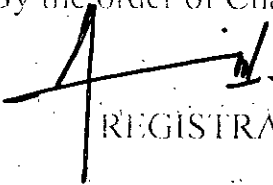


FORM OF ORDER SHEET

Court of _____

Appeal No. 110/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1-	10/01/2024	<p>The appeal of Mr. Khalid Latif presented today by Mr. Mir Zaman Safi Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on _____ Parcha Peshi is given to counsel for the appellant.</p> <p>By the order of Chairman  REGISTRAR</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. 110 /2024

KHALID LATIF

VS

EDUCATION DEPTT:

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2	Affidavit	4.
3	Order and service book	A & B	5- 9.
4	Notification dated 11.07.2012	C	10- 11.
5	Order dated 26.01.2013	D	12- 13.
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7	Retirement order	F	16.
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10	Wakalat Nama	20.

APPELLANT

THROUGH:


MIR ZAMAN SAFI

ADVOCATE

Office: Room No. 6-E, 5th Floor,
Rahim Medical Centre, Hashtnagri,
Peshawar.

Cell: 0333-9991564

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. 110 /2024

Mr. Khalid Latif, PST (BPS-12) (Rtd:),
GPS No.1, Wazir Bagh, Peshawar..... APPELLANT

VERSUS

- 1- The Government of Khyber Pakhtunkhwa through Secretary (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
- 2- The Director (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
- 3- The accountant General, Khyber Pakhtunkhwa, Peshawar.
- 4- The District Education Officer (M), District Peshawar.

..... RESPONDENTS

APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 FOR THE GRANT OF PRO-FORMA PROMOTION TO THE APPELLANT TO THE POST OF SPST (BPS-14) AND PSHT (BPS-15) W.E.F THE DATE WHEN COLLEAGUES AND JUNIOR COLLEAGUES OF THE APPELLANT HAVE BEEN PROMOTED i.e. 26.01.2013 AND 06.02.2013 AND AGAINST NO ACTION TAKEN ON THE DEPARTMENTAL APPEAL OF APPELLANT WITHIN THE STATUTORY PERIOD OF NINTY DAYS

PRAYERS:

That on acceptance of this appeal the appellant may very kindly be granted/allowed pro-forma promotion to the post of SPST (BPS-14) and PSHT (BPS-15) w.e.f 26.01.2013 and 06.02.2013 with all consequential benefits. Any other relief which this august Tribunal deems fit that may also be awarded in favor of the appellant.

R/SHEWETH:

ON FACTS:

Brief facts giving rise to the present appeal are as under:-

- 1- That appellant was the employee of respondent department and had served the department as PST (BPS-12) from the date of 1st appointment till the date of retirement quite efficiently and upto the entire satisfaction of his superiors. Copy of the order and service book are attached as annexure.....A & B.
- 2- That the appellant while serving as PST (BPS-07) the post of the appellant was up-graded in BPS-12 vide Finance Department Notification dated 11.07.2012 and subsequently introduced the sub cadres of SPST (BPS-14) and PSHT (BPS-15). Copy of the Notification dated 11.07.2012 is attached as AnnexureC.

- 3- That during service many colleagues and junior colleagues of the appellant were promoted to the post of SPST (BPS-14) vide order dated 26.01.2013 and as such they were subsequently promoted to the post of PSHT (BPS-15) vide order dated 06.02.2013 and as such the appellant was also in the promotion zone having the seniority but the appellant was ignored from the same benefit of promotion. Copies of the orders are attached as annexure.....**D & E.**
- 4- That the appellant time and again requested the authorities regarding his promotion to the post of SPST (BPS-14) and PSHT (BPS-15) but the authorities kept deaf ear on the repeated requests of appellant.
- 5- That it is pertinent to mention that the respondent department had not been given any response to the requests of appellant for promotion to the post of SPST (BPS-14) and PSHT (BPS-15) and in such period the appellant had got retired from service on superannuation basis (60) years vide order dated 23.06.2015 without availing the benefit of promotion. Copy of the retirement order is attached as annexure.....**F.**
- 6- That it is also pertinent to mention here that some of colleagues of appellant have got proforma promotion after their retirement to the post of SPST (BPS-14) vide order dated 27.09.2017 and on the analogy of the same the appellant is also entitle for the same relief extended to this other colleagues. Copy of the order is attached as annexure.....**G.**
- 7- That on the analogy of the same the appellant also preferred departmental appeal before the respondent No.2 but no reply has been received so far. That the appellant feeling aggrieved and having no other remedy but to file the instant service appeal on the following grounds amongst the others. Copy of the departmental appeal is attached as annexure.....**H.**

GROUND:

- A- That the inaction of the respondents by not allowing/granting pro forma promotion to the appellant to the post of SPST (BPS-14) and PSHT (BPS-15) is against the law, facts, norms of natural justice and materials on the record.
- B- That appellant has not been treated in accordance with law and rules by the respondent Department on the subject noted above and as such the respondents violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.
- C- That the inaction of the respondents by not allowing/granting pro forma promotion to the appellant to the post of SPST (BPS-14) and PSHT (BPS-15) is based on mala fide and arbitrary intentions and as such the same is violative of the principle of natural justice.
- D- That the respondents acted in arbitrary and malafide manner by not allowing/ granting pro-forma promotion to appellant to the posts of SPST

(BPS-14) and PSHT (BPS-15) despite the fact that the appellant was the senior most employee of the respondent Department and was entitle for promotion to the post of SPST (BPS-14) and PSHT (BPS-15) on the basis of seniority-cum-fitness.

- E- That the inaction of the respondents by not allowing/granting pro-forma promotion to the appellant to the posts of SPST (BPS-14) and PSHT (BPS-15) is violative of Section-9 of the Civil Servant Act 1973 read with Rule-7 of the (Appointment, Promotion & Transfer) Rules 1989.
- F- That as per Rules and regulation the appellant is fully entitle for pro-forma promotion to the posts of SPST (BPS-14) and PSHT (BPS-15) with all consequential benefits.
- G- That the appellant is fully entitle for the grant of proforma promotion to the posts of SPST (BPS-14) and PSHT (BPS-15) on the analogy of the above mentioned order dated 27.09.2017 but the respondent are not willing to grant proforma promotion to the appellant to the above mentioned posts.
- H- That appellant seeks permission to advance other grounds and proofs at the time of hearing.

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

Dated: 10.01.2024

APPELLANT

KHALID LATIF

THOROUGH:

**MIR ZAMAN SAFI
ADVOCATE**

CERTIFICATE:

It is certified that no other earlier appeal was filed between the parties.

DEPONENT

LIST OF BOOKS:

- 1- CONSTITUTION OF PAKISTAN, 1973.
- 2- SERVICES LAWS BOOKS.
- 3- ANY OTHER CASE LAW AS PER NEED.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. _____/2024


KHALID LATIF

VS

EDUCATION DEPTT:

AFFIDAVIT

I Mir Zaman Safi, Advocate High Court, Peshawar on the instructions and on behalf of my client do hereby solemnly affirm and declare that the contents of this **service appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.


MIR ZAMAN SAFI,
Advocate
High Court, Peshawar

عبداللطيف

عامر دنگل

A-5

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) PESHAWAR
OFFICE ORDER / AGE RELAXATION

In exercise of power vested upon vide Notification No. SOE/

(SAD)/15-78 dated 15.6.79 and the Director of Education (Schools) N.W.F.P. Peshawar Edists No. 12612-13279 dated 17.6.79, sanction is hereby accorded to the Relaxation of upper age limit in respect of the following U/T teacher as admissible under the rules:-

S. Name	School	D/Birth	D/Appointment	Age
Khaliq Latif	GP 3 D.I. Khel (N.S.R)	29.4.1955	17.10.1982	Exceeded
Abdul Latif.	Y-M-Days detail			Y-M-D 2-6-
Appointments:		17.10.82		
Birth:		29.4.55		
		6.27		

Necessary entry to this effect may please be made in his Service Book and ~~xxxx~~ other record.

(MIAN JAMILUD DIN)
District Education Officer,
(Male) Peshawar.

Sl. No. 8940-42 Dated Peshawar the 24/10/1982
Copy for information to the:-

- Accountant General NWFP, Peshawar.
- S. D. E. O. (M) Nowshera.
- Candidate concerned.
- P/File.

(Mian Jamilud Din)
District Education Officer,
(Male) Peshawar.

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) PESHAWAR:

OFFICE ORDER:-

Mr. Khaliq Latif PTC trained Govt; Primary School D.I. Khel is hereby transferred to Govt; Primary School Masho Khel on vacant PTC post. No TA/DA and transfer grant is allowed.

Charge report in duplicate should be submitted to all concerned.

(Mian Jamilud Din)
District Education Officer (Male)
Peshawar.

Edt; No. 6822-23 / Dated Peshawar the 2/11/1982
Copy for information to the:-

- 1) SDO (M) Peshawar.
- 2) SDO (M) Nowshera.
- File.

(Mian Jamilud Din)
District Education Officer (Male)
Peshawar.

Handwritten notes and stamps on the left margin, including "PRINCIPAL" and "PESHAWAR".

Better copy

5

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) PESHAWAR

OFFICE ORDER

In exercise of power versed upon vide notification No. SOPI-(SAD) 4/15-78 dated 15.6.79 and the Director of Education (Schools) N.W.F.P. Peshawar Endst: No. 12612-13269 dated 17.6.79, Sanction is here by accorded to the relaxation of upper age limit in respect of the following U/T teacher admissible under the rules-

<u>S. name</u>	<u>School</u>	<u>D/birth</u>	<u>D/ appointment</u>	<u>age</u>
Khalid Latif S/o Abdul Latif	GPS P.I. Khel (USR)	29.4.1955	17.10.1982	exceeded

Y-M-Days detail

D/ appointments	17.10.82	Y-M-D
D/ birth:	<u>29.4.55</u>	2-6-

Necessary entry to this effect may please be made in his service book and other record.

(MIAN JAMIL UD DIN)
District Education Officer,
(Male) Peshawar.

Endst: No. 8940-42/

Dated Peshawar the 24/10/1982.

(For use in Police Department only)

B- 

6

Heirs,

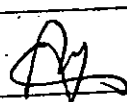
Qualification Roll No. _____, dated _____

received back

Left thumb-impression.

Mr. Khalid Latif
Mr. Abdul Latif
Family name: April 11, 1955 (five)
Verified from his Matric Certificate.
Peshawar
5/15/80 P.S.N.
5/15/80 P.S.N.
5/15/80 P.S.N.

Qualification	Date
English	
Pashto	
Urdu	
P. and drawing	
Finger print	
Full instructing	
Court duties	
Reserve duties	

Qualifications	Date
1): Passed SSC. (A) 1973 Exam (Matric) from the B.I.S.E. Peshawar under Roll NO: 1038, securing Third division.	5/15/80 P.S.N.
B. L. or B. A.	
2): Completed the P.T.C. (Training Course) under semester system, in the Session - 1981-82, on 14-10-1982, from the Govt. College for Elementary Teachers (Men) Peshawar. Result declared on 21-10-1982, securing 60% marks under admission NO: 1390.	
Other qualifications	
	
PRINCIPAL G.H.S. NO 1 PESHAWAR CITY	

N. B.—A line to be drawn under the qualification possessed.

1. Name
2. Race
3. Residence
4. Father's
5. Date of nearly
6. Exact h
7. Person
8. Left ha sion of
- Little
- Middle
- Thumb
9. Signat
10. Signat Head Officer

خالد لطيف ولد عبداللطيف

Note—The entries in this page should be checked or re-attested at least every five years and the signature in lines 9 and 10 should be dated.

1. Name - MR. - KHALID LATIF

2. Race .. (MUSLIM) SHEIKH - SETHI

3. Residence $\frac{1}{2}$ House NO: 1274 / L: Mohallah Maulvi Abdul Hakeem Peshawar city

4. Father's name and residence - MR. ABDUL LATIF $\frac{1}{2}$ house NO: 1274/L: Mohallah Maulvi Abdul Hakeem PESHAWAR CITY.

5. Date of birth by Christian era as nearly as can be ascertained 29-4-1955 ✓ TWENTY NINTH - APRIL - ONE THOUSAND NINE HUNDRED AND FIFTY - FIVE.

6. Exact height by measurement - 5-7"

7. Personal marks for identification - Two wounds marks on right foot.

8. Left hand thumb and Finger impression of (non-gozetted) officer

Little Finger. Ring Finger

Middle Finger. Fore Finger

Thumb.

9. Signature of Government servant

10. Signature and designation of the Head of the Office, or other Attesting Officer. Sub Divisional Officer, Nawshera

PRINCIPAL G.H.S.S NO 1 PESHAWAR CITY

PRINCIPAL G.H.S.S NO 1 PESHAWAR CITY

Date (A) 1973 Exam: The BISE Peshawar 1038, security P.T.C. (Training Course) System, in the Session 14-10-1982, from the For Elementary Teachers in Result declared on securing 60% marks examination No: 1390. Educational

78

1	2	3	4	5	6	7	8
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment or (ii) whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional Pay for officiating	Other emoluments falling under the term "Pay"	Date of appointment	Signature of Government servant
		w.e.f. 18-10-82.					
		(GRADE) N.P.S. - 6: (Rs 315 - 12 - 399 / 14 - 525 - 16 - 605)					
		w.e.f. 1-7-1983: Basic Pay Scale No: 7: (560-23-1020)					
(Asst. Teacher) P.T.C. (Trained)	Temp.		315/- P.M.			18-10-1982 (F.N)	Rmdf
GOVT. Primary School DAG, Small Khel (NSR) NOWSHEVA (PESHAWAR DIST)							
P.T.C. Asst. Teacher	Temp.		315/- P.M.			5-11-1982 (F.N)	Rmdf
Govt. Middle School Masho Khel, Peshawar							
P.T.C. Asst. Teacher	Temp.		315/- P.M.			14-5-1983 (A.N)	Rmdf
Govt. Primary School Nawzeelan Peshawar city							
- DO -	Temp.		560/- P.M.			1-7-1983 (F.N)	Rmdf
P.T.C. Teacher Masikh - Maklub	Temp.		560/- P.M.			1-11-1983 (F.N)	Rmdf
Bhana, Mari, Peshawar city Cantt							
- DO -	Temp.		583/- P.M.			1-12-1983	Rmdf
	"		606/-			1-12-1983	Rmdf
	"		629/-			1-12-1983	Rmdf

PRINCIPAL

Diff. of pay amounting to Rs. 245/- for the month of 7/83 drawn vide T.O. 7943 of 3/9/84.

Assistant Accounts Officer
NORTH WEST FRONTIER PROVINCE
PESHAWAR

Signature of designation of head of the office or other attesting officer in attestation of salaries.

17. N. B. ...
S.D.E.O. (Male)
Peshawar
17. N. B. ...
S.D.E.O. (Male)
Peshawar
17. N. B. ...
S.D.E.O. (Male)
Peshawar
17. N. B. ...
S.D.E.O. (Male)
Peshawar

9

7 Date of appointment	8 Signature of Government servant	9 Signature and designation of the head of the office or other attesting officer in attestation of columns 1 to 8	10 Date of termination of appointment	11 Reason of termination (such as promotion, transfer, dismissal, etc).	12 Signature of the head of the office or other attesting officer.	13 Leave and duration of leave taken Allocation of period of leave on average pay upto four months for which leave salary is debitab to another Government Period to which Government to which debitab	14 Signature of the head of the office or other attesting officer	15 Reference to any recorded punishment or censure, or reward or praise of the Government servant
12-399/14-525+16-605)	(560-23-1020)							Appointed as P.T.C. (Trained) Teacher at G.P.S. D.S. Khal (NSR), vide DEO (M) Peshawar Endst: NO: 8303-77 Dated 17-10-1982, in Graded Pay scale No: 6. (315-12-399/14-525-16-605) N.P.S-5
18-10-1982 (F.N)	Khalid	S.D.E.O. (M) Peshawar	4-11-1982 (A.N)	Transferred	S.D.E.O. (M) Peshawar	Edu: Officer	Sub Divisional Education Officer	Sanction is accorded to the relaxation of upper age limit in r/o Mr. Khalid Latif, as his age exceeded by two years and six months, vide DEO (Male) Peshawar Office Endst: NO: 8940-42. Dated Peshawar the 24-10-1982.
3-11-1982 (F.N)	Khalid	S.D.E.O. (M) Peshawar		Transferred	S.D.E.O. (M) Peshawar	Edu: Officer		
14-5-1983 (A.N)	Khalid	S.D.E.O. (Male) Peshawar	30-6-83 (A.N)	Pay Revised B.P.S-7	S.D.E.O. (Male) Peshawar	Edu: Officer		Service Verified w.e.f. 18-10-82 (F.N) to 4-11-82 (A.N), from the acquittance Roll and other record kept in this office.
1-7-1983 (F.N)	Khalid	S.D.E.O. (Male) Peshawar	31-8-83 (A.N)	Transferred	S.D.E.O. (Male) Peshawar	Edu: Officer		
1-11-1983 (F.N)	Khalid	S.D.E.O. (Male) Peshawar	30-11-83 (A.N)	Increment	S.D.E.O. (Male) Peshawar			Transferred to Govt. Middle school Masho-Khal, (Peshawar), on vacant P.T.C. post vide DEO (M) Peshawar office order Endst: NO: 6822-23 Dated Peshawar the 2-11-1982.
1-12-1983	Khalid	S.D.E.O. (Male) Peshawar	30-12-83 (A.N)	Increment	S.D.E.O. (Male) Peshawar	Edu: Officer		
1-12-1984	Khalid	S.D.E.O. (M) Peshawar	30-12-84 (A.N)	Diff: 14	S.D.E.O. (M) Peshawar	Edu: Officer		Transferred to govt. Primary school Nagwan Peshawar city against the vacant P.T.C. post vide the S.D.E.O. (M) Peshawar office order No: 2155-P.T.C. Dated Peshawar the 2-5-83.
1-12-1985	Khalid	S.D.E.O. (M) Peshawar		Promoted	S.D.E.O. (M) Peshawar	Edu: Officer		Transferred to Masjid - Maktab - Bazar-i-Talab Abana Mori Peshawar city against P.T.C. post vacated by Mr. Abdul Rahim, vide the S.D.E.O. (M) Peshawar office order NO: 3370-74. Dated Peshawar the 29-10-1983.
1-12-1985	Khalid	S.D.E.O. (M) Peshawar		Promoted	S.D.E.O. (M) Peshawar	Edu: Officer		Service Verified w.e.f. 17-11-83 (F.N) to 31-3-1984 (A.N) from the acquittance Roll and other record kept in this office.

245/-
1/84

12/9/85
to Officer
PESHAWAR PROVINCE

all entries
Attested
MUNICIPAL
CITY

Assistant Account Officer
6/6
Sub: Divn: Edu: Officer
(M) Peshawar

S.D.E.O. (Male)
Peshawar
Sub: Divn: Edu: Officer
(M) Peshawar

3
C-10



**GOVERNMENT OF
KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT**

Bakhtyari, Peshawar
Sd/- Mr. [Name], 23.07.2012

Dated: Peshawar, 11.07.2012

NOTIFICATION:
NO. SO (E-S) AN/EN/EN/ST/2012: Sanction of the Government of Khyber Pakhtunkhwa is hereby accorded to the upgradation of the posts for Grant of Incentive of Higher Pay Scale to different Categories/Cadres of Teachers in Elementary & Secondary Education Department w.e.f. 01-07-2012 as per details given below:-

Sr. No.	Non-tenure status of Teaching Cadre Post	Location	Existing Basic Pay Scale	Newly Approved Basic Pay Scale	Remarks
1.	Primary School Teacher (PST)	Govt. Primary School	BPS-5 BPS-6 BPS-7 BPS-9 BPS-10 BPS-12	(BPS-12)	The post of PST is upgraded to BPS-12. Accordingly 13 (13) posts of PST already sanctioned the various posts are upgraded to BPS-12 for the present incumbents as well as future appointees.
2.	Senior Primary School Teacher (Sr. PST)	"do"	Newly Upgraded/Redesignated Post	(BPS-14)	22 (22) posts of the existing Sr. Primary School Teacher pay scale are upgraded to BPS-14 and redesignated as Senior PST. The posts will be filled in the manner as may be prescribed by the Elementary & Secondary Education Department by making necessary service rules or amending the existing service rules, if any, for the post.
3.	Primary School Head Teacher (PSHT)	"do"	Newly Upgraded/Redesignated Post	(BPS-13)	20 (20) posts of the existing PSHT (and post of Teach. Primary School) are upgraded to BPS-13 and redesignated as Primary School Head Teacher and will be filled in the manner as may be prescribed by the Elementary & Secondary Education Department by making necessary service rules or amending the existing service rules, if any, for the post.
4.	Certified Teachers (CT)	Govt. Middle/High or Higher Secondary School	BS-09 BS-10 BS-12 BS-14 BS-15	(BPS-15)	All the existing posts of CTs are upgraded to BPS-15 for the present incumbents to the post as well as future appointees.
5.	Senior Certified Teachers (Sr. CT)	"do"	Newly Upgraded/Redesignated Post	(BPS-16)	One third (1/3) of the total CT posts are upgraded to BPS-16 and redesignated as Senior CTs which will be filled in the manner as may be prescribed by the Elementary & Secondary Education Department by making necessary service rules or amending the existing service rules, if any, for the post.
6.	Arabic Teachers (AT)	"do"	BS-09 BS-10 BS-12 BS-14 BS-15	(BPS-15)	All the existing posts of ATs are upgraded to BPS-15 for the present incumbents to the post as well as future appointees.
7.	Senior Arabic Teachers (Sr. AT)	"do"	Newly Upgraded/Redesignated Post	(BPS-16)	One third (1/3) of the total AT posts are upgraded to BPS-16 and redesignated as Senior AT, which will be filled in the manner as may be prescribed by the Elementary & Secondary Education Department by making necessary service rules or amending the existing service rules, if any, for the post.
8.	Teacher of Technology (TT)	"do"	BS-09 BS-10 BS-12 BS-14 BS-15	(BPS-15)	All the existing posts of TTs are upgraded to BPS-15 for the present incumbents to the post as well as future appointees.
9.	Senior Teacher of Technology (Sr. TT)	"do"	Newly Upgraded/Redesignated Post	(BPS-16)	One third (1/3) of the total TT posts are upgraded to BPS-16 and redesignated as Senior TT, which will be filled in the manner as may be prescribed by the Elementary & Secondary Education Department by making necessary service rules or amending the existing service rules, if any, for the post.
10.	Drawing Master (DM)	"do"	BS-09 BS-10 BS-12 BS-14	(BPS-15)	All the existing posts of DMs are upgraded to BPS-15 for the present incumbents to the post as well as future appointees.

ATTACHED

BETTER COPY

10

GOVERNMENT OF
KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT.

Dated Peshawar the 11.07.2012

NOTIFICATION:

No. So (B.S.A)/1-18/E&SE/2012: Sanction of the Khyber Pakhtunkhwa is hereby recorded to the up gradation of the posts for incentive of Higher Pay Scale to different categories/cadres of teachers in Elementary & Secondary Education Department w.e.f 01-07-2012 as per details given below:-

Sr. No	Nomenclature of Teaching cadre Post	Location	Existing Basic Pay Scale	Now approved Basic Pay Scale	Remarks
1	Primary School Teacher (PST)	Govt: Primary School	<u>BPS-5</u> <u>BPS-6</u> <u>BPS-7</u> <u>BPS-8</u> <u>BPS-9</u> <u>BPS-10</u> <u>BPS-11</u>	(BPS-12)	The post of BPS-12 accordingly 33,497 posts of PSTs already sanctioned in various pay scales are upgraded to BPS -12 for the present incumbents as well as future appointees.
2	Senior Primary School Teacher (Sr. PST)	"do"	Newly upgraded redesigned post	(BPS-14)	22,331 Posts of the existing PSTs in various existing pay scales are upgraded to BPS-14 and re-designated as Senior PST. The posts will be filled in the manner as may be prescribed by the Elementary & Secondary Education Department by making necessary service rules or amending the existing services rules if any for the post.
3	Primary School Head Teacher (PSHT)	"do"	Newly up-graded re-designed post	(BPS-15)	20,804 posts of the existing PTSs (one post in each Primary School) are upgraded to BPS-15 and re-designated as Primary School Head Teacher and will be filled in the manner as may be prescribed by the Elementary & Secondary Education Department by making necessary service rules or amending the existing service rules if any for the post.
4	Certified Teacher (CT)	Govt: Middle /High/Higher Secondary School	<u>BS-09</u> <u>BS-10</u> <u>BS-12</u> <u>BS-14</u> <u>BS-15</u>	(BPS-15)	All the existing posts of CTs are upgraded to BPS-15 for the present incumbents to the post as well as future appointees.
5	Senior Certificated Teachers (PSHT)		Newly upgraded re-designed post		One thirds (1/3 rd) of the Local CTs posts are upgraded to BPS-14 and re-designated as Senior CTs which will be filled in the manner as may be

11

Physical Education Teachers (PET's)	"do"	BS-09 BS-10 BS-12 BS-14 BS-15	(DPS-15)	All the existing posts of PET's are upgraded to BPS-15 present incumbents to the post as well as all future appointments.
Senior Physical Education Teachers (SPET's)	"do"	Newly Upgraded/Redesignated Post	(DPS-16)	One thirds (1/3) of the total SPET's posts are upgraded to BPS-16 and redesignated as Senior Qar/Qaris which will be filled in the manner as may be prescribed by the Elementary & Secondary Education Department by making necessary service rules including the existing service rules if any for the post.
Qar/Qaris	"do"	BPS-7 BPS-9 BPS-10 BPS-12 BPS-14 BPS-15	(DPS-12)	All the existing posts of Qar/Qaris are upgraded to BPS-12 for the present incumbents to the post as well as future appointments.
Sr. Qar/Qaris	"do"	Newly Upgraded/Redesignated Post	(DPS-15)	One thirds (1/3) of the total Qar/Qaris posts are upgraded to BPS-15 and redesignated as Senior Qar/Qaris which will be filled in the manner as may be prescribed by the Elementary & Secondary Education Department by making necessary service rules or amending the existing service rules if any for the post.

- A policy shall also be devised in the framework of input/output criteria in terms of qualification, length of service, regularity, punctuality, results, curricular and co-curricular achievements and other performance indicators, so that the teachers do not take the scheme for granted but work for it.
- District wise/ school wise breakup of the posts is enclosed herewith as Annexure-A.

SECRETARY

Encls. No. SO(FR)/FD/10-22(E)/2010 Dated Pesh: the 16/07/2012
 Copy is forwarded to Accountant General Khyber Pakhtunkhwa, Peshawar.
 All District Account Officers;

[Signature]
 SECTION OFFICER (FR)
 FINANCE DEPARTMENT

1. Of even Number & Date

- Copy of the above is forwarded to:
- The Secretary to Government of Khyber Pakhtunkhwa, Finance Department, with reference to his letter No. SO(FR)/FD/10-22(E)/2010 dated 26/06/2012.
 - P.S. to Secretary, E&SE Department, Khyber Pakhtunkhwa, Peshawar.
 - P.S. to Special Secretary, E&SE Department, Khyber Pakhtunkhwa, Peshawar.
 - P.S. to Deputy Secretary-II, E&SE Department, Khyber Pakhtunkhwa, Peshawar.
 - P.S. to Minister of E&SE, Khyber Pakhtunkhwa.
 - The Director, E&SE, Khyber Pakhtunkhwa, Peshawar.
 - All the Executive District Officers, E&SE, Khyber Pakhtunkhwa.
 - The Managing Director, Printing Press, Khyber Pakhtunkhwa, Peshawar.
 - Master file.

[Signature]
 ATTACHED

		"do"		(BPS-16)	prescribed by the Elementary & Secondary Education Department by making necessary service rules or amending the existing service rules if any for the post.
6	Arabic Teachers (ATs)	"do"	<u>BS-01</u> <u>BS-10</u> <u>BS-12</u> <u>BS-14</u> <u>BS-15</u>	(BPS-15)	All the existing posts of ATs are upgraded to BPS-15 for the present incumbents to the post as well as future appointer.
7	Senior Arabic Teacher (SAT)	"do"	Newly upgraded redesigned post	(BPS-16)	One third (1/3 rd) of the Local AT posts are upgraded to BPS-16 and re-designated as Senior AT which will be filled in the manner as may be prescribed by the Elementary & Secondary Education Department by making necessary service rules or amending the existing service rules if any for the post.
8	Teacher of Theology (TT)	"do"	<u>BS-07</u> <u>BS-09</u> <u>BS-10</u> <u>BS-12</u> <u>BS-14</u> <u>BS-15</u>	(BPS-15)	All the existing posts of TTs are upgrade to PBS-15 for the present incumbents to the post as well as future appointees.
9	Senior Teacher of Theology (STT)	"do"	Newly upgrade redesigned post	(BPS-16)	One thirds (1/3 rd) of the post TT posts are upgraded to BPS-16 and re-designated as Senior TTs which will be filled in the manner as may be prescribed by the Elementary & Secondary Education Department by making necessary service rules or amending the existing service rules if any for the post.
10	Drawing Master (DM)	"do"	<u>BS-07</u> <u>BS-10</u> <u>BS-12</u> <u>BS-14</u>	(BPS-15)	All the existing posts of DMs are upgraded to BPS-15 for the present incumbents to the post as well as future appointees.

2. A policy shall also be devised in the framework of input/output criteria in terms of qualification, length of service, regularly, punctuality, results, curricular and co-curricular achievements and other performance indicators, so that the teachers do not like the scheme for granted but work for it.

3. District wise/school wise breakup of the posts is enclosed herewith as Annexure-A.

SECRETARY

Endst: No. SO(FR)FD/10-22(E)2010 Dated Pesh: the 16/07/2012



D-12
13

DISTRICT EDUCATION OFFICER (MALE)
PESHAWAR.

OFFICE ORDER:-

Consequent upon the recommendation of Departmental Promotion Committee meeting held on 16/1/2013, AND PURSUANCE OF THE Govt. of Khyber Pakhtunkhwa Elementary and Secondary Education Notification No. 50 (B&A) 1-18/E&SE/2008 dated 12/10/2012 and No. 50(PE) 4-5/SSRC/Meeting/ 2012/ Teaching Cadre dated 13/11/2013 the following Primary School Teachers BPS-12 are hereby promoted to the post of Senior Primary School Teachers (SPST) BPS-14 (Rs.8000-610-26300) plus usual allowances as admissible under the rules on regular basis under the existing policy of the Provincial Government, in Teaching Cadre on the terms and condition given below with immediate effect.

S.NO.	S/L NO.	CIRCLE	NAME OF TEACHER	PRESENT POSTING
1	3	D/Zai	Gul Akbar	GPS No.2 Mawra
2	4	H/Abad	Javed Hussan	Agriculture Colony
3	6	Mathra	Hidayat Ullah	GPS Haryan Garh
4	8	City	Muhammad Zaman	GPS Hazr Khawani 4
5	10	Mathra	Khawas Khan	GPS Palwar Bala
6	12	City	S. Amanullah Shah	GPS Kolla Fcol Bawar
7	16	H/Abad	Abdul Qayyum	Mullazai
8	17	City	Yousaf Jan	GPS Sharif Abad
9	18	City	Khalil Ur Rahman	GPS Salthian.
10	20	B/Bor	Islam Shah	GPS Sheikhhan Bala
11	23	D/Zai	Noor Muhammad	GPS Zlaral Koroon
12	24	C/Pura	Sher Rehman	GMPS Gulozai
13	25	Canit	Bismillah Jan	GPS Khadra Khel
14	26	Canit	Muhammad Ashraf	GPS Audit Colony Pesh.
15	27	C/Pura	Almas Khan	GPS No.1 Chamkani
16	28	City	Fazal Manan	GPS Sarbiland Pura 1
17	29	City	Rahat Ullah	GMPS Afghan Colony #3
18	31	Canit	Naik Muhammad	GMPS Shero Jangl
19	32	City	Muhammad Saeed	GPS Akhooon Abad
20	35	D/Zai	Kishwar Khan	GPS Muslim Abad (Ramkshan)
21	36	C/Pura	Qamar Zaman	GPS Jogain
22	39	City	Muhammad Said	GPS Ganj Mandi
23	41	C/Pura	Sabir Ali Shah	GPS Wadpagga No.1
24	49	Canit	Sadiq Ali	GPS Manakrao
25	50	Canit	Ali Rehman	GMPS Kochi Abad Nasir Abad
26	51	City	Abdul Wakil	GPS Shah Dhand.
27	52	Canit	Inayat Ullah	GPS Audit Colony Pesh.
28	53	Canit	Abdul Wakeel	GPS Irrigation Colony

[Handwritten Signature]

- 13
6. Their adjustment order under the existing policy will be issued sapretaly.
 7. No TA / DA is allowed for joining his duty.
 8. Necessary entry to idhis effect should be made in their service books.
 9. They will give an under taking to this effect to be recorded in their service books.

Sharif Gul
District Education Officer,
(Male) Peshawar.

Endst: No. 1499-2660/ PST(M) /Promotion Dated Peshawar the 26th January, 2013

Copy for information to the :-

1. Accountant General Khyber Pakhtunkhwa Peshawar.
2. Director Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar.
3. Sub Divisional Education Officer (Male) Peshawar with the remarks to verify THE acadmic / profisional qualification documents i.e FA / PTC or equivalent of the above named teachers from the concerned Board / Agencies before fixation salaries.
4. Assistant Sub Divisional Education Officer (Male) circles concerned
5. Officials concerned.


Deputy District Education Officer,
(Male) Peshawar

ATTESTED

ORDER of Sr: PST (M)



DISTRICT EDUCATION OFFICER (MALE) PESHAWAR.

NOTIFICATION:-

Consequent upon the recommendations of Departmental Promotion Committee meeting held on 17/1/2013, the competent authority is pleased to promote and adjust the following Senior PST BPS.14 to BPS.15 as Primary School Head Teacher in the school noted against their names in the light of the Govt. of Khyber Pakhtunkhwa Elementary and Secondary Education Department order No. SO (B&A) 1-18/E&SE/2008 dated 12/10/2012 and No. SO(PE) 4-S/SSRC/Meeting/ 2012/ Teaching Cadre dated 13/11/2013 with immediate effect in the interest of public service.

Sr	Name of Cifcin	Teacher Name	From	Adjusted at
1	D/Zai	Gul Akbar	GPS No.2 Mehra	GPS No.1 Mashoo Khel
2	H/ Abad	Javed Hussain	Agriculture Colony	GPS Agriculture Colony
3	Mathra	Hidayat Ullah	GPS Haryan Garh	GPS Haryan Garh
4	City	Muhammad Zaman	GPS Hazr Khawani 4	GPS Kas Mera
5	Mathra	Khawas Khan	GPS Patwar Bala	GPS Patwar Bala
6	City	Saeed Ahmad	Gmps Ashrafia #.2	GPS Bazid Khel No.3
7	City	S. Amanullah Shah	GPS Kotla Feel Banan	GPS KOTLA FEEL BANAN
8	H/Abad	Abdul Qayyum	Mullazai	GPS Mullazai
9	City	Yousaf Jan	GPS Sharif Abad	GPS No.1 Afghan Colony
10	City	Khaliq Ur Rahman	GPS Salihian	GPS Garhi Fazil
11	B/Ber	Islam Shah	GPS Sheikhan Bala	GPS SHEIKHAN BALA
12	D/Zai	Noor Muhammad	GPS-Ziarat Korona	GPS Ziarat Korona
13	C/Pura	Sher Rehman	Gmps Gulozai	GPS Pakha Ghulam No.3
14	Canll	Bismillah Jan	GPS Khadra Khel	GPS Khadra Khel
15	Canll	Muhammad Ashraf	GPS Audil Colony Pesh.	GPS Sardar Garhi
16	C/Pura	Almas Khan	GPS No.1 Chamkani	GPS No.1 Chamkani
17	City	Fazal Manan	GPS Sarbiland Pura 1	GPS Mera Urmar Payan No.3
18	City	Rahat Ullah	Gmps Afghan Colony #3	GPS Mera Akka Khel Mathra
19	Canll	Najib Muhammad	Gmps Shero Jangi	GPS Batlan
20	City	Muhammad Saeed	GPS Akhoun Abad	GPS No.4 Chamkani
21	D/Zai	Kishwar Khan	GPS Muslim Abad (Ram Kishan)	GPS Jati Bala.3
22	C/Pura	Qamar Zaman	GPS Jogain	GPS Qadeem Killi
23	City	Muhammad Said	GPS Ganj Mandi	GPS Yakatoot
24	C/Pura	Sabir Ali Shah	GPS Wadpagga No.1	GPS Hargoni
25	Canll	Sadiq Ali	GPS Manakrao	GPS Kotla Mohsin Khan
26	Canll	Ali Rehman	Gmps Kochi Abad Nasir Abad	GPS Dehli Dher Badber No.2
27	City	Abdul Wakeel	GPS Shahi Dhand	GPS Esa Khel Hameed
28	Canll	Inayat Ullah	GPS Audil Colony Pesh.	GPS Sallar Shah

ATTESTED

No.	Name of Circle	Teacher Name	From	Adjusted at
529	H/Abad	M. Zahidullah	GPS Haidar Colony Camp Rajl	GPS Nutha Qasim No. 4
530	H/ABDU	M. Zahidullah	Gari Ibrumullah	GPS Gari Badshah Gul
531	City	Haidar Muhammad	GPS Haidar Colony 1	GPS No. 2 Regi Lalma
532	Civil	Haidar Ullah	GPS Haidar Colony	GPS Haidar Colony 1
			GPS Haidar Colony	GPS Gari Tojlk

Note:

1. Necessary entry should be made in their service books.
2. Under taking should be obtained and made in their service books.
3. Charge report should be submitted to all concerned.
4. No TA / DA is allowed.

District Education Officer,
(Male) Peshawar.

Encl. No: 3570-4102/Ajd (PSHT)

Dated Peshawar the 6th February 2013

Forwarded for information to the

1. Director Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar.
2. Accountant General Khyber Pakhtunkhwa Peshawar.
3. Sub Divisional Education Officer (Male) Peshawar with the remarks to release the pay of above named teachers after verification of their academic and professional qualifications from concerned boards / agencies.
4. Officials concerned.

Deputy District Education Officer,
(Male) Peshawar

ATTACHED

PSHT Adjustment order (SAT)

BETTER COPY

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\$ - (S)

S#	Name of circle	Teacher name	From	Adjusted at
529	H/Abad	M. Zahidullah	Regi	GPS Garhi Badshah Gul
530	H/ Abad	Imdad Ullah	Garhi Ikramullah	GPS No.2 Regi Lalma
531	City	Hayat Muhammad	GPS Haidar Colony-1	GPS Haidar Golony-1
532	Gunj	Ihsan Ullah	GPS Irrigation Colony	GPS Gara Tajik

District Education Officer,
(Male) Peshawar.

Endst:- No.3570-4102/Ajd(PSHT)

Dated Peshawar the 6th February 2013

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) PESHAWAR.RETIREMENT / ENCASHMENT

Under the provision of rules of 20 of the Khyber Pakhtunkhwa Govt: servants Revised leave rules 1981, sanction is hereby accorded for the grant of Encashment in lieu of LPR equal to 259-days on full pay in favour of Mr. Khalid Latif S/O Abdul Latif PST, GPS No.1 Wazir Bagh Peshawar.

He is also allowed to retire from Govt: service with effect from 28/04/2015 (A.N).

NOTE

1. Necessary entry to this effect should be made in his service Book
2. His date of Birth is 29/04/1955.

Encl: S/Book with S.No.2

District Education Officer,
(Male) Peshawar.

Endst: No. 259587

/Dated Peshawar 23/6 /2015.

Copy forwarded for information to the:-

3. Accountant General Khyber Pakhtunkhwa Peshawar.
4. SDEO(M) Peshawar w/r to his letter No.3140, dated:04/06/2015 alongwith S/Book.
5. Official concerned.

Deputy District Education Officer
(Male) Peshawar.

M. E.
ATTESSED

9-17

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) PESHAWAR

NOTIFICATION

In compliance of order dated 13/09/2017 passed by the Honorable Peshawar High Court Peshawar in W.P. No.2757-P/2017 and in pursuance of Govt. of KPK (E&SE) Department Peshawar Notification No.SO(B&A) 1-18/E&SE/2012, dated 11/07/2012, the competent authority is pleased to promote the following retired PST BPS-12 to BPS-14 as Senior Primary School Teacher in the school noted against their names with effect from 11/07/2012 in the interest of Public service.

S.No	Teacher Name	From
1	Aziz ur Rehman, Rtd:PST	GPS Zargar-Abad Peshawar
2	Iftikhar Khan, Rtd:PST	GPS Mushtarzal Peshawar
3	Muhammad Ishaq, Rtd:PST	GPS Civil Quarter Peshawar

Note:

1. SDEOs(Male) Town Concerned will verify promotion order at their own level.
2. Necessary entry should be made in their service books.
3. They should give an undertaking to the effect that if any over payment is made to them as a result of incorrect award of BPS-14, the same would be recovered from their pay, pension and gratuity etc.

(JADDI KHAN KHALIL)
District Education Officer
(Male) Peshawar.

Endst No: 6637-412

Dated 27/9/2017

Copy of the above is forwarded to the:

1. Deputy Registrar (Judicial) Peshawar High Court Peshawar.
2. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
3. Accountant General Khyber Pakhtunkhwa Peshawar.
4. SDEO (M) Town Concerned.
5. ASDEO (M) Circle Concerned.
6. Official Concerned.

ATTACHED

Dy: District Education Officer
(Male) Peshawar

No 267

For Insurance Notices see reverse.
Stamps affixed except in case of
uninsured letters of not more than

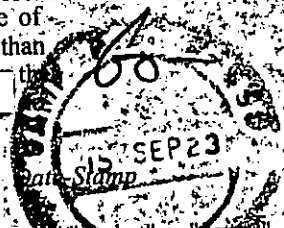
Rs. Ps.

RGL116963194

acknowledgement is due.

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D. N. M.



Initials of Receiving Office *R. P.* *Write here "letter", "postcard", "booklet" or "parcel"
Insured for Rs. (in figures) *500* with the word "insured" before, if necessary
(in words) *Five hundred*

If insured.

Insurance fee Rs. *10* Ps. *00* (in words) *Ten* Weight *100* Kilo Grams

Name and
address
of sender

[Handwritten address]

To,

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

H- (18)

Subject:-

DEPARTMENT APPEAL FOR THE GRANT OF PRO-FORMA PROMOTION TO THE POST OF SPST BPS-14 AND PSHT (BPS-15) WITH EFFECT FROM THE DATE WHEN COLLEAGUE AND JUNIOR COLLEGES OF THE APPELLANT HAVE BEEN PROMOTED i.e. 11.07.2012 WITH ALL BACK BENEFITS.

Respected Sir,

With due respect it is most humbly stated that the appellant was appointed as PST vide order dated 24.10.1982. That right from the date of appointment the appellant performed his duty till his retirement quite efficiently and upto the entire satisfaction of his superiors.

That during service of the appellant the Finance Division upgraded the post of PST from BPS-07 to BPS-12 and introduced Sub cadres i.e. SPST (BPS-14) and PSHT (BPS-15) and as such the education department promoted many colleagues and junior colleagues of the appellant to the posts of SPST (BPS-14) and PSHT (BPS-15).

That the appellant despite of having the requisite qualification and seniority ignored from the benefit of promotion to the post of SPST (BPS-14) and PSHT (BPS-15).

That it is pertinent to mention that the appellant got retired from service on superannuation (60) years vide order dated 23.06.2015 without availing the benefit of promotion to the posts of SPST (BPS-14) and PSHT (BPS-15).

That it is also pertinent to mention that some other colleagues have been awarded promotion to the posts of SPST (BPS-14) and subsequent promotion to the post of PSHT (BPS-15) vide orders dated 26.01.2013 and 06.02.2013.

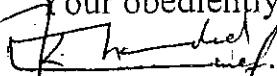
That it is worth mentioning here that some of colleagues of the appellant have been granted pro-forma promotion to the post of SPST (BPS-14) w.e.f 11.07.2012 vide order dated 27.09.2017 on the directions of Hon'ble Peshawar High Court, Peshawar and as such they have further submitted service appeals before the august Service Tribunal, Peshawar for promotion to the post of PSHT (BPS-15) which is still pending.

ATTESTED

That the appellant is also the similarly placed employee requested the authority concerned for his promotion to the post of SPST (BPS-14) and PSHT (BPS-15) but in vain. That the appellant feeling aggrieved preferred this departmental appeal before your good self.

It is, therefore, most humbly prayed that on acceptance of this departmental appeal the appellant may very kindly be granted pro-forma promotion to the post of SPST (BPS-14) and PSHT (BPS-15) w.e.f 11.07.2012 with all back benefits. Any other relief which your good self deems fit that may also be awarded in favor of the appellant.

Dated: 12.09.2023.

Your obediently


KHALID LATIF, EX-PST (BPS-12),
GPS No.1, Wazir Bagh, Peshawar

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ATTACHED

VAKALATNAMA

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

OF 2024

Khalid Latif

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

Education Deptt.

(RESPONDENT)
(DEFENDANT)

I/We *Khalid Latif*

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

Dated. 09 / 01 / 2024


CLIENT


ACCEPTED

MIR ZAMAN SAFI

&


MUNFAT ALI
ADVOCATES

OFFICE:

Room No.6-E, 5th Floor,
Rahim Medical Centre, G.T Road,
Hashtnagri, Peshawar.

Mobile No.0333-9991564

0317-9743003