
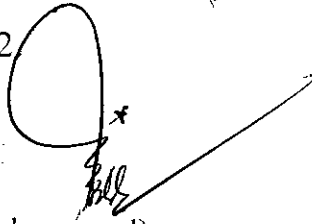


16-9-22

due to summer vacation the case is adjourned to 21-10-22 for same - 

21.10.2022

Appellant in person present. Mr. Kabirullah Khattak, Additional, Assistant Advocate General and Mr. Sabih ur Rehman, Litigation for the respondents present and submitted reply/comments which are placed on file and copy of which handed over to the appellant who sought adjournment on the ground that his counsel is not available today due to strike of lawyers. Adjourned. To come up for arguments before the D.B on 30.11.2022



(Mian Muhammad)  
Member (E)



(Salah-ud-Din)  
Member (J)

30/11/22

Deleted from list to come up on 22-2-23



22.02.2023

Bench is incomplete, therefore, case is adjourned

to 25.05.2023 for the same as before.

  
Reader

Stipulated period passed reply not submitted.

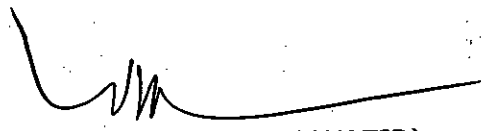
29.07.2021

Learned Addl, A.G be reminded about the omission and for submission of reply/comments within extended time of 10 days.

  
Chairman

10.11.2021


Appellant in person present. Mr. Saleh Mushtaq, ADEO alongwith Mr. Javed Ullah, Assistant Advocate General for respondents present and sought time for submission of reply/comments. Appellant also requested for adjournment on the ground that his counsel is busy before Hon'ble Peshawar High Court, Peshawar. Adjourned. To come up for submission of reply/comments as well as arguments before the D.B on 09.02.2022.

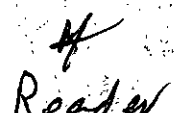
  
(ATIQU UR REHMAN WAZIR)  
MEMBER (E)

  
(SALAH-UD-DIN)  
MEMBER (J)

9-2-2022

Due to retirement of the Hon'ble Chairman the case is adjourned to come up for the same as before on 2-6-2022

  
Reader.

2-6-2022 Proper DB not available the case is adjourned to 16-8-2022  
  
Reader

25.06.2021

Counsel for the appellant present. Preliminary arguments heard.

Points raised need consideration. The appeal is admitted to regular hearing. 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 of the receipt of notices, positively. If the written reply/comments are not submitted within the stipulated time, the office shall submit the file with a report of non-compliance. File to come up for arguments on 10.11.2021 before the D.B.

Appellant Deposited  
Security & Process Fee

25/6/21



  
Chairman

Form- A

FORM OF ORDER SHEET

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

Case No.- 4990 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	05/05/2021	<p>The appeal of Mr. Muhammad Ibrahim presented today by Mr. Faheemullah Akhunzda Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	27/05/21	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>25/06/21</u></p> <p style="text-align: right;"> CHAIRMAN</p>

**BEFORE THE KHYBER PAKHTUBWA SERVICE TRIBUNAL PESHAWAR**

Service Appeal No. \_\_\_\_\_ / of 2021.

**Muhammad Ibrahim**

.....Appellant.

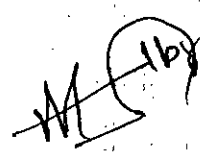
**VERSUS**

**The Secretary E & S E and Others**

.....Respondent.

**I N D E X**

S/No	Description of Documents	Annexure	Page No. <sup>s</sup>
1	Memo of Petition		1- 3
2	Affidavit		4
3.	Copy of appointment order	"A"	5-6
4.	Copy of Up gradation order	"B"	7-8
5.	Copy of working paper	"C"	9-
6.	Copy of promotion notification of 27-07-2017	"D"	10-12
7.	Copies of departmental appeal, reminder, covering letter etc	"E"	13-16
8.	Copy of Promotion order of 30-12-2020	"F"	17-19
9	Copy of departmental appeal	"G"	20-21
10.	Wakalat nama		22

  
PETITIONER

Through:-

  
**Faheem Ullah Akhonzada**  
Advocate High Court  
Peshawar.

Dated: 05/05/2021

①

**BEFORE THE KH YBER PAKHTUBWA SERVICE TRIBUNAL PESHAWAR**

Appeal No. 4990 /2021

Khyber Pakhtukhwa  
Service Tribunal

Diary No. 5212

Dated 25/5/2021

Mr. Muhammad Ibrahim STT (BPS-16) GHSS, Beer District Haripur.

Appellant

**VERSUS**

1. The secretary E& SE department Khyber Pakhtubkhwa Peshawar.
2. The Director E& SE department Khyber Pakhtubkhwa Peshawar.
3. The District Education officer (M) district Haripur.

Respondents

Service appeal against the impugned order dated 30-12-2020 whereby The appellant has been promoted to the post of SST General BPS-16 With immediate effect rather than retrospective effect i.e 27-07-2017 and against the no action taken on the departmental appeal of the appellant within The statutory period of 90 days.

**Prayer:-**

on acceptance of this service appeal the impugned order dated 30-12-2020 may kindly be modified/rectified to the extent of appellant with effect from 27-07-2017 when the appellant was eligible for promotion to the post of SST BPS-16 with all back benefits any other remedy which this august tribunal deems fit that may also be awarded in favor of the appellant.

**Respectfully Sheweth!**

**ON FACTS:-**

1. That the appellant was initially appointed as TT (BPS-07) now (BPS-15) in the respondent department vide order dated 12-04-1999 and right from appointment the appellant serving the respondent department quite efficiently and up to the entire satisfaction of his superiors.  
(Copy of appointment order is attached as annexure "A")

Filed to-day

Registrar

05/05/2021

2. That during service the post of the appellant was upgraded to senior theology teacher **STT (BPS-16)** vide order dated 19-03-2013 and was posted against the post of STT at GHS Alooili district Haripur.  
(Copy of the order is attached as annexure "B")
3. That in the year 2017, working paper for promotion to the post of **SST (BPS-16)** were prepared and the name of the appellant was included in the said working papers being senior most and eligible for the said promotion.  
(Copy of the working papers are annexed as "C")
4. That astonishingly the promotion notification dated **27-07-2017** was issued by the respondent department whereby both the posts of SST were filled from the cadre of SAT/AT by the ignoring the appellant.  
(Copy of the promotion notification is annexed "D")
5. That the appellant feeling aggrieved from the impugned notification dated **27-07-2017**, preferred departmental appeal before the respondent no.02 but the respondent no.02 kept silence on the same that in the year 2019, the appellant sent a reminder which was properly forwarded to the respondent no.03 for comments vide dated **15-11-2019** and the respondent no. 03 submitted his comments to the respondent no.02 but no reason has been mentioned rather a chronology of facts has been narrated in said letter.  
(Copies of the departmental appeal and reminder/covering letter and comments are attached as annexed "E")
6. That vide order dated **30-12-2020**, the appellant has been promoted to the post of SST BPS-16 but with immediate effect while the appellant was eligible for promotion to the said post with effect from **27-07-2017**.  
(Copy of promotion order is attached as annexure "F")
7. That appellant feeling aggrieved from the impugned order **30-12-2020**, filed departmental appeal before the appellant authority vide dated **06-01-2021** but no response whatsoever has been given till date.  
(Copy of departmental appeal is attached as annexure "G")
8. That appellant feeling aggrieved and having no other remedy but to file the instant service appeal on the following grounds amongst the others.

**Grounds:-**

- A. That the impugned order dated **30-12-2012** is against the law facts norms of natural justice and material on the record hence not tenable in the eyes of law and liable to be rectified/modified to the extent of appellant.
- B. That the appellant has not been treated by the respondent department in accordance with law and rules on the subject noted above and as such the respondents violated articles 4 and 25 of the constitution of Islamic republic of Pakistan 1973.
- C. That the respondents acted in arbitrary and melafide manner by promoting the appellant to the post of SST with immediate effect rather than retrospective effect i.e **27-07-2017**.

- D. That the appellant was the senior most employee of the respondent department and also eligible for promotion to the post of SST (BPS-16) in the year 2017 but in spite of that the respondent department ignored the appellant from the said promotion at the right time which is against the law and prescribed rules.
- E. The respondents adopted the policy of cherry picking by promoting the blue eyed employees and ignoring the eligible employees this act of the respondent tantamount to discrimination and gross miscarriage of justice.
- F. That the impugned order dated **30-12-2020** issued by the respondent department in violation of the section **9** of the civil servant act 1973 read with rule **7** of the appointment promotion and transfer rules 1989 therefore the same is liable to be modified/rectified to the extent of appellant.
- G. That the impugned order dated **30-12-2020** is discriminatory hence the same is liable to be rectified/modified.
- H. That not promoting the appellant with effect from **27-07-2017**, is violative of article **38-e** of the constitution of Islamic republic of Pakistan 1973.
- I. That appellant seeks permission to advance any other grounds at the time of hearing.


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

APPELLANT



MUHAMMAD IBRAHIM

THROUGH:



FAHEEM ULLAH AKHUNZADA

ADVOCATE,

High Court Peshawar

Dated: 05-05-2021



(4)

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL PESHAWAR**

Service Appeal No. \_\_\_\_\_/2021

Mr. Muhammad Ibrahim .....Appellant

**VERSUS**

The Secretary E&SE Department KPK & others

.....Respondents

**AFFIDAVIT**

I, **Muhammad Ibrahim S/o Khan Afsar R/o Post Office Khula Bat Township, Tehsil and District Haripur,** do hereby solemnly affirm and declare on oath that the contents of the **Service Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.



DEPONENT  
CNIC NO. 13302-8054854-9

NOTIFICATION:-

Consequent upon their selection by the Departmental Selection committee, the District Education Officer(Male) Secondary Haripur has been pleased to appoint the following ~~one~~ (Male) T. T. trained candidates at the schools noted against their names in BPS-7 (Rs. 1480-81-2695) plus usual allowances as admissible under the rules with immediate effect subject to the existing terms and conditions.

Anna A

F.NO	S.No.	Name of candidate/address & date of Birth	No. of Merit (Marks)	School where appointed	Remarks
25	1.	Mr. Abdul Hamid S/O Wali Mohd V: Chhapra PO: Rehana Haripur	42.96	GMS Baddah Haripur.	Against vacant T. T. Post.
28.	2.	Mohd Imran S/O Fazal Ur Rehman V: Kahka Haripur	35.79	GMS Umar Khana	-do-
4	3.	Rab Nawaz Khan S/O Mohd Hanif V: Koka PO: Rehana Teh: & Distt: Haripur	34.86	GMS Sarhadna Haripur.	-do-
1.	4.	Ghulam Murtaza S/O Allah Dad Village Barthal PO: S/Saleh H/Pur	34.58	GHS Baghpur Haripur.	-do-
24.	5/	Mohd Ibrahim S/O Khan Afsar V: Khaka Haripur.	31.01	GHS Kotehra Haripur.	-do-
12.	6.	Saeed Ur Rehman S/O Waheed Noor Vill: Galli Amazai Haripur.	29.29	GMS Thalikut Haripur.	-do-

TERMS AND CONDITIONS

1. They will governed by such rules and regulations as may be prescribed by the Govt. from time to time for the category of the Govt. servant to which they belong.
2. Their services will be liable to termination on one month's notice from either side. In case of resignation without notice, one month's pay will be forfeited in lieu thereof.
3. They should join the posts within one month of the issue of this notification.
4. The appointment of the candidates is purely on tempo: is and liable to termination at time without any notice or assigning any reason.
5. The appointment shall stand automatically cancelled if he/ they failed to join the post within 15 days of the receipt of this order.
6. They will have to produce Age & Health certificate from the Medical Supdt. concerned within seven days.
7. Newly appointed candidates are required to produce Bank receipt to the D.D.Os for the verification of their original certificate/Documents from concerned institution /BISE etc before taking the charge.
8. The D.D.Os are directed to get the original certificate/Degrees verified by the concerned institution/University/BISE/RDE before drawing their pay.
9. If any discrepancy found in the documents, the appointment will stand automatically cancelled and necessary legal action be taken under the relevant rules.
10. Efforts for transfer before the completion of tenure will disqualify from service.
11. Charge reports be sent to all concerned.
12. The appointment orders have been Issued temporarily and purely on merit Bases/ Batch wise subject to revision/ reconsideration. If any complaint received and found as based on facts upto 20-4-1999, the decision thus made can cancel the merit position/ appointment order and the appointment of the junior most will stand automatically cancelled without any payment.

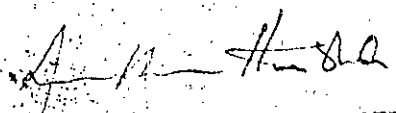
ATTESTED

(MUHAMMAD SALAH-UD -DIN SHAH)  
DISTRICT EDUCATION OFFICER  
(MALE) SECONDARY HARIPUR.

Encls: No.:- 2531-35 /AE-I/Appt: Dated Haripur the 5/4/1999.

Copy to the :-

1. Director of Secondary Education NWFP, Peshawar.
2. District Accounts Officer Haripur.
3. All the concerned Principal/Headmasters.
4. All the above named candidates.
5. Office file.

  
DISTRICT EDUCATION OFFICER  
(MALE) SECONDARY HARIPUR.

(7)

13

Ann

PH No. 6995-610178, 610268

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

**OFFICE ORDER**

In pursuance of the Notification issued by the Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar vide No. 33-2-48/File No.1/Promotion Senior TT B-16 dated 21-02-2013, the services of the following newly promoted Senior TT Male (B16) are hereby further adjusted against the Newly Upgraded Senior TT (Sr-TT) B-16 (Rs. 10000-800-34000) posts mentioned against their names with effect from 21-02-2013 in the interest of public service, subject to the terms & conditions are remained intact as mentioned in the Notification referred above.

S.No	Sr. List No	Name Of Teacher	Name of School	Place of New Posting	Remarks
1		Muhammad Saeed	GMS Kalilar	GHS Kupri	Against newly upgraded Senior TT post of (B-16) at GHS Kupri while Mr. Attul Haq TT (B-15) GHS Kupri is posted at GMS Kali Lar.
2	21	Gulzar Muhammad	GMS Qazipur	GHS Kothera	Against newly upgraded Senior TT post of (B-16) at GHS Kothera while Mr. Janil Shah TT (B-15) GHS Kothera is posted at GMS Qazipur.
3	2	Nisar Ahmed	GMS Joulian	GHS Garam Thoon	Against newly upgraded Senior TT post of (B-16) at GHS Garam Thoon while Mr. Muhammad Ali TT (B-15) GHS Garam Thoon is posted at GMS Joulian.
4	21	Ijaz Hussain Shah	GHS Dheri Naqarchian	GHS Dheri Naqarchian	Against newly upgraded Senior TT post of (B-16).
5	2	Matti Ur Rehman	GMS Shingri	GHS Nara Amazai	Against newly upgraded Senior TT post of (B-16) at GHS Nara Amazai while Mr. Muhammad Nazir TT (B-15) GHS Nara Amazai is posted at GMS Shingri.
6	2	Ghulam Subhani	GHSS Sarai Saleh	GHSS Sarai Saleh	Against newly upgraded Senior TT post of (B-16).
7	3	Kamal Khan	GMS Dhok Gakhran	GHS Bhera	Against newly upgraded Senior TT post of (B-16) at GHS Bhera while Mr. Aziz ur Rehman TT (B-15) GHS Bhera is posted at GMS Dhoke Gakhran.
8	4	Parwar Shah	GMS Bandi Seeran	GHS Kahal	Against newly upgraded Senior TT post of (B-16) at GHS Kahal while Mr. Tariq Mehmood TT (B-15) GHS Kahal is posted at GMS Bandi Seeran.
9	5	Qazi Mehboob Kibriya	GHS KTS No.4	GHS KTS No.4	Against newly upgraded Senior TT post of (B-16)
10	6	Waqar Ali Shah	GHS Sarri	GHS Sarri	Against newly upgraded Senior TT post of (B-16)
11	7	Saeed ur Rehman	GMS Kagrocha	GHS Galli Amazai	Against newly upgraded Senior TT post of (B-16) at GHS Galli Amazai while Mr. Muhammad Saeed TT (B-15) GHS Galli Amazai is posted at GMS Kagrocha.
12	76	Muhammad Sohail Aziz	GHS Suraj Gali	GHS Suraj Gali	Against newly upgraded Senior TT post of (B-16)
13	77	Javed Iqbal	GHS Laban Bandi	GHS Laban Bandi	Against newly upgraded Senior TT post of (B-16)
14	81	Roohal Amin	GHS Pind Hasham Khan	GHS Pind Hasham Khan	Against newly upgraded Senior TT post of (B-16)
15	83	Rab Nawaz Khan	GMS Sumbal Mohri	GHS Noordi	Against newly upgraded Senior TT post of (B-16) at GHS Noordi while Mr. Muhammad Ilyas TT (B-15) GHS Noordi is posted at GMS Sumbal Mohri.
16	84	Ghulam Murtaza	GHS Rehana	GHS Rehana	Against newly upgraded Senior TT post of (B-16)
17	85	Muhammad Ibrahim	GMS Neelor	GHS Aooli	Against newly upgraded Senior TT post of (B-16) at GHS Aooli while Mr. Muhammad Ilyas TT (B-15) GHS Aooli is posted at GMS Neelor.
18	99	Murtaza Shah	GMS Umer Khan	GHSS Sirikot	Against newly upgraded Senior TT post of (B-16) at GHSS Sirikot while Mr. Aamir Shah TT (B-15) GHSS Sirikote is posted at GMS Umer Khana.
19	100	Muhammad Zubair Khan TT	GHS Tofkian	GHS Tofkian	Against newly upgraded Senior TT post of (B-16)
20	101	Waqar Ahmed TT	GMS Pakshai	GHS Najafpur	Against newly upgraded Senior TT post of (B-16)
21	102	Abdullah	GHS Bait Gali	GHS Bait Gali	Against newly upgraded Senior TT post of (B-16)

**ATTESTED**

No	Name Of Teacher	Name of School	Place of New Posting	Remarks
22	103 Waheed Khan	GHS Kailag	GHS Kailag	Against newly upgraded Senior TT post of (B-16)
23	104 Mudassar Mehboob	GMS Chechian	GHS Sirya	Against newly upgraded Senior TT post of (B-16) at GHS Sirya while Mr. Saif ur Rehman TT (B-15) at GHS Sirya is posted at GMS Chachian.
24	105 Aamir Shah	GMS Gehran	GHS Bail	Against newly upgraded Senior TT post of (B-16) at GHS Bail while Mr. M. Arif Hussain Shah TT (B-15) GHS Bail is posted at GMS Gerhan.
25	106 Muhammad Yasir	GMS Karwala	GHSS Bagra	Against newly upgraded Senior TT post of (B-16) at GHSS Bagra while Mr. Muhammad Kamran TT (B-15) GHSS Bagra is posted at GMS Karwala.
26	107 Khawar Ejaz	GMS Mankarai	GHS No-02 Haripur	Against newly upgraded Senior TT post of (B-16) at GHS No-02 Haripur while Mr. Wali ur Rehman TT (B-15) GHS No.2 Haripur is posted at GMS Mankarai.
27	108 Sarfraz Ahmed	GHS KTS No.2	GHS KTS No.2	Against newly upgraded Senior TT post of (B-16)
28	109 Abdur Razzaq	GHS Ghumawan	GHS Ghumawan	Against newly upgraded Senior TT post of (B-16)
29	110 Ghulam Mustafa	GHS Laddah	GHS Laddah	Against newly upgraded Senior TT post of (B-16)
30	111 Ali Akbar	GHS Dhenda	GHS Dhenda	Against newly upgraded Senior TT post of (B-16)
31	112 Abdul Saboor Khan	GHSS Dinqi	GHSS Dinqi	Against newly upgraded Senior TT post of (B-16)
32	113 Qazi Tahir Asghar	GMS S.D.Pani	GHS Pharalla	Against newly upgraded Senior TT post of (B-16) at GHS Pharalla while Mr. Muhammad Nazir TT (B-15) GHS Pharalla is posted at GMS S.D.Pani.
33	114 Nafees Ahmed	GHS Baghpur Dheri	GHS Baghpur Dheri	Against newly upgraded Senior TT post of (B-16)
34	115 Ghulam Nabi	GHS Ghazi	GHS Ghazi	Against newly upgraded Senior TT post of (B-16)
35	116 Ulfat Zaman	GHS Chhoi	GHS Chhoi	Against newly upgraded Senior TT post of (B-16)
36	117 Saif Ur Rehman	GMS Garhi Serian	GHS Kholian Bala	Against newly upgraded Senior TT post of (B-16) at GHS Kholian Bala while Mr. Pervaiz Khan TT (B-15) GHS Kholian Bala is posted at GMS Garhi Serian.

## Note:-

- 1 They will give an under taking to be recorded in their service book to the effect that if any overpayment is made to him in light this order will be recovered and if they are wrongly promoted they will be reversed.
- 2 No T1/DA is allowed for joining Their duty.
- 3 Charge report should be submitted to all concerned.

(MUHAMMAD SHAUKAT)

District Education Officer (male)

Haripur

Dated. 19/03/2013

Endst: No

Cc:

1. The Senior District Accounts Officer Haripur
2. The Principals/Headmasters concerned
3. PA to the Director E&SE Khyber Pakhtunkhwa, Peshawar.
4. Officials Concerned.
5. Office Record File

District Education Officer (male)

Haripur

ATTACHED

OFFICE OF THE DISTRICT EDUCATION OFFICER (M)  
HARIPUR

Working Papers for Promotion of STT (B-16) to SST(B-16)

Total No of STT posts (duly verified from DAO) 9 Total No. of V. Post 5507 (97)  
 Share for promotion for SST 4% 1  
 Share of Promotion on 4 % 0  
 Not to be promoted 1  
 Already Promoted 0  
 Proposed for promotion 1

Annex C

List of STTs (Male) for the Promotion of SST BPS-16

S.NO.	NAME OF SCHOOL	NAME OF TEACHER	FATHER'S NAME	ACADEMIC QUALIFICATION	PROFESSIONAL QUALIFICATION	D/O BIRTH	D/o Regular on Present Post	Whether eligible for Up-Promotion or not.
11	GHS Alloli.	Muhammad Ibrahim	Khan Afsar.	MA Isl	B.Ed	16.03.73	21.02.13	✓

29-2-2013

**Certificate:-**

- It is certified that all the STT (Male) included in the panel for the Promotion of STTs BPS-16 to SSTBPS-16.
  - The posts on regular basis and none of them is holding the post on adhoc/ acting charge basis/ contract.
  - Completed the required minimum length of qualifying service and qualifications as required for Promotion of STT BPS-16 to SST BPS-16 under the Rules.
  - None of them is on deputation to any organization under the Federal/ Provincial/ Autonomous/ Semi autonomous/ International Organizations.
  - Neither any disciplinary/ departmental proceedings/ Anti corruption/ judicial enquiry is pending against them nor has any penalty been imposed upon any one of them during their service.
  - No one is on long leave/ Ex-Pakistan leave.
  - Their ACRs, Synopsis are free from adverse remarks.
  - They are all alive and serving.
  - Their appointment orders against STT posts are attached herewith.
  - The Seniority list of BPS-15 officers is final, undisputed and not subjudice.
- The Departmental Promotion Committee is requested to determine the suitability of the above ACRs for Promotion of STT BPS 16 with immediate effect.

ATTENDED

*[Handwritten signature and initials]*

19

SSTs (M) Haripur 1

**Directorate of Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar**

PH No. 091-9225340- 9225341,

9225338, 9225339

Fax 091-9225345

E-mail rafiq\_kk851@yahoo.com

ANNEX D



**Notification**

Consequent upon the recommendations of the Departmental Promotion Committee and in pursuance of the Government of Khyber Pakhtunkhwa Elementary and Secondary Education Notification NoSO(PE)/4-5/SSRC/Meeting/2013/Teaching Cadre dated 24<sup>th</sup> July, 2014, the following SCTs/CTs, SDMs/DMs, SATs/ATs, STTs/TTs, Senior Qaris/Qaris, SHTs/SPSTs/PSTs are hereby promoted to the post of SST (Bio-Chem), SST (Phy-Maths), SST (General) noted against each BPS-16 (Rs. 18910-1520-64510) plus usual allowances as admissible under the rules on regular basis under the existing policy of the Provincial Government, on the terms and condition given below with immediate effect and further they will be posted by the District Education Officer concerned.

**A. SST (Phy-Maths)**

**1. PROMOTION OF PSHT/SPST/PST TO SST (Phy-Maths) BPS-16.**

Total No. of SST vacant post of SSTs (Phy-Maths)	20
25% share initial recruitment	04
75% share for Promotion.	16
20 % Share of promotion of PSHT/SPST/PST	04
Posts available for promotion	04
Promoted through this order	03

S.No	S.L No.	Name of Official	Place of posting	D/O Birth	Date of Appoint; regular PST/SPST	Qualification	Remarks
1	803	Muhammad Sajid	GPS Doyian Khushki	1/2/1971	15/10/2005	BSc/B.Ed	Services placed at the disposal of DEO (M) Haripur for further posting against SST (Phy-Maths) post.
2	497	Aamir Khan	GMPs, Pind Gakhra	14/7/1985	9/1/2009	BSc/B.Ed	-----do-----
3	503	Rizwan Siddique	GEMPS No.1 Khanpur	1/10/1987	9/1/2009	BSc/B.Ed	-----do-----

**A. SST (General)**

**1. PROMOTION OF Sr; CT/CT TO SST (General) BPS-16.**

Total No. of SST General (M) Posts vacant Posts	37
25% share initial recruitment	09
75% share for Promotion.	28
40 % Share of promotion of Sr; CT/CT	15
Posts available for promotion	15
Promoted through this order	13

S/N	S.L No	Name of Official	Present Place of Posting	Date of Birth	Date of Appointment as Regular CT	Qualification	Remarks
1	49	Naveed Ashan	GHS, Kaliaq	25/3/1965	22/4/1992	B.A/ B.Ed	Services placed at the disposal of DEO (M) Haripur for further posting against SST (General) post.
2	79	Zaheer Abbasi	GHS Halli	1/5/1965	7/4/1993	BA B.Ed	-----do-----
3	80	Abdul Waheed	GHSS, Bareela	11/4/1966	7/4/1993	MA-M.Ed	-----do-----
4	81	Muhammad Sagheer	GHSS Serai Saleh	1/1/1965	19/6/1993	BA B.Ed	-----do-----

**ATTESTED**

Handwritten signatures and stamps, including 'Ed M.I A.P' and '29/7/17'.

11

12

**SSTs (M) Haripur 2**

32	Nadeem Ahmad Qureshi	GHS Dobandi	25/7/1961	29/6/1993	BA B.Ed	-----do-----
33	Aftab Aziz	GHSS, Kot Najibullah	17/3/1964	1/7/1993	MA /B.Ed	-----do-----
35	Mumtaz Khan	GHSS, S.N. Khan	4/4/1963	25/12/1993	MAM.Ed	-----do-----
36	Ali Akhtar Khan	GHSS, Seri Saleh	20/6/1964	25/12/1993	MAM.Ed	-----do-----
92	Besharat Ali	GHS, Mang	1/1/1963	29/5/1994	BA B.Ed	-----do-----
93	Saifullah Khan	GHS GHSS No.2 Haripur	15/1/1963	29/5/1994	BA B.Ed	-----do-----
94	Ejaz Hussain	GHSS No.1 Haripur	19/3/1963	29/5/1994	MA B.Ed	-----do-----
96	Muhammad Jamil	GHS, Noordi	4/2/1962	29/5/1994	MAM.Ed	-----do-----
39	Rooh Niaz	GHSS S Khel	10/01/1963	7/04/1993	BA B.Ed	-----do-----

**2. PROMOTION OF PSHT/SPST/PST TO SST (General) BPS-**

Total No. of SST General (M) Posts vacant Posts	37
25% share initial recruitment	09
75% share for Promotion.	28
20 % Share of promotion of PSHT/SPST/PST	07
Posts available for promotion	07
Promoted through this order	07

S/No	S.L. No	Name of Official	Present Place of Posting	Date of Birth	Date of Appointment as Regular PST	Qualification	REMARKS
1	87	Akhtar Zaman	GPS Magri	7/3/1967	10/9/1986	BA,B.Ed	Services placed at the disposal of DEO (M) Haripur for further posting against SST (General) post.
2	163	Masood Ahmad	GPS Ding Soka	13/12/1966	17/9/1988	BA,B.Ed	-----do-----
3	181	Aslam Khan	GPS Barrian	9/8/1967	19/9/1988	BA,B.Ed	-----do-----
4	228	Mushtaq Ahmad Khan	GPS, Burqa	1/4/1970	10/3/1990	BA,B.Ed	-----do-----
5	233	Javed Iqbal	GPS Mirpur	30/4/1996	11/3/1990	MA,B.Ed	-----do-----
6	235	Parvaiz Khan	GPS Teer	14/4/1969	11/3/1990	MA,B.ED	-----do-----
7	241	Muhammad Ilyas	GPS Kahal Payeen	6/4/1971	12/3/1990	B.A,B.ED	-----do-----

**3. PROMOTION OF SDM/DM TO SST (General) BPS-16**

Total No. of SST General (M) Posts vacant Posts	37
25% share initial recruitment	09
75% share for Promotion.	28
4 % Share of promotion of SDM/DM	02
Posts available for promotion	02
Promoted through this order	02

S/No	S.L. No	Name of Official	Present Place of Posting	Date of Birth	Date of Appointment as Regular DM	Qualification	REMARKS
1	18	Qari Hafiz Ur Rehman	GHS Bait Gali	4/4/1967	14/12/1990	BA/ B.Ed	Services placed at the disposal of DEO (M) Haripur for further posting against SST (General) post.
2	19	Muhammad Saeed	GHS No.2 Haripur	1/3/1988	15/12/1990	BA B.Ed	-----do-----

**4. PROMOTION OF SAT/AT TO SST (General) BPS-16.**

Total No. of SST General (M) Posts vacant Posts	37
25% share initial recruitment	09

**ATTACHED**



6 share for Promotion.	28
Share of promotion of SAT/AT	02
Posts available for promotion	02
Promoted through this order	02

S/No	S.L. No	Name of Official	Present Place of Posting	Date of Birth	Date of Appointment as Regular AT	Qualification	REMARKS
1	27	Jamil Ahmad	GHS Derwash	1/1/1971	20/2/2013	BA/B.Ed	Services placed at the disposal of DEO (M) Haripur for further posting against SST (General) post.
2	28	Muhammad Shafique	GHS Alloli	05.05.1977	26.06.1997	BA/B.Ed	-----do-----

## 5. PROMOTION OF S.Qari/Qari to SST (General) EPS-16.

Total No. of SST General (M) Posts vacant Posts	37
25% share initial recruitment	09
75% share for Promotion.	28
3% Share of promotion of S/Qari/Qari	01
Posts available for promotion	01
Promoted through this order	01

S/No	S.L. No	Name of Official	Present Place of Posting	Date of Birth	Date of Appointment as Regular AT	Qualification	REMARKS
1	8	Shoukat Mehmood	GHS No.3 KTS	28/6/1979	29/2/2013	BA/B.Ed	Services placed at the disposal of DEO (M) Haripur for further posting against SST (General) post.

## Terms and conditions:-

- 1 They would be on probation for a period of one year extendable for another one year.
- 2 They will be governed by such rules and regulations as may be issued from time to time by the Govt.
- 3 Their services can be terminated at any time, in case their performance is found unsatisfactory during probationary period. In case of misconduct, they shall be preceded under the rules framed from time to time.
- 4 Charge report should be submitted to all concerned.
- 5 Their Inter-Se- seniority on lower post will remain intact.
- 6 No TA/DA is allowed for joining his duty.
- 7 They will give an under taking to be recorded in their service book to the effect that if any over payment is made to him in light this order will be recovered and if he/she is wrongly promoted he/She will be reversed.
- 8 They will be governed by such rules and regulations as may be issued from time to time by the Govt.
- 9 Before handing over charge once again their document may be checked if they have not the required relevant qualifications as per rules, they may not be handed over charge of the post.

(Muhammad Rafiq Khattak)

Director

Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar

Endst: No. 2186-86 / File No.2/Promotion SST B-16: Dated Peshawar the 27/07/2017.

Copy forwarded for information and necessary action to the: -

1. Accountant General Khyber Pakhtunkhwa Peshawar.
2. District Education Officer concerned
3. District Accounts Officer concerned
4. Official Concerned.
5. PS to the Secretary to Govt: Khyber Pakhtunkhwa E&SE Department.
6. PA to the Director E&SE Khyber Pakhtunkhwa, Peshawar.
7. M/File

Dy: Director (Estab)

Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar

ATTESTED

5) صورتِ خاصہ - ڈائریکٹر ایگزیکٹو ایسٹ پی ایس ڈی ایجوکیشن حیدرآباد

5) لوسالٹ خاصہ - ڈسٹرکٹ ایجوکیشن افسیسر ہری پور

Annex E  
نورمانڈی ٹریننگ ہسٹریٹل ٹیٹ (13) STT GHS Aloli

میں ایگزیکٹو ایسٹ پی ایس ڈی ایجوکیشن حیدرآباد

پہلے مرحلہ STT کی پروپوزیشن کیلئے کوآرڈینیٹرز فائلز جمع کی گئیں

جن میں T-T کے کورس میں ٹاپ پوزیشن مری گئی اور مری

DPC میں سوائے حیدرآباد سے آئے والی

(Approved) میں مری نام شامل نہیں ہے

لیڈ ایگزیکٹو ایسٹ پی ایس ڈی ایجوکیشن حیدرآباد

مجھے بھی STT کی پروپوزیشن کا حق حاصل ہے

الحامد

محمد ابراہیم STT GHS Aloli ہری پور

المستوفی 28/7/17

(A.D.E.O./Supdt) [Signature]

D.S.O. (B)  
Diary No. 5296  
Date 28/7/17

Ph # 0333-589 13 86

Office (GHS. Aloli)

0995-320521

ATTESTED

بخدمت جناب ڈائریکٹر صاحب ایلیمنٹری اینڈ سیکنڈری ایجوکیشن پشاور

عنوان: اپیل بنام ڈائریکٹر ایجوکیشن برائے پروموشن بوساطت ڈی۔ ای۔ او۔ (مردانہ) ہری پور


جناب عالی!

مؤدبانہ گزارش ہے کہ فدی نے اپنا کیس SST پوسٹ کیلئے نومبر 2017، 2018 جمع کرایا تھا اور ڈی۔ پی۔ سی۔ بھی ہوئی ہے۔ سائل سینئر معلم اسلامیات کی پوسٹ پر اپنے فرائض سرانجام دے رہا ہے۔ سائل کا SST پوسٹ پر آرڈر نہیں ہو سکا جبکہ سائل کا نمبر سیناری لیسٹ میں سرفہرست تھا۔ اسی دوران سائل نے اپنی اپیل بھی جمع کرائی مگر اس پر بھی کوئی عمل نہیں ہوا۔

لہذا جناب سے استدعا کی جاتی ہے کہ سائل کی پروموشن کے احکامات صادر فرمائیں۔

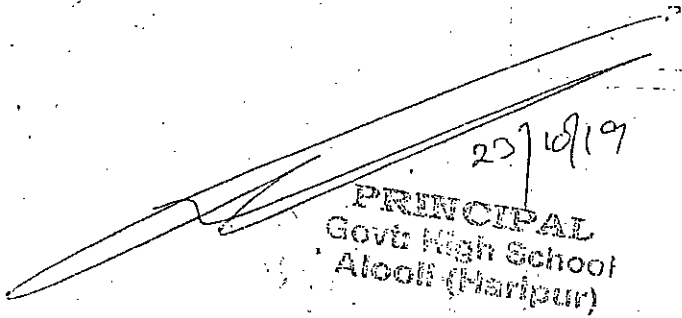
بندہ تازیت دعا گو رہے گا۔

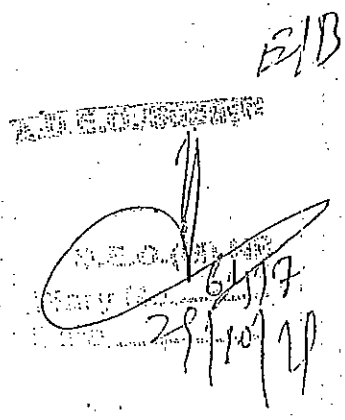
العارض

  
محمد ابراہیم  
S. T. T.

سینئر معلم اسلامیات، گورنمنٹ ہائی سکول الولی ہری پور

forwarded for n/a Please

  
25/10/19  
PRINCIPAL  
Govt High School  
Atooli (Haripur)

E/B  
  
29/10/19

ADIC

Baran (S) 7/11/19

Irshad Clerk

622  
7-11-19

ATTESTED

Directorate of Elementary & Secondary Education

Khyber Pakhtunkhwa, Peshawar

No. \_\_\_\_\_/F.No.34/SST (M)/General Cases.

Dated Peshawar the 15/11/ 2019

To

The District Education Officer,  
(Male) Haripur.

(15)

Subject: - APPEAL FOR PROMOTION

Memo:

I am directed to enclose herewith an appeal submitted by Mr. Muhammad Ibrahim STT GHS Alloli Haripur, for your perusal and ask you to submit your report/comments to this office immediately to proceed further into the matter as per rules intact:

Assistant Director (Estab)  
Elementary & Secondary Education  
Khyber Pakhtunkhwa.

Endst: No. 8124

Copy of the above is to:-

1. Mr. Muhammad Ibrahim STT GHS Alloli Haripur
2. PA to Director (E&SE) Local Directorate:

~~14/11/2019~~  
Assistant Director (Estab)  
Elementary & Secondary Education  
Khyber Pakhtunkhwa

~~[Signature]~~



9225344  
28/11/19  
3348#  
[Signature]  
DESPATCHER  
Director (E&SE)  
Peshawar



ATTACHED

O.P.S.S.



OFFICE OF THE DISTRICT EDUCATION OFFICER (M)

HARIPUR

Ph. No. 0995-920150, 920151, 920152

Email: [deoharipur@kpesed.gov.pk](mailto:deoharipur@kpesed.gov.pk)

16

No. 9912/8-6/EB/Promotion.TT

Dated 26/11 /2019

To

The Director,  
Elementary & Secondary Education  
Khyber Pakhtunkhwa Peshawar.

Subject: APPEAL FOR PROMOTION.

Memo:

15-11-2019.


With reference your office No. 8123/F.No.34/SST(M)/General Cases dated

The factual position into the case on the subject cited above is as under:-

1. That the name of the appellant was approved in the DPC against promotion to SST post which was held on 10-07-2017 and Working Papers were submitted to your good office dully signed by the DEO (M) Abbottabad being representative on the behalf of Directorate E&SED Khyber Pakhtunkhwa Peshawar. (Copy enclosed)
2. That later on receipt of approval from your good office vide No. 2181-86/File No.2/Promotion SST B-16 dated 27-07-2017, his name was not included in the said approval list (Copy enclosed).
3. That in this regard he lodged an appeal against his promotion, this office sent the same to your good office vide No. 6713/F.No.8-6/EB/Prom: TT dated 11-08-2017 (Copy enclosed) but no action/response was received uptill now.

Hence therefore report is submitted for favour of further necessary action please.

Encl: As above.

  
District Education Officer (Male)  
Haripur

**ATTESTED**



OFFICE OF THE DISTRICT EDUCATION OFFICER (M)

HARIPUR

Ph. No. 0995-920150, 920151, 920152  
Email: deomalehrp@yahoo.com



Adjustment Order

Annex F

In pursuance of the Notification issued by the Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar vide No.2927-32/F.No.1/Promotion SST(BPS-16) Dated Peshawar the 08-12-2020, the services of the following newly promoted SST (G)/SST (Math/Physics) Male (PSB-16) are hereby further adjusted against the vacant Posts SST(G)/SST (M/P) B-16 (Rs. 18910-1520-64510) posts mentioned against their names with immediate effect in the interest of public service, subject to the terms & conditions are remained intact as mentioned in the Notification referred above.

(A) Promotion of SST (G)

Item No.1 Promotion of Sr. CT BPS-16 Male to SST (G)

S. No.	S/List. No	Name of Teacher	Name of School	Place of New Posting	Remarks
01.	124	Niaz Hussain Shah	GHS Chhajjian	GHS Chhajjian	Against vacant Post of SST(G)
02.	127(A)	Haroon Shah	GHS Sarri	GHS Qazipur	Against vacant Post of SST(G)
03.	137	Mir Jameel ur Rehman	GHSS Sirikot	GHS Bail	Against Vacant Post of SST(G)
04.	138	Tahir Jamil	GHS Bhera NO. 1	GHS Baghpur Dheri	Against Vacant Post of SST(G)
05.	139	Abdul Waheed	GHSS Panian	GHSS Panian	Against vacant Post of SST(G)
06.	140	Shamriz Khan	GCMHS T.T. Ship	GCMHS T.T. Ship	Against vacant Post of SST(G)
07.	141	Muhammad Haroon	GHSS Sirikot	GHSS Sirikote	Against Vacant Post of SST(G)
08.	142	Syed Panah Ali Shah	GHS Noorpur	GHS Noorpur	Against vacant post of SST(G)
9.	143	Sardar Zubair Elahi	GHS Sarai Gadaai	GHS Sarai Gadai	Against vacant post of SST(G)

Item No.2 Promotion of Sr.DM BPS-16 Male to SST (G)

S. No.	S/List. No	Name of Teacher	Name of School	Place of New Posting	Remarks
01	22	Tariq Mehmood	GHS K.T.S. No.2	GCMHS T.T Ship	Against Vacant Post of SST(G) and Mr. Aqib SST being NTS is directed to report back GHS Darian

Item No.3 Promotion of Sr.AT BPS-16 Male to SST (G)

S. No.	S/List. No	Name of Teacher	Name of School	Place of New Posting	Remarks
01	18	Talab Shah	GHSS Sirikote	GHSS Sirikote	Against vacant post of SST(M/P) being disable and aged person above 58 years

01/10

ATTESTED

Item No.4 Promotion of Sr.TT BPS-16 Male to SST (G) (18)

S. No.	S/List. No	Name of Teacher	Name of School	Place of New Posting	Remarks
01	10	Muhammad Ibrahim	GHS Alloli	GHSS Beer	Against vacant post of SST(G)

Item No.5 Promotion of Sr.Qari BPS-15 Male to SST (G)

S. No.	S/List. No	Name of Teacher	Name of School	Place of New Posting	Remarks
01	8	Siddique ul Hassan	GHS KTS Sec#4	GHSS Beer	Against vacant post of SST(G)

Item No.6 Promotion of PSHT BPS-15 Male to SST (G)

S. No.	S/List. No	Name of Teacher	Name of School	Place of New Posting	Remarks
01	269	Gulzar Muhammad	GPS Peer Colony	GMS Garhan	Against vacant post of SST(G)
02.	273	Tariq Mehmood	GPS Chechian	GHS Kotla	Against Vacant Post of SST(G)
03.	274	Mehmood Ellahi	GPS Bhutri	GHS Jabri	Against vacant Post of SST(G)
04.	279	Garvez Akhter	GPS Ganabri	GHSS Kakotri	Against Vacant post of SST(G)
05.	285	Shanis ur Rehman	GPS Kiari	GHS Dheri Naqarchian	Against Vacant Post of SST(G)

(B) Promotion of SST (M/P)

Item No.1 Promotion of Sr. CT/CT (M) to Post of SST (M/P)

S. No.	S/List. No	Name of Teacher	Name of School	Place of New Posting	Remarks
01	159	Firdous Khan	GHS Rehana	GHSS Rehana	Against Vacant post of SST(M/P)
02.	208	Zia Khalid	GHS Satti	GHS Dhendah	Against vacant post of SST (M/P)
03.	209	Zamirad Khan	GHS Dobandi	GHS Dobandi	Against vacant post of SST (M/P)
04.	218	Zulfiqar Hussain	GHS Pindori	GHS Bhera No.2	Against vacant post of SST (M/P)
05.	220	Abdul Razaq	GMS New Munaya	GHS Kag	Against vacant post of SST (M/P)
06.	221	Sahibzada Shabir Ahmed	GHSS S.N Khan	GHSS Beer	Against vacant post of SST (M/P)

Item No.2 Promotion of Sr. DM/DM (M) to Post of SST (M/P)

S. No.	S/List. No	Name of Teacher	Name of School	Place of New Posting	Remarks
01	149	Umer Malik	GMS Bandi Seeran	GHS Italli	Against Vacant post of SST(M/P)

02 | 03

**ATTESTED**

(19)

Consequential Adjustment:

S. No	Name & Designation	From	To	Remarks
01	Muhammad Rafique SST (M/P)	GHS Döbandi	GHS Kharian	Against Vacant Post of SST(M/P) as there is no SST Science and Enrollment is above than 300
02	Khalique Zaman SST (M/P)	GHSS S.N Khan	GHS Hattar	Against vacant Post of SST(M/P)

Consequential Adjustment of Senior CT/CT/DM etc on need basis due to shortage of staff:

S. No	Name & Designation	From	To	Remarks
01	Bakhshish Etahi Sr DM	GHSS Kot Najibullah	GCMHSS No.1 Haripur	Against Vacant Post of Sr.DM being City area School and shortage of staff.
02	Abdul Razaq CT	GMS Gallai	GHS Kangra Colony	Against vacant post vacated due to transfer of Muhammad Niaz
03	Wasik Khan CT	GHSS Sirikote	GHS Bhera No.2	Against vacant Post of CT due to shortage of staff
04	Niaz Mubarak DM	GMS Kherouch	GMS Baso Maira	Against vacant Post of DM due to shortage of staff
05	Muhammad Asnan DM	GHS Kheri	GMS Bandi Seeran	Against Vacant Post
06	Ghazeeb Nawaz DM	GMS KTS No.3	GMS Kot Jandan	Against Vacant post due to shortage of Staff
07	Rustam Khan Sr CT	GHSS Kot Najibullah	GCMHSS No.1 Haripur	Vice S.No.6
08	Rustam Khan newly promoted Sr CT	GCMHSS No.1 Haripur	GHS Sarai Gadai	Vice S.No.07
09	Javed Iqbal newly promoted Sr CT	GHS Sarai Gadai	GHSS KotNajibullah	Vice S.No.5 being disable and aged above 55 years
10	Imrah PET	GMS Gallai	GMS Baso Maira	Against Vacant post
11	Naheed Akhter CT	GHSS Bareela	GMS Bandi Seeran	Due to heavy enrolment and shortage of staff

Terms & Conditions: -

1. They would be on probation for a period of one year extendable for another year.
2. They will be governed by such rules and regulations as may be issued from time to time by the govt.
3. Their service can be terminated at any time, in case his performance is found unsatisfactory during probationary period. In case of misconduct, he shall be proceeded under the rules framed from time to time.
4. Their inter-se-seniority on lower post will remain intact.
5. They will give an under taking to be recorded in their service book to the effect that if any over payment is made to him in the light this order will be recovered and if he is wrongly promoted, he will be reversed.
6. Charge report should be submitted to all concerned.
7. No TA/DA is allowed for joining their duty.

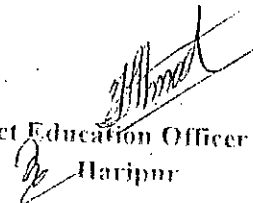
-----Sd/-----  
 District Education Officer (Male)  
 Haripur

Endst: No. 8099-2104 /5-11/G.B/Promotion/Sr. Cadre

Dated: 30 /12/2020

Copy of the above is submitted for information and necessary action to the: -

- 1- The Director E &SE Khyber Pakhtunkhwa Peshawar with reference to his No - quoted above.
- 2- The Senior District Accounts Officer, Haripur.
- 3- The Principal / Headmaster's concerned.
- 4- Teacher's concerned.
- 5- Office Record File.

  
 District Education Officer (Male)  
 Haripur

**ATTESTED**



(20)

Annex G

To,

The Director Elementary and Secondary  
Education Peshawar.

**Subject:- Appeal for promotion from the date when the appellant becomes eligible for promotion to the post of SST (BPS-16) on dated 27-07-2017 instead of 30-12-2020 with immediate effect.**

Respected Sir!

The appellant submitted as under.

1. That the undersigned was initially appointed as T.T in the year 12-04-1999.
2. That after serving the department for almost 13Years, the post of undersigned was upgraded to Bps- 16 in the year 2013 vide Enst. No. 3097-3135 dated: 19-03-2013.
3. That on dated 10-07-2017, working papers for promotion to the post of SST BPS-16 has been sent by the District Education Officer (M) Haripur to the competent authority for consideration.  
(Copy of working paper is annexed)
4. That on dated 27-072017, pursuant to the approval of the Departmental Promotion committee a notification for promotion to BPS-16, of different cadres were issued.  
(Copy of notification is annexed)
5. That with the utter surprise of the appellant, the name of the undersigned was dropped from the list of promotion besides being top in seniority and besides being eligible without any cogent reasons.
6. That feeling aggrieved from such discrimination and illegality the undersigned filed appeal to your good self and the same was intimated to D.E.O haripur for comments & report.
7. That ironically the D.E.O concern instead of submitting report, only narrated the chronology of the events with the concluding para that action is still awaited form your side.  
(Copy is annexed)
8. That no action has been taken by your good office beside countless of visits from the undersigned to your office and atlas promotion order of the undersigned was issued on 30-12-2020 instead 27-07-2017 with immediate effect.
9. That the appellant is highly aggrieved from the order dated 30-12-2020 being based on melafide discrimination, against merit and fair play.
10. That contrary to rules and prescribed formula, the case of undersigned was not preferred for promotion rather his name was deliberately and intentionally dropped from promotion without any cogent and plausible reason.
11. That upon the appeal of the undersigned, he was kept on false hope and was kept on wait the competent authority is resolving the issue but they only wasted time of the undersigned and did not extend his due right to him till date.

REQUESTED

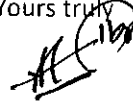
21

12. That the acts of the department is illegal and against the explicit rules and policy and resultantly amount to discrimination with the undersigned.

*Therefore it is requested that on acceptance of the instant appeal the promotion order of 30-12-2020 may be modified to the extent of the undersigned and he may be promoted retrospectively to the post of SST- G (BPS-16) from 27-07-2017 instead of 30-12-2020.*

Dated 06-01-2021

Yours truly






Muhammad Ibrahim


SST (G) GHSS Beer District Haripur

  
ATTESTED

(20)

50 روپے	80524	  
ایڈویکٹ: <b>فہیم اللہ انجو نزارہ</b>		<b>پشاور بار ایسوسی ایشن، خیبر پختونخواہ</b>
بار کونسل/ایسوسی ایشن نمبر: <b>BC-12-3780</b>		
رابطہ نمبر: <b>0333-9046202</b>		

بعدالت جناب: **خیبر پختونخواہ عدالت سروس ٹریبونل، پشاور**

<b>منجانب: مددگی</b>	دعویٰ: _____ علت نمبر: _____ مورثہ: _____ جرم: _____ تھانہ: _____
	<b>باعت تحریر آنگہ</b>

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کاروائی متعلقہ **پشاور** **فہیم اللہ انجو نزارہ** **اللہ کے** **کے** **کو** **وکیل** **مقرر** **کر** **کے** **اقرار** **کینا** **جاتا** **ہے** **کہ** **صاحب** **موصوف** **کو** **مقدمہ** **کی** **کل** **کاروائی** **کا** **کامل** **اختیار** **ہوگا**، **نیز** **وکیل** **صاحب** **کو** **راضی** **نامہ** **کر** **مے** **نے** **و** **تقریر** **ثالث** **و** **فیصلہ** **بر** **حلف** **دینے** **جو** **اب** **دعویٰ** **اقبال** **دعویٰ** **اور** **درخواست** **از** **ہر** **قسم** **کی** **تصدیق** **زریں** **پر** **دستخط** **کرنے** **کا** **اختیار** **ہوگا**، **نیز** **بصورت** **عدم** **پیروی** **یا** **ڈگری** **یکطرفہ** **یا** **اپیل** **کی** **برآمدگی** **اور** **منسوخی**، **نیز** **دائر** **کرنے** **اپیل** **نگرانی** **و** **نظر** **ثانی** **و** **پیروی** **کرتنے** **کا** **مختار** **ہوگا** **اور** **بصورت** **ضرورت** **مقدمہ** **مذکورہ** **کے** **کل** **یا** **جزوی** **کاروائی** **کے** **واسطے** **اور** **وکیل** **یا** **مختار** **قانونی** **کو** **اپنے** **بمزا** **یا** **اپنے** **بجائے** **تقریر** **کا** **اختیار** **ہوگا** **اور** **صاحب** **مقرر** **شدہ** **کو** **وہی** **جملہ** **مذکورہ** **با** **اختیارات** **حاصل** **ہوں** **گے** **اور** **اس** **کا** **ساختہ** **پرداخت** **منظور** **و** **قبول** **ہوگا** **دوران** **مقدمہ** **میں** **جو** **خارجہ** **ہر** **جاندا** **تو** **اے** **مقدمہ** **کے** **سبب** **سے** **ہوگا**۔ **کوئی** **تاریخ** **پیشی** **مقام** **دورہ** **یا** **حد** **سے** **باہر** **ہو** **تو** **وکیل** **صاحب** **پابند** **نہ** **ہوں** **گے** **کہ** **پیروی** **مذکورہ** **کریں** **لہذا** **وکالت** **نامہ** **لکھ** **دیا** **تا** **کہ** **سندر** **ہے**



المرقوم:

\_\_\_\_\_ مقام پشاور کے لیے منظور ہے۔

فہیم اللہ انجو نزارہ وکالت نامہ لکھ دیا تاکہ سندر ہے

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

Accepted  
10/11/2024

Fehmeh Anjo Nizadah

Appeal No. 4990/2021

Muhammad Ibraheem SST (BPS-16) GHSS Beer, Tehsil and District Haripur.....

(Appellant)

**Versus**


Govt. of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Peshawar & Others.....

(Respondents)

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3	Copy of appeal and covering letter	04-05	A&B
4	Copy of promotion order	06-08	C
5	Copy of the relevant section	09-10	D
6	Copy of departmental appeal	11	E
7	Copy of Rules 1989	12-13	F

(Respondent)

  
District Education Officer (M)  
Haripur



Appeal No. 4990/2021

Muhammad Ibraheem SST (BPS-16) GHSS Beer, Tehsil and District Haripur.....

(Appellant)

**Versus**

Govt. of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Peshawar  
& Others.....

(Respondents)

**Respectfully Sheweth:**

Para wise reply/Comments for and on behalf of respondent No.1 to 3.

**Preliminary Objections:**

- 1 That the appellant has got no cause of action to file the instant appeal.
- 2 That the appellant has not come to this Honorable Court with clean hands.
- 3 That the Appellant has got no locus standi to file the instant appeal.
- 4 That the appellant has concealed the material facts from this Honorable Court, hence the appeal in hand is liable to be dismissed.
- 5 That the appellant has filed the instant appeal on malafide motives.
- 6 The appellant has filed the instant appeal just to pressurize the respondents.
- 7 That the appellant is estopped by his own conduct to file the present appeal.
- 8 That the name of the appellant was included in the working papers of Departmental Promotion Committee (DPC) but competent authority has dropped his name due to non falling on criteria prescribed for promotion of SST (G) observing all quota and codal formalities.
- 9 That the appellant feeling aggrieved by the act of worthy Director E&SE Khyber Pakhtunkhwa, filed an appeal against the act of the competent authority which was forwarded to the authority through proper channel. **(Copy of appeal and covering letter is attached as annexure-A&B)**
- 10 That on acceptance of appeal the competent authority, Director E&SE Khyber Pakhtunkhwa has issued the promotion order of the appellant. Hence the grievances of the petitioner had been addressed in accordance with the appeal of the appellant. **(Copy of promotion order is attached as annexure-C)**
- 11 That the appellant has not filed any appeal against the order for his promotion issued by the worthy Director E&SE Khyber Pakhtunkhwa before the next above authority within the period of 30 days in accordance with section 22 (1) & (2) of the NWFP Civil Servant Act 1973. Hence the case of the appellant is badly time barred and liable to be dismissed. **(Copy of the relevant section is attached as Annexure-D)**

**REPLY/COMMENTS ON FACTS ARE AS UNDER:**

1. Para "1" is pertains to the service of the appellant as Theology Teacher which needs no comment.
2. Para "2" pertains to the promotion of appellant from TT (BPS -15) to STT (BPS-16) which also needs no comment.
3. Para "3" pertains to including the name of appellant in working papers of Departmental Promotion Committee (DPC) for the promotion to the post of SST (G) (BPS-16). Hence needs no comment.
4. Para "4" is incorrect. The detail reply has been given in Para 8 of the preliminary objections above.

- (22)
5. Para "5" is incorrect. The departmental appeal of the appellant had been decided by the competent authority upon which his promotion order had been issued.
  6. Para "6" is incorrect. The appellant had been promoted to the post of SST (G) with immediate effect by accepting his own appeal because he had not prayed for his promotion from back date w.e.f 27-07-2017.
  7. Para "7" is incorrect. The appellant has not filed any appeal against the order for his promotion issued by the worthy Director E&SE Khyber Pakhtunkhwa, before the next above authority within the period of 30 days in accordance with section 22 (1) & (2) of the NWFP Civil Servant Act 1973.
  8. Para "8" is incorrect. The appellant cannot seek any remedy through this writ petition inter alia on the following grounds.

**REPLY ON GROUNDS:**

- A. Ground "A" is incorrect. The appellant has got benefit from the impugned order and the appellant himself had not demanded his promotion from back date w.e.f 27-07-2017 in his appeal to the competent authority dated 28-07-2017. Thus he had been granted promotion with immediate effect. **(Copy of the departmental appeal is attached as Annexure-E)**
- B. Ground "B" is incorrect. The appellant has been treated by the answering respondents in accordance with law rules and policy and the answering respondents even cannot think of the violation of any article of the Constitution of Islamic Republic of Pakistan 1973.
- C. Ground "C" is incorrect. The detail reply has been given in preceding Paras above.
- D. Ground "D" is incorrect. The seniority of the appellant has not been changed, overruled and affected by the answering respondents.
- E. Ground "E" is incorrect. The answering respondents have not promoted any other person beyond the seniority on place of the appellant.
- F. Ground "F" is incorrect. The appellant has promoted to the post of SST BPS 16 as per his eligibility and on his own turn in accordance with Rule 17 of the APT rules 1989. **(Copy of Rules is attached as Annexure-F)**
- G. Ground "G" is incorrect. The detail reply has been given in preceding Paras above.
- H. Ground "H" is incorrect. The answering respondents even cannot think of the violation of any article of the Constitution of Islamic Republic of Pakistan.
- I. Ground "I" is discretionary power of the Honourable Tribunal.
- J. That the other points shall be argued at the time of argument with the leave of this Honourable Tribunal.

**PRAYER**

In view of the above made humble submissions, it is most respectfully prayed that on acceptance of foregoing factual position/ Comments, the instant appeal may very graciously be dismissed being meritless.

**RESPONDENTS**

Secretary E&SE Khyber Pakhtunkhwa, Peshawar.

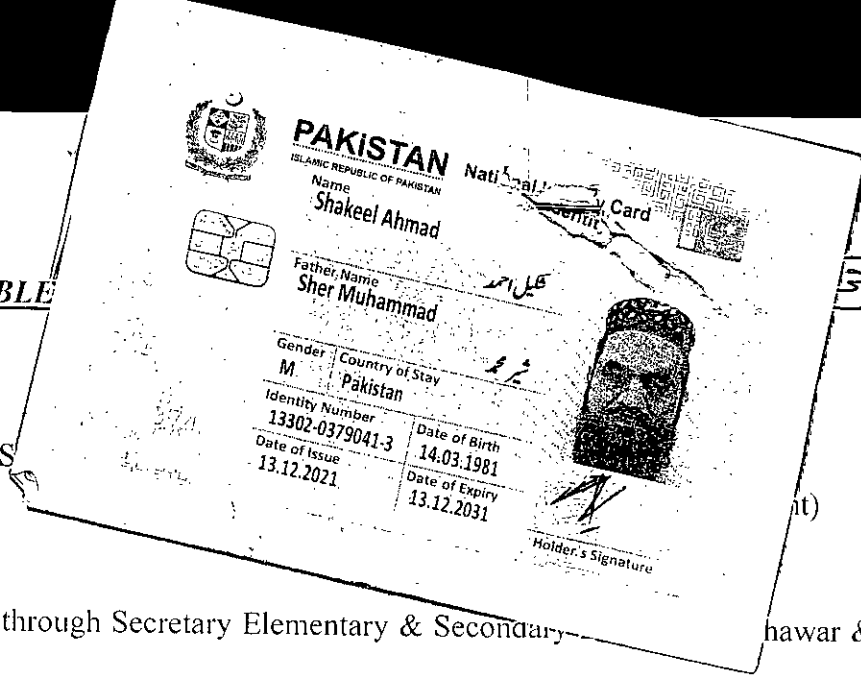
Director E&SE Khyber Pakhtunkhwa, Peshawar.

District Education Officer (M) Haripur.

BEFORE THE HONORABLE

Muhammad Ibraheem SST (BPS

Govt: of Khyber Pakhtunkhwa through Secretary Elementary & Secondary  
Others.....



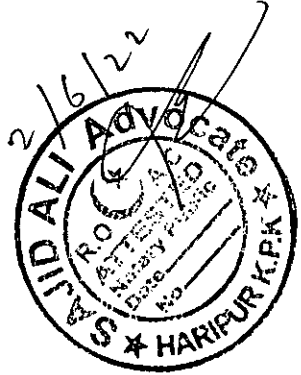
hawar &  
(Respondents)

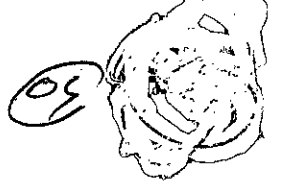
AFFIDAVIT

I Mr. Shakeel Ahmad ADEO Litigation o/o DEO (M) Haripur do hereby solemnly affirmed and declare that the contents of accompanying Para wise comments are true and correct to the best of my knowledge and belief and nothing has been suppressed/concealed from this Honorable Tribunal.

Deponent

Shakeel Ahmad  
ADEO Litigation o/o DEO (M)  
Haripur.





(14)

14/11/19

بخدمت جناب ڈائریکٹر صاحب اسٹیٹ ایجوکیشن ڈیپارٹمنٹ لاہور

تہ عنوان: ایف ایل ایم ڈائریکٹر ایجوکیشن برائے پروموشن بوسالٹ ڈی۔ ای۔ او۔ (مردانہ) ہری پور

جناب عالی!

مذکورہ تگزارش ہے کہ فدی نے اپنا کیس SST میں کئی نومبر 2017ء کو جمع کیا تھا۔ اس کیلئے 2017-18ء کیلئے ایف ایل ایم ڈائریکٹر ایجوکیشن برائے پروموشن بوسالٹ ڈی۔ ای۔ او۔ (مردانہ) ہری پور میں سائنس سیکرٹری اسلامیات کی پوسٹ پر اپنے فرائض سرانجام دے رہا ہے۔ اس کیلئے SST کی پوسٹ پر آرڈر نہیں ہو سکا جبکہ اس کیلئے کانسٹیبل کی پوسٹ میں سرٹیفکیٹ تھا۔ اسی دوران اس کیلئے ایف ایل ایم بھی جمع کرانی مگر اس پر بھی کوئی عمل نہیں ہوا۔

لہذا جناب سے استدعا کرتا ہوں کہ اس کیلئے پروموشن کے احکامات صادر فرمائیں۔

بندہ تازیت ڈعا گوڑ ہے گا۔

العارض

محمد ابراہیم  
S. 77

سیکرٹری اسلامیات، گورنمنٹ ہائی سکول، اولی ہری پور

Forwarded for n/a. Please

25/10/19  
PRINCIPAL  
Govt High School  
Alotki (Jhelum)

25/10/19  
25/10/19

ADP

25/10/19

17/11/19

622  
7-11-19-19



Annexure-B



REF

OFFICE OF THE DISTRICT EDUCATION OFFICER (M)

HARIPUR

Ph. No. 0995-920150, 920151, 920152

Fax No. 0995-920153, 920154

16

No. 9912/8-6/EB/Promotion TT

Dated 26/11/2019

To

The Director,  
Elementary & Secondary Education  
Khyber Pakhtunkhwa Peshawar.

Subject: APPEAL FOR PROMOTION.

Memo:

15-11-2019.

With reference your office No. 8123/F.No.34/SST(M)/General Cases dated

The factual position into the case on the subject cited above is as under:-

1. That the name of the appellant was approved in the DPC against promotion to SST post which was held on 10-07-2017 and Working Papers were submitted in your good office duly signed by the DEO (M) Abbottabad being representative on the behalf of Directorate E&SED Khyber Pakhtunkhwa Peshawar. (Copy enclosed)
2. That later on receipt of approval from your good office vide No. 2181-86/File No.2/Promotion SST B-16 dated 27-07-2017, his name was not included in the said approval list (Copy enclosed).
3. That in this regard he lodged an appeal against his promotion, this office sent the same to your good office vide No. 6713/F.No.8-6/EB/Prom: TT dated 11-08-2017 (Copy enclosed) but no action/response was received uptill now.

Hence therefore report is submitted for favour of further necessary action please

Encl: As above.

District Education Officer (Male)  
Haripur

*Annexure C*

Promotion of SST of District Haripur.

DIRECTORATE OF ELEMENTARY AND SECONDARY  
EDUCATION KHYBER PAKHTUN KHAWA PESHAWAR

**Notification**

Consequent upon the recommendations of the Departmental Promotion Committee and in pursuance of the Government of Khyber Pakhtunkhwa Elementary and Secondary Education Notification No SO(B&A)F.18/E&SE/2012 dated 11.7.2012 and Finance Department Enforcement No SO(FR)FD/10.22(E)2010 dated 16.7.2012, the following SCT/CT, SDM/DM, SAT/AT, SFT/FT, S.Qari Qari and PSHT/SPST/PST (Male) are promoted to the posts of SST (G) and SST (P/M) in BPS-16 (Rs.18910-1520-64510) respectively, plus usual allowances as admissible under the rules on regular basis under the existing policy of the Provincial Government, on the terms and conditions given below with immediate effect, and further they will be adjusted by the District Education Officer concerned.

**A. Promotion to SST (G)**

**ITEM No.1 PROMOTION OF SCT MALE TO THE POST OF SST (G) BPS.16 ON REGULAR BASIS**

Total No. of Vacant Post of SST(G)	25
25% Initial Recruitment of SST (G)	7.25
75% Promotion Quota of SST (G)	18.75
40% SCT/CT Quota to SST(G)	10
Posts Available for Promotion (G)	10
Proposed SCT for Promotion to SST (G)	9
Deferred of Promotion from SCT to SST (G)	1

Sl#	Sn #	Name of Official	Name of School	Date of Birth	Date of Appt: as Regular CT	Qual:	Remarks
1	124	Niaz Hussain Shah	GHS Chhajjian	01/07/1967	19/11/1994	MA, B.Ed	Services are placed at the disposal of DEO(M) Haripur for further adjustment against the post of SST(G) in (BPS-16), on regular basis with immediate effect
2	127 (A)	Muhammad Haroon Shah	GHS Sarri	25/08/1971	16/02/1995	MA, M.Ed	Services are placed at the disposal of DEO(M) Haripur for further adjustment against the post of SST(G) in (BPS-16), on regular basis with immediate effect
3	137	Mir Jameel-ur- Rehman	GHSS Sirikot	01/02/1967	18/09/1995	MA, M.Ed	Services are placed at the disposal of DEO(M) Haripur for further adjustment against the post of SST(G) in (BPS-16), on regular basis with immediate effect
4	138	Tahir Jamil	GHS Bhera	09/03/1970	18/09/1995	BA, B.Ed	Services are placed at the disposal of DEO(M) Haripur for further adjustment against the post of SST(G) in (BPS-16), on regular basis with immediate effect
5	139	Abdul Waheed	GHSS Panian	10/04/1971	20/09/1995	MA, B.Ed	Services are placed at the disposal of DEO(M) Haripur for further adjustment against the post of SST(G) in (BPS-16), on regular basis with immediate effect
6	140	Shamriz Khan	GHS TT Ship	06/02/1965	01/10/1995	BA, B.Ed	Services are placed at the disposal of DEO(M) Haripur for further adjustment against the post of SST(G) in (BPS-16), on regular basis with immediate effect
7	141	Muhammad Haroon	GHSS Sirikot	30/03/1969	25/10/1995	MA, MA (Edu)	Services are placed at the disposal of DEO(M) Haripur for further adjustment against the post of SST(G) in (BPS-16), on regular basis with immediate effect
8	142	Syed Pana Ali Shah	GHS Noor Pur	08/02/1972	02/12/1995	MA, M.Ed	Services are placed at the disposal of DEO(M) Haripur for further adjustment against the post of SST(G) in (BPS-16), on regular basis with immediate effect
9	143	Sardar Zurbair Elahi	GHS Sarai Gallaar	02/03/1971	19/12/1995	M.Sc(P.S) MA Edu.	Services are placed at the disposal of DEO(M) Haripur for further adjustment against the post of SST(G) in (BPS-16), on regular basis with immediate effect

(9)  
 No. of Posts Available for Promotion on Regular Basis  
 25  
 7.25  
 18.75  
 1  
 1  
 1

**Promotion of SST of District**  
**ITEM No.2 PROMOTION OF SDM (BPS-16) MALE TO THE POST OF SST (G) BPS-16 ON REGULAR BASIS**

Total No. of Vacant Post of SST(G)	25
25% Initial Recruitment of SST (G)	7.25
75% Promotion Quota of SST (G)	18.75
4% SDM/DM Quota to SST(G)	1
Posts Available for Promotion to SST (G)	1
Proposed SDM for Promotion to SST (G)	1

Sl#	Sn #	Name of Official	Name of School	Date of Birth	Date of Applt: as Regular DM	Qual:	Remarks
01	22	Tariq Mehmood	GHS K-1 S No 2	16/10/1967	21/02/2013	MA, M.Ed	Services are placed at the disposal of DEO(M) Haripur for further adjustment against the post of SST(G) on BPS-16 on regular basis with immediate effect

**ITEM No.3 PROMOTION OF SAT (BPS-16) MALE TO THE POST OF SST (G) BPS-16 ON REGULAR BASIS**

Total No. of Vacant Post of SST(G)	25
25% Initial Recruitment of SST (G)	7.25
75% Promotion Quota of SST (G)	18.75
4% SAT/AT Quota to SST(G)	1
Posts Available for Promotion to SST (G)	1
Proposed SAT for Promotion to SST (G)	1

Sl#	Sn #	Name of Official	Name of School	Date of Birth	Date of Applt: as Regular AT	Qual:	Remarks
1	18	Tahab Shah	GHS Sirkot	16-10-1968	01-07-1997	MA,B.Ed	Services are placed at the disposal of DEO(M) Haripur for further adjustment against the post of SST(G) in (BPS-16) on regular basis with immediate effect

**ITEM No.4 PROMOTION OF STT (BPS-16) MALE TO THE POST OF SST (G) BPS-16 ON REGULAR BASIS**

Total No. of Vacant Post of SST(G)	25
25% Initial Recruitment of SST (G)	7.25
75% Promotion Quota of SST (G)	18.75
4% SAT/AT Quota to SST(G)	1
Posts Available for Promotion to SST (G)	1
Proposed SAT for Promotion to SST (G)	1

Sl#	Sn #	Name of Official	Name of School	Date of Birth	Date of Applt: as Regular TT	Qual:	Remarks
1	10	Muhammad Ibrahim	GHS Aloli	16-03-1973	12-04-1999	MA,M.Ed	Services are placed at the disposal of DEO(M) Haripur for further adjustment against the post of SST(G) in (BPS-16) on regular basis with immediate effect

**ITEM No.5 PROMOTION OF S.QARI (BPS-15) MALE TO THE POST OF SST (G) BPS-16 ON REGULAR BASIS**

Total No. of Vacant Post of SST(G)	25
25% Initial Recruitment of SST (G)	7.25
75% Promotion Quota of SST (G)	18.75
3% Qari/S.Qari Quota to SST(G)	1
Posts Available for Promotion to SST (G)	1
Proposed SAT for Promotion to SST (G)	1

Sl#	Sn #	Name of Official	Name of School	Date of Birth	Date of Applt: as Regular Qari	Qual:	Remarks
1	8	Siddique ul-Hassan	GHS KT Shup #4	1.1.1976	05-04-1999	MA, B.Ed	Services are placed at the disposal of DEO(M) Haripur for further adjustment against the post of SST(G) on BPS-16 on regular basis with immediate effect

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Promotion of *[Name]* of District *[District Name]*  
 B Sc. Sec. *[Name]* for the post of *[Post Name]*  
 B Ed. (M) *[Name]* for further adjustment  
 the post of SST (P/M) in BPS-16 on  
 basis with immediate effect.

**Promotion of DM Male to the Post of SST (P/M) BPS-16 on Regular Basis**

Number of Vacant Post of SST (P/M)	14
5% Initial Recruitment of SST (P/M)	3
55% Promotion Quota of SST (P/M)	11
4% SDM/DM Quota to SST (P/M)	1
Posts Available for Promotion to SST (P/M)	1
Proposed SDM/DM for Promotion to SST (P/M)	1

Sl. No.	Sn #	Name of Official	Name of School	Date of Birth	Date of Apptt: as Regular DM	Qual:	Remarks
1	149	Umer Malik	GMS Bandi Seeran	01-11-1989	06-11-2014	BSC, DM, M.Ed	Services are placed at the disposal of District Education Officer (M) Haripur for further adjustment against the post of SST (P/M) in (BPS-16), on regular basis with immediate effect.

**Terms and Conditions:**

- 1 They would be on probation for a period of one year extendable for another one year.
- 2 They will be governed by such rules and regulations as may be issued from time to time by the Govt.
- 3 Their services can be terminated at any time, in case their performance is found unsatisfactory during probationary period. In case of misconduct, they shall be proceeded under the rules framed from time to time.
- 4 Charge report should be submitted to all concerned.
- 5 Their Inter Service- Seniority on lower post will remain intact.
- 6 No TA/DA is allowed for joining their duty.
- 7 They will give an under taking to be recorded in their service books to the effect that if any over payment is made to them in the light of this order will be recovered and if they are wrongly promoted they will be reversed.
- 8 Before handing over charge their document may be checked. If they have not the required relevant qualification as per rules, they may not be handed over charge of the post.

(Hafiz Dr. Muhammad Ibrahim)  
 Director,  
 Elementary and Secondary Education  
 Khyber Pakhtunkhwa - Peshawar

Endst: No. 8927-33 / File No.1/Promotion SST (BPS-16) Dated Peshawar the 27/12/20

Copy forwarded for information and necessary action to the:

1. Accountant General Khyber Pakhtunkhwa Peshawar.
2. District Education Officer (M) Haripur
3. District Accounts Officer Haripur
4. Officials Concerned.
5. PS to the Secretary to Govt: Khyber Pakhtunkhwa E&SE Department
6. PA to the Director E&SE Khyber Pakhtunkhwa, Peshawar
7. M/File

Dy: Director (Establishment)  
 Elementary and Secondary Education  
 Khyber Pakhtunkhwa - Peshawar

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**CONSTITUTIONAL PROVISIONS REGARDING  
TERMS AND CONDITIONS OF SERVICE OF  
CIVIL SERVANTS.**

**Appointments to service of Pakistan  
and conditions of service.**

**Article 240 of the Constitution of Islamic Republic of Pakistan, 1973.** Subject to the Constitution, the appointments to and the conditions of service of persons in the service of Pakistan shall be determined;-

- (a) in the case of the services of the Federation, posts in connection with the affairs of the Federation and All-Pakistan Services, by or under Act of Majlis-e-Shoora (Parliament); and
- (b) In the case of the services of a Province and posts in connection with the affairs of a Province, by or under Act of the Provincial Assembly.

Explanation:- In this Article, "All-Pakistan Service" means a service common to the Federation and the Provinces, which was in existence immediately before the commencing day or which may be created by Act of Majlis-e-Shoora (Parliament).

**Existing rules etc. to continue.**

**Article 241.** Until the appropriate Legislature makes a law under Article 240, all rules and orders in force immediately before the commencing day shall, so far as consistent with the provisions of the Constitution, continue in force and may be amended from time to time by the Federal Government or as the case may be, the Provincial Government.

allowed, on account of such compassionate allowance, a sum not exceeding two-third of Government contributions in his account.

(4) If the determination of the amount of pension or gratuity admissible to a civil servant is delayed beyond one month of the date of his retirement or death, he or his family, as the case may be, shall be paid provisionally such anticipatory pension or gratuity as may be determined by the prescribed authority, according to the length of service of the civil servant which qualified for pension or gratuity and any over payment on such provisional payment shall be adjusted against the amount of pension or gratuity finally determined as payable to such civil servant or his family.

**20. Provident Fund:-** (1) Before the expiry of the third month of every financial year, the Accounts Officer or other officer required to maintain provident fund accounts shall furnish to every civil servant subscribing to a provident fund the account of which he is required to maintain a statement under his hand showing the subscriptions to including the interest accruing thereon, if any, and withdrawals or advances from his provident fund during the preceding financial year.

(2) Where any subscription made by a civil servant to his provident fund has not been shown or credited in the account by the Accounts Officer or other officer required to maintain such account, such subscription shall be credited to the account of the civil servant on the basis of such evidence as may be prescribed.

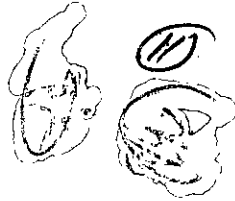
**21. Benevolent Fund and Group Insurance:-** All civil servants and their families shall be entitled to the benefits admissible under the West Pakistan Government Employees Welfare Fund Ordinance, 1969 (W.P Ord.I of 1969), or the North-West Frontier Province Government Servants Benevolent Fund Ordinance, 1972 (NWFP Ordinance VII of 1972), and the rules made thereunder.

**22. Right of Appeal or Representation:-** (1) Where a right to prefer an appeal or apply for review in respect of any order relating to the terms and conditions of his service is provided to a civil servant under any rules applicable to him, such appeal or application shall, except as may be otherwise prescribed, be made within thirty days of the date of such order.

(2) Where no provision for appeal or review exists under the rules in respect of any order or class of orders, a civil servant aggrieved by any such order may, within thirty days of the communication to him of such order, make a representation against it to the authority next above the authority which made the order.

Provided that no representation shall lie on matters relating to the determination of fitness of a person to hold a particular post or to be promoted to a higher post or grade.

# Annexure E



(5) دستور تھا - ڈائریکٹر ایجنسی اینڈ سٹڈیز ایجوکیشن  
 ایجوکیشن سب ڈیپارٹمنٹ ایجوکیشن ایجنسی ہری پور  
 Annex E  
 نوٹ: سٹڈیز سب ڈیپارٹمنٹ (13)  
 میں ایجوکیشن سب ڈیپارٹمنٹ کے نام سے  
 پتہ: سٹڈیز سب ڈیپارٹمنٹ، ایجوکیشن ایجنسی، ہری پور  
 جس میں T-T کے نوٹس میں ٹاپ پوزیشن میری ٹی او اور میری  
 D.P.C میں سوئی ہے۔ جبکہ پشاور میں آئے والی  
 (Approved) اس ممبرانہ نام شامل نہیں ہے  
 لیکن ایجنسی کے ممبرانہ نام شامل نہیں ہے  
 مجموعہ میں SST پوزیشن کا حق حاصل ہے۔

الحاصل

محمد ابراہیم STT  
 GHS آکولی ہری پور

28/7/17

(A.D.E.O. Bure)

Date 28/7/17

Ph # 0333-569 13 86

Office (GHS, Akoli)

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**THE 'KHYBER PAKHTUNKHWA CIVIL SERVANTS  
(APPOINTMENT, PROMOTION & TRANSFER) RULES, 1989**

**PART-I**

**GENERAL**

1. **Short title and commencement:** - (1) These rules may be called the <sup>2</sup>[Khyber Pakhtunkhwa] Civil Servants (Appointment, Promotion and Transfer) Rules, 1989.

(2) They shall come into force at once.

2. **Definitions:**-(1) In these rules, unless the context otherwise requires:-

(a) "Appointing Authority" in relation to a post, means the persons authorized under rule 4 to make appointment to that post;

(b) "Basic Pay Scale" means the Basic Pay Scale for the time being sanctioned by Government, in which a post or a group of posts is placed;

(c) "Commission" means the <sup>3</sup>[Khyber Pakhtunkhwa] Public Service Commission;

<sup>4</sup>(d) "Departmental Promotion Committee" means a committee constituted for making selection for promotion or transfer to such posts under a Department, or offices of Government, which do not fall within the purview of the Provincial Selection Board;

<sup>5</sup>(dd) "Departmental Selection Board" means a Board constituted for the purpose of making selection for initial recruitment /appointment to posts under a Department or office of Government in Basic Pay Scale 17 not falling within the purview of the Commission:

Provided that more than one such committees may be constituted for civil servants holding different scales of pay".

(e) "Departmental Selection Committee" means a committee constituted for the purpose of making selection for initial appointment to posts under a department, or office of Government [in Basic Pay Scale 17 and below not falling within the purview of the Commission];

(f) "Post" means a post sanctioned in connection with the affairs of the Province, but not

<sup>1</sup> For the words "NWFP" or "North-West Frontier Province", wherever occurred, the words "Khyber Pakhtunkhwa" substituted by the Khyber Pakhtunkhwa Laws (Amendment) Act, 2011 (Khyber Pakhtunkhwa Act No. IV of 2011) published in the Khyber Pakhtunkhwa Government Gazette Extraordinary dated 2nd April, 2011

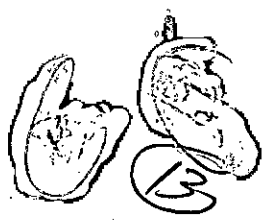
<sup>2</sup> Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.

<sup>3</sup> Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.

<sup>4</sup> Substituted by Clause (d) of sub-rule (1) of Rule 2 vide Notification No. SOR-I (S&GAD) 4-1/80 (Vol-II) dated 14-01-92.

<sup>5</sup> Clause (dd) added by Notification No. SOR-III (S&GAD) 2-7/86, dated 8-12-1994





## PROBATION AND CONFIRMATION

<sup>47</sup>15. **Probation.** ----- (1) Persons appointed to posts by initial recruitment, promotion or transfer shall be on probation for a period of one year.

(2) The appointing authority, if considers necessary, may extend the probation period for one year as may be specified at the time of appointment.

<sup>48</sup>(3) On the successful completion of probation period, the appointing authority shall, by specific order terminate the probation of the officer or official concerned within two months after the expiry of probation period prescribed in sub-rule(1):

Provided that if no specific order regarding termination of the probation period of the official or officer concerned is issued within two months, the period of probation shall be deemed to have been extended under sub-rule (2):

Provided further that if no specific order is issued on the expiry of the extended period of probation, the period of probation shall be deemed to have been successfully completed.”

16. **Confirmation:**-After satisfactory completion of the probationary period, a civil servant shall be confirmed; provided that he holds a substantive post, provided further that a civil servant shall not be deemed to have satisfactorily completed his period of probation, if he has failed to pass an examination, test or course or has failed to complete successfully a training prescribed within the meaning of sub-section (3) of Section 6 of the <sup>49</sup>[Khyber Pakhtunkhwa] Civil Servants Act, 1973.

## PART-VI

### SENIORITY

17. **Seniority** :- (1) the seniority inter se of civil servants <sup>50</sup>(appointed to a service, cadre or post) shall be determined:-

- (a) in the case of persons appointed by initial recruitment, in accordance with the order of merit assigned by the Commission <sup>51</sup>[or as the case may be, the Departmental Selection Committee;] provided that persons selected for appointment to post in an earlier selection shall rank senior to the persons selected in a later selection; and
- (b) in the case of civil servants appointed otherwise, with reference to the date of their continuous regular appointment in the post; provided that civil servants selected for promotion to a higher post in one batch shall, on their promotion to the higher post,

<sup>47</sup> Rule-15 substituted vide Notification No. SOR-VI/E&AD/1-3/2009/Vol-VIII dated 16-2-2010.

<sup>48</sup> Sub rule (3) substituted vide Notification No. SOR-VI (E&AD)1-3/2012 dated 28-12-2012.

<sup>49</sup> Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.

<sup>50</sup> Substituted for the words appointment to a post in the same basic pay scale in a cadre by Notification No. SOR-I(S&GAD)4-1/80, dated 17-05-1989.

<sup>51</sup> The words inserted by Notification No. SOR-I(S&GAD)4-1/80/II, dated 04-02-1996.



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**AUTHORITY LETTER**

Mr. Shakeel Ahmad ADEO Litigation office of the undersigned is hereby authorized to submit comments/reply in Honorable High Court Abbottabad Bench in c/w Appeal No 1990/2021, titled Muhammad Ibrahim VS Government etc for **affidavit** and onward submission to Honorable Tribunal on behalf of all official respondents.

District Education Officer (M)  
Haripur.