

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 621/2022

Mst. Bakht Pari.....Appellant.

V/S

Director Elementary and Secondary Education,
Government of Khyber Pakhtunkhwa, Peshawar & others.....Respondents

(Para wise reply on behalf of Respondent No.2&4)

INDEX

S.NO.	PARTICULAR.	ANNEXURE.	PAGE.
1.	Reply	-----	1-4
2.	Affidavit	-----	5
3.	Judgment in Service Appeal No.243/2014	A	6-7
4.	Judgment in Writ Petition No.2819/2009	B	8-11
5.	Judgment in Civil Petition No.258/2012	C	12
6.	Govt of KPK, Education Department Notification No. SO(S) Service Rules /85/III, Dated:30.06.1987	D	13-14
7.	Director of Education (Schools) KPK Peshawar No. 5876-8/A- 15/QT/Peshawar Division dated: 26.01.1988	E	15
8.	Directorate of Education Department No.9388-98/S- 12/Reg:D/uloom dated: 17.05.1987	F	16
9.	HEC Islamabad letter dated: 07.04.2004	G	17
10.	Finance Department Notification No.FD(PRC)1-1/89 dated: 07.08.1991	H	18
11.	Office of the Accountant General letter dated: 08.02.2022	I	19

Armi
Deponent
17307-1327637-9

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 621/2022

Mst. Bakht Pari.....Appellant.

V/S

Director Elementary and Secondary Education,
Government of Khyber Pakhtunkhwa, Peshawar & others.....Respondents

(Para wise reply on behalf of Respondent No.2&4)

Preliminary Objections:-

- 1) That the Appellant has no cause of action and locus standi.
- 2) That the Appellant has not come to this Court with clean hands.
- 3) That the Appellant has concealed material facts from this honorable Court.
- 4) That the instant appeal is badly time barred.
- 5) That Service Appeal No. 243/2014 Titled Mst. Bakht Pari V/s Accountant General Khyber Pakhtunkhwa for the same stance has already been dismissed by Service Tribunal Peshawar vide judgment dated:02.01.2017 (Annex-A).
- 6) That W.P No. 2819/2009 Titled Bakht Pari V/s Accountant General Khyber Pakhtunkhwa & others for the same stance has already been dismissed vide Peshawar High Court Swat judgment dated: 05.04.2012up held by Supreme Court of Pakistan vide its judgment dated: 24.05.2013 (Annex-B & C).

Respectfully Sheweth:-

- 1) The Appellant was appointed as Arabic Teacher in Bps-09 according to the Service rules issued by the Govt of Khyber Pakhtunkhwa Education Department vide Notification No. SO(S) Service Rules /85/III, Dated:30.06.1987 (Annex-D) and Director of Education (Schools) KPK Peshawar No. 5876-8/A-15/QT/Peshawar Division dated: 26.01.1988 (Annex-E) where in the basic prescribed qualification for Arabic Teacher in the attached appendix at Serial No.6 is as under.

- (i) Honour in Arabic (OR).
- (ii) Sanad holder of Shahdatul Almiya filuloomil Arabia wal Islamia awarded by Wafaqal Madaris/ Tarizeemul Madaris.
OR
- (iii) Successfully completion course certificate of ATOC organized by Allama Iqbal Open University Islamabad.

As the Appellant did not possess the requisite qualification from the recognized institute from university Grant commission (UGC) hence the appellant is not entitled for higher Pay scale admissible on the basis of higher qualification/Deni Asnad. The Notification issued by Directorate of Education Department vide No.9388-98/S-12/Reg:D/uloom dated: 17.05.1987 (Annex-F) regarding recognition of some darul uloom need proper clarification. HEC, Islamabad has clarified that Ittehadul Madaris par hori is not an approved Deni Madrassa.

- 2) Incorrect to the extent that in HEC Islamabad letter dated: 07.04.2004 (Annex-G), it is clearly mentioned that:-

“ Ittehad ul Madaris Par hoti, Mardan is not an approved Deeni Madarrasa, therefore, Deeni Asnad issued by Ittehad ul Madaris Par hoti Mardan are not Recognized by Higher Education Commission.

Hence on the above if the appellant is appointed on the basis of non approved Deeni Asnad is totally against the rules & Regulations needs proper investigation.

- 3) Incorrect to the extent as mentioned in Para “2” above.
- 4) As mentioned in Para “2” above the appointment of the appellant is against the rules & regulations and not entitled for BPS-09.
- 5) As mentioned in Para “2&4” above that All the Present and future Arabic teacher who passed the qualification of trained/Fazil with BA/BSC (2nd Division and five years teaching experience or MA Arabic or equivalent qualification shall be placed on BPS-14 1/3 of Section grade in 15 vide Finance Department Notification No.FD(PRC)1-1/89 dated: 07.08.1991 (Annex-H).

The Appellant have no Degree of MA Arabic or equivalent qualification from a recognized university/Madrassa, Darululoom approved by HEC Islamabad. Therefore she is not entitled to BPS-14 as well as BPS-16 on the Sanad obtained from Madrassa Par Hoti Mardan which is not recognized by HEC.

6) Relates to Respondent No. 3 & 4 and they are in better position to show the status of the case.

7) That Respondent No. 4 is bound to follow the rules and instructions issued by the Provincial Government of Khyber Pakhtunkhwa from time to time and in this regard action taken by Respondent No.4 is correct and under the rules/law.

8 & 9) Incorrect the Service Appeal No.490, 491 & 492/2005 are totally different to the appeal in hand. Besides it is pertinent to mention that Service appeal No.243 as well as W.P No. 2819/2009 was filed by the appellant for the same stance has already been dismissed by the Service Tribunal Peshawar and High Court Swat Respectively. Hence the appointment of the appellant is illegal and is if appointed by these Deni Assnad not covered under the rules.

10) That the W.P No. 2819/2009 has already been dismissed by Peshawar High Court Swat for same stance.

11) Correct to the extent that the degree issued by Ittehad ul Madaris Par hoti is not recognized and not violated for the appointment purpose.

12) As mentioned in Para "11" above.

13) Correct to the extent that letter dated: 08.02.2022 (Annex-I) issued by Respondent No.2 addressed to the appellant is very much clear and states that:-

"Ittehad ul Madaris Al Arabia Pakistan has been recognized by H.E.C Islamabad w.e,f 10.02.2021"

Hence prior to the said letter the appointment of the appellant is illegal. Besides Pay and allowances which the appellant illegally received are liable to be recovered under the rules.

14) As mentioned in Para "8 & 9" above the appeal in hand is liable to be dismissed.

Grounds:-

A. That Respondent No. "2" is bound to follow the rules and instructions issued by the provincial Government of Khyber Pakhtunkhwa from time to time.

B. As mentioned in Para "13" above.

- C. As mentioned in Para "13" above to the extent that appointment of the appellant is illegal not covered under the rules pay and allowances which the appellant has received are liable to be recovered under the rules.
- D. As mentioned in Para "8 & 9" above.
- E. As mentioned in Para "8 & 9" above.
- F. Incorrect to the extent that the judgment issued by the Supreme Court of Pakistan is very much clear and the appellant has wrongly been interpreted.
- G. As mentioned in above Para's the appellant is not entitled to BPS-14.
- H. As mentioned in Para "A" above.
- I. As mentioned in Para "A" above.
- J. No Comments.

Keeping in view the above mentioned facts it is, therefore, humbly prayed that the Appeal in hand having no merits may be dismissed with cost.


DISTRICT ACCOUNTS OFFICE
DIR UPPER

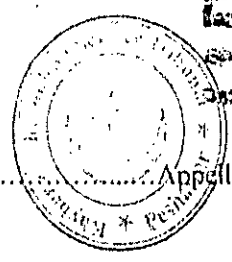

ACCOUNTANT GENERAL
KHYBER PAKHTUNKHWA

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 243 /2014

Annex-A

Mst. Bakht Pari,
Senior Arabic Teacher, (BPS-16)
Govt: Girls High School,
Sundal, Dir Upper.....



Appellant

Versus

1. Accountant General,
Khyber Pakhtunkhwa, Peshawar.
2. District Accounts Officer,
Dir Upper.
3. Pay Fixation Party,
through the office of District Accounts Officer,
District, Dir Upper.
4. Secretary Elementary and Secondary Education,
Khyber Pakhtunkhwa, Peshawar.
5. Director,
Elementary and Secondary Education,
Khyber Pakhtunkhwa, Peshawar.
6. District Education Officer (Female),
Elementary and Secondary Education,
District, Dir UpperRespondents.

~~Filed to City~~
[Signature]
14/2/2014

SERVICE APPEAL UNDER SECTION 4 OF THE
KHYBER PAKHTUNKHWA SERVICE TRIBUNALS
ACT, 1974 FOR ISSUING THE DIRECTIONS TO
RESPONDENT NO.1 AND 2 FOR MAKING PAY
FIXATION IN BPS-16 AWARDED TO APPELLANT
ON HER PROMOTION TO THE POST OF SENIOR
ARABIC TEACHER

re-submitted to City
and filed.
[Signature]
24/2/14

ATTESTED
[Signature]
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar.

H.No. 243/2014
MST. Bakht Pari vs Govt.

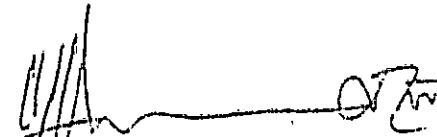



02.01.2017

Qari Ihsanullah, husband/attorney present and submitted application for withdrawal of the instant appeal as the grievances of the appellant have been considered by the department. Application accepted. Signature of husband/attorney of the appellant recorded at the margin of order sheet as a token of proof. The appeal in hand is hereby dismissed as withdrawn. File be consigned to the record room.

ANNOUNCED
02.01.2017


(ASHFAQUE TAJ)
MEMBER


(MUHAMMAD AAMIR NAZIR)
MEMBER

Certified copy

15/10/18

Date of 11-10-18
No. 800
Copy 10-02
Total 10-02
Name
Date of 15-10-18
Date of 15-10-18

Write Petition under Article 199 of Constitution of The

- 1. Accountant General, NWFP, Peshawar (Pay Fixation Party).
- 2. Executive District Officer, Elementary & Secondary Education, Dir Upper.
- 3. Executive Education Officer, Elementary & Secondary Education, Dir Upper.
- 4. The District Account Officer, Dir Upper.
- 5. The District Coordination Officer, Dir Upper.
- 6. District Officer (E) Education, Dir Upper.
- 7. District Education Officer (P) Primary and Secondary Education, Dir Upper.
- 8. District Officer (F) S/L Dir Upper.
- 9. Government of NWFP, through its secretary Finance, Civil Services.
- 10. Secretary, Education, Elementary & Education Government of NWFP, Peshawar.
- 11. Director, Schools NWFP, Peshawar.
- 12. Chairman Higher Education Commission Islamabad.

Versus

Mrs. Bakiye Pari Daughter of Gul Shabzada wife of Gaur Ihsan Ullah, Amble Teacher G.M. School Badli District Dir Upper. Petitioner.



W.P. No. 2819 of 2009

THE COURT OF PESHAWAR HIGH COURT PESHAWAR

Dismissed

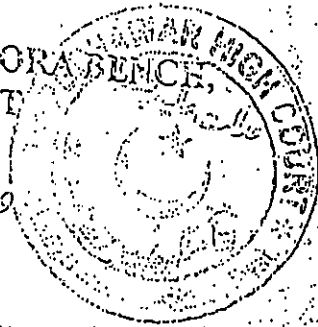
Deem Medderson, P. No. 102 P. No. 1

Annex-B

Judgment Sheet

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

Writ Petition No. 2819 of 2009



JUDGMENT

Date of hearing: 05/04/2012

Petitioner: (Mst. Bakht Pari) by M. Sadiq Wazir Advocate

Respondents: (Accountant General & others) by DAC

WAZIR AHMAD SEEM, J. - Petitioner, Mst. Bakht Pari

has asked for issuance of appropriate writ directing the respondent No.1 to release the monthly salary of the petitioner in BPS-14 alongwith all back benefit since 15.12.1999 and onwards on acquiring/ possessing the higher qualification/Deeni Sanad from a Deeni Madaris.

2. Precise facts of the writ petition and the arguments of learned counsel for the petitioner are that petitioner was appointed in the education department, Government of KPK and was subsequently accorded BPS-14 due to possessing higher education/qualification of Shadat-ul-Allamia Fill Ullomul Islamia and Arabic from Etihadul Madaris Par Hoti Mardan. It is also contended that the said qualification obtained from Etihadul Madarisa, Par Hoti Mardan is recognized by Services Tribunal KPK and upheld by the apex Court of the Country and as such

ATTESTED

Registrar
Peshawar High Court

petitioner is being discriminated by not allowing the said BPS-

14.

3. As against this, learned counsel for the respondents submitted that petitioner is not entitled to BPS-14 as the competent authority i.e. Higher Education Commission has not yet approved Deeni Madarisa i.e. Etihadul Madaris Al-Arabia Pakistan Par Hoti, Mardan and as such the decree as obtained from the said Madarisa is not recognized one.

4. Arguments heard and record perused.

5. Vide order dated 20.04.2010 Higher Education Commission was impleaded as respondent No.12 and subsequently they filed their comment/objection which are on file and according to which Etihadul ul Madarasa Al-Arabia, Par Hoti Mardan is not an approved Deeni Madarasa, therefore, Deeni Sanad held by petitioner from the said Madarasa is not recognized by the competent authority i.e. Higher Education Commission. In view of the above comments of the competent authority, this Court cannot direct the concerned authorities i.e. respondent No.1 to treat the said Deeni Sanad equivalent to M.A. and to grant/award BPS-14, as the same is not recognized by the competent authority.

6. As regarding the discrimination claimed on the basis of already delivered judgments of the Service Tribunal KPK, upheld by the apex Court regarding the same Deeni Sanad, on the principle enshrined in the reported judgments 2009 SCMR-01

ATTESTED

REGISTRAR
COURT GENERAL
HOTI MARDAN

and 1996 SCMR-1185. In this respect, we have gone through the said judgments and are of the view that firstly, in those judgments the Higher Education Commission was not a party and secondly, in those judgments the question of equivalency was dealt with but the court/tribunal has not gone to the basic fact that whether the said Sanad is recognized one or not. In view of the comments filed by respondent No.12 this Court cannot shut its eyes on the fact that the very Deeni Sanad issued by an institution is not recognized one. These are the reasons for not treating the petitioner at par with the judgment in Appeal No.490/2005 decided on 17.06.2006.

7. In view of the above, this writ petition is dismissed with no order as to costs.

Certified to be true copy

Sd/- JUDGE

Sd/- JUDGE

Announced.
Dated 05/04/2012

S.No. 3127
Name of Applicant Muhammad Saqib
Date of Filing of Petition 11.7.12
Date of Completion of Case
No. of Copies 4-P
Fee Charged 8/-
Date of Disposal of Case 7.7.12

Office
16/4/12

Accountant Local
as the Office OBO E,
Court Bench Swat
dis missed. The appeal
of the petitioner is appeal
pari; so consider the
case of the petitioner
in the light of the judgment
of the High Court

Sd/-
AO EO

IN THE SUPREME COURT OF PAKISTAN
(Appellate Jurisdiction)

40

ANNEXURE OC

PRESENT:
MR. JUSTICE NASIR-UL-MULK
MR. JUSTICE MIAN SAQIB NISAR
MR. JUSTICE IQBAL HAMEEDUR RAHMAN

CIVIL PETITION NO. 258-P OF 2012
(on appeal from the judgment of the Peshawar High Court, Mingora Bench (Dar-ul-Qaza) Swat dated 05.04.2012 passed in W.P. No. 2819 of 2009)

Mst. Bakht Pari ...Petitioner.

VERSUS

Accountant General KPK and others ...Respondent.

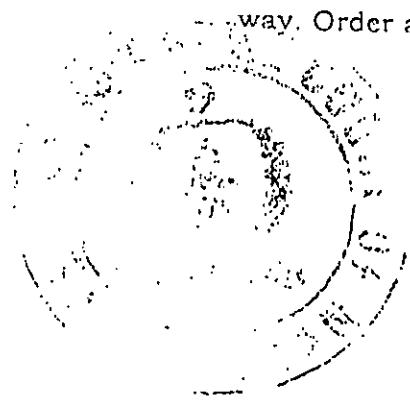
For the Petitioner: Mr. M. Siddique Haider Qureshi, ASC.

For the Respondents: N.R.

Date of Hearing: 24.05.2013

ORDER

NASIR-UL-MULK, J.— After arguing the case at some length, the learned counsel decided not to press this petition in order to approach the Higher Education Commission of Pakistan for the purpose of obtaining recognition certificate of the Etihadul Madris Al-Arrabia Par Hoti Mardan. In case the petitioner is successful in acquiring such a certificate of recognition, the impugned judgment shall not stand in her way. Order accordingly.



Sd/- Nasir-ul-Mulk, J.
Sd/- Mian Saqib Nisar, J.
Sd/- Iqbal Hameedur Rahman, J.

ATTESTED TO BE
TRUE COPY

Certified to be true copy
03.06.2013
Deputy Registrar,
Supreme Court of Pakistan,
Peshawar

PESHAWAR.
24th May, 2013.

Mudassar
27/5

"Not approved for reporting."

DATED PESHAWAR THE 30.6.87.

273

NOTIFICATION
S.O(S) SERVICE RULES/85/III/ In pursuance of the provisions contained in sub-rule(2) of rule-3 of the North-West Frontier Province Civil Servants (Appointment, Promotion and Transfer) Rules, 1975 the Edu: Deptt:, in consultation with the Services and General Administration Deptt: and the Finance Department, hereby lays down the method of recruitment, qualification and other conditions specified in columns-3 to 5 of the Appendix to this Notification which shall be applicable to the posts borne on the Administrative Branch of the Directorate of Education (Peshawar) as specified in column-2 of the said Appendix.

(1) g/Hs, Shamshatoo, (WR)

PROF. RASHID AHMAD
Secretary to Govt: of NWFP
Education Department.

Endst.No.S.O(S)Service Rules/85/III. Dated Pesh:the 30.6.1987.
Copy forwarded for information & n/action to:-

x x x x
Director of Education (E:TA) NWFP, Peshawar.
77-x x x x

(SAHIBZADA FAZAL AMIN)
Section Officer(Schools).

DIRECTORATE OF EDUCATION (PESHAWAR) N.W.F.P., PESHAWAR.

5750-875/1/S-Rules Dated Pesh:the 31/1/88.

Copy of the above alongwith copy of its enclosure is forwarded to All Agency Education Officer's in P.A. & Head Master's/Head Mistresses of Govt:High Schools in P.A. for information & guidance. Copy also forwarded to all Dealing Assistant in the Estt: Branch of this Directorate for information & guidance.

P.T.O. Pear

Him 30/1/88
DEPUTY DIRECTOR OF EDUCATION
P.A., NWFP, PESHAWAR.
27/1/88

Inval/...
20 January 1988

100
chci

APPENDIX:

S.No.	Nomenclature of post	Minimum qualification prescribed for initial recruitment	Age Limit	Method of recruitment
1/-	Senior Vernacular/Oriental Teacher.	BA/B.Sc. from a recognized Board with SV/OT certificate or a equivalent certificate.	18 to 25 Years	By initial recruitment.
2/-	Physical Education Teacher/Physical Training Instructor	BA/B.Sc from a recognized Board with Junior Diploma in Physical Education or an equivalent Diploma.	18 to 25 Years	By initial recruitment.
3/-	Drawing Master.	BA/B.Sc from a recognized Board with one years' training in Drawing.	18 to 25 Years	By initial recruitment.
4/-	Ethology Teacher.	B.A. from a religious Institution recognized by Government.	18 to 35 Years	By initial recruitment.
5/-	Qari.	Qirat Saad from a religious Institution recognized by Govt.:-	18 to 35 Years	By initial recruitment.
6/-	Arabic Teacher.	Honours in Arabic or an equivalent qualification from a recognized University or Cand.	18 to 40 Years	By initial rec

100/...

315
110
425
43
468 (508)

AMME KURF
DIRECTOR (SCHOOLS) NWFP, PESHAWAR.
No. 5876-2/A-15/OT/Arabic Divi:
Dated Pesh: the 26/1/1988.

PA Division 1 Director of Education
(Schools) (i) Peshawar.
(ii) M. I. Khan
(iii) Kohat (iv) D. I. Khan
(v) Mardan.

Subject:- GRADED PAY SCALE TO ARABIC TEACHERS

Re:-

It has come into the notice of the Director of Education, (Schools) NWFP, Peshawar that Arabic teachers having the following qualifications are not being allowed graded pay of B-9 by the Divisional Directors of Education (Schools). The prescribed qualifications for AT post are as under:-

"Honours in Arabic or equivalent Qualifications from a recognised University or Board."

- i. (1) Honour in Arabic (OR)
- ii) Sanaed Holder of Shaha-datul Almiyah Fil Uloomil Arabia wal Islamiyah awarded by Wa-Fa'iqul Madaris/Tanzimatul Madaris. (OR)
- iii. Successful Completion Course Certificate of ATOC organised by ANOU.

Further for, directed to state that the Arabic teachers are the above qualifications be allowed graded pay scale of in the pursuance of (Notification No. SC(S) Service Rules/65/III d 30.6.1987, already endorsed vide this office Enclt: No. 1111-37/Service rules, dated 7.7.1987.)

M. A. Khan
Deputy Director (Schools)
for/DE(S) NWFP, Peshawar.

No. 5882 - 5958

Copy forwarded for information to the:-
All the Distt: Education Officer (M & F) in NWFP.
All the Sub-Divisional Education Officer (M&F) in NWFP.
PA to DE(S) NWFP, Peshawar.

M. A. Khan
Deputy Director (Schools)
for/DE(S) NWFP, Peshawar.

Amme sure

Director
(SCHOOLS) NWFP PESHAWAR.
No. 5876-81/K-15/OT/Prs Divi:
Dated From: the 26/1/1988.

copy
7

To: Division 1 Director of Education
(Schools) (i) Peshawar.
(ii) M.L.K. Rd
(iii) Kohat (iv) D. I. Khan
(v) Hazara.

Subject:- GRADED PAY SCALE TO ARABIC TEACHERS

Re:-

It has come into the notice of the Director of Education, Schools) NWFP, Peshawar that Arabic teachers having the following qualifications are not being allowed graded pay of B-9 by the Divisional Directors of Education (Schools). The prescribed qualifications for AT post are as under:-

"Honours in Arabic or equivalent Qualifications from a recognized University or Board."

- i. (1) Honour in Arabic (OR)
- ii) Sanaed Holder of Shaha-datul Almiyyah Fil Ulloom il Arabic wal Islamiya awarded by Wa-fa'iqul Madaris/Tanzimatul Madaris.
(OR)
- iii. Successful Completion Course Certificate of ATOC organized by ATOU.

It is therefore, directed to state that the Arabic teachers are the above qualifications be allowed graded pay scale of in the pursuance of (Notification No. SC(S) Service Rules/85/III d 30.6.1987, already endorsed vide this office Encl: No. 1111-37/Service rules, dated 7.7.1987.)

[Signature]

Deputy Director (Schools)
for/DE(S) NWFP, Peshawar.

No. 5882-5958

- Copy forwarded for information to the:-
- All the Distt: Education Officer (M & F) in NWFP.
- All the Sub-Divisional Education Officer (M&F) in NWFP.
- PA to DE(S) NWFP, Peshawar.

[Signature]

Deputy Director (Schools)
for/DE(S) NWFP, Peshawar.

14

ANNEXURE B

The Director of Education
(Schools) NWFP Peshawar.

No. 9388-93 S-12/Reg D/Uloom.

Dated Peshawar the 17/5 1987.

- To,
1. The District Education Officer.
(Male) Mingora Swat.
 2. The District Education Officer.
(Male) Mardan

Subject:- PERMANENT RECOGNITION OF DEENI MADARIS.

Memo:

Reference Divisional Director of Education (Schools) Malakand Memo No.9197/PD-17/Recog: dated: 05.04.1987 and District Education officer (Male) Mardan Memo No.26091 dated: 19.11.1986.

The Secretary to Government of N.W.F.P Education Department Peshawar has been pleased to accord permanent recognition of the following Darul Uloom with immediate effect.

1. Darul Uloom Madrassa Taleemul Quran Cloth Market Mingora Swat.
2. Darul Uloom Islamia, Anwar ul Uloom Nali Par Dang Baba Mardan.

S. A. Khan
Deputy Director (Schools)
For/Director of Education
(Schools) N. W. F. P Peshawar.

Encls No. 9388-93 Dated Peshawar the 17/5 1987.

Copy of the above is forwarded to the:-

- 1-2 Divisional Director Education (M. Malakand Division Saidu Sharif Swat, and Peshawar Division Peshawar.
- ✓ 3-4 Muhtamims Darul Uloom, Concerned.
- 5 Section Officer agre: Tech: Government of N. W. F. P Education Department Peshawar. w/r to his Memo No. Agre: Tech: 3-21/87-Deeni Eadu dated 11.05.1987.
6. P.A to Director of Education (Schools) N. W. F. P Peshawar.

M. A. Khan
Deputy Director (Schools)
For/Director of Education
(Schools) N. W. F. P Peshwar.

**ATTESTED TO BE
TRUE COPY**
M. A. Khan

Director
Accreditation & Attestation

Higher Education Commission
Sector H-9, Islamabad Ph: 9928383 Fax: 9928395
URL: www.hec.gov.pk

Annexure - 9

Jan

Assistant Director (SNE),
Directorate of Education,
FATA, N.W.F.P., Peshawar.

No. H-16/HEC/A&A/2004/1572
April 7, 2004

Subject: GUIDANCE.

Dear Sir,

With reference to your letter No. 5186 dated 1st April, 2004 on the subject, it is informed that as per decision of the Equivalence Committee of erstwhile UGC, the Higher Education Commission considers only final Sanad "Shahadatul Almiya Fil Uloomul Arabia wal Islamiya" awarded by the following Wafaq/Tanzeem ul Madaris, Rabit-ul-Madaris and five individual Madaris as equivalent to M.A. Arabic/Islamic Studies for the purpose of teaching Arabic and Islamic Studies in Colleges and Universities and for pursuing higher studies:

a. Names of Wafaq/Tanzeem & Rabit-ul-Madaris

1. Wafaq-ul-Madaris Al-Arabia, Madani Office Garden Town, Sher Shah Road, Multan.
2. Tanzeem-ul-Madaris Abie Sunna, Jamia Naemnia, Ghazi Shahe, Lahore.
3. Wafaq-ul-Madaris Al-Sallia, Hajjabad Post Code 38600, Faisalabad.
4. Wafaq-ul-Madaris Shia, Jamia-al-Muntazar, H. Block, Model Town, Lahore.
5. Rabita-ul-Madaris Al-Islamiya, Mansoor Road, Lahore.

b. Names of five Individual Madaris/Institutions:

1. Jamia Islamia Mithaj-ul-Quran, 366 Model Town, Lahore.
2. Jamia Taleemiat-e-Islamiya, Sargodha Road, Faisalabad.
3. Jamia Aslafia, Feroz Pur Road, Lahore.
4. Darul Uloom Mohammadia Ghousia Bhera Dist. Sargodha.
5. Darul Uloom, Korangi Creek, Karachi.

Since, Ittihadul Madaris Par Hoti, Mardan is not an approved deeni madrisa, therefore, Deeni Sanads issued by Ittihadul Madaris Par Hoti, Mardan are Not Recognized by the Higher Education Commission.

Yours faithfully,
Muhammad Javed Khan
7.4.04

62-27141

Annex-6

HIGHER EDUCATION COMMISSION
Sector 11-6, Islamabad, Pakistan Fax No. 9267595
URL: www.hec.gov.pk

Director
Accreditation & Attestation

No.8-16/HEC/A&A/2004/572

April 7, 2004

Assistant Director (SNE),
Directorate of Education,
FATA, NWFP, Peshawar.

Subject: GUIDANCE.

Dear Sir,

With reference to your letter No.5186 dated: 01st April, 2004 on the subject, it is informed that as per decision of the Equivalence committee of restwhile UGC, the Higher Education Commission considers only final sanad "Shahadatul Almiya Fil uloomal Arabia wal Islamia" awarded by the following wafaq/Tanzeem ul Madaria, Rabit-ul-Madaris ans five individual Madaris as equivalent to M.A Arabic /Islamic Studies for the purpose of teaching Arabic and Islamic Studies in colleges and universities and for pursuing Higher Studies:

- a. Names of Wafaq-ul-Madaris Al-Arabia, Madaris.
 1. Wafaq-ul-Madaris Al-Arabia
Town, Sher Shah Road, Multan.
 2. Tanzeem-ul-Madaris Al-Sunna.
Naeemia, Ghari Shake, Lahore.
 3. Wafaq-ul-Madaris Al-Saltia,
Hajiabad post code 38600, Faisalabad.
 4. Wafaq-ul-Madaris Al-Shia,
Jamia-ul-Muntazar, H.Block,
Model Town, Lahore.
 5. Rabita-ul-Madaris Al Islamia,
Mansoor Road, Lahore.
- b. Names of five individual Madaris Institutions.
 1. Jamia Islamia Minhaj-ul-Quran, 366 Model Town Lahore.
 2. Jamia Taleem-e-Islamia, Sargodha Road Faisalabad.
 3. Jamia Ashrafia, Feroz Pur Road Lahore.
 4. Darul Uloom Mohammadia Ghousia Bhera District Sargodha.
 5. Darul Uloom Korangi Greek, Karachi.

Since Ittehadul Madaris Par hoti, Mardan is not an approved deeni madarasa, therefore, Deeni Asnad issued by ittihadul madaris Par hoti Mardan are not Recognized by the Higher Education commission.

Yours faithful

Muhammad javed Khan

Amir B

Annexure H
Recd

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/benefits to various categories of Teachers with effect from 01.07.1991.

S.No	Name of the Post	Benefits extended
1.	2.	3.
1.	Primary School Teachers (PTC / J.V) <i>Matric</i>	All the present and future primary school teachers who hold the qualification of F.A/F.Sc (2 nd Division) plus existing prescribed professional training shall be placed in BPS-9 with 1/3 rd 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-se-seniority will remain intact.
2.	Elementary School Teachers (E.S.T / C.T / S.V / P.E.T / Drawing Masters / P.TI. <i>F.A/F.Sc.</i>	All the present and future Elementary School Teachers who possess the qualification of B.A/B.Sc. (2 nd Division) plus existing prescribed professional training shall be placed in BPS-14 with 1/3 rd in selection Grade BPS-15. All other teachers who do not possess higher qualification shall continue getting existing pay scales with selection Grade accordingly. However, the higher Scales/grades allowed to these teachers will be personal to them and the inter-se-seniority will remain intact.
3.	Arabic Teachers. <i>Honour - Arabic</i> <i>1/3rd</i>	All the present and future Arabic Teachers who possess the qualification of Trained/Fazil with B.A/B.Sc (2 nd Division) and five years teaching experience or M.A. Arabic or equivalent qualifications shall be placed in BPS-14 with 1/3 rd in Selection Grade BPS-15.

44

ANNEXURE *R*
T



Office of the
Accountant General
Khyber Pakhtunkhwa Peshawar
Phone: 091 9211250-53

No.H-24/DAO/Dir Upper/1341

Dated: 08.02.2022

17/2/22

To: MST: BAKHT PARI,
S.S.T (GENERAL) GOVERNMENT GIRLS MIDDLE SCHOOL,
DASKOR BALA DIR UPPER.

Subject: APPLICATION FOR GRANT OF ARREAR OF PAY FIXED FOR BPS-14 INSTEAD OF BPS-09 W.E.F. 15.12.1999 AND REMOVAL OF OBJECTION LEVELED BY THE ACCOUNTS OFFICER PAY FIXATION PARTY.

Kindly refer to your application dated 05.01.2022 on the above noted subject and to state that Itihad ul Madaris Al Arabia Pakistan has been recognized by H.E.C. Islamabad w.e.f. 10.02.2021, further more this office has already informed DAO DIR Upper, with a copy endorsed to you vide this office letter No: H-24 (94) DAO Dir Upper/1287-88 dated: 08.11.2021 accordingly.

oh *GA*

ACCOUNTS OFFICER (HAD)

10/1/22
10/1/22

ATTESTED TO BE
TRUE COPY

P
m

**BEFORE THE SEVICE TRIBUNAL KHYBER PAKHTNUNKHEA
PESHAWAR**

APPEAL NO. 621/2022

Mst. Bakht Pari.....Appellant.

V/S

Director Elementary and Secondary Education,
Government of Khyber Pakhtunkhwa, Peshawar & others.....Respondents

(Para wise reply on behalf of Respondent No.2&4)

AFFIDAVIT

I, Syed Tariq Shah, Senior Auditor, Office of the Accountant General Khyber Pakhtunkhwa Peshawar do hereby solemnly affirms & declare that the contents of reply submitted on behalf of Respondent No.2 & 4 is true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Court.

Tariq Shah
DEPONENT

CNIC 17307-1327637-9
CELL. 03469191985

ATTESTE!

Tariq Shah
Notary Public
Azmat Ali Advocates
Jinnah Complex Peshawar
20-12-22