

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

Service Appeal No. 1020/2019

Date of Institution ... 22.07.2019

Date of Decision ... 03.06.2021

Mr. Saminul Haq, Primary School Teacher (BPS-12), GPS Bahadar Khan Kotay,
District Mardan. ... (Appellant)

VERSUS

The Government of Khyber Pakhtunkhwa through Secretary Elementary &
Secondary Education Department, Khyber Pakhtunkhwa, Peshawar and four others.
... (Respondents)

Present:

Mir ZAMAN SAFI, --- For Appellant.
Advocate

MUHAMMAD ADEEL BUTT, --- For respondents.
Additional Advocate General

AHMAD SULTAN TAREEN --- CHAIRMAN
ROZINA REHMAN --- MEMBER(Judicial)

JUDGEMENT.

ROZINA REHMAN, MEMBER(J):- The relevant facts leading to filing of instant appeal is that appellant was appointed as P.T.C/P.S.T having prescribed qualification. He was duly qualified and eligible for promotion however, promotion was denied only on the strength of amendments brought about through notification dated 3.01.2018 wherein the requisite educational qualification was enhanced from intermediate to B.A. The appellant being senior most employee was to be promoted to the post of Senior Primary School Teacher (BPS-14) but his promotion was deferred on the reason that new service structure has been introduced vide notification dated 30.01.2018. Feeling aggrieved, he filed departmental appeal which was rejected, hence the present service appeal.

02. We have heard Mir Zaman Safi, Advocate for appellant and Muhammad Adeel Butt, Learned Additional Advocate General for the respondents and have gone through the record and the proceedings of the case in minute particulars.

03. Mir Zaman Safi, Advocate counsel appearing on behalf of appellants, inter-alia, contended that notification dated 30.01.2018 is ultra vires and the impugned appellate order dated 02.07.2019 is against law, facts and norms of natural justice. He argued that the impugned order is against the policy as a meeting was held on 08.05.2018 wherein issue of promotion was discussed at Serial No.10 and all the D.E.Os were directed that the promotion cases of the P.S.Ts to S.P.S.Ts/P.S.H.T must be entertained according to the previous policy of promotion while new rules are to be applied for new induction/recruitment. Learned counsel further submitted that the notification dated 30.01.2018 is not applicable in the case of appellant as at the time of his appointment, no such terms & conditions were incorporated in the appointment order of the appellant, hence, notification mentioned above has no legal value in the case of appellant and he is eligible for promotion in view of notification dated 13.11.2012. Learned counsel contended that identical service appeals were allowed by this Tribunal with directions to the Department to consider the cases of promotion of the appellant as per guidelines contained in the Promotion Policy of 2012, therefore, the instant case was also requested to be accepted keeping in view the order passed in the identical cases.

04. Against that learned A.A.G submitted that as per notification dated 30.11.2018, the requisite qualification for promotion is Bachelor Degree, whereas appellant does not fulfill the requisite qualification.

05. From the record, it is evident that the respondents had issued a notification dated 13.11.2012, wherein method of recruitment/promotion has been laid down for

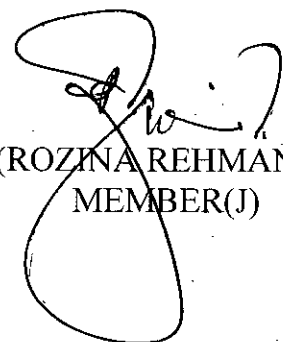
Primary School Teachers (P.S.T BPS-12) Senior Primary School Teacher (S.P.S.T BPS-14) and Primary School Head Teachers (P.S.H.T BPS-15). Criteria for promotion from PST to SPST is on the basis of seniority-cum-fitness with at least five years service with intermediate or equivalent qualification. Similarly, promotion from SPST to PSHT is based on seniority-cum-fitness with at least ten years service with intermediate or equivalent. Appellant was appointed as PST who is holding almost 20-25 years of service. The appellant being the senior most employee was going to be promoted but in the meanwhile, certain amendments were made in the promotion policy re-emerging as promotion policy 2018, wherein qualification for promotion was enhanced from Intermediate to Bachelor Degree, therefore, his request was turned down as by now he was not eligible for promotion according to new policy. The appellant was qualified for promotion under the Policy of the year 2012 but he was not promoted and his due right of promotion was violated. It is also evident from the Minutes of Meeting dated 16.05.2018 whereby respondent No.4 was conscious of the fact that promotions need to be done as per criteria laid down in 2012 Policy but somehow, the District Education Officer did not comply with such directions which resulted into miscarriage of justice.

06. In view of above, the instant appeal is accepted with direction to the respondents to consider the case of promotion of the appellant as per guidelines contained in the Promotion Policy of 2012. Parties are left to bear their own costs. File be consigned to the record room.

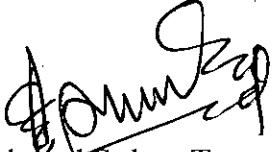
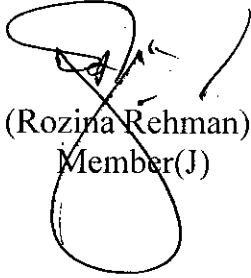
ANNOUNCED
03.06.2021



(AHMAD SULTAN TAREEN)
CHAIRMAN



(ROZINA REHMAN)
MEMBER(J)

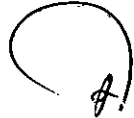
S.No	Date of order/ proceedings	Order or other proceedings with signature of Judge or Magistrate and that of parties where necessary.
1	2	3
	03.06.2021	<p><u>Present.</u></p> <p>Mir Zaman Safi, ... For appellant Advocate</p> <p>Muhammad Adeel Butt, ... For respondents Additional Advocate General</p> <p>Vide our detailed judgment of today consisting of three pages placed on file, the instant appeal is accepted with direction to the respondents to consider the case of promotion of the appellant as per guidelines contained in the Promotion Policy of 2012. Parties are left to bear their own costs. File be consigned to the record room.</p> <p><u>Announced</u> 03.06.2021</p> <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">  (Ahmad Sultan Tareen) Chairman </div> <div style="text-align: center;">  (Rozina Rehman) Member(J) </div> </div>

02.06.2021

Appellant present through counsel.

Muhammad Adeel Butt learned Additional Advocate
General for respondents present.

Arguments heard. To come up for order on
03.06.2021 before D.B.



(Rozina Rehman)
Member (J)



Chairman

16.09.2020

Counsel for the appellant, Addl. AG alongwith Sajid, ADEO on behalf of respondents No. 1, 4 and 5 present. Nemo on behalf of respondents No. 2 & 3.

On previous date of hearing, office was required to issue notices to respondents No. 2 & 3. The record suggests that requisite notices have been served upon the parties, even today no one has turned upon on their behalf nor their written reply received despite various opportunities including last opportunity granted on 13.03.2020. The matter is, therefore, posted to D.B for arguments on 02.12.2020. The appellant may furnish rejoinder to the comments of respondents No. 1, 4 and 5, within one month, if so advised.

02.12.2020

Due to pandemic of Covid-19, the case is adjourned to 23.02.2021 for the same as before.

Chairman

Reader

23.02.2021

Due to COVID, 19 the matter is adjourned to 2.06.2021 for the same.

Reader

~~02.06.2021~~

~~Present in the court~~

~~Shamimul Rashid : Counsel for the appellant~~

~~for respondents : Nemo~~

~~the court. The order is~~

~~02.06.2021 before D.B.~~

~~(Sajid Ref.)
Reader~~

~~Chairman~~

13.03.2020

Junior counsel for the appellant and Mr. Kabirullah Khattak, Additional AG alongwith M/S Sajid, ADEO on behalf of respondents No. 1, 4 & 5 present. Representative of respondents No. 1, 4 & 5 submitted para-wise comments on behalf of respondents No. 1, 4 & 5. The same is placed on record. Neither written reply on behalf of respondents No. 2 & 3 submitted nor their representatives are present, therefore, notices be issued to them with the direction to direct the representatives to attend the court and submit written reply on the next date positively. Last chance is given to the respondents No. 2 & 3 for written reply/comments. To come up for written reply/comments on behalf of respondents No. 2 & 3 on 22.04.2020 before S.B.


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

22.04.2020

Due to public holiday on account of COVID-19, the case is adjourned to 16.07.2020 for the same. To come up for the same as before S.B.

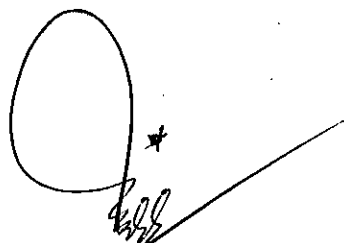

Reader

16.07.2020

None for the appellant present. Addl: AG for respondents present.

Written reply on behalf of respondents No. 2 and 3 not submitted. Notices be issue to them for reply.

Adjourned to 16.09.2020 before S.B.


(Mian Muhammad)
Member(E)

26.11.2019

Junior to counsel for the appellant and Mr. Usman Ghani, District Attorney alongwith Mr. Sahfique, Senior Clerk for respondents present.

Written reply/comments on behalf of the respondents not submitted. Learned District Attorney seeks time to submit written reply/comments.

Adjourned to 08.01.2020 before S.B.


Chairman

08.01.2020

Junior to counsel for the appellant and Addl. AG for the respondents present.

Learned AAG seeks time to contact the respondents and procure written reply/comments. Adjourned to 18.02.2020 on which date the requisite reply/comments shall positively be furnished.


Chairman

18.02.2020




Junior counsel for the appellant and Mr. Kabirullah Khattak, Additional AG alongwith Mr. Muhammad Shafique, Senior Clerk on behalf of respondent No. 3 present. Representative of respondent No. 3 seeks further time to furnish written reply/comments. Representatives of respondents No. 1, 2, 4 & 5 are absent, therefore, notices be issued to them with the direction to direct the representatives to attend the court and submit written reply on the next date positively. Last chance is given to the respondents to furnish written reply/comments. Adjourned to 13.03.2020 for written reply/comments before S.B.


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

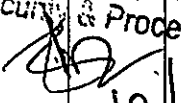
Form- A
FORM OF ORDER SHEET

Court of _____

Case No.- 1020/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	02/08/2019	<p>The appeal of Mr. Samin-ul-Haq resubmitted today by Uzma Syed Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	26.09.2019	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>26-9-2019</u></p> <p style="text-align: right;"> CHAIRMAN</p> <p>Counsel for the appellant present.</p> <p>On the strength of admitting note recorded in Appeal No. 29/2019 on 07.02.2019, instant appeal is admitted for regular hearing.</p> <p>The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents. To come up for written reply/comments on 26.11.2019 before S.B.</p> <p style="text-align: right;"> Chairman</p>

Appellant Deposited
Security & Process Fee


30/9/19

The appeal of Sami ul haq received today i.e. on 22-07-2019 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

1- Annexure-B of the appeal is illegible which may be replaced by legible/better one.

No. 1279 /S.T,

Dt. 26-7- /2019


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mst. Uzma Syed Advocate,
Peshawar.

Sir,

*All objections have been removed,
hence re-submitted today dated 2/8/2019.*

[Handwritten signature]

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Appeal No. 1020/2019

SAMI UL HAQ

VS


EDUCATION DEPTT:

INDEX

S.NO.	DOCUMENTS	ANNEXURE	PAGE
1	Memo of appeal	1- 3.
2	Orders	A & B	4- 5.
3	Notification dated 13.11.2012	C	6- 21.
4	Promotion orders	D & E	22- 26.
5	Impugned Notification	F	27- 30.
6	Departmental appeal	G	31.
7	Rejection order	H	32.
7	Vakalat nama	33.

APPELLANT

THROUGH:


UZAM SYED
ADVOCATE

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR.

APPEAL NO. 1020 /2018

Khyber Pakhtunkhwa
Service Tribunal

Mr. Sami Ul Haq, Primary School Teacher (BPS-12),
GPS Bahadar Khan Kotay, District Mardan.

Diary No. 1028

Dated 22/7/19

..... APPELLANT

VERSUS

- ✓ 1- The Government of Khyber Pakhtunkhwa through Secretary, Elementary & Secondary Education, Department, Peshawar.
- 2- The Secretary Establishment Department, Khyber Pakhtunkhwa, Peshawar.
- 3- The Secretary Finance Department, Khyber Pakhtunkhwa, Peshawar.
- ✓ 4- The Director, Elementary and Secondary Education, Khyber Pakhtunkhwa Peshawar.
- ✓ 5- The District Education Officer, District Mardan.

.....RESPONDENTS

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED NOTIFICATION DATED 30-01-2018 WHEREBY PROMOTION OF THE APPELLANT HAS BEEN DEFERRED ON THE BASIS OF THE ABOVE MENTIONED NOTIFICATION AND AGAINST THE APPELLATE ORDER DATED 02.07.2019 WHEREBY DEPARTMENTAL APPEAL OF THE APPELLANT HAS BEEN REJECTED ON NO GOOD GROUNDS.

PRAYERS:

That on acceptance of this appeal the impugned Notification dated 30-01-2018 may very kindly be modified/ amended and the respondents may be directed to promote the appellant to the post of SPST (BPS-14) according to the notification dated 13-11-2012 with all back benefits. Any other remedy 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 initially appointed as Primary School Teacher (BPS-07) now (BPS-12) in District Mardan vide order dated 25-5-1987 on temporary basis and vide order dated 14.09.1989 the services of the appellant were regularized. Copies of the orders are attached as annexure..... **A & B.**
- 2- That the respondent Department issued notification dated 13-11-2012 whereby the respondent Department lay down the

Filed to-day
Registrar
22/7/19

Re-submitted to-day
and filed.
Registrar
22/7/19

method of recruitment, qualification and other condition specified for various categories of teaching staff wherein in Serial no. 20 of the Appendix for the post of Senior Primary School Teacher (BPS-14) the method of recruitment was mentioned as "By Promotion, on the basis of seniority-cum-fitness from amongst Primary School Teachers with at least Ten Years service having qualification prescribe for initial recruitment of Primary School Teacher". Copy of the Notification is attached as annexure C.

- 3- That, on the basis of the above notification dated 13-11-2012 most of the colleagues who have FA and relevant qualification were given promotion to the post of PSHT (BPS-15) and SPST (BPS-14) vide order dated 21-05-2018 & 13-08-2018 respectively. Copy of the promotion orders are attached as annexure D&E.
- 4- That, the appellant being the senior most employee of the respondent Department and is going to be promoted to the post of Senior Primary School Teacher (BPS-14), the promotion of the appellant was deferred on the reason that new service structure has been introduced by the respondent Department vide the impugned notification dated 30-01-2018 where upon the qualification for the post of SPST was introduced as BA and FA was excluded from the impugned notification. Copy of notification is attached as annexure F.
- 5- That, feeling aggrieved from the inaction of the respondent the appellant filed Departmental Appeal before the competent authority the same was rejected vide order dated 02.07.2019. Copies of the Departmental Appeal and rejection order are attached as annexure G & H.
- 6- That appellant having no other remedy but to file the instant appeal on the following grounds amongst the others.

GROUND:

- A- That the impugned notification dated 30-01-2018 is Ultra Vires and the impugned appellate order dated 02.07.2019 are against the law, facts, norms of natural justice and materials on the record hence not tenable and is liable to be modified/set aside.
- B- That appellant has not been treated by the respondent Department in accordance with law and rules on the subject noted above and as such the respondents violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.

- C- That the respondents acted in arbitrary and malafide manner by not promoting the appellant to the post of SPST (BPS-14) according to the notification dated 13-11-2012.
- D- That the respondents have promoted other colleagues of the appellant on the notification dated 13-11-2012 whereas the appellant was deferred from promotion on the basis of impugned notification dated 30.1.2018.
- E- That, the act of the respondent is against article 38 (e) of the constitution of the Islamic Republic of Pakistan 1973.
- F- That the respondents violated Section 9 of the civil servant Act, 1973 read with Rule 7 of the appointment, promotion and transfer Rules, 1989 by not promoting the appellant to the post of SPST (BPS-14).
- G- That the impugned Notification dated 30.1.2018 is violative of Constitution of Pakistan 1973 as well as against the existing laws and Rules.
- 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: 19-07-2019

APPELLANT
Samiul Haq

SAMI'UL HAQ

THROUGH:

Uzma Syed
UZMA SYED
ADVOCATES

OFFICE OF THE DISTRICT EDUCATION OFFICER(MALE)MARDAN.

A-4

APPOINTMENT:-

Appointment of the following person,s is/are hereby ordered against the Post of _____ on temporary and adhoc basis @ Rs. 500/- P.M.Fixed plus usual allowances as admissible under the rules in the BPS No. (?) Rupees. _____ on or his/their own pay and grade, which is beneficial to him/them at the school noted against each names:-

S.No.	Name Qualification & Address	Posted at	Remarks.
1:-	Afsar Abdullah Ali s/o Mukhtiar Ali Vill:K.I.Sai.	GPS, Baghicha Sheri.	A.S.C.post.
2:-	Intiaz Ali s/o Tanosh Khan Vill:K.I.Sai.	GPS, Allahdad Shel (Far Hussain)	-----do-----
3:-	Soniul Haq s/o Mooran Shah Vill:Sharif abad.	GPS, Dorera Ismaila.	-----do-----

CONDITION OF APPOINTMENT:-

1. His/Their Services is/are liable to termination/reversion at any time without any reason being assigned.
2. Incase of resignation He/They will have to submit one month prior notice to the Deptt: of forefiat one month,s pay in lieu thereof to Government.
3. He/They should not be allowed to take over charge if his/their age is/are less than 18 years and above 25 years.
4. He/They is/are required to produced Health and Age certificate from Medical Supdt:D.H.Q.Hospital Mardan before taking over charge.
- 5:- Charge reports should be submitted to all concerned.
- 6:- If/He/They fails to take over charge of the post within 14 days after the issue of these orders the ocer of appointment shall stand cancelled.
- 7:- Certificates should checked before handing over charge.

(GUL ZAMAN KHAN)
District Education Officer
(Male) Hardan.

11897/901

Endst:No. _____ Dated Mardan the 25/5 1987

Copy forwarded for information and n/action to the:-

- 1:- Sub-Divisional Education Officer(Male) Mardan/wabi.
- 2:- Head Master/H.Teacher concerned. _____
- 3:- Candidate concerned. _____

Qadim/+++
1451987.

DISTRICT EDUCATION OFFICER
(MALE) MARDAN.

ATTESTED

UBone

[Handwritten signatures and notes]

BETTER COPY OF PAGE-5

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) MARDAN

ADJUSTMENT ORDER.

On return from leave due to completion of PTC/C.T Training (1988-89). The following PTC teacher are hereby adjusted w.e.f. 20.9.2089 or any subsequent date of their taking over charge in the schools noted against each on their own pay scale (BPS-7) in the interest of public service.

S.No.	Name/Father's Name	Name of School Where adjusted	Remarks
1.	Mr. Fazal Mabood S/O Riaz Mohammad r/o Shiek Yousaf	GMPS Shahbaz Khan Kalay (Khanjar).	To open new school
2.	Mr. Zahid Hussain s/o Quresh Khan, R/O Mian Khan	GMPS, Joghi Khel Sangao.	=
3.	Mr. Amir Rehman S/O Misken r/o Mian Khan	GMS Darmol, Koi Darmol	=
4.	Mr. Samin Ul Haq S/O Nooran r/o Sharif Abad.	GMPS Daki, Charmang	=

- Note:- 1:- TA/DA or T:Gr: is not allowed.
2:- Charge reports should be submitted to all concerned.

(AZIZ AHMAD GUL)
DISTRICT EDUCATION OFFICER
(MALE) MARDAN

Endst: No. 11025-44/E-TT/Trns:/Apptt:/Dated Mardan the 14/09/1989

Phone No. 2006.

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) MARDAN.

ADJUSTMENT ORDER.

On Return from leave due to completion of PTC/ C.T Training (198-89). The following PTC teachers are hereby adjusted w.e.f. 20.9.89 or any subsequent date of their taking over charge in the schools noted against each on their own pay scale (IPS-7) in the interest of public service.

S.No.	Name / Father's name.	Name of school where adjusted.	Remarks.
1:-	Mr. Fazal Mabood s/o Mian Mohamad, r/o Sheikh Yousaf.	GMPS, Shahbaz Khan Kili. (Khanjar).	To Open New school.
2:-	Mr. Zahid Hussain s/o Quresh Khan, r/o Mian Khan.	GMPS, Jogi Khel. (Sangawo).	-do-
3:-	Mr. Amir Rahman s/o Haseen Shah, r/o Mian Khan.	GMPS, Barmol. (Koi Barmol).	-do-
4:-	Mr. Saminul Haq s/o Nooran Shah, r/o Sharif Abad.	GMPS, Daki. (Chamrang).	-do-
5:-	Mr. Sajidullah s/o Shamsul Qamar, r/o Gahhi Kapura.	GPS, Kot Daulat Zai.	Additional Post.
6:-	Mr. Sher Wali s/o Zar Khan, r/o Harshah.	GPS, G.D. Zai.	A.V. Post.
7:-	Bardar Hussain s/o Darweza, r/o Katlang.	GMPS, Niangan Kili. (Kati Garhi).	To Open New School.
8:-	Mr. Khewa Dad s/o Wali Baz, r/o Katlang.	GMPS, Odigram. (Katlang).	-do-
9:-	Mohammad Arif s/o Farman Ali, r/o Hathian.	GMPS, Sazud Din Kili. (Sari Behlol).	-do-
10:-	Mr. Asad Khan s/o Eilan Khan, r/o Baguzai.	GPS, Koi Barmol No. 2.	Additional Post.
11:-	Mohammad Ayub s/o Syed Munaf, r/o Mardan.	GPS, Sra Kanda.	A.V. Post.
12:-	Mr. Tajjamul Shah s/o Syed Wasaf-Shah r/o Baghicha Dheri.	GPS, Baghicha Dheri.	Additional Post.
13:-	Ghafoor Gul s/o Sharif Gul, r/o Bakhsali.	GPS, Dakhsali.	A.V. Post.
14:-	Mr. Wisal Mohammad s/o Syed Qamar, r/o Shahbaz Garhi.	GPS, Shahbaz Garhi.	Additional Post.
15:-	Mr. Gohar Mohammad s/o Faqir-Mohammad r/o Chergali.	GMPS, Mulano Kothay. (Khair Abad).	To Open New School.
16:-	Mr. Noor Faraz Khan s/o Gul Faraz Khan, r/o Lund Khwar.	GMPS, Zarullah. (Ghano Dheri).	-do-
17:-	Mr. Farmanullah s/o Shakirullah, Mardan.	GPS, Civil Colony No. 2.	Additional Post.
18:-	Mushtaq Ahmad s/o Rahimullah Khan, Mardan.	GMPS, Mohammad Gul Kili. (Toru).	-do-
19:-	Sahib Zada Akhtar Munir s/o S. Ali Haider Khan r/o Mardan.	GPS, Spin Jumat Fatma.	A.V. Post.

Note:-1:-TA/DA or T:Gr: is not allowed.
2:-Charge Reports should be submitted to all concerned.

ATTESTED
Ujme

Order No. 11025-14 / E-II/Trns:/Apptt:/Dated Mardan the 14.9.1989.

Copy of this above is forwarded for information & n/action to the:-
1:-2:Sub:Divisional Education Officer (Male) Mardan & Taldit Khai.
3-19:-All concerned.

Ha Zah Omar
DISTRICT EDUCATION OFFICER,
(MALE) MARDAN.

6
C-6

GOVERNMENT OF THE KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT

NOTIFICATION

Peshawar, dated the November 13, 2012.

e.50(PD)4-5/SSRC/Meeting/2012/Teaching Cadre:- In pursuance of the provisions contained in sub rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 and in supersession of all Notifications issued in this behalf, the Elementary and Secondary Education Department in consultation with the Establishment Department and the Finance Department hereby lays down the method of recruitment, conditions and other conditions specified in the Appendix to this Notification which shall be applicable to all the posts specified in Column No. 2 of the Appendix and the schedule therewith.

GOVERNMENT OF THE KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT

Ref. No. & Date as above

Copy forwarded to:-

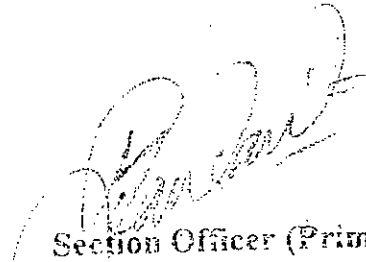
1. The Secretary to Govt. of Khyber Pakhtunkhwa, Establishment Department.
2. The Secretary to Govt. of Khyber Pakhtunkhwa, Finance Department.
3. The Secretary to Govt. of Khyber Pakhtunkhwa, Law Department.
4. The Secretary Khyber Pakhtunkhwa, Public Service Commission Peshawar.
5. The Accountant General, Khyber Pakhtunkhwa Peshawar.
6. The Director (E&SE) Khyber Pakhtunkhwa Peshawar.
7. The Director Education (FATA), Peshawar.

ATTESTED
ugner

SP

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8. The Director Curriculum & Teachers Education Abbottabad.
9. The Director (PITE) Khyber Pakhtunkhwa Peshawar.
10. The Director ESRU, Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.
11. The Deputy Director Database(EMIS) E&SE Department.
12. All District Coordination Officers in Khyber Pakhtunkhwa.
13. All Executive District Officers Elementary & Secondary Education in Khyber Pakhtunkhwa.
14. All District Accounts Officers in Khyber Pakhtunkhwa /Agency Accounts Officers FATA.
15. All Agency Education Officers FATA.
16. P.S to Governor, Khyber Pakhtunkhwa.
17. P.S to Chief Minister, Khyber Pakhtunkhwa.
18. P.S to Chief Secretary, Khyber Pakhtunkhwa.
19. PS to Minister E&SE Khyber Pakhtunkhwa Peshawar.
20. PS to Secretary E&SE Department.
21. Master File.


Section Officer (Primary)

ATTESTED
Uzma

8

3

(3)

APPENDIX

S.No.	Nomenclature of the post.	Minimum qualification and experience for initial appointment or by transfer.	Age limit.	Method of recruitment.
1.	2.	3.	4.	5.
1.	Secondary School Teacher (BPS-16).	(i) Second class Bachelor's Degree with two subjects as Chemistry, Botany, Zoology, Physics, Mathematics, Statistics Humanities and other equivalent groups from a recognized University; or (ii) M.A in Education or Bachelor's Degree in Education, from a recognized University.	18 to 35 years.	(a) Fifty percent by promotion on the basis of seniority-cum-fitness, in the following manner: (i) forty per cent from amongst the Certified Teachers (General), Certified Teachers (Agriculture), Certified Teachers (Industrial Arts) and Certified Teachers (Home Economics) with at least five years service as such and having qualification mentioned in column No. 3; (ii) four per cent from amongst the Drawing Masters with at least five years service as such and having qualification mentioned in column No.3; (iii) four per cent from amongst the Physical Education Teachers with at least five years service as such and having qualification mentioned in column No. 3;

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

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5.	Senior Certified Teacher (Industrial Arts) (BPS-16).		By promotion, on the basis of seniority-cum-fitness, from amongst Certified Teachers (Industrial Arts), with at least five years service as such and having qualification as prescribed for initial recruitment of Certified Teacher (Industrial Arts).
6.	Senior Certified Teacher (Agriculture) (BPS-16).		By promotion, on the basis of seniority-cum-fitness, from amongst Certified Teachers (Agriculture), with at least five years service as such and having qualification as prescribed for initial recruitment of Certified Teacher (Agriculture).
7.	Senior Drawing Master (BPS-16).		By promotion on the basis of seniority-cum-fitness from amongst Drawing Masters, with at least five years service as such and having qualification as prescribed for initial recruitment of Drawing Master.
8.	Senior Certified Teacher (SCT) (Home Economics) (BPS-16).		By promotion, on the basis of seniority-cum-fitness, from amongst Certified Teachers (Home Economics), with at least five years service as such and having qualification as prescribed for initial recruitment of Certified Teacher (Home Economics).
9.	Senior Physical Education Teacher (BPS-16).		By promotion, on the basis of seniority-cum-fitness, from amongst Physical Education Teachers, with at least five years service as such and having qualification as prescribed for initial recruitment of Physical Education Teacher.

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10.	Arabic Teacher (AT) (BPS-15).	(i) Second Class Secondary School Certificate from a recognized Board with Shahdatul Alamia Fil Uloomul Arabia wal Islamia from a recognized Tanzimuatul Wafaqul Madaris or Darul Uloom Saidu Sharif Swat, Darul Uloom Charbagh Swat, Darul Uloom Chitral, Darul Uloom Darosh Chitral and any other Government run Darul Uloom, as notified by the Government from time to time; or (ii) Second Class Master's Degree in Arabic from a recognized University.	20 to 35 years.	By initial recruitment
11.	Theology Teacher (TT) (BPS-15).	(i) Second Class Secondary School Certificate from a recognized Board with Shahdatul Alamia from a recognized Tanzimatul Wafaqul Madaris or Darul Uloom Saidu Sharif Swat, Darul Uloom Charbagh Swat, Darul Uloom Chitral, Darul Uloom Darosh Chitral and any other Government run Darul Uloom, as notified by the Government from time to time; or (ii) Second Class Master's Degree in Islamiyat from a recognized University.	20 to 35 years.	(a) Seventy-five per cent by initial recruitment; and (b) twenty-five per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Senior Qaris, with at least five years service and having qualification prescribed for initial recruitment. <u>Note:</u> In case of non availability of suitable person for promotion, then by initial recruitment.
12.	Senior Qari (BPS -15).			By promotion, on the basis of seniority-cum-fitness, from amongst Qaris, with at least five years service as such and having qualification prescribed for initial recruitment.
13.	Certified Teacher (General) (BPS-15).	Bachelor's Degree or equivalent qualification from a recognized University with Certified Teacher	18 to 35 years.	(a) Forty per cent by initial recruitment; and

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University with nine months training from any Government Agro Technical Teacher Training Center of the Level of Certified Teacher, Agro technical (Industrial Arts).

(Industrial Arts):

Provided that if no suitable candidate is available amongst the Primary School Head Teachers for Promotion, then the posts will be filled by promotion on the basis of seniority-cum-fitness, from amongst Senior Primary School Teachers with at least five years service and having qualification prescribed for initial recruitment of Certified Teacher (Industrial Arts).

Note: In case of non availability of suitable person for promotion, then by initial recruitment.

Certified Teacher (Agriculture) (BPS-15).

- (i) Bachelor's Degree from a recognized University with one year training in Agriculture from any Government institute or center with nine months training from Government Agro Technical Teacher Training Center of the level of Certified Teacher Agro Technical (Agriculture); or
- (ii) Bachelor's Degree with Agriculture as one of the subject, from a recognized University; or
- (iii) Bachelor's Degree from a recognized

18 to 35

- (a) Forty per cent by Initial recruitment; and
- (b) sixty per cent by promotion, on the basis of seniority-cum-fitness from amongst the Primary School Head Teachers, with at least five years service and having qualification prescribed for initial recruitment of Certified Teacher (Agriculture);

Provided that if no suitable candidate is available amongst the

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any Government Agro Technical Teacher Training Center of the Level of Certified Teacher, Agro technical (Agriculture).

promotion, then the posts will be filled by promotion on the basis of seniority-cum-fitness, from amongst Senior Primary School Teachers with at least five years service and having qualification prescribed for initial recruitment of Certified Teacher (Agriculture).

Note: In case of non availability of suitable person for promotion, then by initial recruitment.

5. Certified Teacher (Home Economics) (BPS-15).

- (i) Bachelor's Degree with Home Economics, as one of the subject, from a recognized University with in service training from Government Agro Technical Teacher Training Center; or
- (ii) Certified Teacher Certificate with Home Economics, as one of the subjects, from any Government Training school or college with Bachelor's Degree
- (iii) Bachelor's Degree from a recognized University with nine months training from Government Agro Technical Teacher Training Center of the level of the Certified Teacher Agro Technical (Home Economics); or
- (iv) Bachelor's Degree, from a recognized

18 to 35 years.

- (a) Forty per cent by Initial recruitment; and
- (b) sixty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Primary School Head Teachers with at least five years service as such and having qualification prescribed for initial recruitment of Certified Teacher (Home Economics)

Provided that if no suitable candidate is available amongst the Primary School Head Teachers for promotion, then the posts will be filled by promotion on the basis of seniority-cum-fitness, from amongst Senior Primary School Teachers with at least five years service and having qualification prescribed for initial recruitment of

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	<p>University with one year vocational training from any Government training center or institute with nine months training from Government Agro Technical Teacher Training center of the level of certified Teacher Agro Technical (Home Economics).</p>		<p>Certified Teacher (Home Economics).</p> <p><u>Note:</u> In case of non availability of suitable person for promotion, then by initial recruitment.</p>
<p>17. Drawing Master (BPS-15)</p>	<p>Bachelor's Degree from a recognized University with one year Drawing Master (DM) course Certificate.</p>	<p>18 to 35 years.</p>	<p>(a) Eighty per cent by initial recruitment; and</p> <p>(b) twenty per cent by promotion. on the basis of seniority-cum-fitness, from amongst the Primary School Head Teachers with at least five years service and having qualification prescribed for initial recruitment of Drawing Master.</p> <p><i>Proposed that if no suitable candidate is available for promotion then on the basis of seniority-cum-fitness, from Senior Primary School Teachers with at least five years service and having qualification prescribed for initial recruitment of Drawing Master.</i></p> <p><u>Note:</u> In case of non-availability of suitable candidate for promotion, then by initial recruitment.</p>

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18.	Physical Education Teacher (BPS-15).	Bachelor's Degree from a recognized University with one year junior Diploma in Physical Education course or Army equivalency or other equivalent qualification.	18 to 35 years.	<p>(a) Eighty per cent by initial recruitment; and</p> <p>(b) twenty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Primary School Head Teachers with at least five years service and having qualification prescribed for initial recruitment of Physical Education Teacher:</p> <p>Provided, that if no suitable candidate is available for promotion then on the basis of seniority-cum-fitness, from amongst Senior Primary School Teachers with at least five years service and having qualification prescribed for initial recruitment of Physical Education Teacher.</p> <p><i>NOTE:</i> In case no suitable candidate for promotion, then by initial recruitment</p>
19.	Primary School Head Teacher (PSHT) (BPS-15).			By promotion, on the basis of seniority-cum-fitness, from amongst Senior Primary School Teachers with at least ten years service and having qualification prescribed for initial recruitment of Primary School Teacher.
20.	Senior Primary School Teacher (BPS-14).			By promotion, on the basis of seniority-cum-fitness, from amongst Primary School Teachers

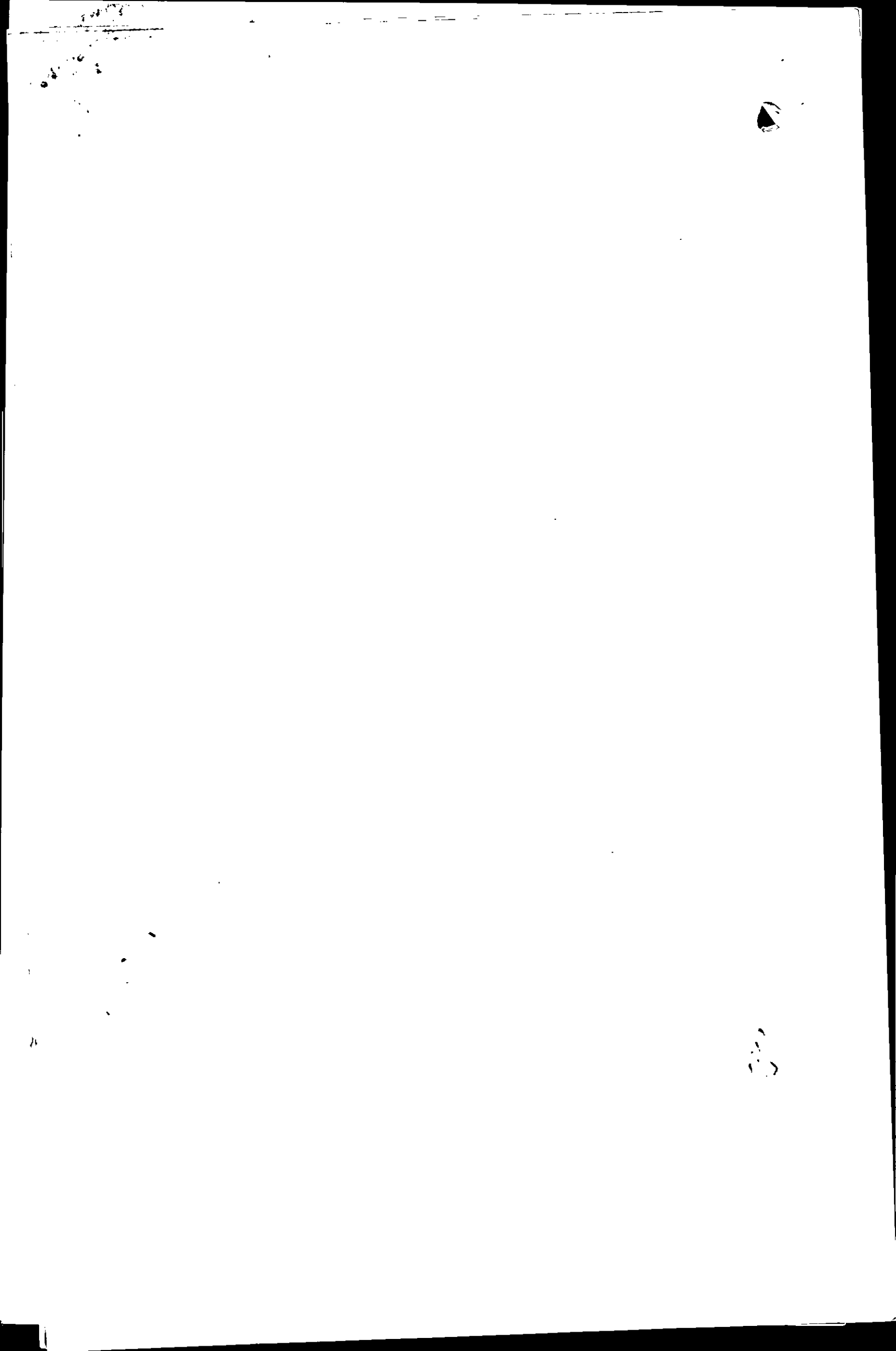
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				with at least five years service as such and having qualification prescribed for initial recruitment of Primary School Teacher.
✓ 21.	Primary-School Teacher (BPS-12).	(i) Intermediate or equivalent qualification, from a recognized Board with Primary School Teacher Certificate/ Diploma, in Education from a recognized Institute; or (ii) Secondary School Certificate, from a recognized Board in second Division with two years Associate Degree in Education from a recognized University.	18 to 35 years.	By initial recruitment on merit at Union Council level: provided that if no suitable candidate is within the Union Council is available, then from the adjacent Union Councils on merit.
22.	Qari (BPS-12).	Intermediate with Hifz-e-Quran and Qirat Saad from a recognized Institution.	18 to 35 years.	By initial recruitment.

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OR

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SCHEDULE

Selection criterion and other conditions for direct recruitment against the below mentioned posts shall be as under:-

<u>Arabic Teacher</u>	
<u>Educational Qualification</u>	<u>Total Marks: 100</u>
SSC	Marks obtained X 20 / total marks = _____
HSSC	Marks obtained X 20 / total marks = _____
BA/BSc	Marks obtained X 20 / total marks = _____
M.A Arabic / Shahdatul Alamia Fil Uloomul Arabia wal Islamia from a recognized Tanzimiatul Wafaqul Madaris	Marks obtained X 20 / total marks = _____
Other MA/MSc/M.Ed / MA Edu	Marks obtained X 15 / total marks = _____
MPhil/PhD	Marks = 05

Theology Teacher

<u>Category of Qualification</u>	<u>Total Marks 100</u>
SSC	Marks obtained X 20 / total marks = _____
HSSC	Marks obtained X 20 / total marks = _____
BA/BSc	Marks obtained X 20 / total marks = _____
MA/MSc/M.Ed / MA Edu	Marks obtained X 20 / total marks = _____
M.A Islamiat / Shahdatul Alamia Fil Uloomul Arabia wal Islamia from a recognized Tanzimiatul Wafaqul Madaris	Marks obtained X 15 / total marks = _____
MPhil/PhD	Marks = 05

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Qari/Qaria

Category of Qualification	Total Marks 100
SSC	Marks obtained X 20 / total marks = ____
Qirt Sanad from a recognized Institution.	Marks obtained X 20 / total marks = ____
HSSC	Marks obtained X 20 / total marks = ____
BA/BSc	Marks obtained X 20 / total marks = ____
MA/MSc/ M.Ed / MA Edu	Marks obtained X 15 / total marks = ____
MPhil/PhD	Marks = 05

Certified Teacher
(General, Industrial Arts, Agriculture, Home Economics)

Category of Qualification	Total Marks 100 For Humanities group or Intermediate/Graduation Level	For Candidates of Science group
SSC	Marks obtained X 20 / total marks = ____	3 Extra marks for FSc, 3 Extra marks for BSc and 3 Extra marks for MSc will be added to the total score obtained by a candidate during his selection
HSSC	Marks obtained X 20 / total marks = ____	
BA/BSc	Marks obtained X 20 / total marks = ____	
CT Certificate/ Diploma in Education /ADE	Marks obtained X 20 / total marks = ____	
MA/MSc/M.Ed / MA Edu	Marks obtained X 15 / total marks = ____	
MPhil/PhD	Marks = 05	

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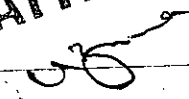
Drawing Master

Category of Qualification	Total Marks 100	For Candidate of Science group
SSC	Marks obtained X 20 / total marks = _____	5 Extra marks for F.Sc, 5 Extra marks for B.Sc and 5 Extra marks for M.Sc will be added to the total score obtained by a candidate during his selection
HSSC	Marks obtained X 20 / total marks = _____	
BA/BSc	Marks obtained X 20 / total marks = _____	
DM Certificate	Marks obtained X 20 / total marks = _____	
MA/MSc/M Ed / MA Edu	Marks obtained X 15 / total marks = _____	
MPhil/PhD	Marks = 05	

Physical Education Teacher

Category of Qualification	Total Marks 100	For Candidate of Science group
SSC	Marks obtained X 20 / total marks = _____	5 Extra marks for F.Sc, 5 Extra marks for B.Sc and 5 Extra marks for M.Sc will be added to the total score obtained by a candidate during his selection
HSSC	Marks obtained X 20 / total marks = _____	
BA/BSc	Marks obtained X 20 / total marks = _____	
JDPE or Equivalent Certificate	Marks obtained X 20 / total marks = _____	
MA/MSc/M Ed / MA Edu	Marks obtained X 15 / total marks = _____	
MPhil/PhD	Marks = 05	

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Primary School Teacher

Category of Qualification	Total Marks 100 For Humanities group at Intermediate Level	For Candidate of Science group
SSC	Marks obtained X 20 / total marks = ____	5 Extra marks for FSc, 5 Extra marks for B.Sc and 5 Extra marks for M.Sc will be added to the total score obtained by a candidate during his selection
HSSC	Marks obtained X 10 / total marks = ____	
B.A/B.Sc	Marks obtained X 25 / total marks = ____	
PST Certificate/ Diploma in Education / ADE	Marks obtained X 20 / total marks = ____	
M.A./M.Sc./M.Ed./A.L.A./Ed.L.	Marks obtained X 20 / total marks = ____	
M.Phil/PhD	Marks = 0.5	

Other conditions:-

1. The concerned appointing authority will scrutinize and certify the documents and make the appointment as per prescribed rule and the will get the documents verified after the issuance of appointment orders within shortest possible time, not exceeding sixty (60) days.
2. The merit list prepared by the concerned appointing authority shall be displayed for ten days to receive the objections/appeals, if any and shall issue the final merit list after making necessary corrections while addressing the observations/objections/appeals, followed by requisite appointment orders.
3. In case a document(s) is/are found fake/ forged/ bogus upon scrutiny/ verification, the service of the teacher concerned shall be terminated and the amount paid to him as salary shall be recovered from him and an FIR shall be lodged against him on account of forgery/fraud under the relevant law.
4. Deni Asnad from recognized Tazzeemat-ul-Wafaqul Madaris, Darul Uloom Saidu Sharif Swat, Darul Uloom Charbagh Swat, Darul Uloom Chitral, Darul Uloom Darosh Chitral and any other Government run Darul Uloom, as notified by the Government from time to time will be acceptable for the purpose of appointment against the posts of Arabic Teachers or Theology Teachers, as the case may be.

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OFFICE OF THE DISTRICT EDUCATION OFFICER (M)
ELEMENTARY AND SECONDARY EDUCATION SHANGL

E-Mail: deomshangla@gmail.com

Phone #:0996-850639

BPS-15

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NOTIFICATION

Consequent upon the recommendation of the Departmental Promotion Committee and in pursuance of the Government of Khyber-Pakhtunkhwa Elementary & Secondary Education Notification No. SO (PE)4-5/SSRC/Meeting/2012/Teaching Cadre dated the November 13,2012, the following SPSTs(M) BPS-14 are hereby promoted to the post of PSHT BPS-15(16120-1330-56020)plus usual allowances as admissible under the rules on regular basis and posted at the School mentioned against each under the existing policy of the Provincial Government on the terms and condition given below with immediate effect in the best interest of public service.

S.#	Name	Designation	Present School	School Where Adjusted as PSHT
1	Sardar Ali	SPST	GPS Sikni Bala	GPS Hussain Abad
2	Rab Nawaz	SPST	GPS Dundy Chk	GPS Ali Jan kaparai
3	Sargand Khan	SPST	GPS Kas Basi	GPS Banda Pirabad
4	Ghulam Rahman	SPST	Kuz Paw(Chak)	GPS Garbandal
5	Muhammad Ismail	SPST	GPS Wahab Khel	GPS Bahramand Muhallah
6	Bakht Zahir	SPST	GPS Loya Dara	GPS Shin Koprail
7	Dawar Badshah	SPST	GPS Manga	GPS:Kyar Barai
8	Aman Ullah khan	SPST	GPS Shangla	GPS Baglo Sar
9	Sherin Zaman	SPST	GPS Kandaw Ch	GPS Bar Dakalay
10	Usman Ali	SPST	GPS Banda(K)	GPS Belmaz Maira
11	Gul Zada	SPST	GPS Lari Shaliz.	GPS Bar Lashkar
12	Abdul Bari	SPST	GPS Sanilla	GPS Shams Korona Kamach
13	Fazal Rabi	SPST	GPS Longbar-2	GPS Naray
14	Hidayatullah	SPST	GPS Butyal	GPS Butyal
15	Ahmad Khan	SPST	GPS Achar-2	GPS Poshesh
16	Umar Farooq	SPST	GPS Shalmanai	GPS Arakh
17	Muhammad Khurshid	SPST	GPS Kuz Banjar	GPS Kuz Banjar
18	Sardar Ali	SPST	GPS Jatkool	GPS Sedlqay
19	Niazur Rahman	SPST	GPS B.K.Dandi	GPS Jabā Dandal
20	Sharif Ullah khan	SPST	GPS Danakool	GPS Lainsook
21	Said Shaukat Hussain	SPST	GPS P-Chelal	GPS Kandaw Kana
22	Khaist Muhammad	SPST	GPS Dara Sirai	GPS Kadona Asharay
23	Fazal Rahman	SPST	GPS Shangla.	GPS Begomar
24	Niaz Muhammad	SPST	GPS Sundia	GPS Hawalai
25	Abdullah	SPST	GPS Baina	GPS Pandoria
26	Aziz Ur Rahman	SPST	GPS Dandokay	GPS Faiza Seral
27	Muhammad Rafi Ullah	SPST	GPS Logay	GPS Seeroo
28	Amir Muhammad	SPST	GPS Sasobai	GPS Kuz Lashker
29	Haji Nawab	SPST	GPS Khur Shapur	GPS Arnbela
30	Abdul Qadar	SPST	GPS Manal Sar	GPS Korarai kormang
31	Shabir Ahmad	SPST	GPS Duta Danbri	GPS Tolaik No 1
32	Sharifud Din	SPST	GPS Shang	GPS Loser Shang
33	Seraj Ul Haq	SPST	GPS Danda Pirabad	GPS Danda Pirabad
34	Muhammad Zahir	SPST	GPS.Towa	GPS Dodbanak
35	Ameen Ullah Khan	SPST	GPS Darkalay	GPS Shakara
36	Jehan Sher	SPST	GPS Petaw	GPS Sapergay
37	Sharif Ullah	SPST	Kaykoor	GPS Kadona Ruran
38	Sultan Hussain	SPST	GPS Bezendai	GPS Bezandal
39	Asmat Ullah	SPST	GPS Achar-1	GPS Lahore
40	Fazal Wahid	SPST	GPS shalmano	GPS Dehrai A
41	Muhammad Nasar Ullah	SPST	GPS shahpur	GPS Donai
42	Altaf Hussain	SPST	GPS Alpuri: No.2	GPS Sre Khawri
43	Jamin Khan	SPST	GPS Saraka	GPS Saraka
44	Muhammad Zada	SPST	GPS Dulo	GPS Faiza Dehrai
45	Latif Ur Rahman	SPST	GPS Pagorai	GPS Kas Pagorai
46	Jehan Zamin	SPST	GPS Sangrai	GPS Sangrai
47	Bakht Afsar	SPST	GPS Loya Dara	GPS Kund Machkandal
48	Muhammad Sher	SPST	GPS Amlook Bani	GPS Juragh
49	Shamsul Haq	SPST	GPS Petaw(D)	GPS M.Yar Mohallah
50	Sar Bali Muhammad	SPST	GPS Banjar Sar	GPS Kadona Kana
51	AmanUllah	SPST	GPS Kcza- Awarai	GPS Hasham Kheel Dab
52	Sher Ali Khan	SPST	GPS Shangla	GPS Cheer Dandai

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53	Bahri Bostan	SPST	GPS Smaskai	GPS Samaskai
54	Zarin Zada	SPST	GPS Managai	GPS Managai
55	Said Fazal Ghafor	SPST	GPS Karora	GPS Gorkat
56	Rafiqul Ali	SPST	GPS Dundy Chk	GPS Quanj
57	Said Mehmod Shah	SPST	GPS Bazarkot	GPS Charai Samasthay
58	Shakirullah	SPST	GPS Ranyal	GPS Ranyal
59	Salih Khan	SPST	GPS D-M-Khel	GPS D-M-Khel
60	Mir Alam Shah	SPST	GPS Hasham Kheel Banda	GPS Behar
61	Muhammad Nazir	SPST	GPS Janai	GPS Chambar sar
62	Nasar Rahman	SPST	GPS buner wall	GPS Takhta
63	Abdus Sadiq	SPST	GPS Bralm	GPS Tollak No.2
64	Haider Khan	SPST	GPS Gandoral.1	GPS Manz Kalay kormang
65	Shakeel Ahmad	SPST	GPS Aloch No 1	GPS Dankool Maira
66	Muhammad Iqbal	SPST	GPS Shalawo	GPS Shalawoo
67	Alama Iqbal	SPST	GPS Kuz Kana	GPS Bar Hall
68	Fazal Amin	SPST	GPS Gandori No.1	GPS Gandoral No.1
69	Javid Iqbal	SPST	GPS Achar-2	GPS Bobal Bala
70	Akbar Ali	SPST	GPS Sasobay	GPS Basia Ranyal
71	Hameed Ur Rahman	SPST	GPS Keral	GPS Khatak Ser
72	Abid Ali	SPST	GPS Chagum No 2	GPS Dankool
73	Taj Nabi Khan	SPST	GPS Sarkoob	GPS Kamach Dehral
74	Akmal Shah	SPST	GPS Besham	GPS Besham
75	Jehan zada	SPST	GPS Shalizara	GPS Bobal Lower
76	Pass Rahman	SPST	GPS Nakhtaro	GPS Nakhtar (will be vacant on 6/6/2018)
77	Nasrullah	SPST	GPS Chagum NO 1	GPS Asharkot

TERMS & CONDITIONS: -

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

DISTRICT EDUCATION OFFICER (M)
DISTRICT SHANGLA

Endost: - No. 9481-88 /F1/Pro of SPST to PSHT-2017-18

Dated 21/5 /2018.

Copy forwarded for information to :-

- 1) The Director Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.
- 2) PS to Secretary Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.
- 3) The District Nazim, Shangla.
- 4) The Deputy Commissioner Shangla.
- 5) The District Accounts Officer Shangla.
- 6) The District Monitoring Officer, Shangla.
- 7) The SDEOs (M) Alpurai, Puran, Besham.
- 8) The ASDEOs Circle concerned.
- 9) The Budget and account officer.
- 10) The DEMIS Cell Shangla.
- 11) The Teachers Concerned.

DY: DISTRICT EDUCATION OFFICER (M)
DISTRICT SHANGLA

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Signature



OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE)
DISTRICT TOR GHAR

Email: torgharemis@gmail.com

KPESSE

NOTIFICATION

Consequent upon the recommendation of the Departmental Promotion Committee and in pursuance of the Government of Khyber Pakhtunkhwa Elementary and Secondary Education Notification No. SO(PE)4-5/SSRC/Vol-III dated 15/01/2011 the following PSTs are hereby promoted on the basis of seniority cum fitness to the post of Senior Primary School Teacher (SPST) BPS-14 (15180-1170-50280) 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 and further posted in the schools mentioned against each:-

S. #	NAME OF TEACHER	FATHER NAME	SCHOOL	ADJUSTED TO	REMARKS
1	Naik Muhammad	Khwaj Muhammad	GPS New Killay	GPS New Killay	Post Already Occupied
2	Niamat Jaleel	Gul Karim	GPS Manjakot	GPS Manjakot	--do--
3	Shahid Sultan	Muhammad Waris	GPS Suray Asharay	GPS Suray Asharay	--do-- F/A
4	Zaheer Saeed	Abdul Zaman	GPS Zelargay	GPS Zelargay	--do--
5	Shafiqat Shah	S. Akhtar Hussain	GPS Tegram	GPS Tegram	--do-- F
6	Ghulam Muhammad	Shaikh Muhammad	GPS Gari Bala	GPS Gari Bala	--do--
7	Sadaqat Shah	Imran Shah	GPS Reel	GPS Reel	--do-- F
8	Mushtaq Zada	Habib ullah	GMPS Soray Qamar	GMPS Soray Qamar	--do-- F
9	Naseebullah	Shah Izzat Khan	Dheri KK	GPS Kasay Shatal	Against V/P
10	Wahid Zaman	M Zaman	GPS Gangat	GPS Gangat	Post Already Occupied
11	Hikmatullah	Saleh Ullah	GPS Sado Khan	GPS Sado Khan	--do-- F
12	Ali Akber	Sahib Ullah	GPS Judba	GPS Judba	--do-- F
13	Abdul Qadous	Abdul Malik	GPS Kopra AK	GPS Kopra AK	--do--
14	Abdur Rehman	Noor Nabi Shah	GPS Dhairi K.K Khail	GPS Salay	Against V/P
15	M.Saleem	Ghulam Mustafa	GPS Darow	GPS Darow	Post Already Occupied
16	Samiullah	Umer Khetab	GPS Shagai	GPS Shagai	Post Already Occupied F
17	Iftikhar Shah	Ismaeel Shah	GPS Sormal N/K	GPS Sormal N/K	Post Already Occupied
18	Anwar Khalid	Ibrahim	GPS Gowandla	GPS Gowandla	--do-- F
19	Khan Bad Shah	Mureed Shah	GPS Kand Bala	GPS Kand Bala	--do--
20	Anisur Rehman	Gul Hussain Kamal	GPS Shagai	GPS Petao Asharay	Against V/P
21	Zar Muhammad	Sadaf Khan	GPS Darow	GPS Darow	Post Already Occupied

ATTESTED

Ugma

25

	Rashid Ahmed	Shah Nazar	GPS Gul Dehri	GPS Gul Dehri	--do--
23	Anwarul Haq	Fazal Mabood	GPS Kamesar	GPS Kamesar	--do--
24	M. Shoukat	Ghulam Habib	GPS Kandar Tawara	GPS Kandar Tawara	--do--
25	Siddiqullah	Abdullah Jan	GPS Sormal A/Z	GPS Sormal A/Z	--do--
26	M. Shoaib	Umer Khetab	GPS Dadam	GPS Charakot	--do--
27	Sanaullah	Atta Muhammad	GPS Mera M. Khail	GPS Mera M. Khail	--do--
28	Zar Taj Khan	M Amin Khan	GPS Mera KD	GPS Mera KD	--do--
29	Raz Muhammad	Kachkol	GPS Sulemani	GPS Sulemani	--do--
30	Gul Wahid	Wesal Khan	GPS Kander Tawara	GPS Garhi H/Z	Against VIP
31	Sham Shair	Aseem Khan	GPS Chund	GPS Chund	Post Already Occupied
32	Said Nawaz Khan	Said Nawat Khan	GPS Mera K.D	GPS Mera K.D	--do--
33	Abdul Wakeel	Zahid Ullah	GPS Tetay	GPS Tetay	--do--
34	Safdar Ali	Faqir Muhammad	GPS Adam Zareef	GPS Adam Zareef	--do--
35	Usman zaib	Khitab Shah	GPS Parinjal	GPS Parinjal	--do--
36	Waleedur Rehman	Gul Nazif Khan	GPS Badar	GPS Badar	--do--
37	Naseemullah	Yousaf Zareen	GPS Kalala	GPS Kalala	--do--
38	Izazul Haq	Anwar Ul Haq	GPS Markhani	GPS Markhani	--do--
39	Rafique Ahmed	Mola Said	GPS Zizaari	GPS Shahdag	Against VIP
40	Abdul Azeem	Abdur Razaq	GPS Abu H/Z	GPS Abu H/Z	Post Already Occupied
41	Shabir Ahmed	Fazal Uz Zaman	GPS Zizaari	GPS Zizaari	--do--
42	Abdul Tawab	Abdul Wahab	GPS Danda Banda	GPS Danda Banda	--do--
43	Gul Nabi	Nazir Khan	GPS MMK	GPS MMK	--do--
44	Gul Muhammad Khan	Sultani Room	GPS Shingaldar	GPS Shingaldar	--do--
45	Abdul Sahib	Noor M Khan	GPS MMK	GPS MMK	--do--
46	Abdur Rasheed	Ameer Awal Khan	GPS Kander Jabara	GPS Kander Jabara	--do--
47	Muhammad Aqeel	Minhajul Haq	GPS Boray	GPS Boray	--do--
48	Ajirullah	Gul Fareen Said	GPS Haleema	GPS Shingaldar	Against VIP
49			GPS Dour Mera	GPS Dour Mera	Post Already Occupied
50			GPS Markhani	GPS Markhani	--do--
51	Sap Nal		GPS Gimble	GPS Gimble	--do--
52	Muhammad Shaukat		GPS Darban	GPS Darban	--do--
53			GPS Cham Qalagay	GPS Cham Qalagay	Against VIP

ATTESTED

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4	Muhammad Nawab Khan	Gulzar Khan	GPS Khadang	GPS Khadang	Post Already Occupied
55	Shahid Muhammad	Umer Khan	GPS Bimbal	GPS Bilyani	Against V/P

TERMS & CONDITIONS:

1. NO TADA etc. is allowed.
2. Charge reports should be submitted to all concerned in duplicate.
3. They would be on probation for a period of one year extendable for another one year.
4. They will be governed by such rules and regulations as may be issued from time to time by the Government.
5. Their promotions are subject to the condition that their **CERTIFICATE/DOCUMENTS** be verified from the concerned authorities by the Deputy District Education Officer (M), anyone who found producing fake documents will be dismissed from service and the case will further be reported to the law enforcing agencies for action under the relevant law.
6. Their services are liable to termination on one month's notice from either side. In case of resignation without notice his one-month pay/allowances shall be forfeited to the Government treasury.
7. Their Pay will not be activated until and unless pay release order is not issued by the competent authority after verification of his documents by the Deputy District Education Officer.
8. The competent Authority reserve the right to rectify the errors and omissions, if any noted/observed at any stage in the instant order issued erroneously.
9. They will give an under taking to be recorded in their service book to the effect that if any over payment is made to him in light this order will be recovered and if he is wrongly promoted he will be reversed.
10. Before handing over charge their document should be checked by the concerned Head of institutions, if they don't possessed the prescribed qualification of the post they should not be handed over the charge.

--SD--
Khan Muhammad
District Education Officer (M)
E&SE Tor Ghar

Endst: No 5557-65 dated 13/08/2018.

Copy for information to the:

1. Director E&SE Khyber Pakhtunkhwa Peshawar.
2. Deputy Commissioner Tor Ghar.
3. District Accounts Officer Tor Ghar at Mansehra.
4. Sub Divisional Education Officer (M) Judda Tor Ghar.
5. District Monitoring Officer (IMU) Tor Ghar.
6. Head Teacher GPS Concerned.
7. Official Concerned.
8. Office File.

ATTESTED

Umer

[Signature]
Dy. District Education Officer (M)
E&SE Tor Ghar

2018

Al

F-(27)

GOVERNMENT OF THE KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT.

NOTIFICATION

Peshawar, dated the 07.03.2018.

No.SO(PE)4-5/SSRC/Meeting/2012/Teacher Cadre/2017.-In pursuance of the provisions contained in sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa Servants (Appointment, Promotion and Transfer) Rules, 1989, the Elementary and Secondary Education Department, in consultation with the Establishment Department and the Finance Department hereby directs that, in this Department's Notification No.SO(PE)4-5/SSRC/Meeting/2012/Teaching Cadre, dated 12.03.2012, the following further amendments shall be made, namely:

AMENDMENTS

In the Appendix,-

(i) against Serial No. 1, in columns No.3 and 4, for the existing entries, the following shall be substituted, namely:

3.	4.
(i) At least Second Class Master's Degree or four (4) years BS Degree in the relevant subject; and	21 to 35 years";
(ii) nine months in service mandatory professional training at Regional Institute for Teacher Education (RITE) or Provincial Institute for Teacher Education (PITE).	

(ii) against Serial No.1B, in columns No.3 and 4, for the existing entries, the following shall be substituted, namely:

3.	4.
(i) At least Second Class Bachelor's Degree from a recognized University from the following groups with two subject on need basis. (a) Chemistry, Botany or Zoology, or	19 to 35 years";

ATTESTED

[Signature]

- (b) Physics, Maths or Statistics; or
 (c) Humanities and other equivalent groups at degree level with English as subject;
 and
 (ii) nine months in service mandatory professional training at Regional Institute for Teacher Education (RITE) or Provincial Institute for Teacher Education (PITE).

28

(iii) against Serial No. 10, in columns No.3 and 4, for the existing entries, the following shall be substituted, namely:

3.	4.
(i) At least Second Class Master's Degree in Arabic from a recognized University; or at least Second Class Bachelor's Degree from a recognized University with Shahadatul Alamia Fil Uloomul Arabia wal Islamia from a recognized Tanzimuatul Wafaqul Madaris; or Darul Uloom Saidu Sharif Swat, Darul Uloom Chitral, Darul Uloom Darosh Chitral and any other Government run Darul Uloom, as notified by Government from time to time; and (ii) nine months in service mandatory professional training at Regional Institute for Teacher Education (RITE) or Provincial Institute for Teacher Education (PITE).	19 to 35 years";

(iv) against Serial No. 11, in columns No.3 and 4, for the existing entries, the following shall be substituted, namely:

3.	4.
(i) At least Second Class Master's Degree in Islamiyat from a recognized University; or at least Second Class Secondary School Certificate from a recognized Board with Shahadatul Alamia from a recognized Tanzimuatul Wafaqul Madaris; or Darul Uloom Saidu Sharif Swat, Darul Uloom Chitral, Darul Uloom Darosh Chitral and any other Government run Darul Uloom, as notified by Government from time to time; and (ii) nine months in service mandatory professional training at Regional Institute for Teacher Education (RITE) or Provincial Institute for Teacher Education (PITE).	19 to 35 years";

TESTED

28

against Serial No. 15, in columns No.3 and 4, for the existing entries, the following shall be substituted, namely:

29

3.	4.
(i) Bachelor's Degree from a recognized University; and (ii) nine months in service mandatory professional training at Regional Institute for Teacher Education (RITE) or Provincial Institute for Teacher Education (PITE).	19 to 35 years";

(vi) against Serial No. 17, in columns No.3 and 4, for the existing entries, the following shall be substituted, namely:

3.	4.
(i) Bachelor's Degree from a recognized University; and (ii) nine months in service mandatory professional training at Regional Institute for Teacher Education (RITE) or Provincial Institute for Teacher Education (PITE).	19 to 35 years";

(vii) against Serial No. 18, in columns No.3 and 4, for the existing entries, the following shall be substituted, namely:

3.	4.
(i) Bachelor's Degree from a recognized University; and (ii) nine months in service mandatory professional training at Regional Institute for Teacher Education (RITE) or Provincial Institute for Teacher Education (PITE).	19 to 35 years";

(viii) against Serial No. 21, in columns No.3 and 4, for the existing entries, the following shall be substituted, namely:

3.	4.
(i) Bachelor's Degree from a recognized University; and (ii) nine months in service mandatory professional training at Regional Institute for Teacher Education (RITE) or Provincial Institute for Teacher Education (PITE).	19 to 35 years"; and

ATTESTED
[Signature]

(ix) against Serial No. 22, in columns No.3 and 4, for the existing entries, the following shall be substituted, namely:

30

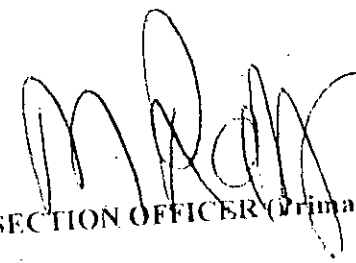
3.	4.
(i) Bachelor's Degree from a recognized University and Qirat Sanad from a registered Institution; and (ii) nine months in service mandatory professional training at Regional Institute for Teacher Education (RITE) or Provincial Institute for Teacher Education (PITE).	19 to 35 years".

SECRETARY TO
GOVERNMENT OF THE KHYBER PAKHTUNKH
ELEMENTARY AND SECONDARY EDUCATIO
DEPARTMENT.

Endst: of even No & date:

1. The Secretary to Government of Khyber Pakhtunkhwa, Establishment & Administration Department Peshawar.
2. The Secretary to Government of Khyber Pakhtunkhwa, Finance Department Peshawar.
3. The Secretary to Government of Khyber Pakhtunkhwa, Law Department Peshawar.
4. The Secretary, Public Service Commission, Khyber Pakhtunkhwa, Peshawar.
5. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
6. The Director, Elementary & Secondary Education, Peshawar.
7. The Director of Education (FATA) Peshawar.
8. The Director, Curriculum and Teacher Education Khyber Pakhtunkhwa, Peshawar.
9. The Director, (PITE) Khyber Pakhtunkhwa, Peshawar.
10. The Director, ESRU, Elementary and Secondary Education Department, Khyber Pakhtunkhwa, Peshawar.
11. Manager Government Printing Press, Khyber Pakhtunkhwa, Peshawar.
12. The Deputy Director, EMIS (E&SE) Department Khyber Pakhtunkhwa Peshawar.
13. All District Education Officers (M&F) in Khyber Pakhtunkhwa.
14. All District Accounts Officers in Khyber Pakhtunkhwa.
15. All Agency Education Officers/ Agency Accounts Officers in FATA.
16. PS to Governor Khyber Pakhtunkhwa, Peshawar.
17. PS to Chief Minister Khyber Pakhtunkhwa, Peshawar.
18. PS to Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
19. PS to Minister, E&SE Department Khyber Pakhtunkhwa, Peshawar.
20. PS to Secretary, E&SE Department, Khyber Pakhtunkhwa, Peshawar.

ATTESTED
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SECTION OFFICER (Prima)

محکمہ صحت و سہولیات اہلیہ کو کونٹری آفسیئر صاحب (مردانہ) حیدرآباد

31-6

3243
24-6-2019

دعویٰ اسٹریٹ ترقی آسامی SPST

صدا عالی

مؤدبانہ گزارش ہے کہ خودی کی تقریبی صورت $\frac{56}{87}$

کو پی ڈی سی پوسٹ پر بیوی $\frac{1}{90}$ کو PTC کا امتحان پاس کرنے کی ترغیب قرار دیا گیا۔

اور حرج $\frac{1}{90}$ سے 15 سے متعلق

اسی آسامی پر ڈیڑھ سہ ماہی سرانجام دے رہے ہیں اور تاحال

کوئی پروموشن نہیں دی گئی۔ سال 2012 میں تمام PTC

اساتذہ کبکے اولز بنائے گئے جس میں PTC اساتذہ کو SPST

اور جوازاں PSST کی آسامی پر پروموشن کے مواقع دیا گیا۔

لیکن اب نئے اولز میں SPST و ترقی کبکے BA شریا رکھا گیا۔

لہذا استدعا ہے کہ سبکیا خودی کو میرا نئے اولز کے تحت ترقی دینے کے احکامات صادر فرمائے جائے۔

ATTESTED
مسعود

اللہ اعلم
آغا نالیم
Samir Haq

کسٹم اللحق PST
GPS معاد خاں خولڈ

H-32

1

OFFICE OF THE DISTRICT EDUCATION OFFICER

(MALE) MARDAN

No. 7579 / Dated 02-07-2019

To

Mr. Saminul Haq, PST
GPS Bahadar Khan Kotey, Mardan

Subject: APPEAL FOR PROMOTION TO PSHT

Memo:

Reference your application on the subject cited above.

Your appeal regarding promotion from PST to SPST/PSHT on the basis of FA qualification is **rejected** for being against the existing promotion policy.

[Signature]
11/7/18
DISTRICT EDUCATION OFFICER
(MALE) MARDAN

Endst:No. _____ /Promotion 2019/ Dated: _____ /2019

Copy forwarded to the:-

- 1. SDEO(M) Mardan.

[Signature]
DISTRICT EDUCATION OFFICER
(MALE) MARDAN

*Forwarded to concerned
teacher for information.*

[Signature]

ATTESTED

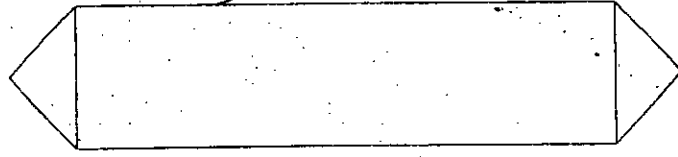
[Signature]

3/7/18

No. 928
Dated 3/7/19

SDEO (M)
Mardan

بعدالت صدر محترم سروس ٹریڈ سوسائٹی کے



مورخہ
مقدمہ
دعویٰ
جرم

2 منجانب
بنام

ملین الحق

محکم دعوے

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ
آن مقام کے لیے علی صاحب سید مسز جان صافی اور وکیل
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 دیئے جواب دہی اور اقبال دعویٰ اور
بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق
زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی براندگی
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 داختم منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانب التوائے مقدمہ کے
سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوگا۔
گے۔ کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سندر ہے۔

Accepted
Accepted

2019

جولائی

ماہ

19

المرقوم

Samir Ali

العبد گواہ العبد

کے لئے منظور ہے۔

Accepted by
Mir Zaman Sadi
Advocate

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Service Appeal No: 1020/2019

Samin Ul Haq PST GPS Bahadar Khan Kotay Toru Mardan.

(Appellant)

VERSUS


Govt of KPK through Secretary (Elementary & Secondary) Education
KPK & Others.

(Respondents)

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S.NO	DESCRIPTION OF DOCUMENTS	ANNEXURE	PAGES	
1.	Para wise comments along with affidavit		01	05
2	copy of FiR	"A"	06	--
4	copy of judgment	"B"	07	09
5	copy of Re-Instatement Order	"C"	10	--
6	copy of Application/Appeal	"D"	11	--
7	copy of Rejected appeal	"E"	12	--

Respondent


District Education Officer
(Male) Mardan

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Service Appeal No: 1020/2019

Samin Ul Haq PST GPS Bahadar Khan Kotay Toru Mardan.

Appellant.

VERSUS

Govt of KPK through Secretary Elementary & Secondary Education
KPK & Others.

Respondents.

Para Wise Comments on Behalf of Respondents No 1, 4 & 5

Respectfully, Sheweth,

PRELIMINARY OBJECTIONS:

1. That the appellant has got no cause of action as well as locus standi, to file the instant appeal.
2. That the instant appeal is badly time barred.
3. That the appellant has not come to this Honorable Tribunal with clean hands.
4. That the appellant has concealed the material facts from this Honorable Tribunal, hence the appeal is liable to be dismissed.
5. That the instant appeal is against the prevailing law and rules.
6. That the Appellant was charged in a criminal case u/s 302/34 PPC vide FIR No.33/14/01.2012 of P.S Toru Mardan. (Copy of FiR is as Annexure A)
7. That the Respondent /D.E.O awarded the Appellant with Punishment of removal from service on the alleged charge of absence from duty vide letter No.8309-11/P.F Dated 03.09/2013. That the Appellant instituted Appeal No.328/2014 in this Honorable Tribunal which was accepted on 23.06.2016 with the direction of Denov proceedings if deemed necessary.

(Copy of Judgment is as Annexure B)

8. That the respondents re-instated the appellant against vacant PST post at GPS Bahadar Khan Kotey with the terms and conditions given below.

- i. The absconder period w.e.f 14.01.2012 to 16/02/2015 may be treated as leave without pay.
- ii. He will not be entitled for back benefit w.e.f 17/02/2015 to the date of his fresh taking over charge. He will only be entitled for service counting benefits of the above period.
- iii. His Annual increment and promotion is stopped for two years.

(Copy of Re-Instatement Order is as Annexure C)

9. That the Appellant has submitted an application for promotion Of PSHT. but the respondent on the basis of the existence Promotion policy was rejected the appeal of the appellant, hence denied.

(Copy of application & Rejected appeal are as Annexure D& E)

(Policy of promotion as Annexes C&F With the Service Appeal)

FACTS:

1. Para No 1 Pertains to record, however, latter on the Respondent /D.E.O awarded the appellant with punishment of removal from service on the alleged charge of absence from duty vide letter No:8309-11/P.F Dated 03.09/2013. That the appellant instituted Appeal No.328/2014 in this Honorable Tribunal which was accepted on 23.06.2016 with the direction of De nov proceedings if deemed necessary, hence need no comments.

(Copy of Judgment is as Annexure B)

2. Para No 2 Pertains to record, hence need no comments.
3. Para No 3 Pertains to record, however, the other Colleagues, as per policy promoted on the basis of Seniority-Cum-Fitness. The appellant has Re-instated in his service w.f.e 17/02/2015, the date of release from jail, and the will not be entitled for back benefit w.e.f 17/02/2015, to the date of his fresh taking over charge, hence needs no comments.

Copy of Order is as Annexure C)

4. Para No 4 is incorrect, baseless, against facts as the appellant was charged in a criminal case U/S 302/34, PPC, vide FIR No.33/14/01.2012 of P.S Toru Mardan. The respondent /D.E.O awarded the appellant with punishment of removal from service on the alleged charge of absence from duty vide letter No.8309-11/P.F Dated 03.09/2013. That the appellant instituted Service appeal No.328/2014 in this Honorable Tribunal which was accepted on 23.06.2016, with the direction of DE novo proceedings if deemed necessary

The respondents re-instated the appellant against vacant PST post at GPS Bahadar Khan Kotey, with the terms and conditions given below:

- i The absconder period w.e.f 14.01.2012 to 16/02/2015 may be treated as leave without pay.
- ii. He will not be entitled for back benefit w.e.f 17/02/2015 to the date of his fresh taking over charge. He will only be entitled for service counting benefits of the above period.
- iii. His Annual increment and promotion is stopped for two years. Furthermore the appellant has submitted an application for promotion of PSHT, but the respondent on the basis of the existence Promotion policy rejected the appeal of the appellant, hence denied.

(Copy of Policy is annex C & F with the Service Appeal)

5. Para No 5 Pertains to record, hence need no comments.
6. Para No 6 needs no comments, However detail reply of the grounds is as under:

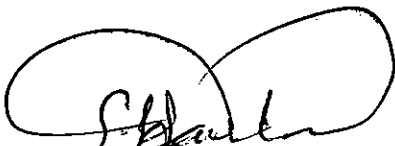
GROUND:

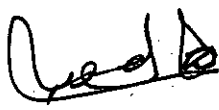
- A. Para A is incorrect, baseless, against facts as all the Codal formalities were fulfilled according to law, hence denied.
- B. Para B is incorrect, baseless, against facts, as the respondent has treated to the appellant according to law and rules, and the respondent has not violated Article 4 & 25 of the Constitution of Pakistan 1973, hence denied.
- C. Para C is incorrect, baseless, against fact & law, as the appellant was absconder w.e.f 14-1-2012 up to 30-10-2013 and the appellant was remained absent during the said period due to which he was suspended on dated 02-02-2013 and Later on Removal from service, and the respondent has not acted arbitrary and malafide manner, while the respondent acted according to Law and rules, hence denied.
- D. Para D is incorrect, baseless, against facts, as the appellant has Re-instated in his service w.f.e 17/02/2015, the date of release from jail, The appellant has not fulfill the required, While the other Colleagues, as per policy promoted on the basis of Seniority-Cum-Fitness, hence denied.
- E. Para E is incorrect, baseless, against facts as all the codal formalities were fulfilled according to law, hence denied.


- F. Para F is incorrect, baseless, against facts as all the codal formalities were fulfilled according to law, hence denied.
- G. Para G is incorrect, baseless, against facts as the Notification dated 30-01-2018 is according to law and rules, hence denied.
- H. That the respondent seeks permission to raise additional grounds at the time of arguments.

It is therefore humbly prayed that in the light of above facts, the appeal may please be dismissed with cost.

Respondents


The Director (E & SE) Education
KPK, Peshawar


District Education Officer
(Male) Mardan
04/11/2020


The Secretary (E&SE) Education,
KPK, Peshawar.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

Peshawar

Service Appeal No: 1020/2019

Samin Ul Haq PST GPS Bahadar Khan Kotay Toru Mardan.

(Appellant)

VERSUS

Govt of KPK through Secretary Elementary & Secondary Education
KPK & Others.

(Respondents)

AFFIDAVIT

I, Mr Sajid Khan Litigation Officer Education Department Mardan do hereby solemnly affirm and declare that the contents of Para Wise Comments submitted by on behalf of Respondents are true to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.

Deponent

Sajid Khan
16101-6005318-5

ابتدائی اطلاع رپورٹ

S.H.D.P.S. Form

تاریخ و وقت رپورٹ	14 ⁰¹ / 17:30 بجے	جاگہ کی پتہ	14 ⁰¹ / وقت: 15:30 بجے
نام و سکونت اطلاع دہندہ و دستخط صحابہ	صدر عبدالرحمن قیوم افغان نیو 54155	محل سکون	سکون
مختصر کیفیت جرم (موردہ) کا مختصر بیان	PPC. 302/34		
جائے وقوعہ سے لگاتار	رامپہ عام نزد مکان برائے واقعہ		
نام و سکونت جرمی ولی راج (2) تاج پیران زری داد (3) صدر زمان ولد امیر زہد (4) حسین ولد نوران شاہ ساکنین و غیرہ			
کارروائی جو تفتیش کے متعلق کی گئی اور نتائج	پہلے ہی مرسلہ شدہ اور اس وقت تک یہ ثابت نہیں ہو سکا ہے		
کرنے میں توقف ہوا تو وجہ بیان کرو			
تھانہ سے روانگی کی تاریخ و وقت	14 ⁰¹ / 17:30 بجے		

ابتدائی اطلاع دہندہ نے بیان کیا کہ وقت صدر زمان ولد امیر ایک توپری مرسلہ صاحب صدر 14⁰¹ کو
 عبدالرحمن قیوم افغان نیو 54155 محل سکون حیدرآباد نے بخش برادر قیوم افغان نیو 54155 محل سکون
 رشتہ داران لیواری ڈاکٹر محمد حسین ہسپتال مراد آباد میں گرتی ہے کہ انہوں نے برادر امیر افغان
 بھتیجا آج صبح الرطن ولد شیر وطن ملکہ پیرا آج گیت رشتہ داران کو بریں و آخر توپری قتل کے لئے حور اسٹیشن
 پر واپس گھر فوراً آئے تھے۔ جماع جائے وقوعہ بالا حور اسٹیشن میں تین ڈال سے تھیں کہ جماع جائے وقوعہ بالا
 سیمان ولی داد تاج پیران زری داد، صدر زمان ولد امیر زہد، حسین ولد نوران شاہ ساکنین و غیرہ
 مسلح موجود تھے نے برادر آج کو ہراسہ ڈیٹیل سے اتار کر اسلحہ آتشین سے برادر آج پر، ازاد قتل خانہ
 جینے خانہ تک سے برادر آج تلک کر موقع پر جان بحق ہوئے۔ ملکہ سیمان ولد قیوم افغان قتل سے غمراہ ہوئے ہیں۔
 برادر آج کے قتل کا یہ خلاف برچار کسان قید کر بلا دعویٰ ہوں۔ وہ عمارت سے حکم تین ماہ قبل ملزمان کے
 ساتھ تیار ہوا رہی ہے اللہ کو شکر ہے۔ جماع الرطن ولد شیر وطن نیو 71 سال سکون حیدرآباد نے رپورٹ والا
 کی تائیدی اور وقوعہ ملکہ پیرا چشم فورڈ ملکہ سیمان کی رشتہ داران کو بریں و آخر تھیں کہ جماع
 پیرا پیرا کھڑا کیا جا کر جس نے رشتہ داران کو شکر ہے کہ اللہ کو شکر ہے کہ تھیں کہ جماع تھیں کہ جماع
 مرگ تیار کر کے بھڑوں پر شمار طم رپورٹ ذریعہ حفاظت مبین 2545 حال ذرا کھڑا ہوا پیرا پیرا
 بالا بیست ریاض 12⁰¹ ارسال تھیں بے تفتیش ہی ہوا 2۔ دستخط دیگر مری صدر 14⁰¹ ہسپتال مراد آباد
 14⁰¹ کارروائی تھانہ میں آئندہ مرسلہ عرفہ بروقت ہونے والا ہو کر پیرا پیرا قتل سے غمراہ ہوئے ہیں۔
 12⁰¹ حات سے آج مرسلہ بھڑوں تفتیش حوالہ افغان شہر تفتیش کیے جاتے ہیں۔ کتاب 14⁰¹ گشت
 علاقہ پر ہے کو اور افغان بلا کو رپورٹ ہسپتال رپورٹ اللہ تعالیٰ فرما جائے۔ پیرا پیرا شہر ہے۔

S.H.D.P.S. Form 14-2012

Annex B - ① ⑦

Before The Service Tribunal, Peshawar



Appeal No. 328/2014

Saminul Haq s/o Nooranshah (EX-P.S.T, Govt Primary School, Sharif Abad Toru Mardan) resident of Village Chimbar/Akhoonzadgan (Sharif Abad) Toru, District Mardan.

Appellant.

Versus

H. W. J. P. P. P.
26/2/14

1. The District Education Officer (Male), Elementry and Seondry Education, Mardan.
2. The Director, Elementry and Secondary Education Department, K.P.K, Peshawar.
3. The Secretary, Elementary and Secondary Education Deptt, K.P.K, Peshawar.

Respondents.

Appeal under Section-4 of the Service Tribunal Act, 1974 against the order of the D.E.O/ Respondent No.1 Contained in Letter No. 8309-11/ P.F dated 03.09.2013, whereby the Appellant is removed from service w.e.f 14.01.2012.

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

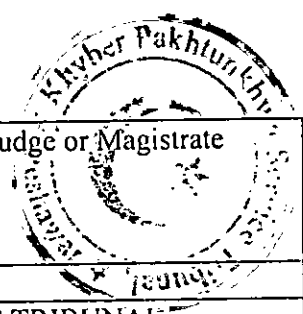
1. That the Appellant was appointed as PST under the D.E.O / Respondent No.1 on 01.06.1987.
2. That Appellant learnt on 18.11.2013 that the D.E.O / Respondent No.1 has awarded the Appellant with punishment of remoyal from service under the Removal from service (Special Powers) Ordinance-2000 on the alleged charge of absence from duty vide Letter No. 8309-11/P.F dated 03.09.2013.

Copy attached as Annexure- "A".

3. That the said Letter was not communicated to Appellant. He learnt about it on 18.11.2013 & obtained the copy thereof.

co-submitted to-
and filed;
26/2/14

8



S.No	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
	22.06.2016	<p align="center"><u>KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,</u> <u>PESHAWAR.</u></p> <p align="center">APPEAL NO.328/2014</p> <p align="center">(Saminul Haq-vs-District Education Officer(Male), Elementary and Secondary Education, Mardan and others).</p> <p align="center"><u>JUDGMENT</u></p> <p align="center"><u>PIR BAKHSH SHAH ; MEMBER:</u></p> <p>Appellant with counsel (Mr. Muhammad Adam Khan, Advocate) and Mr. Muhammad Adeel Butt, Additional Advocate General for respondents present.</p> <p>2. According to appellant he was appointed as PST in the Education Department on 01.06.1987. He was proceeded under Khyber Pakhtunkhwa Removal from Service(Special Powers) Ordinance,2000 as a result whereof the appellant was removed from service vide order dated 03.09.2013. His departmental appeal dated 28.11.2013 was not responded by the department, hence this appeal under section-4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974..</p> <p>3. Arguments heard and record perused.</p> <p>4. It was submitted that the appellant alongwith other were charged in a murder case vide FIR No. 33 dated 14.01.2012, P.S Toru, Mardan. He was further stated to have been acquitted from the said case vide judgment</p>

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

of the competent court dated 16.02.2015.

6. It transpired that at the time of lodging FIR, Khyber Pakhtunkhwa Removal from Service(Special Powers) Ordinance,2000 was no more in the field, while the whole proceedings in this case were conducted under Khyber Pakhtunkhwa Removal from Service(Special Powers) Ordinance,2000. It is thus evident that proper law has not been applied and the impugned order under RSO on 03.09.2013 is a void order. The same is therefore, set aside. The appellant is reinstated in service. If the respondents deem appropriate, they can proceed afresh against the appellant under the relevant law. The matter of his back benefits also be decided by the department. Appeal is allowed in the above terms. Parties are left to bear their own cost. File be consigned to the record room.

Sd/- Pir Bakhtish Shah, Member
Sd/- Ahmad Hassan, Member

ANNOUNCED
22.06.2016

Certified to be true copy

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Date of Presentation of Application 26-07-2016

Number of Words 1200

Copying Fee 8

Urgent 2

Total 10

Name of Copyist SMW

Date of Completion of Copy 26-07-2016

Date of Delivery of Copy 26-07-2016

Annex

C-10

OFFICE OF THE DISTRICT EDUCATION OFFICER(MALE) MARDAN

RE-INSTATEMENT

Consequent upon in the light of SA No.329/2015 and the Judgement order issued on 22/6/2016, And the recommendation of the Denve Inquiry committee, Mr. Saminul Haq PST GPS sharif Abad No.1 is hereby re-instated in his service w.e.f 17/2/2015 i.e the date of release from Jail. He is hereby adjusted on his own pay and BPS (At time of FIR) against vacant PST post at GPS Bahadar Khan kotey with the terms and conditions given below.

Terms and Conditions:

1. The absconder period w.e.f 14/1/2012 to 16/2/2015 may be treated as leave without pay.
2. He will not be entitled for back benefit w.e.f 17/2/2015 to the date of his fresh taking over charge. He will only be entitled for service counting benefits of the above period.
3. His annual increment and promotion is stopped for two years.

Note: No TA/DA is allowed.

Charge report should be submitted to all concerned.

Zia Ud Din

**DISTRICT EDUCATION OFFICER
(MALE) MARDAN**

Endst:No. 5030-32 /Dated: 25-3- /2017

Copy forwarded to the:-

1. Director E^SE Education Khyberpakhtunkhwa Peshawar.
2. SDEO(M) Mardan
3. DAO Mardan.

**DISTRICT EDUCATION OFFICER
(MALE) MARDAN**

کرنٹ سہ ماہی ڈسٹرکٹ ایجوکیشن آفیسر صاحبہ (مردانہ) کوالہ

Annex = D - 12

9 - 12

S243
24-6-2019

دوسرے سہ ماہی کے ترقی آسانی SPST

جنا - عالی ا

موجودہ ترقی کے بارے میں کہ فدوی کی ترقی کے بارے میں

کو پٹی کی پوسٹ پر پہنچی۔ 15 $\frac{1}{90}$ کو PTC کا امتحان

یا سہ ماہی کے ترقی کے بارے میں اور سوچ $\frac{1}{90}$ 15 سے حاصل

اس کی آسانی پر ڈپٹی سربراہی کے ساتھ رہا ہے اور تاحال

کوئی پروموشن نہیں دی گئی۔ سال 2012 میں عام PTC

اساتذہ کبھی اولر بنائے گئے ہیں۔ PTC میں اساتذہ کو SPST

اور لہذا ان SPST کی آسانی پر پروموشن کے مواقع دیے ہیں۔

لیکن اب نئے اولر نہیں SPST اور ان کی BA شریک

ہیں۔ جو کہ سربراہی کے لئے ہے۔

لہذا استدعا ہے کہ سہ ماہی کو ہر سال ترقی دینے کے لئے اہلیات کا سامان برقرار رکھا جائے۔

ATTESTED
مستحق

الذہبی
آغا نالو حکم
Semir Hash

میں الحق PST
GPS کا درجہ اولر

Annex E - 12

~~100~~ 32

OFFICE OF THE DISTRICT EDUCATION OFFICER
(MALE) MARDAN

No. 7579 / Dated 02-07 / 2019

To

Mr. Saminul Haq, PST
GPS Bahadar Khan Kotey, Mardan

Subject: APPEAL FOR PROMOTION TO PSHT

Memo:

Reference your application on the subject cited above.

Your appeal regarding promotion from PST to SPST/PSHT on the basis of FA qualification is rejected for being against the existing promotion policy.

11/7/19
DISTRICT EDUCATION OFFICER
(MALE) MARDAN

Endst: No. _____ / Promotion 2019 / Dated: _____ / 2019

Copy forwarded to the:-

- 1. SDEO(M) Mardan.

Self
DISTRICT EDUCATION OFFICER
(MALE) MARDAN

*Forwarded to concerned
teacher for information.*

ATTESTED

Yous

3/1/19
920
3/7/19
Yous

KHYBER PAKHTUNKWA SERVICE TRIBUNAL, PESHAWAR

No. 1004 /ST

Dated 16/06 /2021


To

The Secretary E&SE,
Government of Khyber Pakhtunkhwa,
Peshawar.

Subject: - JUDGMENT IN APPEAL NO. 1020/2019, MR. SAMIN UL HAQ.

I am directed to forward herewith a certified copy of Judgement dated 03.06.2021 passed by this Tribunal on the above subject for strict compliance.

Encl: As above


REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR.