

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

Service Appeal No. 1709/2019

Date of Institution ... 03.12.2019  
Date of Decision ... 01.02.2022

Awal Jan, Class-IV, GPS Kotka Sattar Betanni, FR Lakki Marwat.  
... (Appellant)

**VERSUS**

The Secretary (E&SE) Government of Khyber Pakhtunkhwa, Civil  
Secretariat, Peshawar and three others.  
... (Respondents)

Taimur Ali Khan,  
Advocate ... For appellant.

Asif Masood Ali Shah,  
Deputy District Attorney ... For official respondents # 1 to 3.

Mir Zaman Safi,  
Advocate ... For private respondent # 4.

Salah-Ud-Din ... Member (J)  
Rozina Rehman ... Member (J)

**JUDGMENT**

**ROZINA REHMAN, MEMBER (J):** The appellant has invoked the  
jurisdiction of this Tribunal through above titled appeal with the  
prayer as copied below:

**"On acceptance of this appeal, the order dated  
09.04.2018 may be kindly be set aside and the  
appellant may be considered for promotion to the  
post of Junior Clerk under 33% quota fixed by the  
Government with all back consequential benefits. "**

2. Brief facts of the case are that appellant joined the respondent  
Department as Chowkidar. The Department issued seniority list of  
Class-IV employees wherein, the appellant was placed at Serial No.1

while the private respondent No.4 at Serial No.2 of the seniority list. As per rules & regulation of Government of Khyber Pakhtunkhwa, 33% quota had been reserved for Class-IV with SSC qualification for promotion to the post of Junior Clerk. Appellant being at the top of the seniority list of Class-IV employees and had legitimate expectation for promotion to the post of Junior Clerk under 33% quota but the private respondent No.4 who was at Serial No.2 was promoted instead. Appellant, therefore, filed application to the respondent No.3, wherein, he mentioned the entire facts but he was not provided the promotion order of Hizbullah. He, therefore, filed writ petition which was disposed with direction to the Department to decide the representation within 15 days and to provide copy of order and seniority list to the appellant but the Department did not comply with the orders. The appellant, therefore, filed application under RTI and on the strength of that application, appellant was provided copy of promotion notification of private respondent No.4. He then filed departmental appeal against the said notification which was not responded to, hence, the present service appeal.

3. We have heard Taimur Ali Khan Advocate learned counsel for appellant, Asif Masood Ali Shah learned Deputy District Attorney for official respondents No.1 to 3 and Mir Zaman Safi Advocate learned counsel for private respondent No.4 and have gone through the record and the proceedings of the case in minute particulars.

4. Taimur Ali Khan Advocate learned counsel appearing on behalf of appellant, inter-alia, contended that the appellant was at the top of the seniority list of Class-IV employees and he was to be promoted



under 33% quota but one Hizbullah was promoted instead which is against law and rules; that appellant has good service record and was eligible for promotion but by promoting junior to the appellant, future promotion of the appellant was also stopped which has caused great financial loss to the appellant. He contended that promoting junior to the appellant is clear violation of the judgment of the Apex Court as the appellant was not treated according to law. He, therefore, requested that the appeal may kindly be accepted as prayed for.

5. Conversely, learned AAG assisted by the learned counsel for private respondent, submitted that the respondents promoted the private respondent No.4 who had fulfilled the promotion criteria and was fit for said promotion as per policy. It was further argued that the Computer Certificate/Diploma of the appellant was declared bogus, therefore, he was not entitled for promotion. It was further contended that as per direction of the august High Court in Writ Petition No.859B/2018 a Committee was constituted for consideration of appellant's case and that according to the Minutes of the Meeting, Computer Certificate of the appellant was found bogus and he being involved in forgery was held not entitled for promotion.

6. Perusal of record would reveal that appellant is serving as Chowkidar. He was placed at the top of Seniority list of Class-IV employees prepared and issued by the respondent No.3 for the purpose of promotion to the post of Junior Clerk against 33% quota reserved for promotion of qualified Class-IV employees in terms of Government of Khyber Pakhtunkhwa (E&SED) Notification dated 02.08.2017 while the respondent No.4 was placed at Serial No.2 of



the seniority list. The appellant had 18 years of service at his credit and had acquired the academic qualification of M.A (Islamiat). He had also acquired the qualification of Primary Teaching Certificate. Besides, Certificate/Diploma in Computer Software from M/S Global Computer Academy Tajori, (Lakki Marwat). During service, some posts of Junior Clerks were lying vacant and in the light of 33% quota, one post was falling for promotion of Class-IV employees to the post of Junior Clerk. The concerned authority prepared working paper for promotion and in this regard, called the requisite diploma/certificates from the senior most Class-IV employees. Both appellant and private respondent No.4 submitted the same before the authority which were scrutinized and sent for verification to the concerned institutions. After proper verification, no record was found regarding the diploma/certificate, of the appellant, therefore, he was dropped from promotion to the post of Junior Clerk. Private respondent No.4 had acquired Diploma of Typewriting and Computer Long Course. His diploma was verified from the concerned institution and was found correct. The private respondent No.4 having the requisite qualification and seniority, was promoted to the post of Junior Clerk on the recommendations of the Departmental Promotion Committee vide Notification dated 09.04.2018. Besides perusal of record would reveal that proper typing test was conducted by the Departmental Promotion Committee on 06.02.2018 and the same test of the candidates including appellant and private respondent No.4 are available on file. The present appellant failed to type even a single letter in the typing test, whereas, the private respondent No.4 was




expert in typing and in this regard, his typing test is available on file. The other two candidates namely Masoom Jan and Arshad Khan also failed which is evident from the record.

7. Having considered the matter from all angles in the light of material available on file, we do not find any merit in the instant service appeal which is hereby dismissed. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED.  
01.02.2022

  
(Salah-ud-Din)  
Member (J)

  
(Rozina Rehman)  
Member (J)

Order  
01.02.2022

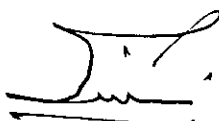
Appellant present through counsel.

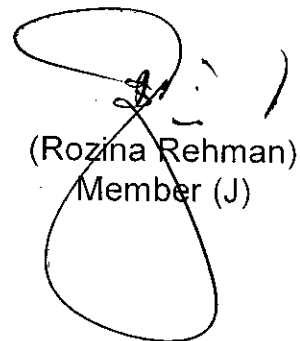
Asif Masood Ali Shah learned Deputy District Attorney for official respondents No.1 to 3 present. Counsel for private respondent No.4 present. Arguments heard and record perused.

AD

Vide our judgment of today of this Tribunal placed on file, we do not find any merit in the instant service appeal which is hereby dismissed. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED.  
01.02.2022

  
(Salah-Ud-Din)  
Member (J)

  
(Rozina Rehman)  
Member (J)

AD

28.06.2021

Counsel for the appellant and Mr. Muhammad Adeel Butt, Addl. AG for the respondents present.

The Worthy Chairman is on leave, therefore, the Bench is incomplete. To come up for arguments on 27.09.2021 before the D.B.



(Rozina Rehman)  
Member(J)

27.9.21

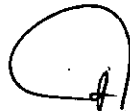
DB is on Tour case to come up  
For the same on Dated. 26-1-22

Reader

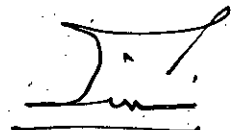
26.01.2022

Learned counsel for the appellant present. Mr. Inamullah, SST alongwith Mr. Asif Masood Ali Shah, Deputy District Attorney for official respondents No. 1 to 3 present. Private respondent No. 4 alongwith counsel present.

Arguments heard. To come up for order on 01.02.2022 before the D.B.



(Rozina Rehman)  
Member (J)



(Salah-ud-Din)  
Member (J)

16.11.2020 Junior to counsel for the appellant and Addl. AG  
for the respondents<sup>No. 1, 2 and 3</sup> present. Nemo for respdt No. 4.

Respondents have not furnished reply/comments despite last opportunity. The matter is posted to D.B for arguments on 08.02.2021.

  
Chairman


08.02.2021 Due to COVID-19, the case is adjourned for the same on 02.04.2021 before D.B.


  
READER

01.04.2021 Appellant present through counsel.

Riaz Khan Paindakheil learned Assistant Advocate General alongwith Quadratullah Khan ADEO for respondents No.1 to 3 present. Counsel for private respondent No.4 present.

Representative of respondents No.1 to 3 and counsel for private respondent No.4 submitted reply. Request for adjournment was made by counsel for respondent No.4; granted. To come up for arguments on 28/06/2021 before D.B.

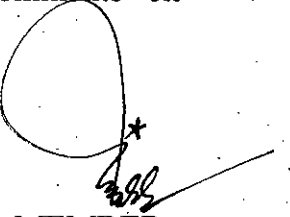
  
(Atiq ur Rehman Wazir)  
Member (E)

  
(Rozina Rehman)  
Member (J)



24.06.2020

Counsel for the appellant present. Addl:AG for respondents present. Written reply not submitted. Requested for time to submit the same on the next date of hearing. Adjourned. To come up for written reply/comments on 11.08.2020 before S.B.



MEMBER

11.08.2020

Counsel for the appellant and Addl. AG for the respondents present.

Learned AAG requests for time to contact the respondents for submission of written reply/comments. Adjourned to 23.09.2020 on which date the requisite reply/comments shall positively be furnished.



Chairman

23.09.2020

Counsel for the appellant and Addl. AG for the respondents present.

Learned AAG seeks further time for submission of reply/comments. He is required to contact the respondents regarding submission of requisite reply/comments on 16.11.2020 as last chance.



Chairman

18.02.2020

Learned counsel for the appellant present.  
Preliminary arguments heard.

The appellant (Class-IV) has made impugned the promotion order dated 09.04.2018 whereby private respondent No.4, despite being junior to the appellant, was promoted to the post of Junior Clerk while ignoring the appellant.

Submissions made by learned counsel for the appellant need consideration. The present service appeal is admitted for regular hearing subject to all just legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter notices be issued to the respondents for reply. To come up for written reply/comments on 01.04.2020 before S.B

Appellant Deposited  
Security & Process Fee

28/2

  
Member

01.04.2020

Due to public holiday on account of COVID-19, the case is adjourned to 24.06.2020 for the same. To come up for the same as before S.B.


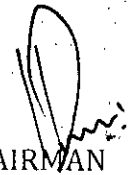

  
Reader

Form- A

FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No.- 1709/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	09/12/2019	<p>The appeal of Dr. Awal Jan resubmitted today by Mr. Taimur Ali Khan Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please</p> <p style="text-align: right;"> REGISTRAR 9/12/19</p>
2-	10/12/19	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>08/01/20</u></p> <p style="text-align: right;"> CHAIRMAN</p>
	08.01.2020	<p>Nemo for appellant.</p> <p>Notices be issued to appellant/counsel. To come up for preliminary hearing on 18.02.2020 before S.B.</p> <p style="text-align: right;"> Chairman</p>


0-21

The appeal of Mr. Awal Jan Class-IV GPS Kotka Sattar Betanni FR Laki Marwat received today i.e. on 03.12.2019 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

1- Annexures-C & H of the appeal are illegible which may be replaced by legible/better one.

No. 2123 /S.T,

Dt. 4-12- /2019.

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR. 4/12/19

Mr. Taimur Khan Adv. Mardan.

Respected Sir  
1- Annexure - C & H all replaced by better  
one.

Resubmitted after compliance



9/12/19.

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,**  
**PESHAWAR.**

Appeal No. 1709 /2019

Awal Jan

V/S

Education Deptt:

**INDEX**

S.No.	Documents	Annexure	Page No.
1.	Memo of Appeal	-----	01-03
2.	Copies of Academic documents and seniority list	A&B	04-10
3.	Copy of notification	C	11
4.	Copies of application, writ petition and judgment dated 31.08.2018	D,E&F	12-19
4.	Copies of RTI application and notification dated 09.04.2018	G&H	20-21
5.	Copy of Departmental Appeal	I	22-24
6.	Vakalat Nama	-----	25

**APPELLANT**

Through:



**(TAIMUR ALI KHAN)**  
**ADVOCATE HIGH COURT,**  
**&**

**(ASAD MAHMOOD)**  
**ADVOCATE HIGH COURT.**

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,**  
**PESHAWAR.**

Appeal No. 1709/2019

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 1714

Dated 03/12/2019

Awal Jan, Class-IV,  
GPS Kotka Sattar Betanni, FR Lakii Marwat.

**APPELLANT**

**VERSUS**

1. The Secretary (E&SE), Government of Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
2. The Director, Education (E&SE) Department, Peshawar.
3. The District Education Officer, (Male) (Merged District), Lakki Marwat.
4. Hizb Ullah, Junior Clerk, GHS Sargarah Muhammad Khan, F.R Lakki Marwat.

**RESPONDENTS**

.....

**APPEAL UNDER SECTION-4 OF THE KPK SERVICE TRIBUNAL ACT 1974 AGAINST THE ORDER DATED 09.04.2018 RECEIVED BY THE APPELLANT THROUGH RTI, WHEREBY JUNIOR TO THE APPELLANT NAMELY HIZB ULLAH (PRIVATE RESPONDENT NO.5) WAS PROMOTED TO THE POST OF JUNIOR CLERK UNDER 33% QUOTA FIXED BY THE GOVERNMENT AND AGAINST NOT TAKING ANY ACTION ON THE DEPARTMENTAL APPEAL OF THE APPELLANT.**

.....

Filed to-day

Registrar

**PRAYER:**

THAT ON ACCEPTANCE OF THIS APPEAL, THE ORDER DATED 09.04.2018 MAY KINDLY BE SET ASIDE AND THE APPELLANT MAY BE CONSIDERED FOR PROMOTION TO THE POST OF JUNIOR CLERK UNDER 33% QUOTA FIXED BY THE GOVERNMENT WITH ALL BACK CONSEQUENTIAL AND BENEFITS. ANY OTHER REMEDY WHICH THIS AUGUST TRIBUNAL DEEMS FIT THAT MAY ALSO BE AWARDED IN FAVOUR OF APPELLANT.

Re-submitted to-day  
and filed.

Registrar  
03/12/19

**RESPECTFULLY SHEWETH:**

**FACTS:**

1. That the appellant joined the respondent department on 07.11.2001 as Chowkidar and since then performing his great devotion and honesty whatever assigned to him.
2. That the appellant has MA qualification and has diploma in computer. The respondent department issued the seniority of class-IV, in which the appellant was at S No.1, while the private respondent No.4 (Hizb Ullah) was at Serial No.2 in that seniority list. **(Copies of Academic documents and seniority list are attached as Annexure-A&B)**
3. That the Government of KPK has fixed 33% quota for Class-IV with SSC qualification for the promotion to the post of Junior Clerk post. **(Copy of notification is attached as annexure-C)**
4. That the appellant was at the top of the seniority list of class-IV and has legitimate expectation for promotion to the post of junior clerk under 33% quota, but inspite that private respondent No.4 (Hizb Ullah), who was at S. No.2 of the seniority list was promoted to the post of junior clerk under 33% quota vide notification dated 09.04.2018, however the concerned the department did not provide the promotion notification dated 09.04.2018 to the appellant.
5. That the appellant filed application to respondent No.2 in which he mentioned that junior to the appellant namely Hizb Ullah has been illegally promoted to the post of Junior Clerk under 33% quota, but the concerned office did not provide copy of promotion order of Hizb Ullah and requested for take necessary action in the issue, however respondent No.2 did not take any action on his application and then the appellant filed Writ petition No.859-B/2018 in the Honourable Peshawar High Court Bannu Bench, which was disposed on 31.10.2018 with remarks that the matter relates to terms and conditions of the service and under Article-212 of the Constitution of Pakistan, the Court is barred to entertain such like petitions. However, department was directed to decide the representation within 15 days and also provide the copy of the order and seniority list to the appellant. **(Copies of application, writ petition and judgment dated 31.08.2018 are attached as Annexure-D,E&F)**
6. That as the respondents did not take action on the judgment dated 31.08.2018 and did not provide the promotion order dated 09.04.2018 to the appellant, therefore he filed application under RTI to provide the copy of promotion order dated 09.04.2018 of the Hizb Ullah on 28.01.2019 and on the basis of that application

the appellant has provide the copy of promotion notification dated 09.04.2018 of Hizb Ullah. **(Copies of RTI application and notification dated 09.04.2018 are attached as Annexure-G&H)**

7. That the appellant then filed departmental appeal against the notification dated 09.04.2018 received through RTI on 19.08.2019, which was not responded within the statutory period of ninety days, hence the appellant has no other remedy except to file the instant appeal for his grievance on the following grounds amongst others. **(Copy of departmental appeal is attached as Annexure-I)**

**GROUND:**

- A) That against not taking action on the departmental appeal of the appellant within the statutory period ninety days and promotion notification dated 09.04.2018 are against the law, facts, norms of justice, material on record and 33% quota fixed by the Govt: for class-IV, therefore not tenable and liable to be set aside.
- B) That the appellant was on the top of seniority list of Class-IV and has legitimate expectancy to be promoted to the post of junior clerk under 33 % quota, but inspite that junior official namely Hizb Ullah (Private respondent No.4) was promoted to the post of junior clerk under 33% quota, which is violation of the principle of legitimate expectancy and law and rules.
- C) That the appellant has good service record and also eligible for promotion to the post of junior clerk under 33% quota, but despite that junior to the appellant was promoted which is against the norms of justice and fair play.
- D) That by promoting junior to the appellant will also effect the future promotion of the appellant, which will cause great financial loss in the shape of pension and other monetary benefits to the appellant.
- E) That promoting junior the appellant through impugned notification dated 09.04.2018 is clear violation of superior Court judgments and therefore impugned order is liable to be set aside.
- F) That the appellant has not been treated according to law and rules and has been deprived from his legal right of promotion in arbitrary manner by the respondents by promoting junior to the appellant.
- G) That the appellant seeks permission to advance other grounds and proofs at the time of hearing.



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

*Awal Jan*  
**APPELLANT  
AWAL JAN**

Through:

*Taimur Ali Khan*  
**(TAIMUR ALI KHAN)  
ADVOCATE HIGH COURT,**

&

*Asad Mahmood*  
**(ASAD MAHMOOD)  
ADVOCATE HIGH COURT.**

*Abdul Wahid*  
**ABDUL WAHID  
ADVOCATE**

A 4

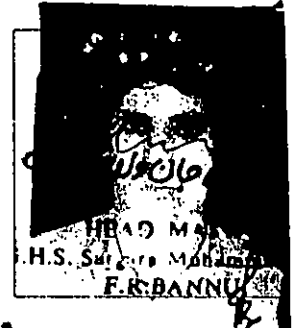
BN N<sup>o</sup> 004964

Roll No. 67988

MARKS



IMPROVED



Board of Intermediate & Secondary Education  
Bannu N.W.F.P Pakistan  
Secondary School Certificate Examination  
SESSION 1997 (ANNUAL)

THIS IS TO CERTIFY THAT AWAL JAN

Son/Daughter of TURKISTAN  
and a student of DISTRICT LAKKI MARWAT.

has passed the Secondary School Certificate Examination of the Board of Intermediate & Secondary Education, Bannu.

as a ~~Regular~~/Private candidate. He/She obtained 429 Marks out of 850 and has been placed in Grade C Representing GOOD

The Candidate passed in the following subjects.

- |            |                     |                |                |
|------------|---------------------|----------------|----------------|
| 1. English | 3. Islamiyat        | 5. GEN:MATHS   | 7. ISL:STUDIES |
| 2. Urdu    | 4. Pakistan Studies | 6. GEN:SCIENCE | 8. ART.        |

He/She has been awarded Grade 1 on the basis of Internal assessment by the Institution concerned.

Date of birth according to admission form is TWELFTH NOVEMBER, one thousand nine hundred and SEVENTY EIGHT. ( 12/11/1978.

*[Signature]*  
Asst. Secretary

*[Signature]*  
Secretary

This certificate is issued without alteration or erasure.

*[Signature]*  
Attested

*[Signature]*  
Attested  
Adv for P.T.S

Ulama Iqbal Open University  
Islamabad

(13) A (5)

~~Amir~~ <sup>Q</sup> ~~6/3/08~~ <sup>U</sup>



Serial No 78146

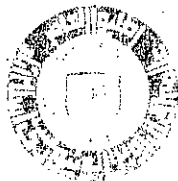
Certified that *Mr/Ms* AWAL JAN  
Son/Daughter of TURKISTAN  
Registration No DA-NLH-3211 Roll No P-313471  
Semester Autumn 2007 having met all the requirements under  
the semester system is this day awarded the

# Higher Secondary School Certificate

## Group - General

*He/She* has secured 58 %marks  
and has been placed in C grade

Attested  
W  
Acho for Ptns



Result declared on: August 18, 2005

Controller of Examinations

Date of issue: November 30, 2010

*W*

Note: This certificate is issued without alteration/erasure.  
The detail of courses is overleaf.

Attested  
*W*


**The detail of courses passed is as under**

Course code	Title of the course	Percentage of Marks obtained
0302	COMPULSORY URDU	69
0310	COMPULSORY ENGLISH	67
0316	COMPULSORY ISLAMIAT	57
0317	PAKISTAN STUDIES (C)	53
0304	PAKISTAN STUDIES (E)	65
0303	GENERAL SCIENCE	55
0321	MUSLIM HISTORY OF SUB-CONTINENT	50
0343	ISLAMIAT (E)	60
0370	HUMAN RIGHTS	64
<b>XXXX</b>		<b>520 / 900</b>

Total credit hours **8 Full Credits**  
 Total credits AIOU **Spring 2004**  
 First semester.

Obtained / Total marks **XXXX**  
 Cumulative grade point average **Autumn 2007**  
 Final semester

Grading Scheme	
80% and above.	A+ grade
70% to 79%	A grade
60% to 69%	B grade
50% to 59%	C grade
40% to 49%	D grade
Below 40%	Fail

  
**Controller of Examinations**

ALLAMA IQBAL OPEN UNIVERSITY, ISLAMABAD  
PROVISIONAL RESULT CARD



6  
1358

207382

Name: AWAL JAN  
Father's Name: TURKISTAN  
Address: S/O TURKISTAN VILL KOTKA SATTAR  
BHITTANI P/O TAJORI  
Tehsil: LAKKI MARWAT  
District: LAKKI MARWAT

Roll No. AA454413  
Registration No. 04NLM0211  
Final Semester SPR- 2010

has successfully completed BACHELOR OF ARTS GROUP-GENERAL

4  
C/4  
~~AWAL~~

The result of passed courses are as under:

Semester	Course Code	Title of Course	Marks	
			Maximum	Obtained
AUT- 08	0416	ISLAMIAT (C)	100	71
AUT- 08	0417	PAKISTAN STUDIES(C)	100	54
AUT- 08	0435	ENGLISH	100	58
SPR- 09	0436	SEERAT-E-TAYYABA	100	52
SPR- 09	0464	ISLAMIC FIQH	100	57
AUT- 09	0408	ARABIC	100	83
AUT- 09	0419	EDUCATION	100	64
SPR- 10	0407	HISTORY OF MODERN MUSLIM WORLD	100	71
SPR- 10	0437	ISLAMIC STUDIES(E)	100	52

Attested  
AW  
Ado for Plus

CREDITS: 8

Total Marks - Obtained 900 / 562

Result declared on FEB 22, 2011

Percentage / Grade 62 B

Date of issue: MARCH 02, 2011

*[Signature]*  
Controller of Examinations

Disclaimer:

This result card is issued provisionally, errors and omissions excepted, as a matter of duty. Any entry appearing in this card does not itself confer any right or privilege on the candidate for the issue of certificate degree/diploma, which will be issued under the rules/regulations on the basis of the original records of the university.

Attested  
AW



# UNIVERSITY OF SCIENCE & TECHNOLOGY BANNU

Khyber Pakhtunkhwa PAKISTAN

S.No:194728

## DETAILED MARKS CERTIFICATE

Master of Arts in Islamiyat

Session: 2010-2012

Final Year Re-Appear Examination Held in September, 2013



*Handwritten signature and initials*

Name: Awal Jan Roll No: 34253

Father's Name: Turkistan Reg No: 2010-UB-LP-36831

Institute Name: Private Candidate

The Candidate has secured the following Marks and is placed in **2nd** Division.

No.	Subjects	Max Marks	MARKS OBTAINED				Remarks
			Theory	Practical	Total	In Words	
1	Previous	500		---	277	TWO HUNDRED SEVENTY-SEVEN	
2	Ilm ul Kalam	100	66	---	66	SIXTY-SIX	
3	Viva Voce	100	63	---	63	SIXTY-THREE	
4	Islami Akhlaq aur unka Tasawar	100	57	---	57	FIFTY-SEVEN	
5	Taqabul e Adyan	100	52	---	52	FIFTY-TWO	
6	Al-Fiqah	100	51	---	51	FIFTY-ONE	
7	Islam aur Jadeed Maghashee Nazaryat	100	33	---	33	THIRTY-THREE	
<b>Total</b>		<b>1100</b>			<b>599</b>	<b>FIVE HUNDRED NINETY-NINE</b>	

Note: Required Pass Percentage in each Subject (Written & Practical Separately) 33, Aggregate Pass Percentage 36

The Examination was taken **In Parts**

Prepared by: *Deen*

Checked by: *AS*

Controller of Examinations  
University of Science & Technology, Bannu

Result Declaration Date	16-01-2014
Issue Date	16-01-2014



*Attested*

*Adv for Phys*

Awal Jan S/O Turkistan  
Village Kotka Sattar Khan Bhitani Po Tajori Distt Lakki Marwat

Errors & omissions excepted, if any, are subject to subsequent rectification.

190/235

*Attested*



# GLOBAL COMPUTER ACADEMY TAJORI (LAKKI MARWAT)



## Certificate Awarded

Session No: ~~00209~~ March 2003

Batch No: G-2

Name: AWAL JAN

S/o D/o: TURKISTAN

Has successfully completed 250 credit hours in

"ADVANCE DIPLOMA IN COMPUTER SOFTWARE / HARDWARE"

The student has been placed in grade "A" on the basis of internal tests and assessments by institute faculty.

### Studied the following programs:

- |  |  |  |
|--|--|--|
| <input checked="" type="checkbox"/> Fundamental of Computer Science    | <input checked="" type="checkbox"/> Inpage 2.40          | <input checked="" type="checkbox"/> C, C++           |
| <input checked="" type="checkbox"/> Fundamental of Computer Concept    | <input checked="" type="checkbox"/> Corel Draw 5.9.10    | <input checked="" type="checkbox"/> Visual Basic 6.0 |
| <input checked="" type="checkbox"/> Microsoft Windows 95, 98, 2000, xp | <input checked="" type="checkbox"/> Email & Inter Net    | <input checked="" type="checkbox"/> Fox Pro          |
| <input checked="" type="checkbox"/> Microsoft DOS                      | <input checked="" type="checkbox"/> Windows Installation |  |
| <input checked="" type="checkbox"/> Microsoft Word 97, 2000, xp        | <input checked="" type="checkbox"/> Troubleshooting      |  |
| <input checked="" type="checkbox"/> Microsoft Excel 97, 2000, xp       | <input checked="" type="checkbox"/> Computer Assembling  |  |
| <input checked="" type="checkbox"/> Microsoft Power Point 97, 2000, xp | <input checked="" type="checkbox"/> Computer Hardware    |  |
| <input checked="" type="checkbox"/> Microsoft Access 97, 2000, xp      |  |  |

*Jaw*  
PRINCIPAL  
Lakki Marwat

Attested

*Abdullah Ptaw*  
Abdullah Ptaw



OFFICE OF THE AGENCY EDUCATION OFFICER FR LAKKI AT TAJORI

Tentative Seniority List of Class IV FR Lakki

S. No.	Name	Father Name	Design	SPS	Academic Qualification	Professional Qualification	Date of Birth	Domicile	Date of 1st Apptt. in Edu. Deptt.	Place of Posting	Remarks Merit Position
1	Awaj Jan	Tukistan	Chowkidar	03	M.A	DIT	12-11-1978	FR Lakki	07/11/2001	GPS Kotka Sattar	01
2	Hizb Ullah	Misal Khan	Chowkidar	03	M.A Political Science	DIT 9 <sup>th</sup> Months	07-09-1978	FR Lakki	02-05-2010	GHS Sargarah Muhammad Khan	02
3	Arshad Khan	Ajab Khan	Chowkidar	03	F.A	DIT	18-08-1990	FR Lakki	2010	GGMS Ajab Khan	03
4	Ghulam Nabi	Khewaja Muhammad Khan	Narb Qasid	03	SSC	Nil	30-10-1982	FR Lakki	07-11-2012	GHS Sargarah Muhammad Khan	04
5	Masoom Jan	Bakhmal Jan	Laboratory Attendant	03	B.A	DIT Typing 6 Month	03-08-1990	FR Lakki	18-01-2013	GHS Sakhi Marjan Wargarah	05

Certified that Two (02) Post of Junior Clerk are lying vacant as under.

1. GHS Sargarah Muhammad Khan One Junior Clerk
2. GHS Sakhi Marjan Wargarah One Junior Clerk

Total No. Of vacant Posts Two (02) post s of Junlor Clerk

*[Signature]*  
Dealing Clerk FR

FR Lakki

*[Signature]*  
Assistant Education Officer

*[Signature]*  
Agency Education Officer

FR Lakki

**GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT.**

**NOTIFICATION**

Dated:02/08/2017

**No. SO(PE)1-10/SSRC/Ministerial Staff/2013** In pursuance of the contained provisions in sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1989, the Elementary and Secondary Education Department, in \_\_\_\_\_ with the Establishment Department and the Finance Department, hereby directs that in the Department's Notification No. SO(PE)4-10/SSRC/Ministerial Staff/2013 dated 28.01.2013, the following amendments shall be made, namely:

**AMENDMENT**

Appendix:-

- (1) Against Sr. No. 9, in column No. 8(a), for the existing entry, the following entry in column 5 (a) shall be substituted:
  - (a) Thirty three percent by promotion on the basis of Seniority-Cum-Fitness from amongst the Daftari/Operators/Qasid and Naib Qasids including other posts in the Attached Department offices/institutes with two year service as such having SSC Qualification.

**SECRETARY**

1. The Secretary to Govt. of Khyber Pakhtunkhwa, Establishment Department.
2. The Secretary to Govt. of Khyber Pakhtunkhwa, Finance Department.
3. The Secretary to Govt. of Khyber Pakhtunkhwa, Law Department.
4. The Secretary to Govt. of Khyber Pakhtunkhwa, Public Service Commission.
5. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
6. The Director (E& SE) Khyber Pakhtunkhwa, Peshawar.
7. The Director Education ( FATA) Khyber Pakhtunkhwa, Peshawar.
8. The Director Curriculum & Teachers Education Abbottabad.
9. The Director (PITE) Khyber Pakhtunkhwa, Peshawar.
10. The Director ESRU, Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.
11. The Deputy Director (EMIS) E&SE Department.
12. All Deputy Commissioners, in Khyber Pakhtunkhwa.
13. All District Education Officers, (E&SE) Khyber Pakhtunkhwa, Peshawar.
14. All District Accounts Officers, Khyber Pakhtunkhwa/Agency Accounts Officers.
15. All Agency Education Officers,
16. PS to Government. Khyber Pakhtunkhwa.

**SECTION OFFICER (PRIMARY)**

GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

NOTIFICATION

Peshawar, dated the August 2, 2017.

No. SO(PE)-I-10/SSRC/Ministerial staff/2013: In pursuance of the provisions contained in sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Elementary and Secondary Education Department, in consultation with the Establishment Department and the Finance Department, hereby directs that in the Department's Notification No. SO(PE)-I-10/SSRC/Ministerial Staff/2013 dated: 28.04.2013, the following amendments shall be made, namely:-

AMENDMENTS

In the Appendix:-

(i) Against Sr. No. 9, in column No. 3(a), for the existing entry, the following entry in column 3 (a) shall be substituted:

a) Thirty three per cent by promotion on the basis of Seniority-Cum-Fitness from amongst the Deftars, Operators, Qasids, and Naib Qasids including other similar posts in the attached department/offices/institutions with two year service as such having SSC qualification.

SECRETARY

Order No. & Date as above.

Copy forwarded to:

1. The Secretary to Govt. of Khyber Pakhtunkhwa, Establishment Department.
2. The Secretary to Govt. of Khyber Pakhtunkhwa, Finance Department.
3. The Secretary to Govt. of Khyber Pakhtunkhwa, Law Department.
4. The Secretary to Govt. of Khyber Pakhtunkhwa, Public Service Commission Peshawar.
5. The Accountant General, Khyber Pakhtunkhwa Peshawar.
6. The Director (P&SE) Khyber Pakhtunkhwa Peshawar.
7. The Director Education (FATA) Khyber Pakhtunkhwa, Peshawar.
8. The Director Curriculum & Teachers Education Abbottabad.
9. The Director (PITE) Khyber Pakhtunkhwa Peshawar.
10. The Director ESRU, Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.
11. The Deputy Director (EMIS) E&SE Department.
12. All Deputy Commissioners in Khyber Pakhtunkhwa.
13. All District Education Officers, Elementary & Secondary Education Khyber Pakhtunkhwa.
14. All District Accounts Officers, Khyber Pakhtunkhwa / Agency Accounts Officers.
15. All Agency Education Officers.
16. P.S to Governor, Khyber Pakhtunkhwa.
17. P.S to Chief Minister, Khyber Pakhtunkhwa.
18. P.S to Chief Secretary, Khyber Pakhtunkhwa.
19. P.S to Minister E&SE Khyber Pakhtunkhwa Peshawar.
20. P.S to Secretary E&SE Department.
21. Mr. Akbar Khan Mohmand, Provincial President Class-IV Association, Khyber Pakhtunkhwa.
22. Master File.

Attested

ad

Adv for Pt 3

(NATIK MUHAMMAD)  
SECTION OFFICER (PRIMARY)

بخدمت جناب ڈائریکٹر ایجوکیشن فاٹا کے پی کے

Amos

بندہ کو اپنا حق دلوانا چاہئے

عنوان: جناب عالی

گزارش بخیر و انور ہے کہ بندہ GPS کوئٹہ سٹارٹ اپ FR کئی میں بطور چوکیدار خدمات سرانجام دیتا رہا ہے۔  
 بندہ FR کئی کے تمام ملازمین درجہ چہارم میں سینئر موٹہ ہے۔ ٹینٹھ بیو سیناری لیسٹ لف درخواست ہے۔  
 A.E.O ایف آر کئی انہوں میں جو نیئر کلرک کی پروموشن کیس میں مجھے نظر انداز کر کے جو نیئر بندے کو پروموشن دے کر بندہ  
 کو اپنے حق سے محروم کیا گیا۔ اس سلسلے میں بندہ نے اپنی فریڈم پری می شکل میں A.E.O ایف آر کئی انہوں تک پہنچائی لیکن  
 تا حال مذکورہ افسران نال مشول سے کام لے رہے ہیں۔ بندہ نے مذکورہ افسران سے بالمشافہ ملاقات کی۔ لیکن وہ مختلف حیلے  
 بہانے بنا رہے ہیں۔ مزید پالیسی کے مطابق سینئر موٹہ ملازم پر پروموشن لینے کا حقدار ہوتا ہے۔  
 امید ہے آئندہ بندہ کی درخواست پر ہر روزانہ غور فرمائش گے۔ اور مذکورہ پروموشن کیس کی تحقیقات کر کے ایف آر کئی انہوں  
 کے A.E.O سے بندہ کو اس کا حق دلوانے کیلئے کرنا ادا کر کے مشنوں گرا نہیں گے۔  
 مذکورہ آرڈر ۱۹ اپریل ۲۰۱۲ میں ہوئے ہے۔ اور بلوں کو تنہا پاس کرانے کی کوشش کی جا رہی ہے۔ جس بندہ کو ترقی دی گئی ہے۔  
 اس کا نام حزب اللہ ولد شمل خان چوکیدار GHS سرگڑہ محمد خان FR کئی ہے۔ A.E.O کئی انہوں کے دفاتر سے مذکورہ  
 بندے سے پروفیشن دی گئی ہے کی آرڈر کا پی تا حال مجھے نہیں مل رہی ہے۔ تاکہ آپ کے خدمت میں پیش کر سکوں۔ اس  
 آرڈر کی کاپی مذکورہ دفاتر سے طاب کرادی گئی ہے۔  
 ازراہ کرم آئندہ اس کا نوٹس لے۔ اور بندہ کو اپنا حق دلوائیں۔

عین وادش ہوگی

13/09/2018

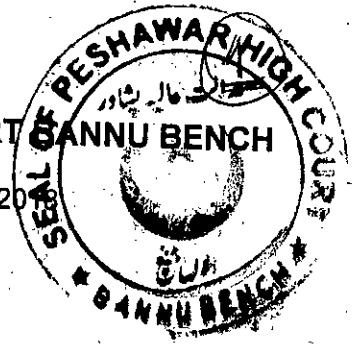
Attested  
Adv for Plus

انجارجی رول جان

اول جان چوکیدار GPS کوئٹہ سٹارٹ اپ FR کئی

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IN THE PESHAWAR HIGH COURT

W.P. No. 839-B of 20

AWAL JAN s/o Turkistan  
R/O: Kotka Sattar Bettani, P/O: Tajori, FR Lakki Marwat

**SERVING AS:**

Chowkidar in GPS Kotka Sattar Betanni,  
FR Lakki Marwat

-----PETITIONER

**VERSUS**

The Govt of Khyber Pakhtunkhwa through:-

1. The Additional Chief Secretary (FATA), Govt of KP, Peshawar
2. The Director Education(FATA), Warsak Road, Peshawar
3. The Agency Education Officer, FR Lakki Marwat
4. Hizb Ullah S/O Misal Khan **SERVING AS:**  
Junior Clerk at GHS Sargarah Muhammad Khan  
F.R. Lakki Marwat

-----RESPONDENTS

**WRIT PETITION UNDER ARTICLE: 199(1)(a)&(c)  
OF THE CONSTITUTION OF PAKISTAN-1973**

Being aggrieved by and dissatisfied with the illegal and discriminative promotion of the Respondent No. 4 (against 33% quota reserved for promotion of Class-IV employees) by the Respondent No. 3 despite being junior to the Petitioner otherwise than in accordance with Govt of KP (E&SED)'s Notification dated 02-8-2017, the Petitioner above named prefers this petition for the enforcement of his inalienable constitutional and fundamental rights, inter alia, on the following facts and grounds:-

Copy of the KP Govt's Notification dated 02-8-2017 is filed as Annex "A".

**FACTS**

contd. → P/ED  
Adv for Pet

**ATTESTED**

EXAMINER  
Peshawar High Court  
Bannu Bench

Admission

9/10

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1. That the Petitioner is serving as Chowkidar at GPS Sattar Betanni (FR Lakki Marwat) since 07-11-2001 and has been placed at the top of Seniority List of Class-IV Employees; prepared and issued by the Respondent No. 3; for the purpose of promotion to the post of Junior Clerk against 33% quota reserved for promotion of qualified Class-IV employees in terms of Govt of KP (E&SED) Notification dated 02-8-2017, while the Respondent No. 4 stands at S.No. 2 of the ibid Seniority List.

Copy of the Seniority List Class-IV Employees is filed herewith as Annex "B".

2. That besides having 18 years' service at his credit in the Department, the Petitioner is domiciled of FR Lakki Marwat and has acquired the academic qualification of M.A.(Islamiyat) in 2<sup>nd</sup> Division from UST Bannu during September 2013. The Petitioner has also acquired the qualification of Primary Teaching Certificate from the Registrar Departmental Examinations (Elementary & Secondary Education Deptt.) Govt of KP Peshawar after having attended regular classes at Govt Elementary Teachers College Kotka Habibullah FR Bannu during the year 1999 and has also got Certificate/Diploma in Computer Software from M/s Global Computer Academy Tajori (Lakki Marwat) in March 2003.

Copies of the Petitioner's credentials are filed as Annex "C/1-7".

3. That according to the certificate endorsed on the left bottom corner of the Seniority List, 2 x posts were laying vacant for promotion of Class-IV employees and since the Petitioner was on the top of the seniority list with equal academic qualifications at par with the Respondent No. 4, whose length of service was 10 years less than the Petitioner. Therefore, the Petitioner was sure of his promotion to one of the two vacant posts. However, the Petitioner has reliably learnt that the Respondent No. 3 has clandestinely issued promotion order of the Respondent No. 4 during last week of August 2018 with back date of 09-4-2018 and is keeping the

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Additional Registrar

Contd — P/3  
Adv for Pet

TESTED  
EXAMINER  
Peshawar High Court  
Bannu Bench

ATTACHED

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promotion order secret from the Petitioner while the Petitioner is still waiting for his promotion despite being on top of the seniority list.

4. That after getting reliable information about the back-dated promotion order of the Respondent No. 4, the Petitioner firstly preferred his application dated 03-9-2018 to the Respondent No. 3 for his promotion in preference to the Respondent No. 4 but receipt of said application was refused by the office of the Respondent No. 3. Therefore, the Petitioner preferred his application dated 13-9-2018 to the Respondent No. 2 by hand. However, the Respondent No. 2 also showed laxity in entertaining the said application of the Petitioner and advised the Petitioner to seek his remedy from court.

Copies of the Petitioner's Applications (1) dated 03-9-2018 and (2) dated 13-9-2018 are filed herewith and marked as Annex "D/1&2".

5. That in the above circumstances, the Petitioner sees no remedy except to beseech before this Hon'ble High Court for the enforcement of his inalienable constitutional and fundamental rights; inter alia; on the following grounds:-

### GROUND

(A). That the Petitioner has no other alternate and efficacious remedy except by getting relief from this Hon'ble Court through judicial review of the promotion orders of the Respondent No. 4 under Article; 199 of the Constitution of Pakistan-1973 **FIRSTLY** because Section: 23-B of the KP Civil Servants Act-1973 specifically restrains all other courts from questioning any order passed under the said Act or Rules made thereunder except the KP Service Tribunal, while Section: 4(b) of the KP Service Tribunal Act-1974 does not permit the Service Tribunal to entertain appeals against departmental decision with respect to appointment to a particular post or promotion to a higher post **SECONDLY** because Section: 56(d) of the Specific Relief Act-1877 does not permit civil courts to

*Arshad ✓*

*[Handwritten signature]*

ACCEPTED  
EXAMINER  
Peshawar High Court  
Khan Bheeb

Contd — P/4 *[Signature]*  
Adviser Psh

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issue injunction against the Govt functionaries. Therefore, the only remedy available to the Petitioner is to beseech before this Hon'ble Court U/A: 199 of the Constitution of Pakistan-1973 for judicial review of the promotion order of the Respondent No. 4.

(B). That the Petitioner is entitled U/S: 9 of the KP Civil Servants Act-1973 readwith Rule; 7 of the KP Civil Servants (Appointment, Promotion & Transfer) Rules-1989 to have been considered for his promotion to the post of Junior Clerk against 33% quota reserved for promotion of Class-IV employees having the qualification of SSC with 2 years service as such in preference to the Respondent No. 4; being junior to the Petition; but despite the fact that Articles: 4, 25 & 27 of the Constitution of Pakistan-1973 confers upon the Petitioner his inalienable constitutional and fundamental right of his treatment in accordance with law and to have equal protection under the relevant law as yet the Respondents No. 3 has treated the Petitioner otherwise than in accordance with the relevant law while the Respondent No. 1&2 being responsible in their vicarious liability to control the official conduct of the Respondent No. 3 are reluctant to take notice of the irregularities/illegalities committed by the Respondent No. 3. Hence this Petition is lawfully maintainable U/A-199 of the Constitution of Pakistan-1973, for the enforcement of inalienable constitutional and fundamental rights of the Petitioner.

(C). That counsel for the Petitioner carves leave of this Hon'ble Court to urge more grounds at the time of hearing of this petition.

**PRAYER**

6. In view of the above humble submissions, it is earnestly prayed that this Hon'ble High Court may graciously be pleased to:-

(a). Declare that the Petitioner was entitled to have been promoted to the post of Junior Clerk in preference to the

Filed Today  
Amber ✓

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Adv for Petr

ATTESTED  
EXAMINER  
Peshawar High Court  
Rajni Bhatt

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Respondent No. 4 against 33% quota reserved for the promotion of Class-IV employees. **AND**

(b). Issue appropriate writ to the Respondents in general and the Respondent No. 3 in particular to consider the Petitioner for his promotion to the post of Junior Clerk in preference to the Respondent No. 4 and grant him all back benefits since 09-4-2018 i.e. the date of promotion of the Respondent No. 4.

(c). Any other relief, which may be deemed proper in the circumstances of the case, may also be granted.

Prayed accordingly in the interest of justice.

*Awaj Jan*  
**PETITIONER**

Through:-

Bannu  
Dated:- 27-9-2018

*Sher Muhammad Khan*  
**SHER MUHAMMAD KHAN**  
Advocate High Court at Bannu  
I. D. No. BC-09-2433

LAW BOOKS

1. The Constitution of Pakistan-1973.
2. The KP Civil Servants Act-1973
3. The KP Civil Servants (A, P & T) Rules - 1989.
4. The Govt of KP (E&SED)'s Notification dated 02-8-2017.

CERTIFICATE

It is certified that (as per information furnished to me by the Petitioner) no such like Writ Petition has earlier been filed in this Hon'ble Court or any other legal forum.

*Sher Muhammad Khan*  
**Advocate for the Petitioners**

Filed Today  
*Ashwini*

**ADMITTED**  
*Q*

**ADMITTED**  
*Sher Muhammad Khan*  
Advocate High Court  
Bannu Branch

F 18

**PESHAWAR HIGH COURT**

**BANNU BENCH.**

FORM 'A'

FORM OF ORDER SHEET



Date of order or proceedings	Order or other proceedings with signature of Judge (s).
(1)	(2)
31.10.2018	<p><u>W.P No.859-B of 2018.</u></p> <p>Present:</p> <p style="text-align: center;">Mr. Sher Muhammad Khan Advocate for the petitioner.</p> <p style="text-align: center;">***</p> <p style="text-align: center;"><b>MUHAMMAD NASIR MAHFOOZ, J.---</b></p> <p>Through instant Writ Petition the petitioner has sought the following relief:-</p> <p style="text-align: center;"><i>"It is earnestly prayed that this Hon'ble High Court may graciously be pleased to:-</i></p> <p>(a) <i>Declare that the petitioner was entitled to have been promoted to the post of Junior Clerk in preference to the Respondent No.5 against 33% quota reserved for the promotion of Class-IV employees. AND</i></p> <p>(b) <i>Issue appropriate writ to the Respondents in general and the Respondent no.3 in particular to consider the petitioner for his promotion to the post of Junior Clerk in preference to the Respondent No.4 and grant him all back benefits since 09.4.2018 i.e. the date of promotion of the Respondent</i></p>

ATTESTED

**ATTESTED**

EXAMINED  
Peshawar High Court  
Bannu Bench

No.4.

(c) Any other relief, which may be deemed proper in the circumstances of the case, may also be granted".

2. Learned counsel for the petitioner, inter alia, while arguing instant Writ Petition referred to his representation dated 13.9.2018 made to Director Education FATA and submitted that no order has been passed on his representation.

3. Since the petitioner has prayed for promotion to any post available, therefore, the matter relates to terms and conditions of service and under Article 212 of the Constitution, this Court is barred to entertain such like petitions. However, respondent No.2 is directed to decide the representation within 15 days positively and also provide copy of the order and seniority list to the petitioner. The writ petition is disposed off accordingly.

Announced.  
31.10.2018.

~~Signature~~

~~Signature~~

CERTIFIED TO BE TRUE COPY

31/11/2018

Examiner

Peshawar High Court Sanno Bench  
Authorised Under Article 87 of  
The Qanun-e-Shahadat Order 1947

Attended

Signature

Signature  
01/11

بخدمت جناب ڈائریکٹر جنرل خیبر پختونخواہ

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## Right to Information Commission

جناب عالی! سائل حسب ذیل عرض رسالہ ہے۔

1۔ یہ کہ من سائل FR کی مروت کارہائشی دسکوئی ہے اور محکمہ تعلیم FR کی مروت کے GPS ستار بھٹی میں بطور کلاس IV اپنے فرائض منصبی سرانجام دے رہا ہے۔

2۔ یہ کہ کلاس IV کے مخصوص کوٹہ برائے پرموشن ڈیپارٹمنٹ کے لئے من سائل حسب سے الٹ امریہ وار تھا اور ہے۔ جبکہ محکمہ کی جانب سے میرٹ کی خلاف ورزی کرتے ہوئے حزب اللہ خان مذکورہ بالا کو کلاس IV سے جوئیئر کلرک کی آسامی پر پرموشن آرڈر مورخہ 09/04/2018 کے تحت پرموٹ کیا گیا ہے جو کہ محکمہ کا یہ اقدام میرٹ اور قانون کی صریحاً خلاف ورزی ہے جو کہ اس نسبت من سائل قانونی چارہ جوئی کا حق محفوظ رکھتا ہے۔

3۔ یہ کہ من سائل نے اپنے حقوق کی دادری کیلئے خیبر پختونخواہ سروس ٹریبیونل پشاور میں سروس اپیل دائر کی ہوئی اور معزز ٹریبیونل کے حکم پر من سائل کو حزب اللہ خان مذکورہ پرموشن آرڈر مورخہ 09/04/2018 کی نقل درکار تھی۔ من سائل نے مورخہ 28/01/2019 کو مذکورہ پرموشن آرڈر کی نقل حاصل کرنے کیلئے ایک درخواست جناب ایڈیشنل ایجوکیشن آفیسر سب ڈویژن بھٹی کی کوگزارری لیکن سائل کو تا حال نقل فراہم نہیں کی گئی ہے۔

نقل درخواست ملے۔

لہذا مہربانی فرما کر ایڈیشنل ایجوکیشن آفیسر سب ڈویژن بھٹی کی کے خلاف قانونی کارروائی عمل میں لائی جاوے اور سائل کو نقول متذکرہ بالا مہیا کی جاویں تاکہ انصاف کے تقاضے پورے ہو سکیں۔

مورخہ 28/01/2019

مولیٰ جان تسلیم ہو

اول جان ولدہ ترکستان قوم بھٹی سکنہ کوٹہ ستار بھٹی FR کی مروت موبائل نمبر 9796582-0345

Diary No. 960

28/01/2019 - 2 - 1P

کاپی برائے اطلاع:-

ایڈیشنل ایجوکیشن آفیسر سب ڈویژن بھٹی کی۔

9/2

OFFICE OF THE AGENCY EDUCATION OFFICER, FR LAKKI

NOTIFICATION

Consequent upon the recommendation of the Departmental Promotion Committee in the light of Govt: of Khyber Pakhtunkhwa Establishment & Administration Department (Establishment Wing) Notification No. SOE-IV(E&AD)/1-35/2012, dated 06.12.2012, and Directorate of Education (FATA) Peshawar directions through letter & existing policy of Class-IV Promotion to Junior Clerks, the following class-IV of FR Lakki on the basis of seniority-cum-fitness is hereby promote/adjusted to the vacant post of junior clerk BPS-11 the school noted against his name with immediate effect in the interest of public service.

<u>Sr. No.</u>	<u>Name of Class-IV with School</u>	<u>Adjusted at</u>	<u>Remarks</u>
1.	Mr. Hizb Ullah S/o Misal Khan Chowkidar, GHS Sargara Muhammad Khan FR Lakki	GHS Sargara Muhammad Khan FR Lakki	Against vacant J/Clerk post.

Note:-

1. No TA/DA is allowed.
2. Charge report should be submitted to all concerned.

Endst No. 5127-30

Dated:09.04.2018

(BAKHTIAR KHAN)  
Agency Education Officer  
FR Lakki

1. Director Education (FATA), Peshawar.
2. Deputy Commissioner, lakki Marwat.
3. Agency Education Officer FR Bannu.
4. District Accounts Officer Bannu.
5. Head of Institution concerned.
6. AAEO are Concerned.
7. Official Concerned.

Agency Education Officer  
FR Lakki

Office of the

AGENCY EDUCATION OFFICER, FR LAKKI

Al Tajon, Tehsil building Lakki.

4021

NOTIFICATION:

Consequent upon the recommendation of the Departmental Promotion Committee in the light of Govt. of KPK Establishment Administration Department (Establishment Wing) Notification No. SOE-IV(E&AD)/1-35/2012, Dated: 06/12/2012, and Directorate of Education (FATA) Peshawar directions through letters & existing policy of Class-IV promotion to J/Clerks, the following class-iv of FR Lakki on the basis of seniority & fitness is hereby promoted/adjusted to the vacant post of Junior Clerk (30) in the school noted against his name with immediate effect in the interest of public service.

No.	Name of Class-IV with school	Adjusted at	Remarks
1	M. Hizb Ullah S/O Misal Khan, Snowkidar, GHS Sargara Muhammad Khan FR Lakki.	GHS Sargara Muhammad Khan FR Lakki	Against vacant J/Clerk Post.

1. No TA/DA is allowed.
2. Charge report should be submitted to all concerned.

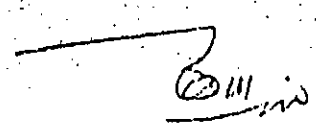
(BAKHSHAN KHAN)  
Agency Education Officer  
FR Lakki

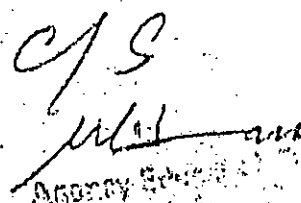
Sl. No. 5127-30 /

Dated: 09/04/2013

For information to the:

1. Director Education (FATA), Peshawar
2. Deputy Commissioner, Lakki Marwal
3. Agency Education Officer FR Bannu.
4. District Accounts Officer Bannu.
5. Head of Institution concerned.
6. AAEO area concerned.
7. Official concerned.

  
Agency Education Officer  
FR Lakki

  
Agency Education Officer  
FR Lakki



1022

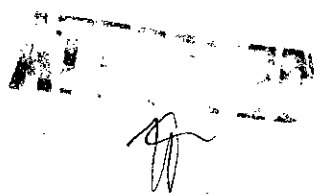
To

The Director of Education (E&SE) newly Merged Districts,  
KPK, Peshawar.

**SUBJECT: DEPARTMENTAL APPEAL AGAINST THE NOTIFICATION DATED 09.04.2018 RECEIVED BY APPELLANT THROUGH RTI, WHEREBY HIZB ULLAH WAS PROMOTED TO THE POST OF JUNIOR CLERK.**

**RESPECTED SIR,  
FACTS:**

1. That the appellant joined the respondent department on 07.11.2001 as Chowkidar and since then performing his great devotion and honesty whatever assigned to him.
2. That the appellant has MA qualification along with DIT and on the top of seniority of class-IV.
3. That the Government of KPK has fixed 33% quota for Class-IV for the promotion to the post of Junior Clerk post having two years service and have passed SSC.
4. That the appellant is at the top of the seniority list of class-IV, but despite that Hizb Ullah who was at S. No.2 of the seniority list was promoted to the post of junior clerk under 33% quota, however the concerned District did not provide the promotion order of Hizb Ullah.
5. That the appellant filed application for his promotion to the post of junior clerk in preference to Hizb Ullah as he is senior to the appellant but no action has taken on his application and then he filed Writ petition No.859-B/2018 which was disposed on 31.10.2018 with remarks that the matter relates to terms and conditions of the service and under Article-212 of the Constitution of Pakistan, the Court is barred to entertain such like petitions. However, department was directed to decide the representation within 15 days.
6. That as the appellant has not provide the copy of the promotion order of the Hizb Ullah, therefore, he filed application under RTI to provide the copy of promotion order of the Hizb Ullah on 28.01.2019 and on the basis of that application the appellant has provide the copy of promotion notification dated 09.04.2018 of Hizb Ullah. (Copies of



application and notification dated 09.04.2018 are attached as Annexure-A&B)

23

7. That now the appellant filed the departmental appeal against the promotion notification dated 09.04.2018 of Hizb Ullah on the following grounds.

**GROUND:**

- A) That the promotion notification dated 09.04.2018 are against the law, facts, norms of justice, material on record and 33% quota fixed by the Govt: for Class-IV, therefore not tenable and liable to be set aside.
- B) That the appellant was senior to the Hizb Ullah, but despite that Hizb Ullah was promoted to the post of Junior Clerk under 33% being junior to the appellant, which is violation of law and rules.
- C) That the appellant has good service record and also eligible for promotion to the post of Junior Clerk, but despite that junior to the appellant namely Hizb Ullah was promoted which is violation of norms of justice and fair play.
- D) That depriving the appellant from his legal right of promotion to the post of Junior Clerk will also affect his future promotion, which will cause great financial loss in the shape of pension and other monetary benefits.
- E) That promoting junior to the appellant through impugned notification dated 09.04.2018 is clear violation of Superior Courts judgments and rules and the impugned order is liable to be set aside.
- F) That the appellant was not treated in accordance with the law and ruled and has been deprived from his legal right of promotion in arbitrary manner.

It is therefore, most humbly requested that impugned notification dated 09.04.2018 may kindly be set aside and the appellant may kindly be considered for promotion to the post Junior Clerk under 33% quota being eligible and at the top of seniority list of Class-IV.

Dated: 19-3-2019

23  
Awal Jan, Class-IV,  
GPS Kotka Sattar Betanni,  
FR Lakii Marwat.

ATTENDED



570

For Insurance Notices see reverse.  
Stamps affixed except in case of  
uninsured letters of not more than  
the initial weight prescribed in the  
Post Office Guide, or on which no  
acknowledgement is due.

Rs. 68

Received a registered  
addressed to

Date Stamp

Write here "letter", "postcard", "packet" or "parcel"  
with the word "insured" before it when necessary.

Insured for Rs. (in figures) 100 (in words) 100

Insurance fee Rs. Ps. (in words) Weight 2 Kilo Grams

Name and  
address  
of sender

Handwritten signature and address

ATTACHED

Handwritten mark

اول خان 2، منجانب  
اول جال بنام محمد رحیم

مورخہ  
مقدمہ  
دعویٰ  
جرم

### باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ

آن مقام لہور کیلئے سروس ٹریڈ سوسائٹی، امسٹرڈام اور لندن اور دیگر

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز

وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ پر حلف دیئے جواب دہی اور اقبال دعویٰ اور

بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق

زر میں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی

اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا۔ از بصورت ضرورت

مقدمہ مذکور کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے

تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ باختیارات حاصل ہوں گے

اور اس کا ساختہ پر داختم منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانب التوائے مقدمہ کے

سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں

گے۔ کہ پیروی مذکورہ کر لیں۔ لہذا وکالت نامہ لکھ دیا کہ سندر ہے۔

Attested &  
Accepted

20

ماہ

المرقوم

CA Haid  
کے لئے منظور ہے

Awal Jan

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**  
**PESHAWAR**

**APPEAL NO. 1709/2019**

**AWAL JAN**


**VS**

**EDUCATION DEPTT:**

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2	Educational testimonials	<b>A</b>	4- 9.
3	Diploma alongwith verification letters	<b>B &amp; C</b>	10- 15.
4	Working papers	<b>D</b>	16- 17.
5	Minutes of DPC	<b>E</b>	18.
6	Promotion Notification	<b>F</b>	19.
7	Judgment	<b>G</b>	20- 21.
8	Minutes of meeting	<b>H</b>	22- 23.
9	Vakalat nama	.....	24.

**APPELLANT**

**THROUGH:**   
**MIR ZAMAN SAFI**  
**ADVOCATE**

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR**

**Service Appeal No.1709/2019**

**AWAL JAN**

**VS**

**Education Department**

**REPLY ON BEHALF OF THE PRIVATE RESPONDENTS  
No. 4 (NAZIR TAJ) IN RESPONSE TO THE MENTIONED  
APPEAL SUBMITTED BY THE APPELLANT**



**PRELIMINARY OBJECTIONS:**

- Put up to the court with relevant appeal.
1. That the appellant has got no cause of action or locus standi to file the instant appeal.
  2. That the appeal in hand is not maintainable in its present form and liable to be dismissed.
  3. That the appellant has misinterpreted the rules and law, and drawn up the meaning according to his own sweet will, besides concealing the important facts and not came to this Honourable Court with cleaned hands.
  4. That the appeal is based on mala fide intention and concealed material facts from this august Tribunal.
  6. That this Hon'ble Tribunal has no jurisdiction to entertain the appeal in its present form.
  7. That the appellant is estopped by his own conduct to file the instant appeal.

**ON FACTS PARAWISE COMMENTS / REPLY ON BEHALF OF THE PRIVATE RESPONDENTS No. 4.**

- Para-1. Pertains to the service record of appellant, hence needs no comments.
- Para-2. This Para pertains to the educational record of the appellant, hence needs no comments.
- Para-3. Admitted correct to the extent of 33% quota observed for promotion of the class-IV employees to the post of Junior Clerk. That it is pertinent to mention that only those Class-IV employees can promote to the post of Junior Clerk who has the requisite qualification as per rule.
- Para-4. Admitted correct to the extent of seniority position of class-iv employees working under the supervision of Agency Education Officer FR Lakki Now DEO Lakki the appellant is at serial No.1 and replying respondent is at No.2 of the tentative seniority list. That it is pertinent to mention that the

replying respondent is a highly qualified and having the requisite diploma/certificate of type writing and Computer long course which has been acquired from the recognized Institution. That during service some posts of Junior Clerks were lying vacant and in light of 33% quota one post was falling for promotion of class-iv employees to the post of Junior Clerk. That it is also pertinent to mention that the concerned authority prepared working papers for promotion of class-iv employees to the post of Junior Clerk and in this regard the concerned authority called the requisite diploma/certificates from the senior most class-iv employees. That the same have been submitted by the appellant and replying respondent before the authorities and as such the authorities scrutinized the said diploma's/certificates and sent the same for verification to the concerned Institutions. That after proper verification, no such record was found regarding the diploma/certificate of the appellant, therefore, the appellant was dropped from promotion to the post of Junior Clerk due not having the requisite qualification. That the replying respondent No.4 acquired diploma/certificate of type writing and Computer Long Course and the same had also been verified from the concerned Institution which was found correct and in this regard the Principal of the concerned institution issued verification letter dated 12.03.2018. That having the requisite qualification and seniority the replying respondent was promoted to the post of Junior Clerk on the proper recommendations of Departmental Promotion Committee vide Notification dated 09.04.2018.. Copies of the educational testimonials, diploma alongwith verification letters, working papers, Minutes of DPC & promotion Notification are attached as.....**A, B, C, D, E & F.**

Para-5. Related to the official respondents. Furthermore, the appellant filed Departmental appeal against the promotion order of the replying respondent dated 09.04.2018 and subsequently filed writ petition No. 859-B/2018 before the Peshawar High Court Bannu Bench which was disposed of vide judgment dated 31.10.2018 with the directions to the respondents to decide the representation of the appellant within 15 days positively. That the authorities implemented the judgment passed by the Honourable Peshawar High Court, Bannu Bench and constituted Committee for disposal of Departmental appeal/representation of the appellant. That the Committee declared in its meeting that the diploma/certificate submitted by the appellant was found fake and bogus therefore, the appellant was not considered for promotion and the representation of the appellant regretted by the Committee. Copies of the

Judgment and minutes of the meeting are attached as annexure.....G & H.

Para-6. Pertains to the official record, hence need no comments.

Para-7. Needs no comments.

**GROUND:**

All the grounds of main appeal are incorrect, baseless and not in accordance with law and rules.

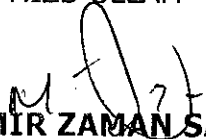
- A)- Incorrect. That the Department correctly treated the appellant in accordance with law and rules and as such authorities have not been violated any rule or law.
- B)- Incorrect and misconceived. The appellant has not been fulfilled the requisite criteria for promotion, therefore, the appellant was differed from promotion to the post of Junior Clerk due to not having the requisite qualification.
- C)- Incorrect and misconceived. The authorities rightly treated the appellant in accordance with law and rules. Furthermore, the replying respondent has been promoted on the basis of having the requisite qualification/eligibility for promotion to the post of Junior Clerk.
- D)- Incorrect, hence denied.
- E)- Incorrect, the authorities has not been violated any rule of law.
- F)- Needs no comments.

It is therefore, most humbly prayed that on acceptance of this reply the appeal of appellant may kindly be dismissed with cost.

  
P/RESPONDENT NO. 4

HIZB ULLAH

THROUGH:

  
MIR ZAMAN SAFI  
ADVOCATE

بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ

BN. No. 004653

Roll No. 9061

**BOARD OF INTERMEDIATE AND SECONDARY EDUCATION**



Bannu N.W.F.P. Pakistan

*Secondary School Certificate Examination*

SESSION 1994 (ANNUAL)

THIS IS TO CERTIFY THAT HIZB ULLAH

Son / Daughter of MISAL KHAN

and a student of GOVT: HIGH SCHOOL TAJORI LAKKI MARWAT.

has passed the Secondary School Certificate Examination of the Board of Intermediate & Secondary Education, Bannu.

as a Regular / ~~Private~~ candidate. He/She obtained 464 Marks out of 850

and has been placed in Grade  Representing GOOD

The Candidate passed in the following subjects.

- |            |                     |                |              |
|------------|---------------------|----------------|--------------|
| 1. English | 3. Islamiyat        | 5. MATHEMATICS | 7. CHEMISTRY |
| 2. Urdu    | 4. Pakistan Studies | 6. PHYSICS     | 8. BIOLOGY.  |

He / She has been awarded Grade  on the basis of internal assessment by the Institution concerned.

Date of birth according to admission form. is SEVENTH SEPTEMBER,  
one thousand nine hundred and SEVENTY EIGHT. (07/9/1978)

*[Signature]*  
Asst. Secretary

*[Signature]*  
Secretary

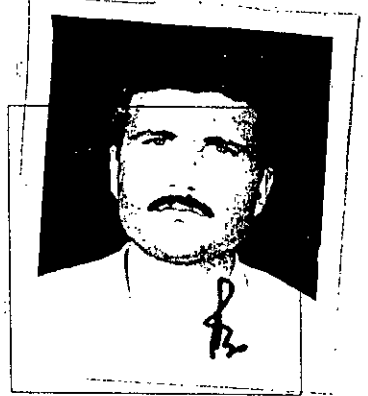
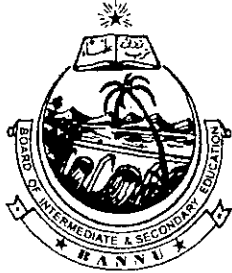
*This certificate is issued without alteration or erasure.*

**ATTESTED**

*[Signature]*

5

بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ



BN · N<sup>o</sup> 000100

Roll No. 51077

**Board of Intermediate & Secondary Education**  
Bannu N.W.F.P Pakistan  
**INTERMEDIATE EXAMINATION**  
**Pre-Medical/Pre-Engineering Group**  
SESSION 1996 (SUPPLEMENTARY)

**THIS IS TO CERTIFY THAT** HIZBULLAH

Son/Daughter of MISAL KHAN  
and a student of DISTRICT LAKKI MARWAT.

Registered No. 381-BB/LM-94. has passed the Intermediate Examination of the Board of Intermediate & Secondary Education, Bannu.

as a Private candidate. He/She obtained 608 Marks out of 1100 and has been placed in Grade  Representing GOOD

He/She has been awarded Grade  /  on the basis of internal assessment by the Institution concerned.

*[Signature]*  
Asst. Secretary

*[Signature]*  
Secretary

*This certificate is issued without alteration or erasure.*

*[Signature]*  
20/5/96

**ATTENDED**

*[Signature]*



Serial No. GU<sub>2</sub> 06806

بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ

6

# GOMAL UNIVERSITY

## DERA ISMAIL KHAN

### (N.W.F.P) PAKISTAN



(Session 1411 1999 ANNUAL)

HIZBULLAH. SON of MISAL KHAN. and  
a student of GOVT. COLLEGE, LAKKI MARWAT,

having passed the prescribed examination in JULY/AUGUST, 19 99,

is this day admitted by the GOMAL UNIVERSITY to the DEGREE of

**BACHELOR OF ARTS**

in the SECOND Division. HE Passed also in ASIAN

Additional Optional Subject/Pakistan Studies and Islamiyat as Compulsory Subjects.

The Examination was taken as a whole/in parts

Registered No. 2837-I-97

Roll No. 7684

DECEMBER 11, 19 99

**ATTENDED**

Countersigned

[Signature]  
Controller of Examinations

[Signature]

[Signature]  
Vice-Chancellor

Serial No. GU 01865

بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ

# GOMAL UNIVERSITY

DERA ISMAIL KHAN

(N.W.F.P) PAKISTAN

9



(Session 2000-2002 )

HIZBULLAH. SON of NISAL KHAN. and

a student of GOVT. POST GRADUATE COLLEGE, BANNU,

having passed the prescribed examination in AUGUST, 20 02,

is this day admitted by the GOMAL UNIVERSITY to the DEGREE of

## MASTER OF ARTS

in the SECOND Class

The subject of examination being POLITICAL SCIENCE.


The Examination was taken as a whole/~~in parts~~

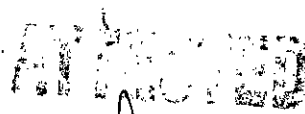

Registered No. 2837-I-97

Roll No. 3996

RESULT DECL. ON MAY 8, 2003

Countersigned

  
Controller of Examinations

  
Vice-Chancellor

Alama Iqbal Open University  
Islamabad



Serial No. 153734

Certified that Mr. / Ms. HIZB ULLAH

Son / Daughter of MISAL KHAN

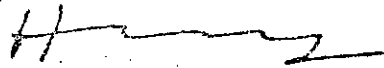
Registration No: 04-NLM-0038 Roll No: V-603169

having successfully completed the prescribed requirements

in semester SPRING 2009 is awarded the degree of

**Bachelor of Education (B.Ed)**

He/She has secured 64 % marks and has been placed in B grade.

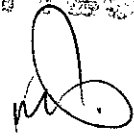
  
CONTROLLER OF EXAMINATIONS



  
VICE-CHANCELLOR

Result declared on: February 10, 2010

Date of Issue: October 10, 2011

**ATTESTED**  


NOTE: THIS DEGREE IS TO BE READ IN CONJUNCTION WITH THE TRANSCRIPT/PROVISIONAL CERTIFICATE ISSUED SEPARATELY

Al-Farooq Aqbal Open University  
Islamabad

Serial No 79871



9

Certified that *Mr/Ms* HIZB ULLAH

*Son/Daughter of* MISAL KHAN

*Registration No* 04 NLM 0038 *Roll No* O 689952

*Semester* AUTUMN 2004 *having met all the requirements*  
*under the semester system is this day awarded the*

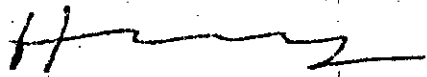
## Certificate of Teaching

*He/She has secured* 61 % *marks*  
*and has been placed in* B *grade*

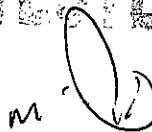


Result declared on: November 21, 2005

Date of issue: May 24, 2006

  
Controller of Examinations

ATTENDED



Note: This certificate is issued without alteration/erasure.  
The detail of courses is overleaf.

**The detail of courses passed is as under**

Course code	Title of the course	Percentage of Marks obtained
631	Dimensions in Education	63
632	Educational Psychology	52
633	School Organization and Management	60
634	English and its Teaching	50
638	Teaching Strategies	59
612	Workshop and Teaching Practice	81
604	Teaching of Urdu	62
605	Teaching of Social Studies	65
635	Teaching of Islamiat	60

Total credit hours      XXX

Obtained / Total marks      **552 / 900**

Total credits AIOU      5

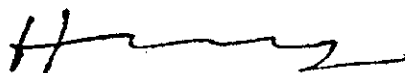
Cumulative grade point average      XXX

First semester:      **SPRING 2004**

Final semester      **AUTUMN 2004**

**Grading Scheme**

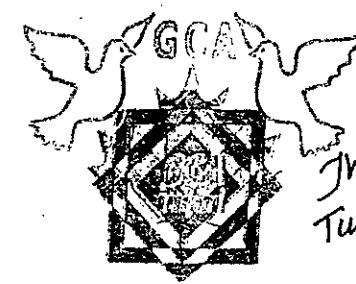
80% and above:	A+ grade
70% to 79%	A grade
60% to 69%	B grade
50% to 59%	C grade
40% to 49%	D grade
Below 40%	Fail

  
Controller of Examinations

B. 10

14

# GLOBAL COMPUTER ACADEMY TAJORI



The Record of Awal Jan 90 Global Tajori March 2003 Session Global Tajori is not Found in Global Computer Academy L. Marwat So it is a fake certificate -

Session No. ~~00209~~ March 2003

Certificate Awarded

Batch No: G-2 2-03-2003

Name: AWAL JAN

S/o D/o TURKISTAN

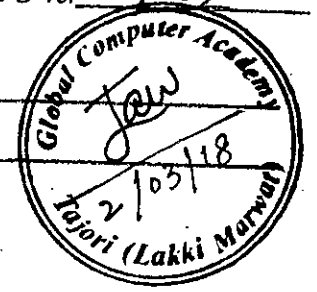
Has successfully completed 250 credit hours in

"ADVANCE DIPLOMA IN COMPUTER SOFTWARE / HARDWARE"

The student has been placed in grade "A" on the basis of internal tests and assessments by institute faculty.

Studied the following programs:

- Fundamental of Computer Science
- Fundamental of Computer Concept
- Microsoft Windows 95, 98, 2000, xp
- Microsoft DOS
- Microsoft Word 97, 2000, xp
- Microsoft Excel 97, 2000, xp
- Microsoft Power Point 97, 2000, xp
- Microsoft Access 97, 2000, xp
- Inpage 2.40
- Corel Draw 5, 9, 10
- Email & Inter Net
- Windows Installation
- Troubleshooting
- Computer Assembling
- Computer Hardware
- C, C++
- Visual Basic 6.0
- Fox Pro



*Signature*  
Subject Specialist  
GHSS Daraka Aziz Khan  
Lakki Marwat





Office of the

**AGENCY EDUCATION OFFICER, FR LAKKI**

At Tehsil Building Tajori Lakki Marwat

11

No. 4983

/

Dated: 13/02/2018

To,

The Principal,  
Global Computer Academy  
Tajori, District Lakki Marwat.

Subject: **VERIFICATION OF COMPUTER/TYPING CERTIFICATE.**

Memo:

Enclosed find herewith Computer/Typing Certificate in respect of Mr. Awal Jan S/O Turkistan, issued from your academy/college, for verification and early return to this office.

Further, it stated that your academy/college affiliation with Board of Technical Education, Peshawar may be attached for record of this office.

Encl: (Computer/Typing Certificate)

  
**Agency Education Officer  
FR Lakki**

ATTACHED



13  
Office of the Principal, Global Computer Academy Tajori, District Lakki Marwat.

No. 1412 /

Dated: 2 / 03 / 2018

To,

The Agency Education Officer  
FR Lakki.

12

Subject: VERIFICATION OF COMPUTER/TYPING CERTIFICATE.

Memo:

In response of your office letter No. 4983 . Dated:  
13/02/2018.

Computer/Typing Certificate in respect of Mr. Mr. Awal Jan S/O Turkistan,  
Not on the record of our academy, your enclosed certificate is fake and not issued  
by this academy, please.

Encl: (Computer/Typing Certificate)

*Jan*

Principal,

Global Computer Academy  
Tajori, District Lakki Marwat



ATTESTED

*m*



# PEARL COMPUTER INSTITUTE

Affiliated with BTE & TTB Peshawar

Contact No: 0969-511777  
Email: pearllakki@yahoo.com



Enrollment No	1522-08-TW
---------------	------------

Session	2008
---------	------

## Type Writing Course Certificate

Certificate No	8057	Registration No	1522/TW-PCI-2K08
Name	HIZB ULLAH		
Father's Name	MISAL KHAN		
Course Duration	From	To	Two Months
	01.01.2008	28.02.2008	

It is to certified that the above mention candidate has been completed the said duration in the following course of study.

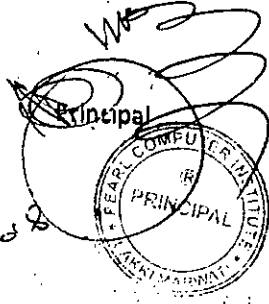
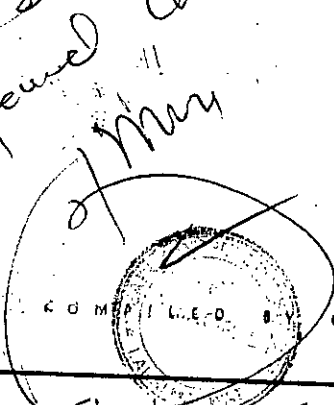
Type Writing skills and has been got a speed of 35 w.p.m			
He/She secured	175 / 200	Marks and has been placed in Grade.	A

The course was conducted at Pearl Computer Institute Lakki Marwat.

In recognition thereof, this certificate of achievement is awarded on 28.02.2008

Prepared By

*Handwritten notes:*  
Hizb Ullah  
Misal Khan  
Prepared by  
fewer correct



COMPILED BY COMPUTER CELL PCI LAKKI MARWAT

ایڈریس: پزل کمپیوٹر انسٹیٹیوٹ فلپت نمبر 14 کبیر مارکیٹ مین بازار لکی مروت

*Handwritten initials:* mb



Office of the

**AGENCY EDUCATION OFFICER, FR LAKKI**

At Tehsil Building Tajori Lakki Marwat

14

No. 5025

/

Dated: 05/03/2018

To,

The Principal,  
Pearl Computer Institute,  
Lakki City.

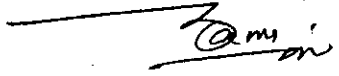
Subject: **VERIFICATION OF COMPUTER/TYPING CERTIFICATE.**

Memo:

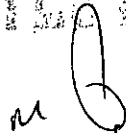
Enclosed find herewith Computer/Typing Certificate in respect of Mr. Hizb Ullah S/O Misal Khan, issued from your institute/academy/college, for verification and early return to this office.

Further, it stated that your academy/college affiliation with Board of Technical Education, Peshawar may be attached for record of this office.

Encl: (Computer/Typing Certificate)

  
**Agency Education Officer**  
FR Lakki

ATTACHED



# PEARL COMPUTER INSTITUTE

Affiliated with BTE & TTB Peshawar



Contact No: 0969-511777  
Email : pearllakki@yahoo.com

To

The Agency Education officer  
FR Lakki Marwat.

Subject: Verification of Diploma / Certificate (Computer Course)

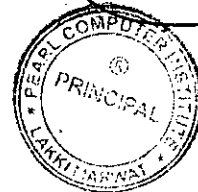
Memo,

Reference to your letter No: 5025 and dated 05.03.2018 the documents for Mr: Hizb Ullah  
S/O Misal Khan has been re-verified to institute records and does exists.

Sr.No	Name of Student	Courses	Duration	Reg No:
1	Hizb Ullah	Type Writing	Two Months	1522/TW-PCI-2K08
2	Hizb Ullah	Compute Long Course	Six Months	1522/CLC-PCI-2K08

Thanking Your.

Principal  
Pearl Computer Institute  
Lakki Marwat.



12/03/2018

ATTACHED

m

ایڈریس: پیرل کمپیوٹر انسٹیٹیوٹ فلیٹ نمبر 14 کبیر مارکیٹ مین بازار لکی مروت

OFFICE OF THE AGENCY EDUCATION OFFICER FR LAKKI AT LAKKI

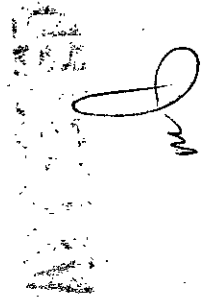
Working papers for Departmental Promotion Committee for the promotion of Male CLASS-IV to J/CLERK BPS-11

Total No of Male J/Clerks posts (Duly Verified from DAO FR Bannu)	4
Total Vacant Posts of J/Clerks	2
Share of promotion 33%	1
Net to be promoted	-
Proposed for promotion	1
Subject	

S#	Senoirity#	Name	Father's name	Desig	BPS	Acad: Qual	Prof: Qual	Date of birth	D/O Appoint to the present post	Place of posting	Whether eligibal for Promotion as J/Clerk (Yes/No)	Remarks
1	31	Awaj Jan	Turkistan	Chowkidar	3	MA	DIT	12/11/1978	07/11/2001	GPS Kotka Sattar	Not eligible due to fake/no typing & Computer Cert:	
2	51	Hizb Ullah	Misal Khan	Chowkidar	3	MA	DIT	07/09/1978	02/06/2010	GHS Sargara Muhammad Khan	Eligible	Fit for Promotion
3	52	Arshad Khan	Ajab Khan	Chowkidar	3	FA	DIT	18/08/1990	10/08/2010	GGMS Ajab Khan	Candidate	
4	54	Ghulam Nabi	Khawaja Muhammad Khan	Naib Qasid	3	SSC	-	30/10/1982	07/11/2012	GHS Sargara Muhammad Khan	Candidate	
5	55	Masoom Jan	Bakhmal Jan	Lab: Altnd:	3	BA	DIT	03/08/1990	18/01/2013	GHS Sakhi Marjan Wargara	Candidate	

Certificates:

- 1 It is certified that all the Class-IV (Male) included in the panel of the promotion of Class-IV to J/Clerks B-11.
- (a) Have the post on regular basis and non of them is holding the post on adhoc/acting charge basis contract.
- (b) Have completed the required minimum length of qualifying service and qualifaitions as required for promotion of Class-IV to J/Clerks BP-11 under the rules.



17

- (c) No one of them is one deputation to any organization under the Federal Provincial/Autonomous/Semi autonomous/ternationsl Organizations.
- (d) Neither any disciplinary/departmental proceedings/Anti comptation/judicial enquiry is pending against them nor has by penalty been imposed upon any one of them during the last five years.
- (e) No one is on long leave/Ex-Pakistan leave.
- (f) Their ACRs Synopsis are free from adverse remarks.
- (g) They are all alive and serving.
- (h) Their appointment order against Class-IV posts are attached herewith.
- (i) The Seniority list of B-16 officers id final, undisputed and not subjudic.
- (j) The departmental Promotion Committee is requested to determine the suitability for the promotion of the above Class-IV for promotion of Class-IV to J/Clerk B-11

AAEO Estb:  
Frontier Region Lakki

(HABIB-UR-REHMAN)  
Headmaster,  
GHS Sakhi Marjan  
(Member)

(Qudratullah)  
AAEO FR Lakki  
(Member)

Agency Education Officer  
Frontier Region Lakki

17



Office of the

**AGENCY EDUCATION OFFICER, FR LAKKI**

at Tajori Tehsil building Lakki

ED (18)

No. 5073

Dated: 26/03/2018

**MINUTES OF THE MEETING OF DEPARTMENTAL PROMOTION COMMITTEE HELD ON 26/03/2018**  
**AT 12:00 PM**

A meeting of the Departmental Promotion Committee was held today on \_\_\_/\_\_\_/2018 at \_\_\_ AM under the Chairmanship of Agency Education Officer to discuss the promotion cases of Class-IV to J/Clerks (BPS-11) in the Agency Education Office FR Lakki. The following attended the meeting:

1.	Mr. Bakhtiar Khan, AEO FR Lakki	(Chairman)
2.	Mr. Habib-ur-Rehman, Headmaster, GHS Sakhi Marjan Wargara	(Member)
3.	Mr. Qudrat ullah AAEO(P&D)AEO office FR Lakki	(Member)
4.	Mr. Ali Rehman, AAEO, AEO office FR Lakki	(Member)

The meeting started with recitation from the Holy Quran. The Chair welcomed the participants. The following items were discussed in detail by the DPC keeping in view all the aspects of the case, so the promotion of Class-IV to J/Clerks is hereby recommended with the decision, as follow.

**Item No. 1 Breakup list of Class-IV to be promoted to J/Clerks BPS-11**

The case of promotion of Class-IV to J/Clerks BPS-11 was considered and the DPC recommended as under:


Total No of Male J/Clerks posts (Duly Verified from DAO Bannu)	4
Total Vacant Posts of J/Clerks	2
Share of promotion 33%	1
Net to be promoted	-
Proposed for promotion	1

S#	Seniority #	Name	Place of posting	Date of birth	D/O Appoint as Class-IV	Remarks
1	51	Hizb Ullah	GHS Sargara Muhammad Khan	07/09/1978	02/06/2010	Considered suitable for promotion to the post of J/Clerk B-11 on regular basis with immediate effect


No. of Class-IV cleared for promotion = 01

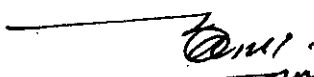
No. of Class-IV deferred for promotion = 00

The meeting ended with a vote of thanks to and from the chair.

  
Mr. Habib-ur-Rehman,  
Headmaster, GHS Sakhi Marjan Wargara  
(Member)

  
Mr. Qudrat ullah  
AAEO(P&D) AEO Office FR Lakki  
(Member)

  
Mr. Ali Rehman  
Asstt: Agency Education Officer  
AEO office FR Lakki  
(Member)

  
Mr. Bakhtiar Khan  
Agency Education Officer  
FR Lakki (Chairman)

**BETTER COPY OF PAGE-19**

**OFFICE OF THE AGENCY EDUCATION OFFICER, FR LAKKI**

**NOTIFICATION:**

Consequent upon the recommendation of the Departmental Promotion Committee in the light of Govt: of KPK Establishment Administration Department (Establishment Wing) Notification No. SOE-IV9E&AD)/1-35/2012, Dated 06.12.2012 and Directorate of Education FATA, Peshawar directions through letters & existing policy of class-iv promotion to J/Clerks, the following Class-iv of FR Lakki on the basis of seniority-cum-fitness is hereby promoted/adjustment to the vacant post of Junior Clerk (BPS-11) in the school noted against his name with immediate effect in the interest of public service.

<i>S#</i>	<i>Name of Class-iv with school</i>	<i>Adjusted at</i>	<i>Remarks</i>
1.	Mr. Hizbullah S/O Misal Khan, Chowkidar GHS Sargara Muhammad Khan FR Lakki	GHS Sargara, Muhammad Khan FR Lakki	Against vacant J/Clerk Post

- Note: 1. No TA/DA is allowed.  
2. Charge report should be Submitted to all concerned.

(BAKHTIAR KHAN)  
*Agency Education Officer*  
*FR Lakki*

Endst: No. 5127-30/ dated: 09.04.2018

NOTIFICATION:

Consequent upon the recommendation of the Departmental Promotion Committee in the light of Govt. of KPK Establishment Administration Department (Establishment Wing) Notification No. SOE-IV(E&AD)/1-35/2012, Dated: 06/12/2012, and Directorate of Education (FATA) Peshawar directions through letters & existing policy of class-iv promotion to J/Clerks, the following class-iv of FR Lakki on the basis of seniority-cum-fitness is hereby promoted/adjusted to the vacant post of Junior Clerk (BPS-11) in the school noted against his name with immediate effect in the interest of public service.

S#	Name of Class-IV with school	Adjusted at	Remarks
1.	Mr. Hizb Ullah S/O Misal Khan, Chowkidar, GHS Sargara Muhammad Khan FR Lakki	GHS Sargara Muhammad Khan FR Lakki	Against vacant J/Clerk Post

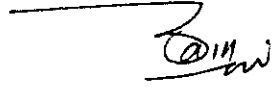
- Note:
1. No TA/DA is allowed.
  2. Charge report should be submitted to all concerned.

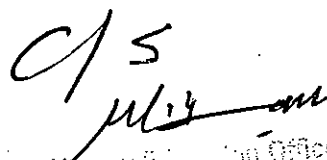
(BAKHTIAR KHAN)  
Agency Education Officer  
FR Lakki

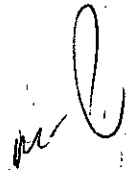
Encl: No. 5127-30 / Dated: 09/04/2018.

Copy for information to the:

- 1) Director Education (FATA), Peshawar.
- 2) Deputy Commissioner Lakki Marwat.
- 3) Agency Education Officer FR Bannu.
- 4) District Accounts Officer Bannu.
- 5) Head of Institution concerned.
- 6) AAFCO area concerned.
- 7) Official concerned.

  
Agency Education Officer  
FR Lakki

  
Agency Education Officer  
FR Lakki





G-20

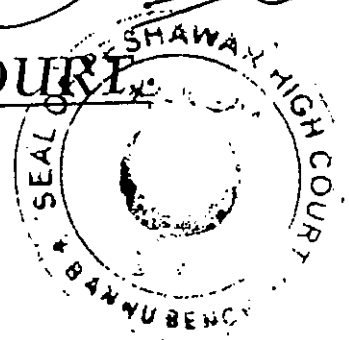
*[Handwritten scribble]*

# PESHAWAR HIGH COURT

## BANNU BENCH.

FORM 'A'

FORM OF ORDER SHEET



Date of order or proceedings	Order or other proceedings with signature of Judge (s).
(1)	(2)
31.10.2018	<p><u>W.P No.859-B of 2018.</u></p> <p>Present: <i>[Signature]</i> Mr. Sher Muhammad Khan Advocate for the petitioner.</p> <p>****</p> <p><b>MUHAMMAD NASIR MAHFOOZ, J.--</b></p> <p>Through instant Writ Petition the petitioner has sought the following relief:-</p> <p><i>"It is earnestly prayed that this Hon'ble High Court may graciously be pleased to:-</i></p> <p>(a) <i>Declare that the petitioner was entitled to have been promoted to the post of Junior Clerk in preference to the Respondent No.5 against 33% quota reserved for the promotion of Class-IV employees. AND</i></p> <p>(b) <i>Issue appropriate writ to the Respondents in general and the Respondent no.3 in particular to consider the petitioner for his promotion to the post of Junior Clerk in preference to the Respondent No.4 and grant him all back benefits since 09.4.2018 i.e. the date of promotion of the Respondent</i></p>

*[Handwritten signature]*

**ATTESTED**  
*[Signature]*  
EXAMINER  
Peshawar High Court  
Bannu Bench

(11) Justice Muhammad Nasir Mahfooz and Justice Shabee Ahmed

*[Handwritten marks]*

(M)

(K)

No.4.

(c) Any other relief, which may be deemed proper in the circumstances of the case, may also be granted".

2. Learned counsel for the petitioner, inter alia, while arguing instant Writ Petition referred to his representation dated 13.9.2018 made to Director Education FATA and submitted that no order has been passed on his representation.

3. Since the petitioner has prayed for promotion to any post available, therefore, the matter relates to terms and conditions of service and under Article 212 of the Constitution, this Court is barred to entertain such like petitions. However, respondent No.2 is directed to decide the representation within 15 days positively and also provide copy of the order and seniority list to the petitioner. The writ petition is disposed off accordingly.

Announced.  
31.10.2018.

CERTIFIED TO BE TRUE COPY

03/11/2018

Examiner

Peshawar High Court Saidu Bench  
Authorised Under Article 87 of  
The Qanun-e-Shahadat Order 1988

att  
01/11

M J



DIRECTORATE OF EDUCATION  
NEW MERGED DISTRICTS SECRETARIAT  
WARSAK ROAD PESHAWAR, PAKISTAN  
PHONE 091-9210166 FAX 091-9210216

No. 3588

Date Pesh: the 1/3 /2019

**Immediate / Court Case**

To

The District Education Officer  
Tribal District FR Lakki Marwat

H-22

**Subject: Minutes of the meeting in Writ Petition No. 859-B/2018 filed by  
Awal Jan vs ACS FATA.**

Memo:-

I am directed to enclose herewith a copy of Minutes of Meeting in writ petition No. 859-B/2018 filed by Awal Jan vs ACS FATA is submitted for further necessary action please.

**Assistant Director (Litigation)**

Endst: No. \_\_\_\_\_/

Copy forwarded to:-

1. Additional Director (Estab) Directorate of Education FATA.
2. PA to Director Education FATA (Local Office).

**Assistant Director (Litigation)**

ATTACHED

Scanned by CamScanner

3. Wisal Khan (J/C) local Directorate NMTD

Minutes of the Meeting Regarding Departmental Disposal writ petition  
No. W.P No. 859-B/2018 filed by Awal Jan vs ACS FATA.

23

In compliance of the Honorable Peshawar High Court Bannu Bench Judgment dated 31.10.2018 following committee is hereby constituted for disposal of representation in light of court order dated 31.10.2018 in the above titled writ petition.

- |   |          |
|---|----------|
| 1. Mr. Hanif-Ur-Rehman Addl: Director (Estab)   | Chairman |
| 2. Mr. Abdul Malik ( Deputy Director (Colleges) | Member   |
| 3. Mr. Wisal Khan (J/C) Litigation Section      | Member   |

Brief facts of the case.

Petitioner name Awal Jan appointed as class-IV (Chowkidar) on 07-11-2001 filed subject writ petition with the contention before the court to direct the respondents No. 3 i.e Agency Education Officer FR Lakki Marwat to consider the petitioner for promotion to the post of Junior Clerk under 33 % quota reserved for class-IV employees.

The Honorable Court disposed of the case of the petitioner and converted into departmental representation / appeal vide dated 31.10.2018.

The department in compliance of the order of the court vide letter dated 06.12.2018 called the petitioner for personal hearing.

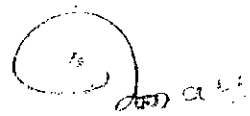
Consequently meeting was held on 10.12.2018, the committee after thread bare discussion perusal of the relevant seniority list of class-IV of FR Lakki Marwat result of test, Minutes of Departmental Promotion Committee and number of vacant post of Junior clerk reached to the following conclusion.

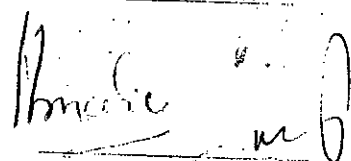
- i. As for as the seniority list is concerned the petitioner stand at serial No. 31 whereas the person who was promoted stand at serial No.51.
- ii. The departmental promotion committee considered cases of eligible candidates, however the case of the petitioner was regretted on the ground that his computer certificate turned out Bogus / fake after proper verification from the concerned institution vide letter dated 13.02.2018 and in response Global Computer Academy Tajuri District Lakki Marwat dated 02.03.2018 declare the certificate of the petitioner as fake and not issued by the said academy.
- iii. Keeping in view available record and facts of the case petitioner being involved in forgery does not entitled for promotion therefore said representation is regretted and disposed off.

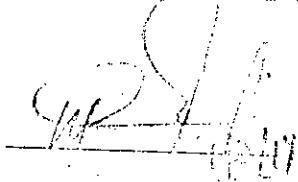
1. Mr. Hanif- Ur- Rehman Addl: Director (Estab)

2. Mr. Abdul Malik Deputy Director (Colleges)

3. Wisal Khan (J/C) local Directorate NMTD







**VAKALATNAMA**

Before the R.P. Service Tribunal, Peshawar

\_\_\_\_\_ OF 2021

Awal Jan

(APPELLANT)  
(PLAINTIFF)  
(PETITIONER)

**VERSUS**

Education Deptt.

(RESPONDENT)  
(DEFENDANT)

I/We Hizbullah

Do hereby appoint and constitute **MIR ZAMAN SAFI, Advocate, Peshawar** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

Dated. \_\_\_\_/\_\_\_\_/2021

Hizbullah  
\_\_\_\_\_  
**CLIENT**

Mir Zaman Safi  
**ACCEPTED**  
**MIR ZAMAN SAFI**  
**ADVOCATE**

**OFFICE:**

Room No.11, 5<sup>th</sup> Floor,  
Rahim Medical Centre,  
Main G.T Road, Peshawar.  
Mobile No.0323-9295295

**BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL PESHAWAR**

**Service Appeal No . 1709/ /2019**

**Awal Jan Class IV GPS Kotka Sattar Bittani FR Lakki Marwat . ( Appellant)**

**Vs**

1. Govt of Khyber Pakhtunkhwa through secretary education, Peshawar
2. Director (E&S) Education Department, Khyber Pakhtunkhwa, Peshawar.
3. District Education Officer (Male) (Merged District) Lakki Marwat.
4. Hizbullah junior clerk GHS Sergarah Muhammad khan FR Lakki Marwat.

**(Respondents)**

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**Dated: 08-02-2021**



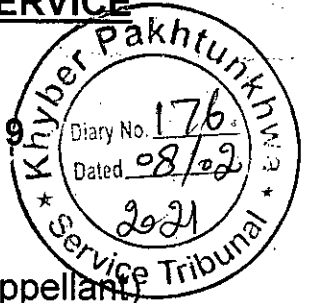
**Deponent**

**Asstt: Education Office  
Sub Division Bettani Lakki**

**BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL PESHAWAR**

Put up to the court with  
relevant appeal.

Service Appeal No . 1709/ /2019



Awal Jan Class IV GPS Kotka Sattar Bittani FR Lakki Marwat . (Appellant)

*New dv.*

Vs

1. Govt of Khyber Pakhtunkhwa through secretary education, Peshawar
  2. Director (E&S) Education Department, Khyber Pakhtunkhwa, Peshawar.
  3. District Education Officer (Male) (Merged District) Lakki Marwat.
  4. Hizbullah junior clerk GHS Sergarah Muhammad khan FR Lakki Marwat.
- (Respondents)

Respectfully Sheweth,

**Respondent No 1 , 2 and No 3 humbly submit the Para wise  
comments as under**

**PRELIMINARY OBJECTIONS:-**

- (1) That, the Appellant has got no cause of action.
- (2) The Appellant has concealed the real facts from the Honorable Court.
- (3) That ,the instant Service appeal is baseless and pressurized the department.
- (4) That the Appellant is estopped by his own conduct to file instant Appeal.
- (5) That, the Appellant has got no locus standi.
- (6) That the Appellant has not impleaded the necessary parties.
- (7) The Appellant has been filed to entangle the department unnecessarily litigation and to waste the precious time of the Honorable Court.
- (8) Due to Appellant fake computer certificate vide No 1412 dated 02/03/2018 the Appellant has dropped from promotion, because the Appellant has not fulfilled the eligibility criteria..
- (9) That, the Service appeal in hands is not maintainable in the present form and liable to be dismissed.

**FACTS**

1. That Para 1 Pertain to the Appellant Service Record.
2. That Para 2 pertain to the Office record.

3. That the Government of KPK 33% with SSC Qualification for the promotion to the post of Junior Clerk post for deserving candidates not for Bogus degree holder.

4. That Para 4 is Incorrect. That the Respondents Promoted the Respondents No 04 ( Next Meritorious / Hizb ullah) who has fulfilled the department promotion criteria and was fit for said promotion as per policy. The Appellant computer Certificate / Diploma was declared Bogus/fake therefore, not entitled for promotion.

**(Copy of the Seniority List, Short listed Class – IV, Typing Test, Interview, Working Papers and Verification Letters along with their response are Annexed as A, B, C, D, E and F)**

5. That Para 5 is Incorrect .As per Direction of the Honourable Court In WP No 859B/18 Dated 31-10-18, the Respondent No 02 Constituted a committee for consideration of Appellant. According to Minutes of the Meeting the Appellant computer certificate found bogus & has involved in Forgery therefore, not entitled for promotion.

**(Copy of the minutes of the meeting in the light of WP 859-B/ 2018 is Annexed as G).**

6. That Para 6 is Incorrect. In the light of Honourable Court direction the Respondent No 2 constituted a committee .As per minutes of the appellant computer certificate was found fake & bogus therefore, not entitled for Departmental promotion under 33% quota & Next Deserving employee/ Respondent No 4 was Promoted to the post of Junior clerk as per promotion policy .

**(Copy of the minutes and promotion order of the respondent No. 4 is annexed as H)**

7. That Para 7 Pertain to record.

**GROUND**

A. That Para A is Incorrect. As per Direction of Honourable Court in WP No 859-B/2018 Dated 31/10/2018 The Respondent No 02 Constituted a Committee for Departmental promotion. According to Minutes of the Meeting, the Appellant computer certificate was found bogus & has involved in Forgery , therefore, not entitled for promotion. The Respondent No 4 was the next deserving candidate & fulfilled the department promotion criteria, Therefore, the respondent No 4 was promoted as per law, rules & policy.




- B. That Para B is Incorrect According to the Sincerity list the Appellant was stood at S.No. 1 But dropped due Forgery & the Respondent No 4( Stood at S No 2 ) the next meritorious was promoted as per Departmental promotion policy under 33% quota.
- C. That Para C is Incorrect According to record the due to forgery the Appellant was not entitled for departmental promotion and as per policy the next deserving class IV was promoted to the post of J/clerk under 33% quota.
- D. That Para D is Incorrect. Due forgery Appellant was not entitled for the Departmental promotion due to forgery.
- E. That Para E is Incorrect. That Appellant has misguided The Honourable Court & Concealed the Facts from the Honourable. There is no violation and discrimination on the part of Respondents.
- F. That Para F is Incorrect. According to minutes of the meeting the Appellant was treated as per law, rules & promotion policy.
- G. As the same is related to the submission of further arguments by the council for the petitioner.

It is therefore, humbly submission in the light of the above Para wise comments that appeal may be dismissed with special cost and initiated criminal proceeding against appellant due to his forgery.



District Education Officer (Male)  
(Merged District) Lakki Marwat

Respondent No 03 **Add: Education Officer**  
Sub Division Bettani Lakki



Secretary  
(E&SED) Khyber Pakhtunkhwa  
Respondent No 01



Director (E&SED)  
Khyber Pakhtunkhwa, Peshawar  
Respondent No 02

4

**BEFORE THE HONORABLE KHYBER PAKHTUNKHAWA SERVICE  
TRIBUNNAL PESHAWAR**

**Service Appeal No . 1709/ /2019**

Awal Jan Class IV GPS Kotka Sattar Bittani FR Lakki Marwat . ( Appellant)

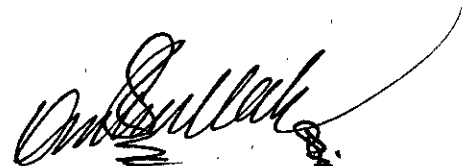
Vs

1. Govt of Khyber Pakhtunkhwa through secretary education, Peshawar
2. Director (E&S) Education Department, Khyber Pakhtunkhwa, Peshawar.
3. District Education Officer (Male) (Merged District) Lakki Marwat.
4. Hizbullah junior clerk GHS Sergarah Muhammed khan FR Lakki Marwat.

(Respondents)

**AFFADIVIT**

I, Mr. Qudrat Ullah Khan Assistant Distract Education Officer, office of the undersigned hereby solemnly declare that the contents written Comments are true to the best of my knowledge and nothing has been concealed from this Honorable court.

  
**Deponent**  
Asstt: Education Office  
Sub Division Bettani Lakki

5

**BEFORE THE HONORABLE KHYBER PAKHTUNKHAWA SERVICE  
TRIBUNNAL PESHAWAR**

**Service Appeal No . 1709/ /2019**

Awal Jan Class IV GPS Kotka Sattar Bittani FR Lakki Marwat . ('Appellant)

Vs

1. Govt of Khyber Pakhtunkhwa through secretary education, Peshawar
2. Director (E&S) Education Department, Khyber Pakhtunkhwa, Peshawar.
3. District Education Officer (Male) (Merged District) Lakki Marwat.
4. Hizbullah junior clerk GHS Sergarah Muhammed khan FR Lakki Marwat.

(Respondents)

**AUTHORITY LETTER**

Certified that **Mr. Qudrat Ullah Khan** Assistant District Education Officer, is hereby authorized to submit Para wise comments on behalf of the Respondent No. 1,2,3.

  
Additional District Education Officer  
Sub Division Battani Lakki

**Add: Education Officer  
Sub Division Bettani Lakki**

6

1

OFFICE OF THE AGENCY EDUCATION OFFICER FR LAKKI AT LAKKI


Final Seniority List of Class-IV (Male) FR Lakki

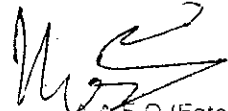
S#	Name	Father Name	Designation	BPS	Domicile	Acad. Qual.	Prof. Qual.	Date of Birth	D/O Appoint to the present post	Place of Posting
1	Karim Khan	Gul Muhammad	Behnash	3	FR Lakki	-	-	12/05/1987	BMS Shah Muhammad	
2	Dost Muhammad		Lah. Attendant	3	FR Lakki	-	-	01/06/1987	BMS TattiPalosa	
3	Satta Khan		Sweeper	3	FR Lakki	-	-	11/06/1987	BMS TattiPalosa	
4	Masra Khan		Do	3	FR Lakki	-	-	09/06/1988	BGMS GulMihammad Azad Khel	
5	Misal Khan	Mer Dil Khan	Mail	3	FR Lakki	-	-	06/01/1993	BPS Sargara Muhammad Khan	
6	Qadar Khan	Wali Khan	Do	3	FR Lakki	-	-	09/02/1993	BPS ShahiGul	
7	Noor Zaman	Jamroz Khan	Do	3	FR Lakki	-	-	08/02/1993	BGPS Abdulah Jan Gaz BABA	
8	Qadar Jan		Chowkidar	3	FR Lakki	-	-	30/02/1993	BMS ShahiGul	
9	Shehzada Khan	Muhammad Afzal	Do	3	FR Lakki	-	-	01/08/1993	BGPS Sargara Muhammad Khan	
10	Haasan Khan	Sher Daraz Khan	Chowkidar	3	FR Lakki	-	-	18/05/1994	BMS Sargara Muhammad Khan	
11	Zano Bad Shah	Ziarat Shah	Do	3	FR Lakki	-	-	19/09/1994	BPS Ping Azad Khel	
12	Zakam Khan	Mirat Khan	Do	3	FR Lakki	-	-	16/11/1994	BPS Mirat Khan	
13	Sayar Gul	Mahboob Khan	Do	3	FR Lakki	-	-	15/12/1994	BPS ChigaLar	
14	Eni Rehman	Bara Khan	Peon	3	FR Lakki	-	-	06/05/1995	BMS Sargara Muhammad Khan	
15	Muhammad Ismail	Muhammad Ishaq	Sweeper	3	FR Lakki	-	-	10/05/1995	BMS Sargara Muhammad Khan	
16	Qawa Khan	Saleh Khan	Do	3	FR Lakki	-	-	17/05/1995	BPS Shundi/HusseinKhel	
17	Zohar Shah	Aman Shah	Do	3	FR Lakki	-	-	28/05/1997	BPS Mirat Shah	
18	Shahin Khan	Salam Khan	Do	3	FR Lakki	-	-	14/06/1999	BPS Nazar Shah	
19	Zehkair	Sherza Khan	Do	3	FR Lakki	-	-	01/09/1998	BPS AbourRehmanMadiKhel	
20	Muhammad	Bahadar Khan	Do	3	FR Lakki	-	-	07/09/1998	BPS Mirat TajbiKhel	
21	Muhammad	FaizUllah	Do	3	FR Lakki	-	-	12/03/1999	BPS FaqirZada Ghazi Marjan	
22	Muhammad	Ali Zar Khan	Chowkidar	3	FR Lakki	-	-	01/03/1999	BPS Mirat Khan	
23	Muhammad	Gul Jam Khan	Do	3	FR Lakki	-	-	01/07/2001	BPS Barkat Shah	
24	Muhammad	AbiZar	Do	3	FR Lakki	-	-	27/07/2001	BPS Asad Khan	
25	Noor Rehman	Gul Shah Jan	Do	3	FR Lakki	-	-	23/02/2001	BGPS Jmer Jan	

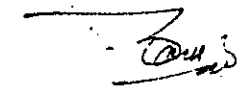
S#	Name	Father Name	Desig:	BPS	Domicile	Acad: Qual:	Prof: Qual:	Date of Birth	DiO Appoint to the present post	Place of Posting
25	GulManoor	Sar Din	Do	3	FR Lakk	-	-	-	23/02/2001	GGPS Chichandi
27	Amin		Chowkidar	3	FR Lakk	-	-	-	28/03/2001	GMS ShahiGul
28	Abdul Qadir		Behishti	3	FR Lakk	-	-	-	26/03/2001	GMS ShahiGul
29	Abdul Qadir	ShahiGu	Sweeper	3	FR Lakk	-	-	-	31/03/2001	GMS ShahiGul
30	NizamUd Din	Khan Zaman	N/Qasic	3	FR Lakk	-	-	-	07/10/2001	GGMS ChigaLar
31	Awal Jan	Turkstar	Cnowkidar	3	FR Lakk	MA	DIT	12/11/1978	07/11/2001	GPS Kotka Satar
32	Arsala Khan	Naurang Khan	do	3	FR Lakk	-	-	-	09/01/2002	GPS Awaz Kara Khel
33	AlamGir Khan	Rahim Dil	Chowkidar	3	FR Lakk	-	-	-	15/01/2002	GMS Wateen
34	GulDaraz	Palosin Khan	Do	3	FR Lakk	-	-	-	11/04/2002	GPS Palosin Khan
35	Renman Shah		N/Qasid	3	FR Lakk	-	-	-	06/07/2002	GHS TattiPalosa
36	Islam Bahadar		Do	3	FR Lakk	-	-	-	01/09/2002	GHS TattiPalosa
37	Hukam Khan	Ayaz Khan	Do	3	FR Lakk	-	-	-	12/12/2002	GFCS Hukam Khan
38	Cutab Khan	Ayaz Muhammad	Do	3	FR Lakk	-	-	-	25/01/2003	GFCS Qayum
39	SharamGul	Kantar Shah	do	3	FR Lakk	-	-	-	06/05/2004	GPS Qamar Shah
40	FaqirGul	WarayGul	Chowkidar	3	FR Lakk	-	-	-	06/05/2004	GGPS Waraygul
41	Khan Mehmood	Stan Ahmad	Do	3	FR Lakk	-	-	-	11/07/2004	GMS Shah Muhammad
42	SakhiRehman	Ghazi Rehman	Do	3	FR Lakk	-	-	-	22/12/2005	GPS Tor GabarBagh
43	Abdul Sammad	Bahadar Khan	Chowkidar	3	FR Lakki	-	-	-	06/07/2006	GPS SraGhundai
44	Miran Shah	Jawar Shah	Do	3	FR Lakk	-	-	-	28/01/2007	GPS Nazar Jan
45	Shamsher Khan	AlmarGu	Do	3	FR Lakk	-	-	-	06/04/2007	MCS JannatGul
46	Muhammad Ayub	Sabir Khan	Do	3	FR Lakk	-	-	-	21/04/2007	FCS Sabir Khan
47	Taro Khan	Qalo Khan	N/Qasid	3	FR Lakk	-	-	-	02/12/2007	GGMS Qalo Khan
48	RahmanGhani	NaimatUllah	do	3	FR Lakk	-	-	-	01/07/2008	GPS NaimatUllah
49	Latif Khen	Shah Zar Khan	Do	3	FR Lakk	-	-	-	01/01/2010	GPS Nazar Jan
50	Noor Zali Khan	Moula Khan	Do	3	FR Lakk	-	-	-	24/02/2010	GGPS Faza! Khan Gaz Baba
51	HizbUllah	Misar Khan	Chowkidar	3	FR Lakki	M.A	DIT	07/08/1978	02/06/2010	GHS Sargarah Muhammad Khan
52	Azshad Khan	Ajab Khan	Do	3	FR Lakk	FA	DIT	08/08/1980	10/06/2010	GGMS Ajab Khan Gulikhel
53	Hanif Ullah	Azad Khan	Do	3	FR Lakk	-	-	-	04/07/2011	GGPS Gul Azad Mastikhel
54	Ghulam Nabi	Khawaja Muhammad Khan	N/Qasid	3	FR Lakki	SSC	DIT	01/01/1982	07/11/2012	GHS Sargarah Muhammad Khan
55	Masoom Jan	Bakhmalan	Laboratory Attendance	3	FR Lakki	B.A	DIT	01/01/1983	15/01/2013	GHS SakhiMarjanWargarah
56	Azmat Ullah	Gul Muhammad	N/Qasid	3	FR Lakk	-	-	-	10/01/2013	GGMS GulMihammad Azad Khel
57	SifatUllah	GulBajan	Sweeper	3	FR Lakk	-	-	-	21/01/2013	GMS SraGhundai
58	Muhammad Ismail	Abd Ur Rehman	Do	3	FR Lakk	-	-	-	22/01/2013	GmsAbd Ur RehmanMadiKhel
59	Yaqoob Khan	ZerbiGul	Chowkidar	3	FR Lakk	-	-	-	23/01/2013	GMS Abd Ur Rehman

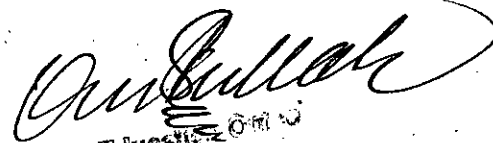
Asstt. Education Officer  
Sub Division Bettani Lakki

Sr	Name	Father Name	Desig:	BPS	Domicile	Acad: Qual:	Prof: Qual:	Date of Birth	DiO Appoint to the present post	Place of Posting
60	Rehmat Ali		Chowkidar	3	FR Lakk					
61	Shalawzan Khan	Daudjan	Chowkidar	3	FR Lakk				09/12/2013	GHS TattiPak sa
62	Gul Baz		Peon	3	FR Lakk				15/02/2014	GPS Kazan Khan
63	Sadiq Ahmad	SakhiMarjan	N/Qasid	5	FR Lakk				10/02/2015	GHS TattiPak sa
64	Khalid Raza	RehmatUllah	Do	3	FR Lakk				13/02/2015	GMS SakhiMarjan
65	Badshah Ali Khan	GulKhajan	Do	3	FR Lakk				08/08/2015	GGPS GulJaranTajbiKhei
									18/08/2015	GGPS GulKhajan

  
Dealing Assistant  
FR Lakk

  
A.E.O (Estab)  
FR Lakk

  
Agency Education Officer  
FR Lakk

  
Asstt. Education Officer  
Sub Division Education

Class-IV Typing Test Timing<sup>9</sup>

1) Arshad Khan, Chowkidar, GGS Ajab Kha.

Start time: 01:31 pm to 01:36 pm.

2) Masoom Jan, Lab: Attendant, GHS Saahi Marjan.

Start Time: 01:45 pm to 01:50 pm.

3) Hizbullah, Chowkidar, GHS Sangara Muhammad Kha.

Start time: 01:58 pm to 02:03 pm.

4) Asad Jan, Chowkidar, GDS Sattar Bhattani.

Start time: 2:07 pm. 2:12 pm.

*Hizbullah*

*Jan*

*Jan*

*Hizbullah*

Assett: Education Office  
Sub Division Bettani Lakki

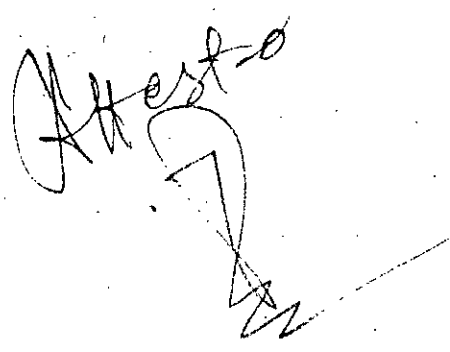
Name of Candidate: Arshad Khan  
 Father's Name: Ajab Khan  
 Post as Class-IV: Chowkidar  
 Present School: GGMS Ajab Khan

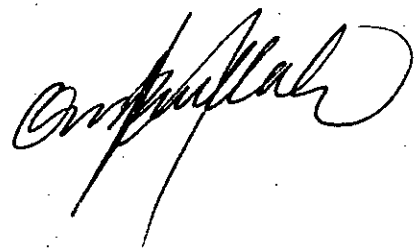
Typing Test Dated: 06/02/2018: Start Time: 01: 31 PM End Time: 01:36 Pm

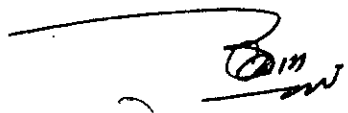
to

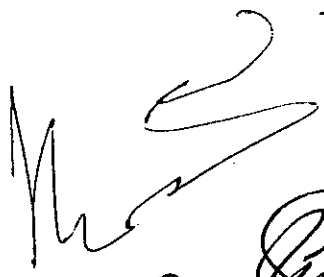
it is submitted for your kind information that a meeting of departmental promotion committee will be held on 25 1 2018 in the direction of education ;;

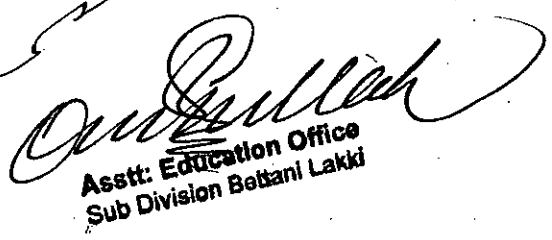
Nic No. 22101-0867737-9  
 Arshad Khan Arshad Khan

Attesto  








  
 Asstt: Education Office  
 Sub Division Bettani Lakki



Name of Candidate: Masoom Jan  
Father's Name: Bakhmal Jan  
Post as Class-IV: Lab Attendant  
Present School: GHS Sakhi Marjan

Typing Test Dated: 06/02/2018: Start Time: 01:45 PM End Time: 01:50 PM

To

All apps in file

Subject: departmental promotion committee meeting

memo

itis

NIC NO. 11201-8516757-5

Masoom Jan Ule/par

*Attest*

*Masoom Jan*

*Com*

*W.S.*

*Masoom Jan*

Asstt: Education Office  
Sub Division Bettani Lakki

12

Name of Candidate: Hizbullah  
Father's Name: Missal Khan  
Post as Class-IV: Chowkidar  
Present School: GHS Sargarah Muhammad Khan

Typing Test Dated: 06/02/2018; Start Time: 01:58 PM End Time: 02:03 PM

To: All AEO in FATA  
Peshawar.

Sub: departmental promotion committee meeting

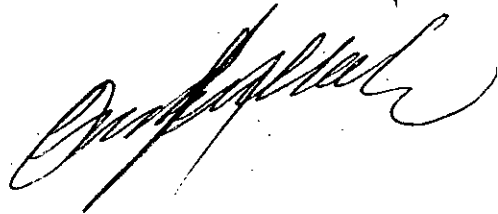
Memo: it is submitted for your kind information that a meeting of departmental promotion committee will be held on 25/1/2018 in the directorate of education fata in order to discuss the promotion cases of different teaching cadres to the post of sst wh were previously deferred either due to ne reason or other as pr attached list.

You are further directed to submit the following documents of the deffered cases upto 23.1.2018 positively in order to procedd further in the matter.

1 final senoiy list undisout

Nic No. 11201-5289572-1

Hizbullah ~~Hizbullah~~

Attested 

  
Asstt: Education Office  
Sub Division Bettani Lakki

Name of Candidate: Awal Jan  
 Father's Name: Turkistan  
 Post as Class-IV: Chowkidar  
 Present School: GPS Kotka Sattar

Typing Test Dated: 06/02/2019 Start Time: 02:07 PM End Time: 02:12 PM

*NIC*

*NIC NO. 11201-5009697-1*

*Am Jan*

*Attest*

*[Signature]*

*[Signature]*

*[Signature]*

*[Signature]*  
 Asstt: Education Office  
 Sub Division Bettani Lakki

Interview of Class IV for Promotion of  
 To: Clerk Post held on 6-02-2018  
 in the office of A.E.O FR Lakki  
 at Tajori

<u>S.No</u>	<u>Name of Employee</u>	<u>Signature</u>
(1)	Muhammad Jan	Kamran Jan
(2)	Hizbullah chowkidar	Hizbullah
(3)	Masoom Jan Lab atten	6/6/18
(4)	Asghar Khan chokidar	Asghar Khan

Asghar Khan

Asghar Khan

6/2/18

Asghar Khan

Asstt: Education Office  
 Sub Division Bettani Lakki

15

10

OFFICE OF THE AGENCY EDUCATION OFFICER FR LAKKI AT LAKKI

Working papers for Departmental Promotion Committee for the promotion of Male CLASS-IV to J/CLERK BPS-11

Total No of Male J/Clerks posts (Duly Verified from DAO FR Bannu)

4

Total Vacant Posts of J/Clerks

2

Share of promotion 33%

1

Net to be promoted

.

Proposed for promotion

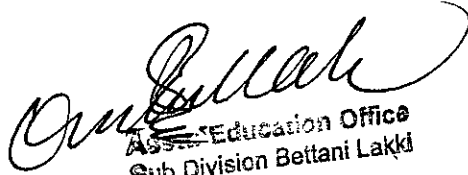
1

Subject

S#	Senoirity#	Name	Father's name	Desig	BPS	Acad: Qual	Prof: Qual	Date of birth	D/O Appoint to the present post	Place of posting	Whether eligibal for Promotion as J/Clerk (Yes/No)	Remarks
1	31	Awal Jan	Turkistan	Chowkidar	3	MA	DIT	12/11/1978	07/11/2001	GPS Kotka Sattar	Not eligible due to fake/no typing & Computer Cert.	
2	51	Hizb Ullah	Misal Khan	Chowkidar	3	MA	DIT	07/09/1978	02/06/2010	GHS Sargara Muhammad Khan	Eligible	Fit for Promotion
3	52	Arshad Khan	Ajab Khan	Chowkidar	3	FA	DIT	18/08/1990	10/08/2010	GGMS Ajab Khan	Candidate	
4	54	Ghulam Nabi	Khawaja Muhammad Khan	Nalb Qasid	3	SSC	-	30/10/1982	07/11/2012	GHS Sargara Muhammad Khan	Candidate	
5	55	Masoom Jan	Bakhmal Jan	Lab Attnd.	3	BA	DIT	03/08/1990	18/01/2013	GHS Sakhi Marjan Wargara	Candidate	

Certificates:

- 1 It is certified that all the Class-IV (Male) included in the panel of the promotion of Class-IV to J/Clerks B-11.
  - (a) Have the post on regular basis and non of them is holding the post on adhoc/acting charge basis contract.
  - (b) Have completed the required minimum length of qualifying service and qualifacaitons as required for promotion of Class-IV to J/Clerks BP-11 under the rules.

  
Agency Education Office  
Sub Division Bettani Lakki

- (c) No one of them is one deputation to any organization under the Federal Provincial/Autonomous/Semi autonomous/ternations! Organizations.
- (d) Neither any disciplinary/departmental proceedings/Anti comptation/judicial enquiry is pending against them nor has by penalty been imposed upon any one of them during the last five years.
- (e) No one is on long leave/Ex-Pakistan leave.
- (f) Their ACRs Synopsis are free from adverse remarks.
- (g) They are all alive and serving.
- (h) Their appointment order against Class-IV posts are attached herewith.
- (i) The Seniority list of B-16 officers id final, undisputed and not subjudic.
- (j) The departmental Promotion Committee is requested to determine the suitability for the promotion of the above Class-IV for promotion of Class-IV to J/Clerk B-11

AAEO Estb:  
Frontier Region Lakki

(HABIB-UR-REHMAN)  
Headmaster,  
GHS Sakhi Marjan  
(Member)

(Qudratullah)  
AAEO FR Lakki  
(Member)

Agency Education Officer  
Frontier Region Lakki

Asstt: Education Office  
Sub Division Bettani Lakki



Office of the

17  
**AGENCY EDUCATION OFFICER, FR LAKKI**

At Tehsil Building Tajori Lakki Marwat

No. 4983

Dated: 13/02/2018

To,

The Principal,  
Global Computer Academy  
Tajori, District Lakki Marwat.

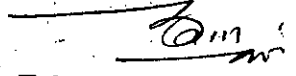
Subject: **VERIFICATION OF COMPUTER/TYPING CERTIFICATE.**

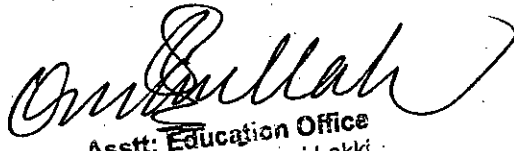
Memo:

Enclosed find herewith Computer/Typing Certificate in respect of Mr. Awal Jan S/O Turkistan, issued from your academy/college, for verification and early return to this office.

Further, it stated that your academy/college affiliation with Board of Technical Education, Peshawar may be attached for record of this office.

Encl: (Computer/Typing Certificate)

  
**Agency Education Officer  
FR Lakki**

  
**Asstt. Education Office  
Sub Division Bettani Lakki**

18

Office of the Principal, Global Computer Academy Tajori, District Lakki Marwat.

No. 1412 /

Dated: 2 / 03 / 2018

To,

The Agency Education Officer  
FR Lakki.

Subject: VERIFICATION OF COMPUTER/TYPING CERTIFICATE.

Memo:

In response of your office letter No. 4983 . Dated:  
13 / 02 / 2018.

Computer/Typing Certificate in respect of Mr. Mr. Awal Jan S/O Turkistan;  
Not on the record of our academy, your enclosed certificate is fake and not issued  
by this academy, please.

Encl: (Computer/Typing Certificate)

*Jaw*

Principal,  
Global Computer Academy  
Tajori, District Lakki Marwat

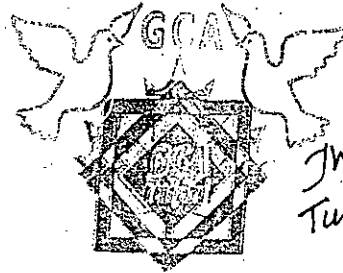
*Amirullah*  
Sub Division Betiani Lakki





19

# GLOBAL COMPUTER ACADEMY TAJORI



The Record of Turkistan is not found in computer Academy Tajori. So it is a fake certificate.

Awal Jan 9/0  
 of Lakki Marwat  
 session March 2003  
 Global Tajori  
 L. Marwat

Session No: 00209 March 2003

Certificate Awarded

Batch No: G-2  
 2-03-2003

Name: AWAL JAN

S/o D/o: TURKISTAN

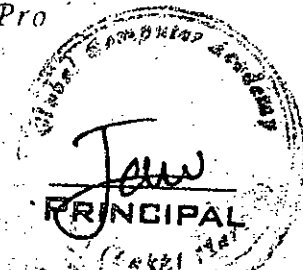
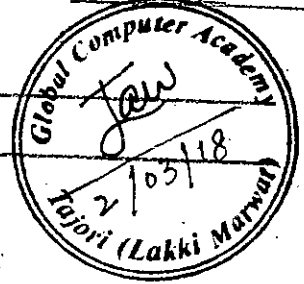
Has successfully completed 250 credit hours in

"ADVANCE DIPLOMA IN COMPUTER SOFTWARE / HARDWARE"

The student has been placed in grade "A" on the basis of internal tests and assessments by institute faculty.

Studied the following programs:

- |  |  |  |
|--|--|--|
| <input checked="" type="checkbox"/> Fundamental of Computer Science    | <input checked="" type="checkbox"/> Inpage 2.40          | <input checked="" type="checkbox"/> C, C++           |
| <input checked="" type="checkbox"/> Fundamental of Computer Concept    | <input checked="" type="checkbox"/> Corel Draw 5, 9, 10  | <input checked="" type="checkbox"/> Visual Basic 6.0 |
| <input checked="" type="checkbox"/> Microsoft Windows 95, 98, 2000, xp | <input checked="" type="checkbox"/> Email & Inter Net    | <input checked="" type="checkbox"/> Fox Pro          |
| <input checked="" type="checkbox"/> Microsoft DOS                      | <input checked="" type="checkbox"/> Windows Installation |  |
| <input checked="" type="checkbox"/> Microsoft Word 97, 2000, xp        | <input checked="" type="checkbox"/> Troubleshooting      |  |
| <input checked="" type="checkbox"/> Microsoft Excel 97, 2000, xp       | <input checked="" type="checkbox"/> Computer Assembling  |  |
| <input checked="" type="checkbox"/> Microsoft Power Point 97, 2000, xp | <input checked="" type="checkbox"/> Computer Hardware    |  |
| <input checked="" type="checkbox"/> Microsoft Access 97, 2000, xp      |  |  |



Subject Specialist  
 GHSS Daraka Aziz Khan  
 Lakki Marwat

Asstt. Education Officer  
 Sub Division Bettani Lard



Office of the

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15

**AGENCY EDUCATION OFFICER, FR LAKKI**

At Tehsil Building Tajori Lakki Marwat

No. 5025

/

Dated: 05/03/2018

To,

The Principal,  
Pearl Computer Institute,  
Lakki City.


Subject: **VERIFICATION OF COMPUTER/TYPING CERTIFICATE.**

Memo:

Enclosed find herewith Computer/Typing Certificate in respect of Mr. Hizb Ullah S/O Misal Khan, issued from your institute/academy/college, for verification and early return to this office.

Further, it stated that your academy/college affiliation with Board of Technical Education, Peshawar may be attached for record of this office.

Encl: (Computer/Typing Certificate)

  
**Agency Education Officer**  
FR Lakki

  
**Asstt: Education Office**  
Sub Division Bettani Lakki

# PEARL COMPUTER INSTITUTE

Affiliated with BTE & TTB Peshawar



Contact No: 0969-511777  
Email : pearllakki@yahoo.com

To

The Agency Education officer  
FR Lakki Marwat.

Subject: Verification of Diploma / Certificate (Computer Course)

Memo,

Reference to your letter No: 5025 and dated 05.03.2018 the documents for Mr: Hizb Ullah

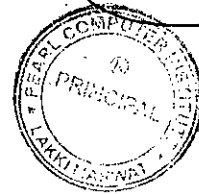
S/O Misal Khan has been re-verified to institute records and does exists.

Sr.No	Name of Student	Courses	Duration	Reg No:
1	Hizb Ullah	Type Writing	Two Months	1522/TW-PCI-2K08
2	Hizb Ullah	Compute Long Course	Six Months	1522/CLC-PCI-2K08

Thanking Your.

*Omer Ullah*  
Asstt: Education Office  
Sub Division Bettani Lakki

*[Signature]*  
Principal  
Pearl Computer Institute  
Lakki Marwat.



12/03/2018

ایڈریس: پیرل کمپیوٹر انسٹیٹیوٹ فلیٹ نمبر 14 کبیر مارکیٹ مین بازار لکی مروت

# PEARL COMPUTER INSTITUTE

Affiliated with BTE & TTB Peshawar



Contact No: 0969-511777  
Email : pearllakki@yahoo.com

Enrollment No	1522-08-TW
---------------	------------

Session	2008
---------	------

## Type Writing Course Certificate

Certificate No	8057	Registration No	1522/TW-PCI-2K08
Name	HIZB ULLAH		
Father's Name	MISAL KHAN		
Course Duration	From	To	Two Months
	01.01.2008	28.02.2008	

It is certified that the above mention candidate has been completed the said duration in the following course of study.

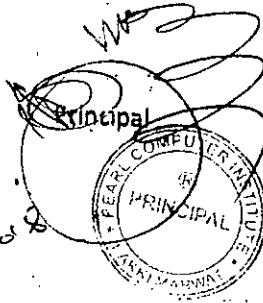
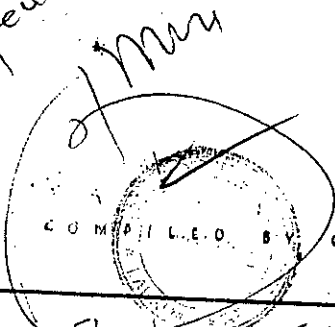
Type Writing skills and has been got a speed of 35 w.p.m			
He/She secured	175 / 200	Marks and has been placed in Grade	A

The course was conducted at Pearl Computer Institute Lakki Marwat.

In recognition thereof, this certificate of achievement is awarded on	28.02.2008
---	------------

Prepared By

*Handwritten notes:*  
7/35- ulla  
Misal Khan  
fewer correct



*Handwritten signature:*  
Asstt: Education Office  
Sub Division Battani Lakki

COMPILED BY COMPUTER CELL PCI LAKKI MARWAT

ایڈریس: پیرل کمپیوٹر انسٹیٹیوٹ فلیٹ نمبر 14 کبیر مارکیٹ میں بازار لکی مروت

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# PEARL COMPUTER INSTITUTE

Affiliated with BTE & TTB Peshawar



Contact No: 0969-511777  
Email : pearlakki@yahoo.com

Enrollment No 1522-08-CLC

Session 2008

## Computer Long Course Certificate

Certificate No	8057	Registration No	1522-CLC-PCI-2K08
Name	HIZB ULLAH		
Father's Name	MISAL KHAN		
Course Duration	From	To	Six Months
	01.01.2008	30.06.2008	

It is to certify that the above mention candidate has been completed the said duration in the following course of study.

*Hizb Ullah  
Record  
Correct*

E.D.P, Ms. Windows (XP), Ms-Word, Ms-Excel, Ms-Power Point, Office Automation (Version 2003) In-Page, Coral Draw, Adobe Photo-shop, Internet (Searching, Browsing, Downloading, Uploading)			
He/She secured	187/200	Marks and has been placed in Grade	A+

The course was conducted at Pearl Computer Institute Lakki Marwat

In recognition thereof, this certificate of achievement is awarded on	01.07.2008
---	------------

Prepared By *[Signature]*

*[Signature]*  
Principal

COMPILED BY COMPUTER CELL LAKKI MARWAT

ایڈریس: پرل کمپیوٹر انسٹیٹیوٹ فلپین نمبر 14 کبیر مارکیٹ مین بازار لکی ماروات

*[Signature]*  
Asstt. Education Office  
Sub Division Beltani Lakki



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DIRECTORATE OF EDUCATION  
NEW MERGED DISTRICTS SECRETARIAT  
WARSAK ROAD PESHAWAR, PAKISTAN  
PHONE 091-9210166 FAX 091-9210216

No: 3588

Date Pesh: the 1/3 /2019

To

**Immediate / Court Case**

The District Education Officer  
Tribal District FR Lakki Marwat

**Subject: Minutes of the meeting in Writ Petition No. 859-B/2018 filed by  
Awal Jan vs ACS FATA.**

Memo:-

I am directed to enclose herewith a copy of Minutes of Meeting in writ petition No. 859-B/2018 filed by Awal Jan vs ACS FATA is submitted for further necessary action please.

**Assistant Director (Litigation)**

Endst: No. \_\_\_\_\_ /

Copy forwarded to:-

1. Additional Director (Estab) Directorate of Education FATA.
2. PA to Director Education FATA (Local Office).

**Assistant Director (Litigation)**

Asstt: Education Office  
Sub Division Bettani Lakki

Scanned by CamScanner

3. Wisal Khan (J/C) local Directorate NMTD

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Minutes of the Meeting Regarding Departmental Disposal writ petition  
No. W.P No. 859-B/2018 filed by Awal Jan vs ACS FATA.

In compliance of the Honorable Peshawar High Court Bannu Bench Judgment dated 31.10.2018 following committee is hereby constituted for disposal of representation in light of court order dated 31.10.2018 in the above titled writ petition.

- |   |          |
|---|----------|
| 1. Mr. Hanif-Ur-Rehman Addl: Director (Estab)   | Chairman |
| 2. Mr. Abdul Malik ( Deputy Director (Colleges) | Member   |
| 3. Mr. Wisal Khan (J/C) Litigation Section      | Member   |

Brief facts of the case.

Petitioner name Awal Jan appointed as class-IV (Chowkidar) on 07-11-2001 filed subject writ petition with the contention before the court to direct the respondents No. 3 i.e Agency Education Officer FR Lakki Marwat to consider the petitioner for promotion to the post of Junior Clerk under 33 % quota reserved for class-IV employees.

The Honorable Court disposed of the case of the petitioner and converted into departmental representation / appeal vide dated 31.10.2018.

The department in compliance of the order of the court vide letter dated 06.12.2018 called the petitioner for personal hearing.

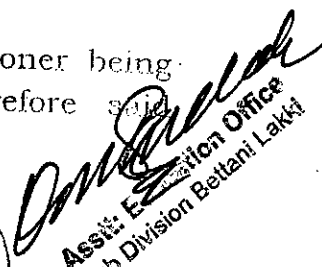
Consequently meeting was held on 10.12.2018, the committee after thorough discussion perusal of the relevant seniority list of class-IV of FR Lakki Marwat result of test, Minutes of Departmental Promotion Committee and number of vacant post of Junior clerk reached to the following conclusion.

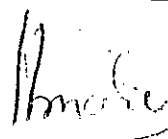
- i. As for as the seniority list is concerned the petitioner stand at serial No. 31 whereas the person who was promoted stand at serial No.51.
- ii. The departmental promotion committee considered cases of eligible candidates, however the case of the petitioner was regretted on the ground that his computer certificate turned out Bogus / fake after proper verification from the concerned institution vide letter dated 13.02.2018 and in response Global Computer Academy Tajuri District Lakki Marwat dated 02.03.2018 declare the certificate of the petitioner as fake and not issued by the said academy.
- iii. Keeping in view available record and facts of the case petitioner being involved in forgery does not entitled for promotion therefore said representation is regretted and disposed off.

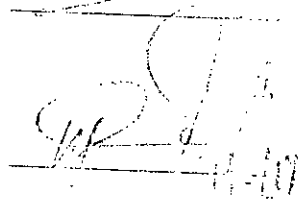
1. Mr. Hanif- Ur- Rehman Addl: Director (Estab)

2. Mr. Abdul Malik Deputy Director (Colleges)

Wisal Khan (J/C) local Directorate NMTD

  
Asslt: Education Office  
Sub Division Bettani Lakki







Office of the

**AGENCY EDUCATION OFFICER, FR LAKKI**

at Tajori Tehsil building Lakki

No. 5073

Dated: 26/03/2018

**MINUTES OF THE MEETING OF DEPARTMENTAL PROMOTION COMMITTEE HELD ON 26/03/2018  
AT 12:00 AM**

A meeting of the Departmental Promotion Committee was held today on \_\_\_/\_\_\_/2018 at \_\_\_ AM under the Chairmanship of Agency Education Officer to discuss the promotion cases of Class-IV to J/Clerks (BPS-11) in the Agency Education Office FR Lakki. The following attended the meeting:

1.	Mr. Bakhtiar Khan, AEO FR Lakki	(Chairman)
2.	Mr. Habib-ur-Rehman, Headmaster, GHS Sakhi Marjan Wargara	(Member)
3.	Mr. Qudrat ullah AAEO(P&D)AEO office FR Lakki	(Member)
4.	Mr. Ali Rehman, AAEO, AEO office FR Lakki	(Member)

The meeting started with recitation from the Holy Quran. The Chair welcomed the participants. The following items were discussed in detail by the DPC keeping in view all the aspects of the case, so the promotion of Class-IV to J/Clerks is hereby recommended with the decision, as follow.

**Item No. 1 Breakup list of Class-IV to be promoted to J/Clerks BPS-11**

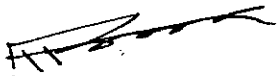
The case of promotion of Class-IV to J/Clerks BPS-11 was considered and the DPC recommended as under:


Total No of Male J/Clerks posts (Duly Verified from DAO Bannu)	4
Total Vacant Posts of J/Clerks	2
Share of promotion 33%	1
Net to be promoted	-
Proposed for promotion	1

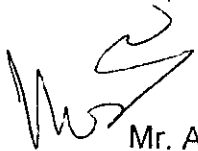
S#	Seniority #	Name	Place of posting	Date of birth	D/O Appoint as Class-IV	Remarks
1	51	Hizb Ullah	GHS Sargara Muhammad Khan	07/09/1978	02/06/2010	Considered suitable for promotion to the post of J/Clerk B-11 on regular basis with immediate effect

No. of Class-IV cleared for promotion = 01  
No. of Class-IV deferred for promotion = 00


The meeting ended with a vote of thanks to and from the chair.

  
Mr. Habib-ur-Rehman,  
Headmaster, GHS Sakhi Marjan Wargara  
(Member)

  
Mr. Qudrat ullah  
AAEO(P&D) AEO Office FR Lakki  
(Member)

  
Mr. Ali Rehman  
Asstt: Agency Education Office  
AEO office FR Lakki  
(Member)

  
Asstt: Education Office  
Sub Division Bettani Lakki

  
Mr. Bakhtiar Khan  
Agency Education Officer  
FR Lakki (Chairman)



Office of the

AGENCY EDUCATION OFFICER, FR LAKKI

at Tajori Tehsil building Lakki

NOTIFICATION:

Consequent upon the recommendation of the Departmental Promotion Committee in the light of Govt. of KPK Establishment Administration Department (Establishment Wing) Notification No. SOE-IV(E&AD)/1-35/2012, Dated: 06/12/2012, and Directorate of Education (FATA) Peshawar directions through letters & existing policy of class-iv promotion to J/Clerks, the following class-iv of FR Lakki on the basis of seniority cum-fitness is hereby promoted/adjusted to the vacant post of Junior Clerk (BPS-11) in the school noted against his name with immediate effect in the interest of public service.

S#	Name of Class-IV with school	Adjusted at	Remarks
1	Mr. Hizb Ullah S/O Misal Khan, Chowkidar. GHS Sargara Muhammad Khan FR Lakki	GHS Sargara Muhammad Khan FR Lakki	Against vacant J/Clerk Post

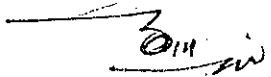
- Note:
1. No TA/DA is allowed.
  2. Charge report should be submitted to all concerned.

(BAKHTIAR KHAN)  
Agency Education Officer  
FR Lakki

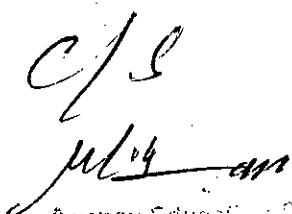
Endst: No. 5127-30 / Dated: 09/04/2018.

Copy for information to the:

- 1) Director Education (FATA), Peshawar.
- 2) Deputy Commissioner Lakki Marwat.
- 3) Agency Education Officer FR Bannu.
- 4) District Accounts Officer Bannu.
- 5) Head of Institution concerned.
- 6) AAEO area concerned.
- 7) Official concerned.

  
Agency Education Officer  
FR Lakki

  
Asstt. Education Office  
Sub Division Bettani Lakki

  
Agency Education Officer  
FR Bannu