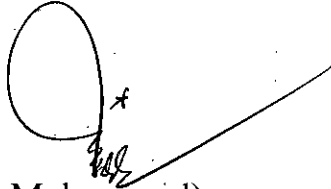


04.01.2023

Mr. Taimur Ali Khan, Advocate present and submitted Wakalatnama in favor of the appellant. Mr. Naseer-ud-Din Shah, Assistant Advocate General for the respondents present.

Learned counsel for the appellant requested for adjournment on the ground that he has been newly engaged in the instant appeal and has not gone through the brief. Adjourned. To come up for arguments on 05.04.2023 before D.B.

SCANNED
KPST
PESHAWAR



(Mian Muhammad)
Member (E)




(Salah-ud-Din)
Member (J)

31.08.2022

Appellant in person present. Mr. Muhammad Adeel Butt, Additional Advocate General alongwith Mr. Tufail, Assistant for the respondents present.

Reply/comments on behalf of respondents submitted through office which are placed on file. Copy of the same is handed over to the appellant. Adjourned. To come up for rejoinder, if any, and arguments on 07.11.2022 before D.B.

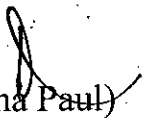

(Mian Muhammad)
Member (E)


07.11.2022

Counsel for the appellant present.

Asif Masaud Ali Shah learned Deputy District Attorney for the respondents present.

Former made a request for adjournment on the ground that he has not prepared the brief. Muharrir of the court is directed to properly place on file the comments submitted by the respondents. Adjourned. To come up for arguments on 04.01.2023 before D.B.


(Fareeha Paul)
Member (E)


(Rozina Rehman)
Member (J)

SCANNED
KPST
Peshawar

31.03.2022

None for the appellant present. Mr. Muhammad Adeel Butt, Addl: AG alongwith Mr. Masood Khan, Litigation Officer DEO(M) Nowshera for respondents present.

Written reply/comments on behalf of respondents not submitted. Representative of the respondents seek time to submit the same on the next date. Adjourned. To come up for written reply/comments on 17.06.2022 before S.B.



(MIAN MUHAMMAD)
MEMBER(E)

17th June 2022

Counsel for the appellant present. Mr. Kabirullah Khattak, Addl. AG alongwith Asif Khan, Assistant for the respondents present.

Despite three opportunities given to the respondents, they have not submitted reply. The respondents are given last opportunity to submit reply within 07 days from today, failing which their right to file reply shall be deemed as struck off by virtue of this order. To come up for arguments before the D.B on 31.08.2022. The case will not be adjourned on the ground of non-filing of reply/comments



(Kalim Arshad Khan)
Chairman


23.09.2021

Counsel for the appellant present. 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 31.01.2022 before D.B.


(Rozina Rehman)
Member (J)

31.01.2022


Learned counsel for the appellant present. Mr. Kabirullah Khattak, Addl. AG for respondents present.

Reply/comments on behalf of respondents are still awaited. Learned Additional Advocate General sought time for submission of reply/comments. Granted. To come up for reply/comments before the S.B on 31.03.2022.


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

23.02.2021

The learned Member Judicial Mr. Muhammad Jamal Khan is under transfer; therefore, the case is adjourned. To come up for the same before S.B on 09.06.2021.



Reader

09.06.2021

Junior to counsel for the appellant present. He states that learned senior counsel is indisposed today and requests for adjournment. Adjourned to 15.09.2021 for preliminary hearing before S.B.

SCANNED
KPST
Peshawar



Chairman

15.09.2021

Appellant present through counsel who requested for a short adjournment in order to produce the promotion order; allowed. To come up on 23/09/2021 for hearing before S.B



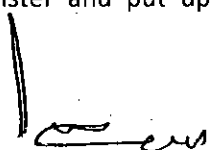


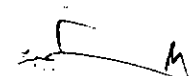
(Rozina Rehman)
Member (J)

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 9145 /2020

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	10/08/2020	<p>The appeal resubmitted today by Mr. Muhammad Farooq Khan Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR</p>
2-	28.09.2020	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>28/09/2020</u></p> <p> CHAIRMAN</p> <p>Counsel for the appellant present. Requests for further time to prepare the brief. Adjourned to 25.11.2020 before S.B.</p> <p> Chairman</p>
25.11.2020		<p>Mr. Muhammad Farooq, Advocate, for appellant is present. He has not prepared the brief and is seeking time for its preparation. Adjourned to 23.02.2021 on which date file to come up for preliminary hearing before S.B.</p> <p> (MUHAMMAD JAMAL KHAN) MEMBER (JUDICIAL)</p>

SCANNED
KQST
PESHAWAR

The appeal of Mr. Dalil Khan SST GHSS Jehangira Nowshera received today i.e. on 06.07.2020 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Memorandum of appeal may be got signed by the appellant.
- 2- Affidavit may be got attested by the Oath Commissioner.
- 3- Annexures of the appeal may be attested.
- 4- Annexures of the appeal may be flagged.
- 5- Approved file cover is not used.
- 6- Copy of notification mentioned in para-2 of the memo of appeal (Annexure-A) is not attached with the appeal which may be placed on it.
- 7- Copies of detail list and advertisement mentioned in para-4 of the memo of appeal (Annexure-C) are not attached with the appeal which may be placed on it.
- 8- Copy of writ petition in respect of appellant and order passed by the Hon'ble Peshawar High Court mentioned in the memo of appeal are not attached with the appeal which may be placed on it.
- 9- Copies of appointment orders of others employee mentioned in para-6 of the memo of appeal are not attached with the appeal which may be placed on it.
- 10- Copy of impugned order and departmental appeal against it are not attached with the appeal which may be placed on it.
- 11- Wakalat nama in favour of appellant be placed on it.
- 12- Five more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 1381 /S.T,

Dt. 07-07 /2020.

REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Muhammad Farooq Khan Adv. Nowshera

Objections no. 6, 7, 8 and 10 are still stands. Moreover all the annexures of the appeal are illegible therefore the appeal in hand is returned again to the counsel for the appellant for completion & resubmission within 15 days.

no. 1931 /S.T

dt. 28/7 /2020

Registrar.

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

Service Appeal No: 9145/2020

Dalil Khan, SST (M) District Nowshera.....Appellant.

VERSUS

Secretary (E&SE) Department, Khyber Pakhtunkhwa & others.....Respondents

JOINT PARAWISE COMMENTS FOR&ON BEHALF OF THE RESPONDENTS No: 1-3

Respectfully Sheweth :-

The Respondents submit as under:-

Preliminary Objections

1. That the appellant has got no cause of action/locus standi.
2. That the instant Service Appeal is badly time-barred. Hence is liable to be dismissed.
3. That no departmental appeal has been filed by the appellant.
4. That the instant appeal is liable to be dismissed for mis joinder & non-joinder of the necessary parties to the present appeal.
5. That the appellant is not an aggrieved person within the meaning of Article 212 of the constitution of Islamic Republic of Pakistan 1973.
6. That the appellant has filed the instant appeal on mala-fide intentions just to put extra ordinary pressure on the Respondents for the grant of illegal & even unauthorized service benefits.
7. That the appellant is estopped by his own conduct to file the instant appeal.
8. That the instant Service Appeal is not maintainable in its present form.
9. That the appellant has been treated as per laws, rules & relevant policy in the instant case.

ON FACTS.

- 1 Needs no comments being pertains to the service record of the appellant.

- 2 Correct, with the explanation that all the rules and policies framed are duly observed by the respondents.
- 3 Incorrect on the grounds that the appellant could not be promoted to the post in question, being Junior to his colleagues in the seniority list of PSHT District Nowshera.
- 4 Correct, with the explanation that all the advertisements made by the respondents are just according to rules and policy.
- 5 Incorrect, hence denied on the grounds that more than 100 in-service teachers have been duly promoted to SST from various cadres according to their proportionate quota.
- 6 Partially Correct, with the explanation that the W.P No.1495-P/2017 under case titled Naveed Khan Vs Govt; of KPK & others, has been disposed by the Honorable Peshawar High Court vide order dated 09-01-2018 attached as **Annexure-A** with the declaration that the respondent department has not committed any illegality or irregularity in promotion however the petitioners were allowed to be at liberty to approach proper forum if so advised.
- 7 Incorrect on the grounds that the appellant has been promoted as SST BPS-16 post in year of 2019 instead of 2016 as per his service record in the Department.
- 8 Incorrect hence, denied as reply to this para has been given in the above paras.
- 9 Incorrect & misleading on the grounds that no Departmental appeal against the promotion order in the year 2018-19 has been filed by the appellant to the appellate authority under the Rules, hence got final & liable to be maintained. Therefore, the appeal in hand is liable to be dismissed on the following grounds inter alia:-

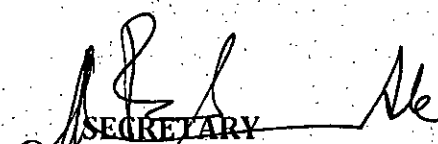
ON GROUNDS.

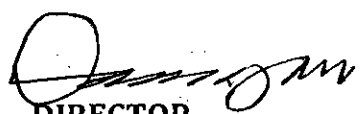
- A. **Incorrect & not admitted.** The act of the Respondent Department is legal & liable to be maintained in view of the above made submission in the present reply.
- B. **Incorrect & not admitted,** the appellant has been treated as per Law, Rules & policy by the Department; hence, the stance of the appellant is liable to be rejected.
- C. **Incorrect & not admitted.** The stance of the appellant is illegal & liable to be rejected in view of the reply submitted in para-3 of the present reply.
- D. **Incorrect & not admitted.** The act of the Department is legal & according to policy.
- E. **Incorrect & not admitted.** As all the cadres have been duly promoted to SST in year 2016-17 according to their respective shares.

- F. **Incorrect & not admitted, as** appellant has been promoted to SST in 2018 on his own turn according to his seniority cum fitness position.
- G. **Incorrect & not admitted.** The appellant has been dealt according to law and policy.
- H. **Incorrect & not admitted.** As replied above.
- I. **Incorrect & not admitted.** As replied above.
- J. **Incorrect & not admitted.** The act of the Department is legal & just according to the rules and policy.
- K. **Incorrect & not admitted.** As replied above.
- L. **Incorrect & not admitted.** As appellant has been promoted to SST in 2018 on his own turn according to his seniority cum fitness position.
- M. **Incorrect & not admitted.** The cited Judgments is not applicable upon the case of the appellant.
- N. **Incorrect & not admitted.** The appellant is not entitled for the grant of relief of his promotion w.e.f. 2016 instead of 2019 as SST in the Department. However, the Respondents also seek leave of this Honorable Tribunal to submit additional grounds, record & case law at the time of arguments on the date fixed.

In view of the above made submissions, it is most humbly requested that this Honorable Tribunal may very graciously be pleased to dismiss the instant Service Appeal in favor of the Respondents in the interest of justice.


Dated ___/___/2022.


SECRETARY
E&SE Department Khyber
Pakhtunkhwa, Peshawar.
(Respondent No: 1)


DIRECTOR
E&SE Department Khyber
Pakhtunkhwa, Peshawar.
(Respondents No: 2 & 3)

AFFIDAVIT

I, Dr. Hayat Khan Assistant Director (Litigation-II) E&SE Department Khyber Pakhtunkhwa, do hereby solemnly affirm & declare on oath that the contents of the instant para wise Comments are true & correct to the best of my knowledge & belief.


Deponent

1

IN THE PESHAWAR HIGH COURT PESHAWAR

In Ref: to WP No. 1495 P 2017.



- 1) Naveed Khan S/O Pervaiz Khan R/O Dagbesood (Nowshera) presently working and posted as Senior Certified Teacher (SCT) at Government Shaeed Ali Abbas High School Dagbesood (Nowshera).
- 2) Dalil Khaul S/O Mutawal Khan R/O Akora Khattak (Nowshera) presently working and posted as Senior Certified Teacher (SCT) at Government Centennial Model High School Akora Khattak (Nowshera).
- 3) Rayaz Muhammad S/O Faqir Muhammad R/O Akbar Pura (Nowshera) working and posted as Senior primary School Teacher (SPST) Ali Shah (Pabbi/Nowshera).
- 4) Zain Ullah S/O Zarduliah Khan R/O Dagbasood (Nowshera) working and posted as Senior primary School Teacher (SPST) at Government No. 5 Dagbasood (Pabbi/Nowshera).
- 5) Naseer Muhammad S/O Faqir Muhammad R/O working and posted as Senior primary School Teacher (SPST) at Government Primary School No. 1 Pabbi (Nowshera).
- 6) Asif Khan S/O Rahmani Gul R/O Aman Kot (Pabbi) presently working and posted as Senior primary School Teacher (SPST) at Government Primary School Amankot (Nowshera).
- 7) Amin-ur-Rehman S/O Khan Zada R/O Resalpur (Nowshera) presently working and posted as Senior primary School Teacher (SPST) at Government Primary School Barakabad (Nowshera).
- 8) Amir Muhammad S/O Adil Muhammad R/O Azakhel Payan, Nowshera, presently working and posted as Senior primary School Teacher (SPST) at Government Primary School No. 1 Azakhel Payan (Nowshera).

.....PETITIONERS.

VERSUS

1. Secretary to the government of Khyber Pakhtunkhwa, Elementary & Secondary Education Department, Civil Secretariat Peshawar.
2. Director, Elementary & Secondary Education Department, Province of Khyber Pakhtunkhwa Peshawar.
3. District Education Officer (Male) Nowshera.....RESPONDENTS.

FILED TODAY

Deputy Registrar

08 APR 2017

ATTESTED

EXAMINER

Peshawar High Court

WRIT PETITION UNDER ARTICLE 199 OF THE CONSTITUTION OF ISLAMIC REPUBLIC OF PAKISTAN 1973 AS AMENDED UP-TO DATE 13 JAN 2018

WP-1495p2017

Judgment Sheet

IN THE PESHAWAR HIGH COURT, PESHAWAR,
JUDICIAL DEPARTMENT.

Writ Petition No. 1495-P/2017

Naveed Khan etc., vs... Secretary to Govt of
Khyber Pakhtunkhwa Elementary & Secondary
Education etc.



JUDGMENT

Date of hearing.....09.01.2018.....

Petitioner(s) by Mr. Muhammad Usman Khan Turlandi,
Advocate.

Respondent (s) by Mr. Muhammad Riaz Khan, AAG.

ROOH-UL-AMIN KHAN, J:- By invoking the constitutional jurisdiction of this Court under Article-199 of the Constitution of Islamic Republic of Pakistan, 1973, petitioner seek their promotion to the post of SST (BPS-16) on the basis of seniority cum fitness against 75% quota reserved for promotion.

2. According to the contents of the writ petition, the petitioners joined the services in the respondents department and were lastly promoted to the posts of Senior Certified Teacher (SCT) and Senior Primary School Teacher (SPST) respectively and are performing their duties as such. The respondents in utter violation of Notification No. SO (PE)4-5/SSRC/Meeting/2013/Teaching

ATTESTED
EXAMINER
Peshawar High Court
13 JAN 2018

Cadre, dated 24.7.2014; whereby 75% quota for the posts of SST (BPS-16) has been served /sanctioned for promotion on the basis of seniority cum fitness and 25% for initial recruitment, advertised 62 vacant posts of Senior Science Teacher (BPS-16) to be filled up through fresh / initial recruitment, without reserving a single vacancy for promotion amongst the Senior Certified Teachers or Senior Primary School Teachers.

3. Learned AAG contended that the respondents- department has already considered the case of petitioners for promotion under their specified 75% quota, however they were lacking the requisite qualification, therefore, could not be considered. He pointed out that the petitioner No. 1 and 2 have qualified BSc examination in Math-A, Maths-B and Statistics and do not fulfill the criteria. Similarly petitioner No.7 has passed the BA/BSc in third division which is also does not come under the criteria of 75% quota. He stated that candidate who improved his qualification and got eligibility and fitness in accordance with the criteria shall be considered for promotion to the post of SST in the next meeting of Department Promotion Committee.

4. It is manifest from the comments that the respondents have not denied the quota of promotion @ 75% however the petitioners were considered and denied to be

ATTESTED
 EXAMINER
 Peshawar High Court
 13 JAN 2018

36 M³ No 1

considered for promotion on the ground of lacking the requisite qualification and not fulfilling the criteria, hence the department has not committed any illegality or irregularity.

5. The contention of learned counsel for petitioners that the petitioners have improved their qualification, therefore, they be considered for promotion w.e.f the date wherefrom their other colleagues have been considered, is unpersuasive for the reasons that such a writ cannot be issued under Article-199 of the Constitution of Islamic Republic of Pakistan, 1973, as Article 212 of the Constitution of 1973 debar this Court to interfere in the matter pertaining to terms and conditions of a civil servant.

6. For the reasons given hereinabove, the instant petition is disposed of accordingly. However, the petitioners would be at liberty to approach the proper forum, if so advised at the relevant time.

Announced on;
09th of January, 2018
Zarshad

Mr. Justice Rooh Ul Amin Khan

Mr. Justice Qalandar Ali Khan

JUDGE

JUDGE



No. 6284
Date of Presentation of Application 10/1/18
No of Page 10
Copying Fee (DB) Mr. Justice Rooh Ul Amin Khan & Mr. Justice Qalandar Ali Khan
Urgent Fee
Total 40/-
Date of Preparation of Copy 13/1/18
Date of Delivery of Copy
Retrieved By Justice of the

CERTIFIED TO BE TRUE COPY
Examiner
Peshawar High Court, Peshawar
Authorized Under Article 5.7 of
The Qanun-e-Shahadat Order 1984
13 JAN 2018

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,

PESHAWAR.

Service Appeal No. 91452020

Dalil

~~Zain-Ul-Hab Khan~~Appellant

Versus


Secretary to Govt of K.P. E&S Department and others Respondents

INDEX

S.No.	Description of documents.		Pages.
1)	Memo of appeal with affidavit.		1-6
2)	Addresses of the parties.		7
3)	Copy of notification.	A	8-14
4)	Copy of detailed list showing the school wise vacancies and advertisement.	B-C	15-26
5)	Copy of writ petition and order	D	27-30
6)	Copies of educational documents.		31-34
7)	Copies of applications.		35
8)	Wakalatnama.		36

Appellant ذیل

Through


Muhammad Farooq Khan
Advocate High Court
District Courts Nowshera

Dated: 6.07.2020

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL

PESHAWAR

Service Appeal No. _____/2020

Dalil Khan son of Mutawal Khan
R/o Akora Khattak (Nowshera)
Presently working and posted as Secondary School Teacher (SST) at Govt.
High School Jehangira (Nowshera).....Appellant
Versus

- 1) Secretary to Government of Khyber Pakhtunkhwa Elementary and Secondary Education Department, Civil Secretariat, Peshawar..
- 2) Director Elementary & Secondary Education Department, KPK, Peshawar.
- 3) District Education Officer (Male) Nowshera..... Respondents

**APPEAL U/S 4 OF THE SERVICES
TRIBUNAL ACT, 1974.**

Respectfully Sheweth;

- 1) That the appellant had joined the services in education department and promoted to the post of Secondary School Teacher (SST) and lastly was posted as such.
- 2) That the respondent department in consultation with the Establishment and Finance Department has passed notification No.SO(PE)4-5/SSRC/Meeting/2013 Teaching Cadre dated Peshawar the 24th July, 2014 whereby 75% quota for the posts of Secondary School Teacher (BPS-16) has been reserved/ sanctioned for promotion on the basis of seniority-cum-fitness and 25% for initial recruitment. (Copy of notification is Annexure "A").

- 2
- 3) That the appellant being Senior Primary School Teacher (SPST-BPS-14) is standing at the top of seniority list having spotless service career and was highly eligible and most deserving teacher for his due legitimate right of promotion as Secondary School Teacher (BPS-16).
 - 4) That there was confirmed vacancies for 62 post of senior science teacher (BPS-16) and accordingly an advertisement was floated in the daily newspaper, wherein applications for fresh recruitment were invited from the suitable candidates/ citizens of the KPK province and the cut date of submission of applications was given as 30.09.2016. (Copy of the detailed list showing the school-wise vacancies and advertisement for recruitment are Annexure "B and C" respectively).
 - 5) That the advertisement (Annexure "C") if seen at a glance, it transpires that the whole number of vacancies are/ were to be filled through initial recruitment and not a single vacancy was kept for promotion amongst the senior certified teachers or senior primary school teachers.
 - 6) That now against said impugned appointment appellant filed a W.P.No.1495-P/2017 in which Hon'ble High Court directed the appellant to approach proper forum. (Copy of writ petition along with order is annexed as "D").
 - 7) That now in 2019 the appellant has been promoted, but not from 2016 as the appellant was eligible for the said promotion according to policy and rules.
 - 8) That due to the illegal act the appellant become junior to the promoted and fresh appointed teachers in 2016 and also deprived from the financial rights.

- 3
- 9) That feeling aggrieved, the appellants in the given circumstances while having no other adequate remedy is constrained to approach this Hon'ble Tribunal for the redressal of his grievances on the following grounds inter alia;

GROUNDS:

- A) That notification (Annexure "A") is the clear cut and well transparent policy being mandatory in nature, properly formulated and promulgated by the respondents themselves and as such the respondents are/ were under their obligatory duty to act upon their own policy and the whole number of 62 vacancies should have been filled accordingly wherein 75% quota is/ was the legal rights of incumbents/ serving employees on the basis of seniority-cum-fitness and the rest of 25% quota was to be determined for fresh/ initial recruitment. The respondents purposely and illegally have amalgamated all the sets of quotas just to accommodate their own kit and kin/ blue eyed and the appellant was made scapegoat.
- B) That discrimination in services as observed by the respondents in the matter of depriving the appellant from his due/ legal right of promotion is highly deplorable and condemnable, being unlawful, unconstitutional, without lawful authority, without jurisdiction, against the norms and natural justice and equity hence to be declared as such.
- C) That in 2016 appellant having the prescribed qualification for promotion as per policy and rules of respondents.
- D) That it is constitutional right of the appellant to be promoted and Science Teacher were deprived
- E) That in the General D.P.C. in 31.01.2017 that Arts Teachers were promoted and Science Teachers were deprived.

- F) That the appellant being deserving and eligible candidate for his due promotion to the post of Secondary School Teacher (BPS-16) while no adverse remarks whatsoever has ever been assigned to him from any quarter and thus valuable rights have been accrued to him and such rights could not be taken away in an arbitrary and fanciful manner.
- G) That the appellant has not been dealt with in accordance with law and has illegally been put to, financial trouble and hardship in the prevailing circumstances of dearness, scarcity and uncertainty promotion policy, shall be deemed to have been promoted to the post of Secondary School Teacher (BPS-16) retrospectively being legally entitled as such.
- H) That there is sheer discrimination in the matter of promotion of the appellant to the post of Secondary School Teacher (BPS-16) and the respondents have acted according to his own sweet will, whims, wishes, discretion and innovation.
- I) That the appellant has not been dealt with in accordance with law and equity and the appellant has been made as scapegoat who has been penalized for no fault on his part.
- J) That the respondents have exceeded their powers and jurisdiction by enjoying their own innovation and monopoly, creating problems for the entire family of the appellant, by giving him discriminative treatment which amounts to deprive the family of the appellant including his school going children from their breathing and livelihood which is unwarranted by the law of the land.
- K) That valuable right was accrued to the appellant whereas their fundamental valuable rights have been encroached by the respondents on their personal whims and wishes and such


5

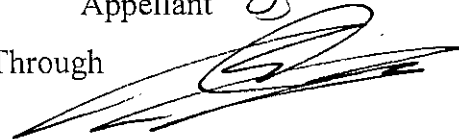
encroachment is hit by the command of the Constitution of the Islamic Republic of Pakistan, 1973.

- L) That the respondents have transgressed their powers and the appellant has been denied his due fundamental rights of being treated fairly, and equally in accordance with law whereas the appellant is/ was highly, legally eligible on the basis of seniority-cum-fitness and that too there are sufficient sanctioned vacant posts are/ were available and thus valuable rights have been accrued to the appellant which have taken legal effect and such legal rights could not be taken away with a single stroke of pen.
- M) That Islamic State is under obligation to establish a society which is free from exploitation wherein social and economic justice is guaranteed to its citizens. (2005 SCMR 100 (c & d).
- N) That further submissions will be advanced with the kind permission of this august court at the time of hearing the appeal at the bar.

It view of above facts, it is, therefore, humbly prayed that on acceptance of this appeal, appellant may please be promoted from the year 2016 with all financial back benefits and seniority enabling the appellant to enjoy the protection of law and to be treated in accordance with law, just to meet the ends of justice.

Any other remedy if available may also be extended in favour of appellant to meet the ends of justice.

Appellant 

Through 

Muhammad Farooq Khan
Advocate High Court
District Courts Nowshera.

7

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,
PESHAWAR.

Service Appeal No. _____/2020.

Dalil Khan.....Appellant

Versus

Secretary to Govt of K.P. E&S Department and others..... Respondents

ADDRESSES OF THE PARTIES

APPELLANT:

Dalil Khan, son of Mutawal Khan
R/o Akora Khattak (Nowshera)
Presently working and posted as Secondary School Teacher (SST) at Govt.
High School Jehangira (Nowshera)

RESPONDENTS:

- 1) Secretary to Government of Khyber Pakhtunkhwa Elementary and
Secondary Education Department, Civil Secretariat, Peshawar.
- 2) Director Elementary & Secondary Education Department, KPK,
Peshawar.
- 3) District Education Officer (Male) Nowshera

Appellant *Signature*

Through *Signature*

Muhammad Farooq Khan
Advocate High Court
District Courts Nowshera.



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT



Peshawar, dated the 24th July, 2014.

32
ATTN

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)SSL/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 1A 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

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IA	Director Physical Education (BPS-17)	At least second class Master's Degree in Physical Education from a recognized University.	22-35 years	recruitment, and (b) fifty percent by initial recruitment, (a) Fifty percent by promotion, on seniority-cum-fitness, from among Physical Education Teachers (at least five years service as S Education Teacher and Physical Teacher and having mentioned in column No. 3: Provided that if no S Education Teachers for promotion post shall be filled by promotion basis of seniority-cum-fitness amongst the Physical Education Teachers with at least five years service having qualification mentioned in column No. 3; Note:- If no suitable candidate in the relevant cadres of the post shall be filled by initial recruitment, (b) fifty percent by initial recruitment
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(ii) against Serial No. 1B, as so numbered, for the existing entries, the following shall be substituted, in respective namely:

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>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>Seventy Five per cent by promotion basis of seniority-cum-fitness, from district concerned in the following:</p> <p>(a) forty per cent from amongst the Certified Teachers (BPS-16), with five years service as Senior Teacher and Certified Teacher having qualification mentioned in column No. 3;</p> <p>Provided that if no candidate is available from Senior Certified Teachers for promotion then the post shall be filled by promotion on the basis of seniority-cum-fitness from amongst Certified Teachers at least five years service as Senior Teachers having qualification mentioned in column No. 3;</p> <p>(b) four per cent from amongst the Drawing Masters (BPS-16), with five years service as Senior Masters and Drawing Masters having qualification mentioned in column No. 3;</p>

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*Provided that if no s
candidate is available from ar
Senior Drawing Masters for pro
then the post shall be filled by pro
on the basis of seniority-cum-j
from amongst Drawing Masters i
least five years service as suc
having qualification mentione
column No. 3;*

(c) *four per cent from amongst the
Arabic Teachers(BPS-16), with a
five years service as Senior
Teachers and Arabic Teachers
having qualification mentione
column No.3:*

*Provided that if no si
candidate is available from ar
Senior Arabic Teachers for pro
then the post shall be fille
promotion, on the basis of sen
cum-fitness, from Arabic Teacher
at least five years service as suc
having qualification mentione
column No. 3;*

(d) *four per cent from amongst the
Theology Teachers(BPS-16), with c
five years service as Senior Th
Teachers and Theology Teacher
having qualification mentione
column*

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~~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 a least five years service as such and having qualification mentioned in column No.3;~~

(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;

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;

(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;

Provided that if no suitable candidate is available from amongst

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Primary School Head Teachers promotion then the post shall be filled promotion, on the basis of seniority-c fitness, from amongst Senior Prim. School Teachers with at least seven ye. service as Senior Primary Sch Teachers and Primary School Teach and having qualification mentioned column No. 3:

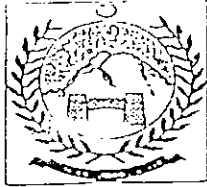
Provided further that if no suitable candidate is available from among Senior Primary School Teachers promotion then the post shall be filled from amongst Primary School Teachers with at least seven years service as such and having qualification mentioned column No. 3; and

(ii) twenty Five percent by initial recruitment.

Note:

- I. If no suitable candidate is available in the relevant cadre of the above teachers the post falling in their promotion quota shall be filled by initial recruitment.
- II. Posts of General SST and SSTs-1 Science and SST-2 Science shall be filled by promotion or initial recruitment, each on a need basis separately.

GOVERNMENT OF KHYBER PAKHTUNKHWA
 ELEMENTARY & SECONDARY EDUCATION DEPARTMENT



Peshawar, dated the 24th July, 2014.

NOTIFICATION

No.SO(PE)A-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 MA 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

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DISTRICT NOWSHERA (Male)

District Cadre SST Posts 2017-2018

S.N o.	District Name	School Codes	Name of School.	SST-Sc:	SST-Sc:Math/Phy: BPS-16	SST-Arts. B-16	Total.	
				Bio/Chem: BPS-16				
				M	M	M		
1	Nowshera	291601	GHS ASC Colony ✓	1	1	1	3	
2	Nowshera	291602	GHS Badrashi			1	1	
3	Nowshera	291603	GHS Bakhtai ✓	1	1		2	
4	Nowshera	291604	GHS Camp Koroono	1		1	2	
5	Nowshera	291605	GHS Dheri Kati Khel			1	1	
6	Nowshera	291606	GHS Garu			1	1	
7	Nowshera	291607	GHS Inzari			1	1	
8	Nowshera	291608	GHS Kana Khel ✓	1	1	1	3	
9	Nowshera	291609	GHS Kotar Pan .			1	1	
10	Nowshera	291610	GHS Kotli Saleh Khana			2 ✓	2	
11	Nowshera	291611	GHS Marhati Banda			1	1	
12	Nowshera	291612	GHS Maroba			1	1	
13	Nowshera	291613	GHS Mjan Essa ✓		1		1	
14	Nowshera	291614	GHS Mughalki	1		1	2	
15	Nowshera	291615	GHS No2 Kalan			1	1	
16	Nowshera	291616	GHS Pahari Kati Khel	1			1	
17	Nowshera	291617	GHS Palosi Payan			1	1	
18	Nowshera	291618	GHS Saadat Abad ✓	1	1	1	3	
19	Nowshera	291619	GHS Sadiq Abad ✓	1	1	1	3	
20	Nowshera	291620	GHS Samandar Garhi	1			1	
21	Nowshera	291621	GHS Spin Kani Khurd ✓	1	1	1	3	
22	Nowshera	291622	GHSS Khesghi Payan	1			1	
23	Nowshera	291623	GHSS Nizampur NSR	1		1	2	
24	Nowshera	291624	GHSS Rashakai NSR ✓	1	1		2	
25	Nowshera	291625	GMS Ali Abad			1	1	
26	Nowshera	291626	GMS Jabba Daudzai			1	1	
27	Nowshera	291627	GMS Shahab Khel Ziarat Kaka Sahib			1	1	
TOTAL				13	8	22	43	

ATTESTED



OFFICE OF THE
DISTRICT EDUCATION OFFICER (MALE)
NOWSHERA.

☎ 0923-9220228 ☎ 0923-9220228 ✉ emisnowshehra@yahoo.com

POSTING ORDER

In pursuance of the revised Notification issued by the Directorate of Elementary & Secondary Education, Khyber Pakhtunkhwa Peshawar vide Endst. No. 6077-83/File No.2/ Promotion SST B-16 date Peshawar the 31/01/2017 and in supersession of the posting order and subsequent corrigendum issued by this office in this regard, the postings of the following newly promoted SST (General) BPS-16 (Rs.15880-1280-54280) are hereby ordered in the schools noted against each, on the terms and conditions given below in the interest of public service with immediate effect.

S#	S.L. #	Name & Designation	Present School	Place of Posting	Remarks
A. SST (General)					
1. Promotion of Sr. CT / CT to SST (General) BPS-16					
01	104	Muhammad Abid SCT	GHSS, Khair Abad	GHSS Khair Abad	A.V.P
02	144	Wazir Khan SCT	GHS, Mali Khel Bala	GCMHS, Akora Khattak	A.V.P
03	145	Shahid Hussain SCT	GHS, Banda Sheikh Ismail	GHS, Zakhi Qabristan.	A.V.P.
04	146	Hamid Gul SCT	GHS, Spin Khak	GHS, Bakhtai	A.V.P
05	147	Haj Wali SCT	GHS, Pahari Kati Khel	GHS, Pahari Kati Khel	A.V.P
06	148	Sher Khan Khattak SCT	GHS, No.1 NSR Cantt.	GHS, No.1 NSR Cantt.	A.V.P
07	150	Zulfiqar Khan SCT	GHS, Dheri Kati Khel.	GHSS, NSR Kalan	A.V.P
08	153	Qadar Baz SCT	GHS, Jabba Khushk	GHS Palosi Payan.	A.V.P
2. Promotion of Sr. DM / DM to SST (General) BPS-16					
01	22	Shah Umar SDM	GHSS, Shaidu	GHSS, Khair Abad	A.V.P
3. Promotion of Sr. AT / AT to SST (General) BPS-16					
01	21	Faqeer Shah	GHSS, Shaidu	GCMHS, Akora Khattak	A.V.P.
4. Promotion of Sr. TT / TT to SST (General) BPS-16					
01	03	Subhan Ud Din STT	GHS, No.2 NSR Kalan	GHSS, NSR Kalan.	A.V.P
5. Promotion of Sr. Qari / Qari to SST (General) BPS-16					
01	06	Muhammad Sanadi Sr.Qari	GHS, No.1 NSR Cantt.	GHS, Zando Banda.	A.V.P
Consequent Transfer					
01		Masood Khan SST (G)	GHS, Palosi Payan	GMS, Makeen Abad.	A.V.P
02		Muhammad Tariq SST (G)	GHSS, Risalpur	GHS, Badrashi.	
03		Ajmal Mumtaz SST (G)	GHS, Wattar.	GCMHS, Akora Khattak	Working against wrong post.
04		Muhammad Israr SST (G)	GMS, GdI Dheri	GMS, Aziz Abad	AVP
05		Shakeel Ur Rehman SST (G)	GMS, Turlandi	GMS, Guldhari	Against S.NO.04

Promotion of SCT/SDM/SAT/STT/Sr.Qari/ to SST (BPS-16)

06	Fazali Wahab SST (G)	GHS, Marhati Banda	GMS, Turlandi	Against S.M.O
07	Naseem Ullah Jan SST (G)	GHS, Amangarh	Gov; Shaheed Ali Abbas High School Dagbesud	A.V.P

Terms & Conditions:

1. They will be on probation for a period of one year extendable for another one year.
2. They will be governed by such rules and regulation as may be issued from time to time by the Government.
3. Their services can be terminated at any time; in case their performance is found unsatisfactory during probation period. In case of misconduct, they shall be proceeded under the rules framed from time to time.
4. The Principals / Head Master / Drawing & Disbursing Officers should checked their original documents (Academics + Professional) before handing over charge.
5. The Principals / Head Masters / Drawing & Disbursing Officers are required to submit their necessary documents for verification to District Education Officer (Male), Nowshera along with original payee receipt.
6. The Principals / Head Masters / Drawing & Disbursing Officers should not release their pay in BPS-16 until and unless their necessary documents are verified from the Universities concerned. During the verification process, if any Degree / Certificate is found fake / bogus, their promotion shall stand cancelled.
7. The District Education Officer (Male), Nowshera will issue Clearance Certificate after the verification process.
8. **Charge Report should be submitted to all concerned. However, those candidates who have already submitted their charge reports as a result of the previous posting order / corrigendum, do not need fresh charge report.**
9. Their Inter-Se Seniority on lower post will remain intact.
10. No TA / DA is allowed for joining their new post.
11. They will give an undertaking to be recorded in their Service Books / File to the effect that if any overpayment is made to them in light of this order will be recovered and if anyone is wrongly promoted him shall be reversed.

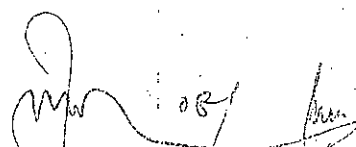
(Fayaz Hussain)

District Education Office (Male)
Nowshera

Endst: No. 4951-62/DEO (M) NSR/EA-S/Prom: of SSTs. Dated Nowshera the, 08/ 02/ 2017.

Copy of the above is forwarded for information to the :-

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar w/r to Notification No. quoted above.
2. District Accounts Officer, Nowshera.
3. Deputy District Education Officer (Male), Nowshera.
4. District Monitoring Officer (IMU) Nowshera.
5. Sub Divisional Education Officer (Male), Nowshera.
6. Assistant District Education Officer - Establishment (Primary & Secondary), Local office.
7. Superintendent - Establishment (Primary & Secondary), Local office.
8. Dealing Assistant - Establishment (Primary & Secondary), Local office
9. Assistant Programmer D-EMIS, local office.
10. Accountant, Local office.
11. Officers concerned.
12. Master File.


 District Education Officers (Male)
 Nowshera
 2017

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**OFFICE OF THE
DISTRICT EDUCATION OFFICER (MALE)
NOWSHERA**

☎ 0923-9220228 ☎ 0923-9220228 ✉ emisnowshehra@yahoo.com

POSTING ORDER

In pursuance of the Notification issued by the Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar vide Endst: No. 1731-37/File No.2/ Promotion SST B-16 dated Peshawar the 25.07.2017, the following newly promoted SST (General), SST (Phy/Maths) and SST (Bio/Chem) BPS-16 (Rs. 18910-1520-64510) are hereby posted in the schools noted against each, on the terms and conditions given below in the interest of public service with immediate effect.

S#	S.L. #	Name & Designation	Present School	Place of Posting	Remarks
A. SST (Bio/Chem)					
1. Promotion of Sr.CT / CT to SST (Bio/Chem) BPS-16					
01	510	Saifullah Khan CT	GHS, Khawrai	GHS, Adamzai.	A.V.P.
2. Promotion of Sr.AT / AT to SST (Bio/Chem) BPS-16					
1	105	Fazal Jawad AT	GMS, Khush Muqam	GHS, Aza Khel Payan	A.V.P.
B. SST (Phy/Maths)					
3. Promotion of Sr. CT / CT to SST (Phy/Maths) BPS-16					
1	228	Dalil Khan SCT	GCMHS, Akora-Khattak	GHS, Jehangira Road.	AVP
2	272	Naveed Khan SCT	GHS, Dag Besud	GHS, Pashton Garhi	AVP
4. Promotion of PSHT / SPST / PST to SST (Phy/Maths) BPS-16					
1	977	Ahmad Khan	GPS No.2 Shaidu	GHSS, Shaidu	AVP
C. SST (General)					
1. Promotion of Sr.CT/CT to SST (General)					
1.	66	Shujaat Ali Khan SCT	GHS, LC Aman Garh	GHS, Aman Garh	A.V.P.
2.	131	Jehangir Khan SCT	GHSS, NSR Kalan	GHSS, NSR Kalan	
3.	150	Muhammad Tariq SCT	GHSS, NSR Kalan	GHSS, NSR Kalan	AVP
4.	155	Abdur Rashid Khan SCT	GHS, No.1 NSR Cantt	GMS, Meraji Bala	AVP
5.	160	Tayyab Ali Shah SCT	GHSS, Shaidu	GHS, Baghban Pura.	AVP
6.	161	Aurang Zeb SCT	GHS, Pabbi	GHS, Pabbi	
7.	162	Sakhawat Shah SCT	GHS, Pabbi	GHS, Pabbi	
8.	163	Saifullah SCT	GHS, Dagi Banda	GHS, Dagi Banda	
9.	164	Muhammad Ali SCT	GHS, Mulla Killi	GHS, Sheikhan	AVP
10.	165	Rahmat Ali SCT	GHS, Aza Khel Bala	GHS, Aza Khel Payan	AVP
11.	166	Shamsul Had SCT	GHS, Marhati Banda	GMS, Meshak	AVP
2. Promotion of PSHT/SPST/PST to SST (General)					
1	221	Ashiq Ali	GPS, Tandel Koroona	GMS, Sadiq Abad.	AVP
2.	239	Asad Gul	GPS, Baitul Ghareeb	GHS, Dherri Kari Khel	AVP
3	368	Zia Ul Haq	GPS, Gul Rehan Killi	GHS, Jaroba.	AVP
4	413	Shafiullah	GPS, No.1 Jabba Khushk	GHS, Ali Baig	AVP
5	422	Alam Zeb	GPS, No.1 Walai	GHS, Zara Miana	AVP
6	424	Muhammad Hafiz	GPS, No.2 Tangi Khattak	GMS, Sado Khel	AVP
7.	426	Nisar Muhammad	GPS, No.1 Hamza Rashka	GHSS, Pashtoon Garhi	AVP
8.	429	Haz Muhammad	GPS, Fazli Rahim Koroona	GHS, Zando Banda	AVP
3. Promotion of Sr. DM / DM to SST (General) BPS-16					

Promotion of SCT/CT/SDM/SAT/STT/Sr. Qari/PST/SPST/PSHT to SST (BPS-16)

S#	S.L. #	Name & Designation	Present School	Place of Posting	Grade
Promotion of Sr. AT / AT to SST (General) BPS-16					
01	26	Nisar Ul Haq SAT	GHS, Spin Khak	GHS, Bakhtai	A.P.
4. Promotion of Sr. TT / TT to SST (General) BPS-16					
01	09	Nadeem Khan STT	GHS, Badrashi NSR	GHS, Badrashi NSR	A.P.
5. Promotion of Sr. Qari / Qari to SST (General) BPS-16					
01	14	Atta Ur Rehman, SQari	GHSS, Rashakai.	GHSS, Rashakai	A.P.

Terms & Conditions:

1. They will be on probation for a period of one year extendable for another one year.
2. They will be governed by such rules and regulation as may be issued from time to time by the Government.
3. Their services can be terminated at any time; in case their performance is found unsatisfactory during probation period. In case of misconduct, they shall be proceeded under the rules framed from time to time.
4. The Principals / Head Master / Drawing & Disbursing Officers should checked their original documents (Academics + Professional) before handing over charge.
5. The Principals / Head Masters / Drawing & Disbursing Officers are required to submit their own documents for verification to District Education Officer (Male), Nowshera along with original payee receipt.
6. The Principals / Head Masters / Drawing & Disbursing Officers should not release their pay in BPS-16 scale, and unless their necessary documents are verified from the Universities concerned. During the verification process, if any Degree / Certificate is found fake / bogus, their promotion shall stand cancelled.
7. The District Education Officer (Male), Nowshera will issue Clearness Certificate after the verification process.
8. **Charge Report should be submitted to all concerned.**
9. Their Inter-Se-Seniority on lower post will remain intact.
10. No TA / DA is allowed for joining their new post.
11. 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 anyone is wrongly promoted he shall be reversed.

Consequential Transfer.

1	Zia Ur Rahman SST (G)	GHS, Dagi Banda	GHS, Kandi Taza Dir	A.P.
2	Hameed Gul SST (G)	GHS, Bakhtai	GSSSHSS, Dak Ismail Khe	A.P.

1. No. TA/DA is allowed.

(Fayaz Hussain)
District Education Office (Male)
Nowshera

Endst: No. 12021-51/DEO (M) NSR/EA-S/Prom: of SSTs. Dated Nowshera the, 07 / 08 / 2021

Copy of the above is forwarded for information to the:-

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar w/c to notification quoted above.
2. District Accounts Officer, Nowshera.
3. Deputy District Education Officer (Male), Nowshera.
4. District Monitoring Officer (IMU) Nowshera.
5. Sub Divisional Education Officer (Male), Nowshera.
6. Assistant District Education Officer - Establishment (Primary & Secondary), Local office.
7. Superintendent - Establishment (Primary & Secondary), Local office.
8. Dealing Assistant - Establishment (Primary & Secondary), Local office
9. Assistant Programmer D-EMIS, local office.
10. Accountant, Local office.
11. Officers concerned.
12. Master File.

District Education Officer (Male)

33 Page
SST Maths Phy

Directorate of Elementary and Secondary Education

Khyber Pakhtunkhwa Peshawar

PH No. 091-9210389, 9210938,

9210437, 9210957, 9210468

Fax 091-9210936

E-mail rafiq_kk851@udhoo.com



APPOINTMENT.

Consequent upon recommendation of the Departmental Selection Committee, appointment of the following candidates are hereby ordered against the post of Secondary School Teacher (SST Bio Chem). (SST Maths Phy), (SST General), School based in BPS-16 (Rs. 15880-1280-54280) @ Rs. 15880/- fixed plus usual allowances as admissible under the rules on adhoc basis on Contract under the existing policy of the Provincial Government, in Teaching Cadre on the terms and condition given below with effect from the date of their taking over charge:

(SST Bio Chem)

Roll No	Name	Father Name	Permanent Address	Academic Marks [out of 100]	NTS Marks [Out of 100]	Total Marks [Out of 200]	School
571000265	Zahir Ali	Amir Zaman Khan	Civil Bazar Risal Pur Cantt District And Tehsile Nowshera CNIC No.17201-5704473-3	64.44	75	139.44	GHS Zando Banda
601001000	Abdul Rahim Khan	Abdul Hassan	C/O Teriq General Store Near Bilal Masjid Street Bilal Lane Arbab Road University City Town Peshawar CNIC No.17201-1562500-1	67.03	69	136.03	GHS Dag Band
573001557	Manzoor Hussain	Biladur Khan	Village Gulistan Korona Mohallah Mandoori Khesgi Bala Post Office Khesgi Payan, District Nowshera CNIC No.17201-3990071-1	67.08	66	133.08	GHS Kotar Pan
571002001	Noman Zaidi	Shoukat Ali	Vill Khudrizai Muhallah Semandar Garhi Teh Pabbi Distt Nowshera CNIC No.17201-5575446-1	69.98	61	130.98	GHS Wazar Ghari
111000777	Jshanzeb Shah	Muzahid Gul	Mohallah Daulau Sharif Village And Post Office Zilafat Kaka Sahib Nowshera CNIC No.17201-8115146-5	62.29	68	130.29	GHS Mistri Banda
571000281	Muqaz Ali Khan	Fahad Ali	Village Post Office Pabbi Mohallah Khan Sher Garhi Near Speen Jumat Tehsil Pabbi CNIC No.17201-9507958-5	73.16	57	130.16	GHS Pabbi
601001203	Kareem Ullah	Tawfik Gul	Mohallah Ahmad Khal Village & P/O Kahi Nizampur Nowshera CNIC No.17201-7280556-9	74.77	55	129.77	GHS Dambazai
571000310	Hafiz Hassan	Manzoor Hussain	Moh Mian Bahdur Shah Village Amankot Post Office Pabbi Tehsil Pabbi District Nowshera	60.57	69	129.57	GHS Malli Khel

ATTESTED

Nowshera Male Appointment Order SST Adhoc

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601000810	Muhamma d Ismail	Manzoor Ahmad	CNIC No.17201-6717291-1 H No 2 St Hazrat Ali Malikabad Near Wapda House Peshawar CNIC No.17201-7417518-5	60.55	67	127.55	GHS PAF Risalpur
571000288	Zar Ali Khan	Gul Hassan	Mohallah Malakam Vill And Post Office Tasujabba Tehsil Pabbi District Nowshera CNIC No.17201-7142797-5	60.48	67	127.48	GHS Kandi Taza Din
571000381	Sadiq Hussain	Samin Jan	Mondoori Zande Banda Chail Post Office Kheshgi Payan Tehsil And District Nowshera CNIC No.17201-6946252-3	72.29	55	127.29	GHS Hamza Rashakai
571000309	Fazal E Rabbi	Fazal E Majced	Mohallah New Kanday, Village Tarkha, Post Office Tairi Jabba, Tehseel Pabbi, District Nowshera, Khyber Pakhtoon Khwa, CNIC No.17201-8352733-5	61.35	65	126.35	GHS Mohab Banda
571000263	Rawal Shah	Rasheed Shah	Fg. Public School Number 1 Boys Nowshera Cantt District Nowshera, Kpk CNIC No.41104-0195867-3	63.99	62	125.99	GHS Spina Khak
571000277	Ihsan Zada	Sharif Zada	Mohalla Nasir Khel Village And Post Office Jaroba Tehsil Pabbi District Nowshera CNIC No.17201-4376655-5	61.77	63	124.77	GHS Jabbi
571000241	Mian Sylaiman	Mian Kifayat Ullah	Mohallah Mian Khel Pabbi, Village And Post Office, Pabbi District Nowshera, CNIC No.17201-5033473-9	59.68	65	124.68	GHS Peshawar Chail
571000237	Muhamma d Arif	Muham mad Shaif	Village And Post Office Mohib Banda District Nowshera, Pabbi, Nowsher, CNIC No.17201-2725436-7	60.6	64	124.6	GHS Banda Nabi
571000231	Muhamma J Shouib	Suleman Gul	Mohallah Shahi Begh Shaidu P/C 24030 District And Tehsil Noshera CNIC No.17201-2108894-9	61.29	63	124.29	GHS Jehangira Road
571000389	Abbas Ali Shah	Javed Ali Shah	Mohallah Tor Khel Village And Post Office Ziarat Kaka Sahib CNIC No.17201-8069989-1	65.18	58	123.18	GHS Marka Sharif
571000300	Muhamma d Kamran	Muham mad Tanveer	House Number 227/9 Ra. Bazar Nowshera CNIC No.17201-1330787-5	61.73	61	122.73	GHS Risalpur NSR
571000670	Adnan Akbar	Abdul Akbar	Muhammad Khan Colony Risalpur Saddar District Nowshera CNIC No.17201-S700682-7	61.64	61	122.64	GHS PAF Risalpur
571000650	Fachon Ali	Shoukat Ah	Mohallah Goodan Village And Post Office Box Shaidu Tehsil Jehangira Nowshera CNIC No.17201-1515910-5	64.5	58	122.5	GHS Khaurat
571000640	Shahid Ahmad	Tilawat Khan	Village Watter Post Office Akora Khattak District And Tehsil Nsr	55.2	67	122.2	GHS Shaidu No2

ATTESTED

Nowshera Mate Appointments

23	571000321	Idrees Anwar	Anwar Iqbal	Mohalla Kakayzai Village Akora Khattak Tehsil Jehangira District Nsr CNIC No.17201-2134195-3	58.14	63	121.14	GHS Cheshmai
24	601000526	Abid Ali	Muham mad Ali	Village & P/O Taru Jabba Distt Nowshera Teh Pubbi CNIC No.17201-5874716-3	61.27	59	120.27	GHS Wala
25	571000384	Masoud Shah	Sultan Badshah	Mohallah Shahbaz Khel Vilalge Garu Post Office Nizampur District Nowshera District CNIC No.17201-3632980-9	59.11	61	120.11	GHS Garu
26	201000364	Abdul Basaar Badshah	Anhar Badshah	Kheshgi Bala Village Babajee Kili Mohallah Faqeer Abad Post Office Kheshgi Payan Nowshera CNIC No.17201-8915328-9	60.2	59	119.2	GHS Pirsabaq
27	571000297	Tahir	Khalil Gul	Vilage Issory Payan Post Office Akora Khattak Tehs Ljehagar District Nowshera CNIC No.17201-2479074-5	62.73	56	118.73	GHS Bagh Ban Pira
28	571000355	Aman Ullah Khan	Esso Khan	Village Balu Mohalla Shaheed Baba, Post Office Jabbra Tehsil Pabbi, District Nowshera, Kpk CNIC No.17201-9056293-9	54.6	64	118.6	GHS Banda Sheikh Ismail
29	571000358	Ibn'E Amreen	Jun Muham mad	Mohallah Lali Khel Khghgi Bala Mehra Post Office Kheghi Payan Nowshera CNIC No.17201-7566235-3	55.33	63	118.33	GHS Wattar
30	571000301	Muhamma d Khalid	Faiz Hussain	Village And Chand Bibi Post Office Pabbi District Nowshera CNIC No.17201-2241100-3	59.82	58	117.82	GHS Dag Banda
31	571000312	Khalid Din	Noor Madin	Mohallah Khawaja Khel Village And Po Kahi Dist Nowshera CNIC No.17201-1888635-3	52.79	65	117.79	GHS Khair Abad
32	571000308	Amrullah	Rahmat Lillah	Masjid Rahim Ullah Mohallah Yado Khel Village Dag Behsood Post Office Box Pabbi Tehsil Pabbi District Nowshera CNIC No.17201-5420182-7	59.67	56	115.67	GHS Sheikhhan
33	571000306	Muhamma d Kamal Khan	Muham mad Zahar	Kheshgi Bala Babajee Killi District And Tehsile Nowshera Post Office Kheshgi Payan Bala CNIC No.17201-3505225-9	62.44	53	115.44	GHS NSR Kalan

(SST Maths Phy)

Name	Father Name	Permanent Address	Academic Marks (out of 100)	NTS Marks (Out of 100)	Total Marks (Out of 200)	School
Muhammad Amir Zia	Zia Ur Rahman	Mohallah Samander Garhi Village Khudrezai Post Office Pabbi District Nowshera	70.58	59	129.58	GHS Kanda Taza Din

ATTESTED

Consent to Make Appointment Order SSII Adhoc (23)

572000077	Sulaiman Khan	Dilaram Khan	CNIC No.17201-5765186-1 Village Ismail Khel Po Akora Khattak CNIC No.17201-5465078-3	61.95	67	128.95	GHS Zara Miana
572000207	Zahir Ullah	Sartaj Khan	Mohallah Kalingar Sohbat Korona Post Office Risal Pur District Nowshera CNIC No.17201-0900540-3	64.64	64	128.64	GHS Bara Banda
572000265	Muhammad Ismail Khan	Fida Muhammad	Shobra Chowk Babo Mohallah House No 1080 Nowshera Cantt CNIC No.17201-9563952-3	66.91	60	126.91	Govt. Shaheed Mujahid Hussain Shah High School Taru Jabba
572000102	Zahir Shah	Abdul Karim Khan	Dehry Kalingar Post Office Risalpur Tehsil And District Nowshera CNIC No.17201-5146008-3	64.49	62	126.49	GHSS Risalpur NSR
572000109	Muhammad Tufail	Muhammad Bashir	Mohallah Umar Farooq Village Rashakai District And Tehsil Nowshera CNIC No.17201-5776189-9	62.97	63	125.97	GHS Mistri Banda
602000619	Abdul Sabbar	Abdul Rauf	Mohallah Umar Farooq Rashakai Tehsil And District Nowshera CNIC No.17301-4750275-9	68.95	57	125.95	GHSS Rashakai NSR
572000089	Atiq Ur Rehman	Shaheen Akbar	Village Dagi Jaceed Post Office Dagi Banda Pabbi District Nowshera CNIC No.17201-3683958-5	63.92	62	125.92	GHS Shah Kot
572000204	Lauqman Ud-Din Khattak	Jamal Ud Din Khattak	Mohallah Abbas Khel Village And Post Office Dak Ismail Khel Tehsil Pabbi District Nowshera, CNIC No.17201-3779612-5	61.76	64	125.76	GHS Jaroba
572000072	Khaqan Ali Shah	Sabir Ghani	District Teh Nowshera P.O Akora Khattak Village Chashmai CNIC No.17201-4711102-7	67.17	58	125.17	GHS Chashmai
572000119	Murad Ali	Rahmat Ullah	Village And Post Office Torkha Tehsil Pabbi District Nowshera CNIC No.17201-1639233-9	67.97	57	124.97	GHS Kurvi
572000201	Irjan Ullah	Sheraz Gul	Village And Post Office Nizampur District Nowshera CNIC No.17201-6875469-3	61.74	63	124.74	GHS Garu
572000383	Bahar Ali	Liaqat Ali	Mohallah Khattak Village And Post Office Kheshti Payan District And Tehsil Nowshera CNIC No.17201-1451920-1	58.63	65	123.63	GHSS Kheshti Payan
572000193	Shah Zeb Nawaz	Sayforaz Khan	Street Mangal Peer Baba Village Jabba Daud Zai Oo Akbar Pura Teh Pabi Nowshera CNIC No.17201-1510040-1	67.53	56	123.53	GHS Zaki Qabristan
572000163	Muhammad Arif	Muhammad Ibrahim	Mohallah Safdar Shall Village And Post Office Akbarpura Tehsil Pabbi Distt Nowshera CNIC No.17201-4092934-5	60.35	63	123.35	Govt. Shaheed Waseem Iqbal High School Tarkha
602000169	Asad Muhammad	Sardar Muhammad	Village Kotli Kalan Mohallah Namawar Khel Post Office Saleh Khana Teh Sil Pabbi District Nowshera CNIC No.17201-7666659-7	61.75	61	122.75	GHSS Spin Khale

ATTESTED

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572000107	Sajid Ali	Sajid Ali	Mohallah Dambhri Khel Vill Po Shaidu Teh Jhangaria CNIC No.17201-1771732-9	65.58	57	122.58	GHS Khawrai
572000108	Noor Ul Fhalig	Saif Ullah	District And Tehsil Nowshera Village And Post Office Kahi Mohallah Miz Khel CNIC No.17201-5772333-5	63.27	59	122.27	GHSS Jabbi
572000109	Muhammad Faihan	Noor Habib	Village Kallinger Pso: Office Risal Pur District Nowshera CNIC No.17201-8838950-1	62.25	60	122.25	GHS Behram killi
572000110	Muhammad Wahed Ahmad	Tilawa: Khan Khattak	Mohallah Qaroon Khel Village And Post Office Jallozi District Nowshera Tehsil Pabbi CNIC No.17201-3136452-7	61.23	61	122.23	GHSS Jallozai
572000111	Ajmal Khan	Sufdar Khan	Village Banda Shekh Ismail Tehsil Pabbi District Nowshera CNIC No.17201-0409766-3	67.11	55	122.11	GHSS Akbar Pura
572000112	Saeed Ullah	Amin Ullah	Mohallah Mondi Khail Vill Main Essa Po Abc CNIC No.17201-2685182-3	65.88	56	121.88	GHSS Khair Abad
572000113	Farhat Ullah	Sher Moham mad	Mohallah Akhter Abad Village And Post Office Akber Pura Tehsil Pabbi District Nowshera CNIC No.17201-2091730-5	58.45	63	121.45	Govt. Shaheed Muhammad Waseem High School Pir Pai
572000114	Fida Hussain	Usman Uddin	Moh Ghareeb Abad Vill And Po Khashgi Payan CNIC No.17201-9602384-9	58.29	63	121.29	GHS Khatt Killi
572000115	Majid Shahzad	Chulam Muham mad	Mohallah New Gul Bahar Post Office Akora Khattak District Nowshera CNIC No.17201-1731548-3	57.76	63	120.76	GHS Adamzai
572000116	Imran Khan	Fazali Rabbi	Maira Khashgi Bala Mohallah Abdul Karim Baba Korona Post Office Khashgi Payan Nowshera District Nowsheran CNIC No.17201-7999705-9	66.41	54	120.41	GHS Noor Cantt
572000117	Wajid Khan	Kahim Khan	Mohallah Mana Khail Village Dheri Katti Kahir Tehsil And District Nowshera CNIC No.17201-3085010-3	56.22	64	120.22	GHS Walai
572000118	Muhammad Ayaz	Abdullah Jun	Village Dawa Kalay Post Office Akbar Pura District Nowshera CNIC No.17201-9749530-9	54.2	66	120.2	GHS Mohib Banda
572000119	Taimoor Farooq	Umar Farooq	Mohallah Arif Abad Village Khashgi Bala Post Office Khashgi Payan District And Tehsil Nowsheran CNIC No.17201-5373650-7	58.92	61	119.92	GHSS Akbar Pura
112000294	Junaid Khan	Shewa Khan	Village Ismail Khel Post Office Akroa Khittak Dist Teh Nowshera CNIC No.17201-9699431-3	61.69	58	119.69	Govt. Shaheed Mujahid Hussain Shah High School Tanu Jabba
572000215	Sabir Rehman	Shams Ur Rehman	Mohallah Rehmanabad Village Comay, Post Office Nizampur, District Nowshera CNIC No.17201-8240415-5	57.25	60	117.25	GHS Hisar Tang

ATTEST

Hub Ur Hub	Hub Ur Kehman	Mohallah Sadia Abad Village And Post Office Shaidu CNIC No.17201-1701076-3	58.21	53	111.21	GHS Manahi
Hub Ur Hub	Tilawat Khan	Mohallah Meta Khel Village Khesgi Bala Post Ofi Ce Khesgi Payan Nowshera CNIC No.17201-3419184-3	63.85	48	111.85	Services placed at the disposal of DEO(M) Nowshera

(SST General)

Roll No	Name	Father Name	Permanent Address	Academ ic Marks (out of 100)	NT S Ma rks (O ut of 100)	Total Marks (Out of 200) J-H+I	School
573001307	Zakir Ud Din	Kalam Ud Din	Moh Mastana Village Nizam Pur Distt Nowshera CNIC No.17201-0768333-5	64.22	85	149.22	GHSSE Nzampur NSR
573001311	Sajjad Ali Khan	Tamash Khan	Mohalla Samander Garhi Nowshera Kalan Near Tangaza Gah CNIC No.17201-7955256-3	70.05	78	148.05	GHS Risalpur NSR
573000897	Afrasiab Khan Khattak	Jamshed Khan	Mohallah Hajibad Village And Post Office Shaidu 24030 Tehsil Jehangira CNIC No.61101-7933893-5	63.02	84	147.02	GMS Staut
573001330	Afaq Ahmad	Muzaffar Shah	Village Dagbhsood Post Office Lr/S Pabbi Tehsil District Nowshera CNIC No.17201-1411430-3	65.72	80	145.72	GHS Jalloza
573001367	Asif Iqbal	Sareer Iqbal	Mohallah Kaji Khel Bala Village Ziarat Kaka Sahib Nowshera CNIC No.17201-0390352-3	66.54	79	145.54	GHS Pirsabaq
573000985	Muhammad Tufail	Aurang Zeb	R.A Bazar Nowshera Cantt Lal Kurti House No.116 Street Noori Masjid Lalkurni CNIC No.17201-5231402-1	65.5	80	145.5	GHS Wattar
573001167	Zufar Anwar	Syed Anwar	Mohallah Akhun Khel Village And Post Office Shaidu Tehsil And District Nowshera CNIC No.17201-1027934-1	68.42	75	143.4	GHS Kam
573001221	Inayat Ullah	Muhamma d Said	Inayat Ullah Village Tanqeer Abad Post Office Akora Khattak Mistr Banda CNIC No.15704-0554399-3	61.09	82	143.09	GHS Mistr Banda
603003224	Imtiaz Alam Khan	Sameen Jan	Village Babi Jadeed Post Office Taru Jabba Tehsil Pabbi District Nowshera CNIC No.17201-2572020-7	68.9	74	142.9	GHS Rashakai NSR
573000560	Asif Nawaz	Anwar Khan	Village Nari Post Office Jehangira Tehsil Jehangira Road District Nowshera CNIC No.17201-2205558-5	64.17	78	142.17	GHS Jehangira Road
573000910	Syed Mchar Wali Shah	Syed Qabool Shah	Moh Piran Village And P/O Pirsabaq Teh And Dist: Nowshera CNIC No.17201-6620133-9	55.14	87	142.14	GHS Walai
453004230	Muhammad Waqar	Muhamma d Nisar	Moh Charib Abad Bara Banda P.O Risalpur Distt Nowshera CNIC No.17201-9417205-7	66.62	75	141.62	GHS Pirsabaq

UNTESTED

17	Muhammad Shafiq	Muhammad Hanif	Magician Nowababad Khesgi Bala P.O Khesgi Poon	66.14	75	141.14	GHSAC Centre
18	Shakour Ahmed	Niaz Gull	Village And Post Office Kahi Teh And Dist Moushera CNIC No.17201-0573284-3	63.67	77	140.67	GHSAC Hisar Tang
15	Shahri Khan	Hammad Khan	Village Shpano Kally, Po Rasipur Teh And Dist Moushera CNIC No.17201-5207248-7	62.65	78	140.65	GHSAC Centre

TERMS & CONDITIONS

1. NO TA/DA etc is allowed.
2. Charge reports should be submitted to all concerned in duplicate.
3. Appointment is purely on temporary & contract basis initially for one year wef 1st May, 2017 to 30th April, 2018.
4. She should not be handed over charge if she exceeds 35 years or below 18 years of age. Age relaxation case may be submitted to competent authority.
5. Appointment is subject to the condition that the certificate/documents must be verified from the concerned authorities by the DEO (concerned), any one found producing bogus Certificate will be reported to the law enforcing agencies for further action.
6. His/her services are liable to termination on one month's notice from either side. In case of resignation without notice his one-month pay/allowances shall be forfeited to the Government.
7. Pay will not be drawn until and unless a certificate to the effect by DEO (concerned) is issued that his/her certificates are verified.
8. He/She should join his post within 10 days of the issuance of this notification. In case of failure to join the post within 10 days of the issuance of this notification, his/her appointment will be terminated automatically and no subsequent appeal etc shall be entertained.
9. Health and Age Certificate should be produced from the Medical Superintendent concerned before taking over charge.
10. He/she will be governed by such rules and regulations as may be issued from time to time by the Govt.
11. His/her services shall be terminated at any time, in case his performance is found unsatisfactory during his/her contract period. In case of misconduct, he/she shall be proceeded under the rules framed from time to time.
12. His/her appointment is made on School based, He/she will have to serve at the place of posting and His/her service is not transferable to any other station.
13. Before handing over charge once again their document may be checked if they have not the required relevant qualifications as per rules, they may not be handed over charge of the post.

(Muhammad Rafiq Khattak)
 Director
 Elementary and Secondary Education
 Khyber Pakhtunkhwa Peshawar.

Endst: No. 4899-4905 / File No.2/A-14/SST/Adhoc/Apptt: Dated Peshawar the 28/04/2017.

- Copy forwarded for information and necessary action to the:-
1. Accountant General Khyber Pakhtunkhwa Peshawar.
 2. Secretary Khyber Pakhtunkhwa Public Service Commission Peshawar.
 3. District Education Officers Concerned
 4. District Accounts Officer Concerned
 5. Official Concerned.
 6. PS to the Secretary to Govt: Khyber Pakhtunkhwa E&SE Department.
 7. PA to the Director E&SE Khyber Pakhtunkhwa, Peshawar.
 8. M/File

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

ATTESTED

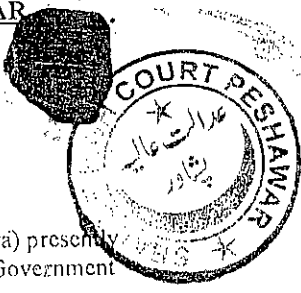
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IN THE PESHAWAR HIGH COURT PESHAWAR

In Ref: to WP No. 1495 P /2017.



- 1) Naveed Khan S/O Pervaiz Khan R/O Daghesood (Nowshera) presently working and posted as Senior Certified Teacher (SCT) at Government Shaced Ali Abbas High School Dagbasood (Nowshera).
- 2) Dalil Khaul S/O Mutawal Khan R/O Akora Khattak (Nowshera) presently working and posted as Senior Certified Teacher (SCT) at Government Centennial Model High School Akora Khattak (Nowshera).
- 3) Rayaz Muhammad S/O Faqir Muhammad R/O Akbar Pura (Nowshera) working and posted as Senior primary School Teacher (SPST) Ali Shah (Pabbi/Nowshera).
- 4) Zain Ullah S/O Zardullah Khan R/O Dagbasood (Nowshera) working and posted as Senior primary School Teacher (SPST) at Government No. 5 Dagbasood (Pabbi/Nowshera).
- X 5) Naseer Muhammad S/O Faqir Muhammad R/O working and posted as Senior primary School Teacher (SPST) at Government Primary School No. 1 Pabbi (Nowshera).
- 6) Asif Khan S/O Rahmani Gul R/O Aman Kot (Pabbi) presently working and posted as Senior primary School Teacher (SPST) at Government Primary School Amankot (Nowshera).
- X 7) Amin-ur-Rehman S/O Khan Zada R/O Resalpur (Nowshera) presently working and posted as Senior primary School Teacher (SPST) at Government Primary School Barakabad (Nowshera).
- 8) Amir Muhammad S/O Adil Muhammad R/O Azakhel Payan, Nowshera, presently working and posted as Senior primary School Teacher (SPST) at Government Primary School No. 1 Azakhel Payan (Nowshera).

..... PETITIONERS.

VERSUS

1. Secretary to the government of Khyber Pakhtunkhwa, Elementary & Secondary Education Department, Civil Secretariat Peshawar, Deputy Registrar
2. Director, Elementary & Secondary Education Department, Province of Khyber Pakhtunkhwa Peshawar.
3. District Education Officer (Male) Nowshera.....

..... RESPONDENTS.

FILED TODAY

Deputy Registrar

08 APR 2017

ATTESTED

EXAMINER

Peshawar High Court

WRIT PETITION UNDER ARTICLE 199 OF THE CONSTITUTION OF THE ISLAMIC REPUBLIC OF PAKISTAN 1973 AS AMENDED UP-TO DATE 15 JAN 2018

WP 1495P2017

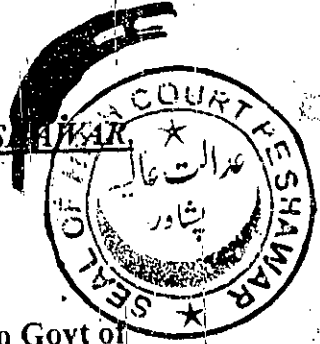
ATTESTED

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Judgment Sheet

IN THE PESHAWAR HIGH COURT, PESHAWAR
JUDICIAL DEPARTMENT.



Writ Petition No. 1495-P/2017

Naveed Khan etc..vs...Secretary to Govt of
Khyber Pakhtunkhwa Elementary & Secondary
Education etc.

JUDGMENT

Date of hearing.....09.01.2018.....

Petitioner(s) by Mr. Muhammad Usman Khan Turlandi,
Advocate.

Respondent (s) by Mr. Muhammad Riaz Khan, AAG.

ROOH-UL-AMIN KHAN, J:- By invoking the constitutional jurisdiction of this Court under Article-199 of the Constitution of Islamic Republic of Pakistan, 1973, petitioner seek their promotion to the post of SST (BPS-16) on the basis of seniority cum fitness against 75% quota reserved for promotion.

2. According to the contents of the writ petition, the petitioners joined the services in the respondents department and were lastly promoted to the posts of Senior Certified Teacher (SCT) and Senior Primary School Teacher (SPST) respectively and are performing their duties as such. The respondents in utter violation of Notification No. SO (PE)4-5/SSRC/Meeting/2013/Teaching

for the same

ATTESTED
EXAMINER
Peshawar High Court
13 JAN 2018

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(BX)

Cadre, dated 24.7.2014, whereby 75% quota for the posts of SST (BPS-16) has been served /sanctioned for promotion on the basis of seniority cum fitness and 25% for initial recruitment, advertised 62 vacant posts of Senior Science Teacher (BPS-16) to be filled up through fresh / initial recruitment, without reserving a single vacancy for promotion amongst the Senior Certified Teachers or Senior Primary School Teachers.

3. Learned AAG contended that the respondents-department has already considered the case of petitioners for promotion under their specified 75% quota, however they were lacking the requisite qualification, therefore, could not be considered. He pointed out that the petitioner No. 1 and 2 have qualified BSc examination in Math-A, Maths-B and Statistics and do not fulfill the criteria. Similarly petitioner No.7 has passed the BA/BSc in third division which is also does not come under the criteria of 75% quota. He stated that candidate who improved his qualification and got eligibility and fitness in accordance with the criteria shall be considered for promotion to the post of SST in the next meeting of Department Promotion Committee.

Look into this

4. It is manifest from the comments that the respondents have not denied the quota of promotion @ 75% however the petitioners were considered and denied to be

ATTESTED
EXAMINER
Peshawar High Court
13 JAN 2018

considered for promotion on the ground of lacking the requisite qualification and not fulfilling the criteria, hence the department has not committed any illegality or irregularity.

5. The contention of learned counsel for petitioners that the petitioners have improved their qualification, therefore, they be considered for promotion w.e.f the date wherefrom their other colleagues have been considered, is unpersuasive for the reasons that such a writ cannot be issued under Article-199 of the Constitution of Islamic Republic of Pakistan, 1973, as Article 212 of the Constitution of 1973 debar this Court to interfere in the matter pertaining to terms and conditions of a civil servant.

6. For the reasons given hereinabove, the instant petition is disposed of accordingly. However, the petitioners would be at liberty to approach the proper forum, if so advised at the relevant time.

Announced on;
09th of January, 2018
Zarshad

Signature

JUDGE

Signature

JUDGE



- 1. Secre *84*
- Seco
- of Application: *10/1/18*
- 2. Di

(DB) Mr. Justice Rook Ul Amin Khan & Mr. Justice Qalandar Ali Khan.

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Total

Date of Preparation of Copy: *13/1/18*

Date of Delivery of Copy: *13/1/18*

Received By: *Signature*

CERTIFIED TO BE TRUE COPY

Examiner
Peshawar High Court, Peshawar
Authorized Under Article 87 of
The Qanun-e-Shahadat Order 1984

13 JAN 2018

University of Peshawar

(Pakistan)

Session Annual 1998

DALIL KHAN, SON of MUTAAL KHAN and student of DISTRICT PESHAWAR having passed the prescribed examination is this day admitted by the University of Peshawar to the degree of

Bachelor of Education

In the SECOND Division in Theory

In the SECOND Division in Teaching Practice

In the SECOND Division in Aggregate

Passed also in GENERAL SCIENCE as an optional subject

The Examination was taken as a whole / in parts



Serial No. 310012

Registration No. 88-N-3176

Roll No. 1125

Exam declared on FEBRUARY 24, 1999

Investigated

De-Chancellor

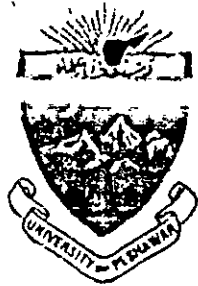
[Signature]
Registrar

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ATTESTED

UNIVERSITY OF PESHAWAR

(Pakistan)



Bachelor of Education Examination, 1998 Annual

Detailed Marks Certificate

Roll No. 1126

Mr. / Ms. Dalil Khan

Division: Theory..... 2 ..Practice of Teaching..... 4 ..Aggregate..... 26 :

S U B J E C T S	M A X I M U M	M A R K S O B T A I N E D	
		In figures	In Words
		Educational Psychology	100
Principles of Education	100	57	Fifty seven.
School Organisation & Health Education	100	57	Fifty seven.
History of Education	100	58	Fifty eight
Teaching of English.....	100	68	Sixty eight
Islamiyat/Islamic History	100	56	Fifty six
Elective (Maths)	100	40	Forty only.
Optional <u>G.Sc</u>	100	50	Fifty only
Practice of Teaching	200	113	One hundred and thirteen.
TOTAL	1000	539	Five hundred and thirty nine

Errors & omissions are subject to subsequent rectification.

The Examination was taken as a WHOLE / IN-PARTS.

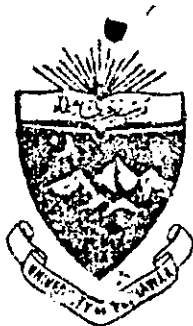
Result Declaration Date 24 Dec 1999

Signature _____

M. Javed Khan

Controller of Examinations,
University of Peshawar

ATTESTED



UNIVERSITY OF PESHAWAR

(PAKISTAN)

PASSED/RE-APPEAR

41817

DETAILED MARKS CERTIFICATE

B. Sc. EXAMINATION, 1991 (ANNUAL)

Mr./Ms. *Dalil Khan* Roll Number *41817*

The candidate secured the following marks and is placed in *Second* Division.

SUBJECTS	MARKS		
	allotted	obtained	In words
1. Maths A	150	82	Eighty two
2. Maths B	150	66	Sixty six
3. Statistics	150	79	Seventy nine
4. ISLAMIC STUDIES (Compulsory)	60	42	Forty two
5. PAKISTAN STUDIES.	40	23	Twenty three
Total ..	550	292	Two hundred & ninety two

The examination was taken as a ~~WHOLE~~ IN/PARTS

Result Declaration date

Date *31.01.19.92*

CONTROLLER OF EXAMINATIONS
UNIVERSITY OF PESHAWAR
PAKISTAN.

Handwritten signature

صاحب (46) ڈاکٹر بلندر انجینئر (Sec لا کا) پتہ
درخواست نمبر 44 سنہ 1977 اینڈ بینک بینیفٹ

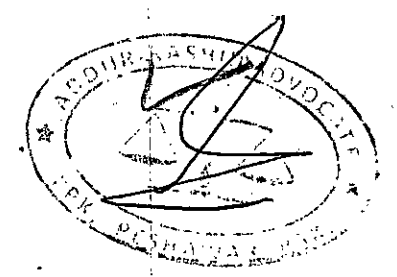
صاحب عالی!

مندرشی ہے کہ ہمیں بطور رٹائرڈ (تصانیف 1977-78-79) کو جی ای
تفصیلی ہم بینک سینیئر لیوے اور بیمار اجلی ہمارا لگا۔ جناب 2016ء میں
نوٹیفکیشن میں S.S.I کو 62 لوہے کے عالمی طبقے۔ لیکن پھر قسمتی ہے D.P.C
کو حیرت تمام کے تمام لوہے کے آؤ لار کو دیکھنے اور 75% ڈیڈ ہارمنٹل
کوٹہ کو تکرار تو لار کر دیا گیا۔ اس کے خلاف ہم ہائیلوریٹ ٹیکے
اور ہائیلوریٹ کے ضمیمہ دیا گیا آؤ لار کے لئے D.P.C میں آپ
تصانیف کریں گے ہم نے سینیئر جی ایم اے کیا تھا۔ لیکن کورٹ نے
ہمیں بتایا جب آپ کا کام سوجھا گیا۔ تو آپ طرہ *Guarantee*
مورم سے اسنا حق کا مطالبہ کریں۔ اس کے ہم آپ کو ضرور کا
نگر سے سینیئر ٹیکے کرتے ہیں کہ ہمیں سینیئر ٹیکے + بینک بینیفٹ دے کر سینیئر
اگر صارفین اور اس سے نہ کسی گئی تو پھر ہم کا لونا صارفین کو جی ای
محفوظ رکھتے ہیں۔

الغرض

235
31-12-2016

Phd Maths (Phd Maths) S.S.I
گورنمنٹ ہائی اسکول یانڈہ
M.P. 48
31-12-2016
4.H.S.S



VAKALAT NAMA

NO. _____/2021

IN THE COURT OF KP Service Tribunal, Peshawar

Dalil Khan

(Appellant)
(Petitioner)
(Plaintiff)

VERSUS

Education Department

(Respondent)
(Defendant)

I/We, Dalil Khan

Do hereby appoint and constitute **Taimur Ali Khan, Advocate High Court 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 costs.

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. The Advocate/Counsel is also at liberty to leave my/our case at any stage of the proceedings, if his any fee left unpaid or is outstanding against me/us.

Dated _____/2021

Dalil Khan
(CLIENT)

ACCEPTED

TAIMUR ALI KHAN
Advocate High Court
BC-10-4240
CNIC: 17101-7395544-5
Cell No. 0333-9390916

OFFICE:

Room # FR-8, 4th Floor,
Bilour Plaza, Peshawar,
Cantt: Peshawar



36



685

ایڈوکیٹ / دستخط:
بار کونسل / بار ایسوسی ایشن نمبر: 1652-11-11
رابطہ نمبر: 5967896-0300

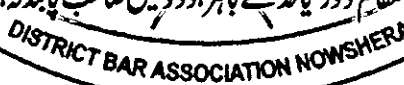
ڈسٹرکٹ بار ایسوسی ایشن نوشہرہ

بعدالت جناب: **محکمہ سہولتیں سرکاری K.P.K. سٹیٹ**

دعویٰ: رسید	منجانب: ایڈووکیٹ
طرت نمبر:	
موضوع:	دلیل خان بنام سید سید سید
جرم:	
تھانہ:	

بابت تحریر آگے

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کاروائی متعلقہ
 ان مقام **لئے درج ذیل** کے **حکم خارجہ** کو وکیل 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 تقسیر
 حالت و فیصلہ برطرف دینے جو اب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق و ترمیم پر دستخط کرنے کا اختیار
 ہوگا، نیز بصورت عدم پیروی یا ڈگری بکطرفہ یا اپیل کی برآمدگی اور منسوخی، نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی
 کرنے کا مختار ہوگا۔ اور بصورت ضرورت مقدمہ مذکورہ 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 اختیارات حاصل ہوں گے اور اس کا
 ساختہ پداختہ منظور و قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جانتا تو اپنے مقدمہ کے سبب سے ہوگا وہ وکیل موصوف وصول
 کرنے کا حقدار ہوگا کوئی بتاریخ پیشی مقام دور یا مد ہے باہر ہو تو وکیل صاحب پابند ہوں گے کہ پیروی مذکورہ کریں، لہذا
 وکالت نامہ لکھ دیا تاکہ مندر ہے۔



المرقوم: 2020-6-20

العبد گواہ شد العبد
 مقام **لئے درج ذیل** کے **حکم خارجہ** کو وکیل مقرر کر کے

نوٹ: اس وکالت نامہ کی فوٹو کاپی ناقابل قبول ہوگی۔

Handwritten Signature