

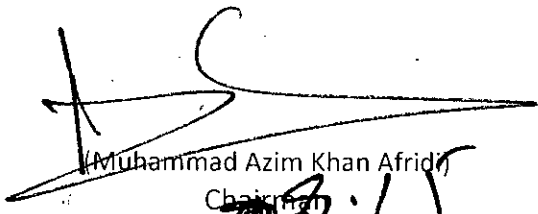
S.No. of order or proceedings	Date of Order or proceedings.	Order or other proceedings with signature of Judge or Magistrate and that of parties where necessary.
1	2	3
	30.9.2015	<p style="text-align: center;"><u>KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR</u></p> <p style="text-align: center;"><u>Appeal No. 839/2015</u></p> <p style="text-align: center;"><u>(Seraj –vs-Govt. of Khyber Pakhtunkhwa through Secretary Education and 4 others)</u></p> <p style="text-align: center;">- <u>JUDGMENT</u></p> <p style="text-align: center;"><u>MUHAMMAD AZIM KHAN AFRIDI, CHAIRMAN:</u></p> <p style="text-align: center;">Counsel for the appellant present.</p> <p>Argued that the appellant is serving as Theology Teacher in GHS Soor Kamar Tehsil Tangi District Charsadda and has gained almost three years experience by now. Further argued that the appellant deserves to be considered for promotion to the post of SST to which he is qualified so far as academic qualification is concerned though he lacks the required experience of five years.</p> <p>Learned counsel for the appellant places reliance on 2012 PLC (C.S) 366 (Lahore High Court) and 2002 SCMR 574 (Supreme Court of Pakistan) and argued that the best available option with the respondents is to promote the appellant on acting charge basis. According to the stance of the learned counsel for the appellant the other two options i.e appointment from other cadre or advertisement of the post were less better options.</p> <p>Arguments heard and record perused and case-law cited at the Bar carefully studied and considered.</p> <p>It was not disputed before this Tribunal that the appellant</p>

Handwritten signature and date: 30.09.15

lacks the prescribed experience of five years. In such an eventuality the appellant cannot be considered fit for promotion as he is not fulfilling the prescribed criteria.

Facts of the case reported as 2002 SCMR 574 as well as that of 2012 PLC (CS) 366 are different from the facts of the case of the appellant as in case of Abdul Ghafoor (2002 SCMR 574) a civil servant not eligible for promotion was promoted which promotion was questioned before the Court while in the case in hand none including the appellant is considered for promotion by the department. So far as exercise of discretion in favour of the appellant is concerned the same does not find support from the case of Shabana Akhtar reported as 2012 PLC (CS) 366 as, no doubt, a person has a right to be dealt with in accordance with law and public functionary impairing due process of law is to be considered to have infringed the right of individual. The claim of the appellant to promotion by ignoring experience prescribed by law would neither advance the purpose of law nor such an act would be in accordance with law and public interest.

For the above mentioned reasons, the appeal is dismissed in limine. File be consigned to the record.


(Muhammad Azim Khan Afridi)
Chairman

ANNOUNCED
30.9.2015

30.09.15

S.No. of order or proceedings	Date of Order or proceedings	Order or other proceedings with signature of Judge or Magistrate and that of parties where necessary.
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BEFORE THE SERVICE TRIBUNAL, KHYBER PUKHTOONKHWA
PESHAWAR

Service Appeal No. _____/2014

Anwar Shad,
Senior Clerk (BPS-09) / SDA,
Office of XEN C&W PBC Division-I,
Peshawar.

..... Appellant

VERSUS

1. Government of Khyber Pakhtunkhwa, through
Secretary Communication & Works Department, Peshawar
2. Chief Engineer (Centre), Communication & Works Department, Peshawar
3. Administrative Officer, Communication & Works Department, Peshawar

..... Respondents

=====
**SERVICE APPEAL U/S 4 OF NWFP SERVICE TRIBUNAL ACT, 1974, WHEREBY THE
DEPARTMENTAL REPRESENTATION OF THE APPELLANT DATED 19-09-2013
(Annex-A), TO RETAIN HIM AT PESHAWAR AS SENIOR CLERK WAS
REJECTED/FILED & COMMUNICATED ON DATED 10-03-2014 (Annex-B)**
=====

"Prayer"

- (a) By accepting this appeal and setting aside the impugned rejection order, communicated to the appellant on 10-03-2014 (annex "B") whereby the appellant's appeal dated 19-09-2013 (annex "A") was refused, and
- (b) directing the respondent department to retain the appellant at Peshawar due to security reasons and threat to his life and to contest the criminal case pending against him before the court of competent jurisdiction.

=====
Respectfully Sheweth,

1. The appellant is presently serving as Senior Clerk / S.D.A at the Office of XEN PBC Division-I, Works and Services Department Peshawar. The appellant is amongst senior most officials of the department in his cadre and is due for promotion to next higher scale.
2. That a false case under section 302/34 PPC vide F.I.R No. 405 dated 11-10-2011 was lodged against the appellant at P.S University Town, whereby the Hon'ble Peshawar High Court Peshawar, vide judgment and order dated 13-08-2012 in Cr. M No. 1039-P/2012 has granted bail to the appellant. (Copies annexed "C" & "C1")
3. That due to the above mentioned false and frivolous criminal case, the petitioner is facing serious security problems due to enmity with the opponent party. In the given circumstances, it is very difficult for him to move freely from one place to another and permanently settle away from his present residence.

Cautious

lacks the prescribed experience of five years. In such an eventuality the appellant cannot be considered fit for promotion as he is not fulfilled of the prescribed criteria.

Facts of the case reported as 2002 SCMR 574 as well as ~~that~~ of 2012 PLC (CS) 366 are different from the facts of the case of the appellant as in case of Abdul Ghafoor (2002 SCMR 574) a civil servant not eligible for promotion was promoted while in the case in hand none ~~of~~ including the appellant is considered for promotion by the department. So far as exercise of discretion in favour of the appellant is concerned the same does not find support from the case of Shabana Akhtar reported as 2012 PLC (CS) 366 as a person has a right to ~~be~~ dealt with in accordance with law and public functionary impairing due process of law is to be considered to have infringed the right of individual to be dealt with in accordance with law. The claim of the appellant to promotion by ignoring the prescribed experience prescribed by law would ~~not~~ ^{neither} advance the purpose of law nor ~~the~~ ^{such} an act would be in accordance with law and ~~in~~ ⁱⁿ same be considered in public interest.

which Plaintiff was questioned before the Court

no doubts,

neither
an act would be in accordance with law and
in

For the above mentioned reasons, the appeal is dismissed in limine. File be consigned to the record.

(Muhammad Azim Khan Afridi)
Chairman

ANNOUNCED
30.9.2015

In view of the above, it is most humbly requested that by accepting this appeal the impugned rejection / filing, communicated on 10-03-2014 may kindly be set aside and the respondent department may be directed to retain the appellant at Peshawar by foregoing his promotion to the next higher scale due to the security threat to him and his family.

Any other relief deemed appropriate may also be granted

A Shad.
Appellant,

Through,

Peshawar, dated
14th Mar, 2014

MZT
(Muhammad Zafar Tahirkheli)
Advocate

Ansar Ullah Khan
(Ansar Ullah Khan)
Advocate

68. Mr. Muhammad Ibrahim, Associate Professor (BPS-19), Govt College, Matta.

69. Mr. Anwar Ali, Associate Professor (BPS-19), Govt College, Akora Khattak.

(Respondents)

Appeal under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 against the final seniority list as it stood on 31.03.2011 (never communicated) of which the appellant came to know only when the promotions were made to the post of Professor BPS-20 vide Notification dated 13.05.2013, against which the Departmental Appeal dated _____, was not replied despite the lapse of 90 days.

Prayer in Appeal:

On acceptance of this appeal the Notification of promotion dated 13.05.2013 and the final seniority list as stood on 31.03.2011 may please be set aside and the appellant may please declared senior to Respondents No 4 to 69 and the Official Respondents be directed to considered the Petitioners for promotions Professor BPS-20 wef 13.05.2013 with all back benefits & arrears, or any other remedy deem proper may also be allowed.

RESPECTFULLY SUBMITTED:

1. That the appellant was initially appointed as Lecturer BPS-17 in the Respondent Department through Public Service Commission. During the course of his service he was promoted / selected as Assistant Professor BPS-18.
2. That in accordance with the Recruitment Rules of Higher Education Department notified vide Notification dated 30.01.2002 and then subsequent Notification dated 17.03.2011 the next higher post to the post of Assistant Professor is Associate Professor BPS-19, the post of Associate Professor BPS-19 is to be filled in accordance with the Recruitment Rules as per the following criteria:-

25.08.2015

Counsel for the appellant present. Learned counsel for the appellant argued that though the appellant is not fulfilling the criteria required for promotion but he is the best available option and as such the respondents obliged to promote him. Requested for adjournment for further preparing the case. Adjourned to 31.8.2015 before S.B.


Chairman

31.08.2015

Counsel for the appellant is not in attendance due to strike of the Bar. Adjourned to 21.9.2015 for preliminary hearing before S.B.


Chairman

21.09.2015





Appellant in person present. Seeks adjournment. Adjourned to 30.9.2015 for preliminary hearing before S.B.


Chairman

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 839/2015


S.No	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	27.07.2015	<p>The appeal of Mr. Siraj resubmitted today by Mr. Rasheed Ahmad Mohmand Advocate may be entered in the Institution register and put up to the Worthy Chairman for proper order.</p> <p style="text-align: right;"> REGISTRAR</p>
2	28-7-15	<p>This case is entrusted to S. Bench for preliminary hearing to be put up thereon <u>31-7-15</u></p> <p style="text-align: right;"> CHAIRMAN</p>
3	30.7.2015	<p>None present for appellant. The appeal be relisted for preliminary hearing for 12.8.2015 before S.B.</p> <p style="text-align: right;"> CHAIRMAN</p>
4	12.08.2015	<p>None present for appellant. Notice to counsel for the appellant be issued for 25.8.2015 for preliminary hearing before S.B.</p> <p style="text-align: right;"> Chairman</p>

The appeal of Mr. Seraj son of Yar Khan GHS Soor Kamar Tehsil Tangi Distt. Charsadda received today i.e. on 21.04.2015 is incomplete on the following scores which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Annexure^s of the appeal is missing.
- 2- Copy of promotion notification is incomplete which may be completed.
- 3- Memorandum of appeal may got signed by the appellant.
- 4- Annexures of the appeal may be attested.

No. 586/S.T.

Dt. 22/4/2015


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

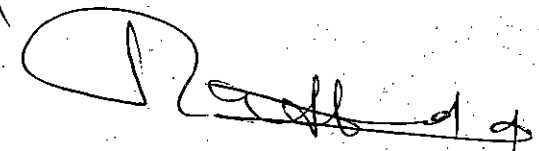
Mr. Rasheed Ahmad Mohmand Adv. Pesh.

i. Dear Sir,

ii. Annexures are properly affixed.

iii. The copy of promotion Notification is
can't be ~~completed as~~ Nowhere it
was available and the relevant
~~available~~ portion is annexed. Annexed

iv. Memorandum of appeal is properly
signed by the appellant.

v. Annexures of appeal are properly
attested and signed
by the advocate


**BEFORE THE HON'BLE KHYBER PAKHTOON KHWA SERVICE
TRIBUNAL, PESHAWAR**

Service Appeal No. 839 /2015

Seraj(Appellant)

V E R S U S

Government of Khyber Pakhtunkhwa through Secretary

Education, Peshawar and others.....(Respondents)

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7.	Copies of academic Qualifications	DI/DII/DIII	12-14
8.	Wakalat Nama		15

Appellant

Through

Rasheed Ahmad Mohmand

Advocate High Court,

Peshawar. Cell No: 0333-916-9259

BEFORE THE HON'BLE KHYBER PAKHTOON KHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 839 /2015

**P.W.P. Province
Service Tribunal
Diary No 370
Dated 21-4-2015**

Seraj S/o Yar Khan R/o G.H.S Soor Kamar Tehsil Tangi District Charsadda.....(Appellant)

V E R S U S

1. Government of Khyber Pakhtunkhwa through Secretary Education, Peshawar.
2. Secretary to Government of Khyber Pakhtunkhwa, Finance Department, Civil Secretariat, Peshawar.
3. Secretary to Government of Khyber Pakhtunkhwa, Establishment Department Civil Secretariat, Peshawar.
4. Director Elementary & Sedentary Education Khyber Pakhtunkhwa, Peshawar
5. District Education Officer Charsadda
..... (Respondents)

APPEAL UNDER SECTION 4 OF KHYBER PUKHTUNKHWA SERVICE TRIBUNAL ACT 1974, TO THE EFFECT THAT THE APPELANT MAY BE PROMOTED FROM THE CURRENT POSITION OF TEALOGY TEACHER (T.T) BPS 15, TO THE POST OF SENIOR SCIENCE TEACHER (S.S.T) BPS 16, AND HIS TWO (2) YEARS EXPERIENCE MAY BE CONSIDERED SUFFICIENT AS NO SUITABLE CANDIDATE IS AVAILABE HAVING THE REQUIRED FIVE (5) YEARS EXPERIENCE AND THE PROMOTION MAY PLEASE BE GRANTED ON SENIORITY-CUM-FITNESS BASIS TO THE APPELLANT.

*Filed to-day
24/4/15*

*Re-submitted to-day
and filed.*

*Registrar
27/5/15*

PRAYER IN APPEAL:

On acceptance of this appeal the appellant, duly qualified and his two years experience may be considered sufficient for his promotion to the post of S.S.T instead of five (5) years experience.

Respectfully Sheweth:

1. **That** the appellant is serving as Theology Teacher (T.T) in G.H.S Soor Kamar Tehsil Tangi District Charsadda.
2. **That** the concerned education department advertised some seats in 2013, through a notification No, SO(PE) 4-5/SSRC/Meeting 2013, of Senior Science Teachers (S.S.T) in which four (4 %) quota was reserved for **departmental promotion** for the teachers cadres of theology Teachers (T.T) (The relevant document about Notification is attached as annexure "A").
3. **That** the respondents promoted one teacher named Akram Khan GHHS Sherpaw from the said cadre as S.S.T and left the One seat vacant for the reason that no one else in the said cadre was available to meet the needed requirement with five (5) years experience. (Copy of the promotion of Akram Khan is attached as annexure "B")
4. **That** the appellant, is highly qualified person, has passed the B.Sc, M.Sc, M.A, B.Ed, and having two (2) years

experience as T.T, is the most eligible person and is deserving to be promoted to the said vacant post of S.S.T as no one else is more qualified and eligible in the said cadre.

5. **That** the appellant requested the respondent No 4, to consider him and promote him to the post of S.S. T on the bases of such high qualification and two (2) years experience as T.T as no other suitable candidate was there to fill the vacant post, but with no positive response from the respondent No 4. (Copy of the application to respondent No 4 is annexed as annexure "C").

6. **That** the appellant got no other efficacious/ adequate and proper remedy in any other forum, now approaches this Hon'ble Tribunal on the following grounds amongst the others inter alia:

GROUNDS:

A. **That** act of the respondent department, thereby depriving the appellant from the above said benefit of up gradation is illegal, unlawful, without authority/ jurisdiction, as well as being based on the mala fide intentions of the respondent department is liable to be set aside.

- B. **That** the appellant is duly qualified person and no one in the said cedar is more qualified or having more experience, and is fully entitled to be promoted to the said S.S. T post on Seniority Cum Fitness bases.

- C. **That** if the respondent department advertised these seats again and directly filled these seats through newly appointed teachers then the experience of the appellant will be more as compared to the newly appointed teachers.

- D. **That** if the vacant seat is filled through other teachers from other cadres, even then it will be the violation of basic and fundamental rights of the appellant.

- E. **That** the best option/ choice that is available with the respondent department is only, that the duly qualified person having two (2) years relevant experience may be promoted to the post of S.S.T as no other suitable candidate is available with whom the vacant post can be filled.

- F. **That** under the principles, up gradation/ promotion is always made on the seniority cum fitness bases, and both experience and qualification are equally important and promotions are not made keeping aside either of these two.

- G. **That** if the appellant is promoted to the said vacant post then, that will be the best option among all the available teachers from the said cadre as he is more qualified and with two years relevant experience, no one else is there with such an experience and high qualification.

Prayer.

A. It is therefore most humbly prayed that on acceptance of this appeal the High qualification as well as two (2) years relevant experience, may be considered sufficient for the promotion of the appellant to the post of S.S.T from the current T.T post.

&

B. That the respondent may strictly be directed not to advertise the vacant post again, as the appellant's right is more superior and is more deserving than all among the existing TTs and is more experienced from all those who may be newly appointed against the said vacant post.

Appellant

Through

Rasheed Ahmad Mohmand

Advocate High Court,

Peshawar.

Cell No: 0333-916-9259

**BEFORE THE HON'BLE KHYBER PAKHTOON KHWA SERVICE
TRIBUNAL, PESHAWAR**

Service Appeal No. _____/2015

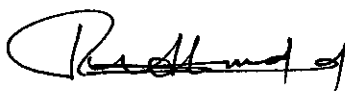
SerajAppellant

V E R S U S

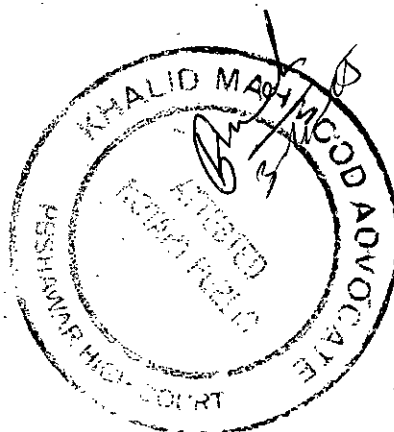
Government of Khyber Pakhtunkhwa through Secretary
Education, Peshawar and others.....Respondents

AFFIDAVIT

I, **Rasheed Ahmad Mohmand Advocate**, Peshawar do hereby do
hereby solemnly affirm and declare on Oath, that as per information
conveyed to me by my client of the contents of the **Service Appeal**
are true and correct to the best of my knowledge and belief and
nothing has been concealed from this Hon'ble Court.



ADVOCATE



**BEFORE THE HON'BLE KHYBER PAKHTOON KHWA SERVICE
TRIBUNAL, PESHAWAR**

Service Appeal No. _____/2015


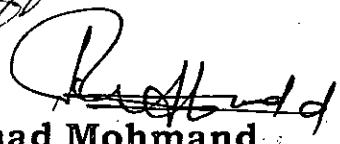
ADDRESSES OF THE PARTIES

APPELLANT

Seraj S/o Yar Khan R/o G.H.S Soor Kamar Tehsil Tangi District
Charsadda.

RESPONDENTS

1. Government of Khyber Pakhtunkhwa through Secretary Education, Peshawar.
2. Secretary to Government of Khyber Pakhtunkhwa, Finance Department, Civil Secretariat, Peshawar.
3. Secretary to Government of Khyber Pakhtunkhwa, Establishment Department Civil Secretariat, Peshawar.
4. Director Elementary & Sedentary Education Khyber Pakhtunkhwa, Peshawar
5. District Education Officer Charsadda

Appellant 
 Through 
Rasheed Ahmad Mohmand
 Advocate High Court,
 Peshawar.
 • Cell No: 0333-916-9259

9

**DISTRICT EDUCATION OFFICER
MALE CHARSADEA**

A

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: (PE)/4-5/SSRC/Meeting/2013/Teaching Cadre dated 24th July 2014 and Notification No 3376-80/File No.2/Promotion SST B-16 Dated Peshawar the 28-10-2014 issued by the Director Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar, the following SCTs/CTs, SDMs/DMs, SATs/ATs, STTs/TTs, Senior Qaris/Qaris, PSHTs/ SPSTs are hereby promoted to the post of SST (Bio-Chem), SST (Phy-Maths), SST (General) noted against each 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 conditions given below with immediate effect and further posted in the Schools noted against each:-

A. SST (Bio-Chem)

S.No	Name of Teacher & Designation	Present Place of Posting	Place of Posting
1	Mazhar - Ul- Islam (SCT)	GHSS Utmanzai	GHS Utmanzai No. 2
2	Riasat Ali (SCT)	GHS Zardab Garhi	GHS Sherpae
3	Ifikhar Ahmad (SCT)	GHS Rajjar No.1	GHS Nisatta
4	Jamshaid Khan (SCT)	GHS Zuhrah Gul Killi	GHS Gulkhatab Koroon
5	Maqsood Jan (CT)	GHSS Utmanzai	GHS Turangzai
6	Ibrar Jan (CT)	GHS Utmanzai No.2	GHS Tarnab
7	Inayat Ur Rehman (CT)	GHSS Umarzai	GHS Ibrahinzai
8	Nasrullah Khan (CT)	GMS Dhakki	GHS Hajizai
9	Jamshaid Khan (CT)	GHS Abazai	GHS Tangi No.2
10	Idrees Khan (CT)	GMS Dab Banda	GHS Charsadda Khass
11	Muhammad Said (CT)	GHS Rahmatullah	GHS Shara Shabqadar
12	Abdullah Jan (SPST)	GPS Munshiano Killi	GHS Halimzai
13	Tariq Hussain (SPST)	GPS Harvana No.1	GHS Dasher
14	Muhammad Akram (SPST)	GPS Inam Killi	GHS Mera Gul Abad
15	Taj Ullah (SPST)	GPS Shakoor	GHS Mardhand
16	Zikarullah Jan (SPST)	GPS Hajizai	GHS Katozai
17	Arab Jan (SPST)	GPS Baz Mian Killi	GHS Kangra
18	Shehryar (DM)	GHSS Sati Abad	GHS Khai Killi

B. SST (Phy-Maths)

S.No	Name of Teacher & Designation	Present Place of Posting	Place of Posting
1	Mahboob Ul Hassan (SCT)	GHS Rahmat Ullah Khan Koroon	GHS Rahmat Ullah Khan Koroon
2	Fazli Wahab (SCT)	GHS Soor Kamar	GHS Mardhand
3	Nawab (SCT)	GMS Mufti Abad/ GHS Muhammad Nari	GHS Wardaga
4	Shakir Ullah (SCT)	GHS Ghari Hamid Gul	GHS Geedar
5	Habib Ur Rehman (SCT)	GHS Ghari Hamid Gul	GHS Parang

Attashed

[Signature]

6	Imtiaz Ali (SCT)	GHS Ghari Hamid Gul	GHS Rajjar No.1
7	Masal Khan (SCT)	GHSS Dargai Manga	GHS Dargai Manga
8	Sved Sabaz Ali (SCT)	GHSS Dhakki	GHS Ghazgi
9	Basharat Ahmad (SCT)	GHS Charsadda No.1	GHS Shakardhand
10	Ijaz Ali Khan (CT)	GHS Harichand	GHS Mirzadher
11	Sajid Ali Shah (CT)	GMS Marchaki Rajjar	GHS Turangzai
12	Khial Badshah (CT)	GHS Tangi No.2	GHS Abazai
13	Shakir Rehman (CT)	GHS Charsadda No.1	GHS Rajjar No.2
14	Sareer Ahmad (CT)	GHSS Sherpao	GHS Gandheri
15	Zahid Shah (CT)	GHS Shodag	GHS Kharaki
16	Shahid Jamal (SPST)	GPS Dosehra	GHS Turlandi
17	Salar Fathuddin (SPST)	GPS Marozai	GHS Khwaja Hawas
18	Irshad Ali (SPST)	GPS Ziam	GHS Mani Khela
19	Siraj Ahmad (SPST)	GPS Shahdhand	GHS Mirzai
20	Aftab Hussain (SPST)	GPS Umarzai No.2	GHS Gul Khitab Koroona Umerzai
21	Samin Gul (SPST)	GPS Angar Koroona	GHS Behlola
22	Sajid Ali (SPST)	GPS Rajjar No.2	GHS Zahid Abad
23	Muhammad Younas (DM)	GHSS Umarzai	GHS Khuladhand
24	Kamran (DM)	GHS Hajzai	GHS Soro Killi
25	Aleem Ullah (AT)	GHS Hajzai	GHS Shara
26	Akram Khan (TT)	GHSS Sherpao	GHS Zarab Ghari
27	Asmat Ali (SQari)	GCMHS Turangzai	GHS Cheena

C. SST (General)

S.No	Name of Teacher & Designation	Present Place of Posting	Place of Posting
1	Muhammad Ishaq (SCT)	GHS Mera Gul Abad	GHS Mera Gul Abad
2	Muhammad Afzal (SCT)	GHS Cheena	GHS Rajjar - 1
3	Inam Ullah (SCT)	GHS Sherpao	GHS Turangzai
4	Darus Salam (SCT)	GHS Ambadher	GHS SKF Dalazak
5	Sultan Shah (SCT)	GHS Shakardhand	GHS Shakardhand
6	Muhammad Iqbal (SCT)	GHS Kangra	GHS Katozai
7	Kifayat Ullah (SCT)	GCMHS Turangzai	GHS Rajjar - 1
8	Wajid Ali (SCT)	GMS Dheri Ghazgi/ GCMHS Turangzai	GHS Ghazgi
9	Zahid Ullah (SCT)	GHS Shakardhand	GHS Dargai Manga
10	Muhammad Islam (SCT)	GHS Mani Khela	GHS Mani Khela
11	Abdur Basir (SCT)	GMS Sherpao	GHS Gul Abad Tangi
12	Muhammad Saeed Khan (SCT)	GHS Mirzadher	GHSS Tarnab
13	Muhammad Israr (SCT)	GMS Islamabad No.2	GHSS Doshera
14	Muhammad Qasim Jan (SCT)	GHS Charsadda No.1	GHSS Nisatta
15	Maz Ullah Khan (SCT)	GMS Zarin Abad	GMS Zarinabad
16	Niamat Ullah (SCT)	GMS Nawan Killi	GMS Kot
17	Nizar Ud Din (SCT)	GHS Parang	GHS Rajjar - 2
18	Pervez Shah (PSHT)	GPS Sheikh Kili	GHSS Nisatta
19	Zahir Ullah (PSHT)	GPS Khuladher	GHS Babara

Attached

[Signature]

(9A)

13

20	Atta Ur Rahman (PSHT)	GPS Bosa Khel No.1	GHSS No.1 Charsadda
21	Halim Khan (PSHT)	GPS Bachayano Killi	GHS Abazai
22	Ali Muhammad (PSHT)	GPS Qalaray	GHSS Doshera
23	Muhammad Rafi (PSHT)	GPS Dagi Faizullah Khan	GHS Dheri Sikandar Khan
24	Waheed Ullah (PSHT)	GPS Shabqadar Fort No.2	GHS Dheri Sikandar Khan
25	Hanif Ullah (PSHT)	GPS Bakayana	GHS Ambadher
26	Yaqoob Jan (SDM)	GHS Utmanzai No.2	GHSS Utmanzai
27	Wajid Ullah Jan (STT)	GHS Rashaki	GHS Rashaki
28	Irfan Ullah (STT)	GHS Charsadda Khas	GHS Geedar
30	Muhammad Nasrul Qaddus (TT)	GHS Soor Kamar	GHS Mardhand
31	Muhammad Tayyab (TT)	GHS Soro Killi	GHS Soro Killi
32	Qari Mohsin Ullah (SQari)	GHS Tangi No.2	GHS Sadar Ghari

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 their performance is found unsatisfactory during probationary period. In case of misconduct, they 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 them in light of this order, will be recovered and if they are wrongly promoted, they will be reversed.
8. They will be governed by such rules and regulations as may be issued from time to time by the Govt.
9. Their posting will be made on School Based. they will have to serve at the place of posting. and their service is not transferrable to any other station.
10. Before handling over charge once again their documents may be checked if they have not the required relevant qualification as per rules, they may not be handed over charge of the post.
11. Their BA/BSc and B.Ed degrees and DMCs will be verified by the concerned DDO.

(Siraj Muhammad)
District Education Officer
Male Charsadda

Endst No. 10910-92 Promotion SST B-16: Dated Charsadda the 1/11/2014.

Copy forwarded for information and necessary action to the:-

1. Director E&SE Khyber Pakhtunkhwa.
2. P.A to Secretary E&SE Khyber Pakhtunkhwa.
3. Principal/Head Master Concerned.
4. District Account Officer Charsadda.
5. All Officers Concerned.
6. M/ File.

Attest
District Education Officer
Male Charsadda
01/11/2014

To

The Director Education Peshawar,
Khyber Pakhtunkhwa.

Subject: Departmental Appeal regarding the promotion of applicants from the current post of theology teacher (T.T) and Arabic Teacher (A.T), to Senior Science Teacher (S.S.T).

Respected Sir,

1. In our district Charsadda some posts of S.S.T have been advertised by the education department for in-service teachers of the relevant district.
2. The policy which was advertised clearly had mentioned that for T.T and A.T there was a reserved quota of four percent (4%) for promotion to the S.S.T posts.
3. But these seats remained vacant because B.Sc /B.Ed qualified teachers were not available among the T.T and A.T teachers.
4. ~~The applicants in spite of the needed qualification of B.Sc, M.Sc and B.Ed~~ were deprived to promote to the S.S.T only on the ground that their tenure or experience was less than the required five (5) years due to which the seats of S.S.T(Maths, Physics and Bio,Chemistry) remained vacant.
5. The applicants requested the E.D.O concerned to consider them for the promotion to the S.S.T posts because they were eligible for the said posts but their request was turned down only on the ground that their service period was less than five (5) years.
6. Now in order to fill these vacant posts the education department has three following mentioned options,

* To keep these posts or vacancies as already Vacant

Attended
[Signature]

- To appoint the new candidates, to fill these vacant posts.
- To fill these vacant post, through teachers, from the other cadres.

7. Respected Sir, in all the above noted options it will be the violation of the fundamental rights of the applicants because, if new appointment is made, then in that case the experiences of the applicants will be more as compared to the newly appointed teachers.

8. ~~If teachers of the other cadres are appointed~~ then it will be again violation of our basic rights which has been ensured in the shape of 4% relevant quota for T.T and A.T teachers.

Respected Sir, it is therefore most humbly requested that instead of new appointment or promoting of teachers from the other cadres the applicants from the same cadre having the desired qualification but with less experience may be promoted to the S.S.T posts.

Dated, Jan 21 2014.

Applicants

1) Seraj (T.T)

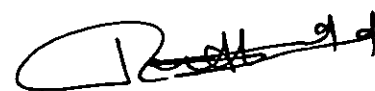
2) Izhar Ahmad (A.T)




Attended



Attended



064997

12

University of Peshawar



Pakistan Detailed Marks Certificate

Bachelor of Science

Part-2

Annual Examination 2008

Govt: Post Graduate College, Charsadda



Name: SERAJ

Gender: Male

Roll No: 9747

Father's Name: YAR KHAN

Registration No: 2005-CH-2169

Regular

Papers	Max Marks	Marks Obtained	
		In Figures	In Words
Physics	75	38	Thirty Eight
A Course of Mathematics	75	24	Twenty Four
B Course of Mathematics	75	33	Thirty Three
Pak Studies	50	25	Twenty Five
Part-1	285	171	One Hundred and Seventy One
Part-2	550	291	Two Hundred and Ninety One

Errors & omissions are subject to subsequent rectification

Chances Available: 2

The Examination was taken In Parts

Division: 2nd

Examination held From 25-Jun-2008 to 26-Jul-2008

Result Declared on Saturday, October 11, 2008

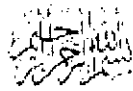
Issue Date: 05-Apr-2011

12:07 pm

Altoof
Rashid

(Dr. Monammad Shafi)
ADDITIONAL CONTROLLER OF EXAMINATION
UNIVERSITY OF PESHAWAR

13



University Of Peshawar

(Pakistan)

Session: Annual 2010

SERAJ Son Of YAR KHAN and a

Private Candidate of District Charsadda having Passed the

prescribed examination held in July 2010 is this day admitted by the University Of Peshawar to

the Degree of Master of Arts in Islamiyat in 2nd Division

The examination was taken as a Whole

Registration No. 2005-CH-2169

Roll No. 34319

C.N.F.C No. 17102-5539317-9

Result Declared on March 09, 2011



[Signature]

Registrar

[Signature]

Vice Chancellor



051442

Attested

[Signature]

Serial No. 000912


Reg. No. 2008/ICP-217

CNIC # 17102-5539317-9

Session: 2008-10

Date of Declaration
of Result: 21st Jan, 2011

Code: ICP/08/MSc/MATH-396


Controller of
Examinations

Attested

14

Islamia College Peshawar

Pakistan



Mr./Ms. SERAJ Son/Daughter of YAR KHAN

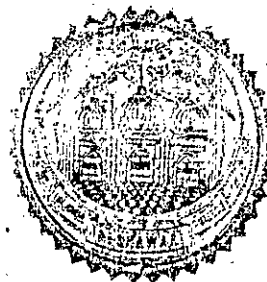
having fulfilled all the conditions required by the University has been admitted
to the Degree of

Master of Arts / Science

in the subject of **MATHEMATICS**

with C.G.P.A. 2.82 out of 4.0


Registrar




Vice Chancellor



مورخہ
مقدمہ
دعوی
جرم

2015ء منجانب

بنام
سراج خان

سراج خان

حکومت خیر پختونخوا

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ آن مقام پشاور کیلئے رشید احمد مہمند ایڈووکیٹ مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ پر حلف دینے جواب دہی 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 کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ پر داختم منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے وہ ہوگا۔ 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 لکھد یا کہ سندر ہے۔

سراج ولد یار خان سکٹنہ گورنمنٹ ہائی سکولز سوکسر پری چنہ تحصیل ننکی غلع چارسدہ

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عبدالغنی

سکڑہ پورہ

Handwritten signature/initials

سکڑہ پورہ

2015

ماہ مارچ

24

المرقوم

واہ العبد

Verified and Attested کے لئے منظور ہے۔

مقام پشاور

Handwritten signature and date: 24/03/2015

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

No. 1577 /ST

Dated 9 / 10 / 2015

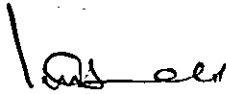
To

The DEO,
Charsadda.

Subject: - Judgement.

I am directed to forward herewith certified copy of Judgement dated 30.9.2015 passed by this Tribunal on subject for strict compliance.

Encl: As above


REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR.