

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.

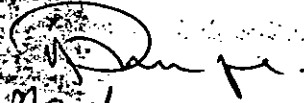
This appeal is dismissed as per our detailed judgment of today in connected service appeal No. 984/2015 entitled "Badshah Islam Vs. The Chief Secretary, Government of Khyber Pakhtunkhwa, Peshawar and others". Parties are left to bear their own costs. File be consigned to the record room.

  
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

LS

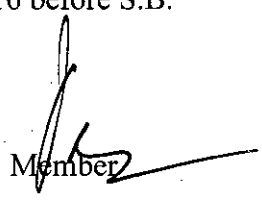
21.07.2016

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


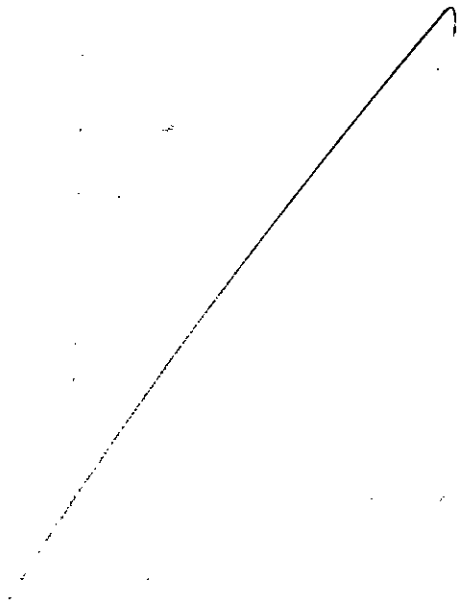
Agent of counsel for the appellant, M/S. Khursheed Khan, SO and Sultan Shah, Asstt. alongwith Addl: A.G for the respondents present. Requested for further adjournment. Last opportunity granted. To come up for written reply/comments on 21.07.2016 before S.B.

  
Chairman

Form- A  
FORM OF ORDER SHEET

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

Case No. 1351/2015

| 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. Muhammad Iqbal 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><br/>REGISTRAR</p> |
| 2     | 3-12-15                   | <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. 1351 / 2015

Muhammad Iqbal ..... APPELLANT.

VERSUS

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

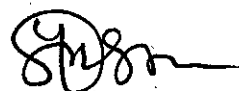
I N D E X

| 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'       | 9-10  |
| 4.    | Copy of the impugned order dated 15.6.09                                    | 'B'       | 11-12 |
| 5.    | Copy of Certificate   | 'C'       | 13-   |
| 6.    | Copy of order dated 12.12.2006  | 'D'       | 14-16 |
| 7.    | Copy of letter/Notification dated 13-11-2007                                | 'E'       | 17-18 |
| 8.    | Vakalat Nama  |           | 19    |

PESHAWAR

02-12-2015

Appellant  
through

  
( Syed Younus Jan )  
Advocate, High Court,  
Peshawar

BEFORE THE KHYBER PAKHTUNKHWA, SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 1351 / 2015

H.W.F. Province  
Service Tribunal  
Diary No. 1413  
Dated 03-12-2015

Muhammad Iqbal, Director, Physical Education (D.P.E)  
Government Higher Secondary School, Tahkal  
Peshawar ..... 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.

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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').

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Prayer-in-Appeal

*Handwritten:*  
Filed to file  
3/12/16

That on acceptance of this appeal, the impugned order dated 15-06-2009 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 upto 9, July, 08 and his/her result was declared on 15-08-2009 (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 12-12-06 (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 15-06-2009 <sup>but</sup> with immediate effect instead of his/her date of acquiring requisite qualification. (Copy of the said letter/Notification is attached as Annexure 'B' Above)

— 3 —



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 mala fide 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 15-06-2009 vide which the promotion of the appellant to BS-17 (regular) has been made with immediate effect is neither

—4—

legaleer justified and has caused gross miscarriage of justice to the appellant.

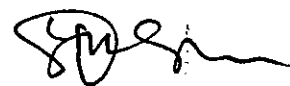
- F) That the appellant is/was a Government/Civil Servant and legal and constitutional guarantee is/was available to him to be treated equally and in accordance with law, he however has not been treated as such.
- G) That the case of the appellant is very much similar and identical to those numerous 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 15-06-2009 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.

M I Qbal.

Appellant

through



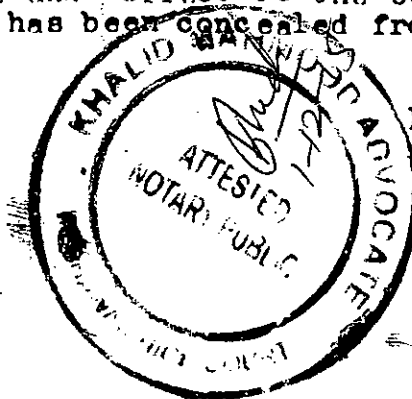
( Syed Younus Jan )  
Advocate, High Court, Peshawar

PESHAWAR

02-12-2015

AFFIDAVIT

I, Muhammad Iqbal, D.P.E. GHSS Tahkal, Peshawar (the appellant) 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.



M I Qbal  
Deponent

5

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

Muhammad Iqbal .....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:

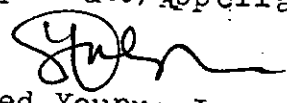
1. That in the matter in hand the cause of action is continuous cause of action and the impugned act and omission of the respondents come in the purview of the definition of continuous wrong, therefore, in the matter the cause of action starts on first date and ends on the last date of every months/every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

PESHAWAR

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

7

BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA, PESHAWAR.

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

Muhammad Iqbal ..... APPELLANT

VERSUS

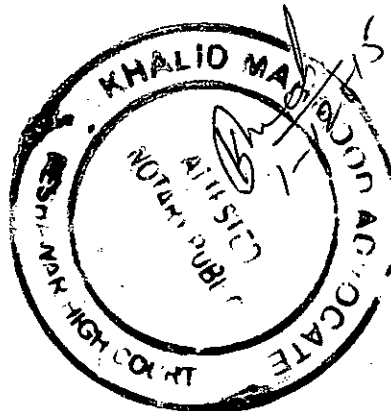
Government of K.P.K. and others ..... RESPONDENTS.

AFFIDAVIT.

I, Muhammad Iqbal (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 Muhammad Iqbal



8

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

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

Muhammad Iqbal ..... APPELLANT

VERSUS

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

ADDRESSES OF THE PARTIES.

Appellant.

Muhammad Iqbal, Director Physical Education (D.P.E)  
Government Higher Secondary School, Tahkal  
Peshawar

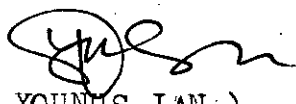
Respondents.

1. The Govt: of Khyber Pakhtoonkhwa through its Chief Secretary Civil Seretriate Peshawar.
2. Secretary <sup>Education</sup> Elementary and Secondary 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 Sectetriate Peshawar.
5. The Secretary Finance Department Khyber Pakhtoonkhwa Civil Secretriate Peshawar.

Dated: 02/12/2015

Appellant \_\_\_\_\_

Through:

  
(SYED YONUS JAN)  
Advocate Peshawar High Court  
Peshawar.

Annex "A"  
9

To

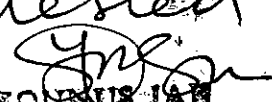
The Worthy Chief Secretary,  
Government of K.P.K. Peshawar.

Subject:- DEPARTMENTAL APPEAL/REPRESENTATION

Through: PROPER CHANNEL

Sir,

1. That the applicant/appellant is M.A/M.Sc. in Health and Physical Education who passed the prescribed examination in 15-09-2008 and was regularly promoted against the post of Director, Physical Education (BPS-16) vide order dated ~~18-02-2003~~, 12-12-2006.
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 15-09-2008 but has illegally, un-constitutionally and malafidely been ignored for the same relief.
4. That vide order dated 15-06-09 the appellant has been promoted to regular BS-17 but with immediate effect instead of 15-9-2008
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 15-09-2008

Attested  
  
SYED YOUNUS KHAN  
M.A.B. B.E. Certificate Board  
Advocate High Court Peshawar  
Federal Shariat Court.

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- 2 -

6. That as the appellant has acquired the requisite qualification for BS-17 (regular) in 15-09-2008 therefore, is entitled for the same relief from 15-09-2008 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 15-06-2009 may kindly be made effective from 15-09-2008 and as such the regular promotion of the appellant to BS-17 (regular) may kindly be considered from 15-09-2008 instead of immediate effect with all other service benefits.

*M. Iqbal*  
Appellant/Applicant

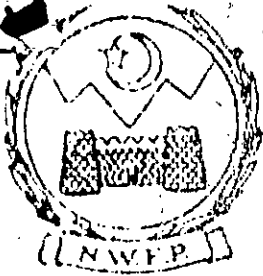
( Muhammad Iqbal )  
Director, Physical Education (DPE)  
Government Higher Secondary School,  
Tehkal Bala, Peshawar

PESHAWAR

7-08-2015

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





(1)  
**GOVERNMENT OF NWFP**  
**ELEMENTARY & SECONDARY EDUCATION**  
**DEPARTMENT**

Dated Peshawar the 15-6-2009.

Annex "B"

11

**NOTIFICATION**

**NO.SO(PE)2-6/E&SE/DPCMEETING/LIB/09:** Consequent upon recommendations of the Departmental Promotion Committee, the competent authority is pleased to promote the following Twenty Three (23 Male) & Thirteen (13 Female) DPEs from BS-16 to BS-17 according to their seniority on regular basis with immediate effect:-

**MALE DPEs**

| S.No | Name & Designation of Officers                         | Place of Posting                 | Remarks                 |
|------|--|----------------------------------|-------------------------|
| 1.   | Mr. Abdul Hameed<br>ADO's (sports) O/O EDO E&SE Lakki  | GHSS Langarial Abbottabad.       | Against Vacant Post     |
| 2.   | Mr. Amanullah Khan<br>DPE GHSS Tajazai Lakki           | GHSS Tajazai Lakki               | Already occupied by him |
| 3.   | Q.S. Mohibullah Shah<br>DPE GHSS Karak                 | GHSS Karak                       | -do-                    |
| 4.   | Muhammad Aslam<br>DPE GHSS Abdul Khel Lakki            | GHSS Abdul Khel Lakki            | -do-                    |
| 5.   | Mr. Sardar Ali<br>DPE GHSS Ghani Dehri Malakand Dargai | GHSS Ghani Dehri Malakand Dargai | -do-                    |
| 6.   | Muhammad Hashim<br>DPE GHSS No. 3 Peshawar City        | GHSS No.3 Peshawar City          | -do-                    |
| 7.   | Muhammad Saeed<br>ADO (Sports) EDO E&SE Swabi          | GHSS Rhich Bhan Abbottabad       | Against Vacant Post     |
| 8.   | Muhammad Ibrahim ud Din<br>DPE GCPE (M)Karak           | GHSS Boi Abbottabad              | -do-                    |
| 9.   | Mr. Deedar Khan<br>DPE GHSS Chamkani Peshawar          | GHSS Chamkani Peshawar           | Already occupied by him |
| 10.  | Mr. Abdul Sattar<br>DPE GHSS, Gul Imam Tank            | GHSS Gul Imam Tank               | -do-                    |
| 11.  | Muhammad Saeed Shah<br>DPE GHSS Kawi Mansehra          | GHSS Kawi Mansehra               | -do-                    |
| 12.  | Mr. Khaki Rehman<br>DPE GEC (M) Mir Ali NWA            | GEC (M) Mir Ali NWA              | -do-                    |
| 13.  | Mr. Habib Ullah<br>DPE GHSS Dargai Charsadda           | GHSS Dargai Charsadda            | -do-                    |
| 14.  | Mr. Habibullah<br>DPE GHSS Mamash Khel Bannu           | GHSS Mamash Khel Bannu           | -do-                    |
| 15.  | Mr. Zahoor Ahmad<br>DPE GHSS Manki Sharif Nowshera     | GHSS Manki Sharif Nowshera       | -do-                    |
| 16.  | Mr. Lal Bacha<br>DPE GHSS Mansabdar Swabi              | GHSS Mansabdar Swabi             | -do-                    |
| 17.  | Abdur Rauf DPE GHSS Wadpaga Peshawar                   | GHSS Wadpaga Peshawar            | -do-                    |
| 18.  | Mr. Fakhr Zaman Shah<br>DPE, GHSS Dhand Saghri, Kohat  | GHSS Dhand Saghri, Kohat         | -do-                    |
| 19.  | Mr. Wali-ur-Rehman DPE, GCPE Karak                     | GCPE Karak                       | -do-                    |
| 20.  | Mr. Kamran Ali,<br>DPE GHSS, Nagri Bunair              | GHSS Nagri Bunair                | Already occupied by him |
| 21.  | Mr. Muhammad Iqbal,<br>DPE GHSS Tehkal Bala Pesh:      | GHSS Tehkal Bala Pesh:           | -do-                    |
| 22.  | Muhammad Arif<br>DPE, GHSS Bam Khel Swabi              | GHSS Bam Khel Swabi              | -do-                    |
| 23.  | Mr Zard Ali Khan<br>DPE GHSS Urmar payan Peshawar      | GHSS Urmar payan Peshawar        | -do-                    |

*Advised*  
 SYED  
 M.A.B.I. S. P. Ed. Office: Shatta Koh  
 Peshawar

FEMALE DPEs

| S.No | Name & Designation of Officers                          | Place of Posting                | Remarks                 |
|------|---|---------------------------------|-------------------------|
| 1.   | Mst. Samina Habib DPE RITE(F) Kohat.                    | RITE(F) Kohat.                  | Already occupied by her |
| 2.   | Mst. Gul Nar DPE GGHSS Comp: Abbottabad.                | GGHSS Comp: Abbottabad.         | -do-                    |
| 3.   | Mst. Abida Parveen DPE GGHSS Malakpura Abbottabad       | GGHSS Malakpura Abbottabad      | -do-                    |
| 4.   | Mst. Robina Shaheen DPE GGHSS S.K.Bala Bannu.           | GGHSS S.K.Bala Bannu.           | -do-                    |
| 5.   | Mst. Sughra Afandi DPE GGHSS Gujrat Mardan.             | GGHSS Gujrat Mardan.            | -do-                    |
| 6.   | Mst. Sujhaat Begum DPE GGHSS Takhtbhai Mardan           | GGHSS Takhtbhai Mardan          | -do-                    |
| 7.   | Mst. Saima Gul DPE GGHSS Topi Swabi                     | GGHSS Topi Swabi                | -do-                    |
| 8.   | Mst. Sadia Hazrat DPE GGHSS Kopar Malakand              | GGHSS Kopar Malakand            | -do-                    |
| 9.   | Mst. Saira Ilaf DPE GGHSS Abbottabad                    | GGHSS Abbottabad                | -do-                    |
| 10.  | Mst. Dil Afroz DPE GGHSS Utmanzai Charsadda             | GGHSS Utmanzai Charsadda        | -do-                    |
| 11.  | Mst. Robina Shaheen DPE GGHSS Katlang Mardan.           | GGHSS Katlang Mardan.           | -do-                    |
| 12.  | Mst. Riffat Shaheen DPE GGHSS Garhi Habibullah Mansehra | GGHSS Garhi Habibullah Mansehra | -do-                    |
| 13.  | Mst. Arifa Saleem DPE GGHSS Khairabad Nowshera          | GGHSS Khairabad Nowshera        | -do-                    |

**SECRETARY TO GOVT OF NWFP  
ELEMENTARY & SECONDARY EDUCATION  
DEPARTMENT**

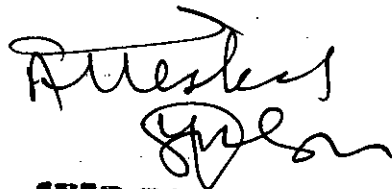
**Endst; of even no. & date:**

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) Director (E&SE) NWFP Peshawar.
- 5) Executive District Officer (E & SE) concerned.
- 6) The Accountant General NWFP.
- 7) District Accounts Officer concerned.
- 8) Deputy Database Administrator (EMIS) Elementary & Secondary Education Peshawar.
- 9) PA to Secretary Elementary & Secondary Edu: Department
- 10) Officer concerned
- 11) Master file



(ARIF JAMIL)  
SECTION OFFICER  
(PRIMARY)



**SYED YUNUS JAN**  
B.A.L.L.B., B.Ed., Certificate of Practice 1999  
Advocate High Court Peshawar  
Federal District Court.

# SARHAD UNIVERSITY

OF SCIENCE & INFORMATION TECHNOLOGY, PESHAWAR

## Detailed Marks Certificate

DMC No. SU/07258

Annex "C"  
13



Examination - Fall 2007

Student's Name: Mohammad Iqbal Roll No. 06-FA-15051  
 Father's Name: Wali Dad Registration No. SUIT-06-01-60088  
 Programme: Master of Science in Physical Education - M.Sc. (HPE) Term No. 2

| Courses  | Max Marks | Marks Obtained |                               | Remarks |
|--|-----------|----------------|-------------------------------|---------|
|  |           | In Figures     | In Words                      |         |
| Test Measurement & Evaluation in Physical Edu.     | 100       | 064            | Sixty Four                    | Pass    |
| Research Method in Physical Education              | 100       | 060            | Sixty Only                    | Pass    |
| Psychology of Sports                               | 100       | 056            | Fifty Six                     | Pass    |
| Science of Sports Training/ Coaching Courses/ Athi | 100       | 062            | Sixty Two                     | Pass    |
| Administration & Management in Physical Education  | 100       | 057            | Fifty Seven                   | Pass    |
| Project  | 200       | 096            | Ninety Six                    | Pass    |
| Total  | 700       | 395            | Three Hundred and Ninety Five | Pass    |

General Remarks: The Examination was passed in parts in 2nd division

Exam held: 13-June-09-Jul-2008 Result declared: September 15, 2008 Date of issue: September 25, 2008

Dr. Abdul Qadir  
Dean

Attested  
  
 Controller of Examinations

[Signature]  
Controller of Examinations

(Errors and omissions are subject to subsequent rectification)

~~DMC No. SU/07258~~

Attested  
  
**GHANSHYAM DAS**  
 B.A., L.L.B., B.E.S. - Advocate Ghanshyam Das  
 Advocate in High Court Peshawar  
 Federal Shariat Court

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

ORDER

Annex "D"

14

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: -

| S.No | Name               | Father's Name        | Domicile  | Address                          | Place of posting                 | Remarks             |
|------|--------------------|----------------------|-----------|----------------------------------|----------------------------------|---------------------|
| 1    | Mr Failzullah 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-                |
| 7    | Mr Muhammad Iqbal  | Wali Dad Khan        | Karak     | GHS Jandari Karak                | GHSS Haya Sarai, Dir Lower       | -do-                |
| 8    | Mr Zamrud Shah     | Zaimul 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 Shahbaag-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 Shaheen 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-                |

*[Handwritten Signature]*

*[Handwritten Signature]*

**SYED YOUSUF JAF**  
 B.A., B.L., B.S. Certificate Kharia Kot  
 Advocate in Court Peshawar  
 P.O. Box No. 1000

|    |                    |                          |            |                              |                                   |      |
|----|--------------------|--------------------------|------------|------------------------------|-----------------------------------|------|
|    | Ms Mussarij Iqbal  | Amal Noor                | Karak      | GGHSS Bogara Karak           | GGHSS Gumbat Kohat                | -do- |
|    | Ms Sardar Bibi     | Khana Gul                | Karak      | GGMS Amir Badshah Korora NWA | GGHSS Matta Swat                  | -do- |
|    | Ms Sheraz Taj      | Taj Nabi                 | Mardan     | GGMS Kata Kat Mardan         | GGHSS Sawal Dher Mardan           | -do- |
| 20 | Ms Afshreen Muhtaz | Late Hafiz Mukhtar Ahmad | Peshawar   | GGMS Mohamad Abad Peshawar   | GGHSS Kalabat Swabi               | -do- |
| 21 | Ms Sadia Hazrat    | Muhammad Hazrat          | Dir Lower  | GGMS Munjai Dir Lower        | GGHSS Kopar Malakand              | -do- |
| 22 | Ms Shahida Begum   | Gul Naeem Khan           | 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 Marjan               | -do- |
| 27 | Ms Tasleem Begum   | Sherin Nawab             | Malakdn    | GGHSS Dargai Malakand        | GGHSS Chakdara Manglor Swat (S&L) | -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- |

15

**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

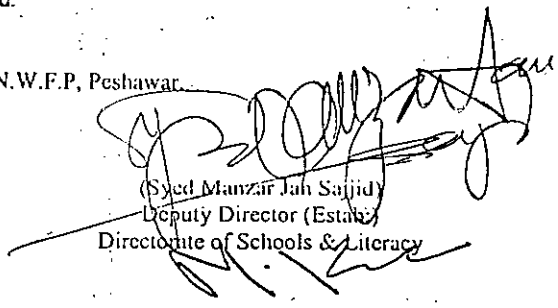
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*Juzon*  
BYED YOUNUS JAN  
Advocate & Certificate Officer  
Advocate & Certificate Officer  
Court Peshawar

16

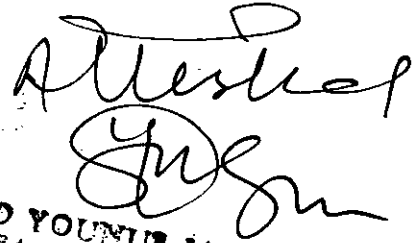
Encls: No. 1341-79 /F.No. DPE (F) Appointment (PSC/2006)  
Dated Peshawar 12/12/2006.

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 Sajjid)  
Deputy Director (Estab.)  
Directorate of Schools & Literacy

Munir Khan/bsbfaq



**SYED YOUSUF JAN**  
B.A.B.L.B. & B.A. Certificate Kharia 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"

NOTIFICATION.

(17)

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".

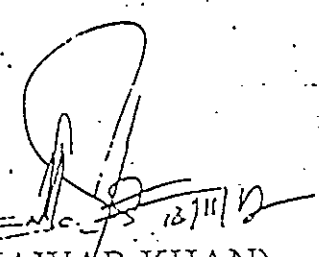
Sd/-

SECRETARY TO GOVERNMENT OF NWFP  
SCHOOLS & LITERACY DEPARTMENT.

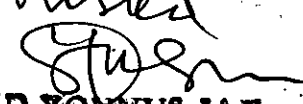
Endst:No. FD (SOSR-II) 10-7 / 03 / VOL.- II Dated, Peshawar the, 13/11/2007

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- 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*  
  
**SYED YOUNUS JAN**  
B.A., B.L.S., B.Ed., Certificate Bharu Law  
Advocate High Court Peshawar  
Federal Shariat Court

13

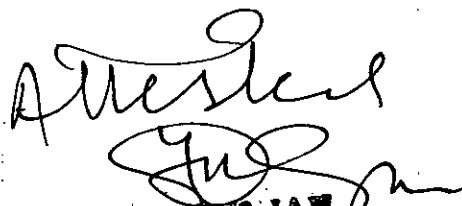
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- 2) Secretary to Government of NWFP, Finance Department.
- 3) P.S to Chief Minister NWFP, Peshawar.
- 4) P.S to Chief Secretary NWFP, Peshawar.
- 5) Director Schools & Literacy, NWFP, Peshawar.
- 6) Director, Curr. & Teachers Edu; NWFP, Mandian Abbottabad.
- 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 YUNUS JAN**  
B.A., B.S., B.Ed., Certificate, Barik, B.A.  
Advocate High Court Peshawar  
Federal Shariat Court.