

BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL CAMP

COURT ABBOTTABAD

SERVICE APPEAL No. 1506 of 2019

Lutf ur Rehman S/O Muhammad ZahirAppellant

VERSUS

**Government of Khyber Pakhtunkhwa through Secretary E&SE KPK Peshawar and
others.....Respondents**

INDEX

S. NO	DESCRIPTION /DOCUMENTS	ANNEXURE	PAGES
1	Comments		1 to 3
2	Affidavit		4
3	Copy of Appointment & transfer orders of Respondent No. 4	A	5 to 13
4	Copy of Notification dated 21-01-2013	B	14 to 16
5	Copy of minutes of DPC meeting	C	17 to 19

Respondent



BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE

TRIBUNAL CAMP COURT ABBOTTABAD

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VERSUS

Government of Khyber Pakhtunkhwa through Secretary E&SE KPK

Peshawar and others.....Respondents

**Joiant Para-wise comments /Reply on behalf of
Respondents NO. 1 to 3**

Respectfully Sheweth:

Preliminary Objections

1. That the appellant has no cause of action/locus standi to file the present appeal.
2. That the appellant has concealed the material facts from this Hon'ble Tribunal.
3. That the appellant has not come to this Hon'ble Tribunal with clean hands.
4. That the appellant has filed the instant appeal on mala fide grounds, just to put pressure on the respondent Department for illegal benefits.
5. That the appellant's appeal is against the prevailing rules and law.
6. That the appellant is estopped by his own conduct to file the instant appeal.
7. That the instant appeal is not maintainable in its present form and also in the present circumstances of the issue.
8. that the appeal is bad for mis-joined and non-joined of necessary and proper parties.

ON FACTS

1. Para No. 1 of the appeal is correct pertaining to the appointment of the appellant, hence needs no comments.
2. Para No. 2 pertains to the service record of the appellant.
3. Para No. 3 of the appeal is correct.
4. Para No. 4 of the appeal is correct to the extent of transfer of the respondent No. 4 from District Masehra to District Battagram. However respondent NO. 4 was appointed in the year 1997 by the Divisional Director of Hazara Division and then he was transferred from Mansehra to Battagram on 21-01-2012 while on 31-08-2012 a guidance notification No. 2296 to EDO Peshawar and 21-01-2013 a Clarification Notification for determination of seniority for the promotion of different cadres was issued to all the District Education Officers (Male & Female) in Khyber Pakhtunkhwa through Notification No.2492-2542/Seniority/Promotion/Estab and Endst: No. 2543-45/File No.1/A-88/KC/S.list Dated Peshawar the 21-01-2013 whereas it is clearly mentioned that " the seniority of the teacher who was appointed before the abolishment of

Divisional Directorate and transferred to his own domicile district, after abolishment of Divisional Directorates, will not be disturbed and he may be placed with his counterparts on his due place in the Seniority list". In the light of said notification respondent No. 4 was placed on his due seniority and was promoted accordingly. (Copy of appointment and Transfer orders of respondent No. 4 and Notifications are attached as *Annex: "A & B"*).

- 5. Para No. 5 is correct to the extent of preparation of seniority list by respondent No. 3, and on the basis of transfer order of respondent No.4 he was placed at the bottom however after the notifications of Directorate dated 31-08-2012 and 21-01-2013 respondent No. 4 was placed on serial no 8 of the revised seniority list of 2018 and recommended for promotion by the Departmental Promotion Committee. (Copy of minutes of DPC and seniority list are attached as *Annex: "C"*).
- 6. Para No. 6 of the appeal as composed is incorrect hence denied. Detailed reply is given in Para No. 4 and 5 of the reply.
- 7. The appellant has no cause of action and locus standi to file subject appeal.

ON GROUNDS:

- a. Ground "a" of the appeal is incorrect, hence denied. The impugned promotion order is well within the four corners of law and rules.
- b. Ground "b" of the appeal is incorrect hence denied. The promotion order of the respondent No. 4 is not against the policy and rules as replied in detailed in the preceding para.
- c. Ground "c" of the appeal is incorrect. Respondents followed the law/rules and regulation of the department and acted accordingly. Detailed reply is given in the preceding paras.
- d. Ground "d" of the appeal is incorrect. Respondents followed instructions of the department' which was issued after the transfer order of respondent No. 4 and acted accordingly as replied in para No. 4 and 5 of the facts.
- e. Ground "e" of the appeal as composed is incorrect. Detailed reply is given in the preceding paras.
- f. Ground "f" of the appeal is incorrect, hence denied. Respondent No. 3 did not ignore the seniority list and not issued promotion order against the law and natural Justice, detailed reply is given in preceding paras.
- g. Appellant has got no cause of action/locus standi.
- h. Respondents also seek permission of this Honorable Tribunal to raise other legal and factual Grounds during the course of arguments before this Honorable Service Tribunal.

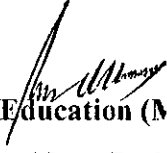
(3)

It is therefore most humbly prayed that on acceptance of above Para-wise comments, the appeal of the appellant may graciously be dismissed with cost.


RESPONDENT NO. 3


District Education Officer (Male)
Battagram

RESPONDENT NO. 2


Director of Education (Male) Khyber
Pakhtunkhwa Peshawar

RESPONDENT NO. 1


Secretary Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL CAMP
COURT ABBOTTABAD
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Government of Khyber Pakhtunkhwa through Secretary E&SE KPK Peshawar and
others.....Respondents

AFFIDAVIT

I *Bakht Zada*

District Education officer (Male) Battagram do

hereby affirm and declare on oath that contents of accompanying Joint Para-wise comments on
behalf of respondent NO. 1 to 3 are true and correct to the best of my knowledge and belief that
nothing has been concealed from this Honorable Court.

DEPENDENT
CNIC: _____

15302-2004204-5

Amir: AITD
5

OFFICE OF THE DIV. DIRECTOR OF EDUCATION (SCHOOLS) HAZARA DIV. ABBOTTABAD.

APPOINTMENTS

Consequent upon their selection by the Departmental Committee, the Divisional Director of Education (Schools) Hazara Division Abbottabad has pleased to appoint the following Arabic Teachers (Male) at the School noted against their names in BPS-9 (1605-1-3060) plus usual allowances as admissible under the rules with effect from the date of taking over charge subject to the existing terms and conditions:

S. NO.	NAME OF CANDIDATES AND ADDRESS.	DATE OF BIRTH	NO OF MERIT	SCHOOL WHERE APPOINTED.	REMARKS
1.	Muhammad Qasim Ex-AT GMS GMS Larian.	15.06.57	1/96	GMS Manda Guaha (Mansehra)	Vice Iftakhar Not selected terminate, M. Tahir
2.	Ajmal Hussain S/o M. Afzal Ruhani PTC Lami. Battal.	06.05.73	2/92	GMS Neel Bata.	Vice Terminated. Not sel: n merit.
3.	Ziaul Rehman Ex-AT S/o Ali Khan R/o Dara Man.	10.01.71	3/86	GMS Sowan	V/M. Shoaib Terminated.
4.	Atta-ur-Rohman PTC GPS Khalid Barfa.	02.02.67	4/85	GMS Naseerabad. (Mansehra)	V/Shabir Almed Terd: Not sel: n merit.
5.	S. Tariq Hussain Shah S/o Pirmasum Shah R/o Dialpora (Mans)	24.02.66	5/77	GMS Khayriata	V/Abduli Bas Termind: as not sel: n merit.
6.	Mohd. Saloom S/o Mohd Sharif R/o Badi Maira.	24.07.74	6/74	GMS Gul Bandi	V/M. Miskin Terminated. Not sel: n merit.
7.	Hoor-ul-Haq S/o Ghulam AT GMS Chatta (Mansehra)	02.04.63	7/73	GMS Chatta.	Post already occupied.
8.	Dost Mohammad S/o Faqir Mohd H. No. 1875 KPS. H/pur.	01.01.65	8/78	GMS Thalikota (Haripur)	V/Mirafzal Terminated. Not sel: n merit.
9.	Fiaqat Ali S/o Qalandarali T. G. S. M. A. K.	08.3.69	9/71	GMS Ramkote (Mansehra)	V/Abdullah Terminated as Not sel: n merit.
10.	Ghulam Amir S/o Faqir Muhammad R/o R/S. H. P. D. H.	21.05.68	10/71	GMS Kaneerari (Haripur)	V/Samiullah Terminated. Not selects: n merit.
11.	Abdur Raheeq S/o Abdul Haq R/o Shushti Bandi (Mans)	04.03.69	11/71	GMS Sokal (Mansehra)	V/M. Amir Terminated.
12.	Shamsur Rahman S/o Malik-- R/o Mansar PTC GPS Hum Nakka.	15.11.74	12/71	GMS Dovel	V/Misakat Khan Terd: Not sel: n merit.
13.	Shoib S/o Abdul Karim R/o Nawasher ATD.	20.01.73	13/70	GMS Lakhala.	V/Abdur Rehman Terd: Not sel: n merit.
14.	Shah Nawaz S/o Mohd Sharif. R/o Guli Bagh. Mansehra.	26.06.63	14/69	GMS Shatial	V/Sherzada Terminated. Not sel: n merit.
15.	Zad-ul-Islem S/o M. Idrees Moh: Nari Mansehra.	25.02.72	15/69	GMS. GMS Batera	V/Abdur Rehim.
16.	Mohd Saleem S/o Ajab Khan R/o Riala. Abad.	04.02.72	16/67	GMS Reri Bahal	V/M. Niaz Terminated, as not sel: n merit.
17.	Khalid Saifullah S/o Hazrat AT GMS Mari	07.04.70	17/67	GMS Mari	Post already occupied.

M. Hussain

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	2	3	4	5	6
45.	Mohd Allaf S/o M. Aslam TT GHS Bala A ¹ a.	08.09.73	56	GMS Gora Baz Gram. (A. Abad)	V/M. Rias Terminated. Not sel: on merit.
46.	Allaf-ur-Rehman AT GMS Bandi Salotti. Manshra.	31.03.74	56	GMS Bandi Salotti.	Post already occupied.
47.	Abdul Wahid S/o Faisal Khalid TT GHS No. 3 Manshra.	09.04.77	56	GMS Gerhan H/R	V/Sabir Hus Terminated. Not sel: on merit.
48.	Arranged AT GMS Jabba.	1966	55	GMS Jabba K/H.	Post already occupied.
49.	Abdul Rehman R/o Kohis:	01.06.68	55	GMS Mehreen K/H.	V. Saikat Gu sel: Terminated.
50.	Matur Rehman CT GMS Bandi Puwa (ATD)	10.03.70	55	GMS Khabal H/Pur.	V/Jamil Terminated. Not sel: on merit.
51.	Mohd. Labi S/o A.T GMS Bandi Gilla K/H.	1970	55	GMS Bandi Gilla.	Post already occupied.
52.	Tahir Ahmed AT GMS Seri Manoor.	13.06.73	55	GMS Seri Manoor.	--do--
53.	Hisar Ahmed S/o Peroz Din Qari GHS Sawan Khar K/Pur.	10.04.75	55	GMS Bandi Muglian.	V/Ibrar Hus sel: ain Termd: not sel: on merit.
54.	Mohd Shafi S/o H. Yaqoob R/o Tuffa.	20.05.63	54	GMS Kuthera H/P	V/Iqbas Hus Terminated. Not sel: on merit.
55.	Ehsan Ellahi S/o Noor Ahmed R/o Talhada Ma:	14.02.65	54	GMS Khawar H/H.	V/Furqan Terminated. Not sel: on merit.
56.	Ghulam Khan S/o Abdul Ghaffar Qari GHS Peshora.	01.04.74	54	GMS Summer Nullah.	V/Kamiya Terminated. Not sel: on merit.
57.	Shah Nawaz AT GMS Daran Pani.	02.03.72	54	GMS Daran Pani.	Post already occupied.
58.	Mohd. Azam S/o Masal Bala R/o Bala Manshra.	12.1.73	53	GMS Jab Haripur.	V/Farooq Terminated. Not sel: on merit.
59.	Anwar-ul-Haq S/o Karim R/o Bala Manshra.	15.06.70	53	GMS Durkote H/P	V/Hafiz Tahir Termd: as not sel: on merit.
60.	Mohd. Hussa S/o Abdur Wahab A.T GHS Basha K/H.	01.02.72	53	GMS Basha K/H.	Post already occupied.
61.	Abdul Hafiz S/o Abdul Majid R/o S/Salah.	01.01.75	53	GMS Hassan Bai.	V/Liaqat Ali, Terminated. Not sel: on merit.
62.	Liaqat Hussain S/o Mohd Hussain R/o S/Najar Khan.	05.03.70	53	GMS Halli H/Pur.	V/M. Younis Terminated. Not sel: on merit.
63.	Mohd Tayyub S/o M. Ishaq R/o S/Najar Khan Mans.	17.08.77	53	GMS Dheri Naqarch ian (H/Pur)	V/Saidur Rehman Termd: not sel: on merit.
64.	Farman ullah S/o Mansif Khan R/o Muner Bala ATD.	15.03.72	53	GMS Nakar Khan Kalan,	V/M. Noeed Terminated. Not sel: on merit.
65.	Ghulam Mustafa S/o Ghulam Rasool R/c P/Nasham Khan.	20.04.78	53	GMS Noor Pur.	V/Aqdur Rashid Termd: as not sel: on merit.
66.	Rashid Ahmed S/o Tous Khan AT GMS Kasala. ATD.	01.04.66	52	GMS Kasala.	Post already occupied.
67.	Rasool Din S/o Mohd Qazi R/o Kamalia.	1967	52	GMS Harigah KH	V/Sumander Khan - ermd: as not sel: on merit.
68.	Shah Zaman S/o Ghulam Ali R/o Ghori C.H. Ullah.	12.02.69	52	GMS Bat Gali.	V/Iqbal Terminated. Not sel: on merit.
69.	Mur Farooq S/o Shine Khan R/o Serai Allaf.	23.04.69	52	GMS Jaba Mada Khal K.D.	V/Habib-ur- Rehman Termd: as not sel: on merit.
70.	Ullah S/o Mohd Hanan. AT GMS Chandi Mada Khe. ATD.	30.04.71	52	GMS Chandi Mada Khal K.D.	Post already occupied.
71.	Ameer Ahmed AT GMS Dhok Kharlan.	25.12.72	52	GMS Dhok Gakhar Kharlan.	--do--

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62	Abdul Qader S/o Abdur R/o Kohistan.	1972	52	GMS Chakk R/H	V/Pur Khan Terminated. Not selected on merit.
63	Sarajur Din S/o Hamidullah R/o Badli A. Bad.	03.09.75	52	GMS Kagan M. A. R.	V/Elumullah Terminated. Not selected on merit.
64	Abdur Qader S/o Mohd. Zaman R/o K. S. Khan.	04.09.74	52	GMS Thatha Khan	V/Thatha Khan Terminated. Not selected on merit.
65	Mohd. Iqbal S/o Hazrat R/o Alote.	07.09.76	52	GMS Bandla Nagar Khal. K. D.	V/P. Ismail Terminated. Not selected on merit.
66	Mohd. Sabir S/o Ali Zaman R/o Banda Haira ATD.	27.1.78	52	GMS Bandi H/P	V/Abul Islam Terminated. Not selected on merit.
67	Abdur Rehman S/o Malikullah R/o Kohistan.	02.02.78	52	GMS Narayana KH	V/Juma Khan Terminated. Not selected on merit.
68	Qasim Jassar Mehmood S/o Adnan Khan R/o Bandi Barsan.	01.04.78	52	GMS S. Phadra (H/Pur)	V/Abbas Ali Malik Terminated. Not selected on merit.
69	Shah Jahan S/o M. Hussain R/o Tikote.	09.04.79	52	GMS Ghosikote (Tikote)	V/Lahiyat Ahmed Terminated. Not selected on merit.
70	Aurangzeb S/o Ghulam R/o Koz K;H.	1969	52	GMS Hajiaabad (K/H)	V/Majidur Reh Terminated. Not selected on merit.
71	Mohd. Mustafa S/o Abul R/o Mans.	08.05.59	51	GMS Bandi Kenth (Mansera)	V/Abdur Razag Terminated. Not selected on merit.
72	Mohd. E. S/o Mohd. Ali R/o Kohistan.	1969		GMS Daddar KH.	V/S. B. M. Terminated. Not selected on merit.
73	Shameer Ali S/o Juma Khan R/o P. 410th.	1972	51	GMS Naserabad.	V/A. Ashraf Terminated. Not selected on merit.
74	Hizrat Khan S/o Badan Khan R/o R. 410th.	12.2.56	50	GMS Mangal H/R	V/Kala Khan Terminated. Not selected on merit.
75	Mohd. J. S/o Ali Zaman R/o P. 410th.	05.01.76	49	GMS G. M. K.	V/Abul Hakim Terminated. Not selected on merit.
76	Mohd. J. AT GMS Khabal.	14.03.63	47	GMS Khabal	Not already occupied.
77	Hizrat J. AT GMS No. 3 Mansera.	02.05.66	47	GMS No. 3 Mansera.	do
78	Mohd. Navaz Shah S/o Maroof Shah R/o K. S. Khan.	01.04.68	47	GMS P. S. Khan H/R	V/H. S. Khan Terminated. Not selected on merit.
79	Jamil Ahmed AT GMS Pinda R/o P. 410th.	01.01.71	47	GMS Pinda Hasam Post.	Post already occupied.
80	Shahzada Halid Mehmood AT GMS B. S. Mans.	20.04.71	47	GMS Hasam.	do
81	Shoukat Minn S/o Ajab Khan R/o Abbotabad.	20.08.76	47	GMS G. M. K.	V/Mohd. Riaz Terminated. Not selected on merit.

TERMS AND CONDITIONS

They will be governed by such rules & regular in force and as prescribed by the Govt: from time to time for the category of the Govt: services to which they belong.

Their services will be liable to termination on one months notice from either side. In case of resignation without notice one months pay will be forfeited in lieu thereof.

They should be in service one month of the issue of this notification.

Their int. & seniority will be determined in accordance with the Merit of Departmental selection.

Charge reports should be submitted to all concerned.

EXTRAORDINARY

[Handwritten signatures and initials]

177 Malik

COND. PAGE NO. 6
Sd/-
(G.M. BAROOD)
DIV. DIRECTOR OF EDUCATION (SCHOOLS)
HABARA DIVISION ANHOLWAD.

19. Candidates in the present list (attached) should be submitted by the lower officer to the Director of Education, Habara Division, Anholwad, in consolidated form, with his service category (separate) in consolidated form, to be terminated within a period of 4 years.
18. The case of person appointed as an untrained teacher, who will have to be selected/approved by the department selection committee.
17. The candidates whose service have been terminated as above may not be allowed to take over charge and report submitted to the Director of Education, Habara Division, Anholwad, in consolidated form, to be terminated within a period of 4 years.
16. The appointments are subject to production/verification of certificates by the concerned Principal/Headmaster to the Director of Education, Habara Division, Anholwad, in consolidated form, to be terminated within a period of 4 years.
15. The appointments are subject to production/verification of certificates by the concerned Principal/Headmaster to the Director of Education, Habara Division, Anholwad, in consolidated form, to be terminated within a period of 4 years.
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1. The appointments are subject to production/verification of certificates by the concerned Principal/Headmaster to the Director of Education, Habara Division, Anholwad, in consolidated form, to be terminated within a period of 4 years.

8

Encl.No. 13331-13532 /AD-T/AT(M) Dated, 25.6. /1997.

Copy for information to these:-

- 1. The Accountant General N.W.F.P Peshawar.
- 2. The Director of Secondary Education NWFP Peshawar.
- 3. The Director of Primary Education NWFP Peshawar.
- 4-9. The District Accounts officer concerned.
- 9-99. The Principal/Headmasters concerned.
- 100. The I/S to Secretary of Govt: NWFP Peshawar Edu: Deptt:
- 101-200. Official concerned.
- 01. Office order file.

M. H. AKMAL

[Signature]
 DIV: DIRECTOR OF EDUCATION (SCHOOLS)
 HAZARA DIVISION ABBOTTABAD.

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 M. H. AKMAL

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(10)

OFFICE OF THE DIV: DIRECTOR OF EDUCATION
(SCHOOLS) HAZARA DIV: ABBOTTABAD.

No 25199 /AE-I/AT(M) Corr:
Dated 26/8 /1997.

The Headmaster,
Govt: High School
Pind Kargo Khan (A. Abad)


AMMENDMENT/CHARGE.

Subject:
Memo,

I am directed to refer to your letter No and dated n and inform you that Mr. Shah Jehan Sp^o Mukdat Hussain R/o Thakote (Newly appointee) was appointed at GMS Maidan (Kbhistan) but there is no vacant A.T post.

Due to non availability of post he has been posted/Adj at your School against A.T post vide this office Order No. 44, AT(M) dated 2.8.97 issued under Endst: No. 20618-20/AE-I/AT(M) of ev

You are requested to handover charge to above named against post being newly appointee.


FOR/DIV: DIRECTOR OF EDUCATION (SCHOOLS)
HAZARA DIVISION ABBOTTABAD.

Muzamil
M. H. I.

DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION KHYBER PAKHTUNKHWA PESHAWAR

OFFICE ORDER

Consequent upon ban relaxation given by the competent authority, Mr. Shah Jahan A.T GMS, Kaluwal District Mansehra is hereby transferred against the vacant post of AT, at GMS, Battangi District Battagram in his own pay & BPS in the interest of public service with effect from the date of his taking over charge.

Note:-

1. Charge reports should be submitted to all concerned.
2. No TA/DA etc is allowed.
3. The EDOs (E&SE) concerned are directed to check his original service documents before, making payment of salary.
4. His seniority will be determined at the bottom of S/List under the rules.

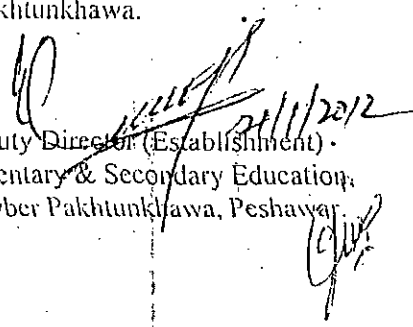
DIRECTOR

Elementary & Secondary Education
Khyber Pakhtunkhwa, Peshawar.

Endst: No. 2948-53 /F.No.1015/A-15/CT/ Dated Peshawar the 21/1/2012
Mansehra:/P/Transfers.

Copy of the above is forwarded for information & n/a to the:-

1. Executive District Officers (E&SE) Mansehra & Battagram.
2. District Accounts Officers Mansehra & Battagram.
3. Headmasters concerned.
4. Teacher Concerned.
5. P.A to the Directress E&SE Khyber Pakhtunkhwa.
6. M/File.


Deputy Director (Establishment)
Elementary & Secondary Education,
Khyber Pakhtunkhwa, Peshawar.

OFFICE OF THE EXECUTIVE DISTRICT OFFICER (E.D.O.) BATGRAM

ORDER

The following A.T teachers are hereby transferred in the school noted against their own pay and BPS in the interest of public service with immediate effect:-

S.No	Name of Teacher/School	School where posted.	Remarks.
1.	Shah Jehan, A.T GMS, Batangi.	GMS, Bishket	Vacant post.
2.	Ferman Shah, A.T GMS, Minzabanda.	GMS, Batangi	

Charge reports should be submitted to all concerned.

EXECUTIVE DISTRICT OFFICER
E.D.O. & SEC: EDU: BATGRAM

Endst: No 3307-10 E.D.O./E.D. - II/P-AT

Dated 12/04/2012

Copy to the:-

1. District Accounts Officer Batgram.
2. I/O Pay section local Office.
3. I/O H.M GMS, Batangi/Minzabanda.
4. Teachers Concerned.

DISTRICT OFFICER (M.A.S.)
E.D.O. & SEC: EDU: BATGRAM



OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE)

13

BATTAGRAM

POSTING /ADJUSTMENT ORDER

Consequent upon the recommendations of Departmental Promotion Committee and in pursuance of Govt. of Khyber Pakhtunkhwa Elementary and Secondary Education Department Notification No. SO (B&A)/1-18-/E&SE/2012 Dated 11/07/2012 and Finance Department Ednst No.SO(FR)/FD/10-22(E)/2010 dated 16/07/2012 and in pursuance of Director E&SE Khyber Pakhtunkhwa Notification issued under Endstt No.4531-36/File No.1/Promotion Senior Teacher (BPS-16)2019 dated Peshawar the 22/02/2019, the following Male ATs are hereby promoted to the post of SAT B-16 (Rs.18910-1520-64510) plus usual allowances as admissible under the rules on the regular basis under the existing policy of Provincial Government, on the terms and conditions given below is further posted/adjusted at the schools noted against their names with immediate effect in the interest of public service:-

S.No.	Name of teacher	Present school	School where Adjusted	Remarks
1	Shah Jehan	GMS Bishkot	GHSS Thakot	Vice Mr. Lutfur Rehman AT B-15 (Newly Upgraded SAT Post)
2	Zahoor Ul Haq	GHS Pirhari	GHS Batamori	Vice Muhammad Waliullah AT B-15
3	Ghulam Khan	GHS Peshora	GHS Banna Allai	Against V/Post
Consequential Adjustment				
1	Mr. Lutfur Rehman AT B-15	GHSS Thakot	GMS Bishkot	Vice S.No. 1
2	Muhammad Waliullah AT B-15	GHS Batamori	GHS Peshora	Vice S.No. 3

TERMS AND CONDITIONS:-

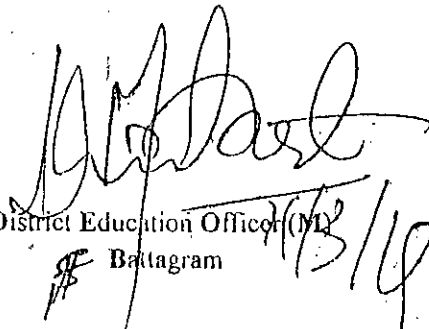
1. They would be on probation for a period of one year extendable for another one year.
2. They will be governed by such rules and regulations as may be issued from time to time by the Govt.
3. Their services can be terminated at any time, in case their performance is found unsatisfactory during probationary period, In case of misconduct, they shall be proceeded under the rules framed from time to time.
4. Charge reports 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 their duty.
7. They will give an undertaking to be recorded in their Service Books to the effect that if any over payment is made to them in the light of this order will be recovered and if they are wrongly promoted they will be reversed.

MUHAMMAD SHAUKAT
District Education Officer (M)
Battagram

Endst: No. 2344-51 /EB-III/AT to SAT/ Promotion. Dated Battagram the: 13/3/2019.

Copy of the above is forwarded to:-

1. Director Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar w.r to his No. cited above.
2. Deputy Commissioner Battagram
3. District Accounts Officer Battagram
4. Principals/Headmasters Concerned.
5. Budget and Accounts Officer local office.
6. Assistant Programmer EMIS local office.
7. DMO IMU Battagram.
8. Teacher concerned.


District Education Officer (M)
Battagram

Annex B

(14)



Directorate of Elementary and Secondary Education
Khyber Pakhtunkhwa Peshawar

PH No. 091-9201389, 9210938,
9210437, 9210957, 9210468
Fax 091-9210936 0800-33857
No. 2492-2542 Seniority/Promotion/Estab
Dated Peshawar the 27/09/2012

2492-2542

To All the District Education Officers,
(Male & Female), in Khyber Pakhtunkhwa.

Subject:- Clarification for Determination of Seniority for the Promotion of
PST B-12 to Senior PST B-14 and PSHT B-15, Qari B-12 to B-15, CT B-15 to Senior CT B-16, AT B-15 to Senior AT B-16, TT-15 to Senior TT B-16, DM B-15 to Senior DM B-16 and PET B-15 to Senior PET B-16.

Memo:

I am directed to refer to the subject noted above and to clarify that Seniority for the Promotion of PST B-12 to the post of Senior PST B-14 and PSHT B-15, Qari B-12 to the post of Senior Qari B-15, CT B-15 to Senior CT B-16, AT B-15 to Senior AT B-16, TT-15 to Senior TT B-16, DM B-15 to Senior DM B-16 and PET B-15 to Senior PET B-16, upgraded in Primary, High and Higher Secondary Schools in Elementary and Secondary Education Department at District Level will be determined under the provision of Section 8 Chapter-II of THE NWFP (NOW KHYBER PAKHTUNKHWA) CIVIL SERVANTS ACT, 1973 (N.W.F.P. (NOW KHYBER PAKHTUNKHWA) Act No. XVIII of 1973) which is reproduced as under:-

1. For proper administration of a service, cadre or [post], the appointing authority shall cause a seniority list of the members for the time being of such service, cadre or [post] to be prepared, but nothing herein contained shall be construed to confer any vested right to a particular seniority in such service, cadre or [post] as the case may be.
2. Subject to the provisions of sub-section (1), the seniority of a civil servant shall be reckoned in relation to other civil servants belonging to the same service or [cadre] whether serving the same department or office or not, as may be prescribed.
3. Seniority on initial appointment to a service, [cadre] or post shall be determined as may be prescribed.
4. Seniority in a post, service or cadre to which a civil servant is promoted shall take effect from the date of regular appointment to that post;

513
23-11-13

DDEO (M/F)
SDEO (M/F)

Provided that civil servants who are selected for promotion to a higher post in one batch shall, on their promotion to the higher post, retain their inter-se seniority as in the lower post.

To be noted and take the official Gazette at least once in a calendar year, preferably in the month of May as directed.

27/9/12

I am further directed to further clarify that

P.s 13-1
1-2-13

1. The seniority cannot be considered from the date of appointment as untrained, the seniority will be from the date of regular appointment to a post or from the date of passing the prescribed Professional qualifications in case of untrained appointment to a post under the provision of Section 8(4) Chapter-II of THE NWFP (NOW KHYBER PAKHTUNKHWA) CIVIL SERVANTS ACT, 1973 (N.W.F.P. Act No. XVIII of 1973)

Signature

2. The Seniority of the teacher who was appointed before the establishment of Divisional Directorates and transferred to his own domicile Divisional Directorates, will not be disturbed and he may be placed in his counterparts on his due place in the Seniority list.

3. Similarly the Seniority of the teacher, who was appointed before the establishment of a district and transferred to his own domicile district...

(15) (8)

disturbed and he may be placed with his counterparts on his due place in the Seniority list.

"Promotion"

Under the provision of Section 9(1) Chapter-II of THE NWFP (NOW KHYBER PAKHTUNKHWA) CIVIL SERVANTS ACT, 1973 (N.W.F.P. Act No. XVIII of 1973. A civil servant possessing such minimum qualifications as may be prescribed, shall be eligible for promotion to a 10[higher] post for the time being reserved under the rule for departmental promotion in 11[] the service or cadre to which he belongs.

Note:- Minimum qualifications for the above posts have already been prescribed in the Service Rules notified vide Government of Khyber Pakhtunkhwa Elementary and Secondary Education Department Notification No. SO (PE) 4-5/SSRC/Meeting/2012/Teaching Cadre Dated the November 13, 2012.

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

2543-45

Endst: No. / File No. 1/A-83/KC/S.list : Dated Peshawar the 28/01/2013.

- Copy forwarded for information and necessary action to the:-
1. PS to the Secretary to Govt: Khyber Pakhtunkhwa, E&SE Department.
 2. PA to the Director E&SE Khyber Pakhtunkhwa, Peshawar.
 3. M/file

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

[Handwritten signature]

Annex: B

(19)

(16)

Directorate of Elementary & Secondary
Education Khyber Pakhtunkhwa, Peshawar.

No. 2291 /A-88/KC/SET(M&F)SL/Inform:

Dated Pesh: 31/8/2012

To
The Executive Distt. Officer
Elementary & Secondary Education Peshawar

SUBJECT: - Guidance for the preparation of seniority lists/promotion/upgradation
of various cadres of teaching staff Distt. Peshawar.

I am directed to refer to your letter No. 11005 dated 23-8-2012 on the subject
noted above and to inform you as under:-

1. The seniority cannot be considered from the date of appointment as untrained teacher. The seniority is considered from the date of regular appointment post or from the date of passing the prescribed professional qualification in case of untrained appointment (copy of the Rules attached).
2. The name of the teacher transferred from one district cadre post to other Distt. cadre post on his own request will be placed at the bottom of the seniority list i.e. according to the date of taking over charge after the date of issue of his inter Distt. transfer order.
3. The name of the untrained teacher cannot be enlisted in the seniority list unless he passes the prescribed professional qualification.
4. The seniority of the teacher who was transferred to his own District due to devolution of ~~Executive Directorate~~ will not be disturbed.
5. The new upgraded posts i.e. BPS-14, BPS-15 & BPS-16 will be filled by promotion etc. & when the new Service Rules are notified by the Govt. of Khyber Pakhtunkhwa. The notification for constitution of DPC will be issued soon after the new Service Rules.
6. The ACRs/PERs are not required in fixation of pay due to upgradation of scales of PST/Qari teachers (M&F) in BPS-12 as well as upgradation of scale of CT/DM/PET/AT/TA teachers (M & F) in BPS-15. The ACRs will be required for their promotion in next scale against the newly upgraded posts in BPS-14, BPS-15 & BPS-16.
7. The new service rules/ amendment are under process.
8. Before the Service Recruitment Rules 2011, the teachers having FA & F.Sc (in 3rd division) already appointed according to the prescribed rules at that time, will be considered for seniority, but their promotion against the newly upgraded posts will be considered if allow the new Service Recruitment Rules which is under process.

Handed over
to Mr. Khalid
Asstt.
In-charge
31/8/12

Deputy Director (Establishment)
(E&S) Khyber Pakhtunkhwa Peshawar

Endst: No. Copy forwarded for information & necessary action to the:-

1. All the Executive Distt. Officer (E&SE) in Khyber Pakhtunkhwa.
2. PS to the Secretary to Govt. E&SE Department Khyber Pakhtunkhwa.
3. PA to the Director E&SE Khyber Pakhtunkhwa

Deputy Director (Establishment)
(E&S) Khyber Pakhtunkhwa Peshawar

Kohsar Stationery Mart
Ijmal Bazar BattaGram
☎→310175

Annex: C 17

FINAL SENIORITY LIST OF AT (M) BATTAGRAM AS STOOD ON 26-09-2018

No	Name of Teacher	Father's Name	Name of School	Desig.	BPS	Domtelle	Date of Birth	Academ Qualif:	Profess Qualif:	His in BA	100% Party into Govt Service	Date of Charge Against AT	Date of Regular Appcty AT	Date of 1st Charge on regular AT in Govt Serv (Date of Transfer)	Remarks
1				5	6	7	8	9	10	11	12	13	14	15	16
1	Iqbal Ullah	Abdur Rah	GHS Katta	AT	15	Battagram	02.06.1959	-	Substantial Admissa	-	01-01-1984	01-01-1984	01-01-1984	-	Not having basic qualification
2	Abdur Rehman	Hamid Ullah	GHS Gantiar Ailas	AT	15	Battagram	20.11.1961	-	Substantial Admissa	-	15/11/1982	12-09-1985	12-09-1985	-	Not having basic qualification
3	Arif Muhammad	Haji Qabandar Shah	GMS Campawal	AT	15	Battagram	12.10.1961	-	Substantial Admissa	-	25/11/1986	25/11/1986	25/11/1986	-	Not having basic qualification
4	Mehar Rehman	Haji Kamal	GMS Doshawal	AT	15	Battagram	04.04.1962	-	Substantial Admissa	-	25/11/1986	25/11/1986	25/11/1986	-	Not having basic qualification
5	Ahmad Rehman	Astakhel Khan	GMS Koshpraam	AT	15	Battagram	10.05.1964	SSC	Substantial Admissa	-	01-04-1989	01-04-1989	01-04-1989	-	Not having basic qualification
6	Imran Shah	Sakib Shah	GMS Ameer	AT	15	Battagram	09.08.1967	FA	Substantial Admissa	-	26/11/1988	21/5/1992	21/5/1992	-	Not having basic qualification
7	Umar Farooq	Shera Khan	GMS Harachai	AT	15	Battagram	13.07.1969	SSC	Substantial Admissa	-	19/7/1997	19/7/1997	19/7/1997	-	Not having basic qualification
8	Shah Jahan	Muhammad Hussain	GMS Dohkal	AT	15	Battagram	03.09.1979	MA Arabic	Substantial Admissa	2nd	09-01-1997	09-01-1997	09-01-1997	29/10/2012	Not having basic qualification
9	Muhammad Hussain	Chaudhary Nahu	GHS Kattan	AT	15	Battagram	05.02.1970	SSC	Substantial Admissa	-	15.6.1988	15.6.1988	15.6.1988	07.12.1999	Not having basic qualification
10	Zakir ul Haq	Abdul Qayyum	GHS Pothel	AT	15	Battagram	02.01.1972	MA Arabic	Substantial Admissa	2nd	03-02-1998	03-02-1998	03-02-1998	09-10-1999	RA 3rd Division
11	Hussain Ullah	Muhammad Ullah	GMS Katta	AT	15	Battagram	01.08.1965	FA	Substantial Admissa	1st	10/11/1986	10/11/1986	10/11/1986	25.05.2000	Not having basic qualification
12	Chaudhary Khan	Abdul Ghaffar	GHS Peshora Battagram	AT	15	Battagram	09.01.1974	MA	Substantial Admissa	1st	09-01-1998	15/3/1998	15/3/1998	01-01-2002	Not having basic qualification
13	Umar Rehman	Muhammad Ashraf	GMS Usad	AT	15	Battagram	01.10.1976	MA Islamic	Substantial Admissa	2nd	25.6.1997	25.6.1997	25.6.1997	24.05.2000	Not having basic qualification
14	Hamid Ullah	Chaudhary Rehman	GHS Shamah	AT	15	Battagram	05.06.1981	MA Arabic	Substantial Admissa	1st	01-09-1998	01-09-1998	01-09-1998	15.10.1998	Not having basic qualification
15	Muhammad Rafiq	Muhammad Rafiq	GHS Chitani	AT	15	Battagram	12.01.1980	MA	Substantial Admissa	1st	10.6.2000	10.6.2000	10.6.2000	19.09.2000	Not having basic qualification
16	Zaka Rehman	Umar Rehman	GMS Mirza Hanifa	AT	15	Battagram	10.1.1979	MA	Substantial Admissa	1st	20.03.2000	17.01.2007	17.01.2007	-	Not having basic qualification
17	Farooq Rehman	Muhammad Zahir	GHS Lalkot Battagram	AT	15	Battagram	05.08.1987	FA	Substantial Admissa	1st	01.08.2000	01.08.2000	01.08.2000	-	Not having basic qualification
18	Rafiq ul Haq	Muhammad Azam	GMS Kattan	AT	15	Battagram	04.01.1979	MA	Substantial Admissa	1st	06.01.2000	06.01.2000	06.01.2000	-	Not having basic qualification

18

19	Muhammad Bilal	Ahmar Malik	GMS Ghani N/Said	AT	15	Battagram	01/01/1975	MA (Arabic)	Shahadatul Alama	1st	26/5/2011	06-06-2011	06-06-2011		
20	Abdul Sar	Abdul Ghafoor	GHS Parnal Sharif	AT	15	Battagram	01/05/1965		Shahadatul Alama		19/01/1988	19/01/1988	19/01/1988	01/06/2012	Not having basic qualification
21	Fazl Ur Rehman	Raseel Khan	GMS Hatangi BM	AT	15	Battagram	01/01/1982	BA	Shahadatul Alama	1st	17/1/2013	17/1/2013	17/1/2013		
22	Abdul Oyum	Gul Aftal	GMS Nowshera	AT	15	Battagram	07/06/1982	MA	Shahadatul Alama	1st	03/06/2013	03/06/2013	03/06/2013		
23	Lutfullah	Hussain Ahmad	GHS Hill	AT	15	Battagram	05-06-1982	LLB (Hons)	MA (Shahadatul Alama)		29/2/2016	03-01-2016	03-01-2016		NTS Appointee
24	Musharaf Shah	Fazl Ur Rehman Shah	GMS Kotwal	AT	15	Battagram	27/12/1981	MA Islamic			03-01-2016	03-01-2016	03-01-2016		NTS Appointee
25	Zawilab		GMS (Bangri Pashto)	AT	15	Battagram	15/3/1985	MA			31/3/2017	31/3/2017	31/3/2017		NTS Appointee
26	Syed Altaf Shah	Syed Sultan Shah	GMS Pazzang	AT	15	Battagram	09-06-1981	MA	R Ed		31/03/2017	31/03/2017	31/03/2017		NTS Appointee
27	Muhammad Liaqat	Siraj Ahmad	GMS Soorgai	AT	15	Battagram	03-03-1983	MA	Shahadatul Alama		31/03/2017	31/03/2017	31/03/2017		NTS Appointee
28	Azhar Rehman	Muhammad Zafar Khan	GHS Jambora	AT	15	Battagram	01-04-1984	MA	Shahadatul Alama		31/3/2017	31/03/2017	31/3/2017		NTS Appointee
29	Muhammad Waheed	Muhammad Israil	GMS Saibra	AT	15	Battagram	13/4/1980	MA	M Ed		31/03/2017	31/03/2017	31/03/2017		NTS Appointee
30	Abdul Wali Khan	Hosnaid Wahab	GMS Mirani	AT	15	Battagram	04-04-1984	MA Islamic	Shahadatul Alama		04-01-2017	04-01-2017	04-01-2017		NTS Appointee
31	Nayak Kabi	Abdul Hakim	GHS Joze	AT	15	Battagram	08/10/1953	MA Islam	B-Ed		31/03/2017	01-04-2017	04-01-2017		NTS Appointee
32	Muhammad Shehul	Abdul Sattar	GMS Dirfad	AT	15	Battagram	24/10/1986	MA	M Ed		04-01-2017	04-01-2017	04-01-2017		NTS Appointee
33	Saleh Muhammad	Shahriar	GMS Dharti Mashakhe	AT	15	Battagram	01-11-1981	BA	Shahadatul Alama		04-01-2017	04-01-2017	04-01-2017		NTS Appointee
34	Sambullah	Fazal Habib	GHS RoopKant	AT	15	Battagram	04-04-1983	B-Com			04-01-2017		04-02-2017		NTS Appointee
35	Zaboor Ur Hassan	Muhammad Zafar	GMS Tandol	AT	15	Battagram	15/12/1989	MA Islamic	M Ed		31-03-2017	04-01-2017	04-01-2017		NTS Appointee

DISTRICT EDUCATION OFFICER (M)
BATTAGRAM

BATTAGRAM
adeomsecmbattagram@gmail.com

10055

WORKING PAPER FOR DEPARTMENTAL PROMOTION OF AT TO SAT
65
SACTIONED POSTS DULY



19

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE)
BATTAGRAM

adeomsecmbattagram@gmail.com



WORKING PAPER FOR DEPARTMENTAL PROMOTION OF AT TO SAT

TOTAL NUMBER OF AT SACTIONED POSTS DULY	65
VERIFIED BY THE DAO	
1/3 SHARE OF AT POSTS	22
SHARE OF PROMOTION 100%	22
ALREADY PROMOTED	19
NET TO BE PROMOTED	03
PROPOSED FOR PROMOTION	03

LIST OF AT BPS-15 FOR THE PROMOTION AGAINST THE POST OF SAT BPS-16

S NO	SL NO	NAME OF OFFICIAL	PRESENT PLACE OF POSTING	DATE OF BIRTH	DATE OF APPOINTMENT AS REGULAR FT	WHETHER ELIGIBLE FOR PROMOTION YES/NO	REMARKS
1	1	Lutfullah	GHS Kanai	12/1959	1/1/1984	NO	Having not required Qualification
2	2	Abdur Rahman	GHS Gantar Allai	20/1/1961	9/12/1985	NO	Having not required Qualification
3	3	Amir Muhammad	GMS Gangwal	10/12/1963	25/11/1986	NO	Having not required Qualification
4	4	Mehrar Rehman	GMS Deshawal	4/4/1962	25/11/1986	NO	Having not required Qualification
5	5	Alim ur Rehman	GMS Koshgram	30/10/1964	4/1/1989	NO	Having not required Qualification
6	6	Farman Shah	GMS Ajmera	8/4/1967	21/5/1992	NO	Having not required Qualification
7	7	Umar Farooq	GMS Barachar	13/4/1969	19/7/1997	NO	Having not required Qualification
8	8	Shah Jahan	GMS Bishkot	09/04/1979	1/09/1997	YES	
9	9	Mumtaz Hussain	GHS Miran	2/5/1970	15/6/1998	NO	Having not required Qualification
10	10	Zahoor ul haq	GHS Pirhari	17/1972	9/3/1998	YES	
11	11	Hussain Ullah	GMS Kaktal	6/1/1965	19/11/1986	NO	Having not required Qualification
12	12	Ghulam Khan	GHS Peshora Battagram	1/4/1974	15/3/1998	YES	

Certificate:

1. It is certified that all the ATS are included in the panel for the promotion against the post of SAT.
2. Hold the post on regular basis and none of them is holding the post on adhoc/acting charge/contract basis.
3. Have completed the required minimum length of qualifying service and qualifications as required for promotion of SAT under the rules.
4. Non of them is on deputation to any organization under the Federal/Provincial/Autonomous/Semi Autonomous/International Organization.
5. Neither any disciplinary/Departmental proceeding/Anticorruption/Judicial Enquiry is pending against them nor have any penalty been imposed upon any one of them during the last five years.
6. No one of them is on long leave/Ex-Pakistan Leave.
7. Their ACRs, Synopsis are free from adverse remarks.
8. They are all alive and serving.
9. Their appointment Orders against AT Post are attached herewith.
10. The seniority list of AT is Final, undisputed and not subjudice.
11. The Departmental Promotion Committee is requested to determine the Suitability of the above ATs for promotion to the post SAT BPS-16 with Immediate effect.

MUHAMMAD SHAUKAT
DISTRICT EDUCATION OFFICER (M)
BATTAGRAM