
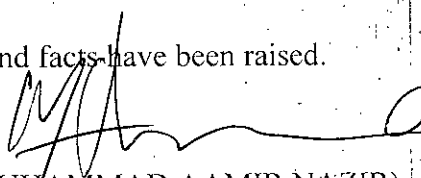


S.No	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
	02.06.2016	<p style="text-align: center;"><u>KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,</u> <u>PESHAWAR.</u></p> <p style="text-align: center;">APPEAL NO.1406/2014</p> <p style="text-align: center;">(Taj Mali Khan-vs- Govt: of Khyber Pakhtunkhwa through Chief Secretary Khyber Pakhtunkhwa, Peshawar and others).</p> <p style="text-align: center;"><u>JUDGMENT</u></p> <p style="text-align: center;"><u>MUHAMMAD AAMIR NAZIR, MEMBER:</u></p> <p>Counsel for the appellant and Mr. Ziaullah, GP for respondents present.</p> <p>2. In the instant appeal issue of up-gradation is involved and according to the judgment of august Supreme Court of Pakistan dated 17.02.2016 delivered in Civil Appeal No. 101 & 102-P of 2011 the service Tribunals have no jurisdiction to entertain any appeal involving the issue of up-gradation as it is does not part of terms and conditions of service of the Civil servants.</p> <p>3. In view of the above the appeal was not found maintainable by this Tribunal for want of jurisdiction. The same is therefore dismissed. The appellant may seek his remedy before any other appropriate forum if so advised. File be consigned to the record room.</p> <p>4. Our this judgment will also dispose of in the same manner appeals No: 1407/2014 titled Abdul Nahid, 1408/2014 titled Shahid Hussain, 1409/2014 titled Haider Zaman where common question of law and facts have been raised.</p> <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">  (AHMAD HASSAN) MEMBER </div> <div style="text-align: center;">  (MUHAMMAD AAMIR NAZIR) MEMBER </div> </div> <p><u>ANNOUNCED</u> 02.06.2016</p>

22.02.2016

None present for appellant. Mr. Irfanullah, AD alongwith Addl. A.G for respondents present. Written statement submitted. Cost of Rs. 500/- paid to the Reader of the Court for further payment to appellant/counsel for the appellant and receipt thereof be obtained. The appeal is assigned to D.B for rejoinder and final hearing for 2.6.2016.


Chairman

29.06.2015

None present for appellant. Mr. Riaz Ali Khan, AD (lit.) along with Addl: A.G for respondents present. Requested for adjournment. To come up for written reply/comments on 1.10.2015 before S.B.


Chairman

01.10.2015

Counsel for the appellant and Mr. Liaqat Ali Khan, AD (lit.) along with 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 3.12.2015 before S.B.


Chairman

03.12.2015

Counsel for the appellant and Ms. Shehnaz, Assistant along with Addl: A.G for respondents present. Written reply not submitted despite last opportunity. Requested for further adjournment. Last opportunity is extended subject to payment of cost of Rs. 500/- which shall be borne by the respondents from their own pockets. To come up for written reply/comments and cost on 22.2.2016 before S.B.


Chairman

2
Reader Note:

21.01.2015

Since 20th January has been declared as public holiday by the provincial government, therefore, case is adjourned to 26.02.2015 for the same.

[Signature]
Reader

26.02.2015

26.02.2015

None present for appellant. Notice issued to the learned counsel for the appellant for preliminary hearing for 13.03.2015 before S.B.

[Signature]
Chairman

13.03.2015

Counsel for the appellant present. Learned counsel for the appellant argued that the appellant is DPE serving in BPS-17. That vide notification dated 21.01.2008 the appellant was granted up-gradation w.e.f 09.10.2007 which was subsequently withdrawn vide notification dated 07.03.2009. That the up-gradation again allowed to the appellant vide notification dated 01.01.2010 with immediate effect which notification was impugned in departmental appeal dated 26.05.2014 which was rejected vide order dated 28.08.2014 communicated to the appellant on 13.11.2014 against which the instant service appeal was preferred on 10.12.2014.

That the appellant was entitled to up-gradation as granted earlier w.e.f 09.10.2007.

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 29.06.2015 before S.B.

[Signature]
Chairman


Appellant Deposited
Security & Process Fee

[Signature]

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 1406/2014

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	15.12.2014	<p>The appeal of Mr. Taj Mali Khan resubmitted today by Mr. Amjid Ali Marwat Advocate may be entered in the Institution register and put up to the Worthy Chairman for proper order.</p> <p style="text-align: right;"> REGISTRAR</p> <p>This case is entered in the Institution register and put up to the Worthy Chairman for proper order.</p> <p>Accordingly the appeal is allowed.</p> <p style="text-align: right;">_____</p>

The appeal of Mr. ^{Khan} ~~Fajr Mali~~ Lecturer in Health & Physical Education Govt. Post Graduate College Bannu received today i.e. on 10.12.2014 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Appeal may be got signed by the appellant.
- 2- Pages No. 11, 17 & 18 are illegible which may be replaced by legible/better one.
- 3- Annexures of the appeal may be attested.

No. 1696 /S.T,

Dt. 11-12 /2014.

Mr. Raza Ullah Khan Adv. Pesh.

1. Appellant
2. Pages
3. Annexure

Mr. Raza Ullah

[Signature]
REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR: Graduate College

Respected Sir,

Requirements have been fulfilled as per desire plz accepted & obliged.

Amjad Ali Marwat
Advocate
13/12/14

BEFORE THE KHYBER PAKHTUNKHWA SERVICE

TRIBUNAL, PESHAWAR

Appeal No. 1406 / 2014

Taj Mali Khan

VERSUS


Govt of Khyber Pakhtunkhwa and others

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1)	Grounds of Appeal	=	1-6
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4)	Notification No. SO(T)HE/17-1-2003 dated 21.1.2008	A	11
5)	Up-gradation Notification No. SO(T)HE/17-1-2008 Vol-III dated 4.3.2009	B	12-16
6)	Withdrawal Notification No. SO(T)HE/17-1-2008 Vol-III dated 7.3.2009	C	17
7)	Departmental Promosion Notification No. SO(T)HE/17-1-2008 Vol-III dated:- 1.1.2010	D	18-22
8)	Departmental representation of the appellant dated:- 26-5-14	E	23
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Dated: 9/12/2014 ~~03-Dec-14~~

Through:-

Appellant

Amjad Marwat
Advocate, Peshawar

BEFORE THE KHYBER PAKHTUNKHWA SERVICE

TRIBUNAL, PESHAWAR

Appeal No. 1406 / 2014

N.W.F. Protest
1428
10-12-2014

Taj Mali Khan Lecturer in Health & Physical Education, Govt.
Post Graduate College, Bannu.....**Appellant**

VERSUS

1. Govt of Khyber Pakhtunkhwa through Chief Secretary,
Khyber Pakhtunkhwa, Peshawar.
2. Secretary to Govt of Khyber Pakhtunkhwa Higher
Education, Archives & Libraries Department, Khyber
Pakhtunkhwa, Peshawar.
3. Director, Director of Higher Education, Khyber
Pakhtunkhwa, Peshawar.
4. Director Archives & Libraries Department, Khyber
Pakhtunkhwa, Peshawar**Respondents**

**APPEAL UNDER SECTION-4 NWFP SERVICE TRIBUNAL
ACT, 1974 TO THE EFFECT THAT NOTIFICATION NO. SO
(T)/HE/17-1/2008/VOL-III DATED 1/1/2010 TO THE
EXTENT OF ALLOWING UP-GRADATION FROM BS-16 TO
BS-17 TO THE DPES OF COLLEGE CADRE INCLUDING
APPELLANT WITH IMMEDIATE EFFECT I.E. 1/1/2010
INSTEAD OF 9/10/2007 IS ILLEGAL, WITHOUT ANY
LAWFUL EXCUSE OR JUSTIFICATION/AUTHORITY AND
AGAINST THE PRINCIPLES OF NATURAL JUSTICE,
AGAINST WHICH THE DEPARTMENTAL APPEAL OF THE
APPELLANT HAS ALSO BEEN REGRETTEED VIDE ORDER**

10/12/14

re-submitted to SA
and filed;
5/12/14

2

**DATED 28/08/2014, COMMUNICATE TO THE APPELLANT
ON 13/11/2014.**

Respectfully Sheweth,

Compendium of facts giving rise to the instant appeal are as under:

- 1) That the appellant was posted as Director Physical Education (College Cadre) in the Higher Education, Archives & Libraries Department Khyber Pakhtunkhwa and holds Master degree in the same subject.
- 2) That the Government of NWFP (now Khyber Pakhtunkhwa) Higher Education, Archives & Libraries Department through Notification No. SO (T)/HE/17-1/2003 dated: 21/1/2008, accorded sanction to upgrade the posts of Directors Physical Education and Librarians (College Cadre) from BS-16 to BS-17 (Regular) for the incumbents who had Master degree in the relevant subjects with effect from 9/10/2007. (Copy annexed A)
- 3) That in consequence of the above notification, all incumbents of DPE posts (possessing Master degree in the subject) including the appellant were upgraded from BS-16 to BS-17 (Regular) in Higher Education, Archives & Libraries Department w.e.f. 9/10/2007 vide Notification No. SO (T)/HE/17-1/2008/Vol-III Dated 4/3/2009. (Copy Annexed B)

- 4) That latter on, the Department of Higher Education, Archives & Libraries through Notification No. SO (T)/HE/17-1/2008/Vol-III Dated 7/3/2009 withdraw its notification quoted in para-3 above. (Copy Annexure C)
- 5) That in order to get redress the appellant's grievance qua up-gradation of DPEs posts from BS-16 to BS-17 as mentioned above, the appellant (s) collectively had been making repeated representations to the Respondents and as a result of such efforts the incumbents of the posts of DPEs (College Cadre) holding Master degree in Physical Education were granted BS-17 with immediate effect.
- 6) That after recommendation of the Department Promotion Committee, the Secretary/ Respondent allowed the aforesaid benefits to appellant with immediate effect i.e. 1.1.2010 instead of 9.10.2007 vide Notification No. SO(T)/HE/17-1/2008Vol-III dated 1.1.2010. (Copy Annexure D)
- 7) That feeling aggrieved there from the appellant preferred departmental representation to the Respondent on 26.5.2014 which was decided and notified through SO(A&L) HE/17-2/2010 dated 28.8.2014 but the order dated 28.8.2014 was not communicate to the appellant in due time as Internally Displaced Persons (IDPs) are stayed in the colleges (i.e. duty station) of the appellant including

others and this situation has disturbed the whole administrative system in respective duty station(s). it was only on 13.11.2014 when the appellant received the copy of the impugned order dated 28.8.2014. (Copies of Departmental representation and Department's decision are annexed as E & F respectively)

8) That it is worth to mention that Honorable Tribunal has already accepted the Appeal No. 1667/2009 alongwith other 13 appeals on the same subject matter of DPEs (School Cadre) of Elementary and Secondary Education Department through order/judgment dated 4.3.2010. (Copy Annexure G)

9) That being disappointed and aggrieved from the decision o Respondent, the appellant invoke the jurisdiction of this Honorable Tribunal as vested under the law, inter-alia on the following amongst other grounds:-

GROUND:-

A. That the impugned order/decision of the Respondent is illegal, against the principles of natural justice and based on discrimination as the same benefits are given to the incumbents of same posts in the Elementary and Secondary Education Department from the date of initial notification. (Copy annexure H)

B. That the impugned order/decision of the Respondent is in violation to the original notification dated 21.1.2008

which upgraded the posts of DPEs from BS-16 to BS-17 w.e.f. 9.10.2007. (Annexure A above)

C. That in light the original notification dated 21.1.2008 (Annexure A above), the incumbents including the appellant of DPE posts are entitled to the grant of relevant benefits from 9.10.2007 rather than 1.1.2010 which was notified in the subsequent notification. (Annexure D above)

D. That the appellant fulfilled the requisite criteria/terms and conditions for the grant of relevant benefits for 9.10.2010, therefore, he cannot be denied such benefits under the law and the refusal to grant this benefit is highly discriminatory and in violation of Article 25 of the Constitution of the Islamic Republic of Pakistan, 1973.

E. That in view of clear and unambiguous terms and conditions/instructions as contemplate under the original notification (Annexure A above), the Respondent was bound to implement the same without any reason or excuse or condition or reservation. Failure of the Respondent to implement the same tantamount to deprive the appellant from his vested right(s).

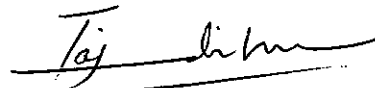
F. That the principle of consistency, fair play and good governance demands that to allow the relief already allowed by the Apex Court, to the appellant as well as accordance with the judgment reported in 2009 SCMR Page No.1.

G. That the instant appeal is not suffering from any delay/laches as neither the Respondent has duly conveyed to appellant the decision on his department representation nor the appellant had access to this duty station to get information in-time about the decision on his department representation.

H. That the appellant seeks leave of this Honorable Tribunal to raise any further ground(s) also.

It is, therefore, humbly prayed that on acceptance of this appeal the impugned order dated 28/08/2014 may please be set aside and the , up-gradation/promotion of the appellant from BPS-16 to BPS-17 granted to him vide Notification dated 01/10/2010, may kindly be anti-dated w.e.f. 09/10/2007, instead of immediate effect, with all back/consequential benefits.

Dated: 9/12/2014




APPELLANT

Through


Raza Ullah Khan


Amjad Marwat

&


Sajid Amin

Advocates, High Court,

Peshawar.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE

TRIBUNAL, PESHAWAR

In the matter:

Appeal No. _____ / 2014

Taj Mali Khan Lecturer in Health & Physical Education, Govt.
Post Graduate College, Bannu.....**Applicant**

VERSUS

- 1. Govt of Khyber Pakhtunkhwa through Chief Secretary,
Khyber Pakhtunkhwa, Peshawar.
- 2. Secretary to Govt of Khyber Pakhtunkhwa Higher
Education, Archives & Libraries Department, Khyber
Pakhtunkhwa, Peshawar.
- 3. Director, Director of Higher Education, Khyber
Pakhtunkhwa, Peshawar.
- 4. Director Archives & Libraries Department, Khyber
Pakhtunkhwa, Peshawar**Respondents**

**APPLICATION FOR CONDONATION OF DELAY IF ANY
FILING THE ABOVE NOTED APPEAL.**

Respectfully Sheweth:-

- 1. That the appellant has filed the accompanied service
appeal in which no date has been fixed so far.

2. That the petitioner prays for the condonation of delay in filling the above noted petition inter alia on the following grounds:-

GROUND OF APPLICATION:-

- A. That the appellant through proper channel had field departmental representation on 26/05/2014, which was regretted vide order dated 28/08/2014, but meanwhile the security operation in the surrounding areas gave birth to IDPs crises and they have been stated in the appellant duties station since 15/06/2014, and therefore the appellant had either no or limited communication with his college administration, therefore the impugned notification was never communicated to the appellant, recently he came to know about the decision on his departmental representation on 13/11/2014, hence the appeal in hand is well in time from the date of knowledge of the impugned order.
- B. That still IDPs are stayed in the duties station of the appellant and he is facing communication bearers in collecting the requisite information.
- C. That the appellant never remained negligent while pursuing his remedy departmentally, the delay if any is not willful but due to the late communication of the impugned notification dated 28/08/2014, hence the same is condonable.

D. That the since the matter of the grant of up-gradation pertains to revision of pay scale and is continuous cause of action and no period of limitation is attracted to the case in hand. Moreover the Superior Courts have also held that in the matter of pay pension and promotion and promotion law of limitation is not strictly applicable reliance is placed on **2007 PLC (CS) 178 & 2002 PLC (CS) 1387.**

E. That valuable rights of the petitioner is involved in the case hence this Service Appeal deserves to be decided on merit.

F. That it has been the consistent view of the superior courts that causes should be decied on merit rather on technicalities including the limitation. The same is reported in **2004 PLC (CS) 1014 & 2003 PLC (CS) 769.**

It is, therefore, prayed that on acceptance of this application the delay in filling the above appeal may please be condoned.

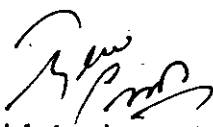
Dated: 09/12/2014


APPLICANT

Through


Raza Ullah Khan


Amjad Marwat

&

Sajid Amin

Advocates, High Court,
Peshawar.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE

TRIBUNAL, PESHAWAR

Appeal No. _____/ 2014

Taj Mali Khan

VERSUS

Govt of Khyber Pakhtunkhwa and others

AFFIDAVIT

I, Taj Mali Khan Lecturer in Health & Physical Education, Govt. Post Graduate College, Bannu, the appellant do hereby state on solemn affirmation that the contents of the above **Condonation Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.

Dated: 08/12/2014

Taj Mali Khan
DEPONENT

Identified by:

Amjad Marwat

Amjad Marwat
Advocate, Peshawar



Shafiq-ur-Rahman Shabbir
08-12-2014

BETTER COPY

Annexure "A"

Govt: of N.W.F.P

Higher Education, Archives & Libraries Department

Dated: Peshawar the 21 / 01 / 2008

NOTIFICATION

No. SO (T)/HE/17-1-2003:- Sanction of the competent authority is hereby accorded to the up-gradation of the posts of Librarians and Director Physical Education (D.P.Es) from BS 16 to BS 17 (Regular) for the existing incumbents who hold Master Degree in the relevant subject in the Higher Education, Archives & Libraries Department N.W.F.P with effect from 09-10-2001, as per following details:-

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

ATTESTED

(Handwritten signature)

**SECRETARY TO GOVT: OF N.W.F.P
HIGHER EDUCATION, ARCHIVES &
LIBRARIANS DEPARTMENT**

Ends: No. FD(SOSR-11)10-6/2007 Dated: Peshawar the 21 / 01 / 2008.

Copy id forwarded for information and necessary action to :-

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

MUNAWAR KHAN

SECTION OFFICER

GOVT: OF NWFP FINANCE DEPARTMENT

ATTESTED

*P. J. Ad
P. J. Ad*

GOVERNMENT OF N.W.F.P.
HIGHER EDUCATION ARCHIVES &
LIBRARIES DEPARTMENT
Dated, Peshawar the 21/01/2008.

NOTIFICATION

No. SO(T)/HE/17-1/2003: Sanction of the competent authority is hereby accorded to the upgradation of the posts of Librarians and Directors Physical Education (D.P.Es) from BS-16 to BS-17 (Regular) for the existing incumbents who hold Master Degree in the relevant subject in the Higher Education, Archives & Libraries Department NWFP with effect from 09-10-2007 as per following details:-

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

SECRETARY TO GOVERNMENT OF NWFP
HIGHER EDUCATION ARCHIVES &
LIBRARIES DEPARTMENT.

Endst: No. FD (SOSR-II) 10-7/2007 Dated, Peshawar the, 21/01/2008

Copy is forwarded for information and necessary action to :-

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

(MUNAWAR KHAN)
SECTION OFFICER (SR-1)
FINANCE DEPARTMENT
GOVERNMENT OF NWFP.

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Asim
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
PRINCIPAL
G.P.G.C. M. 121 (N.W.A)

Qad

Encls. No. & Date Even.

Copy is forwarded to:-

- 1) Secretary to Government of NWFP, Establishment Department.
- 2) Secretary to Government of NWFP, Finance Department.
- 3) P.S to Chief Minister NWFP, Peshawar.
- 4) P.S to Chief Secretary NWFP, Peshawar.
- 5) Director Higher Education, NWFP, Peshawar.
- 6) Director, Archives & Libraries NWFP, Peshawar.
- 7) P.S to Minister of Education, NWFP, Peshawar.
- 8) P.S to Secretary Higher Education Archives & Libraries Department, Peshawar.
- 9) P.A to Deputy Secretary Higher Education Archives & Libraries Department
- 10) Office File of the officers concerned.


(SAIB BAD SHAH)
SECTION OFFICER (TRG)
HIGHER EDUCATION DEPARTMENT

GOVERNMENT OF N.W.F.P,
HIGHER EDUCATION, ARCHIVES
AND LIBRARIES DEPARTMENT

Dated: Peshawar the 04/03/09

NOTIFICATION:

No.SO (T) HE/17-1/2008/VOL-III. The Competent authority is pleased to order the up-gradation of the posts of the following DPEs and Librarians (Possessing Master degrees) from BPS-16 to BPS-17 in Higher Education, Archives and Libraries Department w.e.f 09-10-2007 in the interest of public.

DIRECTORATE OF HIGHER EDUCATION NWFP

DPEs (Male)

S.#	Name of Officer	Place of Posting	Qualification
1	Sharif Ullah Khan	GC Lahore Swabi	M.Sc H.P.E
2	Abdur Rehman	GC Ghazni Khel	Do
3	Ali Sheer Khan	GC Ghoriwala Bannu	Do
4	Sultan Muhammad	GC Peshawar	Do
5	Malik Asif	Directorate of Higher Edu:	Do
6	Muhammad Ismail	GC Kakki Bannu	Do
7	Abid Ullah	Deputation Bannu Univ:	Do
8	Muhammad Saeed	GC D.I.Khan No.1	Do
9	Umer Bashir	GC Oghi	Do
10	Sanaullah Khan	GPGC Bannu	Do
11	Aftab Ahmad	GPGC Kohat	Do
12	Ziaur Rehman	GC Dir	Do
13	Juma Khan	GC Pahar Pur DIK	Do
14	Hakim Khan	GPGC Mardan	Do
15	Gul Razim	GC Takht-e-Nasrati Karak	Do
16	Fazal-e- Rabbi	GC Kotha (Swabi)	Do
17	Said Muhammad Jan	GC Timergara	Do
18	Muhammad Zaman	GC Thana	Do
19	Mohsin Shah	GC Mardan No:2	Do
20	Abid Kamal	GSSC Peshawar	Do
21	Muhammad Abdul Latif	GC Kulachi	Do
22	Manzoor Hussain	GPGC Mandian A/Abad	Do
23	Abdur Rashid	GC KDA Kohat	Do
24	Abdul Hamid	GC Puran	Do
25	Rashid Ullah	GPGC Abbottabad	Do
26	Noorul Amin	GC Khair Abad	Do
27	Asad Jan	GC No. D.I.Khan	Do
28	Abdul Qayyum	GC Lakki Marwat	Do
29	Muhammad Ayaz	GPGC Chrsadda	Do
30	Muhammad Ayaz	GC Ladha (S.W/A)	Do
31	Muhammad Younas	GC No.2 D.I.Khan	Do
32	Muhammad Shafiq	GC Matta	Do
33	Azizullah	GC Ahmad Abad Karak	Do
34	Samiullah Khan	GPGC Nowshera	Do
35	Bashir Ahmad	GPGC Mardan	Do
36	Muhammad Ibrahim	GC Gul Abad Dir Lower	Do
37	Shahid Hussain ✓	GC Bannu No 2	Do
38	Sabahat Ali Khan	GC Badaber Peshawar	Do

ATTESTED

R. J. ad
A. C.

09/03/09

39	Khalid Mehmood	GC Haripur	M.Sc H.P.E
40	Muhammad Anwar	GC Lakki Marwat	Do
41	Sartaj Khan	GC Lund Khawar	Do
42	Earooq Hussain	GC Peshawar	Do
43	Abdul Nahid ✓	GC Sarai Nourang	Do
44	Muhammad Arif	GC Mingora (Swat)	Do
45	Faridur Rehman	GC Landi Kotal	Do
46	Hayat Shah	GC Takht Bahi	Do
47	Anwar Khan	GC Battagram	Do
48	Masawar Khan	GC Toru Mardan	Do
49	Khalid Zaman	GPGC Swabi	Do
50	Syed Muhammad Khalid	GC Wana	Do
51	Ghous Muhammad	GC Miran Shah	Do
52	Safdar Khan	GC Mathra	Do
53	Akhtar Ali	GJC Saidu Sharif Swat	Do
54	Dil Baz Khan ✓	GC Sikandar Khel Bannu	Do
55	Bakhtair Uddin	GC Akora Khattak	Do
56	Muhammad Qasim	GC Katlang Mardan	Do
57	Muhammad Hafeez	GC KTS Haripur	Do
58	Fasil Islam	GC Panyala D.I.Khan	Do
59	Tariq Iqbal	GC Nizam Pur	Do
60	Haider Zaman ✓	GC Latamber Karak	Do
61	Jehanzeb	GC Daggar (Buner)	Do
62	Khalid Rehman	GC B.D.Shah Karak	Do
63	Arif Ali Shah	GPGC No.1 Abbottabad	Do
64	Tajmali Khan ✓	GC Kotka Habibullah NWA	Do
65	TahirUllah	GJC Saidu Sharif	Do
66	Yousaf Ali	GC Yar Hussain Swabi	Do
67	Ghulam Muhammad	GPGC Manshra	Do
68	Irfanullah	GC Latamber Karak	Do
69	Ghulam Muhammad	GC Parova D.I.Khan	Do
70	Arshad Hussain	GC Pabbi	Do
71	Noor Sher	GC Kohi Sher Haider	Do
72	Abdul Hadi	GC Dargai	Do
73	Muhammad Nacem	GC Sammar Bagh	Do
74	Muhammad Ali	GC Hayat Abad Peshawar	Do
75	Abdul Saboor	GC Khan Pur Haripur	Do
76	Javed Noor	GC Saam (S.W.A)	Do
77	Ishrat Ali	GC Bakhshali Mardan	Do
78	Adalat Khan	GC Kabal Swat	Do
79	Attallah	GC Babuzai Mardan	Do
80	Hafeezullah	GC Jandola Bannu	Do
81	Tahir Mehmood	GC Havelian	Do
			Do

DPEs (Female)

S.#	Name of Officer	Place of Posting	Qualification
1	Raham Bibi	GFC (W) Peshawar	M.Sc H.P.E
2	Gulshan Ara	GGC Kohat	Do
3	Gulnar Begum	GGC Mardan	Do
4	Shakila Khanum	GGC Bannu	Do
5	Sarwat Jabeen	GGC Tank	Do
6	Farhad Begum	GGC Nowshera	Do
7	Andalceb Firdus	GGC Thana	Do
8	S.Nargis Abbas Bukhari	GGC Lakki Marwat	Do

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9	Sadia Nwar	GGC No.1 Abbottabad	M.Sc H.P.E
10	Sabrina Kousar	GGC Manki Swabi	Do
11	Samina Khalil	GGC Nawan Sher A/Abad	Do
12	Shumaila Saeed	GGC No.2 D.I.Khan	Do
13	Salma Naz	GGC Kohat Raod Peshawar	Do
14	Aysha Batool	GGC Haripur	Do
15	Hijab Maryam	GGC Mandan Bannu	Do
16	Naima Gul	GGC Mandian Abbottabad	Do
17	Shaista Safdar	GGC Hangu	Do
18	Saima Syed	GGC Havellian	Do
19	Noorul Ain Khan	GGC Sarai Saleh Haripur	Do
20	Afshan Nisar	GGC Mansehra No.2	Do
21	Unsia Zeb	GGC Gul Bahar Peshawar	Do
22	Nasir Sultana	GGC Surrani Bannu	Do
23	Shagufta Mehreen	GGC Karak	Do
24	Hussan Ara	GGC Khawazakhela (Swat)	Do
25	Najma Naz Qazi	GFC (W) Peshawar	Do
26	Maria Samin	GGC Hayat Abad	Do
27	Attia Mehmood	GGC Mansehra No.1	Do
28	Sadaf Masud	GGC KTS Haripur	Do
29	Aliya Khatoon	GGC Ghazi Haripur	Do
30	Shakila Jehan	GGC Kernal Sher Khan	Do
31	Javaria Gul	GGC Yaka Ghund	Do
32	Amina Bibi	GGC Takhtbhai	Do
33	Kokab Tabani	GGC saidu Sharif Swat	Do
34	Sumera Gul	GGC Jamrud Khyber Agy	Do
35	Surria Mumtaz	GGC Pabbi	Do
36	Saima	GGC Timergara	Do
37	Rubina Khurshid	GGC No-1 DIK	Do

Librarians (Male)

S.#	Name of Officer	Place of Posting	Qualification
1	Faridullah Khan	GC D.I.Khan	M.L.I.Sc
2	Muhammad Gul	GPGC Charsadda	Do
3	Amjad Ali	GDC Thana	Do
4	Yousaf Shah	GDC Pabbi	Do
5	Fazal Wahab	GDC Gul Abad Dir	Do
6	Muhammad Khalid	GDC Shabqadar	Do
7	Hidayat Ullah A.D (Libs)	DHE Peshawar	Do
8	Safer Ullah	GDC Essk Khel	Do
9	Nihar Muhammad	GDC Takht Bhai	Do
10	Wajid Shabir	GDC Lahore (Swabi)	Do
11	Abdul Khaliq	GSSC Peshawar	Do
12	Muhammad Hayat	GDC Paharpur	Do
13	Hidayat Ur Rehman	GDC Dir	Do
14	Muhammad Rasool	GDC No.2 Mingora Swat	Do
15	Imtiaz Khan	GDC Badhber Peshawar	Do
16	Ihsanullah	GDC Bakhshali	Do
17	Muhammad Rashid	GDC Kabal Swat	Do
18	Saeed Ullah Jan	GDC Kotha Swabi	Do
19	Muhammad Sharif	GDC Sarai Nourang	Do
20	Zia Muhammad Irfan	GDC Sabir Abad Karak	Do
21	Tashqin	GDC Para Chinar	Do
22	Muhammad Salim	GDC Bala Kot	Do
23	Rukhsar Ali	GDC Lund Khawar Mardan	Do

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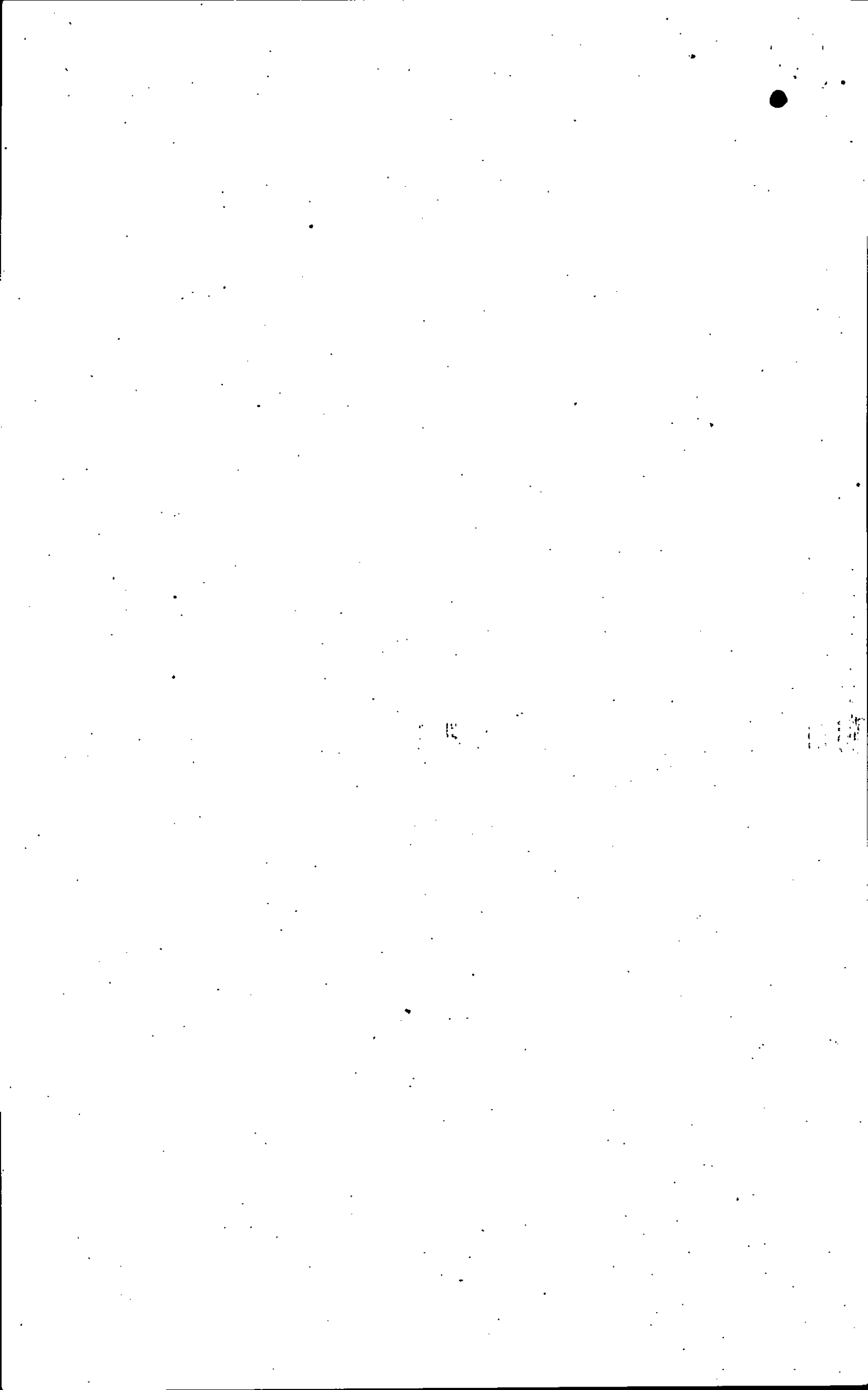
(Signature)

24	Ikram Ullah	GDC Batkhela MKD	Do
25	Abdul Latif	GDC Mathra Peshawar	M.L.I.Sc
26	Rafiqur Rehman	GDC Thall	Do
27	Zahir Ullah	GDC Khan Kohi NSR	Do
28	Iskhar	GDC Khair Abad Mardan	Do
29	Faiz Muhammad Khan	GDC No.2 Mardan	Do
30	Muhammad Tahir Jan	GDC Yaka Ghund	Do
31	Haroon Rashid	GDC Matta Swat	Do
32	Muhammad Irfan	GPGC Karak	Do
33	Abdul Ghaffar Khan	GDC Agra MKD	Do
34	Istikhar Ali	GDC Dargai MKD	Do
35	Asghar Khan	GDC Dara Adam Khel	Do
36	Muhammad Asif	GDC Havellain	Do
37	Shaukat Ali	GDC Landi Kotal	Do
38	Hidayatullah	GDC Akora Khattak	Do
39	Naseer Raziq	GDC Hayat Abad	Do
40	Ahmad Ali	GDC Katlang Mardan	Do
41	Fazal Hussain Bacha	GDC Timergara	Do
42	Abul Kalam	GDC Kulachi	Do
43	Zulfiqar	GDC Mansehra	Do
44	Muhammad Ali	GPGC Bannu	Do
45	Muhammad Shuaib Jan	GDC Tangi Charsadda	Do
46	Shah Nawaz	GDC Kulachi	Do
47	Daud Shah	GPGC Mardan	Do
48	Muhammad Nawaz	GPGC No.1 Abbottabad	Do
49	Muhammad Quraish	GDC Jawar Buner	Do
50	Hidayat Ullah	GDC Tajori	Do
51	Syed Zaibullah Shah	GDC Zarobi	Do
52	Rizawan Ullah	GDC Toru Mardan	Do
53	Karim Khan	GDC Babuzai Mardan	Do
54	Shah Khalid	GDC Yar Hussain Swabi	Do
55	Sher Bahader	GPGC Bannu	Do
56	Irafanullah	GDC Ghazi	Do
57	Hamd Ullah Jan	GDC Latamber Karak	Do
58	Muhammad Ayaz	GPGC Swabi	Do
59	Irafanullah Jan	GPGC No.2 Abbottabad	Do
60	Khan Badshah	GDC Samar Bagh Dir	Do
61	Zia Ullah Khan	GDC Chitral	Do
62	Hafiz Jehanzeb Khan	GPGC Lakki Marwat	Do
63	Ihtisham Ullah Khan	GDC Parova DIK	Do
64	Imtiaz Alam	GDC Chakisar	Do
65	Sajjad Ali	GDC Lakaro Muhmand Agy	Do
66	Muhammad Qaisar	GDC Totalai	Do
67	Maaz Ullah Khan	GDC Gandaf Swabi	Do
68	Abdul Razaq	GDC Lasan Nawab	Do

Librarians (Female)

S.#	Name of Officers	Place of Posting	Qualification
1	Naz Parwar	GGC Mardan	M.L.I.Sc
2	Ishrat Jabeen	GGC Thana	Do
3	Rifat Naz	GGC Sheikh Maltoon Mardan	Do
4	Mah Noor	GGC Pir Pai NSR	Do
5	Shandana Mirza	GFC (W) Peshawar	Do
6	Safina Bibi	GGC Kohat	Do
7	Shaheen Akhtar	GGC Havellian	Do

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8	Rashida Begum	GGC Takht Bhai	Do
9	Asma Bashir	GGC Charsadda	M.L.I.Sc
10	Sabahat Kanwal	GGC Pabbi	Do
11	Zakia Begum	GGC Hayat Abad	Do
12	Kalsoom Manan	GGC No.2 D. I.Khan	Do
13	Saima Gul	GGC Lund Khawar Mardan	Do
14	Nida Aziz	GGC Nowshera	Do
15	Sadia Miraj Noor	GGC Bannu	Do
16	Gul-Bibi	GGC Nawan Shere	Do
17	Humera Begum	GGC Bari Kot Swat	Do
18	Naseem Ara	GGC Timergra	Do
19	Bushra Khatoon	GGC Haripur	Do
20	Haseeba Shafi	GFC (W) Peshawar	Do
21	Shaista Malik	GGC No.2 Manshara	Do
22	Saima Noreen	GGC Hangu	Do
23	Farhat Jabeen	GGC Dargai	Do

Directorate of Archives & Libraries NWFP, Peshawar.

S.#	Name of Officers	Place of Posting	Qualification
1	Muhammad Ashfaq Ahmad, Librarian.	Directorate of Archives & Libraries NWFP, Peshawar	M.L.I.Sc
2	Anwar Jalal Librarian.	Mardan Public Library Mardan	Do
3	Muhammad Nadeem Iqbal, Librarian.	Directorate of Archives & Libraries NWFP, Peshawar	Do
4	Muhammad Rafi Librarian.	Mufti Mehmood Public Library D.I.Khan.	Do
5	Zairullah, Librarian.	Swabi Public Library Swabi	Do
6	Miss Shahla Tahir, Librarian.	Directorate of Archives & Libraries NWFP, Peshawar	Do

**SECRETARY TO GOVERNMENT OF NWFP
HIGHER EDUCATION ARCHIVES &
LIBRARIES DEPARTMENT**

Endst:No & Date Even

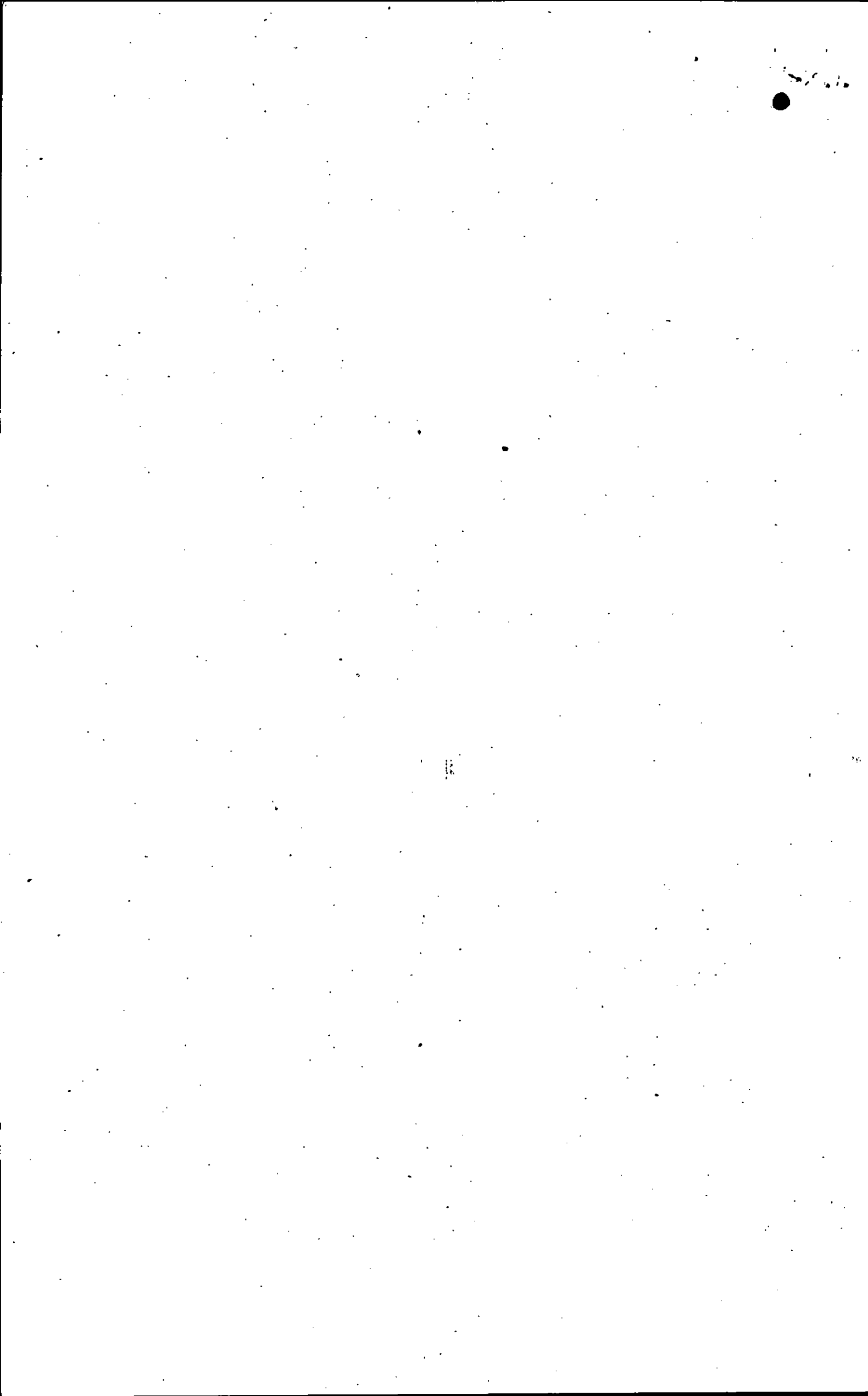
Copy is forwarded for information and necessary action to:-

1. Secretary to Government of NWFP, Establishment Department
2. Secretary to Government of NWFP, Finance Department
3. The Accountant General NWFP.
4. P.S. to Chief Minister NWFP, Peshawar
5. P.S. to Chief Secretary NWFP, Peshawar
6. P.S. to Minister Higher Education, NWFP, Peshawar
7. P.S. to Secretary Higher Education, Archives and Libraries NWFP.
8. Director Higher Education, NWFP, Peshawar
9. Director Archives and Libraries, NWFP, Peshawar.
10. Director Education, FATA
11. All District Account Officers in NWFP *Bannu.*
12. All Agency Account Officers in NWFP
13. PA to Deputy Secretary-II, Higher Education Deptt: NWFP.
14. PA to Deputy Secretary (Admn) Higher Education Department
15. All college principals
16. Office file of the Officer concerned

ATTESTED

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(SAID BADSHAH)
SECTION OFFICER (TRAINING)



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Annexure "C"

GOVT: OF N.W.F.P

HIGHER EDUCATION, ARCHIVES &
LIBRARIANS DEPARTMENT

Dated: Peshawar the 07 - 03 - 2009

NOTIFICATION

No. SO (T)/HE/17-1-2008 Vol III. The competent authority has been pleased to withdraw the Department Notification of even No. Dated: 04 - 03 - 2009 regarding up-gradation of librarians and D.P.Es with immediate effect.

SECRETARY TO GOVT:OF N.W.F.P

HIGHER EDUCATION, ARCHIVES &
LIBRARIANS DEPARTMENT

Ends: No. & Dated Even.

Copy id forwarded for information and necessary action to :-

- 1) Secretary to Government of NWFP Establishment Department.
- 2) Secretary to Government of NWFP Finance Department.
- 3) The Accountant General, NWFP Peshawar.
- 4) P.S. to Chief Minister N.W.F.P, Peshawar.
- 5) P.S. to Chief Secretary N.W. F.P, Peshawar.
- 6) P.S. to Secretary Higher Education N.W. F.P, Peshawar.
- 7) P.S. to Secretary Higher Education, Archives & Libraries N.W. F.P, Peshawar.
- 8) All District Accounts Officer in NWFP
- 9) All Agency Accounts Officer in NWFP.
- 10) P.A. to Add: Secretary Higher Education NWFP
- 11) P.A. to Deputy: Secretary-II Higher Education NWFP
- 12) P.A. to Deputy: Secretary (Admn) Higher Education NWFP
- 13) Office File of the concerned officers.
- 14) The Manger Govt: Printing Press Peshawar.
- 15) Director Higher Education N.W. F.P, Peshawar.
- 16) Director Higher Education, Archives & Libraries N.W. F.P, Peshawar.

ATTESTED

Q. J. A. G.
Q. J. A. G.

Resradation 17
Letter.

Annexure
"C"

GOVERNMENT OF N.W.F.P.
HIGHER EDUCATION, ARCHIVES
AND LIBRARIES DEPARTMENT
Dated: Peshawar the 07.03.09

NOTIFICATION:

No. SO-0111/17-1/2008/VOI-III. The Competent Authority has been pleased to withdraw this Department Notification of even No: dated 10/3/09 regarding up gradation of Librarians and DPEs, with immediate effect.

SECRETARY TO GOVERNMENT OF N.W.F.P.
HIGHER EDUCATION ARCHIVES &
LIBRARIES DEPARTMENT.

Sl. No. & Date Even

- 1. Secretary to Government of NWFP, Establishment Department
- 2. Secretary to Government of NWFP, Finance Department
- 3. The Accountant General NWFP.
- 4. P.S. to Chief Minister NWFP, Peshawar.
- 5. P.S. to Chief Secretary NWFP, Peshawar.
- 6. P.S. to Minister Higher Education, NWFP, Peshawar
- 7. P.S. to Secretary Higher Education, Archives and Libraries, NWFP
- 8. All District Account Officers in NWFP
- 9. All Agency Account Officers in NWFP
- 10. P.A. to Addl. Secretary Higher Education NWFP.
- 11. PA to Deputy Secretary-II, Higher Education Deptt. NWFP
- 12. PA to Deputy Secretary (Admin) Higher Education Department
- 13. Office file of the Officer concerned
- 14. The Manager, Govt. Printing Press, Peshawar.
- 15. Director Higher Edu: NWFP, Peshawar
Director Archives & Lib NWFP, Peshawar.

with the request to please prepare the working papers regarding amendment/ addition in the Service Rules of Librarians/DPE for SSRC meeting to be held shortly and sent to the department immediately.

ATTESTED

[Handwritten signature]

(SAID BADSHAH)
SECTION OFFICER (TRAINING)

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Annexure D

GOVERNMENT OF NWFP HIGHER EDUCATION ARCHIVES AND LIBRARIES DEPARTMENT

Dated Peshawar 01-01-2010

NOTIFICATION:

No.SO(T)HE/17-1/2008/Vol-III on the recommendation of departmental promotion committee the competent authority as pleased to promote the following DPEs and Librarians (Male/Female) of college cadre who hold Master Degree, working in B-16/B-17(Personal) to B-17 on regular basis, against the upgraded posts with immediate effect.

DPE's (Male)		
S. #	Name of officer	Place of Posting
1.	Sharifullah	G.C. Lahore (Sawabi)
2.	Ali Sher Khan	G.C. Ghoriwala Bannu
3.	Sultan Muhammad	G.C. Peshawar
4.	Malik Asif	Directorate of H.E. Department NWFP Pesh
5.	Muhammad Ismail	G.C. Kakki Bannu
6.	Abid Ullah	Presently working at Science & Tech: Uni: Bannu
7.	Muhammad Saeed	G.C. DI Khan No.01
8.	Umar Bashir	G.C. Oghi
9.	Sana Ullah Khan	G.P.G.C. Bannu
10.	Aftab Ahmad	G.P.G.C. Kohat
11.	Zia ur Rehman	G.C. Dir
12.	Juma Khan	G.C. Paharpur DI Khan
13.	Hakim Khan	G.P.G.C. Mardan
14.	Gul Razim	G.C. Takht-e-Nusratti
15.	Fazle Rabbi	G.C. Kotha
16.	Said Muhammad Jan	G.C. Thana (Malakand)
17.	Muhammad Zaman	G.C. Timeragara Dir
18.	Mohsin Shah	G.C. No.2 Mardan
19.	Muhammad Abid Kamal	G.S.S.C. Peshawar
20.	Muhammad Abdul Latif	G.C. Kulachi
21.	Manzoor Hussain	G.P.G.C. Mandian A/Abad
22.	Abdur Rashid	G.C.K.D.A Kohat
23.	Abdul Hamid	G.C. Paran
24.	Rashid Ullah	G.P.G.C. Abbottabad
25.	Noor ul Amin	G.C. Khair Abad
26.	Asad Jan	G.C. No.1 DI Khan
27.	Abdul Qayum	G.C. Lakki Marwat
28.	Muhammad Ayaz	G.P. G.C. Charsadda
29.	Muhammad Younas Khan	G.C No.2 DI Khan
30.	Aziz Ullah	G.D.C Ahmad Abad Karak
31.	Muhammad Shafiq	G.C. Matta
32.	Muhammad Ayaz Khan	G.D.C. Laddah (SWA)
33.	Sami Ullah Khan	G.P.G.C. Nowshera
34.	Bashir Ahmad	G.P. G.C. Mardan
35.	Muhammad Ibrahim	G.C. Gul Abad Dir

GOVERNMENT OF N.-W.F.P.
HIGHER EDUCATION, ARCHIVES
AND LIBRARIES DEPARTMENT

Dated Peshawar the 01-01-2010

NOTIFICATION:

No. SO(THE)/17-1/2008/VOL-III. On the recommendation of Departmental Promotion Committee, the Competent Authority is pleased to promote the following DPE's and Librarians (Male/Female) of College Cadre who hold Master Degree, working in B-16/B-17(Personal) to B-17 on regular basis, against the upgraded posts with immediate effect.

DPE's (Male)		
S. #	Name of Officer	Place of Posting
1.	Sharifullah	G.C. Lahore (Swabi)
2.	Ali Sher Khan	G.C. Ghoriwala, Bannu
3.	Sultan Muhammad	G.C. Peshawar
4.	Malik Asif	Directorate of H.E Deptt: NWFP Pesh
5.	Muhammad Ismail	G.C. Kakki Bannu
6.	Abidullah	Presently working at Science & Technology University, Bannu.
7.	Muhammad Saeed	G.C. DI Khan No.01
8.	Umar Bashir	G.C. Oghai
9.	Sanaullah Khan	GPGC, Bannu
10.	Atab Ahmad	GPGC Kohat
11.	Ziaur Rehman	G.C. Dir
12.	Juma Khan	G.C. Paharpur DI Khan
13.	Hakim Khan	GPGC Mardan
14.	Gul Razim	G.C. Takht-e-Nasrati (Karak)
15.	Fazle Rabbi	G.C. Kotha
16.	Said Muhammad Jan	G.C. Thana (Malakand)
17.	Muhammad Zaman	G.C. Timergara Dir
18.	Mohsin Shah	G.C. No.02, Mardan
19.	Muhammad Abid Kamal	GSSC, Peshawar
20.	Muhammad Abdul Latif	G.C. Kulaebi
21.	Manzoor Hussain	GPGC, Mandian A/Abad
22.	Abdur Rashid	G.C. KDA Kohat
23.	Abdul Hamid	G.C. Pidan
24.	Rashidullah	GPGC, Abbottabad
25.	Noorul Amin	G.C. Khair Abad
26.	Asad Jan	G.C. No.01 DI Khan
27.	Abdul Qayum	G.C. Lukky Marwat
28.	Muhammad Ayaz	GPGC, Charsadda
29.	Muhammad Younas Khan	G.C. No.02, DIK
30.	Azizullah	GDC, Ahmed Abad (Kafab)
31.	Muhammad Shafiq	G.C. Matta
32.	Muhammad Ayaz Khan	GDC Laddah (S.W.A)
33.	Samiullah Khan	GPGC, Nowshera
34.	Bashir Ahmad	GPGC, Mardan
35.	Muhammad Ibrahim	G.C. Gul Abad Dir

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36.	Shahid Hussain	GDC, Bannu
37.	Sabahat Ali Khan	G.C. Badaber Peshawar
38.	Khalid Mehmood	G.C. Haripur
39.	Muhammad Anwar	G.C. Fakki Marwat
40.	Sartaj Khan	G.C. Lund Khawar (Mardan)
41.	Farooq Hussain	G.C. Peshawar
42.	Abdul Nahid Khan	G.C. Sarai Naurang
43.	Muhammad Arif	G.C. Mingora (Swat)
44.	Faridur Rehman	G.C. Hayatabad.
45.	Anwar Khan	G.C. Batagram
46.	Musawar Khan	G.C. Toru Mardan
47.	Hayat Shah	GDC, Takht Bhai
48.	Khalid Zaman	G.P.C. Sawabi
49.	Ghous Muhammad	G.C. Miranshah
50.	Safdar Khan	G.C. Mathra
51.	Akhtar Ali	G.C. Saidu Sharif Swat
52.	Dilabaz Khan	G.C. Sikandarkhel Bannu
53.	Bakhtairud Din	G.C. Akora Khattak
54.	Abidullah DPE	G.C. Sabirabad
55.	Muhammad Qasim	G.C. Katlang
56.	Muhammad Hafeez	G.C. K.T.S. Haripur
57.	Faisal Islam	G.C. Panyala DI Khan
58.	Tariq Iqbal	G.C. Darra Adam Khel
59.	Haider Zaman	G.P.C. Bannu.
60.	Jehanzeb	G.C. Daggar, Buner.
61.	Khalid Rehman	G.C. Banda Daud Shah (Karak)
62.	Arif Ali Shah	G.C. No.1 Abbottabad.
63.	Tajmali Khan	G.C. Mir Ali (Miranshah)
64.	Tahirullah	G.C. Saidu Sharif Swat
65.	Yousaf Ali	G.C. Yar Hussain.
66.	Ghulam Mohammad	G.C. Mansehra.
67.	Irfanullah	G.C. Latamber.
68.	Ghulam Mohammad	G.C. Parova
69.	Arshad Hussain	G.C. Pabbi
70.	Noor Sher.	G.C. Kohi Sher Haider
71.	Abdul Hadi	G.C. Daggai.
72.	Mohammad Naeem	G.C. Samar Bagh
73.	Abdul Saboor	G.C. Khanpur.
74.	Javed Nbor.	G.C. Saah (SWA).
75.	Ishrat Ali	G.C. Balhshali (Mardan).
76.	Adalat Khan	G.C. Kabal, (Swat).
77.	Attaullah, DPE.	G.C. Babuzai (Mardan)
78.	Hafeezullah	G.C. Jandola.
79.	Bahar Hussain	G.C. Shawa (Swabi)
80.	Shahid Ali	GDC Zarabi, Swabi
81.	Ata-ur-Rehman	GDC Gandaf (Swabi)
82.	Niaz Hussain	GDC Dera Town Ship DI Khan
83.	Raja Gul Faraz	GDC Pattan (Kohistan)
84.	Akhtar Nawaz	GDC Ghazi (Haripur)
85.	Muhammad Imran	GDC Nawagai (Bajure Agency)
86.	Hamid Shakeel	GDC Isak Khel
87.	Gohar Ali	GDC Jawar (Buner)
88.	Raham Niaz	GDC Domail (Bannu)
89.	Muhammad Nazir	GDC Balakot
90.	Shakeel Abdul Jabbar	GDC Ghazni Khel
91.	Muhammad Rahim Khan	GDC Thall (Hangu)

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DPE's (Female)		
1.	Raham Bibi	G.F.C. (W) Peshawar
2.	Gulshan Ara	G.G.C, Kohat.
3.	Gulnar Begum	G.G.C Mardan.
4.	Shakila Khanum	G.G.C. Bannu.
5.	Sarwat Jabeen	G.G.C, D.I Khan No. 2.
6.	Farhad Begum	G.G.C, Nowshera.
7.	Andaleeb Firdous.	G.G.C Thana MKD, Agency.
8.	S. Nargis Abbas Bukhari	G.G.C, Lakki.
9.	Sadia Anwar	G.G.C, No.1 A/Abad.
10.	Rubina Khurshid	G.G.C, D.I. Khan No.1.
11.	Shumaila Saeed	G.G.C.C. Tank
12.	Sabrina Kousar	G.G.C, Manki (Swabi).
13.	Samina Khalil	GGC, Nawansher, Abbottabad
14.	Salma Naz	G.G.D.C, Kohat Road Pesh.
15.	Aysha Batool	G.G.C, Haripur
16.	Hijab Maryam.	G.G.C, Mandan (Bannu)
17.	Naima Gul	G.G.C, Mandian
18.	Shaista Safdar	G.G.C, Hangu.
19.	Saima Syed.	G.G.C, Havelian.
20.	Saima	G.G.C, Timergara.
21.	Noor-ul-Ain Khan	G.G.C, Serai Saleh, Haripur.
22.	Afshan Nisar	G.G.C, Manshra No. 2.
23.	Attiha Mehmood	G.G.C, Manshra No. 1.
24.	Najma Naz Qazi	G.F.C. (W) Peshawar.
25.	Unsia Zeb	G.G.C, City Gulbahar Pesh.
26.	Nair Sultana	G.G.C, Surrani (Bannu)
27.	Aliya Khatoon	G.G.C, Ghazi Haripur.
28.	Sadaf Masud	G.G.C, KTS, Haripur.
29.	Shagufta Mehreen	G.G.C, Karak.
30.	Shakeela Jehan	G.G.C, Kohi Sher Khan.
31.	Javairia Gul	G.G.C, Ekka Ghund.
32.	Amina Bibi	G.G.C, Takht Bhai.
33.	Kokab, Tabbani	G.G.C, Saidu Shari (Swat).
34.	Sumera Gul, DPE.	G.G.C, Marguz, Swabi.
35.	Surria Mumtaz	G.G.C, Pabbi.
Librarian (Male)		
1.	Faridullah Khan	GC, No.1, DI Khan
2.	Muhammad Gul	GPCC, Charsadda
3.	Amjad Ali	GC, Thana
4.	Yousaf Shah	GC, Pabbi
5.	Fazal Wahab	GC, Gulabad Dir lower
6.	Muhammad Khalid	GC, Shabqadar
7.	Hidayatullah Khan	AD Libraries, DHE Office Pesh.
8.	Safer Ullah	GC, Essak Khel
9.	Nihar Muhammad	GC, Takht Bhai
10.	Wajid Shabir	GC, Lahor (Swabi)
11.	Abdul Khalig	GDC, Wadpagga, Peshawar
12.	Muhammad Hayat	GDC, Pahar Pul
13.	Hidayat-ur-Rehman	GC, Dir
14.	Muhammad Rasool	GC No.2, Mangora
15.	Imtiaz Khan	GC, Badaber (Peshawar)
16.	Ihsan Ullah	GC, Bakhshali
17.	Muhammad Rashid	GC, Kabal (Swat)
18.	Saeed Ullah	GC, Kotha (Swabi)

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19	Muhammad Sharif	GC, Serai Naurang
20	Zia Muhammad Rehman	GC, Sabirabad.
21	Rukhsar Ali	GC, Lund Khwar
22	Ikram Ullah Khan	GC, Bat Khela
23	Abdul Latif	GC, Mathra
24	Rafiq-ur Rehman	GC, Tall (Hangu)
25	Zahir Ullah	GC, Khan Kohi (NSR)
26	Iskhar	GC, Khairabad
27	Faiz Muhammad Khan	GC No.2 Mardan
28	Muhammad Tahir Jan	GC, Ekka Gund
29	Haroon Rashid	GC, Matta (Swat)
30	Muhammad Irfan	GPGC, Karak
31	Abdul Ghaffar	GC, Agra (Malakand)
32	Ifikhar Ali	GC, Dargai
33	Asghar Khan	GC, Dara Adam Khel
34	Muhammad Asif	GC, Hayelian
35	Hidayat Ullah	GC, Akora Khatak
36	Naseer Razaq	GC, Hayatabad
37	Ahmed Ali	GDC, Katlang
38	Fazal Hussain Bacha	GC, Timergra
39	Abul Kalam Ahmed	GC, Lachi
40	Zulfiqar Ali	GC, Manshra
41	Muhammad Ali	GPGC, Bannu
42	Muhammad Shuaib Jan	GDC, Tangi
43	Dawood Shah	GPGC NO-1, Mardan
44	Muhammad Nawaz	GPGC No.1, Abbottabad
45	Muhammad Quraish	GC, Jawar (Buner)
46	Hidayat Ullah	GDC, Tajori
47	Syed Zabiullah Shah	GDC, Zaroobi (Swabi)
48	Rizwan Ullah	GDC, Toru (Mardan)
49	Karim Khan	GDC, Babu Zai, Mardan
50	Shah Khalid	GDC, Yar Hussain Swabi.
51	Sher Bahadur	GPGC, Bannu
52	Atta-ur-Rehman	GDC, Ghoriwala
53	Irfan Ullah	GDC, Peshawar.
54	Hamidullah	GSSC, Peshawar
55	Muhammad Ayaz	GPGC, Swabi
56	Shakir Masood	GPGC No.1, Abbottabad
57	Irfan Ullah Jan	GPGC No.2 Abbottabad (Mandian)
58	Shahid Ali	GDC, Hangu
59	Khan Badshah	GDC, Nawagai (Bajawar)
60	Ziaullah Khan	GDC, Totakan (Malakand)
61	Hafiz Jehanzeb Khan	GDC, Bakki Marwat
62	Iftishamullah Khan	GDC, Parova (D.I. Khan)
63	Imtiaz Alam	GDC, Chakesser
64	Sajjad Ali	GDC, Lakaro, Mohituld Agency
65	Muhammad Qaisar	GDC, Totalai.
66	Maazullah Khan	GDC, Gandaf
67	Abdul Razaq	GDC, Khanpur
Librarian (Female)		
1.	Naz Parwar	GDC Mardan
2.	Ishrat Jehan	GDC Thana
3.	Rifat Naz	GDC Sheikh Maltoon Mardan
4.	Mah Noor	GDC Pirpai NSR
5.	Shandana Mirza	GDC (W) Pesh.

6.	Safina Bibi	GGC Kohat
7.	Shahreen Akhtar	GGC Havelian
8.	Rashida Begum	GGC Takht Bhai
9.	Saima Noreen	GGC Hangu
10.	Asma Bashir	GGC Charsada
11.	Farhat Jabeen	GGC Dargai
12.	Zakia Begum	GGC Hayatabad
13.	Kalsoom Manan	GGC No.2 D.I. Khan
14.	Saima Gul	GGC Lund khawar
15.	Nida Aziz	GGC Nowshera
16.	Sadia Miraj Noor	GGC Bannu
17.	Gul Bibi	GGC Nawanshera
18.	Humera Begum	GGC Jolagram
19.	Nasreen Arif	GGC Tintergara
20.	Bushra Khatoon	GGC Haripur
21.	Sabrina Nasir	GGC Kernal Sher Khan (Swabi)
22.	Hafiza Jalwa Bashir	GGC Gulshan Rehman Pesh
23.	Shela Bashir	GGC Jamrud Khyber Agency
24.	Shahista Malik	GGC No.2 Maheshra

SECRETARY TO GOVT. OF NWFP
HIGHER EDUCATION ARCHIVES
AND LIBRARIES DEPARTMENT

Endst: NO: SO (THE/17-1/2007)

Dated Pesh: the 01-01-2010

Copy is forwarded for information & necessary action to the:-

1. The Accountant General NWFP.
2. Secretary to Government of NWFP, Finance Department.
3. Secretary to Government of NWFP, Establishment Department.
4. P.S. to Chief Minister NWFP, Peshawar.
5. P.S. to Chief Secretary NWFP, Peshawar.
6. P.S. to Minister Higher Education NWFP, Peshawar.
7. P.S. to Secretary Higher Education Arch. & Lib., Deptt. NWFP.
8. Director Higher Education, NWFP, Peshawar.
9. Director Information, NWFP, Peshawar.
10. Director Education, FATA.
11. All District Account Officer in NWFP.
12. All Agencies Account Officer in NWFP.
13. PA to Deputy Secretary (Admn), Higher Education Deptt. NWFP.
14. PA to Deputy Secretary-II, Higher Education Deptt. NWFP.
15. All Principals of College in NWFP.
16. Officers concerned.

(SABIR AD SHAH)

SECTION OFFICER (Arch. & Lib.)

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OFFICE OF THE PRINCIPAL G.P.G.C BANNU

1. Phone & Fax # 0928-660011. E mail. cs_gpgcbannu@yahoo.com, Website. www.gpgcbannu.edu.pk

To,

The Director
Higher Education Department
Khyber Pakhtoon Khwa, Peshawar.

Subject:

UPGRADATION OF THE POSTS OF DPEs FROM BPS-16 TO BPS-17 (REGULAR)
w.e.f 09/10/2007.

Sir,

Kindly refer to the above cited subject in this connection it is stated that the Govt of Khyber Pakhtoon Khwa, Higher Education Archives and Libraries Department upgraded the posts of D.P.Es and Librarians vide notification No. SO (T), HE/17-1/2008/Vol-III Dated 04/03/2009 w.e.f 09/10/2007 (copy enclosed for ready reference) But the same notification was withdrawn by the Department vide No. So (T) HE/17-1/2008/Vol-III dated 07/03/2009.

The Higher Education, Archives and Libraries Department vide notification no. SO (T) HE/17-1/2008/Vol-III dated-01/01/2010 again upgraded the posts Pertinent to mention here that the same was repeated in the Govt of Khyber Pakhtoon Khwa Schools & Literacy Department. The DPEs of Elementary and Secondary Education Department challenged the with drawl of notification in Khyber Pakhtoon Khwa service Tribunal Peshawar.

The Khyber Pakhtoon Khwa Service Tribunal in its Judgment dated 04/03/2010 honored the appeal of the DPEs and ordered the Govt of Khyber Pakhtoon Khwa to give the benefits of up gradation of Posts w.e.f 09/10/2007. According the Govt of Khyber Pakhtoon Khwa Elementary and Secondary Education Department issued notification No. SO (PE) 9-10/DPE/Ghulam Nabi. (copy enclosed for ready reference).

Keeping in view the above, it is humbly requested to kindly issue notification in respect of DPEs of Higher Education Department in connection with up gradation of posts w.e.f 09/10/2007 in line with the judgment of Khyber Pakhtoon Khwa Service Tribunal referred above. Hoping for favorable consideration.

Thanking you in anticipation.

Dated: 26/05/2014

Yours Sincerely,
TAJ MALI KHAN
LECTURER IN HPE
GPGC BANNU.

Endst: No: 692

Dated: 26/05/2014

Submitted to the Director Higher Education K.P.K for favorable consideration and further necessary action please.

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PRINCIPAL
GPGC BANNU. Principal
G.P.G.C. BANNU

SECTION OFFICER (C-IV)



GOVERNMENT OF KHYBER PAKHTUNKHWA
HIGHER EDUCATION, ARCHIVES AND
LIBRARIES DEPARTMENT

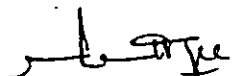
No. SO(A&L)HE/17-2/2010
Dated Peshawar (he, August 28th, 2014

To.

1. Nasib Bacha
Lecturer in HPE
GDC, Gulabad, (Dir Lower)
2. Ms. Ishrat Ali,
Lecturer in HPE,
GGDC, Dargai
- ✓ 3. Taj Mali Khan
Lecturer in HPE
GPGC Bannu
4. Haider Zaman
Lecturer in HPE
GPGC Bannu
5. Shahid Hussain
Lecturer in HPE,
GDC No.2 Bannu
6. Abdul Nahid
Lecturer in HPE
GDC S. Nourang Lakki Marwat


SUBJECT: APPEAL FOR PROMOTION /UPGRADATION FROM BPS-16 TO BPS- 17 AND MERGER FROM DPE TO LECTURER IN W.E.F. 10-05-2001.

I am directed to refer to the subject noted above and to state that your appeal was examined in this department in light of the minutes of the meeting held on 08-01-2014 in Finance department (Copy enclosed) wherein it was decided that there is no provision in the Up-gradation policy allowing Up-gradation from retrospective date and is not covered under the standing provisions of Up-gradation policy and therefore all such like cases have been unanimously regretted.


SECTION OFFICER (C-IV)
Higher Education

Endst: of even number and date .

Copy of the above is forwarded to Director Higher Education Peshawar with the request to please process the merger cases/seniority of recently promoted HPEs into general cadre of the colleges.


SECTION OFFICER (C-IV)



S.No.of Order or proceedings	Date of Order or proceeding	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary.																																										
1	2	3																																										
	04.03.2010	<p style="text-align: center;"><u>Appeal No. 1667/2009</u></p> <p style="text-align: center;"><u>(Ghulam Nabi-vs-Secretary E&S Education Deptt.)</u></p> <p>Appellant with counsel and Mr.Zahid Karim, AGP alongwith Khurshid Khan, S.O for respondent present. Arguments heard and record perused.</p> <p>Since this appeal and the below listed appeals pertain to the same question of upgradation from B-16 to B-17 of the Directors Physical Education (D.P.Es) with effect from 13.11.2007, instead of 19.5.2009 vide impugned Notification dated 19.5.2009, this single order is also directed to dispose of the following appeals:-</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">S.No.</th> <th style="text-align: left;">Appeal No.</th> <th style="text-align: left;">Name of appellant</th> </tr> </thead> <tbody> <tr><td>1.</td><td>1668/2009</td><td>Sarwar Shah</td></tr> <tr><td>2.</td><td>1669/2009</td><td>Muhammad Nacem</td></tr> <tr><td>3.</td><td>1670/2009</td><td>Sardar Khan</td></tr> <tr><td>4.</td><td>1671/2009</td><td>Sabir Ali</td></tr> <tr><td>5.</td><td>1672/2009</td><td>Muhammad Israr</td></tr> <tr><td>6.</td><td>1673/2009</td><td>Sher Kamal</td></tr> <tr><td>7.</td><td>1674/2009</td><td>Salar Khan</td></tr> <tr><td>8.</td><td>1675/2009</td><td>Muhammad Nawaz</td></tr> <tr><td>9.</td><td>1676/2009</td><td>Mst. Azra Naz</td></tr> <tr><td>10.</td><td>1677/2009</td><td>Mst. Danish Begum</td></tr> <tr><td>11.</td><td>1678/2009</td><td>Mst. Sheraz Taj</td></tr> <tr><td>12.</td><td>1679/2009</td><td>Muhammad Ali</td></tr> <tr><td>13.</td><td>1680/2009</td><td>Chamni Khan.</td></tr> </tbody> </table> <p>The appellants, who are serving in the Education Department as Directors Physical Education (DPEs) in BPS-16 and are holding Master Degrees; and hence, therefore, on</p>	S.No.	Appeal No.	Name of appellant	1.	1668/2009	Sarwar Shah	2.	1669/2009	Muhammad Nacem	3.	1670/2009	Sardar Khan	4.	1671/2009	Sabir Ali	5.	1672/2009	Muhammad Israr	6.	1673/2009	Sher Kamal	7.	1674/2009	Salar Khan	8.	1675/2009	Muhammad Nawaz	9.	1676/2009	Mst. Azra Naz	10.	1677/2009	Mst. Danish Begum	11.	1678/2009	Mst. Sheraz Taj	12.	1679/2009	Muhammad Ali	13.	1680/2009	Chamni Khan.
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Peshawar Service Tribunal

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the basis of higher qualification, claimed eligibility to the grant of upgradation from BPS-16 to BPS-17 on the basis of Notification of the Provincial Government dated 13.11.2007; but they have been allowed upgradation w.e.f 19.5.2009 vide Notification of the even date; hence this appeal, inter-alia, on the grounds that the impugned order is in violation of the original Notification; and that the appellants fulfilled all the requisite terms and conditions for the grant of the benefit prayed for from 13.11.2007.

The respondents resisted the appeal; but admitted in their written reply/comments that the posts of DPEs and Librarians were upgraded from B-16 to B-17 vide Notification dated 13.11.2007. The respondents, however, contested the plea of the appellants with regard to upgradation from the date of Notification on the ground that extending the benefit to the appellants required framing of rules and recommendation of their upgradation by the Departmental Promotion Committee. As such, the appellants were allowed the benefit after fulfillment of all the codal formalities w.e.f. 19.5.2009.

Notwithstanding the plea of the respondents with regard to fulfillment of the codal formalities, the Notification with regard to upgradation of the post of DPE dated 13/11/2007 is clear to the effect that the upgradation will be effective from that date i.e. 13.11.2007. On the basis of this legal position, this Tribunal dealt with the issue and decided in principle, in the case of Senior English Teachers (Appeal No.266/09 titled "Haroon-ur-Rashid-vs-Secretary(E&S) Education Department and another") that the upgradation of

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Service Tribunal,
Peshawar

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the respective posts and appointment of the appellants to the posts shall be declared effective from the date from which it was intended to be effective in the original Notification of the Authority. The Tribunal, however, held, vide its above referred decision dated 3.7.2009, that as the upgradation and posting shall be one time only and shall be personal to the appellants and their similarly placed colleagues, as per the contents of the Notification quoted above.

In the light of the above explained legal position and decision of this Tribunal, referred to above, this appeal and all the afore-mentioned connected appeals are accepted to the extent that upgradation of the posts of DPEs be made effective from 13.11.2007 in accordance with the Notification of the even date as well as in accordance with the subsequent Notifications, if any, applicable to the case of the appellants: No order as to costs.

ANNOUNCED
04.03.2010

sd/
member

sd/
Chairman

Certified to be true copy

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

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sd/
Chairman

Date of Receipt of Application 15.11.2014
 Number of Applicants 1200
 Copies 8
 Originals 2
 Total 10
 Date of Issuance of Order 18.11.2014
 Date of Issuance of Copy 18.11.2014



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT
Dated Peshawar the 29-04-2014.

NOTIFICATION.

NO.SO(PE)9-10/DPI/Ghulam Nabi. In pursuance of the judgement of Khyber Pakhtunkhwa Service Tribunal Peshawar dated 4-3-2010 in appeal No. 1667/2009 (Ghulam Nabi) 1668/2009 (Sarwar Shah), 1669/2009 (Muhammad Naeem), 1670/2009 (Sardar Khan), 1671/2009 (Sabir Ali), 1672/2009 (Muhammad Israr), 1673/2009 (Sher Kamal), 1674/2009 (Salar Khan), 1675/2009 (Muhammad Nawaz), 1676/2009 (Azra Naz), 1677/2009 (Danish Begum), 1678/2009 (Sheraz Taj), 1679/2009 (Muhammad Ali) and 1680/2009 (Chamni Khan), the competent authority is pleased to promote the following Directors Physical Education (DPEs) BS-16 To BS-17 on regular basis w.e.f. 13-11-2007 instead of 19-5-2009 as notified vide this department No. SO(PE)/2-6/E&SE/DPC/DPI:s dated 19-5-2009:-

S. No.	Name & Designation	Date of acquiring Master Degree in Physical Education
1	Ghulam Nabi DPE	20-11-1995
2	Sarwar Shah DPE	30-5-2005
3	Muhammad Naeem DPE	24-8-1993
4	Sardar Khan DPE	7-1-1993
5	Sabir Ali DPE	21-12-2002
6	Muhammad Israr DPE	30-5-2005
7	Sher Kamal DPE	30-5-2005
8	Salar Khan DPE	23-10-1994
9	Muhammad Nawaz DPE	19-9-2006
10	Azra Naz DPE	30-5-2005
11	Danish Begum DPE	23-6-2007
12	Sheraz Taj DPE	1-12-2007
13	Muhammad Ali DPE	30-5-2005
14	Chamni Khan DPE	30-5-2005

2. The competent authority has further been pleased to promote the following DPEs who acquired prescribed qualification on or before 13-11-2007 but they did not challenge this department notification of even No. dated 19-5-2009:

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(Signature)

S. No.	Name & Designation	Date of acquiring Master Degree in Physical Education
1	Mr. Bahadur Sher DPE	5-3-1983
2	Mr. Asmatullah DPE	21-10-1986
3	Mr. Talat Mahmood DPE	1-9-1991
4	Mr. Hazrat Ali DPE	31-12-1989
5	Mr. Shamsul Islam DPE	30-5-1988
6	Mr. Tajamul Zaman DPE	31-12-1989
7	Mr. Anwar Zad Khan DPE	31-12-1989
8	Mr. Khalid Tanveer DPE	30-5-1988
9	Mr. Misal Khan DPE	30-5-1988
10	Mr. Hussain Wali DPE	30-5-1988
11	Mr. Istam Rosh DPE	30-5-2005
12	Mr. Gul Aslam DPE	16-6-1985
13	Mr. Said Nawaz DPE	21-10-1986
14	Mr. Abdul Sarwar DPE	3-11-1990
15	Mr. Samiullah DPE	9-4-1996
16	Mr. Fazle Baq DPE	20-5-1996
17	Mr. Iftikhar Ahmad DPE	2-8-1994
18	Mr. Ali Badshah DPE	4-8-1985
19	Mr. Azizullah DPE	30-5-1988
20	Mr. Mohibullah Khan DPE	26-12-1988
21	Mr. Said Bakht Shah DPE	6-5-2006
22	Mr. Hamidullah DPE	20-12-1988
23	Mr. Shah Mahmood DPE	3-11-1990
24	Mr. Ihtashamud Din DPE	30-5-2005
25	Mr. Abdullah Shah DPE	4-11-1991
26	Mr. Rukh Niaz DPE	31-12-1989
27	Mr. Gul Badshah DPE	30-4-1995

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28	Mr. Safdar Jan DPE	3-11-1990
29	Mr. Lal Mar Jan DPE	23-8-1992
30	Mr. Ahmad Nawaz DPE	24-8-1993
31	Mr. S. Ibadur Rahman DPE	7-1-1993
32	Mr. Kramatullah DPE	12-4-1994
33	Mr. Mushtaq Khan DPE	15-3-1992
34	Mr. Mujahidur Rahman DPE	20-11-1995
35	Mr. Abdul Qadir Khan DPE	24-8-1993
36	Mr. Amjad Khan DPE	30-5-2005
37	Mr. Nikhatullah Khan DPE	16-12-2006
38	Mr. Farid Zaman DPE	24-8-1993
39	Mr. Ikramullah DPE	23-10-1994
40	Mr. Muhammad Usman DPE	6-7-1995
41	Mr. Waris Khan DPE	24-8-1993
42	Mr. Ashraf Ali DPE	12-8-1997
43	Mr. Fatch Sher DPE	17-7-1996
44	Mr. Muhammad Sharif DPE	20-11-1995
45	Mr. Said Khan DPE	23-10-1994
46	Mr. Muhammad Gul DPE	20-11-1995
47	Mr. Nasir Khan DPE	30-4-1995
48	Mr. Muhammad Haroon DPE	18-11-1996
49	Mr. Muhammad Iqbal Khan DPE	7-10-1998
50	Mr. Farmanullah DPE	1-12-1990
51	Mr. Hamza Ali Khan DPE	3-11-1990
52	Mr. Abdul Mateen Khan DPE	25-11-1995
53	Mr. Attaullah Khan DPE	15-3-1992
54	Mr. Sadiqur Rahman DPE	19-6-1995
55	Mr. Wali Dad Khan DPE	2-8-1994
56	Mr. Shahid ur Rahman DPE	19-6-1995

ATTESTED

P. J. Ali

57	Mr. Hakim Said DPE	17-7-1996
58	Mr. Qaiser Khan DPE	17-7-1997
59	Mr. Hukam Zad DPE	17-7-1999
60	Mr. Muhammad Alam DPE	23-6-2007
61	Mr. Muhammad Shahidullah DPE	20-6-1995
62	Mr. Muhammad Khalil DPE	12-11-1997
63	Mr. Noor Muhammad Shuh DPE	29-6-1998
64	Mr. Murad Ali DPE	17-7-1999
65	Mr. Muhammad Ghanl DPE	24-8-1993
66	Mr. Hazrat Ali DPE	02-09-1999
67	Mr. Arshad Hussain DPE	2-8-1994
68	Mr. Nowsher Zaman DPE	23-2-1999
69	Mr. Muhammad Kaleem DPE	05-2-2008
70	Mr. Kaleemullah Khan DPE	6-5-2006
71	Mr. Wajid Ali DPE	30-5-2005
72	Mr. Fariq Gul DPE	16-6-1999
73	Mr. Muhammad Ayaz DPE	17-6-1998
74	Mr. Taimur Riaz DPE	12-12-2001
75	Mr. Nalk Zada DPE	6-5-2006
76	Mr. Yousaf Khan DPE	18-11-1996
77	Mr. Muhammad Ashfaq	27-8-2007
78	Mr. Mahboob Ali DPE	6-5-2006
79	Mr. Shaukatur Rahman DPE	17-6-1998
80	Mr. Dil Faraz Khan DPE	6-5-2006
81	Mr. Muhammad Kaleem DPE	12-12-2001
82	Mr. Alamzar Khan DPE	30-6-2005
83	Mr. Muhammad Ishaq DPE	1-6-2004
84	Mr. Muhammad Safdar Luqman DPE	30-5-2005

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1.	Mst. Naghma Akbar DPE	6-6-1984
2.	Mst. Mussarat Parveen DPE	6-6-1984
3.	Mst. Dilshad Begum DPE	3-11-1990
4.	Mst. Shaheen Anwar DPE	15-3-1992
5.	Mst. Rehana Parveen DPE	3-11-1990
6.	Mst. Shahida Begum DPE	20-11-1995
7.	Mst. Shubnum Jadoon DPE	1-12-1994
8.	Mst. Tamseela Naz DPE	15-3-1992
9.	Mst. Norreen Anwar DPE	24-8-1993
10.	Mst. Shehnaz Begum DPE	24-8-1993
11.	Mst. Rafia Khattak DPE	17-6-1998
12.	Mst. Hamida Begum DPE	24-8-1993
13.	Mst. Nabeela Tabbasum DPE	16-9-1998
14.	Mst. Saeeda Begum DPE	30-5-2005
15.	Mst. Shabnum Raza Malik DPE	1-6-2004
16.	Mst. Nigar Akhtar DPE	9-9-2005
17.	Mst. Rehana Khatoon DPE	31-12-1989
18.	Mst. Naheed Gohar DPE	21-12-2002
19.	Mst. Asma Qureshi DPE	0-5-2006
20.	Mst. Munaza Jaboon DPE	0-5-2006
21.	Mst. Adoobu Nnhood DPE	0-5-2006
22.	Mst. Sajida Sofi DPE	19-9-2006
23.	Mst. Rahila Qul DPE	30-6-2006
24.	Mst. Shahana DPE	6-5-2006
25.	Mst. Mariam Mustafa DPE	1-8-2002
26.	Mst. Saima Andaloop DPE	10-5-2005
27.	Mst. Imliaz Tabbasum DPE	0-5-2006

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29.	Mst. Nighat Seema DPE	1-6-2004
30.	Mst. Afsheen Mumtaz DPE	6-5-2006
31.	Mst. Rehana Yasmin DPE	6-5-2006
32.	Mst. Hassan Basri DPE	6-5-2006

SECRETARY

Endst. No. SO(PE)9-10/DPE/Ghulam Nabi

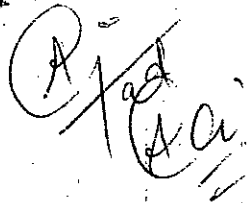
Dated Pesh: the, 29-04-2014

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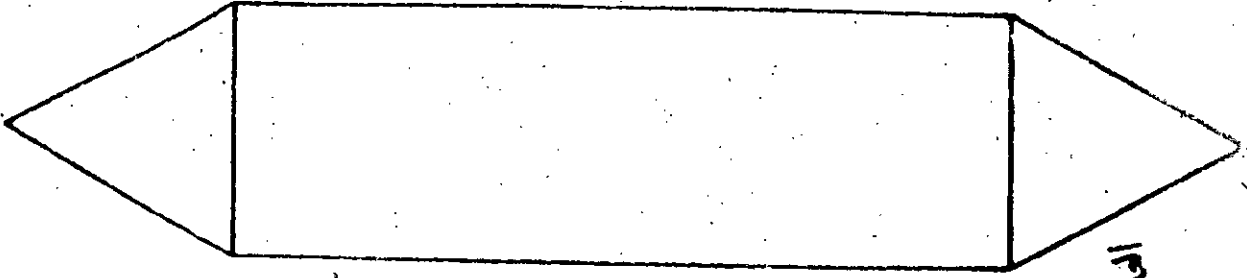
1. Secretary to Govt. of Khyber Pakhtunkhwa, Establishment Department.
2. Special Secretary (Regulation), Establishment Department.
3. Secretary to Govt. of Khyber Pakhtunkhwa, Finance Department w/r to his letter No. SO(FR)/FD/10-22/9-10/ DATED 12-7-2012
4. Secretary to Chief Minister Khyber Pakhtunkhwa.
5. PS to Chief Secretary Khyber Pakhtunkhwa
6. All Directors in Elementary & Secondary Education Department.
7. Director Education FATA Warsak Road Peshawar.
8. All Commissioners/Deputy Commissioners in Khyber Pakhtunkhwa.
9. All District Education Officers (M/F) Elementary & Secondary Education in Khyber Pakhtunkhwa.
10. All Agency Education Officers in FATA.
11. Director Information Khyber Pakhtunkhwa Peshawar with the request to give wide publicity through media.
12. Secretary Public Service Commission Khyber Pakhtunkhwa, Peshawar.
13. PS to Minister E&SE Department.
14. PS to Secretary / Special Secretary / Additional Secretary E&SE Department Gov. of Khyber Pakhtunkhwa.
15. PA to Deputy Secretary (Admn.) Khyber Pakhtunkhwa.
16. Officers concerned.


(ZAMIN KHAN MOMAND)
SECTION OFFICER (PRIMARY)

ATTESTED



بعدالت جہاں سرکس سرپرستی کے لئے منظور شدہ اور



Appellant 2014

مقدمہ

مقدمہ

دعویٰ

جزم

سراج علی خان بنام حکومتی KPK وغیرہ

سرکس اپیل

باعث تحریر آئیکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی و کل کارروائی متعلقہ آن مقام (شاور کے لئے) (صاحبانہ حق، اجراء و عملہ) کے لئے مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوت کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو کرنے راضی نامہ و تقریرات و فیصلہ برحلف دیے جواب دہی اور اقبال دعویٰ اور بصورت ہدگری کرنے اجراء اور دعویٰ چیک در پیہ اور عرضی دعویٰ اور درخواست ہر قسم کی تصدیق نہ رہیں پر دستخط کرنے کا اختیار ہوگا۔ نیز بصورت عدم پیروی یا دگری کیفر یا اپیل کی برآمدگی اور منسوخی نیز دائر کرنے اپیل ٹکرائی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ اور بصورت ضرورت مقدمہ مذکور کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنی جگہ تعین کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ بالا اختیارات حاصل ہوں گے اور اس کا ساختہ پرداخت منظور و قبول ہوگا۔ دوران مقدمہ میں جو خرچہ دہر جائز اتوائے مقدمہ کے سبب سے ہوگا۔ اس کے مستحق وکیل صاحب موصوت ہوں گے۔ نیز بقایا خرچہ کی ذمہ داری کرنے کا بھی اختیار ہوگا۔ اگر کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی مذکور کریں۔ لہذا دلائل نامہ لکھد یا کہ سند رہے۔

المترجم 6
ماہ 2014

(سراج علی خان)

11101-65827362-11

Attested
Accepted

سراج علی خان
Sajial
Madiq
سراج علی خان

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BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA, PESHAWAR

SERVICE APPEAL

1. Mr. Taj Mali Khan No.1406/2014
2. Mr. Abdul Nahid No.1407/2014
3. Mr. Shahid Hussain No.1408/2014
4. Mr. Haider Zaman No.1409/2014

.....Appellants

Versus

Director Higher Education & others.....Respondents

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5.	Copy of notification of promotion	C	10
6.	Copy of Provincial Govt letter	D	11
7.	Judgment of Supreme Court 2013 PL3(CS) 1031	E	12-14
8.	Judgment of Supreme Court 2015 SCMR 269	F	16-17

Haider Zaman
Respondents 22/2/16

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA, PESHAWAR

SERVICE APPEAL NO.1406 OF 2014

Mr. Taj Mali Khan -----Appellant

Versus

Director Higher Education & others-----
Respondents

Subject:- **PARA WISE COMMENTS OF THE FOUR CONNECTED APPEALS ON BEHALF OF RESPONDENTS**

Respectfully Sheweth:-

PRELIMINARY OBJECTIONS:-

1. The appellant has no locus standi/cause of action to file the instant appeal
2. That the instant appeal is badly time barred.
3. That the appellant is estopped by his own conduct to file the instant appeal.
4. That the instant appeal is based on misconception/misstatement and therefore, liable to be dismissed.
5. That the appellant has not come to the hon'able Tribunal with clean hands.
6. That this Hon'able Service Tribunal lacks jurisdiction to entertain the appeal.

ON FACTS:-

1. Subject to proof.
2. No comments.
3. Correct.
4. Correct to the extent of withdrawal as it is the prerogative of govt to make notification and to withdraw the same and also the provincial govt challenged the notification in respect to complete all codal formalities (copy of with drawl notification attached as annexure A). Also it was for the government to place a particular post in any grade or prescribe certain terms and conditions therefore as per its policy, and incumbents of a particular post could not claim as of right for settlement of prescription or provision of certain terms and conditions according to their own choice (S.C 2009 PLC (CS) 712 attached as annexure B).
5. Subject to the codal formalities i.e. recommendation of departmental promotion committee all the DPEs & librarians (M/F) of college cadre who hold master degrees, working in BPS-16/ B-17(personal) were promoted to BPS.17 (regular) with immediate effects i.e. 1-10-2010 copy of notification dated 1-10-2010(annexed as annexure- C)
6. Correct to the extent that after fulfilling all the codal formalities the issue was settled by promoting all DPEs BPS-16/ B-17 (personal) to BPS 17 (regular) as mentioned in Para 5 above.
7. Correct to the extent that the appellant preferred departmental representation to the respondent department on 26-5-2014 which was examined in this department in light of the minutes of the meeting held on 8-1-2014 in Finance Department (copy enclosed) wherein it was decided that there is no provision in the up gradation policy allowing up gradation from retrospective date and is not covered under the standing provision of up gradation policy and, therefore, such like cases have been unanimously regretted (annex D).
8. In reply to Para No.8 it is stated that up gradation claim on the basis of principal of parity with other departments only Effects--- Services of civil servant were regulated by law for each and every post, rules were enforced which clearly

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mentioned the grade of post, channel of promotion, criteria of up gradation of the post, promotion of incumbent and without any statutory provision, neither any civil servant could be granted higher grade in random manner nor could be any post upgraded. Mere nomenclature of any post did not entitles the incumbent of the grade and privilege of the same nomenclature of the post in any other department or organization neither principal of parity was attracted nor it was recognized by any principle of law enunciated by Superior Courts Civil servant had no locus standi or cause of action grant of grade, and up gradation of post blindly, without taking into consideration the facts and background of the matter(Copy of judgment of S.C 2013 PLC (CS)103/ attached ass annexure- E)

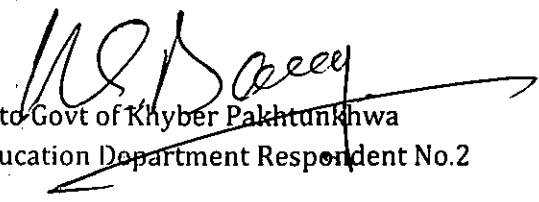
9. No comments.


ON GROUNDS:-

- a. The order is rightly made according to law as it is the prerogative of government to make policy notifications Nobody has a vested right in policy decision of the government and service tribunal is diverted of power to indirectly set aside the public policy decision(2009 PLC (CS) 712 (copy of judgment annexure B Supra) further more mere nomenclature of any post does not entitle the incumbent for the grade and privileges of the same nomenclature of the post in any other department or organization (as explain above).
- b. As already explained in preceeding Paras that some codal formalities were not fulfilled by department.
- c. Already explained in preceeding paras.
- d. It is beyond the understanding that the date mentioned for the grant of the benefits as 9-10-2010 while the promotion of DPEs was notified to take effect from date i.e. 1-10-2010. There is no violation of Art 25 of constitution of Islamic republic of Pakistan. All the candidates are rightly treated in accordance with law.
- e. The notification dated 2-3-2010 was withdrawn by the provincial govt on the basis of not fulfilling codal formalities. When all the codal formalities were satisfied i.e. recommendation of DPC, the second notification of DPEs was issued dated 1-10-2010 with immediate effects which is genuine/original order and has been implemented.
- f. No comments. As already explained no body has a vested right in policy decision of the govt. (annex B- supra)
- g. Incorrect. The service appeal in hand is badly time barred.
- h. No comments.

PRAYER:-

From the above facts & grounds it is therefore most humbly prayed that the appeal may graciously be dismissed with costs.


Secretary to Govt of Khyber Pakhtunkhwa
Higher Education Department Respondent No.2


Director Higher Education
Khyber Pakhtunkhwa Respondent No.3

3

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA, PESHAWAR


Service Appeal Mr. Taj Mali Khan No.1406/2014.....Appellant

Versus

Director Higher Education & others.....Respondents

AFFIDAVIT

I Irfan Ullah khan Assistant Director Litigation Higher Education Department do hereby declare and affirm on oath that the contents of Para Wise Comments are correct to the best of my knowledge and belief and that nothing has been concealed from this Hon'able Court.


Deponent 22/2/2016.

CNIC No.11101-6409112-3

Identify by

BETTER COPY

Annexure "9"

GOVT. OF N.W.F.P

HIGHER EDUCATION, ARCHIVES &
LIBRARIANS DEPARTMENT

Dated: Peshawar the 07 - 03 - 2009

NOTIFICATION

No. SO (T)/HE/17-1-2008 Vol III. The competent authority has been pleased to withdraw the Department Notification of even No. Dated: 04-03-2009 regarding up-gradation of librarians and D.P.Es with immediate effect.

SECRETARY TO GOVT. OF N.W.F.P.
HIGHER EDUCATION, ARCHIVES &
LIBRARIANS DEPARTMENT

Ends: No. & Dated Even.

Copy id forwarded for information and necessary action to :-

- 1) Secretary to Government of NWFP Establishment Department.
- 2) Secretary to Government of NWFP Finance Department.
- 3) The Accountant General, NWFP Peshawar.
- 4) P.S. to Chief Minister N.W.F.P, Peshawar.
- 5) P.S. to Chief Secretary N.W. F.P, Peshawar.
- 6) P.S. to Secretary Higher Education N.W. F.P, Peshawar.
- 7) P.S. to Secretary Higher Education, Archives & Libraries N.W. F.P, Peshawar.
- 8) All District Accounts Officer in NWFP
- 9) All Agency Accounts Officer in NWFP.
- 10) P.A. to Add: Secretary Higher Education NWFP
- 11) P.A. to Deputy: Secretary-II Higher Education NWFP
- 12) P.A. to Deputy: Secretary (Admn) Higher Education NWFP
- 13) Office File of the concerned officers.
- 14) The Manger Govt. Printing Press Peshawar.
- 15) Director Higher Education N.W. F.P, Peshawar.
- 16) Director Higher Education, Archives & Libraries N.W. F.P, Peshawar.

ATTESTED

[Handwritten signature]

BETTER COPY

Annexure "A"

GOVT: OF N.W.F.P

HIGHER EDUCATION, ARCHIVES &
LIBRARIANS DEPARTMENT

Dated: Peshawar the 07 - 03 - 2009

NOTIFICATION

No. SO (T)/HE/17-1-2008 Vol III. The competent authority has been pleased to withdraw the Department Notification of even No. Dated: 04-03-2009 regarding up-gradation of librarians and D.P.Es with immediate effect.

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HIGHER EDUCATION, ARCHIVES &
LIBRARIANS DEPARTMENT

Ends: No. & Dated Even.

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- 2) Secretary to Government of NWFP Finance Department.
- 3) The Accountant General, NWFP Peshawar.
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- 5) P.S. to Chief Secretary N.W. F.P, Peshawar.
- 6) P.S. to Secretary Higher Education N.W. F.P, Peshawar.
- 7) P.S. to Secretary Higher Education, Archives & Libraries N.W. F.P, Peshawar.
- 8) All District Accounts Officer in NWFP
- 9) All Agency Accounts Officer in NWFP.
- 10) P.A. to Add: Secretary Higher Education NWFP
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- 13) Office File of the concerned officers.
- 14) The Manger Govt: Printing Press Peshawar.
- 15) Director Higher Education N.W. F.P, Peshawar.
- 16) Director Higher Education, Archives & Libraries N.W. F.P, Peshawar.

ATTESTED

P. J. Q. ci