

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

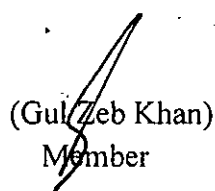
Counsel for the appellant and Mr. Hameedur Rahman, AD alongwith Addl. AG for the respondents present. Rejoinder submitted. Learned counsel for the appellant requested for adjournment. Adjourned for final hearing to 18.05.2017 before D.B.

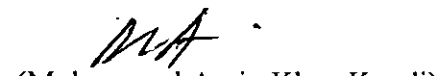

Member


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.

Khurshid Khan

A

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.

AD

[Signature]

Member

[Signature]

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

[Signature]

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

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

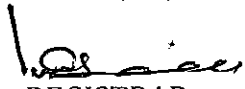

Agent of counsel for the appellant, M/S. Khursheed Khan, SO and Sultan Shah, Asstt. alongwith Addl: A.G for the respondents present. Requested for further adjournment. Last opportunity granted. To come up for written reply/comments on 21.07.2016 before S.B.

Chairman

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 1345/2015

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	02.12.2015	<p>The appeal of Mr. Qazi Ikramullah 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>
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 style="text-align: right;"> CHAIRMAN</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

Service Appeal No. 1345 / 2015

Qazi Ikram UllahAPPELLANT

VERSUS

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

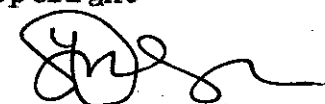
I N D E X

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 12 ¹¹ / ₂₀₁₀	'B'	11
5.	Copy of Certificate	'C'	12
6.	Copy of order dated 6/6/2005	'D'	13 - 15
7.	Copy of letter/Notification dated 13-11-2007	'E'	16 - 17
8.	Vakalat Nama		18

PESHAWAR

02 - 12 - 2015

Appellant
through


(Syed Younus Jan)
Advocate, High Court,
Peshawar

BEFORE THE KHYBER PAKHTUNKHWA, SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 1345 / 2015

Gazi Ikramullah, Director Physical Education (D.P.E)
Government Higher Secondary School, Slima Sikandar Khel,
Bannu 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.

~~M.W.P. Province~~
Service Tribunal
Diary No. 1403
Dated 2-12-15

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

That on acceptance of this appeal, the impugned order dated 12-11-2010 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")

Filed to-day
Registrar
2/12/15

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 15,Jan:09 and his/her result was declared on 7-03-2009 . (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 6-06-2005 (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 12-11-2010 with immediate effect instead of his/her date of acquiring requisite qualification. (Copy of the said letter/Notification is attached as Annexure 'B' above)

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 12-11-2010 vide which the promotion of the appellant to BS-17 (regular) has been made with immediate effect is neither
- 4 —

legation 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 12-11-2010 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.

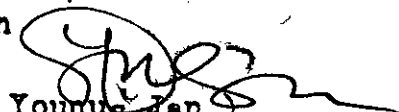
PESHAWAR

02-12-2015

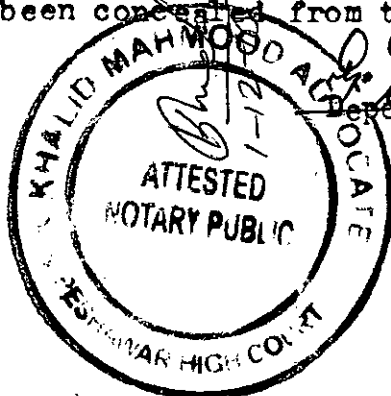
AFFIDAVIT


Appellant

through


(Syed Younus Jan)
Advocate, High Court, Peshawar

I, Qazi Ikramullah (D.P.E) GHSS Slima Sikandar Khel, Bannu 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.



5

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. _____ / 2015

Qazi Ikram Ullah 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, unconstititutional 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 dondonation of delay if any on the following amongst other grounds:-

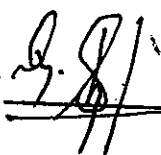
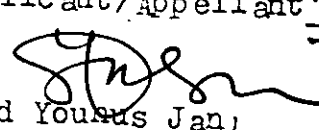
GROUNDS:

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 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

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

7

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

Service Appeal No. _____ / 2015 ..

Qazi Ikram Ullah APPELLANT

VERSUS

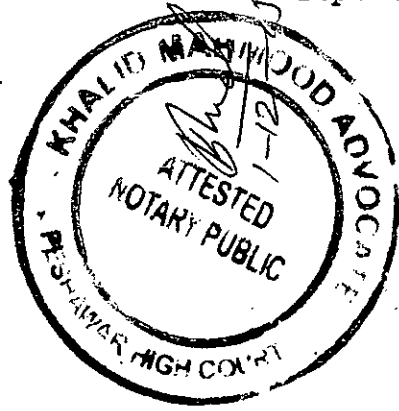
Government of K.P.K. and othersRESPONDENTS.

AFFIDAVIT.

I, Qazi Ikram Ullah (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 11/2/2015

Deponent Q. I. Ullah



(8)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

Service Appeal No. _____ / 2015

Qazi Ikram Ullah APPELLANT

VERSUS

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

ADDRESSES OF THE PARTIES.

Appellant.

Qazi Ikram Ullah, Director Physical Education (D.P.E)
Government Higher Secondary School, Slima Sikandar Khel,
Bannu.

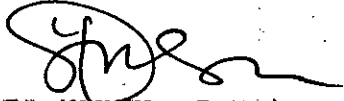
Respondents.

1. The Govt: of Khyber Pakhtoonkhwa through its Chief Secretary Civil Secretariate Peshawar.
2. Secretary Elementary and Secondary Education 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.

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 January, 09 and was regularly promoted against the post of Director, Physical Education (BPS-16) vide order dated ~~13-11-2005~~ 6-06-2005.
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 Jan:2009 but has illegally, un-constitutionally and malafidely been ignored for the same relief.
4. That vide order dated 12-11-2010 the appellant has been promoted to regular BS-17 but with immediate effect instead of January, 2009.
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 January, 2009.

Attested
[Signature]

SYED YOUSUF JAN
B.A., B.L.S., B.Ed., Certificate Chartered Law
Advocate High Court Peshawar
Federal District Court.

6. That as the appellant has acquired the requisite qualification for BS-17 (regular) in January, 2009 therefore, is entitled for the same relief from January, 2009 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.

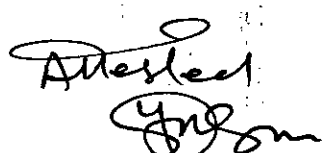
Your goodself is therefore, requested sir, that the letter/order dated 12-11-2010 may kindly be made effective from January, 09 and as such the regular promotion of the appellant to BS-17 (regular) may kindly be considered from January, 09 instead of immediate effect with all other service benefits.

Applicant/appellant



(Qazi Ikram Ullah)
 Director, Physical Education
 (DPE) Government Higher
 Secondary School, Slema
 Sikander Khel, Bannu.

PESHAWAR
 6-08-2015



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



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT
Dated Peshawar the 12-11-2010.

Annex "B"

(11)

NOTIFICATION.

NO.SO(PE)2-6/E&SED/DPC MTG/10. Consequent upon upgradation of the posts of Director Physical Education (DPEs) and Librarian from BPS-16 to BPS-17, the competent authority on the recommendation of the Departmental Promotion Committee, is pleased to grant BPS-17 to the following six (06) Male Directors Physical Education(DPEs) (BPS-16) and one (01) Male Librarian (BPS-16) with immediate effect:

Male DPEs

S. No.	Name & Designation of Officers	Proposed Place of Posting	Remarks.
1	Mr. Muhammad Jalal DPE GHSS Serai Nourang Lakki Marwat.	GHSS Serai Nourang Lakki Marwat.	Against vacant post already occupied by him.
2	Mr. Zahoor Zaman DPE GHSS Shahbaz Azmat Khel Bannu.	GHSS Shahbaz Azmat Khel Bannu.	do
3	Mr. Daud Khan DPE GHSS Kot Kashmir Lakki Marwat	GHSS Kot Kashmir Lakki Marwat	do
4	Mr. Iqramullah DPE GHSS Siema Sikander Khel Bannu	GHSS Siema Sikander Khel Bannu	do
5	Mr. Aminullah DPE GHSS Sufaid Sang Peshawar.	GHSS Sufaid Sang Peshawar.	do
6	Mr. Shafiullah Khan DPE GHSS Kheshti Payan Nowshera.	GHSS Kheshti Payan Nowshera.	do

Male Librarian.

S. No.	Name & Designation of Officers	Proposed Place of Posting	Remarks.
1	Mr. Aurangzeb Librarian GHSS Domel, Bannu.	GHSS Domel, Bannu.	Against vacant post already occupied by him.

SECRETARY TO GOVT. OF KHYBER
PAKHTUNKHWA
ELEMENTARY & SECONDARY
EDUCATION DEPARTMENT.

Endst. No. & Date as above.

Copy forwarded to:

- 1- Secretary to Govt. of Khyber Pakhtunkhwa Establishment & Admin. Department
- 2- Special Secretary (Regulation) Establishment & Admin. Department
- 3- Secretary to Govt. of Khyber Pakhtunkhwa Finance Department with br. Endst. letter No. SO(FR) 1077 11/2009 dated 13-10-2010
- 4- Secretary to Chief Minister Khyber Pakhtunkhwa.
- 5- P.S to Chief Secretary Khyber Pakhtunkhwa
- 6- Director Elementary & Secondary Education Khyber Pakhtunkhwa
- 7- Executive District Officers, Peshawar, Lakki Marwat, Bannu, Nowshera.
- 8- District Accounts Officers, Peshawar, Lakki Marwat, Bannu, Nowshera
- 9- P.S to Secretary / Special Secretary / Additional Secretary E&SE Department
- 10- P.A to Deputy Secretary (Admn.) E&SE Department
- 11- Officers concerned
- 12- Master file.

Attest
[Signature]
PRINCIPAL
GHSS Siema Sikander K
(Essaki) Bannu

(MUJEEB-UR-RAHMAN)
SECTION OFFICER (PRIMARY)

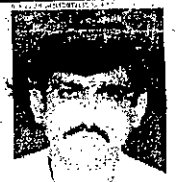
Attested
[Signature]
BYED YOUSUF JAN
B.A.L.L.B. & Ed. - Certificate holder
Advocate High Court Peshawar
Federal Shariat Court.

Detailed Marks Certificate

DMC No. S/ 07027

Examination - Fall 2008

Annex "C"
(12)



Student Name	<u>Qazi Ikramullah Khan</u>	Roll No.	<u>07-FA-16075</u>
Father's Name	<u>Qazi Hanifullah Khan</u>	Registration No.	<u>SUIT-07-01-60026</u>
Programme	<u>Master of Health & Physical Education - M.Sc. (HPE)</u>	Term No.	<u>2</u>

Courses	Max Marks	Marks Obtained		Remarks
		In Figures	In Words	
Test, Measurement & Evaluation in Physical Edu.	100	064	Sixty Four	Pass
Psychology of Sports	100	071	Seventy One	Pass
Research Method in Physical Education	100	065	Sixty Five	Pass
Science of Sports Training	100	058	Fifty Eight	Pass
Administration & Management in Physical Education	100	062	Sixty Two	Pass
Project	200	080	Eighty Only	Pass
Total	700	400	Four Hundred Only	Pass

General Remarks The Examination was passed as a Whole in 2nd division

Exam held 17 - Dec to 15 - Jan - 2009 Result declared March 07, 2009 Date of issue June 09, 2009

Dr. S. Ali
Dean

Attested
Sher
BYED YOUSUF JAR
B.A.B.L.S. B.Ed. (Certificate) Peshawar
Advocate High Court Peshawar
Federal Shariat Court

Ali
Controller of Examinations

(Errors and omissions are subject to subsequent rectification)

OFFICE OF THE DIRECTOR SCHOOLS & LITERACY N.W.F.P. PESHAWAR**OFFICE ORDER**

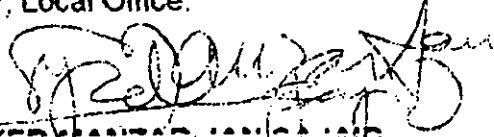
Consequent upon the recommendation of the Departmental Promotion Committee (DPC) in its meeting held on 11-5-2005 and approval by the Competent Authority, the following in-service teachers (Male) are hereby promoted as DPEs in (BPS-16) and posted in the institutions mentioned against each with immediate effect:-

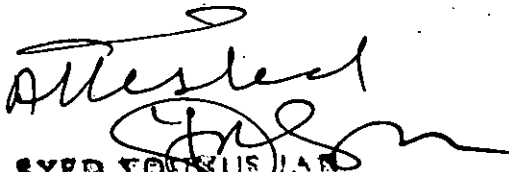
S.No	Name & Designation	Place of Adjustment	Remarks
1	Mr. Lal Bacha SET, GHS Parmoli Swabi (in his own pay & BPS)	DPE, GHSS Manga Dargai Charsadda	Against Vacant Post
2	Mr. Daud Khan PET, GHS Zafar Mama Khel Lakki Marwat	DPE, GHSS Dhakki Charsadda	Against Vacant Post
3	Mr. Anwar Saeed PET, GHS F.S. Mitra Khel Bannu	DPE, GHSS Nisatta Charsadda	Against Vacant Post
4	Mr. Sajid Firdoos PET, GHS Jhangi Abbottabad	DPE, GHSS, Dalola Abbottabad	Against Vacant Post
5	Muhammad Rasool PET, GHS Ahmad Khel Lakki	DPE, GHSS, Piri Saddi Mardan	Against Vacant Post
6	Mr. Hamza Ali PET, GHS Surat Khan FF, Bannu	DPE, GHSS Akbar Pura Nowshera	Against Vacant Post
7	Mr. Aslam Khan PET, GHS Nawar Khel Lakki	DPE, GHSS, Ziarat Kaka Sahib NSR	Against Vacant Post
8	Mr. Israr Khan DM, GHS No.1, Bannu	DPE, GHSS, Madyan Swat	Against Vacant Post
9	Qazi Ikram Ullah PET, GHS Bazar Ahmad Khan Bannu	DPE, GHSS, Charbagh Swat	Against Vacant Post
10	Mr. Saif-ur-Rehman PET, GHS Rori D.I.Khan	DPE, GHSS, Zaimdara Dir Lower	Against Vacant Post
11	Mr. Abdul Mateen PET, GHS Kech D.I.Khan	DPE, GHSS, Nagari Bunir	Against Vacant Post
12	Mr. Ijaz Khan PET, GHS Jaganath Swabi	DPE, GHSS, Kohi Barmol Mardan	Against Vacant Post
13	Mr. Abdul Hadi PET, GHS Swabi	DPE, GHSS, Kabgani Swabi	Against Vacant Post
14	Muhammad Khurshid PET, GHS, Chakeser Shangla	ADO Sports O/O EDO (S&L) Shangla	Against Vacant Post
15	Mr. Atta Ullah Khan PET, GHS No.1, Bannu	DPE, GHSS, Rislapur Nowshera	Against Vacant Post
16	Mr. Saif Ajah Khan PET, GHS Makoori Karak	DPE, GHSS, Kot Najibullah Haripur	Against Vacant Post
17	Mr. Saddiq-ur-Rehman PET, GHS Sursdag Karak	DPE, GHSS, Pirpai Nowshera	Against Vacant Post
18	Mr. Wali Dad Khan PET, GHSS Lachi Kohat	DPE, GHSS, Tamah Charsadda	Against Vacant Post
19	Mr. Shahid-ur-Rehman PET, GHS Khujakki Killa Karak	DPE, GHSS, Dosehra Charsadda	Against Vacant Post

Endst: NO. 13554-66 / F.No.38/Promotion/ DPEs/2004 Dated 6 /6 /2005

Copy of the above is forwarded to the:-

- 1- Secretary to Govt. of NWFP Schools & Literacy Department Peshawar.
- 2- Accountant General NWFP, Peshawar.
- 3- Director of Education (FATA) NWFP, Peshawar.
- 4- Executive District Officers (Schools & Literacy) concerned.
- 5- Agency Education Officers concerned.
- 6- District Account Officers concerned.
- 7- Agency Account Officers concerned.
- 8- Principals/Headmasters GHS/GHSS concerned.
- 9- Teachers concerned.
- 10- PS to Minister for Education NWFP, Peshawar.
- 11- PA to Director Schools & Literacy NWFP, Local Office.
- 12- Master file.


SYED MANZAR JAN SAJAI
DEPUTY DIRECTOR (ESTAB.)
DIRECTORATE OF SCHOOLS & LITERACY
N.W.F.P. PESHAWAR


SYED FOZUL JAN
M.A.B.L.B. 3 B.J. Certificate in 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.

(16)

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-III 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.

Attested
Younus

BYED YOUNUS JAN

B.A.B.L. B. B. Ed. Certificate Shariq Lee
Advocate High Court Peshawar
Federal Shariat Court.

Munawar Khan
13/11/07
(MUNAWAR KHAN)
SECTION OFFICER (SR-11)
FINANCE DEPARTMENT
GOVERNMENT OF NWFP.

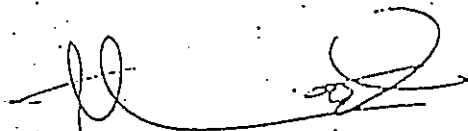
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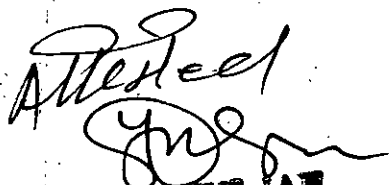
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Copy is forwarded to:-

- 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.

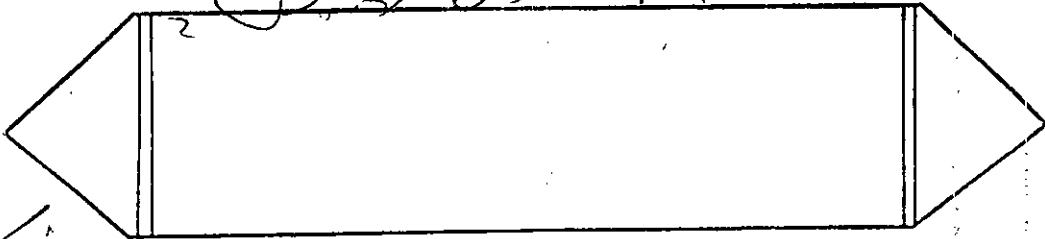


SYED YOUNUS JAN
B.A., B.L., B.Ed., Certificate Sharia Law
Advocate High Court Peshawar
Federal Shariat Court.

10/10/2010
10/10/2010
10/10/2010

18

بعدالت KPK سروس ٹریبونل لائن



2 مخانبہ ماضی اکرام اللہ اسلام آباد
بنام حکومت KPK حیدر
ریاست گلگت

ماضی اکرام اللہ
اسلام آباد

موزنہ
مقدمہ
دعویٰ
جرم
Service Appeal
NO / 2015

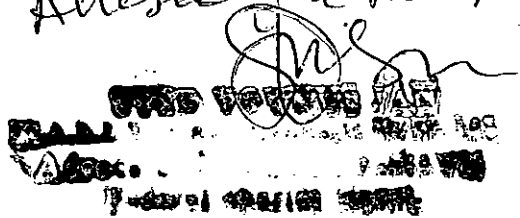
باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کارروائی متعلقہ
آن مقام _____ کیلئے سروس ٹریبونل لائن کے
مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز
وکیل صاحب کو راضی نامہ کرنے و تقرر ثالثہ فیصلہ بر حلف دیئے جواب دہی اور اقبال دعویٰ اور
بصورت ڈگری کرنے اجراء اصولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق
زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی
نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور
کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار
ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ با اختیارات حاصل ہوں گے اور اس کا ساختہ
پر واخستہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا۔
کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی
مذکور کریں۔ لہذا ادکالت نامہ لکھد یا کہ سندر ہے۔

المترقوم _____ ماہ _____ 20__

العبد _____ گواہ العبد _____

بمقام KPK سروس ٹریبونل لائن کے لئے منظور ہے۔
Accepted & Accepted



فاضل اکرام اللہ اسلام آباد