

**BEFORE THE HON'BLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR**

Misc Application No. _____ /2023

In

Service Appeal No. 1062/2022

Nighat Jehan Applicant

VERSUS

The Secretary Education & others Respondents

I N D E X

S.No	Description of Documents	Annex	Pages
1.	Stay Application		1-4
2.	Affidavit		5
3.	Tentative Seniority List as stood on 31.08.2023 and Tentative Seniority List as stood on 15.09.2023 along with objection petition against tentative seniority list	A	6-13
4.	Copy of Letter No. 7585-89 dated 23.09.2023	B	14-15

Nighat Jehan

Appellant / Applicant

Through

Dated: 25.09.2023

Ashraf Ali Khattak

ASHRAF ALI KHATTAK

Advocate, Supreme Court
Of Pakistan

BEFORE THE HON'BLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR

Misc Application No. _____ /2023

In

Service Appeal No. 1062/2022.

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 7870

Dated 25/09/23

Nighat Jehan SDM, GGHS, Achini Payan Peshawar

..... Applicant

VERSUS

1. The Secretary

Education (E&SE) Department
Government of Khyber Pakhtunkhwa
Civil Secretariat, Peshawar

2. The Director

(E&SE) Department
Govt of Khyber Pakhtunkhwa
Near Malik Saad, BRT Terminal Peshawar

3. The District Education Officer (F)

(E&SE) Department
G.T Road Peshawar

4. Mst Rehana Khatun D/o Habib ur Rehman

SST (G) (BPS-16)

GGHS Surizai Bala, Peshawar.

5. Mst Shazia Bibi D/o Karam Ilahi

GGHS Khappa, Peshawar.

..... Respondents

APPLICATION FOR RESTRAINING THE
RESPONDENTS FROM PROCESSING AND
FINALIZATION OF PROMOTION OF SDM
TO SST, FOR WHICH DPC HAS BEEN
PROPOSED AND FOR THE SAME
NECESSARY DOCUMENTS ETC HAS
BEEEN REQUISITIONED VIDE LETTER
NO. 7585-89 DATED 23.09.2023.

Respectfully Sheweth:

The Applicant humbly submit as under;

1. That applicant has filed Service Appeal No 1062/2022 before this Hon'ble Tribunal in which 06.12.2023 has been fixed for further proceedings, the plea taken by the Appellant in her memo of Appeal may kindly be considered as integral part of the instant Application.
2. That applicant has highly been discriminated in terms of her seniority position and promotion to the post of SST,

which is evident from the Bare perusal of the contents of her Service Appeal.

3. That the respondents via WhatsApp has circulated tentative seniority List of SDM as stood on 31.08.2023 and another tentative Seniority list as stood on 15.09.2023. Appellant has already submitted objection against the tentative Seniority List, which is still pending without disposal, and till the date no final seniority list has been circulated as per Law. **(Annex-A)**

4. That the respondents are processing DPC meeting for promotion of SDM to SST and for that purpose necessary documents have been requisitioned. **(Annex-B)**

5. That Applicant / Appellant is the most Senior SDM but her Seniority has been disturbed without any legal justification and the fresh procedure adopted by the Respondents amount a one further step to deprive applicant of her occurred right of promotion.

6. That balance of convenience lies in favour of applicant / Appellant and if the process of promotion is not restrained; applicant / Appellant would suffer with irreparable loss.

In view of the above mentioned humbly submission, it is requested that the process initiated for promotion of SDM cadre to the post of SST may kindly be stopped / withheld, till the final disposal of Service Appeal No. 1062/2022. OR

At least no final notification of promotion order SDM Cadre to the post of SST Cadre to the extent of one Seat / post may kindly be issued, till the final disposal of the Service Appeal.

Ajeham
25/9/23

Appellant / Applicant

Through

Dated: 25.09.2023

Ashraf Ali Khattak

ASHRAF ALI KHATTAK

Advocate, Supreme Court
Of Pakistan

**BEFORE THE HON'BLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR**

Misc Application No. _____ /2023

In

Service Appeal No. 1062/2022

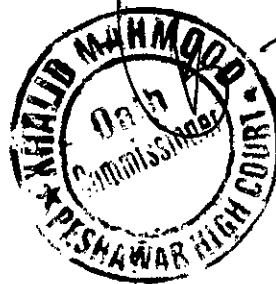
Nighat Jehan Applicant

VERSUS

The Secretary Education & others Respondents

AFFIDAVIT:

Mst Nighat Jehan W/o Profg. Engr Noor ul Qamer, SDM, GGHS, Achini Payan, do hereby solemnly affirm and declare on oath that the contents of the instant Application are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.



23
9 Nighat Jehan
25/9/23
DEPONENT

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) PESHAWAR																	
3rd Tentative Seniority List of S.DM (F) District Peshawar as stood on 15/9/2023																	
Sr	School Name	Teacher Name	Father Name	Acad Qualif	Subj	Profe Qualif	Design	SPS	DOB	Domicile District	Date of First Appointed	D/O taking over charge in Present Post	D/O passing Professional Exam	D/O Promotion to S.DM Post	Date of taking over charge in this district/ passing	Date of Consideration	Remarks
1	GGHS BUDHINE	SHABANUM KHAN	SYED GHORAM KHAN	B.A.	Urdu	DM/MED	SOM	15	21/07/1971	PESHAWAR	11/04/1995	01/09/1995	25/05/1996	21/07/2012	25/05/1996	21/07/2012	
2	GGHS BAYAT	NOOR KHAN	GHANM KHAN	B.A.	Urdu	DM/MED	SOM	15	21/07/1971	PESHAWAR	11/04/1995	01/09/1995	25/05/1996	21/07/2012	25/05/1996	21/07/2012	
3	GGHS BUREN	NOOR KHAN	GHANM KHAN	B.A.	Urdu	DM/MED	SOM	15	21/07/1971	PESHAWAR	11/04/1995	01/09/1995	25/05/1996	21/07/2012	25/05/1996	21/07/2012	
4	GGHS GUL BAHAR	SHABANUM KHAN	SYED GHORAM KHAN	B.A.	Urdu	DM/MED	SOM	15	21/07/1971	PESHAWAR	11/04/1995	01/09/1995	25/05/1996	21/07/2012	25/05/1996	21/07/2012	
5	GGHS MOUNTAIN ROAD	SHABANUM KHAN	SYED GHORAM KHAN	B.A.	Urdu	DM/MED	SOM	15	21/07/1971	PESHAWAR	11/04/1995	01/09/1995	25/05/1996	21/07/2012	25/05/1996	21/07/2012	
6	GGHS PESHAWAR	SHABANUM KHAN	SYED GHORAM KHAN	B.A.	Urdu	DM/MED	SOM	15	21/07/1971	PESHAWAR	11/04/1995	01/09/1995	25/05/1996	21/07/2012	25/05/1996	21/07/2012	
7	GGHS ACHIN PAYAN	RIHAT KHAN	MASRI KHAN	M.A.	Pakhto	DM/MED	SOM	15	11/04/1973	PESHAWAR	25/04/97	21/12/2013	13/5/1997	21/12/2013	25/04/97	21/12/2013	ok
8	GGHS BAYAT	SHABANUM KHAN	SYED GHORAM KHAN	B.A.	Urdu	DM/MED	SOM	15	21/07/1971	PESHAWAR	11/04/1995	01/09/1995	25/05/1996	21/07/2012	25/05/1996	21/07/2012	
9	GGHS BUREN	SHABANUM KHAN	SYED GHORAM KHAN	B.A.	Urdu	DM/MED	SOM	15	21/07/1971	PESHAWAR	11/04/1995	01/09/1995	25/05/1996	21/07/2012	25/05/1996	21/07/2012	
10	GGHS BABA LAKE	MARYUM NOOR	NOOR MOHAMMAD	MA	Islamiyat	DM	SOM	15	20/09/1971	PESHAWAR	11/07/1997	21/02/2013	20/08/1998	21/02/2013	24/11/1998	21/02/2013	ok
11	GGHS BOLI KANTY	MARIEA NAZ	ASHIQ SALEEM	MA	URDU	DM/MED	SOM	15	10/10/1970	PESHAWAR	05/05/1998	21/02/2013	13/05/1997	21/02/2013	05/05/1998	21/02/2013	ok
12	GGHS STARABAG	SAPK BUDIN	MAH SHARAF MOHAMMAD	B.A.	Urdu	DM/MED	SOM	15	07/11/1969	PESHAWAR	20/10/1993	21/02/2013	27/02/1998	21/02/2013	20/10/1993	21/02/2013	
13	GGHS CITY HALL STATION	FAZLA KHAN	GHANM KHAN	B.A.	Urdu	DM/MED	SOM	15	10/04/1976	PESHAWAR	08/04/1999	21/02/2013	21/07/2013	21/02/2013	08/04/1999	21/02/2013	
14	GGHS UNIVERSITY TOWN	SHABANUM KHAN	SYED GHORAM KHAN	B.A.	Urdu	DM/MED	SOM	15	21/07/1971	PESHAWAR	11/04/1995	01/09/1995	25/05/1996	21/07/2012	25/05/1996	21/07/2012	
15	GGHS COMPREHENSIVE	SHABANUM KHAN	SYED GHORAM KHAN	B.A.	Urdu	DM/MED	SOM	15	21/07/1971	PESHAWAR	11/04/1995	01/09/1995	25/05/1996	21/07/2012	25/05/1996	21/07/2012	
16	GGHS KACH WALA	SHABANUM KHAN	SYED GHORAM KHAN	B.A.	Urdu	DM/MED	SOM	15	21/07/1971	PESHAWAR	11/04/1995	01/09/1995	25/05/1996	21/07/2012	25/05/1996	21/07/2012	
17	GGHS ISLAMIA COLLEGE	SHABANUM KHAN	SYED GHORAM KHAN	B.A.	Urdu	DM/MED	SOM	15	21/07/1971	PESHAWAR	11/04/1995	01/09/1995	25/05/1996	21/07/2012	25/05/1996	21/07/2012	
18	GGHS ISLAMIA COLLEGE	SHABANUM KHAN	SYED GHORAM KHAN	B.A.	Urdu	DM/MED	SOM	15	21/07/1971	PESHAWAR	11/04/1995	01/09/1995	25/05/1996	21/07/2012	25/05/1996	21/07/2012	
19	GGHS ISLAMIA COLLEGE	SHABANUM KHAN	SYED GHORAM KHAN	B.A.	Urdu	DM/MED	SOM	15	21/07/1971	PESHAWAR	11/04/1995	01/09/1995	25/05/1996	21/07/2012	25/05/1996	21/07/2012	
20	GGHS ISLAMIA COLLEGE	SHABANUM KHAN	SYED GHORAM KHAN	B.A.	Urdu	DM/MED	SOM	15	21/07/1971	PESHAWAR	11/04/1995	01/09/1995	25/05/1996	21/07/2012	25/05/1996	21/07/2012	
21	GGHS ISLAMIA COLLEGE	SHABANUM KHAN	SYED GHORAM KHAN	B.A.	Urdu	DM/MED	SOM	15	21/07/1971	PESHAWAR	11/04/1995	01/09/1995	25/05/1996	21/07/2012	25/05/1996	21/07/2012	
22	GGHS ISLAMIA COLLEGE	SHABANUM KHAN	SYED GHORAM KHAN	B.A.	Urdu	DM/MED	SOM	15	21/07/1971	PESHAWAR	11/04/1995	01/09/1995	25/05/1996	21/07/2012	25/05/1996	21/07/2012	
23	GGHS ISLAMIA COLLEGE	SHABANUM KHAN	SYED GHORAM KHAN	B.A.	Urdu	DM/MED	SOM	15	21/07/1971	PESHAWAR	11/04/1995	01/09/1995	25/05/1996	21/07/2012	25/05/1996	21/07/2012	
24	GGHS ISLAMIA COLLEGE	SHABANUM KHAN	SYED GHORAM KHAN	B.A.	Urdu	DM/MED	SOM	15	21/07/1971	PESHAWAR	11/04/1995	01/09/1995	25/05/1996	21/07/2012	25/05/1996	21/07/2012	
25	GGHS ISLAMIA COLLEGE	SHABANUM KHAN	SYED GHORAM KHAN	B.A.	Urdu	DM/MED	SOM	15	21/07/1971	PESHAWAR	11/04/1995	01/09/1995	25/05/1996	21/07/2012	25/05/1996	21/07/2012	
26	GGHS ISLAMIA COLLEGE	SHABANUM KHAN	SYED GHORAM KHAN	B.A.	Urdu	DM/MED	SOM	15	21/07/1971	PESHAWAR	11/04/1995	01/09/1995	25/05/1996	21/07/2012	25/05/1996	21/07/2012	
27	GGHS ISLAMIA COLLEGE	SHABANUM KHAN	SYED GHORAM KHAN	B.A.	Urdu	DM/MED	SOM	15	21/07/1971	PESHAWAR	11/04/1995	01/09/1995	25/05/1996	21/07/2012	25/05/1996	21/07/2012	
28	GGHS ISLAMIA COLLEGE	SHABANUM KHAN	SYED GHORAM KHAN	B.A.	Urdu	DM/MED	SOM	15	21/07/1971	PESHAWAR	11/04/1995	01/09/1995	25/05/1996	21/07/2012	25/05/1996	21/07/2012	
29	GGHS ISLAMIA COLLEGE	SHABANUM KHAN	SYED GHORAM KHAN	B.A.	Urdu	DM/MED	SOM	15	21/07/1971	PESHAWAR	11/04/1995	01/09/1995	25/05/1996	21/07/2012	25/05/1996	21/07/2012	
30	GGHS ISLAMIA COLLEGE	SHABANUM KHAN	SYED GHORAM KHAN	B.A.	Urdu	DM/MED	SOM	15	21/07/1971	PESHAWAR	11/04/1995	01/09/1995	25/05/1996	21/07/2012	25/05/1996	21/07/2012	
31	GGHS ISLAMIA COLLEGE	SHABANUM KHAN	SYED GHORAM KHAN	B.A.	Urdu	DM/MED	SOM	15	21/07/1971	PESHAWAR	11/04/1995	01/09/1995	25/05/1996	21/07/2012	25/05/1996	21/07/2012	
32	GGHS ISLAMIA COLLEGE	SHABANUM KHAN	SYED GHORAM KHAN	B.A.	Urdu	DM/MED	SOM	15	21/07/1971	PESHAWAR	11/04/1995	01/09/1995	25/05/1996	21/07/2012	25/05/1996	21/07/2012	
33	GGHS ISLAMIA COLLEGE	SHABANUM KHAN	SYED GHORAM KHAN	B.A.	Urdu	DM/MED	SOM	15	21/07/1971	PESHAWAR	11/04/1995	01/09/1995	25/05/1996	21/07/2012	25/05/1996	21/07/2012	
34	GGHS ISLAMIA COLLEGE	SHABANUM KHAN	SYED GHORAM KHAN	B.A.	Urdu	DM/MED	SOM	15	21/07/1971	PESHAWAR	11/04/1995	01/09/1995	25/05/1996	21/07/2012	25/05/1996	21/07/2012	
35	GGHS ISLAMIA COLLEGE	SHABANUM KHAN	SYED GHORAM KHAN	B.A.	Urdu	DM/MED	SOM	15	21/07/1971	PESHAWAR	11/04/1995	01/09/1995	25/05/1996	21/07/2012	25/05/1996	21/07/2012	
36	GGHS ISLAMIA COLLEGE	SHABANUM KHAN	SYED GHORAM KHAN	B.A.	Urdu	DM/MED	SOM	15	21/07/1971	PESHAWAR	11/04/1995	01/09/1995	25/05/1996	21/07/2012	25/05/1996	21/07/2012	
37	GGHS ISLAMIA COLLEGE	SHABANUM KHAN	SYED GHORAM KHAN	B.A.	Urdu	DM/MED	SOM	15	21/07/1971	PESHAWAR	11/04/1995	01/09/1995	25/05/1996	21/07/2012	25/05/1996	21/07/2012	
38	GGHS ISLAMIA COLLEGE	SHABANUM KHAN	SYED GHORAM KHAN	B.A.	Urdu	DM/MED	SOM	15	21/07/1971	PESHAWAR	11/04/1995	01/09/1995	25/05/1996	21/07/2012	25/05/1996	21/07/2012	
39	GGHS ISLAMIA COLLEGE	SHABANUM KHAN	SYED GHORAM KHAN	B.A.	Urdu	DM/MED	SOM	15	21/07/1971	PESHAWAR	11/04/1995	01/09/1995	25/05/1996	21/07/2012	25/05/1996	21/07/2012	
40	GGHS ISLAMIA COLLEGE	SHABANUM KHAN	SYED GHORAM KHAN	B.A.	Urdu	DM/MED	SOM	15	21/07/1971	PESHAWAR	11/04/1995	01/09/1995	25/05/1996	21/07/2012	25/05/1996	21/07/2012	
41	GGHS ISLAMIA COLLEGE	SHABANUM KHAN	SYED GHORAM KHAN	B.A.	Urdu	DM/MED	SOM	15	21/07/1971	PESHAWAR	11/04/1995	01/09/1995	25/05/1996	21/07/2012	25/05/1996	21/07/2012	
42	GGHS ISLAMIA COLLEGE	SHABANUM KHAN	SYED GHORAM KHAN	B.A.	Urdu	DM/MED	SOM	15	21/07/1971	PESHAWAR	11/04/1995	01/09/1995	25/05/1996	21/07/2012	25/05/1996	21/07/2012	
43	GGHS ISLAMIA COLLEGE	SHABANUM KHAN	SYED GHORAM KHAN	B.A.	Urdu	DM/MED	SOM	15	21/07/1971	PESHAWAR	11/04/1995	01/09/1995	25/05/1996	21/07/2012	25/05/1996	21/07/2012	
44	GGHS ISLAMIA COLLEGE	SHABANUM KHAN	SYED GHORAM KHAN	B.A.	Urdu	DM/MED	SOM	15	21/07/1971	PESHAWAR	11/04/1995	01/09/1995	25/05/1996	21/07/2012	25/05/1996	21/07/2012	
45	GGHS ISLAMIA COLLEGE	SHABANUM KHAN	SYED GHORAM KHAN	B.A.	Urdu	DM/MED	SOM	15	21/07/1971	PESHAWAR	11/04/1995	01/09/1995	25/05/1996	21/07/2012	25/05/1996	21/07/2012	
46	GGHS ISLAMIA COLLEGE	SHABANUM KHAN	SYED GHORAM KHAN	B.A.	Urdu	DM/MED	SOM	15	21/07/1971	PESHAWAR	11/04/1995	01/09/1995	25/05/1996	21/07/2012	25/05/1996	21/07/2012	
47	GGHS ISLAMIA COLLEGE	SHABANUM KHAN	SYED GHORAM KHAN	B.A.	Urdu	DM/MED	SOM	15	21/07/1971	PESHAWAR	11/04/1995	01/09/1995	25/05/1996	21/07/2012	25/05/1996	21/07/2012	
48	GGHS ISLAMIA COLLEGE	SHABANUM KHAN	SYED GHORAM KHAN	B.A.	Urdu	DM/MED	SOM	15	21/07/1971	PESHAWAR	11/04/1995	01/09/1995	25/05/1996	21/07/2012	25/05/1996	21/07/2012	
49	GGHS ISLAMIA COLLEGE	SHABANUM KHAN	SYED GHORAM KHAN	B.A.	Urdu	DM/MED	SOM	15	21/07/1971	PESHAWAR	11/04/1995	01/09/1995	25/05/1996	21/07/2012	25/05/1996	21/07/2012	

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) PESHAWAR																	
1st Tentative Seniority List of S.DM (F) District Peshawar as stood on 31/8/2023																	
S#	School Name	TeacherName	FatherName	Acad Qualif	Subj	Profe Quali	Deslg:	BPS	DOB	Domicile District	Date of First Appointed	D/O taking over charge in Present Post	D/O passing Professional Exam:	D/O Promotion to SDM Post	Date of taking over charge in this district/ passing	Date of Consideration	Remarks
1	GGHS BUDHNI	SHABNUM NAFEES	SYED GHULAM HABIB SHAH	BA		DM	SDM	16	23/11/1973	PESHAWAR	31/08/1995	01/09/1995	25/05/1996	21/02/2012	25/05/1996	21/02/2012	
2	GGHSS Hayat Abad	HUMERA NAZ	AMAN ULLAH KHAN	MA		BED	SDM	16	28/03/1970	PESHAWAR	31/10/1996	02/11/1996	14/05/1997	21/02/2012	14/05/1997	21/02/2012	
3	GGHS BUDHNI	RAHAT BIBI	ARBAB M.IQBAL	B.A		DM	SDM	16	01/05/1971	PESHAWAR	10/07/1997	01/09/1997	1995-96	21/02/2012	01/09/1997	21/02/2012	
4	GGHS GUL BAHAR	SHABINA	MUHAMMAD HASHAM KHAN	MA		B.ED	SOM	16	02/06/1974	PESHAWAR	28/06/1997	21/02/2013	14/05/1997	21/02/2012	01/07/1997	21/02/2012	
5	GGHSS BEGUM SHAHAB UD DIN	SAIRA JABEEN	FAZAL KARIM	MA	URDU	MED	SOM	16	26/10/1972	PESHAWAR	26/06/1997	21/02/2013	14/03/2012	21/02/2012	01/07/1997	21/02/2012	
6	GGHSS BSD PESH	SHAGUFTA NASEER	NASEER AHMAD	MA	URDU	MED	SDM	16	28/03/1975	PESHAWAR	30/10/1996	13/03/2013	28/02/2014	21/02/2012	02/11/1996	21/02/2012	
7	GGHS ACHINI PAYAN	NIGHAT JEHAN	MISRI KHAN	M.A		MED	SDM	16	15/04/1973	PESHAWAR	04/07/1997 26/6/1997	13/03/2013	20/06/2014	21/02/2012	05/09/1994	21/02/2012	
8	GGHSS KHYBER COLONY	SHAKIRA BIBI	GHULAM JAFFAR	MA	Islamiyat	MED	SDM	16	21/05/1973	PESHAWAR	05/07/1997	21/02/2013	10/10/2017	21/02/2013	01/11/1998	21/02/2013	
9	GGHS SHEIKH ABAD	FOUZIA SHARIF	MUHAMAD SHARIF	MA	URDU	MED	SDM	16	01/10/1975	PESHAWAR	26/08/1997	05/07/1997	13/05/1997	21/02/2012	05/07/1997	21/02/2012	
10	GGHS BARA LANE	MARYUM NOOR	NOOR MOHAMMAD	MA	Islamiyat	MED	SDM	16	30/09/1971	PESHAWAR	26/06/1997	21/02/2013	30/08/1996	21/02/2012	01/12/1998	21/02/2012	
11	GGHS NO.1 CANTT.	NABILA NAZ	ASHIQ SALEEM	MA	URDU	MED	SDM	16	10/10/1970	PESHAWAR	05/05/1996	21/02/2013	01/01/2016	21/02/2012	18/05/1996	21/02/2012	
12	GGHSS LARAMA	SAFIA BEGUM	HAJI SIRRAJ MUHAMMAD	B.A		DM	SDM	16	02/11/1967	PESHAWAR	20/10/1993	21/02/2013	27/02/1998	21/02/2012	24/10/1993	21/02/2012	
13	GGHS CITY RAIL STATION	FARZANA SHAHEEN	GHULAM YAHYA	MA		BED	SDM	16	16/04/1976	PESHAWAR	05/04/1999	21/02/2013	21/11/2006	21/02/2012	06/04/1999	21/02/2012	
14	GGHSS UNIVERSITY TOWN	TAHIRA BEGUM	ABDUL SHAKOOR	M.A		MED	SDM	16	20/02/1976	PESHAWAR	05/04/1999	13/03/2013	1996-97	21/02/2012	08/04/1999	21/02/2012	
15	GGHSS COMPREHENSIVE	RUBINA SHAHEEN	HAZARI BHATTI	MA	FINEARTS	BED	SDM	16	01/08/1967	ABBOTTABA D	24/01/1991	21/02/2013	20/01/2012	21/02/2012	18/07/1999	21/02/2012	
16	GGHS KAGA WALA	FOZIA AMBREEN	AMIR KHAN	MA	Urdu	M.ED/DM	SOM	16	13/03/1977	PESHAWAR	09/12/1999	13/12/1999	09/05/2002	21/02/2012	13/12/1999	21/02/2012	

Dated: 02/09/2023

8

To

The District Education Officer (f)

District Peshawar

Subject: Departmental/Objection against the 1 tentative seniority list circulated Via/through WhatsApp to the concerned headmistress Achini Payan, Peshawar, vide dated 31/08/2023

Enclosed please find herewith an appeal submitted along with all relevant documents in respect of Nighat Jehan Senior drawing master (SDM) of this school is forwarded for further necessary action.

Jazia Begum
01-09-2023
9c HEAD MISTRESS
GGHS, Achini Payan
District Peshawar
Headmistress

GGHS Achini Payan, Peshawar

DISTRICT EDUCATION OFFICER IF PESHAWAR	
DAIRY NO	1156
DATE	2/9/23
SIGNATURE	<i>Qwz</i>

To

The Worthy,
District Education Officer (F)
Education (E & SE),
District, Peshawar.

Through PROPER CHANEL.

Subject: DEPARTMENTAL / OBJECTION AGAINST THE 1ST TENTATIVE SENIORITY LIST CIRCULATED VIA/THROUGH WHATAPP TO THE CONCERNED HEAD MISTRESS ACHNI PAYAN, PESHAWAR, VIDE DATED 31-08-2023.

PRAYER: ON ACCEPTANCE THE INSTANT DEPARTMENTAL / OBJECTION PETITION; YOUR HONOUR MAY GRACIOUSLY PLEASED TO WITHHOLD CIRCULATION OF FINAL SENIORITY LIST OF SDM (Fe-Male), PESHAWAR TILL THE FINAL JUDGMENT OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL IN SERVICE APPEAL NO.1062 OF 2022 AND THEN TO BRING SUITABLE CORRECTION IN THE 1ST TENTATIVE SENIORITY LIST IN THE LIGHT OF THE DECISION OF THE HONOURABLE SERVICE TRIBUNAL.

Respected Sir,

Appellant humbly submits as to the following:

1. That appellant/Objector is highly educated and qualified (MA & M.Ed), presently serving against the post of Senior Drawing Master (BPS-16) (hereinafter called as "SDM"). Appellant / Objector was enrolled as DM vide order / Notification No.9857-9917/11 dated 26-06-1997 on regular basis along with others including Mst: Rehana Khatun D/o Habib Ur Rehman, Mst: Shazia Bibi D/o Karam Ilahi and Shabina D/o Hashim Khan. (Flag-I).
2. That it is pertinent to mention here that appellant lie at Serial No.6 and whereas Mst: Rehana Khatun D/o Habib Ur Rehman, Mst: Shazia Bibi D/o Karam Ilahi and Shabina D/o Hashim Khan are laying at Serial No. 11, 15 and 21 respectively in the merit list assigned by the Departmental Selection Committee as evident from the Notification of appointment cited ibid.
3. That Rule 17 (i) (a) of the Khyber Pakhtunkhwa Civil Servant (Appointment, Promotion and Transfer) Rules, 1989 provides as to the following.

Dairy No: 1156

Date 02/9/23 1/5

17: Seniority :- (1) the seniority inter se of civil servants (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 [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

From the above provision of law, it is clear that seniority of appointees who are selected and appointed by initial recruitment through one batch or order shall be determined in accordance with merit position assigned to them by Departmental Selection Committee. In this view of the matter; appellant lie at Serial No.6 and whereas Mst: Rehana Khatun D/o Habib Ur Rehman (DM), Mst: Shazia Bibi D/o Karam Ilahi (DM) and Shabina D/o Hashim Khan are laying at Serial No. 11, 15 and 21 respectively therefore, appellant is established senior to Mst: Rehana Khatun D/o Habib Ur Rehman (DM), Mst: Shazia Bibi D/o Karam Ilahi (DM) and Shabina D/o Hashim Khan and whereas the name of Shagufta Nasir D/o Nasir Ahmad, who has given position at serial No.6 in the 1st impugned tentative seniority list is nowhere in order of appointment in the batch of objector / petitioner.

The same view of the matter has also been explained and endorsed by the appointing authority Vide serial No.4 of the terms and conditions of the appointment Notification dated 26-06-1997.

4. That Section 8 (1) of the Khyber Pakhtunkhwa Civil Servant Act, 1973 provides that for proper administration of a service, cadre or [post], the appointing authority shall cause a seniority list of the members for the time being of such service, cadre or [post] to be prepared and subsection (5) of the same section provide that the seniority lists prepared under subsection(1), shall be revised and notified in the official Gazette at least once in a calendar year, preferably in the month of January.
5. That the department has neither notified any tentative seniority list nor any final seniority list of DM (District Peshawar) till the date and have carried promotion without circulation of any seniority list, which is against the spirit of law. Departmental Promotion Committee was held in absence of any

11

legal / Lawful seniority list, which resulted that both Mst: Rehana Khatun D/o Habib Ur Rehman (DM) and Mst: Shazia Bibi D/o Karam Ilahi (DM) were assigned senior position in the recommendations of the DPC minutes and also in the impugned Notification Endst:4007-13 / File No.2 / Promotion Senior DM B-16: Dated Peshawar the 21/02/2012 passed by Director Elementary and Secondary Education Khyber Pakhtunkhwa, Peshawar.

6. That Rule 17 (1) (b) of the Khyber Pakhtunkhwa Civil Servant (Appointment, Promotion and Transfer) Rules, 1989 provides as to the following.

17: Seniority :- (1) the seniority inter se of civil servants (appointed to a service, cadre or post) shall be determined:-

(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, retain their inter se seniority as in the lower post.

Since appellant / Objector was established senior in the lower grade (DM) therefore, she was entitled to be notified senior to all the three SDMs; Mst: Rehana Khatun D/o Habib Ur Rehman (SDM); Mst: Shazia Bibi D/o Karam Ilahi (SDM) and Shabina (SDM), D/o Hashim Khan as per mandate of the Rule cited ibid in the impugned promotion order / Notification Endst:4007-13 / File No.2 / Promotion Senior DM B-16: Dated Peshawar the 21/02/2012 passed by Director Elementary and Secondary Education Khyber Pakhtunkhwa, Peshawar, but astonishingly appellant has been assigned junior position, which is nullity in the eyes of law and therefore, interference is required to rectify the recurring wrong.

7. That worst of the thing is that Department failed to cause seniority list even after the above cited promotion order / Notification Endst:4007-13 / File No.2 / Promotion Senior DM B-16: Dated Peshawar the 21/02/2012 till the date and more so convened DPC meeting in the absence of any legal / lawful seniority list, which resulted that both Mst: Rehana Khatun D/o Habib Ur Rehman (SDM) and Mst: Shazia Bibi D/o Karam Ilahi (SDM), who were junior to the appellant; were promoted to the post of SST vide Notification No.5360-761 dated 11-01-2021 and Notification No.650-83 dated 11-01-2022 respectively.

8. That appellant was entitled for senior position than Mst: Rehana Khatun D/o Habib Ur Rehman (SDM) and Mst: Shazia Bibi D/o Karam Ilahi (SDM) and others, but has been placed at junior position in the impugned promotion order / Notification Endst:4007-13 / File No.2 / Promotion Senior DM B-16: Dated Peshawar the 21/02/2012, which has not only adversely effected the seniority position of the appellant in the seniority list of SDM, but has also adversely effected the legitimate expectancy of future promotion of the appellant / Objector to the post of SST as evident from the promotion order of Mst: Rehana Khatun D/o Habib Ur Rehman (SDM) and Mst: Shazia Bibi D/o Karam Ilahi (SDM) to the post of SST vide Notification No.5360-761 dated 11-01-2021 and Notification No.650-83 dated 11-01-2022 respectively. (Flag-II).
9. That appellant /Objector being aggrieved of the discriminatory treatment submitted departmental appeal for not circulating seniority list as per demands of law and also being aggrieved of the promotions orders of Mst: Shazia Bibi D/o Karam Ilahi (SDM) to the post of SST vide Notification No.5360-761 dated 11-01-2021 and the promotion of Mst: Rehana Khatun D/o Habib Ur Rehman vide Notification No.650-83 dated 11-01-2022 respectively.
10. That no heed was paid to the legitimate expectancy of the appellant / Objector and she was constrained to file service appeal No.1062 of 2022, which is still pending adjudication before the Khyber Pakhtunkhwa Service Tribunal and fixed for 06-12-2023.
11. That since the seniority position of the Appellant / Objector is to be determining by the competent Tribunal therefore, it is the propriety demand of law and justice to delay or held in abeyance the process of finalizing the impugned seniority list and also withhold process of promotion from SDM to SST till the final decision of Service Appeal No. 1062 of 2022.

In view of the above narrated positions, it is humbly requested that the instant departmental appeal / Objection petition may kindly be allowed as prayed for above.

4/5

promotic

It is further added that the following correction in the Ist tentative seniority may please be corrected.

1. Date of first appointment of the appellant/objector is 26/6/1997 and not of 01/7/1997.
2. D/o taking over charge in present post is 21/2/2013 and not of 13/3/2013.
3. Date of passing professional examination is 13/5/1997 and not of 20/6/2014. (Flag - 3)

Yours faithfully
Nighat Jehan
 Nighat Jehan
 02/09/2023

W/o
 Prof. Engr. Noor Ul Qamer
 SDM
 GGHS Achini Payan,
 Peshawar
 Cell: 0300-9355468

Dated: 02/09/2023

Annexure - B



DISTRICT EDUCATION OFFICE,
(FEMALE) PESHAWAR

Ph: No. 091-9225459

No. _____ DATED: _____ /2023

14

To
1. All the Principals/Head Mistresses,
GGHSSs, GHSs, District Peshawar.

Subject: PROVISION OF ACRs / AND OTHER RELEVANT DOCUMENTS FOR DPC MEETING FOR THE PROMOTION OF SCT/SAT/STL, S.Qaria, SDM & CT-IT TO SST BPS-16.

Memo:
I am directed to refer to the letter of Director Elementary & Secondary Education Khyber Pakhtunkhwa vide No.2119-96/ENO.01/Promotion To SSTs/2023/Estab-1(M) Dated: 22/08/2023 on the subject cited above and to inform you that as per the Seniority Lists of SCT, SAT, STL, S.Qaria & CT-IT converted up to 10/09/2023 (Copy attached) of the teachers of your institution who have the qualification of BA/ BSc as well as requisite professional on the following Seniority List serial numbers may be directed to submit their ACRs along with relevant documents up to 25/09/2023 positively, failing which teacher concerned and the head of the institution shall be held responsible for the consequences.

1. CT to SST (G):	From Seniority Serial No. 01 to 15
2. SAT to SST (G):	From Seniority Serial No. 01 to 05
3. STL to SST (G):	From Seniority Serial No. 01 to 05
4. S. Qaria to SST (G):	From Seniority Serial No. 01 to 05
5. SDM to SST (G):	From Seniority Serial No. 01 to 03
6. CT-IT to SST-IT:	From Seniority Serial No. 01 to 05

It is further stated that the documents should be submitted in duplicate along with Original service book and academic documents according to following order:

1. CNIC
2. UID-DATA
3. SYNOPSIS
4. ACR/PERS FOR THE LAST FIVE YEARS
5. LAST THREE YEARS RESULT
6. ALL ACADEMIC & PROFESSIONAL DOCUMENTS DEGREE AND DMC
7. DOMICILE
8. LAST PAY ROLL
9. FIRST APPOINTMENT ORDER
10. PROMOTION ORDER (IF ANY)
11. NON-INVOLVEMENT CERTIFICATE
12. NOT ON LONG LEAVE CERTIFICATE
13. SERVICE CERTIFICATE
14. SERVICE BOOK PHOTOCOPY
15. ORIGINAL SERVICE BOOK (Updated) and complete in all sort of entries i.e. Appointment/Promotion orders as well as academic and professional qualification with documentary proofs.

Note:

- I. All documents should be duly attested by Head of the Institution.
- II. If any teacher falling in promotion zone and not willing for avail promotion shall submit an affidavit on judicial stamp paper.
- III. Head Of the Institution of the teacher falling in promotion zone but not eligible due to requisite qualification or any other reason shall submit any information/ certificate so that the next teacher may be considered for promotion.
- IV. In case of rejection due to incomplete case, teacher concerned and Head of the Institution shall held responsible.

[Handwritten signature]

District Education Office
Female Peshawar

Encls No: 75-85-89 / Inst: CI/DM/DPC-2023 / Dated: 23/9/2023
Copy of the above forwarded to the:-

1. P.S to Secretary Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.
2. P.A to Director Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar, w/r to the letter No. & Date mentioned above.
3. Assistant Director EMIS Local Office with direction to send the same through email the same to all the concerned institutions.
4. Office copy.

[Handwritten signature]
23/9/2023

Dy. District Education Office
Female Peshawar

[Handwritten signature]