

12/9/2017

Counsel for the appellant and Muhammad Adeel Butt, AAG alongwith Hameed-ur-Rehman, AD for the respondents present. The learned counsel for the appellant argued the case at some length, but when this Tribunal referred to a recent judgment of the august Supreme of Pakistan 2017 SCMR 890 the learned counsel sought some time. Granted. To come up for further arguments before this DB on 11/10/2017.

  
MEMBER


  
CHAIRMAN

11.10.2017

Counsel for the appellant and Mr. Kabeerullah Khattak, Addl. Advocate General for the respondents present. Arguments heard and record perused.

This appeal is dismissed as per our detailed judgment of today in connected service appeal No. 984/2015 entitled "Badshah Islam Vs. The Chief Secretary, Government of Khyber Pakhtunkhwa, Peshawar and others". Parties are left to bear their own costs. File be consigned to the record room.

  
Member

  
Chairman

ANNOUNCED  
11.10.2017

11.01.2017

Counsel for the appellant and Mr. Hameedur Rahman, AD (alongwith Addl. AG for the respondents present. Rejoinder submitted. Learned counsel for the appellant requested for adjournment. Adjourned for final hearing to 18.05.2017 before D.B.

  
Member

  
Chairman

18.05.2017

Counsel for the appellant and Mr. Ziaullah, DDA for the respondents present. Counsel for the appellant requested for adjournment. Adjourned. To come up for arguments on 12.09.2017 before D.B.

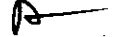
  
(Gul Zeb Khan)  
Member

  
(Muhammad Amin Khan Kundi)  
Member



21.07.2016

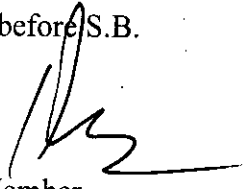
None present for appellant. M/S Khurshid Khan, SO and Hameed-ur-Rehman, AD (lit.) alongwith Additional AG for the respondents present. Written reply not submitted despite last opportunity. Requested for further time. Request accepted. Last opportunity is extended for submission of written reply/comments for 29.08.2016 before S.B.



MEMBER

15.08.2016

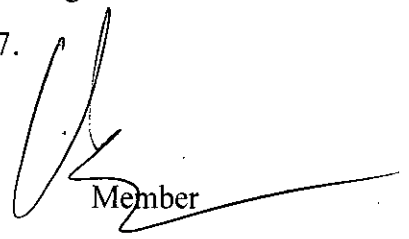
Counsel for the appellant and Addl. AG for respondents present. Written reply not submitted despite last opportunity. Requested for further time. Another last opportunity extended for submission of written reply/comments on 31.10.2016 before S.B.



Member

31.10.2016

Counsel for the appellant and Mr. Hameed ur Rehman, AD (Litigation) alongwith Addl. AG for respondents present. Written reply submitted. The appeal is assigned to D.B for rejoinder and final hearing on 11.01.2017.



Member

22.12.2015

Counsel for the appellant present. Learned counsel for the appellant argued that the appellant was entitled to up-gradation from BPS-16 to BPS-17 on the strength of notification dated 13.11.2007 from the date of acquiring the requisite qualification while he was given up-gradation with immediate effect where against departmental appeal was preferred which was not responded and hence the instant service appeal on 3.12.2015.

That the appellant is entitled to BPS-17 from the date of acquiring the requisite qualification.

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 23.2.2016 before S.B.

Appellant Deposited  
Security & Process Fee

  
Chairman

23.02.2016

Counsel for the appellant, M/S Khurshid Khan, SO and Hameed-ur-Rehman, AD (lit.) alongwith Addl: A.G for respondents present. Requested for adjournment. To come up for written reply/comments on 27.4.2016 before S.B.

  
Chairman

27.4.2016

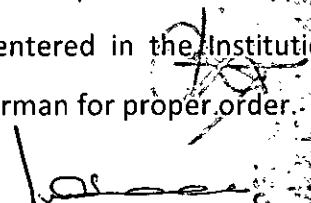
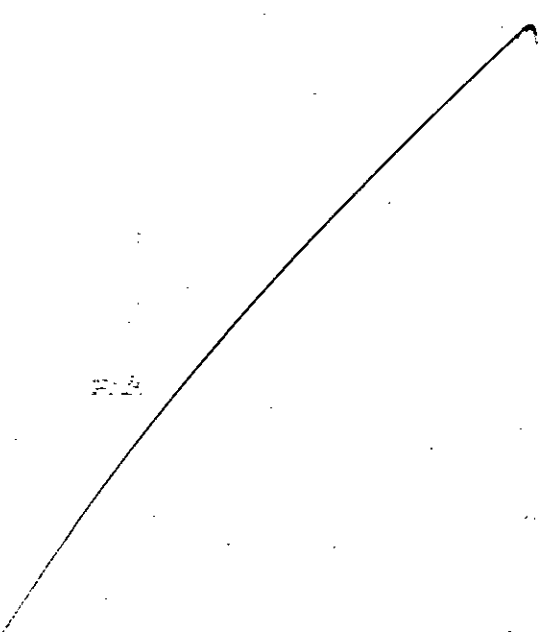
Agent of counsel for the appellant, M/S. Khursheed Khan, SO and Sultan Shah, Asstt. alongwith Addl: A.G for the respondents present. Requested for further adjournment. Last opportunity granted. To come up for written reply/comments on 21.07.2016 before S.B.

  
Chairman

Form- A  
FORM OF ORDER SHEET

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

Case No. 1352/2015

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	03.12.2015	<p>The appeal of Mr. Faizullah Khan presented today by Syed Younas Jan Advocate may be entered in the Institution register and put up to the Worthy Chairman for proper order.</p> <p> REGISTRAR</p>
2	03-12-15	<p>This case is entrusted to S. Bench for preliminary hearing to be put up thereon <u>22-12-15</u>.</p> <p>CHAIRMAN</p> 

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

Service Appeal No. 1352/2015

Faizullah Khan ..... APPELLANT

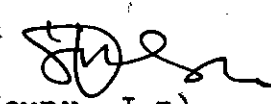
VERSUS

Government of Khyber Pakhtunkhwa and others.....RESPONDENTS.

I N D E X

S.No.	Description of documents	Annexures	Pages
1.	Grounds of appeal with affidavit		1 - 4
2.	Application for condonation of delay with affidavit, & addresses of parties		5 - 8
3.	Copy of departmental appeal	'A'	9
4.	Copy of the impugned order dated 24/10/2013	'B'	10-11
5.	Copy of Certificate	'C'	12
6.	Copy of order dated 12.12.2006	'D'	13-15
7.	Copy of letter/Notification dated 13-11-2007	'E'	16-17
8.	Vakalat Nama		18

Dated 02-12-2015

Appellant  
through   
(Syed Younus Jan)  
Advocate, High Court,  
Peshawar

BEFORE THE KHYBER PAKHTUNKHWA, SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 1352 / 2015

**E.W.P. Province**  
**Service Tribunal**

Diary No. 1411

Dated 03-12-2015

Faizullah Khan, Director Physical Education (D.P.E)  
Government Higher Secondary School, Umarzai District  
Charsadda .....

APPELLANT

VERSUS

1. Government of Khyber Pakhtunkhwa through its Chief Secretary, Civil Secretariat, Peshawar
  2. Secretary, Elementary & Secondary Education, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
  3. The Director, Elementary & Secondary Education, Khyber Pakhtunkhwa near Government Higher Secondary School No.1, Peshawar City, G.T. Road, Peshawar.
  4. The Secretary Establishment Department, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar
  5. The Secretary Finance Department, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar
- ..... RESPONDENTS.

---

APPEAL UNDER SECTION 4 OF KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 ACCORDING TO THE DEPARTMENTAL APPEAL OF THE APPELLANT WHICH IS STILL PENDING IN THE DEPARTMENT AND AFTER LAPSE OF STATUTORY PERIOD NO ORDER/ COMMUNICATION HAS BEEN MADE ON THE SAME SO FAR. (COPY OF DEPARTMENTAL APPEAL IS ANNEXURE 'A').

Prayer-in-Appeal

~~Filed to file~~  
~~Registrar~~  
3/12/15

That on acceptance of this appeal, the impugned order dated 24-10-2013 may kindly be varied/modified to the effect that the same may kindly be made effective from the date of acquiring the requisite qualification instead of immediate effect, and as such the promotion of the appellant to B.S.17 (regular) may kindly be considered from the date of his acquiring the requisite qualification instead of immediate effect.

(Copy of The impugned order is annex "B")

Respectfully submitted:

BRIEF facts giving rise to this appeal are :-

1. That the qualification of the appellant is M.A/M.Sc. in Health and Physical Education who passed the prescribed examination held in March, 2012 and his/her result was declared on 25-05-2012. (Copy of certificate is Annex 'C').
2. That the appellant was promoted to the post of Director, Physical Education (D.P.E) BS-16 vide order dated 12-12-2006 (Copy of the said order is Annexure 'D').
3. That on 13-11-07 the Government of K.P.K. issued a letter/ Notification vide which the posts of D.P.Es. were upgraded from BS-16 to BS-17 (regular) for the existing incumbents who hold Master Degrees in relevant subject i.e. M.A/M.Sc. in Health and Physical Education in case of the appellant and vide para-2 of the said letter a condition was laid down for the Diploma holders to the effect that they will stay in BS-16 till such time they acquired Master Degrees in the respective subject. On acquiring Master Degrees in the relevant subject their posts will be upgraded on case to case basis from BS-16 to BS-17. (Copy of the said letter is attached as Annexure 'E').
4. That in light of para-2 of the above referred letter the appellant is/was entitled for the award of BS-17 (regular) from the date of his/her acquiring the requisite qualification but illegally, un-constitutionally and malafidely was ignored for the same relief and then he/she was promoted to BS-17 (regular) vide order dated 24-10-2013 with immediate effect instead of his/her date of acquiring requisite qualification. (Copy of the said letter/Notification is attached as Annexure 'B' <sup>above</sup>)



5. That the appellant agitated the matter with the authorities but of no use, so he/she filed a departmental appeal before respondent No.1 which is still pending and after lapse of statutory period no order/communication has been made on the same so far, hence this appeal on the following amongst other grounds :-

G R O U N D S

- A) That the act and omission of the respondents is illegal, un-constitutional against the facts and material on the record, therefore, is not tenable and needs interference of this Hon'ble Tribunal.
- B) That the act and omission of the respondents is not only factually incorrect and legally untenable but also is based on their malafide intention and is also against the well established principles of natural justice.
- C) That the act and omission of the respondents is also against the laws/Rules/Policies and notifications of the Provincial Government especially is against the Notification dated 13-11-07.
- D) That the Department has given a similar relief to so many colleagues of the appellant including his junior so the refusal of the same relief to the appellant is his clear discrimination and even on this score also the appellant is entitled to the same relief.
- E) That the appellant is/was well qualified, fit and thus was quite eligible for the award of regular BS-17 from the date of his acquiring the requisite qualification so the impugned order/Notification dated 24-10-2013 vide which the promotion of the appellant to BS-17 (regular) has been made with immediate effect is neither

legal nor justified and has caused gross miscarriage of justice to the appellant.

- F) That the appellant is/was a Government/Civil Servant and legal and constitutional guarantee is/was available to him to be treated equally and in accordance with law, he however has not been treated as such.
- G) That the case of the appellant is very much similar and identical to those numerous cases in which the higher/superior courts and Tribunals as well as this Hon'ble Tribunal has given a similar relief to other colleagues of the appellant and even the Department has also through its own motion granted a similar relief to other colleagues of the appellant and the appellant is also entitled to the same relief/treatment.

It is, therefore, prayed that on acceptance of this appeal, the order/Notification dated 24-10-2013 may kindly be varied/modified to the effect that the same may kindly be made effective from the date of the appellant acquiring the prescribed qualification and as such the Department may kindly be directed to consider the promotion of the appellant to BS-17 (regular) from the date of his acquiring the prescribed qualification instead of immediate effect with all other service benefits.

PESHAWAR

02-12-2015

AFFIDAVIT

*Faizullah Khan*  
*Faiz*

Appellant

through

*Syed Younus Jan*

( Syed Younus Jan )  
Advocate, High Court, Peshawar

I, Faizullah Khan, DPE GHSS Umarzai District Charsadda do hereby solemnly affirm and declare on oath that the contents of this appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.

*Faizullah Khan*  
*Faiz*  
Deponent



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

5

In: Service Appeal No. \_\_\_\_\_ / 2015

Faizullah Khan .....APPELLANT

VERSUS

Government of K.P.K. and others .....RESPONDENTS.

APPLICATION FOR CONDONATION OF DELAY (IF ANY).

Respectfully submitted:

The applicant/appellant submits as under:-

That firstly the act and omission of the respondents /department is illegal, unconstitutional and void and secondly as financial matter is involved in the matter and the cause of action is the running cause of action, therefore, no limitation runs against the appellant/applicant, but even if this Honourable Tribunal considers the departmental appeal time barred then this application for condonation of delay if any on the following amongst other grounds:-

GROUNDS:

1. That in the matter in hand the cause of action is continuous cause of action and the impugned act and omission of the respondents come in the purview of the definition of continuous wrong, therefore, in the matter the cause of action starts on first date and ends on the last date of every months/every year, therefore, no question of delay arises in the matter.
2. That the law requires that the matters should/must be decided on merits rather than on technical grounds including the limitation.

3. That the appellant/applicant has got a very good case in his favour therefore, technicalities including the point of limitation(The delay if any) are ignorable.
4. That the appeal of the appellant before this Honourable Tribunal is well within time and strictly in accordance with law contained in Section 4 of the NWFP now Khyber Pakhtunkhwa Service Tribunal Act 1974,
5. That if the delay if any is not condoned the applicant/appellant will suffer an irreparable loss to his seniority, promotion and all other service benefits.
6. That the delay if any has been caused by the delaying tactics of respondents/department and the appellant cannot be held responsible for the same. Specially in the presence of the legitimate expectancy.
7. That in so many similar and identical cases this Honourable Tribunal has ignored the point of limitation and in so many cases has condoned the delay, therefore, in this case also the same point is ignorable/condonable.

It is, therefore, respectfully prayed that on acceptance of this application in the best interest of justice the delay if any in filing departmental appeal may kindly be condoned/ignored and the appeal of the appellant/applicant may kindly be decided on merits. Any other remedy/relief available in the circumstances of the case may also kindly be granted to the applicant/appellant.

Dated 02/12/2015

Applicant/Appellant Asifullah

Through

( Syed Younus Jan )

Advocate Peshawar High Court  
Peshawar.

7

BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. \_\_\_\_\_ / 2015

Faizullah Khan .....APPELLANT

VERSUS

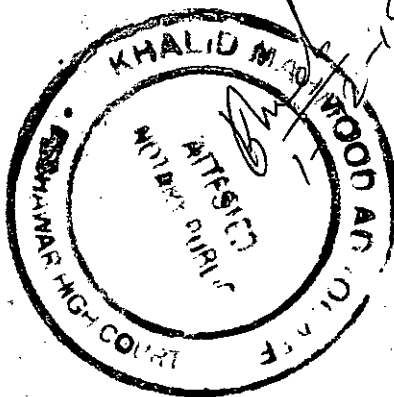
Government of K.P.K. and others .....RESPONDENTS.

AFFIDAVIT.

I, Faizullah Khan, DPE (appellant) to hereby solemnly affirm and declare on Oath that the contents of the attach application are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Tribunal

Dated @ 1/2/2015

Deponent *Faizullah Khan*



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

Service Appeal No. \_\_\_\_\_ / 2015

8

Faizullah Khan ..... APPELLANT

VERSUS

Government of K.P.K. and others ..... RESPONDENTS.

ADDRESSES OF THE PARTIES.

Appellant.

Faizullah Khan, Director Physical Education (D.P.E)  
Government Higher Secondary School, Umarzai  
District Charsadda.


Respondents.

1. The Govt: of Khyber Pakhtoonkhwa through its Chief Secretary Civil Secretariate Peshawar.  
Education
2. Secretary Elementary and Secondary Khyber Pakhtoonkhwa Civil Secretariate Peshawar.
3. The Director Elementary and Secondary Education Khyber Pakhtoonkhwa near Govt: Higher Secondary School Peshawar City GT Road Peshawar.
4. The Secretary Establishment Department Khyber Pakhtoonkhwa Civil Secretariate Peshawar.
5. The Secretary Finance Department Khyber Pakhtoonkhwa Civil Secretariate Peshawar.

Dated: 02 / 12 / 2015

Appellant \_\_\_\_\_

Through:

  
(SYED YOUNUS JAN)  
Advocate Peshawar High Court  
Peshawar.

Annex "A"  
9

To

The Worthy Chief Secretary,  
Government of K.P.K. Peshawar.

Subject :- DEPARTMENTAL APPEAL/REPRESENTATION.

Through: PROPER CHANNEL

Sir,

1. That the applicant/appellant is M.Sc. in Health and Physical Education who passed the prescribed examination in March, 2012 and was promoted to the post of Director, Physical Education (D.P.E) vide order dated 12-12-06.
2. That on 13-11-07 the Government of K.P.K. issued a letter/Notification vide which the posts of D.P.Es. were upgraded from BS-16 to BS-17 (regular) for the existing incumbents who hold Master Degrees in relevant subjects and vide Para-2 of the said letter a condition for Diploma holder was given to the effect that they will stay in BS-16 till such time they acquired Master Degree in the respective subject. On acquiring Master Degree in the relevant subject their posts will be upgraded on case to case basis from BS-16 to BS-17.
3. That as the appellant has passed his M.Sc. HPE exam in March, 2012 so in light of the above referred letter he is entitled for BS-17 (regular) from March, 2012 but has illegally, un-constitutionally and malafidely been ignored for the same relief.
4. That the appellant/applicant agitated the matter with the authority time and again but of no use and the appellant has been promoted to BS-17 (regular) vide order/letter dated 24-10-2013 but with immediate effect instead of March 2012.

Your goodself is therefore, requested sir, that the letter/Notification dated 24-10-2013 may kindly be made effective from March, 2012 and as such the promotion of the appellant/applicant to regular BS-17 may kindly be considered from March, 2012 instead of immediate effect with all other service benefits.

Appellant/Applicant

PESHAWAR

6-08-2015

*Allexed  
John*  
**BYED YOUNUS JAN**  
M.A.L.L.B. B Ed, Certificate Sharia Law  
Advocate High Court Peshawar  
Federal Shariat Court.

*Arif*  
( Faizullah ) D.P.E.  
Government Higher Secondary School,  
Umarzai, Charsadda



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION  
DEPARTMENT

Dated Peshawar the 24-10-2013

Annex "B"  
(10)

**NOTIFICATION**

**No.SO(PE)2-6/DPCMeeting(29-8-2013):** On the, recommendations of the Departmental Promotion Committee, the Competent Authority is pleased to promote the following DPEs/Librarian (Male/Female) from BS-16 to BS-17 on regular basis with immediate effect.

**(Male DPEs)**

S.#	Name & Designation	Place of posting
1	Bashir Ahmad DPE	GHSS Landiwa Lakki Marwat (Post already occupied by him)
2.	Mr. Falak Naz DPE	GHSS Adezai Peshawar (Post already occupied by him)
3	Ejaz Ali DPE	GHSS Kohi Barmol Mardan (Post already occupied by him)
4.	Sair Ajab DPE	GHSS Kot Najibullah Haripur (Post already occupied by him)
5.	Mr. Faizullah Khan DPE	GHSS Umerzai Charsadda (Post already occupied by him)
6.	Muhammad Sabir DPE	GHSS Nagri Bala A/Abad (Post already occupied by him)
7.	Anwar Saeed DPE	GECT Mirali, NWA (Post already occupied by him)

**(Female DPEs)**

S.#	Name & Designation	Place of posting
1	Samina Akhtar DPE	GGHSS Pir Pai Nowshera (Post already occupied by her)
2	Yahya Begum DPE	GGCHSS Dabgaree Gardon Peshawar (Post already occupied by her)
3	Shaheeda Begum DPE	GGHSS Teri Karak (Post already occupied by her)
4	Parveen Akhtar DPE	GGHSS Akora Khattak NSR (Post already occupied by her)
5	Maryam Rasool DPE	GGHSS KTS No.2 Haripur (Post already occupied by her)
6	Gul Dari DPE	GGHSS Ismaili Mamakhel Bannu (Post already occupied by her)
7	Mussarig Iqbal DPE	GGHSS Kotla Bilawar Bannu (Post already occupied by her)

**(Male/Female Librarians)**

1	Shams-ul-Qamar Librarian	GHSS No.4 Kakshal Peshawar City (Post already occupied by him)
2	Ghulam Rabbani Librarian	GHSS Katgarh D.I Khan (Post already occupied by him)
3	Shagufta Nasreen Librarian	GGCHSS Abbottabad (Post already occupied by her)

**SYED YOUNUS JAN**

M.A.E.L.B. B.Ed, Certificate Sharda Law  
Advocate High Court Peshawar  
Federal Shariat Court.



On their promotion, the DPEs/Librarian (Male/Female) concerned will be on probation for period of one year in terms of Section 6(2) of Khyber Pakhtunkhwa Civil Servants Act, 1973 read with Rule 15(1) of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1989.


SECRETARY

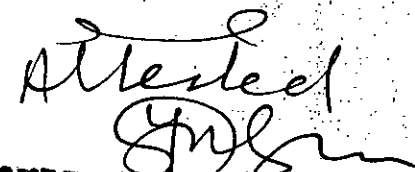
11

Endst. No. & date as above.

Copy is forwarded to:-

1. The Additional Chief Secretary FATA Secretariat Peshawar.
2. The Secretary to Govt. of Khyber Pakhtunkhwa, Finance Department.
3. The Secretary to Govt. of Khyber Pakhtunkhwa, Establishment Department.
4. The Secretary to Governor Khyber Pakhtunkhwa, Peshawar.
5. The Accountant General Khyber Pakhtunkhwa, Peshawar.
6. PSO to Chief Secretary to Govt. of Khyber Pakhtunkhwa.
7. The Director (E&SE) Khyber Pakhtunkhwa Peshawar.
8. The Director Education FATA Peshawar.
9. The Director Curriculum & Teachers Education, Abbottabad.
10. The District Education Officers, Elementary & Secondary Education concerned.
11. The District Accounts Officers concerned.
12. PS to Secretary E&SE Department.
13. DPEs/Librarians concerned.

  
(ZAMIN KHAN MOMAND)  
SECTION OFFICER (PRIMARY)

  
SYED YOUNUS JAN  
B.A., L.L.B., B.Ed., Certificate Sharia Law  
Advocate High Court Peshawar  
Federal Shariat Court.

# GOMAL UNIVERSITY

## DERA ISMAIL KHAN

### (N.W.F.P) PAKISTAN

KHYBER PAKHTUNKHWA

Annex "C"  
12



VERIFIED

Control of Examinations  
Gomal University  
Dera Ismail Khan

15/1/13

(Session 2009-2010)

FAIZ ULLAH

SON

of

SHADI KHAN

an

student of CENTRE OF ACADEMICS BAWU (PVT)

having passed the prescribed examination in FEBRUARY/MARCH 20 12

on this day admitted by the GOMAL UNIVERSITY to the DEGREE of

## MASTER OF SCIENCE

in the SECOND Class

The subject of examination being HEALTH & PHYSICAL EDUCATION

The Examination was taken as a whole/in parts.

Registered No. 548-W-86

Roll No. 982

Result declared on MAY 25, 2012

Countersigned

*Dr*

Controller of Examinations

*M. M. Khan*

Vice-Chancellor

*Attested*  
*[Signature]*

BYED YOUNG JIAN  
B.A.B.L.S. & Ed. Certificate Exam. Law  
Advocate High Court Peshawar

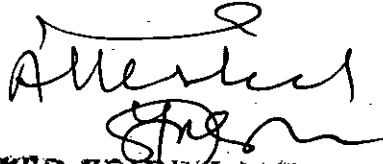
DIRECTORATE OF SCHOOLS & LITERACY N.W.F.P, PESHAWAR.

ORDER

Consequent upon the recommendation of the Departmental Promotion Committee held on 21/10/2006 under the chairmanship of Secretary Schools & Literacy Department the Competent Authority has been pleased to promote the following Male & Female (PET/CT/DM and TT etc) teachers to the Post of DPE in BPS-16 on Regular Basis plus usual allowances as admissible under the rules with immediate effect and post them in the schools as noted against each name subject to the following conditions: -

Annex "D"  
13

S.No	Name	Father's Name	Domicile	Address	Place of posting	Remarks
1	Mr Failzallah Khan	Shadi Khan,	NWA	GMS Kani Rogha, NWA	GHSS Bagh Maidan, Dir (L)	Against vacant post
2	Mr Kamran Ali	Muhammad Nawab	Swabi	GMS Mathra Swabi	GHSS Nagri Bunair	-do-
3	Mr Sabir Ali	Mamoor Khan	Swabi	GHS No.1 Yar Hussain, Swabi	GHSS Chamtar Mardan	-do-
4	Mr Mushtaq Zada	Pardes Khan	Bunair	GHS No.2 Daggar	GHSS Gadezai, Bunair	-do-
5	Mr Aminullah	Abdul Majid Khan	Karak	GHS Tor Dhand Karak	GHSS Safaid Sang, Peshawar	-do-
6	Mr Hazrat Ali	Mir Afzal	Karak	GHS Khojaki Kila, Karak	GHSS Musazai, Peshawar	-do-
<del>7</del>	<del>Mr Muhammad Iqbal</del>	<del>Wali Dad Khan</del>	<del>Karak</del>	<del>GHS Jandari Karak</del>	<del>GHSS Haya Sarai, Dir Lower</del>	<del>-do-</del>
8	Mr Zamrud Shah	Zainul Abidan, Karak	Karak	GHS Terki Khel, Karak	GHSS Munda, Dir Lower	-do-
9	Mr Arshad Hussain	Fazal Hussain	Nowshera	GHS Dag Besood Nowshera	GHSS Nahaqi, Peshawar	-do-
10	Mr Nowsher Zaman	Umar Nawaz Khan	Bannu	GMS Adami Rasool Khan, Bannu	GHSS Ziarat Talash Dir Lower	-do-
11	Ms Fakhri Anjum	Sayed ul Arefin	Nowshera	GGMS Bara Banda, Nowshera	GGHSS Shahbass Garhi, Mardan	-do-
12	Ms Nighat Seema	Sayed Amir Shah	Peshhawar	GGHSS Hayatabad Peshawar	GGHSS Sherwan A.Abad	-do-
13	Ms Maryam Rasool	Ghulam Rasool	Haripur	GGCMHS Haripur	GGHSS Kalabat Township Haripur	-do-
14	Ms Saeeda Gul	Sher Bahadar Khan	NWA	GGMS Civil Colony Miran Shah NWA	GGHSS Kambar Maidan, Dir (Lower)	-do-
15	Ms Shahcen Ali	Abdul Ali	Swabi	Jeca Model School, Lahore, Swabi	GGHSS Shewa Swabi	-do-
16	Ms Gul Dari	Mula Jalal	Karak	GGMS Mankai Banda, Karak	GGHSS Kalpani, Bunair	-do-

  
**SYED YOUSUF JAN**  
**B.A.B.L.B. & B.S. Certificate Examinator**  
**Advocate High Court Peshawar**  
**Federal Shariat Court.**

THE UNIVERSITY OF CHICAGO  
LIBRARY  
540 EAST 57TH STREET  
CHICAGO, ILL. 60637

18	Ms Mussarij Iqbal	Amal Noor	Karak	GGHSS Begara Karak	GGHSS Gumbat Kohat	-do-
19	Ms Sardar Bibi	Khana Gul	Karak	GGMS Amir Badshah Kocera NWA	GGHSS Matta Swat	-do-
20	Ms Saqir Taj	Taj Nabi	Mardan	GGMS Kaza Kar Mardan	GGHSS Sawal Dher Mardan	-do-
20	Ms Afsheen Mumtaz	Late Hafiz Mukhtar Ahmad	Peshawar	GGMS Mohmand Abad Peshawar	GGHSS Kalabat Swabi	-do-
21	Ms Sadia Hazrat	Muhammad Hazrat	Dir Lower	GGMS Munjai Dir Lower	GGHSS Kopar Malakand	-do-
22	Ms Shuhida Begum	Gul Naeem Khian	Karak	GGHS Dabb Karak	GGHSS Ziarat Talash Dir Lower.	-do-
23	Ms Rehana Yasmeen	(Late) Hafiz Ahmad Din	Peshawar	GGMS Zaryab Colony, Peshawar	GGHSS Kabal Swat	-do-
24	Ms Hassan Basri	Taj Ali	Peshawar	GGMS No.2 Gulbahar Peshawar	GGHSS Topi Swabi	-do-
25	Ms Saira Altaf	Altaf Hussain	Abbottabad	GGHS Saji Kot Abbottabad	GGHSS Hajia Gali, Abbottabad	-do-
26	Ms Sajida Nowsheen	Abdul Azia	Peshawar	GGHSS BSD Peshawar	GGHSS Gujrat Mardan	-do-
27	Ms Tasleem Begum	Sherin Nawab	Malakdn	GGHSS Dargai Malakand	GGHSS Chakdara Manglor Swat	-do-
28	Ms Nazima Shaheen	Sardar Khan	Peshawar	GGMS Kokar Peshawar	GGHSS Mathra Peshawar	-do-
29	Ms Dil Afroz	Amir Nawaz Khan	Peshawar	GGMS Kokar, Peshawar	GGHSS Kota Swabi	-do-

14

**TERMS AND CONDITIONS OF THEIR APPOINTMENTS.**

1. They will be governed by such rules and regulations as may be prescribed from time to time by the Govt. for the category of the Govt. servants to whom they belong.
2. Their services will be liable to be terminated on one month's notice from either side. In case of resignation without notice one month pay will be forfeited in lieu thereof.
3. The Service of newly appointee should checked whether they had been working on Contract or Regular basis before their appointment as DPE in case the in service teachers working on contract basis and appointed on regular basis against DPE post by virtue of this appointment, their order will be revised and they will appointed on contract basis. The EDO (S&L) concerned should immediately inform the Director Schools & Literacy in this respect.
4. The appointees should join their post within 15 days of the issuance of this order. The EDO's (S&L) should furnish a certificate to the effect that the appointees have join the posts or otherwise, after one month of the issue of this order.
5. Their services can be terminated at any time in case their performance is found unsatisfactory and they will be proceeded against under Removal from service (Special Power) Ordinance 2000 and E&D Rules 1973.
6. They shall be required to furnish copies of all their certificates/degrees along with the original receipts and photo copies thereof pertaining to the verification fee of the concerned examining body (Board/University) to the EDO (S&L) concerned.
7. The EDO (S&L) concerned should check their original Certificates/Degrees.
8. No TA/DA etc. will be allowed to the Appointees.
9. Charge reports should be submitted to all concerned.

(Hameed Khan)  
Director Schools & Literacy,  
NWFP, Peshawar

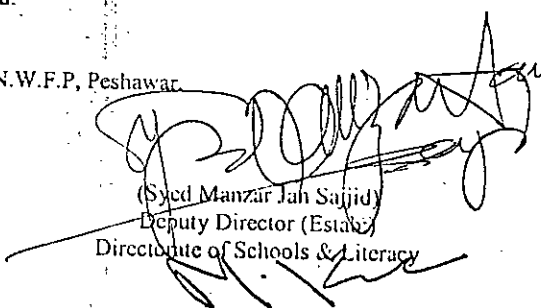
*Attested*  
*[Signature]*  
**SYED YOUSUF JAN**  
B.A., B.L.B., B.Ed., Certificate Sharia Law  
Advocate High Court Peshawar  
Federal Shariat Court.

Endst: No. 1341-79 /F.No. DPE (F) Appointment (PSC/2006)  
Dated Peshawar 12/12/2006.

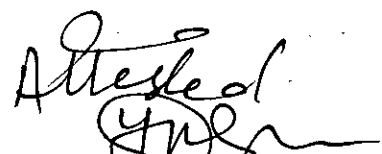
15

Copy forwarded for information and necessary action to the: -

1. Minister for Education N.W.F.P, Peshawar.
2. Secretary to Govt. of N.W.F.P, Schools & Literacy Department Peshawar.
3. Director Education FATA N.W.F.P.
4. Director Curriculum and Teachers Education N.W.F.P, Abbottabad.
5. Executive District Officers concerned.
6. District Accounts Officers concerned.
7. Principal concerned.
8. Candidates concerned.
9. PA to Director Schools & Literacy N.W.F.P, Peshawar.

  
(Syed Manzar Jah Sajjid)  
Deputy Director (Estab)  
Directorate of Schools & Literacy

Munir Khan/Ishfaq

  
**SYED YUNUS JAM**  
B.A., B.L.S., B Ed, Certificate Sharia Law  
Advocate High Court Peshawar  
Federal Shariat Court.

GOVERNMENT OF N.W.F.P.  
SCHOOLS & LITERACY DEPARTMENT  
Dated, Peshawar the 13/11/2007.

Annex "E"  
16

NOTIFICATION.

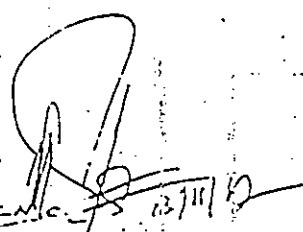
No. SOG/S&L/1-69/06/Vol-1/DPR/LIB: Sanction of the competent authority is hereby accorded to the upgradation of the posts of Librarians and Directors Physical Education (D.P.Es) from BS-16 to BS-17 (Regular) for the existing incumbents who hold Master Degree in the relevant subject in the Schools & Literacy Department NWFP with immediate effect as per following details:-

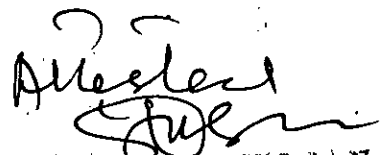
- 1) Promotion against the upgraded posts (from BS-16 to BS-17) shall be made in the prescribed manner and in accordance with the service rules to be framed as per relevant provisions of the NWFP Civil Servants (Appointment, Promotion and Transfer) Rules 1989 read with the NWFP Civil Servants Act, 1973.
- 2) The Librarians and D.P.Es who hold the diploma in the relevant subject will stay in BS-16 till such time, they acquire Master degree in the respective subject. On acquiring Master Degree in the relevant subject, their posts will be upgraded on case to case basis from BS-16 to BS-17 (Regular) and promotion (from BS-16 to BS-17) would be given as per laid down procedure and in accordance with the service rules to be framed. However their existing seniority will remain intact.
- 3) All the vacant posts of Librarians and D.P.Es in Schools & literacy department in BS-16 are hereby upgraded to BS-17, appointments against which would be made from amongst the persons who hold Master degree in the relevant subject, in the prescribed manner.
- 4) In future Librarians and D.P.Es will initially be recruited on the basis of Master degree in the relevant subject in BS-17 (Regular).
- 5) Henceforth no appointment of Librarians and D.P.Es in BS-16 shall be made on the basis of diploma, being declared as "Dying Cadre".

Sd/-  
SECRETARY TO GOVERNMENT OF NWFP  
SCHOOLS & LITERACY DEPARTMENT.

Endst: No. FD (SOSR-11) 10-7 / 03 / VOL. - 11 Dated, Peshawar the, 13/11/2007.  
Copy is forwarded for information and necessary action to :-

- 1) The Accountant General, NWFP, Peshawar.
- 2) All District Accounts Officers in NWFP.
- 3) All Agency Accounts Officers in NWFP.

  
(MUNAWAR KHAN)  
SECTION OFFICER (SR-11)  
FINANCE DEPARTMENT  
GOVERNMENT OF NWFP.

  
SYED YUNUS KHAN  
B.A., B.L.S., B.Ed., Certificate Sharia Law  
Advocate High Court Peshawar  
Federal Shariat Court.

(P.T.O.)

17

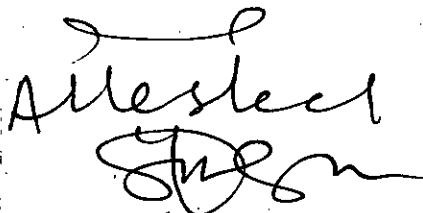
Endst:No. & Date Even.

Copy is forwarded to:-

- 1) Secretary to Government of NWFP, Establishment Department.
- 2) Secretary to Government of NWFP, Finance Department.
- 3) P.S to Chief Minister NWFP, Peshawar.
- 4) P.S to Chief Secretary NWFP, Peshawar.
- 5) Director Schools & Literacy, NWFP, Peshawar.
- 6) Director, Curr. & Teachers Edu; NWFP, Mandian Abbottabad.
- 7) Director of Education FATA NWFP, Peshawar.
- 8) P.S to Minister of Education, NWFP, Peshawar.
- 9) P.S to Secretary Schools & Literacy NWFP, Peshawar.
- 10) Office File.



(FARID AHMAD KHATTAK)  
SECTION OFFICER (GENERAL)  
SCHOOLS & LITERACY DEPARTMENT  
GOVERNMENT OF NWFP.



**SYED YOUSUF JAMI**  
B.A., B.L., B.Ed., Certificate Sharia Law  
Advocate High Court Peshawar  
Federal Shariat Court.

SYED YOUSUF JAMI  
B.A., B.L., B.Ed., Certificate Sharia Law  
Advocate High Court Peshawar  
Federal Shariat Court.