## FORM OF ORDER SHEET

Court of	
	,
Case No	121/ <b>2023</b>

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	13/1/2023	The appeal of Syed Ahmad Raza resubmitted today by Mr. Abdur Rahman Mohmand Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on Parcha Peshi is given to appellant/counsel.
	;	By the order of Chairman  REGISTRAR

The appeal of Sayed Ahmad Raza son of Sayed Muhammad Raza r/o village Shaheed Abad Parachinar Distt. Kurram received today i.e. on 11.01,2023 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 1.5 days. •

The print of the memo of appeal is dim, the same be replaced by legible/better one.

No. 163 /S.T.

KHYBER PAKHTUNKHWA

PESHAWAR.

Mr. Abdur Rehman Mohmand Adv. High Court Pesh.

Resubmitted after replacement of memo of appeal.

Advocate Rolling.

s.A.No. 2 /2023.

SAYED AHMAD RAZA APPELLAN	T.
VERSUS	
GOVERNMENT OF KHYBER PAKHTUNKHWA & OTHERS	
RESPONDEN	TS

## INDEX

S.No	Description of Documents	Annex	Pages
A.	SERVICE APPEAL		01-08
1.	Copy of CNIC	A	09
2	Copy of credentials/ degree	A-1 to A-4	10-13
3.	Copy of appointment letter Endst:No.6870-6912/Edu dated 03/05/1992.	В	14-15
4.	Copy of the Notification No.SO(PE)/4-5/SSRC/Meeting/2013/Teaching Cadre Dated 24 <sup>TH</sup> July, 2014.	С	16-
5.	Copy of the letter No.4954 dated 07.08.2014 of Respondent No.2 department.	D	19
6.	Copy of the said Notification Endst No. 3493-3562 dated 31.10.2014.	E	20-23
7.	Copy of letter No.2602-3 dated 09.03.2015 of the Respondent No.3.	F	24
8.	Copy of promotion order/letter Endst: No.16101-50 dated 11.10.2017 of Respondent No.3.	G	25- 30
9.	Copy of Seniority list of Appellant	H	31-39
, 10.	Copy of Notification Peshawar, dated the November 13, 2012.	l	40-43
11.	Copy of adjustment order Endst. No.1190-12321 Edu dated 18.10.2017 of appellant.	J .	44-45
14.	Copy of Departmental Appeal dated 25.10.2017.	K	46-47
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Appellar

Through Through

Abdur Rahman Mohmand Advocate. CELI::03005991598

Mohmand Law Chamber Charsadda Road Near Faqirabad Police Station

E.Mail: rahman\_advo@yahoo.com



S.A.No....../2023.

SAYED AHMAD RAZA S/O SAYED MUHAMMAD RAZA R/O SHAHEED ABAD COLLEGE COLONY P.O & TEHSIL PARACHINAR UPPER DISTRICT KURRAM.

APPELLANT.

#### **VERSUS**

- GOVERNMENT OF KHYBER PAKHTUNKHWA THROUGH SECRETARY ELEMENTARY AND SECONDARY EDUCATION SECRETARIATE BUILDING PESHAWAR.
- 2. DIRECTOR ELEMENTARY AND SECONDARY EDUCATION DIRECTORATE OF ELEMENTARY AND SECONDARY EDUCATION KHYBER PAKHTUNKHWA, PESHAWAR.
- 3. THE DIRECTOR EDUCATION NEWLY MERGED DISTRICTS WARSAK ROAD, PESHAWAR.

  RESPONDENTS.

APPEAL U/S 4 OF THE SERVICE TRIBUNAL ACT, 1974 AGAINST ORDER DATED 11.10.2017 OF RESPONDENT FOR NON DESERVANCE NO.3 PROMOTION/SENIOROTY ORDER OF THE APPELLANT FROM THE DATE OF NOTIFICATION NO.SO(PE)/4-5/SSRC/MEETING/2013/TEACHING CADRE DATED 24TH JULY, 2014 FOR PROMOTION OF Sr:CT/CT TO SST (General) BPS-16, PASSED BY THE GOVERNMENT OF KHYBER PAKHTUNKHWA ELEMENTARY AND SECONDARY EDUCATION BASED ON DISCRIMINATION, VIOLATION OF FUNDAMENTAL RIGHT AND AGAINST KHYBER PAKHTUNKHWA CIVIL SERVANIS (APPOINTMENT, PROMOTION AND TRANSFER RULES, 1989).

#### RESPECTFULLY SHEWETH!

- 1. That the Appellant is a naturally born law abiding citizen of the Islamic Republic of Pakistan and is qualified up to Master of arts and Master of Education (M.ED).(Copies of CNIC is annexure "A" and credentials/ degree is annexure "A-1 to A-4").
- 2. That the Appellant was appointed as Certified Teacher (CT) through appointment letter Endst:No.6870-6912/Edu dated 03/05/1992

by the Respondents department and has performed his duties on different locations with honesty and full devotion and has been a responsible, hard worker, skillful, dutiful, punctual and obedient teacher and presently the Appellant has promoted to the post of Secondary School Teacher (SST BPS-16) and is posted at G.I.S.H.S. Parachinar district Upper Kurram. (Copy of appointment letter Endst:No.6870-6912/Edu dated 03/05/1992 is Annexure "B").

- 3. That the Respondent No.1 i.e Government of Khyber Pakhtunkhwa Elementary and Secondary Education through NOTIFICATION NO.SO(PE)/4-5/SSRC/MEETING/2013/TEACHING CADRE DATED 24<sup>TH</sup> JULY, 2014 had issued criteria for promotion of teachers to next grades, which was equally applicable to provincial as well as employees working in Ex-FATA. (Copy of the Notification No.SO(PE)/4-5/SSRC/Meeting/2013/Teaching Cadre Dated 24<sup>TH</sup> July, 2014 is annexure "C").
- 4. That the Respondent No.2, Deputy Director (Estab) Elementary & Secondary Education Khyber Pakhtunkhwa through letter No.4954 dated 07.08.2014 and letter No.4874 dated 06.08.2014 requested Respondent No.3 to fill the vacant posts of SST (General/Science) in Government Higher Secondary/High & Middle Schools (M&F) FATA by promotion of in-service teachers under the existing rules. (Copy of the letter No.4954 dated 07.08.2014 of Respondent No.2 department is annexure "D").
- 5. That after requesting again and again by the Deputy Director (Estab) Elementary & Secondary Education Khyber Pakhtunkhwa through different letters Respondent No.3 delayed the process and did not consider the Appellant from his due date of promotion.
- 6. That following the above mentioned same Notification, the District Education Officer Male Hangu through Endst No.3493-3562 dated 31.10.2014 promoted 49 SCTs/CTs, SDMs/DMs, SATs/ATs, STTs/TTs, Senior Qaris/Qaris, PSHTs/SPSTs, to the post of SST (Bio-Chem), SST (Phy-Maths), SST(General) BPS-16. (Copy of the said Notification Endst No. 3493-3562 dated 31.10.2014 is annexure "E").
- 7. That after quit length of time, through letter Endst. No.2602-3 dated 09:03:2015, the Respondent No.3, wrote a letter to all the then Agency Education Officers ex-FATA to prepare category wise list (Male/Female) as per given proforma along with photo copies of the documents of the candidates for promotion against the post of SST. (Copy of letter No.2602-3 dated 09.03.2015 of the Respondent No.3 is annexure "F").
- 8. That the Respondent No.3 has not observed the appellant promotion from his due date i.e 24th July,2014 according to Notification but delay the process and lastly have passed his promotion ordered through letter Endst: No.16101-50 dated 11.10.2017 after a long time, hence appellant has not been treated in accordance with law, and appellant rights secured and guaranteed under the law and constitution have been violated (Copy of promotion order/letter Endst: No.16101-50 dated 11.10.2017 of Respondent No.3 is annexure "G").

- 9. That this order of Respondent No.3 has affected Seniority/promotion of the Appellant because the Seniority of the SST teachers in Khyber Pakhtunkhwa and EX-FATA(Merged District) are the same and not considering the appellant from the due date adversely affect the appellant right for seniority in Subject Specialist (SS) posts in Higher Secondary School as well as Headmasters in High Schools which is clear violation of fundamental rights of Appellant and against Notification Peshawar, dated the November 13, 2012. (Copy of Seniority list is annexure "H" while Copy of Notification Peshawar, dated the November 13, 2012 is annexure "I").
- 10. That the appellant time and again visited/requested the respondents to follow the said rules but all in vain:
- 11. That even after promotion of other colleagues of appellant, the Respondent No.3 has not observed the appellant promotion from his due date i.e 24th July,2014 according to Notification but delay the matter and lastly has ordered the promotion of the Appellant through letter Endst: No.16101-50 dated 11.10.2017 after a long time and adjustment letter No.1190-1232/Edu dated 18.10.2017 was issued. (Copy of adjustment order Endst. No.1190-12321 Edu dated 18.10.2017 is annexure "J"
- 12. That feeling aggrieved from the order dated 11.10.2017, the Appellant filed Departmental Appeal on dated 25.10.2017, before Respondent No.2.(Copy of Departmental Appeal dated 25.10.2017 is annexure "K").
- 13. That the Appellant frequently visited the office of Respondent No.3 for consideration of his departmental appeal but the official Authority delayed the matter and wants some more time for consideration, for which the appellant sent another reminder for consideration of departmental appeal on dated 15.01.2018. (Copy of Reminder application dated 15.01.2018 is annexure "L").
- 14. That the Appellant was informed that his departmental Appeal is under consideration and will be discussed with Respondents No. 2, but again respondents No.3 delayed the matter and lastly the appellant was informed that their other colleagues have filed their promotion appeals and he will also be treated when those appeals were finally decided.
- 15. That the appeals of other colleagues of the Appellant were finally decided by this Hon'able Tribunal on dated. 14.07.2021 where all the appeals were accepted and the appellants in those appeals were held entitled for promotion from the date, the first batch of their other colleagues at provincial level were promoted in the year 2014 with all consequential benefits.

  (Copy of the Judgment dated 14.07.2021 of this Hon'able Tribunal in appeal No. 1266/2018 and connected appeals is annexure "M")
- 16. That due to the above mentioned reasons since seniority of the appellant was disturbed, Appellant had therefore locus standi to file this appeal, hence **Appellant** has no option but to knock the door of this honorable Court for his fundamental rights guaranteed under the constitution of Islamic republic of Pakistan, 1973.

#### **GROUNDS:-**

- I. That the Appellant has not been treated in accordance with law, and her rights secured and guaranteed under the law and constitution have been violated.
- II. That as per rules the respondents are duty bound to follow the APT Rules and the specified quota, but the same are not being followed by the respondents for a long time which is clear violation of fundamental rights of Appellant: Moreover the same APT Rules 1989, have been following in all Govt. Departments since its inception.
- III. That the Appellant has the required eligibility to promote since the Appellant has fulfilled the required criteria and job experience but was not promoted after quite long time but even when the Respondents No.1 to 2 promoted the appellant from dated 24th July,2014, Respondents No.3 & 4 did not consider the same from its due date but delayed the process.
- IV. That the discrimination as observed by the respondents with Appellant is highly deplorable and condemnable, being unlawful, unconstitutional, without authority, without jurisdiction, against the norms of natural justice and equity and against the law on subject, hence liable to declared as such.
- V. That the acts of the respondents No.3 & 4 not making promotion order of the Appellant from 24th July,2014 is against the law and rules and as such the respondents are under obligation to make his promotion order according to the said Notification dated 24th July, 2014.
- VI. That the act of respondent No.4 not providing the caregory wise list (Male/Female) as per proforma along with photo copies of documents of the candidates for promotion against the post of SST is based on malafide, on ulterior motive and against the norm of natural justice.
- VII. That the action on the part of the Respondents have adversely affecting Appellant financial rights as protected by the constitution and the Appellant be treated at par like other employees of other District who were promoted from the 24th July,2014 and as such to equally dealt in accordance with the law and rules.
- VIII. That even the Appellant reported the matter to the respondents though various applications to observe the meritocracy policy but respondents are not issuing appropriate direction in this regard because Appellant is suffering for no fault on her part and as such all the appropriate direction needs to be issued to the respondents for complete redressal of the grievances of Appellant.
- IX. That the Appellant seek the permission of this Hon'able court to rely on additional grounds at the hearing of this petition.

It is therefore, most humbly prayed that on acceptance of the instant appeal:

(A) An appropriate direction may please be issued and the promotion order of the Appellant may kindly be ordered from the date of Notification i.e 24th July,2014 like other employees of his own district as well of the other districts.

(B) That appellant may kindly be compensate with all back benefits from the date of Notification i.e 24th July,2014 till the disposal of this Service Appeal.

(C) And any other relief not specifically prayed and to which the Appellant is found entitled may also be granted.

APPELLANT

**THROUGH** 

ABDUR RAHMAN MOHMAND ADVOCATE HIGH COURT PESHAWAR.

NOTE:

No such like appeal for the same appellant upon the same subject matter has earlier been filed by me before this Hon'able Tribunal.

Advocate.

S.A.No...../2022

SAYED AHMAD RAZA **VERSUS** GOVERNMENT OF KHYBER PAKHTUNKHWA THROUGH SECRETARY ELEMENTARY AND SECONDARY EDUCATION PESHAWAR AND OTHERS.

### AFFIDAVIT:

I, Sayed Ahmad Raza S/O Sayed Muhammad Raza R/O Shaheed Abad College Colony P.O & Tehsil Parachinar Upper District Kurram, do hereby solemnly affirm and declare on oath that the contents of the instant appeal are true and correct to the best of my knowledge and belief and that nothing has been concealed or kept secret from this Hon'able court.

Identified By Advocate

ABDUR RAHMAN MOHMAND ADVOCATE HIGH COURT, PESHAWAR. DEPONENT

S.A.No...../2022.

SAYED AHMAD RAZA **VERSUS** GOVERNMENT OF KHYBER PAKHTUNKHWA THROUGH SECRETARY ELEMENTARY AND SECONDARY EDUCATION PESHAWAR AND OTHERS.

## ADDRESSES OF THE PARTIES:

APPELLANT:

SAYED AHMAD RAZA S/O SAYED MUHAMMAD RAZA R/O SHAHEED ABAD COLLEGE COLONY P.O & TEHSIL PARACHINAR UPPER DISTRICT KURRAM.

#### RESPONDENTS:

- 1. GOVERNMENT OF KHYBER PAKHTUNKHWA THROUGH SECRETARY ELEMENTARY AND SECONDARY EDUCATION SECRETARIATE: BUILDING PESHAWAR.
- 2. DIRECTOR ELEMENTARY AND SECONDARY EDUCATION DIRECTORATE OF ELEMENTARY AND SECONDARY EDUCATION KHYBER PAKHTUNKHWA, PESHAWAR.
- 3. THE DIRECTOR EDUCATION NEWLY MERGED DISTRICTS WARSAK ROAD, PESHAWAR.

DATED:10.08.2022

APPELLANT

Bakara Bakaran Salah

THROUGH

ABDUR RAHMAN MOHMAND ADVOCATE HIGH COURT PESHAWAR.

S.A.No...../2022.

SAYED AHMAD RAZA **VERSUS** GOVERNMENT OF KHYBER PAKHTUNKHWA THROUGH SECRETARY ELEMENTARY AND SECONDARY EDUCATION PESHAWAR AND OTHERS.

## APPLICATION FOR CONDINATION OF DELAY IN ABOVE TITLED CASES IF ANY.

- 1. That the impugned appeals are filed before this Hon'able court and is fixed for today.
- 2. That there are some delay in the above titled appeals but the said delay was never intentional but due to verbal promises of the respondents.
- 3. That the Respondent No.3 hand over the matter in dispute to Respondents No.2 who accompanied the appellant to civil secretariat Peshawar to resolve the issue but the respondents delayed the matter.
- 4. That even law favours adjudication of cases on merit rather on technicalities.
- 5. That there is no legal bar on acceptance of this petition.

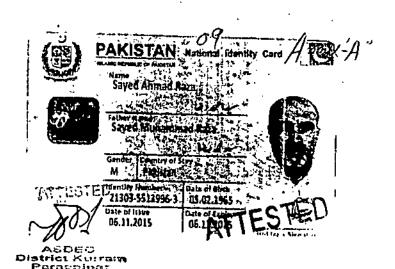
It is therefore requested that on acceptance of this petition the above titled appeal may kindly be condoned in the best interest of justice.

Appellant

Through

Abdur Rahman Mohmand

Advocate High Court Peshawar.





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Sayed Ahmad Raza Sayed Muhammad Raza

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This is to certify that

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Sayed Ahmad Raza S/O Sayed Muhammad Raza

Master 약 Education

in this University at the Examination held in August, 2004

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No. 1985 /AG..... Dated. Parachinar 16/2 /1981.

OFFICE OF THE POLITICAL AGENT KURRAM AGENCY PARACHINAR

DOMICILE CERTIFICATE.

son of Main Cara belongs to a recognised tribe of Ranja Mand his fathers is a permenant bosafide resident of Kurram Agency.

He is an elegible candidate to avial of hisself of the seats reserved seats for the Tribal Areas Peshawar Division Peshawar backward areas Kurram Agency.

Mr. Badshah T.M Kurram Agency Parabinar

Mr. Abdul Qadir Khan Assistant Political Agent Kurram Agency Parachinar.

Mr. Maj Mohammad Khan Political Agent Kurran

Parachinar.

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upon their approval by the Solection Committee To, on Hs. 1785/- C.M in RPS No.9 plus usual allowing of adminsible. for mer the rules with effect from the dates of their taking over there in the schools noted against their names:to marks. Place of porting. S. bo. Hane with Eather's Name. ngainst a GMS, Palangzai (NMA). vacant SV/CI Oher Haider 3/0 195 Gul Haider. -do-GHS; Karama (St.A). Amir Muhammad S/O, . (2)Fagir Mohammad. --d o--GMS, Tor Kani (FP. D.I.Khan). lirza Ali Khan S/O. (3)Kazim Khan -do-Vice SiJanan GUS, Parachinar. Mansob Ali S/O Yousaf Ali. Ali proceeded on (4) Kurram Agency. L.P.R. Vice Mohammai Jamil Transferred. GHS, Sadda, S.Ahmad Raza S/p (B) (Kurram). S. Nuhammad Raza. Arainst a vacant GNS: Jalaka Mela Mir Wali Khan S/O SV/CT post. (Orakzni Agency). (6)Hoor abbas Khan. -do-GHS, Ghilgo Sardar Ahmad 3/0, (Orakzai Agenoy). (7)amir Khan. GHS, Bazeed Khel. -go- ' Pir Radshan S/0 (Orakzai Agency). · (&) Vice Saif-ur-Rahma: Hassan Badshah. anan S/O
anat Khan
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Peroz Ber GHS, Illamgudar, .sv Transferrèd... (9)(Khyber Agency) against a vacdnt GMS, Kharghali. (10) Ulas .... Kohat Khan. Sý/CT post. (Khyber Agency). Vice Magbool Shah transferred to GHS Malangai (Bajour Agency)! : settled areal . Vice Hohammad Israr GMS, Dherakai SV transferred to Peroz Bekht Jun (Bajour Agency). Settled area. GHS, Sheen Dhand, Against a vacant (FR. Kohat). SV/CT post. Ghulam Farooq S/O (15) Zarullah Kham. Tharse reports should be submitted in duplicate to Notes:- :1. Their appointment are being made purely on temporarily hasis and are liable to termination at any time without motion and without assigning reason. In case they wished to resign their posts they shall have to give one month's appropriation of the formation of the contract of t prior: notice or forfiet one month's pay in lieu therec: The original qualification, date of birth and domicile certificate should be checked before they are handed ever charge of the post and attested copies thereof be kept on the record of school. 4; TA/DA etc: is not allowed, on first appointment. Visa iv 5. They should be sent to the Agency Civil Surgeon, concerned for Medical Examination the day on which they report their arrival for duty; and no pay should be drawn for them unless and until they produce their Health and, as Certificates from the said Surgion:

Their verification roll of commenter and asticidents should be get one of the commentary and asticidents.

They should not handed over charge of are below (18) or above (33) years of age. In care failed to resume charge within two weeks the vacancies should be reported to this office ATONC

6270 - C

(DR. SHER ALAM KHAN); a DILECTOR OF EDUCATION PATA, M.W.F. PESTAWAR.

Dated Poshawar the

Gooy forwarded for information and n/a to the:-Agency Education Officer, M. W. accord at Miranshah.

- 2. agoncy Education Officer F.R. D.I. Khan.
- agency Education Officer Kurram agency at 3.
- Agency Education Officer Orakzai Agency at Hungu.
- 5. Agency Education Officer Khyber Agency/at Peshawar.
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- Agency Education Officer FR. Kohat at Kohat. 7.
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- Head Master, GHS, Karama (S.W.Ageney).
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- Head Master, GHS, Chilgo (Orakzai Agency). 11.
- 12. Head Mister, GHS, Jalaka Mela
- 13. Head Master, GHS, Bazeed Khel -do-.
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- 15: Head Muster, GHS; Molangui (Bojour Agency).
- 16-28. Candidatés, concerndo.

Personal Files

DY: DIRLOTOR OF LOUGHTEEN, PATA, 'N.W.F.P., PESHAWAR.

H.astr.

Peshawar, dated the 24th July, 2014.



# NOTIFICATION

and Secondary Education Department in consultation with the Establishment Department and the Finance Department hereby directs that in this Department's Notifications No.SO(G)S&LD/1-28/2003/Vvl-II dated, f-5/SSRC/Meeting/2012/Teaching Cadre, dated, 13.11.2012, the following further amendments shall be made, namely: Notification No.SO(G)S&L/1-69/06/Vol-1/DPE/LIB rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Elementary <u>No. SO(PE)4-5/SSRC/Meeting/2013/Teaching Cadre</u>:- In pursuance of the provisions contained in sub-rule (2) of 13-11-2007, Notification 09-04-2004

## AMENDMENTS

In the Appendix,-

Serial No. 1 shall be renumbered as 1B and before Serial No. 1B, as so renumbered, the following new entries shall be inserted in respective columns, namely:

	IA Director Physical At lea Education Physic (BPS-17) Unive	
	At lea Physi Unive	
	At least second class Master's Degree in Physical Education from a recognized University.	
	22-35 years	
Physical Education Teachers (BPS-16), with at least five years service as Senior Physical Education Teacher and Physical Education Teacher and having qualification Teacher and having qualification mentioned in column No. 3:  Provided that if no suitable person is available from amongst Senior Physical Education Teachers for promotion then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from amongst the Physical Education Teachers, with at least five years service as such and having qualification mentioned in column No. 3;  Note:- If no suitable candidate is available in the relevant cadres of the above teachers, the post falling in their promotion quota shall be filled by initial recruitment; and (b) fifty percent by initial recruitment." and	(a) Fifty percent by promotion, on the basis of seniority-cum-fitness, from amondst Senior	(b) fifty percent by initial recruitment.

ATTESTED

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namely:    2   3   3   5     Secondary School   1. At least serond class from the following grayes with two subject (a) (Chemistry, Botany or Zoology).   (b) (Physics, Maths "A" or "B" or Statistics)   Certified Teachers (HPS-16), with at least for the Education or recognized (Interestly).   Counties the post shall be fulled by sears. Service as Senior Drawing Masters and Dawning Qualification mentioned in column No. 3:   Counties the post shall be substituted, it respective columns, and be substituted, it respective columns, and be substituted, it respective columns, and braining qualification mentioned in column No. 3:   Counties the post shall be substituted, it respective columns, and braining qualification column No. 3:				E2	THE STATE OF
18. as so renumbered, for the existing entries, the following Shall be substituted, in respective column  2				Secondary School Teacher (BPS-16)	against-Serial No.
4 25 1. Seventy Five per cent by promotion, on the basis of seniority-cumfitness, from the district concerned in the following manner (a) forty per cent from amongst the Senior Certified Teachers (BPS-16), with at least five years service as Senior Certified Teacher and Certified Teacher and Certified Teacher and column No.3:  Provided that if no suitable candidate is available from amongst Senior Certified Teachers for promotion on the basis of seniority-cum-fitness from amongst Certified Teachers, with at least five years service as such and having qualification mentioned in column No. 3;  (b) four per cent from amongst the Senior Drawing Masters (BPS-16), with at least five years service as Senior Drawing Masters and Drawing Masters and having qualification mentioned in column No. 3;	,	Bachelor of Education Education Business Education qualification University.	(b) (Physics, Maths "A" or "B" or Statistics) On  (c) (Humanities and other equivalent groups at degree level with English as compulsory subject;	I. At least second class Rachelor Degree's from a recognized University on need basis from the following groups with two subject (a) (Chemistry, Botany or Zoology),	IB, as so renumbered, for the existing entri
1. Seventy Five per cent by promotion, on the basis of seniority-cum fitness, from the district concerned in the following manner (a) forty per cent from amongst the Senior Certified Teachers (BPS-16), with at least five years service as Senior Certified Teacher and Certified Teacher are having qualification mentioned in column No.3:  Provided that if no suitable candidate is available from amongs Senior Certified Teachers for promotion then the post shall be filled by promotion on the basis of seniority-cum-fitness from amongst Certified Teachers, with at least five years service as such and having qualification mentioned in column No. 3;  (b) four per cent from amongst the Senior Drawing Masters (BPS-16), with at least five years service as Senior Drawing Masters and Drawing mentioned in column No.3:				91 to 35 years.	ies, the fo
2	(b) four per cent from amongst the Senior Drawing Masters(BPS-16), with at least five years service as Senior Drawing Masters and Drawing Masters and having qualification mentioned in column No.3:	Senior Certified Teachers for promotion then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from amongst Certified Teachers, with at least five years service as such and having qualification mentioned in column No. 3;	Certified Teachers (BPS-16), with at least five years service as Senior Certified Teacher and having qualification mentioned in column No.3:  Provided that if no suitable candidate is available from amonost	(a) di	llowing Shall be substituted, in respective columns,

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(<u>G</u>

Amx\_ D

Directorate of Elementary & Secy: Education Khyber Pakhtunkhwa, Peshawar. 4 SW/F.No. SST Promotion to SS Posts Dated Peshawar the \_\_\_ 2014

The Director of Education (FATA), FATA Secretariat Warsak Road, Peshawar.

- DEPARTMENTAL PROMOTION FROM SCTS/CT/SDM/DM/ SAT/ Subject: AT/STT/TT & S, QARIES/QARIES TO THE POST OF SSTS (BS-16 REGULAR.

Memo:

In continuation of this Directorate letter No. 4874 dated 06-08-2014 on the subject cited above and to request you to fill the vacant posts of SST (General/Science) in Government Higher Secondary/High & Middle Schools (M&F) FATA by promotion of in-service teachers under the existing rules already conveyed to you under the above cited letter number and date under intimation to all concerned.

> Deputy Director ( Elementary & Secy: Education Khyber Pakhtur

Endst: No.

Copy of the above is forwarded for information to:-

1. PS to Minister for E&SE Khyber Pakhtunkhwa.

2. PS to Secretary to Govt. of Khyber Pakhtunkhwa, E&SE Department.

3. PA to Director (E&SE) Khyber Pakhtunkhwa, Peshawar.

Deputy Director (Estb) Elementary & Secy: Education Khyber Pakhtunkhwa

TESTED

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) HANGU

Phone # 0925-621083

#### <u>NOTIFICATION</u>

Consequent upon the recommendations of the Departmental Promotion Committee and In pursuance of the Govt; of Khyber Pakhtunkhwa Elementary and Secondary Education Authoration No. SO(PE)/4-5/SSRC/Neeting/2013/Teaching Cadre dated 24/07/2014 the following SCTs/CTs/DMs/SATs/STTs/Ts/Qarl/PSHTs/SPSTs and PSTs are hereby promoted to the post of SST(Bio-Chem) SST (Phy-Mains) SST(General), noted egisling teach BPS. (Phy-Mains) SST(General), noted egisling teach BPS. (Indicated the existing policy of the Provincial Govi, on the terms and condition given below with immediate effect and further they all are hereby adjusted against vacant posts noted against each on "School based".

A. 1.PROMOTION OF SCT/CT/PHST/SPST TO THE POST OF SST

	(Bio-Chem) BPS-16,		ļ. · · - ·		
Sr .	Name of Official	75.3	ent Place of	en erimo e maria	
No			eni Piace oi	Name of School	Remarks
i.	Mr.Shabab Hussain CT	Pos	ling	where adjusted	
2.	Muhammad Data	[GH8	Shahu Knel	GHS Lodni Khei	AVP
· 🚡	Muhammd Raham Jan, CT	GM:	S Sero Khel	GHS Mamoon Banda	1
	Muhammad Sharif PST	! GPS	Gandiri Waziran	CHC Carather Banda	-do-
4	Khial Dar Khan DM	l cc	MHS No.1 Hangu	GHS Gandir Waziran	1-do-
PRO	MOTION OF SCT/CT/PHST	SPS	TO THE POST O	GCMHS No.1 Hangu	J-d0-
	(Phy-Maths) BPS-16		10 3 TE PUST 0	F 551	
: Sr	Name of Official	10			
No:	:	Lies	ent Place of	Name of School	Remarks
77-	Mr. Muhamasad V	Posi	ing	where adjusted	, dinbiks
7	Mr.Muhammad Yousal SCT.	] GHS	Naryab	GHS Naryab	+ ;!
: 🚣 🕠	Noor Sahib Khan CT	GHS	duhammad Khawaja	GHS.Muhammad Khowaja	AVE
3	Azmat Ali.GT:	GHS	Ibrahimzar	Clawary op.m.m.c.	-de-
: 4	Majeed Gul CT	Cud	rordinitzar.	.GCMHS No.1 Hangu.	-do-
5	Rehmat Khan C.T	-0.0	Kahi Hangu	GHS Kahi	-do-
ē	Muhaminad Hilal CT	GES	No. Z Hangu	GHS, No 2 Hangu	-dō-
: 7	Careta Color	GHS	Ibrah mzai	GCMHS No.1 Hangu.	1 L
: 8	Dayum Gul CT	GHS	Thati	GHS, Sarozai Hangu	-de-1:
	Amir Khanan CT.	GMS	Alwara Mila	GUG Di	-do-
19	Abdul Samad PST,			GHS.Bilyamina	-de:
PRO	MOTION OF SCT/CT/PHST/	SDET	TO THE COST -	GHS Shanawori Naryah	-do-
•	(GENERAL) BPS-16	31.31	IN THE POST OF	FSST	` }
Sr	Name of Official	!		`	15
No:	Logine of Outries	Pres	ent Place of	Name of School	المسترين والمنافي
1	1	Post	ing .	where adjusted	Remarks
	Sami ud Din SCT		HS Nc.1 Hangu	i where adjusted	11
2	Ashraf Hussain SCT.	CHC	inio won inangu .	GCMHS No.1 Hangu	AVP
3	Saeed ud Din SCT:	Ons	Naryb	GHS Naryb.	-do-
74 - **	Inab Gul SCJ	GHS	Karbogha	GHS Darsamand	100
's '	1 American Sign	GHS	Kahi : .	GHS Kahl	
: -	Aman ullah Khan SCT	GHS	Mianji Khél	CHC'D-14-10	-po-
	Nizam Khan SCTen.	CHG	Serozai .	GMS Qadri Banda	-\$o-
	M.Murad Khan	SOF	CMIS NO 1 Hansu	GMS Tari Banda	<del>                                    </del>
ë	Mr.Mumlaz Ullah SCT	-i	ACMUS NO 1 HBURD	GCMHS No 1 Hangy	¬
. 9	Gul Ondon at	GHS	Karbogha	GHS, Torawori.	-po-
10	Gul Oadeer Ahmad SCT	GHS	Togh Sarai	Silo, Folawoll,	-\$0¢-
	Habib Ali SCT.	Cuc	1.04. 00.0	GHS Togh Sarai	-10-
11	Muhammad Raheem SCT	Ons	Ibrahimzai	GHS Ibrahimzai	~ <del></del>
12	Ain upan SCT	FCHS	Bagalo	CHO	-10-
13	SEATT OF THE PARTY	GH	Togh Sarai	GMS Turki Banda.	1 h 1
14	Stati ur Rehman SCT	Tau	J. John Garai	GHS Took o	·/-bo-
منتحر		120	Chamba Gui	GHS Togh Sarai.	1
16	Livinammad Karim e 6-			I One I have	1-00-
77	Muhammad Karim SCT Khana Oln SCT	. I GC	MMC H.		10-
: 18	Shah Muhammad SCT	GF	SS Dallan	CCVIII IIII	
16	Sajad Hussain SCT	1.67	Michael Control	GCMHS No.1 Hangu	to the
20	- Maoi Bad Shah Co	活厂	TO NOT HERE	~~  <u>G</u> HSS D~ usjjar	
21	I Munay Bed Shah ea	T G	MHS No.1 Hangu IS Serozai IS Tophsan	GHSS Dallan	1 50-1
	Oabil Bad Shah SCT Muslim Bad Shah SCT Muslim Bad Shah SCT	<u> L</u> ēr	SToglisari	GHS shahu Khel	



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

General BPS-16

Qabil Bad Shah SCT

Munawar Khan, SCT

Muslim Bad Shah SCT

19.

Consequent upon the recommendations of the Departmental Promotion Committee and In pureuance of the Govt. of Khyber Pakhtunkhwa Elementary & Secondary Education Notification No.SO (PE)/4-5/SSRC/Meetin/2013/Teaching Cadre dated 24.07.2014, the following SCTS/CTS/DMS/SATs/STTS /TTs//Qari/PHSTs/SPSTs and PSTs are hereby promoted to the post of SST (Bio-Chem) SST (Phy-Math) SST (General) noted against teach BPS-16 (Rs.10000-800-34000) plus usual allowance as admissible under rules on regular basis under the existing policy of the provincial Govt, on the terms and condition givne below with immediate effect and further they all are hereby adjusted against vacant posts noted

1. Promotion of SCT/CT/PHST/SPST to the post of SST

		<u>(Bio-Chem)</u> BPS-16	in all past of GO	_	:
•	l	Name of Official	Description	-	
	Sr.		Presence place of posting	Name of school	Remarks
	No.				The mains
ı	1.	Mr. Shabab Hussain CT		į ·	ļ ·
1	2.	Muhammad Makini II.	GHS Shahu Khel	GHS Lodhi Khel	A) (5)
1	3.		CINIO 26LO KUGI	GHS Mamoon Banda	AVP
ļ	4	Khial Dar Khan DM	GPS Candirl Waziran	GHS Gandir Waziran	-do-
L	Drom	- "ner Dar Mian i mi		Grid Gandir Waziran	-do-
	L1011	otion of SCT/CT/PHST/SPST to th	e post of Cor	GCMHS No.1, Hangu	-110-

	(Phy-Maths) BPS-16	the post of SST	2 10,1, Hangu	<u>   -00-</u>
6. 7. 8. 9.	Name of Official  Mr. Muhammad Yousaf SCT Noor Sahib Khan CT Azmat Lai CT Majeed Gul CT Rehmat Khan CT Muhammad Hilai CT Qayum Gul CT Amir Khanan CT: Abdul Samand, P.S.T. otion of SCT/CT/PHST/SPST to the	GHS Naryab GHS Muhammad Khawaja GHS Ibrahimzai GHS Kahi Hangu GHS No.2 Hangu GHS Ibrahimzai GHS Thall GMS Alwara Mila	Name of school Where adjusted GHS Naryab GHS Muhammad Khawaja GCMHS No.1 Hangu GHS, NO.2, Hangu GCMHS No.1 Hangu GCMHS No.1 Hangu GCMHS No.1 Hangu GHS, Sarozai Hangu GHS, Bllyamina GHS Shanawori Haryab	Remarks  AVP  -dododododododod
		- · · · · · · · · · · · · · · · · ·		

	Ocueral PL9-10	•		
Sr. No.	Name of Official	Presence place of posting	Name of school	
1.	Mr. Muhammad Yousaf SCT		Where adjusted	Remarks
2	Noor Sahib Khan CT	GCMSH No.1 Hangu GHS Naryab	GCMSH No.1 Hangu	AVP
3. 4.	Azmat Lai CT Majeed Gul CT	GHS Karbogha	GHS Naryab . GHS Darsamand	-do-
5.	Rehmat Khan CT	GHS Kahi	GHS Kahi	-do-
6.	Muhammad Hilal CT	GHS Mianji Khle GHS Serozai	GMS Qadri Banda	-do-
7. 8.	Qayum Gul CT Amir Khanan CT.	SCT GCMHS No.1, Hangu	GMS Tari Banda. GCMHS No.1, Harigu	-do-
9.	Abdul Samand, P.S.T.	GHS Karbogha	GHS,Toawari	-do-
10.	Habibi Ali SCT	GHS Togh Sarai GHS Ibrahimzai	GHS, Togh Sarai	-do-
11. 12.	Muhammad Raheem, SCT	GHS Bagolo	GHS, Ibrhaimzai GMS, Turki Banda	-do-
13.	Ain Ullah SCT, Shafi ur Rehman SCT,	GHS Togh Sarai	GHS Togh Sarai	-do-
14.	Ihsan ud Din, SCT.	GHS Chamba Gul GHS THall	GHS, Chamba Gul	-do-
15.	Muhammad Karim SCT	GCMHS No.1, Hangu	GHS Thall,	-do-
16. 17.	Khana Din SCT	GHSS Dallan	GCMHS No.1, Hangu GHSS Dallan	-do-
	Shah Muhammad SCT Sajad Hussain SCT	GCMHS No.1 Hangu	GHS Shahu khel	-do-
40	0 100	GHS Serozai	CUO	<u>-uo-</u>

GHS Serozai

GHS TOghsari

GHS Shanawori Naryab

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GHS Shanawori Naryal

GMS, Togh Chaper

GHS Serozai

GHS Khazina

-do-

-do-

<u>-do-</u>

hammad Riaz SC ĠHŚ Darshi Mumilaz Gui SCT GHS Darshi GHS Kahi Aflab ud Din SCT. GHS Kahi GHS Thall GHS Thall Mujeeb ur Rehman SCT GHS Mianji Khei Habip Gul PST. **GHS Thall** GHS Gandiri Waziran Farid Khan PST GHS, Gandin Waziran GPS Shaikhan Banda -164 Muazam Ali PS7 GMS Wach Bazar GPS Ibrahimzai No.1 GPS Chapri Hangu. Do. Ishfaq Hussain PST GHS İbrahlmzai. - do Wali Muhan mad Khan GHS Shahu Khel. GPS Srazmaka No.1 Üο. Jamil Ahmad PST, GMS Azimi Banda GPS Shanawori Hangu -Đọ Mr. Muhammad Sadique p GHS.Shanawon Hangu GPS Jaddell Banda -po ĴΠ Muhammad (qbal PST GMS Sem Khel GPS No.4 Hangu. Jo: Khalid Mehmood PS GHS Shánawori Hangu, GPS Warasia No 1 ტი.  $\vec{3}5$ Rabii Kha Jan PST GMS Darband GPS Navi Dand do Hayat Monanimad Khan est GHS Chapri Waziran GPS Shokh Wall Korona Muhammad Nauman PST GHS Chapri Waziran GPS No.1 Sero Zai ďο: Musam Gul PST 38 GHS Mamoon Banda. GPS Champa Gul do-35 Bail Ullah SDM GMS, Anar China GHS Bagalo do: Awal Noor Khan SDM. GHS Bagato. GHSS Dallan ďα: 41 Saif ur Rehman SDM, GHS Mamoon Banda GHS Muhammad Khawaja GHS.Muhammad Khawaja Nazır Ullah SAT GHS, Muhammad Khawja do. GHS Kotki Bala Mr. Hidayat Ullah SAT GCMHS Nd 1 Hangu 41 Mr. Abdur Rehman SAT GMS Barh Abas Khel GHS No.2 Hangu. Salih Din STr GHS No 2 Hangu GCMHS No.1 Hangi ٠ſ٥. Bakhilar Ahmad Shakir GMS Samana. GMS Shamal Din ijaz Ahmad TT GMS Torawori GCMHS No.1 Abdur Rehman Qari 48 GHS No.2. Hangu. GHSS Doaba ·do: Zia ul Haq Qari GHSS Doaba GCMHS No. 1 Hangu. Terms & Conditions -go GMS.Hangu.

They would be on a probation for a period of One Year extendable for another one year.

They will be governed by such rules and repullations as may be issued from time to live by the

Their Services can be terminated at any time in case their performance is found unsatisfactory during probationary period, thicase of misconduct, they shall be preceded under the rules framed from time to time

Charge report should be submitted to all co

Their inter-se-Seniority will remain intact

No TAJDA etc is allowed for joining his duty

They will give an undertaking to be recorded in their Service Book to the effect that if any overpayment is made to him in light this order will be recovered and if he is wrongly promoted

They will be governed by such rules and regulation as may be issued from time to time by government
Their posting will be made on school based they will have to served at the place of posting and

10 Before taking over charge once again their documents may be check if they have not the required relevant qualification as per rules they may not be handed over charge of the bost

4101 DISTRIUCT EDUCATION OFFICER

Endst No 3493-3562/ SST Premotion/Estab Cated Hangu the 31.10.2014 Copy of the above is lonwarded for information and nec

Accountant General Knyber Pakhtun Khwa Peshav essary action to the

PS to Secretary to Government of Enyper Estating PA to Director Elementary & Secondary Education a Elementary & Secondary Education District Account Officer Hangu

Chaire Account Officer mange All Principals/Headmasters concerned SDEO(Male) Hangu Accountant Middle School Local Office

Official concerned

Master File

DISTRIUCT EDUCATION OFFICER (MALE) HANGU

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2			<u>Be</u>	tter Copy
	Muhammad Riaz SCT.	GHS Darshi	GHS Darshi	-do-
23	Mumtaz Gul SCT,	GHS Kahl	GHS Kahi	-do-
12A	. Aftab ud Din SCT,	GHS Thail	GHS Thall	-do- ı .
25.	Mujeeb ur Rehman SCT,	GHS Mianji khel	GHS Thall	-do-
3 26.	Habib Gul P.S.T	GHS Gandiri Waziran	GHS Gandin Waziran	-do
27	.Farid:Khan P.S.T	,GPS Shaikan Banda	GMS Wach Bazar.	-do-
28.	Muazam Ali P.S.T	'GPS Ibmaimzal No.1	GHS Ibrahimzal	-do-
29.	ilshiq Husain P.S.T	GPS Chapri Hangu	GHS Shahu Khel	do
30.	Wali Muhammad Khan P.S.T	GPS Srazamaka No.1	GMS Azimi Banda	-do-
31.	Jamil Ahmad P.S.T	GPS Shanawori Hangu	GPS Shanawori Hangu	-do-
32.	Mr. Muhammad Sadique P.S.T	GPS Jadded Banda	GMS Sero Khel	-do-
33::	Muhammad Igbal P.S.T	GPS No.4; Hangu	GMS Shanawori Hangu	-do
34:	Khalid Mehmood P.S.T	GPS Warasta No.1	GMS Darband	-do-
35.	Rabil Kha Jan P.S.T	GPS Navi Dand	GHS Chapri Waziran	-do-
36.	Hayat Muhammad Khan P.S.T	GPS Shelkh Wali Korona	GHS Chapri Waziran	-do-
37:	Muhammad Nauman P.S.T	GPS No.1 Sero Zai	GMS Mamood Banda.	-do-
38.	Musam Gul P.S.T	GPS Chamba Gul	GMS, Anar Chima	-do
39.	Bait Ullah SDM "	GHS Bagoto	GMS Bagoto	-do-
40.	Awai Noor Khan SDM	GHS Dallan	GHS Mamoon Banda	-do-
41.	Saif ur Rehman SDM	GHS Muhammad Khwaja	GHS Muhammad Khwaja	-do-
42.	Nazir Ullah SAT,	GHS Muhammad Khwaja	GHS Kotki Bala	-do-
43.	Mr. Hidayat Ullah SAT,	GCMHS No.1, Hangu	GMS Barh Abas Khel :	-do-
44.	Mr Abdur Rehman SAT,	GHS No.2, Hangu	GMS No.2 Hangu	-do-
45,	Salih Din SST ,	GCMHS No.1, Hangu	GMS Samana	-do-
46.	Bakhtiar Ahmad Shakir TT	GMS Shamal Din	GMS Toraworl	-do-
47.	ijaz Ahmad TT	GCMHS No.1	GHS No.2 Hangu	-do-
48.	Abdur Rehman Qari	GHSS Doaba	GHSS Doaba	-do-
49.	Zia ul Haq Qari	GCMHS No.1, Hangu	GMS Hangu ;	-do-

#### TERMS AND CONDITION:-

They would be on probation for a period of one year extendable for a further period of one year. They will be governed by such rules and regulations as and when issued from time to time by the provincial Govt

Their services can be terminated at any time, in case their performance is found unsatisfactory during 3. probationary period. In case of misconduct, they shall be proceeded under the rules framed from time to

4. Charge report should be submitted to all concerned,

5. Their inter-se seniority remain Intact. ..

NO TA/DA is allowed for joining his duty.

- They will give an under taking to be recorded in their service book to the effect that if any over payment is . made to him/her in the list of this order will be recovered and if he/she is wrongly promoted, he/she will be reverted.
- They will be governed by such rules and regulation as many be issued from time to time by government. Their posting will be made on school based they will have to served at the place of posting and their services is not transferable to any other station.
- Before taking over charge once again their documents may be check if they have not the required relevant qualification as per rules they may not be handed over charge of the post.

DISTRICT EDUCATION OFFICER (MALE) HANGU ,

Endst. No.3493-3562/SST promotion/Estab Dated Hangu the 31.10.2014 Copy of the above is forwarded for information and necessary action to tile.

- Accountant General Khyber Pakhtunkhwa, Pehsawar PS to Secretary to Government of Khyber Pakhtunkhwa Elementary & Secondary Education Department, Peshawar.
- PA to Director Elementary & Secondary Education Department, Peshawar.
- All principles/Headmasters/ concurred
- SDEO (Male) Hangu
- Accountant Middle School Local Office
- Official concerned,
- Mașter File

**ATTESTE** 

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FATA SECRETARIAT DIRECTORATE OF EDUCATION

### MOST IMMEDIATE.

Тο

All the Agency Education Officers

in FATA.

Subject.

<u>DEPARTMENTAL</u> PROMOTION SCTS/CT/SDM/DM/SAT/AT/STT/TT&S, FROM QARIESQARIES

FOST OF SSTS (BS-16) Regular.

Memo:

I am directed to enclose herewith the Deputy Director (Estab) Elementary & Secondary Education Khyber Pakhtunkhwa letter No.4954/F.No.SST. promotion to SS posts dated 7/8/2014 alongwith criteria on the above noted subject.

Keeping in view the criteria; kindly prepare category wise list (Male/Female) as per below proforma alongwith photo copies of documents of the candidate for promotion against the post of SST for onward submission to the quarter

S.No	Name of Teachers	Name of School	Desig;	BPS.	Academic Qualification	Professional Qualification	Date of lst Apptt; on	Domicile	
-							present post		

Deputy Directress (Estab)

Endst;No.\_

1. Deputy Director (Estab) Elementary & Secondary Khyber Pakhtunkhwa w/r to his letter mentioned above and telephonic discussion with Supdt; (Estab) E&SE Khyber Pakhtunkhwa that the information as per proforma may be checked & necessary guidance may be intimated if any please. .

P.A to Director Education FATA.

Deputy Directress (Estab)

251 Hance

Horse "G"

Kureim SST (M)





## FATA SECRETARIAT DIRECTORATE OF EDUCATION KIIYBER PAKHTUNKHWA, WARSAK ROAD PESHAWAR, PAKISTAN PHONE. 091-9210166 FAX 091-9210216

Nσ Date//2017		72 10100 FA)	X 091-9210216
Date/ : \2017	Nσ		: ' ] '
		Date	<u>/-</u> : /2017

## **Notification**

In pursuance of the Government of Khyber Pakhtunkhwa Elementary and Secondary Education Notification No.SO(PE)/4-5/SSRC/Meeting/2013/Teaching Cadre dated 24 July,2014 and recommendations of the Departmental Promotion Committee, the following SCTs/CTs, SDMs/DMs, SATs/ATs, STTs/TTs, Senior Qaris/Qaris, PSHTs/SPSTs/PSTs of Kurram Agency, are BPS-16 (ns. 18912-2520-64510) plus usual allowances as admissible under the rules of regular basis of public service.

ì	uide Fol	ir tha i iblic so	existing poli	cy, on the to	rus <sub>l</sub> usuat I'ms and l	allowances condition a	as admissi	ble under the rules of regular ba with immediate effect in the inter-	ir
_	, <sub>1</sub>	. 4	,, 0,000, COM AM	ion	,	- Harris G	och beloth,	with immediate effect in the inter-	SU: PR:
7	. p.	zx. ROM	SST (B	<u>10/Chei</u>	<u>n)</u>		•		
=	177	25017	OTION OI lo. of SST v	<u> </u>	<u>TO[SST </u> ;	(Bio/Chin	നി മമര		1
	2/2/	-% ch	lo. of SST v	acunt post	tofSSTs	(Bio/Ches	n)		
	7	% sh	are initial	recruitme	it	1 7 0.10,	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		÷
	40	% SI	are for Pro	motion,			··· <del>-  </del>		-
	$P_{\ell}$		are of pro	motion of.	Senior C	T/CT	··· -· -· -· -·	1]1 18	-
	$P_I$	ontol	ed through	r promotic	<u> </u>			9	ᅦ
				Cutts orde	<u> </u>			9	ヿ
	S.N	51:5 0.	Name of Official	Place of	0/0	Pate of		8	J
	<u> </u>	<del></del>		positng	b/o Birth	Popott;	Qualif- cation	Remarks	$\neg$
	12	56	Muhammad	GHS King	Foj V196	:-		1 '	
	<u></u>			Alt Zai	151	25/12/27/93	Bsc/M.Ed	Services placed at the disposal of AEO Kurram for further	1
Ì	~	-     58	: Sillussing		╌┠╬╾╼┄┯╌╅	<del>- </del>		Kurram for further post ng against SST : Blo/Chem (BPS-16) post	ŀ
	٠.	1 38	Akbar Shah	GHS   Kirman	\$/8/1966	25/12/1003		Survices planted at the late.	-
İ	<del>-</del>	<del>-</del>	Muhammad		_ <u>                                     </u>	1 -1, 1933	BSc/M.Ed	E YEV SULTON LUTTROP ASSETULE ! . I.	i
Į	ď.	96	Qasim Ud	GHS Angori					
-		<u> </u>	Din	1. Oilas Angort	2/3/1975	14/9/1999	M.Sc/M.Eb	J Services placed at the cit.	1
	سسماة	1			╅╼╼	<del> </del>		Kurram for further posting against SST Bio/Chem (BPS-18) post	
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2. PROMOTION OF PSHT/SPST/PST TO SST (Bio/Chem) BPS-16.

Total No. of SST vacant post of SSTs (Bio/Chem)

25% share initial recruitment

75% share for Promotion.

9a% Share of promotion of PSHT/SDES/IST

Posts available for promotion

Promoted through this order

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ĺ	76	S.Ariwar Hussaln	GPS Yaqoobl No-2	3/10/196G	31/10/1994	ion	Remarks  Services placed at the disposal of AEO  Kurram for feet
	i 1900 o serie	1 1971 -					Kurram for further posting against SST

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63 Majeed Hussain  64 S.Sajjad Hussain  GISHS Parachinar  75 Muhammad Sadiq Khan  GHS Makhizai  18/2/1970  GHS Luqmankhe 17/4/1969  25/12/1993  BSc/M.Ed  Services placed at the disposal of AEO Kurram for further posting against SST Phy/Math (BPS-16) post.  Services placed at the disposal of AEO Kurram for further posting against SST Phy/Math (BPS-16) post.  Services placed at the disposal of AEO Kurram for further posting against SST Phy/Math (BPS-16) post.  Services placed at the disposal of AEO Kurram for further posting against SST Phy/Math (BPS-16) post.  Services placed at the disposal of AEO Kurram for further posting against SST Phy/Math (BPS-16) post.		61			2/4/1968	25/12/1993	B\$c/B.Ed	Services placed Kurram for furt	at the	disposal of AEO
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25% share initial recruitment

Posts available for promotion

Promoted through this order

40 % Share of promotion of Sr; QT/CT

75% share for Promotion.

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S.		Name of Official	Place of Posting	Date of Birth		Date of Appott: as Regular C	Qualifica	H Remarks
1	7	S.Hussain Afzal	GSNHHSS Shalozan	15/7/19	62	18/6/198	· · · · · · · · · · · · · · · · · · ·	Services places at the disposal of AEC Kurcam for further posting against SS
2	8	Amir				-		General (GPS 15) post.
		Habibullah Khan	Sadda	20/4/19	64	8/7/1987	8A/8.Ed	Services placed at the disposal of AEC Kurram for further posting against SS General (BPS-15) post.
3	9	Mehboob Alí	GHS Bork	20/4/19	5 <u>8</u>	29/11/193	7 MA/B.Ec	Services placed at the disposal of AEC
4	14	Israr Hussain	GSNHHSS Shalozan	12/4/19	63	29/11/198	7 MA/B.Ed	Services placed at the disposal of AEC
5	20	Dildar Hussain	GISHS Parachina	6/9/1969	5	17/10/198	9 BA/B.Ed	Services placed at the disposal of AEC  Kurram for fultiful posting region cor
6	25	Khadim Hussain	GHS Kunj Ali Zai	7/5/196	)	14/11/199	-       i   BA/B.Ed	General (BPS-±g) post.  Services placed at the disposal of AEC Kurram for further posting against SS
7	29	Jehan Muhamma d	GHS Chappri	. 20/2/19	53	14/11/199	MÅ/M.E	Services placed at the disposal of AEO  Kurram for further posting against See
8	30	S.Muham mad Ali Shah	GHS Kirman	3/3/196	.	14/11/199	MA/M.E	Services placed at the disposal of AEO  Kurram for further posting against con-
9	35	Zinat Hussain	GISHS Parachina r	6/4/1962		22/10/199	1	Services placed at the disposal of AEO Kurram for further posting against Services
10	16	S.Ahmad Raza	GISHS Parachina r	5/2/1965		5/3/1992	MA/M.E	Services placed at the disposal of AEO
11	41	Mansab Ali	GHS Kirman	1/3/1966		5/4/1992	MA/M.E	Services placed at the disposal of AEO Kurram for further posting against SET
12	42	5.Iqbal Hussain	GISHS Parachina r	1/2/1966		27/5/1992	MA/M.E	Services placed at the disposal of AEO  Kurram for further posting against Services
13	43	AbdulGhay ur Khan	GHS Bilyamin	1/11/957		22/11/1992	8A/8.Ed	General (BPS-16) post.  Services placed at the disposal of AEO Kurram for further posting against SST
14	44	S.Imdad Hussain	GHS Qubadsha khel	8/3/1971	_  -	2/3/1993	MA/B.Ed	Services placed at the disposal of AEO Kurtam for jurther posting against ser
15	46	Janan Hussain	Alizai	7 11/11/19 7	5	7/3/1993	MA/8.Ed	Services placed at the disposal of AEO Kurram for further recyling against SET
16		S.Kamal Husssain	GHS Mali Kali	25/8/1969	)	27/4/1993	BA/M.Ed	Services placed at the disposal of AEO  Kurram for further innesting against services
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	<del></del> -	Official Muhd	posting	D/O Bleth			Qualif- cation	Remarks
1	15	Yaqoob Khan	GPS Khapyang a	6/5/1963			ANAMAR N	ervices placed at the disposal of AEO urram for further posting against SST
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3	25	Irshad Hussain	GPS	6/4/1967	17/9/1987	MA/M.Ed	Kurram for furth	or ne	pisbosai oi	FAEO:
		Hussaill	Alamkhel	" '	5.4	,	General (BPS-16	o pos	rukg agam:	21 22 1
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6:	46	Rashid Ali	College	15/3/196	22/10/1391	BAM.Ed	Services placed a	if the	disposal o.	I AEO
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7	49	Gul Hussain	GPS	22/4/196	4/3/1992	BA/D E-I	Services placed	it the	disposal o	[ AEO
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8	52	Muhammad	Parachina	29/1/197	4/3/1992		Services placed	i the	disposal o	f AEO
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Terms and conditions;-.

They would be on probation for a period of one year extendable for a further period of one

They will be 🧸 🚟 ed by such rules and regulation as and when issued from time to time by the Provincian Goot:

Their services can be terminated at any time, in case their performance is found insatisfactory during probationary period. In case of misconduct, they shall be proceeded under the rules

Charge report should be submitted to all concerned.

No TA DA is allowed for joining his duty.

They will give an under taking to be recorded in their service book to the effect that if any over payment is made to him/her in the light of this order will be recovered and if he she is wrongly promoted, he/She will be reverted.

Before handing over charge once again their document may be checked if they have not the prescribed qualifications as per rules, they may not be handed over charge of the post. The prescribed qualifications/ documents may be verified from the concerned Universities/

Institutions by the AEO concerned.

(Hashim Khan) Director Education FATA

Dated Peshawaf the// <u>/10/</u>2017. Copy forwarded for information and necessary action to the: -

1. Accountant General (PR) Sup Office, Peshawar. 2. Director E&SE Khyber Pakhaunkhwa, Peshawar.

3. Agency Education Office Kurram Agency.

Agency Accounts Officer Kunram Agency.

PS to ACS FATA.

6. PS to the Secretary SSD, FATA Secretariat, Peshawar.

PS to the Secretary Finance Department FATA Sectretariat Peshawar.

8. PA to Director Education, FATA.

Promotees Concerned.

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Endst: No.

Addl: Director Directorate of Education, FATA

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	83	Petali Khan	MSC Chemistry	GHS Razmak	2004	03/02/1976	76 North Waziristan		2 11/10/2017	77		By Promotion	
	6632	Six Rahman	MSc statistics/ N/Ed/	GHS kari kot wang	2004	10/01/1978		09/01/2003	11/10/2017	17		By Promotion	
ζ.	££38	Sed Ahmad Shah	M.Sc(Pak Study)/M.Ed	GHS Zerang	2010	10/04/1979		01/09/2003	11/10/2017	7		By Promotion	
	#E39	Ahad Jamal	M.Phil Zaalogy/M.Ed	GHS Kandaw HSD Pashawar	ar 2005	01/01/1982	92 Peshawar	a1/09/2003	11/10/2017	7		By Promotion	-
	6635	AMR DIN KHAN	MA ISLM, M/Ed	GHS KOTKAI SWTD	2008	02/09/1972	South	nata tranna	4414100000				
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	6836	Attable oin	MSC Botany	GMS Sadda LK	2003	30/12/1981	1 Kurram	01/09/2004	11/10/2017	7		By Promotion	
	8537	Siansullah Khan	MSC Mathematics	GAAPS For Boys Miran Shaft	ħ 2003	10/05/1979	9 North Waziristan	17/08/2009	11/10/2017	7		By Prantation	
	6838	Mibahid Hussain	MSC Economics / MA ,Islamyat	GHS Miran Shah	2011	01/04/1987	North Waziristan	17/08/2009	11/10/2017	7		By Promotion	
	6639	Atter Saged	M.Sc(Biology)B.Ed/M.Ed	GHS Saball Kach TSD Tank	2013	20/03/1985	FR Tank	28/08/2009	11/10/2017	-	B	By Pramation	
	6640	RZT Utah	M.Sc(Physic)8.Ed	GHS Bargantoo FR Oanny	2012	15/03/1989	F.R. Bannu	01/09/2009	11/10/2017	-		By Promotion	
	8841	Maammad Hanif	MSC Pakistan Study	GHS Kachi LK	2013	12/06/1982	Кипал	12/10/2009	11/10/2017	-	DD:	By Promotion	New Entry
	6642	Miammad Israr	MA Islamyat	GHSS togh sarai hangu	2013	1861/20/20	Напди	07/04/2004	16/10/2017			By Prometion	
	6843	wätel Ahmad	Msc	Dargai Malakand	2003	03/03/1979	Maiakand	07/04/2004	17/10/2017		e,	By Promotion	
	6644	Abithussain	B/A Maths	GHS Shingak	2017	20/02/1969	Кипап	10/01/1989	18/10/2017			By Pramation	
	5645	Muternmad Iqbal Khan	MA(Urdu, Pashto)M.Ed	GHS Kashmir Æhel Kimi Haider Tank	1989	08/03/1969	FR Tank	10/01/1991	18/10/2017		By	By Promotion	
	5640	Gufar Xhan	MA(Pashto, Islamyzt)B.EdMLEd	GHS Chini Michan Khel Tank	2009	15/12/1969	Tark	09/02/1992	18/10/2017		Va Va	By Promotten	
_	4	SHO ALI KHAN	e/Sc, M/Ed	GHS SARGARAH MUHAMMAD KHAN	2005 1	14/05/1971	Sannu	05/10/1995	18/10/2017		Ву	By Promotion	
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Lastification and table conditions specified in the Appendix to this Nov Education: Department in consultation with the Establishment Department and the Fractice Department hereby lays down the method Servants (Appointment, Promotion and Transfer) Rules, 1989 and in supersession of all Northeations issued in this behalf, the Elementary and Secondary Codice in puganance of the provisions commined in sub rule (2) of rule 3 of the Khyber Paphjunkhwa Civi

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20. PS to Secretary E&SE Department.

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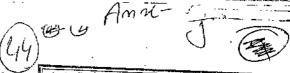
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OFFICE OF THE AGENCY EDUCATION OFFICER
KURRAM AGENCY AT PARACHINAR

P.NO.0926311391 Fax No.0926311391 Email:- kysah110 @gmail.com

# ADTUTMENT

Consequent upon the approval by Departmental Selection Committee and Director of Education FATA Peshawar Endst No. 16/0/-50 dated 11-10-2017, the following C.T/A.T/D.M/T.T and PST are hereby adjusted against the vacant SST posts in BPS-16 in the schools noted against their names with effect from 18/10-2017 :-

SA	Name of	Printing Cal	
	Teacher/Designation	Existing School	Place of Adjustment
I	Mr, Muhammad C.T	GHS Kunj Alizai	<u> </u>
2	S.Hussain Akbar Shah C.T	GHS Kirman	GHS Kunj Alizai against vacant post
3	Mr, Cohar Ali C.T	GHS Shingak	GHS Kirman against vacant post
÷į́.	Mr. Ashin Hussain C.T	GMS Parachinar	GHS Burki against vacant post
22	Medicularamed Khan C.T	GHS Powar	G.I.S.H.S Parachinar against vacant post
ű	Mr, Wahid Hussain C.T	GMS Karakhela	GHS Pawar against vacant post
7.	S.Anwar Hussain PST	GHS Samir	G.I.S.H.S Parachinar against vacant post
Ş	Mr, Qaim Hassain PST	GPS Kundizar	GHS Mahoora against vacant post
9	Mr. Sajid Hussain PST	GMS Yardah	GHS Mali Kali against vacant post
10	S.Ahmad Shah T.T	GHS Qubadshah Khel	GHS Mali Kali against vacant post
11	Mr, Sardar Hussain C.T	GHS Zeran	GMS Bughdi against vacant post
12	Mr, Inayat Hussain C.T	G.I.S.H.S Parachinar	GHS Qubadshah Khel against vacant post
13	Mr. Majeed Hussain C.T	GHS Luqman Khel	G.I.S.H.S Parachinar against vacant post
14	S.Sajjad Hussain C.T	G.I.S.H.S Parachinar	C.S.N.H.H.S.S Shalozan against vacant post
5	Mr, Amjad Hussain C.T	G.I.S.U.S Parachinar	C.L.S.H.S Parachinar against vacant post
5	S.Mubarak Shah C T	GHS Nastikot	G.S.A.H.Mi.M.S Parachinar against vacant
7-	Mr, Ashiq Hussain C. F	GHS Kirman	G.S.A.H.M.H.S Parachinar against vacant
	Mr, Kantal Hussain C.T	GHS Mir Jamal	GHS Kirman against vacant post
	Mr, Muhib Ali C.T	GRS Nastikot	GHS Mir Jamal against vacant post
	Mr, Aman Ullah Jan PST	GPS Shnai Sehra	GIS Nastikot against vacant post
	Mr. Javid Russain PST	GMS Parachinar	G.S.A.H.M.H.S Parachinar against vacant
2	Mr, Muzahir Ali T.T	GHS Pewar	GHS Mali Kuli against vacant post GHS Pewar against vacant post









23	S.Qabil Hussain D.M	GMS Shakardara	GHS Zeran against vacant post
24	S.Hussain Afzal C.T	G.S.N.H.H.S.S Shalozan	GMS Karakhela against vacant post
25	Mr, Mehboob Ali C.T	GUS Burki	GHS Burki against vacant post
26	Mr, Israr Hussain C.T	G.S.N.H.H.S.S Shalozan	GHS Bughdi against vacant post
27	Mr, Dildar Hussain C.T	G.I.S.H.S.Parachinar	GMS Bughald against vacant post
28	Mr, Khadim Hussain C.T	GHS Kunj Alizai.	GHS Amalkot against vacant post
29	S.Ahmad Raza C.T	G.I.S.H.S Parachipar	<del> </del>
30	Mr, Mansab Ali C.T	GHS Kirman	GMS Khomosa against vacant post
31	S.iqbal Hussain C.T	G.I.S.H.S Parachinar	GHS Kirman against vacant post.
32	S.Imdad Hussain C.T	GHS Qubadshah Khel	GHS Bughdi against vacant post
33	S.Kamal Hussain C.T	GHS Mali Kali	GHS Qubadshah Khel against vacant post
34	Mr, Irshad Hussain PST	<u> </u>	GMS Jallander against vacant post
35	Mr, Abid Hussain PST	GPS Alam Khel Pewar	GHS Terimangal against vacant post
36	Mr, Rashid Ali PST	CPS Abdullah Khan Kali	GHS Shingak against vacant post
37	Mr, Gul Hussain PST	GPS College Colony	G.I.S.H.S Parachinar against vacant post
38		GPS Noorki	GMS Mirmai against vacant post
	Mr, Muhamad Ibrahim I'ST	GPS No.2 Parachinar	GMS Kachkina against vacant post
39.	Mr, Alim Khan D.M	GHS Kirman	GMS Shakardara against vacant post
40	S.Nabi Hussain A.T	GHS Kunj Alizai	GMS Kharlachi against vacant post
41	Mr, Arbab Hussain T.T	G.I.S.H.S Parachinar	GHS Nastikot against vacant post
12	Mr. Muhammad Bashir L.M.	GHS Pewar	GHS Shingak against vacant post
43	Mr., Gulfam Hussain T.T	CHS Kirman	GHS Zeran against vacant post

Agency Education Officer Kurram Agency Parachinar

Endst No /190 - 1232/Edu

Dated 18/10 \_/2017

Copy forwarded to the:-

1. ... :tor of Education FATA Peshawar with reference to his No.cited above please,

2. Principals/Headmasters concerned.

3. Agency Accounts Officer Kurram Agency

4. Teachers concerned

5. Office file.

Agency Education Officer Kurram Agency Parachinar

Annx-"K"

TO,

THE DIRECTOR EDUCATION FATA
FATA SECRETARIAT DIRECTORATE OF EDUCATION
KHYBER PAKHTUNKHWA, WARSAK ROAD
PESHAWAR.

DEPARTMENTAL APPEAL AGAINST ORDER DATED 11.10.2017 FOR DISCRIMINATION, VIOLATION OF FUNDAMENTAL RIGHT AND NON OBSERVANCE OF PROMOTION/SENIOROTY OF THE APPELLANT FROM THE DATE OF NOTIFICATION NO.SO(PE)/4-5/SSRC/MEETING/2013/TEACHING CADRE DATED 24<sup>TH</sup> JULY, 2014 FOR PROMOTION OF Sr:CT/CT TO SST (General) BPS-16.

#### RESPECTED SIR!

Appellant submits as under:

- 1. That the Appellant was appointed as CT on dated 03.05.1992 by your worthy department and has performed his duties on different locations with honesty and full devotion and has been a responsible, hard worker, skillful, dutiful, punctual and obedient teacher and presently the Appellant has promoted to the post of Secondary School Teacher (SST BPS-16) and is posted at G.I.S.H.S. Parachinar district Upper Kurram.
- 2. That the Government of Khyber Pakhtunkhwa Elementary and Secondary Education through NOTIFICATION NO.SO(PE)/4-5/SSRC/MEETING/2013/TEACHING CADRE DATED 24<sup>TH</sup> JULY, 2014 and recommendation of the Departmental Promotion Committee has promoted the Appellant to the post of Secondary School Teacher (SST BPS-16) on dated 11.10.2017 instead of 24.07.2014
- 3. That the Deputy Director (Estab) Elementary & Secondary Education Khyber Fakhtunkhwa through letter No.4954 dated 07.08.2014 and letter No.4874 dated 06.08.2014 requested you to fill the vacant posts of SST (General/Science) in Government Higher Secondary/High & Middle Schools (M&F) FATA by promotion of in-service teachers under the existing rules.
- 4. That after requesting again and again by the Deputy Director (Estab) Elementary & Secondary Education Knyber Pakhtunkhwa through different letters your worthy office delayed the process and did not consider the Appellant for his due promotion.

That following the above mentioned same Notification, the District Education Officer Male Hangu through Endst No.3493-3562 dated 31.10.2014 promoted 49 SCTs/CTs, SDMs/DMs; SATs/ATs, STTs/TTs, Senior Qaris/Qaris, PSHTs/SPSTs, to the

post of SST (Bio-Chem), SST (Phy-Maths), SST(General) BPS-16.

- 6. That your August office has not observed the appellant promotion from his due date i.e 24th July,2014 according to Notification and has order the same through letter Endst No.16101-50 dated 11.10.2017, So Appellant has not been treated in accordance with law, and appellant rights secured and guaranteed under the law and constitution have been violated.
- 7. That this order of your office has affected the Seniority/promotion of the Appellant because the Seniority of the SST teachers in Khyber Pakhtunkhwa and FATA are the same and not considering the appellant from the due date adversely affect the appellant right for seniority in Subject Specialist in Higher Secondary School as well as Headmasters in High Schools which is clear violation of fundamental rights of Appellant.
- 8. That the discrimination as observed by this office with Appellant is highly deplorable and condemnable, being unlawful, unconstitutional, without lawful authority, without jurisdiction, against the norms of natural justice, equity and against the law on subject, hence liable to be declared void ab initio.
- 9. That the act of your good office' not making promotion order from the date of Notification of Khyber Pakhtunkhwa i.e 24<sup>th</sup> July,2014 is based on malafide, and ulterior motive.
- 10. That the action on the part of your good office has been affecting adversely appellant financial rights as protected by the constitution and the Appellant be treated at par like other employees who are promoted and as such to equally dealt in accordance with the law and rules.

It is therefore, most humbly prayed that on acceptance of the instant departmental appeal an appropriate direction may please be issued and the promotion order of the Appellant may kindly be ordered from the date of Notification i.e 24<sup>th</sup> July,2014 and any other relief not specifically prayed and to which the Appellant is found entitled may also be granted.

DATED:25-10-2017

Kurram.

**APPELLANT** 

Sayed Ahmad Raza S/O Sayed Muhammad Raza R/O Shaheed Abad College Colony P.O & Tehsil Parachinar Upper District

(48)

Anna -- Z

THE DIRECTOR EDUCATION FATA
FATA SECRETARIAT DIRECTORATE OF
EDUCATION KHYBER PAKHTUNKHWA, WARSAK
ROAD PESHAWAR.

REMINDER FOR CONSIDERATION OF DEPARTMENTAL APPEAL AGAINST UNJUST ORDER DATED 11.10.2017 FOR DISCRIMINATION, VIOLATION OF FUNDAMENTAL RIGHT AND NON OBSERVANCE OF PROMOTION/SENIOROTY OF THE APPELLANT FROM THE DATE OF NOTIFICATION NO.SO(PE)/4-5/SSRC/MEETING/2013/TEACHING CADRE DATED 24<sup>TH</sup> JULY, 2014 FOR PROMOTION OF ST. CT/CT TO SST (General) BPS-16.

#### RESPECTED SIR!

Appellant submits as under:

That in continuation of the departmental appeal dated 25.10.2017 on the subject cited above and to request you that the promotion order of the Applicant may kindly be ordered from the date of Notification i.e 24th July,2014 because your August office has not observed the applicant promotion from his due date i.e 24th July,2014 according to Notification and has corder the same through letter Endst No.16101-50 dated 11.10.2017 So Applicant has not been treated in accordance with law, and applicant rights secured and guaranteed under the law and constitution have been violated. Furthermore this order of your office has affected the Seniority/promotion of the Applicant because the Seniority of the SST teachers in Khyber Pakhtunkhwa and FATA are the same and not considering the applicant from the due date adversely affect the applicant right for seniority in Subject Specialist in Higher Secondary School as well as Headmasters in High Schools which is clear violation of fundamental rights of Applicant.

It is therefore requested that applicant promotion order may kindly be reviewed in the light of the departmental appeal dated:25.10.2017 in the best interest of justice.

DATED:15-01-2018

APPLICANT -

SAYED AHMAD RAZA S/O SAYED MUHAMMAD RAZA R/O SHAHEED ABAD COLLEGE COLONY P.O. & TEHSIL PARACHINAR UPPER DISTRICT KURRAM.

49 (2) Amac "M"

## BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

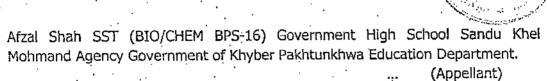
Service Appeal No. 1266/2018

Date of Institution

09.10.2018

Date of Decision

14.07.2021



VERSUS

Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Secretariat building Peshawar and eight others.

(Respondents)

MR. HIDAYAT ULLAH KHATTAK & MR. ABDUR REHMAN MOHMAND. Advocates

. For Appellants

MR. MUHAMMAD RIAZ AHMED PAINDAKHEIL Assistant Advocate General

For Respondents

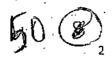
MR. SALAH-UD-DIN MR. ATIQ-UR-REHMAN WAZIR MEMBER (JUDICIAL) MEMBER (EXECUTIVE)

### **JUDGMENT**

ATIQ-UR-REHMAN WAZIR MEMBER (E):- This judgment shall dispose of the instant Service Appeal as well as the following connected Service Appeals as common question of law and facts are involved therein.

1) Service Appeal bearing No.1267/2018 titled "Abi Hayat Versus Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Secretariat building Peshawar and others",



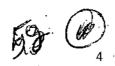


- 2) Service Appeal bearing No. 1268/2018 titiled "Shams Ur -Rahman Versus Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Secretariat building Peshawar and others".
- 3) Service Appeal bearing No. 1269/2018 titled "Karim Khan Versus Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Secretariat building Peshawar and others".
- 4) Service Appeal bearing No. 1270/2018 titiled "Abdul Hakim Versus Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Secretariat building Peshawar and others".
- 5) Service Appeal bearing No. 1271/2018 titiled "Stana Gul Versus Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Secretariat building Peshawar and others".
- Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Secretariat building Peshawar and others".
- 7) Service Appeal bearing No. 1273/2018 titled "Mansoor Ahmad Khan Versus Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Secretariat building Peshawar and others".
- 8) Service Appeal bearing No. 1274/2018 titiled "Khial Zada Versus Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Secretariat building Peshawar and others".
  - 9) Service Appeal bearing No. 1275/2018 titled "Nizam-ud-Din Versus Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Secretariat building Peshawar and others".
  - 10) Service Appeal bearing No. 1276/2018 titled "Sher Mohammad Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Secretariat building Peshawar and others".



- 11) Service Appeal bearing No. 1277/2018 titled "Rahmat Said Versus Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Secretariat building Peshawar and others".
- 12) Service Appeal bearing No. 1278/2018 titled "Javid Akhter Versus Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Secretariat building Peshawar and others".
  - 13) Service Appeal bearing No. 1279/2018 titled "Munawar Khan Versus Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Secretariat building Peshawar and others".
  - 14) Service Appeal bearing No. 1280/2018 titiled "Said Alam Shah Versus Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Secretariat building Peshawar and others".
  - 15) Service Appeal bearing No. 1281/2018 titled "Lateef Ullah Versus Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Secretariat building Peshawar and others".
    - 16) Service Appeal bearing No. 1282/2018 titled "Mst. Khalida Safi Versus Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Secretariat building Peshawar and others".
    - 17) Service Appeal bearing No. 1283/2018 titiled "Zar Gul Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Secretariat building Peshawar and others".
    - 18) Service Appeal bearing No. 1284/2018 titled "Imtiaz Gul Versus Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Secretariat building Peshawar and others".
    - 19) Khaista Sher Versus Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and others".

DAMES TO



- 20) Service Appeal bearing No. 327/2019 titled "Abdul Hamid Versus Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and others".
- 21) Service Appeal bearing No. 651/2018 titled "Sabeel Hassan Versus Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and others".
- 22) Service Appeal bearing No. 652/2018 titled "Anwar Ali Versus Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and others".
- 23) Service Appeal bearing No. 653/2018 titled "Javed Hassan Versus Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and others".
- 24) Service appeal bearing No. 654/2018 titled "Luqman Hakeem Versus Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and others".
- 25) Service Appeal bearing No. 655/2018 titled "Aziz-ur-Rehman Versus Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and others".
- 26) Service Appeal bearing No. 656/2018 titled "Muhammad Muneer Khan Versus Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and others".
- 27) Service Appeal bearing No. 657/2018 titled "Mst. Shah Begum Versus Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and others".
- 28) Service Appeal bearing No. 658/2018 titled "Munir Khan Versus Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and others".
- 29) Service Appeal bearing No. 659/2018 titled "Mst. Fahmeeda Begum Versus Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and others".
- 30) Service Appeal bearing No. 660/2018 titled "Muhammad Baz Versus Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and others".
- 31) Service Appeal bearing No. 661/2018 titled "Hanif Jan Versus Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and others".
- 32) Service Appeal bearing No. 662/2018 titled "Sher Afzal Versus Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and others".





- 33) Service Appeal bearing No. 663/2018 titled Mst. Dil Taj Begum Versus Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and others".
- 34) Service Appeal bearing No. 664/2018 titled "Raees Khan Versus Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and others".
- 35) Service Appeal bearing No. 665/2018 titled "Syed Hijab Hussain Versus Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and others".
- 36) Service Appeal bearing No. 666/2018 titled "Eid Muhammad Versus Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and others".
- 37) Service Appeal bearing No. 667/2018 titled "Fazal Hakeem Versus Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and others".
- 38) Service Appeal bearing No. 668/2018 tittled "Syed Zamir Hussain Versus Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and others".
- 39) Service Appeal bearing No. 669/2018 titled "Janat Khan Versus Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and others".
- 40) Service Appeal bearing No. 670/2018 titled "Ayan Ali Versus Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and others".
- 41) Service Appeal bearing No. 671/2018 titled "Sohail Khan Versus Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and others".
- D2. Brief facts of the case are that the appellants are primarily aggrieved by inaction of the respondents to the effect that promotions of the appellants were delayed for no good reason, which adversely affected their seniority positions as well as sustained financial loss. The appellant, Mr. Afzal Shah and 18 others were serving under Agency Education Officer, Mohmand Agency (Now District Mohmand) and the appellant Mr. Khaista Sher and 22 others were serving under Agency Education Officer, Orakzai Agency (Now District Orakzai). All the appellants were promoted to the post of Secondary School Teachers (SST) (BPS-16) vide order dated 11-10-2017, which, as per stance of the appellants were required to be promoted in 2014.

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Feeling aggrieved, the appellants preferred respective departmental appeals against the impugned order dated 11-10-2017, which were not responded to, and hence the appellants filed service appeals in this Tribunal with prayers that promotions of the appellants may be considered from 24-07-2014 or the date when other employees serving in settled districts were promoted along with all back benefits.

- 03. Written reply/comments were submitted by the respondents.
- Learned counsel for the appellant Mr. Afzal Shah and 18 others has contended that the appellants have not been treated in accordance with law and their rights secured under law and constitution have been violated; that the respondents delayed promotions of the appellants for no good reason, which adversely affected their seniority positions and made them junior to those, who were promoted at settled district level in 2014; that the delay occurred due to lethargic attitude of respondents, otherwise the appellants were equally fit for promotion like their counterparts working in settled districts; that the appellants were discriminated which is highly deplorable, being unlawful and contrary to the norms of natural justice; that inaction on part of the respondents have adversely affected financial rights of the appellants as protected by the Constitution. He further added that the appellant be treated at par like other employees of districts who were promoted in 2014 in pursuance of notification dated 24-07-2014 and shall equally be dealt with in accordance with law and rules.
- Learned counsel for the appellant Mr. Khaista Sher and 22 others mainly relied on the arguments of the learned counsel for the appellant Mr. Afzal Shah and 18 others with further arguments that departmental appeals of the appellants were not considered and the appellants were condemned unheard; that as per constitution every citizen is to be treated equally, while the appellants have not been treated in accordance with law, which need interference.

ATTESTED

A Comment

APPESTED



Learned Assistant Advocate General appeared on behalf of respondents has contended that as per Para-VI of promotion policy, promotions are always made with immediate effect and not with retrospective effect; that promotion is neither a vested right nor it can be claimed with a retrospective effect. Reliance was placed on 2005 SCMR 1742. Learned Assistant Advocate General argued that promotions of the appellants were made in accordance with law and rule and no discrimination was made. He further argued that some of the appellants submitted successive appeals, which is violation of Rule 3(2) of Appeal Rules, 1986. Learned Assistant Advocate General prayed that appeals of the appellants being devoid of merit may be dismissed.

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

A perusal of record would reveal that all the appellants were employees of the provincial government, who were deputed to serve in Ex-FATA under the control of Director of Education Ex-FATA, whereas their other colleagues working in settled districts were working under the control of Director of Education at provincial level. The provincial Government vides Notification dated 24-07-2014 had issued criteria for promotion of teachers to next grades, which was equally applicable to provincial as well as employees working in Ex-FATA. To this effect, the provincial directorate of Elementary & Secondary Education KP vide letter dated 07-08-2014 had asked the Directorate of Education Ex-FATA to fill in the vacant posts of SST in Ex-FATA by promotion of in-service teachers under the existing service rules. The said letter lingered in the Directorate of Ex-FATA for almost seven months, which finally was conveyed to all Agency Education Officers vide letter dated 09-03-2015 with directions to submit category wise lists of candidates for promotion against the post of SST. Agency Education Officers took another two years and seven months, while suppositing such information to the directorate of Ex-FATA and finally the appellants

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were promoted vide order dated 11-10-2017. On the other hand, the office of the District Education Officer in the settled district took timely steps and the promotions were made possible in the same year i.e. 2014. Placed on record is a Notification dated 01-11-2014 issued by District Education Officer Charsada, whereby promotions had been made in pursuance of the Notification dated 24-07-2014 in the same year, whereas promotions in Ex-FATA were made in 2017 with delay of more than three years. Placed on record is another Notification dated 14-03-2017 issued by Directorate of Education Ex-FATA promoting Certified Teachers (CT) (BPS-15) to the post of Senior CT (BPS-16) w.e.f 20-02-2013, negating their own stance that promotions are always made with immediate effect. Similarly placed teachers was extended the benefit of their promotion with retrospective effect, however the respondents are denying the same to the appellants for the reasons best known to them. The material available on the record, would suggest that the appellants were treated with discrimination.

- O9. The appellants are primarily aggrieved by the inaction of the respondents to the effect that all the appellants were otherwise fit for promotion to the post of SST, but their promotions were delayed due to slackness of the directorate of education, which adversely affected their seniority position as well as suffered financially due to intentional delay in their promotions. The respondents also did not object to the point of their fitness for further promotion at that particular time.
- 10. We have observed that seniority of the appellants as well as their other counterparts working at Districts level had been maintained at Agency/District level before their promotion to the post of SST, whereas upon promotion to the post of SST, the seniority is maintained at provincial level and the appellants who were promoted in 2017 in comparison to those, who were promoted in 2014, would definitely find place in the bottom of the seniority list maintained at provincial level with dim future prospects of their further promotions, as well as they were kept

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deprived of the financial benefits accrued to them after promotion for no fault of them, hence they were discriminated. It was noted with concern that the only reason for their delayed promotion was slackness on part of directorate of education Ex-FATA and its subordinate offices at Agency level, which had delayed their promotions for more than three years for no fault of the appellants.

11. In view of the foregoing discussion, the instant appeals are accepted and all the appellants are held entitled for promotion from the date, the first batch of their other colleagues at provincial level were promoted in the year 2014 with all consequential benefits. Parties are left to bear their own costs. File be consigned to record room.

ANNOUNCED 14.07.2021

(SALAH-UD-DIN)
MEMBER (JUDICIAL)

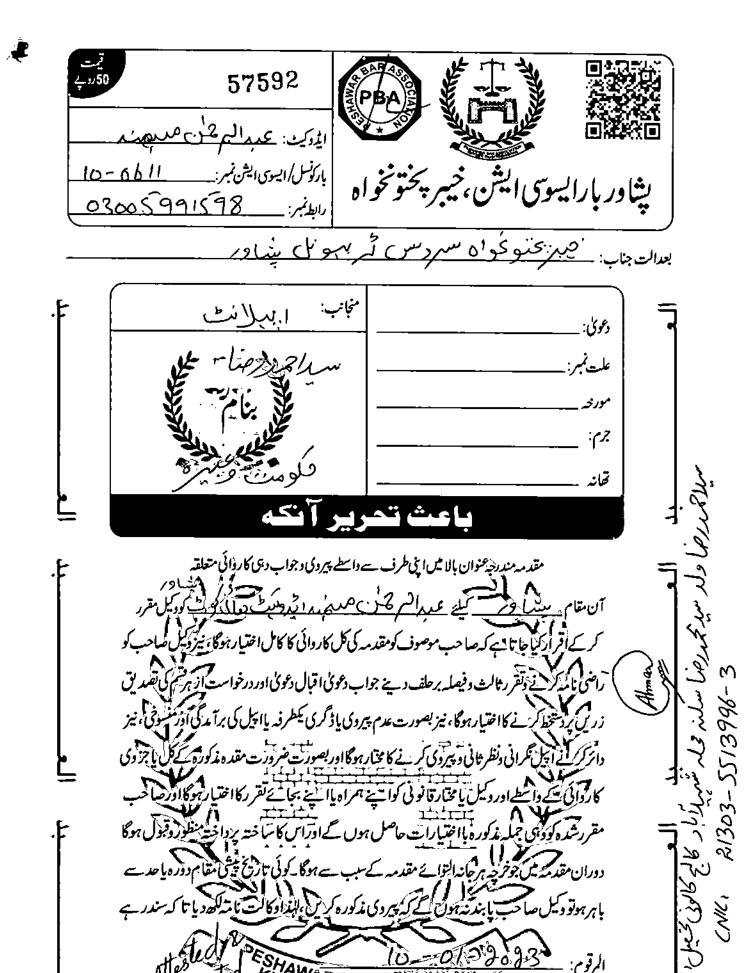
(ATIQ-UR-REHMAN WAZIR) MEMBER (EXECUTIVE)

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