

Service Appeal No. 1163/2015

17.10.2019

Appellant absent. Learned counsel for the appellant is also absent. Mr. Riaz Ahmad Paindakheil, Assistant AG for the respondents present. Case called several time but none appeared on behalf of the appellant nor the appellant was present in person. Consequently, the present service appeal is hereby dismissed in default. File be consigned to the record room

ANNOUNCED

17.10.2019

(AHMAD HASSAN)
MEMBER

(M. AMIN KHAN KUNDI)
MEMBER

17.05.2019

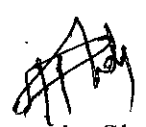
Syed Noman Bukhari learned counsel for the appellant and Mr. Usman Ghani, District Attorney alongwith Mr. Muhammad Saleem, Superintendent for the respondents present. Learned counsel for the appellant requested for adjournment. Adjourned to 27.06.2019 for arguments before D.B.



(AHMAD HASSAN)
MEMBER


(M. AMIN KHAN KUNDI)
MEMBER

27.06.2019

Junior to counsel for the appellant and Mr. Riaz Khan Paindakhel learned Assistant Advocate General for the respondents present. Junior to counsel for the appellant seeks adjournment. Adjourned. Case to come up for arguments on application on 02.09.2019 before D.B.

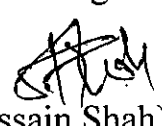

(Hussain Shah)
Member



(M. Ahmad Hassan)
Member

02.09.2019

Counsel for the appellant and Mr. Usman Ghani, District Attorney for the respondents present.

Learned District Attorney stated that the present appeal was assigned to Mr. Ziaullah, Deputy District Attorney who is not available today due to death of his relative. He therefore requested for adjournment. Adjourned to 17.10.2019 for arguments before D.B.


(Hussain Shah)
Member


(M. Amin Khan Kundi)
Member

05.03.2019

Junior to counsel for the appellant present. Learned Member (Executive) who heard the arguments is indisposed. Adjourned. To come up for re-arguments on 14.03.2019 before D.B.



Member


Member

14.03.2019


Junior for the appellant and Mr. Muhammad Jan, Deputy District Attorney for the respondents present. Junior counsel for the appellant seeks adjournment on the ground that learned senior counsel is busy before the Hon'ble Peshawar High Court. Adjourn. To come up for arguments on 10.04.2019 before D.B.



(M. AMIN KHAN KUNDI)
MEMBER


(M. HAMID MUGHAL)
MEMBER

10.04.2019

Junior to counsel for the appellant present. Mr. Muhammad Jan, Deputy District Attorney for respondents present. Junior to counsel for the appellant seeks adjournment on the ground that senior counsel for the appellant was busy before the Supreme Court of Pakistan. Adjourned. Case to come up for arguments on 17.05.2019 before D.B.


(Ahmad Hassan)
Member


(M. Amin Khan Kundi)
Member

31.10.2018

Due to retirement of Hon'ble Chairman, the Tribunal is defunct. Therefore, the case is adjourned. To come up on 18.12.2018.



CHAIRMAN

18.12.2018

Junior counsel for the appellant Mr. Taimur Ali, Advocate present. Mr. Muhammad Jan, Deputy District Attorney for the respondents present. Junior counsel for the appellant requested for adjournment on the ground that learned senior counsel for the appellant is busy in the Hon'ble Peshawar High Court. Adjourned. To come up for arguments on 01.02.2019 before D.B.



(Hussain Shah)
Member



(Muhammad Amin Khan Kundi)
Member

04.02.2019

Learned counsel for the appellant and Mr. Usman Ghani learned District Attorney present. Arguments heard. To come up for order on 14.02.2019 before D.B.



Member



Member

14.02.2019

To come up before proper bench on 05.03.2019.




Member



Member

27.02.2018

Counsel for the appellant and Mr. Muhammad Jan, Deputy District Attorney alongwith Mr. Ibrar Ali, AD for the respondents present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 02.05.2018 before the D.B.


Member


Chairman

02.05.2018

Clerk to counsel for the appellant and Mr. Kabir Ullah Khattak, learned Additional Advocate General present. The Tribunal is defunct due to retirement of Hon'ble Chairman. Therefore, the case is adjourned. To come up for the same on 18.07.2018

18.07.2018

Counsel for the appellant present. Mr. Sardar Shoukat Hayat, Addl: AG for respondents present. Counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 10.09.2018 before D.B.

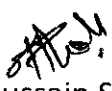

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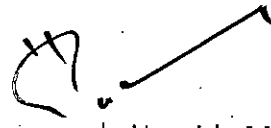

(Ahamd Hassan)
Member


(Muhammad Hamid Mughal)
Member

10.09.2018

Junior to counsel for the appellant and Mr. Muhammad Jan learned Deputy District Attorney present. Junior to counsel for the appellant seeks adjournment as senior counsel for the appellant is not in attendance. Adjourned. To come up arguments on 31.10.2018 before D.B


(Hussain Shah)
Member


(Muhammad Hamid Mughal)
Member

2012 S C M R 126 ✓

[Supreme Court of Pakistan]

Present: Tassaduq Hussain Jilani,
Mian Saqib Nisar and Asif Saeed Khan Khosa, JJ

SECRETARY SCHOOL OF EDUCATION and others---Petitioners

versus

Rana ARSHAD KHAN and others---Respondents

Constitutional Petitions Nos. 330-L, 469-L to 505-L, 510 to 525-L, 534-L to 541-L and 552-L of 2011, decided on 29th June, 2011.

(Against the judgment dated 22-12-2010 passed by the Punjab Service Tribunal, Lahore in Appeals Nos. 1933, 1934, 1962, 1937, 1938, 1940, 1941, 1942, 1943, 1944, 1947, 1948, 1949, 1950, 1951, 1952, 1954, 1955, 1956, 1958, 1959, 1961, 1962, 1963, 1964, 1965, 1967, 1968, 1970, 2066, 2067 of 2009 and 62 of 2010, 355, 1048, 1413, 1414, 1864 of 2010, 1945, 1960, 1966, 1969 of 2009, 356, 1406, 1407, 1409, 1410, 1411, 1412, 1810, 1840, 1865, 2471, 1939 of 2009, 2357 of 2010, 1953, 1957, 1946, 2596 of 2009, 637, 979 of 2010, 2472 of 2009 and 1080 of 2010).

Punjab Civil Servants Act (VIII of 1974)---

---Ss. 2(g-a)(g-b), 5 & 8---Punjab Service Tribunals Act (IX of 1974), S.4--- Constitution of Pakistan, Art: 212(3)--- Promotion--- Working papers regarding appellants' promotion prepared before their retirement from service on attaining age of superannuation---Denial of promotion to appellants due to their retirement---Service Tribunal while accepting appeal directed department to prepare working papers regarding appellants' promotion and place same before Selection Board for consideration--- Validity--- Department had delayed matter of appellants' promotion without any justifiable reason, for which they could not be made to suffer---Appellants' promotion after retirement from service would be pro forma promotion---Supreme Court refused to grant leave to appeal in circumstances. [pp. 127, 130] A & B

Dr. Muhammad Amjad and another v. Dr. Israr Ahmed and others 2010 SCMR 1466 rel.

Ahmad Rauf, Additional Advocate-General, Punjab for Petitioners.

Nazir Ahmed Qureshi, Advocate Supreme Court with C.M. Latif, Advocate-on-Record for Respondents.

Secretary School of Education v. Arshad Khan
(Tassaduq Hussain Jilani, J)

Respondents in person (in C.Ps. Nos. 502-L, 503-L, 504-L, 505-L, 516-L, 517-L, 518-L, 519-L and 520-L of 2011).

Date of hearing: 29th June, 2011.

JUDGMENT

TASSADUQ HUSSAIN JILLANI, J.---This judgment shall dispose of the captioned petitions seeking leave to appeal against the consolidated judgment dated 2-12-2010 passed by the learned Punjab Service Tribunal, Lahore vide which the appeals of the respondents were allowed and it was directed as follows:---

"The competent authority is directed to immediately prepare working paper of all the appellants and the same be placed before the Provincial Selection Board for grant of BS-18 to the appellants (in Appeals Nos. 1080, 2357, 2471, 2472, 1864 and 1865 of the year 2010) and BS-19 to all the remaining appellants from the due date notwithstanding their retirement. If they are otherwise found entitled thereto. However, it would be made clear that the authority shall scrutinize the case of all the appellants and ensure that they are only granted those scales from the due date if they have not already availed of the same. The competent authority shall complete this exercise within a period of four months from the receipt of this order with compliance report to the Registrar of this Tribunal."

2. Learned Additional Advocate-General, Punjab seeks leave to appeal against the impugned judgment primarily on two grounds, first, that the case of the respondents was distinguishable from those who were granted relief in the case reported as Dr. Muhammad Amjad and another v. Dr. Israr Ahmed and others (2010 SCMR 1466) as the respondents in the instant petitions never represented to the competent authority when they were denied the promotion. Second, the respondents were not entitled at the relevant time to be granted promotion for one reason or other and without going into the said exercise the learned Tribunal could not have granted them the relief in question. Elaborating his submissions learned Law Officer referred to amended subsection (5) of section 8 of the Punjab Civil Servants Act, 1974 to contend that the respondents could have been granted the pro forma promotion if they were entitled and they could not have been granted promotion as they had retired.

3. Learned counsel for the respondents who was on watching brief, defended the impugned judgment by submitting that the impugned judgment is unexceptionable; that the respondents were entitled to be granted promotion when it was due and that none of the respondents

for Appellant
Shams ul Jbrar

would claim promotion if they were not otherwise entitled under the rules.

4. Facts giving rise to the instant petitions briefly stated are that the respondents were serving in private educational institutions in the Punjab when MLR 118 was issued in terms of which privately managed schools were nationalized and taken over by the Government with effect from 1-10-1972. Subsequently Teaching Posts Rules, 1974, were promulgated by the Government of Punjab vide notification dated 26-9-1974. A dispute arose qua the inter se seniority of Headmasters serving in Government Educational Institutions and the one's in the privately managed schools and issue came up for consideration before this Court in Civil Appeals Nos. 1 to 15 of 1981 wherein it was held that "teachers of taken over educational institutions who made the requisite condition of sub-rules shall be placed at par with the teachers of government maintained institutions." As a consequence of the said judgment, the Government framed the policy known "On equal charge basis" and most of the teachers belonging to nationalized cadre were promoted to BPS-18 and their promotions to BPS-18 were antedated by the competent authority. The case of the respondents was that they were also entitled to antedated promotion in BPS-18/19. The matter was processed at the departmental level, a working paper was prepared but before the competent authority could pass an order, they were retired and ultimately their representation for antedated promotion was turned down by the Secretary Government of Punjab, Education Department vide the order dated 23-10-2008. The learned Service Tribunal allowed respondents appeals and directed the competent authority to process their cases for promotion if they were otherwise entitled at the relevant time as it was of the view that subsection (5) of section 8 of the Punjab Civil Servants Act, 1974, had no retrospective effect; that even otherwise the amended provision acknowledges the right of civil servants for promotion from earlier date by way of pro forma promotion (subsection (4) of section 8 of the Punjab Civil Servants Act) and that several employees similarly placed were allowed relief and denial of the same to respondents would be violative of Article 25 of the Constitution.

5. Much stress has been laid by learned Law Officer in subsection (5) of section 8 of the Punjab Civil Servants (Amendment) Act, 2005, a reference to which at this stage would be order. It reads as follows:--

"1. **Short title and commencement.**---(1) This Act may be called the Punjab Civil Servants (Amendment) Act, 2005.

(2) It shall come into force at once.

2. **Amendment in section 2 of Act VIII of 1974.**---In the said Act, in section 2, after clause (g), the following new clauses (g-a) and (g-b) shall respectively be added:--

"(g-a) "pro forma promotion" means promotion of a civil servant from the date of promotion of his junior, as may be prescribed.

(g-b) "promotion" means appointment of a civil servant to a higher post in the service or cadre to which he belongs."

3. **Amendment in section 8 of Act VIII of 1974.**---In the said Act, section 8 shall be substituted by the following:--

"8. **Promotion.**---(1) A civil servant shall be eligible to be considered for appointment by promotion to a post reserved for promotion in the service or cadre to which he belongs in a manner as may be prescribed; provided that he possesses the prescribed qualifications.

(2) Promotion including pro forma promotion shall not be claimed by any civil servant as of right.

(3) Promotion shall be granted with immediate effect and be actualized from the date of assumption of charge of the higher post, and shall in no case be granted from the date of availability of post reserved for promotion.

(4) A civil servant shall not be entitled to promotion from an earlier date except in the case of pro forma promotion.

(5) A retired civil servant shall not be eligible for grant of promotion or pro forma promotion.

(6) A post referred to in subsection (1) may either be a selection post or a non-selection post to which promotion shall be made as follows;

(a) in the case of a selection post, on the basis of selection on merit; and

(b) in the case of non-selection post, on the basis of seniority-cum-fitness."

A perusal of the afore-referred amended provision would reveal that it was not retrospective in effect as it was specifically stated that "it shall come into force at once". The question of its retrospectivity or otherwise was a moot point before this Court in *Muhammad Amjad v. Israr Ahmed* (2010 SCMR 1466) and this Court has held that the amended provision could not be given retrospective effect. That being so, the argument of learned Law Officer

with reference to subsection (5) of section 8 referred to in the preceding paragraph would be of no avail to him. Coming to the facts of this case, we find that it has not been disputed before this Court that much before the retirement of the respondents, a working paper was prepared by the department with regard to their promotion but the matter was delayed without any justifiable reason and in the meanwhile respondents attained the age of superannuation. They cannot be made to suffer on account of the departmental lapse. The argument of learned Law Officer that the respondents were not entitled at the relevant time to be granted promotion for one reason or the other is rather misconceived as the operative part of the impugned judgment has candidly directed that the working paper of the respondents shall be prepared and they will be considered for grant of next grade notwithstanding their retirement, if they are even otherwise found entitled thereto. This in fact would now be a pro forma promotion.

7. For what has been discussed above, we do not find any merit in these petitions, which are dismissed and leave refused.

S.A.K./S-42/SC

Leave refused

2012 S.C.M.R. 130

[Supreme Court of Pakistan]

Present: Mahmood Akhtar Shahid Siddiqui
and Mian Saqib Nisar, JJ

RAHIM BAKHSH---Petitioner

versus

GHULAM NABI---Respondent

Civil Petition No. 577-L of 2005, decided on 10th March, 2011

(Against the judgment dated 10-3-2005 passed by Lahore High Court, Multan Bench in C.R. No. 128-D of 2000).

Specific Relief Act (I of 1877)---

---Supreme Court Rules, 1980, O. XXX, R. 6---Constitution Art. 185(3)--- Cancellation of document--- Compromise between the parties---Jurisdiction of High Court to give effect to the compromise---Scope---After the appeal before Supreme Court was allowed for non-prosecution, the parties filed an application under O. 6 of Supreme Court Rules, 1980, for disposing of the compromise---Supreme Court disposed of

with the direction to parties to present the compromise to the court, whose decree was assailed---High Court in the light of the decision passed by Supreme Court, could validly seek and requisition the record of the appeal which was decided earlier and had been kept in the record room---Plea raised by petitioner was that he did not assent to any compromise nor the compromise could be given effect in the appeal already decided---Validity---Plea of petitioner was belied by the order of Supreme Court passed in application under O. XXX, R. 6 of Supreme Court Rules, 1980, as the compromise, which was in existence, was brought on record along with the application--- At the time of deciding the application, an advocate was marked present on behalf of the petitioner, who never objected or questioned execution or validity of agreement/compromise and it was conspicuously mentioned before Supreme Court that the parties had reached an agreement and if same was granted, litigation between the parties would come to an end---Supreme Court, in a peculiar situation had advised the parties to approach the court whose decree was desired to be amended/modified---Petitioner was well aware of the agreement/compromise but he never approached any court for seeking cancellation of the document under provisions of S.39 of Specific Relief Act, 1877, on any ground whatsoever---Resiling from the agreement / compromise by petitioner was a clear case of oblique motive and an afterthought with an object to cause prejudice to respondent, who had been running from pillar to pillar to seek fruits thereof---When in supervisory jurisdiction of High Court the matter had come before it, in order to give effect to the compromise, High Court could validly seek and requisition the record of appeal already decided and as per direction of Supreme Court could give effect thereto---Neither any injustice was caused to petitioner nor judgment passed by High Court suffered from any legal infirmity calling for interference---Leave to appeal was refused. [pp. 132, 133] A & B

Syed Shamim Abbas Bokhari, Advocate Supreme Court and Haji Muhammad Rafi Siddiqui, Advocate-on-Record for-Petitioner.

Zahid Hussain Khan, Advocate Supreme Court for Respondent.

Date of hearing: 10th March, 2011.

ORDER

MIAN SAQIB NISAR J.---This case has chequered history. However the facts have been clearly provided in the impugned judgment of the High Court and those need no reiteration, except for the purpose of pre-empting the issue it is briefly mentioned that the matter has arisen out of a pre-emption dispute inter se the parties. In the earlier round of litigation, availing his last remedy, the respondent filed Civil Appeal

accorded permission/NOC vide letter No.LCS (Engg-TP)-1/93-P dated 11-2-2010 and letter No.LCS (Engg-TP)-S(9)/93. dated 24-2-2010; thereafter, the petitioners appeared in GRE Test and secured highest marks in the said test. The petitioners have joined the Ph.D. Programme and they have also submitted their Ph.D. Research Proposals and not only the petitioners have incurred expenses in taking admission in the said programme after obtaining due permission/NOC from the respondent; therefore, at this stage of their studies, by transferring the petitioners vide impugned order dated 8-3-2010 to far off places, i.e. Bahawalpur and Sadiqabad, depriving the petitioners of their right of getting higher studies when their proposals have been accepted and the supervisors have been appointed, would amount to deprive the petitioners of their fundamental rights guaranteed under the Constitution, therefore, the impugned order dated 8-3-2010 is unjustified and arbitrary and is to be considered to be illegal and void. In the case of Mrs. Abida Parveen Channar v. High Court of Sindh at Karachi 2009 SCMR 605, it has been held that "all the public powers must be exercised reasonably and honestly for the purpose for which the same are conferred".

8. In view of the above, this writ petition is accepted and the impugned order dated 8-3-2010 is declared illegal, void, arbitrary and has been issued without lawful authority and of no legal effect; therefore, the impugned order dated 8-3-2010 to the extent of the petitioners is set aside as the same amounts to deprive the petitioners of their fundamental rights provided under Articles 4, 8 and 25 of the Constitution of the Islamic Republic of Pakistan, 1973. Even if any inquiry is pending against the petitioners, in those circumstances, the respondent could suspend the petitioners under section 6 of the PEEDA Act instead of transferring the petitioners.

M.H./R-23/L

Petition allowed.

2010 P L C (C.S.) 760

[Supreme Court of Pakistan]

Before Tassaduq Hussain Jillani
and Asif Saeed Khan Khosa, JJ

MUHAMMAD AMJAD and others

versus

Dr. ISRAR AHMED and others

Civil Appeals Nos. 384 and 385 of 2003, decided on 14th April, 2010.

(On appeal from the judgment of the Service Tribunal dated 001 passed in Appeal No.775 of 1999).

Punjab Civil Servants Act (VIII of 1974)---

---S. 8---Promotion---Delay---Legitimate expectancy, principle of---Civil servant was not promoted despite availability of vacancy---Service Tribunal allowed the appeal filed by civil servant and directed the authorities to consider him for promotion from the date when he became eligible for the post as there was vacancy available then---Validity---State functionaries were mandated to act with certain amount of reasonableness---Such canon of due process of law was not observed in processing civil servant's promotion matter---Having acquired requisite experience and having authored number of articles required for post in question, the civil servant had legitimate expectancy for the post in question---Judgment passed by Service Tribunal was neither against the rules nor the law declared---Civil servant was eligible to be considered for promotion when substantive vacancy in promotion quota was available---Judgment passed by Service Tribunal directing the authorities to consider case of civil servant's promotion to post in question from the date when vacancy in his quota was available was unexceptionable---Supreme Court declined to interfere in the judgment passed by Service Tribunal---Appeal was dismissed. [pp: 765, 767, 768] A, B & C

Government of N.-W.F.P. v. Buner Khan 1985 SCMR 1158; Government of the Punjab v. Rana Ghulam Sarwar Khan 1997 SCMR 515; Muhammad Iqbal v. Executive District Officer (R) Lodhran 2007 SCMR 682; Sarwar Ali Khan v. Chief Secretary to Government of Sindh 1994 PLC (C.S.) 411; Luqman Zareen v. Secretary Education N.-W.F.P. 2006 SCMR 1938; Ch. Muhammad Siddique v. Director, Special Education 1998 SCMR 88 and Idrees Ahmed v. Hafiz Fida Khan PLD 1985 SC 376 ref.

Dr. A. Basit, Advocate Supreme Court (in C.A. 384) and Mr. Saeed, Yousaf Khan, Additional Advocate-General for Appellants (in C.A. 385 of 2003).

Mr. Shoab Shaheen, Advocate Supreme Court for Respondents.

Date of hearing: 14th April, 2010.

JUDGMENT

TASSADUQ HUSSAIN JILLANI, J.--- This judgment shall dispose of Civil Appeal No.384 of 2003 filed by Dr. Muhammad Amjad and another and Civil Appeal No. 385 of 2003 filed by Government of Punjab through Chief Secretary as they are directed against the same judgment passed by the Punjab Service Tribunal dated 15-10-2001 vide

For Appellants
Sham ul Islam

which the appeal of the respondents was allowed and it was directed as follows:--

"Appellant's promotion to the post of Associate Professor (ENT) having been kept in abeyance till 3-12-1998 has affected his vested right of seniority vis-a-vis respondents Nos.3 and 4. I, therefore, accept the appeal, direct the respondents to consider the case of the appellant for promotion to the post of Associate Professor (ENT) in BS-19 w.e.f. the date when the vacancy, in his quota, became available and thereafter a joint seniority list of the officers directly recruited and those promoted shall be issued according to the rules".

2. Facts briefly stated are that respondent Dr. Israr Ahmad was appointed as Assistant Professor (ENT) in the Health Department on 13-1-1992. Admittedly as per the relevant rules 33% of the posts of Associate Professor were to be filled through direct recruitment and 2/3 by way of promotion. Respondents became eligible for promotion to the post of Associate Professor in February, 1997 when four posts were available in the promotion quota. However, the department did not consider his case for promotion till 3-12-1998 when he was promoted. He filed a representation and even that was not considered whereafter he approached the Service Tribunal. In the meanwhile, in June, 1998, the Punjab Public Service Commission had conducted interviews for two posts of Associate Professor, in which both the appellants were selected whereas respondent could not qualify. The Punjab Service Tribunal allowed respondent's appeal mainly on the ground that since a substantive post against promotion quota was available in 1997 and respondent was eligible to be considered, his promotion as Associate Professor should reckon from the date, the substantive post in the said quota was available.

3. Dr. Abdul Basit, learned counsel for the appellants in Civil Appeal No.384 of 2003 made the following submissions:--

- (i) That it is admitted position that in terms of the Punjab Health Department (Medical and Dental Teaching Posts) Service Rules, 33% of the posts are to be filled in through direct recruitment and the remaining 2/3rd by promotion. The appellants along with respondents Dr. Israr Ahmad applied through Public Service Commission against the posts reserved for direct recruitment, the appellants qualified the test and interview in 1998 and on the recommendation of the Punjab Public Service Commission, they were selected against the posts of Associate Professor whereas the respondent could not qualify;
- (ii) that there is no cavil with the proposition that the posts of

Associate Professor in the promotion quota were available and the meetings of the Departmental Promotion Committee (D.P.C.) did take place on 11-5-1993, 17-8-1995, 1-10-1996 and on 3-9-1997 but since neither the appellants nor the respondent were qualified to be appointed as Associated Professors by the said date, they were not so appointed. Since respondent did not challenge the act of the department of not promoting him in time, he could not raise his claim for pro forma promotion at a belated stage particularly when he failed to qualify the examination conducted by the Punjab Public Service Commission for appointment of Associate Professors against the posts reserved for direct appointment; and

- (iii) that section 8 of the Punjab Civil Servants Act, 1974 was amended by Act III of 2005 and under the amended provision, no civil servant can claim pro forma promotion as of right.

4. Learned Additional Advocate-General adopted the arguments of learned counsel for the appellants (in Civil Appeal No.384 of 2003) and made following additional submissions:--

- (i) That the impugned judgment is violative of section 8 of the Punjab Civil Servants Act and cannot be sustained;
- (ii) that respondent Dr. Israr Ahmad was duly promoted on 3-12-1998 and although the post fell vacant earlier but the delay occurred due to procedural and unavoidable causes because the department sent the case for respondent's promotion only on the receipt of requisite documents; and
- (iii) that the respondent appeared along with appellants (in the connected appeal) before the Punjab Public Service Commission for appointment against the posts reserved for direct appointment wherein the former failed but appellants were declared selected. That being so, it was not open for the respondent to claim seniority over the appellants after having not being selected by the Commission.

5. Learned counsel for the respondent Mr. Shoab Shaheen who assisted the Court on behalf of respondent at the asking of the Court, submitted as under:--

- (i) That although the post for direct recruitment as Associate Professor fell vacant in February, 1997, and the case of respondent's promotion against the said post was pending decision in the department, yet, in the meanwhile the posts were filled through selectees of Punjab Public Service Commission on

27-7-1998 and respondent was promoted later on 3-12-1998 which was unfair, mala fide and discriminatory; and

- (ii) that respondent had a right to be considered for promotion against the post reserved for promotion quota as soon as the substantive vacancy was available and respondent could not have been condemned for inaction of the State functionaries. In support of the submissions made, learned counsel relied on Government of N.-W.F.P. v. Buner Khan 1985 SCMR 1158, Government of the Punjab v. Rana Ghulam Sarwar Khan 1997 SCMR 515, and Muhammad Iqbal v. Executive District Officer (R) Lodhran 2007 SCMR 682.

6. We have heard learned counsel for the appellants, learned Additional Advocate-General as also Mr. Shoab Shaheen, Advocate Supreme Court who assisted the Court on behalf of respondent at the asking of the Court.

7. In accepting respondent's appeal, the learned Service Tribunal considered the availability of substantive posts in the promotion quota, the eligibility of respondent to be considered in February, 1997 and the unreasonable delay caused by the department in processing his case. The Court found as follows:

"In the comments submitted by respondent No.2, it was submitted that the post of Associate Professor (ENT) to be filled through promotion, when became available, the department started moving for filling the post by gathering documents from the prospective candidates and it was only after clearance that the competent authority, appellant was promoted as Associate Professor (ENT) on regular basis w.e.f. 3-12-1998. It is said that the delay which occurred, if any, was procedural and unavoidable, because the case was prepared on receipt of documents from different quarters. Explanation given is hardly convincing. It means that spade work which commenced in February, 1997 ended in December, 1998 playing with the rights of civil servant in such an arbitrary manner, is not only unpardonable but wholly unconsciousable. Appellant suffered and felt aggrieved, undoubtedly when the post of Associate Professor (ENT) was not being filled but the last nail was driven in the coffin on 27-7-1998 when the recently arrayed respondents Nos.3 and 4 were inducted through direct recruitment as Associate Professors (ENT)."

8. We specifically asked the Additional Advocate-General as to whether the respondent was eligible to be considered for promotion against the promotion quota by 3-2-1997, to which his answer was in the


affirmative. He could not give any explanation tenable in law for non-consideration of case by the Departmental Promotion Committee. The State functionaries are mandated to act with a certain amount of reasonableness which canon of due process of law was not observed in processing respondent's promotion matter. Having acquired the requisite experience and having authored the number of articles required for the post in question, respondent had legitimate expectancy for the post in question. The impugned judgment in these circumstances is neither against the rules nor the law declared.

9. In Sarwar Ali Khan v. Chief Secretary to Government of Sindh 1994 PLC (C.S.) 411, the appellant was working as a Superintendent (BS-16) in the Sindh Labour Appellate Tribunal when the said post was converted into that of Deputy Registrar in BS-17. However, the post was upgraded on the recommendation of the Departmental Promotion Committee. On 1-7-1988, the post of Registrar (BS-18) fell vacant and on 5-7-1988 he was appointed to the post in his own pay and status. Ultimately, he was promoted on regular basis to the post of Registrar (BS-18) on the recommendation of the Departmental Promotion Committee vide notification dated 30-6-1991. He applied for salary of BS-18 from the date when he was posted against the post of Registrar in his own pay and status i.e. 5-7-1988. His appeal was dismissed by the Service Tribunal merely on the ground that he did not challenge notification dated 5-7-1988 in time, that the Departmental Selection Board had not cleared his case for promotion and that he had been compensated by the grant of special pay. This Court allowed the appeal on the ground that his claim cannot be rejected merely on the ground of being time-barred; that there was no valid reason for the Selection Board to withhold clearance for regular promotion and in absence of any valid explanation, it was not fair and equitable to refuse the prayer.

10. In Government of the Punjab through Secretary Education v. Rana Ghulam Sarwar Khan 1997 SCMR 515, the brief facts are that there were 12092 posts in College Teachers Cadre. The Provincial Government decided to introduce a 4-tier structure for college teachers and with that object in view, it classified the posts in ratio of 1:15:34:50 in 4-tiers namely B.P.S 20, 19, 18 and 17. It was vide notification dated 1-9-1990. However, the department took two years to make the appointments in accordance with the above ratio. On account of this, the promotion of civil servants from BS-18 to 19 was held up till 1992. They represented before the Government that they should be promoted w.e.f. the date when the post was made available and in terms of notification dated 1-9-1990. The Service Tribunal allowed the relief. The Provincial Government challenged the judgment of the Tribunal. In upholding the said judgment, this Court was of the view that, "The delay in making the promotions occurred entirely due to the reason that the officials of the

24.05.2017


Junior to counsel for the appellant and Mr. Muhammad Adeel Butt, Additional AG for the respondent present. Junior to counsel for the appellant requested for time to file rejoinder. Request accepted. To come up for rejoinder and arguments on 26.09.2017 before D.B.



(Muhammad Amin Khan Kundi)
Member


(Gul Zeb Khan)
Member

26.09.2017

Counsel for the appellant and Asst: AG alongwith Mr. Murad Khan, Supdt for respondents present. Counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 27.12.2017 before D.B.


Member


Chairman

27.12.2017

Counsel for the appellant present. Mr. Muhammad Jan, Deputy District Attorney for the respondents present. Counsel for the appellant submitted rejoinder. Counsel for the appellant seeks adjournment. Adjourned. To come for arguments on 27.02.2018 before the D.B.


Member


Chairman

1163:15

01.06.2016

Appellant in person and Mr. Asif Khan. Asstt. alongwith Addl. AG for the respondents present. Written reply submitted. The appeal is assigned to D.B for rejoinder and final hearing for 03.10.2016.


Chairman

03.10.2016

Since 3rd October, 2016 has been declared as public holiday on account of 1st Muharram therefore. case is adjourned for the same on 10-2-17.


Reader

10.02.2017

Appellant in person and Mr. Ziaullah, GP for respondents present. Rejoinder not submitted. Appellant requested for adjournment as his counsel is busy before the Hon'ble Peshawar High Court, Peshawar. Adjourned. To come up for rejoinder and arguments on 31.05.2017 before D.B.


(ASHFAQUE TAJ)
MEMBER


(MUHAMMAD AAMIR NAZIR)
MEMBER

26.10.2015

Counsel for the appellant present. Learned counsel for the appellant argued that the appellant was initially appointed as Lecturer in English BPS-17 in the year 1987 and was promoted as Assistant Professor (BPS-18) in the year 2000. That he was entitled to promotion as Associate Professor in the year 2010 on the basis of strength of quota but appellant was promoted as Associate Professor on 9.1.2012 with immediate effect though entitled to ante-date promotion. That the appellant preferred department appeal against the said order which was rejected on 8.7.2015 and communicated to the appellant on 12.8.2015 and hence the instant service appeal on 10.9.2015.

That the appellant is entitled to ante-date promotion with effect from 2010.

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 8.2.2016 before S.B.


Chairman

08.02.2016

Counsel for the appellant and Assistant AG for respondents present. Requested for adjournment. To come up for written reply/comments on 12.4.2016 before S.B.


Chairman

12.04.2016

Appellant in person and Mr. Jahangir Khan, SO (Lit.) alongwith Addl: A.G for respondents present. Written reply not submitted. Requested for further adjournment. Last opportunity granted. To come up for written reply/comments on 01.06.2016 before S.B.


Chairman

Appellant
Security & Process Fee

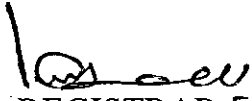



FORM-A

FORM OF ORDER SHEET

Court _____

Case No. 1163/2015

	Date of order/ proceedings	Order or other proceedings with signature of Judge/ Magistrate
1	2	3
1.	14.10.2015	<p>The appeal of Mr. Shamsul Ibrar reubmitted to-day by Mr. Muhammad Asif Yousafzai, advocate may be entered in the institution register and put up to the Worthy Chairman for preliminary hearing.</p> <p style="text-align: right;">  REGISTRAR </p> <p>This case be put up before the S.B for preliminary hearing on <u>26-10-15</u></p> <p style="text-align: right;">  CHAIRMAN </p>

The appeal of Mr. Shamsul Ibrar Associate Professor GDC Tangi on 9.09.2015, is incomplete on the following scores, which is returned to him for completion and resubmission within 15 days:-

1. The appeal may be got signed from the appellant.
2. Index of the appeal may be pared.
3. The appeal is not page-marked, which may be don.
4. The appeal is not annexure-wise which may done.
5. Annexures of the appeal may be attested by the appellant or his counsel.
6. 7 more copies of the appeal alongwith annexure i.e complete in all respect may also be submitted with the appeal.

No. 1391 /ST,

Dated 10/9 /2015


REGISTRAR
KPK SERVICE TRIBUNAL,
PESHAWAR.

MR. Muhammad Asif Yousafzai, Advocate, Peshawar

Sir.

1. removed.


2. removed.

3. removed.

4. removed.

5. removed.

6. removed.

Re-submitted


BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 1163 /2014

Mr. Sham-sul-Ibrar

V/S

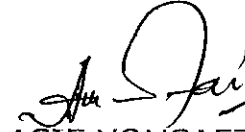
Government of KPK


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5.	Copy of Covering Letter(4.11.210)	D	26
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APPELLANT

THROUGH:


(M.ASIF YOUSAFZAI)
(ADVOCATES, HIGH COURT),
PESHAWAR

&

(TAIMUR ALI KHAN)
ADVOCATES, PESHAWAR

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

①

APPEAL NO. 1163/2015

P. W. F. Province
Service Tribunal
Diary No 1061
dated 10-9-15

Shams Ul Ibrar, Associate Professor,
Govt: Degree College Tangi.

(Appellant)

VERSUS

1. The Govt, of KPK through Chief Secretary KPK, Peshawar.
2. The Chief Secretary KPK, Peshawar.
3. The Secretary Higher Education KPK, Peshawar.
4. The Secretary Establishment, KPK, Peshawar.
5. The Secretary Finance, KPK, Peshawar.

(Respondents)

APPEAL UNDER SECTION-4 OF THE KPK SERVICE TRIBUNAL ACT 1974 AGAINST THE ORDER DATED. 12.8.2015 WHEREBY THE APPEAL OF APPELLANT FOR ANTE DATED PROMOTION HAS BEEN REJECTED FOR PO GOOD GROUNDS.

*Final
order
10/9/15
to-day*

PRAYER:

*Re-submitted
has been
14/10/15
to-day.*

THAT ON ACCEPTANCE OF THIS APPEAL, THE ORDER DATED. 12.8.2015 MAY BE SET-ASIDE AND THE RESPONDENTS MAY BE DIRECTED TO CONSIDER THE APPELLANT FOR PROMOTION TO BPS-19 W.E.FROM 2010 WHEN POSTS WERE AVAILABLE IN HIS QUOTA WITH ALL BACK AND CONSEQUENTIAL BENEFITS. ANY OTHER REMEDY WHICH THIS AUGUST TRIBUNAL DEEMS FIT AND APPROPRIATE THAT MAY ALSO BE AWARDED IN FAVOUR OF APPELLANT.

②

RESPECTFULLY SHEWETH:

1. That the appellant joined the Higher Education Department in the year 1987 as Lecturer in English subject in BPS-17. The appellant was promoted to BPS-18 as Assistant Professor in the year _____. The appellant has good service record throughout in his service career. The dates are recorded in the seniority list is attached as Annexure-A.

2. That according to Rules the post of Associate Professor BPS-19 is to be filled in as :-
 - (i) 20% by initial recruitment;
 - (ii) 80% by promotion on seniority cum fitness from amongst Assistant Professor (BPS-18) having 12 years service in BPS-17.

Thus, the appellant was eligible for promotion to BPS-19 in the year 2009/2010 against the quota fixed for promotion. Copy of Rules is attached as Annexure-B.

3. That on 9.6.2009, the Higher Education Department issued a Notification whereby on the basis of up-gradation of 4 tier formula. The strength of various posts was increased ratio of 1:15:34:50 w.e.from 1.7.2009. Thus, the strength of posts of BPS-19 was increased from 379 to 420 on male side. Copy of Notification is attached as Annexure-C.

4. That about 60 posts of BPS-19 were available for appellant's quota in 2009/2010, but due to ignorance of the department, the promotion process was not completed till 2012. Thus, the appellant was deprived from timely promotion to which he was otherwise entitled since 2009/2010. Copy of Covering letter is attached as Annexure-D.

5. That vide Notification dated 9.1.2012, the appellant and his other colleagues was promoted to BPS-19 as Associate Professor with immediate effect. Copy of Order is attached as Annexure-E.

6. That the appellant collectively through his group leader preferred appeal for antedating his promotion w.e.from availability of post/vacancy. The said appeal was rejected on 8.7.2015 and communicated to appellant on 12.08.2005. Hence, the present appeal on the following grounds amongst the others. Copies of Appeal and Rejection Order are attached as Annexure-F and G.

GROUNDS:

- A) That the order dated 8.7.2015 and not considering the appellant for promotion to BPS-19 w.e.from availability of post in his promotion quota is against the norms of justice and material on record, therefore, not tenable.
- B) That the promotion issue of appellant has not been dealt with timely by the respondents, for which the appellant can not be penalized and deprived from the benefits of promotion from due date.
- C) That 60 posts were available of BPS-19 since 2009/2010 in the quota for promotion but the department could not arranged timely PSB/DPC, due to which the appellant has been deprived from the benefit of promotion of BPS-19 till 2012. Thus, due to ignorance of department, the appellant has been suffered for no fault on his part.
- D) That according to various judgments of this Tribunal as well as Supreme Court of Pakistan the promotion is always to be made in promotion quota from the date of availability of posts and not from the date of immediate effect.
- E) That the appellant has not been dealt in accordance with the principle, mentioned in Para-D above, and has been made to suffer from the lethargic attitude of the respondent department.
- F) That the appellant can not be kept deprived from the benefits of promotion to BPS-19 from his due date due to inaction on the part of respondents.

9

G) That the appellant seeks permission to advance others grounds and proofs at the time of hearing.

It is, therefore, most humbly prayed that the appeal of the appellant maybe accepted as prayed for.

APPELLANT *S. Ibrar*
Shams Ul Ibrar

THROUGH:

M. Asif Yousafzai
(M.ASIF YOUSAFZAI)
(ADVOCATES, HIGH COURT),
PESHAWAR

&

Taimur Ali Khan
(TAIMUR ALI KHAN)
ADVOCATES, PESHAWAR

HIGHER EDUCATION ARCHIVES & LIBRARIES
DEPARTMENT

Dated Peshawar the 28-04-2014

Notification :- SO(AB)/1-12/HE/2014

In exercise of Powers conferred under sub-section(1) of Section-8 of the Khyber Pakhtunkhwa Civil Servant Act, 1973 read with 4(1)a of Khyber Pakhtunkhwa Civil Servant Act 1989 Establishment Department letter No. SOR-1(E&AD)3-15/88 (vol.1) dated 9-5-2002, the Competent Authority is pleased to approve the Seniority List of (469) Associate Professor (B-19) of College Cadre under Higher Education Department as it stood on 31-03-2014.


FINAL SENIORITY LIST OF ASSOCIATE PROFESSORS BPS-19(COLLEGE CADRE).
(MAEL)UPTO 31-03-2014 (Total Sanctioned posts=732)

S.No	Name of Officers with Qualification	Date of Birth/ Domicile	Date of 1st Entry in to Govt. Service	Date of Regular Appointment to the service/cadre.	Regular/Promotion to the present post.		Mode of App:	Remarks
					Date	BPS		
1	Mr.Kala Khan Awan M.A Political Science Deputation to Hazara University	13.04.1956 Abbottabad	01.10.1981	21.05.83	21-2-2007	19	Promotion	
2	Muhammad Hanif M.A. History. G.P/G.C. Bannu	15.05.1957 Bannu	14.10.1981	02.10.1984	26.5.2010	19	Promotion	
3	Mr.Sakhi Muhammad Khan M.A Arabic, Islm: GPGC, Bannu.	06.03.1960 Bannu	01.03.1986	11.03.1987	26.5.2010	19	Promotion	
4	Akbar Khan S/O Shamroz Khan M.A English, GJC, Swat.	12.02.1955 Malakand	3.10.1984	03.10.84	26.5.2010	19	Promotion	
5	Mr.Jehandad Khan M.A Urdu, G.C, Badber, Peshawar	01.11.1956 Peshawar	16.10.1984	16.10.1984	26.5.2010	19	Promotion	
6	Mr.Amjad Ahmed M.A Archeology, GDC. Havelian	24.04.1956 Peshawar	20.02.1983	25.09.1984	26.5.2010	19	Promotion	
7	Mr.Murad Ali M.Sc Maths, G.C, Akkora Khattak NSR	14.03.1957 Mardan	25.09.1984	25.09.1984	26.5.2010	19	Promotion	
8	Mr.Rahim Gul M Sc Physics, GDC, Dir (Upper)	24.05.1958 Malakand	22.10.1984	22.10.1984	26.5.2010	19	Promotion	
9	Muhammad Jalilur Rehman M.A Geography, GC, Bannu.	03.04.1959 Lakki	17.11.1983	25.09.1984	26.5.2010	19	Promotion	
10	Mr.Anwar Ali M.A History, G.C, Khankohi (Nowshera)	26.06.1959 Mardan	29.09.1984	29.09.1984	26.5.2010	19	Promotion	
11	Ghulam Mustafa S/O Abdul Ghaffar M.A Pak Study, GPGC, Manshra	25.06.1966 Manshra	24.08.1995	24.08.95	16.03.2011	19	Initial Recruitment	
12	Dr.Fazlur Rehman M.A Pak. Study. GSSC, Peshawar	16.12.1960 Bannu	11.02.1990	11.02.1990	16.03.2012	19	Initial Recruitment	

From Serial 14011 to 89
They were recruited through
PSC on 20% Kota, while the
remaining 80% Kota were not
left untouched due to
unknown reasons while
The posts were lying
vacant since 2007-10.
But unfortunately the
80% have activated
on 9/1/2012, there
about 95 new posts

ATTEST


S.No	Name of Officers with Qualification	Date of Birth/ Domicile	Date of 1st Entry in to Govt. Service	Date of Regular Appointment to the service/cadre.	Regular/Promotion to the present post.		Mode of App:	Remarks,
					Date	BPS		
13	Dr. Lal Said Jan M.Sc Physics, GPGC, Mardan	20.01.1967 Peshawar	17.10.1992	17.10.1992	27.10.2010	19	Initial Recruitment	3
14	Hamid Ullah Jan S/O Said Nawaz Khan M.Sc Comp: Sc, GPGC, Bannu	30.09.1967 FR.Bannu	01.06.1992	01.06.92	14.09.2010	19	Initial Recruitment	4
15	Muhammad Fayaz S/O Kiramat Khan M.Sc Physics, GPGC, Swabi	24.09.1967 Swabi	17.10.1992	17.10.92	27.10.2010	19	Initial Recruitment	5
16	Tasbihullah S/O Muhammad Ibrahim M.A English, GDC, Eakka Ghund	09.04.1967 Charsadda	13.10.1992	13.10.92	08.10.2010	19	Initial Recruitment	6
17	Shaukat Ali S/O Zaffar Khan M.Sc Physics, GGPGC, Timargara	06.03.1962 Dir	09.10.1989	09.10.89	27.10.2010	19	Initial Recruitment	7
18	Muhammad Shafee S/O Shalowzen M.A Pashto, GDC, Banda Daud Shah	07.07.1970 Karak	8.12.1988	16.09.98	15.06.2010	19	Initial Recruitment	8
19	Hastam Khan S/O Muhammad Shoib LLB, Law, GPGC, Nowshera.	08.06.1958 Mardan	11.11.1987	23.01.88	14.09.2010	19	Initial Recruitment	9
20	Abdul Wahab S/O Juma Gul M.A Islamiyat, GC, No.1 D.I.Khan	20.03.1964 Battagram	02.10.1989	02.10.89	28.01.2011	19	Initial Recruitment	10
21	Muhammad Anwar S/O Amir Dastan M.Sc. Physics GDC, Shabqadar	18.04.1968 Karak	27.10.2010 (Dirct-19)		27.10.2010	19	Initial Recruitment	11
22	Abdur Rashad S/O Ahmad Ullah M.Sc. Chemistry, GC, Peshawar	15.2.1959 Dir Lower	6.02.1991(Lect.)	6.2.1991	18.02.2011	19	Initial Recruitment	12
23	Fazli Nasir S/O Abdul Qadir M.A Pashto, GSSC, Peshawar	10.08.1963 Dir	07.08.1990	07.08.90	15.06.2010	19	Initial Recruitment	13
24	Shujat Ali S/O Karim Dad M.Sc Physics, GC Khairabad Mardan	01.04.1972 Mardan	09.02.2002	9.2.2002	27.10.2010	19	Initial Recruitment	14
25	Dr. Ashfaq Ahmad Khan S/O Abdul Qayum Khan, M.Sc Chemisty, GDC, Khanpur	01.01.1961 Haripur	12.11.1987	23.01.88	18.02.2011	19	Initial Recruitment	15

ATTESTED


S.No	Name of Officers with Qualification	Date of Birth/ Domicile	Date of 1st Entry in to Govt. Service	Date of Regular Appointment to the service/cadre.	Regular/Promotion to the present post.		Mode of App:	Remarks
					Date	BPS		
26	Muhammad Idrees S/O Muhammad Anwar, M A Arabic, GC, Tangi	10.04.1966 Charsadda	15.06.1992	15.06.92	31.12.2011	19	Initial Recruitment	16
27	Tajud Din S/O Muhammad Din M.A Urdu, GSSC, Peshawar	25.06.1965 Dir	05.09.1995	5.9.1995	31.03.2011	19	Initial Recruitment	17
28	Shahid Hussain Abbasi S/O Gohar Rehman Abbasi, LLB (Law) GC, Abbottabad.	01.02.1964 Abbottabd	12.11.1987	23.01.88	14.09.2010	19	Initial Recruitment	18
29	Mukhtair Ali S/O Sher Ali Khan M.A English, GP'GC, Abbottabad	06.03.1966 Battagram	20.10.1992	20.10.92	08.10.2010	19	Initial Recruitment	19
30	Umar Sharif S/O Muhammad Sharif M.A English, GPGC, Abbottabad	04.01.1963 Abbottabad	01.01.1991	01.01.91	08.10.2010	19	Initial Recruitment	20
31	Mr. Nazir Ahmad S/O Noor Ahmad M.Sc Chemistry, GPGC, Lakki Marwat	27.01.1965 Lakki Marwat	03.11.1988	03.11.1988	18.02.2011	19	Initial Recruitment	21
32	Dr. Shaukat Ullah S/O Inamullah Ph.D Islamiyat/ Arabic, GSSC, Peshwar	11.12.1965 Charsadda	28.07.1993	28.07.93	28.01.2011	19	Initial Recruitment	22
33	Siraj Ahmad S/O Buzarg Jamhair M.Sc Botony, GPGJC, Swat.	03.05.1964 Swat	20.10.1990	20.10.90	26.02.2011	19	Initial Recruitment	23
34	Muhammad Zahir Shah S/O Sarwar Shah, M.Sc Physics, GDC, Bakhshali Mardan	01.01.1965 Mardan	11.08.1993	11.08.93	27.10.2010	19	Initial Recruitment	24
35	Mujahid Ali S/O Amir Nawab M.Sc Chemistry, GDC, Mathra Peshawar	25.03.1966 Charsadda	18.01.1993	18.01.93	18.02.2011	19	Initial Recruitment	25
36	Riaz Ahmad S/O Minhajud Din M.Phil Physics, GPGJC, Swat	20.02.1960 Swat	11.11.1987	23.01.88	27.10.2010	19	Initial Recruitment	26
37	Mr. Mumtaz Ali S/O Rehman Ullah M.Sc Chemistry, GDC, Khairabad	02.04.1958 Mardan	01.06.2001	01.06.2001	18.02.2011	19	Initial Recruitment	27
38	Asghar Khan S/O Purdil Khan M.A Economics, GJPGC, Swat	25.02.1960 Swat	12.11.1987	23.01.88	20.07.2011	19	Initial Recruitment	28
39	Ahmad Saeed S/O Abdul Matin M.A Islamiyat/ Arabic, GC, Battagram	03.05.1959 Battagram	22.08.1993	22.8.1993	01.01.2011	19	Initial Recruitment	29
40	Mumtaz Hussain S/O Mian Said Qahar M.Sc Chemistry, GC, Matta.	21.05.1966 Swat	22.10.1992	22.10.92	18.02.2011	19	Initial Recruitment	30

ATTESTED
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S.No	Name of Officers with Qualification	Date of Birth Domicile	Date of 1st Entry into Govt. Service	Date of Regular Appointment to the service/cadre.	Regular/Promotion to the present post.		Mode of App.	Remarks
					Date	BPS		
41	Muhammad Raza Shah S/O Muhd: Nadar Shah, M.Sc Stats, Chief Planning Officer III	15.10.1973 Charsadda	14.09.1998	14.9.1998	01.02.2011	19	Initial Recruitment	31
42	Muhammad Hassan S/O Abdus Sattar M.Sc Biology, On Deputation	09.02.1962 Bannu	03.11.1988	03.11.88	26.02.2011	19	Initial Recruitment	32
43	Muhammad Karim S/O Sabir Gul M.Sc Stats, GDC, Hangu	01.02.1966 Karak	01.09.1991	01.09.1991	01.02.2011	19	Initial Recruitment	33
44	Noor Habib S/O Mian Gul M.A Islamiyat, GDC, Oghi.	02.06.1958 Mansehra	12.10.1989	12.10.89	28.01.2011	19	Initial Recruitment	34
45	Htikhar Ali S/O Mamoor Khan M.A English, GPGC, Mardan	04.05.1964 Swabi	01.01.1991	1.1.1991	08.10.2010	19	Initial Recruitment	35
46	Muhammad Anwar Khan S/O Faiz Muhammad, M.A Urdu, GC, Lakki	15.12.1954 Lakki	08.01.1991	08.01.91	31.03.2011	19	Initial Recruitment	36
47	Mr. Mushtaq Ahmad M.A Urdu, GDC, Khanpur	02.08.1960 Abbottabad	19.09.1989	19.09.1989	31.03.2011	19	Initial Recruitment	37
48	Muhammad Sufyan S/O Abdul Ghaffar Khan, M.A Urdu, On Deputation.	25.12.1960 Haripur	12.11.1992	12.11.92	31.03.2011	19	Initial Recruitment	38
49	Muhammad Shafi S/O Payoo Khan M.A History/Civics, Chairman BISE, Peshawar	01.04.1964 FR Kohat	14.12.1988	14.12.88	05.03.2011	19	Initial Recruitment	39
50	Muhammad Saleem S/O Wali Mohd: M.A English, GJC, Swat	18.04.1965 Swat	01.09.1991	01.09.91	08.10.2010	19	Initial Recruitment	40
51	Muhammad Saeed Khan S/O Ali Badshah, M.A English, GPGC, Karak.	15.04.1966 Karak	22.08.1991	22.08.91	08.10.2010	19	Initial Recruitment	41
52	Muhammad Tariq Jan S/O Fazal Muhammad MA Urdu GPGC, Mardan	05.04.1965 Mardan	15.09.1998	15.09.1998	31.03.2011	19	Initial Recruitment	42
53	Jamil Akhtar Awan S/O Sultan Muhammad, GPGC, Mandian Abbottabad	25.01.1962 Abbottabad	05.01.1991	05.01.91	31.03.2011	19	Initial Recruitment	43
54	Abdul Qadeer S/O Muammad Bashir M.Sc Botany, GDC, Lachi	01.04.1957 Bannu	08.01.1987	23.01.88	26.02.2011	19	Initial Recruitment	44
55	Manzoor Hussain S/O Faujoon Khan M.Sc Biology, GPGC, No 1 Abbottabad.	10.06.1960 Mansehra	08.12.1988	08.12.88	26.02.2011	19	Initial Recruitment	45

ATTESTED

S.No	Name of Officers with Qualification	Date of Birth/ Domicile	Date of 1st Entry in to Govt. Service	Date of Regular Appointment to the service/cadre.	Regular/Promotion to the present post.		Mode of App:	Remarks
					Date	BPS		
56	Syed Safdar Ali Shah S/O Abdur. Rauf Shah M.Sc Zoology, GPGC, Kohat	11.11.1962 Kohat	11.11.1987	23.01.88	31.03.2011	19	Initial Recruitment	46
57	Irfan Ullah S/O Mohibullah Khan M.Sc Stats, GDC, Badaber Peshawar	01.03.1963 Malakand	03.11.1988	03.11.88	01.02.2011	19	Initial Recruitment	47
58	Mr. Izaz Ali M.Sc Maths, GPGC, Mardan	01.12.1964 Mardan	17.06.1990	17.06.1990	29.10.2010	19	Initial Recruitment	48
59	Muhammad Tariq S/O Kachkol M.A Pol.Sc: GPGC, Nowshera.	27.07.1963 Nowshera	10.12.1988	10.12.88	05.03.2011	19	Initial Recruitment	49
60	Mujahid Hassan S/O Sher Hassan M.A History GDC, Hayatabad Peshawar	10.09.1964 Peshawar	09.02.1991	09.02.91	20.10.2010	19	Initial Recruitment	50
61	Naeem Akhtar S/O Muhammad Ajab M.Sc Maths, GPGC, No.1 Abbottabad	12.04.1968 Abbottabad	28.10.1992	28.10.92	29.10.2010	19	Initial Recruitment	51
62	Mr. Azhar Mahmood S/O Muhammad Siddique, M.Sc Botony, GPGC Mandian	06.06.1971 Abbottabad	27.04.1998	27.04.98	26.02.2011	19	Initial Recruitment	52
63	M. Ishaq S/O Ziarat Gul M.Sc. Maths GDC, Ghazi	15.02.1972 Charsadda	10/09/1998	10.09.1998	29.10.2010	19	Initial Recruitment	53
64	Saeed Ahmad S/O Abdul Aziz M.Sc Zoology, GSSC, Peshawar	24.02.1960 Peshawar	21.03.1988	21.03.88	31.03.2011	19	Initial Recruitment	54
65	Abdul Aziz S/O Younas Khan M.Sc Zoology, GC No.2 Mardan	03.03.1961 Mardan	21.08.1991	21.08.91	31.03.2011	19	Initial Recruitment	55
66	Malqais Khan S/O Mir Sahib Khan M.Sc Zoology, GC, Ghazni Khel	01.05.1966 Karak	22.08.1991	22.08.91	31.03.2011	19	Initial Recruitment	56
67	Muhammad Ayaz M.A Pol: Science, Principal GDC, Mingora Swat.	24.02.1958 Dir	26.06.1985	26.06.1985	05.03.2011	19	Initial Recruitment	57
68	Faridullah Jan S/O Ghulam Baqi Jan M.A Economics, GC, No.3 D.I.Khan	15.02.1965 Lakki Marwat	03.11.1988	03.11.88	20.07.2010	19	Initial Recruitment	58
69	Mohammad Ibrar S/O Mohammad Ikram (M.Sc. Stats) GPGC, Mardan	26.5.1972 Mardan	7.3.2005	7.3.2005	01.02.2011	19	Initial Recruitment	59

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S.No	Name of Officers with Qualification	Date of Birth/ Domicile	Date of 1st Entry in to Govt. Service	Date of Regular Appointment to the service/cadre.	Regular/Promotion to the present post.		Mode of App:	Remarks
					Date	BPS		
70	Muhammad Ishaq S/O Muhammad Afzal M.A Pol:Sc: GC, Thana	01.06.1962 Dir	17.09.1989	17.09.89	05.03.2011	19	Initial Recruitment	60
71	Mehtab Ahmad S/O M.Zaman Khan M.A Economics, No.1 GPGC, Abbottabad	02.03.1963 Abbottabad	08.12.1988	08.12.88	20.07.2010	19	Initial Recruitment	61
72	Jamal Shah S/O Ahmad Shah M.Sc Stats, GPGC, Abbottabad	10.04.1964 Mardan	08.12.1988	08.12.88	01.02.2011	19	Initial Recruitment	62
73	Mir Imdad Khan S/O Malik Mir M.A History/Civics, GC, S.K. Bala	01.01.1962 Bannu	07.12.1988	07.12.88	22.10.2010	19	Initial Recruitment	63
74	Ajmal Khan S/O Sarwar Jan M.Sc Maths, GDC, Karak	12.01.1971 Karak	08.11.1995	8.11.1995	29.10.2010	19	Initial Recruitment	64
75	Mr. Israr Muhammad M.A Economics, Additional Secretary LAW Deptt.	12.04.1961 Swabi	23.06.1990	23.06.1990	20.07.2010	19	Initial Recruitment	65
76	Sabza Ali Khan S/O Mir Zali Khan M.A Pol: SC, GC, Peshawar.	24.10.1960 Lakki Marwat	19.09.1989	19.09.89	22.10.2010	19	Initial Recruitment	66
77	Hajabur Rahman S/O Nawaz Khan M.Sc Maths, GPGC, Nowshera	15.03.1962 Nowshera	14.06.1990	14.06.90	29.10.2010	19	Initial Recruitment	67
78	Mussawar Jan Durrani S/O Sadud Din Durrani M.Sc Maths, Controller BISE Peshawar	13.03.1968 Charsadda	14.01.2002	23.7.2005	29.10.2010	19	Initial Recruitment	68
79	Munawar Alam S/O Amir Dastan M.Sc. Maths GDC, Ahmad Abad (Karrak)	01.01.1972 Karak	14.2.2003	23.7.2005	01.11.2010	19	Initial Recruitment	69
80	Muhammad Yasin S/O Rais Khan M.Sc Chemistry, GC, Hangu.	06.04.1963 Karak	08.12.1988	08.12.88	21.05.2011	19	Initial Recruitment	70
81	Ahsan Ur Rahim S/O Amir Ullah MA Political Science GDC, Havelian (Abbottabad).	04.08.1969 Manshara	28.03.1998	28.03.1998	30.06.2011	19	Initial Recruitment	71
82	Bakhtiar S/O Rasool Khan M.A Pol: Sc, GPGC, Swabi	11.03.1963 Swabi	20.12.1992	20.12.92	30.06.2011	19	Initial Recruitment	72

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S.No	Name of Officers with Qualification	Date of Birth/ Domicile	Date of 1st Entry in to Govt. Service	Date of Regular Appointment to the service/cadre.	Regular/Promotion to the present post.		Mode of App:	Remarks
					Date	BPS		
83	Mr. Riaz Hussain S/O Muhammad Humayun, M.A Pak Studies, GC Manshehra	18.04.1973 Manshehra	22.12.1998	22.12.1998	24.14.2011	19	Initial Recruitment	73
84	Mohammad Arshad Mehmood S/O M.Iqbal MA Pol.Science GPGC, Havelian	8.12.1968 Abbottabad	12.10.2002	12.10.2002	21.06.2011	19	Initial Recruitment	74
85	Muhammad Uzair Ali S/O Abdul Qavum M.A Pol:Sc, GC, Yar Hussain	08.04.1966 Swabi	05.11.1995	05.11.95	20.07.2011	19	Initial Recruitment	75
86	Mr. Khalid Sohail S/O Abdullah Jan M.A Urdu, GDC, Kotha (Swabi)	01.11.1965 Peshawar	15.09.1998	15.09.98	23.08.2011	19	Initial Recruitment	76
87	Musharaf Gul S/O Sohrab Gul M.Sc Physics, GPGC, Kohat	10.04.1962 Kohat	17.09.1989	17.09.89	05.05.2011	19	Initial Recruitment	77
88	Zamin Gul S/O Habib Ullah M.Sc. Maths GDC, Batkhela	11.12.1966 Dir	01.05.1995	01.05.1995	14.05.2011	19	Initial Recruitment	78
89	Qazi Ehsan Ahmad S/O Qazi Mushtaq Ahmad (MA English) GPGC, Haripur.	15.7.1972 Haripur	1.11.1997	1.11.1997	30.05.2011	19	Initial Recruitment	79
90	Mr. Rambel Khan M.Sc Chemistry, G.P/G.C, Karak	03.03.1956 Karak	17.06.1985	17.06.1985	9.1.2012	19	Promotion	
91	Mr. Sajid Fida M.A Archeology, GSSC, Peshawar	02.06.1960 Peshawar	24.06.1985	24.06.1985	9.1.2012	19	Promotion	
92	Muhammad Khalilur Rehman M.Phil M.SC Chemistry, GDC, Kakki	05.12.1954 Bannu	16.06.1985	16.06.1985	9.1.2012	19	Promotion	
93	Abdul Baseer Khan M.Sc Maths, GDC, Hayatabad	03.01.1956 Peshawar	10.05.1984	09.06.1985	9.1.2012	19	Promotion	
94	Muhammad Tariq M.Sc Stats, G.C, Khair Abad.	01.10.1957 Swabi	10.06.1985	10.06.1985	9.1.2012	19	Promotion	
95	Mir Afzal Khan M.A Economics, G.P/G.C, Mardan	01.04.1959 Moh:Agency	20.10.1982	10.06.1985	9.1.2012	19	Promotion	
96	Mr. Rehmatullah M.Sc Chemistry, G.J.P/G.C, Swat	05.01.1955 Swat	01.07.1985	01.07.1985	9.1.2012	19	Promotion	
97	Mr. Ghafoorur Rehman M.A Economics, G.P/G.C, Karak.	01.04.1960 Karak	25.06.1985	25.06.1985	9.1.2012	19	Promotion	
98	Mr. Liaqat Ali Khan M.Sc Stats, G.C, Swabi	05.04.1956 Swabi	23.02.1984	13.06.1985	9.1.2012	19	Promotion	
99	Mr. Fazli Maula M.A History G.C, Dir Upper.	30.04.1956 Dir	01.07.1985	01.07.1985	9.1.2012	19	Promotion	
100	Mr. Abdul Waheed M.A Economics G.P/G.C, Bannu	29.04.1955 Bannu	16.06.1985	16.06.1985	9.1.2012	19	Promotion	

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S.No	Name of Officers with Qualification	Date of Birth/ Domicile	Date of 1st Entry in to Govt. Service	Date of Regular Appointment to the service/cadre.	Regular/Promotion to the present post.		Mode of App.	Remarks
					Date	BPS		
101	Mr. Saifullah Durrani M.A Urdu, GC, Peshawar	19.02.1959	16.06.1985	16.06.1985	9.1.2012	19	Promotion	
102	Mr. Faridullah Khan M.A Pak Study, GPCC, Seria Naurang Lakki	25.03.1960	08.01.1986	08.01.1986	9.1.2012	19	Promotion	
103	Mr. Gul Hussain M.A Pak Study, G.C, Lund Khawar Mardan	08.01.1960	25.12.1985	25.12.1985	9.1.2012	19	Promotion	
104	Mr. Hakim Jan M.A Pak Study, Project Director Quality Edu FATA N.W.A	09.07.1957	24.12.1985	24.12.1985	9.1.2012	19	Promotion	
105	Mr. Qalandar Baig M.A Pol: Science, G.C, Chitral Chitral	13.09.1955	10.11.1984	10.01.1987	9.1.2012	19	Promotion	
106	Mr. Sultan Mehmood M.A History, G.C, B.D.Shah Karak	24.12.1959	08.01.1986	04.01.1987	9.1.2012	19	Promotion	
107	Mr. Munawar Khan M.A Pol: Science, G.C, Tank Lakki	05.03.1959	12.01.1987	12.01.1987	9.1.2012	19	Promotion	
108	Mr. Umer Jan M.Sc Physics, G.C, Latamber Karak	01.04.1960	08.11.1984	05.01.1987	9.1.2012	19	Promotion	
109	Mr. Hafiz Tehseenullah M.A Islam: GDC, Tangi Charsadda	01.02.1957	09.03.1987	09.03.1987	9.1.2012	19	Promotion	
110	Mr. Mir Aslam Khan M.A Pol: Sc: GDC, Landi Jalandar Bannu	16.08.1958	16.11.1983	04.01.1987	9.1.2012	19	Promotion	
111	Muhammad Munir Khan M.A Islam:/ Arabic, G.C, Lakki. Bannu	29.09.1958	12.01.1987	12.01.1987	9.1.2012	19	Promotion	
112	Mr. Ghulam Mustafa M.Sc Physics, G.P/G.C, Haripur Abbottabad	02.08.1961	01.03.1986	05.01.1987	9.1.2012	19	Promotion	
113	Mr. Saffdar Ali Khan M.A Pashto, G.PGC, Mardan Mardan	05.09.1955	30.4.1977	10.01.1987	9.1.2012	19	Promotion	
114	Mr. Abdullah Shah M.A Islamiyat, G.C, Lakki Marwat Lakki	06.04.1956	28.02.1987	12.04.1987	9.1.2012	19	Promotion	
115	Muhammad Iqbal M.Sc Zoology, G.C, Daggar Swat	03.04.1957	01.03.1986	05.01.1987	9.1.2012	19	Promotion	
116	Mr. Ghaniur Rehman M.Sc Biology, GPCC, Charsadda Karak	11.11.1959	24.01.1987	24.01.1987	9.1.2012	19	Promotion	
117	Mr. Shamsul Abrar M.A English, G.C, Tangi Charsadda	01.02.1961	06.01.1987	06.01.1987	9.1.2012	19	Promotion	
118	Mr. Abdul Malik M.A History, G.P/G.C, Manshra Manshra	02.05.1955	13.1.1974	06.01.1987	9.1.2012	19	Promotion	

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S.No	Name of Officers with Qualification	Date of Birth/ Domicile	Date of 1st Entry in to Govt. Service	Date of Regular Appointment to the service/cadre.	Regular/Promotion to the present post.		Mode of App:	Remarks
					Date	BPS		
119	Muhammad Ismail Wali M.A English, (IMS Peshawar on deputation)	01.03.1960 Chitral	16.12.1985	26.01.1987	9.1.2012	19	Promotion	
120	Mr. Sajjad Ahmad M.Sc Stats, GPGC, No.1 Abbottabad	20.04.1960 Swabi	07.11.1984	04.01.1987	9.1.2012	19	Promotion	
121	Mr. Ilyas Khan M.A English, G.C, Ahmad Abad	01.04.1961 Karak	11.01.1987	11.01.1987	9.1.2012	19	Promotion	
122	Mr. Nizamullah Babar M.Sc Stats, Principal GDC, Zarabi Swabi	20.12.1954 Nowshera	01.02.1987	01.02.1987	9.1.2012	19	Promotion	
123	Mr. Ali Sher M.A Pol: Science, GPGC, Lahor	02.01.1955 Swabi	01.05.1987	01.05.1987	9.1.2012	19	Promotion	
124	Muhammad Saifud Din M.A Islamiyat G.C, Chitral	05.08.1955 Chitral	13.01.1987	13.01.1987	9.1.2012	19	Promotion	
125	Mr. Riazullah Khan M.Sc Maths, On deputation.	28.10.1955 Bannu	08.01.1987	08.01.1987	9.1.2012	19	Promotion	
126	Muhammad Iqbal M.A Pol: Sc., Principal GDC, Jamrud	01.12.1957 Moh: Agency	01.02.1987	01.02.1987	9.1.2012	19	Promotion	
127	Muhammad Iftikhar M.A Economics, G.C, Thana	15.03.1958 Malakand	20.01.1987	20.01.1987	9.1.2012	19	Promotion	
128	Mr. Gul Bad Shah M.A Islamiyat, G.C, Khar Bajur	01.05.1958 Bajaor	01.02.1987	01.02.1987	9.1.2012	19	Promotion	

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S.No	Name of Officers with Qualification	Date of Birth/ Domicile	Date of 1st Entry in to Govt. Service	Date of Regular Appointment to the service/cadre.	Regular Promotion to the present post.	Date	BPS	Mode of App.	Remarks
129	Mr. Mir Baz Khan M.A Pol.Sc: G.C. Chagramath.	28.09.1959 Lakki	17.01.1987	17.01.1987	17.01.1987	9.1.2012	19	Promotion	
130	Mr. Waqarul Muik M.A English, G.P/G.C, Karak	02.04.1959 Karak	08.01.1987	08.01.1987	08.01.1987	9.1.2012	19	Promotion	
131	Mr. Siasat Ali M.Sc Physics, GPGC, Charsadda	18.10.1959 Peshawar	05.01.1987	05.01.1987	05.01.1987	9.1.2012	19	Promotion	
132	Muhammad Aslam M.Sc Chemistry, On deputation	01.01.1955 D.I.Khan	05.01.1987	05.01.1987	05.01.1987	9.1.2012	19	Promotion	
133	Muhammad Inam M.A English, GPGC, Swabi	12.09.1958 Mardan	13.01.1987	13.01.1987	13.01.1987	9.1.2012	19	Promotion	
134	Mr. Abbas Khan M.A Economics, G.C, Peshawar.	18.01.1957 Karak	08.01.1987	08.01.1987	08.01.1987	9.1.2012	19	Promotion	
135	Muhammad Dost M.A History, G.C, Chitral	15.11.1957 Chitral	05.01.1987	05.01.1987	05.01.1987	9.1.2012	19	Promotion	
136	Mr. Farkhanda Shah M.A Economics, G.C, Swabi	14.10.1959 Swabi	13.01.1987	13.01.1987	13.01.1987	9.1.2012	19	Promotion	
137	Syed Intiaz Ali M.A Pol.Science, Fabbri Nowsher	06.05.1957 Peshawar	17.01.1987	17.01.1987	17.01.1987	9.1.2012	19	Promotion	
138	S. Zubair Hussain Shah M.A Islam/ Arabic, G.C Pattan Kohistan	10.10.1960 Mansehra	12.10.1989	12.10.1989	12.10.1989	9.1.2012	19	Promotion	
139	Mr. Zia-Ur-Rehman M.Sc Chemistry, G.P/G.C, NO.1 Abbottabad.	09.03.1960 Abbottabad	09.03.1960	12.11.1987	12.11.1987	9.1.2012	19	Promotion	
140	Muhammad Ilyas M.Sc Electronics, GDC, Matta Swat	03.02.1967 Swat	01.08.1993	01.08.1993	01.08.1993	9.1.2012	19	Promotion	
141	Mr. Sher Ahmad M.A Pol. Sc: GDC, Tank	16.04.1958 Lakki Marwat	19.11.1987	23.01.1988	23.01.1988	9.1.2012	19	Promotion	

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S.No	Name of Officers with Qualification	Date of Birth/ Domicile	Date of 1st Entry in to Govt. Service	Date of Regular Appointment to the service/cadre.	Regular/Promotion to the present post.		Mode of App:	Remarks
					Date	BPS		
142	Muhammad Salim Khan M.Sc Physics, G.C, Lakki Marwat.	05.01.1965 Lakki Marwat	09.01.1991	09.01.1991	9.1.2012	19	Promotion	
143	Mr. Abdul Qayum M.Sc Maths, G.C, Havelian	12.04.1964 Abbottabad	03.11.1988	03.11.1988	9.1.2012	19	Promotion	
144	Mr. Tanveer Ahmad M.Sc Physics, G.P/G.C, Mansehra	15.04.1960 Mansehra	10.05.1986	21.01.1987	9.1.2012	19	Promotion	
145	Mr. Hidayatullah Jan M.Sc Comp:Sc: GPGC, Nowshera.	30.03.1965 Moh:Agency	17.07.1990	17.07.1990	9.1.2012	19	Promotion	
146	Muhammad Zahid M.Sc Comp:Sc: G.C No.1 Abbottabad	16.04.1967 Mansehra	01.06.1992	01.06.1992	9.1.2012	19	Promotion	
147	Mr. Javed Iqbal M.Sc Comp:Sc: GDC, Bakhtkhal	01.01.1963 Dir	02.01.1993	02.01.1993	9.1.2012	19	Promotion	
148	Mr. Shafi-Ur-Rehman M.A Urdu, GDC, Booni Chitral	01.04.1963 Abbottabad	19.09.1989	19.09.1989	9.1.2012	19	Promotion	
149	Muhammad Javed M.A English, GPGC Nowshera	07.01.1961 Mardan	24.09.1989	24.09.1989	9.1.2012	19	Promotion	
150	Ali Asghar S/O Ajab Khan M.A Pak Study, GPGC, Haripur	30.4.1955 Abbottabad	06.10.1981	21.10.87	9.1.2012	19	Promotion	
151	Muhammad Tahir S/O Feroz Bakht M.A English, GC, Khar (Bajour)	01.11.1957 Bajour	17.10.1981	21.01.87	9.1.2012	19	Promotion	
152	Shah Naraz Khan S/O Shah Nawaz Khan M.A Islamiyat GC, Ghazni Khel (Lakki Marwat)	08.04.1956 Lakki	18.10.1981	21.01.87	9.1.2012	19	Promotion	
153	Akhtar Muhammad S/O M. Alam Khan, M.SC Chemistry, GPGC, Haripur	03.11.1955 Abbottabad	01.12.1981	21.01.87	9.1.2012	19	Promotion	
154	Sattar Khan S/O Gul Payan M.A English GDC, Domail, Bannu	18.08.1956 Bannu	04.03.1982	21.01.87	9.1.2012	19	Promotion	

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S.No	Name of Officers with Qualification	Date of Birth/ Domicile	Date of 1st Entry in to Govt. Service	Date of Regular Appointment to the service/cadre.	Regular/Promotion to the present post.		Mode of App.	Remarks
					Date	BPS		
155	Mir Shah Baz Khan S/O Awal Khan M.Sc Stats, GC, No.1 D.I.Khan	18.10.1956 Bannu	09.10.1982	21.01.87	9.1.2012	19	Promotion	
156	Iftikhar Hussain S/O Syed Nowshad M.A English GDC, Khair Abad	12.02.1955 Mardan	14.10.1982	21.01.87	9.1.2012	19	Promotion	
157	Habib Nawaz S/O Janat Khan M.A English No.1 D.I.Khan	24.05.1955 Lakki	19.10.1982	21.01.87	9.1.2012	19	Promotion	
158	Muhammad Najeeb Khan S/O M. Naeem Khan M.A Pak Study,GC, Ghazni Khel	22.11.1956 Lakki	21.10.1982	21.01.87	9.1.2012	19	Promotion	
159	Mr. Zakaullah Qureshi M.A Geography, GDC, Pabbi NSR	25.05.1959 Lakki	12.06.1985	12.06.1985	29.05.2013	19	Promotion	
160	Muhammad Jehangir S/O Ali Haider M.A Urdu, GPGC, Abbottabad	01.01.1958 Abbottabad	26.10.1982	21.01.87	29.05.2013	19	Promotion	
161	Bashir Hussain S/O Din Muhammad M.A Urdu, GDC, Nathiagali	14.02.1959 Abbottabad	17.11.1982	21.01.87	10.06.2013 Seniority Fixed Vide Govt. letter No. SO(C-)HE/1-12/S.List B-19 (M)/1579 dated 30-04-2014	19	Promotion	
162	Muhammad Khurshid S/O Taj Muhd: Khan M.A Econ:Principal GDC, Darband(Manshera)	16.07.1956 Mansehra	16.12.1982	21.01.87	29.05.2013	19	Promotion	
163	Fazal Wahab S/O Zortalab M.A Economics, GC, Gul Abad	10.07.1955 Dir	01.03.1983	21.01.87	29.05.2013	19	Promotion	
164	Inayatullah Khan S/O Muhd:Sahib Khan M.Sc Botany,GPGC, Bannu	07.07.1957 FR Bannu	16.11.1983	21.01.87	29.05.2013	19	Promotion	
165	Muhammad Sabir S/O Muh: Qurash M.Sc Physics GPGC, Swabi	10.11.1957 Swabi	17.11.83	21.01.87	29.05.2013	19	Promotion	
166	Muhammad Saddiq S/O Abdul Karim M.Sc Physics, GPGC, Bannu.	22.02.1957 Bannu	08.12.1983	21.01.87	29.05.2013	19	Promotion	

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S.No	Name of Officers with Qualification	Date of Birth/ Domicile	Date of 1st Entry in to Govt. Service	Date of Regular Appointment to the service/cadre.	Regular/Promotion to the present post.		Mode of App:	Remarks
					Date	BPS		
167	Gul Amin Khan S/O Ghulam Haider Khan, M.Sc Stats GPGC, Lakki Marwat.	11.08.1956 Bannu	22.02.1984	21.01.87	29.05.2013	19	Promotion	
168	Rahayash Shah S/O Fazal Wahab M.Sc Stats, GC, Gul Abad (Dir Lower)	15.02.1961 Dir	07.11.1984	21.01.87	29.05.2013	19	Promotion	
169	Saeedul Mustaan S/O Fazli Subhan M.A Islamiyat/ Arabic GC, No.2 Mardan.	30.03.1956 Mardan	08.11.1984	21.01.87	29.05.2013	19	Promotion	
170	Umar Daraz S/O Amir Daraz Khan M.A Islamiyat GC, Ghorri Wala (Bannu)	15.10.1956 Bannu	08.11.1984	21.01.87	29.05.2013	19	Promotion	
171	Safdar Khan S/O Abdul Ghani M.SC Stats, GC, Thana.	06.01.1958 Dir	08.11.1984	21.01.87	29.05.2013	19	Promotion	
172	Abdus Sattar S/O Marham Jan M.A PolSc GC No.1 D.I.Khan	24.07.1961 Bannu	02.01.85	21.01.87 SO(Colleges)HE/II-28/2004 dated 10-1-2005.	29.05.2013	19	Promotion	
173	Shafiq Rehman S/O Abdul Malik M.SC Physics, GPGC, Bannu	24.02.1959 Bannu	10.11.1984	21.01.87	29.05.2013	19	Promotion	
174	Said Kamal S/O Takhti Khel M.Sc Stats, Principal GDC, Kakki Bannu	04.05.1959 Bannu	08.01.1986	21.01.87	29.05.2013	19	Promotion	
175	M. Rafiq Khan S/O Sher Khan M.A English, GDC, Ghorri Wala	14.03.1962 Bannu	09.01.1986	21.01.87	29.05.2013	19	Promotion	
176	Muhammad Pervez S/O Abdul Khaliq Khan, M.A Urdu GDC, Battagram	13.01.1955 Mansehra	01.03.1986	21.01.87	29.05.2013	19	Promotion	
177	Muslim Khan S/O Zigrawar Khan M.A Urdu, DE FATA	08.07.1956 Bajur	01.03.1986	21.01.87	10.06.2013 Seniority Fixed Vide Govt. letter No. SO(C-)HE/1-12/S.I.list B-19 (M)/1579 dated 30-04-2014	19	Prmotion	

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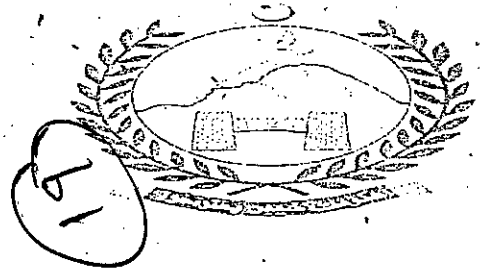
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S.No	Name of Officers with Qualification	Date of Birth/ Domicile	Date of 1st Entry in to Govt. Service	Date of Regular Appointment to the service/cadre.	Regular/Promotion to the present post.		Mode of App:	Remarks
					Date	BPS		
178	Ghaniur Rehman S/O Abdur Rehman M.A English, DE FATA	11.05.1958 Moh:Agency	01.03.1986	21.01.87	29.05.2013	19	Promotion	
179	Fayaz Ahmad Khan S/O M. Jamil Khan M.SC Geography, Govt. College Peshawar	03.07.1958 Peshawar	01.03.1986	21.01.87	10.06.2013	19	Promotion	Seniority Fixed Vide Govt. letter No. SO(C-)HE/1-12/S.I.list B-19 (M)/1579 dated 30-04-2014
180	Sardar Iftikhar Ahmad S/O Sardar Sher Bahadar Khan, M.A History, GPGC, Haripur.	01.12.1959 Abbottabad	01.03.1986	21.01.87	29.05.2013	19	Promotion	
181	Muhammad Saleem S/O Said Ahmad M.A Urdu, GPGC, Haripur.	23.01.1960 Haripur	01.03.1986	21.01.87	29.05.2013	19	Promotion	
182	Gul Zaman S/O Mehmood Khan M.A History/Civics, GC, No.1 D.I.K	12.07.1961 Bannu	01.03.1986	21.01.87	29.05.2013	19	Promotion	
183	Karim Shah S/O Muhammad Shah M.SC Physics, GDC, No.2 Mardan	05.09.1958 Dir	02.03.1986	21.01.87	29.05.2013	19	Promotion	
184	Attiquar Rehman S/O Assamud Din M.Sc Chemistry, GC, Dir Upper	13.02.1956 Dir	09.04.1986	21.01.87	29.05.2013	19	Promotion	SO(Colleges)HE/II-28/2004 dated 10-1-2005.
185	Naseem Khan S/O Amin Malik M.A Pak Study, GC, Thana	15.04.1957 Dir	09.04.1986	21.01.87	29.05.2013	19	Promotion	
186	Namoos Khan S/O Muhammad Shuaib M.Sc Zoology, DE FATA	20.05.1957 Bajaur	07.05.1986	21.01.87	29.05.2013	19	Promotion	
187	Abdullah Shah S/O Hussain Shah M.A Economics, Principal GDC, Sabirabad	05.09.1957 Karak	07.05.1986	21.01.87	29.05.2013	19	Promotion	
188	Shah Zaman S/O Hukmat Khan M.A Economics, GPGC, Mardan	13.09.1958 Mardan	07.05.1986	21.01.87	29.05.2013	19	Promotion	

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GOVERNMENT OF
KHYBER PAKHTUNKHWA
HIGHER EDUCATION, ARCHIVES & LIBRARIES
DEPARTMENT



Dated Peshawar the 17/03/2011

NOTIFICATION

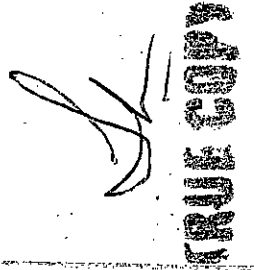
NO.SO(AO)HE/XII-1/06/SSRC. In exercise of powers conferred under Sub-Rule (2) of Rule-3 of the NWFP Civil Servants (Appointment, Promotion & Transfer) Rules-1989, the Secretary, Higher Education, Archives & Libraries Department in consultation with Establishment Department, Finance Department & Law Departments has been pleased to revise / substitute the Service Rules for initial recruitment / promotion of college cadre teachers from BPS-17 to BS-20 of Higher Education Department Khyber Pakhtunkhwa issued vide Notification No. SO(Colleges)XI-11 /2000 dated 30.01.2002, as follow :-

S.No.	Nomenclature of Post	Minimum qualification for appointment by initial recruitment or by transfer.	Age limit	Minimum qualification for appointment by promotion	Method of Recruitment
1	2	3	4	5	6
1.	Director Higher Education				By Transfer, from amongst the persons holding the posts of Professor (BS-20) / Principal in the Postgraduate /Degree Colleges
2.	Principal Postgraduate Degree College				By transfer from amongst the persons holding the post of Professor (BS-20) in the Higher Education Department.

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S.No.	Nomenclature of Post	Minimum qualification for appointment by initial recruitment or by transfer.	Age limit	Minimum qualification for appointment by promotion	Method of Recruitment
1	2	3	4	5	6
3.	Professor (BS-20)			i. By promotion, on the basis of seniority-cum-fitness from amongst the persons holding the post in (BPS-19) in the College Cadre, Higher Education Department, with at least Seventeen (17) years service in BPS-17 and above; provided that in case of persons initially appointed in BPS-18 or BPS-19, the length of service for promotion in their cases shall at least be Twelve (12) years in BPS-18 and above or Five (05) years in BPS-19, as the case may be. ii. Successful completion of mandatory training prescribed by the Govt. for college teachers in BPS-19 from time to time.	
4.	Principal Degree Colleges (BPS-19)				By transfer from amongst persons holding the post of Associate Professor (BPS-19) in the Higher Education Department.

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S.No.	Nomenclature of Post	Minimum qualification for appointment by initial recruitment or by transfer.	Age limit	Minimum qualification for appointment by promotion	Method of Recruitment
1	2	3	4	5	6
5.	Associate Professor (BPS-19)	<p>i. Ph.D or equivalent qualification in the relevant subject with nine (09) years teaching/research experience in a recognized College/ University or Professional experience in the relevant field in a national or international organization and distinguished research publication as a principal author in a standard journal recognized by the University / University Grant Commission.</p> <p style="text-align: center;">OR</p> <p>ii. M.Phil in the relevant subject with eleven years teaching / research experience in a recognized College / University or Professional experience in the relevant field in a national or international organization and distinguished research work with at least 4-research publications as a principal author in a standard journal recognized by the University / University Grants Commission.</p> <p style="text-align: center;">OR</p> <p>iii. 2nd Class Master Degree in the relevant subject from a recognized University with 12-years teaching experience and or research in the recognized College University.</p>	30 - 45	<p>i. 20% by initial recruitment and</p> <p>ii. 80% by promotion, on seniority-cum-fitness basis, from amongst the persons holding the post of Assistant Professors with at least Twelve (12) years service in BPS-17 and above; provided that in case of person initially appointed in BPS-18, the minimum length of service for promotion in their cases shall be Seven (07)years.</p> <p>iii. Successful completion of mandatory training prescribed by the Govt. for college teachers in BPS-18 from time to time.</p>	

S.No.	Nomenclature of Post	Minimum qualification for appointment by initial recruitment or by transfer.	Age limit	Minimum qualification for appointment by promotion	Method of Recruitment
1	2	3	4	5	6
6.	Assistant Professor (BPS-18)	i. Ph.D in the relevant subject from a recognized University with two (02) years teaching/research experience in a recognized College / University. OR ii. M.Phil in the relevant subject from a recognized University with five (05) years teaching / research experience in a College / University. OR iii. Second class Master degree in the relevant subject from a recognized University with seven (07) years teaching experience in a College / University or in Education Administration Management.	25 - 40	i. 20% by initial recruitment and ii. 80% by promotion, on seniority-cum-fitness basis, from amongst the persons holding the post of lecturers having at least Five (05) years service in Basic Pay Scale 17 as such. iii. <i>Successful completion of mandatory training prescribed by the Govt. for college teachers in BPS-17 from time to time.</i>	
7.	Lecturer (BPS-17)	i. Second class Master's Degree in the relevant subject or equivalent qualification from a recognized University. ii. Third class Master's Degree in English from a recognized University for teaching English subject with Postgraduate Diploma in English Language from Allama Iqbal Open University. iii. Second Class L.L.B. Degree from a recognized University for Lecturer in Law.	21 - 30	i. By initial recruitment. ii. <i>Successful completion of mandatory pre-service training prescribed for the purpose by the Govt. from time to time.</i>	

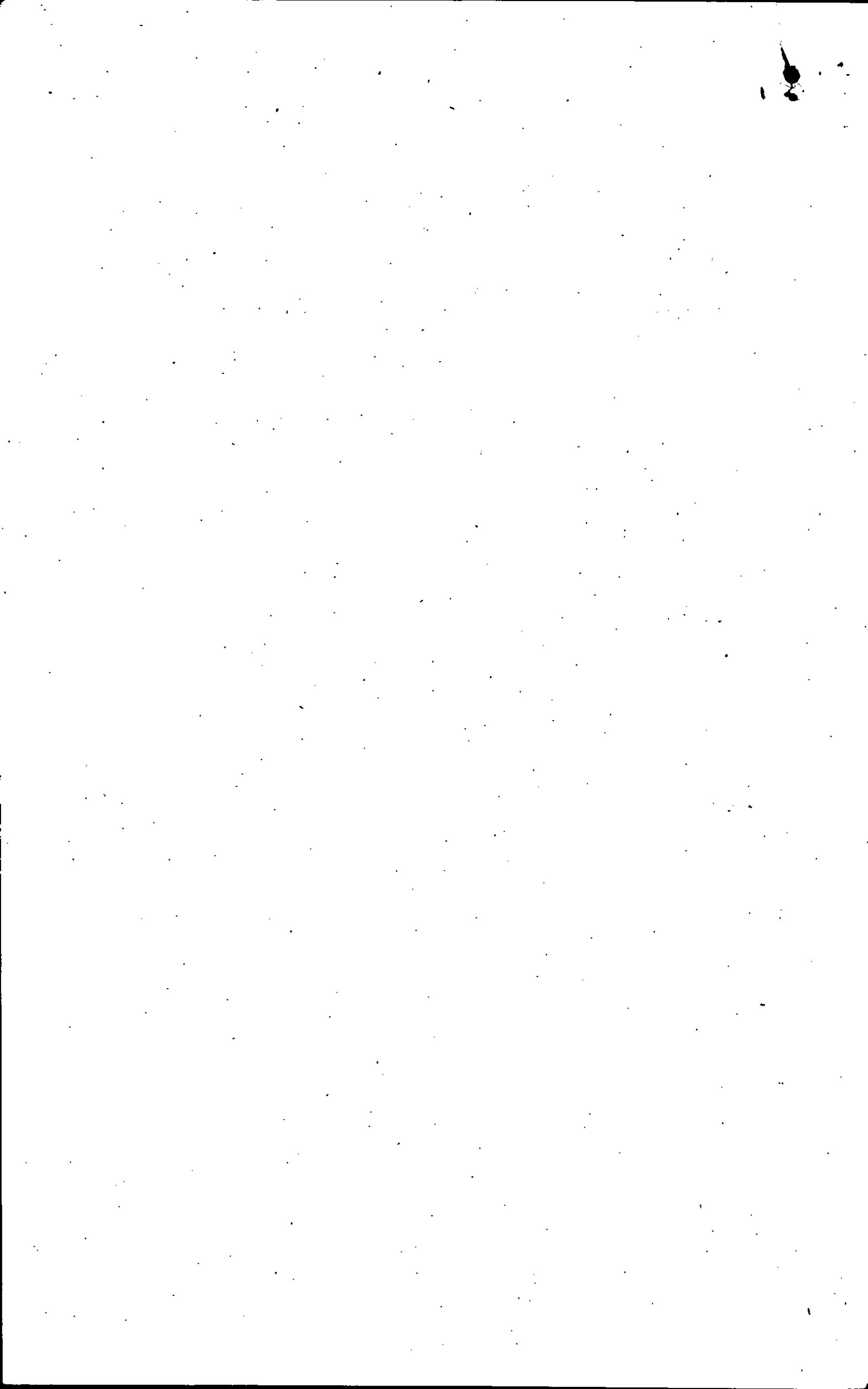
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Note :-

It is also clarified for information of all concerned that the mandatory training portion for promotion of college teachers from BPS-17 to BS-20 mentioned in Column-5 will be effective from 01-01-2013.

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SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA
HIGHER EDUCATION DEPARTMENT

Endst: No. & Date as above.

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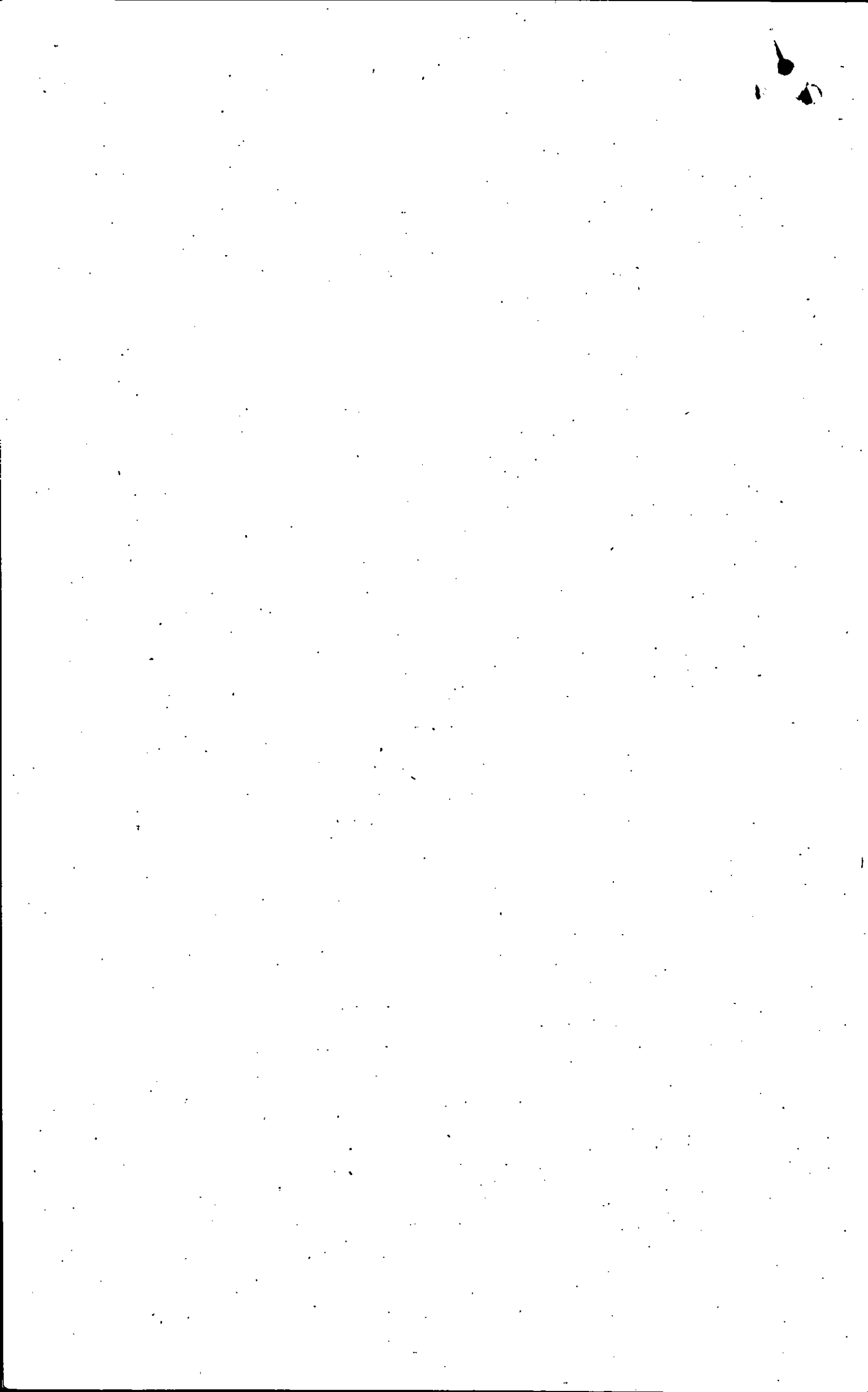
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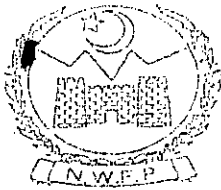
1. Accountant General Khyber Pakhtunkhwa, Peshawar.
2. Director Higher Education, Khyber Pakhtunkhwa, Peshawar.
3. P.S. to Chairman Khyber Pakhtunkhwa Public Service Commission, 02-Fort Road, Peshawar Cantt.
4. P.S. to Secretary Establishment Deptt. Khyber Pakhtunkhwa, Peshawar.
5. P.S. to Secretary Finance Department Khyber Pakhtunkhwa, Peshawar.
6. P.S. to Secretary Law Department Khyber Pakhtunkhwa, Peshawar.
7. P.S. to Secretary Higher Education Khyber Pakhtunkhwa, Peshawar.
8. P.A. to Additional Secretary Higher Education Khyber Pakhtunkhwa, Peshawar.
9. P.A. to Deputy Secretary (Admn.) Higher Education Khyber Pakhtunkhwa, Peshawar.
10. P.A. to Deputy Secretary-II Higher Education Khyber Pakhtunkhwa, Peshawar.
11. Section Officer (Colleges) Higher Education Department Khyber Pakhtunkhwa, Peshawar.
12. Section Officer (F.C) Higher Education Department Khyber Pakhtunkhwa, Peshawar.
13. Manager, Govt. Printing Press, Khyber Pakhtunkhwa, Peshawar, for publication in the next issue of Govt. Gazette.

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(PIR-MUHAMMAD KHAN)
SECTION OFFICER (A.O)

APESTED





10 ANNEXURE C

GOVERNMENT OF NWFP
HIGHER EDUCATION ARCHIVES &
LIBRARIES DEPARTMENT

Dated Peshawar the 09.06.2009.

NOTIFICATION

NO. 50(COLLEGES)XI-11/2009. Sanction of the Govt of NWFP is hereby accorded to the revision of service structure of college teachers (General Cadre) on the basis of up-gradation of 4-Tier Formula and to fix the strength of cadre posts at the ratio of 1:15:34:50 w.e.f. 01.07.2009 as under: -

"A" MALE SIDE

BPS #	Existing total NO. of posts	Revised total No. of posts	Difference between existing & revised posts
BPS-20	24	28	+ 04 @ 1 %
BPS-19	379	420	+ 41 @ 15 %
BPS-18	851	952	+ 101 @ 34 %
BPS-17	1547	1401	- 146 @ 50 %
Total	2801	2801	0

"B" FEMALE SIDE

BPS #	Existing total NO. of posts	Revised total No. of posts	Difference between existing & revised posts
BPS-20	08	12	+ 04 @ 1 %
BPS-19	138	193	+ 45 @ 15 %
BPS-18	327	416	+ 89 @ 34 %
BPS-17	749	611	- 138 @ 50 %
Total	1222	1222	0

In order to attain the ratio 1:15:34:50, the Finance Department further agrees to the creation of the following 284 posts while abolishing an equal number of posts on gender basis as under:-

BPS / Designation	No. of posts to be created w.e.f. 01.07.2009			No. of post to be abolished w.e.f. 01.07.2009			
	Male	Female	Total	BPS Designation	Male	Female	Total
Professor (B-20)	04	04	08	Lecturer-17	146	138	284
Associate Professor (B-19)	41	45	86				
Assistant Professor (B-18)	101	89	190				
Total	146	138	284		146	138	284

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Break-up of college-wise / District-wise distribution of the revised strength shall be undertaken by the Higher Education Department according to the existing set-up and requirements in various colleges.

SECRETARY TO GOVT. OF NWFP
HIGHER EDUCATION DEPARTMENT

Endst: No. BO-IX/FD/1-20/2008-09

dated: Peshawar the 09.06.2009.

A copy forwarded to the Accountant General, NWFP and all District / Agency Accounts Officers in NWFP, for information and necessary action.

BUDGET OFFICER-IX
FINANCE DEPARTMENT

NO. SO(COLLEGES)XI-11/2009.

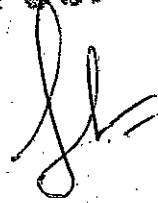
Dated Peshawar the 09.06.2009

Copy forwarded for information and necessary action to the:-

- ✓ 1. Director Higher Education NWFP Peshawar.
2. Budget Officer-IX, Govt. of NWFP, Finance Department.


(WAJID ALI)
SECTION OFFICER (COLLEGES)

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DIRECTORATE OF HIGHER EDUCATION

GOVERNMENT OF KHYBER PAKHTUNKHWA PESHAWAR

Phone No. 9211025-9210242-9210217 Fax No. 9210215

No. 30242

Dated: 4/1/2010

To: The Section Officer (Colleges)
Govt of Khyber Pakhtunkhwa
Higher Education Department.

Subject: PROMOTION CASE OF SIXTY (60) ASSISTANT PROFESSORS (BPS-18)
TO THE POST OF ASSOCIATE PROFESSORS (BPS-19) MALE OF
COLLEGE CADRE OF HIGHER EDUCATION DEPARTMENT

Dear Sir,
Please refer to the subject cited above and to enclose herewith eight sets of promotion case of Assistant Professor (B-18) to the post of Associate Professor (B-19) male of college cadre Higher Education Department for further necessary action.

Dasari

DIRECTOR
HIGHER EDUCATION KHYBER PAKHTUNKHWA

HED vide no 2039

discussed on 12-09-2014, case decided in Director of

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GOVT. OF KHYBER PAKHTUNKHWA
HIGHER EDUCATION, ARCHIVES &
LIBRARIES DEPARTMENT

S.No
24

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Issued at Peshawar the January 09th, 2012.

NOTIFICATION

NO. SO(COLLEGES)III-28/2009. The Competent Authority on the recommendations of the Provincial Selection Board (PSB) is pleased to promote the following Assistant Professors (BPS-18) to the posts of Associate Professors (BPS-19) of college cadre in the Higher Education Department on regular basis with immediate effect and to post them in the colleges noted against each. They will remain on probation for a period of one year in terms of Section 6(2) of Khyber Pakhtunkhwa Civil Servants Act, 1973 read with Rule-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1989:-

S #	Name / Designation and Present posting	Posted / adjusted at	Remarks
1.	Mr. Rameel Khan, Assistant Professor of Chemistry (BS-18), Govt. Post Graduate College, Karak.	Associate Professor (BS-19), Govt. Post Graduate College, Karak.	A.V.P.
2.	Mr. Sajid Fida, Assistant Professor Archeology (BS-18), Govt. Superior Science College, Peshawar.	Associate Professor (BS-19), Govt. Degree College, Lund Khwar, Mardan.	A.V.P.
3.	Mr. Mohammad Khalil-ur-Rehman, Assistant Professor of Chemistry (BS-18), Govt. Degree College, Lar Kotal, Khyber Agency.	Associate Professor (BS-19), Govt. Degree College, Nankai Bannu.	A.V.P.
4.	Mr. Abdul Baseer, Assistant Professor of Maths (BS-18), Govt. College Peshawar.	Associate Professor (BS-19), Govt. Degree College, Takht Ehai, Mardan.	A.V.P. He will be adjusted at GDC Hayatabad upon the retirement of Mr. Mukhtiar Hussain, Associate Prof. of Stats. On 10.05.2012.
5.	Mr. Mohammad Tariq, Assistant Professor of Statistics (BS-18), Govt. Degree College, Khairabad, Mardan.	Associate Professor (BS-19), Govt. Degree College, Khairabad, Mardan.	A.V.P.
6.	Mr. Mir Afzal Khan, Assistant Professor of Economics (BS-18), Govt. Post Graduate College, Mardan.	Associate Professor (BS-19), Govt. Degree College, Babozai, Mardan.	A.V.P.
7.	Syed Munawar Shah, Assistant Professor of Statistics (BS-18), Govt. Superior Science College, Peshawar.	Associate Professor (BS-19), Govt. Superior Science College, Peshawar.	A.V.P.
8.	Mr. Allah Nawaz, Assistant Professor of Statistics (BS-18), Govt. Degree College, Kulachi, D.I. Khan.	Associate Professor (BS-19) / Principal, Govt. Degree College, Kulachi, D.I. Khan.	A.V.P.
9.	Mr. Rehmatullah, Assistant Professor of Chemistry (BS-18), Govt. Post Graduate Jehanzeb College, Saidu Sharif, Swat.	Associate Professor (BS-19), Govt. Post Graduate Jehanzeb College, Saidu Sharif, Swat.	A.V.P.

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12.	Mr. Ghafoor-ur-Rehman, Assistant Professor of Economics, Govt. Post Graduate College, Karak.	Associate Professor (BS-19), Govt. Post Graduate College, Karak.	A.V.P.
13.	Mr. Liaqat Ali Khan, Assistant Professor of Statistics (BS-18), Govt. Post Graduate College, Swabi.	Associate Professor (BS-19), Govt. Post Graduate College, Swabi.	A.V.P.
14.	Mr. Fazli Maula, Assistant Professor of History (BS-18), Govt. Degree College, Dir Upper.	Associate Professor / Principal (BS-19), Govt. Degree College, Dir Upper.	Vice S. No. 6 of below adjustment - A.V.P.
15.	Mr. Dildar Naseer Haider, Assistant Professor of Pashto (BS-18), Govt. Degree College, Ekka Ghund, Mohmand Agency.	Associate Professor / Principal (BS-19), Govt. Degree College, Yar Hussain, Swabi.	A.V.P.
16.	Mr. Abdul Waheed, Assistant Professor of Economics (BS-18), Govt. Post Graduate College, Bannu.	Associate Professor (BS-19), Govt. Post Graduate College, Bannu.	A.V.P.
17.	Mr. Saifullah Durrani, Assistant Professor of Urdu (BS-18), Govt. College, Peshawar.	Associate Professor (BS-19), Govt. Superior Science College, Peshawar.	Vice S. No. 09 of below adjustment - A.V.P.
18.	Mr. Ghani-ur-Rehman, Assistant Professor of Islamiyat / Arabic (BS-18), Govt. Post Graduate College, Lakki Marwat.	Associate Professor (BS-19) / Principal, Govt. Degree College, Tajori, Lakki Marwat.	A.V.P.
19.	Mr. Rehmat Shah, Assistant Professor of Islamiyat / Arabic (BS-18), Govt. Degree College, Takht Bhai, Mardan.	Service placed at the disposal of Director Education (FATA).	A.V.P.
20.	Mr. Faridullah Khan, Assistant Professor of Pak Study (BS-18), Govt. Post Graduate College, Bannu.	Associate Professor (BS-19), Govt. Degree College, Seraji, Lakki Marwat.	A.V.P.
21.	Mr. Gul Hussain, Assistant Professor of Pak Study (BS-18), Govt. Degree College, Lund Khwar, Mardan.	Associate Professor / Principal (BS-19), Govt. Degree College, Lund Khwar, Mardan.	A.V.P.
22.	Mr. Hakim Jan, Assistant Professor of Pak Study (BS-18), Govt. Degree College, Kakki Bannu.	Service placed at the disposal of Director Education (FATA).	A.V.P.
23.	Mr. Miraj Khan, Assistant Professor of Islamiyat (BS-18), Govt. Degree College, Ekka Ghund, Mohmand Agency.	Associate Professor (BS-19) / Principal, Govt. Degree College, Arabi, Swabi.	A.V.P.
24.	Mr. Qalandar Baig, Assistant Professor of Political Science (BS-18), Govt. Degree College, Booni, Chitral.	Associate Professor (BS-19), Govt. Postgraduate College, Timerga, Dir Lower.	A.V.P.
25.	Mr. Sultan Mahmood, Assistant Professor of History (BS-18), Govt. Degree College, Banda Daud Shah, Karak.	Associate Professor (BS-19), Govt. Degree College, Banda Daud Shah, Karak.	A.V.P.
26.	Mr. Munawar Khan, Assistant Professor of Political Science (BS-18), Govt. Degree College, Ghazni Khel, Lakki Marwat.	Associate Professor (BS-19), Govt. Degree College, Tajori, Lakki Marwat.	A.V.P.
27.	Mr. Umer Jan, Assistant Professor of Physics (BS-18), Govt. Degree College, Latamber, Karak.	Associate Professor (BS-19), Govt. Degree College, Domail, Bannu.	A.V.P.
28.	Hafiz Tehseen Ullah, Assistant Professor of Islamiyat (BS-18), Govt. Degree College, Dargai, Malakand Agency.	Associate Professor (BS-19), Govt. Degree College, Tangi, Charsadda.	A.V.P.
29.	Mir Aslam Khan, Assistant Professor of Political Science (BS-18), Govt. Degree College, Takht-i-Nasrati, Karak.	Associate Professor (BS-19), Govt. Post Graduate College, Bannu.	A.V.P.
30.	Mohammad Munir Khan, Assistant Professor of Islamiyat (BS-18), Govt. Post Graduate College, Lakki Marwat.	Associate Professor (BS-19), Govt. Degree College, Kakki, Bannu.	A.V.P.

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29.	Mr. Ghulam Mustafa, Professor of Physics (BS-18) Post Graduate College, Haripur.	Assistant Govt.	Associate Professor (BS-19), Govt. Post Graduate College, Haripur.	
30.	Mr. Khalil-ur-Rehman, Professor / In-charge (BS-18), Govt. Degree College Nawaz Shaheed, Haripur.	Assistant Principal Akhtar	Associate Professor / Principal (BS-19), Govt. Degree College, Akhtar Nawaz Shaheed, Haripur.	A.V.P.
31.	Mr. Safdar Ali Khan, Professor of Pashto (BS-18) Post Graduate College, Mardan.	Assistant Govt.	Associate Professor (BS-19), Govt. Degree College, Dargai, Malakand Agency.	A.V.P.
32.	Mr. Abdullah Shah, Assistant Professor of Islamiyat (BS-18), Govt. Post Graduate College, Lakki Marwat.	Assistant Professor Post	Associate Professor (BS-19), Govt. Degree College Tajori, Lakki Marwat.	A.V.P.
33.	Mr. Mohammad Iqbal, Assistant Professor of Zoology (BS-18) Degree College, Dagger, Buner.	Assistant Govt.	Associate Professor (BS-19), Govt. Degree College, Dagger, Buner.	A.V.P.
34.	Mr. Ghani-ur-Rehman, Assistant Professor of Biology (BS-18), Post Graduate College, Charsadda.	Assistant Govt.	Associate Professor (BS-19), Govt. Post Graduate College, Charsadda.	A.V.P.
35.	Mr. Shamsul Abrar, Assistant Professor of English (BS-18), Degree College, Tangi, Charsadda.	Assistant Govt.	Associate Professor (BS-19), Govt. Degree College, Tangi, Charsadda.	A.V.P.
36.	Dr. Inayatullah Khan, Assistant Professor of Urdu (BS-18), Degree College, Chitral.	Assistant Govt.	Associate Professor (BS-19), Govt. Degree College, Chitral.	A.V.P.
37.	Mr. Farid Ahmad, Assistant Professor of English (BS-18), Govt. Post Graduate Jehanzeb College, Sharif, Swat.	Assistant Professor Post	Associate Professor (BS-19), Govt. Degree College, Matta, Swat.	A.V.P.
38.	Mr. Abdul Malik, Assistant Professor of History (BS-18), Govt. Post Graduate College, Manshra, Swat.	Assistant Professor Post	Associate Professor (BS-19), Govt. Degree College, Lassan, Swat.	A.V.P.
39.	Mr. Mohammad Ismail Wali, Assistant Professor of English (BS-18), presently on deputation at Sciences, Peshawar.	Assistant Professor	Associate Professor (BS-19), Govt. Degree College, Shewa, Swabi.	A.V.P.
40.	Mr. Sajjad Ahmad, Assistant Professor of Statistics (BS-18), Govt. Post Graduate College No. 1, Abbottabad.	Assistant Govt.	Associate Professor (BS-19), Govt. Post Graduate College, No. 1, Abbottabad.	Vice S. No. 10 of below adjustment
41.	Mr. Ilyas Khan, Assistant Professor of English (BS-18), Govt. Degree College, Ahmadabad, Karakoram.	Assistant Professor	Associate Professor (BS-19), Govt. Degree College, Dornel, Bannu.	A.V.P.
42.	Mr. Waqar Zafar, Assistant Professor of Political Science (BS-18), presently on deputation at Planning Development Department, Peshawar.	Assistant Professor	Associate Professor (BS-19), Govt. Post Graduate College, Tinnergara, Dir Lower.	A.V.P.
43.	Mr. Nizamullah Babar, Assistant Professor of Statistics (BS-18), Govt. Degree College, Ghazi, Haripur.	Assistant Govt.	Associate Professor / Principal (BS-19), Govt. Degree College, Ghazi, Haripur.	A.V.P.
44.	Mr. Ali Sher, Assistant Professor of Political Science (BS-18), Govt. Degree College, Lahor, Swabi.	Assistant Govt.	Associate Professor (BS-19), Govt. Degree College, Lahor, Swabi.	A.V.P.
45.	Mr. Mohammad Saif-ud-Din, Assistant Professor of Islamiyat (BS-18), Govt. Degree College, Chitral.	Assistant Govt.	Associate Professor (BS-19), Govt. Degree College, Chitral.	A.V.P.
46.	Mr. Riazullah Khan, Assistant Professor of Maths (BS-18), Govt. Post Graduate College, Bara, Swabi.	Assistant Govt.	Associate Professor (BS-19), Govt. Post Graduate College, Bara, Swabi.	A.V.P.
47.	Mr. Mohammad Iqbal, Assistant Professor of Political Science (BS-18), presently on deputation at the Khyber Pakhtunkhwa Text Book Board, Peshawar.	Assistant Professor	Services placed at the disposal of Director Education (FATA).	A.V.P.

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Vertical text on the right side of the page, including 'A.V.P.' and 'Vice S. No. 10 of below adjustment'.

Assistant Professor / Principal
 Degree College, Shahced,
 (19), A.V.P.
 V.P.

49.	Mr. Mohammad Itikhar, Assistant Professor of Economics (BS-18), Govt. Degree College, Thana, Malakand Agency.	Associate Professor (BS-19), Govt. Degree College, Thana, Malakand Agency.	A.V.P.
50.	Mr. Gul Badshah, Assistant Professor of Islamiyat (BS-18), Govt. Degree College, Bajaur Agency.	Services placed at the disposal of Director Education (FATA).	A.V.P.
51.	Mr. Mir Baz Khan, Assistant Professor of Political Science (BS-18), Govt. Post Graduate College, Charsadda.	Associate Professor (BS-19), Govt. Degree College, Takht Bhai, Mardan.	A.V.P.
52.	Mr. Nqor Hazrat, Assistant Professor of Statistics (BS-18), Govt. Degree College, Lahor, Swabi.	Associate Professor (BS-19), Govt. Degree College, Lahor, Swabi.	A.V.P.
53.	Mr. Waqar-ul-Mulk, Assistant Professor of English (BS-18), Govt. Post Graduate College, Karak.	Associate Professor (BS-19), Govt. Post Graduate College, Karak.	A.V.P.
54.	Mr. Siyasat Ali, Assistant Professor of Physics (BS-18), Govt. Post Graduate College, Charsadda.	Associate Professor (BS-19), Govt. Post Graduate College, Charsadda.	A.V.P.
55.	Mr. Mohammad Usman, Assistant Professor of Physics (BS-18), Govt. Degree College, Lund Khwar, Mardan.	Associate Professor (BS-19), Govt. Degree College, Lund Khwar, Mardan.	A.V.P.
56.	Mr. Ihsanullah, Assistant Professor of Sociology (BS-18), Govt. Degree College, Takht Bhai, Mardan.	Associate Professor (BS-19), Govt. Degree College, Takht Bhai, Mardan.	A.V.P.
57.	Mr. Mohammad Aslam, Assistant Professor of Chemistry (BS-18), Govt. Post Graduate College, Charsadda.	Associate Professor (BS-19), Govt. Degree College, Kattang, Mardan.	A.V.P. He will be adjusted at GSSC Peshawar against the post to be vacated on 20.05.2012.
58.	Mr. Mohammad Inam, Assistant Professor of English (BS-18), Govt. Post Graduate College, Swabi.	Associate Professor (BS-19), Govt. Degree College, Takht Bhai, Mardan.	A.V.P.
59.	Mr. Abbas Khan, Assistant Professor of Economics (BS-18), Govt. Degree College, Peshawar.	Associate Professor (BS-19), Govt. Degree College, Peshawar.	Vice S. No. 2 of below adjustment A.V.P.
60.	Mr. Muhammad Dost, Assistant Professor of History (BS-18), Govt. Degree College, Chitral.	Associate Professor (BS-19), Govt. Degree College, Agra, Malakand Agency.	A.V.P.
61.	Mr. Parkhanda Shah, Assistant Professor of Economics (BS-18), Govt. Post Graduate College, Swabi.	Associate Professor (BS-19), Govt. Post Graduate College, Swabi.	A.V.P.
62.	Mr. Syed Imtiaz Ali, Assistant Professor of Political Science (BS-18), Govt. Degree College, Pabbi, Nowshera.	Associate Professor (BS-19), Govt. Degree College, Pabbi, Nowshera.	A.V.P.
63.	Mr. Syed Zabair Hussain Shah, Assistant Professor of Islamiyat (BS-18), Govt. Degree College, Khanpur, Haripur.	Associate Professor (BS-19), Govt. Degree College, Pattan, Haripur.	Vice S. No. 3 of below adjustment A.V.P.
64.	Mr. Zia ur Rehman, Assistant Professor of Chemistry (BS-18), Govt. Post Graduate College, Mandian, Abbottabad.	Associate Professor (BS-19), Govt. Degree College, Mandian, Haripur.	A.V.P.
65.	Mr. Mohammad Ilyas, Assistant Professor of Electronics (BS-18), Govt. Post Graduate Jehanzeb, College, Saidu Sharif, Swat.	Associate Professor (BS-19), Govt. Degree College, Matta, Swat.	A.V.P.
66.	Mr. Sher Ahmad, Assistant Professor of Political Science (BS-18), Govt. Degree College, Tank.	Associate Professor (BS-19) / Principal, Govt. Degree College, Tank.	A.V.P.

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TESTED

66.	Mr. Mohammad Salim Khan, Assistant Professor of Physics (BS-18), Post Graduate College, Lakki Marwat.	Assistant Professor (BS-19), Govt. Post Graduate College, Lakki Marwat.	
67.	Mr. Abdul Qayyum, Assistant Professor of Maths (BS-18), Degree College, Havelian, Abbottabad.	Assistant Professor (BS-19), Govt. Degree College, Kalabatownship Haripur.	
68.	Mr. Tanveer Ahmad, Assistant Professor of Physics (BS-18), Post Graduate College, Mansehra.	Assistant Professor (BS-19), Govt. Degree College, Balakot, Mansehra.	A.V.P.
69.	Mr. Hidayat Ullah Jan, Assistant Professor of Computer Science (BS-18), Govt. Post Graduate College, Nowshera.	Assistant Professor / Principal (BS-19), Govt. Degree College, Han Kohi, Nowshera.	A.V.P.
70.	Mr. Mohammad Zahid, Assistant Professor of Computer Science (BS-18), Govt. Post Graduate College, No. 1, Abbottabad.	Assistant Professor (BS-19), Govt. Post Graduate College, No. 1, Abbottabad.	Vice S. No. 01 below adjustment
71.	Mr. Javed Iqbal, Assistant Professor of Computer Science (BS-18), Degree College, Batkhela, Malakand Agency.	Assistant Professor / Principal (BS-19), Govt. Degree College, Batkhela, Malakand Agency.	A.V.P.
72.	Mr. Shafi-ur-Rehman, Assistant Professor of Urdu (BS-18), Govt. Post Graduate College, No. 1, Abbottabad.	Assistant Professor (BS-19), Govt. Degree College, Booni, Chitral.	A.V.P.
73.	Mr. Mohammad Javed, Assistant Professor of English (BS-18), Post Graduate College, Nowshera.	Assistant Professor (BS-19), Govt. Post Graduate College,ardan.	A.V.P.
74.	Mr. Fazal Badshah, Assistant Professor of Geography (BS-18), Govt. Post Graduate College, Charsadda.	Assistant Professor (BS-19), Govt. Degree College, Daigai, Malakand Agency.	A.V.P.
75.	Mr. Kamal Khan, Assistant Professor of Chemistry (BS-18), Govt. Post Graduate College, Mironshah, Agency.	Services placed at the disposal of Director Education (FATA), Mironshah, Nowshera.	A.V.P.
76.	Mr. Ali Asghar, Assistant Professor of Pak Study (BS-18), Govt. Post Graduate College, Haripur.	Assistant Professor (BS-19), Govt. Post Graduate College, Haripur, Abbottabad.	A.V.P. 01 below adjustment
77.	Mr. Mohammad Salim, Assistant Professor of Maths (BS-18), Post Graduate College, Jehanzeb, Saidu Sharif, Swat.	Assistant Professor (BS-19), Govt. Post Graduate College, Jehanzeb, Saidu Sharif, Swat.	A.V.P.
78.	Mr. Mohammad Tahir, Assistant Professor of English (BS-18), Degree College, Khar, Bajaur Agency.	Services placed at the disposal of Director Education (FATA), Degree College, Booni.	A.V.P.
79.	Mr. Shah Naraz, Assistant Professor of Islamiyat (BS-18), Govt. Degree College, Ghazni Khel, Lakki Marwat.	Assistant Professor (BS-19), Govt. Degree College, Ghazni Khel, Lakki Marwat.	A.V.P.
80.	Mr. Abdul Rahman, Assistant Professor of Statistics (BS-18), Degree College, Dir Upper.	Assistant Professor (BS-19), Govt. Degree College, Samarbagh, Dir Lower.	A.V.P.
81.	Mr. Liaqat Hussain, Assistant Professor of English (BS-18), Post Graduate College, Mansehra.	Assistant Professor (BS-19), Govt. Degree College, Oghi, Mansehra.	A.V.P.
82.	Mr. Akhtar Mohammad, Assistant Professor of Chemistry (BS-18), Post Graduate College, Haripur.	Assistant Professor (BS-19), Govt. Post Graduate College, Haripur.	A.V.P.
83.	Mr. Sattar Khan, Assistant Professor of English (BS-18), Govt. Post Graduate College, Bannu.	Assistant Professor / Principal (BS-19), Govt. Degree College, Dornail, Bannu.	A.V.P.
84.	Mr. Shah Baz Khan, Assistant Professor of Statistics (BS-18), Degree College, Dornail, Bannu.	Services placed at the disposal of Director Education (FATA), Dornail, Bannu.	A.V.P.
85.	Mr. Sadiq Nadeem, Assistant Professor of Islamiyat (BS-18), Govt. Degree College, Ghazni Khel, Lakki Marwat.	Assistant Professor (BS-19), Govt. Degree College, Ghazni Khel, Lakki Marwat.	A.V.P.

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(BS-19)
Govt. Kalabat
A.V.P.

85.	Mr. Noor Zaman, Assistant Professor of Economics (BS-18), Govt. Degree College, Kabal, Swat.	Associate Professor / Principal (BS-19), Govt. Degree College, Agra, Malakand Agency.	A.V.P.
86.	Mr. Yousaf Zada, Assistant Professor of Physics (BS-18), Govt. Degree College, Shewa, Swabi.	Associate Professor / Principal (BS-19), Govt. Degree College, Shewa, Swabi.	Vice S. No. 8 of below adjustment A.V.P.
87.	Mr. Iftikhar Hussain, Assistant Professor of English (BS-18), Govt. Post Graduate College, Mardan.	Associate Professor (BS-19), Govt. Degree College, Chaurabad, Mardan.	A.V.P.
88.	Mr. Habib Nawaz, Assistant Professor of English (BS-18), Govt. Degree College, No. 2, D.I. Khan.	Associate Professor (BS-19), Govt. Degree College, No. 2, D.I. Khan.	A.V.P.
89.	Mr. Mohammad Najeeb, Assistant Professor of Pak Study (BS-18), Govt. Degree College, Ghazni Khel, Lakki Marwat.	Associate Professor (BS-19), Govt. Degree College, Kakki, Jannu.	A.V.P.

ADJUSTMENT

90.	Dr. Abdul Wahab, Associate Professor of Islamiyat, Govt. Postgraduate College, No.1 Abbottabad.	Associate Professor Govt. Post Graduate College, Mandian, Abbottabad.	Against vacant post
91.	Dr. Abdur Rashad, Associate Professor of Chemistry, Govt. College, Peshawar.	Principal, Govt. Degree College, Kotha, Swabi.	Against vacant post
92.	Mr. Mushtaq Ahmad, Associate Professor of Urdu, Govt. Degree College, Pattan, Kohistan.	Associate Professor Govt. Degree College, Khanpur, Haripur.	Against vacant post
93.	Mr. Faridullah Zakori, Associate Professor of Economics, Govt. Degree College, No. 1, D.I. Khan.	Principal, Govt. Degree College, No. 3, Dera Township, D.I. Khan.	Against vacant post
94.	Mr. Nadir Khan, Associate Professor of Economics, Govt. Degree College, No. 1, D.I. Khan.	Principal, Govt. Degree College, Paniala, D.I. Khan.	Against vacant post
95.	Mr. Gul Hassan, Principal, Govt. Degree College, Dir Upper.	Associate Professor, Govt. Post Graduate College, Timergara, Dir Lower.	Against vacant post
96.	Mr. Shams-ul-Islam, Principal, Govt. Degree College, Shewa, Swabi.	Associate Professor, Govt. Degree College, Shewa, Swabi.	Against vacant post
97.	Mr. Anwar Zeb, Associate Professor (BS-19), Govt. Degree College, Lahor, Swabi.	Principal, Govt. Degree College Zaida Swabi.	Against vacant post
98.	Mr. Mumtaz Ahmad, Associate Prof. of History, GSSC Peshawar.	Govt. Degree College, Darnai, Malakand Agency.	Against vacant post
99.	Mr. Abdul Qadir Sajid, Associate Professor, GPGC No. 1, Abbottabad.	Govt. Degree College, Matta, Swat.	Against vacant post
100.	Mr. Jamil Ahmad, Assistant Professor of Geography, GDC, Garhi Kapoora, Mardan.	Govt. College, Peshawar.	Vice S. No. 58
101.	Maqsood Hussain Shah, Assistant Professor of Maths, GDC Bakhshali, Mardan.	Govt. Superior Science College, Peshawar.	Vice S. No. 02
102.	Jamil-ur-Rehman, Assistant Professor of Geography, DC Khanpur, Haripur.	Govt. Post Graduate College, Haripur.	Vice S. No. 29
103.	Mr. Usman Ali, Assistant Professor of Maths, GPGC Charsadda.	Govt. College, Peshawar.	Vice S. No. 4

SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA, HIGHER EDUCATION DEPARTMENT

33

Endst: No & Date Even.

Copy forwarded to the:-

1. Secretary to Governor, Khyber Pakhtunkhwa.
2. Secretary (Coordination and Administration Department) FATA Warsak Road, Peshawar.
3. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
4. Accountant General Khyber Pakhtunkhwa Peshawar.
5. Director Higher Education Khyber Pakhtunkhwa Peshawar.
6. Director of Education (FATA) Civil Secretariat Warsak Road Peshawar.
7. Districts / Agency Accounts Officers concerned.
8. Principals, Government Colleges concerned (Male) Khyber Pakhtunkhwa.
9. Manager, Govt. Printing Press Khyber Pakhtunkhwa Peshawar.
10. P.S. to Chief Secretary Khyber Pakhtunkhwa Peshawar.
11. P.S. to Secretary, Establishment Administration Department.
12. P.S. to Minister for Education Khyber Pakhtunkhwa Peshawar.
13. P.S. to Secretary Higher Education Khyber Pakhtunkhwa Peshawar.
14. Officers concerned.

Copy forwarded to the:-

1. Secretary to Governor, Khyber Pakhtunkhwa.
2. Secretary (Coordination and Administration Department) FATA Warsak Road, Peshawar.
3. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
4. Accountant General Khyber Pakhtunkhwa Peshawar.
5. Director Higher Education Khyber Pakhtunkhwa Peshawar.
6. Director of Education (FATA) Civil Secretariat Warsak Road Peshawar.
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11. P.S. to Secretary, Establishment Administration Department.
12. P.S. to Minister for Education Khyber Pakhtunkhwa Peshawar.
13. P.S. to Secretary Higher Education Khyber Pakhtunkhwa Peshawar.
14. Officers concerned.

(WAHEED KHAN)
SECTION OFFICER (COLLEGES-II)

(WAHEED KHAN)
SECTION OFFICER (COLLEGES-II)

To

The Honorable Chief Secretary
Khyber PakhtunKhwa Peshawar

F
34

Through proper channel

Subject: Representation against the seniority list dated 27-04-2011 of the associate professors BPS- 19(College cadre) under control of Higher Education Department as it stood on 31-03-2011, where by the appellant has been relegated to lower position and not assigned due seniority. The seniority list has been neither communicated to the appellant nor circulated as approved by the competent authority. The promotion notification dated: 09-01-2012 where by the promotions were made to the posts of associate professors on a regular basis to the extent of promoting associate professors. The appellant has been showed junior which is illegal and liable to be set aside.

Facts of the appeal

1. That 60 posts of associate professors were lying vacant in 2009-2010. And promotion of the appellant was due to 2009-2010 BPS-19 in 2009-2010. However the higher education department showed no efficiency and the appellant was not given promotion according to the due date.
2. The working papers of the case shows that case of the appellant was moved from the Directorate Higher Education to the concerned Secretariat but the case was sent back to the Directorate Higher Education with some observations and to include more cases for promotion. the case of 60 Assistant Professors was delayed intentionally and because of in efficiency of the concerned Department.
- ✓ 3. The working papers of the case dated: 04-11-2010 shows that sixty posts(60) of associate professors were already lying vacant but again the appellant was not promoted to BPS- 19 as an Associate Professor where as the appellant faced irreparable loss which is against the principles of justice and fundamental rights
- ✓ 4. The appellant claim seniority with in the rules of 80% quota reserved for the promotion on the basis of seniority and fitness. ✓
5. That PSB meeting under the chairmanship of the Chief Secretary was held on 04-08-2011 but the notification was delayed up to 09-01-2012 which shows mala fide intention of the interested groups where by the appellant was deprived of his rights.
6. that under the rules and the promotees should be seniors to the selectee through public service commission for initial recruitment when both the notification of selectees and approval of the promotees Dated: 04-08-2011 bearing the same calander year.
7. that the appellant has been declared junior to associate professors in BPS-19 as selectees of the public service commission KPK who took over the charge

ATTESTED



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later than the appellant. the appellant took charge as associate professor on 09-01-2012 and the selectee bearing serial No 205 took over the charge on 16-03-2012.

that if the appellant was not given seniority in BPS-19, it will affect rights of the appellant for promotion to BPS-20 as well.

X 9.

It is humbly requested that the seniority of the appellant may please be accepted and declared from the date of PSB held on 04-08-2011 under the chairmanship of the honorable Chief Secretary of the KPK.

Yours Faithfully

Munawar Khan
Associate Professor of Political Science/Principal
GDC Tajori Lakki Marwat
(On Behalf of the 60 Associate Professors)



GOVERNMENT OF KHYBER PAKHTUNKHWA
HIGHER EDUCATION, ARCHIVES &
LIBRARIES DEPARTMENT

2

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No.SO(C-I)HE/1-5/15/Munawar Khan
Dated Peshawar the 08/07/2015

574

To

The Director,
Higher Education Khyber Pakhtunkhwa,
Peshawar.

Subject:- APPEAL

I am directed to refer to your office letter No. 14699/CA-I/Estt: Branch/A-12/Munawar Khan / Pol: Science dated 11.06.2015 on the subject noted above and to state that the competent authorities regret the request of the applicants. All concerned may be informed accordingly.

ADCS
A.O
14/7/15

SECTION OFFICER (C-I)

Endst: No & Date Even:

Copy to:

- 1. Mr. Shams-ul-Ibrar, Associate Professor, GDC, Tangi.

WR
2/4/17

SECTION OFFICER (C-I)

CAI
RECEIVED ON
15 JUL 2015
7913 521

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**OFFICE OF THE DIRECTOR HIGHER
EDUCATION KHYBER PAKHTUNKHWA
PESHAWAR.**

19299-300
Endst: No. _____ /CA-I/ Estt: Branch/ A-12/Munawar Khan/ Pol; Science

(37)

Dated Peshawar the 12/8/2015

Copy of the overleaf is forwarded to the:-

1. Principal Govt; Degree College, Tajori (Lakki Marwat) with the remarks to inform Mr. Munawar Khan Associate Professor of Political Science of his College accordingly. ✓
2. Principal Govt; Degree College, Tangi (Charsadda) with the remarks to inform Mr. Shams ul Ibrar Associate Professor of English of his College accordingly. ✓
3. Personal files.

S. Barhi

DY: DIRECTOR (ESTABLISHMENT)

VAKALAT NAMA

38

NO. _____/20

IN THE COURT OF Service Tribunal Peshawar

Shamsul Ibrar (Appellant)
(Petitioner)
(Plaintiff)

VERSUS

Govt. of KPK et (Respondent)
(Defendant)

I/We Shamsul Ibrar (Appellant)

Do hereby appoint and constitute **M.Asif Yousafzai, Advocate, Peshawar**, to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate/Counsel on my/our costs.

I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter. The Advocate/Counsel is also at liberty to leave my/our case at any stage of the proceedings, if his any fee left unpaid or is outstanding against me/us.

Dated _____/20

S. Ibrar
(CLIENT)

ACCEPTED

M. Asif Yousafzai
M. ASIF YOUSAFZAI
Advocate

Taimur Ali Khan
TAIMUR ALI KHAN
Advocate

M. ASIF YOUSAFZAI
Advocate High Court,
Peshawar.

OFFICE:

Room No.1, Upper Floor,
Islamia Club Building,
Khyber Bazar Peshawar.
Ph.091-2211391-
0333-9103240

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 1163/2015

Shams ul Ibrar, Associate Prof. Govt Degree College

Tangi Charsadda.....Appellant

VERSUS

Govt. of Khyber Pakhtunkhwa through Chief Secretary

And Others..... Respondents

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2.	KP Civil Servant Promotion Policy 2009	(Annex-A)	3-4
3.	Affidavit		5

Chief Secretary,
Govt. Khyber Pakhtunkhwa
Respondent No. 1, 2

Secretary to Govt. Khyber Pakhtunkhwa
Higher Education Department.
Respondent No.3

Secretary to Govt. Khyber Pakhtunkhwa
Establishment Department.
Respondent No.4

Secretary to Govt. Khyber Pakhtunkhwa
Finance Department.
Respondent No.5

Service Appeal No. 1163/2015

Shams ul Ibrar, Associate Prof. Govt Degree College

Tangi Charsadd.....Appellant

VERSUS

Govt. of Khyber Pakhtunkhwa through Chief Secretary

And Others..... Respondents

Preliminary Objections:

1. That the instant Service appeal is not maintainable in its present form. This Hon'ble Service Tribunal lacks jurisdiction under section 4 of the Khyber Pakhtunkhwa Service Tribunal Act 1974 to grant the relief as prayed for.
2. The appeal is badly time barred. The cause of action if any, occurred to the appellant in the year 2009, he should have filed appeal for the redressal of his problem in the year 2009 when he was not promoted. Now, at this belated stage, the appeal is badly time barred.
3. That the instant service appeal is also bad for non-joinder of necessary parties like the Director of Higher Education Khyber Pakhtunkhwa and other fellow colleagues who were promoted earlier to the appellant.
4. Promotion is not a vested right and can not be enforced through the courts of Law including this Hon'ble Tribunal. Moreover, retrospective promotion cannot be granted under the policy of promotion 2009, as explained in the following Paras on facts.

Respectfully Sheweth:

1. Correct, hence no comments.
2. Correct. According to rules, referred by the appellants, 20% posts of Associate Professors BPS-19 are reserved for initial recruitment to be filled through Public Service Commission and 80% are earmarked for the quota of promotions. The appellant was although eligible for promotion to the post of Associate Professor BPS-19 due to revision of service structure and up gradation of 4 tiers formula notified on 09/06/2009, wherein, 41, additional new posts of Associate Professors were made available with effect from 01/07/2009. A copy of notification is correctly annexed by appellant with the memo of his service appeal. However, mere eligibility for promotion is not the sole criterion for promotion, other important factors are also necessary for determining the fitness by the competent authority of the appellant for promotion.
3. As explained in the preceding Para on fact.
4. Correct. That 60, posts of Associate Professors BPS-19 were available for the quota reserved for promotion as is evident from the covering memo of Director of Higher Education Khyber Pakhtunkhwa dated: 04-1-2010, annexed as D, by the appellant with the memo of his service appeal. Promotion of officers in such bulk, thus take its own time. Lack of staff is in itself a big hurdle in timely processing cases of promotion including that of appellant. The department is

conscious of its responsibilities and with due apology, the promotion cases could not be processed in time. Moreover, the appellant could not be promoted with retrospective effect as promotion is granted on the recommendations of Provincial Selection Board with immediate effect in accordance with the promotion policy of 2009; copy of extract thereof is as Annex: A.

- 5. Correct. The appellant has been promoted to the post of Associate Professor BPS-19 wef 09-01-2012, and now he has no cause of action to prefer instant appeal.
- 6. Correct. That the appellant also requested for retrospective promotion, however, the respondents are unable to accede to his request on the basis of Promotion Policy 2009 as annexed. A. which provides for immediate effect.

Grounds:

- A. Incorrect and misconceived as explained in the preceding Paras on facts.
- B. Correct that, 60 posts of Associate Professors BPS-19 were available at the relevant time, however, due to procedural formalities, regrettably, the cases of promotion including that of the appellant were delayed. Now, at this belated stage, under the Promotion Policy 2009, the appellant cannot claim the same as of right with retrospective effect. Moreover, promotion is not a vested right enforceable through courts of law including this Hon'ble Service Tribunal.
- C. As explained in the preceding paras.
- D. Legal, hence no comments.
- E. Incorrect and misconceived as elaborated in the preceding paras on facts.
- F. As explained, promotion is not a vested right enforceable through courts of law including this Hon'ble Service Tribunal. Therefore the appellant cannot claim the same through the instant service appeal.
- G. The respondents may also assist the Hon'ble Tribunal by advancing other grounds at the time of hearing of the appeal.

It is therefore humbly submitted that the instant service appeal being devoid of merit may be dismissed with costs.

M. S. Dary
 Chief Secretary,
 Govt. of Khyber Pakhtunkhwa
 Respondent No. 1, 2

M. S. Dary
 Secretary to Govt. Khyber Pakhtunkhwa
 Higher Education Department.
 Respondent No.3

M. S. Dary
 Secretary to Govt. of Khyber Pakhtunkhwa
 Establishment Department.
 Respondent No.4

M. S. Dary
 Secretary to Govt. of Khyber Pakhtunkhwa
 Finance Department.
 Respondent No.5

~~2-1763/10~~
2-1627/16

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Security PD



GOVERNMENT OF N.-W.F.P.
ESTABLISHMENT & ADMINISTRATION
DEPARTMENT
(ESTABLISHMENT WING)

SUBJECT:- NORTH-WEST FRONTIER PROVINCE CIVIL SERVANTS PROMOTION POLICY, 2009.

Dear Sir,

I am directed to refer to the subject noted above and to say that in order to consolidate the existing Promotion Policy, which is embodied in several circular letters issued in piecemeal from time to time, and to facilitate the line departments at every level in prompt processing of promotion cases of Provincial civil servants, it has been decided to issue the "North-West Frontier Province Civil Servants Promotion Policy, 2009" duly approved by the competent authority, for information and compliance by all concerned. This Policy will apply to promotions of all civil servants holding appointment on regular basis and will come into effect immediately. The Policy consists of the provisions given hereunder:-

I. Length of service.

(a) Minimum length of service for promotion to posts in various basic scales will be as under:

- Basic Scale 18 : 5 years' service in BS-17
- Basic Scale 19 : 12 years' service in BS-17 & above
- Basic Scale 20 : 17 years' service in BS-17 & above

No proposal for promotion shall be entertained unless the condition of the prescribed length of service is fulfilled.

(b) Service in the lower pay scales for promotion to BP-18 shall be counted as follows:

- (i) Half of the service in BS-16 and one fourth in Basic Scales lower than 16, if any, shall be counted as service in Basic Scale 17.
- (ii) Where initial recruitment takes place in Basic Scale 18 and 19, the length of service prescribed for promotion to higher Basic Scales shall be reduced as indicated below:
 - Basic Scale 19 : 7 years' service in BS-18
 - Basic Scale 20 : 10 years' service in BS- 18 and above or 3 years' service in BS-19.

II. Linking of promotion with training:

(a) Successful completion of the following trainings is mandatory for promotions of officers of the Provincial Civil Service / Provincial Management Service to various Basic Scales:

Notified vide letter No. SOE-III (E&AD)1-3/2008 Dated Peshawar the 28th January, 2009

VI. **Date of Promotion:**

Promotion will always be notified with immediate effect.

VII. **Notional Promotion:**

In respect of civil servants who retire (or expire) after recommendation of their promotion by the PSB/DPC, but before its approval by the competent authority, their promotion shall be deemed to have taken effect from the date of recommendation of the PSB/DPC, as the case may be, and their pension shall be calculated as per pay which they would have received had they not retired/expired.

VIII. **Promotion of Civil Servants who are awarded minor penalties.**

(a) The question of promotion to BS-18 and above in case of civil servants who have been awarded minor penalties has been settled by the adoption of quantification of PERs and CEI which allows consideration of such cases for promotion subject to deduction of 5 marks for each major penalty, 3 marks for each minor penalty and 1 mark for each adverse PER from the quantified score and recommendation for promotion on attaining the relevant qualifying threshold.

(b) However, the CEI policy is not applicable to civil servants in BS-16 and below. In this case, the concerned assessing authorities will take into consideration the entire service record with weightage to be given for recent reports and any minor penalty will not be a bar to promotion of such a civil servant.

IX. **Promotion in case of pending investigations by NAB:**

If there are any NAB investigations being conducted against an officer, the fact of such investigations needs to be placed before the relevant promotion fora which may take a considered decision on merits of the case.

2. All the existing instructions on the subject shall stand superseded to the above extent, with immediate effect.

Yours faithfully,

(MUHAMMAD ABID MAJEED)
Special Secretary (Regulations)

Endst: No. SOE-III(E&AD)1-3/2008

Dated Peshawar the 28th January, 2009

Copy forwarded to:

1. The Accountant General, NWFP, Peshawar.
2. The Registrar, Peshawar High Court, Peshawar.
3. The Director, Staff Training Institute, E&A Department, Peshawar.
4. All Additional Secretaries in E&A Department, GoNWFP.
5. Reforms Coordinator, Reforms Cell, E&A Department.
6. All Deputy Secretaries in E&A Department, GoNWFP.
7. The Secretary, NWFP Public Service Commission, Peshawar.
8. The Director, Anti-Corruption Establishment, N.-W.F.P., Peshawar.
9. The Registrar, NWFP Service Tribunal, Peshawar.
10. All Section Officers in E&A Department, GoNWFP.
11. Private Secretary to Chief Secretary, N.-W.F.P.
12. Private Secretary to Secretary, Establishment Department, GoNWFP.
13. Librarian, E&A Department.

(*Syeda Fanzeela Sabahat*)
Section Officer (E-III)

Endst: No. SOE-III(E&AD)1-3/2008

Dated Peshawar the 28th January, 2009

Copy forwarded to:

1. The Chief Secretary, Government of the Punjab, Lahore.
2. The Chief Secretary, Government of Sindh, Karachi.
3. The Chief Secretary, Government of Baluchistan, Quetta.

(*Syeda Fanzeela Sabahat*)
Section Officer (E-III)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNALS PESHAWAR.

5

Service Appeal No. 1163/2015

Shams ul Ibrar, Associate Prof. Govt Degree College

Tangi Charsadd.....Appellant

VERSUS

Govt. of Khyber Pakhtunkhwa through Chief Secretary

And Others..... Respondents

AFFIDAVIT

I, Jehangir Khan, Section Officer (Litigation) Higher Education Department, as per instructions of the respondents, do hereby solemnly affirm and declare on oath that the contents of the accompanying para-wise comments are true to best of my knowledge and belief and nothing has been concealed therein from this Honorable Service Tribunal.


Deponent

BEFORE THE KPK, SERVICE TRIBUNAL, PESHAWAR.

Service Appeal No. 1163/2015

Mr. Shams Ul Abrar

VS

Govt of KPk:

.....
REJOINDER ON BEHALF OF APPELLANT
.....

RESPECTFULLY SHEWETH:

Preliminary Objections:

1. Incorrect. The appeal of the appellant is maintainable in present form as section-4 of the Tribunal is clear on the point that any civil servant aggrieved from the original or appellate order regards the terms and condition, shall file appeal to Tribunal within one month.
2. Incorrect. That in case of seniority, pay & promotion no limitation was run as judgment reported as 2002 PLC (cs) 1388, so the plea of the respondent has no weightage.
3. Incorrect. The judgment of Supreme Court titled as Luqman Zareen is clear on that point.
4. Incorrect. There are numerous judgments on that point.

FACTS:

- 1 Admitted correct by the respondent department. Needs no comments.
- 2 Para-2 of the appeal is admitted correct by the respondents. Further contention of the department is incorrect. The appellant was senior most and eligible and senior most, therefore, not consider the appellant for promotion despite having vacant post, it is great injustice and inefficiency on the part of the department and according to the Superior Court judgment the employee cannot be deprived from his due right on the fault of the department as delay on the part of department without any reason.
- 3 Not denied by the respondents. Which means that they admitted para3 of the appeal is correct as mentioned in the main appellant of the appellant. Moreover, as explained in preceding paras.
- 4 Para-3 of the appeal is admitted correct by the respondents. Further contention of the department is incorrect. The appellant was senior

most and eligible and senior most, therefore, not consider the appellant for promotion despite having vacant post, it is great injustice and inefficiency on the part of the department and according to the Superior Court judgment the employee cannot be deprived from his due right on the fault of the department as delay on the part of department without any reason.

- 5 Para-5 of the appeal is admitted correct by the respondent department. Further contention of respondent department is incorrect. According to superior court judgment the promotion was made from the date of occurrence of permanent vacancy in respective cadre. In the case of the appellant the vacancy was available from 2009. Furthermore, no promotion was delay without any proper order.
- 6 Incorrect. The appeal of the appellant was not rejected for good grounds.

GROUND:

- A) Incorrect. While Para-A of the ground of appeal is correct as mentioned in the main appeal of the appellant.
- B) Para-B of the appeal is admitted correct. Further contention of the respondent department is incorrect, the appellant has the right to promotion being eligible because the matter related to terms and condition of the appellant and according to superior court judgment the tribunal had the jurisdiction to deal with the cases related with terms and conditions of civil servant.
- C) Incorrect. While Para-C of the ground of appeal is correct as mentioned in the main appeal of the appellant.
- D) Needs no comments. Moreover, para-D of the appeal is correct.
- E) Incorrect. While para E of the appeal is correct.
- F) Incorrect. Para-F of the appeal is correct.
- G) Legal.

It is, therefore, most humbly prayed that the appeal of appellant may kindly be accepted as prayed for.

APPELLANT

Through:



**(M. ASIF YOUSAFZAI)
ADVOCATE SUPREME COURT**

AFFIDAVIT

It is affirmed and declared that the contents of appeal and rejoinder are true and correct to the best of my knowledge and belief and nothing has been concealed from Hon'able tribunal.

[Signature]
TESTED
MUJAD ALI
SOLICITARY PUBLIC
ASSOCIATE HIGH COURT
27/12
2017

[Signature]
DEPONENT