


FORM OF ORDER SHEET

Court of _____

Appeal No. 542/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	16/04/2024	<p>The appeal of Mr. Hassan Gul resubmitted today by Mr. Javed Iqbal Gulbela Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on <u>18-04-2024</u>. Parcha Peshi given to the counsel for the appellant.</p> <p>By the order of Chairman  REGISTRAR</p>

There is an appeal filed by Mr. Hassan Gul today on 12.03.2024 against the impugned promotion order dated 08.12.2023 against which he made/preferred departmental appeal/ representation on 08.01.2024 the period of ninety days is not yet lapsed as per section 4 of the Khyber Pakhtunkhwa Service Tribunal Act 1974, which is premature as laid down in an authority reported as 2005-SCMR-890.

As such the instant appeal is returned in original to the appellant/Counsel. The appellant would be at liberty to resubmit fresh appeal after maturity of cause of action.

No. 559 /ST.

DL 13/3 /2024.

Amal
REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Javed Iqbal Gulbela Adv.
High Court at Peshawar.

Respected Sir!

The instant service appeal is re-submitted after its maturity; the statutory time of 90 days is complete on 8-4-2024, the appellant has right to submit service appeal within 30 days i.e. 8-4-2024 to 8-5-2024, Hence re-submitted before this Hon'ble Court/Tribunal.

Date
16/4/2024

Javed Iqbal Gulbela.
(Adv C)

BEFORE THE HON'BLE CHAIRMAN SERVICE TRIBUNAL
PESHAWAR

CM No. _____/2024
Service Appeal NO 542 /2024

Hassan Gul

Versus

Government of Khyber Pakhtunkhwa etc.

Application for fixation of the instant service Appeal.

Respectfully Sheweth,

The Petitioner humbly submits as under

1. That the facts and grounds in main service appeal may kindly be considered as integral part and parcel of the instant application.
2. That the above mentioned service appeal may kindly be fixed for hearing at the principle seat of Khyber Pakhtunkhwa Service Tribunal, Peshawar, which are convenient to all the parties.
3. That there is no legal hedge on allowing the instant application.

It is, therefore, most humbly prayed that the instant application may kindly be accepted, and the appeal may kindly be fixed for hearing at the principle seat Peshawar.

Dated: 16/04/2024

Through Applicant
Javed Iqbal Gulbela
(ASC)

**BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICES
TRIBUNAL PESHAWAR**

Service Appeal 542 /2024

In matter of:

HASSAN GUL

VERSUS

GOVT OF KPK & ETC

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4.	Copy of Final Seniority List of Senior Qaries BPS-15 (Male)	"A"	8
5.	Copy of office order No.2119-90F.No./01/promotion To SSTs/2023/Estab-1(M) Peshawar dated 22-08-2023	"B"	9
6.	Copies of working paper, certificate of recommendation	"C & D"	10-13
7.	Copy of the impugned Notification: 4868-73/File/Promotion to SST/2023 Peshawar Dated: 08/12/2023	"E"	14-15
8.	Copies of Departmental Appeal and Official Letter dated. 24-01-2024	"F & G"	16-17
9.	Copies of Application 02-11-2023 & official letter No.259/F.No 15/ADO (S) SEB/DEO(Male) Dir Upper dated:02-11-2023 of District Education Officer (Male) Dir Lower	"H & I"	18-19
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Dated: 12th March 2024


Appellant

Through

JAVED IQBAL GULBELA
Advocate Supreme Court of
Pakistan.

Off Add: 9-10A Al-Nimrah Centre, Govt College Chowk Peshawar

①

**BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICES
TRIBUNAL PESHAWAR**

Service Appeal 542 /2024

In matter of:

*Hassan Gul "Senior Qari (BPS-15)" Government High School Umralai,
District Dir Upper.*

.....
Appellant

VERSUS

1. *Director of Elementary and Secondary Education, Khyber Pakhtunkhwa,
Peshawar.*
2. *District Education Officer District Dir Upper at Office of the District
Education Officer Male Dir Upper.*

..... *Respondents*

**Appeal u/s 4 of the Khyber Pakhtunkhwa Service Tribunal Act 1974,
against the impugned Notification: 4868-73/File/Promotion to SST/2023
Peshawar Dated: 08/12/2023 of the Office Director Elementary and
Secondary Education Khyber Pakhtunkhwa Peshawar, whereby no
promotion order against the 03% quota reserved for the promotion of
S.Qari.Qari (BPS-15) to SST (Maths/Physics) (BPS-16) has been made and
thus the appellant has not been considered for promotion at all, and made
deprived inspite of due eligibility and inspite of the stark fact, that no
promotion has taken place against the said quota since 2014; And
Departmental appeal of the appellant has not been decided, hence the
instant Service Appeal.**

Respectfully Sheweth,

1. That the Appellant is "Senior Qari (BPS-15)" and stood at 1st position as Eligible for promotion to "SST (B.S)(BPS-16)" in Final Seniority List of Senior Qaries BPS-15 (Male) issued on 01/03/2023. (copy of Final Seniority List of Senior Qaries BPS-15 (Male) is annexed as annexure "A")

2. That before opening the main epitome of the instant appeal, it is pertinent to mention here, that the formula for the post of SST (Maths/Physic) (BPS-16) is sketch as 25% quota by initial recruitment, while remaining 75% quota are further bifurcated into sub-quota as "40% by promotion from SCT/CT, 20% by promotion from PSHT/SPST/PST, 04% by promotion from SDM/DM, 04% by promotion from SAT/AT, 04% by promotion from STT/TT, & 03% by promotion from S.Qaries.Qaries".
3. That now coming to the main crux of the instant service Appeal, that the Office of Assistant Director (Estab-M-1) Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar, vide office order No.2119-90F.No./01/promotion To SSTs/2023/Estab-1(M) peshawar dated 22-08-2023 call for DPC meetings schedule for promotion of SCT/CT, SAT/AT, STT/TT, SDM/DM, PSHT/SPST/PST & CT(IT) to the post of SST(G),SST(Bio/Chem), SST(Maths/Physics) & SST (IT) BPS-16, Schedule for 19-09-2023 & 10-10-2023. (Copy of office order No.2119-90F.No./01/promotion To SSTs/2023/Estab-1(M) Peshawar dated 22-08-2023 is annexed as annexure "B").
4. That working paper along with final seniority list of senior Qari BPS-15 male of dated 01-03-2023 also accompanied with certificate of promotion Quota against 03% which meet at 3.48 seats since 2014 to 2023 has been submitted by District Education Officer (Male) Dir Upper; wherein in working paper as well as in certificate the appellant is recommended against the said quota of promotion SST (Maths/Physics) (BPS-16) being stood eligible at first position in the seniority list. (Copies of working paper, certificate of recommendation are annexed as annexure "C & D")
5. That DPC has been conducted, vide impugned Notification: 4868-73/File/Promotion to SST/2023 Peshawar Dated: 08/12/2023 of the Office of Director Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar, whereby the promotion order of the Appellant has not been made against 3% quota of SST (Maths/Physic) (BPS-16) fixed for S.Qari. Qari, which is meet at 3.48 seats since 2014 to 2023. Which act on the part of the respondents is illegal, unlawful and void-ab-initio. (Copy of the impugned Notification: 4868-73/File/Promotion to SST/2023 Peshawar Dated: 08/12/2023 as annexure-"E ")
6. That feeling aggrieved, the Appellant moved a departmental application/Appeal to '*Director of Elementary and Secondary Education, Khyber Pakhtunkhwa, Peshawar*' via District Education Officer male Dir upper for his due right of promotion against 3% quota of SST (Maths/Physic) (BPS-16) fixed for S.Qari. Qari. The DEO Male Dir Upper officially addressed vide official letter No. 2813/F.No.15/ADO(S)SEB/DEO(Male) the appeal of the Appellant on 24-01-2024 to Director Elementary and Secondary

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Education Khyber Pakhtunkhwa Peshawar, which has not been decided by respondent No.01, Hence the instant Service Appeal.(Copies of Departmental Appeal and Official Letter dated. 24-01-2024 are annexed as annexure "F & G").

7. That it is important to mention here, that even prior to the impugned notification, the appellant move an application to District Education Officer (Male) Dir Lower, for promotion on 02-11-2023, which has been officially Addressed to *Director of Elementary and Secondary Education, Khyber Pakhtunkhwa, Peshawar, vide official letter No.259/F.No 15/ADO (S) SEB/DEO(Male) Dir Upper dated:02-11-2023*; wherein he held that *"in the light of 3% Collective Promotion Quota since 2014 which become total 3.48 according the certificate which presented during the discussion in the DPC that there is no Qari Teacher has promoted to SST(M/P) due to lack of percentage during the promotion as description of Certificate due to which the said rightful applicant was badly affected and deprived of his legal rights of promotion in the past DPC Discussion and he is walking around the office in frustration regularly. It is therefore, requested that his case for the subject promotion may very kindly be considered under collective quota which remained since 2014 as become total in percentage is 3.48 and recently under remaining/available is 2.46% under his legal rights as per rules/policy. As Justice delayed, justice denied, with best regards please"*. But even than promotion has been denied to the appellant (copies of Application 02-11-2023 & official letter No.259/F.No 15/ADO (S) SEB/DEO(Male) Dir Upper dated:02-11-2023 of District Education Officer (Male) Dir Lower are annexed as annexures "H & I")
8. That feeling aggrieved, the Appellant preferred the instant service appeal for promotion against 3% quota of SST (Maths/Physic) (BPS-16) fixed for S.Qari. Qari & for modification of the impugned promotion Notification by including the name of the appellant with all back benefits upon the following grounds, inter-alia:

GROUND:

- A. That the impugned promotion notification is wrong, illegal and void and not sustainable at all by not promoting the appellant.
- B. That the impugned promotion notification is the result of colorful exercise of the discretionary power vested in the Respondents and not tenable at all.
- C. That even the right of promotion of the appellant has been recommended by District Education Officer in the senior list, working papers and in other documents, but even than the appellant has not been promoted, which act is not tenable in the eye of law.

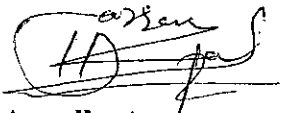
4

- D. That the impugned promotion notification has been passed at the back of the Appellant and thus the Appellant has been kept away from the fruit of promotion.
- E. That under the mandate of Article 4 of the Constitution, no one should be treated otherwise than in an accordance with law, wherein Article 25 postulates that alike are to be treated alike, but here a different discriminative approach has been used to treat the Appellant.
- F. That discrimination in any form is highly abominable and bete-noire and is always checked down in derisorous manner by the Superior Courts of the land. Reason behind checking it down and chucking it away is to ensure equality and equal treatment of its citizens and to remove any sense of discrimination.
- G. That the law and law courts of the land have always preferred and encouraged that rules and policies are to be followed and have always discouraged, deplored, and depreciated any variation from the rules or policies.
- H. That any other ground not raised here may graciously be allowed to be raised at the time of arguments.


It is, therefore, most humbly prayed that on acceptance of the instant Service Appeal, the impugned promotion Notification: 4868-73/File/Promotion to SST/2023 Peshawar Dated: 08/12/2023 of the Office of Director Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar may kindly be modified to the extent of appellant by including his name and by doing so the Appellant may kindly be promoted against 03% quota of SST (Maths/Physic) (BPS-16) fixed for S.Qari. Qari, with all back benefits.


Any other relief not specifically asked for may also graciously be extended in favor of the Appellant in the circumstances of the case.

Dated: 12th March 2024


Appellant

Through


Javed Iqbal Gulbela
Advocate, Supreme Court of
Pakistan


Saghir Iqbal Gulbela
Advocate High Court
Peshawar.

5

Muhammad Arif Mohmand
Junaid Swati
Syeda Umme Habiba
&
Alamzeb khan
Advocates, Peshawar

NOTE:-

No such like appeal had earlier been filed by me before this Hon'ble Tribunal,
prior to this one.

Advocate

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**BEFORE THE HON'BLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR**

In Service Appeal No- _____/2024

Hassan Gul

Versus

Government of KPK & Others

AFFIDAVIT

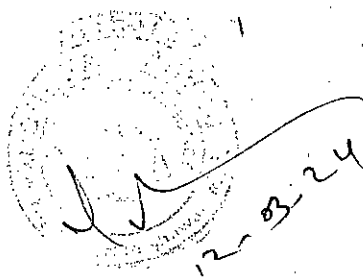
I, (Appellant) Hassan Gul Senior Qari BPS-15, GHS Umralai District Dir Upper, do hereby solemnly affirm & declare on oath that all contents of the instant Service Appeal are true & correct to the best of my knowledge and belief & nothing has been concealed from this Hon'ble Tribunal.



DEPONENT
CNIC: 15702-7027205-3
Cell # 0301-8951112

Identified By:

Javed Iqbal Gulbela
ASC



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**BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICES
TRIBUNAL PESHAWAR**

Service Appeal _____ /2024

In matter of:

HASSAN GUL

VERSUS

GOVT OF KPK & ETC

ADDRESSES OF PARTIES

MEMO OF APPELLANT.

*Hassan Gul "Senior Qari (BPS-15)" Government High School Umralai,
District Dir Upper*

MEMO OF RESPONDENTS:

1. *Director of Elementary and Secondary Education, Khyber Pakhtunkhwa,
Peshawar.*
2. *District Education Officer District Dir Upper at Office of the District
Education Officer Male Dir Upper.*

Dated: 12th March 2024

Hassan Gul
Hassan Gul
Appellant

Through

Javed Iqbal Gulbela
JAVED IQBAL GULBELA
Advocate Supreme Court of
Pakistan

②
A

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) DIR UPPER
FINAL SENIORITY LIST OF SENIOR QARIES BPS-15 (MALE) 01-3-2023

1	2	3	4	5	6	7	8	9	10	11	12
Name of Teacher	Father's Name	Name of School	D-O Birth	Ac. Qualif:	Prof. Qualif:	SSC Division	D-O 1st Apptt in Edu Dept	D-O regular Apptt: against the post	D-O Promotion to the	Remarks	
1	Badshah Mula	Sahibul Haq	GHS Samkot	15-02-65	SSC	Tajweed	SSC 3rd	11-11-88	11-11-88	SSC 3rd Division	
2	Ghansuf Islam	Abdur Roorf	GHSS Sheringal	15-05-64	MA	Tajweed	SSC 3rd	15-12-88	15-12-88	SSC 3rd Division 287/850	
3	Abdul Wadod	Mohd Jamali	GHS Miara Dasg	14-01-66	FA	Hifz/Tajweed	Nil	10-01-89	10-01-89	Retired	
4	Abdul Haq	Fateh Rahman	GHS Rehenkot	17-09-70	BA	Tajweed	3rd	05-01-82	06-01-82	Retired	
5	Abdul Samad	Sinubar Pacha	GHS Chutiyatin	03-03-73	FA	Tajweed		14-03-82	14-03-82	Retired	
6	Khalista Rahman	Mijan Gul	GHS Bibyawar	03-08-69	FA	Tajweed		17-05-82	17-05-82	Died	
7	Muhammad Shah Nask	Mohd Shah Khan	GHS HAYAGAI	01-01-72	MA Islam	Tajweed	SSC 3rd	30-06-86	30-06-86	3rd Division 345/850	
8	Habibullah	Waj Mohd	GHSS Gandisar	04-10-78	FA	Tajweed	SSC 3rd	02-01-88	02-01-88	3rd Division	
9	Muhammad Yousef	Noor Halim	GHS Osora	04-05-69	FA	Tajweed		22-11-08	22-11-08	Retired	
10	Hafiz Gul Zada	Ahmad Zada	GHS Dandi (P)	01-01-84	MA	Hifz Ul Quran, B.Ed		27-04-12	01-05-12	Eligible for SST (G) Post	
11	Badshah Rahman	Khalista Rahman	GHS Bin Bala	15-03-67	MA Arabi	Tajweed/ B.Ed		01-05-12	01-05-12	Regular. N.E for TT Post	
12	MUHAMMAD AFZAL HAQ	MUSAFAR SHAH	GHSS Kalkot	01-04-88	MA	B.Ed		13-03-16	13-03-16	138.93 NTS Regularized in 2018	
13	Halder Zaman	Sabz Ali Khan	GHS SS Khel	11-04-83	MA	B.Ed/Shahadat Ul Alamia		05-03-16	05-03-16	148.23 NTS Regularized in 2018	
14	Noor Rahman	Gul Faroosh Khan	GHS Jughehant	15-01-88	MA	CT/B.Ed, M.Ed		05-03-16	05-03-16	144.72 NTS Regularized in 2018	
15	SAIF UR RAHMAN	ABDUR RAHMAN	GHS JELAR	03-03-88	MA	Tajweed Ul Quran		26/05/2016	26/05/2016	Deceased appointed under Deceased Quota	
16	BAHRI ALAM	RAHMAN SAEED	GHS ROKHAN	10-01-91	MA	Tajweed Ul Quran		28-05-16	28-05-16	Deceased appointed under Deceased Quota	
17	MOHAMMAD NOMAN	AQAL WAZIR	GHS Shahkot	20-04-84	MA	Shahad Ul Alamia/Hifz/Tajweed		11-06-16	11-06-16	Deceased appointed under Deceased Quota	
18	MUHAMMAD IMRAN	FAZAL SAID	GHS Warl Payoor	10-06-89	MA	HIFZUL QURAN		28-10-16	28-10-16	Deceased appointed under Deceased Quota	
19	AHMAD SHUAIB	MUHAMMAD KHADIM SHUAIB	GHSS QULANDI	08-02-88	MA	SHAHDATUL Qurat,Hafiz		07-03-16	07-03-16	143.82 NTS Regularized in 2018	
20	ADDUL KHALIQ	GUL SAIDAIN	GHS JATGRAM	07-05-93	BS	Tajweed Ul Quran		29-03-17	29-03-17	123.98 NTS Regularized in 2018	
21	HASSAN GUL	MOJIN ANWAR	GHS UMRALAI	20/2/1989	MSC	HIFZUL QURAN, B.Ed, M.Ed		28/03/2017	28-03-17	123.12 NTS Regularized in 2018	
22	Hafeezur Rahman	Ameenur Rahman	GHS BARIKOT	13-04-89	MA	HIFZUL QURAN		29-03-17	29-03-17	122.77 NTS Regularized in 2018	
23	INAMULLAH	SHAH NASIM KHAN	GHSS QULANDI	04-01-80	MA	ALAMIA/B.ED		29/3/2017	29-03-17	120.8 NTS Regularized in 2018	

ADEO (Estb: sec)

[Signature]

[Signature]

[Signature]

Distt: Education Officer
(Male) Distt: Dir Upper

[Signature]
Checked
DEO



Directorate of Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar

No. 2119-9CF/No./01/Promotion To SSTs/2023/Esab-1 (A).

Dated Peshawar the 22 / 10 / 2023. Ann-B

To

All District Education Officers
(Male, Female & NMAs) Khyber Pakhtunkhwa.

Subject: - DPC/PRE-DPC MEETINGS SCHEDULE FOR THE PROMOTION OF SCT/CT, SAT/AT, STT/TT, SDM/DM, PSHT/SPST/PST & CT(IT) TO THE POST OF SST(G), SST (Bio/Chem), SST(Maths/Physics) & SST(IT) BPS-16

Memo:

I am directed to refer to the subject noted above and to state that a meeting of the Departmental Promotion Committee has been scheduled to be held on 10-10-2023 at 10:00 AM in the committee room of this directorate on the subject matter.

I am Further directed to ask you to prepare seniority lists of all cadres under the policy/rule, 17 of the APT rules, 1989 and each DEO shall provide a certificate to the effect that the seniority lists are updated, final, undisputed and not subjudice. No appeal shall be entertained after DPC meeting regarding seniority and subsequent promotion.

Furthermore, you are requested to attend the Pre-DPC Meetings as per the following schedule along with personal files, relevant documents, working papers, final seniority list of all Cadres. Countersigned by DEO Concerned.

S.No	Date	Day	Name of District
1.	11-09-2023	Monday	1. Abbottabad 2. Haripur 3. Bajaur
2.	12-09-2023	Tuesday	1. Battagram 2. Shangla 3. Mansehra 4. Mohmand
3.	13-09-2023	Wednesday	1. Kolai Pallas 2. Kohistan Lower 3. Kohistan Upper 4. Torghar
4.	14-09-2023	Thursday	1. Buner 2. Swabi 3. Khyber
5.	18-09-2023	Monday	1. Bannu & FR Bannu 2. Hangu 3. Orakzai
6.	19-09-2023	Tuesday	1. Dir Upper 2. Dir Lower 3. Kurram
7.	20-09-2023	Wednesday	1. Swat 2. Malakand 3. South Waziristan
8.	21-09-2023	Thursday	1. Lower Chitral 2. Upper Chitral 3. Tank & FR Tank 4. North Waziristan
9.	25-09-2023	Monday	1. Mardan 2. Charsadda
10.	26-09-2023	Tuesday	1. Peshawar & FR Peshawar 2. Nowshera
11.	27-09-2023	Wednesday	1. D.I. Khan & FR D.I.K 2. Kohat & FR Kohat
12.	28-09-2023	Thursday	1. Lakki Marwal & FR Lakki 2. Karak

Furthermore, after completion of Pre-DPC meetings, all DEOs are requested to attend the final meeting of Departmental Promotion Committee on 10-10-2023.

[Signature]
22/10/23
Assistant Director (Estab-M-1)
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

Endst.No. _____

Copy forwarded to the:-

1. Deputy Secretary/SO (PE) E&SED Khyber Pakhtunkhwa with the request to attend the DPC Meeting on 10-10-2023, Please.
2. P.A to Director E&SE Khyber Pakhtunkhwa.
3. Additional Directors Female & NMAs (local Directorate) with the request to complete the subject Promotion process as per the above mentioned schedule.
4. Master File.

Assistant Director (Estab-M-1)
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

Ann-2
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**OFFICE OF THE
DISTRICT EDUCATION OFFICER**
(Male) Dir Upper (Phone # 0944-881400)

Recruitment
SST (M-P)

WORKING PAPERS FOR DEPARTMENTAL PROMOTION COMMITTEE FOR THE PROMOTION OF SQARI/QARI BPS-16-15 to SST (MATHS PHY:) BPS-16.

Total No. of Vacant Post of SST (Math's: Physics)	07
25% Initial Recruitment	1.75
75% Promotion quota	5.25
75% by	2.8
40% by promotion from SCT/CT	1.4
20% by promotion from PSIIT/SPST/PST	0.28
4% by promotion from SDM/DM	0.28
4% by promotion from SAT/AT	0.28
4% by promotion from STT/TT	0.21
3% by promotion from S.Qari.Qari	0.36
In the year 2022 remaining quota	0.21+0.36=0.57
Total Quota from Qari /S.Qari to SST (M-P)	0.57
Already Promoted S.QARI/QARI SST (M-P)	NO ONE PROMOTED FROM S.QARI/QARI TO SST (M-P) UPTO DATE
Proposed for Promotion to SST (M-P)	01

FROM SQARI/QARI TO SST (M-P) -----01

S. No	Senior List : No	Name of Official	Name of School	D/O Birth	Date of Apptt: as Regular TT/STT	Academic Qualification	Professional Qualification	Remarks
1	21 S.Qari	Hussan Gul	GHS UMRALAI	20-02-1988	28-03-2017	BSC, MSC,	Tajweed UI Quran, Hafiz, BED	Eligible for SST (M-P)

Certificate:-

1. It is certified that all the SQARI/QARIs (Male) included in the panel for the promotion of SQARI/QARIs to SST BPS-16.
2. Hold the posts on regular basis and none of them is holding the post on adhoc/acting charge basis/contract.
3. Have completed the required minimum length of qualifying service and qualification as required for promotion of SQARI/QARIs to SST BPS-16 under the rules.
4. None of them is on deputation to any organization under the federal/Provincial/Autonomous/Semi-autonomous/International organization.
5. Neither any disciplinary/departmental proceedings/ Anti-corruption/imposed upon any one of them during nor has any penalty been imposed upon any one of them during the past five years.
6. No one is on long leave/Ex-Pakistan leave.

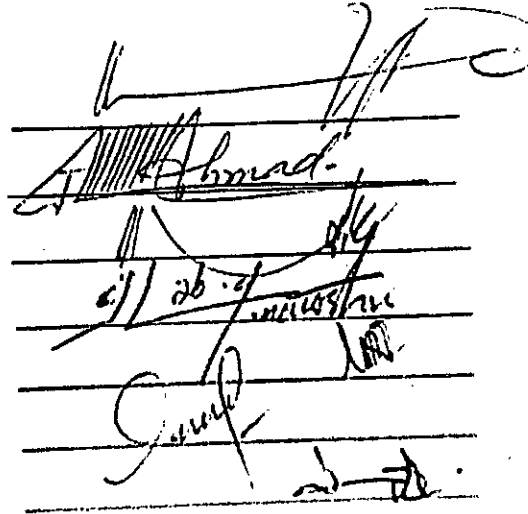
DEC


(=)

7. Their ACRs, Synopsis are free from adverse remarks.
8. They are all alive and serving.
9. Their appointment orders against SQARI/QARIs posts are attached herewith.
10. The Seniority list of BPS-16 Officers is final, undisputed and not subjudice.
11. The Departmental promotion Committee is requested to determine the suitability of the above SQARI/QARIs for promotion of SST BPS-16 with immediate effect as per rules/policy.

SCRUTINY COMMITTEE:-

01. Muhammad Iqbal Dy: DEO(M) Dir Upper
02. Jamil Ahmad Khan ADEO (S) Estab; Branch
03. Altafur Rahman ADEO (Litigation)
04. Iqbal Hussain ADEO Pry:Estab: Branch
05. Gohar Ali Senior Clerk Pry:Estab: Branch
06. Qari Noor Habib J/Clerk Estab: Secy: Branch
07. Nasimullah J/Clerk Estab: Secy: Branch

The image shows seven horizontal lines, each with a handwritten signature. The signatures are: 1. A large, stylized signature. 2. A signature that appears to be 'Jamil Ahmad Khan'. 3. A signature that appears to be 'Altafur Rahman'. 4. A signature that appears to be 'Iqbal Hussain'. 5. A signature that appears to be 'Gohar Ali'. 6. A signature that appears to be 'Qari Noor Habib'. 7. A signature that appears to be 'Nasimullah'.


**DISTRICT EDUCATION OFFICER,
(MALE) DIR UPPER
Distt: Education Officer
(Male) Distt: Dir Upper**



GOVERNMENT OF KHYBER PAKHTUNKHWA
OFFICE OF THE DISTRICT EDUCATION OFFICER
MALE DIR UPPER



Ann-D²
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CERTIFICATE

This is to certify that the following description of promotion quota have been remained as per given format.

S.No.	Year of Promotion	Cadre for Promotion	Promotion To	Remaining Percentage Promotion Quota
1	2014	S.Qari/Qari	SST (M/Physics)	1.2 %
2	2017	-do-	-do-	0.27 %
3	2019	-do-	-do-	0.27 %
4	2020	-do-	-do-	0.18 %
5	2021	-do-	-do-	0.18 %
6	2022	-do-	-do-	0.36 %
			Total Percentage become	2.46

It is further certified that no teacher has been promoted yet due to lack of percentage during the promotions in the above mentioned years. Now since this entire quota is met it becomes 3.48. Therefore, in these promotions Mr. Hassan Guls.Qari BPS-15 GHSUmrilai under remaining / available 2.46% quota is recommended in this promotions to the post of SST (Maths / physics) BPS-16.


DISTRICT EDUCATION OFFICER
(MALE) DISTRICT DIR UPPER

No 10/111 / F.No.15 /ADO (S) SEB /DEO (Male)
Copy forwarded to:-

Dated Upper Dir 18/9 2023.

The Director Elementary & Secondary Education Department Government of Khyber Pakhtunkhwa Peshawar for information and further consideration please.


DISTRICT EDUCATION OFFICER
(MALE) DISTRICT DIR UPPER

SST (M-P) 2014-2022

OFFICE OF THE DISTRICT EDUCATION OFFICER MALE DISTRICT DIR UPPER

S.#	YEAR	DISTRIBUTION OF PROMOTION QUOTA	QUOTA	PROMOTED TEACHERS		
				SST (MATHS PHY:)	TOTAL PROMOTED TEACHER	QUOTA BALANCE
1	2014-15	25% Initial Recruitment	10	0	0	0
		40% by promotion from SCT/CT	16	4	4	6
		20% by promotion from PSHT/SPST/PST	8	8	8	0
		4% by promotion from SAT/AT	1.6	0	0	1.6
		4% by promotion from SDM/DM	1.6	1	1	0.06
		4% by promotion from STT/TT	1.6	0	0	1.6
		3% by promotion from S.Qari.Qari	1.2	0	0	1.2
		TOTAL VACANT POSTS	40	13	13	10.46
1	2017-2018	25% Initial Recruitment	3	3	0	0
		40% by promotion from SCT/CT	4	4	4	0
		20% by promotion from PSHT/SPST/PST	2	2	2	0
		4% by promotion from SAT/AT	0.36	0	0	0.36
		4% by promotion from SDM/DM	0.36	0	0	0.36
		4% by promotion from STT/TT	0.36	0	0	0.36
		3% by promotion from S.Qari.Qari	0.27	0	0	0.27
		TOTAL POSTS	9	13	6	1.35
1	2019	25% Initial Recruitment	2.25	2	0	0
		40% by promotion from SCT/CT	3.6	4	4	0
		20% by promotion from PSHT/SPST/PST	1.8	2	2	0
		4% by promotion from SAT/AT	0.36	0	0	0.36
		4% by promotion from SDM/DM	0.36	0	0	0.36
		4% by promotion from STT/TT	0.36	0	0	0.36
		3% by promotion from S.Qari.Qari	0.27	0	0	0.27
		TOTAL POSTS	9	8	6	1.35
1	2020	25% Initial Recruitment	1.5	2	0	0
		40% by promotion from SCT/CT	2.4	0	4	0
		20% by promotion from PSHT/SPST/PST	1.2	4	2	0
		4% by promotion from SAT/AT	0.24	0	0	0.24
		4% by promotion from SDM/DM	0.24	0	0	0.24
		4% by promotion from STT/TT	0.24	0	0	0.24
		3% by promotion from S.Qari.Qari	0.18	0	0	0.18
		TOTAL POSTS	6	6	6	0.9
1	2021	25% Initial Recruitment	1.5	1	0	0
		40% by promotion from SCT/CT	2.4	0	0	0
		20% by promotion from PSHT/SPST/PST	1.2	1	1	0
		4% by promotion from SAT/AT	0.24	0	0	0.24
		4% by promotion from SDM/DM	0.24	0	0	0.24
		4% by promotion from STT/TT	0.24	0	0	0.24
		3% by promotion from S.Qari.Qari	0.18	0	0	0.18
		TOTAL POSTS	6	2	1	0.9
1	2022	25% Initial Recruitment	3	3	0	0
		40% by promotion from SCT/CT	4.8	5	5	0
		20% by promotion from PSHT/SPST/PST	2.4	3	3	0
		4% by promotion from SAT/AT	0.48	0	0	0.48
		4% by promotion from SDM/DM	0.48	0	0	0.48
		4% by promotion from STT/TT	0.48	0	0	0.48
		3% by promotion from S.Qari.Qari	0.36	0	0	0.36
		TOTAL POSTS	12	11	8	1.8

13



Promotion Order of SST of District Dir Upper (M) 26

Directorate of Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar

NOTIFICATION

Consequent upon the recommendation of the Departmental Promotion Committee and in pursuance of the Government of Khyber Pakhtunkhwa Elementary and Secondary Education Notification No 301/18/E&SE/2012 dated 11.7.2012 and Finance Department Notification No 504-F/22(E)2010 dated 16.7.2012, the following SCT/CT, SDM/DM, SAT/AT, STT/TT, S Qari/Qari, PSHT/SPST/PST are promoted to SST (G), SST (Bio/Chem) and SST (Math/Phy) BPS-16 (Rs 28070-2260-95870), plus allowances as admissible under the rules on regular basis under the existing policy of the Provincial Government on the terms and condition given below with immediate effect

Their services are placed at the disposal of District Education Officer (M) concerned for further adjustment.

• SST (General)

❖ PROMOTION OF SCT/CT TO SST (GENERAL) BPS-16 ON REGULAR BASIS

S.No	Name	Date of Birth	School
1	Mohammad Zarin	08-01-1970	GHS Samkoot
2	Rahmat Zeb	01-01-1974	GHS Doog Payeen
3	Hedyatullah Khan	04-05-1972	GHS Kakad
4	Zahir Ahmad	28-08-1973	GHSS Gamseer
5	Mian Navid Ahmad	03-04-1975	GHSS Gandigar

❖ PROMOTION OF SDM/DM TO SST (GENERAL) BPS-16 ON REGULAR BASIS

S.No	Name	Date of Birth	School
1.	Shah Wazir	06-02-1975	GHS Patrak

❖ PROMOTION OF S.QARI/QARI TO SST (GENERAL) BPS-16 ON REGULAR BASIS

S.No	Name	Date of Birth	School
1.	Hafiz Gul Zada	01-01-1984	GHS Bandi (P)

❖ PROMOTION OF PSHT/SPST/PST TO SST (G) BPS/16 ON REGULAR BASIS

S.No	Name	Date of Birth	School
1.	Ghuncha Gul	01/01/1967	GPS Bekarey Dir
2.	Muhammad Afsar	05/03/1968	GPS Shakani No-01
3.	Jehan Zeb	05/03/1970	GPS Qulandi

• SST (Bio/Chem)

❖ PROMOTION OF SCT/CT TO SST (Bio/Chem) BPS-16 ON REGULAR BASIS

S.No	Name	Date of Birth	School
1.	Riaz Khan	02-01-1993	GMS Hattan
2.	Sahib Sardar	03-03-1991	GHS Shingara

❖ PROMOTION OF SDM/DM TO SST (Bio/Chem) BPS-16 ON REGULAR BASIS

S.No	Name	Date of Birth	School
1	Salim Malik	13-03-1990	GHS Galkore

❖ PROMOTION OF PSHT/SPST/PST TO SST (Bio/Chem) BPS/16 ON REGULAR BASIS

S.No	Name	Date of Birth	School
1.	Najm Ud Din	10/02/1987	GPS Sundrai Sheringal

Promotion Order of SST of District Dir Upper (M) 2023

SST (Maths/Phy)

15

❖ **PROMOTION OF SCT/CT TO SST (Maths/Phy) BPS-16 ON REGULAR BASIS**

S.No	Name	Date of Birth	School
1.	Zahid Rahman	08-03-1991	GHS Katan Bala
2.	Saleem Javed	01-01-1989	GHSS Qulandai
3.	Arif Shuaib	17-03-1991	GMS Bekari

❖ **PROMOTION OF STT/TT TO SST (Bio/Chem) BPS-16 ON REGULAR BASIS**

S.No	Name	Date of Birth	School
1	Sabz Ali	15-02-1991	GMS Kitagam

❖ **PROMOTION OF PSHT/SPST/PST TO SST Maths/Phy) BPS-16 ON REGULAR BASIS**

S.No	Name	Date of Birth	School
1	Imran	28/01/1990	GPS Osoral

Terms and Conditions:-

1. They will be on probation for the period as specified in Rules (15) substituted vide - No.SO (Plocies)/E&AD/1-3/2017 Dated 07-12-2017 in Appointmet, Promotion and Transfer Rules, 1989 (for Promotees Only).
2. They will be governed by such rules and regulations as may be issued from time to time by the government.
3. Their services can be terminated at any time, in case their performance is found unsatisfactory during probationary period. In case of misconduct, they will be proceeded under the rules framed from time to time.
4. Charge report should be submitted to all concerned.
5. Their Inter-Se- Seniority on lower post will remain intact as per Rules (17)(4) of Appointmet, Promotion and Transfer Rules, 1989.
6. No TA/DA is allowed for joining the duty.
7. They will give an under taking to be recorded in their service books to the effect that if any over payment is made to them in the light of this order, will be recovered and if wrongly promoted, will be reversed.
8. Before handing over charge, their documents may be checked. If they have not the required relevant qualification as per rules, they may not be handed over the charge of the post.

(Dr. Iqbal Khan)
Director

Elementary and Secondary Education
Khyber Pakhtunkhwa Peshawar

No 4868-73 / File/Promotion to SST/2023

Dated Peshawar the 08 / 12 / 2023

Copy forwarded for information and necessary action to the: -

1. District Education Officer (M) Dir Upper.
2. District Accounts Officer Dir Upper.
3. PA to Director E&SE Khyber Pakhtunkhwa, Peshawar.
4. Officials Concerned.
5. M/File.

[Signature]
Assistant Director (Estab-M-1)
Elementary and Secondary Education
Khyber Pakhtunkhwa Peshawar

(16)

Annex F

خدمت جناب ڈائریکٹر ایلیمینٹری اینڈ سیکنڈری ایجوکیشن خیبر پختونخوا

عنوان: اپیل برخلاف حکم DPC کمیٹی جسکی رو سے proposal مورخہ 19/09/2023 واپس ہوا ہے۔

جناب عالی!

مواد بانہ گزارش کی جاتی ہے کہ سائیل مورخہ 28/03/2017 محکمہ تعلیم میں بحیثیت Qari بھرتی ہوا ہے۔

یہ کہ برطابق پروموشن پالیسی قاری کی SST(M/P) میں ڈیپارٹمنٹل پروموشن کی 3% کوٹہ ہے۔

یہ کہ سال 2014 سے تاحال ضلع دیر بالا کے قراء حضرات ا مدرسین کو بحیثیت SST(M/P) کوٹہ پر پروموشن نہیں دیا گیا ہے۔

یہ کہ پچھلے سال اور اس سال بھی ضلع دیر بالا کے محکمہ تعلیم نے SST(M/P) پروموشن کے لیے قاری پوسٹ کی اسامی پر سائیل کو پہلی نمبر 1 پوزیشن پر قرار دیا ہے۔ نقل لف ہے۔

اب یہ کہ چند ناگزیر وجوہات کے بنا پر مذکورہ proposal کو زیر غور نہیں لیا گیا ہے۔ اور بغیر چھان بین کے مذکورہ proposal کو واپس کیا گیا ہے۔

یہ کہ سائیل میرٹ پر پہلی نمبر میں ہے۔ اور سائیل کی بحیثیت SST(M/P) قاری کوٹہ پر تقرری ا تعیناتی ضروری اور قرین انصاف ہے۔

استدعا ہے کہ منظورری اپیل خط سائیل کو بحیثیت SST(M/P) قاری کوٹہ پر تقرری کے احکامات صادر فرمائیں۔

العارض: آپ کا تابع احکم حسن گل قاری

گورنمنٹ ہائی سکول عمرالی دیر بالا

المرقوم: 08/1/2024

Forwarded for due favour please.

DEO(m) Dir upper

24/01/2024



GOVERNMENT OF KHYBER PAKHTUNKHWA
OFFICE OF THE DISTRICT EDUCATION OFFICER
MALE DIR UPPER



(17)

No. 25/5 / F.No. 15 / ADO (S) SEB / DEO (Male)

Dated Upper Dir 24/01 2024

To

The Director,
 Elementary & Secondary Education Department,
 Khyber Pakhtunkhwa Peshawar

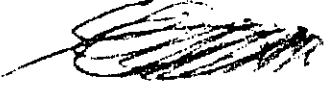
Ann-Gi

Subject

APPLICATION FOR CONSIDERATION IN THE PREVIOUS DPC OF SST PROMOTION.

Memo

A written application presented before this office by Mr. Hassan Gul Qari GHS Umralai District Dir Upper the contents of which is self-explanatory is sent herewith, with the request for your kind consideration that the applicant is most deserving as he deprived in the recent promotions to the post of SSTs BPS-16 please


 DISTRICT EDUCATION OFFICER
 (MALE) DIR UPPER

Bs tah-i

CS, re

425

 25-1-2024

18) جناب ڈسٹرکٹ ایجوکیشن آفیسر دیر مالا

درخواست نمبر 101 دیویشن قاری ٹو
SST M/P

Ann-H
AEO
Jank sh
Process for
AEO (M) D/4

جناب عالی -
مزدبانہ ٹیچرز ایسوسی ایشن دیر مالا

2017 سے ہجرتی ہوئے۔ سال 2014 سے تاحال لہجہ

دیر مالا کے قریب 3% کوٹہ کے تحت کوئی دیویشن نہیں
ملا۔ اور بہتر سیارٹس میں قاری سے SST فرمیں
میں سے ایک ٹاپ پوزیشن پر ہے

استدعا ہے۔ سائنل کو 7 اے 2 سے تاحال باقی
رہنے والے کوٹہ کے مجموعہ کو بہتر کار لائے ہوئے
لیکن حق بطور انسانی پگھلنے والے دلائل سے احکامات
صادر فرمائیں

Date. 17/11/2022
آپ کا تابع حکم قاری جس کے
G. H. 9

دیر ایئر



GOVERNMENT OF KHYBER PAKHTUNKHWA
OFFICE OF THE DISTRICT EDUCATION OFFICER
MALE DIR UPPER



18

No. 259 / F.No. 15 / ADO (S) SEB / DEO (Male) Dated Upper Dir 02/11/2023

To,
The Director,
Elementary & Secondary Education Department,
Government of Khyber Pakhtunkhwa Peshawar.

Ann-I

Subject: - **APPLICATION FOR CONSIDERATION PROMOTION IN PREVIOUS PROMOTION DPC TO THE POST OF SST (MATHS / PHYSICS).**


Memo:

An application presented before this office by Mr. Hassan Gul Senior Qari BPS-15 GHS Umrilai, the contents of which are self-explanatory are sent herewith, with the request that he is a competent, efficient, energetic and extremely capable teacher. Moreover, in the recently DPC he was proposed to the post of SST (M/P). But in the light of 3% collective promotion quota since 2014 which become total 3.48% according the certificate which presented during the discussion in the DPC that there is no Qari teacher has promoted to SST (M/P) due to lack of percentage during the promotions as description of certificate due to which the said rightful applicant was badly affected and deprived of his legal rights of promotion in the past DPC discussion and he is walking around the office in frustration regularly. (Copies of all relevant documents are attached herewith for ready reference).

It is therefore, requested that his case for the subject promotion may very kindly be considered under collective quota which remained since 2014 as become total in percentage is 3.48 and recently under remaining / available is 2.46% under his legal rights as per rules / policy. "As justice delayed, justice denied" with best regards please.

Estab-1
- 1540

1540
6-11-2023


DISTRICT EDUCATION OFFICER
(MALE) MALE DIR UPPER

وکالت نامہ

عدالت: Service Tribunal Peshawar

نام: Hassam Gul
Group of KPK. etc

مخانب: Appellant دعویٰ Service Appeal

تاریخ: 12-03-2024

بابت: **حریز آنکہ** مقدمہ مندرجہ بالا عنوان اپنی طرف سے واسطے پیروی و جوابدہی

بمقام: **ساجد کھٹک** کیلئے جاوید اقبال گل بیلہ ایڈووکیٹ سپریم کورٹ آف پاکستان

کو پدیں شرط وکیل مقرر کیا ہے۔ کہ میں ہر پیشی کا کوڈ یا بزرگیہ مختار خاص رو برو عدالت حاضر ہوتا رہوں گا۔ اور بوقت پکارے جانے مقدمہ وکیل صاحب موصوف کو اطلاع دے کر حاضر دالت کرونگا، اگر پیشی پر من مظہر حاضر نہ ہوا اور مقدمہ میری غیر حاضری کی وجہ سے کسی طور پر میرے برخلاف ہو گیا تو صاحب موصوف اس کے کسی طرح ذمہ دار نہ ہونگے۔ نیز وکیل صاحب موصوف صدر مقام پشہری کی کسی اور جگہ یا پشہری کے مقررہ اوقات سے پہلے یا پیچھے یا بروز تعطیل پیروی کرنے کے ذمہ دار نہ ہونگے۔ اگر مقدمہ علاوہ صدر مقام پشہری کے کسی اور جگہ سماعت ہونے یا بروز تعطیل یا پشہری کے اوقات کے آگے پیچھے پیش ہونے پر من مظہر کو کوئی نقصان پہنچے تو اس کے ذمہ دار یا اس کے واسطے کسی معاوضہ کے ادا کرنے یا مختار نہ واپس کرنے کے بھی صاحب موصوف ذمہ دار نہ ہونگے۔ مجھے کوکل پر داخنتہ صاحب موصوف مثل کردہ ذات خود منظور و قبول ہوگا۔ اور صاحب کو عرضی دعویٰ و جواب دعویٰ اور درخواست جرائے ڈگری و نظر ثانی اپیل و گرانہ ہر قسم کی درخواست پر دستخط و تصدیق کرنے کا بھی اختیار ہوگا اور کسی حکم یا ڈگری کے اجراء کرنے اور ہر قسم کے روپیہ وصول کرنے اور رسید دینے اور داخل کرنے اور ہر قسم کے بیان دینے اور سپروٹاشی و راضی نامہ فیصلہ پر خلاف کرنے اقبال دعویٰ دینے کا بھی اختیار ہوگا۔ اور بصورت اپیل و برآمدگی مقدمہ یا منسوخی ڈگری یا کطرفہ درخواست حکم انتہائی یا قرتی یا گرفتاری قبل از اجراء ڈگری بھی موصوف کو بشرط ادائیگی علیحدہ مختار نہ پیروی کا اختیار ہوگا۔ اور بصورت ضرورت صاحب موصوف کو بھی اختیار ہوگا یا مقدمہ مذکورہ یا اس کے کسی جزوی کاروائی کے واسطے یا بصورت اپیل، اپیل کے واسطے دوسرے وکیل یا بیرسٹر کو بجائے اپنے یا اپنے ہمراہ مقرر کریں اور ایسے مشیر قانون کے ہر امر رہی اور ویسے ہی اختیارات حاصل ہونگے جیسے کے صاحب موصوف کو حاصل ہیں۔ اور دوران مقدمہ میں جو کچھ ہر جانہ التواء پڑے گا۔ اور صاحب موصوف کا حق ہوگا۔ اگر وکیل صاحب موصوف کو پوری فیس تاریخ پیشی سے پہلے ادا نہ کرونگا تو صاحب موصوف کو پورا اختیار ہوگا کہ مقدمہ کی پیروی نہ کریں اور ایسی صورت میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا۔ لہذا مختار نامہ لکھ دیا کہ سند ہے۔

مورخہ: 12-03-2024۔ مضمون مختار نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے۔

Accepted

15/3

BC-11-1742

0312-9125555

B.C 10.7924

1734-1496065/7

03459405501

Hassam Gul