

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL PESHAWAR.

Service Appeal No. 7311/2021

Date of Institution ... 12.08.2021

Date of Decision ... 07.12.2022

Habib Ahmad, SCT (BPS-16), GHSS Munda, District Dir Lower.

... (Appellant)

VERSUS

The Secretary Elementary & Secondary Education Department, Khyber Pakhtunkhwa Peshawar and 04 others.

... (Respondents)

MR. MUNFAT ALI,
Advocate

--- For appellant.

MR. ASIF MASOOD ALI SHAH,
Deputy District Attorney

--- For respondents.

SALAH-UD-DIN
MIAN MUHAMMAD

--- MEMBER (JUDICIAL)
--- MEMBER (EXECUTIVE)

JUDGMENT:

SALAH-UD-DIN, MEMBER:- Through the instant service appeal, the appellant has invoked jurisdiction of this Tribunal with the prayer copied as below:-

“On acceptance of this appeal, the impugned service rules dated 24.07.2014 may kindly be modified to the extent that the condition of Second Division/Class be expunged from column No. 3 (i), serial No. 1B of the table and the respondents may kindly be directed to consider the appellant for promotion to the post of



SCANNED
KUST
Peshawar

Secondary School Teachers (BPS-16) from the date when his colleagues and junior colleagues were promoted with all consequential benefits including seniority. Any other remedy which this august Tribunal deems fit may also be awarded in favour of the appellant."

2. Brief facts of the case are that the appellant has challenged the Notification No. SO(PE)4-5/SSRC/meeting/2013/Teaching Cadre dated 24th July, 2014 to the extent, whereby Second Class Bachelor Degree from a recognized University has been mentioned as first requirement for initial recruitment as well as promotion to the post of Secondary School Teacher (BPS-16). The appellant has alleged that as he has obtained Master Degree, therefore, he was eligible to have been considered and promoted to the post of SST (BPS-16) particularly, when other colleagues of the appellant have been granted the same relief by honourable Peshawar High Court, Peshawar. The appellant filed departmental appeal, however the same was not responded within the statutory period, hence the appellant filed the instant appeal for redressal of his grievance.

3. Notices were issued to the respondents, who submitted their para-wise comments, wherein they denied the contentions raised by the appellant in his appeal.

4. Learned counsel for the appellant has addressed his arguments supporting the grounds agitated by the appellant in his service appeal. On the other hand, learned Deputy District Attorney has

controverted the arguments of learned counsel for the appellant and has supported the comments submitted by the respondents.

5. Arguments of learned counsel for the parties heard and record perused.

6. Keeping in view the respective arguments of both the sides, a perusal of the record would show that it is main contention of the appellant that as some of his colleagues having 3rd Division Bachelor Degrees have been granted promotion in light of various judgments of honourable Peshawar High Court, Peshawar, therefore, the appellant being similarly placed employee is also entitled to the said relief. In this respect, reliance has been placed on judgment dated 05.04.2016 rendered in Writ Petition No. 1041-A/2015 titled "Muhammad Baqi Versus Government of Khyber Pakhtunkhwa through Secretary (Elementary & Secondary Education), Peshawar and two others". We have gone through the afore-mentioned judgment and have observed that while accepting the Writ Petition, reference has been made to judgment dated 04.06.2015 rendered by honourable Peshawar High Court in Writ Petition No. 58-B/2014 titled "Waris Khan Versus Government of Khyber Pakhtunkhwa and 05 others". August apex court in its order dated 06.04.2022, passed in Civil Appeal No. 2039 of 2019 and Civil Petitions No. 91-P and 92-P of 2016, has observed as below:-

"4. We note that Civil Petition No.92-P/2016 has been filed against a judgment of the Peshawar High Court dated 08.12.2015 in Writ Petition No. 87-B/2014 titled "Mst. Yasmin Vs. Government of Khyber Pakhtunkhwa etc" and

Civil Petition No. 91-P/2016 against a judgment of the Peshawar High Court dated 04.06.2015 in Writ Petition No. 58-B/2014 titled "Waris Khan Vs. Govt. of Khyber Pakhtunkhwa and 05 others". We have also been informed that the judgment in the case titled "Muhammad Baqi Vs. Government of Khyber Pakhtunkhwa through Secretary (Elementary & Secondary Education), Peshawar and 02 others" which has been relied upon by the Peshawar High Court in the impugned judgment was challenged before this Court but was dismissed on account of limitation and was not decided on merits.

5. Civil Petitions No. 91-P and 92-P/2016 have been filed beyond the period of limitation. The applications for condonation of delay (C.M.As.No.149-P and 151-P/2016) do not disclose any sufficient cause that may constitute basis within the contemplation of the Limitation Act, 1908 for condonation of delay. Consequently, the applications for condonation of delay are dismissed. The petitions are dismissed as barred by time. It is, however, clarified that the judgment dated 08.12.2015 rendered in Writ Petition No. 87-B/2014 titled "Mst. Yasmin Vs. Government of Khyber Pakhtunkhwa etc.", judgment dated 04.06.2015 rendered in Writ Petition No. 58-B/2014 titled "Waris Khan Vs. Govt. of Khyber Pakhtunkhwa and 05others" and the judgment dated 05.04.2016 rendered in Writ Petition No. 1041-A/2015 titled "Muhammad Baqi Vs. Government of Khyber Pakhtunkhwa through Secretary (Elementary & Secondary Education), Peshawar and 02 others" shall not be used as precedent in any other case." (Emphasis provided)

7. In view of the above observations, rendered by august Supreme Court of Pakistan in its order dated 06.04.2022, the judgments of the honourable Peshawar High Court, Peshawar, relied upon by learned counsel for the appellant are of no avail to the appellant. Similarly, through the same order dated 06.04.2022 passed by the august Apex court, judgment dated 13.02.2017 passed by honourable Peshawar High Court in Writ Petition

No. 559-A/2016, whereby similarly placed 3rd Division Bachelor Degree holders were held entitled to promotion to the post of SST, has been set-aside.

8. The requirement of 2nd Division/Class Bachelor Degree for promotion to the post of Secondary School Teacher (BPS-16) is not person specific and would be applicable for promotion as well as initial recruitment to the post of SST (BPS-16) across the board. No allegation of any mala-fide has been raised by the appellant in his appeal and it is a settled proposition that the Government is entitled to make service rules in the interest of expediency of service and to remove any anomaly in service rules, which in the absence of demonstrable mala-fide could not be assailed. August Supreme Court of Pakistan in its judgment reported as 2004 SCMR 1427 has graciously held as below:-

"The government is always empowered to change the promotion policy and the domain of the government to prescribe the qualification for a particular post through amendment in the relevant rules, is not challengeable. This is also a settled law that notwithstanding fulfillment of the required qualification and other conditions containing the rules, the promotion cannot be claimed as a vested right."

9. Consequently, the appeal in hand being devoid of merit stands dismissed. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
07.12.2022

(MIAN MUHAMMAD)
MEMBER (EXECUTIVE)

(SALAH-UD-DIN)
MEMBER (JUDICIAL)

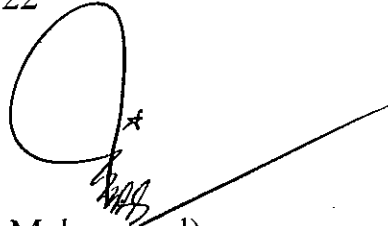
SCANNED
BY
RESURVATI

ORDER
07.12.2022

Learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present. Arguments heard and record perused.

Vide our detailed judgment of today, separately placed on file, the appeal in hand being devoid of merit stands dismissed. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
07.12.2022



(Mian Muhammad)
Member (Executive)



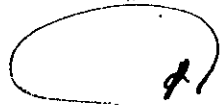
(Salah-Ud-Din)
Member (Judicial)

29.06.2022

Nemo for the appellant. Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Previous date was changed on Reader Note, therefore, notice for prosecution of the appeal be issued to the appellant as well as his counsel through registered post and to come up for arguments on 06.10.2022 before the D.B.

Handwritten by
Counsel
(M)
26/9/22



(Rozina Rehman)
Member (J)

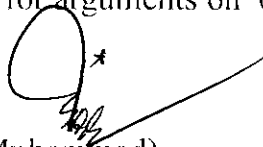


(Salah-ud-Din)
Member (J)

06.10.2022

Counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate general Alongwith Hayat Ullah, ASDEO for respondents present.

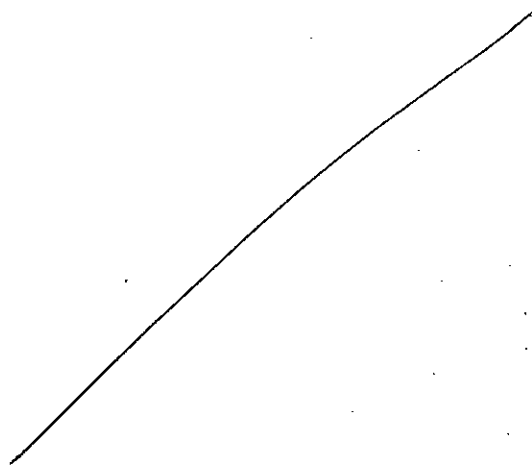
Counsel for the appellant made a request for adjournment in order to prepare the brief. Adjourned. To come up for arguments on 07.12.2022 before D.B.



(Mian Muhammad)
Member (F)



(Kalim Arshad Khan)
Chairman

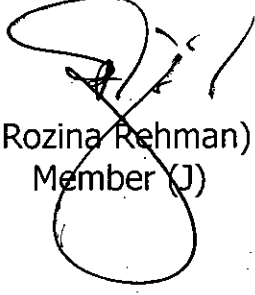


15.10.2021

Appellant present through counsel. Preliminary arguments heard. Record perused.


Points raised need consideration. Instant appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notice be issued to respondents for submission of written reply/comments in office within 10 days of the receipt of notices, positively. If the reply/comments are not submitted within the stipulated time, the office shall submit the file with a report of non-compliance. File to come up for arguments on 13.01.2022 before D.B.

Appellant Deposited
Security & Process Fee
26/10/21


(Rozina Rehman)
Member (J)

13.01.2022

Junior to counsel for the appellant present. Mr. Kabirullah Khattak, Addl. AG alongwith Mr. Shahid Anwar, ADEO for respondents present and submitted rely/comments which are placed on file. To come up for rejoinder if any, and arguments before the D.B on 11.05.2022.


(Atiq-Ur-Rehman Wazir)
Member (E)

11-3-22

Due to retirement of the Hon'ble Chairman
the case is adjourned to 29-6-22




Atiq-Ur-Rehman Wazir

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 7311 /2021


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	24/08/2021	<p>The appeal of Mr. Habib Ahmad resubmitted today by Mr. Munafat Ali 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</p> <p>2-</p> <p>This case is entrusted to S. Bench at Peshawar for preliminary hearing to be put up there on <u>15/10/21</u></p> <p style="text-align: right;"> CHAIRMAN</p>

The appeal of Mr. Habib Ahmad SCT GHSS Dir Lower received today i.e. on 12.08.2021 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Annexures of the appeal may be attested.
- 2- Copy of departmental appeal is not attached with the appeal which may be placed on it.

No. 1621 /S.T,

Dt. 13/08 /2021


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Munfat Ali Adv. Pesh.

*err, the objection has been removed
hence for resubmission.*



13-8-21

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. _____/2021

HABIB AHMAD

VS

EDUCATION DEPTT:

INDEX

S.NO.	DOCUMENTS	ANNEXURE	PAGE
1	Memo of appeal	1- 4.
2	Affidavit	5.
3	Service book & Notification dated 21.02.2013	A & B	6- 16.
4	Educational testimonials	C	17.
5	Impugned Notification	D	18- 23.
6	Judgments	E & F	24- 29.
7	Notification dated 15.12.2011	G	30.
8	Departmental appeal	H	31.
9	Order sheet
09.	Wakalat nama	32.

APPELLANT

THROUGH:


MUNFAT ALI
ADVOCATE

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Khyber Pakhtunkhwa
Service Tribunal

APPEAL NO. 7311 /2021

Diary No. 7441

Dated 12/8/2021

Mr. Habib Ahmad, SCT (BPS-16),

GHSS Munda, District Dir Lower..... APPELLANT

VERSUS

- 1- The Secretary Elementary & Secondary Education Department, Khyber Pakhtunkhwa Peshawar.
- 2- The Secretary Establishment Department, Khyber Pakhtunkhwa, Peshawar.
- 3- The Secretary Finance Department, Khyber Pakhtunkhwa, Peshawar.
- 4- The Director Elementary & Secondary Education Department, Khyber Pakhtunkhwa, Peshawar.
- 5- The District Education Officer, (Male) District Dir Lower.

.....RESPONDENTS

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE INACTION OF THE RESPONDENTS BY NOT CONSIDERING THE APPELLANT FOR PROMOTION TO THE POST OF S.S.T (BPS-16) ON THE BASIS HAVING BACHELOR DEGREE IN 3RD DIVISION AND AGAINST THE SERVICE RULES NOTIFIED ON 24.7.2014 WHEREBY THE CONDITION OF BACHELOR 2ND DIVISION HAS BEEN INSERTED IN SERIAL NO.1B, COLUMN NO.3(i) OF THE TABLE AND AGAINST NOT TAKING ACTION ON DEPARTMENTAL APPEAL OF APPELLANT WITHIN STATUTORY PERIOD OF NINETY DAYS

PRAYER:

That on acceptance of this appeal the impugned service Rules dated 24.7.2014 may kindly be modified to the extent that the condition of Second Division/Class be deleted/expunged from Column No.3 (i), serial No.1B of the table and the respondents may kindly be directed to consider the appellant for promotion to the post of Secondary School Teacher (BPS-16) from the date when his Colleagues and junior colleagues were promoted with consequential back benefits including seniority. Any other remedy which this august Tribunal deems fit that may also be awarded in favour of the appellant.

R/SHEWETH:

ON FACTS:

Brief facts giving rise on the present appeal are as under:-

Filed to-day
12/8/2021
Registrar

Re-submitted to
and filed.
24/8/2021
Registrar

- 1- That appellant was initially appointed as Physical Education Teacher and during service was adjusted against the post of CT and subsequently promoted to the post of SCT (BPS-16) vide notification dated 21.02.2013. That right from appointment till date the appellant is serving the respondent department quite efficiently and of to the entire satisfaction of his superiors. Copies of the service book and notification dated 21.02.2013 are attached as annexure.....A & B.
- 2- That appellant is higher qualified having master in Arts in second division. Copies of the educational testimonials are attached as annexure.....C.
- 3- That it is pertinent to mention here that the respondents issued the impugned notification dated 24/07/2014 whereby the post of secondary school teacher was restructured and 20% promotion quota to the aforementioned post was reserved for primary school teachers. That according to the said notification required qualification for initial recruitment as well as promotion was mentioned as second class bachelor degree. Copy of impugned notification dated 24/07/2014 is attached as annexure.....D.
- 4- That it is pertinent to mention here that the respondents denied promotion to some colleagues of the appellant to the post of SST due to having third class bachelor degree. That feeling aggrieved some of colleagues of appellant the Honorable High Court in different writ petitions which were allowed in favor of petitioners vide judgment dated 05/04/2016 and 28/01/2016 and consequently they were promoted to the post of SST. Copies of the judgments dated 28/1/2016 and 05/04/2016 are attached as annexure..... E & F.
- 5- That it is worth mentioning that appellant was also denied promotion due to having third class bachelor degree despite the fact that appellant is having second division in higher qualification i.e. master in Arts.
- 6- That it is also pertinent to mention that establishment department issued a notification dated 15/12/2011 whereby amendment has been made in PMS rules 2007 by providing that a candidate who has obtain 3rd division in bachelor degree will be eligible for the examination in cases where he/she has obtained a higher division in Master's degree. Copy of notification is attached as annexureG.
- 7- That feeling aggrieved the appellant preferred departmental appeal before the appellate authority for promotion to the post of SST (BPS-16) in light of the principle of consistency but no reply has been received so far from the quarter concerned. Copy of the Departmental appeal is attached as annexure.....H.

- 8- That the appellant having no other remedy filed the instant service appeal on the following grounds amongst the others.

GROUND:

- A- That the impugned notification dated 24/07/2014 to the extent of second class bachelor degree for promotion is against the law facts and judgment of Peshawar high court, hence not tenable and liable to be modified and the words second class be expunged only for promotion purpose.
- B- That the petitioner has not been treated in accordance with law and rules by the respondent Department on the subject noted above and as such the respondents violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.
- C- That appellant is entitled to be promoted to the post of SST from due date in light of judgments of Peshawar high court by attracting principle of consistency as mentioned in 2009 SCMR 1.
- D- That appellant has second division in higher qualification i.e. master and entitle to be promoted from due date in light of notification dated 15/12/2011.
- E- That as per section-9 of the Civil servant Act, 1973 read with rule 7 of the appointment, promotion and transfer rules, 1989 the appellant is fully entitle for promotion to the post of SST (BPS-16).
- F- That appellant seeks permission to advance other grounds and proofs at the time of hearing.

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

Dated: 11.08.2021

APPELLANT

HABIB AHMAD

THROUGH:


MUNFAT ALI
ADVOCATE

CERTIFICATE:

It is certified that no other earlier appeal was filed between the parties.



DEPONENT

LIST OF BOOKS:

- 1- CONSTITUTION OF PAKISTAN, 1973
- 2- SERVICES LAWS BOOKS
- 3- ANY OTHER CASE LAW AS PER NEED

M

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. _____/2021

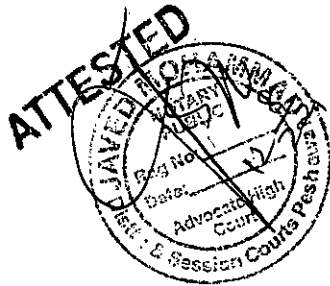
HABIB AHMAD

VS

EDUCATION DEPTT:

AFFIDAVIT

I Munfat Ali, Advocate High Court, Peshawar on the instructions and on behalf of my client do hereby solemnly affirm and declare that the contents of this **service appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.



MUNFAT ALI,
Advocate
High Court, Peshawar

(For use in Police Department only).

Heirs,

A — 6

- 1.
- 2.
- 3.

Verification Roll No. dated received back

Passed Beol Exam., 1997 under R. No 2506 of University of Peshawar, marks obtained 467/1000 and placed in 2nd Division.

Result declared on 16-4-1998. Left thumb-impression. **PRINCIPAL** Govt. Higher Secondary School Munda Distt: Dir(L)

1: Passed matriculation Exam: from BISE Peshawar under Roll No. 35172 in Session

Qualification 1981 (Annual) and obtained 410 marks and placed in 2nd division, result declared on 31/7/1981. Date of Qualifications

English 31/7/1981

First Arts

Pashtu

2: Passed PA from BISE Peshawar under Roll No. 27841 in Session 1983 Supplementary and secured

Urdu

513/1000 marks and placed in 2nd division. Leadership examination

Plan-drawing

3: Passed BA from Peshawar University under Roll No. 1446 in session 1985 (Supplementary) and obtained 215/550 marks. Result declared on 14/3/91. Training School Final examination

Finger print

Other qualifications

Drill instructing

Passed C.T. Combined Exam 1991 under Roll No. 2073. Result declared on 14/3/91. Education Officer, Dir (L) Distt: BISI

Court duties

Govt. High School Munda (Jandool) Distt.

Reserve duties

passed C.T. General Exam. 1993 under R. No. 1659. Passed M.A. Exam from Peshawar University under Roll No. 16634. Headmaster, Govt. High School Munda (Jandool) Distt.

Result declared on 25-12-93. Govt. High School Munda (Jandool) Distt.

ATTESTED

N. B.—Aim to be drawn under the qualification possessed

PRINCIPAL Govt. Higher Secondary School Munda Dir (L)

Note:—The entries in this page should be renewed or re-attested at least every five years and the signature to lines 9 and 10 should be dated.

1. Name *MR. HABIB-AHMAD.*
2. Race *AFGHAN (MUSLIM) - 7*

3. Residence *VILLAGE SHALKANDAI D/O MUNDA
TEHSIL MUNDA DISTT. DIR.*

Father's name and residence *MR. FATEH KHAN.
Address as Above.*

Date of birth by Christian era as nearly as can be ascertained *Twenty eighth March, one thousand nine hundred and sixty six.
(28 - 3 - 1966)*

Exact height by measurement *Five feet & six inches (5'-6").*

Personal marks for identification *A Black mole on the right side of face near lower lip.*

Left hand thumb and finger impression of (non-gazetted) officer.

Little Finger Ring Finger
Middle Finger Fore Finger
Thumb

Signature of Government servant *[Handwritten Signature]*


Signature and designation of the Head of the Office, or other Attesting Officer.

[Handwritten Signature]
Sd/-
Principal
Govt. Higher Secondary School Munda Dir

PRINCIPAL
Govt. Higher Secondary School Munda Dir (L)

ATTESTED

1	2	3	4	5	6	7
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R.	Pay in substantive post	Ind. Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of appointment
1001 Post Gms Kairdara	Temp.	Rs. 620/2	Perm. Fin (BPS No. 9)			
P.E.T - do.	do.	Temp. 620/2	1 Aug			
G.H.S. Nagar	do.	do.	112/2			24/11/86
- do -	do.	Perm;	830/2			
- do -	do.	do.	830/2			17/87
- do -	do.	do.	830/2	9/2 pay		13/4/88
- do -	do.	do.	830/2	23/2		7/88
830/2 fixed	do.	do.	830/2	23/2		
PET G.H.S. Shalkeedi	do.	do.	do.			
- do -	do.	do.	do.			
- do -	do.	do.	do.			
- do -	do.	do.	830/2			31/12/89
- do -	do.	do.	830/2 fixed			
- do -	do.	do.	Revised pay scale			31/12/90
- do -	do.	do.	(NPS No. 9 (1185-72-2265))			
- do -	do.	do.	1185/2 fixed			
- do -	do.	do.	1185 fixed			
- do -	do.	do.	1185 fixed			


PRINCIPAL
 Govt. Higher Secondary
 School Munda Dir (L)

9	10	11	12	13	14	15
				Leave		
Nature and duration of leave taken				Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government		Reference to any recorded punishment or censure, or reward or praise of the Government Servant.
Signature of the head of the office or other attesting officer				Period	Government to which debitable	
	30-87		<i>[Signature]</i>	Appointed on 1st last at G.P.S. Kair dera @ S.No. 5 vide DDE (S) MID Division Saidu Shang Swat Cdrlet. No. 2286-906 dt. 18/11/86 in BPS No. 98 i.e. B. 620/ P. on Form.		8 Education Officer, D.I.R. District D.I.R.
	12-4-88	transfer	<i>[Signature]</i>			Education Officer, D.I.R. District D.I.R.
	30-6-88	Indice by	<i>[Signature]</i>			
	3-9-87	transfer	<i>[Signature]</i>			Services verified w.e. 24/11/86 & 31-5-87. for the office served.
						Education Officer, D.I.R. District D.I.R.
						Services verified w.e. 1-6-87 & 12-4-88 for the office served.
						Education Officer, D.I.R. District D.I.R.
	12-89	fixed	<i>[Signature]</i>			Services verified w.e. 13-4-88 on 30-6-88 for the rolls and other records maintained in this office
	1-80	fixed	<i>[Signature]</i>			Education Officer, D.I.R. District D.I.R.
	1-91	fixed	<i>[Signature]</i>			Services verified w.e. 1-7-88 on 30/6/89 for the rolls and other records maintained in this office
	30-9-89		<i>[Signature]</i>			Education Officer, D.I.R. District D.I.R.

Office of the Accountant General
N.W.F.P. Pakistan
Pay fixed in the Revised Pay Scale 1973
of Rs. X X X (B-1)
@ Rs. 1150/- P.M. 1-6-1981
With Next increment on 1-12-1981

Accounts Officer
Pay Fixation

ATTESTED

PRINCIPAL
Govt. Higher Secondary School Munda Dir (L)

30-9-89

1-7-89

1 Name of post	2 Whether substantive or officiating and whether permanent or temporary	3 If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R.	4 Pay in substantive post	5 Additional Pay for officiating	6 Other emolument falling under the term 'Pay'	7 Date of appointment
(1185-72-2265)						
PET GHS Shaktinagar	Temp	Emp	-	-	1185/-	12/93
- do -	Temp	Temp	-	-	1185/-	31/94
Revised BPS No 9 (1605-97-3060)						
GHS Shaktinagar Dir	Temp	Temp	Rs.	-	1605/-	1/94
GHS Badar Kan Dir C.T.	"	"			1605/-	16/94
C.T. GHS Munda	"	"			1702/-	1/94
"	"	"			1799/-	1/95
<p>Revised entries w.e.f 16/11/94 due to award of three Adv. increments on passing B.A. etc.</p> <p>pay fixed on 16/11/94 Rs. 1896/-</p> <p>" " 1/12/94 Rs. 1993/-</p> <p>" " 1/12/95 Rs. 2090/-</p>						
C.T. GHS Munda						
<p>Head master, Govt. High School, Munda, D.R.</p>						
<p>Principal, Govt. Higher Secondary School Munda Dir (L)</p>						
<p>Office of the Additional Director, Munda, D.R.</p> <p>1605-97-3060 (B. 9)</p> <p>1605-97-3060 (B. 9)</p> <p>1-12-1994</p>						

Mr. Habib Ahmad do here by undersigned

9	10	11	12	13	14
Signature and name of the officer or other attesting in attestation columns 1 to 8	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting officer	Name, designation and duration of leave taken	Signature of the head of the office or other attesting officer
				Re-leave Allocation of period of leave on average pay for the months for which leave salary is debitable to another Government	Reference to any recorded punishment or censure, or reward or praise of the Government
				Period Government to which debitable	

& the effect that if any overpayment is made to me as a result of incorrect statement made by me from my pay/leave account the same from my pay/leave account shall be recovered from me.

Attested

Signature of the head of the office or other attesting officer

Signature of the head of the office or other attesting officer

Signature of the head of the office or other attesting officer

Signature of the head of the office or other attesting officer

Signature of the head of the office or other attesting officer

Govt. High School, Shalkandi (Jandool) Dist.

Service verified w.e.f. 1-10-89 to 31-12-89 from school record.

Govt. High School, Shalkandi (Jandool) Dist.

31/94

Head Master, Govt. High School, Shalkandi Dist.

Service verified w.e.f. 1-10-89 to 31-12-89 from school record.

Govt. High School, Shalkandi (Jandool) Dist.

15/94 (AN) transferred vide order No 1790 dated 10/11/94

Head Master, Govt. High School, Shalkandi Dist.

Service verified w.e.f. 1-10-89 to 31-12-89 from office record.

Govt. High School, Badar Kani, DIR.

30/94 (AN) Transferred

Head Master, Govt. High School, Badar Kani, DIR.

Service verified w.e.f. 1-10-89 to 31-12-89 from office record.

Govt. High School, Munda, DIR.

30/95 A/2mer

Head Master, Govt. High School, Munda, DIR.

Service verified w.e.f. 1-10-89 to 31-12-89 from office record.

Govt. High School, Shalkandi (Jandool) Dist.

Revised entry allowed 3rd Merit B.A. w.e.f. 16/94

Head Master, Govt. High School, Shalkandi (Jandool) Dist.

Service verified w.e.f. 1-10-89 to 31-12-89 from office record.

Govt. High School, Badar Kani, Dist: Dir.

30/96 Absent

Head Master, Govt. High School, Badar Kani, Dist: Dir.

Service verified w.e.f. 1-10-89 to 31-12-89 from office record.

Govt. High School, Badar Kani, Dist: Dir.

30/96 Absent

Head Master, Govt. High School, Badar Kani, Dist: Dir.

Service verified w.e.f. 1-10-89 to 31-12-89 from office record.

Govt. High School, Munda, DIR.

30/97 Absent

Head Master, Govt. High School, Munda, DIR.

Service verified w.e.f. 1-10-89 to 31-12-89 from the School Record.

ATTESTED

PRINCIPAL
Govt. Higher Secondary School Munda Dir (L)

Service Verified w. e. f. 1-1-86 to 30-11-96 From the School Record

Head Master, Govt. High School, Munda, DIR.

1 Name of post	2 Whether substan- tive or officiating and whether permanent or temporary	3 If officiating state (i) substantive appointments or (ii) whether service counts for pension under Art. 371 P. S. R.	4 Pay in substantive post	5 Additional Pay for officiating	6 Other emolument falling under the term "Pay"	7 Date of appointment	8 Signature
Scale BPS No. 9 1605-97-3060							
C.T. G.H.S. Munda Dir	perman	perman	2294/-	-	-	12/97	(C)
-Do-	-Do-	-Do-	2381/-	/	-	12/98	(C)
-do-	-do-	-do-	2478/-	/	-	12/99	(C)
-do-	-do-	-do-	2575/-	/	-	12/2000	(C)
-do-	-do-	-do-	2672/-	/	-	12/2001	(C)
Revision of Basic Pay Scale w.e.f.						12/2001	(C)
BPS: No. 9 (2410-14-6760)							
C.T. G.H.S. Amela Dir	"do"	"do"	16,400/-	-	-	12/2001	(C)
"do"	"do"	"do"	16,450/-	-	-	12/2002	(C)
<p>3 Nov B.A.</p> <p>Office of the Secretary N.W.F.P. Peshawar</p> <p>Pay Fixed in the revised basic pay scale of Rs 2410-14-6760 at Rs 4057/-</p> <p>1-1-2002</p> <p>Principal Officer N.W.F.P. Peshawar</p>							
<p>PRINCIPAL Govt: Higher Secondary School Munda Dir (L)</p>							
-do-	-do-	-do-					

9	10	11	12	13		14	15
Signature and designation of the head of the office or other attesting officer in attestation of columns 1 to 8				Leave Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government		Reference to any recorded punishment or censure, or reward or praise of the Government Servant.	
Date of termination of appointment		Reason of termination (such as promotion, transfer, dismissal, etc).		Signature of the head of the office or other attesting officer		Signature of the head of the office or other attesting officer	
Period		Government to which debitable		Nature and duration of leave taken			
<i>[Signature]</i> PRINCIPAL, G.H.S.S. Murda Distt. Dir.		30/11/98 A/2nd		<i>[Signature]</i> PRINCIPAL, G.H.S.S. Murda, Distt. Dir.		Service Verified w. e. f. 1-12-96 to 30-11-97 From the School Record	
<i>[Signature]</i> PRINCIPAL, G.H.S.S. Murda Distt. Dir.		30/11/99 A/2nd		<i>[Signature]</i> PRINCIPAL, G.H.S.S. Murda, Distt. Dir.		Service Verified w. e. f. 1-12-97 to 31-12-98 From the School Record	
<i>[Signature]</i> PRINCIPAL, G.H.S.S. Murda Distt. Dir.		30/11/2001 A/2nd		<i>[Signature]</i> PRINCIPAL, G.H.S.S. Murda, Distt. Dir.		Service Verified w. e. f. 1-12-99 to 30-11-2000 From the School record.	
<i>[Signature]</i> PRINCIPAL, G.H.S.S. Murda Distt. Dir.		30/11/2001 A/2nd		<i>[Signature]</i> PRINCIPAL, G.H.S.S. Murda, Distt. Dir.		Service Verified w. e. f. 1-1-99 to 30-11-99 From the School Record	
<i>[Signature]</i> PRINCIPAL, G.H.S.S. Murda Distt. Dir.		30/11/2001 A/2nd		<i>[Signature]</i> PRINCIPAL, G.H.S.S. Murda, Distt. Dir.		Service Verified w. e. f. 1-12-2000 to 30-11-2001 From the School record.	
<i>[Signature]</i> PRINCIPAL, G.H.S.S. Murda Distt. Dir.		30/11/2001 A/2nd		<i>[Signature]</i> PRINCIPAL, G.H.S.S. Murda, Distt. Dir.		Service Verified w. e. f. 1-12-2001 to 30-11-2001 From the School record.	
<i>[Signature]</i> PRINCIPAL, G.H.S.S. Murda Distt. Dir.		30/11/2001 A/2nd		<i>[Signature]</i> PRINCIPAL, G.H.S.S. Murda, Distt. Dir.		Service Verified w. e. f. 1-12-2001 to 30-11-2001 From the School record.	
<i>[Signature]</i> PRINCIPAL, G.H.S.S. Murda Distt. Dir.		30/11/2001 A/2nd		<i>[Signature]</i> PRINCIPAL, G.H.S.S. Murda, Distt. Dir.		Service Verified w. e. f. 1-12-2001 to 30-11-2001 From the School record.	
<i>[Signature]</i> PRINCIPAL, G.H.S.S. Murda Distt. Dir.		30/11/2001 A/2nd		<i>[Signature]</i> PRINCIPAL, G.H.S.S. Murda, Distt. Dir.		Service Verified w. e. f. 1-12-2001 to 30-11-2001 From the School record.	
<i>[Signature]</i> PRINCIPAL, G.H.S.S. Murda Distt. Dir.		30/11/2001 A/2nd		<i>[Signature]</i> PRINCIPAL, G.H.S.S. Murda, Distt. Dir.		Service Verified w. e. f. 1-12-2001 to 30-11-2001 From the School record.	
<i>[Signature]</i> PRINCIPAL, G.H.S.S. Murda Distt. Dir.		30/11/2001 A/2nd		<i>[Signature]</i> PRINCIPAL, G.H.S.S. Murda, Distt. Dir.		Service Verified w. e. f. 1-12-2001 to 30-11-2001 From the School record.	
<i>[Signature]</i> PRINCIPAL, G.H.S.S. Murda Distt. Dir.		30/11/2001 A/2nd		<i>[Signature]</i> PRINCIPAL, G.H.S.S. Murda, Distt. Dir.		Service Verified w. e. f. 1-12-2001 to 30-11-2001 From the School record.	
<i>[Signature]</i> PRINCIPAL, G.H.S.S. Murda Distt. Dir.		30/11/2001 A/2nd		<i>[Signature]</i> PRINCIPAL, G.H.S.S. Murda, Distt. Dir.		Service Verified w. e. f. 1-12-2001 to 30-11-2001 From the School record.	

10

180
9/6/07

Detail see Serial
4/12^x 2006 to 31^x 2006 R 8753/-

PRINCIPAL
Govt: Higher Secondary
School Murda Dir (L)

[Signature]

ATTESTED

1 Name of post	2 Whether substan- tive or officiating and whether permanent or temporary	3 If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R.	4 Pay in substantive post	5 Additional Pay for officiating	6 Other emolument falling under the term "Pay"	7 Date of appointment
(240-145-6760) BPS: NO: 9						
CT GHSS Munda Dir (C)	Perm:	Perm:	4295/-	PM	-	12/2005
- do -	- do -	- do -	4440/-	PM	-	12/2007
Revision of Basic pay scale w.e.f 1-7-2005 B-8 (2770-165-7720)						
CT Post GHSS: Munda Dir (C)	- do -	- do -	4440 1/2	PM	-	30/2005
- do -	- do -	- do -	5080 1/2	PM	-	1/2005
- do -	- do -	- do -	5245 1/2	PM	-	1/2005
- do -	- do -	- do -				
<p>OFFICE OF THE PRINCIPAL, GOVT. GENERAL SCHOOL, MUNDA, DISTRICT MANDA, JHARKHAND</p> <p>PAY FIXED AT RS. 5080/- PAY B. 5080/- OF RS. 2770-165-7720 AT RS. 5080/- With Next Increment on 07-12-2005</p> <p>5080/9</p> <p>M. B. Singh Principal</p>						
- do -	- do -	- do -	5410/-	PM	-	12/2006
Revised pay scale. w.e.f. 01/07/05 BPS. NOS 09 (3185-190-8885)						
CT Post GHSS munda	Perm:	Perm:	6225/-			01/07/2007

PRINCIPAL
Govt. Higher Secondary
School Munda Distt

to be substituted with even No and date

CTs (M) Dir Lower



Directorate of Elementary and Secondary Education
Khyber Pakhtunkhwa Peshawar

PH No. 091-9210389, 9210938,
9210437, 9210957, 9210468
Fax 091-9210936, 0800-33857
E-mail rafiq_kk851@yahoo.com

Notification

Consequent upon the recommendations of the Departmental Promotion Committee and in pursuance of the Government of Khyber Pakhtunkhwa Elementary and Secondary Education Notification NoSO(B&A)/1-18/E&SE/2012 dated 11.07.2012 and Finance Department Endorsement No SO(FR)/FD/10-22(E)/2010 dated 16.07.2012, the following Male CTs B-15 are hereby promoted to the post of Senior CT BPS-16 (Rs.10000-800-34000) plus usual allowances as admissible under the rules on regular basis under the existing policy of the Provincial Government, on the terms and condition given below with immediate effect and further they will be posted in the Government Higher Secondary /High Schools by the District Education Officers concerned against the newly upgraded Senior CT BPS-16 posts:-

Total No. of CT (M) Posts duly verified by the DAO	631
1/3 share of Senior CT Posts	210
Share of promotion 100%	210
Promoted to the post of Senior CT B-16	209

S. No	S.L.No.	Name of Official	Present Place of Posting	Date of Birth	Remarks
1	5	Wazir Said	GHS Toor Mang	03/12/1954	Services placed at the disposal of DEO (M) Dir Lower for further posting.
2	6	Wazir Badshah	GMS Razagram	14/08/1957	---Do---
3	7	Jehangir	GCMHS Timergara	03/12/1956	---Do---
4	8	Faghfoor Khan	GHSS Munda	25/03/1954	---Do---
5	9	Mohammad Shah Jehan	GMS Koor Shing	20/02/1956	---Do---
6	10	Hazrat Yousaf	GMS Teroona Khadaq	13/12/1960	---Do---
7	12	Inayatur Rahman	GHSS M. ar (J)	13/08/1956	---Do---
8	13	Hidayat Khan	GHS Kottiram	09/05/1956	---Do---
9	14	Jehan Badshah	GHS Shalkandai	01/03/1957	---Do---
10	15	Nabi Baksh	GHSS Lal Qilla	01/09/1957	---Do---
11	16	Abdul Hamid	GCMHS Timergara	03/01/1958	---Do---
12	17	Hassan Zeb	GHSS OUCH	04/10/1959	---Do---
13	18	Ghous Ur Rahman	GMS Qandari	19/04/1961	---Do---
14	19	Mohammad Zahir	GHS Shamisi Khan	01/10/1961	---Do---
15	20	Faridoon Khan	GMS Bakht Bilanda	05/05/1960	---Do---
16	21	Amir Zaman	GHSS Khanpur	22/07/1955	---Do---
17	22	Mohammad Zahid	GHS Mian Kalay	02/06/1958	---Do---
18	23	Shafiqur Rahman	GCMHS Timergara	24/04/1961	---Do---
19	24	Bakht Jamal	GHSS Khanpur	15/01/1964	---Do---
20	25	Mohammad Sydul Abrar	GHS Chakdara	05/01/1964	---Do---
21	26	Fakhruddin	GMS Mian Banda	03/01/1963	---Do---

ATTESTED

ATTESTED

to be substituted with even No and date

CTs (M) Dir Lower 2

22	27	Ubaidur Rahman	GHSS OUCH	05/08/1963	---Do---
23	28	Sikandar Khan	GHS Badwan	05/10/1964	---Do---
24	31	Mohammad Qurish	GMS Shagai Asbanr	11/12/1957	---Do---
25	32	Karim Bakhs	GHS Khaddgzai	14/11/1957	---Do---
26	33	Mohammad Ismail	GMS Kamala	01/05/1958	---Do---
27	34	Muzafar Khan	GMS Teknai	06/12/1958	---Do---
28	35	Hassan Khan	GMS Ouch Sharqi	04/04/1959	---Do---
29	36	Fazal Jalil	GMS Danda Rabat	04/01/1960	---Do---
30	37	Ghulam Rahman	GHS Kambat	22/06/1960	---Do---
31	38	Mohammad Salim	GHS Bagh Dush Khail	01/01/1961	---Do---
32	39	Sirajul Islam	GHS Gumbat Banda	30/05/1962	---Do---
33	40	Abdur Raziq	GHS Ouch	15/08/1962	---Do---
34	41	Tajuddin	GHS Mian Kalay	02/08/1963	---Do---
35	42	Gran Rasool	GHSS Khall	02/10/1953	---Do---
36	43	Said Ghullam	GHSS Lal Qilla	03/01/1957	---Do---
37	44	Ghulam Rabbani	GHS Chakdara	04/03/1957	---Do---
38	45	Saeed Jan	GHSS Samar Bagh	01/01/1958	---Do---
39	46	Ahmad Shah	GMS Shagai Asbanr	15/04/1959	---Do---
40	47	Bakhtawar Said	GMS Kumbar (As)	06/01/1959	---Do---
41	48	Hazrat Ghani	GHS Chakdara	06/01/1959	---Do---
42	49	Liaqatul Mulk	GHS Khair Abad	25/04/1960	---Do---
43	50	Rozi Qadar	GHS Kotigram	05/02/1962	---Do---
44	51	Dost Mohammad	GHS Rani	03/01/1963	---Do---
45	52	Zia Ul haq	GHS Chakdara	03/07/1963	---Do---
46	53	Gul Nasar Khan	GHSS Bagh Meidan	01/10/1964	---Do---
47	54	Ikramul Haq	GHS Chakdara	01/04/1962	---Do---
48	55	Mohammad Nawaz Khan	GMS Dheri Kambat	03/03/1960	---Do---
49	56	Mohammad Pervaiz	GHS Kad	28/04/1964	---Do---
50	57	Mohammad Layaq	GMS Sherkhani	09/01/1965	---Do---
51	58	Inayatullah	GHS Balambat	10/08/1962	---Do---
52	59	Sher Bahadar	GMS Bandagai Talash	01/01/1965	---Do---
53	60	Shah Tamaz Khan	GMS Warsak	20/04/1966	---Do---
54	61	Mohammad Amin	GHS Bagh Dush Khail	16/01/1959	---Do---
55	62	Zafirullah	GHS Ramora	02/05/1965	---Do---
56	63	Gulzar Ahmad	GMS Siah Gowni	13/08/1965	---Do---
57	64	Mohammad Ayaz	GHS Dherai Talash	15/06/1963	---Do---
58	65	Raj Wali Khan	GHS Hayaseri	05/02/1960	---Do---
59	66	Waqif Mohammad	GHS Shehzadi	02/10/1957	---Do---
60	67	Karim Khan	GMS Nawagai Asbanr	15/05/1957	---Do---
61	68	Mohammad Shouaib	GMS Srai Bala	13/05/1958	---Do---
62	69	Mohammad Islam	GHS Chak Fa	20/01/1960	---Do---
63	70	Abdullah Khan	GMS Koto	20/08/1962	---Do---
64	71	Mohammad Khan	GHS Rani	05/04/1964	---Do---
65	72	Mohammad Aziz	GHSS Khanpur	08/03/1964	---Do---
66	73	Khurshaid Ahmad	GCMHS Timergara	02/05/1965	---Do---
67	74	Abdul Karim	GCMHS Timergara	29/04/1966	---Do---

ATTESTED

		Khan(AWI)			
68	75	Mohammad Naeem	GHSS Hayaseri	01/03/1953	---Do---
69	76	Mohammad Arif	GHS Chakdara	02/07/1954	---Do---
70	77	Sardar Ahmad	GHS Kotigram	03/12/1955	---Do---
71	78	Bakht Pur	GHS Srai Bala	17/06/1955	---Do---
72	79	Bakht Rawan	GHS Bagh Maidan	23/09/1955	---Do---
73	80	Mohammad Noor	GMS Mayar Khadaqzai	09/01/1957	---Do---
74	81	Mohammad Farid Badsha	GHSS Saddo	05/07/1958	---Do---
75	82	Mohammad Yousaf	GHS Makhai	23/04/1959	---Do---
76	83	Abdul Aziz	GHSS Khanpur	03/07/1960	---Do---
77	84	Gul Kamin	GMS Warsak	01/01/1961	---Do---
78	85	Hazrat Ishaq	GHSS Ziarat Talash	15/01/1962	---Do---
79	86	Nisarullah	GHS Chakdara	18/02/1962	---Do---
80	87	Jan Nisar	GMS Sehsada	03/08/1962	---Do---
81	88	Faroze bakht	GMS Sharab Kohay	14/05/1962	---Do---
82	89	Zahid Mohammad	GHS Balambat	02/01/1963	---Do---
83	90	Khaliqur Rahman	GHS Dherai Talash	20/05/1963	---Do---
84	91	Ghulam Bahadar Khan	GHSS Lal Qilla	06/01/1963	---Do---
85	92	Hazrat Hussain	GHS Ramora	06/06/1963	---Do---
86	93	Jam Roz Khan	GHS Haji Abad	02/01/1964	---Do---
87	94	Javed Iqbal	GHSS Khanpur	02/12/1964	---Do---
88	95	Fazal Hussain	GHS Shago Kass	04/10/1965	---Do---
89	96	Mohammad Naeem	GHS Chakdara	25/05/1965	---Do---
90	97	Javed Iqbal	GHS Toor Qilla	30/03/1966	---Do---
91	98	Sayd Roz Khan	GHS Khungi	12/05/1960	---Do---
92	99	Sher Mohammad	GMS Darmal (P)	04/02/1964	---Do---
93	100	Mohammad Abdullah	GMS Mayar Khadaqzai	09/04/1965	---Do---
94	101	Said Roz Khan	GCMHS Timergara	06/10/1967	---Do---
95	102	Ajmal Hussain	GMS Khall Kandaró	06/09/1966	---Do---
96	103	Shafullah	GHS Sadbar Kalay	03/05/1967	---Do---
97	104	Fazali Subhan	GHS Paito Dara	15/09/1967	---Do---
98	105	Mohammad Halim	GMS Utala	25/04/1968	---Do---
99	106	Mubarak Khan	GHSS Tawda China	07/05/1962	---Do---
100	107	Anwarud Din	GHS Kambat	18/09/1966	---Do---
101	108	Mohammad Ilyas	GHS Mirgam Bala	20/05/1968	---Do---
102	109	Amin Ullah	GMS Qilagai Syar	14/09/1954	---Do---
103	110	Rahmani Sher	GHS Shawa	05/08/1957	---Do---
104	111	Nazirul Haq	GHSS Mayar (J)	25/10/1961	---Do---
105	112	Hamidullah	GHS Badin	11/03/1961	---Do---
106	113	Fazal Ghafoor	GHS Barimkay	02/04/1964	---Do---
107	114	Yousaf Khan	GHS Badwan	24/04/1964	---Do---
108	115	Muslim Khan	GLMS Thrail	04/10/1966	---Do---
109	116	Mohammad Haroon	GHSS Zimdara	11/09/1957	---Do---
110	117	Abdur Rahman	GMS Walo Tangai	06/09/1957	---Do---
111	118	Rahimullah	GHS Kambat	02/07/1956	---Do---

2
ATTESTED

To be substituted with even No and date

CT's (M) Dir Lower 4

112	119	Said Akhrad	GHS Badin	06/05/1962	---Do---
113	120	Fazal Rahman	GMS Klien Abud	15/03/1963	---Do---
114	121	Ismail Khan	GMS Kumbur Maidan	01/03/1970	---Do---
115	122	Nowsherawan	GHS Chinari Kot	06/01/1969	---Do---
116	123	Habibur Rahman	GHS Shontala	04/07/1969	---Do---
117	124	Sher Mohammad	GHS Balambat	18/05/1969	---Do---
118	125	Akhtar Munir	GHS Qilagai Syar	01/01/1971	---Do---
119	126	Momin Khan	GHS Khazana	03/01/1969	---Do---
120	127	Shahidullah	GHS Balambat	14/08/1970	---Do---
121	128	Mohammad Asad Khan	GMS Mandesh	04/05/1964	---Do---
122	129	Mohammad Zeb	GHS Mirgam Bala	28/04/1968	---Do---
123	130	Rais Ahmad Jan	GHS Khazana	01/04/1957	---Do---
124	131	Mohammad Iqbal	GMS Tazagram	07/05/1957	---Do---
125	132	Shafu Zaman	GHSS Mian Brangola	08/12/1959	---Do---
126	133	Mohammad Anwar	GHSS Khanpur	11/01/1959	---Do---
127	134	Inayatullah Khan	GHS Sia Warghar	03/12/1963	---Do---
128	135	Shahid Hussain	GHSS Munda	16/07/1963	---Do---
129	136	Qayum Khan	GHS Chakdara	11/02/1963	---Do---
130	137	Azam Khan	GHS Shawa	20/04/1964	---Do---
131	138	Inayatur Rahman	GHSS Mian Brangola	01/01/1965	---Do---
132	139	Bakht Ali	GHSS Samar Bagh	04/09/1965	---Do---
133	140	Shafullah	GHSS Hayasari	25/06/1966	---Do---
134	141	Mukhtiyar	GHS Ramora	13/11/1966	---Do---
135	142	Khan Badshah	GHSS Lal Qilla	24/04/1967	---Do---
136	143	Hadiyat Ullah	GCMHS Timergara	02/10/1958	---Do---
137	144	Gul Afsar Khan	GHS Khazana	09/10/1967	---Do---
138	145	Rahmat Bari	GHSS Khall	07/07/1954	---Do---
139	146	IhsanUr Rouf	GMS Odigram	12/01/1960	---Do---
140	147	Sardar Mohammad	GHS Shawa	03/05/1964	---Do---
141	148	Iqbal Khan	GHS Shalkandai	13/03/1965	---Do---
142	149	Tahir Shah	GHS Ram	12/10/1965	---Do---
143	150	Mohammad Nuaman	GHSS Sadd	02/04/1966	---Do---
144	151	Habibur Rahman	GMS Shontala	15/06/1972	---Do---
145	152	Javeed Hussain	GHS Srai Bala	11/01/1969	---Do---
146	153	Umar Zada	GMS Shahtai	07/03/1966	---Do---
147	154	Azmat Hayat	GHS Khungi	03/11/1967	---Do---
148	155	Abdullah	GHS Makhai	01/08/1972	---Do---
149	156	Ahmad Bacha	GHS Munjai	07/12/1969	---Do---
150	157	Bakht Zeb Khan	GHS Luqman Banda	20/04/1970	---Do---
151	158	Haji Qasim	GMS Odigram	20/08/1967	---Do---
152	159	Shahin Shah	GMS Darangal	01/02/1957	---Do---
153	160	Mohammad Rashid	GHSS OUCH	01/01/1962	---Do---
154	161	Khaista Rahman	GHSS Khanpur	01/02/1962	---Do---
155	162	Sirajul Matin	GHSS Mian Brangola	01/04/1962	---Do---
156	163	Mohammad Shah	GHS Kambat	25/12/1962	---Do---
157	164	Gul Zamin	GHS Lakbook	25/05/1963	---Do---

ATTACHED

be substituted with even No and date

CFs (M) Dir Lower 5

15

158	165	Mohammad Salim	GHSS Mayar (J)	08/04/1963	---Do---
159	166	Mohammad Ishaq	GHS Munjai	02/08/1964	---Do---
160	167	Liaqat Ali Khan	GHSS OUCH	03/01/1964	---Do---
161	168	Zara Khan	GMS Tangi Khadagzai	05/06/1964	---Do---
162	169	Hamayoun Khan	GHSS Mian Brangola	18/08/1964	---Do---
163	170	Dawood Jan	GHS Bajawro Talash	11/05/1964	---Do---
164	171	Mustafa Kamal	GHS Bagh Dush Khail	21/01/1965	---Do---
165	172	Ibrahim Shah	GMS Darmal (P)	14/03/1965	---Do---
166	173	Hamayoun Khan	GHS Shehzadi	04/07/1965	---Do---
167	174	Badshah Mohammad	GMS Sarai Payeen	15/08/1965	---Do---
168	175	Zahir Gul	GHS Rabat	10/01/1966	---Do---
169	176	Ismail Jan	GHS Manyal	02/02/1967	---Do---
170	177	Mohammad Israr	* GHS Kad	15/03/1967	---Do---
171	178	Rafiqul Haq	GHSS Samar Bagh	15/03/1967	---Do---
172	179	Falak Naz	* GHS Shawa	04/01/1967	---Do---
173	180	Ghulam Raziq	* GHSS Bagh M. Jan	03/01/1968	---Do---
174	181	Abdul Jalil Khan	* GHS Rehanpur	05/01/1970	---Do---
175	182	Hamidul Haq	GHSS OUCH	05/05/1970	---Do---
176	183	Fazal Moabood	GHS Asbanr	01/01/1965	---Do---
177	184	Dilawar Khan	GMS Gulmuqam	02/03/1966	---Do---
178	185	Mohammad Inamullah	* GHSS Ziarat Talash	31/12/1968	---Do---
179	186	Saidi Rahman	GHSS Hayaseri	20/02/1966	---Do---
180	187	Niamat Ullah	GHSS OUCH	03/05/1966	---Do---
181	188	Adalat Khan	GHSS Khall	15/05/1968	---Do---
182	189	shuaibur Rahman	* GHSS Khall	20/03/1969	---Do---
183	190	Abdul Qayum	GHS Luqman Banda	06/01/1970	---Do---
184	191	Jehan Bahadar	* GHS Maidan Banda	04/08/1971	---Do---
185	192	Altaf Hussain	GHS Rani	09/12/1965	---Do---
186	193	Mohammad Iqbal	* GHS Toor Mang	03/01/1968	---Do---
187	194	Kabir Mohammad	GHS Ramora	13/09/1968	---Do---
188	195	Sarzamin Khan	GMS Tazagram	24/04/1969	---Do---
189	196	Habibur Rahim	GHSS Lal Qilla	24/01/1969	---Do---
190	197	Gul Mehmood	GHSS Munda	01/01/1971	---Do---
191	198	Muhammad Ibrahim	GMS Ashrogai	02/02/1966	---Do---
192	199	Habib Ahmad	GHSS Munda	28/03/1966	---Do---
193	200	Hamdullah	GHSS Ziarat Talash	18/07/1969	---Do---
194	201	Gul Mohammad Khan	GHSS Mayar (J)	25/09/1965	---Do---
195	202	Akbar Shad	GHSS OUCH	18/03/1966	---Do---
196	203	Mohammad Amin Khan	GHS Chinar Kot	02/04/1960	---Do---
197	204	Baidar Khan	GHSS Zimdara	03/01/1962	---Do---
198	205	Gul Tahir Shah	GHSS Saddo	25/02/1963	---Do---
199	206	Fazal Mabood	GHS Banda Talash	03/10/1965	---Do---
200	207	Nazir Ahmad	GMS Sarai Payeen	03/10/1968	---Do---
201	208	Obid Ullah	GMS Khall Kandara	11/04/1960	---Do---
202	209	Mubarak Zeb	GHSS Zimdara	01/08/1962	---Do---
203	210	Amir Zaman	GHS Shamsi Khan	03/01/1964	---Do---

REGISTERED

substituted with even No and date

CTs (M) Dir Lower 6

204	211	Shah Wazir	GHS Khair Abad	14/07/1962	---Do---
205	212	Dost Mohammad	GMS Kattan Dush Khail	18/03/1963	---Do---
206	213	Bunir Gul	GHS Sadbar Kalay	06/08/1963	---Do---
207	214	Mohammad Yousaf	GMS Khazana	02/01/1964	---Do---
208	215	Sultan Rome	GHS Chakara	01/01/1967	---Do---
209	216	Hussain Ahmad	GHS Srai Bala	02/01/1969	---Do---

Terms and conditions:-

- 1 They would be on probation for a period of one year extendable for another one year.
- 2 They will be governed by such rules and regulations as may be issued from time to time by the Govt.
- 3 Their services can be terminated at any time, in case his performance is found unsatisfactory during probationary period. In case of misconduct, he shall be preceded under the rules framed from time to time.
- 4 Charge report should be submitted to all concerned.
- 5 Their Inter-Se-seniority on lower post will remain intact.
- 6 No TA/DA is allowed for joining his duty.
- 7 They will give an under taking to be recorded in their service book to the effect that if any over payment is made to him in light this order will be recovered and if he is wrongly promoted he will be reversed.

(Muhammad Rafiq Knattak)

Director

Elementary and Secondary Education

Khyber Pakhtunkhwa Peshawar.

4446-52

Endst: No. / File No.2/Promotion Senior CT B-16: Dated Peshawar the 21/02/2013.

Copy forwarded for information and necessary action to the:-

1. Accountant General Khyber Pakhtunkhwa Peshawar.
2. District Education Officers (M) Dir Lower
3. District Accounts Officer Dir Lower
4. Official Concerned.
5. PS to the Secretary to Govt: Khyber Pakhtunkhwa E&SE Department.
6. PA to the Director E&SE Khyber Pakhtunkhwa, Peshawar.
7. M/File

Dy: Director (Estab)

Elementary and Secondary Education
Khyber Pakhtunkhwa Peshawar

21/2/2013
Dy: Director (Estab)
Elementary and Secondary Education
Khyber Pakhtunkhwa Peshawar

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

University of Peshawar (Pakistan)

Session ANNUAL 1991

HABIB ANMAD SON of FATEH KHAN and a student
of DISTRICT DIR having passed the prescribed Examination

held in APRIL, 1992, is this day admitted by the University of Peshawar,
to the Degree of

Master of Arts

in the SECOND Division

The subject of examination being ISLAM'IYAT

The Examination was taken as a whole / in parts

Attested

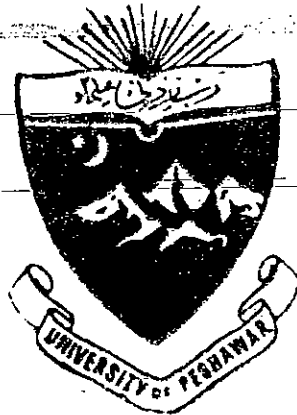
PRINCIPAL
Govt Higher Secondary
School Munda, Distt. Dir (U)

Attested

Serial No 010042

Registered No 84-TD-565

Roll No. 16634



Abdul Khannad

Registrar

Countersigned

Kalsha

Vice-Chancellor

Declared on 4 NOVEMBER 1992

GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

Peshawar, dated the 24th July, 2014.



NOTIFICATION

No.SO(PE)4-5/SSRC/Meeting/2013/Teaching Cadre:- 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 this Department's Notifications No.SO(G)S&LD/1-28/2003/Vol-II dated, 09-04-2004, Notification No.SO(G)S&L/1-69/06/Vol-1/DPE/LIB dated, 13-11-2007, and Notification No.SO(PE) 4-5/SSRC/Meeting/2012/Teaching Cadre, dated, 13.11.2012, the following further amendments shall be made, namely:

AMENDMENTS

In the Appendix,-

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

1	2	3	4	5
1	Subject Specialist (BPS-17)	i. At least second class Master's Degree or four years BS Degree in the relevant subject; and ii. Bachelor of Education, or Master of Education (Industrial Art or Business Education) or M.A Education or equivalent qualification from a recognized University.	23 to 35 years	(a) Fifty per cent by promotion, on the basis of seniority-cum-fitness, for the relevant subject from amongst the Secondary School Teachers (BPS-16), with at least five years service as such and having qualification mentioned in column No. 3. Note: If no suitable candidate is available in the relevant subject the post falling in their promotion quota shall be filled by initial

(i)

Handwritten initials: *Handwritten initials*

Stamp: **ACCEPTED**

Handwritten: *D-18*

Handwritten: *(Signature)*

Handwritten: *(Signature)*

Handwritten: *Annex*

				recruitment; and (b) fifty percent by initial recruitment.
1A	Director Physical Education (BPS-17)	At least second class Master's Degree in Physical Education from a recognized University.	22-35 years	(a) Fifty percent by promotion, on the basis of seniority-cum-fitness, from amongst Senior Physical Education Teachers (BPS-16), with at least five years service as Senior Physical Education Teacher and Physical Education Teacher and having qualification mentioned in column No. 3: Provided that if no suitable person is available from amongst Senior Physical Education Teachers for promotion then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from amongst the Physical Education Teachers, with at least five years service as such and having qualification mentioned in column No. 3; Note: - If no suitable candidate is available in the relevant cadres of the above teachers, the post falling in their promotion quota shall be filled by initial recruitment; and (b) fifty percent by initial recruitment"; and

1A

RECEIVED

Annex "A"

13

(ii) against Serial No. 1B, as so renumbered, for the existing entries, the following Shall be substituted, in respective columns, namely:

28

1	2	3	4	5
1B	Secondary School Teacher (BPS-16)	<p>I. At least second class Bachelor Degree's from a recognized University on need basis from the following groups with two subject</p> <p>(a) (Chemistry, Botany or Zoology), Or (b) (Physics, Maths "A" or "B" or Statistics) Or (c) (Humanities and other equivalent groups at degree level with English as compulsory subject;</p> <p style="text-align: center;">and</p> <p>II. Bachelor of Education or Master of Education (Industrial Art or Business Education) or M.A Education or equivalent qualifications from a recognized University.</p>	21 to 35 years.	<p>1. Seventy Five per cent by promotion, on the basis of seniority-cum-fitness, from the district concerned in the following manner:</p> <p>(a) forty per cent from amongst the Senior Certified Teachers (BPS-16), with at least five years service as Senior Certified Teacher and Certified Teacher and having qualification mentioned in column No.3:</p> <p style="text-align: center;">Provided that if no suitable candidate is available from amongst Senior Certified Teachers for promotion, then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from amongst Certified Teachers, with at least five years service as such and having qualification mentioned in column No. 3;</p> <p>(b) four per cent from amongst the Senior Drawing Masters(BPS-16), with at least five years service as Senior Drawing Masters and Drawing Masters and having qualification mentioned in column No.3:</p>

RECEIVED
MAY 19 1971

Ar
CTC

21
21

				<p>Provided that if no suitable candidate is available from amongst Senior Drawing Masters for promotion then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from amongst Drawing Masters with at least five years service as such and having qualification mentioned in column No. 3;</p> <p>(c) four per cent from amongst the Senior Arabic Teachers(BPS-16), with at least five years service as Senior Arabic Teachers and Arabic Teachers, and having qualification mentioned in column No.3:</p> <p>Provided that if no suitable candidate is available from amongst Senior Arabic Teachers for promotion then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from Arabic Teachers with at least five years service as such and having qualification mentioned in column No. 3;</p> <p>(d) four per cent from amongst the Senior Theology Teachers(BPS-16), with at least five years service as Senior Theology Teachers and Theology Teachers and having qualification mentioned in column No.3:</p>
--	--	--	--	--

RECEIVED
21/11/2011

14

22

			<p>Provided that if no suitable candidate is available from amongst Senior Theology Teachers for promotion then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from amongst Theology Teachers with at least five years service as such and having qualification mentioned in column No. 3;</p> <p>(e) three per cent from amongst the Senior Qaris (BPS-16), with at least five years service as Senior Qari and Qari and having qualification mentioned in column No.3:</p> <p>Provided that if no suitable candidate is available from amongst the Senior Qaris then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from Qaris with at least five years service as such and having qualification mentioned in column No. 3;</p> <p>(f) twenty per cent from amongst the Primary School Head Teachers (BPS-16), with at least seven years service as Primary School Head Teachers and Senior Primary School Teachers and Primary School Teachers and having qualification mentioned in column No. 3:</p> <p>Provided that if no suitable candidate is available from amongst</p>
--	--	--	---

ATTACHED

Ans
CTC

~~SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA~~
~~ELEMENTARY & SECONDARY EDUCATION DEPARTMENT~~

23

18/1

Endst : of even No & date:

1. The Secretary to Government of Khyber Pakhtunkhwa, Establishment and Administration Department Peshawar.
2. The Secretary to Government of Khyber Pakhtunkhwa, Finance Department Peshawar.
3. The Secretary to Government of Khyber Pakhtunkhwa, Law Department Peshawar
4. The Secretary Khyber Pakhtunkhwa, Public Service Commission Peshawar.
5. The Accountant General Khyber Pakhtunkhwa Peshawar.
6. The Director, Elementary and Secondary Education Department Khyber Pakhtunkhwa Peshawar.
7. The Director of Education (FATA) Peshawar.
8. The Director, Curriculum and Teacher Education Khyber Pakhtunkhwa Abbottabad.
9. The Director, (PITE) Khyber Pakhtunkhwa Peshawar.
10. The Director, ESRU Elementary and Secondary Education Department Khyber Pakhtunkhwa Peshawar.
11. Manager Government Printing Press Khyber Pakhtunkhwa Peshawar.
12. The Deputy Director, EMIS (S&SE) Department Khyber Pakhtunkhwa Peshawar.
13. All District Education Officer (M&F) in Khyber Pakhtunkhwa.
14. All District Account Officer in Khyber Pakhtunkhwa.
15. All Agency Education Officer in FATA
16. All Agency Account Officer in FATA.
17. PS to Governor Khyber Pakhtunkhwa. Peshawar.
18. PS to Chief Minister Khyber Pakhtunkhwa. Peshawar.
19. PS to Chief Secretary Khyber Pakhtunkhwa. Peshawar.
20. PS to Minister E&SE Khyber Pakhtunkhwa. Peshawar.
21. PS to Secretary E&SE Khyber Pakhtunkhwa. Peshawar.
22. Master file

(ZAMIN KHAN MOMAND)
SECTION OFFICER (PRIMARY)

ZAMIN KHAN MOMAND

CIC

BETTER COPY- E

Judgment Sheet

IN THE PESHAWAR HIGH COURT, ABBOTTABAD BENCH JUDICIAL DEPARTMENT

Writ Petition No.1041-A/2015

JUDGMENT

1. **IKRAMULLAH KHAN, J:-** Through the instant writ petition under article 199 of the Islamic republic of Pakistan, 1973 the petitioner seeks declaration to the effect that the act of respondent NO, 3 where by the promotion notification dated 28.10.2014 was withdrawn vide impugned notification 24.04.2014 on the ground of having qualification of B.Sc (3rd division) is illegal and without lawful authority and against the judgment of this court passed in W.P.No.58-B of 2014.
2. In essence, the petitioner was initially appointed as certified teacher and, as per entitlement, later on promoted to the post of senior certified teacher (BPS-16) Vide notification dated 28.10.2014. where after the petitioner assumed the charge of the said post on 30.10.2014 and after performing his duties to the satisfaction of his competent authority, on 24.04.2015 respondent No,3 has passed the impugned notification and, as such, the promotion order of the petitioner was withdrawn on the ground having B.SC in third division.
3. Comments were called from respondent No.3 who filed the same, averring therein that though petitioner was promoted to the post of SST vide notification dated 28.10.2014 by respondent No.2 scrutinizing his qualification documents, it was found that petitioner was not eligible for promotion to the post of SST being B.SC third divisioner hence, his promotion order was de-notified by the director elementary and secondary education : Khyber Pakhtunkhwa Peshawar and on the direction of director the promotion order of the petitioner was withdrawn vide impugned notification dated 24.04.2015.
4. It is further been averred in the comments that promotion order of the petitioner was withdrawn on the ground of B.sc third division and it was done in light of policy circulated vide Notification No.SO(PE)4-5/SSRC/meeting/2013/teaching cadre dated 24.07.2014 according to which the method of recruitment of SST was specified with a first condition of at least second class BA/Bsc from a recognized university on need basis with two relevant subjects along with second condition of MA education or B.ed from the recognized university further averred that it is the prerogative of the government to enhance, modify or alter the promotion criteria/ policy for the civil servants and a civil servant is not supposed to be treated with a set of rules of his own choice.
5. In response to para-6 of the petition, respondent No.3 averred in the comments that the judgment of this court was announced on 04.06.2015 where as the withdrawal order of the petitioner was passed on 24.04.2015, prior to the announcement of the judgment.
6. The main contention of learned counsel for the petitioner is that this court has already declared the condition of having third division as null and void in its judgment dated 04.06.2015 and the case of the petitioner is on better footing for reason that in referred judgment the petitioner had not been appointed but so far as the case of the petitioner is concerned, he was duly promoted rather received its benefits from 28.10.2014 to 24.04.2015 and thus the impugned order is illegal, without lawful authority and jurisdiction.

Handwritten notes and signatures in the top right corner, including a circled 'D', 'E', and '24', and a signature.

TESTED

25

~~17~~

~~21~~

7. Admittedly, the petitioner was duly promoted to the post of question on 28.10.2014, after the departmental promotion committee evaluated his case /PERs.
8. Now the question for determination before this court would be that when the petitioner actually performed his duties on the promoted post and that too for six long months, then how the respondent No.3 could withdraw earlier promotion order only on the pretext having B.Sc third division.
9. It appears from the record that a division Bench of this had already declared the condition of having third division as null and in its judgment dated 04.06.2015 which fact has also been affirmed by the respondent No.3 in his comments by stating that they were not aware of that judgment at the time of withdrawal of the impugned promotion of the petitioner and when the case of the present petitioner is it par with that of the petitioner there in, rather on better footing because the petitioner was not only promoted to the post in question but he performed his duties for six long months and received its benefits, the impugned notification passed by respondent No,3 is required to be set at naught.
10. It is also a well settled principle of law that once a benefit is granted to a civil servant, cannot taken back from him and, if so, very stringent strong reason are required for the same, which are not available in the case in hand, more so, when the promotion order of similarly placed teachers having B.Sc third division have not been so far withdrawn which is clearly violation of article 25 of the constitution of Pakistan.
10. For the reasons mentioned above, this petition is accepted and the impugned notification dated 24.04.2015 issued by respondent No.3 where by the promotion order of the petitioner was withdrawn is declared to be without lawful authority and, as, such the promotion notification dated 28.10.2014 is hereby restored.

**Announced:
05.04.2016.**

[Signature]
ANNOUNCED

better copy- D

(Handwritten marks and circled numbers)
F-29

**PESHAWAR HIGH COURT BANNU BENCH
FORM OF ORDER SHEET**

Date of order or other proceedings	Order or other proceedings with signature of Judge (S)
(1)	(2)
<p>28.01.2016</p>	<p>WP No.73-B-2014 Present Mr. Ali Jan Khan Advocate for petitioner: MUHAMMAD GHAZANFAR KHAN</p> <ol style="list-style-type: none"> the petitioner namely Mumtaz Khan son of the Gull Jan, through the instant Constitutional petition under Article 199 of the Constitution of Islamic Republic of Pakistan 1973, seeks issuance of directions to the respondents/department to consider him for promotion in the post of SST in BPS-16 in view of the department promotion committee meeting held on 18.01.2014. we have heard learned counsel for the petitioner and gone through the available record of the case. Perusal of the record transpires that the petitioner has passed B.A in third division while as per notification bearing No. dated 18.1.2011 the minimum qualification for the post of SST BPS-16 are Bachelor's degree or MA in education bachelor degree in education. The record further shows that the petitioner has also passed M.ed during the year 2000 in second division and M.A History and Pak study during the session 2003 in second division. In wake of the above, we direct the respondents to consider the petitioner for promotion to the post of SST BPS-16 in the next departmental promotion Committee meeting on the basis of his degree in MA History and Pak Study coupled with M.ed qualifications. The writ petition is disposed of in the above terms. <p>ANNOUNCED 28.01.2016.</p>
	<p>Sd/- ikramullah Khan Sd/-Muhammad Ghazanfar Khan, J</p>

(Handwritten signature)
ATTESTED

**GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT**

Dated: Peshawar the December, 15, 2011

NOTIFICATION

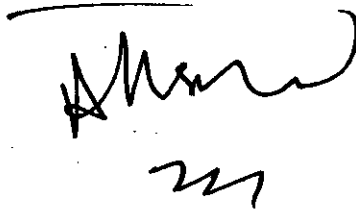
No. SOE.II (ED) 2/1-1/2011:- In exercise of the powers conferred by Section 26 of the Khyber Pakhtunkhwa Civil Servant Act, 1974 (Khyber Pakhtunkhwa Act No. XVIII of 1973), the Chief Minister Provincial Management Service Rules 2007 the following further amendments shall be made namely:-

AMENDMENT

In Schedule-I, against Sr. No.1 in Column No.3 the full stop appearing at the end shall be replaced by colon and thereafter the following proviso shall be added namely:-

“ Provided that candidate who has obtained 3rd Division or D. Grade in bachelors Degree will be eligible for the examination in cases where he/she has obtained a higher Division in Master Degree.

**CHIEF SECRETARY
KHYBER PAKHTUNKHWA**



To,

The Secretary,
E&SE Department,
Khyber Pakhtunkhwa, Peshawar

77-31

Subject:

DEPARTMENTAL APPEAL AGAINST THE INACTION OF THE RESPONDENTS BY NOT CONSIDERING THE APPELLANT FOR PROMOTION TO THE POST OF SST (BPS-16) ON THE BASIS OF HAVING BACHELOR DEGREE IN 3RD DIVISION AND AGAINST THE SERVICE RULES NOTIFIED ON 24.07.2014 WHEREBY THE CONDITION OF BACHELOR 2ND DIVISION HAS BEEN INSERTED IN SERIAL NO.1B, COLUMN NO.3(i) OF THE TABLE.

Respected Sir,

With due respect it is stated that I was initially appointed as Physical Education Teacher in the respondent Department vide order 24.11.1984 and right from the date of my 1st appointment I am performing my duties quite efficiently and upto the entire satisfaction of his superiors. During service I was adjusted as Certified Teacher and vide Notification dated 21.02.2013 I was promoted to the post of SCT (BPS-16). That I am a highly qualified and having Master degree in Arts in second Division which I have been acquired from University of Peshawar in the year 1991 but the authorities issued the impugned Notification dated 24.07.2014 whereby the post of SST was restricted and 20% promotion quota to the aforementioned post was reserved for Primary School Teachers. That according to the said Notification required qualification for initial recruitment as well as promotion was mentioned as second class bachelor degree. That the concerned authority denied promotion of my some colleagues to the post of SST due to having third class bachelor degree. They were feeling aggrieved filed writ petitions which were allowed in favor of petitioners vide judgment dated 05.04.2016 and 28.01.2016 and consequently they were promoted to the post of SST. That I was also denied from promotion due to having third class bachelor degree despite the fact that I am having second division in higher qualification of Master in Arts. That being a similar placed employee approached the concerned authority to extend the same benefit of the above mentioned judgments but in vain. That the establishment Department issued a Notification dated 15.12.2011 whereby amendment has been made in PMS rules 2007 by providing that a candidate who has obtain 3rd division in bachelor degree will be eligible for the examination in cases where he/she has obtained a higher division in Master's degree. That feeling aggrieved from the inaction of the concerned authority by not considering me for promotion to the post of SST (BPS-16) filed the instant Departmental appeal before your good self.

It is therefore, most humbly prayed that on acceptance of this Department appeal I may very kindly be considered for promotion to the post of SST (BPS-16) from the date when my colleagues and junior colleagues were promoted with all consequential benefits including seniority.

Dated: 14.04.2021

ATTESTED

APPLICANT

HABIB AHMAD, SCT (BPS-16),
GHSS Munda, Dir Lower

"B"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD, S.B
PESHAWAR.

No.

Appeal No. 7311 of 20 21
Habib Ahmad Appellant/Petitioner

Rajid

the Secy: F&S ECPK Respondent

Respondent No. 5

the Distt. Education Officer (Male)
Distt. Dir Lower

Notice to: —

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 13/1/22 at 8.00 A.M. If you wish to urge anything against the appelland/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this.....

Day of.....Dec 20 21

(for Reply)

Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

- Note:
1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
 2. Always quote Case No. While making any correspondence.

"B"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.

No.

7311

21

Appeal No. Hadis Ahmad of 20

Appellant/Petitioner

The Secy: ERSE versus KPU

Respondent

The Secretary ERSE Respondent No. KPU Peshawar

Notice to: —

W
30/12

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal 18/1/22 *on.....at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No.....dated..... 22/12

Given under my hand and the seal of this Court, at Peshawar this.....

Day of.....20 ..

(For Reply)



Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

- Note:
1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
 2. Always quote Case No. While making any correspondence.

"B"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR. S.B

No.

Appeal No. 73.11 of 20 21

Habib Ahmad Appellant/Petitioner

Versus

The Secy: F&SE KPK Respondent

Respondent No. 3

Notice to: —

The Secretary Finance Deptt.
KPK Peshawar

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 13/1/22 at 8.00 A.M. If you wish to urge anything against the appellants/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. ~~Copy of appeal has already been sent to you vide this office Notice No.....dated.....~~

Given under my hand and the seal of this Court, at Peshawar this 22/12

Day of Dec 20 21

For Reply

23-12
Secy: Finance KPK
Dairy No.....
Date.....

Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

- Note:
1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
 2. Always quote Case No. While making any correspondence.

“B”

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD
PESHAWAR.

No.

Appeal No. 7311 of 2011

Habib Ahmad Appellant/Petitioner

Versus
The Secy. E&AD KPK Respondent

Respondent No. 2

Notice to: The Secretary Establishment Deptt.
KPK Peshawar.

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 13/1/22 at 8.00 A.M. If you wish to urge anything against the appellent/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. ~~Copy of appeal has already been sent to you vide this office Notice No. dated.~~

Given under my hand and the seal of this Court, at Peshawar this 22/1/2021
Day of Dec 2021

(for Reply)

Signature of Secy E&AD KPK

Signature of Registrar

Khyber Pakhtunkhwa Service Tribunal, Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence.

FTS NO. _____
Date _____

"B"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.

No.

7311

21

Appeal No. Habib Ahmad of 20

The Secy: ER vs KPN Appellant/Petitioner

The Director ER vs KPN Peshawar Respondent

Notice to: —

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on.....at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

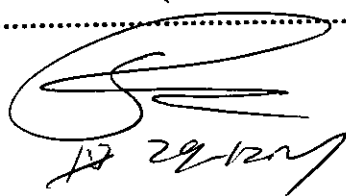
Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No.....dated..... 22/11

Given under my hand and the seal of this Court, at Peshawar this.....

Day of.....20

(for Reply)


29/12/21



Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence.

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

SERVICE APPEAL NO.7311/2021.

MR. Habib Ahmad.

.....Appellant

VERSUS

1. The Secretary Elementary and secondary Education Department, Khyber Pakhtunkhwa, Peshawar.
2. The secretary Establishment Department, Khyber Pakhtunkhwa, Peshawar.
3. The secretary Finance Department, Khyber Pakhtunkhwa; Peshawar
4. The Director (Elementary & Secondary Education), Khyber Pakhtunkhwa Peshawar.
5. The District Education Officer (Male) Dir lower at Timergara.

3(RESPONDENTS)

PARA WISE COMMENTS ON BEHALF OF RESPONDENTS, 1,4,5.

RESPECTFULLY SHEWETH:

PRELIMINARY OBJECTIONS:

1. The appellant is not an aggrieved person with the meaning of Article 212 of the constitution of the Islamic republic of Pakistan.
2. The appellant has concealed the material fact from this Hon! Able Tribunal, hence liable to be dismissed.
3. The appellant has not approached this Honorable Tribunal with clean hands.
4. The appellant has filed the instant appeal on malafide motives.
5. The instant appeal is against the prevailing laws & rules.
6. That the instant service appeal suffers from laches, hence not maintainable in the form.
7. The appellant has got no locus standi to file the instant appeal.
8. The instant appeal is frivolous, besides being time bard.
9. That the appeal of the appellant is badly time bard.

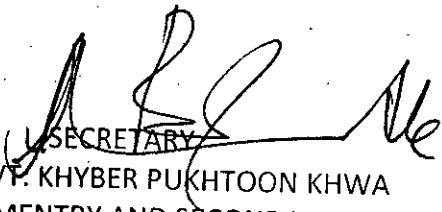
ON FACT:

1. This para-relates to the appellant, hence needs no comments.
2. Correct up to the extent of Master Degree in 2nd division, but Master degree is extra qualification. The original criteria for promotion to the post of SST is BA/BSC 2nd division, while the appellant has BA/BSc degree in 3rd division.
3. Correct, as per notification the appellant availed the benefit of BPS-14 & 15 according to the impugned notification. He is bound to follow all the postulates in the notification as he availed the other benefits.
4. In addition to para No.3 above, the court order was specific, may be implemented by the department rest of para pertained to record.
5. As above para No.1
6. The matter relates to PMS, not to E&SE department.
7. The matter relates to PMS, not to E&SE department.
8. Incorrect.

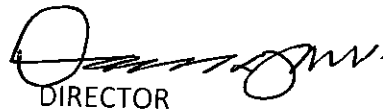
GROUNDS:-

- A. Incorrect. The appellant interpret it for his own interest.
- B. Incorrect. Each and every one is treated as per law.
- C. Incorrect.
- D. The requisite qualification is BA/BSC 2nd division for promotion to SST, while Master degree is extra qualification.
- E. Incorrect.
- F. That the respondent department seek leave to raise additional grounds at the time of arguments.

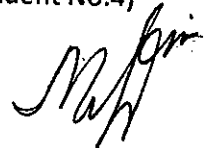
It is therefore, humbly prayed that on acceptance of the above submission, the instant Service appeal may very graciously be dismissed in favor of the answering respondents with cost.



SECRETARY
GOVT. KHYBER PUKHTOON KHWA
ELEMENTARY AND SECONDARY DEPARTMENT
(Respondent No.1)



DIRECTOR
ELEMENTARY & SECODARY
EDUCATION KHYBER PAKHTOON KHWA
(Respondent No.4)



DISTRICT EDUCATION OFFICER (M)
DIR LOWER AT TIMERGARA
(Respondent No.5)

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

SERVICE APPEAL NO.7311/2021.

MR. Habib Ahmad.

.....Appellant

VERSUS

1. The Secretary Elementary and secondary Education Department, Khyber Pakhtunkhwa, Peshawar.
2. The secretary Establishment Department, Khyber Pakhtunkhwa, Peshawar.
3. The secretary Finance Department, Khyber Pakhtunkhwa, Peshawar
4. The Director (Elementary & Secondary Education), Khyber Pakhtunkhwa Peshawar.
5. The District Education Officer (Male) Dir lower at Timergara.

3(RESPONDENTS)

PARA WISE COMMENTS ON BEHALF OF RESPONDENTS, 1,4,5.

RESPECTFULLY SHEWETH:

PRELIMINARY OBJECTIONS:

1. The appellant is not an aggrieved person with the meaning of Article 212 of the constitution of the Islamic republic of Pakistan.
2. The appellant has concealed the material fact from this Hon! Able Tribunal, hence liable to be dismissed.
3. The appellant has not approached this Honorable Tribunal with clean hands.
4. The appellant has filed the instant appeal on malafide motives.
5. The instant appeal is against the prevailing laws & rules.
6. That the instant service appeal suffers from laches, hence not maintainable in the form.
7. The appellant has got no locus standi to file the instant appeal.
8. The instant appeal is frivolous, besides being time bard.
9. That the appeal of the appellant is badly time bard.

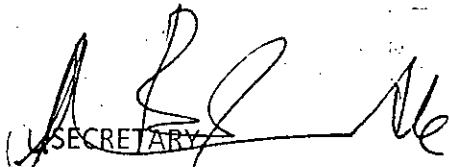
ON FACT:

1. This para relates to the appellant, hence needs no comments.
2. Correct up to the extent of Master Degree in 2nd division, but Master degree is extra qualification. The original criteria for promotion to the post of SST is BA/BSC 2nd division, while the appellant has BA/BSc degree in 3rd division.
3. Correct, as per notification the appellant availed the benefit of BPS-14 & 15 according to the impugned notification. He is bound to follow all the postulates in the notification as he availed the other benefits.
4. In addition to para No.3 above, the court order was specific, may be implemented by the department rest of para pertained to record.
5. As above para No.1
6. The matter relates to PMS, not to E&SE department.
7. The matter relates to PMS, not to E&SE department.
8. Incorrect.

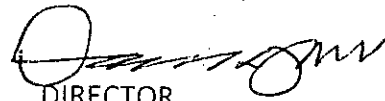
GROUND:-

- A. Incorrect. The appellant interpret it for his own interest.
- B. Incorrect. Each and every one is treated as per law.
- C. Incorrect.
- D. The requisite qualification is BA/BSC 2nd division for promotion to SST, while Master degree is extra qualification.
- E. Incorrect.
- F. That the respondent department seek leave to raise additional grounds at the time of arguments.

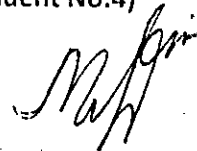
It is therefore, humbly prayed that on acceptance of the above submission, the instant Service appeal may very graciously be dismissed in favor of the answering respondents with cost.



~~SECRETARY~~
GOVT. KHYBER PUKHTOON KHWA
ELEMENTRY AND SECONDARY DEPARTMENT
(Respondent No.1)



DIRECTOR
ELEMENTRY & SECODARY
EDUCATION KHYBER PAKHTOON KHWA
(Respondent No.4)



DISTRICT EDUCATION OFFICER (M)
DIR LOWER AT TIMERGARA
(Respondent No.5)

بعدالت

سروس کنزرویٹو سٹار

2 مخجاب
بنام

حسب الامر

مورخہ

مقدمہ

دعویٰ

جرم

بابت
ایجوکیشن ڈیپارٹمنٹ

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی کے کارروائی کا کارروائی متعلقہ

کیلئے منصف علی بیگ

آن مقام سٹار
مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز
وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ پر خلف دیئے جواب وہی اور اقبال دعویٰ اور
بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق
زرائیں 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 کارروائی 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 داخستہ منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے
سبب سے وہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں
گے۔ کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سندر ہے۔

Handwritten signature/initials on the right margin.

20

ماہ

المرقوم

واہ الع

کے لئے منظور ہے۔

Handwritten signature and stamp at the bottom.