BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 740/2019

Date of institution 17.06.2019

Bakhtiar Zamin, PSHT (BPS-15), GPS Urya Khel, District Dir Upper.

VERSUS

The Government of Khyber Pakhtunkhwa through Secretary (E&SE) Department, Civil Secretariat, Khyber Pakhtunkhwa, Peshawar and two others.

<u>O R D E R</u> 26.04.2022

Mr. Noor Muhammad Khattak, Advocate, for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present.

Learned counsel for the appellant stated at the bar that he wants to withdraw the instant service appeal without any further proceedings. In this respect, written endorsement of learned counsel for the appellant obtained at margin of order sheet.

In view of the above, the appeal in hand stands dismissed as withdrawn. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED 26.04.2022

(ROZINA-REHMAN) MEMBER NUDICIAL)

analona (SALAH-UD-DIN) MEMBER (JUDICIAL)

12.01.2022

Mr. Haider Ali, Advocate junior of learned counsel for the appellant present. Mr. Riaz Khan Paindakheil, Asst. AG for respondents present.

Former made a request for adjournment as senior counsel for the appellant is busy before Hon'ble Peshawar High Court, Bannu Bench. Adjourned. To come up for arguments before the D.B on 26.04.2022.

(Atiq-ur-Rehman Wazir) Member(E) 17.02.2021

1 Due to Pandemic of Covid-19, the case is adjourned to 24.05.2021 for the same.

Read

24.05.2021

Due to demise of the Worthy Chairman, the Tribunal is non-functional, therefore, case is adjourned to 02.09.2021 for the same as before.

Reader

02.09.2021

Due to summer vacations, the case is adjourned to 12.01.2022 for the same as before.



18.06.2020

Due to Covid-19, the case is adjourned. To come up for the same on 08.09.2020 before D.B

08.09.2020

Mr. Afrasiab Khan Wazir, Advocate, Junior to senior counsel for the appellant is present. Mr. Usman Ghani, District Attorney alongwith Mr. Hussain Ahmad, Litigation Officer for respondents present.

Formal request for adjournment that his senior counsel is busy in august Peshawar High Court, Peshawar.

Adjourned to 26.11.2020 for arguments before D.B.

(Mian Muhammad) Member (E)

(Muhammad-Jamal) Member(J)

26.11.2020

Junior to counsel for the appellant and Zara Tajwar, DDA alongwith Ahmad Hussain Litigation Officer for the respondents present.

Request for adjournment is made due to engagement of learned counsel for the appellant before Honourable High Court today. Adjourned to 18.02.2021 for hearing before the D.B.

(Mian Muhammad) Member(E)

Chairman

18.12.2019

Junior to counsel for the appellant and Addl. AG alongwith Sardaraz Khan, ADEO for the respondents present.

Representative of the respondents furnished the reply on behalf of the respondents, which is placed on record. The appeal is assigned to D.B for arguments on 24.02.2020. The appellant may furnish rejoinder, within one month, if so advised.

Chairman

24.02.2020

Junior to counsel for the appellant present. Mr. Riaz Khan Paindakheil learned Assistant Advocate General alongwith Sardaraz ADO present. Junior to counsel for the appellant seeks adjournment as senior counsel is not available. Adjourn. To come up for arguments on 27.03.2020 before D.B.



Member

27.03.2020

Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 18.06.2020 before D.B.

05.09.2019

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Appellant Deposited

Process Fee

Counsel for the appellant present.

Contends that the appellant while performing his duty as PSHT was considered eligible for promotion as SST and was also recommended for the purpose through working paper prepared on 08.01.2019. On the contrary the impugned notification dated 22.02.2019 did not include the name of appellant. The available posts for promotion of SST against PSHT/SPST/PST 13 posts as transpired in the working paper but was incorrectly noted in the impugned notification as 10 posts. That the appellant was thereby denied his due promotion without any valid reason.

In view of available record and arguments of learned counsel, instant appeal is admitted for regular hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents. To come up for written reply/comments on 05.11.2019 before S.B.

Chairman

Chairmar

05.11.2019

Counsel for the appellant and Addl. AG alongwith Sardaraz Khan, ADEO for the respondents present.

Representative of respondents seek time to furnish the comments. Adjourned to 18.12.2019 on which date the requisite reply/comments shall positively be submitted.

Form-A

FORM OF ORDER SHEET

Court of_

740/2019 Case No.-_ Order or other proceedings with signature of judge S.No. Date of order proceedings 2 3 1 The appeal of Mr. Bakhtiar Zamin presented today by Mr. Noor 17/06/2019 1-14.7 Muhammad Khattak Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please. REGISTRAR 12/6/19 This case is entrusted to S. Bench for preliminary hearing to be 24/08/09 2put up there on (2/07/19 CHAIRMAN 1 Seat Learned counsel for the appellant present and seeks 12.07.2019 adjournment. Adjourn. To come up for preliminary hearing on 05.09.2019 before S.B. Member

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Appeal No. 740 / 2019

VS

BAKHTIAR ZAMIN

EDUCATION DEPTT:

S.NO.	DOCUMENTS	ANNEXURE	PAGE		
1	Memo of appeal		1- 3.		
2	Working Paper	A	4.		
3.	Impugned Notification	В	5- 9.		
4.	Departmental appeal	С	10.		
5.	proposal	D	11.		
6.	Vakalat nama		12.		

APPELLANT

THROUGH: NOOR MOHAMMAD KHATTAK, ADVOCATE

Flat No. 3, Upper Floor, Islamia Club Building, Khyber Bazar, Peshawar 0345-9383141

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

SERVICE APPEAL NO. <u>740</u> /2019

9 Service Tribunal Diary No. 258

Mr. Bakhtiar Zamin, PSHT (BPS-15), GPS Urya Khel, District Dir Upper.

..... Appellant

VERSUS

- 1. The Govt. of Khyber Pakhtunkhwa through Secretary (E&SE) Department, Civil Secretariat, Khyber Pakhtunkhwa, Peshawar.
- 2. The Director (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
- 3. The District Education Officer (M), District Dir Upper.

SERVICE APPEAL UNDER SECTION-4 OF THE **KHYBER** PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED NOTIFICATION DATED 22.2.2019 WHEREBY COLLEAGUES OF THE APPELLANT HAS BEEN PROMOTED TO THE POST OF S.S.T (G) (BPS-16) WHILE THE APPELLANT HAS BEEN **IGNORED INSPITE OF ELIGIBILITY AND SENIORITY CUM FITNESS** AND AGAINST NOT TAKING ACTION ON THE DEPARTMENTAL APPEAL OF APPELLANT WITHIN THE STATUTORY PERIOD OF **NINETY DAYS**

PRAYER:

edto-day

Dev.

That on acceptance of this Service appeal the impugned Notification dated 22.2.2019 may very kindly be modified/rectified to the extent of appellant and the respondents may please be directed to consider the appellant for promotion to the post of S.S.T (BPS-16) w.e.f. 22.2.2019 with all 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: FACTS:

<u>Brief facts which give rise to the instant appeal is as</u> <u>under:-</u>

- 1. That appellant is the employee of the respondent Department and is serving the respondent Department as PSHT (BPS-15) quite efficiently and up to the entire satisfaction of his superiors.
- 2. That according to the seniority list of PSHT's (BPS-15) of District Dir Upper the appellant has been at serial No.13 of the said list. That according to the working papers total 13 posts of SST (BPS-16) were lying vacant in District Dir Upper and as such the appellant being at serial No.12 of the seniority list has been recommended by the respondent No.3 for promotion to the post

. (s)v

- 5. That the appellant having no other efficacious, adequate and alternate remedy, approach this Honourable Tribunal on the following grounds amongst the others.

<u>G R O U N D</u>:-

- A. That the impugned Notification dated 22.2.2019 is against the Law, Facts, norms of natural justice and materials available hence not tenable and liable to be set aside.
- B. That the appellant has not been treated by the respondents in accordance with law and rules on the subject noted above and as such the respondents are clearly violating Article 4 and 25 of the constitution of Islamic Republic of Pakistan 1973.
- C. That the respondents have not acted in accordance with law and rules governing on the subject by not promoting the appellant to the post of S.S.T (BPS-16) inspite of seniority cum fitness.
- D. That according to the rules of the respondent Department the appellant is fully eligible and entitled to be promoted on the post of S.S.T (BPS-16) with all back benefits.
- E. That the respondents discriminated the appellant on the subject noted above and as such violated section-9 of the Civil servant Act, 1973 read with Rule-7 of the appointment, promotion and transfer Rules, 1989.
- F. That the appellant has served the Department for a long period with unblemished service record and having seniority cum fitness, therefore, the appellant have the right to be promoted to the post of S.S.T (BPS-16).

- G. That the inaction of the respondent by not promoting the appellant to the post of S.S.T (BPS-16) inspite of Seniority and eligibility is against the Article-38 (e) of the constitution of Pakistan, 1973 which enshrines <u>"that the state shall reduce</u> <u>disparity in the income and earnings of the individual</u> <u>including persons in the service of Pakistan".</u>
- **H.** That the respondents acted in arbitrary and malafide manner by ignoring the appellant from promotion and issuing the impugned Notification dated 22.2.2019.
- I. That any other grounds will be raised at the time of arguments with prior permission of this Honourable Tribunal.

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

Dated: 10.6.2019

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Appellant BAKHTIAR ZAMIN Through NOOR MOHĂMMAD KHATTAK

MUHAMMAD MAAZ MADNI

&

SHAH ZULLAH KHAN

Advocates High Court, Peshawar. OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) DIR UPPER

PSHT / SPST / PSTs (M) TEACHER TO SST General B-16

WORKING PAPERS FOR DEPARTMENTAL PROMOTION COMMITTEE FOR THE PROMOTION FROM

12

18

	TS TEACHERS (M) FOR THE PROMOTION OF SST General B-16	
		48
	3% by promotion from S.Qari . Qari	01
	4% by promotion from STT/TT	01
	4 % by promotion from SAT/AT	01
mometion	4% by promotion from SDM/DM	02
by	20% by promition from PSHT/SPST/PST	13
	140% by promotion from SCT/CT	18

lotal Exne	cted SST (G) Vac	ancy= 48 in District Dir Up	per.	20 % Share of PSHT/SP	ST/PST	G	ienrel \$\$7= 125 L	·	
S.No.		Name of Teacher	Present place of posting	DOB	D/O Passing PTC	0	tualification	Wether Eligible or Not	Remarks
						Acad:Qualif:	Prof: Qualif:	or Not	
	42	AMIR MUHAMMAD	GPS Loi Baba	05.06.1962	25/01/1986	BA	PTC+BED	Eligible	Recommended ()
<u>,</u>	245	IMUHAMMAD MUNIR	GPS Mashango Kasa	01.03.1955	22/11/1992	BA	PTC+BED	Eligible	Recommened OV
	260	SAHIS ZADA	GPS Shaga Amicokna:	02,01,1969	22/11/1932	BA	FIC+Bed	Eligiple	Recommened BK
c	263	AURANG ZER	GPS Daskor Payeen No-2	01.04.1969	22/11/1992	EA	PTC.CT.Bed	Eligible	Recommened OK
······	259	MUHAMMAD HAYAT	GPS Batal	01.04.1969	22/11/1992	MA	PTC-C.T.B.Ed	Eligibie	Recommened est
	270	SULTAN ZEB	GPS Shafelo Khwar	15.07.1969	22/11/1992	BA	PTC,Bed	Eligible	Recommened est
	1279	MUHAMMAD ALI	GPS Jan Battal No-1	01.06.1965	22/11/1992	MA	PTC+BED	Eligible	Recommened OK 4
	17.89	ALAM ZEB	GPS Stakani	01.04,1970	22/11/1992	MA	PTC, CT, Bed	Eligible	Recommence
	297	MUHAMMAD AYAZ	GPS Kelal Banci No-1	08.11.1972	22/11/1992	BA 1	PTC+Sed	Eligible	Recommened -V
	:254	IRAHAT ULLAH	IGPS Gal Kor	03.02.1958	01.03.1993	NA I	PTC+B.5d	Eligible	Recommened CL
	295	UMER WAHAB	GPS Dam Jabbar	15/07/1969	01.03.1993	MA	PTC+E.Ed	Eligible	Recommened NK
	1235	WARD UDDIN	GPS Kulata Banci (Jo-2	02.10.1969	01.03 1993	AS .	PŤĆ+B.Ed	Eligible	Recommened OC
5		EAKHTIAR ZAMIN	GPS Urya ktel	06.07.1973	01.03.1593	БА	PTC+BED	Eligipie	Recommened of
<u>-</u>	312	IJEHAN ZEB	GPS Sangar	03.05.1970	09.07.1293	MA	PTC-C.T.B.Ed	Eligible	W/List 🤸

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4 None of them is on deputation to any organization under the dedral / Provincial /Autonomous / Semi autonomous / Internation Organization.
5 Nèither any disciplinary /departmental proceedings/Anti corruption/judicial enquiry is pending against them nor has any penalty been imposed upon any one -xic field +#F 3-351 (A) +#F 3-351 (A) + #F 3-351 (A

11 The Departmental Promotion Committee is requested to determine the suitability of the above PSHT/SPST/PST for promotion to SS B-16 post with immediate effect

12 Seloner most/Eligible PST/SPT/PSHT teachers have been included in the list.

(Where and Cie) DISTRICT COUCATION OFFICER MALE DIR UPPER

SSTS (M) Directorate of Elementary and Secondary Education



Consequent upon the recommendations of the Departmental Promotion Committee and in pursuance of the Government of Khyber Pakhtunkhwa Elementary and Secondary Education Notification NoSO(PE)/4-5/SSRC/Meeting/2013/Teaching Cadre dated 24th July,2014, the following SCTs/CTs, SDMs/DMs, SATs/ATs, STTs/TTs, Senior Qaris/Qaris, PSHTs/SPSTs/PSTs are hereby promoted to the post of SST (Bio-Chem),SST (Phy-Maths), SST (General) noted against each BPS-16 (Rs. 18910-1520-64510) 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 by the District Education Officer concerned.

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A.<u>SST (Bio/Chem)</u>

.1. Promotion to Senior PSHT/SPST/PST to SST (Bio/Chem) BPS-16.

Total No. of vacant Posts of SST (Bio-Chem)	11
25% share initial recruitment	03
75% share for Promotion.	02
20 % Share of promotion of PSHT/SPST/PST	04
Posts available for promotion	03
Proposed for Promotion	03
Recommended for promotion	03
Balance	01

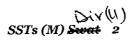
S. No	S.L No	Name of Official & Present Place of Posting	Date of Birth	Date of Appott: as Regular PST	Qualifica tion	. Remarks
]	1086	Ihsanullah GPS Markhano	1/3/1987	1/12/2006	BSc/B.Ed	Services placed at the disposal of DEO (M) Dir Upper for further posting against SST (Bio/Chem) post
2	1324	lsrar Ahmad GPS Tangai	28/12/19 87	18/12/2008	BSc/B.Ed	do
3	1403	Mushtaq Ahmad GPS Tangai	1/12/198 7	1/8/2011 .	BSc/BED	do

B. SST (Phy-Maths)

1. PROMOTION OF PSHT/SPST/PST TO SST (Phy-Maths) B	<u>PS-16</u>
Total No. of SST Phy-Maths (M) Posts vacant Posts	10
25% share initial recruitment	03
75% share for Promotion.	07
20 % Share of promotion of PSHT/SPST/PST	02
Posts available for promotion	02
Proposed for Promotion	02
Recommended for promotion	02

S.N 0	S.L No	Name of Official & Present Place of Posting	Date of Birth	Date of Appott: as Regular PST	Qualifica tion	Remarks	
1	1280	Muhammad Wahab GPS Doro	20/4/1984	19/11/2008	BSc/B.Ed	Services placed at the disposal of DEO (M) Dir Upper for further posting against SST (Phy-Maths) post	
2	1299	Faridullah GPS Qila Chukiatan	30/11/1986	1/12/2008	BSc/B.Ed	do	

1055



C. <u>SST (General)</u> 1. PROMOTION OF SCT/CT TO SST (General) BPS-16

Total No. of vacant Posts of SST (General)	
25% share initial recruitment	12
75% share for Promotion.	
40 % Share of promotion of SCT/CT	19
Posts available for promotion	19
Proposed for Promotion	19
Recommended for promotion	

Ś.	S.L	Name of	Date of	Date of	Qualificati	Remarks
No	No	Official &	Birth	Appott: as	on	
		Present		Regular CT	•	
		Place of				
		Posting				
1	08	Muhammad	2/2/1966	1/8/1995	BA/B.Ed	Services placed at the disposal of DEO
		Riaz GHS				(M) Dir Upper for further posting
		Sawani				against SST (General) post.
2	11	Matiullah	6/10/1968	1/9/1995	BA/B.Ed	do
		GHSS Swani]	do do
3	14	Mumtaz	5/1/1967	8/9/1998	BA/B.Ed	do
		Ahmad				
		GCMHS Dir				
4	19	Khashi Ullah	15/9/1965	6/4/1999	BA/B.Ed	do
		GHS				· .
		Chokiatan				do
5	20	Muhammad	3/2/1973	6/4/1999	BA/B.Ed	
		Ishaq GHSS				
6	21	Usherai Khan Daraz	13/1/1974	6/4/1999	BA/B.Ed	
U	21	GHSS Wari	13/11/74	0/4/1999	Dru D.Lu	
7	22	Nizam Ud	6/4/1964	7/4/1999	BA/B.Ed	do
		Din GHS				
	1	Daskoor				
8	23	Mohib Ullah	7/1/1972	9/4/1999	BA/B.Ed	do
		GHSS			1	
		Sheringal				dodo
9	24	Muhammad	18/1/1966	10/4/1999	BA/B.Ed	ao
	ł	Amin Khan				
10	25	GHSS Wari Muhammad	6/11/1964	11/5/1999	BA/B.Ed	do
10	25	Nazir GHS	0/11/1904	.1115/1999	DA/D.Eu	
		Jan Bhattai				
11	27	Rafi Ullah	4/3/1971	7/6/1999	BA/B.Ed	do
		GHS				
		Bibyawar				
12	28	Muhammad	5/12/1974	14/7/1999	BA/B.Ed	do
		Usman				
13	29	GCMHSS Dir Khalil Ur	4/1/1978	15/7/1999	BA/B.Ed	· · · · · · · · · · · · · · · · · · ·
15	29	Rehman GHS	4/1/19/0	13///1999	DAVD.Lu	
		Pacha Kalay				
14	30	Khaista	2/10/1965	16/7/1999	BA/B.Ed	do
		Muhammad GHSS				
1		Gandigar	1			
15	32	Shams Ur	5/10/1977	16/7/1999	BA/B.Ed	do
		Rahim GHS				
		Nihag	1/5/10/5	19/5/1005	D 4/D P 2	do
16	33	Muhammad Zamin GHS	1/5/1965	18/5/1985	BA/B.Ed	
-		Nagrail				
17	36	Zahoor Ul	2/1/1975	20/7/1999	BA/B.Ed	do
		Islam GHSS				
18	37	Sheringal Sahibzada	5/8/1969	1/11/1999	BA/B.Ed	do
10	5/	Roohullah	5/0/1909	1/11/1999	DA/D.EU	
		GHS Rehan				
	+	Kot			. 	
19	38	Bakht Zada GHS	6/2/1966	1/11/1999	BA/B.Ed	do
		GHS Karkabanj		i i		
1	1				A	

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2. PROMOTION OF PSHT/SPST/PST TO SST (General) BPS-16.

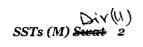
Total No. of vacant Posts of SST (General)		48
25% share initial recruitment		12
75% share for Promotion.		36
20 % Share of promotion of PSHT/SPST/PST	_	10
Posts available for promotion		10
Proposed for Promotion		10
Recommended for promotion		10

S. No	S.L No	Name of Official & Present Place of Posting	Date of Birth	Date of Appott: as Regular PST	Qualifica tion	Remarks
1	42	Amir Muhammad GPS Loi Baba	5/6/1962	25/1/1986	BA/B.Ed	Services placed at the disposal of DEO (M) Dir Upper for further posting against SST (General) post.
2	249	Muhammad Munir GPS Mashango Kass	1/3/1965	22/11/1992	BA/B.Ed	do
3	260	Sahibzada GPS Shaga Amlooknar	-2/1/1969	22/11/1992	BA/B.Ed	do
4	263	Aurangzeb GPS Daskoor Payan No.2	1/4/1969	22/11/1992	BA/B.Ed	do
5	269	Muhammad Hayat GPS Batal	1/4/1969	22/11/1992	BA/B.Ed	do
6	270	Sultan Zeb GPS Shafalo Khawar	15/7/1969	22/11/1992	BA/B.Ed	do
7	279	Muhammad Ali GPS Jan Battai No.1	1/6/1965	22/11/1992	BA/B.Ed	do
8	289	Alam Zeb GPS Shakani	1/4/1970	22/11/1992	BA/B.Ed	do
9	292	Muhammad Ayaz GPS Kolal Bandi No.1	8/11/1972	22/11/1992	BA/B.ED	do
10	294	Rahat Ullah GPS Galkor	3/2/1968	1/3/1993	BA/B.ED	do

3. PROMOTION OF SDM/DM TO SST (General) BPS-16

Total No. of vacant Posts of SST (General)	<u></u>	48
25% share initial recruitment		12
75% share for Promotion.		36
04 % Share of promotion of SDM/DM		02
Posts available for promotion		02
Proposed for Promotion		02
Recommended for promotion		02

S.No S.L Name of Date of Date of Qualifica Remarks Official & No Birth Appott: tion Present as Place of Regular Posting DMServices placed at the disposal of DEO (M) Dir Upper for further posting against SST (General) post. MA/B.Ed 1 2 Aziz Ahmad 7/12/1975 6/4/1999 GHS Gamseer 2 Abdullah 2/2/1974 11/5/1999 MA/B.Ed 4 GHS Bin -----do-----Bala 4. PROMOTION OF SAT/AT TO SST (General) BPS-16. Total No. of vacant Posts of SST (General) 48



C. <u>SST (General)</u> <u>1. PROMOTION OF SCT/CT TO SST (General) BPS-16</u>

Total No. of vacant Posts of SST (General)	48
25% share initial recruitment	12
75% share for Promotion.	36
40 % Share of promotion of SCT/CT	19
Posts available for promotion	19
Proposed for Promotion	19
Recommended for promotion	

Ś.	S.L	Name of	Date of	Date of	Qualificati	Remarks
Vo	No	Official &	Birth	Appott: as	on	
		Present		Regular CT		
		Place of				
		Posting		l		· · · · · · · · · · · · · · · · · · ·
1	08	Muhammad	2/2/1966	1/8/1995	BA/B.Ed	Services placed at the disposal of DEO
		Riaz GHS	:			(M) Dir Upper for further posting
		Sawani	1			against SST (General) post.
2	11	Matiullah	6/10/1968	1/9/1995	BA/B.Ed	· ,
-		GHSS Swani	0,10,1200		2122124	do
3	14	Múmtaz	5/1/1967	8/9/1998	BA/B.Ed	do
~	• 7	Ahmad	5/1/1007	0/3/1/20		
		GCMHS Dir	l • .			
4	19	Khashi Ullah	15/9/1965	6/4/1999	BA/B.Ed	do
		GHS				
		Chokiatan	•			
5	20	Muhammad	3/2/1973	6/4/1999	BA/B.Ed	do
		Ishaq GHSS				
		Usherai		L	I	
6	21	Khan Daraz	13/1/1974	6/4/1999	BA/B.Ed	
		GHSS Wari		ļ		
7	22	Nizam Ud	6/4/1964	7/4/1999	BA/B.Ed	do
		Din GHS				
		Daskoor				do
8	23	Mohib Ullah	7/1/1972	9/4/1999	BA/B.Ed	ao
		GHSS				
~ .	24	Sheringal	10///10//	10///1000	D (/D D)	do
9	24	Muhammad	18/1/1966	10/4/1999	BA/B.Ed	
		Amin Khan	•			
10	25	GHSS Wari Muhammad	6/11/1964	11/5/1999	BA/B.Ed	do
10	25	Nazir GHS	0/11/1904	11/3/1999	DA/D.LU	
		Jan Bhattai				
11	27	Rafi Ullah	4/3/1971	7/6/1999	BA/B.Ed	do
	21	GHS	4/3/19/1	110/1999	DAID.Lu	
		Bibyawar	Ì			
12	28	Muhammad	5/12/1974	14/7/1999	BA/B.Ed	do
		Usman			2102.20	
		GCMHSS Dir				
13	29	Khalil Ur	4/1/1978	15/7/1999	BA/B.Ed	•
		Rehman GHS				
14	30	Pacha Kalay Khaista	2/10/1965	16/7/1999	BA/B.Ed	do
14	00	Muhammad	2/10/1903	10///1999	DAID, EQ	- 40
		GHSS				
	1	Gandigar	L			
15	32	Shams Ur	5/10/1977	16/7/1999	BA/B.Ed	do
		Rahim GHS			1	
16	33	Nihag Muhammad	1/5/1965	18/5/1985	BA/B.Ed	do
10	22	Zamin GHS	115/1905	10/3/1903	DA/D.EU	
		Nagrail			ļ	
17	36	Zahoor Ul	2/1/1975	20/7/1999	BA/B.Ed	do
	1	Islam GHSS				
10	27	Sheringal		10,110,000	D.4/D.D.1	
18	37	Sahibzada Roohullah	5/8/1969	1/11/1999	BA/B.Ed	do
		GHS Rehan				
		Kot				
19	38	Bakht Zada	6/2/1966	1/11/1999	BA/B.Ed	do
		GHS			1	
		Karkabanj			<u> </u>	<u> </u>

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Dir (U)

SSTs (M) Swat _4

	12
25% share initial recruitment	
75% share for Promotion.	
04 % Share of promotion of SAT/AT	02
04 % Share of promotion of SAT/112	02
Posts available for promotion	02
Proposed for Promotion	
Recommended for promotion	02
	01
Balance	

S. No	S.L No	Name of Official & Present Place of	Date of Birth	Date of Appott: as Regular AT	Qualifica tion	Remarks
1	3	Posting Noor Rahman GHS Jelar	15/12/1963	11/11/1986	MA/B.Ed	Services placed at the disposal of DEO (M) Dir Upper for further posting against SST (General) post.

5. Promotion of S STT/TT to SST (General) BPS-16 Total No. of vacant Posts SST (General)	48
25% share initial recruitment	12
25% share initial recruitment	
75% share for Promotion. 04 % Share of promotion of STT/TT	02
Posts available for promotion	02
Proposed for Promotion	02
Recommended for promotion	02
Balance	01

S. No	S.L No	Name of Official & Present Place of Posting	Date of Birth	Date of Appott: as Regular TT	Qualifica tion	Remarks
1	9	Nisar Ul Haq GHS Miana Doag	18/3/1979	15/3/2005	MA/B.Ed	Services placed at the disposal of DE (M) Dir Upper for further postin against SST (General) post.
6.F	rom	otion of S (lo. of vacan	Qari/Qar t Posts o	i to SST (f SST (Ge	(General) eneral)	
25	% sh	are initial 1	recruitm	ent		<u> </u>
75% share for Promotion. 03 % Share of promotion of S Qari/Qari						
Posts available for promotion						
Proposed for Promotion Recommended for promotion						

S. No	S.L No	Name of Official & Present Place of Posting	Date of Birth	Date of Appott: as Regular Qari	Qualifica tion	Remarks
	1	Subhan Ud Din GHSS Wari	10/8/1969	14/5/1999	MA/B.Ed	Services placed at the disposal of DEO (M) Dir Upper for further posting against SST (General) post.

Terms and conditions:-.

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

- SSTs (M) Swat 5
- They will be governed by such rules and regulations as may be issued from time to time by the Govt.
- Their posting will be made on School based, they will have to serve at the place of posting, and their service is not transferable to any other station.
- 10 Before handing over charge once again their document may be checked if they have not the required relevant qulifications as per rules, they may not be handed over charge of the post.

(Hafiz Dr. Muhammaed Ibrahim) Director Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar

1585-90 / File No.2/Promotion SST B-16: Dated Peshawar the <u>22/2/</u>2019 Endst: No Copy forwarded for information and necessary action to the: -1. Accountant General Khyber Pakhtunkhwa Peshawar.

- 2. District Education Officer (M) Dir Upper.
- 3. District Accounts Officer Dir Upper.
- 4. Official Concerned.

9

- 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

Dи (Esta Elementary and Secondary Education

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Khuber Pakhtunkhwa Peshawar

THE SECRETARY (E&SE),

Government of Khyber Pakhtunkhwa, Peshawar.

Subject: DEPARTMENTAL APPEAL AGAINST THE PROMOTION ORDER DATED 22-02-2019

Most respectfully is stated that I am working as Primary School Head Teacher (PSHT) under the administrative control of District Education Officer (Male) Dir Upper in Government Primary School Dir Upper. Recently, working paper for Departmental Urya Khel prepared for the promotion of Promotion Committee was PSHT/SPST/PSTs (M) Teachers to the post of SST General (BPS-16). in which 14 PSHTs were short listed for promotion to the next higher scale of SST General (BPS-16) as per 20% Quota for promotion, from Serial No. 1 to serial No. 13 were placed in the eligible as well as recommended list of the working paper and one PSHT at Serial No. 14 was also placed in the eligible but in the waiting list and I was placed at Serial No. 13 of the list. Astonishingly, when I saw the promotion order of SST (General) BPS-16 dated 22-02-2019 only 10 PSHTs were given promotion and I was differed being not only eligible but also recommended in the working paper prepared for promotion and no plausible reason was shown for the differing me from promotion.

It is, therefore, most kindly requested that promotion order dated 22-02-2019 may kindly be modified and I may be consider for promotion to the post of SST (General) BPS-16 with all consequential back benefits including seniority.

Dated: 08-03-2019

Obediently Yours, AKHTIAR ZAMIN GPS Urya Khel, Dir Upper. 08-03-2019

Τo

Sir,

			•	•					
			WORKING PAPERS F	OR DEPARTM	ENTAL PROMOTION		FOR THE PROMOT	ION FROM	
			· · · ·	PSHT / SPST	/ PSTs (M) TEACHE	R TO SST Gen	eral B-16		
25% Initial R	Recruitment	· · · ·				0			
75%	40% by pro	motion from SCT/CT	-			0			
by	20% by pro	mtion from PSHT/SPS	T/PST			03	ł.		
promotion	4% by prom	otion from SDM/DM	· · · ·		•	0			
·	4 % by pron	notion from SAT/AT	· · · · · ·			0			•
	4% by prom	otion from STT/TT			· · · · · · · · · · · · · · · · · · ·	0			<i></i>
	3% by prom	otion from S.Qari . Q	ari						
	G. Total					03	·]	
LIST OF PSH	Ts TEACHERS	(M) FOR THE PROMO	OTION OF SST General B-16		•				· · ·
Total Expect	ted SST (G) V		3		·	-	Genrel SST= 03		
S.No.	Sen:List No.	Name of Teacher	Present place of posting	DOB	D/O Passing PTC		Qualification	Wether Eligible or Not	Remarks
	· ·				11.	Acad:Qualif:	Prof: Qualif:	or Not	i
11	295	UMER WAHAB	GPS Jabai	15/07/1969	1/3/1993	MA	PTC+B.Ed	Eligible	Recommended
7 12)	296	WAHID UDDIN	GPS Kulala Bandi No-2	2/10/1969	1/3/1993	MA	PTC+Bed+Med	Eligible	Recommend
. 13	300	BAKHTIAR ZAMIN	GPS Urya khel	6/7/1973	1/3/1993	MA	PTC+Bed+Med	Eligible	Recommened

CERTIFICATE

1 It is certified that all the PSHT/SPST/PST (M) included in the panel for the promotion to SST General Post.

2 Hold the posts on regular basis and none of them is holding the post on adhoc/acting chage basis/ contract.

3 Have completed the required minimum length of qualifying service and qualifications as required for promotion to the post of SST under the rules.

4 None of them is on deputation to any organization under the dedral / Provincial /Autonomous / Semilautonomous / Internation Organization.

5 Neither any disciplinary /departmental proceedings/Anti corruption/judicial enquiry is pending against them nor has any penalty been imposed upon any one of them during the last five years.

6 No one is on long leave /Ex-Pakistan leave.

7 Their ACRs, Synopsis are free from adverse remarks.

8 He is all alive and serving.

9 His appointment order against PSHT / SPST/PST post is attached herewith.

10 The Seniority list of B-16 officers is final, undisputed and not subjudice.

11 The Departmental Promotion Committee is requested to determine the suitability of the above PSHT/SPST/PST for promotion to SS B-16 post with immediate effect

12 Seioner most/Eligible PST/SPT/PSHT teachers have been included in the list.

DISTRICT EDUCATION OFFICER MALE DIR UPPER

VAKALATNAMA

Cervice Tribunal Porhawar Before the

OF 2019

Rappliar

(APPELLANT) (PLAINTIFF) (PETITIONER)

<u>VERSUS</u>

(RESPONDENT) Education Deptt: _ (DEFENDANT) sufficer Lanin

I/We <u>Ballinar</u> <u>Jamen</u> Do hereby appoint and constitute **NOOR MOHAMMAD KHATTAK, 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.___/__/2019

CLIENT

ACCEPTED NOOR MOHAMMAD KHATTAK

> MIR ZAMAN SAFI ADVOCATES

OFFICE:

Flat No.3, Upper Floor, Islamia Club Building, Khyber Bazar, Peshawar City. Phone: 091-2211391 Mobile No.**0345-9383141**

BEFORE THE KHYBER PAKHTUNKHAWA SERVICE TRUBNIL PESHAWAR.

Service Appeal No 740/2019.

Mr, Bakhtyar Zamin PSHT(BPS-15)GPS Urya Khel, District Dir Upper.-----Appellant.

VERSUS

- 1. Govt of KPK through Secretary Education, Peshawar.
- 2. Director of Education, E&SE, KP Peshawar.
- 3. District Education Officer (M) Dir Upper ------Respondents

Reply on the behalf of the Respondents.

Respectfully sheweth.

PERLIMINARY OBJECTIONS.

- 01. That the appellant has no cause of action.
- 02. That the appellant has not come to the service tribunal with clean hands.
- 03. That the appellant has been, estopped by his own conduct to file the instant appeal.
- 04. That the appellant has no locus standi.
- 05. That the appeal is not main table in its present form.
- 06. That the appeal is time barred.
- 07. That the appeal is bad due to mis-joinder and non-joinder of necessary parties.

OBJECTION ON FACTS.

- 01. Pertain to the personal record of the appellant, hence need no comments.
- 02. Incorrect, and it is submitted that in session 2018-19 total vacant SST(G) posts were 48, out of them 12, posts were reserved for initial recruitment @ 25% while the rest 75% were reserved for in-service promotion @75% share. Their further cadre wise break-up is as under.

Total No, of SST(G) vacant posts=48, share of initial recruitment @ 25%=25/100*48=12.

In-service promotion, share 75%,75/100*48=36.

CT,s share @ 40%, 40/100*48=19 approximately.

PSHT,s share@ 20%,20/100*48=10

DM,AT,TT, Qari @ 4+4+4+3=15%.DM,TT,AT,Qari= 15/100*48=7.

03.Incorrect, it is submitted that total post were of PSHT share 10 and the appellant stood at S.No,13, for ten posts.

04. Incorrect, and it is submitted that the appellant is not an aggrieved party in term of promotion.

05. Incorrect and denied.

OBJECTIONS ON GROUNDS.

- A. Incorrect, the impugned notification dated 22-02-2019 is according to law, norms, facts and natural justice.
 - B. Incorrect, the appellant has been treated in accordance with law and rules.
 - C. Incorrect, the appellant has been has been treated in accordance with law.
 - D. Incorrect, the appellant was not eligible as per seniority list.
 - E. Incorrect and it is submitted that no violation of rules what so ever has been made in case of the appellant.
 - F. Incorrect, and hence denied.
 - G. Incorrect, and it is submitted that no violation of any article of the constitution of Islamic Republic of Pakistan has been made.
 - H. Incorrect and hence denied.
 - I. That further grounds, with the leave of this honorable court would be argued at time of arguments.
 - PRAYER

It is therefore, humbly prayed that on acceptance of this comments, the appeal may kindly be dismissed with cost in the favor of respondents please.

RESPONDENTS

- 1. The Govt: of Khyber Pakhtunkhwa through Secretary E&SE Peshawa
- 2. The Director Elementary& Secondary Education Peshawar_

Elementary & Secondary Education nireCt Kinyber-Pakhtunkhwa Peshawar

3. District Education Officer Male Dir Upper_

Distr: Education Officer Male Dir Distr: Dir Upper Directorate of Elementary and Secondary Education

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<u>otification</u>

Consequent spon the recommendations of the Departmental Promotion amittee and in pursuance of the Government of Khyber Pakhtunkhwa Elementary and condary Education Notification NoSO(PE)/4-5/SSRC/Meeting/2013/Teaching Cadre dated 4th July,2014. the following SC I's/CT's, SDMs/DMs, SATs/AT's, STT's/IT's, Senior Qaris/Qaris, PSIITs/SPSTs/1 STs are hereby promoted to the post of SST (Bio-Chem).SST (Phy-Maths), SST (General) noted against each BPS-16 (Rs. 18910-1520-64510) plus usual allowances as admissible under the rules on regular basis under the existing policy of the Provincial Government, on the torus and condition given below with immediate effect and further they will be posted by the D strict Education Officer concerned.

A.<u>SST (Bio/Chem)</u>

2131

Total No. of vacant Posts of SSF (Rin Character)	Bio/Chem) BPS-1	6	
Total No. of vacant Posts of SST (Bio-Chem) 25% share initial recruitment		11	
75% share for Promotion		03	
20 % Share of promotion of PSHT/SPST/PST Posts available for promotion		$\frac{02}{04}$	
Proposed for Promotion		03	
Recommended for promotion Balance		03	
Dutance	·	01	

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S. No	S.L No	Name of Official & Present Place of Posting	Date of Birth	Late of Appolt; as Appolt; as Kigular PST	Qualifica tion	Remarks .
1	:086	lhsanullah GPS Markhano	1/3/1987	1 - 272006	BSc/B.Ed	Services placed at the disposal of DE((M) Dir Upper for further posting against SST (Bio/Chem) post
	1324	-Israr Almad GPS Tangai	28/12/19	18/12/2008	BSCB.Ed	dododododo
ز	1403	Mushtaq Ahmad GPS Tangai	1712, 198 [°] 7	"i. 2011""	₿\$ <i>©₿</i> ĒÐ	

<u>uns</u>)

T. PROMOTION OF PSHT/SPS //PST TO SST (Phy-Maths) BPS Total No. of SST Phy-Maths (At) Postson (Phy-Maths) BPS	5-16
	10
25% share initial recruitment 75% share for Promotion.	03
20 % Share of promotion of PS IT/SPST/PST	07
Posts available for promotion	02 1
Proposed for Promotion	- 02 02
Recommended for promotion	02

S.N	S.L No	Name of Official & Present Place of	Date of Birth	D) te of A _i pott; as Regular P 1	Qualifica tion	Remarks
	1280	Posting Muhammad Wahab GPS Doro	20/4/1984	19 11/2008	изель.Еа	Services placed at the disposar of DEO (M) Dir Upper for further posting
2	1299	Faridullah GPS Qila Chukiatan	30/11/1986	U 2008	BSc/B.Ed	against SST (Phy-Maths) post

Education Officer Distr. Education Dir Upper Maie Dir. Distr. Dir Upper

Div (4) SSTs (M) Sunt 2

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//General	\mathbf{D}

N. Marken and State

AOTION OF SCT/CT TO SST (General) BPS-16		
No. of vacant Posts of SST (General)		48
thare initial recruitment		12
Share for Promotion St Share of promotion of SCT/CT		36
58 Share of promotion of SCT/CT		<u>19 / </u>
posts available for promotion		19
Proposed for Promotion	· · ·	19
Recommended for prometion		

3

K T A	- 1						<u> </u>	
	S.	S.L	Name of	Date of		Date of	Qualificati	Remarks
	· No	No	Official &	Birth		Appott: as	on	
			Present			Regular CT		. ·
			Place of	i			1.1	
			Posting		- •			
		08	Muhammad	2/2/190		1/8/1995	BA/B.Ed	Services placed at the disposal of DEO
	1	100	1		·		12.12.12.1.1	(M) Dir Upper for further posting
			Riaz GHS					against SST (General) post.
			Sawani		_			ugunst cor (veneral) poet.
	2	11	Matiullah	6/10/15	-8	1/9/1995	BA/B.Ed	do
			GHSS Swani	i				
	3	14	Muntaz	5/1/196		8/9/1998	BA/B.Ed	do
			Ahmad			•		
			GCMHS Dir		_			
	4	19	Khashi Ullah	15/9/19	i	6/4/1999	BA/B.Ed-	do
		1	GHS					
			Chokiatan					
	5	20	Muhammad	3/2/197		6/4/1999	BA/B.Ed	doi
			Ishaq GHSS					
		1	Usherai					
	6	21	Khan Dara:	13/1/19	1	6/4/1999	BA/B.Ed	
1			GHSS Wari				<u> </u>	
-	7	22	Nizani Ud	6/4/196		7/4/1999	BA/B.Ed	do
	1		Din GHS				l .	
			Daskour	i	_	<u> </u>	<u> </u>	
	5	23	Muhib (illah	7/1/197		9/4/1999	BA/B.Ed	do
•			GHSS					
			Sheringal				·	
ŧ	19	24	Muhammad	18/1/19	r 6	10/4/1999	BA/B.Ed.	
,	1	1	Amin Khan	-			· ·	
	•		GHSS Wari					
	10	25	Muhammad	6/11/19	. 4	11/5/1999	BA/B.Ed	do
I	1.0		Nazir GHS					
			Jan Bhattai	1		1		
		27	Rafi Ullah	4/3/197		7/6/1999	BA/B.Ed	do
•	(<i>''</i>	21	GHS					
			Bibyawar					·
•	12	2 28	Muhammad	5/12/19		14/7/1999	BA/B.Ed	do
	11		Usman			1 ·		
			GCMHSS Dir	<u> </u>				
	. 7	3 29	Khalil Ur	4/1/19:	-	15/7/1999	BA/B.Ed	
1	11		Rehman GHS					
			Pacha Kalay	2/10/19		16/7/1999	BA/B.Ed	do
April	~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~	1 30	Khaista Muhammad	2/10/19		10/////////////////////////////////////	10110.00	
(anlill			GHSS					
The second			Gandiyar					
	officer T.	5 32	Shams Ur	5 10.15	, ·	16,2,1999	RAB,Ed	
nint, Education			. Rahum GHS					
Distt: Education Male Dir Distt: Di	r Upper		Nihag		***		PIPEI	
Male Dir Diste. U.	1	1 33	Muhammad	1/5/19/	ı	18/5/1985	B.A. B.Ed	
			Zamun GHS	i				
			Nagrad	1 2/1/19		20/7/1999	BA/B.Ed	do
	1	7 36	Zahoor UI Islam GHSS	221112		-0/11////	Dinging	
			Sheimgal					
		5 3.	Salubcada	5.18/19/		1-11:1999	BA/B.Ed	·
		, , , , , , , , , , , , , , , , , , ,	Roohallah	1		1	1	
•			GHS-Reham	· ·		1		•
		ŀ	Kot		. <u> </u>			
-	7	9 35	Bakht Zada	6/2/19	t .	1/11/1999	BA/B.Ed	
			GHS					
	1	1	Karkobanj	1			l	

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		in change		fo. of vaca	nt Posis	ofSST	(Gene	eral)	<u>enerai) I</u>	<u>21/5-16.</u>		
				hare initial hare for Pro	<u>recruit</u>	nent					48	
			AJ.6 S	share of nre	motion	C DOLL	r/cuc	E DOW			36	
		<u>_</u>	_			tion	1/313	I/PST	······································		10	
		SIL	upo.	sca for Pro	motion .			·* •_		.	10	
	⁰⁸⁸ /	/ <u></u>	com	mended fo	r prom	ion					<u> </u>	
		<u>S.</u>	S.L	1	Date 1	Date					· · · · · · · · · · · · · · · · · · ·	- 1
	1	No	No	1	Birth	Appo		Qualifica tion	Remarks			
	7.	•		Present Place of	•	Regu						
		·		Posting		PST						!
		1	42	Amir	5/6/1	2 25/1/1	1986	BA/B.Ed				
	.			Muhammad GPS Loi				510 D. LU	Services p	laced at	the dispose	al of
	1 			Baba					DEO (M) posting age	141 1101	we take the	
	•	?	249	Muhammad	1/3/19: 5	22/11/	1992	BA/B.Ed				57.
	ĺ			Munir GPS Mashango						• .		
C	3		2.0	Kass						do		
	ر		260	Sahibzada GPS Shaga	2/1/196)	22/11/	1992	BA/B.Ed			·····	
	·			Amlooknar								
	4	.	263	Aurangzeh	14/190	22/11/1	992	BA/B.Ed		- ,		
				GPS Daskoor Payan No 2						··· (IO···		
• •	5		109	Muhammad	1 4/196	22/11,1	107					
· ·				Hayat GPS			<i>yy</i> _	BA/B.Ed		····· (lu		
	0	2	70	Batal Sultan Zèb	15/7/196				_			
				GPS Shafalo	1.977190	27/11/19	92 L	3A/B.Ed	~	10		·
				Khawar Muhammad	1:6/1965		-					
		1		Ali GPS Jan	0.02	22/11/19	92 6	A/B.Ed				
	8	- 28		Battai No.1 Alam Zeb GPS	1	22/14/14						
				Shakani		22/11/19	92 B. 	A/B.Ed				
		29		Muhammad Ayaz GPS	8/11/1972	22/11/19	92 · B.	4/B.ED		(0		
*			1	Kolal Bandi								}
	10	29		No.1 Rahat Ullah	3/2/1968	1/3/1993					•	
			- í C	GPS Galkor				I/B.ED		-+(10		1
	$\frac{3 \cdot I}{Tot}$	$\frac{1}{(al)}$	No. 7	<u>TION OF S</u> of vacant Pe	<u>DM/DM</u>	TO SST	<u>(Gen</u>	eral) BPS	<u>-16 .</u>			
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X III	Pro	pos	ed fi	able for pro or Promoti	omotior					<u>+</u>	$\frac{02}{02}$	-
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Male Dir Distt: Dir Up	0 61		_,			··		·			02]
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			GH	s	1975 674	999 M	A/B.Ed	Services	placed at I	ie dispose	ul of DEO	
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i	~	7		ullah 2/2/19 S Bin	974 11.:_	1999 M.	A'B.EJ				ا 4	, 1
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Total No. of vacant Posts SST (General)	
25% share initial recruitment	12
75% share for Promotion.	36
04 % Share of promotion of STT/TT	02 •
Posts available for promotion	02
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Posts available for promotion	01
Proposed for Promotion	
Recommended for promotion	01
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Their posting will be made on School based, they will have to serve at the place of p and their service is no transferable to any other station. Before handing over marge once again their document may be checked if they have required relevant qub, cations as per rules, they may not be handed over charge of the

> (Hafiz Dr. Muhammaed Ibrahim) Director

1585-7

Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar

Endst: No. / Fle No.2/Promotion SST B-16: Dated Peshawar the 22 Copy forwarded for information and necessary action to the: -1. Accountant General Khyber Pakhtunkhwa Peshawar.

- 2. District Education Officer (M) Dir Upper.
- 3. District Accounts Officer Dir Upper.

4. Official Concerned.

- 5. PS to the Secre. ary to Govt: Khyber Pakhtunkhwa E&SE Department.
- 6. PA to the Director E&SE Khyber Pakhtunkhwa, Peshawar.
- 7. M/File

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Dy: Director (Estab) Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar

Officer ducation Male Dir Distt: Dir Upper

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE)

6)

Dir Upper (Phone # () 44-884100) E-mail: deomdirupper@gmail.com

OFFICE ORDER

Consequent upon their promotion from SCTs/CTs,SDMs,STTs,SATs,S.Qaris BPS-15/16 and PSHTs/SPSTs/PSTs BPS-1 /14/15 to the post of Secondary School Teachers (SSTs) (General),(Maths:Phy),(Bio:Chem:) noted against each PBS-16 (<u>Rs.18910-1520-64510</u>) plus usual allowance as admissible under the rules on regular basis under the exixting policy of the provincial Government, on the terms and conditions given below, vide Director, Elementary & Secondary Education Khyber Pakht inkhwa Peshawar Notification Endst No. 4585-90/F.No.2/Promotion SST B-16 Peshawar the Dated: 22/02/2019 they are hereby further adjusted in the schools noted against each with immediate effect.

S.#	S.:#	Name of Teacher	Present School	School where Adjusted	Remarks
1	11	Matiullah	GHSS Sy ani	GHSS Swani	A.V. Post
2	14	Mumtaz Ahmad	GCMH: Dir	GCMHS Dir	Pay will be active after the retirement of Said Akbar SST (G)
3	19	Khashi Ullah	GHS-Chi kiatan	GMS Dir Khan	A.V.Post
4	20	Mohammad Ishaq	GHSS U herai	GHS Achar	A.V. Post
5	21	Khan Daraz Khan	GHSS Wari	GHS Wari	Already Occupied
6	22	Nizamuddin	GHS Da kor	GHS Daskore	Already Occupied
7	23	Mohibullah	GHSS Sharingal	GHS Doon Bala	A.V. Post
8	24	Mohd Amin Khan	GHSS Wari	GHS Jelar	A.V. Post
9	25	Mohd Nazir	GHS Janl hatti	GHS Shahikot	A.V. Post
10	27	Rafiullah	GHS Biby twar	GMS Hattan	A.V. Post
11	28	Mohammad Usman	GCMF 3S Dir	GHS Dobando	A.V. Post
12	29	Khalilur Rahman	GHS Pacha Kaley	GHSS Pachakałay	Already Occupied
13	30	Khaista Mohd	GHSS Gandigar	GHSS Pachakalay	A.V. Post
14	32	Shamsur Rahim	GHS Nehr 3	GHSS Nehag	A.V. Post
15	33	Mohammad Zamin	GHS Nag il	GHS Nagrail	Already Occupied
16	36	Zahoorul Islam	GHSS Patrak	GHSS Patrak	A.V. Post
17	37	Sahibzada Rohullah	GHS Rehunkot	GMS Kass Chinda Kot	A.V. Post
18	38	Bakht Zada	GHS Karl abanj	GHS Karkabanj	Already Occupied

2. SDM to SST (G)

1	2	Aziz Ahmad	GHS Gamseer	GHS Ganshall	A.V. Post
2	4	Abdullah	GHS Bir. Bala	GMS Sonai	A.V. Post
- 30		Section.	·		

3. <u>STT to SST (G)</u>

101		6	Nisarul Had	GHS Miana Doag	GMS Roghano kalay	A.V. Post
#1>1	1-1-	<u> </u>	Nisalul nay	GIIJ, Miana Doag	GIVID ROBINATIO Ratay	A.v. 1030
Khil	4. <u>5.</u>	Qaři	Nisarul Haq to SST(G)			

Maie Dir Distr. **9 PSHT, SPST, PST, to SST(G)**

1	42	Amir Nuhammad	GPS Loi Baba	GMS Pataw	A.V. Post
2	249	Muhammad Munir	GPS Mashango Kass	GMS Kass Shingara	A.V. Post
3	260	Sahib Zada	GPS Shaga Amlooknar	GHS Doog Payeen	A.V. Post
4	263	Aurang Zeb	GPS Daskore P No.2	GHS Mattar	A.V. Post
5	269	Muhammad Hayat	GPS Batal	GHS Beyar	A.V. Post
6	270	Sultan Zeb	GPS Shaftalo khwar	GHS Ganidat	A.V. Post
7	279	Muhammad Ali	GPS Janbhatti No.1	GMS Nasrat	A.V. Post
8	289	Alam Zeb	GPS Shakani	GHISS Berari	A.V. Post
9	292	Muhamma Ayaz	GPS Kolal Bandi No.1	GMS Sheratkal	A.V. Post
10	294	RahatUllah	GPS Gali ore	GMS Bandan	A.V. Post

GHS Jelar

A.V. Post

ST to SST (Maths : Phy:)

, v	S.:#	Name of Teacher	Present School	School where	Remarks
$\hat{A}^{(k)}$			· ·	Adjusted	l
彩1	1280	Mohammad Wahab	GPS Duro	GHSS Swani	A.V. Post
2	1299	Farid Ullah	GPS Qila Chukyatin	GHS Shahikot	A.V. Post

1	1086	Ihsan Usah	GPS Markhano	GHSS Berari	A.V. Post
2	1324	İsrar Alıma d	GPS Tangai	GHSS Nehag	A.V. Post
∝ <u>3</u>	1403	Mushtag Ahmad	GPS Tangai	GHS Mattar	A.V. Post

TERMS AND COND. DONS.

- 01- They would be on probation for a period one year extendable for another one year.
- 02- They will be performed by such rules and regulations as may be issued from government time to time.
- **03-** Their services can be terminated at any time, in case their performance is found unsatisfactory during the probation period. In case of miss-conduct they will be preceded under the rules framed from time to time.
- 04- Charge report should be submitted to all concerned.
- 05- Their enter-se Seniority on lower post will remain intact.
- 06- No /TA/DAG, allowed for joining their new post.
- 07- They will give an undertaking to be recorded in their service books to the effect that if any overpayment is made to them in light of this order will be recovered and if they are wrongly promoted. Taey will be reversed to the previous post.
- **08-** Before handlet over charge their document may be checked if they have not the required/redefield qualifications as per rules, they may not be handed over charge of the post.

Distt: Education Officer Male Dir Distt: Dir Upper Male Dir Endst No. 2603

- 05/F.No.52/DEO (M)/Estb (S) Dated: _ 03 / 2019

Copy forwarder for 1 formation to the:-

- 1. Director of it. mentary & Secondary Education Khyber Pakhtunkhwa Peshawar.
- 2. District Accesses Officer Dir Upper.
- 3. Principal/Head Master/In-charge concerned.
- 4. Teachers concerned.

DISTRICT EDUCATION OFFICER (M DIR UPPER

(ABDUL HAQ) DISTRICT EDUCATION OFFICER (M)

DIR UPPER

		_			ALLES DIR LIDRER			
		OFF	ICE OF THE DISTRICT ED	UCATION OFFICER (VIALEI DIR OFFER	THE PROMOTION FROM		
		WORKING	PAPERS FOR DEPARTN	IENTAL PROMOTION	COMMITTEEFUR	THE PROMOTION FROM		
			PSHT / SPST	/ PSTs (M) TEACHE	R TO SST General I	8-10	<u> </u>	
			·	12				
25% http://al Re	creuitment			CIM /				
75.44	140% by promotion from SCT/CT			16				
252	20% by promiton from PSHT/SPST/PST			02				
promotion	4% by promotion from SDM/DM			01		· · · · · · · · · · · · · · · · · · ·		
promotion	4 % by promotion from SAT/AT		<u>. </u>	01				
	4% by promotion from STT/TT			01				
	3% by promotion from S.Qari . Qari		48					
			*0					
ULT OF REHT	IS TEACHERS (M) FOR THE PROMOTION OF SS	i General B-16		INCT		Genrel SST= 125 L		
LISTOPPSHI	ed SST (G) Vacancy= 48 in District Dir Upper .	20	% Share of PSHT/SPST			Qualification	Wether Eligible or Not	Remarks
	Sen:List No. Name of Teacher	Present place of posting	DOB	D/O Passing PTC	Acad:Qualif:	Prof: Qualif:	or Not	
S.No.	Senicist No. Intaine of readines		1		Acao;Quain;			Transported N

			Present place of posting	ров	DIO Passing Fro		Prof: Qualif:	or Not	
	Sen:List No.	Name of Teacher		•		Acad:Qualif:	PTC+BED	Eligible	Recommended 0
		AMIR MUHAMMAD	GPS Loi Baba	05.06.1962	25/01/1986	BA	PTC+BED	Eligible	Recommened OK
1	42		GPS Mashango Kass	01.03.1965	22/11/1992	5A	PTC+Bed	Eligible	Recommened OK
2	249	MUHAMMAD MUNIR	GPS Shaga Amlooknar	02.01.1969	22/11/1932	BA	PTC,CT.Bed	Eligible	Recommened OX
3	260	SAHIS ZADA	GPS Daskor Payeen No-2	01.04.1969	22/11/1992	BA	PTC-C.T.B.Ed	Eligible	Recommened est
4	263	AURANG ZEB	GPS Batal	01.04.1969	22/11/1992	t/A	PTC-C-3.B.Ed	Eligible	Recommened ov
5	259	MUHAMMAD HAYAT	GPS Shafelo Khwar	15.07.1969	22/11/1992	ВА		Eligible	Recommened OK
6	273	SULTAN ZEB		61.06.1965	22/11/1992	MA.	PTC+BED	Eligible	Recommened
7	270	MUHAMMAD ALI	GPS Jan Battai No-1	01.04.1970	22/11/1992	MA	PTC, CT, Bed	Eligible	Recommened CV
8	1709	ALAM ZEB	GPS Snakani	08.11.1972	22/11/1992	BA	PTC+Bed	Engible	
p	752	MUHAMMAD AYAZ	GPS Kolal Bandi No.1	03 02.1968	01.03.1993	MA	PTC+B.Ed		Recommened OK
 د د	2.5-	RAHAT ULLAH	(OPS Gal Kor	1 15'07/1969	01.03.1990	NA ,	PTC+8 Ec	Eligible	Recommenced CK
11	295	UMER WAHAB	GP5 Dam Jabbar	02.10.1969	01.03.1993	AM I	PTC+B.Es	Eligible	
<u></u>	123.	WAHID UDDIN	GPS Kuiala Bandi No-2	02.10.1973	01.03.1993	BA	PTC+BED	Elizible	Recommened ON
		EAK-TIAR ZAMIN	GPS Urya khel	00.07.1973		MA	PTC-C.T.B.Ed	Eligible	W/List
- ;	312	LIEHAN ZEB	GPS Sangar	03.05.1970	03.01.1300			<u>ل</u> م .	10
	1 It is certifi 2 Hold the p 3 Have com 4 None of ti 5 Neither a of them d 6 No one is 7 Their ACF	ed that all the PSHT/SPST/F posts on regular basis and m spleted the required minimu hem is on deputation to any ny disciplinary /department during the last five years. . on long leave /Ex-Pakistan as, Synopsis are free from ac	GPS Grya knei GPS Grya knei GPS Sangar PST (M) included in the panel for the one of them is holding the post on a um length of qualifying service and i y organization under the dedral / Pr tal proceedings/Anti corruption/juc leave. dverse remarks. HT / SPST/PST post is attached here inal, undisputed and not subjudice. hittee is requested to determine the I teachers have been included in the	a promotion to say de idhoc/acting chage ba qualifications as requi ovincial /Autonomous licial enquiry is pendir	sis/ contract. red for promotion to 5 / Semi autonomous ng against them nor h	the post of SST und / Internation Orgar las any penalty beer	ler the rules. hization. n imposed upon any one - No b	converse att a el sener tion to prenertion to	ST BY
	8 They are	all alive and serving.				•			nist Etch

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Distr: Education Officer Distr: Education Dir Upper Male Dir Distr: Dir Upper Male

isit the source of the source DISTRICT DUCATION OFFICER MALE DIR UPPER

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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 740/2019.

Mr. Bakhtyar Zamin PSHT (BPS-15) GPS Uryakhel, District Dir Upper...... Appellant

Verses

Govt. of KPK and others..... Respondents

AFFIDAVIT.

I, Mr. Sardaraz Khan, ADEO (Lit) Male Dir Upper, do hereby solemnly affirm and declare on oath that the contents of the joint reply submitted by respondents are true and correct to the best of the knowledge and belief as per office record and that nothing has been concealed from this Hon: Court.

Deponent

SARDARAZ KHAN ADEO (Lit) Office of the DEO (Male) Dir Upper

CNIC. No. 15702-2476972-1