Govt: of Khyber Pakhtunkhawa(E & S) Education department and others.


District Education Officer
(Female) Karak

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

SERVICE APPEAL NO.833/2019

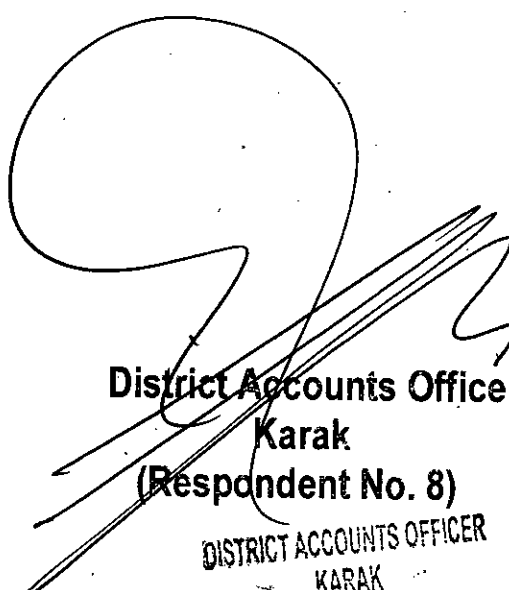
Syeda Mehnaz Bibi, PST:Govt Girls Primary School Anar Banda,
Tehsil: Band Daud Shah, District Karak. (Appellant)

Versus

District Accounts Officer Karak. (RESPONDENT)

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02	Affidavit		03


District Accounts Officer
Karak
(Respondent No. 8)

DISTRICT ACCOUNTS OFFICER
KARAK

- x. Incorrect. The Appellant submitted Last Payment Certificate (LPC)/Service Book through Parent Department. This office is able to verify the Pay and Allowances.
- xi. Reply as Per Para Above.
- xii. Reply as per Para Above.
- xiii. Pertain to the Education Department.
- Xiv. No Comments.
- Xv. No Comments.
- Xvi. No Comments.
- Xvii. No Comments.

Prayer:-

It is humbly prayed that the name of Respondent No.08 may kindly be withdrawn from the said service appeal please.


District Accounts Officer
Karak
(Respondent No-8)

DISTRICT ACCOUNTS OFFICER
KARAK

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

SERVICE APPEAL NO.833/2019

1. Syeda Mehnaz Bibi, PST:Govt Girls Primary School Anar Banda,
Tehsil:Banda Daud Shah, Disrtrict:Karak..... **APPELLANT**

Versus

District Accounts Officer Karak. **RESPONDENT**

AFFIDVIT

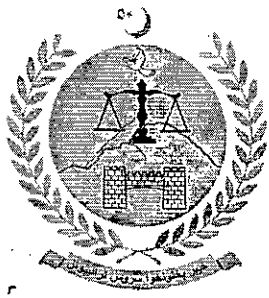
I Mr. MUHAMMAD ATIF SUB-ACCOUNTANT O/o the
District Accounts Office Karak, do herby solemnly affirms & declare
that the reply on behalf of Respondent No.06 is true and correct to the
best of my knowledge and belief and that nothing has been concealed
from this honorable court.

DEPONENT

CNIC. 17301-8852239-9

Identified by

**Advocate General
Khyber Pakhtunkhwa,
Peshawar.**



KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

All communications should be addressed to the Registrar KPK Service Tribunal and not any official by name.

Ph:- 091-9212281
Fax:- 091-9213262

No. 2089 /ST Dated 22/6 /2022


To:

The District Education Officer, Karak.

SUBJECT:- JUDGMENT IN SERVICE APPEAL NO. 833/2019, SYEDA MEHNAZ BEGUM VERSUS THE GOVERNMENT OF KHYBER PAKHTUNKHWA THROUGH CHIEF SECRETARY, KHYBER PAKHTUNKHWA, PESHAWAR.

I am directed to forward herewith a certified copy of order dated 03.06.2022, passed by this Tribunal in the above mentioned *service appeal* for compliance.

Encl. As above.


(WASEEM AKHTAR)
REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL,
PESHAWAR.