

01.12.2015

None present for appellant. M/S Khurshid Khan, SO, Fazal-e-Ahad, Assistant, Hameed-ur-Rehman, AD (lit.) and Abid Hussain, ADO alongwith Addl: A.G for respondents present. Written reply not submitted. Requested for further adjournment. Last opportunity granted. To come up for written reply/comments on 30.3.2016 before S.B.


Chairman

30.03.2016

None present for appellant. M/S Khurshid Khan, SO, Hameed-ur-Rehman, AD (lit.) and Abid Hussain, ADO alongwith Assistant A.G for respondents present. Para-wise comments by respondents submitted. The appeal is assigned to D.B for rejoinder and final hearing for 19.7.2016.


Chairman.

19.07.2016

None present on behalf of the appellant despite repeated calls. Mr. Usman Ghani, Senior Government Pleader for respondents present and submitted that the instant appeal is for up-gradation for which this Tribunal has got no jurisdiction. Since no one is present on behalf of the appellant till the Court time is over. The appeal is, therefore, dismissed in default. File be consigned to the record room.

ANNOUNCED
19.07.2016


MEMBER


MEMBER

4
24.03.2015

Counsel for the appellant present. Learned counsel for the appellant argued that the appellant was initially appointed as SET on 10.11.1994. That the Provincial Government up-graded 2804 seats from BPS-16 to BPS-17 w.e.f 01.10.2007. That the appellant has completed 10 years service till the said date but despite the eligibility of the appellant he was given up-gradation w.e.f 21.03.2009 though entitled to the same w.e.f 01.10.2007. That similar service appeal has been admitted to regular hearing which is fixed for 10.07.2015.

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 10.07.2015 before S.B.

7-10-15
31 - 5 - MS
Chairman

10.07.2015

Counsel for the appellant present. Security and process fee not deposited. Requested for further time. The same be deposited within 3 days, where-after notices be issued to the respondents for written reply/comments on 30.9.2015.

Appellant Deposited
Process Fee
Secu...
Member

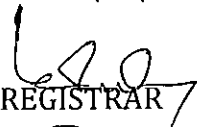


6
30.09.2015

None present for appellant. M/S Khurshid Khan, SO and Abid Hussain, ADO (Kohat) alongwith Addl: A.G for respondents present. Requested for adjournment. To come up for written reply/comments on 1.12.2015 before S.B.

Chairman

Form- A
FORM OF ORDER SHEET

Court of _____
Case No. 104 / 2015


S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	12.02.2015	<p>The appeal of Mr. Abdul Waheed resubmitted today by Mr. Adnan Khattak Advocate may be entered in the Institution register and put up to the Worthy Chairman for proper order.</p> <p style="text-align: right;"> REGISTRAR</p>
2	23-2-15	<p>This case is entrusted to Bench <u>I</u> for preliminary hearing to be put up thereon <u>24-2-2015</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
3	24.02.2015	<p>None present. Appeal be relisted and notice be issued to learned counsel for appellant for preliminary hearing before S.B for 24.03.2015.</p> <p style="text-align: right;"> Chairman</p>

The appeal of Mr. Abdul-Waheed SET GHS Parshai Kohat received to-day i.e. on 30.01.2015 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Page No. 7 of the appeal is illegible which may be replaced by legible/better one.
- 2- Departmental appeal having no date be dated.
- 3- Copy of rejection order of departmental appeal mentioned in para-6 of the memo of appeal is not attached with the appeal.

No. 121 /S.T,

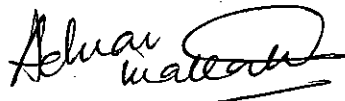
Dt. 30/1 /2015


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Adnan Khattak Adv. Pesh.

Resubmitted draft of
objections

Completion of above noted


Adnan
Khattak
AK

BEFORE THE SERVICES TRIBUNAL, KPK, PESHAWAR

Service Appeal No. 104 of 2015

Abdul Waheed.....**APPELLANT**

ERSUS

Govt of KPK and others.....**RESPONDENTS**

INDEX

S.No	Description of Documents	Annex	Pages
1.	Grounds of service appeal		1-4
2.	Affidavit		5
3.	Addresses of Parties		6
4.	Copy of Notification dt.14.10.2010		7
5.	Copy of Notification dt.21.03.2009		8-24
6.	Copy of departmental representation		25
7.	Copy of Notification dt.03.11.2010		26
8.	Wakalat Nama		

Through

Appellant

Adnan Khattak

Adnan Khattak

Advocate, Peshawar

Cell: 0300-5930703

Date: ___/01/2015

(1)

BEFORE THE SERVICES TRIBUNAL, KPK, PESHAWAR

Service Appeal No. 104 of 2015

Stamp: S.W.P. Peshawar
Date: 78
30-1-2015

Abdul Waheed
SET (General), GHS, Parshai, District Kohat.....Appellant

V E R S U S

1. Govt of KPK,
through Chief Secretary,
Civil Secretariat, Peshawar
2. Secretary Education,
Govt of KPK, Peshawar
Civil Secretariat, Peshawar
3. Secretary Finance,
Govt of KPK,
Civil Secretariat, Peshawar
4. Director Education (S&L),
Govt of KPK, Peshawar
Civil Secretariat, Peshawar
5. Executive District Officer (Education), Kohat.....**RESPONDENTS**

Service appeal u/s 4 of the KPK
Services Tribunal Act, 1974 against
office order/ Notification No.SO(PE)2-
6/SET(B-16)upgradation to B-17 dated
21.03.2009, whereby appellant was
awarded/ upgraded to BS-17 with
immediate effect instead of 01.10.2007.

Stamp: S.W.P. Peshawar
Signature: [Signature]
Date: 30/1/15

re-submitted to-day
and filed.

Stamp: Registrar
Signature: [Signature]
Date: 12/2/15

2

Prayer in Appeal:

On acceptance of this service appeal, the appellant may kindly be upgraded to BPS-17 (with all back benefits) against Notification dated 21.03.2009, mentioned above, whereby appellant was awarded/ upgraded B-17 with immediate effect instead of 01.10.2007.

Respectfully Sheweth:

1. That appellant was appointed as SET (BPS-16) on 10.11.1994 and completed ten years service on 01.10.2007.
2. That the Govt of KPK has upgraded 2804 SETs (Male & Female) from BPS-16 to BPS-17 as personal w.e.f. 01.10.2007 instead of 27.09.2008 in pursuant of judgment of KPK Service Tribunal vide Upgradation No.SO(FR)FD/10-22/B/2007 Vol-II dated 14.10.2010.
3. That the appellant was not shown in the preparation of the list of upgradation of SETs the compliance of judgment of Service Tribunal even though who had completed ten years of service on 01.10.2007 was dropped from the list.
4. That vide Notification No.SO(IE)26/SETs(BK) upgradation to BPS-17 dated 21.03.2009, the appellant was upgraded to BPs-17 as personal with immediate effect i.e. 21.03.2009 instead of 01.10.2007 vide Serial No.74, seniority list No.2434.

3

5. That the delay in submission of documents to Departmental Promotion Committee to departmental Apathy / slackness not on the part of the appellant.
6. That the appellant filed departmental representation/ appeal before the respondent No.2 but the appellant appeals ~~was~~ ^{is} ~~filed for no reasons/~~ still pending. ^{before the respndt no 2.} (Copy of appeal/ representation is attached).

Hence, the appeal, for the relief, inter alia, on the following grounds:

GROUNDS:

- A. That the appellant was upgraded to the posts of BS-17 vide order dated 21.03.2009 and served on the posts of BS-16 upto 2007 almost (11) years while 10 years are maximum period required for the appellant to fulfil the mandatory provision/ criteria for the upgradation of BS-16 to BS-17 i.e. 10 years, were totally ignored by the respondents thus committed gross miscarriage of justice and illegality on the part of respondents.
- B. That slipping / dropping of the appellant from 01.10.2007 list issued by respondent No.2 is against law, facts and against the provided policy of the KPK Government.
- C. That provincial government through Notification No.SO(PE)2-6/DPC/Upgradation SETs BS-16 to BS-17, upgraded 2804 posts of SETs in Elementary & Secondary Education

(4)

Department KPK from BS-16 to BS-17 as Personal to the incumbent w.e.f. 01.10.2007 while appellant was dropped from upgradation in the above notification was unlawful and against the rights of the appellant.

- D. That omission of appellant name from list of awardness of BS-17 of upgradation w.e.f. 01.10.2007, has deprived the appellant pay benefits and seniority.
- E. That it is well settled law that similarly placed person shall be given like treatment in respect of the law and justice.
- F. That government instruction in this connection are clear vide Para "C" & "D" of Notification No.SOEIII/E&AD/3/2009 dated 28.10.2009.
- G. That when similar relief was extended to similar class then depriving similar placed person from benefits of upgradation, the department is not treated the appellant equally and similarly thus discriminated the same.

It is, therefore, most humbly prayed that on acceptance of this appeal, the appellant may kindly be upgraded to BPS-17 (with all back benefits) as Personal w.e.f. 01.10.2007 instead of 21.03.2009.

Through

3 wah
Appellant

Adnan Khattak
Advocate, Peshawar

Date: __/01/2015

5

BEFORE THE SERVICES TRIBUNAL, KPK, PESHAWAR

Service Appeal No. _____ of 2015

Abdul Waheed.....**APPELLANT**

VERSUS

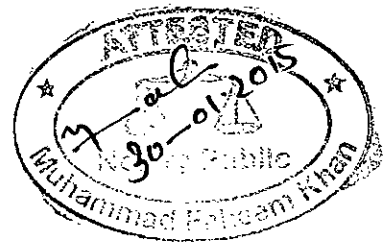
Govt of KPK and others.....**RESPONDENTS**

AFFIDAVIT

I, **Adnan Khattak Advocate**, as per instructions of my client, do hereby solemnly affirm and declare 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 Tribunal.

Adnan Khattak

DEPONENT



6

BEFORE THE SERVICES TRIBUNAL, KPK, PESHAWAR

Service Appeal No. _____ of 2015

Abdul Waheed.....**APPELLANT**

V E R S U S

Govt of KPK and others.....**RESPONDENTS**

ADDRESSES OF PARTIES

APPELLANT

SET (General), GHS, Parshai, District Kohat

RESPONDENTS

1. Govt of KPK,
through Chief Secretary,
Civil Secretariat, Peshawar
2. Secretary Education,
Govt of KPK, Peshawar
Civil Secretariat, Peshawar
3. Secretary Finance,
Govt of KPK,
Civil Secretariat, Peshawar
4. Director Education (S&L)
Govt of KPK, Peshawar
Civil Secretariat, Peshawar
5. Executive District Officer (Education), Kohat

Through

3 *Wah*
Appellant
Adnan Khattak
Uccallan

Adnan Khattak
Advocate, Peshawar

Date: __/01/2015

GOVT. OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT

(REGULATION WING)

NO. SO(FR)/FD/10-22(B)/2007/Vol-II
Dated Peshawar, the 14-10-2010

The Secretary to Govt. of Khyber Pakhtunkhwa,
Elementary & Secondary Education Department.

Subject: NOTIFICATION.

Dear Sir,
I am directed to refer to this department Notification bearing No. FD/SO(FR)10-22/2007 dated 01-10-2007 and in the pursuance of Khyber Pakhtunkhwa Service Tribunal decision, the competent authority has been pleased to upgrade 2804 posts of SETs from BPS-16 to BPS-17 as personal, with effect from 01-10-2007 subject to the condition that the posts shall automatically be downgraded as and when vacated by the incumbent under the following break-up:-

Sl. NO.	POSTS	TOTAL NO. OF POSTS
1.	SETs (Male)	2333
2.	SETs (Female)	446
3.	SETs (Technical)	25
TOTAL:-		2804 ✓

2. Audit copies may be prepared and sent to this department for authentication.

Yours faithfully,

(SHAUKAT ULLAH)
SECTION OFFICER (FR)

ENTER NO. & DATE EVEN.

Copy forwarded to Budget Officer-V, Finance Department for information please.

SECTION OFFICER (FR)

*Attested
etc
Adnan
Ullah*

*Principal
G. H. S. Barganato
FR. Bannu*

*Attested
Principal
G. H. S. E. ganatoo
FR. Bannu*

These copies are handed over charge of G. H. S. Barganato office. and attested copies thereof be kept on record of the school/office.

Continued next page..2..

GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT

(REGULATION WING)

No.SO(FR)/FD/10-22(B)/2007/Vol-II
Dated Peshawar, the 14-10-2010

To

The Secretary to Govt: of Khyber Pakhtunkhwa,
Elementary & Secondary Education Department

Subject: **NOTIFICATION**

Dear Sir,

I am directed to refer to this department Notification bearing No.FD/SO (FR)10-22/2007 dated 01-10-2007 and in the pursuance of Khyber Pakhtunkhwa, Service Tribunal decision, the competent authority has been pleased to upgrade 2804post of SETS from BPS-16 to BPS-17 as personal, with effect from 01-10-2007 subject in the condition that the posts shall automatically be downgraded as and when vacated by the incumbent under the following break-up:-

Sr.NO.	POSTS	TOTAL NO. OF POSTS
1.	SETs (Male)	2333
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	TOTAL	2804

2. Audit copies may be prepared and sent to this department for authentication.

Yours faithfully,

Sd/-
(SHAUKAT ULLAH)
Section Officer (FR)

ENDST: NO. DATE EVEN:-

Copy forwarded to Budget Officer-V, Finance Department for information please.

Sd/-
Section Officer (R)



GOVERNMENT OF NWFP
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

Dated 21-03-09

NOTIFICATION

No.SO(PE)2-6/SET(B-16)Upgradation to B-17: The Competent Authority on the recommendation of Departmental Promotion Committee and in consultation with Finance Department is pleased to allow one time up gradation from B-16 to B-17 (Personal) to the following 163 SETs Male, 132 SETs Female and 14 SETs (Technical) with immediate effect subject to the condition that the posts of SET shall be downgraded from B-17 to B-16 as and when vacated by the incumbents:

i) 163 SETs Male(General)

S.No	Seniority List No.	Name of Officer	Date of Appointment as Regular SET	Present Place of Posting
1.	736A	Pasham Khan	27-11-85	A.A.E.O Office F.R.D.I.Khan
2.	838	Muhammad Shoaib	04-11-86	GHS Billitang Kohat
3.	869	Mohabbat Khan	14-12-86	GHS Kam- Shalman Landi Kotal Khyber Agency
4.	870	Yousaf Hussain	01-11-86	GHS Shalozan Kurram
5.	879	Munir Hussain	16-12-86	GHS Zeran Kurram
6.	942	Javed Khan	24-02-87	GHS Dingi Haripur
7.	943	Bahadar Ali	24-02-87	GMS Alamganj Swat
8.	944	Mohammad Younis	25-02-87	GMS Afzal Abad Manshra
9.	953	Shamsher ali	04-03-87	ADO S/L DIK Surkamar (Khyber)

Attested
etc

Advised
Khalid
Adw

10.	960	Shama Raz Khan	16-0387	GHSS Tore Kakki Bannu
11.	962	Payo Gul	16-03-87	GHS Dossali NWA
12.	982	Shamsud Din	05-04-87	GHS Afzal Manshra
13.	1014	Mohammad Karim Khan	19-05-87	GMS Ali Khel NWA
14.	1016	Khan Sahib Khan	19-09-86	GHS Mohmand Khel NWA
15.	1077	Azizur Rahman Khan	14-10-87	GHS Sargora Muhammad Khan FR Lakki
16.	1109	Abdul Hayye	25-10-87	GHS Abba Khel Bannu Ismail Khel Lakki Marwat
17.	1119	Mir Akbar	22-11-87	GHSS Bahali Mansehra
18.	1153	Manzoor Elahi	07-12-87	GHS Control Sail
19.	1212	Ibne Yamin	10-03-88	GHSS Charbagh Swat
20.	1239	Aziz Mohamamd	09-05-88	GMS Dosali NWA
21.	1254	Shah Noor Khan	25-05-88	GHS Ladha Swabi
22.	1256	Nawar Khan	25-05-88	GEC Habibullah FR Bannu
23.	1260	Yousaf Daraz	25-05-88	GHS Taj Muhammad Kat NWA
24.	1265	Samad Shah	25-05-88	GHS Miran Shah NWA
25.	1299	Shafiqur Rehman	01-08-88	GHS #2 Mansehra
26.	1301	Ali Asghar	01-08-88	GHS Datta Mansehra
27.	1303	Abdur Rehman Shah	01-08-88	GHSS Langria A.Abad
28.	1331	Mehboob Ali	07-09-88	CMS Powar

29.	1361	Rehmat Sher	12-09-88	GHS Shaghali Payan M. AS
30.	1374	Noor Wali Khan	06-10-88	GHS Barganetoo FR Bannu
31.	1378	Muhammad Zahiruddin	24-10-88	G.H.S Dosalli NWA
32.	1390	Hazir Khan	20-11-88	GHS Chumawan Haripur
33.	1485	Sabir Hussain Shah	29-07-89	GHS Lassan Nawab Mansehra
34.	1586	Abdul Wahab	07-09-89	GHS #-1 D.I.Khan
35.	1648	Pervez Khan	20-09-89	GHS Ladha Haripur
36.	1659	Malik Aman	21-09-89	GMS Bathal Mansehra
37.	1661	Abdul Majeed	21-09-89	GMS Kuladi D.I.Khan
38.	1677	Nasrullah Khan	25-09-89	gms Mangal D.I.Khan
39.	1692	Taj Ali	01-10-89	GMS Katka Nawab Khan Laki
40.	1723	Sadiq Shah	01-10-89	GHSS Nawa Shaber A.Abad
41.	1752	Zahoor Akhtar	07-10-89	GHS Mnjia A.Abad
42.	1765	Hayatullah	16-10-89	GHS Harama Tala Lakki
43.	1798	Hazrat Ali	26-11-89	GHS Sararogha SWA
44.	1855	Kifayat Hussain Shah	09-12-89	GHS Pairan Mansehra
45.	1881A	Masood Jan	10-12-89	ADO Charsadda
46.	1901	Suleman Shah	24-11-87	GHS Hayatabad Peshawar
47.	1921	Jehanzeb	24-01-90	GHS Nassa D.I.Khan
48.	1952	Jaffar Khan	01-02-90	GMS Palal Tangi SET Mohmand Agency

(11)

49.	1962A	Bashoorul Islam	15-03-90	GC MHS Dadar Mansehra
50.	1976	Muhammad Sher	12-04-90	GHS Takht Abad Pesh
51.	2022A	Muhammad Zahir shah	01-09-90	GMS Muhammad Din Kita
52.	2035	Muhammad Dayyan	01-09-90	GHS Batwar Bajuar Agcy
53.	2043A	Wali Muhammad	01-09-90	GMS Tamri Oba NWA
54.	2046	Israr Hussain	01-09-90	GHS S. USTERZAI Payan Kohat
55.	2061A	Syed Nazir	30-09-90	GMS Shan Khuram Miran Shah
56.	2088	Farmanullah Khan	16-10-90	GHSS Nurar Bannu.
57.	2105	Abdur Rashid	06-11-90	GHS Thalne Mazan D.I.K
58.	2108	Muhammad Sarfaraz	06-11-90	GHS Sharam A.Abad
59.	2117	Abdul Aziz Shah	7-11-90	GHS NO.1 Kulach D.I.KHAN
60.	2124	Muhammad Alam Jan	08-11-90	GHS Zeran Kurram
61.	2155	Muhammd Gul	16-11-90	GMS Kandar Kohat
62.	2171	Mohboobur Rehman	27-11-90	GHSS Dhodial Mansehra
63.	2182	Saeed Ahmad	01-12-90	GMS Pharahala Haripur
64.	2194	Muhammad Shafi	01-12-90	GHS Tarmawai A.Abad
65.	2204	Nisar Ahmad	11-01-91	GCMSS Abbottabad
66.	2208	Aurangzeb	03-12-90	GHS Gurmaj Mansehra
67.	2222	Muhammad Zahid	31-05-90	GHS Managi Swabi

68.	2272	Jehanzeb	10-01-91	GMS Mangri Kamasar (KD) Mansehra
69.	2289A	Mumtaz Ahmad	20-01-91	GMS Shah Syed D.I.Khan
70.	2290	Mir Khumar	21-01-91	GMS Hanan Khel Isati Bannu
71.	2371	Umar Farooq	10-11-94	GHS Chinarkat Mansehra
72.	2378	Gul Hamid Khan	10-11-94	GHS Mirpur A.Abad
73.	2421	Mushtaq Ahmad baig	10-11-94	GHS Sarai Gadai Haripur
74.	2434	Abdul Wahid	10-11-94	GHS Parshai Kohat
75.	2457	Zakaria	10-11-94	GMS Tatreela A.Abad
76.	2477	Fazal Ghafar	10-11-94	GHS #-2 Pir Piai NSR
77.	2480	Shakir Ullah	10-11-94	GMS Achini Payan Peshawar
78.	2505	Zamrullah	10-11-94	GHS Sur kamar Jamrud K.A.S
79.	2521	Sayed Mukhtar Hussain	10-11-94	SHS Kirman Kurrum
80.	2554	Hur Hussain Bangash	10-11-94	GHS Shalozai Kurran Agency Parachinar
81.	2569	Muhammad Bashir	10-11-94	GMS Kathia Mansehra
82.	2584	Muhammad Rashid	03-12-94	GHS Abba Khel Ismail Khel Lakki Marwat
83.	2620	Ashraf Ali	10-11-94	GHS Kirman Kurrum
84.	2633	Kamal Hussain	10-11-94	G.H.S Malana Kurram Agency
85.	2652	Mehrud Din	10-11-94	GHS Muhammad Khel NWA

A1

86.	2658	Sultan Sikandar	10-11-94	ADO S/C Shangla
87.	2673	Said Ur Rahman	10-11-94	GHS Malangai Bajawar
88.	2675	Khalilur Rehman	10-11-94	ASST. AG: Edu. Officer K.Ag
89.	2676	Ilham Jan	10-11-94	GHS Charparizu Pesh
90.	2682	Rahmat Ullah	12-11-94	GHS Chuzeari Kurram
91.	2692	Khushdil Khan	16-11-94	GHS Harama tala
92.	2705	Muhammad Irshad	10-11-94	GHS Lanan Narab Manhwehra
93.	2726	Munawar Khan	23-05-95	GHSS Sirikat Haripur
94.	2736	Alam Zeb	23-05-95	GHS Lund Khwar Mardan
95.	2746	Niaz Muhammad	23-05-95	GHS Coarhi Karim Dad Peshawra
96.	2819	Nazir Khan	23-05-95	GHS Ahmad Khel Peshawar
97.	2840	Fazli Qadir	23-05-95	GHS Tarujaba NSR
98.	2883	Muhammad Rafiq	23-05-95	GMS Bhagar mang Mansehra
99.	2884	Miskeen shah	23-05-95	GHSS Sirikat Haripur
100.	2890	Ghulam Qadir	23-05-95	GHSS Kawai BalakotMansehra
101.	2920	Malak Fazal Khaliq	23-05-95	GHS #-1 Havelian ATD
102.	2945	Abdur Rashid	23-05-95	GHS Nokat Mansehra
103.	2948	Muhammad Younas	07-12-88	GHS Shahi Bala Peshawar
104.	2953	Nisar Ahmad	23-05-95	GHS Central Jail Haripur
105.	2966A	Abdullah	01-06-95	GMS Katlai Swat

106.	3016	Zahir Ahmad	28-05-95	GHS Alikhel NWA
107.	3087	Rashid Ahmad	23-05-95	GHSS Charbagh Swat
108.	3110	Faridullah	23-05-95	GHS Juni Khel Bannu
109.	3120	Azhar Ali	23-05-95	GHS Mian Gujar Peshawar
110.	3150	Umera Khan	23-05-95	GHSS Wazirbagh Peshawra
111.	3157	Abdul hamid	23-05-95	GHS Datta Mansehra
112.	3163	Anwar shah	23-05-95	GHS Shamdhara Mansehra
113.	3168	Riaz Ahmad	23-05-95	GHS Balam bat Dir (L)
114.	3171	Imran ali	23-05-95	GModel High School Parachinar
115.	3179	Arif Zaman	23-05-95	GHSS #-1 Haripur
116.	3200	Momin Khan	23-05-95	GHS Saddiqi Kot NWA
117.	3201	Mushtaq Hussain	23-05-95	GHS Israr Shaheed School Parachinar K.A
118.	3203	Munir Hussain	23-05-95	GMS Parachinar
119.	3204	Iqbal Hussain	23-05-95	GHS Zeran Kurram Agency
120.	3207	Haq Nawaz	23-05-95	GHS Lal Shilman Kurram Agency
121.	3219	Laiq Hussain	23-05-95	GHS Qabad Shah Khel Kurran Agy
122.	3221	Mazhar Ali	23-05-95	GHS Kiran Kurran Agency
123.	3279	Himatullah	24-05-95	ADO S/L Hangu
124.	3313	Noor Muhammad	24-05-95	ADO Male Dir Upper

125.	3374	Noor Ghulam	24-05-95	GMS Daradar Kurran Agency
126.	3405	Hamidullah	24-05-95	GHS Matta Mughal Khel #-1 Shebqadar
127.	3410	Noor Hussain	24-05-95	GHS Spinda Orakzai
128.	3411	Raja Sheeraz Ahmed	24-05-95	GMS Rahat The Mansehra
129.	3420	Akbar Khan	24-05-95	GMS Jabba Jamrud
130.	3426	Tanveer Ahmad	24-05-95	GMS Chatta Mansehra
131.	3431	Hamid Gul	24-05-95	GMS Land (NWA)
132.	3490	Zaidullah	25-03-96	A.D.O (N) Pre: Bannu
133.	3495	Khizar Hayat	25-03-96	GCHS Kohat Mussadiq
134.	3499	Muhammad Mussadiq	25-03-96	GHSS Shakardara Kohat
135.	3504	Ghulam Muhammad	25-03-96	GMS Surband Lakki-marwat
136.	3520	Shamshud Din	25-03-96	GHS Rori D.I.Khan
137.	3601	Hakim Jan	25-03-96	GHS Malizai Lower Kurrum A.G
138.	3604	Muhammad Sajjad	25-03-96	GMS Blakot
139.	3645B	Abdul Qayyum	25-03-96	GMS Jarai Swat
140.	3651	Latifur Rehman	25-03-96	GHS Shohal Mazullah Khan mansehra
141.	3660	Abdur Rashid	25-03-96	GHSS Kawai mansehra
142.	3666	Abdul Wahid	25-03-96	GHSS Nawan Sheter A.Abad
143.	3674	Muhammad Khursheed	01-04-96	GHS Katgali Balakot

144.	3679	Bashir Muhammad	29-05-06	GCMS Ab.abad
145.	3711	Abdul Jabbar	01-04-96	GHS Nangudar Sera K. Ag
146.	3713	Sartaj Khan	25-03-96	GHS Kat (T.Bhai) Mardan
147.	3714	Rafique Ahmad	25-03-96	GCMS Chitral
148.	3764	Hidayat-ur-Rehman	25-03-96	GHS Mashogajar Peshawar
149.	3799	Irshad	25-03-96	GGHS Kohat
150.	3828	Muhammad Munir	25-03-96	GHS Mangloor Mansehra
151.	3833	Qadar Zaman	25-03-96	GHS Kalaka Oghi mansehra
152.	3838	Mohammad Asghar	25-03-96	GHS Taywanjai A.Abad
153.	3841	Asif Iqbal	25-03-96	GHS Ghari habib Ullah
154.	3843	Shabir Ahmed	25-03-96	GCMSS A.Abad
155.	3845	Sarfraz Alam	25-03-96	GHS Mang Haripur
156.	3911	Muhammad Saeed	20-03-86	GMS Molhar Mansehra
157.	3916	Israr Shaveed	28-03-96	GHS Parachinar
158.	3926	Din Muhammad	28-03-96	GHS Kerriwan F.R Tank
159.	3936	Manzoor Ali	28-03-96	GHS Samakhela Swat
160.	3948	Waqar Ahmad	28-03-96	GMS Garhi Chandan Peshawar
161.	3952	Mina Raz	28-03-96	GMS Agency Edu Officer Kenal Kurram Agency Bafar K.A
162.	3979	Riaz Akhtar	28-03-96	GMS Dajian

163.	3996	Muhammad Rustam	28-03-96	Kheshka GMS Hussainian Mansehra
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ii) 132 Female SETs (General)

S.No	Seniority List No.	Name of Officer	Date of Appointment as Regular SET	Present Place of Posting
1.	222	Shahnaz Begum	14-10-87	GGHS Shagi Bala
2.	265	Atia Firdus	04-10-89	GGMS Mir Ahmad KOHAT
3.	312	Fareeda Saleem	01-10-89	GGHS THILU Abbottabad
4.	370	Imtiaz Begum	02+-05-90	GGHS Khair Abad
5.	374	Shagufta Nazneem	13-05-90	GGHS BAZAR AHMAD KHAN BANNU
6.	375	Shamim Akhtar	22-04-90	GGCMS GHURAZI PAYAN KOHAT
7.	386	Shahida Naz	05-12-90	GCMS Nusrat Abad Karak
8.	395	Asmat Ara Qureshi	01-09-91	GComp. GHSS Dabgari Peshawar
9.	397	Belqees Bebi	01-09-91	GGHSS Muneen Haripur
10.	398	Tasneem kaosar	01-09-91	GGMS Dehdan Harepur
11.	400	Ishrat Jehan	01-09-91	GGHS Yaka Tut Peshawar
12.	402	Farzana Nasreen	01-09-91	GGHSS Kalabat Haripur
13.	403	Shahzadi Gul-e-Nargas	01-09-91	GGHSS Comp. Peshawar

14.	405	Naheed Sattar	01-09-91	GGHS Malago Peshawar
15.	427	Naheed Begum	03-90-91	GGHS NISHTAR Abad Peshawar
16.	430	Anwar Sultana	20-11-91	GGHS Tangi Charsadda
17.	432	Farhat Perveen	03-09-91	Office of the Deputy DO (F) D.I.Khan
18.	446	Husan Afroz	23-02-93	GGMS Kalu Khel Bannu
19.	458	Gul Naz Bibi	23-02-93	GGHSS Bandi munim Haripur
20.	476	Iffat Batool	08-11-94	GGCMS #-1 D.I.Khan
21.	493	Naheed Akher	08-11-94	GCMGH School Nothia Peshawar
22.	508	Sadia Naaz	10-11-94	GGHS #B D.I.Khan
23.	516	Kanwal Sahar	08-11-94	GGMS Tab Qunrithia D.I.Khan
24.	520	Robina Shaheen	08-11-94	GGHS #-1 A.Abad
25.	522	Zahira Raud	08-11-94	GCAS for girls Mansehra
26.	529	Nusrat Begum	08-11-94	GHS Dabgari Gate Peshawar
27.	536	Shakeela Roohi	08-11-94	GGHSS BSD Peshawar
28.	539	Shaheen Akhter	08-11-94	GGHS See #-4 KTS Haripur
29.	541	Tahira Shaeen	08-11-94	GGCMS Coharia Haripur
30.	548	Zahida Saddiqua	08-11-94	GGHS #-2 Haripur
31.	556	Gul Bahar	08-11-94	GCMS Mansehra
32.	562	Zahra Bibi	08-11-94	Community Model School Phandu

				Gharib Abad Peshawar
33.	566	Yasmeen	08-11-94	GGCM AS Bickut Mardan
34.	581	Rahat Begum	08-11-94	GGHSS Begum Shahabdin Peshawar
35.	583	Zahida Perveen	08-11-94	GGComp. HSS Peshawar
36.	588	Bushra Bibi	8-11-94	GGHS Ghandiarn Mansehra
37.	589	Israr Begum	08-11-94	GGHS Irrigation Colony Peshawar
38.	592	Anjum Perveen	08-11-94	GGMS Achini Payan Peshawar
39.	605	Shahnaz Tabasum	08-11-94	GGPCMS Nawab Abad Safed Dheri Peshawar
40.	607	Shahr Bano Anjam	07-11-94	GG Comp ASS Peshawar
41.	609	Yasmeen Bibi	11-11-94	GGMS MuradAbad Haripur
42.	614	Rehana yasmeen	08-11-94	GC Comp HSS Peshawar
43.	618	Chaman Ara	08-11-94	GGC,S #-1 D.I.Khan
44.	619	Amina durrani	08-11-94	GGHS Yaka Toot Peshawar
45.	630	Nargis Imam Din	08-11-94	GGHS #-2 Haripur
46.	639	Fameeda Bano	08-11-94	GGHS Shergarh Mansehra
47.	650	Raheela Begum	08-11-94	GGCMS Sesada Chack Dara L.A
48.	657	Mumtaz Begum	23-05-95	GMS Inzargai Mardan
49.	660	Nazneen Tara	23-05-95	GGHS Shander Mansehra
50.	663	Gulnar Begum	23-05-95	GHSS #-2 D.I.Khan

51.	667	Shah Naz Parveen	23-05-95	GGHS Nishtar Abad Peshawar
52.	679	Farhat Shahee	23-05-95	GGCMS D.I.Khan
53.	681	Tahira Yasmeen	23-05-95	GGMS Jatta D.I.Khan
54.	688	Nargas Jahan	23-05-95	GGHS City Railway Station Pesh
55.	693	Gul Nasreen	23-05-95	GGCM S #-1 D.I.Khan
56.	695	Bibi Halima	23-05-95	GGMS Serai Nourang Bannu
57.	698	Aftab khattak	23-05-95	GG Community Model School Darmangi Peshawar
58.	713	Fakhria-Jabbar	23-05-95	GGCMS Kat Nagibullah
59.	717	Sitara Begum	23-05-95	GGHS Warsak Colony Peshawar
60.	726	Dilshad	23-05-95	GGHSS Toru Mardan
61.	731	Kawsar	23-05-95	GGHS Rajoya A.Abad
62.	736	Iffat Rehim	23-05-95	GGHSS Joulia Haripur
63.	743	Nighat Sultan	23-05-95	GGMS Sarki Jalal Charsadda
64.	747	Robina Shahee	23-05-95	GGHS #-2 KTS Haripur
65.	770	Azra Shaheen	23-05-95	GGCM E/M Ser Sehoul Nowan Sher A/Abbad
66.	778	Jamila Begum	23-05-95	GGHS Civil Colony Peshawar
67.	817	Tahira	23-05-95	GHS Shalozai Kurram Agency
68.	833	Rana Jamal	23-05-95	GCGHSS Dabgari Peshawar
69.	844	Bibi Aisha	23-05-95	GGMS Hajizai Peshawar
70.	866	Tahira Salim	24-05-95	GGHS Yakatoot Peshawar
71.	867	Rohida	24-05-95	GGCMS Rajjar charsadda
72.	872	Aliya.Rahman	24-05-95	GGCMSSA.Abad

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73.	882	Zahida Jabeen	24-05-95	GGHS #-1 Karak
74.	885	Zahoor Begum	24-05-95	GGHS Tofkia Haripur
75.	887	Sumaira Farooqi	24-05-95	GGMS #-1 Hazara khawani Peshawar
76.	888	Baswar Jana	24-05-95	GGMS Ahmad Shah Bannu
77.	889	Samina Naz	24-05-95	GGMS Samaisar Ab.Abad
78.	897	Nagina Akhtar	24-05-95	GGMS Daman Afghani Pesh
79.	906	Ghazala Shaheen	24-05-95	GGHS Mangloor Mansehra
80.	910	Shahzadi Noorus Saba	24-05-95	GGHS Khyber Colony Pesh
81.	913	Fozia habib	24-05-95	GGMS Purana Shiekhan Bannu
82.	914	Sajida Begum	24-05-95	GGMS Sarfaraz Kah Khyber
83.	918	Akhtar Bano	24-05-95	GGHS Gulbahar Peshawar
84.	919	Ronaq Alma	24-05-95	GGHSS B.S.D. Peshawar
85.	924	Neelam Jabeen	24-05-95	GGMS Mawaz Killi Bannu K.Agency
86.	929	Shaghuffa Nasreen	24-05-95	GGHS Yaka Toot Peshawar
87.	933	Faiqa Naseem	24-05-95	GGMS Chamkani
88.	934	Nilofar Nawaz	24-05-95	GGMS Kotka Zabta Khan Bannu
89.	935	Naheed Nazi	24-05-95	GGMS Kalyas Charsadda
90.	937 ✓	Farzana Tasleem	24-05-95	GGMS Kharmato Kohat ✓
91.	951	Naz Perveen	25-03-96	GGMS Jahangeer Pura Pesh
92.	957	Zuriya-yat-Shaheen	25-03-96	GGCMS Kandi kalu Khel Swabi
93.	961 ✓	Nargas Shaheen	25-03-96	GGMS Shakardarra #-2 Kohat ✓
94.	963	Yasmin	25-03-96	GGHSS Lady Grifith Peshawar
95.	967	Gul Rukh Azeem	25-03-96	GGHS #-2 Haripur
96.	974	Hussan Ara	25-03-96	GGHSS Lads Grifith Peshawar
97.	980	Shahida Anjum	25-03-96	JICA Model School Adum Swabi

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98.	985	Azra Begum	25-03-96	GGHS Nisatta Charsadda
99.	988	Samina Farid	25-03-96	GGCMS AB.Abad
100.	990	Wajida Siddique	25-03-96	GGHS Chhail Haripur
101.	991	Najmun Nisa	25-03-96	GGHS #-2 Haripur
102.	995	Farah Naz	25-03-96	GGHSS #-2 Mansehra
103.	996	Saeeda Shamim	25-03-96	GGCMHS A.Abad
104.	997	Fulak Naz	25-03-96	GG C Model High School
105.	998	Ghazala Yasmin	25-03-96	GGMS Bhera KHaripur
106.	1000	Azra Sultana	25-03-96	GGHS A.Abad
107.	1006	Nusrat Perveen	25-03-96	GGHS Sher Bagh mardan
108.	1012	Niaz Perwar	25-03-96	GGMS Srosha Mohmand
109.	1013	Rozina Imtiaz	25-03-96	GGHS Musazai Sharif D.I.K
110.	1022	Gul Nasreen	25-03-96	GGHS Bagra Haripur
111.	1038	Sarkar Gul	25-03-96	GGMS Malak Pura A.Abad
112.	1041	Shahida Nabila	25-03-96	GGHSS Janat Charsadda
113.	1049	Shamim Akhtar	25-03-96	GGHSS Sakhakot Malakand
114.	1050	Abid Inayat	02-03-96	GGHS Karigar Khyber
115.	1056	Muntaha Begum	25-03-96	GGCMS Maira Mashogagar Muslimabad Pesahwar
116.	1070	Nusrat Shaheen	25-03-96	GGCM School #-1 Haripur
117.	1075	Bibi Romina	25-03-96	GGMS Miana Shakh // G Charsadda
118.	1079	Salma Farid	28-03-96	GGHS Mathra Peshawar
119.	1090	Nageen Begum	28-03-96	GGHSS Umarzai Charsadda
120.	1098	Riffat Naz	28-03-96	GGHS Sher Pao Charsadd
121.	1113	Aneela Razaq	28-03-96	GGHS Larama Peshawar
122.	1118	Sarat Bobo	28-03-96	GGHS Togh Saria kohat

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123.	1121	Samina Begum	28-03-96	GGHS Karnal Sher Killi Swabi
124.	1125	Asma Bano	28-03-96	GGHS Irrigation Colony Pesh
125.	1126	Akhtar Jabeen	28-03-96	GGMS Quthba haripur
126.	1132	Najma Yasmin	28-03-96	GGHSS Lady Grifgth Peshawar
127.	1133	Huma Shad	28-03-96	GGHS Railway Station Pesh
128.	1146	Shaista Jehan	01-09-97	GGHSS Toru Mardan
129.	1150	Nareen Bibi	26-07-97	GGMS Roda D.I.Khan
130.	1155	Phul Bibi	26-07-97	GGMS Rehar Mansehra
131.	1161	Rana Attaullah	26-07-97	JICA G Model Primary School Hayatabad Peshawar
132.	1782A	Noor Jehan	25-10-94	GGHS Tarakai Swabi

iii) 14 Male SETs (Technical)

S.No	Seniority List No.	Name of Officer	Date of Appointment as Regular SET	Present Place of Posting
1.	9	Faridos Khan	25-06-87	GAT.T.T.C-Peshawar
2.	27	Aftab Ahmad Shah	23-10-87	GHS Serai Saleh Haripur
3.	54	Fazli Manan	23-01-84	GHS Hathian Mardan
4.	85	S. Keramat Hussan	26-03-80	Israr Shaheed High School Parachinar Kurram Agency
5.	86	S. Shabir Hussain Shah	28-10-80	GHSS NO.3 D.I.Khan
6.	87	Noor Elahi	27-06-81	GHSS // -1 Haripur
7.	91	Imran Ali	08-08-87	GHS Kurram Agency
8.	92	Khalid	01-10-83	GHS-Turbela Town Ship

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		Mehmood		
9.	96	Muhammad Iqbal	25-04-85	GCMS #-3 Mardan
10.	99	Muhammad Zahir Shah	01-07-86	GHSS TOTAKAN Mkd Agency
11.	102	Ayaz Khan	30-10--86	GCHSS Kohat
12.	103	Muhammad Hassan	04-11-82	GHSS Jamrud Khyber Agency
13.	111	Ibad Ullah	16-10-89	GTHSS Gulbahar Peshawar
14.	113	Naqib Ullah	16-10-90	GEC Mir Ali Miran Shah

SECRETARY TO GOVT. OF NWFP
ELEMENTARY AND SECONDARY
EDUCATION DEPARTMENT.

Endst No. No.SO(PE)2-6/SET(B-16)Upgradation to B-17: Dated 21-03-09

Copy Forwarded to the :

1. The Accountant General NWFP Peshawar
2. Secretary to Govt .of NWFP Establishment Department
3. Secretary to Govt .of NWFP Finance Department
4. Director Elementary & Secondary Education NWFP Peshawar
5. Director PITE NWFP Peshawar
6. Director Education FATA NWFP Peshawar
7. All EDOs E&SE in NWFP
8. All District /Agency Accounts Officers
9. PS to Chief Secretary NWFP
10. Officers concerned
11. PS to Minister Elementary & Secondary Education NWFP
12. PS to Secretary Elementary & Secondary Education NWFP
13. Office Order File



ARIF JAMIL
SECTION OFFICER (PRIMARY)

To

The Secretary
Elementary and Secondary
Education Deptt: Khyber Pakhunkhwa
Peshawar..

(25)

Through Proper Channel

Subject: DEPARTMENT REPRESENTATION / APPEAL FOR UP GRADATION TO BPS-17
AS PERSONAL W.E.F 01-10-2007,

Respected Sir,

It is respectfully submitted that Govt of Khyber Pakhtoon Khawa Finance Department. (Regulation Wing) Peshawar has up graded 2804 S.E.Ts (Male & Female) form B.P.S-16 to BPS-17 as personal w-e-from 01-10-2007 instead of 27/09/2008 pursuant to decision of K.P Voll-II Dated 14-10-2010 (Copy attached)

Secretary Elementary & Secondary Education Deptt: has also issued notification showing the said up gradation w.e.f 01-10-2007 (copy attached) in this connection attention is invited to Govt. of PK Elementary & Secondary Education Notification NO. SO (PE) 2-6/SET (BPS-16) up gradation to BPS-17 at 21-03-2009 where is 163 SET's (F) & 14 SET's (Tec) here upgraded from BPS-16 to BPS-17 with immediate effect from 21-03-2009.

The name_s of SET's shown in the said notification dated 21-03-2009 for up gradation to BPS-17 w.e.f 01-10-2007 ^{have} ~~has~~ been omitted & not included in the latest Notification dated 03-11-2010 depriving them from the benefit of antedation of up gradation in spite of fact that all these SET's who have completed 10 years service on 01-10-2007 are entitled for up gradation form the said date as per contents of the decision of service Tribunal.

I was granted BPS-17 (Personal) w.e.f 21-03-2009 at S.No. 74 vide notification No. SO. (PE)2-6/SET dated 21-03-2009 (Photocopy attached) my date of appointment as a regular SET is 10-11-1994 and have completed 10 year service on 01-10-2007 as required for up gradation to BPS-17. Delay in grant of BPS 17 was due ot submission of document to DPC by the department.

Attested
etc

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However the issue for grant of BPS 17 w.e.f 01-10-2007 has been decided by the S/tribunal. It is by now settled law that similarly placed person shall be given liked treatment while following the law land done in the case of Hameed Akhtar VS Secretary Establishment Division Govt. of Pakistan and other 19% SCMR 1185 & Sadaqat Ali through LRS and other VS land Acquisition collectors and other PLD 2010 SC 878 (Petitioner can not be denied what was given to other, similarly placed persons)

In view of the above fact it is earnestly requested I may also please be granted the upgradation to BPS-17 as personal w.e.f 01-10-2007 as others.

Z. Balu

Date: 10/10/2014

sdt

Yours Obediently

ABDUL WAHEED SST
GHS PARSHAI (KOHAT)

(27) (3)



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT
Dated Peshawar the 03-11-2010.

Syed Mudassar Shah.
S.E.T
G.I.S.S.Karak

NOTIFICATION.

NO.SO(PE)2-6/DPC/Up-Gradation SETs BS-16 to BS-17. In pursuance of the Judgement of KPK, Service Tribunal Peshawar, the Competent Authority is pleased to up-grade the following 2804 posts of SETs in Elementary & Secondary Education Department KPK from BPS-16 to BPS-17 as personal to the incumbents wef; 01-10-2007 instead of 27-09-2008 as notified vide this department notification No. SO (PE)2-6/E&S/Upgradation/SET; dated 27-09-2008 subject to the condition that these posts shall automatically be downgraded as and when vacated by these incumbents.

S. No.	Posts	Total No. of Posts.
1	SETs (Male)	2333
2	SETs (Female)	446
3	SETs (Technical)/Commerce	25
	Total:-	2804

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

Endst. No SO(FR)FD/10-22(B)/2007/Vol.II Dated Peshawar the, 03-11-2010.
1- Copy forwarded to the Accountant General, Khyber Pakhtunkhwa, Peshawar for information & necessary action.

And
SECTION OFFICER (FR)
FINANCE DEPARTMENT.

Endst. No. SO(PE)2-6/DPC/Upgradation SETs BS-16 to BS-17. Dated 03-11-2010.
Copy forwarded to:-

1. The Secretary to Governor, Governor's Secretariat (FATA) Khyber Pakhtunkhwa.
2. The Secretary to Govt. of Khyber Pkhtunkhwa, Establishment & Admn. Department.
3. The Secretary to Govt. of Khyber Pakhtunkhwa, Finance Department w/r to his letter No. SO(FR)/FD/10-22(B)/2007/Vol.II dated 14-10-2010.
4. All Directors of Education (E&SE) in Khyber Pakhtunkhwa including Director Education (FATA).
5. All Executive District Officers Elementary & Secondary Education in Khyber Pakhtunkhwa.
6. All Agency Education Officers in Khyber Pakhtunkhwa.
7. All District Accounts Officers, in Khyber Pakhtunkhat.
8. All Agency Accounts Officers in Khyber Pakhtunkhwa.
9. Section Officer (FR) Finance Department w/r to his letter No. SO(FR)FD/10-22(B)2007/Vol.II dated 14-10-2010.
10. P.S to Secretary E&SE Department.
11. P.S to Additional Secretary E&SE Department.
12. P.A to Deputy Secretary E&SE Department.

(MOHAMMAD NAFEES)
SECTION OFFICER (PRIMARY)

*Attached
etc*

*Adnan
malik*



GOVERNMENT OF N.-W.F.P.
ESTABLISHMENT & ADMINISTRATION
DEPARTMENT
(ESTABLISHMENT WING)

No. SOE-III (E&AD)1-3/2008
Dated Peshawar the 25th January, 2009

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To

1. The Additional Chief Secretary, Govt NWFP.
2. The Additional Chief Secretary (FATA), Peshawar.
3. The Senior Member, Board of Revenue, N.-W.F.P.
4. All Administrative Secretaries to Government of N.-W.F.P.
5. The Secretary to Governor, N.-W.F.P.
6. The Principal Secretary to Chief Minister, N.-W.F.P.
7. All Divisional Commissioners in NWFP.

SUBJECT: NORTH-WEST FRONTIER PROVINCE CIVIL SERVANTS PROMOTION POLICY, 2009.

Dear Sir,

I am directed to refer to the subject noted above and to say that in order to consolidate the existing Promotion Policy, which is embodied in several circular letters issued in piecemeal from time to time, and to facilitate the line departments at every level in prompt processing of promotion cases of Provincial civil servants, it has been decided to issue the "North-West Frontier Province Civil Servants Promotion Policy, 2009" duly approved by the competent authority, for information and compliance by all concerned. This Policy will apply to promotions of all civil servants holding appointments on regular basis and will come into effect immediately. The Policy consists of the provisions given hereunder:-

Length of service.

(a) Minimum length of service for promotion to posts in various basic scales will be as under:

Basic Scale 18 :	5 years' service in BS-17
Basic Scale 19 :	12 years' service in BS-17 & above
Basic Scale 20 :	17 years' service in BS-17 & above

No proposal for promotion shall be entertained unless the condition of the prescribed length of service is fulfilled.

(b) Service in the lower pay scales for promotion to BP-18 shall be counted as follows:

- (i) Half of the service in BS-18 and one fourth in Basic Scales lower than 18, if any, shall be counted as service in Basic Scale 17.
- (ii) Where initial recruitment takes place in Basic Scale 18 and 19, the length of service prescribed for promotion to higher Basic Scales shall be reduced as indicated below:

Basic Scale 19 :	7 years' service in BS-18
Basic Scale 20 :	10 years' service in BS-18 and above or 3 years' service in BS-19

*Admin
PP. circulated
all concerned*

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14/1/09

*Officer E-3
Establishment Deptt.
Signature*

*Attested
a-7c
Admin
Signature*

II. Linking of promotion with training:

(a) Successful completion of the following trainings is mandatory for promotions of officers of the Provincial Civil Service / Provincial Management Service to various Basic Scales:

- Mid-Career Management Course at National Institute of Management (NIM) for promotion to BS-19
- Senior Management Course at National Management College, Lahore for promotion to BS-20
- National Management Course at National Management College, Lahore for promotion to BS-21

(b) This condition will not be applicable to civil servants in specialized cadres such as Doctors, Teachers, Professors, Research Scientists and incumbents of purely technical posts for promotion within their own line of specialization as envisaged in the existing Promotion Policy.

(c) The qualifying thresholds of quantification of PERs for nomination to these trainings are as under:

MCMC	60
SMC	70
NMC	75

(d) There will be no exemptions from mandatory trainings. An officer may, however, request for temporary exemption in a particular moment in time but grant of such exemption would be at the discretion of the competent authority. No such request with regard to an officer would be made by the Government Departments concerned.

(e) Three officers shall be nominated for each slot of promotion on the basis of their seniority. Those unwilling to attend will be dropped at their own expense without prejudice to the rights of others and without thwarting or minimizing the chance of improving the quality of service.

(f) Officers failing to undergo mandatory training in spite of two time nominations for a training shall stand superseded if such failure was not for the reasons beyond the control of the officers concerned.

III. Development of Comprehensive Efficiency Index (CEI) for promotion:

(a) The Comprehensive Efficiency Index to be maintained for the purpose of promotion is clarified as under:

- (i) The minimum of aggregate marks for promotion to various grades shall be as follows:

Section Officer E-3
Establishment Deptt.

VI. Date of Promotion:

Promotion will always be notified with immediate effect.

VII. Notional Promotion:

In respect of civil servants who retire (or expire) after recommendation of their promotion by the PSB/DPC, but before its approval by the competent authority, their promotion shall be deemed to have taken effect from the date of recommendation of the PSB/DPC, as the case may be, and their pension shall be calculated as per pay which they would have received had they not retired/expired.

VIII. Promotion of Civil Servants who are awarded minor penalties.

(a) The question of promotion to BS-18 and above in case of civil servants who have been awarded minor penalties has been settled by the adoption of quantification of PERs and CEI which allows consideration of such cases for promotion subject to deduction of 5 marks for each major penalty, 3 marks for each minor penalty and 1 mark for each adverse PER from the quantified score and recommendation for promotion on attaining the relevant qualifying threshold.

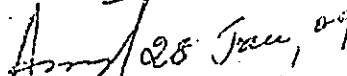
(b) However, the CEI policy is not applicable to civil servants in BS-16 and below. In this case, the concerned assessing authorities will take into consideration the entire service record with weightage to be given for recent reports and any minor penalty will not be a bar to promotion of such a civil servant.

IX. Promotion in case of pending investigations by NAB:

If there are any NAB investigations being conducted against an officer, the fact of such investigations needs to be placed before the relevant promotion fora which may take a considered decision on merits of the case.

2. All the existing instructions on the subject shall stand superseded to the above extent, with immediate effect.

Yours faithfully,


(MUHAMMAD ABID MAJEED)
Special Secretary (Regulations)

- (ii) Disciplinary or departmental proceedings are pending against him.
- (iii) The PER dossier is incomplete or any other document/ information required by the PSB/DPC for determining his suitability for promotion is not available for reasons beyond his control.

(b) The civil servant whose promotion has been deferred will be considered for promotion as soon as the reasons for deferment cease to exist. The cases falling under any of the above three categories do not warrant proforma promotion but the civil servant will be considered for promotion after determining his correct seniority over the erstwhile juniors.

(c) If an officer is otherwise eligible for promotion but has been inadvertently omitted from consideration in the original reference due to clerical error or plain negligence and is superseded, he should be considered for promotion as soon as the mistake is noticed.

(d) If and when an officer, after his seniority has been correctly determined or after he has been exonerated of the charges or his PER dossier is complete, or his inadvertent omission for promotion comes to notice, is considered by the Provincial Selection Board/ Departmental Promotion Committee and is declared fit for promotion to the next higher basic scale, he shall be deemed to have been cleared for promotion along with the officers junior to him who were considered in the earlier meeting of the Provincial Selection Board/Departmental Promotion Committee. Such an officer, on his promotion will be allowed seniority in accordance with the proviso of sub-section (4) of Section 6 of the North-West Frontier Province Civil Servants Act, 1973, whereby officers selected for promotion to a higher post in one batch on their promotion to the higher post are allowed to retain their inter-se-seniority in the lower post. In case, however, the date of continuous appointment of two or more officers in the lower post/grade is the same and there is no specific rule whereby their inter-se-seniority in the lower grade can be determined, the officer older in age shall be treated senior.

(e) If a civil servant is superseded he shall not be considered for promotion until he earns one PER for the ensuing one full year.

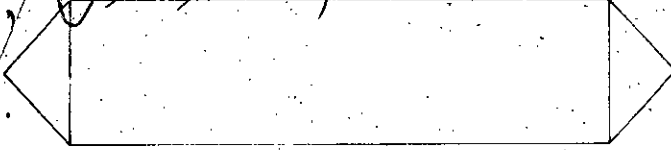
(f) If a civil servant is recommended for promotion to the higher basic scale/post by the PSB/DPC and the recommendations are not approved by the competent authority within a period of six months from such recommendations, they would lapse. The case of such civil servant would require placement before the PSB/DPC afresh.

Section Officer E-3
Establishment Deptt.

12/11/73

X

بعدالت سے دس ٹریبیٹول بنا کر



2 پنجاب ایڈووکیٹ

بنام گورنمنٹ

عبدالوصد

دعویٰ سروکل ایڈیل

مورخہ

مقدمہ

دعویٰ

جرم

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ
 آن مقام لیس اور کیلئے مسلمان حکم ایڈووکیٹ
 مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز
 وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ پر حلف دینے جواب دہی اور اقبال دعویٰ اور
 بصورت ڈگری کرنے اجراء اور وصولی چیک و رد پیرا عرضی دعویٰ اور درخواست ہر قسم کی تصدیق
 زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی
 اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا۔ از بصورت ضرورت
 مقدمہ مذکور کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے
 تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ باختیارات حاصل ہوں گے
 اور اس کا ساختہ پر داخہ منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے
 سبب سے وہ ہوگا۔ کوئی تاریخ پیش مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں
 گے۔ کہ پیروی مذکور کریں۔ لہذا کالت نامہ لکھ دیا کہ سند ہے۔

20

ماہ

المرقوم

Accepted
 Adil
 Adil

العہد گاہ العہد گاہ

Adil کے لئے منظور ہے۔

3 wal
 الوصد

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

Service Appeal No: 104/2015

Abdul Waheed SET(G) GHS Parshai, District Kohat.Appellant.

VERSUS

Secretary E&SE Department, Khyber Pakhtunkhwa & others.Respondent§

PARAWISE COMMENTS FOR & ON BEHALF OF RESPONDENTS No: 1-5.

Respectfully Sheweth :-

The Respondents submit as under:-

Preliminary Objections.

- 1 That the appellant has got no cause of action / locus standai.
- 2 That the instant Service Appeal is badly time barred.
- 3 That the appellant has concealed material facts from this Honorable Tribunal in the instant service appeal.
- 4 That the instant service appeal is based on malafide intentions.
- 5 That the appellant has not come to this Honorable Tribunal with clean hands.
- 6 That the appellant is not entitled for the relief he has sought from this Honorable Tribunal.
- 7 That the instant Service Appeal is against the prevailing law & rules.
- 8 That the appellant is not an aggrieved person.
- 9 That the appellant has been treated as per law, rules & up-gradation policy.
- 10 That the appeal is not maintainable in its present form.
- 11 That the appeal is bad for mis-joinder & non-joinder of the necessary parties.
- 12 That the instant Service Appeal is barred by law.
- 13 That the appellant is not competent to file the instant appeal against the Respondents.
- 14 That the Notification dated 21/3/2009 is legally competent .

FACTS

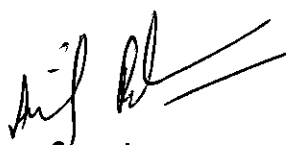
- 1 That Para-1 needs no comments.being pertains to the service record of the appellant.
- 2 That Para-2 is correct. Hence needs no further comments.

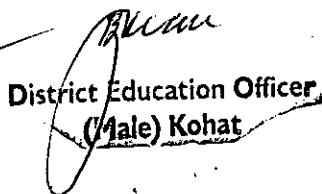
- 3 That Para-3 is correct to the extent that the appellant was not entitled for the grant of upgradation against the SET post in BPS-17 in the light of Notification dated 01-10-2007 issued by the Respondent No: 2.
- 4 That Para-4 is correct to the extent that the appellant has been upgraded against the SET(M) post in the light of the referred Notification wef 21/3 / 2009 by the Respondent No: 2 in the light of his seniority position falling at S/No: 2434 at S/No: 74 with immediate effect. (Copy of the said Notification is attached as Annexure-A).
- 5 That Para-5 is incorrect & denied. The mentioned delay in the late Submission of the required documents, including ACRs etc: directly falls upon the appellant and not on the Respondents department on the grounds that the required documents are normally in the custody of the appellant.
- 6 That Para-6 is incorrect & denied. No departmental appeal has been filed by the appellant, nor any such record is available in the office of the Respondent No: 4 till date. Hence the plea of the appellant is liable to be rejected. However, the Respondents further submit on the following grounds inter alia :-

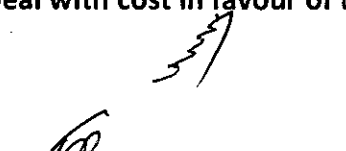
GROUND

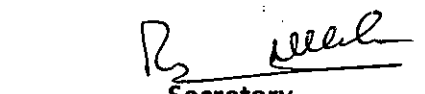
- A Incorrect & denied. The Notification dated 21-3-2009 is legally competent vide which the appellant has been upgraded to BPS-17 (personal) against the SST (M) post with immediate effect.
- B Incorrect & denied. The appellant did not bother to submit the required documents for the purpose of processing his case before the Departmental Promotion Committee, , hence he has been dropped from the list for the grant of upgradation wef 01/10/2007 on the grounds that the negligence of the appellant can't be shifted on the shoulders of Respondents.
- C Incorrect & denied. Detailed reply of this Para has been given in the foregoing paras, hence needs no comments.
- D Incorrect & denied. The appellant willfully submitted his documents at the belated stage. Hence he has been dropped from the List of batch/colleagues for the grant of his upgradation wef 01-10-2007 by the Respondent Department.
- E Needs no comments.
- F As above.
- G Incorrect & denied. Detailed reasons of this ground has already been given in the foregoing paras. Hence needs no further comments, as explained above.

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


 Secretary
 E&SE Department Khyber
 Pakhtunkhwa, Peshawar.
 (Respondent No: 1 &2)


 District Education Officer
 (Male) Kohat


 Director
 E&SE Department Khyber
 Pakhtunkhwa, Peshawar.
 (Respondents No: 4 to 5)


 Secretary
 (Finance) Department Khyber
 Pakhtunkhwa, Peshawar.



*Q. wazheed walah
SET*

Annexure A

(8)

GOVERNMENT OF NWFP
PRIMARY & SECONDARY EDUCATION
DEPARTMENT

Dated 21-03-09

NOTIFICATION

No.SO(PE)2-6/SET(B-16)Upgradation to B-17: The Competent Authority on the recommendation of Departmental Promotion Committee and in consultation with Finance Department is pleased to allow one time up gradation from B-16 to B-17 (Personal) to the following 163 SETs Male, 132 SETs Female and 14 SETs (Technical) with immediate effect subject to the condition that the posts of SET shall be downgraded from B-17 to B-16 as and when vacated by the incumbents:

i) 163 SETs Male(General)

S.No	Seniority List No.	Name of Officer	Date of Appcintment as Regular SET	Present Place of Posting
1.	736A	Pasham Khan	27-11-85	A.A.E.O Office F.R.D.I.Khan
2.	838	Muhammad Shoaib	04-11-86	GHS Billitang Kohat
3.	869	Mohabbat Khan	14-12-86	GHS Kam- Shalman Landi Kotal Khyber Agency
4.	870	Yousaf Hussain	01-11-86	GHS Shalozan Kurram
5.	879	Munir Hussain	16-12-86	GHS Zeran Kurram
6.	942	Javed Khan	24-02-87	GHS Dingi Haripur
7.	943	Bahadar Ali	24-02-87	GMS Alamganj Swat
8.	944	Mohammad Younis	25-02-87	GMS Afzal Abad Manshra
9.	953	Shamsher ali	04-03-87	ADO S/L DIK Surkamar (Khyber)

10.	960	Shama Raz Khan	16-0387	GHSS Tore Kakki Bannu
11.	962	Payo Gul	16-03-87	GHS Dossali NWA
12.	982	Shamsud Din	05-04-87	GHS Afzal Manshra
13.	1014	Mohammad Karim Khan	19-05-87	GMS Ali Khel NWA
14.	1016	Khan Sahib Khan	19-09-86	GHS Mohmand Khel NWA
15.	1077	Azizur Rahman Khan	14-10-87	GHS Sargora Muhammad Khan FR Lakki
16.	1109	Abdul Hayye	25-10-87	GHS Abba Khel Bannu Ismail Khel Lakki Marwat
17.	1119	Mir Akbar	22-11-87	GHSS Bahali Mansehra
18.	1153	Manzoor Elahi	07-12-87	GHS Control Sail
19.	1212	Ibne Yamin	10-03-88	GHSS Charbagh Swat
20.	1239	Aziz Mohamamd	09-05-88	GMS Dosali NWA
21.	1254	Shah Noor Khan	25-05-88	GHS Ladha Swabi
22.	1256	Nawar Khan	25-05-88	GEC Habibullah FR Bannu
23.	1260	Yousaf Daraz	25-05-88	GHS Taj Muhammad Kat NWA
24.	1265	Samad Shah	25-05-88	GHS Miran Shah NWA
25.	1299	Shafiqur Rehman	01-08-88	GHS #-2 Mansehra
26.	1301	Ali Asghar	01-08-88	GHS Datta Mansehra
27.	1303	Abdur Rehman Shah	01-08-88	GHSS Langria A.Abad
28.	1331	Mehboob Ali	07-09-88	CMS Powan

29.	1361	Rehmat Sher	12-09-88	GHS Shaghali Payan M. AS
30.	1374	Noor Wali Khan	06-10-88	GHS Barganetoo FR Bannu
31.	1378	Muhammad Zahiruddin	24-10-88	G.H.S Dosalli NWA
32.	1390	Hazir Khan	20-11-88	GHS Chumawan Haripur
33.	1485	Sabir Hussain Shah	29-07-89	GHS Lissan Nawab Mansehra
34.	1586	Abdul Wahab	07-09-89	GHS #-1 D.I.Khan
35.	1648	Pervez Khan	20-09-89	GHS Ladha Haripur
36.	1659	Malik Aman	21-09-89	GMS Bathal Mansehra
37.	1661	Abdul Majeed	21-09-89	GMS Kuladi D.I.Khan
38.	1677	Nasrullah Khan	25-09-89	gms Mangal D.I.Khan
39.	1692	Taj Ali	01-10-89	GMS Katka Nawab Khan Laki
40.	1723	Sadiq Shah	01-10-89	GHSS Nawa Shaber A.Abad
41.	1752	Zahoor Akhtar	07-10-89	GHS Mnjia A.Abad
42.	1765	Hayatullah	16-10-89	GHS Harama Tala Lakki
43.	1798	Hazrat Ali	26-11-89	GHS Sararogha SWA
44.	1855	Kifayat Hussain Shah	09-12-89	GHS Pairan Mansehra
45.	1881A	Masood Jan	10-12-89	ADO Charsadda
46.	1901	Suleman Shah	24-11-87	GHS Hayatabad Peshawar
47.	1921	Jehanzeb	24-01-90	GHS Nassa D.I.Khan
48.	1952	Jaffar Khan	01-02-90	GMS Palal Tangi SET Mohmand Agency

(11)

49.	1962A	Bashoorul Islam	15-03-90	GC MHS Dadar Mansehra
50.	1976	Muhammad Sher	12-04-90	GHS Takht Abad Pesh
51.	2022A	Muhammad Zahir shah	01-09-90	GMS Muhammad Din Kita
52.	2035	Muhammad Dayyan	01-09-90	GHS Batwar Bajuar Agcy
53.	2043A	Wali Muhammad	01-09-90	GMS Tamri: Oba NWA
54.	2046	Israr Hussain	01-09-90	GHS S. USTERZAI Payan -Kohat
55.	2061A	Syed Nazir	30-09-90	GMS Shah Khuram Miran Shah
56.	2088	Farmanullah Khan	16-10-90	GHSS Nurar Bannu
57.	2105	Abdur Rashid	06-11-90	GHS Thalhe Mazan D.I.K
58.	2108	Muhammad Sarfaraz	06-11-90	GHS Sharam A.Abad
59.	2117	Abdul Aziz Shah	7-11-90	GHS NO.1 Kulach D.I.KHAN
60.	2124	Muhammad Alam Jan	08-11-90	GHS Zeran Kurram
61.	2155	Muhammd Gul	16-11-90	GMS Kandar Kohat
62.	2171	Mohboobur Rehman	27-11-90	GHSS Dhodial Mansehra
63.	2182	Saeed Ahmad	01-12-90	GMS Pharhala Haripur
64.	2194	Muhammad Shafi	01-12-90	GHS Tarmawal A.Abad
65.	2204	Nisar Ahmad	11-01-91	GCMSS Abbottabad
66.	2208	Aurangzeb	03-12-90	GHS Gurmial Mansehra
67.	2222	Muhammad Zahid	31-05-90	GHS Managi Swabi

68.	2272	Jehanzeb	10-01-91	GMS Mangri Kamasar (KD) Mansehra
69.	2289A	Mumtaz Ahmad	20-01-91	GMS Shah Syed D.I. Khan
70.	2290	Mir Khumar	21-01-91	GMS Hanan Khel Isati Bannu
71.	2371	Umar Farooq	10-11-94	GHS Chinarkat Mansehra
72.	2378	Gul Hamid Khan	10-11-94	GHS Mirpur A.Abad
73.	2421	Mushtaq Ahmad baig	10-11-94	GHS Sarai Gadai Haripur
74.	2434	Abdul Wahid	10-11-94	GHS Parshai Kohat
75.	2457	Zakaria	10-11-94	GMS Tatreela A.Abad
76.	2477	Fazal Ghafar	10-11-94	GHS #2 Pir Piai NSR
77.	2480	Shakir Ullah	10-11-94	GMS Achini Payar Peshawar
78.	2505	Zamrullah	10-11-94	GHS Sur kamar Jamrud K.A.S.
79.	2521	Sayed Mukhtar Hussain	10-11-94	SHS Kirman Kurrum
80.	2554	Hur Hussain Bangash	10-11-94	GHS Shalozai Kurran Agency Parachinar
81.	2569	Muhammad Bashir	10-11-94	GMS Kathia Mansehra
82.	2584	Muhammad Rashid	03-12-94	GHS Abba Khel Ismail Khel Lakki Marwat
83.	2620	Ashraf Ali	10-11-94	GHS Kirman Kurran
84.	2633	Kamal Hussain	10-11-94	G.H.S Malana Kurram Agency
85.	2652	Mehrud Din	10-11-94	GHS Muhammad Khel NWA

24


		Menmood		
9.	96	Muhammad Iqbal	25-04-85	GCMS #-3 Mardan.
10.	99	Muhammad Zahir Shah	01-07-86	GHSS TOTAKAN Mkd Agency
11.	102	Ayaz Khan	30-10-86	GCHSS Kohat.
12.	103	Muhammad Hassan	04-11-82	GHSS Jamrud Khyber Agency
13.	111	Ibad Ullah	16-10-89	GTHSS Gulbahar Peshawar
14.	113	Naqib Ullah	16-10-90	GEC Mir Ali Miran Shah

SECRETARY TO GOVT. OF NWFP
ELEMENTARY AND SECONDARY
EDUCATION DEPARTMENT.

Endst No. No.SO(PE)2-6/SET(B-16)Upgradation to B-17: Dated 21-03-09

Copy Forwarded to the :

1. The Accountant General NWFP Peshawar
2. Secretary to Govt. of NWFP Establishment Department
3. Secretary to Govt. of NWFP Finance Department
4. Director Elementary & Secondary Education NWFP Peshawar
5. Director PITE NWFP Peshawar
6. Director Education FATA NWFP Peshawar
7. All EDOs E&SE in NWFP
8. All District /Agency Accounts Officers
9. PS to Chief Secretary NWFP
10. Officers concerned
11. PS to Minister Elementary & Secondary Education NWFP
12. PS to Secretary Elementary & Secondary Education NWFP
13. Office Order File



ARIF JAMIL
SECTION OFFICER (PRIMARY)