

Sr. No	Date of order/ proceedings	Order or other proceedings with signature of Judge or Magistrate
1	2	3
	09.04.2019	<p align="center"><u>BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL</u> Service Appeal No. 1067/2015</p> <p>Date of Institution 29.09.2015 Date of Decision 09.04.2019</p> <p>Ghulam Sarwar Assistant Director (Admn) working as Deputy Director (Admn) DCTE, Khyber Pakhtunkhwa, Abbottabad. <p align="right">Appellant</p> <p align="center">Versus</p> <ol style="list-style-type: none"> The Chief Secretary Khyber Pakhtunkhwa Peshawar. The Secretary Elementary & Secondary Education, Peshawar. The Director Elementary & Secondary Education Peshawar. <p align="right">Respondents</p> <p>Mr. Muhammad Hamid Mughal-----Member(J) Mr. Hussain Shah -----Member(J)</p> <p align="center"><u>JUDGMENT</u> <u>MUHAMMAD HAMID MUGHAL, MEMBER: -</u> Learned counsel for appellant and Mr. Zia Ullah learned Deputy District Attorney present.</p> <p>2. The appellant has filed the present appeal u/s 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 being aggrieved against the promotion order dated 29.08.2014 whereby he was promoted from the post of Budget & Account Officer (BS-16) to the post of Assistant Director (BS-17) with immediate effect. Prayer of the appellant is that the respondents may be directed to promote the appellant to the post of Assistant Director (BS-17) from the date of</p> </p>

Handwritten signature and date: 9.4.2019

availability of vacancy instead of 29.08.2014.

3. Learned counsel for the appellant argued that under the promotion criteria dated 28.01.2013, the vacant posts of Assistant Director (Admn) & Assistant Director (F&A) BS-17 has to be filled up out of Budget & Account Officers through promotion on the basis of seniority cum fitness. Further argued that the posts of Assistant Director (Admn) & Assistant Director (F&A) remained occupied by the junior most superintendents and other officers of the department hence the appellant's promotion to the post of Assistant Director was due from the date of availability of vacancy but the appellant was promoted to the said post w.e.f 29.08.2014 instead of from the date of availability of vacancy which is against law and norms of justice; that the departmental appeal of the appellant went un-responded.

4. As against that learned Deputy District Attorney argued that the appellant has not filed any departmental appeal against the promotion order dated 29.08.2014; that the appellant was not entitled for the grant of antedated promotion; that as and when the vacancy was available, the competent authority promoted the appellant vide impugned promotion order dated 29.08.2014.

5. Arguments heard. File perused.

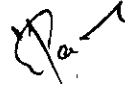
6. It is also to be seen that whether under the promotion criteria which was in field prior to the promotion criteria dated 28.01.2013, the appellant was also entitled to promotion to the post of Assistant Director (BS-17) or otherwise.

9.4.2019

7. Admittedly, there is no order of the appellate authority in relation to the grievance of the appellant. Consequently the present case is remanded to the appellate authority (Respondent No.2) for decision of the departmental appeal of the appellant with speaking order. The present service appeal is disposed of in the above terms. Copy of the departmental appeal of the appellant available on file be also sent to the appellate authority alongwith copy of this judgment. Parties are left to bear their own costs. File be consigned to the record room.



(Hussain Shah)
Member



(Muhammad Hamid Mughal)
Member

ANNOUNCED

09.04.2019

25.01.2019

Counsel for the appellant present. Mr. Muhammad Riaz Khan Paindakheil, Assistant AG for the respondents present. Learned counsel for the appellant requested for adjournment. Adjourned to 08.03.2019 for arguments before D.B.


(AHMAD HASSAN)
MEMBER


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

08.03.2019


Counsel for the appellant and Mr. Ziaullah, Deputy District Attorney for the respondents present. To come up for order before proper D.B on 09.04.2019.

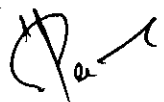

(M. AMIN KHAN KUNDI)
MEMBER


(M. HAMID MUGHAL)
MEMBER

09.04.2019

Learned counsel for the appellant and Mr. Zia Ullah learned Deputy District Attorney present. The present service appeal is disposed of in terms of separate judgment passed in the present service appeal, placed on file. Parties are left to bear their own costs. File be consigned to the record room.


(Hassain Shah)
Member


(Muhammad Hamid Mughal)
Member

ANNOUNCED
09.04.2019

14.12.2018

The learned Member (Executive) concerned, is busy in other D.B. Therefore, the case is adjourned. To come up on 21.12.2018 before D.B.


Member


Member

21.12.2018

To come up before proper bench on 03.01.2019.


Member


Member

09.01.2019

Mr. Shairullah appellant in connected appeal present on behalf of the appellant and seeks adjournment to furnish relevant promotion rules/criteria in vogue in the year 1997 alongwith additional documents. Adjourned. To come up for arguments on 25.01.2019 before D.B


Member


Member

31.07.2018

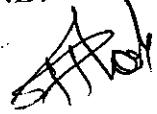
Mr. Ibad Ur Rehman Advocate counsel for the appellant present. Mr. Kabir Ullah Khattak learned Additional Advocate General present. Being freshly engaged, Mr. Ibad Ur Rehman Advocate seeks adjournment. Adjourned. To come up for arguments on 26.09.2018 before D.B.


(Ahmad Hassan)
Member


(Muhammad Hamid Mughal)
Member

26.09.2018

Appellant in person and Mr. Kabir Ullah Khattak learned Additional Advocate General present. Appellant seeks adjournment as his counsel is not in attendance. Adjourn. To come up for arguments on 17.10.2018 before D.B.


(Hussain Shah)
Member


(Muhammad Hamid Mughal)
Member

17.10.2018

Learned counsel for the appellant and Mr. Muhammad Jan learned Deputy District Attorney for the present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 26.11.2018 before D.B.


Member


Member

26.11.2018

Learned counsel for the appellant and Mr. Zia Ullah learned Deputy District Attorney present. Arguments heard. To come up for order on 14.12.2018 before D.B.

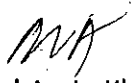

Member


Member

Service Appeal No. 1067/2015

01.02.2018

Clerk to learned counsel for the appellant and Mr. Ziaullah, Deputy District Attorney for the respondents present. Due to general strike of the Bar, learned counsel for the appellant is not available today hence, adjourned. To come up for arguments on 30.03.2018 before D.B.



(Muhammad Amin Khan Kundi)
Member (J)



(Muhammad Hamid Mughal)
Member (J)

30.03.2018

Appellant in person and Addl. AG for the respondents present. Appellant seeks adjournment as his counsel was ill. Granted. To come up for arguments on 07.06.2018 before the D.B.



Member



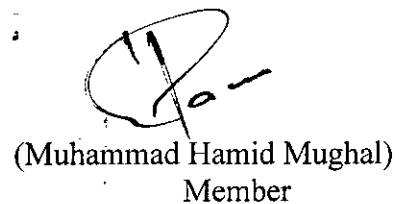
Chairman

07.06.2018

Learned counsel for the appellant and Mr. Zia Ullah, learned Deputy District Attorney present. Learned counsel for the appellant seeks adjournment. Adjourned by way of last chance. To come up for arguments on 31.07.2018 before D.B



(Ahmad Hassan)
Member



(Muhammad Hamid Mughal)
Member

23.05.2017

Appellant alongwith his counsel present. Mr. Kabirullah Khattak, Assistant AG for the respondents also present. Learned counsel for the appellant requested for adjournment. Adjourned. To come up for arguments on 11.08.2017 before D.B.

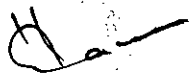

(GUL ZEB KHAN)
MEMBER


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

11.08.2017


Appellant in person present. Mr. Muhammad Jan, Deputy District Attorney for the respondents present. Appellant seeks adjournment on the ground that his counsel is not available today. Adjourned. To come up for arguments on 06.12.2017 before D.B.



(Muhammad Amin Khan Kundi)
Member (J)


(Muhammad Hamid Mughal)
Member (J)

06.12.2017

Counsel for the appellant present. Mr. Ziaullah, Deputy District Attorney for respondent also present. Counsel for the appellant requested for adjournment. Adjourned. To come up for arguments on 01.02.2018 before the D.B.


(Ahmad Hassan)
Member (E)


(Muhammad Amin Khan Kundi)
Member (J)

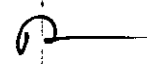
25.4.2016

Counsel for the appellant and Mr. Hameed ur Rehman, A.D litigation alongwith Addl. A.G for respondents present. Written reply submitted. The appeal is assigned to D.B for rejoinder and final hearing for 11.8.2016.


Chairman

11.08.2016

Appellant in person and Additional AG for respondents present. Appellant submitted rejoinder, copy whereof handed over to learned Additional AG. To come up for arguments on 5-12-16 before D.B.


Member.


Member

05.12.2016

Counsel for the appellant and Mr. Muhammad Jan, GP for the respondents present. Learned counsel for the appellant requested for adjournment. Request accepted. To come up for arguments on 24-2-17 before D.B.


(ASHAFAQUE TAJ)
MEMBER


(MUHAMMAD AAMIR NAZIR)
MEMBER

24.02.2017

Counsel for the appellant and Mr. Ziaullah, GP for respondents present. Arguments could not be heard ~~due to~~^{as} learned Member (Judicial) is on leave. To come up for arguments on 23.05.2017 before D.B.


(AHMAD HASSAN)
MEMBER

28.10.2015

Counsel for the appellant present. Learned counsel for the appellant argued that the appellant was serving as Budget and Accounts Officer in the Education Department and promoted as Administrative Officer to BPS-17 on 29.8.2014 with immediate effect despite the fact that the post was vacant with effect from 7.1.1997 and appellant entitled to promotion from the said date. That the appellant preferred department appeal for retrospective promotion which was not responded and hence the instant service appeal on 2.10.2015.

That the appellant is entitled to promotion with retrospective effect i.e from 7.1.1997 and as such his promotion with immediate effect is violative of law and therefore not tenable.

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 25.2.2016 before S.B. Notice of application for condonation of delay be also issued for the date fixed.

25-02-2016


Chairman

25.02.2016




Agent of counsel for the appellant and Mr. Javed Ahmed, Supdt. alongwith Addl: A.G for respondents present. Requested for adjournment. To come up for written reply/comments on 25.4.2016 before S.B.


Member

FORM-A
FORM OF ORDER SHEET

Court _____

Case No. 1067/2015

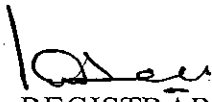
	Date of order/ proceedings	Order or other proceedings with signature of Judge/ Magistrate
1	2	3
1.	2.10.2015	<p>The appeal of Mr. Ghulam Sarwar resubmitted to-day by Mr. Mehboob Ali Khan Advocate, may be entered in the institution register and put up to the Worthy Chairman for preliminary hearing.</p> <p style="text-align: right;"> REGISTRAR</p> <p>This case be put up before the S.B for preliminary hearing on <u>12-10-15</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
	12.10.2015	<p>Appellant in person present. Counsel for the appellant is not in attendance. Adjourned to 28.10.2015 for preliminary hearing before S.B.</p> <p style="text-align: right;"> Chairman</p>

The appeal of Mr. Ghulam Sarwar Asstt. Director (Admn) working as Deputy Director (Admn) DCTE Khyber Pakhtunkhwa Abbottabad received to-day i.e. on 29.09.2015 is incomplete on the following score which is returned to his counsel for completion and resubmission within 15 days.

1. Annexure-A of the appeal is illegible, which may be replaced by legible one.
2. Annexure-E/Judgment of the Tribunal dated 15.8.2006 is uncertified. Certified copy may be placed on file.
3. Judgment of the august Supreme Court of Pakistan No. 35-P/2007 etc. is illegible, which may be replaced by legible one.

No. 1580 /ST,

Dated 30/9 /2015

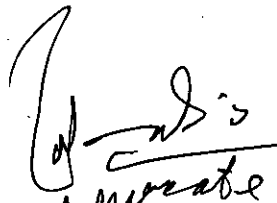

REGISTRAR
KPK SERVICE TRIBUNAL,
PESHAWAR.

Mr. Mehboob Ali Khan, Advocate, Peshawar.

Sir, Re-submitted after doing the needful with the following:-

1x3. Readable copies placed on file.

2. Copy of Judgment of August Supreme Court is already Annexed being legible and having reference to Annexure-E so the certified copy of Annexure-E may be turned down in the light of Annexure-H.


Advocate.

BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

Appeal No. 1067/2015

Ghulam Sarwar

VERSUS

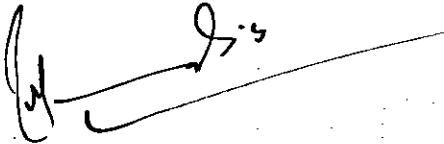
The Chief Secretary KPK and others

I N D E X

S. No	Description of Documents	Annexure	Pages
1.	Memo of appeal alongwith affidavit		1-6
2.	Addresses of parties		7
3.	Impugned notification	A	8
4.	Promotion order as Superintendent	A1	8-A
5.	Notification of 33% selection grade	B	9
6.	Corrigendum	C	10
7.	Notification of selection grade from BPS-16 to BPS-17	D	11-15
8.	Seniority List upto 31-12-2004	C-I	16-18
9.	Seniority list of BPS-16	C-II	19-21
10.	Order of move over from BPS-16 to BPS-17	D	22
11.	Notification showing the method of promotion	E	23-32
12.	Judgments of this August Tribunal in similar cases	F	33-40
13.	Departmental appeal of appellant	G	41-42
14.	Judgment of August Supreme Court in similar cases	H	43-47
15.	Corrigendum in similar cases	I	48
16.	Similar promotion order of the staff	J	49-50
17.	Wakalat Nama		

Petitioner

Through



MEHBOOB ALI KHAN

Advocate, High Court Peshawar

Cell No. 0300-5908467

Dated: 29/09/2015

10

BEFORE THE KHYBER PAKHTUNKHWA SERVICE

TRIBUNAL, PESHAWAR

W.P. Provincial
Service Tribunal
Diary No. 1117
Dated 29-8-15

Appeal No 1067/2015

Ghulam Sarwar Assistant Director (Admn) working as Deputy
Director (Admn) DCTE, Khyber Pakhtunkhwa, Abbottabad.

..... Appellant

VERSUS

1. The Chief Secretary Khyber Pakhtunkhwa, Peshawar.
2. The Secretary Elementary and Secondary Education
Peshawar.
3. The Director Elementary and Secondary Education,
Peshawar.

..... Respondents

APPEAL UNDER SECTION 4 OF THE
KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL ACT, 1974, AGAINST THE
NOTIFICATION BEARING ENDST NO. SO
(PE)/2-6 DPC MEETING / BA & O, FROM
BS-16 TO BS-17 2014 DATED 28/08/2014,
WHEREBY THE APPELLANT WAS
PROMOTED FROM BS-16 TO BS-17,
ASSISTANT DIRECTOR
ADMINISTRATION, FROM IMMEDIATE
EFFECT FROM 28/08/2014 INSTEAD OF
THE DATE OF AVAILABILITY OF
VACANCY. COPY IS ANNEXURE "A."

*Filed - today
29/9/15*

*Re-submitted
to-day*

2/10/15

RESPECTFULLY SHEWETH,

The appellatant submits as under:-

1. That the appellatant joined Govt. service in the office of the Protector of Emigrants, Govt. of Pakistan on 10/03/1976 as Steno Typist and further joined Education Department Govt. of Khyber Pakhtunkhwa on 01/02/1979 as Senior Scale Stenographer.
2. That the appellatant was promoted as Superintendent vide Director Education Notification issued under Endst: No. 18740-80/A-23/Ae-II dated 22/06/1987. (Copy of notification is annexed as Annexure A-1).
3. That the appellatant was further promoted to the post of Budget and Accounts Officer vide Director Education, Khyber Pakhtunhwa notification issued Endst No. 1225-61/A-23/II-AE dated 11/01/1988. (Copy is annexed as Annexure B).
4. That the appellatant was allowed selection grade from BPS-16 to 17 w.e.f. 30/10/1993 vide notification No. 3410-24 dated 26/04/2010. (Copy is attached herewith as Annexure C).
5. That the appellatant stood at Serial No. 7 of the Seniority list corrected upto 31/12/2004 and at Serial No. 1 of the seniority list issued on 31/08/2013. (Copy of both the seniority lists are attached as Annexure C-1 & C-II).
6. That the appellatant was allowed Mover Over from B-16 to 17 and further 17 to 18 w.e.f. 01/12/1993 and 01/12/1998

respectively. (Copy of notification is annexed as Annexure D).

7. That under the provision of Govt. of Khyber Pakhtunkhwa Civil Servants (Appointment promotion and Transfer) Rules 1989, issued vide No. SO (PE)/4-10/SSRC/Ministerial Staff / 2013 dated 28/01/2013, the vacant posts of Assistant Director (Admn) and Assistant Director (F&A) BPS-17 has to be filled up out of Budget and Accounts Officers through promotion on the basis of seniority cum fitness. (Copy of notification is attached as Annexure E).

8. That the post of Assistant Director BPS-17 remained vacant; the promotion of appellant under the law was due from the date of availability of vacancy of said post while the appellant was promoted to the post of Assistant Director BPS-17 on 29/08/2014 vide order No. SO (PE)/2-6/DPC Meeting / B&AO from BPS-16 to BPS-17 / 2014 dated 29/08/2014. (Notification of promotion order is Annexure *A* mentioned above).

9. That feeling aggrieved the appellant filed departmental appeal before the Secretary to Govt. Khyber Pakhtunkhwa Elementary and Secondary Education, Peshawar on 01/07/2015, but no response, whatsoever is received to appellant till the expiry of statutory period, hence the instant appeal before this August Tribunal. *Copy is Annexure ¹² B*

GROUND:-

- A. That under the law and rules and decisions of the Apex Courts on the subject, the appellant was entitled for promotion to the post of (BPS-17) Assistant Director from the date of vacancy of post.
- B. That the act of respondents ignoring the right of promotion of appellant from actual date i.e. the date of vacation of post of Assistant Director Administration (BPS-17 is against law, perverse, arbitrary in-operative and ineffective upon the rights of the appellant and based on malafide, surmises and conjunctures.
- C. That similar cases on the same prayer titled "Ghulam Rasool Versus Director of School and Literacy NWFP, Peshawar etc" were decided by this august Tribunal on 15/08/2006, which in appeals before the August Supreme Court of Pakistan got its finality. (Copy of the judgment of this Honourable Tribunal is produced as Annexure "G" while that of the august Supreme Court of Pakistan is Annexure "H" and order of its implementation is Annexure I. ~~and rules framed; therefore, Annexure "G"~~).
- D. That similarly vide order bearing Endst No. 7174-85 dated 03/05/2000 Mr. Abdul Wajid and Mr. Mohammad Khan etc etc Junior clerks were promoted to the post of Senior Clerks and retrospective effect was given to them from the date of availability of vacancy of posts and not from immediate effect i.e. the date of passing such order. (Copies of orders are attached herewith as Annexure **J**).

E. That the cause of action arose to the appellant to file the instant appeal on 29/09/2015 i.e. after the expiry of statutory period for departmental appeal on 28/09/2015.

F. That the appellant seeks leave of this Honourable Tribunal to claim further grounds at the time of hearing.

G. That this Honourable Tribunal has got the jurisdiction to entertain the instant appeal.

PRAYER:-

It is therefore, very humbly prayed that the instant appeal may very graciously be accepted and the respondents may kindly be directed to consider / modify the date of promotion of the appellant from the date of availability of vacancy instead of 29/08/2014 (i.e. the date of passing of the impugned notification) with all back benefits.

Any other consequential relief which this Honourable Court / Tribunal deems fit and proper under the circumstances of the case may also be granted.

Through

Appellant


MEHBOOB ALI KHAN

Advocate, High Court,

Peshawar.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR

Ghulam Sarwar

VERSUS

**The Chief Secretary Khyber Pakhtunkhwa, Peshawar and
others**

AFFIDAVIT

I, Ghulam Sarwar Assistant Director (Admn) working as Deputy Director (Admn) DCTE, Khyber Pakhtunkhwa, Abbottabad, do hereby solemnly affirm and declare on oath that all the contents of instant service appeal are true and correct to the best of my knowledge and belief and nothing has been concealed or misstated from this Honourable Tribunal.

[Handwritten signature]

DEPONENT



**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR**

Ghulam Sarwar

VERSUS

**The Chief Secretary Khyber Pakhtunkhwa, Peshawar and
others**

ADDRESSES OF PARTIES

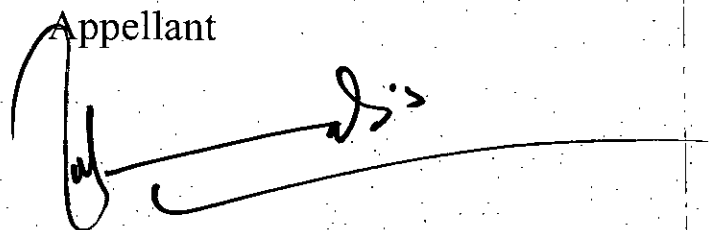
APPELLANT:-

Ghulam Sarwar Assistant Director (Admn) working as Deputy
Director (Admn) DCTE, Khyber Pakhtunkhwa, Abbottabad.

RESPONDENTS:-

1. The Chief Secretary Khyber Pakhtunkhwa, Peshawar.
2. The Secretary Elementary and Secondary Education
Peshawar.
3. The Director Elementary and Secondary Education,
Peshawar.

Through

Appellant


MEHBOOB ALI KHAN

Advocate, High Court,

Peshawar.

readable copy.



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT
Dated Peshawar the 29-08-2014

Annexure-A

NOTIFICATION

No. SO(PE)/2-6/DPC Meeting/ B&AO from BS-16 TO BS 17/2014: On the recommendation of the Departmental Promotion Committee meeting held on 02-07-2014, the competent authority is pleased to promote the following Budget & Accounts Officers (BS-16) to the posts of Assistant Director (BS-17) on regular basis with immediate effect:-

S.No.	Name of officer/ Designation	Promoted as:
1.	Ghulam Sarwar B&AO (BS-16) office of DEO (M) Abbottabad.	Assistant Director (BS-17).
2.	Sherullah B&AO(BS-16) office of DEO (F) Mardan.	Assistant Director (BS-17).

2 They will be on probation for a period of one year, extendable for another term of one year as specified in Rule-15 of Khyber Pakhtunkhwa Civil Servant (Appointment, Promotion and Transfer) Rules, 1989.

3 Consequent upon their promotion to the post mentioned above they are posted / adjusted as under:

S.No.	Name of officer/ Designation	Place of posting.
1.	Ghulam Sarwar B&AO (BS-16) DEO (M) Abbottabad.	Assistant Director (Administration) (BS-17) in the Directorate of E&SE, Peshawar against the vacant post.
2.	Sherullah B&AO(BS-16) DEO (F) Mardan.	Assistant Director (Finance & Accounts) (BS-17) in the Directorate of E&SE, Peshawar against the vacant post.

SECRETARY

Endst. No. & date as above.

Copy forwarded to:

1. The Secretary to Govt. of Khyber-Pakhtunkhwa, Establishment Department.
2. The Secretary to Govt. of Khyber Pakhtunkhwa, Finance Department.
3. The Accountant General Khyber Pakhtunkhwa, Peshawar.
4. PSO to Chief Secretary to Govt. of Khyber Pakhtunkhwa.
5. The Director (E&SE) Khyber Pakhtunkhwa Peshawar.
6. District Accounts Officers Abbottabad/ Mardan.
7. PS to Secretary E&SE Department.
8. Officers concerned.
9. Office File.

Handwritten notes and signatures:
AM
29/8/14
AM

Handwritten signature:
(ZAMIN KHAN MOMAND)
SECTION OFFICER (PRIMARY)



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT
Dated Peshawar the 29-08-2014

ANNEXURE - "A"

NOTIFICATION

No. SO(PE)/2-6/DPC Meeting/ B&AO from BS-16 TO BS 17/2014: On the recommendation of the Departmental Promotion Committee meeting held on 02-07-2014, the competent authority is pleased to promote the following Budget & Accounts Officers (BS-16) to the posts of Assistant Director (BS-17) on regular basis with immediate effect:-

S.No.	Name of officer/ Designation	Promoted as:
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2	Sherullah B&AO(BS-16) office of DEO (F) Mardan.	Assistant Director (BS-17).

They will be on probation for a period of one year, extendable for another term of one year as specified in Rule-15 of Khyber Pakhtunkhwa Civil Servant (Appointment, Promotion and Transfer) Rules, 1989.

Consequent upon their promotion to the post mentioned above they are posted / adjusted as under.

S.No.	Name of officer/ Designation	Place of posting.
1	Ghulam Sarwar B&AO (BS-16) DEO (M) Abbottabad.	Assistant Director (Administration) (BS-17) in the Directorate of E&SE, Peshawar against the vacant post.
2	Sherullah B&AO(BS-16) DEO (F) Mardan.	Assistant Director (Finance & Accounts) (BS-17) in the Directorate of E&SE, Peshawar against the vacant post.

Indst. No. & date as above.

SECRETARY

Copy forwarded to:

1. The Secretary to Govt. of Khyber Pakhtunkhwa, Establishment Department.
2. The Secretary to Govt. of Khyber Pakhtunkhwa, Finance Department.
3. The Accountant General Khyber Pakhtunkhwa, Peshawar.
4. PSO to Chief Secretary to Govt. of Khyber Pakhtunkhwa.
5. The Director (E&SE) Khyber Pakhtunkhwa Peshawar.
6. District Accounts Officers Abbottabad/ Mardan.
7. PS to Secretary E&SE Department.
8. Officers concerned.
9. Office File.

(ZAMIN KHAN MOMAND)
SECTION OFFICER (PRIMARY)

Attended.
A. J. S.
Advocate.
29/9/015.

ANNEXURE-A-1

NOTIFICATION.

The following Promotions/Transfers of Ministerial Staff of Education Department are hereby ordered in the interest of public service with effect from the dates of their taking-over charge.

S.No.	Name & Designation.	Adjusted at.	Remarks.
1.	Mohammad Nawaz, ADEO(A) at DEO(M), Chitral.	A.D.E.O(A), at DEO(F), Chitral D.I. Khan.	Against vacant post.
2.	Khan Afzal, Supdt: DDE(S), Hazara Divn:	A.D.E.O(A) at DEO(M), Chitral.	Vice Sr.No.1.
3.	Fazalur Rehman, Supdt: DDE(S), Malakand Divn:	A.S.D.E.O(A) at SDEO(M), Mastuj (Chitral).	Against vacant post.
4.	Abdul Ghaffar, Supdt: DDE(S), D.I. Khan Divn:	Supdt: DDE(S), Malakand Divn:	Vice Sr.No. 3.
5.	Noor Mohammad, Supdt: DEO(M), Abbottabad.	Supdt: DDE(S), D.I. Khan.	Vice Sr. No.4.
6.	Mohammad Ramzan, Asstt: at DDE(S), D.I. Khan Divn:	Supdt: at Govt. College, Bannu.	Against vacant post.
7.	Ali Safdar, Stenographer DDE(S), Malakand Divn:	Supdt: at DEO(M), Abbottabad.	Vice Sr. No. 5
8.	Qazi Abdul Malik, Asstt: Govt. College, Haripur (On return from Leave).	Supdt: at Govt. College, A. Abad.	Against vacant post.
9.	Ghulam Sarwar, Stenographer at DDE(S), Hazara Divn: A. Abad.	Supdt: at DDE(S), Hazara Divn:	Against vacant post.
10.	Ahmad Ali, Asstt: at R.D.E., Peshawar.	Supdt: at DDE(S), Hazara Divn:	Vice Sr. No.2.

- Note:- The promotion of S.No. 2,3,6,7,8,9 & 10 has been approved by the Departmental Promotion Committee.
- Charge reports should be sent to all concerned.
 - All of them should take over charge against their new assignments on or before 1.7.1987 positively.
 - The promotion of Sr. No.2,3,6,7,8,9 & 10 are purely on temporary basis and liable to reversion at any time without assigning any reasons.
 - No TA/DA is allowed to S.No. 1, 4 & 5.
 - The resultant vacancies of S. No.7,9 & 10 are being filled up by this Directorate.

Affected
Adv.
18740-80

(MOHAMMAD IDRIS KHAN)
DIRECTOR OF EDUCATION (S),
N.W.F. PROVINCE, PESHAWAR.

Endst. No. /A-25/II-AE. dated Peshawar, the 22/6/1987.
Copy forwarded for information and necessary action

to the:-

- Director of Education (Colleges), NWFP, Peshawar.
- Additional Directress of Education (Schools), NWFP., Peshawar.

- 3. Division of Education (Schools), concerned.
- 4. Principal, College, concerned.
- 5. District Education Officer (Male & Female) concerned.
- 6. Registrar, Departmental Examinations, NWFP, Peshawar.
- 7. District Accounts Officer concerned.
- 8. Sub-Division Education Officer (Male), Mastuj (Chitral).
- 9. Officers concerned.
- 10. Personal files.

Amel

Deputy Director (Schools),
for/ Director of Education (Schools),
N.W.F.F., Peshawar.

2/6/87

W.F.F.

PROMOTION.

The following adjustment/promotion of Ministerial staff of Education Department are hereby ordered in the interest of public service with effect from the dates of their taking over charge.

S.No. Name & Destination. Adjusted at. Remarks.

1. Mr. Amir Jatal, ASDEO(Acctt.) at SDEO(M), Saidu Sharif, Swat. Officer at Divl: Edu: and Grade again- Directorate of Divl: at the vacant post. Division, D.I.Khan.

2. Gazi Abdul Malik, Supt: Govt. College, Abbottabad. A.S.D.E.(Acctt.) at SDEO(M), Banda- Daud Shah(Karak). Against vacant post vice A.R. Bukhari Transf- urred.

3. Mr. Ghulam Sarwar, Supt: at DDM(S), Hazara Divn: A. Abad. A.S.D.E.(Acctt.) at SDEO(M), Saidu- Sharif, Swat. Vice Sr.No.1.

4. Mr. Ahmad Ali, Supt: O/O the Inspector of Phy: Edu: & Sports(Colleges), NWFP, Peshawar. Budget & Accounts Officer at DDR(S), Kohat Divn: Kohat. Vice Nazir Huss- ain Khan proceeded on L.P.R.

5. Mr. Mohammad Afzar, Supt: Govt. College, Mardan. A.S.D.E.(Acctt.) at SDEC(N), Wari (Dir). Vice Mohammad- akram, ASDEO(Acctt): proceeded on I.P.R.

6. Mr. Wazir Mohammad, Supt: at DDE(S), Pesh: Divn: Edu: & Sports(Colleges), NWFP, Peshawar. Inspector of Phy: Supt: at O/O the Vice Sr.No.4.

7. Mr. Bakt Zada, Asstt: at DDE(S), Malakand Divn: Saidu Sharif, Swat. Divn: Abbottabad. Vice Sr.No.3.

8. Mr. Sardar Mohammad, Asstt: at DDE(M), Mardan. Supt: at Govt. College, Abbottabad. Vice Sr. No.2.

9. Sardar Hussain, Asstt: Govt. College, Mardan. Supt: at Govt. College, Mardan. Vice Sr.No.5.

Notes:-1. Charge reports should be sent to all concerned.
 2. The promotion of officers at S.No.2 to 9 has been approved by the Departmental Promotion Committee of Education Department. Their promotion is purely on temporary basis and liable to reversion without assigning any reasons.
 3. All of them should take over charge against their new assignments on or before 20.1.1988 positively.

(MOHAMMAD IDRIS KHAN)
 DIRECTOR OF EDUCATION(SCHOOLS)
 N.W.F. PROVINCE, PESHAWAR.

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ANNEXURE-B

Handwritten signature/initials

1525-61
Endst. No. /A-25/II-AE, dated Peshawar, the 11/11/58

Copy forwarded for information and necessary action to the:-

1. Director of Education (Colleges), NWFP., Peshawar.
2. Additional Directress of Education (Schools), NWFP., Peshawar.
3. Inspector of Phy: Education & Sports (Colleges), NWFP., Peshawar.
- 4-8. All the Divl: Directors of Education (Schools) in N.W.F.P.
- 9-10. Principals, Govt. College, Abbottabad and Mardan.
- 11-12. Distt: Education Officer (Male) Dir and Swat and Karak.
13. Distt: Education Officer (Female), Mardan.
- 14-17. Distt: accounts Officer, Swat, Dir, D.I. Khan, Kohat and Karak.
- 18-19. Sub: Divl: Edu: Officer (Male), Saidu Sharif, Swat, Wari (Dir) and Banda Daud Shah (Karak).
- 20-27. Officers concerned.
- 28-35. Personal files.
36. P.A. to the Director of Education (Schools), NWFP., Peshawar.

Amal
Deputy Director (Schools),
for/ Director of Education (S),
NWFP., Peshawar.

9/11/58

Revised Award of S/Grade

10

OFFICE OF THE DIRECTOR (E&SE) KHYBER PUKHTOON KHWA
PESHAWAR

ANNEXURE - C / 10 / 1993

Corrigendum.

In pursuance of NWFP Services Tribunal Peshawar judgment dated 15.8.2006 up hold by the Hon.able Supreme Court of Pakistan vide its verdict dated 5.3.2010 and Write Petition No.35-P To-51-P and CP 301-P of 2007, and under the provision of Finance Department Notification No.FD/(PRC)4-1/91, dated 30.10.1993 and (E&SE)department circular No.604-754 dated 7.5.2002, the date of award of S/Grade (B-17) of the ADEOs./ASDEOs /Acs/Admn. officers/B&AOs /Supdt(B-16) working in Directorate of (E&SE)-K.P.K.Peshawar and districts officers issued vide this office Notification No.4420-4585/A-23/MS/S.Grade(B-17)/Supdt/AO, dated 29.9.2004 may read as "30.10.1993" instead of "19.7.1999" in column No.6 of the above order on the same terms and conditions already framed.

SYEDA SARWAT JEHAN
DIRECTRESS

3610-24

Endst.No. / T/DSR/Estt.S.P./Litigation dated 26/9/2010

- Copy of the above is forwarded for information and necessary action to the-
- 1. Registrar Supreme Court of Pakistan with reference to his decision/judgment dated refer to above for information please.
- 2. Registrar NWFP Services Tribunal Peshawar with reference to his judgment referred to above for information please.
- 3. Secretary to Govt. of E&SE K.P.K Peshawar
- 4. Accountant General K.P.K. Peshawar.
- 5. Director of Education (FATA) Peshawar.
- 6. Director Higher Education K.P.K. Peshawar.
- 7. Director of Curriculum and Teachers Education K.P.K Abbott Abad.
- 8. Manager BIEP Arbab Road University Town Peshawar
- 9. Manager Girls Project II K.P.K Peshawar.
- 10. Section Officer (Litigation) E&SE Department K.P.K Peshawar.
- 11. All District Accounts Officers in K.P.K.
- 12. All Executive District Officers in K.P.K.
- 13. All officers concerned.
- 14. P.A. to Director of E&SE K.P.K Peshawar.

Noted
A.M.

26/9/2010
DEPUTY DIRECTOR (E&A)

19

8

2001-07-15

OFFICE OF THE DIRECTOR SECONDARY EDUCATION NWFP PESHAWAR.
NOTIFICATION/S/GRADE.

Consistent upon the approval of Departmental Promotion Committee in its meeting held on 12/12/2001, the following AEDO(A)/Budget Officer, Audit Officer, Accounts Officer BFS NO.16 of Education Department are hereby placed in B-17, Selection Grade 33% of the total posts of AEDO(A) under the provision of PD Notification ED(PRS)4-1/91 dated 30-10-95 with effect from the date mentioned against each:-

SNO/Serial	Name & Father's Name	Date of S/G awarded.
1/ ✓	R Mian Dad S/O Sikander E.D.O. (S&L) Haripur (Rtd: 25.2.01)	19.07.1999.
2/ ✓	R Fida Muhammad S/O Sher Mohd (Rtd: on 2001) Dir: Colleges NWFP Peshawar.	-do-
3/ ✓	R Abdul Malir S/O Dawood Khan E.D.O. (S&L) Dir: T. Dir. Coll. Peshawar	-do-
4/ ✓	Rahimullah S/O Karimullah Dir: Primary Edu: NWFP Pesh.	-do-
5/ ✓	Ali Ashgar S/O Rehmatullah E.D.O. Abbottabad (S & L)	-do-
6/ ✓	R Abdur Rehman S/O Ghulam Haider E.D.O. (S & L) Abbottabad. (Rtd: 9/5/00)	-do-
7/ ✓	Fazli Rehman S/O Khaista Khan E.D.O. (S&L) Chitral.	-do-
8/ ✓	Muhammad Nadar S/O Mir Jan E.D.O. (S & L) Bannu.	-do-
9/ ✓	R Abdur Rashid S/O Abdul Wasi (Rtd: on 11.2.01) D.D.O. (Female) Fry: Peshawar.	-do-
10/ ✓	M-Muhammad Dilbar S/O Mian Basher Suitable E.D.O. (S&L) Swat (Rtd: 2/3/01).	Wef 27.2.01
11/ ✓	Said Rehman S/O M-Afzal Khan E.D.O. (S&L) Swat	-do-
12/ ✓	Muhammad Shuaib S/O Matiullah E.D.O. (S&L) Buner (Rtd: 9/2/2000).	-do-
13/ ✓	Shahr Rawan S/O Abdul Qadir E.D.O. (S & L) Swat	-do-
14/ ✓	Muhammad Zahir S/O Muhammad Rahim E.D.O. (S & L) Swat (Rtd on 1/8/99)	-do-
15/ ✓	Abdul Ghaffar S/O Firdous Khan E.D.O. (S&L) Malakand	Suitable Wef 27.7.99
16/ ✓	Rajab Din S/O Barkat Ali E.D.O. Kohat (S&L)	-do-
17/ ✓	Gul Rehman S/O Muhammad Suleman R.D.T. (NWFP) Pesh (Rtd: 16/6/2001)	-do-
18/ ✓	M-Hafeezur Rehman S/O Abdur Rehman E.D.O. (S&L) Larki.	-do-

Affected.
A.M.O.

- 19. Ghulam Rasool S/O H. Amir Khan
E.D.O. (S&L) Baloch (Rtd:)
- 20. Bahamad Gawab S/O Abdül Wahab.
E.D.O. (S&L) Warden. (Rtd: 10/12/99)
- 21. Ali Saifdar S/O Guli Sadburg
E.D.O. (S&L) Malakand
- 22. Ghulam Sarwar S/O Muhammad Suleman
E.D.O. (S&L) Abbottabad.
- 23. Ghulam Nabi S/O Abdul Baqar
E.D.O. (S&L) Peshawar.
- 24. M-Umar Nissa S/O M-Hajjoud Din
E.D.O. (S&L) Khan (Rtd: 5/8/2000)
- 25. Awel Hanan S/O Gul Saifdar
E.D.O. (S&L) Kartrak
- 26. Muhammad Yousaf S/O Gul Muhammad
E.D.O. (S&L) Dir at T/Gara.
- 27. Azad Khan S/O Faqir Ghulam
E.D.O. (S&L) Bannu.
- 28. Muhammad Yousaf S/O Muhammad Rensan
E.D.O. (S&L) Tank
- 29. Fazal Subhan (Late) S/O Fazli Rehman
Pry: Edu: Girl Proj: -II NWFP Pesh:
- 30. Fazli Rehman S/O Mula Bakhsish
E.D.O. (S&L) Haripur
- 31. Muhtshar Ahmad S/O Israr Muhammad
E.D.O. (S&L) Peshawar (Rtd: 13.11.01)
- 32. Muhammad Ali S/O Musafar Jan:
E.D.O. (S&L) Swat
- 33. Muhammad Ayaz S/O Muhammad Farid
E.D.O. (S&L) Charsadda.
- 34. Mubarak Ahmad S/O Nazar Muhammad
S.O (P&D) Civil Secretariate NWFP
- 35. Muhammad Khan S/O Faqir Muhammad
Audit Officer at Dir: Secy: Edu: NWFP Pesh:
- 36. Fazli Nissa S/O Fazli Hanan
E.D.O. (S&L) Swat
- 37. Muhammad Ali S/O Muhammad Ullah
E.D.O. (S&L) Chitral
- 38. Sardar Muhammad S/O Hussain Muhammad
E.D.O. (S&L) Malakand.
- 39. Ghulam Muhammad S/O Said Ghulam
E.D.O. (S&L) Swabi) Rtd: on 2/12/99
- 40. Ghulam Hussain S/O Saifid Khan
E.D.O. (S&L) Chitral (Rtd: 10/2/2001)
- 41. Buzar Jamhar S/O Ghani Khan
E.D.O. (S&L) Lakki
- 42. Abdul Qudus S/O Abdul Manan
D.D.O. (Female/Pry:) Peshawar.
- 43. Ghulam Farid S/O Ghulam Rasool
E.D.O. (S&L) Khan D. I. Khan
- 44. Muhammad Suleman S/O Mir Zaman
Director of Bureau T&E NWFP Abbottabad

		<u>S/G Awarded on</u>
45.	Nazir Hussain S/O Muhammad-Din E.D.O. (S&L) Nowshera	19.7.99.
46. ✓	Zahid Khan S/O Ibrahim Khan Dir: Colleges NWFP Peshawar	-do-
47. ✓	Muhammad Nasim S/O Muhammad Farid E.D.O. (S&L) Haripur. (Rtd: 31/12/99)	-do-
48.	Karim Bakhsh S/O Khuda Bakhsh E.D.O. (S&L) D.I. Khan	-do-
49.	Sajjad Ahmad S/O Mian Muhammad Middle School Project NWFP Pesh:	-do-
50.	Sabidur Khan S/O Mohiud Din E.D.O. (S&L) Nowshera	-do-
51. ✓	Muhammad Saeed S/O Abdul Gayum Dir: Colleges NWFP Peshawar.	-do-
52.	Gul Sadburg S/O Said Akbar E.D.O. (S&L) Mardan	-do-
53.	Muhammad Tariq S/O Muhammad Remzan E.D.O. (S&L) D.I. Khan	-do-
54.	Imam Bakhsh S/O Muhammad Bakhsh E.D.O. (S&L) D.I. Khan	-do-
55. ✓	Iltaf Hussain S/O Amir Alam E.D.O. (S&L) Abbottabad	-do-
56.	SherUllah S/O Karim Ullah E.D.O. (S&L) Mardan	-do-
57.	Jamshad Jan S/O Muhammad Nazir E.D.O. (S&L) Charsadda	-do-
58.	Zabihullah S/O Abdullhah Directorate of Secondary Edu: NWFP Pesh:	-do-
59.	AmanUllah S/O Rehmatullah E.D.O. (S&L) Charsadda	-do-
60.	Muhammad Afsar Khan S/O S-Mehbaran Shah E.D.O. (S&L) Mardan	-do-
61.	Allah Nawaz S/O Allah Dad Khan E.D.O. (S&L) D.I. Khan	-do-
62.	Fazul Rehman S/O Pir Ghulam E.D.O. Nowshera (S&L)	-do-
63.	Fazul Rehman S/O Dildar Khan E.D.O. (S&L) Bannu	-do-
64.	Rehim Shah S/O Maroof Shah E.D.O. (S&L) Malakand	-do-
65.	Muhammad Nasir Joya S/O FaizUllah E.D.O. (S&L) D.I. Khan	-do-
66.	Zahir Shah S/O Abdullhah E.D.O. (S&L) Chitral	-do-
67.	Muhammad Nawaz S/O Rab Nawaz E.D.O. (S&L) D.I. Khan	-do-
68.	Gul Habib S/O Gul Nazir E.D.O. (S&L) Nowshera	-do-
69. ✓	Muhammad Riaz S/O Gul Muhammad Dir: Colleges NWFP Peshawar.	-do-
70.	Hidayatur Rahman S/O Khaista Gul Dir: Primary Edu: NWFP Peshawar	-do-

Handwritten notes:
 13
 Adm - do

71. Bakhat Shah S/O S/O Muhammad Saad
E.D.O. (S&L) Malakand
72. Sajid Khan S/O Abdul Sattar
Dir: Bureau T&E WWP Abbottabad
73. Umar Nawaz Khan S/O Muhammad Salim
E.D.O. Lakhri
74. Habibur Rahim S/O Fazal Wahid
E.D.O. (S&L) Malakand
75. Muhammad Tariq S/O Muhammad Zahid
E.D.O. (S&L) Swabi
76. Mashraf Ali S/O Murtaza Ali
Dir: Primary Edu: NWFP Peshawar.
77. Moamber S/O Gul Ahmad
D.O (M) Swat
78. Fazul Rehman S/O Asizur Rehman
E.D.O. (S&L) Mansehra
79. Tajul Akbar S/O S. Ali Gohar
E.D.O. (S&L) Mardan
80. Pir Muhammad S/O Musa Khan
D.D.O. (M) Kohat
81. Sher Dil Khan S/O Sher Ali Khan
D.D.O. (F) Mardan
82. Jehanzeb S/O Hanjawan Khan
E.D.O. (S&L) Swabi

Note: Necessary entry to the effect should be made in their Service Record.

An on-probing to this effect that if any irregularity is made against them as a result of the incorrect award of Selection Grade and detected latter on it will good pay recovery from their pay/Pension/gratuity etc may be obtained from them and kept in their Service record. Certificate to the effect that the officers concerned are not involved in any disciplinary cases, should be obtained and kept in their record before making fixation of pay.

HAFIZ RAJIB R KHAN

DIRECTOR SECONDARY
EDUCATION NWFP PESHAWAR.

Endst: No. 504-754 /A-23/10/5/0/ADEOs(A) Dated 1/05/2002.

- Copy to the:-
1. Accountant General NWFP Peshawar.
 2. Section Officer (Directives) Govt. of NWFP School & Lit: Peshawar.
 3. All District Account's Officer Concerned
 4. All Executive District Officer Schools & Lit: Outd: Peshawar.
 5. All ADEO (A), Audit Officers/Budget Officer Concerned.
 6. Director of Primary/Higher/MADA/Bureau (T&E) WWP Peshawar.
 7. Director (Exam. & Eval) NWFP Peshawar.
 8. PA to DGE NWFP.

Sher ahman/**

Deputy Director Secy/Dir
Education NWFP Peshawar.

OFFICE OF THE DIRECTOR (E&SE) KHYBER PUKHTOON KHWA
PESHAWAR.

Corrigendum.

In pursuance of NWFP Services Tribunal Peshawar judgment dated 15.8.2006 up hold by the Hon.able Supreme Court of Pakistan vide its verdict dated 5.3.2010 and Write Petition No.35-P To: 51-P and CP 301-P of 2007, and under the provision of Finance Department Notification No.FD/(PRC)4-1/91, dated 30.10.1993 and (E&SE)department circular No.604-754 dated 7.5.2002, the date of award of S/Grade (B-17) of the ADEOs./ASDEOs /Acs/Admn. officers/B&AOs /Supdt(B-16) working in Directorate of (E&SE) K.P.K Peshawar and districts officers issued vide this office Notification No.4420-4585/A-23/MS/S Grade(B-17)/Supdt/AO, dated 29.9.2004 may read as "30.10.1993" instead of "19.7.1999" in column No.6 of the above order on the same terms and conditions already framed.

SYEDA SARWAT JEHAN
DIRECTRESS

3410-24

Endst.No. _____ / DSR/Estt.S.F.Litigation dated 26/9/2010

- Copy of the above is forwarded for information and necessary action to the:
1. Registrar Supreme Court of Pakistan with reference to his decision/judgment dated refer to above for information please.
 2. Registrar NWFP Services Tribunal Peshawar with reference to his judgment referred to above for information please.
 3. Secretary to Govt. of E&SE K.P.K Peshawar
 4. Accountant General K.P.K. Peshawar.
 5. Director of Education (FATA) Peshawar.
 6. Director Higher Education K.P.K. Peshawar.
 7. Director of Curriculum and Teachers Education K.P.K Abbott Abad.
 8. Manager BIEP Arbab Road University Town Peshawar
 9. Manager Girls Project II K.P.K Peshawar.
 10. Section Officer (Litigation) E&SE Department K.P.K Peshawar.
 11. All District Accounts Officers in K.P.K
 12. All Executive District Officers in K.P.K
 13. All officers concerned.
 14. P.A. to Director of E&SE K.P.K Peshawar.

Attended
L.S.
Amr.

26/9/2010
DEPUTY DIRECTOR (E&A)

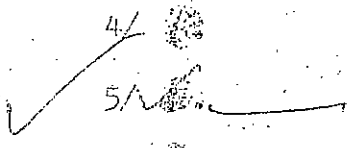
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OFFICE OF THE DIRECTOR SECONDARY EDUCATION NWFP PESHAWAR.
NOTIFICATION/S/GRADE.

Consistent upon the approval of Departmental Promotion Committee in its meeting held on 12/12/2001, the following AEDO(A)/Budget Officer, Audit Officer, Accounts Officer BFS NO.16 of Education Department are hereby placed in B-17, Selection Grade 33% of the total posts of AEDO(A) under the provision of PD Notification PD(PRO)4-1/91 dated 30-10-93 with effect from the date mentioned against each:-

SNO/Serial	Name & Father's Name	Date of S/G awarded.
1/	R Mian Dad S/O Sikander E.D.O. (S&L) Haripur (Rtd: 25.2.01)	19.07.1999.
2/	R Fida Muhammad S/O Sher Mohd (Rtd on 2001) Dir: Colleges NWFP Peshawar.	-do-
3/	R Abdul Malik S/O Dawood Khan EDC (S&L) Dir: Peshawar	-do-
4/	Rahimullah S/O Karimullah Dir: Primary Edu: NWFP Pesh:	-do-
5/	Ali Ashgar S/O Rehmatullah E.D.O. (S & L) Abbottabad (S & L)	-do-
6/	R Abdur Rehman S/O Ghulam Haider E.D.O. (S & L) Abbottabad. (Rtd: 9/5/00)	-do-
7/	Fazli Rehman S/O Khaista Khan E.D.O. (S&L) Chitral.	-do-
8/	Muhammad Nadar S/O Mir Jan E.D.O. (S & L) Banna.	-do-
9/	R Abdur Rashid S/O Abdul Wasi (Rtd on D.D.O (Peshawar) Fry: Peshawar. 11.2.01)	-do-
10/	M-Muhammad Dilbar S/O Mian Basher Suitable E.D.O. (S&L) Swat (Rtd: 2/3/01).	wef 27.2.01
11/	Said Rehman S/O M-Afzal Khan E.D.O. (S&L) Swat	-do-
12/	Muhammad Shuaib S/O Matiullah E.D.O. (S&L) Buner (Rtd: 9/2/2000).	-do-
13/	Shah Rawan S/O Abdul Qadir E.D.O. (S & L) Swat	-do-
14/	Muhammad Zarin S/O Muhammad Rahim E.D.O. (S & L) Swat (Rtd on 1/8/99).	-do-
15/	Abdul Ghaffar S/O Pirdaus Khan E.D.O. (S&L) Malakand	Suitable wef 27.9
16/	Rajab Din S/O Barkat Ali E.D.O. Kohat (S&L).	-do-
17/	Gul Rehman S/O Muhammad Suleman R.D.F (NWFP) Pesh (Rtd: 16/6/2001).	-do-
18/	M-Hafeezur Rehman S/O Abdur Rehman E.D.O. (S&L) Lakki.	-do-



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19. Ghulam Rasool S/O M. Amir Khan
E.D.O. (S&L) Bannu (Rtd:)
20. Muhammad Fayaz S/O Abdul Wahab
E.D.O. (S&L) Fardan. (Rtd: 10/12/99)
21. Ali Saifdar S/O Guli Saqburg
E.D.O. (S&L) Malakand
22. Ghulam Sarwar S/O Muhammad Suleman
E.D.O. (S&L) Abbottabad.
23. Ghulam Nabi S/O Abdul Hanan
E.D.O. (S&L) Peshawar.
24. M-Umar Mirza S/O M-Hajjuddin
E.D.O. (S&L) Khan. (Rtd: 5/4/99)
25. Avel Hanan S/O Gul Sattar
E.D.O. (S&L) Kurrak
26. Muhammad Yousaf S/O Gul Muhammad
E.D.O. (S&L) Dir at T/Gara.
27. Azad Khan S/O Faqir Ghulam
E.D.O. (S&L) Bannu.
28. Muhammad Yousaf S/O Muhammad Remzan
E.D.O. (S&L) Tank
29. Fazal Subhan (Late) S/O Fazli Rehman
Prv: Edu: Girl Proj: -II NWFP Pesh:
30. Fazli Rehman S/O Mula Bakhsh
E.D.O. (S&L) Haripur
31. Mukhtiar Ahmad S/O Israr Muhammad
E.D.O. (S&L) Peshawar (Rtd: 13.11.01)
32. Muhammad Ali S/O Musafar Jan
E.D.O. (S&L) Swat
33. Muhammad Ayaz S/O Muhammad Farid
E.D.O. (S&L) Charsadda.
34. Mubarak Ahmad S/O Nazar Muhammad
S.O (P&D) Civil Secretariate NWFP
35. Muhammad Khan S/O Faqir Muhammad
Audit Officer at Dir: Secy: Edu: NWFP Pesh:
36. Fazli Wahid S/O Fazli Hanan
E.D.O. (S&L) Swat
37. Iqbal Khan S/O Muhammad Ullah
E.D.O. (S&L) Chitral
38. Sardar Muhammad S/O Hussain Muhammad
E.D.O. (S&L) Malakand
39. Ghulam Muhammad S/O Saif Ghulam
E.D.O. (S&L) Swabi (Rtd: on 2/12/99)
40. Ghulam Hussain S/O Saif Khan
E.D.O. (S&L) Chitral (Rtd: 10/2/2001)
41. Buzar Jamhar S/O Shad Khan
E.D.O. (S&L) Laddi
42. Abdul Quddus S/O Abdul Manan
D.D.O. (Female/Prv:) Peshawar.
43. Ghulam Farid S/O Ghulam Rasool
E.D.O. (S&L) Khan
44. Muhammad Suleman S/O Mir Zaman
Direct: Peshawar TEE NWFP Abbottabad

- 45. ✓ Nazir Hussain S/O Muhaid-Din
E.D.O. (S&L) Nowshera 19.7.99.
- 46. ✓ Zahid Khan S/O Ibrahim Khan
Dir: Colleges NWFP Peshawar -do-
- 47. ✓ Muhammad Nasim S/O Muhammad Farid
E.D.O. (S&L) Haripur (Rtd: 31/12/99) -do-
- 48. Karim Bakhsh S/O Khuda Bakhsh
E.D.O. (S&L) D.I. Khan -do-
- 49. Sajjad Ahmad S/O Mian Muhammad
Middle School Project NWFP Pesh: -do-
- 50. Sahibzar Khan S/O Mohiud Din
E.D.O. (S&L) Nowshera -do-
- 51. ✓ Muhammad Saeed S/O Abdul Qayum
Dir: Colleges NWFP Peshawar. -do-
- 52. Guli Sadburg S/O Said Akbar
E.D.O. (S&L) Mardan -do-
- 53. Muhammad Tariq S/O Muhammad Remzan
E.D.O. (S&L) D.I. Khan -do-
- 54. Imam Bakhsh S/O Muhammad Bakhsh
E.D.O. (S&L) D.I. Khan -do-
- 55. ✓ Iltaf Hussain S/O Amir Alam
E.D.O. (S&L) Abbottabad -do-
- 56. SherUllah S/O Karim Ullah
E.D.O. (S&L) Mardan -do-
- 57. Jamshad Jan S/O Muhammad Nazir
E.D.O. (S&L) Charsadda -do-
- 58. Zabilullah S/O Abdullah
Directorate of Secondary Edu: NWFP Pesh: -do-
- 59. AmanUllah S/O Rehmatullah
E.D.O. (S&L) Charsadda -do-
- 60. Muhammad Afsar Khan S/O S-Mehbaran Shah
E.D.O. (S&L) Mardan -do-
- 61. Allah Nawaz S/O Allah Dad Khan
E.D.O. (S&L) D.I. Khan -do-
- 62. Fazul Rehman S/O Pir Gbulam
E.D.O. Nowshera (S&L) -do-
- 63. Fazul Rehman S/O Dildar Khan
E.D.O. (S&L) Bannu -do-
- 64. Rehman Shah S/O Maroof Shah
E.D.O. (S&L) Malakand -do-
- 65. Muhammad Nasir Joya S/O FaizUllah
E.D.O. (S&L) D.I. Khan -do-
- 66. Zahir Shah S/O Abdullah
E.D.O. (S&L) Chitral -do-
- 67. Muhammad Nawaz S/O Rab Nawaz
E.D.O. (S&L) D.I. Khan -do-
- 68. Gul Habib S/O Gul Nazir
E.D.O. (S&L) Nowshera -do-
- 69. ✓ Muhammad Riaz S/O Gul Muhammad
Dir: Colleges NWFP Peshawar. -do-
- 70. Hidayatur Rahman S/O Khalista Gul
Dir: Primary Edu: NWFP Peshawar -do-



- 71. Bakhat Shah S/O Muhammad Saad E.D.O. (S&L) Malakand -do-
- 72. Sajid Khan S/O Abdul Gaffar Dir: Bureau T&E Muzir Abbottabad -do-
- 73. Umar Nawaz Khan S/O Muhammad Salim E.D.O. Lakki -do-
- 74. Habibur Rahim S/O Wazal Wahid E.D.O. (S&L) Malakand -do-
- 75. Muhammad Tariq S/O Muhammad Zahid E.D.O. (S&L) Swabi -do-
- 76. Mishraf Ali S/O Murtaz Ali Dir: Primary Edu: NWFP Peshawar. -do-
- 77. Moamber S/O Gul Ahmad BDO (M) Swat -do-
- 78. Fazul Rehman S/O Amir Rehman E.D.O. (S&L) Mansehra -do-
- 79. Tajul Akbar S/O S. Ali Gohar E.D.O. (S&L) Mardan -do-
- 80. Pir Muhammad S/O Pusa Khan D.D.O. (M) Kohat -do-
- 81. Sher Dil Khan S/O Sher Ali Khan D.D.O. (F) Mardan -do-
- 82. Jehanzeb S/O Manjwar Khan E.D.O. (S&L) Swabi -do-

Note: Necessary entry to this effect should be made in their Service Record.

An undertaking to this effect that if any discrepancy is made against them as a result of the incorrect award of Selection Grade and detected latter on it will good pay by recovery from their pay/Pension/gratuity etc may be obtained from them and kept in their Service record. Certificate to the effect that the officers concerned are not involved in any disciplinary cases, should be obtained and kept in their record before making fixation of pay.

HAJEE RAJIB KHAN
 DIRECTOR SECONDARY
 EDUCATION NWFP PESHAWAR.
 Dated 2/05/2002.

Endst: No. 504-754 /A-23/15/5/G/AEDCs(A)

- Copy to the:-
1. Accountant General NWFP Peshawar.
 2. Section Officer (Directives) Govt. of NWFP School & Lit: Peshawar.
 3. All District Accounts Officer Concerned
 4. All Executive District Officer Schools & Lit: Concerned.
 5. All AEDO (A), Audit Officers/Budget Officer Concerned.
 6. Director of Primary/Higher/PTA/Bureau (T&E) NWFP Peshawar.
 7. Dy: Director: Peshawar.
 8. FA to DSE NWFP.

Sher ahman/**

Handwritten signatures and initials:
 Attached
 ANW etc

Deputy Director Secondary
 Education NWFP Peshawar.

**TENTATIVE JOINT SENIORITY LIST OF ACCOUNT/SUPERINTENDENT OFFICERS (B-16) IN AND UNDER THE CONTROL OF
DIRECTORATE OF SCHOOLS & LITERACY NWFP**

Prepared up to 31-12-2004

S.No	Name of officer	Academic Qualific:	Design:	Date of Birth	Domatelle	Date of 1 st Appointment in to Govt. Service	Regular Appointment/Promotion to the present post			Present Appoint: with date	Place of present posting
							Date	BPS	Method of recruitment/ appointment		
1.	Mr. Rahmatullah S/O Karim Ullah	BA	-do-	10-3-1946	Swabi	20-12-1962	21-10-1985	B-16	By Promotion	21-10-1985	DS&L NWFP
2.	Mr. Ali Asghar S/O Rehmat Ullah	FA	-do-	7-3-1946	Abbottabad	8-8-1977	10-12-1985	B-16	-do-	10-12-1985	EDO (S&L) A/Abad
3.	Mr. Fazli Rehman S/O Khesta Khan	MA	-do-	11-6-1946	Swat	1-6-1969	1-7-1987	B-16	-do-	1-7-1987	EDO (S&L) Swat
4.	Mr. Said Rehman S/O Muhammad Afzal Khan	BA	-do-	18-12-1945	Swat	1-9-1967	4-8-1987	B-16	-do-	4-8-1987	EDO (S&L) Swat
5.	Mr. Abdul Ghaffar S/O Firdos Khan	Metric	-do-	14-1-1947	Swat	8-6-1964	4-8-1987	B-16	-do-	4-8-1987	EDO (S&L) Swat
6.	Mr. Ali Saffar S/O Guli Sadberg	FA	-do-	3-2-1953	Mardan	9-1-1974	6-10-1987	B-16	-do-	6-10-1987	EDO (S&L) Malakand
7.	Mr. Ghulam Sarwar S/O M. Sulman	BA	-do-	6-3-1956	Abbottabad	1-2-1979	11-1-1988	B-16	-do-	11-1-1988	EDO (S&L) A/Abad
8.	Mr. Ghulam Nabi S/O Abdul Manan	FA	-do-	12-12-1945	Peshawar	22-9-1962	31-1-1988	B-16	-do-	31-1-1988	DHE NWFP
9.	Muhammad Yousaf S/O Gul Muhammad	FA	-do-	20-8-1949	Peshawar	4-7-1979	23-4-1990	B-16	-do-	23-4-1990	EDO (S&L) Dir lower
10.	Muhammad Yousaf S/O Muhammad Ramzan	FA	-do-	5-1-1947	D.I.Khan	13-11-1979	23-4-1990	B-16	-do-	23-4-1990	EDO (S&L) D.I.Khan
11.	Mr. Muhammad Ali S/O Mussafar Jan	MA	-do-	7-7-1948	Swat	11-5-1968	1-6-1990	B-16	-do-	1-6-1990	EDO (S&L) Dir Lower
12.	Muhammad Ayaz S/O Muhammad Farid	FA	-do-	3-2-1952	Peshawar	12-5-1973	5-5-1991	B-16	-do-	5-5-1991	EDO (S&L) Charsadda
13.	Mr. Fazali Manan S/O Fazali Manan	FA	-do-	1-5-1945	Swat	1-7-1970	5-5-1991	B-16	-do-	5-5-1991	GDC Jehanzeb Swat
14.	Mr. Izatullah S/O Hidayat Ullah	FA	-do-	26-12-1948	Chitral	7-1-1966	5-5-1991	B-16	-do-	5-5-1991	EDO (S&L) Chitral
15.	Muhammad Sulman S/O Omir Zaman	FA	-do-	5-6-1945	Abbottabad	22-8-1963	5-5-1991	B-16	-do-	5-5-1991	DT&E NWFP A/Abad

Attestal.
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16.	Mr. Nazir Hussain S/O Muhiddin	BA	-do-	1-6-1952	Nowshera	1-1-1975	5-5-1991	B-16	-do-	5-5-1991	EDO (S&L) Nowshera
17.	Mr. Zahid Khan S/O Ibrahim Khan	BA	-do-	14-4-1946	Peshawar	1-10-1964	5-5-1991	B-16	-do-	5-5-1991	DHE NWFP
18.	Mr. Karim Bakhsh S/O Khuda Bakhsh	FA	-do-	8-4-1945	D.I.Khan	6-10-1963	5-5-1991	B-16	-do-	5-5-1991	EDO (S&L) D.I.khan
19.	Mr. Shenuhah S/O Karim Ullah	BA	-do-	13-11-1955	Mardan	20-4-1980	1-6-1992	B-16	-do-	1-6-1992	EDO (S&L) Mardan
20.	Mr. Fazal-ur-Rehman S/O Pir Ghulam	FA	-do-	10-3-1945	Bannu	2-10-1964	25-1-2001	B-16	-do-	25-1-2001	EDO (S&L) Nowshera
21.	Mr. Rahim Shah S/O Maroof Shah	FA	-do-	12-12-1945	Mardan	21-10-1964	25-1-2001	B-16	-do-	25-1-2001	EDO (S&L) Malakand
22.	Muhammad Naseer Joya S/O Paiz Ullah	MA	-do-	1-2-1948	D.I.Khan	26-12-1982	25-1-2001	B-16	-do-	25-1-2001	EDO (S&L) D.I.Khan
23.	Mr. Nisar Ahmad S/O Muhammad Yaqub	MA	-do-	15-5-1953	Peshawar	1-12-1976	25-1-2001	B-16	-do-	25-1-2001	Se Proj. NWFP
24.	Mr. Syed Zakir Shah S/O Abdul Jan	Matric	-do-	9-5-1946	Peshawar	2-3-1964	25-1-2001	B-16	-do-	25-1-2001	EDO (S&L) Chitral
25.	Mr. Muhammad Nawaz S/O Rab Nawaz Khan	Matric	-do-	1-1-1946	D.I.Khan	20-10-1964	25-1-2001	B-16	-do-	25-1-2001	EDO (S&L) Tank
26.	Mr. Gul Habib S/O Gul Nazir	FA	-do-	18-12-1945	Peshawar	1-12-1964	25-1-2001	B-16	-do-	25-1-2001	EDO (S&L) Nowshera
27.	Mr. Hidayat-ur-Rehman S/O Khaista Gul	Matric	-do-	1-3-1945	Mardan	5-7-1965	25-1-2001	B-16	-do-	25-1-2001	IRU/DS&L NWFP
28.	Muhammad Hussain S/O Mohabat Khan	Matric	-do-	8-12-1945	Peshawar	13-7-1965	25-1-2001	B-16	-do-	25-1-2001	Gul Proj-II NWFP
29.	Mr. Saqad Khan S/O Abdul Sadiq	FA	-do-	5-2-1956	Abbottabad	11-7-1977	25-1-2001	B-16	-do-	25-1-2001	EDO (S&L) Abbottabad
30.	Mr. Umar Nawaz S/O Muhammad Salim Khan	MA	-do-	1-1-1951	Bannu	13-10-1984	25-1-2001	B-16	-do-	25-1-2001	EDO (S&L) Bannu
31.	Mr. Habib-ur-Rehman S/O Fazil Wahid	MA	-do-	21-6-1950	Swat	7-10-1971	25-1-2001	B-16	-do-	25-1-2001	EDO (S&L) Swat
32.	Mr. Muhammad Tariq S/O Muhammad Zahid	BA	-do-	12-8-1952	Swabi	28-4-1979	25-1-2001	B-16	-do-	25-1-2001	EDO (S&L) Swabi
33.	Mr. Musharaf Ali S/O Murtaza Ali	BA	-do-	22-7-1962	Peshawar	4-3-1985	25-1-2001	B-16	-do-	25-1-2001	DS&L NWFP
34.	Mr. Pir Muhammad S/O Musa Khan	Matric	-do-	1-8-1946	Kohat	5-1-1965	25-1-2001	B-16	-do-	25-1-2001	EDO (S&L) Kohat
35.	Mr. Sher Dil Khan S/O Sher Ali Khan	FA	-do-	29-3-1946	Peshawar	6-9-1945	25-1-2001	B-16	-do-	25-1-2001	EDO (S&L) Nowshera
36.	Mr. Jehanzeb S/O Manjawan Khan	Matric	-do-	18-3-1947	Mardan	22-2-1966	25-1-2001	B-16	-do-	25-1-2001	EDO (S&L) Malakand

182.	Aurangzeb S/O Abdur Rauf	do	-do-	5.3.1954	Peshawar	12.9.1973	15-5-2004	B-16	-do-	15-5-2004	EDO (S&L) Dst Upper
183.	Alam Zeb S/O Pir Mohammed	do	-do-	7.11.1951	Peshawar	27.9.1973	15-5-2004	B-16	-do-	15-5-2004	DRE NWFP
184.	Muqarab Khan S/O Khurasan	-do-	-do-	9-4-1953	Bannu	5-10-1973	15-5-2004	B-16	-do-	15-5-2004	EDO (S&L) Bannu.

Prepared by Mr. Sher Rehman S/C

Checked By Mr. Sarfarzar Khan Assistant

Director
Schools & Literacy NWFP

Encl: Nlist No. **2790-2819**/A-23/MS/Tentative Seniority/Account Officer/ Superintendent, 2004. Dated Peshawar the **21/2/2005**

- Copy forwarded for information and necessary action to the:-
- 1- Director Higher Education NWFP Peshawar.
 - 2- Director Education FATA NWFP Peshawar.
 - 3- Director of Curriculum Teachers Education NWFP Abbottabad.
 - 4- Director PITE NWFP, Peshawar.
 - 5- All Executive District Officer (Schools & Literacy) in NWFP.
 - 6- Officer concerned.
 - 7- PA to Director (Schools & Literacy) in NWFP.

Sher Rehman S/C
2005215

Mulhale
21/2/05
Assistant Director (Admin)
Schools & Literacy N.W.F.P.

Amended - 12 (19)

Collected upto 31/8/2013

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DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION KHYBER PAKHTUNKHWA PESHAWAR.

ANNEXURE-C-11

NOTIFICATION.

Final List of Budget & Accounts Officer (BPS-16) working in and under the Directorate Elementary & Secondary Education, DCTE, FATA & PITE, Khyber Pakhtunkhwa, as stood on 31-08-2013 is hereby approved.

The said seniority list was hereby notified for the information of all concerned to lodge appeal/objection (if any).

The above seniority list can be seen/checked on the website of E&SE Department Khyber Pakhtunkhwa given below: -

<http://kpes.gov.pk>

DIRECTOR
Elementary & Secondary Education
Khyber Pakhtunkhwa, Peshawar.

Endst No 3638-59/F.No.A-23/S.Lis/B&AO/DD(F&A) Dated Pesh the 25/2/2014.

Copy of the above is forwarded for information and n/action to the:-

1. Director Curriculum & Teachers Education Khyber Pakhtunkhwa Abbottabad.
2. Director PITE Peshawar.
3. Director of Education (FATA) Peshawar.
4. All District Education Officers (M&F) in Khyber Pakhtunkhwa.
5. Cashier Local Directorate.
6. P/S to Secretary to Government of Khyber Pakhtunkhwa E&SE Department Peshawar.
7. Deputy Director EMIS Govt of Khyber Pakhtunkhwa E&SE Department with the request to up-load the attached Seniority List of Assistants and Senior Scale Stenographer on web page of E&SE Department.
8. PA to Director E&SE Khyber Pakhtunkhwa, Peshawar.

Abdullah
Adm.

Deputy Director (F&A)
(E&SE) Khyber Pakhtunkhwa Peshawar
25/2/14

B&AO
For information
and do the
needful 1/3/014

DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION KHYBER PAKHTUNKHWA, PESHAWAR.

FINAL SENIORITY LIST OF BUDGET & ACCOUNT OFFICERS (B/16) IN AND UNDER THE DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION DEPARTMENT KHYBER PAKHTUNKHWA PREPARED UPTO 31.8.2013

S/#	Name of Officer	Father's Name	Place of present Posting	Academic Qualification	Date of Birth	Domicile	Date of 1st entry into Govt- Service	Regular Promotion to the Present Post	Remarks
1	Ghulam Sarwar	Muhammad Suleman	DEO (M) A/Abad	BA	06-03-1956	Abbottabad	01-02-1979	11-01-1988	By Promotion
2	Sherullah	Karim Ullah	DEO (F) Mardan	BA	13-11-1955	Mardan	20-04-1980	01-06-1992	By Promotion
3	Umar Nawaz	Muhammad Salim Khan	DEO (M) Bannu	M.com	01-01-1961	Bannu	13-10-1984	25-01-2001	By Promotion
4	Musharaf Ali	Murtaza Ali	DE & SE Khyber Pakhtunkhwa Peshawar	BA	22-07-1962	Peshawar	04-03-1985	25-01-2001	By Promotion
5	Nasir Khan	Aminullah	DEO (M) NSR	BA	10-05-1960	Swabi	19-02-1979	31-07-2013	By Promotion
6	Muhammad Azam	Khalil-ur-Rehman	D C TE A/Abad	MA	01-01-1961	Mansehra	08-08-1979	31-07-2013	By Promotion
7	Inamullah	Muhammad Bakhsh	DEO (M) D//Khan	M/BA	01-01-1956	D//Khan	11-07-1974	31-07-2013	By Promotion
8	Muhammad Ayub	Munir Khan	DEO (M) Haripur	BA	04-03-1954	Haripur	12-08-1973	31-07-2013	By Promotion
9	Sadiqullah	Amanullah	DEO (M) Chitral	Matric	06-01-1960	Chitral	25-08-1987	31-07-2013	By Promotion
10	Karim Shah	Wadan Shah	DEO (M) Mardan	BA	20-02-1958	Mardan	01-09-1987	31-07-2013	By Promotion
11	Adalat Khan	Mehbaran Shah	DEO (F) Charsadda	BA	02-01-1964	Peshawar	01-09-1987	31-07-2013	By Promotion
12	Taza Khan	Sargand Khan	DEO (F) Dir Lower	BA	15-06-1955	Dir	20-10-1979	31-07-2013	By Promotion
13	Ghulam Sarwar	Misri Khan	DCTE Abbottabad	MA	16-11-1956	Abbottabad	04-11-1979	31-07-2013	By Promotion
14	Zakir Khan	Faqir Khan	DEO (F) Abbottabad	Matric	03-01-1957	Abbottabad	21-03-1979	31-07-2013	By Promotion
15	Fazal Shah	Fazali Karim	DEO (F) Hangu	Matric	20-05-1957	Peshawar	05-02-1981	31-07-2013	By Promotion
16	Munirullah Shah	Mian Diibar	DEO (F) Peshawar	BA	06-01-1964	Peshawar	20-12-1989	31-07-2013	By Promotion
17	Muhammad Ali	Lal Sardar	DEO (M) Hangu	BA	02-12-1966	Karak	20-12-1989	31-07-2013	By Promotion
18	Waliullah	Abdul Qahar	DEO (M) Swabi	MA	01-04-1954	Swabi	31-05-1973	31-07-2013	By Promotion
19	Mr. Sultan Ahmad	Rab Nawaz	DEO (F) DIK	FA	04-05-1954	D.I.Khan	03-05-1973	31-07-2013	By Promotion
20	Amin Jan	Saadullah Jan	DEO (M) Peshawar	BA	03-01-1966	Peshawar	22-12-1990	31-07-2013	By Promotion
21	Shamsul Islam	Sher Aziz	DEO (F) Dir Upper	Matric	19-04-1954	Chitral	20-01-1974	31-07-2013	By Promotion
22	Rehmatullah	Niamat Ullah	DEO (F) Tank	Matric	01-05-1954	D//Khan	01-06-1974	31-07-2013	By Promotion

*Ahmed
Adm.*

23	Zarif Khan	Muhammad Usman	DE (FATA)	Matric	21-01-1955	Peshawar	01-06-1974	31-07-2013	By Promotion
24	Muhammad Zahoor	Abdul Ghaffar	DEO (F) Malakand	Matric	04-03-1955	Malakand	17-07-1974	31-07-2013	By Promotion
25	Latifur Rehman	Hamayun	DEO (F) Chitral	Matric	15-05-1954	Chitral	10-01-1974	31-07-2013	By Promotion
26	Shafqat Malik	Gulistan	DEO (F) Haripur	Matric	01-01-1956	Abbottabad	10-06-1974	31-07-2013	By Promotion
27	Liaqat Ali	Nousher Khan	DEO (M) Buner	Matric	09-05-1954	Mardan	15-10-1974	31-07-2013	By Promotion
28	Muhammad Ali	Fateh Muhammad	DEO (F) Battagram	Matric	04-09-1954	Mardan	11-01-1974	31-07-2013	By Promotion
29	Muhammad Amin	Rehmani Gul	DEO (M) Swat	Matric	25-11-1954	Swat	11-04-1974	31-07-2013	By Promotion
30	Abdul Majeed	Muhammad Khan	DEO (F) Kohat	Matric	12-04-1956	Kohat	12-04-1974	31-07-2013	By Promotion
31	Abdur Rashid	Mudasir Shah	DEO (F) NSR	Matric	12-01-1956	Mardan	01-02-1974	31-07-2013	By Promotion
32	Zahoor Ali	Habib Khan	DEO (M) Karak	Matric	06-01-1955	Peshawar	16-01-1975	31-07-2013	By Promotion
33	Khog Badshah	Abdul Mutalib	DEO (M) Shangla	Matric	16-02-1955	Malakand	03-01-1975	31-07-2013	By Promotion
34	Haroonur Rashid	Maqbulur Rehman	DEO (M) Battagram	Matric	11-04-1957	Haripur	29-06-1975	31-07-2013	By Promotion
35	Fazali Rehman	Ainul Qazat	DEO (F) Lakki	Matric	05-10-1955	Chitral	07-01-1975	31-07-2013	By Promotion
36	Ubaidullah	Abdullah Jan	DEO (M) Kohat	Matric	07-01-1956	Kohat	07-12-1975	31-07-2013	By Promotion
37	Walayat Khan	Baz Muhammad	DEO (M) Mansehra	Matric	15-01-1956	Peshawar	09-11-1975	31-07-2013	By Promotion
38	Faridullah	Fatehullah	DE FATA Peshawar	Matric	06-12-1956	Peshawar	13-09-1975	31-07-2013	By Promotion
39	Ihsanullah	Hanimullah	DEO (F) Buner	Matric	03-03-1958	Mardan	18-09-1975	31-07-2013	By Promotion
40	Abdul Sattar	Abdu' Rashid	DEO (F) Shangla	Matric	04-01-1957	Swat	15-10-1975	31-07-2013	By Promotion
41	Adam Sher	Juma Gul	DEO (M) Dir	Matric	02-12-1953	Dir	17-11-1975	31-07-2013	By Promotion
42	Jamilur Rehman	Khalilur Rehman	DEO (F) Mansehra	Matric	15-04-1956	Mansehra	17-11-1975	31-07-2013	By Promotion
43	Ghulam Muhammad	Muhammad Umer	DEO (M) Torghar	Matric	15-12-1955	Malakand	20-11-1975	31-07-2013	By Promotion
44	Jehan Zeb	Abdur Rehman	DEO (F) Swabi	BA	02-03-1961	Swabi	08-10-1981	31-07-2013	By Promotion
45	Mukhtiar Khan	Ghulam Sarwar	DEO (M) Charsadda	BA	16-10-1962	Peshawar	17-10-1981	31-07-2013	By Promotion

Director Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

DATED PESHAWAR THE 11th NOVEMBER 1993

ANNEXURE-D

Q R E E E

No.SO(Dir)Edu:/4-8/90. Under the Provision of Rule-6(5)(d) of **TR+ Scheme** of Basic Pay Scales and Fringe Benefits of Provincial **Civil Servants**(1983) and in consultation with the Departmental Promotion Committee, the Governor NWFP, is pleased to allow **Moveover** from BPS-16 to BPS-17 in respect of the following Officers of Education Department with effect from 1.12.1993, as mentioned below :-

1. Mr.Muhammad Ayub,
Asstt:Director(Audit),at
Divisional Directorate,
Education (Secondary) Abbottabad.
2. Mr.Anwar Khan,
ASDEO(Audit) at SDEO,(Secy:),
Mardan.
3. Mr.Ali Asghar,
ASDEO(Addit) at SDEO(F),
(Secy:) Abbottabad.
4. Mr.Nazir Hussain,
ASDEO(Accounts) at DEO(M),
(Secy:),Swabi.
5. Mr.Ghulam Sarwar,
ASDEO(Accounts) at DEO(M),
Primary,Abbottabad.

SECRETARY TO GOVT. OF NWFP,
EDUCATION DEPARTMENT.

Endstt:No.SO(Dir)Edu:/4-8/90. Dated Peshawar the 8.11.1994.

Copy forwarded for information and necessary action

to :-

1. The Director of Education,(Secondary) NWFP,Peshawar w/r to his letter No.2942/A-23/Moveover Ministerial Staff/IIAE, dated 16.4.1994 and No.2695/A-23/Move-Over/Ministerial Staff/II.AE, dated 15.5.1994.
2. The Director of Education,(Primary) NWFP,Hayatatabad, Peshawar w/r to his letter No.F.608/DPE/M&A/Move-Over/Minis:Staff/Gen:/Admn: Officer/5088, dated 29.1.1994.
3. The District Accounts Officer,Abbottabad.
4. The District Accounts Officer,Mardan.
5. The District Accounts Officer,Swabi.
6. Officers concerned.

M.JAVED.

*Abdullah
13
Adm. Secy*

Manzar Ali
(MANZAR ALI)
SECTION OFFICER(DIRECTIVES)



Dated Peshawar the January 24, 2011

Fuzna (L)
23

NOTIFICATION

NO.SO/PE)2-6/E&SED/DPC/10(Move-over): Consequent upon recommendations of the Departmental Promotion Committee, the competent authority is pleased to grant Move over from BS-16 to BS-17 and BS-17 to BS-18 to the following (SET to Male) with effect from the date mentioned against each:-

S.No.	Name	Recommendation of Departmental Promotion Committee
1.	Mr. Ali Asghar Ex-Budget & Accounts Officer O/O EDO A/Abad (retired from service on 6-3-2008.	Considered suitable for move-over from BS-17 to BS-18 wef; 1-12-1998.
2.	Mr. Ghulam Sarwar Budget & Accounts Officer O/O EDO A/Abad	Considered suitable for move-over from BS-17 to BS-18 wef; 1-12-1998.
3.	Late Fazal Subhan Ex-Budget & Accounts Officer Primary Education (Girls Project-II).	Considered suitable for move-over from BS-17 to BS-18 wef; 1-12-2000.
4.	Muhammad Hanif SET GMS Naurang Tank.	Considered suitable for move-over from BS-16 to BS-17 wef; 1-12-1996.
5.	Muhammad Riaz SET GHS No.1 Haripur	Considered suitable for move-over from BS-16 to BS-17 wef; 1-12-2001.
6.	Mr. Said Bedshan, SET GHS, Nandraka, Kohat.	Considered suitable for move-over from BS-16 to BS-17 wef; 1-12-1999.
7.	Mr. Nadeem Sultan SET GHS Jhangi Abbottabad.	Recommended suitable for move-over from BS-16 to BS-17 wef; 1-12-2001.
8.	Abdur Rahim SET GHS Kari Wam FR Tank	Considered suitable for move-over from BS-16 to BS-17 wef; 1-12-2001.
9.	Mr. Khurshidul Haq SET, GHS, Shawar Dir Lower.	Considered suitable for move-over from BS-16 to BS-17 wef; 1-12-1996.
10.	Shabir Akhtar SET GHS Mang Haripur	Considered suitable for move-over from BS-16 to BS-17 wef; 1-12-1999.

**SECRETARY TO GOVT OF KHYBER
PAKHTUNKHWA ELEMENTARY & SECONDARY
EDUCATION DEPARTMENT**

Endst: of even no. & date.

Copy is forwarded to:-

- 1) Secretary to Govt. of Khyber Pakhtunkhwa, Establishment Department Peshawar.
- 2) Special Secretary (Regulation), Establishment Department, Govt. of Khyber Pakhtunkhwa Peshawar.
- 3) Secretary to Govt. of Khyber Pakhtunkhwa, Finance Department, Peshawar.
- 4) Secretary to Chief Minister Khyber Pakhtunkhwa.
- 5) PS to Chief Secretary Khyber Pakhtunkhwa.
- 6) Director Elementary & Secondary Education, Peshawar.
- 7) The Director Education FATA Peshawar.
- 8) Agency/District Accounts Officer FR-Tank.
- 9) Executive District Officers Elementary & Secondary Edu: concerned.
- 10) The Accountant General Khyber Pakhtunkhwa Peshawar.
- 11) All District Accounts Officers /Agency Accounts Officers concerned.
- 12) PS to Minister for Elementary & Secondary Edu: Department Peshawar.
- 13) PS to Secretary/Special Secretary/Additional Secretary E&S Edu: Deptt Govt. of Khyber Pakhtunkhwa Peshawar.
- 14) PA to Deputy Secretary (Admn) Elementary & Secondary Edu: Department Peshawar.
- 15) Teachers concerned.
- 16) Master file.

**(MUHAMMAD AYUB KHAN)
SECTION OFFICER (SST)**



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT
Peshawar, dated the 28th January, 2013

Annex-E

133

NOTIFICATION

No. SO(PE)/4-10/SSRC/Ministerial Staff/2013:- In pursuance of the provisions contained in sub rule (2.) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1989, and in supersession of all rules issued in this behalf to the extent of the Elementary and Secondary Education Department (the E&SE Department) in consultation with the Establishment Department and Finance Department hereby lays down the method of recruitment, qualifications and other conditions specified in Column 3 to 5. of the Appendix to this Notification which shall be applicable to the posts borne on the ministerial establishment in the Elementary and Secondary Education Department specified in Column No.2 of the said Appendix.

APPENDIX

S. NO	NOMENCLATURE	MINIMUM QUALIFICATION AND EXPERIENCE FOR INITIAL APPOINTMENT OR BY TRANSFER	AGE LIMIT	METHOD OF RECRUITMENT (EXISTING)
1	2	3	4	5
1.	Deputy Director (Finance and Accounts) / Deputy Director (Administration) (BPS-18)			By promotion on the basis of seniority cum fitness from amongst the Assistant Directors (Finance and Accounts) & Assistant Directors (Administration) with at least five years service as such.
2.	Assistant Director (Finance and Accounts) / Assistant Director (Administration) (BPS-17)			By promotion on the basis of seniority cum fitness from amongst the Budget and Accounts Officers with at least two years service as such.
3.	Budget and Accounts Officer (BPS-16)			By promotion on the basis of seniority cum fitness from amongst the Superintendents with at least two years service as such.
4.	Superintendent (BPS-16)			By promotion on the basis of seniority cum fitness amongst the holders of the posts of Assistants and Senior Scale Stenographers with at least five years service as such.
5.	Senior Scale	(i) At least Second Class Bachelor's Degree or equivalent	20 to 30	By promotion on the basis of seniority cum

Attested
Adviser

	(BPS-16)	(ii) Speed of Seventy words per minute in shorthand in English and Forty Five words per minute in typing; and (iii) Knowledge of Computer in using MS words and MS Excel.		Stenographers (BPS-14) with at least five years service as such.
6.	Assistant (BPS-14)	At least Second Class Bachelor's Degree from a recognized University.	20 to 30 Years	(a) Seventy five per cent by promotion, on the basis of seniority-cum-fitness from amongst the Senior Clerks with at least five years service as such; and (b) Twenty five per cent by initial recruitment
7.	Junior Scale Stenographers (BPS-14)	(i) Intermediates or equivalent qualifications from a recognized Board; (ii) Speed of Fifty words per minute in shorthand in English and Thirty Five words per minute in typing; and (iii) Knowledge of Computer in using MS words and MS Excel.	18 to 30 Years	By Initial recruitment
8.	Senior Clerks (BPS-09)			By promotion on the basis of seniority cum fitness from amongst the Junior Clerks, Assistant Store Keepers and Laboratory Assistants with at least two years service as such.
9.	Junior Clerk/Assistant Store Keeper/ Laboratory Assistant (BPS-07)	(i) For Junior Clerk / Assistant Store Keepers having at least Second Division in Secondary School Certificate or equivalent qualifications from a recognized Board and a speed of twenty five words per minute in typing ; (ii) For Laboratory Assistants having at least Second Division in Secondary School Certificate or equivalent qualifications from a recognized Board with Science.	18 to 30 Years	(a) Thirty Three per cent by promotion, on the basis of seniority-cum-fitness from amongst the Daftaries, G/Operators, Qasids and Naib Qasids including other equivalent posts in the attached department/offices/institutions with at least Two years service as such and having qualification mentioned in column No. 3. (b) Sixty Seven per cent by initial recruitment Note: - For the purpose of promotion, there shall be maintained a joint seniority list of Daftaries, Gestetner Operators, Qasids, Naib Qasids, etc including other equivalent posts in the attached department/offices/institutions with reference to the dates of their regular appointment or acquiring Secondary School Certificate whichever is later.

10.	Driver (BPS-04)	Having valid Driving License and preferably Literate.	18 to 32 Years	By Initial recruitment
11.	Naib Qasid /Chowkidar/ Behshi/Cook/Bearer/ Shop Attendant/ Laboratory Attendant etc	Preferably Literate	18 to 30 Years	By Initial recruitment

SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

Endst: of even No & date:

1. The Secretary to Government of Khyber Pakhtunkhwa, Establishment and Administration Department Peshawar.
2. The Secretary to Government of Khyber Pakhtunkhwa, Finance Department Peshawar.
3. The Secretary to Government of Khyber Pakhtunkhwa, Law Department Peshawar.
4. The Secretary Khyber Pakhtunkhwa, Public Service Commission Peshawar.
5. The Accountant General Khyber Pakhtunkhwa Peshawar.
6. The Director, Elementary and Secondary Education Department Khyber Pakhtunkhwa Peshawar.
7. The Director of Education (FATA) Peshawar.
8. The Director, Curriculum and Teacher Education Khyber Pakhtunkhwa Abbottabad.
9. The Director, (PITE) Khyber Pakhtunkhwa Peshawar.
10. The Director, ESRU Elementary and Secondary Education Department Khyber Pakhtunkhwa Peshawar.
11. Manager Government Printing Press Khyber Pakhtunkhwa Peshawar.
12. The Deputy Director, EMIS (S&SE) Department Khyber Pakhtunkhwa Peshawar.
13. All District Education Officer (M&F) in Khyber Pakhtunkhwa.
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18. PS to Chief Minister Khyber Pakhtunkhwa Peshawar.
19. PS to Chief Secretary Khyber Pakhtunkhwa Peshawar.
20. PS to Minister E&SE Khyber Pakhtunkhwa Peshawar.
21. PS to Secretary E&SE Khyber Pakhtunkhwa Peshawar.
22. Master file

7-2-2013
SECTION OFFICER (Primary)



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT
Peshawar, dated the 28th January, 2013

NOTIFICATION

No. SO(PE)/4-10/SSRC/Ministerial Staff/2013:- In pursuance of the provisions contained in sub rule (2.) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1989, and in supersession of all rules issued in this behalf to the extent of the Elementary and Secondary Education Department the (E&SE Department) in consultation with the Establishment Department and Finance Department hereby lays down the method of recruitment, qualifications and other conditions specified in Column 3 to 5. of the Appendix to this Notification which shall be applicable to the posts borne on the ministerial establishment in the Elementary and Secondary Education Department specified in Column No.2 of the said Appendix.

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4.	Superintendent (BPS-16)			By promotion on the basis of seniority cum fitness amongst the holders of the posts of Assistants and Senior Scale Stenographers with at least five years service as such.
5.	Senior Scale	(i) At least Second Class Bachelor's Degree or equivalent	20 to 30	By promotion on the basis of seniority cum

	Stenographers (BPS-16)	qualification from a recognized University; (ii) Speed of Seventy words per minute in shorthand in English, and Forty Five words per minute in typing; and (iii) Knowledge of Computer in using MS words and MS Excel.	Years	fitness from amongst the Junior Scale Stenographers (BPS-14) with at least five years service as such.
6.	Assistant (BPS-14)	At least Second Class Bachelor's Degree from a recognized University.	20 to 30 Years	(a) Seventy five per cent by promotion, on the basis of seniority-cum-fitness from amongst the Senior Clerks with at least five years service as such; and (b) Twenty five per cent by initial recruitment
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21. PS to Secretary E&SE Khyber Pakhtunkhwa Peshawar.
22. Master file

7-2-2013
SECTION OFFICER (Primary)



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT
Peshawar, dated the 28th January, 2013

NOTIFICATION

No. SO(PE)/4-10/SSRC/Ministerial Staff/2013:- In pursuance of the provisions contained in sub rule (2.) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1989, and in supersession of all rules issued in this behalf to the extent of the Elementary and Secondary Education Department the (E&SE Department) in consultation with the Establishment Department and Finance Department hereby lays down the method of recruitment, qualifications and other conditions specified in Column 3 to 5. of the Appendix to this Notification which shall be applicable to the posts borne on the ministerial establishment in the Elementary and Secondary Education Department specified in Column No.2 of the said Appendix.

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11.	Naib Qasid /Chowkidar/ Behshti/Cook/Bearer/ Shop Attendant/ Laboratory Attendant etc	Preferably Literate	18 to 30 Years	By Initial recruitment

SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

Endst: of even No & date:

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20. PS to Minister E&SE Khyber Pakhtunkhwa Peshawar.
21. PS to Secretary E&SE Khyber Pakhtunkhwa Peshawar.
22. Master file

7-2-2013
SECTION OFFICER (Primary)

2007

BEFORE THE NWFP SERVICE TRIBUNAL PESHAWAR.

ANNEXURE "B"

Appeal No. 774/2002

Date of institution -- 27.08.2002

Date of decision - 15.08.2006

Ghulam Rasool, Ex-ASDEO (Accounts),
Office of the E.D.O,(S&L) Buner.....(Appellant)

VERSUS

- 1. Director of Schools & Literacy NWFP Peshawar.
- 2. Secretary Schools & Literacy NWFP.
- 3. Secretary Finance NWFP Peshawar.
- 4. Chief Secretary NWFP Peshawar.....(Respondents)

M/S Anwarul Hassan & Shafiullah Advocates:.....For appellants.
Mr. Zaffar Abbas Mirza, Addl. Govt. Pleader.....For respondents.

MR. ABDUL KARIM QASURIA.....MEMBER.
MR. FAIZULLAH KHAN KHATTAK.....MEMBER.

*Adalat
Dr. Is
Adv.*

JUDGMENT.

ABDUL KARIM QASURIA, MEMBER :- This appeal has been filed by the Ghulam Rasool appellant against the orders dated 7.5.2002 and 11.7.2002 whereby he was not granted selection grade BS-17 w.e.f. 10.10.1993 with the prayer that the impugned orders

[Signature]

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may be set aside and he be granted selection grade BS-17 w.e.f. 30.10.1993.

2. Brief facts of the case are that the appellant was employed under respondents No. 1 and 2 and retired from service on 1.8.2001 as Assistant Sub Divisional Education Officer (Accounts) from the office of EDO (S&L) Buner. During his service the appellant was promoted from the post of Superintendent to the post of ASDEO(Accounts) in BS-16 vide order dated 4.8.1987. Vide order dated 30.10.1993 the Finance Department allowed selection grade BS-17 to the Administrative Officer/Account Officer/Assistant Accounts officer at the ratio of 33% of their total strength alongwith Superintendents and also issued a clarification vide letter dated 31.1.1994 regarding awarding selection grade BS-17 to various officers. In order to extend the said benefits to various officers in BS-16, respondent No. 2 issued a Notification dated 29.8.1994 wherein various categories of officers in BS-16 were brought at par. In spite of clear cut orders of the Government and clarification, the selection grade was only allowed to the Superintendents BS-16 w.e.f. 30.10.1993 while other categories of officers BS-16 who were at par with the Superintendents were left. Respondent No. 2 issued a Notification dated 6.2.1997 bringing

[Signature]

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2007
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various categories of officers at par with one another by amending the Service Rules. Respondent No. 2 issued the impugned order dated 7.5.2002 under which the AEDO (A), Budget Officer, Audit Officer, Account Officer BS-16 of Education Department were granted selection grade BS-17 but the appellant was granted selection grade w.e.f. 19.7.1999 instead of 30.10.1993 under this Notification against which the appellant preferred a departmental appeal on 1.7.2002 but the same was rejected on 31.7.2002. Hence the instant appeal.

3. The respondents have filed the written reply in which the claim of the appellant has been opposed by raising legal objections. The appellant also filed the replication rebutting the objections raised by the respondents.

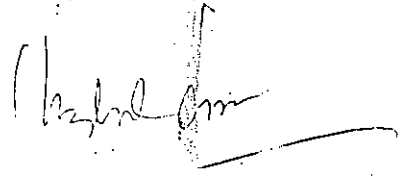
4. The learned counsel for the appellant argued that the appellant was promoted from the post of Superintendent to the post of Assistant Sub Divisional Education Officer (Accounts) in BS-16 vide order dated 4.8.1987. Respondent No. 3 vide Notification dated 30.10.1993 allowed selection grade BS-17 to the Administrative officer/Accounts Officer/Assistant Accounts Officer at the rate of 33% of their total strength alongwith Superintendents on the joint seniority list.

(Signature)

36

30/11/1994

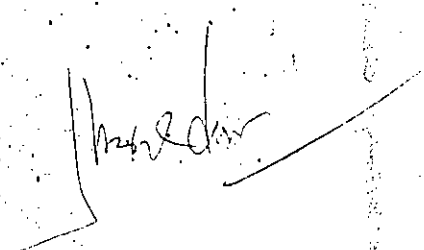
Respondent No. 3 vide Notification dated 31.1.1994 issued a clarification regarding grant of selection grade to various categories of officers. It was stated that condition of amendment in the service rules as referred to in para-2 of respondent No. 2 letter dated 30.10.1993 will not be applicable on the department/offices where no post of Accounts officer/Assistant Accounts Officer or similar other post exists which requires to be filled in by promotion from amongst Superintendent BS-16. In that case the grant of selection grade was made effective from 30.10.1993 while in case of amendment in the rules it was to be effective from the date of amendment in the Service Rules. The counsel further argued that respondent No.2 vide Notification dated 28.8.1994 brought various categories of posts in BS-16 at par. But inspite of the above equality of the posts only the Superintendents were given selection grade w.e.f. 1993 while for the incumbents of other posts the condition of amendment in the Service Rules was made and resultantly deprived them from their due rights of grant of selection grade from 30.10.1993. The rules were amended by respondent No. 2 vide Notification dated 6.2.1997 by bringing various categories at par. Respondent No. 1 vide impugned Notification dated 7.5.2002 granted selection grade BS-17 w.e.f. 19.7.1999 as per joint seniority list of ADEO (A)/Budget Officer/Audit Officer/Accounts



38

Officer (BS-16). Keeping in view the above facts the appellant has been discriminated against. The counsel stated that the impugned orders are against natural justice, unlawful, arbitrary and malafide. It was also argued that issuance of Notification dated 6.2.1997 is the repetition of Notification dated 29.8.1994 which only delayed the grant of selection grade which was allowed w.e.f. 30.10.1993.

5. The AGI opposed the contention of the appellant stating that the issue of grant of selection grade to the appellant has been disposed of as per policy and instructions contained in letter of respondent No. 3 dated 30.10.1993 and 31.1.1994. The amendment in the Service Rules was made on 6.2.1997 and the selection grade was allowed vide letter of respondent No. 3 dated 30.10.1993. He refuted the contention of the appellant that any discriminatory treatment was meted out against the appellant but the entire action of the respondent is covered under the prevailing rules/instructions. The instruction/policy contained in letter dated 30.10.1993 issued by respondent No. 3 is very much clear and no deviation has been made from that policy.



6. After listening to the arguments and perusal of the record, it is evident that selection grade was allowed as per general principle w.e.f. 30.10.1993 but a condition in para-3 (last para) of letter dated 30.10.1993 issued by respondent No. 3 was placed turning up the grant of selection grade with effect from the date of amendment in the Service Rules which adversely affected the benefits accrued to the appellant in the grant of selection grade. The amendment in the service rules was completed in the year 1997 which is a very lengthy period while there is no plausible explanation with the respondent department for such a long delay. The Tribunal also feels that while there was no such bar in respect of the department in which only the post of Superintendent existed as per respondent No. 3 letter dated 31.1.1994 but delaying the same benefits to the other categories on the pretext of amendment in the Service Rules which was delayed for six years, is not justified. Reliance is also put on the NWFP Tribunal decision dated 17.1.2001 in Appeal No. 813/1999 in which the benefit of selection grade was allowed w.e.f. 30.10.1993 instead of 17.3.1997 the date on which Rules were reversed.

7. The Tribunal therefore, keeping in view the principle of consistency and being the present appeal of identical nature accept

[Signature]

the appeal and allow grant of selection grade w.c.f. 30.10.1993 as per the seniority position of the appellant and modify the impugned order dated 7.5.2002 to that extent.

8. Our this single judgment will also dispose the other connected appeals bearing No. 893/2002 Karim Bakhsh, 894/2002 Mukhtiar Ahmad, 895/2002 Fazlur Rehman, 896/2002 Jamshed Jan, 897/2002 Muhammad Khan, 898/2002 Gul Habib, 899/2002 Abdul Wahab, 918/2002 Muhammad Suleman, 919/2002 Sajid Khan, 920/2002 Ghulam Nabi Malik, 1004/2002 Gjulam Sarwar, 1005/2002 Ali Asghar, 1006/2002 Iltaf Hussain Gohar, 1049/2002 Abdul Qayyum, 1050/2002 Buzur Jamheer and 388/2003 Subaidar Khan Versus Secretary Education NWFP etc. being identical nature and involves common questions of law and facts.

9. No order as to costs. File be consigned to the record after completion.

ANNOUNCED
15.08.2006.

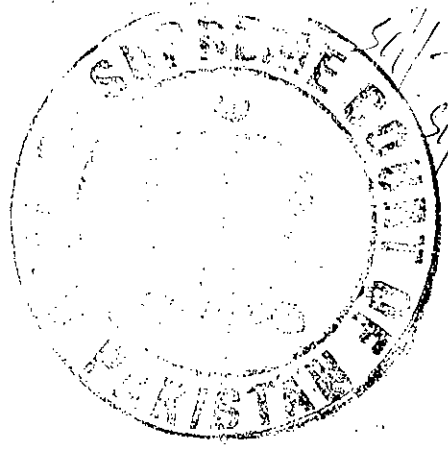
(ABDUL KARIM QASUREA)
MEMBER.

(FAIZULAH KHAN KHATPAK)
MEMBER.

Approved.
HWS
SWS

the Service Tribunal, passed in favour of the respondents, have not been implemented. In such state of affairs, we direct the concerned authority to implement the same within a period of four weeks and send a compliance report to the Registrar of this Court, for our perusal in Chambers. Learned Additional Advocate General is directed to communicate these directions to the concerned authorities to ensure its compliance in letter and spirit.

Thus for the foregoing reasons, petitions are dismissed and leave declined. — Sd/- Mr. Iftikhar Muhammad Chaudhry, CJ
Sd/- Ch. J. J. Ahmed, J
Sd/- Mr. Justice Arif Hussain, J



Certified to be true copy

Officer in charge
Supreme Court of Pakistan
Peshawar

Peshawar.
05.03.2010.

11/9/10

NOT APPROVED FOR REPORTING.

Attested
Adm.

ANNEXURE - G

The Secretary to
Govt of Khyber Pakhtunkhwa
Elementary & Secondary Edu: Department.
Peshawar

Subject: DEPARTMENTAL REPRESENTATION / APPEAL FOR GRANT OF PROMOTION IN BPS-17 FROM THE DATE OF VACATION OF THE POSTS OF ASSISTANT DIRECTOR (ADMN), ASSISTANT DIRECTOR (F&A), INSTEAD OF WITH IMMEDIATE EFFECT.

I am directed to refer to the subject cited above and to state that M/S:-

1. Mr. Ghulam Sarwar Budget & Accounts Officer
2. Mr. Sherullah Budget & Accounts Officer

Were promoted to the posts of Assistant Directors (Admn/F&A) in BPS No. 17 on regular basis, vide Notification No. SO(PE)/2-6/DPC Meeting / B&AO/2014 dated 29.08.2014.

The aforesaid newly promotes Assistant Directors have preferred a departmental appeal for grant of promotion to the posts of Assistant Directors BPS No. 17 from the date of vacation of the posts instead of with immediate effect, on the basis of judgment of Service Tribunal upheld by Hon: Supreme Court of Pakistan in an other similar nature case.

The requisite appeals alongwith relevant supporting documents / Court Judgments are enclosed herewith for your kind perusal and further necessary action please.

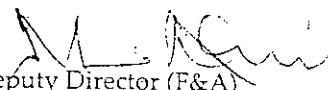
Encl: As above.

Deputy Director (F&A)
Directorate of E&SE K.P, Peshawar

Endst; No. _____ /

Copy forwarded to the: -

1. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.


Deputy Director (F&A)
Directorate of E&SE K.P, Peshawar

42

Before

Honorable Secretary to
Govt of Khyber Pakhtunkhwa
Elementary & Secondary Edu: Department

Through: Proper Channel

**Subject: DEPARTMENTAL REPRESENTATION/APPEAL FOR GANT OF PROMOTION
pIN BPS-17 FROM THE DATE OF VACATION OF THE POSTS OF
ASSISTANT DIRECTOR (ADMN), ASSISTANT DIRECTOR B&A, BEING
SENIOR MOST BUDGET & ACCOUNTS OFFICER OF THE PROVINCE.**

It is submitted that the facts and grounds of this departmental representation/appeal for grant of promotion to the appellant in BPS-17 being the Senior Most Budget & Accounts Officer of the Province appended below:-

1. That the appellant joined Govt service in the office of the Protector of Emigrants, Govt of Pakistan on 10.03.1976 as Steno Typist & further joined Education Department Govt of Khyber Pakhtunkhwa on 1.02.1979 as Senior Scale Stenographer.
2. That the appellant was promoted as Superintendent vide Director Education notification issued under Endst: No. 18740-80/A-23/AE-II dated 22.06.1987. Copy of notification annexed at Annex-"A".
3. That the appellant was further promoted to the post of Budget & Accounts Officer vide Director Education, Khyber Pakhtunkhwa notification issued under Endst NO. 1225-61/A-23/II-AE dated 11.01.1988. Copy annexed at Annex-"B".
4. That the appellant was allowed Selection Grade from BPS 16 to 17 w.e.from 30/10/1993 vide notification No.3410-24//DSR/Estt;S.P/Litigation dated 26/04/2010, copy attached.
5. That the appellant stood at S.No.07 of the Seniority list corrected upto 31.12.2004 and at S.No.01 of Seniority list issued on 31.08.2013. Copy of both the seniority lists attached at Annex-"C".
6. That the appellant was allowed Mover Over from B-16 to 17 & further 17 to 18 w.e.f 01.12.1993 & 01.12.1998 respectively. Copy of notification annexed at Annex-"D".
7. That, under the provision of Govt of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules 1989, issued vide No. SO(PE)/4-10/SSRC/Ministerial Staff/2013 dated 28.01.2013, the vacant posts of Assistant Director(Admn) & Assistant Director(F&A) BPS-17 has to be filled up out of Budget & Accounts Officers through promotion on the basis of seniority cum fitness. Copy of notification attached at Annex-"E".
8. That the posts of Assistant Director (Admn) & Assistant Director (F&A) BPS-17 remained occupied by junior most Superintendents/Officers of the Department which is totally against the spirit of Govt policies notified from time to time.
9. That the post of Assistant Director BPS-17 remained vacant but the appellant promotion under the law was due from the date of vacation while the appellant was promoted to the post of Assistant Director BPS-17 on 29.08.2014 vide order No.SO(PE)/2-6/DPC Meeting / B&AO from BPS-16 to BPS-17/2014 dated 29.08.2014, which is against law, ineffective and imperative against the rights of appellant, as there is a clear cut Directive of Honorable Court in this regard in an other similar nature case which is attached for ready reference.

In the light of foregoing, it is humbly prayed that the appellant may please be considered for regular promotion to the post of Assistant Director BPS-17 from the date of vacation of post instead of 29.08.2014.


Ghulam Sarwar
Assistant Director (Admn)
Working as Deputy Directorate (Admn)
at DCTE KPK Abbottabad

Readable copy

Amended
254 (9)

IN THE SUPREME COURT OF PAKISTAN
(Appellate Jurisdiction)

Present

Mr. Justice Iftikhar Muhammad Chaudhry, CJ.
Mr. Justice Ch. Ijaz Ahmed
Mr. Justice Khilji Arif Hussain

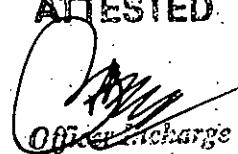
Amended - H

CIVIL PETITIONS NO.35-P TO 51-P & CP.301-P OF 2007

(On appeal from the judgments/order dated
15.08.2006 & 08.12.2006 passed by NWFP
Service Tribunal, Peshawar in Appeals No.
724, 893-899, 918-920, 1004-1006, 1049,
1050/2002, 388/2003 & 675/2006)

Director of Schools & Literacy, NWFP, Peshawar and others	Petitioners. (in all cases)
Versus	
Ghulam Rasool	Respondent. (in CP.35-P/2007)
Karim Bakhsh	Respondent. (in CP.36-P/2007)
Mukhtiar Ahmed Nashad	Respondent. (in CP.37-P/2007)
Fazal Rehman	Respondent. (in CP.38-P/2007)
Jamshed Khan	Respondent. (in CP.39-P/2007)
Muhammad Khan	Respondent. (in CP.40-P/2007)
Gul Habib	Respondent. (in CP.41-P/2007)
Abdul Walrab	Respondent. (in CP.42-P/2007)
Muhammad Suleman	Respondent. (in CP.43-P/2007)
Sajid Khan	Respondent. (in CP.44-P/2007)
Ghulam Nabi Malik	Respondent. (in CP.45-P/2007)
Ghulam Sarwar	Respondent. (in CP.46-P/2007)

Abul-Hasan
A. S. S. S.
Associate

ATTESTED

Officer in Charge
Supreme Court of Pakistan
Peshawar

Asghar Ali Respondent.
(in CP.47-P/2007)

Htuf Hussain Gbhar Respondent.
(in CP.48-P/2007)

Abdul Qayyum Respondent.
(in CP.49-P/2007)

Buzur Jamheer Respondent.
(in CP.50-P/2007)

Subedar Khan Respondent.
(in CP.51-P/2007)

Muhammad Yousaf Alqadri Respondent.
(in CP.301-P/2007)

For the petitioners Mr. Qaiser Rasheed, Addl. AG.
(in all cases)

For the respondents Mr. Imtiaz Ali, ASC.
(in all cases) Mr. Tasleem Hussain, AOR.

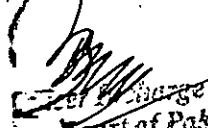
Date of hearing 05.03.2010.

ORDER

IFTIKHAR MUHAMMAD CHAUDHRY, C.J. – These petitions, for leave to appeal, have been filed against the judgments dated 15.08.2006 and 08.12.2006 passed by NWFP Service Tribunal, Peshawar whereby appeals filed by the respondents have been allowed as a result whereof they have granted selection grade.

2. Brief facts of the case, relevant for disposal of instant petitions are that the Secretary, Finance Department, Government of NWFP (petitioner No.3) vide notification dated 30th October 1993, allowed selection grade BPS-17 to Administrative Officer/Accounts Officer/Assistant Account Officer at the ratio of 33% of their total strength along with the Superintendent on the joint seniority list. In order to extend the said benefits to various officer in BPS-16, Director Schools and Literacy, Education Department, NWFP Peshawar (petitioner No.2) issued a notification dated 29th August 1994, wherein various categories of officers in BS-16 were brought at par by amending the Service

ATTESTED


Officer in Charge
Court of Pakistan
Peshawar

1999

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/ Rules, however, selection grade was only allowed to Superintendents BS-16 w.e.f 30.10.1993 while other categories of officers in BS-16 were left. Petitioner No.2, subsequently issued order dated 7th May 2002, under which the AEDO (A), Budget Officer, Audit Officer, Account Officer in BS-16 of the Education Department were granted selection grade BS-17 but the respondents were granted such grade w.e.f 19th July 1999 instead of 30th October 1993. Feeling aggrieved, the respondents challenged the said order before the NWFP Service Tribunal, who by means of impugned judgments granted them selection grade BS-17 w.e.f. 30th October 1993. As such instant petitions for leave to appeal have been filed.

3. Learned Additional Advocate General NWFP stated that the respondents were entitled for selection grade BS-17, subject to certain conditions, laid down in the letter dated 30th October 1993, including the amendments in the respective Recruitment and Appointment Rules. As according to him these Rules were amended on 6th February 1997 and joint seniority list was also prepared in the meantime, therefore, they have been found entitled for selection grade w.e.f. 17th June 1999 but the Service Tribunal granted them selection grade w.e.f. 30th October 1993, therefore, according to him impugned judgments are not sustainable.

4. Learned counsel appearing for the caveat, however, opposed the petitions and stated that Service Tribunal had done nothing except enforcing/implementing the policy of the Government mentioned in letter 30th

TESTED October 1993, on the basis of which respondents were entitled for selection grade. As far as question of amending the respective Recruitment and Appointments Rules and preparation of joint seniority list of officers in BS-16 is concerned, it is the job of the petitioners, therefore, the respondents should not be allowed to suffer at the hands of the department.

in charge
Court of Pakistan
Peshawar


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5. We have heard the learned counsel for the parties and have also carefully gone through the impugned judgment passed by the Service Tribunal. There is no doubt that on 30th October 1993, Government issued a policy letter laying down a criterion for granting selection grade BS-17 to grade BS-16 officers to the extent of 33% but the respondents were not allowed the benefit of the same for one or the reason and ultimately they have to approach Service Tribunal. A careful perusal of the impugned judgment indicates that the Tribunal has not passed an order beyond the scope of policy letter dated 30th October 1993. As far as the discretion of the Government to amend the Recruitment and Appointment Rules is concerned, it was the duty of the Government to prepare and issue the joint seniority list of the Administrative Officers and the Superintends and make the amendments, without any delay, after issuance of the letter. Service Tribunal in fact has enforced the policy letter dated 30th October 1993.

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6. It is pertinent to mention here that the department cannot be allowed to sleep for any indefinite period to amend the rules and to prepare seniority list at the cost of the respondents, who are government employees and they are always anxious about their promotion or to get benefit of the service as early as could be possible. Unfortunately, in instant case, after issuance of the policy letter dated 30th October 1993 rules were amended in 1997 but perhaps the seniority list was prepared later on and on account of such slackness, the respondents had suffered a lot and ultimately in 2001 they were given selection grade and in the meantime, some of them stood retired. We are, therefore, of the opinion that under these circumstances the Service Tribunal has rightly granted relief to the respondents and judgments passed by it, being unexceptionable, admit no interference by this Court.

ATTESTED


Judge in Charge
Court of Pakistan
Peshawar

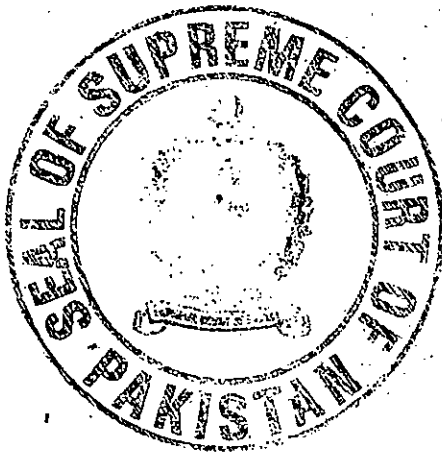
7. It is informed by the learned counsel appearing for the respondents that despite lapse of about more than 16/17 years, the judgments of

(270) (105) (11)

CP.35-P/2007, etc.

the Service Tribunal, passed in favour of the respondents, have not been implemented. In such state of affairs, we direct the concerned authority to implement the same within a period of four weeks and send a compliance report to the Registrar of this Court, for our perusal in Chambers. Learned Additional Advocate General is directed to communicate these directions to the concerned authorities to ensure its compliance in letter and spirit.

Thus for the foregoing reasons, petitions are dismissed and leave declined.



Sd/- Iqbal Khan Muhammad Chaudhary
Sd/- Ch. Ijaz Ahmed, J
Sd/- Khilji Arif Hussain, J

Peshawar,
05.03.2010.

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Certified to be true
Signature
Office of the
Registrar
Supreme Court of Pakistan
Peshawar

NOT APPROVED FOR REPORTING.

C.R. No.	757-P/2010
Date of presentation	
Application No.	25-3-2010
No. of Words	1500
No. of Pages	15
Requisition Fee	5
Copying Fee	9.30
Court Fee	14.30
Date of receipt	30-3-2010
Date of disposal	31/3/10
Copy	
Received by	Asad Kamel As
Total	14.30
Advocate's Fee	6/2
Balance	8.30

"E" & "F"

2/14/07

43

IN THE SUPREME COURT OF PAKISTAN
(Appellate Jurisdiction)

Present

Mr. Justice Ifikhar Muhammad Chaudhry, CJ.
Mr. Justice Ch. Ijaz Ahmed
Mr. Justice Khilji Arif Hussain

ANNEXURE - A

CIVIL PETITIONS NO.35-P TO 51-P & CP.301-P OF 2007

(On appeal from the judgments/order dated
15.08.2006 & 08.12.2006 passed by NWFP
Service Tribunal, Peshawar in Appeals No.
724, 893-899, 918-920, 1004-1006, 1049,
1050/2002, 388/2003 & 675/2006)

Director of Schools & Literacy, NWFP, Peshawar and others	Petitioners. (in all cases)
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Karim Bakhsh	Respondent. (in CP.36-P/2007)
Mukhtiar Ahmed Nashad	Respondent. (in CP.37-P/2007)
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Gul Habib	Respondent. (in CP.41-P/2007)
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Sajid Khan	Respondent. (in CP.44-P/2007)
Ghulam Nabi Malik	Respondent. (in CP.45-P/2007)
Ghulam Sarwar	Respondent. (in CP.46-P/2007)

ATTESTED
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Off. in Charge
Supreme Court of Pakistan
Peshawar

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Adm

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Asghar Ali	Respondent. (in CP.47-P/2007)
Raf Hussain Gbhar	Respondent. (in CP.48-P/2007)
Abdul Qayyum	Respondent. (in CP.49-P/2007)
Buzur Jamheer	Respondent. (in CP.50-P/2007)
Subedar Khan	Respondent. (in CP.51-P/2007)
Muhammad Yousaf Alqadri	Respondent. (in CP.301-P/2007)

For the petitioners (in all cases) : Mr. Qaiser Rasheed, Addl. AG.

For the respondents (in all cases) : Mr. Imtiaz Ali, ASC.
Mr. Tasleem Hussain, AOR.

Date of hearing : 05.03.2010.

ORDER

IFTIKHAR MUHAMMAD CHAUDHRY, C.J. - These petitions, for leave to appeal, have been filed against the judgments dated 15.08.2006 and 08.12.2006 passed by NWFP Service Tribunal, Peshawar whereby appeals filed by the respondents have been allowed as a result whereof they have granted selection grade.

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ATTESTED

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(petitioner No.2) issued a notification dated 29th August 1994, wherein various

categories of officers in BS-16 were brought at par by amending the Service

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Rules, however, selection grade was only allowed to Superintendents BS-16 w.e.f 30.10.1993 while other categories of officers in BS-16 were left. Petitioner No.2, subsequently issued order dated 7th May 2002, under which the WDO (A), Budget Officer, Audit Officer, Account Officer in BS-16 of the Education Department were granted selection grade BS-17 but the respondents were granted such grade w.e.f 19th July 1999 instead of 30th October 1993. Feeling aggrieved, the respondents challenged the said order before the NWFP Service Tribunal, who by means of impugned judgments granted them selection grade BS-17 w.e.f. 30th October 1993. As such instant petitions for leave to appeal have been filed.

3. Learned Additional Advocate General NWFP stated that the respondents were entitled for selection grade BS-17, subject to certain conditions, laid down in the letter dated 30th October 1993, including the amendments in the respective Recruitment and Appointment Rules. As according to him these Rules were amended on 6th February 1997 and joint seniority list was also prepared in the meantime, therefore, they have been found entitled for selection grade w.e.f. 17th June 1999 but the Service Tribunal granted them selection grade w.e.f. 30th October 1993, therefore, according to him impugned judgments are not sustainable.

4. Learned counsel appearing for the caveat, however, opposed the petitions and stated that Service Tribunal had done nothing except enforcing/implementing the policy of the Government mentioned in letter 30th **TESTED** October 1993, on the basis of which respondents were entitled for selection grade. As far as question of amending the respective Recruitment and **in charge** **Court of Justice** **Fisherman** Appointments Rules and preparation of joint seniority list of officers in BS-17 is concerned, it is the job of the petitioners, therefore, the respondents should not be allowed to suffer at the hands of the department.

6007
4184

6
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We have heard the learned counsel for the parties and have also carefully gone through the impugned judgment passed by the Service Tribunal. There is no doubt that on 30th October 1993, Government issued a policy letter, laying down a criterion for granting selection grade BS-17 to grade BS-16 officers to the extent of 33% but the respondents were not allowed the benefit of the same for one or the reason and ultimately they have to approach Service Tribunal. A careful perusal of the impugned judgment indicates that the Tribunal has not passed an order beyond the scope of policy letter dated 30th October 1993. As far as the discretion of the Government to amend the Recruitment and Appointment Rules is concerned, it was the duty of the Government to prepare and issue the joint seniority list of the Administrative Officers and the Superintends and make the amendments, without any delay, after issuance of the letter. Service Tribunal in fact has enforced the policy letter dated 30th October 1993.

Import

6. It is pertinent to mention here that the department cannot be allowed to sleep for any indefinite period to amend the rules and to prepare seniority list at the cost of the respondents, who are government employees and they are always anxious about their promotion or to get benefit of the service as early as could be possible. Unfortunately, in instant case, after issuance of the policy letter dated 30th October 1993 rules were amended in 1997 but perhaps the seniority list was prepared later on and on account of such slackness, the respondents had suffered a lot and ultimately in 2001 they were given selection grade and in the meantime, some of them stood retired. We are, therefore, of the opinion that under these circumstances the Service Tribunal has rightly granted relief to the respondents and judgments passed by it, being unexceptionable, admit no interference by this Court.

TESTED

[Signature]
 Advocate
 Plaintiff

7. It is informed by the learned counsel appearing for the respondents that despite lapse of about more than 16/17 years, the judgments of

(270) (105) (11)

48

Service Tribunal, passed in favour of the respondents, have not been implemented. In such state of affairs, we direct the concerned authority to implement the same within a period of four weeks and send a compliance report to the Registrar of this Court, for our perusal in Chambers. Learned Additional Advocate General is directed to communicate these directions to the concerned authorities to ensure its compliance in letter and spirit.

Thus for the foregoing reasons, petitions are dismissed and leave declined.



Sd/- Jaleel Khan Muhammad Chaudhry
Sd/- Ch. Ijaz Ahmed, J.
Sd/- Khilji Aarif Hussain, J.

11
Certified to be a true copy
Office of the
Supreme Court of Pakistan
Peshawar

Peshawar,
05.03.2010.
Sd/-
11/3/10.

NOT APPROVED FOR REPORTING.

C.A. No.	757-4/2010
Date of Receipt	
Application	25-3-2010
No. of Words	1500
No. of Pages	15
Requisition Fee	5
Copying Fee	9.30
Court Fee	16.30
Date of	30-3-2010
Date of	31/3/10
Comptroller	Copy
Received	6500/-
Total	14.30
Advs.	6/-
Balance	8.30

OFFICE OF THE DIRECTOR (E&SE) KHYBER PUKHTOON KHWA
PESHAWAR

Corrigendum.

In pursuance of NWFP Services Tribunal Peshawar judgment dated 15.8.2006 up hold by the Hon.able Supreme Court of Pakistan vide its verdict dated 5.3.2010 and Write Petition No.35-P To: S.I-P and CP 301-P of 2007, and under the provision of Finance Department Notification No.FD/(PRC)4-1/91, dated 30.10.1993 and (E&SE)department circular No.604-754 dated 7.5.2002, the date of award of S/Grade (B-17) of the ADEOs./ASDEOs /Acs/Admn. officers/B&AOs /Supdt(B-16) working in Directorate of (E&SE) K.P.K.Peshawar and districts officers issued vide this office Notification No.4420-4585/A-23/MS/S.Grade(B-17)/Supdt/AO dated 29.9.2004 may read as "30.10.1993" instead of "19.7.1999" in column No.6 of the above order on the same terms and conditions already framed.

SYEDA SARWAT JEHAN
DIRECTRESS

Endst.No. 3410-24 I/DSR/Estt.S.P/Litigation dated 26/4/2010

- Copy of the above is forwarded for information and necessary action to the:-
1. Registrar Supreme Court of Pakistan with reference to his decision/judgment dated refer to above for information please.
 2. Registrar NWFP Services Tribunal Peshawar with reference to his judgment referred to above for information please.
 3. Secretary to Govt. of E&SE K.P.K. Peshawar
 4. Accountant General K.P.K. Peshawar.
 5. Director of Education (FATA) Peshawar.
 6. Director Higher Education K.P.K. Peshawar.
 7. Director of Curriculum and Teachers Education K.P.K. Abbott Abad.
 8. Manager BIEP Arbab Road University Town Peshawar
 9. Manager Girls Project II K.P.K. Peshawar.
 10. Section Officer (Litigation) E&SE Department K.P.K. Peshawar.
 11. All District Accounts Officers in K.P.K.
 12. All Executive District Officers in K.P.K.
 13. All officers concerned.
 14. P.A. to Director of E&SE K.P.K. Peshawar.


26/4/2010
DEPUTY DIRECTOR (F&A)

Attor
Adm

43
48
I
ANNEXURE-1

2000

49

OFFICE OF THE DIRECTOR SECONDARY EDUCATION, N.W.F.P., PESHAWAR

ANNEXURE-1

PROMOTION.

Consequent upon their approval by the Departmental Promotion Committee of Education Department NW FP, in its meeting held on 11-5-2000, the following Junior Clerks already working on their own pay & BPS against the vacant post of Senior Clerks are hereby promoted on regular basis to the post of Senior Clerks in BPS-07 and posted against the post of Senior Clerks as noted against each in the interest of public service with effect from the date as noted against each:-

<u>S.No.</u>	<u>Name & Designation.</u>	<u>Promoted & posted as</u>	<u>Remarks</u>
1.	Mr. Abdul Wajid J/Clerk	Senior Clerk at G.D.C. No.2(M) D.I.Khan.	Post already occupied by him. He is allowed proforma promotion as S/Clerk with effect from 31-5-1994.
2.	Mr. Mahmood Khan J/Clerk	Senior Clerk at Director Bureau of Curr:Dev:& Edu:Extn: services Abbottabad.	Post already occupied by him. He is allowed proforma promotion as S/Clerk with effect from 25-5-1995.

- Note:- 1. Charge report should be submitted to all concerned.
2. Necessary entry to the effect should be made in his Service Book.

(CAISRO KHAN)
DEPUTY DIRECTOR (SECONDARY)
DIRECTORATE OF SECONDARY EDUCATION
NWFP PESHAWAR

Endst: No. 7174-85 / A-23/MS/Promotion from J/C to S/C. Dated 31/5/2000.

Copy forwarded to the:-

1. Director of Education (Colleges) NWFP Peshawar.
2. Director Bureau of Curr:Dev:& Edu:Extn: Services Abbottabad.
- 3-4. Distt: Accounts Officers Abbottabad & D.I.Khan.
5. Section Officer (Directives) Education Deptt: NWFP, Peshawar.
6. Principal GDC No.2(M) D.I.Khan.
- 7-8. Officials concerned.
9. F.L. to Director Secy: Edu: NWFP, Peshawar.
10. P/File.
11. M/File.

DEPUTY DIRECTOR SECONDARY
EDUCATION NWFP PESHAWAR

3/1/

TRIBUNAL
BEFORE THE HON'BLE SERVICES, KHYBER
PAKHTUNKHWA, PESHAWAR.

Ghulam Sarwar.....Vs.....Chief Secretary KPK, Peshawar etc.

APPLICATION FOR CONDONATION OF DELAY.

Respectfully Shewet.

The petitioner/appellant contends as under:-


1. That the captioned appeal is pending before this Hon'ble Tribunal which is fixed for 28-10-2015.
2. That on 1.7.2015 it came into the knowledge of the petitioner/appellant that actually the post of Assistant Director Administration was lying vacant since ~~7.12.1997~~ and the authority while passing the impugned order of promotion of the petitioner/appellant. i.e. notification bearing Endst: No.SO(PE)2-6 DPC MEETING/BA70, FROM BS-16 TO BS-17 2014 DATED 28.8.2014, have promoted the petitioner/appellant from immediate effect instead of the date of availability of vacancy i.e. ~~7.12.1997~~ hence the petitioner / appellant filed his departmental appeal before the competent authority on 1.7.2015.
3. That the petitioner/appellant seeks condonation of delay in filing the departmental appeal before the competent authority.

It is very humbly prayed that inordinate delay in filing the departmental appeal may be condoned.

Dated 22-10-2015.

Petitioner/appellant

Through


MEHBOOBALIKHAN
Advocate High Court

Peshawar.

1994 P L C (C.S.) 411

[Supreme Court of Pakistan]

Present: Ajmal Mian, Sajjad Ali Shah and Saleem Akhtar, JJ

SARWAR ALI KHAN

Versus

CHIEF SECRETARY TO GOVERNMENT OF SINDH and another

Civil Appeal No. 367-K of 1992, decided on 1st December, 1993.

(On appeal from judgment dated 12-2-1992 passed by Sindh Service Tribunal in Appeal No.103/1991).

(a) Sindh Service Tribunals Act (XV of 1973)--

---S. 4---Dismissal of civil servant's appeal as time-barred---Civil servant's appointment to higher post on his own pay and status---Civil servant's entitlement for salary of the higher post---Civil servant's failure to challenge notification whereby he was appointed to higher post in his own pay and status--Effect---Civil servant's appointment to higher post was although temporary arrangement, yet it lasted for three years---Filing representation was also proper remedy and in such circumstances, knocking down service appeal as time-barred on ground that notification of specified date was not challenged would not be fair---Dismissal of civil servant's appeal on such ground was, thus, not warranted.

(b) Sindh Service Tribunals Act (XV of 1973)---

---S. 4---Dismissal of service appeal on ground that regular promotion at initial stage being not possible without clearance by Selection Board, civil servant's claim to that effect was not warranted---Validity---When recruitment rules were notified on specified date civil servant stood qualified as having done five years' service in the higher grade with no adverse report, therefore, Departmental Promotion Committee could have approved civil servant on that specified date; there was no legal justification for getting clearance late and promoting him on regular basis on a subsequent date---Civil servant's promotion on regular basis from a date subsequent to the one he was entitled to be promoted in absence of plausible explanation, could not be treated as fair and equitable---Dismissal of civil servant's claim on that basis, was thus not warranted.

(c) Civil service-

---Promotion---Claim to salary of higher post---Civil servant's promotion was although a temporary arrangement, yet it lasted for three years and

Petitioner / Appellant.

there being no impediment in his way to be promoted at that time, on regular basis and he being eligible and qualified for promotion to higher grade, there was no justification to deprive him of the salary and other benefits of that post---Civil servant having discharged full duties and responsibilities of the higher post, in absence of plausible reason, he could not be deprived of the salary and other benefits connected with that post.

Federation of Pakistan v. Shahpur Jan and 2 others 1986 SCMR 991 rel.

(d) Civil service---

---Salary---Civil servant's entitlement to salary of higher grade---Civil servant having performed duties of higher grade for a period of more than three years, was entitled to the salary and benefit connected with the higher grade from speed date when he was appointed to higher post in his own pay and status minus special pay already drawn for that period---Notification to that effect was directed to be issued by respondent.

Syed Qamaruddin Ahmed, Advocate Supreme Court and Ahmedullah Faruqi, Advocate-on-Record for Appellant.

S.M. Abbas, Advocate-on-Record for Respondents.

Date of hearing: 1st December, 1993.

JUDGMENT

SAJJAD ALI SHAH, J: --This appeal, with the leave of the Court, is directed against the judgment dated 12-2-1992 of the Sindh Service Tribunal, whereby appeal of the appellant herein is dismissed and his prayer for salary of the post of Registrar from the date of taking over, is rejected.

Briefly stated, the relevant facts in the background are that the appellant was working as Superintendent in BS-16 in the Sindh Labour Appellate Tribunal when that post was converted into that of Deputy Registrar in BS-17 on 1-7-1985. He was upgraded for that post on the recommendation of Departmental Promotion Committee. Later on 1-7-1988 Post of Registrar (BS-18) fell vacant and vide Notification dated 5-7-1988 the appellant was appointed to that Post in his own Pay and Status with immediate effect and till further orders and was allowed Special Pay as per instructions. Ultimately, the appellant was promoted on regular basis to the post of Registrar (BS-18) on the recommendation of Departmental Promotion Committee vide Notification dated 30-6-1991. He applied for salary of BS-18 from 5-7-1988, when he took over as Registrar on the ground that he was performing duties of higher post in higher grade and made representation but to no avail. The appellant then filed appeal before Service Tribunal under section 4 of Sindh Service Tribunal Act, 1973.

The Tribunal has rejected the prayer of the appellant for three reasons. Firstly, that the appellant did not challenge Notification dated 5-7-1988 whereby he was inducted as Registrar on his own pay and status. Had he intended to do so, he would have filed service appeal in 1988. Secondly, regular promotion at the initial stage was not possible without clearance by Selection Board. Thirdly, the appellant was compensated with Special Pay as contemplated under Proviso I to section 18 of the Sindh Civil Servants Act, 1973.

Now, so far as the first reason is concerned, as mentioned above, it can be said that presumption favour-able to the civil servant (Appellant) would be that it was temporary arrangement and would not last long but it lasted for 3 years. Filing representation was also proper remedy and in such circumstances it would not be fair to knock down service appeal as time-barred on the ground that first notification was not challenged.

About the second reason that regular promotion could take place after clearance by Selection Board, question arises whether there was valid reason for not getting clearance from the Selection Board. Reason assigned seemingly is that Recruitment Rules were under consideration and had not been approved. Recruitment Rules were notified vide Notification dated 17-5-1990 requiring that Post of Deputy Registrar (BPS-18) can be filled by Promotion from the holder of the Post of Deputy Registrar with 5 years or such length of service as prescribed by the Government from time to time.

On 7-5-1990, when Recruitment Rules were notified the appellant stood qualified as having done 5 years' service as Deputy Registrar with no adverse report, hence the Departmental Promotion Committee could have approved and there is no legal justification for getting clearance late and promoting him on regular basis on 30-6-1991 with immediate effect. In the absence of plausible explanation, this action cannot be treated as fair and equitable to the appellant. Even otherwise, according to the old Recruitment Rules contained in notification dated 27-2-1984, the appellant was eligible and qualified to be promoted as Registrar, when he was initially so appointed in his own pay and status on 5-7-1988. In the old Rules requirement for induction in BS-18 is 5 years in B-17. It is mentioned in paragraph (a) thereof that where post is upgraded from B-16 to B-17, by revision of pay-scale, this service in B16 may be reckoned in B-17 for the purpose of promotion to B-18. The appellant has stated in the memorandum of appeal filed before the Service Tribunal, that he had worked as Superintendent in B-16 for 5 years when on 17-1985 the post was upgraded to that of Deputy Registrar in B-17. This statement of the appellant is not challenged in the Written Statement.

The third reason in the impugned judgment, as mentioned above, is that the appellant was compensated with special pay, hence he should not have grievance on that account. No doubt proviso (I) to section 18 of the Sindh Civil Servants Act, 1973, envisages that if appointment is temporary, then appointing Authority may direct that such appointee, instead of drawing

pay of such higher post or grade, draw pay of the lower post or grade he held immediately before such appointment with special pay as may be prescribed. It is apparent that this can be done when appointment is for a short period and the vacancy is to be filled on immediate basis in spite of the fact that the appointee does not fulfill necessary requirements. This cannot be stretched to cover the case in hand, where the incumbent has worked against that post on his own pay and status for three years, particularly when there was no legal impediment in his way to be promoted at that time on regular basis when he was inducted on 5-7-1988. In the instant case, since the appellant was eligible and qualified for promotion to B-18, there appears no justifiable reason to deprive him of the salary and other benefits of that post for a period of three years, which he would have received, had he been promoted on regular basis. The appellant had discharged full duties and responsibilities of the higher post and in the absence of some plausible reason, he cannot be deprived of the salary and other benefits connected with that post. In support of the above proposition, reference is made to the case of Federation of Pakistan v. Shahpur Jan and 2 others 1986 SCMR 991. The appellant, who was present in the Court, informed us on our query that for the period of three years, when he discharged his duties of the post of B-18 in his own pay and status, he earned three ACRs, which are very good.

For the facts and reasons mentioned, we set aside the impugned judgment, allow the appeal and hold that the appellant is entitled to the salary of B-18 and other benefits connected therewith from 5-7-1988, when he was appointed as Registrar in his own pay and status minus and special pay already drawn for that period. The respondents are directed to issue such notification retaining necessary clarifications.

AA/S-801/S

Appeal accepted.

BEFORE THE HONORABLE KHYBER PAKHATUNKHWA SERVICE TRIBUNAL PESHAWAR.

Service Appeal No: 1067/ 2015

Ghulam Sarwar AD(Admn) Directorate of Curriculum Teachers Education, Abbott Abad

.....Appellant.

VERSUS

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

JOINT PARAWISE COMMENTS FOR & ON BEHALF OF RESPONDENTS 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.
- 3 That the Appellant has concealed material facts from this Honorable Tribunal, hence liable to be dismissed on this score.
- 4 That the Appellant has filed the instant appeal on malafide motives.
- 5 That the Appellant has not come to this Honorable Tribunal with clean hands.
- 6 That the Appellant is not entitled for the relief he has sought from this Honorable Tribunal.
- 7 That the instant Service Appeal is against the prevailing law & rules.
- 8 That the instant Appeal is based on malafide intentions just to put extra pressure on the Respondents for gaining illegal service benefits.
- 9 That this Honorable Tribunal has got no jurisdiction to adjudicate upon the present service appeal.
- 10 That the appeal is not maintainable in its present form & circumstances of the case.
- 11 That the appeal is bad for mis-joinder & non-joinder of the necessary parties.
- 12 That the appellate order / Notification dated 29/08/2014 is legally competent & liable to be maintained in favour of the Respondents.

ON FACTS

- 1 That Para-I, needs no comments being pertains to the service record of the appellant.
- 2 That Para-2 is correct, hence needs no further comments.
- 3 That Para-3 is also correct, hence needs no further comments.

4

That Para-4 is incorrect & misleading on the grounds that the appellant was made entitled for the grant of Selection Grade wef 19-7-1999 vide Notification dated 29-9-004. However, the appellant preferred a Service Appeal before the Honorable Service Tribunal, which was accepted on 15-8-2006 & upheld by the August Supreme Court of Pakistan vide judgment dated 05-3-2010. Hence in pursuance of the said judgment, the appellant has been allowed Selection grade wef 30-10-1993 vide Corrigendum order dated 26-4-2010 issued by the Respondent No: 3 in the interest of justice. (Copy of the said is Annexure-A).

- 5 That Para-5 is correct, hence needs no comments.
- 6 That Para-6 is also correct. Hence needs no comments.
- 7 That Para-7 is incorrect & denied. The cited Notification dated 28-01-2013 with reference to S/No: 2 says that in pursuance of the provisions contained in Sub: Rule-2 of Rule-3 of the Khyber Pakhtunkhwa, Civil Servants APT Rules, 1989 & supersession of all Rules issued in this behalf to the extent of E&SE Department in consultation with the Establishment & Finance Departments hereby lays down the method of the recruitment, qualification & other conditions specified in column 3 to 5 of the Appended to this Notification shall be applicable to the posts born on Ministerial Establishment in the Respondent Department specified in column-2 with the conditions for the grant of promotion on the basis of seniority cum fitness for the Budget & Accounts Officer with at least 2-years regular service as such. Hence the appellant is not entitled for the grant of promotion as mentioned in the Notification & has thus been made entitled for the grant of promotion in BPS17 wef 29-8-2014 against the AD (Admn:) post in the Respondent Department with immediate effect as and when the posts / vacancies were available to the Respondents for the purpose of adjustment of the appellant. (Copy of the said Notification is as Annexure-B).
- 8 That Para-8 is also incorrect & denied. There were no vacant posts available in the Respondent Department, upon which the appellant could be adjusted against the Asst: Director (Admn:) post in BPS-17. However, as & when the vacancy was available, the competent authority has been pleased to promote the appellant vide Notification dated 29-8-2014 with immediate effect & in the interest of public service (Copy of the said Notification is Annexure-C).
- 9 That Para-9 is incorrect & denied. No Departmental Appeal has been filed by the appellant against the impugned Notification dated 29-8-2014 nor any such record is available in the Respondent Department till date. Hence the plea of the appellant is liable to be dismissed on the following grounds inter alia :-

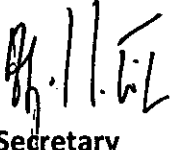
GROUND.


- A Incorrect & denied. The statement of the appellant is against the facts & actual circumstances of the case on the grounds that the appellant has been promoted against BPS-17 post of AD (Admn:) vide the impugned Notification dated 29-8-2014 on the availability of vacancy against the post in the Respondent Department.
- B Incorrect & denied. The appellant has been treated as per law, Rules & Promotion Policy in the instant case & has thus made entitled for the grant of promotion vide the impugned Notification dated 29-8-214 by the Respondent Department.
- C Incorrect & denied. The refer case is not fit & even applicable upon the case of the appellant as each & every case has its own nature & parameters. Hence the plea of the appellant is liable to be dismissed in favour of the Respondents.

- 116
- D Incorrect & denied. The case & issue of the appellant is different from the cited case of the Junior & Senior Clerks. Hence not applicable upon the case of the appellant in the wake of the above made submissions in the foregoing paras.
- E Incorrect & denied. The appellant has got no cause of action as the impugned Notification dated 29-8-2014 is in accordance with law, Rules & policy issued by the Respondent Department in the interest of equity & justice with immediate effect. Hence is liable to be maintained.
- F The Respondents seek leave of this Honorable Tribunal to advance additional grounds & case law/ record at the time of arguments on the main appeal.
- G Incorrect & denied on the grounds that this Honorable Tribunal has got no jurisdiction to entertain the instant appeal against the Respondents.

Prayer

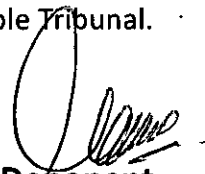
In view of the above made submissions, it is humbly requested that this Honorable Tribunal may very graciously be pleased to dismiss the instant appeal with cost in favour of the respondent Department.


Secretary
E&SE Department Khyber
Pakhtunkhwa, Peshawar.
(Respondents No: 1&2)
4/3/2016.


Director
E&SE Department Khyber
Pakhtunkhwa, Peshawar.
(Respondent-3)
26/2/2016

AFFIDAVIT

I, Khaista Rehman Asstt: Director (Lit: II) E&SE Department Khyber Pakhtunkhwa, Peshawar do hereby solemnly affirm and declare on oath that the contents of the instant Parawise Comments in the titled Service appeal are true & correct to the best of my knowledge & belief & that nothing has been concealed from the ambit of this Honorable Tribunal.


Deponent

31
Revised Award of Service
ANNEXURE-C/19/1999

Corrigendum

In pursuance of NWFP Services Tribunal Peshawar judgment dated 15.8.2006 upheld by the Honorable Supreme Court of Pakistan vide its verdict dated 5.3.2010 and Write Petition No.35-P To: S-I-P and CP 301-P of 2007, and under the provision of Finance Department Notification No.FD/(PRC)4-1/91, dated 30.10.1993 and (E&SE) department circular No.604-754 dated 7.5.2002, the date of award of S/Grade (B-17) of the ADEOs./ASDEOs /Acs/Admn. officers/B&AOs /Supdt(B-16) working in Directorate of (E&SE) K.P.K. Peshawar and districts officers issued vide this office Notification No.4420-4585/A-23/MS/S Grade(B-17)/Supdt/AO, dated 29.9.2004 may read as "30.10.1993" instead of "19.7.1999" in column No.6 of the above order on the same terms and conditions already framed.

SYEDA SARWAT JEHAN
DIRECTRESS

Endst.No. 3410-24 / F/DSR/Lett./S.P./Litigation dated 26/09/2010

- Copy of the above is forwarded for information and necessary action to the:-
1. Registrar Supreme Court of Pakistan with reference to his decision/judgment dated refer to above for information please.
 2. Registrar NWFP Services Tribunal Peshawar with reference to his judgment referred to above for information please.
 3. Secretary to Govt. of E&SE K.P.K. Peshawar
 4. Accountant General K.P.K. Peshawar
 5. Director of Education (FATA) Peshawar
 6. Director Higher Education K.P.K. Peshawar
 7. Director of Curriculum and Teachers Education K.P.K. Abbott Abad
 8. Manager BIEP Arbab Road University Town Peshawar
 9. Manager Girls Project II K.P.K. Peshawar
 10. Section Officer (Litigation) E&SE Department K.P.K. Peshawar
 11. All District Accounts Officers in K.P.K.
 12. All Executive District Officers in K.P.K.
 13. All officers concerned
 14. P.A. to Director of E&SE K.P.K. Peshawar

M. H. Khan
26/9/10
A.M.

26/9/2010
DEPUTY DIRECTOR (E&A)



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT
Dated Peshawar the 29-08-2014

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ANNEXURE - A

NOTIFICATION

No. SO(PE)/2-6/DPC Meeting/ B&AO from BS-16 TO BS 17/2014: On the recommendation of the Departmental Promotion Committee meeting held on 02-07-2014, the competent authority is pleased to promote the following Budget & Accounts Officers (BS-16) to the posts of Assistant Director (BS-17) on regular basis with immediate effect:-

S. No.	Name of officer/ Designation	Promoted as:
	Ghulam Sarwar B&AO (BS-16) office of DEO (M) Abbottabad.	Assistant Director (BS-17).
	Sherullah B&AO (BS-16) office of DEO (F) Mardan.	Assistant Director (BS-17).

They will be on probation for a period of one year, extendable for another term of one year as specified in Rule-15 of Khyber Pakhtunkhwa Civil Servant (Appointment, Promotion and Transfer) Rules, 1989.

Consequent upon their promotion to the post mentioned above they are posted / adjusted as under:-

S. No.	Name of officer/ Designation	Place of posting.
	Ghulam Sarwar B&AO (BS-16) DEO (M) Abbottabad.	Assistant Director (Administration) (BS-17) in the Directorate of E&SE, Peshawar against the vacant post.
	Sherullah B&AO (BS-16) DEO (F) Mardan.	Assistant Director (Finance & Accounts) (BS-17) in the Directorate of E&SE, Peshawar against the vacant post.

Post No. & date as above.

SECRETARY

Copy forwarded to:-

1. The Secretary to Govt. of Khyber-Pakhtunkhwa, Establishment Department.
2. The Secretary to Govt. of Khyber Pakhtunkhwa, Finance Department.
3. The Accountant General Khyber Pakhtunkhwa, Peshawar.
4. PSO to Chief Secretary to Govt. of Khyber Pakhtunkhwa.
5. The Director (E&SE) Khyber Pakhtunkhwa Peshawar.
6. District Accounts Officers Abbottabad/ Mardan.
7. PS to Secretary E&SE Department.
8. Officers concerned.
9. Office File.

Attended
H.S.
Advocate

(ZAMIN KHAN-MOMAND)
SECTION OFFICER (PRIMARY)

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR**

Appeal No. 1067/2015

Ghulam Sarwar

VERSUS

**Secretary E&SE Department, Khyber Pakhtunkhwa and
others**

REJOINDER ON BEHALF OF APPELLANT.

PRELIMINARY OBJECTIONS:-

All the preliminary objections raised by the respondents are incorrect and baseless and not in accordance with law, and rules, rather the respondents are estopped to raise such objections due to their own conduct.

ON FACTS:-

1. Reply to Paras 1 to 3 needs no comments.

2. Reply of respondent to Para No. 4 of the appeal, is supportive to the version of the appellant and also prove illegality and irregularities committed by respondent department, for award of Selection Grade to the appellant and others by intentionally / malafidely depriving them from their fundamental right and sustaining heavy financial loss and mental torture and fruitless litigations.

3. Reply of respondents to Para No. 5 and 6 of the appeal are correct and need no comments.
4. Reply of respondents to Para No. 7 of the appeal is totally baseless as the appellant was promoted to the post of B&AO/ADO (Account) vide (defunct) Director (School) NWFP notification issued under Endst No. 1225-61 dated 11/01/1988 at Serial No. 3, hence the appellant rendered 26 (Twenty Six) years, 07 month and 18 days service at his credit against requisite two years service specified in notification referred by respondent's department and that too the post of Assistant Director (Admn) was lying available with the respondent department. (Copy of retirement order of Assistant Director (Admn) is attached herewith).
5. Reply of respondents to Para No. 8 of the appeal is incorrect and denied as discussed earlier and further is against the ground realities as the post of Assistant Director (Admn) was lying vacant due to retirement of Mr. Fazali Khaliq Khan Assistant Director (Admn) on 07/01/1997 under Secretary to Govt. of NWFP Education Department notification No. SO (S) 3-1/91 (A) dated 17/07/1996. (Copy of retirement notification is attached as above).
6. Reply of respondents to Para No. 9 of the appeal of the respondents is incorrect and denied. Copy of letter from Director E&SE KPK Peshawar placed at Page 18 to

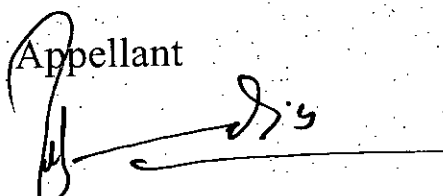
Secretary E&SE KPK Peshawar bearing No. 247/A-23/MS/DSC/DPC/V-I dated 01/07/2015 and Copy of departmental appeal of Page No. 19 clearly indicate that the appellant has filed his departmental appeal before the competent authority, which was not decided within the stipulated period, hence the instant appeal was filed by the appellant.

GROUND:-

- A. Para A is incorrect.
- B. Para B is also incorrect as discussed above.
- C. Para C is equally incorrect.
- D. Para D is incorrect and not admitted.
- E. Para E is incorrect. The appellant being an aggrieved person has the cause of action to file the instant appeal.
- F. Para F is incorrect.

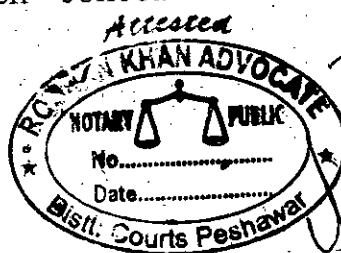
It is prayed that the appeal of the appellant may graciously be accepted as prayed for with back benefits with costs.

Through

Appellant

Mehboob Ali Khan
Advocate, High Court,
Peshawar.

AFFIDAVIT:-

I, do hereby solemnly affirm and declare on oath that all the contents of instant rejoinder are true and correct to the best of my knowledge and belief and nothing has been concealed or misstated from this Honourable Tribunal.




DEPONENT

11.8.16

NO. 80(S) 3-1/91(A). The Provincial Government is pleased to sanction encashment of Leave Salary in lumpsum in lieu of L.P.R. in respect of Mr. MAZLIM KHALIQ Khan Assistant Director in Directorate of Secondary Education NWFP Peshawar for the period of 189 days.

The officer is going to be retired from service w.a.f 7.1.1997 on the age of 60 years.

SECRETARY TO GOVT. OF NWFP
EDUCATION DEPARTMENT.

Endat: No. 80(S) 3-1/91(A). Dated Peshawar the 17.7.96.

Copy forwarded to the

1. Director Secondary Education NWFP Peshawar.
2. Accountant General NWFP Peshawar.
3. Officer concerned.

(MUMTAZ H. HAS))
Section Officer (Schools)

TRIBUNAL
BEFORE THE HON'BLE SERVICES, KHYBER
PAKHTUNKHWA, PESHAWAR.

Ghulam Sarwar.....Vs.....Chief Secretary KPK, Peshawar etc.

APPLICATION FOR CONDONATION OF DELAY.

Respectfully Shewet.

The petitioner/appellant contends as under:-

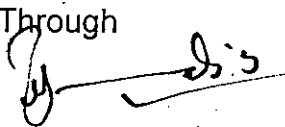
1. That the captioned appeal is pending before this Hon'ble Tribunal which is fixed for 28-10-2015.
2. That on 1.7.2015 it came into the knowledge of the petitioner/appellant that actually the post of Assistant Director Administration was lying vacant since 7-1-1997 and the authority while passing the impugned order of promotion of the petitioner/appellant. i.e. notification bearing Endst: No.SO(PE)2-6 DPC MEETING/BA70, FROM BS-16 TO BS-17 2014 DATED 28.8.2014, have promoted the petitioner/appellant from immediate effect instead of the date of availability of vacancy i.e. 7-1-1997. hence the petitioner / appellant filed his departmental appeal before the competent authority on 1.7.2015.
3. That the petitioner/appellant seeks condonation of delay in filing the departmental appeal before the competent authority.

It is very humbly prayed that inordinate delay in filing the departmental appeal may be condoned.

Dated 22-10-2015.

Petitioner/appellant

Through


MEHBOOBALIKHAN
Advocate High Court

Peshawar.

BEFORE THE HONOURABLE CHAIRMAN SERVICE
TRIBUNAL, KPK PESHAWAR

1068/2015

Sherullah - - - **VERSUS** - - - **The Chief Secretary KPK etc**

APPLICATION FOR EARLY HEARING ON THE
BASIS OF HEART PATIENT (OPEN HEART BY
BYPASS OPERATED).

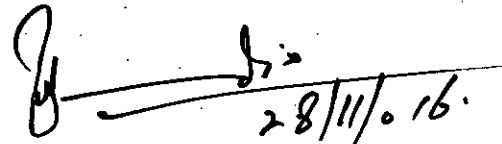
RESPECTED SIR,

1. That the captioned appeal is fixed for 11/08/2016 before this Honourable Tribunal.
2. That the petitioner / appellant is a retired Govt. person, aged and suffering from Heart Disease and is not in a position to cope up with the long litigations.

It is prayed, that keeping in view the health condition of the petitioner / appellant, the appeal may be heard on an early date.

Through

Petitioner / appellant


28/11/16.

MEHBOOB ALI KHAN
Advocate, High Court,
Peshawar.



5/B-2 Phase - 5-Hayatabad Peshawar Pakistan
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VO

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Discharge Sheet

DISCLAIMER: THIS FORM IS FOR INTERNAL USE ONLY

RMI Patients

Patient Information

PR No: 12-03-004809
 Name: Mr Sher Ullah
 Gender: Male Age: 55 Years
 Phone: 03009057559
 Address: Village Palo Dheri, Distt Mardan.

Blood Group:
 Weight: 82.20 kg
 Height: 5.80 ft

Admission Information

Admission No: 12-10-000014
 Admission Date: 1/10/2012 9:40AM
 Ward: Ward B
 Room / Bed: 211/A
 Discharge Date: 8-10-12
 Discharge Type: Normal

Consultant

Primary: Prof. Muhammad Rehman
 Secondary: Prof. Muhammad Rehman

Package

o CABG Coronary Artery By-Pass Grafting

Department

(Cardiac Surgery)

Diagnosis

CAD

Presenting Complaints

CHEST PAIN
 SOB
 DIZZINESS

Clinical Status

STABLE

Investigations

BLIS, CXR, ECG, ECHO.

Risk Factors

ALREADY EXPLAINED

Treatment At Hospital

Operation Notes

UNDER G.A C/D DONE. SVG HARVESTED FROM LEFT LEG. MEDIAN STERNOTOMY DONE. LIMA HARVESTED. AORTA AND RT. ATRIAL CANNULATION DONE AND CPB ESTABLISHED. COOLING DONE. AORTA X-CLAMPED. COLD BLOOD ANTEGRADE CARDIOPLEGIA.
 FINDINGS: GOOD QUALITY VEIN AND LIMA. GOOD TARGETS. GOOD LV CONTRACTILITY.
 GRAFTS: SVG TO OM... SVG TO RCA.. LIMA TO LAD.
 RE-WARMING DONE. PATIENT CAME OFF BYPASS
 UNEVENTFULLY. HAEMOSTASIS DONE. RV PACING WIRE. SINGLE PERICARDIAL AND LT. PLEURAL DRAIN PUT IN. ROUTINE CLOSURE DONE. ASD DONE.

Medicines

INJ. CLAFORAN 1GM

Post Operative Complication

Precautions

Care At Home

TAKE MEDICINES AND MOBILIZE.

Medicines

P. ASSO 40MG

CIPROXIN 500MG

ایک کیپسول شام (۲ ہفتہ) کھانے سے پہلے

CONCOR 2.5MG

ایک گولی صبح شام (۵ دن)

LOWPLAT PLUS 75MG

ایک گولی صبح (جاری)

PANADOL

ایک گولی صبح (جاری)

SPIROMIDE 40MG

دو گولی صبح دوپہر شام (۵ دن)

STAT-A 20MG

ایک گولی صبح (جاری)

How: Up

ایک گولی شام (جاری)

Checked

Print Date: Oct 08, 12 10:19 am

بعدالت جناب KPR کروم ٹریبونل لیٹاؤر

Appeal No 1067/2015

2018ء منجانب
خدا کر اور (اعلانہ)

مورخہ
مقدمہ
دعویٰ
جرم

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ
آن مقام لیٹاؤر کیلئے عبدالرحمن عثمان خان محمدی، سرفراز اور دیگر
مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز
وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ پر حلف دیئے جواب دہی اور اقبال دعویٰ اور
بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق
زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی
اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا۔ از بصورت ضرورت
مقدمہ مذکور کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے
تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ باختیارات حاصل ہوں گے
اور اس کا ساختہ پرداختہ منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے
سبب سے وہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں
گے۔ کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سندر ہے۔

2018ء

جولائی

10

المرقوم

العبد گواہ العبد

کے لئے منظور ہے۔

لیٹاؤر

مقام

عدالت

دعا کر اور (اعلانہ)

KHYBER PAKHTUNKWA SERVICE TRIBUNAL, PESHAWAR

No. 892 /ST

Dated 7 - 5 - / 2019


To

The Secretary E&SE,
Government of Khyber Pakhtunkhwa,
Peshawar.

Subject: - JUDGMENT IN APPEAL NO. 1067/2015, MR. GHULAM SARWAR.

I am directed to forward herewith a copy of departmental appeal alongwith certified copy of Judgement dated 09.04.2019 passed by this Tribunal on the above subject for strict compliance.

Encl: As above


REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR.