


19.04.2023

Petitioner in person present. Mr. Asif Masood Ali Shah, Deputy District Attorney alongwith Mr. Ihsanullah, Lecturer on behalf of respondent No. 1 and Mr. Hashmatullah, Superintendent on behalf of respondent No. 2 present.

Despite directions, proper implementation report not submitted. Representative of respondents submitted different letters dated 05.04.2023 & 10.04.2023 and again requested for time to submit proper implementation report. Last opportunity is granted with strict direction to the respondents to implement the judgment positively, failing which coercive measures shall invariably be initiated against the respondents including attachment of salaries of the respondents. Adjourned. To come up on 18.05.2023 before S.B at camp court D.I.Khan. Parcha Peshi given to the parties.


(Muhammad Akbar Khan)
Member (E)
Camp Court D.I.Khan



f-41

**GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT
(REGULATION WING)**

Finance Department, Civil Secretariat, Peshawar @ http://www.finance.gko.pk Facebook.com/GokPED Twitter.com/GokPED
No.SO(FR)FD/10-22/2023/HED Dated Peshawar the 05-04-2023

To
The Secretary to Govt. of Khyber Pakhtunkhwa,
Higher Education, Archives and Libraries, Department.

- Subject: -i. UPGRADATION OF THE POST OF PESH-IMAM FROM BPS-09 TO BPS-12 ON PARITY BASIS.
ii. UPGRADATION OF LIBRARY CLERK FROM BPS-07 TO BPS-11.
iii. REQUEST FOR IMPLEMENTATION OF THE JUDGMENT OF SERVICE TRIBUNAL KIFAYAT ULALH.

Dear Sir,

I am directed to refer to the subject noted above and to state that a meeting of the Upgradation Committee has been scheduled to be held on **10-04-2023 at 11:00 AM** under the Chairmanship of Secretary Finance in the Committee Room of Finance Department to discuss the subject cases.

2. It is, therefore, requested to depute a well conversant officer along with complete record to attend the said meeting on the above-mentioned date, time and venue, please.

Your's faithfully

**(NIAMAT KHAN)
SECTION OFFICER (FR)**

Copy is forwarded to the:

1. PS to Secretary Finance, Finance Department.
2. PS to Special Secretary (A&R), Finance Department.
3. PA to Additional Finance Secretary (Regulation), Finance Department.
4. PA to Deputy Secretary (Regulation-II) Finance Department.
5. Section Officer (Litigation-II) Finance Department.

SECTION OFFICER (FR)

Agenda No.2

HIGHER EDUCATION DEPARTMENT

Subject:- REQUEST FOR IMPLEMENTATION OF THE JUDGMENT OF SERVICE TRIBUNAL KIFAYAT ULLAH.

The case was placed before the upgradation committee for consideration being implementation of Court Judgment, however, the case was not discussed in the upgradation committee due to non-presence of representative of the Administrative Department.

Moreover, the Department has forwarded incomplete working papers regarding upgradation of the post of Director Physical Education from BPS-16 to BPS-17 on the basis of Master Degree w.e.f. 31-03-2011 to 29-12-2013 in light of Court Judgment. Furthermore, no Court Judgment was attached nor signed by concerned Department hence, the case was deferred

Agenda No.3 (i)

ZAKAT USHR, SOCIAL WELFARE DEPARTMENT

Subject:- REQUEST FOR UPGRADATION IRO FOLLOWING OFFICERS.

A) MR. JAVED YOUSAF ALI FROM (BPS-18) TO (BPS-19).

B) MR. KIRAMAT ULLAH FROM (BPS-17) TO (BPS-18).

Social Welfare Department has forwarded working paper requesting therein for upgradation of the above-mentioned posts in pursuance of court judgement, wherein the court directed as under.

This writ petition directs the respondent No.02 to place the case of both the petitioners before the upgradation committee for the decision in accordance with the upgradation policy of the Provincial Government. We expect that the needful would be done within a period of 03 months positively.

The crux of the case is that the petitioners were the employees of the Federal Government and after 18th constitutional Amendments Act, their services were devolved to Government of Khyber Pakhtunkhwa Social Welfare Department and absorbed on regular sides as vice principal BPS-18 and senior Teacher BPS-17, and now the petitioners have requested to extend the fruition of personal upgradation of BPS-19 w.e.f. the same date as sanctioned and allowed to his colleague namely Javed Khan Deputy Director BPS-19 with all back benefits.

The case was discussed in detailed and observed that both the petitioners are now retired from service in the year 2020, hence, there is no provision in the existing upgradation policy to extend the benefit of upgradation to a retired persons/petitioner, hence, the forum unanimously regretted the proposal of the Administrative Department being not covered under the existing upgradation policy/criteria duly approved by the Provincial Cabinet Khyber Pakhtunkhwa.



DIRECTORATE OF HIGHER EDUCATION
KHYBER PAKHTUNKHWA
RANO GHARI, NEW CHAMKANI CHOWK, PESHAWAR

E-mail:- dhekpesh@gmail.com Facebook.com/dhekpeshawar Twitter.com/dhekpeshawar1
No. DHE/AD (Lit)/Law Officer/12898-14
Dated Peshawar the 11/8/2020

To

The All JMC Coordinators,

1. Principal Government College Peshawar.
2. Principal Govt Postgraduate College Charsadda.
3. Principal Govt Postgraduate College Nowshera.
4. Principal Govt Postgraduate College Mardan.
5. Principal Govt Postgraduate College Swabi.
6. Principal Govt Postgraduate Jehanzeb College Saidu Sharif Swat.
7. Principal Govt Postgraduate College Dargai (Malakand).
8. Principal Govt Postgraduate College Timergara.
9. Principal Govt Degree College Daggar Buner.
10. Principal Govt Degree College Chitral.
11. Principal Govt Postgraduate College Kohat.
12. Principal Govt Postgraduate College Karak.
13. Principal Govt Postgraduate College Bannu.
14. Principal Govt Postgraduate College Lakki Marwat.
15. Principal Govt Degree College No.1 DIKhan.
16. Principal Govt Postgraduate College Haripur.
17. Principal Govt Postgraduate College No.1 Abbottabad
18. Principal Govt Postgraduate College Mansehra

SUBJECT: - NOTIFICATION OF DEPARTMENTAL REPRESENTATIVE FOR PURSUING COURT CASES

Memo;

I am directed to refer to the subject noted above and to enclose herewith notification dated 14.07.2020 issued by Higher Education Department regarding Departmental Representatives for pursuing court cases with the remarks to abide by the directions/instructions contained in the notification ibid by keeping close liaison with Law Officers and share latest updates status of each and every case along with order sheets, submission of parawise comments, development on each date of hearing and the dates to be fixed by the courts with the concerned to avoid any untoward scenario.

I am further directed to request you to circulate the same with concerned District Attorney/Additional Advocate General and amongst cluster colleges under intimation to this office, please.

(Rubna Farman)

Assistant Director (Litigation)

Endst: No. _____/

copy of the above is forwarded to:

1. Deputy Secretary (Litigation), Higher Education Department, Peshawar.
2. Section Officer (Litigation), Higher Education Department, Peshawar.
3. Principal, Govt. Postgraduate College No. 1, Abbottabad with the remarks that Mr. Malik Siddique may be directed to handover all lists and files of court cases of Abbottabad to Mr. Zahir Ashraf, Law Officer, Abbottabad.

G.S. No. 1 D.I. Khan
DIART No. 617
DATED 17-08-2020

Ghulam Hussain
Please circulate among the cluster colleges and copy with covering letter to District Attorney, Additional Advocate General, Assistant Director (Litigation).

GOVT. OF KHYBER PAKHTUNKHWA
HIGHER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT

Dated Peshawar, 14th July, 2020

NOTIFICATION.

/7098-7137

No. SO(Lit)/HED/10-9/Law Officers/- The Competent Authority is pleased to accord approval for the nomination of the following Officers as departmental representatives for the purpose of Litigation cases involved in the respective jurisdiction as mentioned against their name. The notified Officers will be responsible for all Court cases and will have to vigorously pursue the cases in the Court of law by making live coordination with the respective District Attorneys/Advocate Generals/Additional Advocate Generals as the case may be and to collect case file records, order sheets and its submission to the Directorate of Higher Education as well to Section Officer (Litigation) of this department. The notified Officers will also be bound to share list of pending Court cases with its current status, last and next hearing schedule besides other required information therein on fortnightly basis. The details of the notified officers are as under:-

S.No	Law Officer Name/Designation	College/District
1.	M. Anees Khan, Lecturer in Law	Govt. Degree College, Samar Bagh (Dir Lower)
2.	Nascer Ullah, Lecturer in Law	Govt. Degree College, Wari (Dir Upper)
3.	Syed Shakeel Ahmad, Assistant Professor	Govt. Postgraduate College, Dargai (Malakand)
4.	Qaisar Khan, Assistant Professor	Govt. Degree College, Thana (Malakand)
5.	Sami Ul Haq, Lecturer in Law	Govt. Degree College, Ghazi Khel (Lakki Marwat)
6.	Sultan Wali, Assistant Professor of Law	Govt. Degree College, Isak Khel
7.	Ihsan Ullah Khan (High Court & Service Tribunal), Lecturer in Law	Govt. Degree College No. 1, D.I. Khan
8.	Afsar Khan (Civil Suits), Lecturer in Law	Govt. Degree College No. 1, D.I. Khan
9.	Zahir Ashraf, Assistant Professor of Law	Govt. Postgraduate College No. 1, Abbottabad.
10.	Ifikhar, Assistant Professor	Govt. Degree College, Abdul Wali Khan, Charsadda.
11.	Tahir Munir, Assistant Professor	Govt. Postgraduate College, Mardan.
12.	Inam Ullah (Civil Suits), Assistant Professor	Govt. Postgraduate College, Bannu.
13.	Abyamin (High Court), Lecturer in Law	Govt. Degree College, Mamash Khel, Bannu.
14.	Fazal Hadi, Assistant Professor	Govt. Postgraduate Jehanzaib College, Saidu Sharif (Swat).

AD (Lit)

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14/7/20

15.	Naimat ullah Khattak, Associate Professor of Pol: Science	Govt. Postgraduate College, Karak
16.	Fawad Ahmad, Lecturer in Law	Govt. Postgraduate College, Karak
17.	Fariq Ali, Assistant Professor	Govt. Postgraduate College, Haripur
18.	Amar Ayub, Lecturer in English	Govt. Postgraduate College, Manselira
19.	Syed Safarat Ali Shah, Associate Professor of Law	Govt. Degree College, Lahore (Swabi)
20.	Abdul Rashid, Assistant Professor	Govt. Degree College, Swabi
21.	Gohar Ali, Lecturer in Law	Govt. Degree College, Daggar (Buner)
22.	Allah Nawab, Assistant Professor of Botany	Govt. Postgraduate College, Kohat
23.	Abdul Zahoor, Assistant Professor of Political Science	Govt. Postgraduate College, Nowshera
24.	Muhammad Iqbal, Assistant Professor of Political Science	Govt. Degree College, Khan Kohi Nizampur
25.	Masood Ahmad Khan, Lecturer in Law	Govt. Degree College, Chitral

The Competent Authority has further been pleased to grant approval to the remuneration for the Representatives/Law Officers to the amount of Rs. 500/- per day on attending the Courts and also grant approval to the payment of Photo State expenses on the production of actual receipts out of concerned College Pupils Fund. The Representatives/Law Officers shall be required to produce attendance certificate from the Additional/Advocate Generals, Khyber Pakhtunkhwa or Additional/Government Pleaders of the concerned Districts.

Note: The concerned JMC coordinator shall be responsible to convene a meeting of his respective Law Officer on every 15th & 1st of month & submit the progress with Directorate and Department.

SECRETARY
Higher Education, Archives & Libraries Deptt.

Endst: _____

Copy to the:-

1. Director, Higher Education, Khyber Pakhtunkhwa.
2. Advocate General, Peshawar High Court, Peshawar and its circuit benches.
3. All JMC coordinators. *DNC (Forward) Under pl.*
4. All District Attorney (s), Khyber Pakhtunkhwa.
5. PS to Secretary Higher Education Department, Khyber Pakhtunkhwa.
6. PS to Special Secretary, Higher Education Department, Khyber Pakhtunkhwa.
7. Section Officer (Budget & Account), Higher Education Department.
8. PA to Additional Secretary (Dev), Higher Education Department, Khyber Pakhtunkhwa.
9. PA to Deputy Secretary (Lit), Higher Education Department, Khyber Pakhtunkhwa.
10. Master file.

Section Officer (Litigation)



Urgent/Court Matter

REMINDER-I

**GOVERNMENT OF KHYBER PAKHTUNKHWA
HIGHER EDUCATION, ARCHIVES AND
LIBRARIES DEPARTMENT**

NO. SO(C-IV) HED/17-2/Upgradation/Kifayat Ullah HPE/2022 /3596
Dated Peshawar the. February 22, 2023.

To

The Secretary to Govt. of Khyber Pakhtunkhwa,
Finance Department.

SUBJECT: **REQUEST FOR IMPLEMENTATION OF THE JUDGEMENT OF
SERVICE TRIBUNAL**

Dear Sir,

I am directed to refer this office letter of even No. dated 25.01.2023 on the subject noted above (copy enclosed for ready reference) and to say that the requisite reply is awaited at your end which may kindly be expedited, please.

Encl: As Above.

Yours faithfully,


(ZAHID KAMAL)
SECTION OFFICER (C-IV)


o/c

Endst; No. & Date as above.

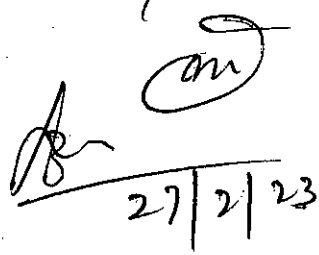
Copy to the:-

1. Section Officer (Lit-II), Higher Education Department
2. PS to Secretary, Higher Education Department.
3. Master File.

✓


27/02/23

o/c


27/2/23


SECTION OFFICER (C-IV)



GOVERNMENT OF KHYBER PAKHT
FINANCE DEPARTMENT
(REGULATION WING)

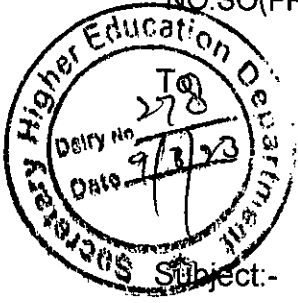
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Finance Department Civil Secretariat Peshawar <http://www.financekpp.gov.pk>

facebook.com/GoKPPD twitter.com/GoKPPD

NO.SO(FR)/FD/10-22/2023/HED

Dated Peshawar the 06-03-2023



The Secretary to Govt: of Khyber Pakhtunkhwa,
Higher Education, Archives & Libraries Department.

**REQUEST FOR IMPLEMENTATION OF THE JUDGMENT OF SERVICE
TRIBUNAL.**

Dear Sir,

I am directed to refer to your Department letter No. SO(C-IV)HED/17-2/Upgradation/Kifayat Ulalh HPE/2022/1565 dated 25-01-2023 on the subject noted above and to state that 08 sets of Working Papers may please be provided to this Department duly flagged along with giving concrete justification for placing it before the upgradation committee for consideration.

Your's faithfully

(NIAMAT KHAN)
SECTION OFFICER (FR)

Copy forwarded to: -

1. Section Officer (Litigation-II) Finance Department for information.

SECTION OFFICER (FR)

8/3/2023

9/3/23

09.03.23

SO(C-IV)

MUST IMMEDIATE / COURT



**GOVERNMENT OF KHYBER PAKHTUNKHWA
HIGHER EDUCATION, ARCHIVES AND
LIBRARIES DEPARTMENT**

NO. SO(C-IV) HED/17-2/Upgradation/Kifayat Ullah HPE/2022
Dated Peshawar the. **March 13, 2023.**

4511

To

The Director,
Higher Education Khyber Pakhtunkhwa.

SUBJECT: REQUEST FOR IMPLEMENTATION OF THE JUDGEMENT OF SERVICE TRIBUNAL

I am directed to refer to the subject noted above and to enclose herewith a copy of application in respect of Mr. Kifayat Ullah, Lecturer (BPS-17) in Health and Physical Education, Govt. Degree College, Daraban Kalan, D.I.Khan alongwith Judgment of Service Tribunal Peshawar Khyber Pakhtunkhwa dated 13.12.2021 and Finance Department letter NO.SO(FR)/FD/10-22/2023/HED dated 06.03.2023 and to say that working papers alongwith financial implications (09 sets) may be furnished within **02-days positively**, please.

"The matter may be accorded priority being a court case."

Encl: As Above.

Endst; No. & Date as above.

Copy to the:-

1. Section Officer (Lit-II), Higher Education Department
2. PS to Secretary, Higher Education Department.
3. Master File.

(ZAHID KAMAL)
SECTION OFFICER (C-IV)

SECTION OFFICER (C-IV)

14/3/23



GOVERNMENT OF KHYBER PAKHTUNKHWA
HIGHER EDUCATION, ARCHIVES AND
LIBRARIES DEPARTMENT

NO. SO(C-IV) HED/17-2/Upgradation/Kifayat Ullah HPE/2022/1565
Dated Peshawar the. January 25, 2023.

To

The Secretary to Govt. of Khyber Pakhtunkhwa,
Finance Department.

SUBJECT: **REQUEST FOR IMPLEMENTATION OF THE JUDGEMENT OF SERVICE TRIBUNAL**

Dear Sir,

I am directed to refer to the subject noted above and to enclose herewith a copy of Judgment of Service Tribunal Peshawar Khyber Pakhtunkhwa dated 13.12.2021 (copy enclosed) in respect of Mr. Kifayat Ullah, Lecturer (BPS-17) in Health and Physical Education, Govt. Degree College, Daraban Kalan, D.I.Khan, with the request that in light of above judgement, conditional upgradation in favor of the officer concerned may be allowed to avoid adverse action of the court, please.

Encl: As Above.


Yours faithfully,



(ZAHID KAMAL)
SECTION OFFICER (C-IV)

Endst; No. & Date as above.

Copy to the:-

1. Section Officer (Lit-II), Higher Education Department
2. PS to Secretary, Higher Education Department.
3. Master File.


(ZAHID KAMAL)
SECTION OFFICER (C-IV)


25/1/23



**DIRECTORATE OF HIGHER EDUCATION
KHYBER PAKHTUNKHWA
RANO GHARI, NEAR NOTHERN BYPASS
PESHAWAR**

Phone # 091-933096

No. 1501 / Mr Kifayat Ullah, lecturer in HPE/DD(S)

Dated Peshawar the 16 March 2023.

To

The Secretary,
Government of Khyber Pakhtunkhwa,
Higher Education Department.

Subject: - **REQUEST FOR IMPLEMENTATION OF THE JUDGMENT OF SERVICE TRIBUNAL.**

I am directed to refer to your office letter No. SO (C-IV) HED/17-2/Up-gradation/Kifayat Ullah HPE/2022/4511, dated March 13th, 2023, regarding the subject cited above and to enclose herewith the requisite information/working papers along with financial implications (09 sets), in light of the judgment of the service tribunal, Peshawar Khyber Pakhtunkhwa, dated 13/12/2021, in respect of Mr. Kifayat Ullah, lecturer in Health and Physical Education, Government Degree College, Daraban Kalan, DIKhan, for further necessary action, please.

With best regards.

Endst.No. _____/


DEPUTY DIRECTOR SPORTS

Copy forwarded to the:

1. Section Officer (Lit-II), Government of Khyber Pakhtunkhwa, Higher Education Department for information.
2. Section Officer (C-IV), Government of Khyber Pakhtunkhwa, Higher Education Department for information.
3. Director, Higher Education, local Directorate.


DEPUTY DIRECTOR SPORTS



MOST IMMEDIATE / COURT
GOVERNMENT OF KHYBER PAKHTUNKHWA
HIGHER EDUCATION, ARCHIVES AND
LIBRARIES DEPARTMENT

NO. SO(C-IV) HED/17-2/Upgradation/Kifayat Ullah HPE/2022
Dated Peshawar the. March 17, 2023.

To

The Secretary to Govt. of Khyber Pakhtunkhwa,
Finance Department.

SUBJECT: **REQUEST FOR IMPLEMENTATION OF THE JUDGEMENT**
SERVICE TRIBUNAL

Dear Sir,

I am directed to refer to your letter NO. SO(FR)/FD/10-22/2023/HED d
06.03.2023 on the subject noted above and to enclose a copy of letter No. 1501/Mr. Kifayat u
Lecturer in Health and Physical Education/DD (s) dated 16.03.2023 alongwith 08 sets of worl
papers in respect of Mr. Kifayat Ullah, Lecturer Health and Physical Education (BPS-17), G
Degree College, Daraban Kalan, D.I.Khan as desired, please.

"The matter may be accorded priority being a court case."

Encl: As Above.

o/c

Yours faithfully,

(ZAHID KAMAL)
SECTION OFFICER (C)

Endst; No. & Date as above.

Copy to the:-

1. Section Officer (Lit-II), Higher Education Department
2. PS to Secretary, Higher Education Department.
3. Master File.

17/03/23

o/c

SECTION OFFICER (C)