

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.

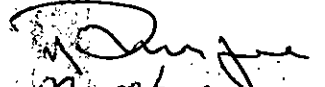

Member


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

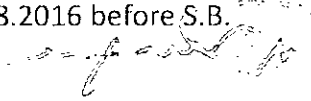
Counsel for the appellant and Mr. Ziaullah, DDA for the respondents present. Counsel for the appellant requested for adjournment. Adjourned. To come up for arguments on 12.09.2017 before D.B.


(Gul Zeb Khan)
Member


(Muhammad Amin Khan Kundi)
Member

21.07.2016

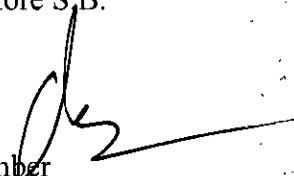
None present for appellant. M/S Khurshid Khan, SO and Hameed-ur-Rehman, AD (lit.) alongwith Additional AG for the respondents present. Written reply not submitted despite last opportunity. Requested for further time. Request accepted. Last opportunity is extended for submission of written reply/comments 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 2.12.2015.

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

3-12-15
55-12-15
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



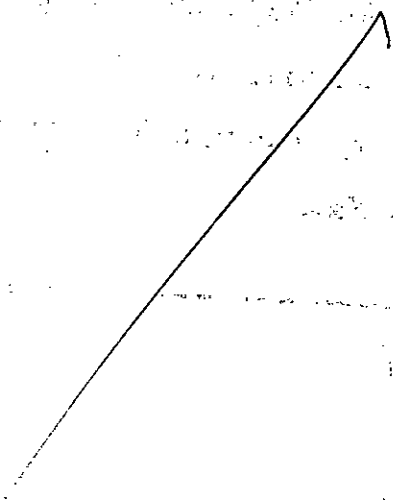
Agent of counsel for the appellant, M/S. Khursheed Khan, SO and Sultan Shah, Asstt. alongwith Addl: A.G for the respondents present. Requested for further adjournment. Last opportunity granted. To come up for written reply/comments on 21.07.2016 before S.B.

Chairman

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 1348/2015

| S.No. | Date of order Proceedings | Order or other proceedings with signature of judge or Magistrate |
|-------|---------------------------|--|
| 1 | 2 | 3 |
| 1 | 02.12.2015 3-12-15 | <p>The appeal of Mr. Jamshed Ali 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 style="text-align: right;"> REGISTRAR</p> <p>This case is entrusted to S. Bench for preliminary hearing to be put up thereon <u>22-15-15</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>  |

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 1348 / 2015

Jamshed Ali Khan APPELLANT


VERSUS

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

I N D E X

| S.No. | Description of documents | Annexures | Pages |
|-------|---|-----------|-------|
| 1. | Grounds of appeal with affidavit | | 1 - 4 |
| 2. | Addresses of parties | | 0 - 5 |
| 3. | Application for condonation of delay with affidavit | | 6 - 8 |
| 4. | Copy of departmental appeal | 'A' | 9-10 |
| 5. | Copy of impugned Notification dated 19 ⁵ / ₀₉ | 'B' | 11-14 |
| 6. | Copy of Notification dated 13-11-07 | 'C' | 15-16 |
| 7. | Copy of certificate | 'D' | 17 |
| 8. | Copy of appointment/promotion order | 'E' | 18-19 |
| 9. | Vakalat Nama | | 20 |

Dated 02-12-2015

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

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 1348 / 2015

Jamshed Ali Khan,
Director Physical Education (D.P.E)
Government Higher Secondary School,
Bangi Khan, Khujrhi Bannu

APPELLANT

K.P.K. Province
Service Tribunal

Diary No. 1402

Dated 02-12-2015

VERSUS

1. Government of Khyber Pakhtunkhwa through its Chief Secretary, Civil Secretariat, Peshawar.
2. Secretary Elementary & Secondary Education, K.P.K. Civil Secretariat, Peshawar.
3. The Director, Elementary & Secondary Education, K.P.K. near GHSS No.1, Peshawar City.
4. Secretary Establishment Department, K.P.K. Civil Secretariat, Peshawar.
5. The Secretary, Finance Department, K.P.K. Civil Secretariat, Peshawar.....RESPONDENTS.

APPEAL UNDER SECTION 4 OF K.P.K. SERVICE TRIBUNAL ACT, 1974.
TO THE EFFECT THAT THE ORDER/NOTIFICATION DATED 19-05-09
MAY KINDLY BE VARIED/MODIFIED AND AS SUCH THE SAME MAY
KINDLY BE MADE EFFECTIVE FROM 13-11-2007 INSTEAD OF
IMMEDIATE EFFECT. (COPY OF DEPARTMENTAL APPEAL IS ANNEX: 'A')

Prayer-in-appeal

That on acceptance of this appeal, the order/Notification dated 19-05-2009 may kindly be varied/modified^{to} the extent that the same may kindly be made effective from 13-11-2007 instead of immediate effect and as such the Department may kindly be directed to consider the promotion of the appellant to BS-17 (regular) from 13-11-2007 instead of immediate effect with all other service benefits.

(Copy of the impugned order/Notification dated 19-05-2009 is attached as Annexure 'B' and dated 13-11-07 is Annex: 'C').

Filed to day
2/12/15

Respectfully submitted:

Brief facts of the appeal are as under :-

1. That the qualification of the appellant is M.A/M.Sc. in Health and Physical Education whose ~~exam~~ ^{exam.} result was declared passed on 28 July 06/ (Copy of certificate is attached as Annex: 'D').
on the recommendation of K.P.K. PSC
2. That the appellant was regularly appointed/promoted to the post of Director Physical Education (DPE) vide order dated 13-12-2006. (Copy of the same is Annexure 'D').
(BS16)
3. That the Government of K.P.K. on 13-11-2007 issued a letter/ Notification vide which the posts of D.P.Es. and Librarians were upgraded from BS-16 to BS-17 (regular) for the existing incumbents who hold the Master Degrees in the relevant subjects i.e. M.A/M.Sc. in Health and Physical Education in case of the appellant. (Copy of the said Notification is Annexure 'E' above).
4. That the appellant is/was highly qualified, fit and thus was fully eligible for award of BPS-17 regular in light of the above referred Notification of the Government of K.P.K. but he was illegally/un-constitutionally, malafidely and intentionally was ignored for the same relief so he agitated the matter with the authority but of no use so he filed a departmental appeal before respondent No.1 which is still pending before him 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 omissions of the respondents is illegal, un-constitutional against facts and material on record, therefore, is not tenable and need the interference of this Hon'ble Tribunal.

- 3 -

- B) That the act and omissions of the respondents is not only factually incorrect and legally untenable but also is based on their mala fide intention and is also against the well established principles of natural justice and is discriminatory in nature.
- C) That the act and omissions of the respondents is also against the laws/rules/policies and Notifications of the Provincial Government especially against the Notification dated 15-11-07.
- D) That the case of the appellant is very much similar and identical with those numerous cases in which the higher/superior courts and Tribunals as well as this Hon'ble Tribunal is given a similar relief to other colleagues of the appellant and the appellant is also entitled to the same relief/treatment.
- E) That the Department has also given a similar relief to other colleagues of the appellant including his junior so on this score also the appellant is entitled to the same relief.
- F) That the appellant was highly qualified, fit and thus was quite eligible for the award of EPS-17 (regular) at the time of and in light of the letter/Notification dated 13-11-07 so the impugned Notification dated 19-05-2009 vide which the promotion of the appellant to BS-17(regular) has been made with immediate effect is neither legal nor justified.
- G) 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.

It is, therefore, humbly prayed that on acceptance of this appeal, the impugned order/Notification dated 19/5/2009

may kindly be varied/modified to the extent that the same may kindly be made effective from 13-11-2007 instead of immediate effect and as such the Department may kindly be directed to consider the promotion of the appellant to BS-17 (regular) from 13-11-07 instead of immediate effect with all other service benefits. Any other remedy/relief available in the circumstances of the case may also kindly be granted to the appellant.


Appellant

through



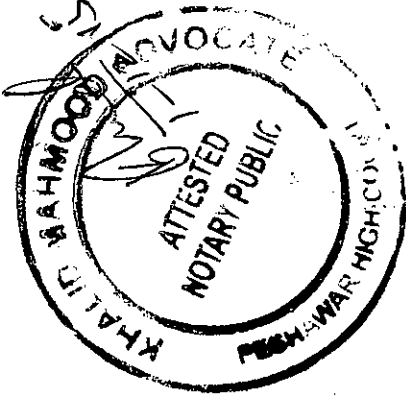
Dated 02-12-2015

(Syed Younus Jan)

Advocate, High Court, Peshawar

AFFIDAVIT

I, Jamshed Ali Khan, D.P.E. GHSS Bangi Khan Khujrhi Bannu, do hereby solemnly affirm and declare on oath that the above 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.




Deponent.

Handwritten signature and scribbles.

Handwritten text, possibly a date or reference number.

Handwritten text.

Main body of faint, illegible text.

Handwritten notes or signatures at the bottom left.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

In: Service Appeal No. _____ / 2015

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Jamshed Ali 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:-

GRUNDS:

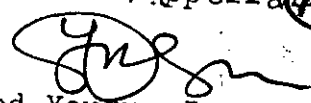
1. That in the matter in hand the cause of action is continuous cause of action and the impugned act and omission of the respondents come in the purview of the definition of continuous wrong, therefore, in the matter the cause of action starts on first date and ends on the last date of every months/every 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.

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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, **especially in presence of the principles of a 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 ²⁷ 12 /2015

Applicant/Appellant
Through 
(Syed Younus Jan)
Advocate Peshawar High Court
Peshawar.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

Service Appeal No. _____ / 2015

Jamshed Ali KhanAPPELLANT

VERSUS

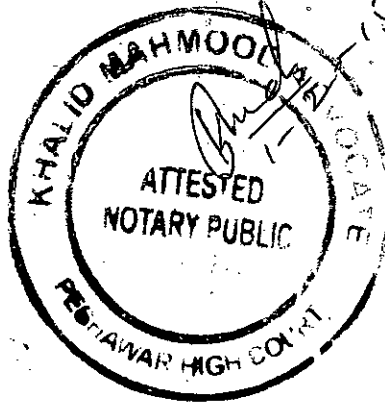
Government of K.P.K. and others.....RESPONDENTS.

AFFIDAVIT.

I, Jamshed Ali Khan, DPK (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 / 11 / 2015

Deponent



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

Service Appeal No. _____ / 2015

Jamshed Ali Khan APPELLANT

VERSUS

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

ADDRESSES OF THE PARTIES.

Appellant.

Jamshed Ali Khan, Director, Physical Education (D.P.E)
Government Higher Secondary School, Bangi Khan Khujrhi
Bannu.


Respondents.

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

Dated: 02 12 / 20 15

Appellant _____

Through:


(SYED YOUNUS JAN)
Advocate Peshawar High Cout
Peshawar.

To

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

Annex "A"

(9)

Subject:- DEPARTMENTAL APPEAL/REPRESENTATION

Through: PROPER CHANNEL

Sir,

1. That the applicant/appellant is M.A/M.Sc. in Health and Physical Education who passed the prescribed examination in 18-7-06 on the recommendation of KPK PSC and was regularly promoted against the post of Director, Physical Education (BPS-16) vide order dated ~~18-07-2006~~ 13-12-2006.
2. That on 13-11-07 the Government of K.P.K. issued a letter/Notification vide which the posts of D.P.Es. and Librarians were upgraded from BS-16 to BS-17 (regular) for the existing incumbents who hold Master Degrees in relevant subjects 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 given for those Librarians and D.P.Es. who hold the Diploma in the relevant subjects 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 (regular).....
3. That in light of the above referred matter of the Provincial Government the appellant was highly qualified, fit and as such was eligible for the award of BS-17 (regular) from 13-11-2007 but has illegally, un-constitutionally and malafidely been ignored for the same relief.
4. That vide order dated 19-05-2009 the appellant has been promoted to regular BS-17 but with immediate effect instead of 13-11-2007.
5. That the appellant agitated the matter with the authority time and again but of no use, hence this appeal/representation, for grant of BS-17 (regular) from 13-11-2007.

Attested
Yousaf Jan
YOUSAF JAN
B.A.L.B. & B.L. Certificate holder
Advocate High Court Peshawar
Federal Shariat Court.

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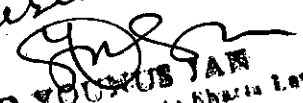
6. That as the appellant has acquired the requisite qualification for BS-17 (regular) in 18-07-2006 therefore, is entitled for the same relief from 13-11-2007 instead of immediate effect especially in the circumstances when the Department has awarded the same scale to other colleagues of the appellant not only on the basis of Court/Tribunal judgment but on its own motion also and the appellant is also entitled for the similar treatment.

Your goodself is therefore, requested sir, that the letter/order dated 19-05-2009 may kindly be made effective from 13-11-2007 and as such the regular promotion of the appellant to BS-17 (regular) may kindly be considered from 13-11-2007 instead of immediate effect with all other service benefits. Appellant/Applicant



(Jamshed Ali)
 Director Physical Education (DPE)
 Government Higher Secondary
 School, Bangi Khan, Khujrhi,
 Bannu

PESHAWAR
 6-08-2015

Attested

EYED YUNUS KHAN
 B.A.L.S. & BA, Certificate Shariat Law
 Advocate High Court Peshawar
 Federal Shariat Court.



Physical Bonus
Khalid
27/6/09

GOVERNMENT OF NORTH-WEST FRONTIER PROVINCE
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT

NOTIFICATION

Annex "B"
11

Peshawar, Dated: 19-05-2009

NO:SO(PE)2-6/E&SE/DPC/LIB/DPEs(BS-16 TO BS-17)/09: Consequent upon the recommendations of the Departmental Promotion Committee, the competent authority is pleased to promote the following One hundred & Fifteen (115 Male) & Thirty Eight (38 Female) DPEs from BS-16 to BS-17 according to their seniority on regular basis with immediate effect:-

| S.No | Name & Designation of Officers | Place of Posting | Remarks |
|------------------|--|-----------------------------|---|
| MALE DPEs | | | |
| 1. | Mr. Bahadar Sher DPE | GHSS Bannu | Already occupied by him |
| 2. | Mr. Asmatullah DPE | GHSS Sheikhan Peshawar | -do- |
| 3. | Mr. Talat Mahmood DPE | GHSS No.4. Peshawar City | -do- |
| 4. | Mr. Hazrat Ali DPE | GCPE Karak | -do- |
| 5. | Mr. Shamsul Islam DPE | GHSS Mosazai Peshawar | -do- |
| 6. | Mr. Tajamul Zaman DPE | GHSS No.4 D.I.Khan | -do- |
| 7. | Muhammad Shan DPE | GHSS No. 3 D.I.Khan | -do- |
| 8. | Mr. Gulistan DPE working as ADO (Sports) EDO E&SE D.I.Khan. | GHSS Kalkot Dir Upper | Against vacant post. |
| 9. | Mr. Anwar Zaid Khan DPE | GHSS Nurar Bannu | Already occupied by him. |
| 10. | Mr. Khalid Tanveer DPE | GHSS Hassan Zai Charsadda | -do- |
| 11. | Mr. Misal Khan DPE working as ADO (Sports) EDO E&SE Peshawar | GHSS No1 Peshawar City. | Vice S.No.40 who has been adjusted at GHSS Ziarat Kaka Sahib Nowshera |
| 12. | Mr. Sarwar Shah DPE | GHSS No. 1 Mardan | Already occupied by him. |
| 13. | Mr. Abdul Jamil DPE | GHSS Domal FR Bannu | -do- |
| 14. | Mr. Sher Kamal DPE | GHSS Hatian Mardan | -do- |
| 15. | Mr. Hussain Wali DPE working as ADO Sports in o/o EDO (E&SE) Chitral | GHSS Darosh Chitral | Against Vacant Post |
| 16. | Mr. Istam Rosh DPE | GHSS Mardan | Already occupied by him. |
| 17. | Muhammad Bashir DPE | GHSS Dhodial Mansehra | -do- |
| 18. | Gul Aslam Khan DPE | GHSS Aba Khel Lakki | -do- |
| 19. | Mr. Said Nawaz DPE | GHSS Jahangiri Karak | -do- |
| 20. | Mr. Abdul Sarwar DPE working as ADO (Sports) EDO E&SE Bannu | GHSS Towda China, Dir Lower | Against vacant post. |
| 21. | Mr. Sami Ullah DPE | GHSS Nawansher, Abbottabad | Already occupied by him. |
| 22. | Mr. Fazli Baqi DPE | GHSS Warai Dir Upper | -do- |
| 23. | Mr. Iftikhar Ahmad DPE | GHSS Wazir Bagh Peshawar | -do- |
| 24. | Muhammad Ali DPE | GHSS Takht Bai | -do- |
| 25. | Muhammad Naeem DPE | GHSS, Chamtar Mardan | Already occupied by him. |
| 26. | Mr. Ali Badshah DPE | GHSS Gumbat Kohat | -do- |

M. Tufail Muhammad / Kaleem Khan Muhsood / Iftikhar Shamoza / Final Notification/2009

(PTO)

Signature
SHEB YOUSUF JAN
Advocate High Court Peshawar
Federal District Court.

| S.No | Name & Designation of Officers | Place of Posting | Remarks |
|------|--|------------------------------|-------------------------|
| 102. | Muhammad Ashfaq, DPE | GHSS Lachi Kohat | -do- |
| 103. | Mr. Mahboob Ali, DPE | GHSS Bilogram Swat | Already occupied by him |
| 104. | Mr. Taj Ali Khan DPE, | GHSS Pirpai Nowshera | -do- |
| 105. | Mr. Shoukat-ur-Rehman DPE working as SS GHSS No.2 DIK | GHSS Ustar Zai Kohat | Against vacant post. |
| 106. | Mr. Dil Faraz Khan, DPE, | GHSS Ismail Khel Bannu | Already occupied by him |
| 107. | Mr. Muhammad Kaleem DPE | GHSS Mian Brangola Dir lower | -do- |
| 108. | Mr Alam Zar DPE | GCPE Karak | -do- |
| 109. | Mr. Ayaz Ali DPE | GHSS Utmanzai Charsadda | -do- |
| 110. | Mr. Muhammad Ishaq DPE | GHSS Khal Dir lower | -do- |
| 111. | Mr. Muhammad Safdar Luqman DPE working as SS GHSS Ramak D.I.Khan | GHSS Sari Kot, Haripur | Against vacant post. |
| 112. | Mr. Jamshad Ali Khan DPE | GHSS Khairabad NSR | Already occupied by him |
| 113. | Mr Abdul Hamid DPE | GHSS Bareela Haripur | -do- |
| 114. | Mr Taj Wali DPE | GHSS Nisatta Charsadda | -do- |
| 115. | Mr Khalid DPE | GHSS Dakki Charsadda | -do- |

FEMALE DPES

| S.No | Name & Designation of Officers | Place of Posting | Remarks |
|------|--|--------------------------------|---|
| 1. | Mst. Naghma Akbar DPE | GGHSS G. Wala Bannu. | Already occupied by her. |
| 2. | Mst. Mussarat Parveen DPE | GGHSS Jangal Khel Kohat | -do- |
| 3. | Mst. Dilshad Begum DPE | GGHSS Bannu City | -do- |
| 4. | Mst. Safina Babar DPE | GGHSS University Town Peshawar | -do- |
| 5. | Mst. Shaheen Anwar DPE | GGHSS K. Najibullah Haripur | -do- |
| 6. | Mst. Rehana Parveen DPE | GGHSS No.2. D.I.Khan | -do- |
| 7. | Mst. Shahida Begum DPE | GGHSS Nowshera Kalan | -do- |
| 8. | Mst. Shabnam Jadoon DPE | GGHSS Dhamtour A/Abad | -do- |
| 9. | Mst. Tamsella Naz DPE | GGHSS Pharpur D.I.Khan | -do- |
| 10. | Mst. Naureen Anwar DPE | GGHSS B.S.D Peshawar. | -do- |
| 11. | Mst. Nadia Bagum working as AD E&SE NWFP Pesh. | GGHSS Shaidu, Nowshera | Against vacant post. After actualization of her promotion she will take over charge as Asstt Directorate Litigation Directorate of E& SE. |

M. Tufail Muhammad/ Kaleem Khan Malsood /Iftikhar Shamoza/Final Notification/2009

(PTO)

(PTO)

SYED YOUSUF JAN
B.A.B.B. B.B.J. Certificate Number 100
Advocate High Court Peshawar
Federal Shariat Court.

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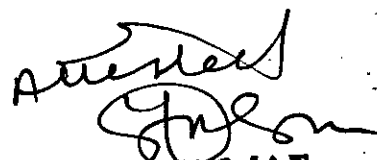
| No | Name & Designation of Officers | Place of Posting | Remarks |
|-----|---|--|--------------------------|
| 12. | Mst. Shahnaz Begum DPE | GGHSS Shah Said Munawar D.I.Khan | Already occupied by her. |
| 13. | Mst. Rafia Khattak DPE | GGHSS Shabqadar Fort Charsadda | -do- |
| 14. | Mst. Hamida Bagem DPE | GGHSS Kulachi D.I.Khan | -do- |
| 15. | Mst. Nabila Tabasum DPE working as Librarian GGHSS Chamkani Pesh. | GGHSS Rashakai, Nowshera. | Against vacant post. |
| 16. | Mst. Saeeda Begum DPE | GGHSS Chamkani Peshawar. | Already occupied by her. |
| 17. | Mst. Danish Begum DPE | GGHSS Shah Dhand Mardan. | -do- |
| 18. | Mst. Shabnam Raza DPE | GGHSS Shakardara Kohat | -do- |
| 19. | Mst. Nigar Akhtar DPE | GGHSS Shabazghari Mardan | -do- |
| 20. | Mst. Rehana Khatoon DPE | GGHSS Chokara Karak | -do- |
| 21. | Mst. Naheed Gohar DPE | GGHSS Babri Banda Kohat | -do- |
| 22. | Mst. Asma Quarshi DPE | GGHSS Belitang Kohat | -do- |
| 23. | Mst. Munaza Jabeen DPE | GGHSS Sherpao Charsadda | -do- |
| 24. | Mst. Azra Naz DPE | GGHSS Toru Mardan | -do- |
| 25. | Mst. Adeeba Naheed DPE | GEC (F) Jamrud Khyber Agency | -do- |
| 26. | Mst. Sajida Sofi DPE, | GGHSS Com:Peshawar | -do- |
| 27. | Mst. Rahila Gul DPE | GGHSS Gumbat Kohat | -do- |
| 28. | Mst. Shahana DPE | GGHSS Kaki Bannu | -do- |
| 29. | Mst. Maryam Mustafa DPE | GGHSS Havelian A.Abad | -do- |
| 30. | Mst. Saima Andaleeb DPE | GGHSS Pannian Haripur | -do- |
| 31. | Mst. Imtiaz Tabassum DPE | GGHSS Pirpai Nowshera | -do- |
| 32. | Mst. Fakhar-E-Angum DPE | GGHSS Hatian Mardan | -do- |
| 33. | Mst. Nighat Seema DPE GGHSS Sherwan A/Abad | AD (PE & S) Director Curri & Teacher Edu: NWFP at A/Abad | -do- |
| 34. | Mst. Sheraz Taj DPE | GGHSS Sawal Dher Mardan | -do- |
| 35. | Mst. Afsheen Muntaz DPE | GGHSS Kalabat Swabi | -do- |
| 36. | Mst. Rehana Yasmeen | GGHSS Kabal Swat | -do- |
| 37. | Mst. Hassan Basri DPE | GGHSS Topi Swabi | -do- |
| 38. | Mst. Sajida Nousheen DPE | GGHSS Lady Griffith Peshawar | -do- |

**SECRETARY TO GOVT OF NORTH-WEST FRONTIER PROVINCE
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT**

Ends; of even no. & date:

Copy is forwarded to:-

- 1) Secretary to Govt of NWFP, Establishment Department, Peshawar.
- 2) Special Secretary (Regulation), Establishment Department, Govt of NWFP Peshawar.
- 3) Secretary to Govt. of NWFP, Finance Department, Peshawar.
- 4) Secretary to Chief Minister NWFP.
- 5) PS to Chief Secretary NWFP.
- 6) All Directors in Elementary & Secondary Education Department NWFP.
- 7) All District Coordination Officers in NWFP.
- 8) All Executive District Officers Elementary & Secondary Education in NWFP. *Dir(L)*
- 9) All Executive District Officers (Finance & Planning) in NWFP.
- 10) The Accountant General NWFP.
- 11) All District / Agency Accounts Officers in NWFP.
- 12) Director Information NWFP Peshawar with the request to give wide publicity through media.
- 13) Secretary, NWFP Public Service Commission Peshawar.

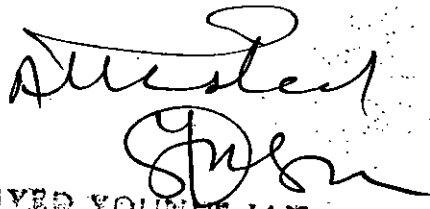

SYED YOUNUS JAN
 B.A.L.L.B. & Ed. Certificate Barua Law
 Advocate High Court Peshawar
 Federal Shariat Court.

14

- 14) All Section Officer/ Planning Officers / Statistical Officers, E&S Edu: Deptt: Govt of NWFP.
- 15) Deputy Database Administrator (EMIS) Elementary & Secondary Education Peshawar.
- 16) PS to Minister for Education (Elementary & Secondary) NWFP.
- 17) PS to Secretary / Special Secretary / Additional Secretary E&S Edu: Deptt Govt of NWFP.
- 18) P.A to Deputy Secretary (Admn) Elementary & Secondary Edu: Department Govt of NWFP.
- 19) P.A to Chief Planning Officer Elementary & Secondary Education Department Govt of NWFP.
- 20) Officers concerned
- 21) Master file



(ARIF JAMIL)
SECTION OFFICER (PRIMARY)



SYED YOUNUS JAN
B.A.B.L. S.S. Ed. Certificate Examin. Sec.
Advocate High Court Peshawar
Federal Baristan Sauri.

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

Annex "C"
15

NOTIFICATION.

No. SOG/S&L/1-69/06/Vol-1/DPE/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".

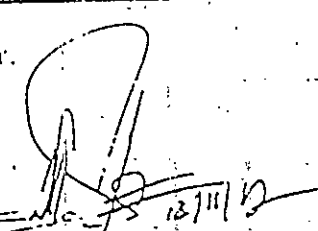
Sd/-

SECRETARY TO GOVERNMENT OF NWFP
SCHOOLS & LITERACY DEPARTMENT.

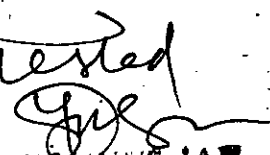
Endst: No. FD (SOSR-11) 10-7 / 03 / VOL. - 111 Dated, Peshawar the, 13/11/2007.

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.

(P.T.O.)

Attested

BYED GHULAM KHAN
B.A.B.L. 2. 1982. Advocate Ghulam Khan
Advocate High Court Peshawar
Federal District Court.

16

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 YOUNUS JAN
B.A., B.L.S., B. Ed. Certificate No. 140
Advocate High Court Peshawar
Federal Shariat Court.



SARHAD UNIVERSITY

OF SCIENCE & INFORMATION TECHNOLOGY, PESHAWAR

TRANSCRIPT

Transcript No. SU/ 02502

Annual 2006

Annex "D"
17



Student's Name Jamshid Ali Khan Roll No. 05-AE/00937
 Father's Name Sardar Ali Khan Registration No. SUIT-05-AN-60023
 Programme Master of Science in Physical Education - M.Sc. (HPE)

| Courses | Max Marks | Marks Obtained | | Remarks | |
|--|-----------|----------------|-----------------------------|-------------------------------------|-------------|
| | | In Figures | In Words | | |
| Administration & Management in Physical Education | 100 | 077 | Seventy Seven | Pass | |
| Test, Measurement & Evaluation in Physical Edu. | 100 | 088 | Eighty Eight | Pass | |
| Psychology of Sports | 100 | 073 | Seventy Three | Pass | |
| Science of Sports Training/ Coaching Courses/ Athl | 100 | 067 | Sixty Seven | Pass | |
| Research Method in Physical Education | 100 | 083 | Eighty Three | Pass | |
| Project | 200 | 180 | One Hundred and Eighty Only | Pass | |
| Total | | 700 | 568 | Five Hundred and Sixty Eight | Pass |

The Examination was passed as a Whole in 1st division

Exam held June 28-July 18, 2006 Result declared September 27, 2006 Date of issue September 30, 2006

Dean

BYED YOUNUS JAW
Advocate High Court Peshawar
Federal Shariat Court.

Controller of Examinations

NECESSARY INFORMATION

Authenticity:

This transcript should not be deemed valid unless it is embossed with the official seal of the University and bears the signatures of the Controller of Examinations. It should also be deemed invalid if it contains erasures, corrections, or overwriting.

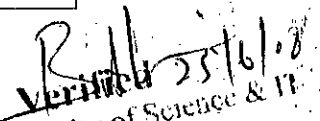
Exemption of Courses:

Courses exempted due to transfer from other universities or prior education are reflected on the transcript but the corresponding letter grades are not included in the computation of GPA / CGPA.

Grade Key:

The University uses fixed scale as well as curve (plot) for assigning letter grades. The letter grades, associated marks and remarks relating to these letter grades are as follows:

| Percent Marks | Letter Grade | Grade Point | Remarks | |
|---------------|--------------|-------------|------------------|----------------|
| | | | Undergraduate | Graduate |
| ≥ 85 | A | 4.00 | Excellent | Excellent |
| 78 - 84 | B + | 3.50 | Outstanding | Outstanding |
| 70 - 77 | B | 3.00 | Good | Good |
| 65 - 69 | C + | 2.50 | Above Average | Above Average |
| 60 - 64 | C | 2.00 | Average | Average |
| 55 - 59 | D + | 1.50 | Below Average | Below Average |
| 50 - 54 | D | 1.00 | Poor but Passing | Poor |
| < 50 | F | 0.00 | Failing | Failing |
| | I | - | Incomplete | Incomplete |
| | W | - | Withdrawn | Withdrawn |
| | S | - | Satisfactory | Satisfactory |
| | U | - | Unsatisfactory | Unsatisfactory |


 Verified 25/6/08
 Samad University of Science & IT
 Peshawar

Annex "E"
18

OFFICE OF THE DIRECTOR SCHOOLS & LITERACY NWFP, PESHAWAR

NOTIFICATION

Consequent upon the recommendation of the NWFP Public Service Commission (PSC), the competent authority is pleased to appoint the following DPE (Male) in BPS-16 plus usual allowances as admissible under the rules with immediate effect and post them in the schools noted against each name subject to the condition given below

| S. No. | Name of Candidate | Fathers Name | Domicile | Postal Address | Place of posting / remarks |
|--------|------------------------|------------------|-------------------|--|-------------------------------|
| 1 | Muhammad Naeem Khan | Said Muhammad | Dir/3 | Village Killi PO Mayar Jandool Tehsil, Samar Bagh Dir(L) | GHSS Mayar Dir Lower |
| 2 | Taj Ali Khan | Mir Qasabaz Khan | F.R. Bannu/4 | C/O Nool Abbas Green Mandi Dorjil Bannu | GHSS Kalkoi Dir Upper |
| 3 | Shaukat ur Rehman | Fazal ur Rehman | DIK/4 | Mohallah Rahmania Street H. No. 1231-A D.D.K City | GHSS Bori Abbottabad |
| 4 | Dil Faraz Khan | Mir Payan Khan | Bannu/4 | Sikanadar Baharat Bannu | GHSS Barila Haripur |
| 5 | Muhammad Kalim | Muhammad Karim | Malakand Agency/3 | Mohallah Baro Vill & PO Atadano Dehri Balkhela Mko | GHSS Miap Parangola Dir Lower |
| 6 | Alam Zar Khan | Rais Khan | F.R. Bannu/1 | Vill Topan Killa PO Azim Qili Bannu | GHSS Ziarat Masoom Abbottabad |
| 7 | Ayaz Ali | Ali Akbar | Swabi/2 | VILL & PO Koral Sher Khan Killi Swabi | GHSS Umanzai Charsadnal |
| 8 | Muhammad Ishag | Abdul Ghafar | Lakki | Muhallah Bazu Kher, Tajori Lakki Marwat | GHSS Hal Di Lower |
| 9 | Muhammad Sajdar Luqman | Mosam Khan | DI Khan/4 | Daraban Khuro, DI Khan | GHSS Gandigar Di Upper |
| 10 | Jamshid Ali Khan | Sajdar Ali Khan | Bannu/4 | GHS No. 3, Bannu City | GHSS Bear Haripur |
| 11 | Abdul Hameed | Muhammad Sarwar | Haripur/5 | Vill & PO Chajjan Haripur | GHSS ADO Sports Haripur |

TERMS AND CONDITIONS OF THEIR APPOINTMENTS.

- 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.
- 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.
- The Service of newly appointed 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.
- The appointees should join their post within 15 days of the issuance of this order.

Attested
[Signature]

SYED YOUSUF JAF

B.A.B.L.U. Certificate Holder L&O
Advocate High Court Peshawar
Federal Shariat Court.

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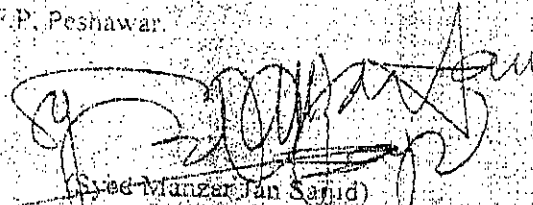
- 6. They shall be required to furnish copies of all their certificates/degrees along with the original receipts and photo copies thereof pertaining to the verification fee of the concerned examining body (Board/University) to the EDO (S&L) concerned.
- 7. The EDO (S&L) concerned should check their original Certificates/Degrees.
- 8. No TA/DA etc. will be allowed to the Appointees.
- 9. Charge reports should be submitted to all concerned.
- 10. Their services will consider as regular but without pension or gratuity and term of section 19 of the NWFP Civil Servant Act 1973 as amended by NWFP Civil Servant Amendment Act 2005.

(Hameed Khan
 Director Schools & Literacy,
 NWFP, Peshawar

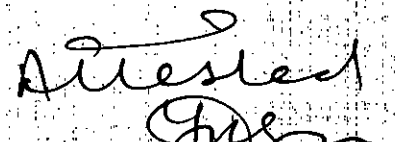
Endst: No. 1379-1388 F.No: DPE (F) Appointment (PSC/2006)
 Dated Peshawar 13-12 /2006

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 Manzoor Jan Sani)
 Deputy Director (Estab.)
 Directorate of Schools & Literacy
 N.W.F.P, Peshawar

Munir Khan


 SYED YOUNIS JAN
 B.A.B.L.S. & B.L. Certificate Sharia Law
 Advocate High Court Peshawar
 Federal Sharia Court.