


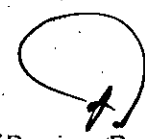
12.09.2022

Counsel for the appellant present.

Asif Masood Ali Shah, Deputy District Attorney  
alongwith Arshad Ali, ADEO for respondents present.

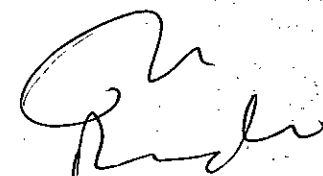
Written reply on behalf of respondents No. 1, 4 & 5  
submitted which is placed on file. A copy of the same is  
handed over to the learned counsel of the appellant. No one  
present on behalf of respondents No. 2 & 3, therefore,  
notice be issued to them for submission of written  
reply/comments. To come up for written reply/arguments  
on 24.11.2022 before D.B.

  
(Fareeha Paul)  
Member (E)

  
(Rozina Rehman)  
Member (J)

24/11/22


Due to deletion of the cases  
to come up on 31/1/23




31<sup>st</sup> Jan, 2023

None for the appellant present. Mr. Muhammad Adeel  
Butt, Addl: AG for respondents present.

Like on 12.09.2022 there is no body on behalf of  
respondents No. 2 and 3 while learned AAG seeks time to  
file comments. He may do so within a week positively. To  
come up for written reply/arguments on 10.05.2023 before  
the D.B.

  
(Muhammad Akbar Khan)  
Member(Executive)

  
(Kalim Arshad Khan)  
Chairman

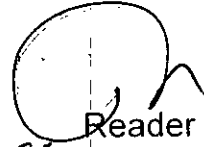
SCANNED  
BY  
Pestawar

24.12.2021

Due to winter vacations, case is adjourned to 11.03.2022 for the same as before.

11-3-22

Due to Retirement of the Hon.ble Chairman the case is adjourned to come up for the same as before on 23-6-22


  
Reader


  
Reader

23.06.2022

Learned counsel for the appellant present. Mr. Arshad Ali, ADEO (Litigation) on behalf of respondents No. 1, 4 & 5 alongwith Mr. Muhammad Adeel Butt, Additional Advocate General present.

Para-wise comments on behalf of respondents No. 1, 4 & 5 submitted, which are placed on file. Reply/comments on behalf of respondents No. 2 & 3 are still awaited. Last chance given to respondents No. 2 & 3 for submission of reply/comments. In case the last chance as given is not availed by respondents No. 2 & 3, the next adjournment shall be subject to prior payment of cost of Rs. 10000/- to the appellant. Adjourned. To come up for submission of reply/comments on behalf of respondents No. 2 & 3 as well as arguments on 12.09.2022 before the D.B.

  
(Mian Muhammad)  
Member (E)

  
(Salah-ud-Din)  
Member (J)

**Faridullah, 4818/2021**

14.09.2021

Counsel for the appellant present. Preliminary arguments heard.

Learned counsel for the appellant argued that the Service Rules notified on 24.07.2014 have shut the door of promotion on the appellant due to the reason that at least 2<sup>nd</sup> division Bachelor Degree is prescribed for promotion to the post of CT (BS-15). The appellant has, however, also acquired higher qualification i.e Master in 2<sup>nd</sup> Division. Initially, a degree if acquired in 3<sup>rd</sup> Division and higher qualification or Degree acquired in 2<sup>nd</sup> Division then the higher Division in a higher degree will prevail and the 3<sup>rd</sup> Division in an earlier examination will have to be overlooked. In support of his arguments, he relied on Peshawar High Court Bannu Bench judgement dated 28.01.2016 in writ petition No. 73-B/2014, Peshawar High Court Abbottabad Bench judgement dated 05.04.2016 in writ petition No. 1041-A/2015 and PMS Rules (2007) further amended vide Establishment Department notification dated 15.12.2011. The appellant, therefore, submitted departmental appeal on 17.12.2020 against the inaction of the respondents to promote the appellant which was not responded or decided within the stipulated statutory period, hence, the instant service appeal filed in the Service Tribunal on 08.04.2021. He contended that keeping in view the "principle of consistency", the appellant may also be treated at par with other employees including PMS so far as the question of promotion of 3<sup>rd</sup> Division degree holder is concerned. Moreover, service appeals of similar nature involving the same question of law and principle of consistency, have already been admitted for regular hearing in the Service Tribunal and are presently under the process of adjudication.

Points raised need consideration. The appeal is admitted to regular hearing, subject to all just and legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments in office within 10 days after receipt of notices, positively. If the written reply/comments are not submitted within the stipulated time or extension of time is not sought, the office shall submit the file with a report of non-compliance. File to come up for arguments on 24.12.2021 before the D.B.




  
(Mian Muhammad)  
Member(E)

Appellant Deposited  
Security & Process Fee  
24/12/21

Form- A  
FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No. - 2818 /2021


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	13/04/2021	<p>The appeal of Mr. Faridullah resubmitted today by Mr. Mir Zaman Safi Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR</p>
2-	27/05/21	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>07/06/21</u></p> <p> CHAIRMAN</p>
	07.06.2021	<p>The Worthy Chairman is on leave, therefore, case to come up for preliminary hearing on 14.09.2021 before S.B.</p> <p> Reader</p>

The appeal of Mr. Farid Ullah CT GCMHS Peshawar City received today i.e. on 08/04/2021 is incomplete on the following score which is returned to the counsel for the appellent for completion and resubmission within 15 days.

- 1- Annexure-G of the appeal is illegible which may be replaced by legible/better one.
- 2- Annexures of the appeal may be attested.

No. 678 /S.T,

Dt. 08/04 /2021

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Mir Zaman Safi Adv. Pesh.

*Note:*

*Sir,*

*All objections have been removed,  
hence re-submitted today dated 12.4.2021.*

*M. Zaman*

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

4818

APPEAL NO. \_\_\_\_\_/2021

**FARID ULLAH**

**VS**

**EDUCATION DEPTT:**

**INDEX**

<b>S.NO.</b>	<b>DOCUMENTS</b>	<b>ANNEXURE</b>	<b>PAGE</b>
1	Memo of appeal	.....	1- 3.
2	Appointment order	<b>A</b>	4- 5.
3	Educational testimonials	<b>B</b>	6- 7.
4	Impugned Notification	<b>C</b>	8- 13.
5	Judgments	<b>D &amp; E</b>	14- 20.
6	Departmental appeal	<b>F</b>	21.
7	Notification dated 15.12.2011	<b>G</b>	22.
8	Wakalat nama	.....	23.

**APPELLANT**

**THROUGH:**

  
**MIR ZAMAN SAFI**  
**ADVOCATE**

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

APPEAL NO. \_\_\_\_\_/2021

Mr. Farid Ullah, CT (BPS-15),  
GCMHS Peshawar City.

..... APPELLANT

VERSUS

- 1- The Secretary Elementary & Secondary Education Department, Khyber Pakhtunkhwa Peshawar.
- 2- The Secretary Establishment Department, Khyber Pakhtunkhwa, Peshawar.
- 3- The Secretary Finance Department, Khyber Pakhtunkhwa, Peshawar.
- 4- The Director Elementary & Secondary Education Department, Khyber Pakhtunkhwa Peshawar.
- 5- The District Education Officer, (male) District Peshawar.

.....RESPONDENTS

**APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE INACTION OF THE RESPONDENTS BY NOT CONSIDERING THE APPELLANT FOR PROMOTION TO THE POST OF S.S.T (BPS-16) ON THE BASIS HAVING BACHELOR DEGREE IN 3<sup>RD</sup> DIVISION AND AGAINST THE SERVICE RULES NOTIFIED ON 24.7.2014 WHEREBY THE CONDITION OF BACHELOR 2<sup>ND</sup> DIVISION HAS BEEN INSERTED IN SERIAL NO.1B, COLUMN NO.3(i) OF THE TABLE AND AGAINST NOT TAKING ACTION ON DEPARTMENTAL APPEAL OF APPELLANT WITHIN STATUTORY PERIOD OF NINETY DAYS**

**PRAYER:**

That on acceptance of this appeal the impugned service Rules dated 24.7.2014 may kindly be modified to the extent that the condition of Second Division/Class be expunged from Column No.3 (i), serial No.1B of the table and the respondents may kindly be directed to consider the appellant for promotion to the post of Secondary School Teacher (BPS-16) from the date when his Colleagues and junior colleagues were promoted with all consequential back benefits including seniority. Any other remedy which this august Tribunal deems fit that may also be awarded in favour of the appellant.

**R/SHEWETH:**

**ON FACTS:**

*Brief facts giving rise on the present appeal are as under:*

- 1- That appellant was initially appointed as CT (BPS-09) now (BPS-15) vide order dated 31.10.1996. That right from appointment till date the appellant is serving the respondents department quite efficiently and of to the entire satisfaction of his superiors. Copy of the appointment order is attached as annexure.....**A.**
- 2- That appellant is higher qualified having master in Arts in second division. Copy of academics documents are attached as annexure.....**B.**
- 3- That it is pertinent to mention here that the respondents issued the impugned notification dated 24/07/2014 whereby the post of secondary school teacher was restructured and 20% promotion quota to the aforementioned post was reserved for primary school teachers. That according to the said notification required qualification for initial recruitment as well as promotion was mentioned as second class bachelor degree. Copy of impugned notification dated 24/07/2014 is attached as annexure.....**C.**
- 4- That it is pertinent to mention here that the respondents denied promotion to some colleagues of the appellant to the post of SST due to having third class bachelor degree. That feeling aggrieved the said colleagues of the appellant filed writ petitions which were allowed in favor of petitioners vide judgments dated 05/04/2016 and 28/01/2016 and consequently they were promoted to the post of SST. Copies of the judgments dated 28/1/2016 and 05/04/2016 are attached as annexure.....**D&E.**
- 5- That it is worth mentioning that appellant was also denied from promotion due to having third class bachelor degree despite the fact that appellant is having second division in higher qualification i.e. Master in Arts.
- 6- That appellant being a similar placed employee approached the respondents to extend him the benefits of above mentioned judgments, but still in vain. Copy of the Departmental appeal is attached as annexure.....**F.**
- 7- That it is also pertinent to mention that establishment department issued a notification dated 15/12/2011 whereby amendment has been made in PMS rules 2007 by providing that a candidate who has obtain 3<sup>rd</sup> division in bachelor degree will be eligible for the examination in cases where he/she has obtained a higher division in Master's degree. Copy of notification is attached as annexure .....**G.**
- 8- That feeling aggrieved and having no other remedy the appellant filed the instant appeal on the following grounds amongst the others.



**GROUND:**

- A- That the impugned notification dated 24/07/2014 to the extent of second class bachelor degree for promotion is against the law facts and judgment of Peshawar high court, hence not tenable and liable to be modified and the words second class be expunged only for promotion purpose.
- B- That the petitioner has not been treated in accordance with law and rules by the respondent Department on the subject noted above and as such the respondents violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.
- C- That appellant is entitled to be promoted to the post of SST from due date in light of judgments of Peshawar high court by attracting principle of consistency as mentioned in 2009 SCMR 1.
- D- That appellant has second division in higher qualification i.e. master in arts and entitle to be promoted from due date in light of notification dated 15/12/2011.
- E- That the appellant has been discriminated on the subject noted above and as such the respondents violated the principle of natural justice.
- F- That appellant seeks permission to advance other grounds and proofs at the time of hearing.

It is therefore most humbly prayed that the appeal of the appellant may be accepted as prayed for.

Dated: 05.04.2021

**APPELLANT**

  
**FARID ULLAH**

**THROUGH:**   
**MIR ZAMAN SAFI**  
**ADVOCATE**

**BETTER COPY OF PAGE-4**

**OFFICE OF THE DIVL: DIRECTOR OF EDUCATION (S) PESHAWAR**  
**DIVISION, PESHAWAR**

**APPOINTMENT**

Appointment of the following person(s) is hereby ordered against the vacant post of CT at Rs.1605/- fixed plus usual allowances as admissible under the rules in BPS 9 at the Institution noted against each names:-

S.No.	Name/Qualification & Address	Posted at	Remarks
1.	Mr. Fareed Ullah S/O Fazli Mabood Vill: & P/O Mian Gujar, Peshawar.	GHS Sheikh Muhammadi, Peshawar	Against vacant CT post

**TERMS & CONDITIONS:-**

1. His/Her appointment is purely temporary & liable to termination at any time without assigning any reasons or notice.
2. In case of resignation he/she will have to submit one month's prior notice to the Deptt: OR forfeit one month pay in lieu thereof to the Govt:
3. He/She is required to produce health & age certificate from the Medical authority concerned before taking over charge provide he/she is not in Govt: service.
4. He/She should not be allowed to take over charge if his/her age is less than 18 years or above 30 + 2 years.
5. His/her appointment is subject to further condition that he/she is Domiciled of NWFP.
6. All original Educational, character/Domicile certificates should be thoroughly checked before handing over charge, if necessary it should be verified from the institutions concerned.
7. If he/she fails to take over charge of the post within 15 days of the receipt of this order the offer of appointment shall stand cancelled.
8. Charge reports should be submitted to the concerned.
9. No TA/DA etc is allowed.
10. He/she should be given test is Nazira Quran & Pakistan studies & result intimated to this office.

**DIVL: DIRECTOR OF EDUCATION (SCHOOL),  
PESHAWAR DIVISION, PESHAWAR**

Endst: 1985-90/dated Peshawar the 31/10/1996

OFFICE OF THE DIVL. DIRECTOR OF EDUCATION(S) PESHAWAR DIVISION PESHAWAR.

APPOINTMENT

Appointment of the following person(s) is hereby ordered against the post of CT at Rs. 1605/- fixed plus usual allowances as admissible under the rules in BBS 9 (Bs) at the Institution noted against each name.

S.No;	Name, Qualification & Address	Posted at	Remarks.
1.	Mr. Fareedullah S/O. Fazli Mahood Village and P.O. Mian Gujar Peshawar.	GHS Sheikh Mohammadi Peshawar.	Against vacant CT Post.

TERMS & CONDITIONS

1. His/Her appointment is purely temporary & liable to termination at any time without assigning reasons OR notice.
2. In case of resignation he/she will have to submit one Month's prior notice to the Deptt; OR forfeit one month's pay in lieu thereof to the Govt;.
3. He/She is required to produce health & age certificate from the Medical authority concerned before taking over charge provide he/she is not in Govt; service.
4. He/She should not be allowed to take over charge if his/her age is less than 15 years OR above 30 + 2 years ( years).
5. His/her appointment is subject to further condition that he/she is domiciled of NWFP.
6. All original Educational character & domicile certificates should be thoroughly checked before handing over charge, if necessary it should be verified from the Institutions concerned.
7. If he/she fails to take over charge of the post within 15 days of the receipt of this order the offer of appointment shall stand cancelled.
8. Charge reports should be submitted to all concerned.
9. No TA/DA etc is allowed.
10. He/she should be given test in Nazira Quran & Pakistan Studies & result intimated to this office.

~~XXXXXXXXXXXX~~  
 DIVL. DIRECTOR OF EDUCATION (SCHOOLS),  
 PESHAWAR DIVISION PESHAWAR.

Enst; No: 1485-90 / Dated Peshawar the 31/11 /1995.

Copies to the:-

Mr. GHS Sheikh Mohammadi.

xxx Divl. Director of Education (Schools),  
 Peshawar Division Peshawar.

XXXXXXXXXX

*[Handwritten signature]*

ADJUSTMENT.

Due to non-availability of post Mr. Fareedullah CT is hereby adjusted at GHS Mian Gujar Peshawar against vacant CT post vice Saeedur-Rahman transferred on his own pay and scale in the interest of public service w.e.f. the date of his taking over charge.

Notes:- 1. Charge Report should be sent to all concerned.  
2. No TA/DA etc is allowed.

( HAJI MOHAMMAD ZAMAN KHAN )  
DIVISIONAL DIRECTOR OF EDUCATION (S)  
PESHAWAR DIVISION, PESHAWAR.

ENDST: NO. 22620-24/

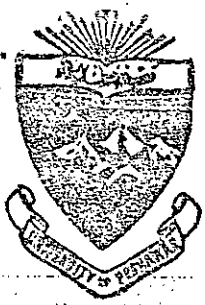
DATED PESHAWAR THE 24/11/1996.

Copy forwarded to the:-

1. A.G. NWFP Peshawar.
2. Distt: Edu: Officer (M/S) Peshawar.
3. Headmaster GHS Mian Gujar Peshawar.
4. Supdt: Estt: Branch.
5. P. File.

*A. A. Khan*  
AD(P&D)  
for/Divl: Director of Education(S)  
Peshawar Division, Peshawar.

*M. B. Khan*



(Pakistan)

B-6

B.Sc. (T.Y.C.) ~~sc. Detailed Marks Certificate~~  
PASSED/RE-APPEARED/FAILED

ROLL No. 100901

BACHELOR OF ARTS EXAMINATION 2000 (Annual Supplementary)

NAME Fazil-ullah

FATHER'S NAME Fazli Mabood

The Candidate secured the following marks and has been placed in... 3rd ... Division

SUBJECTS	MARKS OBTAINED		
	allo ted	In Figures	In Words
1. English	150	49	Forty nine
2. Maths - A.	150	78	Seventy eight
3. Maths - B.	150	52	Fifty two
4. Pakistan Studies	40	15	Fifteen
5. Islamiyat	60	45	Forty five
TOTAL	590	239	Two hundred thirty nine

*[Signature]*

The Examination was Taken as a ~~whole~~ / in parts

31 OCT 2000

DATE: \_\_\_\_\_

CONTROLLER OF EXAMINATIONS  
UNIVERSITY OF PESHAWAR

No 017200

Registration No AUP(E) 2830 - 200

Al-Khair University



Session 2004 - 2005

This is to certify that

Farid Ullah S/O Fazli Mabood

Has obtained the Degree of

Bachelor of Education

in this University at the Examination held in August, 2005

*L. Bashir*  
Controller of Examinations

*Zulqarnain Mees*

Chancellor

Muzaffarabad March 25, 2006

No 031775

Registration No. AUPHT (Pak) 760-2008

F/A

# Al-Khair University



Session 2008 - 2010

This is to certify that

Farid Ullah S/O Fazli Mabood

Has obtained the Degree of

M. A ( Pakistan Studies )

in this University at the Examination held in December, 2010

*L. Bashir*  
Controller of Examinations

*M. J. J.*  
Chancellor

Muzaffarabad October 9, 2012



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

Peshawar, dated the 24<sup>th</sup> July, 2014.

NOTIFICATION

No.SO(PE)4-5/SSRC/Meeting/2013/Teaching Cadre:- In pursuance of the provisions contained in sub rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Elementary and Secondary Education Department in consultation with the Establishment Department and the Finance Department hereby directs that in this Department's Notifications No.SO(G)S&LD/1-28/2003/Vol-II dated, 09-04-2004, Notification No.SO(G)S&L/1-69/06/Vol-1/DPE/LIB dated, 13-11-2007, and Notification No.SO(PE)4-5/SSRC/Meeting/2012/Teaching Cadre, dated, 13.11.2012, the following further amendments shall be made, namely:

AMENDMENTS

In: the Appendix,-

(i) Serial No. 1 shall be renumbered as 1B and before Serial No. 1B, as so renumbered, the following new entries shall be inserted in respective columns, namely:

1	2	3	4	5
"1"	Subject Specialist (BPS-17)	i. At least second class Master's Degree or four years BS Degree in the relevant subject; and ii. Bachelor of Education or Master of Education (Industrial Art or Business Education) or M.A Education or equivalent qualification from a recognized University.	23 to 35 years	(a) Fifty per cent by promotion, on the basis of seniority-cum-fitness, for the relevant subject from amongst the Secondary School Teachers (BPS-16), with at least five years service as such and having qualification mentioned in column No. 3.  <b>Note:</b> If no suitable candidate is available in the relevant subject the post falling in their promotion quota shall be filled by initial

10

Annex 'A'

C-8

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*[Handwritten signature]*



9

				recruitment; and (b) fifty percent by initial recruitment.
1A	Director Physical Education (BPS-17)	At least second class Master's Degree in Physical Education from a recognized University.	22-35 years	(a) Fifty percent by promotion, on the basis of seniority-cum-fitness, from amongst Senior Physical Education Teachers (BPS-16), with at least five years service as Senior Physical Education Teacher and Physical Education Teacher and having qualification mentioned in column No. 3:  Provided that if no suitable person is available from amongst Senior Physical Education Teachers for promotion then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from amongst the Physical Education Teachers, with at least five years service as such and having qualification mentioned in column No. 3;  <b>Note:-</b> If no suitable candidate is available in the relevant cadres of the above teachers, the post falling in their promotion quota shall be filled by initial recruitment; and  (b) fifty percent by initial recruitment"; and

Annex "A"

(ii) against Serial No. 1B, as so renumbered, for the existing entries, the following shall be substituted, in respective columns, namely:

10

1	2	3	4	5
1B.	Secondary School Teacher (BPS-16)	<p>I. At least second class Bachelor Degree's from a recognized University on need basis from the following groups with two subject</p> <p>(a) (Chemistry, Botany or Zoology), Or (b) (Physics, Maths "A" or "B" or Statistics) Or (c) (Humanities and other equivalent groups at degree level with English as compulsory subject;</p> <p style="text-align: center;">and</p> <p>II. Bachelor of Education or Master of Education (Industrial Art or Business Education) or M.A Education or equivalent qualifications from a recognized University.</p>	21 to 35 years.	<p>1. Seventy Five per cent by promotion, on the basis of seniority-cum-fitness, from the district concerned in the following manner:</p> <p>(a) forty per cent from amongst the Senior Certified Teachers (BPS-16), with at least five years service as Senior Certified Teacher and Certified Teacher and having qualification mentioned in column No.3:</p> <p style="text-align: center;">Provided that if no suitable candidate is available from amongst Senior Certified Teachers for promotion then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from amongst Certified Teachers, with at least five years service as such and having qualification mentioned in column No. 3;</p> <p>(b) four per cent from amongst the Senior Drawing Masters(BPS-16), with at least five years service as Senior Drawing Masters and Drawing Masters and having qualification mentioned in column No.3:</p>

*[Handwritten signature]*

*[Handwritten signature]*  
CTC

11

				<p>Provided that if no suitable candidate is available from amongst Senior Drawing Masters for promotion then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from amongst Drawing Masters with at least five years service as such and having qualification mentioned in column No. 3;</p> <p>(c) four per cent from amongst the Senior Arabic Teachers(BPS-16), with at least five years service as Senior Arabic Teachers and Arabic Teachers, and having qualification mentioned in column No.3:</p> <p>Provided that if no suitable candidate is available from amongst Senior Arabic Teachers for promotion then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from Arabic Teachers with at least five years service as such and having qualification mentioned in column No. 3;</p> <p>(d) four per cent from amongst the Senior Theology Teachers(BPS-16), with at least five years service as Senior Theology Teachers and Theology Teachers and having qualification mentioned in column No.3;</p>
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*M. P.*

12

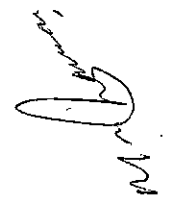
14

				<p>Provided that if no suitable candidate is available from amongst Senior Theology Teachers for promotion then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from amongst Theology Teachers with at least five years service as such and having qualification mentioned in column No. 3;</p> <p>(e) three per cent from amongst the Senior Qaris (BPS-16), with at least five years service as Senior Qari and Qari and having qualification mentioned in column No.3:</p> <p>Provided that if no suitable candidate is available from amongst the Senior Qaris then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from Qaris with at least five years service as such and having qualification mentioned in column No. 3;</p> <p>(f) twenty per cent from amongst the Primary School Head Teachers (BPS-16), with at least seven years service as Primary School Head Teachers and Senior Primary School Teachers and Primary School Teachers and having qualification mentioned in column No. 3:</p> <p>Provided that if no suitable candidate is available from amongst</p>
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CTC

13

				<p>Primary School Head Teachers for promotion then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from amongst Senior Primary School Teachers with at least seven years service as Senior Primary School Teachers and Primary School Teachers and having qualification mentioned in column No.3:</p> <p>Provided further that if no suitable candidate is available from amongst Senior Primary School Teachers for promotion then the post shall be filled from amongst Primary School Teachers with at least seven years service as such and having qualification mentioned in column No. 3; and</p> <p>(ii) twenty Five percent by initial recruitment.</p> <p><b>Note:</b></p> <p>I. If no suitable candidate is available in the relevant cadre of the above teachers, the post falling in their promotion quota shall be filled by initial recruitment.</p> <p>II. Posts of General SST and SSTs-1 Science and SST-2 Science shall be filled by promotion or initial recruitment, each on need basis separately."</p>
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15

**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.
14. All District Account Officer in Khyber Pakhtunkhwa.
15. All Agency Education Officer in FATA
16. All Agency Account Officer in FATA.
17. PS to Governor Khyber Pakhtunkhwa. Peshawar.
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

(ZAMIN KHAN MOMAND)  
SECTION OFFICER (PRIMARY)

**PESHAWAR HIGH COURT BANNU BENCH  
FORM OF ORDER SHEET**

Date of order or other proceedings	Order or other proceedings with signature of Judge (S)
(1)	(2)
<p><b>28.01.2016</b></p>	<p><b>WP No.73-B-2014</b> Present Mr. Ali Jan Khan Advocate for petitioner: <b>MUHAMMAD GHAZANFAR KHAN</b> :-</p> <ol style="list-style-type: none"> <li>1. the petitioner namely Muntaz khan son of the Gull Jan, through the instant Constitutional petition under Article 199 of the Constitution of Islamic Republic of Pakistan 1973, seeks issuance of directions to the respondents/department to consider him for promotion in the post of SST in BPS-16 in view of the department promotion committee meeting held on 18.01.2014.</li> <li>2. we have heard learned counsel for the petitioner and gone through the available record of the case.</li> <li>3. Perusal of the record transpires that the petitioner has passed B.A in third division while as per notification bearing No. _____ dated 18.1.2011 the minimum qualification for the post of SST BPS-16 are Bachelor's degree or MA in education bachelor degree in education. The record further shows that the petitioner has also passed M.ed during the year 2000 in second division and M.A History and Pak study during the session 2003 in second division.</li> <li>4. In wake of the above, we direct the respondents to consider the petitioner for promotion to the post of SST BPS-16 in the next departmental promotion Committee meeting on the basis of his degree in MA History and Pak Study coupled with M.ed qualifications. The writ petition is disposed of in the above terms.</li> </ol> <p align="right"><b>Sd/- ikramullah khan</b></p> <p><b>ANNOUNCED 28.01.2016.</b></p> <p align="right"><b>Sd/-Muhammad Ghazanfar Khan, J</b></p>

*M. Ghazanfar Khan*

FORM OF ORDER SHEET

Date of order  
of other  
proceedings

(1)

Order of order  
with signature of judge(s)

(b)

Case No. 73-B-2014

28/01/2016

Present: Atty. *[Signature]* and *[Signature]* for decision of the

*[Signature]*

Article 199 of the Constitution of the Philippine Republic

of Philippine 1973, such issuance of directions to the

respondents/department to consider and

promote in the post of SSS and SSSD and

the Department through the Committee in

held on 18-01-2014

We have heard counsel for the

petitioner and through the honorable

the case

1. The court finds in favor of the

petitioner on the basis of the

substantial evidence shown by the

petitioner and the law.

WHEREFORE, the petitioner prays that the

court grant the petition for

OFFICE OF THE  
PROSECUTOR GENERAL  
MANILA  
RECEIVED  
JAN 28 2016

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P

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CELESTINE TO...  
9/12/03

*[Handwritten initials/signature]*

Sgt. Michael...  
Sgt. Michael...

ANNOUNCE...  
28/01/2016

person is disposed of in the...  
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Department...  
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record...

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Answer

BETTER COPY- E

**Judgment Sheet**

**IN THE PESHAWAR HIGH COURT, ABBOTTABAD BENCH JUDICIAL DEPARTMENT**

Writ Petition No.1041-A/2015

**JUDGMENT**

1. **IKRAMULLAH KHAN, J:-** Through the instant writ petition under article 199 of the Islamic republic of Pakistan, 1973 the petitioner seeks declaration to the effect that the act of respondent NO, 3 where by the promotion notification dated 28.10.2014 was withdrawn vide impugned notification 24.04.2014 on the ground of having qualification of B.Sc (3<sup>rd</sup> division) is illegal and without lawful authority and against the judgment of this court passed in W.P.No.58-B of 2014.
2. In essence, the petitioner was initially appointed as certified teacher and, as per entitlement, later on promoted to the post of senior certified teacher (BPS-16) Vide notification dated 28.10.2014. where after the petitioner assumed the charge of the said post on 30.10.2014 and after performing his duties to the satisfaction of his competent authority, on 24.04.2015 respondent No,3 has passed the impugned notification and, as such, the promotion order of the petitioner was withdrawn on the ground having B.SC in third division.
3. Comments were called from respondent No.3 who filed the same , averring therein that though petitioner was promoted to the post of SST vide notification dated 28.10.2014 by respondent No.2 scrutinizing his qualification documents, it was found that petitioner was not eligible for promotion to the post of SST being B.SC third divisioner hence, his promotion order was de- notified by the director elementary and secondary education : Khyber Pakhtunkhwa Peshawar and on the direction of director the promotion order of the petitioner was withdrawn vide impugned notification dated 24.04.2015.
4. It is further been averred in the comments that promotion order of the petitioner was withdrawn on the ground of B.sc third division and it was done in light of policy circulated vide Notification No.SO(PE)4-5/SSRC/meeting/2013/teaching cadre dated 24.07.2014 according to which the method of recruitment of SST was specified with a first condition of at least second class BA/Bsc from a recognized university on need basis with two relevant subjects along with second condition of MA education or B.ed from the recognized university further averred that it is the prerogative of the government to enhance, modify or alter the promotion criteria/ policy for the civil servants and a civil servant is not supposed to be treated with a set of rules of his own choice .
5. In response to para-6 of the petition, respondent No.3 averred in the comments that the judgment of this court was announced on 04.06.2015 where as the withdrawal order of the petitioner was passed on 24.04.2015, prior to the announcement of the judgment.
6. The man contention of learned counsel for the petitioner is that this court has already declared the condition of having third division as null and void in its judgment dated 04.06.2015 and the case of the petitioner is on better footing for reason that in referred judgment the petitioner had not been appointed but so far as the case of the petitioner is concerned, he was duly promoted rather received its benefits from 28.10.2014 to 24.04.2015 and thus the impugned order is illegal, without lawful authority and jurisdiction.

*[Handwritten signature]*

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7. Admittedly, the petitioner was duly promoted to the post of question on 28.10.2014, after the departmental promotion committee evaluated his case /PERs.
8. Now the question for determination before this court would be that when the petitioner actually performed his duties on the promoted post and that too for six long months, then how the respondent No.3 could withdraw earlier promotion order only on the pretext having B.Sc third division.
9. It appears from the record that a division Bench of this had already declared the condition of having third division as null and in its judgment dated 04.06.2015 which fact has also been affirmed by the respondent No.3 in his comments by stating that they were not aware of that judgment at the time of withdrawal of the impugned promotion of the petitioner and when the case of the present petitioner is it par with that of the petitioner there in, rather on better footing because the petitioner was not only promoted to the post in question but he performed his duties for six long months and received its benefits, the impugned notification passed by respondent No,3 is required to be set at naught.
9. It is also a well settled principle of law that once a benefit is granted to a civil servant, cannot taken back from him and, if so, very stringent strong reason are required for the same, which are not available in the case in hand, more so, when the promotion order of similarly placed teachers having B.Sc third division have not been so far withdrawn which is clearly violation of article 25 of the constitution of Pakistan.
10. For the reasons mentioned above, this petition is accepted and the impugned notification dated 24.04.2015 issued by respondent No.3 where by the promotion order of the petitioner was withdrawn is declared to be without lawful authority and, as, such the promotion notification dated 28.10.2014 is hereby restored.

**Announced:  
05.04.2016.**

*M. Chaudhary*

Judgment  
IN THE PESHAWAR HIGH COURT

W.P. No. 103 of 2014

103 of 2014

Date of hearing

Petitioner

Respondents

YOUSUF AHMED through counsel  
under Article 199 of the Islamic Republic of Pakistan  
petitioner seeks declaration that the fact of  
respondent No 3 whereby the impugned notification dated  
28.10.2014 was withdrawn (vide impugned notification dated  
24.04.2014 on the ground of having made a wrong  
division) is illegal and without jurisdiction.

← judgment of this court passed in W.P. No. 83 of 2014

2. In essence, the petitioner was appointed as  
Certified Teacher and as per entitlement he was promoted to  
the post of Senior Certified Teacher (B) in the school  
dated 28.10.2014 whereafter the petitioner was in the charge  
of the said post on 30.10.2014 and after discharging his duties  
to the satisfaction of his competent authority on 24.04.2015  
respondent No 3 has passed the impugned notification and as

certified to be a  
103 of 2014

ATTEST

*[Signature]*



such, the promotion order of the petitioner was cancelled on the ground of having B.A. in third division.

3. Comments were called from respondents No. 1 and No. 2 the same averring therein that though petitioner was promoted to the post of SST vide notification dated 20.07.2013 by respondents No. 2 but on scrutinizing his educational documents, it was found that petitioner was not eligible for promotion to the post of SST being a holder of B.A. in third division hence, his promotion order was declared null and void.

4. Elementary and Secondary Education Board, Peshawar and on the direction of Director, the promotion order of the petitioner was withdrawn with compliance certificate dated 24.04.2015.

It was further been averred in the comments that promotion order of the petitioner was withdrawn on the ground of B.Sc. third division and it was done in pursuance of notification circulated vide Notification No. S.O. 263/2013/teaching cadre dated 24.07.2013 in which the method of recruitment of SST was specified with a first condition of at least second class B.A./B.Sc. from a recognized University on need basis with two relevant subjects along with second condition of M.A. Education from a recognized University or recognized University further avanced that it is the prerogative of the government to enhance mode of recruitment.

WITNESSED

*(Signature)*

criteria / policy for the civil servants and a civil servant is to

supposed to be treated with respect of his or her choice

5 In response to Para 6 of the petition respondent has

advised in the comments that the judgment of the court was

announced on 04-06-2015 whereas the withdrawal order of the

petitioner was passed on 24-04-2015. Prior to the announcement

of the judgment

6 The main contention of learned counsel for the

petitioners that this court has already declared the condition of

having third division as null and void in its judgment dated

04-06-2015 and the case of the petitioners on better footing of

the reason that in the referred judgment the respondent had not

been appointed but so far as the case of the petitioners

concerned he was duly promoted and received his benefits

from 28.10.2014 to 24.04.2015 and thus the impugned orders

illegal, without any authority and in violation

7 Admittedly, the petitioner was duly promoted for the

post in question on 28.10.2014 after the departmental

promotion committee evaluated his case / P.F.S.

8 Now the question for determination before this court

would be that when the petitioner actually performed his duties

on the promoted post and duration for six long months, then

how the respondent No. 3 could withdraw the order of promotion

~~Order only under the name of the respondent No. 3~~

~~of the respondent No. 3~~

~~of the respondent No. 3~~

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issued by respondent No. 2, whereby the respondent No. 1 was  
accepted and the respondent No. 2 was appointed as the  
For the reasons mentioned above, this petition  
Pakistan

which is clearly a violation of Article 23 of the Constitution of  
having B.Sc. third division have been appointed as the  
when the promotion order of the respondent No. 1 is issued  
same, which is not available in the case file of the respondent  
and, if so, why, and if not, why, reasons therefor. For the  
benefit is granted to the respondent No. 2, the respondent No. 1  
It is also a well settled principle that the respondent No. 1  
B.Sc. at the respondent No. 2's place.

impugned promotion order issued to the respondent No. 2, and  
his dues for six long months and also the respondent No. 1's  
was not only promoted to the post in question but also performed  
duties there. In such a situation, the respondent No. 1's  
when the case of the respondent No. 1 is pending, the respondent No. 2  
withdrawal of the impugned promotion of the respondent No. 2 and

stating that the respondent No. 1 is not a candidate for the  
also been appointed to the post in question. The respondent No. 1  
null and void in its judgment and the respondent No. 2  
had already decided the respondent No. 1's case.  
If the respondent No. 1 is not a candidate for the post in question,  
the respondent No. 2's promotion is valid and the respondent No. 1's  
petition is dismissed with costs.

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28.10.2014

*[Handwritten signature]*  
28.10.2014

Announced  
05.04.2016

28.10.2014

authority, and as such, it is not possible to provide any further information.

*[Handwritten signature]*  
28.10.2014



To,

The Secretary,  
E&SE Department,  
Khyber Pakhtunkhwa, Peshawar

F-21

Subject:


**DEPARTMENTAL APPEAL AGAINST THE INACTION OF THE RESPONDENTS BY NOT CONSIDERING THE APPELLANT FOR PROMOTION TO THE POST OF SST (BPS-16) ON THE BASIS OF HAVING BACHELOR DEGREE IN 3<sup>RD</sup> DIVISION AND AGAINST THE SERVICE RULES NOTIFIED ON 24.07.2014 WHEREBY THE CONDITION OF BACHELOR 2<sup>ND</sup> DIVISION HAS BEEN INSERTED IN SERIAL NO.1B, COLUMN NO.3(i) OF THE TABLE.**

Respected Sir,

With due respect it is stated that I was initially appointed as Certified Teacher in the respondent Department vide order 31.10.1996 and right from the date of my 1<sup>st</sup> appointment I am performing my duties quite efficiently and upto the entire satisfaction of his superiors. During service I have acquired Master degree in Arts in second Division from Al-khair University AJK but the authorities issued the impugned Notification dated 24.07.2014 whereby the post of SST was restricted and 20% promotion quota to the aforementioned post was reserved for Primary School Teachers. That according to the said Notification required qualification for initial recruitment as well as promotion was mentioned as second class bachelor degree. That the concerned authority denied promotion of my some colleagues to the post of SST due to having third class bachelor degree. They were feeling aggrieved filed writ petitions which were allowed in favor of petitioners vide judgment dated 05.04.2016 and 28.01.2016 and consequently they were promoted to the post of SST. That I was also denied from promotion due to having third class bachelor degree despite the fact that I am having second division in higher qualification of Master in Pak Studies. That being a similar placed employee approached the concerned authority to extend the same benefit of the above mentioned judgments but in vain. That the establishment Department issued a Notification dated 15.12.2011 whereby amendment has been made in PMS rules 2007 by providing that a candidate who has obtain 3<sup>rd</sup> division in bachelor degree will be eligible for the examination in cases where he/she has obtained a higher division in Master's degree. That feeling aggrieved from the inaction of the concerned authority by not considering me for promotion to the post of SST (BPS-16) filed the instant Departmental appeal before your good self.

It is therefore, most humbly prayed that on acceptance of this Department appeal I may very kindly be considered for promotion to the post of SST (BPS-16) from the date when my colleagues and junior colleagues were promoted with all consequential benefits including seniority. Any other remedy which your good self deems fit that may also be awarded in my favor.

Dated: 17.12.2020

APPLICANT  
  
FARID ULLAH, CT (BPS-15),  
GCMHS Peshawar Cantt:

CONFIDENTIAL

Handwritten signatures and initials at the top of the page.

SECRETARY OF DEFENSE

Director, Defense Security Administration  
Secretary, Defense Security Administration  
Deputy Secretary, Defense Security Administration  
Chief of Staff, Defense Security Administration  
Director, Defense Security Administration  
Deputy Director, Defense Security Administration  
Chief of Staff, Defense Security Administration  
Deputy Chief of Staff, Defense Security Administration  
Director, Defense Security Administration  
Deputy Director, Defense Security Administration  
Chief of Staff, Defense Security Administration  
Deputy Chief of Staff, Defense Security Administration

CONFIDENTIAL

The following information is being furnished to you for your information only. It is not to be disseminated outside your organization.

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GOVERNMENT OF THE UNITED STATES OF AMERICA  
ESTABLISHED 1789



**VAKALATNAMA**

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

\_\_\_\_\_ OF 2021

Farid Allah

(APPELLANT)  
(PLAINTIFF)  
(PETITIONER)

**VERSUS**

Education Deptt.

(RESPONDENT)  
(DEFENDANT)

I/We Farid Allah

Do hereby appoint and constitute **MIR ZAMAN SAFI, Advocate, Peshawar** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.


Dated. \_\_\_\_/\_\_\_\_/2021

  
\_\_\_\_\_  
**CLIENT**

  
**ACCEPTED**  
**MIR ZAMAN SAFI**  
**ADVOCATE**

OFFICE:

Room No.6-E, 5<sup>th</sup> Floor,  
Rahim Medical Centre, G.T Road,  
Hashtnagri, Peshawar.  
Mobile No.0323-9295295

  
Afrasiab Inazir  
Advocate

**GOVERNMENT OF KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT**

**Dated: Peshawar the December, 15, 2011**

**NOTIFICATION**

No. SOE.II (ED) 2/1-1/2011:- In exercise of the powers conferred by Section 26 of the Khyber Pakhtunkhwa Civil Servant Act, 1974 (Khyber Pakhtunkhwa Act No. XVIII of 1973), the Chief Minister Provincial Management Service Rules 2007 the following further amendments shall be made namely:-

**AMENDMENT**

In Schedule-I, against Sr. No.1 in Column No.3 the full stop appearing at the end shall be replaced by colon and thereafter the following proviso shall be added namely:-

“ Provided that candidate who has obtained 3<sup>rd</sup> Division or D. Grade in bachelors Degree will be eligible for the examination in cases where he/she has obtained a higher Division in Master Degree.

**CHIEF SECRETARY  
KHYBER PAKHTUNKHWA**

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

**Service Appeal No.4818/2021**

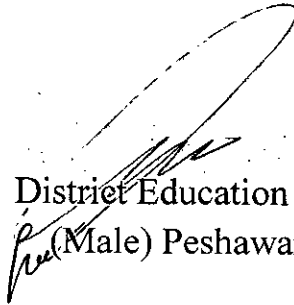
**Mr. Farid Ullah.....Appellant**

**VS**

**Secretary E &SE Department, Peshawar & others.....Respondent**

**INDEX**

<b>S.No</b>	<b>Description of Documents</b>	<b>Annexure</b>	<b>Page No.</b>
1.	Reply	----	1-2
2.	Copy of Notification/Rules	A	3-6

  
District Education Officer,  
(Male) Peshawar.

①

**BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR**  
**SERVICE APPEAL NO.4818/2021**

**MR FARID ULLAH.....Appellant**

**VS**

**Secretary E&SE Department, Kpk Peshawar & others Respondents**

**PARA WISE COMMENTS ON BEHALF OF RESPONDENT No.1, 4 & 5.**

Respectively Sheweth:

The Respondent, submit below:

**PRELIMINARY OBJECTIONS:**

1. That the Appellant has got no cause of action /locus standi.
2. That the Appellant has concealed material facts from this Hon'ble Tribunal.
3. That the Appellant has been estopped by his own conduct to file the instant appeal before this Hon'ble Tribunal.
4. That the instant Appeal is badly time barred.
5. That the instant Appeal is not maintainable in its present form.
6. That the instant Appeal is bed for mis- joinder and non- joinder of the necessary and proper parties.
7. That the Appellant has not come with clean hands to this Hon'ble Tribunal.
8. That the instant Appeal is barred by law.

**REPLY ON FACTS:**

1. That Para No.1 & 2 pertains to record.
3. That in reply to Para No.3, it is submitted that the Government issued Notification on dated **24 JULY 2014** regarding the promotion from different cadre of Teacher to SST post. According to the said Notification, the teacher who possess second class Bachelor's Degree plus professional degree for example M.A Education or B.ED can promote to SST teacher. (Copy OF Notification / Rules attached as Annexure A).
4. That reply to Para No 4, it is submitted that the appellant is not illegible for the promotion, the criteria for promotion and appointment against SST Post is that the

That Para No.5 is incorrect, misleading and against the facts. The criteria for appointment to SST is that BA (Second division) and the appellant have third division in B.A degree, so he is not eligible for the post of SST teacher according to rules.

6. That in reply to Para No.6, it is submitted that the appellant is third division BA degree holder; therefore he is not eligible for promotion from S.CT to SST under the rules.

7. That Para No.7 is pertaining to record . Detail reply is given in Para No.3 above.

8. That reply to Para No.8, it is submitted that the Appellant has no cause of action to file the instant appeal in the Hon'ble Tribunal.

**GROUNDS**

A. That Ground-A is incorrect and misleading and against the facts. The notification dated 24/07/2014 is according to law / rules.

B. That Ground-B is incorrect and misleading. The detailed reply has been given the above paras. Moreover the respondents have not violated any article of the constitution of Pakistan 1973.

C. That Ground-C is also incorrect and misleading. The detailed reply has been given in the proceeding paras.

D. That Ground-D is also incorrect and misleading and against the facts. The appellant have third division BA degree, therefore he is not eligible for promotion under the rules and the notification dated 15/12/2011 is no more applicable.

E. That Ground -E is also incorrect and misleading. The detail reply has been given in the above paras.

F. That the Respondents also seek permission to submit other grounds and record at the time of arguments.

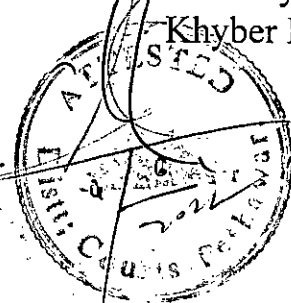
It is therefore, very humbly prayed that on acceptance of this reply, the instant appeal may very kindly be dismissed with cost.

District Education Officer  
(M) Peshawar

*[Signature]*  
Director,

Elementary & Secondary, Education,  
Khyber Pakhtunkhwa, Peshawar.

*Affidavit*  
*It is certified that the contents of the reply drafted in above appeal is correct to the best of my knowledge*




"A" (5)

GOVERNMENT OF THE KHYBER PAKHTUNKHWA  
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT.

NOTIFICATION

*Peshawar, dated the November 13, 2012.*

SSRC/Meeting/2012/Teaching Cadre:- In pursuance of the provisions contained in sub rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil (Appointment, Promotion and Transfer) Rules, 1989 and in supersession of all Notifications issued in this behalf, the Elementary and Secondary Education Department in consultation with the Establishment Department and the Finance Department hereby lays down the method of recruitment, and other conditions specified in the Appendix to this Notification which shall be applicable to all the posts specified in Column No. 2 of the schedule and the schedule therewith.

  
SECRETARY TO GOVERNMENT OF THE KHYBER PAKHTUNKHWA  
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT.

as above.

Forwarded to:-

Secretary to Govt. of Khyber Pakhtunkhwa, Establishment Department.  
Secretary to Govt. of Khyber Pakhtunkhwa, Finance Department.  
Secretary to Govt. of Khyber Pakhtunkhwa, Law Department.  
Secretary Khyber Pakhtunkhwa, Public Service Commission Peshawar.  
Accountant General, Khyber Pakhtunkhwa Peshawar.  
Director (E&SE) Khyber Pakhtunkhwa Peshawar.  
Director Education (FATA), Peshawar.

*Amended  
Form*



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Director Curriculum & Teachers Education Abbottabad  
 Director (PITE) Khyber Pakhtunkhwa Peshawar  
 Director ESPU, Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar  
 Deputy Director Database (EMIS) E&SE Department  
 District Coordination Officers in Khyber Pakhtunkhwa  
 Executive District Officers Elementary & Secondary Education in Khyber Pakhtunkhwa  
 District Accounts Officers in Khyber Pakhtunkhwa / Agency Accounts Officers FATA  
 District Education Officers FATA  
 Governor, Khyber Pakhtunkhwa  
 Chief Minister, Khyber Pakhtunkhwa  
 Chief Secretary, Khyber Pakhtunkhwa  
 Minister E&SE Khyber Pakhtunkhwa Peshawar  
 Secondary E&SE Department

*[Handwritten Signature]*  
 Section Officer (Primary)

*Alister  
 [Signature]*

			(iv) one per cent from amongst the Instructional Material Specialists, with atleast five years service as such and having qualification mentioned in column No. 3; and
			(v) one per cent from amongst the Arabic Teachers with at least five years service as such and having qualification mentioned in Column No.3; and  (b) fifty per cent by initial recruitment.
Arabic Teacher (BPS-16)			By promotion, on the basis of seniority-cum-fitness, from amongst Arabic Teachers, with at least five years service as such and having qualification as prescribed for initial recruitment of Arabic Teacher.
Theology Teacher (BPS-16)			By promotion, on the basis of seniority-cum-fitness, from amongst Theology Teachers, with at least five years service as such and having qualification as prescribed for initial recruitment of Theology Teacher.
Certified Teacher (General)			By promotion, on the basis of seniority-cum-fitness, from amongst Certified Teachers (General), with at least five years service as such and having qualification as prescribed for initial recruitment of Certified Teacher (General).

*Musled*  
*[Signature]*

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