


FORM OF ORDER SHEET

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

Appeal No. 1599 /2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	26/09/2024	<p>The present appeal resubmitted today by Mr. Nadir Khan Beland Khel Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 01.10.2024. Parcha Peshi given to counsel for the appellant.</p> <p>By order of the Chairman</p> <p> REGISTRAR</p>

The appeal of Mr. Muhammad Siddique received today i.e on 19.08.2024 is incomplete on the following score which is returned to the counsel for the appellatant for completion and resubmission within 15 days.


- 1- Memorandum of appeal is not signed by the appellatant.
- ② Address of appellatant is incomplete be completed according to rule-6 of Khyber Pakhtunkhwa Service Tribunal rules 1974.
- 3- Affidavit is not attested by the Oath Commissioner.
- 4- Annexures of the appeal are unattested.
- 5- Check list is not attached with the appeal.
- 6- Annexure-A of the appeal is illegible.
- 7- Approved file cover is not used.

No. 718 /Inst./2024/KPST,

Dt. 19/8 /2024.

  
OFFICE ASSISTANT  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Nadir Khan Beland Khel Adv.  
High Court at Karak.

*Resubmitted the needful is  
done.*  


**BEFORE THE SERVICE TRIBUNAL, KP PESHAWAR**

Service appeal no. 1599 /2024

**Muhammad Sadiq DM**

**VERSUS**

Secretary Elementary &  
Secondary Education KP etc.

Appellants

Respondents

**INDEX**

S.No.	Description of Documents	Annexure	Pages
1	Memorandum of service appeal & condonotion application		1—5
2	Copy of notification endorsement No. 9513-55 dated 01-09-1993.	A	6—10
3	Service Record (copy of service book)	A-1	11—14
4	Copy of notification No.SD(FR)10-22(B)2005 dated 01-10-2007 and notification No. FD/SO(FR) dated 10-22-2007	B	15—16
5	Copy of notification KP Elementary & Secondary Education Department No. SO(B&A)1-18/E&SE/2012	C	17—18
6	Finance department No.FDE/(SOSR-1)2-123/2013 dated 07-02-2014	D	19
7	Copy of W.P No.413/2016 Peshawar High Court Bannu Bench	E	20—26
8	Service appeal No. 750/2019	F	27—32
9	Wakalat Nama	G	33

Appellant

Through:



Nadir Khan Beland Khel  
Advocate High Court  
Cell 0301-8321929

**BEFORE THE SERVICE TRIBUNAL, KPK**

**PESHAWAR**

Service Appeal No. 1599 /2024

Muhammad Siddique *DM GHS Latamber Kowak*

Selection Grade No. \_\_\_\_\_

.....

Appellant

**VERSUS**

1. The Secretary Elementary & Secondary Education Govt. of KP
2. The Secretary Finance Govt. of KP
3. The Director Elementary & Secondary Education Peshawar Respondents

**SERVICE APPEAL UNDER SECTION 4 OF**

**THE KHYBER PAKHTUNKHWA SERVICE**

**TRIBUNAL ACT 1974**

**Respectfully Sheweth:-**

Facts giving rise to the present appeal are as under:

1. That the appellant is serving against the post of SCT in Education Department and was awarded with selection grade vide No. 4129-4228/S.Grage/CTs/III-AD dated 11-09-1997 and service record at Annexure "A, A-1"

- 2
2. That the post of DMs were upgraded in BPS-15 in the same scale of selection grade in the year 2007.(Annexure "B")
  3. That as per notification of KP Elementary & Secondary Education Department No. So(BNA)/1-18/E&SE/2012 dated 11-07-2012. The appellant is entitled for one advance increment, which is still awaited.(Annexure "C")
  4. That the appellants have already been received one increment after awarded with Selection Grade 1993, but one increment of the post due to upgradation is still awaited duly allowed to the appellant by the KP Government No. FD(SOSR-1)2-123/2013 dated 07-02-2014.(Annexure "D")
  5. That in this regard the appellant went to the Peshawar High Court Bannu Bench in W.P No.413/2016. The Peshawar High Court Bannu Bench disposed the W.P No. 413/2016 "Therefore in light of above the instant writ petition is sent to the concerned department/authorities with the direction to treat the as departmental appeal and decide the same with in one (01) month. Which may be considered as departmental appeal. (Annexure "E")
  6. That in this regard presently the honorable Tribunal allowed the service appeal No. 750/2019. (Annexure "F")
  7. The service appeal of the present appellant are of the same nature, the appellant having due rights of the same benefits as allowed to the thousands of employees of KP Government of various department.

In view of the above facts and grounds, the appellants are submitted their humble request before the Honourable


Tribunal to allowed this service appeal in the anology of the other services appeal previously the same appeal No.750/2019. Any other efficacious remedy may also be granted in favour of appellants.

**INTERIM RELIEF:**

By way of interim relief the respondents provisionally by allowed to extent the benefit of the notification dated 31-12-2013 till final disposal of the above service appeal.

  
Appellant

Through:

  
Nadir Khan Beland Khel  
Advocate High Court  
Cell 0301-8321929

**CERTIFICATE:**

Certified that the contents of this appeal are true and correct to the honest of my knowledge and nothing has been concealed.

  
Dependent

  
**Hameed Khan**  
Advocate High Court Kohat  
And District Court Kohat

BEFORE THE SERVICE TRIBUNAL, KPK

PESHAWAR

4

Service Appeal No. \_\_\_\_\_/2024

Muhammad Sadiq DM GHS Latamber (Karak)

Selection Grade No. S.No. 9513-55

Appellant

VERSUS

1. The Secretary Elementary & Secondary Education Govt. of KP
2. The Secretary Finance Govt. of KP
3. The Director Elementary & Secondary Education Peshawar Respondents

SERVICE APPEAL

AFFIDAVIT

I, **Muhammad Sadiq DM GHS Latamber (Karak)**, do hereby solemnly affirm and declare on oath that the contents of the instant appeal are true and correct to the best of my knowledge and belief and nothing, has been concealed from this Honourable Tribunal.

DEPONENT

Muhammad Sadiq DM  
GHS Latamber (KARAK)  
CNIC 14203-2050516-7  
CELL : 0344-9562265

Stamp: PESHAWAR GOVT. TRIBUNAL  
Advocate  
And  
our Honor

**BEFORE THE SERVICE TRIBUNAL, KP PESHAWAR**

**5**

Service appeal no. \_\_\_\_\_/2024

**Muhammad Sadiq DM**

**VERSUS**

Secretary Elementary &  
Secondary Education KP etc.  
**Respondents**

**Appellants**

**APPLICATION FOR CONDONATION OF DELAY**

**Respectfully Sheweth:**

1. That appellant has filed the accompanying appeal with is yet to be fix for hearing.
2. That appellant alongwith others filed W.P No. 413-B of 2016 before the Hon'ble Peshawar High Court Bannu Bench which was disposed vide order dated 03-09-2018 with the directions to the respondents to treat the writ petition as departmental appeal and decide the same within one month.
3. That the respondents failed to comply with the order of Hon'ble Peshawar High Court Bannu Banech cited ibid.
4. That delay in filling the accompanying appeal was not international but due to the reason that respondent either by one pretext or other had assured the appellant for redressal of their grievances.
5. That it is settled law that no limitation runs in case of financial benefits. It is, therefore, humbly prayed that on acceptance of this application, the delay if any in filling the accompanying appeal may graciously be condoned in the interest of justice.

  
Appellant

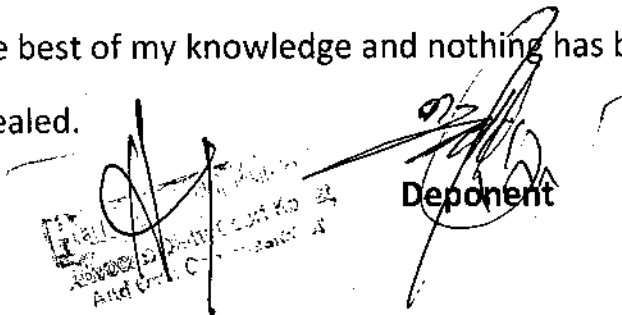
**Through:**

**Dated:** \_\_\_\_\_

  
**Nadir Khan Beland Khel**  
**Advocate High Court**

**Affidavit:**

I, Muhammad Sadiq DM GHS Latamber Karak, do  
Hereby affirm and declare on oath that the  
contents of this application are true and correct  
to the best of my knowledge and nothing has been  
concealed.

  
Deponent

Stamp:   
Approved by: \_\_\_\_\_  
Addl. Secy. C-1



G.M.S. Samana (Kohat)

6  
(A)

OFFICE OF THE DIVISIONAL DIRECTOR OF EDUCATION (GENERAL)  
KOHAT DIVISION KOHAT.

AWARD OF SELECTION GRADE  
TO CT TEACHERS.

*Ali...*  
*De*

The following trained CT Teachers Nadir Khan Beland Khel  
hereby awarded Selection Grade of BPS-12 and BPS-15 with Advocate  
effect from the date noted against each:- Dist Courts Kohat

<u>S.No./No. in S/List</u>	<u>Name School</u>	<u>D/O Prom: to the P/Post</u>	<u>D/O Award of S/Grade</u>
1/85	Mansoor Matin GHSS Karak,	21-2-82	01-7-94
2/88	Eunifullah GHS Muslim Aad (Kohat).	05-4-83	-do-
3/94	Mohammad Rehman GHS No. 1 Hangu	23-11-83	-do-
✓ 4/95 ✓	Musharaf Jehan GHS Lahadur Khel (Karak).	27-11-83	-do-
✓ 5/96 ✓	Muhammad Yasin GHS Dabbar (Karak).	10-12-83	-do-
6/97	Zar Kalim GHS Thal (Kohat).	06-2-84	-do-
7/98	Jamil-ur-Rehman GMS Sakot (Karak).	07-3-84	-do-
8/111	Farooq Ahmed GHSS Takhti Karak (Karak).	30-10-84	-do-
9/114	Shahid Raza Bilal GHS Karak Kohat.	26-11-84	-do-
10/137	Abdullah GHS Ganderi Karak (Karak).	14-7-86	-do-
11/139	Mir Jaman GHS Chorlaki (Kohat).	25-8-86	-do-
12/147	Rasool Badshah GMS Makh Banda (Karak).	01-11-86	-do-
13/148	Wasir Azam CT GHS Rehmat Abed (Karak).	08-11-86	-do-
14/149	Hidayatullah GHS Lachi (Kohat).	17-11-86	-do-
15/150	Tariq Shah GHS Thal	26-11-86	-do-
16/152	Nazar Ali GHS No. 2 Hangu.	26-11-86	-do-
17/153	Muhammad Anam CT GHS Bororo (Karak).	26-11-86	-do-

Next sheet please.

S.No./No. in S/List.	Name/School	D/O prom: to the P/Post.	D/O Award of S/Grade.
18/154	Zaman Ali GHS No.2 Hangu	26-11-86	01-7-94
19/155	Shabir Ahmad GHS Nari Fanoos (Karak).	29-3-87	01-5-95
20/156	Kerzullah Khan GHS Latamber (Karak).	26-5-87	01-5-95
21/156(A)	Mohabala Khan GHS Darash Khel (Karak).	26-5-87	01-5-95
22/157	Easa Khan GHS Keri Dhand	26-5-87	01-5-95
23/158	Afsar Khan GMS Banjakh	26-5-87	01-5-95
24/159 ✓	Hasti Khan GHS Sabir Akad	26-5-87	01-5-95
25/160	Gul Rauf GHS Takhti Naeratti.	26-5-87	01-5-95
26/161	Mohammad Tariq GHS Lachi Pagan (Kohat).	26-5-87	01-5-95
27/162	Umar Zaman GHS Kerak	26-5-87	01-5-95
28/163	Gul Tes Khan GHS Takhti Naeratti.	26-5-87	01-5-95
29/164	Shafiq Ali GHS Ahmedi Bende.	26-5-87	01-5-95
30/165	Mutaghees-ul-Hassan GHS No.1 Hangu.	26-5-87	01-5-95
31/166	Akber Zaman GHS Takhti Naeratti.	26-5-87	01-5-95
32/167	Abdul Haqir GHS Gandyali	26-5-87	01-5-95
33/168	Zafar Rahman GHS Sarki Lavaghat.	26-5-87	01-5-95
34/169	Riaz Ali CT GHS Ibrahimzai	02-9-87	01-5-95
35/170	Raza Khan GHS Jehangiri	02-9-87	01-5-95
36/171	Khalid Nowaz GMS Garang Siraj Khel.	02-9-87	01-5-95.
37/172	Islam-ud-Din GHS Tor Dhand	02-9-87	01-3-96
38/173	Wali-ud-Din Naam GMS Kot	02-9-87	01-3-96
39/174	Amir Mohammed GHS Serozai	02-9-87	01-3-96
40/175	Fair-ur-Rehman CT GHS Isak Khumari.	02-9-87	01-3-96
41/176	Mohammad Tahir GHS Kaghzai	02-9-87	01-3-96
42/177	Shah Farcoq GHS Kaghzai	02-9-87	01-3-96
43/178	Tarwood Ahmad CT GHS Kohat.	12-9-87	01-3-96
44/179	Mohammad Shorif GHS Mitha Khel (Karak).	13-9-87	01-3-96
45/180	Azam Khan GHS Togh Balu	13-9-87	01-3-96
46/181	Haoibullah GHS Takhti Naeratti (Karak)	13-9-87	01-3-96

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S.No.	S.No. in S/List.	Name/School.	D/O Prom: to the P/Post.	D/O Award of S/Grade.
47/182.		Abdul Jalal CT GHS, No.1 Mangu.	13.9.87	01.3.96
48/183.		Akbar Jan CT GHS, Behadur Khel.	13.9.87	01.3.96
49/184.		Sabz Ali Khan GHS, Billitang.	13.9.87	01.3.96
50/185		Ishtiaq Ahmad GHS, Bogh Jala.	13.9.87	01.3.96
51/186		Zafar-ur-Rahman CT GHS, No.1 Kohat.	13.9.87	01.3.96
52/187		Arshad Mahmood GHS, No.2 Kohat.	13.9.87	01.3.96
53/188		Syed Bedshah GHS, Gurguri, Kpk.	13.9.87	01.3.96
54/189		Liaqat Ali GHS, Kohat.	13.9.87	01.3.96
55/190		Mohammad Ali GHS, Dhand Saghri.	14.9.87	01.3.96
56/191		Noor Saleem GHS, Dhand Saghri.	14.9.87	01.3.96
57/192		Subhan-ud-Din GHS, Shakardarra.	14.9.87	01.3.96
58/193		Javid Iqbal GHS, Sheikhan, Kht.	14.9.87	01.3.96
✓ 59/194	✓	Abdus Samad GHS, Nari Khel, Kpk.	14.9.87	01.3.96
✓ 60/195	✓	Mohammad Haseeb GHS, Rajist Abad.	15.9.87	01.3.96
61/196		Gul Faysal Noor GHS, Changanari.	16.9.87	01.3.96
62/197		Farid Akbar GHS, Nari Panosa.	16.9.87	01.3.96
63/198		Mir Fio. Ehsan GHS, Shahidan, Kpk.	20.9.87	02.1.97
✓ 64/199	✓	Rohmatullah GHS, Nari Khel.	20.9.87	02.1.97
✓ 65/200	✓	Shamshad Ali GHS, Dostanber.	20.9.87	02.1.97
✓ 66/201	✓	Mokhtiar Ali GHS, Bogara, Kpk.	20.9.87	02.1.97
67/202		Gul Razia GHS, Dostan, Kpk.	21.9.87	02.1.97
68/203.		Khalid Rehman GHS, Karaki.	22.9.87	02.1.97
✓ 69/204	✓	Rehan Khalid GHS, Tapi, Kark.	22.9.87	02.1.97
70/205		Pir Aslam GHS, Warana, Kpk.	01.10.87	02.1.97
71/206		Hajat Hussain GHS, Nari Panosa.	08.10.87	02.1.97
72/207		Inayatullah GHS, Khurran, Kpk.	19.10.87	02.1.97
73/208		Iftikhar-ul-Mulk GHS, Bangi Ella.	21.10.87	02.1.97
74/209		Ali Aslam Hussain GHS, No.2 Mangu.	21.10.87	02.1.97
75/210		Ibrahim Mohammad Shah GHS, Keri Dand, Karak.	22.10.87	02.1.97
76/211.		Hussain Mahmood GHS, No.1 Mangu.	23.10.87	02.1.97
77/212		Syed Rehman GHS, No.1 Mangu.	24.10.87	02.1.97

Next sheet please

S.No./No. in S/List.	Name/School.	Date of Prom to P/Post.	D/O Award of S/Grade.
✓ 78/213	Gul Piao Khan GHS, Official Colony Karak.	27.10.87	02.1.97
79/214	Gul Shah Jehan GHS, Warana, Karak.	18.11.87	02.1.97
80/215	Gul Mamoor Jan GHS, Dabb (Karak).	24.10.87	02.1.97
81/216	Khadrat Ali CT GHSS, Usterzai, Kht.	29.11.87	02.1.97
82/217	Nasir Usman GHS, Mithe Khel, Karak.	29.11.87	02.1.97
83/218	Maula Khan GHSS, Jehangiri (Karak).	29.11.87	02.1.97
84/219	Abdul Hanid GHS, Mithe Khel, Karak.	29.11.87	02.1.97
85/220	Anwar Saeed GHS, Surati Killa, Karak.	29.11.87	02.1.97
86/221	Pio Khan GHS, Tapi Kanda Karak.	29.11.87	02.1.97
87/222	Ahmed Wali Shah GHSS, Takhti Nasrati.	29.11.87	02.1.97
88/223	Sami-ud-Din GHS, No. 1 Hangu.	29.11.87	02.1.97
89/224	Mohammad Farooq GHS, Doli Mela, Kerk.	29.11.87	02.1.97
✓ 90/225	Fahimullah GHS, Town Committee, Karak.	29.11.87	02.1.97
91/226	Gul Habib GHS, Mandawa, Karak.	29.11.87	02.1.97
92/227	Noor Islam GHS, Ahmad Abad, Kerk.	29.11.87	02.1.97
93/228	Salohullah GHS, Surdag, Karak.	29.11.87	02.1.97
94/229	Hamidullah GHS, Malgin, Kohat.	29.11.87	02.1.97
95/230	Abdul Haleem GHS, Hayat Abad, Kerk.	29.11.87	02.1.97
96/231	Mohammad Ayaz GHS, Teri, Karak.	29.11.87	02.1.97
to 97/232	Rayat Khan GHS, Samana, Kohat.	29.11.87	02.1.97
98/233	Mohammad Maqsood GHSS, Karak.	29.11.87	02.1.97
99/234	Abidur Rehman GHS, Dabb, Kerk.	29.11.87	02.1.97
100/236	Naseem Shah GHS, Ghundi Mir Khan Khel.	29.11.87	02.1.97
101/235	Naseem Gul GHS, No. 2 Kohat.	01.12.87	02.1.97
102/236	Dilawar Khan GHS, No. 2 Kohat.	04.2.88	02.1.97
✓ 103/237	Mohammad Zaman GHS, Warana, Kerk.	11.5.88	02.1.97
104/238	Anirullah GHS, Lodhi Khel.	22.5.88	02.1.97
105/239	Tehsil-ur-Rehman GHS, Mohammad Khoja.	01.8.88	02.1.97
106/240	Mohammad Farid GHS, Manzil, Karak.	01.8.88	02.1.97
107/241	Mohammad Jamal GHS, Banjakh, Karak.	01.8.88	02.1.97
108/242	Khushal Khan GHS, Surdag, Karak.	01.8.88	02.1.97

(Next sheet please).

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No. S/No. / No. S/No. / No. S/No.	Name/School	Date of Prom: to P/Post.	D/O Award of S/Grade.
109/243	Muntes Khan GHS, Karak.	01.8.88	02.1.97
110/244	Ghani-ur-Rehman GHS, Usterzai Dala.	01.8.88	02.1.97
✓ 111/245	✓ Qaisar Gul CT GHS, Sabir Abad, Karak.	01.8.88	02.1.97
✓ 112/246	✓ Niamatullah GHS, Zar Khan Killa, Karak.	01.8.88	02.1.97
113/247	Mohammad Nazir GHS, No. 4 Kohat.	01.8.88	02.1.97
114/248	Aziz-ur-Rehman GHS, Sabir Abad, Karak.	01.8.88	02.1.97
115/249	Marmast Khan GHS, Surgul, Kohat.	01.8.88	02.1.97
116/250	Shoaib Khan GHS, Doaba, (Kohat).	01.8.88	02.1.97

Note:- Necessary entry to this effect should be made in their S/Books. An undertaking on the prescribed form below should be obtained from the above named CTs and pasted in their S/Books duly attested by their respective heads of institutions before the drawal of payment of arrear.

UNDERTAKING (Duly Attested)

I \_\_\_\_\_ hereby given an undertaking to the effect that if any overpayment is made to me as a result of incorrect award of S/Grade and detected later on, it will be made good by recovery from my pay/pension/gratuity as may be fixed by the Govt.

Sign: of Teacher \_\_\_\_\_

- Arrears due to the award of S/Grade should be drawn and disbursed to them.
- All concerned should be informed accordingly, if any one of them is not working at the school mentioned against his name he may be informed at his present school through the H.O.
- The above award is subject to condition that no judicial, departmental, or any kind of enquiry/adverse remarks exist against them.

Hafiz Bahadur Khan  
Divl: Director of Education (Schools)  
Kohat Division, Kohat.

Endst: No. 4129-4228 / S. Grade/CTs/III-AB. Dt: Kohat the 11.9. / 1997.

- Copy forwarded for information and n/action to the:-
- Director of Secondary Education NWFP Peshawar.
  - Distt: Education Officer, (Male) Secondary Kohat/Karak.
  - Principals/Headmasters concerned.
  - P/A Local office.

Checked and found correct.

*[Signature]*  
Khadim Ali Dealing Assistant.

M. Shukat/-

*[Signature]*  
11-9-1997  
For/Divl: Director of Edu: (Schools)  
Kohat Division Kohat.

PAKISTAN National Identity Card

ISLAMIC REPUBLIC OF PAKISTAN

Name: Muhammad Siddique

Gender: M  
Country of Birth: Pakistan  
Father's Name: Gul Rais Khan

Identity Number: 14805-2050516-7  
Date of Birth: 13.11.1956

Date of Issue: 17.05.2017  
Date of Expiry: Lifetime

Holder's Signature

*for office use*  
*2 A/c*  
*9/10/17*  
*M. T. BPS*  
*GHAS 359910 (Karachi)*

*Attached*

*[Handwritten signature]*



10003  
105-55-2000

11

AIE

*[Signature]*

Nadir Khan and Khan  
Advocate  
Distt Courts Kohat

Mohammad Sadiq

7. Name

8. Race

Afghan (Pakistani)

9. Residence

V. P. O. Bogura, Jalsib Karak. (Kohat)

10. Father's name and residence

Gul Rais Khan

11. Date of birth by Christian era  
clearly as can be ascertained

Thirteenth November A. H. and  
fifty six (13. 11. 1956)

12. Exact height by measurement

5-4

13. Personal mark for identification

A scar on right ankle

14. Left hand thumb and finger impressions  
of (non-garretted) offender

Little Finger

Middle Finger

Thumb

Two Fingers

Two Fingers

Re-attested

Attested

15. Signature of Government servant

Mohammad Sadiq

16. Signature and designation of the Head  
of the Office or other Authority

*[Signature]*

District Inspector of  
Schools, Kurram Agency

*[Signature]*  
S. O. B. S. No. 16  
M. S. B. S. B. S. (Kohat)



Handwritten signatures and notes at the top of the page.

OFFICE OF THE DIVISIONAL DIRECTOR OF EDUCATION (SCHOOLS), KOHAT DIVN. KOHAT.

Order No. 8717 - 827/5 Grade III A.E. dt 26-9-93

Under the Provision of EPS-1983, the following Drawing Masters are hereby awarded EPS-12 and EPS-15 (Selection Grade) with effect from the dates noted against each.

S.No.	S.No. in S/List	Name and School.	Date From the 7/Post	Date of Award of S/Grade.
1.	24	Zar Plo Khan, DM GHS Ahnadi Banda, Karak.	78	26.11.92
2.	25	Mohammed Kamal, DM, JHQ Shakardara, Kohat.	1.78	26.11.92
3.	26	Abdur Rashid, DM GHS Kando Khel, Karak.	12.1.78	-do-
4.	27	Noor Mohammed, DM GHS Dachi, Kohat.	12.1.78	-do-
5.	28	Mohammed Tassem, DM GHS Dal Gorni, Kohat.	6.11.79	-do-
6.	29	Ziaur Raheem, DM GHS Gabor Abad, Karak.	23.9.82	-do-
7.	31	Anayatullah Khan, DM GHS Jandri, Karak.	23.9.82	-do-
8.	32	Rumtaz Khan, DM GHS Darshah, Kohat.	15.3.83	-do-
9.	33	S. Akbar S. Mir Shah Hussain, GHS Khadizai, Kohat.	15.0.83	-do-
10.	34	Saeed Ahmed, DM GHS Jabbar, Kohat.	15.10.83	-do-
11.	35	Abdul Jadoed Shah, DM GHS Chokara, Karak.	13.11.83	-do-
12.	36	Gul Sarwar, DM GHS Zar Khan Killi, Karak.	3.5.84	-do-
13.	37	Masood Khan, DM, GHS Tari, Karak.	1/5.84	-do-
14.	38	Mohammed Siddique, DM GHS Borara, Karak.	11.10.84	-do-
15.	39	Basir Nawaz, DM GHS No. 1 Mangu, Kohat.	10.11.84	-do-
16.	40	Mohammed Munir, DM GHS Taz Khel, Karak.	10.11.84	-do-

Attended

Handwritten signature of Nadir Khan Beland Khel.

Nadir Khan Beland Khel  
Advocate  
Distt Courts Kohat

Allegation  
Handwritten signature and stamp of the Divisional Director of Education, Kohat.



S.No.	S.No. in S/Inst.	Name & School.	Date of Prom: to P/Post.	Date of award of S/Grade.
17.	11	Mir Yaqub Khan, DM G.S. Pabta Ismail Kohat.	10.11.84	26.11.82
18.	12	Mir Sahib Jang, DM C.C.H.S. Kohat.	12.11.84	-do-
19.	13	Mir Jali Khan, DM G.S. Mangla, Karak.	22.11.84	-do-
20.	14	Zafarullah Khan, DM G.S. Barahi Khel, Karak.	1984	-do-
21.	15	Zafar Shah, M G.S. Latamber Karak.	20.2.85	-do-
22.	16	Nasim Khan, M GHS Zara Gadi, Karak.	5.2.85	-do-
23.	17	Shahzade, M GHS Chorlaki, Kohat.	16.5.85	-do-
24.	18	S. Fiaz Joon, DM C.C.H.S. Kohat.	17.7.85	-do-
25.	19	Rasheed Ahmad, DM GHSS Machi, Kohat.	17.7.85	-do-
26.	20	Mir Mir Rehman, DM GHS Sheikhani, Kohat.	18.7.85	-do-
27.	21	Wajid Ali, DM G.S. No. 2 Fangu, Kohat.	12.10.85	-do-
28.	22	Mohammad Iqbal, DM GHS Shekardara, Kohat.	5.12.85	-do-
29.	23	Mohammad Nazim Khan, DM G.S. Kandi Killa, Karak.	5.12.85	-do-
30.	24	Taj Ali Khan, DM GHS Tor Danga, Karak.	5.12.85	-do-

2164  
131  
227.5

Note:  
Necessary entry to this effect should be made in their S/Books.  
An undertaking on the prescribed form below should be obtained from the above named GPs and posted in their S/Books duly attested by their respective heads of institutions before the drawal of payment of arrears.

UNDERTAKING.

I hereby given an undertaking to the effect that if any overpayment is made to me as a result of incorrect award of S/Grade and detected later on, it will be made good by recovery from my pay/pension/gratuity as per the order of the Govt.

17/19/93 28.6.93  
 Hebrahi Gul, Patanore  
 15

Name of Government servant	Signature and designation of the officer or other attesting authority in attestation of columns 1 to 5	Date of termination of appointment	Cause of termination (such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting officer	Nature and duration of leave taken	Allocation of periods of leave on average pay up to four months for which leave salary is debit to another Government		Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure, or reward or praise of the Government servant
						Period	Government to which debitible		
Hebrahi Gul Patanore		B-1705-25-1200							
		B-5.B.1035-49-1200							
		B-1770-01.6.91							
<p>is eligible to avail on</p> <p>21.6.93</p> <p>(M) Soyl Karak</p>					<p>Services Verified</p> <p>from the Acq Roll &amp; other office record</p> <p>To 30-6-93</p> <p>(M) DFO (M) Karak</p>		<p>Attested</p> <p>Nadir Khan Beland Khe          Advocate          Visit Courts</p> <p>16/9/93</p>		
<p>20/11/93</p> <p>(M) Soyl Karak</p> <p>30/11/93</p> <p>31/94</p> <p>RRPS-74</p> <p>Office of the Accountant General          N.W.F.P. Region          Pay fixed in the revised Pay Scales 1991          of Rs. 18,572-2205 (5-9)          of Rs. 17012 P.W.F.P. 1-6-1993</p>					<p>Rs. 3213/- as</p> <p>diff. 7/- pay due to fixing</p> <p>annually w.e.f. 1-6-91 to 31-8-93</p> <p>one drawn</p> <p>1768</p> <p>1887</p> <p>2006</p> <p>714</p> <p>1428</p> <p>1071</p> <p>3213</p>		<p>Attested</p> <p>19/9</p> <p>DAO Karak</p>		
<p>30/11/94</p> <p>merit</p> <p>Shamir</p> <p>2006</p> <p>212</p> <p>Bogara Karak</p>					<p>Provided 5/grade B-15 vide</p> <p>ODE (5) let hat. no. 9</p> <p>9513-55 dt. 1-9-93 at</p> <p>S.No. 14, opted B-15 w.e.f.</p> <p>1-12-92</p>		<p>Attested</p> <p>(M) DFO (M) Karak</p>		
<p>Govt. High School          Bogara Karak</p> <p>30/11/94</p> <p>merit</p> <p>Shamir</p> <p>2006</p> <p>212</p> <p>Bogara Karak</p>					<p>After overrule of merit</p> <p>1-12-92</p>		<p>Attested</p> <p>(M) DFO (M) Karak</p>		

Pensioner Data Verification Sheet



Date of Birth: 13.11.1956  
 FRI SH  
 09336208-01  
 Name: AHAMMAD SADDIQ  
 Designation: SENIOR DRAWING MASTER  
 Scale: 16  
 Head Master: HEAD MASTER GHS LATAMBER  
 Type: SELF  
 Pension Type: SUPERANNUATION  
 Date of Birth: 13.11.1956  
 Date of Appointment: 23.10.1978  
 Date of Retirement: 13.11.2016  
 Date of Death:  
 Date of Pension: 26.03.2029  
 Office Name: Karak  
 Province: Dist. Govt. KP-Provincial  
 Qualifying Service: 28 years, 0 months, 21 days  
 Letter No.:  
 Other Accounts Officer authorising:  
 Address:

*Handwritten notes and scribbles.*

Note: *(Handwritten mark)*  
 Age: 61 years  
 Last Drawn pay/Emoluments (Rs.): 50440.00  
 Gross Pension (Rs.): 35308.00  
 With Superannuation Portion (Rs.)  
 Committed Portion (Rs.): 12357.80  
 Net Pension (Rs.): 22950.20  
 Net Family Pension (Rs.): 0.00  
 Amount of Commutation (Rs.): 1834674.00  
 With Field Amount (Rs.): 0.00  
 Life Time Arrears (Rs.): 0.00  
 Arrears Of Pension (Rs.): 0.00  
 Special Additional Pension (Rs.): 0.00  
 Commutation Percentage: 35.00  
 Commutation Table value: 12.37  
 Recovery on A/C of:  
 Debitable to Govt: Dist. Govt. KP-Provincial  
 Total Net Share:  
 Federal: 0.00 Punjab: 0.00  
 Sindh: 0.00 NWFP: 0.00  
 Balochistan: 0.00 Military: 0.00  
 AJK: 0.00 Autonomous: 0.00

Payment Mode:  
 Bank Branch:  
 Bank Account Number:  
 Employee Station: Principal GHS Latamber (KARAK)

*Attended*

He is also entitled to the following incentives:

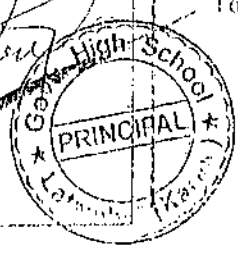
Period	Increase % or amount	Increase Amount	Advocate Distt Courts Kohat
	15.00%	3112.94	13.11.2016
	15.00%	3958.91	13.11.2016
	10.00%	3033.16	13.11.2016
	10.00%	3338.68	13.11.2016
	10.00% Medical	878.27	13.11.2016

*Handwritten notes:*  
 7/15, 1320/7  
 Entered  
 02/11/2016  
 Advocate  
 Distt Courts Kohat  
 Ghosia Bogara (Karak)

A sum of Rs. 1834674.00 (Rupees ONE MILLION EIGHT HUNDRED THIRTY-FOUR THOUSAND SIX HUNDRED SEVENTY-FOUR) on account of commuted value of pension is also payable.

The Payment value is debitible to the head.  
 Major Object: A04 Transfer Payments.  
 Minor Object: A041 Superannuation Allowance and  
 Detailed Object: A04101 Pension  
 A04102 Commuted value Pension.  
 A04103 Gratuity Civil  
 A04104 Other Pension  
 A04105 Gratuity Pension ( Where Pension mature)  
 A04170 Others

District Account Officer  
 (Signature)  
 (Designation)  
 RP/KA/5254



*(Handwritten mark)*

Am (B)

15

AK

20

Nadir Khan Beland  
Advocate  
Distt Courts Kohat  
The Secretary to Govt. of NWFP  
Schools & Literacy Department

Government of N.W.F.P.  
Finance Department  
No SC(FR)10-22(B)/2005  
Dated: 01-10-2007

Arrest C

To: Subject: UP-GRADATION OF VARIOUS POSTS OF TEACHERS/CAREER STRUCTURE IN SCHOOLS & LITERACY DEPARTMENT GOVERNMENT OF N.W.F.P

Sir,

I am directed to refer to your letter No.SO(G)S&L/1-47/2007 dated 01-10-2007 on the subject noted above and to inform that the Chief Minister NWFP has been pleased to up-grade various posts of teachers in Schools & Literacy Department N-W.F.P. as per details given below in respect of those incumbents who acquire or possess the qualification and experience mentioned against each with immediate effect.

S.#	Designation/Existing Pay Scale	Qualification	Revised Pay Scale
1.	Primary School Teacher (PST) BPS-07	F.A/F.Sc. at least 2 <sup>nd</sup> Division with PTC/Diploma in Education.	09
2.	PST with requisite experience renamed as Head Teacher/Head Mistress of Primary School BPS-07	On the basis of 10 years service/experience as Primary School Teacher in BPS-09	12
3.	C.T BPS-09	B.A/B.Sc. at least 2 <sup>nd</sup> Division with Diploma in Education/ET	15
4.	AW/CF (Technical)/Industrial Arts/Home Economics BPS-09	B.A/B.Sc. at least 2 <sup>nd</sup> Division with Diploma in Education/ Certificate from Directorate of Curriculum & Teachers Education NWFP Abbottabad in Agro. Tech/ Industrial Arts/Home Economics	15
5.	D.M. BPS-09	B.A/B.Sc. at least 2 <sup>nd</sup> Division with Drawing Master Course	15
6.	PET BPS-09	B.A/B.Sc. at least 2 <sup>nd</sup> Division with JDPE	15
7.	Qari/Qaria BPS-07	Hafiz-e-Quran with SSC at least 2 <sup>nd</sup> Division and Sanad in Qirat	12
8.	SSTs/SST Tech/Agri with requisite experience renamed as Sr. SST/Sr. SST Tech/Sr. SST Agri BPS-16	M.A/M.Sc. at least 2 <sup>nd</sup> Division with B.Ed/M.Ed/MA Edu. or equivalent qualification	17
9.	DPE BPS-16	M.Sc. at least 2 <sup>nd</sup> Division in (HPE)	17
10.	Librarian BPS-16	Master degree in Library Science at least 2 <sup>nd</sup> Division	17

The Promotion/Direct Recruitment against the upgraded posts shall be made as per laid down procedure and in accordance with the Service Rules to be framed pursuant to the relevant provisions of the NWFP Civil Servants (Appointment, Promotion & Transfer) Rules-1989 read with the NWFP Civil Servants Act, 1973 in the light of the

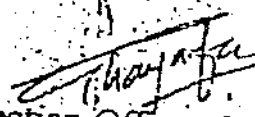
MIRBIC

Signature

16 12

meeting held on 26-09-2007. of the committee constituted vide Schools & Literacy  
Department Notification No. SO(GYS&L/1-47/2007 dated 01-08-2007.

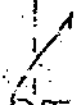
Audit copy may please be prepared and sent to this Department for  
authentication/signature.

  
Section Officer (FR)

Encl: of even No. & Date

Copy for information & necessary action to:

1. Accountant General NWFP
2. Director Schools & Literacy NWFP Peshawar
3. Director of Education FATA NWFP Peshawar
4. PSO to Chief Minister NWFP
5. PSO to Chief Secretary NWFP
6. PS to Secretary Finance Department NWFP
7. All District/Agency Accounts Officers in NWFP

  
Section Officer (FR)



**GOVERNMENT OF  
KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT**

Annex (C) 17

Dated Peshawar, 11.07.2012

**NOTIFICATION:**

**No. 50 (B & A) VI-18/E&SE/2012:**

Sanction of the Government of Khyber Pakhtunkhwa is hereby accorded to the up-gradation of the posts for Grant of Incentive of Higher Pay Scale to different Categories/Cadres of teachers in Elementary & Secondary Education Department w.e.f. 01-07-2012 as per details given below:-

*Attended*  
*[Signature]*

**Nadir Khan Relaud Khel**  
Advocate  
**Distt Courts Kohat**

Sr. No.	Nomenclature of Teaching Cadre Post	Location	Existing Basic Pay Scale	New Approved Basic Pay Scale	Remarks
1.	Primary School Teacher (PST)	Govt. Primary School	BPS-5 BPS-6 BPS-7 BPS-9 BPS-10 BPS-12	(BPS-12)	The post of PST is upgraded to BPS-12. Accordingly, 33,497 posts of PSTs, already sanctioned in various pay scales are upgraded to BPS-12 for the present incumbents as well as future appointees.
2.	Senior Primary School Teacher (Sr. PST)	"do"	Newly Upgraded/Redesignated Post	(BPS-14)	22,331 posts of the existing PSTs in various existing pay Scales are upgraded to BPS-14 and redesignated as Senior PST. The posts will be filled in the manner as may be prescribed by the Elementary & Secondary Education Department by making necessary service rules or amending the existing service rules, if any, for the post.
3.	Primary School Head Teacher (PSHT)	"do"	Newly Upgraded/Redesignated Post	(BPS-15)	20,804 posts of the existing PST's (one post in each Primary School) are upgraded to BPS-15 and redesignated as Primary School Head Teacher, and will be filled in the manner as may be prescribed by the Elementary & Secondary Education Department by making necessary service rules or amending the existing service rules, if any, for the post.
4.	Certified Teachers (CT)	Govt. Middle/High/Higher Secondary School	BS-09 BS-10 BS-12 BS-14 BS-15	(BPS-15)	All the existing posts of CTs are upgraded to BPS-15 for the present incumbents to the post as well as future appointees.
5.	Senior Certified Teachers (Sr. CT)	"do"	Newly Upgraded/Redesignated Post	(BPS-16)	One thirds (1/3 <sup>rd</sup> ) of the total CT posts are upgraded to BPS-16 and redesignated as Senior CTs which will be filled in the manner as may be prescribed by the Elementary & Secondary Education Department by making necessary service rules or amending the existing service rules, if any, for the post.
6.	Arabic Teachers (A.T)	"do"	BS-09 BS-10 BS-12 BS-14 BS-15	(BPS-15)	All the existing posts of ATs are upgraded to BPS-15 for the present incumbents to the post as well as future appointees.
7.	Senior Arabic Teachers (Sr. AT)	"do"	Newly Upgraded/Redesignated Post	(BPS-16)	One thirds (1/3 <sup>rd</sup> ) of the total AT posts are upgraded to BPS-16 and redesignated as Senior AT, which will be filled in the manner as may be prescribed by the Elementary & Secondary Education Department by making necessary service rules or amending the existing service rules, if any, for the post.
8.	Teacher of Theology (TT)	"do"	BS-07 BS-09 BS-10 BS-12 BS-14 BS-15	(BPS-15)	All the existing posts of TTs are upgraded to BPS-15 for the present incumbents to the post as well as future appointees.
9.	Senior Teacher of Theology (Sr. TT)	"do"	Newly Upgraded/Redesignated Post	(BPS-16)	One thirds (1/3 <sup>rd</sup> ) of the total TT posts are upgraded to BPS-16 and redesignated as Senior TT, which will be filled in the manner as may be prescribed by the Elementary & Secondary Education Department by making necessary service rules or amending the existing service rules, if any, for the post.
10.	Drawing Masters (DM)	"do"	BS-09 BS-10 BS-12 BS-14 BS-15	(BPS-15)	All the existing posts of DMs are upgraded to BPS-15 for the present incumbents to the post as well as future appointees.
11.	Senior Drawing Masters (Sr. DM)	"do"	Newly Upgraded/Redesignated Post	(BPS-16)	one thirds (1/3 <sup>rd</sup> ) of the total DM's posts are upgraded to BPS-16 and redesignated as Senior DM, which will be filled in the manner as may be prescribed by the Elementary & Secondary Education Department by making necessary service rules or amending the existing service rules, if any, for the post.

18

12.	Physical Education Teachers (PET's)	"do"	BPS-9 BPS-10 BPS-12 BPS-14 BPS-15	(BPS-15)	All the existing posts of PET's are upgraded to BPS-15 for the present incumbents to the post as well as future appointees.
13.	Senior Physical Education Teachers (Sr. PET's)	"do"	Newly Upgraded/ Redesignated Post	(BPS-16)	One thirds (1/3 <sup>rd</sup> ) of the total PET's posts are upgraded to BPS-16 and redesignated as Senior PET, which will be filled in the manner as may be prescribed by the Elementary & Secondary Education Department by making necessary service rules amending the existing service rules, if any, of the post.
14.	Qari/Qaria	"do"	BPS-7 BPS-9 BPS-10 BPS-12 BPS-14 BPS-15	(BPS-12)	All the existing posts of Qari/Qaria are upgraded to BPS-12 for the present incumbents to the post as well as future appointees.
15.	Sr. Qari/Sr. Qaria	"do"	Newly Upgraded/ Redesignated Post	(BPS-15)	One thirds (1/3 <sup>rd</sup> ) of the total Qari/Qaria posts are upgraded to BPS-15 and redesignated as Senior Qari/Qaria, which will be filled in the manner as may be prescribed by the Elementary & Secondary Education Department by making necessary service rules or amending the existing service rules, if any, for the post.

2. A policy shall also be devised in the framework of input/output criteria in terms of qualification, length of service, regularity, punctuality, results, curricular and co-curricular achievements and other performance indicators, so that the teachers do not make the scheme for granted but work for it.
3. District wise/ school wise breakup of the posts is enclosed herewith as Annexure-A.

SECRETARY

Endst: No. SO(FR)/FD/10-22(E)/2010 Dated Pesh: the 16/07 2012

Copy is forwarded to Accountant General Khyber Pakhtunkhwa, Peshawar.  
All District Account Officers

*F. Ullah*  
SECTION OFFICER (FR)  
FINANCE DEPARTMENT

Endst. Of even Number & Date.

- Copy of the above is forwarded to:-
1. The Secretary to Government of Khyber Pakhtunkhwa, Peshawar, reference to his letter No. SO(FR)/FD/10-22(E)/2010 dated 16/07/2012.
  2. P.S. to Secretary, E&S
  3. P.S. to Special Secretary, E&S
  4. P.S. to Deputy Secretary, E&S
  5. P.S. to Minister of E&S
  6. The Director, E&S Kh
  7. All the Executive District Officers, E&S
  8. The Managing Director, P&F
  9. Master file.

SECRETARY  
KHYBER PAKHTUNKHWA  
PESHAWAR



**GOVERNMENT OF KHYBER PAKHTUNKHWA**  
**FINANCE DEPARTMENT**  
**(REGULATION WING)**

19

NO. FD (SOSR-1) 2-123/2013  
 Dated Peshawar the 7<sup>th</sup> February 2014

- To:
1. All Administrative Secretaries to Govt. of Khyber Pakhtunkhwa.
  2. The Senior Member, Board of Revenue, Khyber Pakhtunkhwa.
  3. The Secretary to Governor, Khyber Pakhtunkhwa.
  4. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
  5. The Secretary, Provincial Assembly, Khyber Pakhtunkhwa.
  6. The Secretary Finance FATA, FATA Secretariat, Peshawar.
  7. All Heads of Attached Departments in Khyber Pakhtunkhwa.
  8. All Divisional Commissioners in Khyber Pakhtunkhwa.
  9. All Political Agents / District & Sessions Judges in Khyber Pakhtunkhwa.
  10. The Registrar Peshawar High Court, Peshawar.
  11. The Chairman, Public Service Commission, Khyber Pakhtunkhwa.
  12. The Chairman, Services Tribunal, Khyber Pakhtunkhwa.
  13. The Accountant General, Khyber Pakhtunkhwa, Peshawar.

*Attended*

Subject: CLARIFICATION REGARDING GRANT OF ONE SPECIAL ADVANCE INCREMENT EXTENDED TO THE EMPLOYEES WHO WERE HOLDING SELECTION GRADE PRIOR TO UPGRADATION OF THEIR POSTS IN BASIC PAY SCALES ALREADY HELD BY THEM.

Dear Sir,

I am directed to invite your attention to the subject matter and to state that certain queries have been received from different quarters about the admissibility of one special advance increment allowed under this Department's letter of even number dated 31-12-2013.

2. In this connection, it is to clarify that the above stated increment has been extended only to those employees who were holding Selection Grade prior to up-gradation of their posts but neither availed the benefit from up-gradation of posts under this Department's Notification No.FD/SOFR/7-2/2007 dated 28-07-2007 nor one special advance increment granted vide Notification No.FD (SR-1) 2-4/2009 dated 04-04-2009.



AAO,  
PR-I

*ہیب ذوالکلیب مشروری*

Yours faithfully,

*Masood Khan*  
 (MASOOD KHAN)  
 Deputy Secretary (Reg-II)

*Attended*

*Nadir Khan*  
 Nadir Khan Beland  
 Dist Court Kohat

*Handwritten notes:*  
 inside  
 file to  
 me  
 19/2

*Handwritten note:*  
 pl. Link all the references mentioned in this letter & discuss.

*Handwritten:*  
 19/2  
 -1-

Joint Registrar

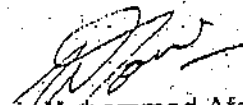
**APPROVED**  
*Signature*  
 EXAMINER  
 Peshawar High Court  
 Peshawar



Endst: No. & Date Even

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

1. The Director, Treasuries & Accounts, Khyber Pakhtunkhwa.
2. All the District Comptroller of Accounts in Khyber Pakhtunkhwa.
3. The Director, Local Fund Audit, Khyber Pakhtunkhwa, Peshawar.
4. The Director, FMIU, Finance Department.
5. The Treasury Officer, Peshawar.
6. The Secretary, Board of Revenue, Khyber Pakhtunkhwa.
7. All the District & Agency Accounts Officers in Khyber Pakhtunkhwa / FATA.
8. All the Section Officers / Budget Officers in Finance Department, Khyber Pakhtunkhwa.
9. The Private Secretary to Senior Minister for Finance, Khyber Pakhtunkhwa.
10. The Private Secretary to Secretary / P.As to Special Secretary, Additional Secretaries / Deputy Secretaries in Finance Deptt.

  
(Wazir Muhammad Afsar)  
Section Officer (SR-1)

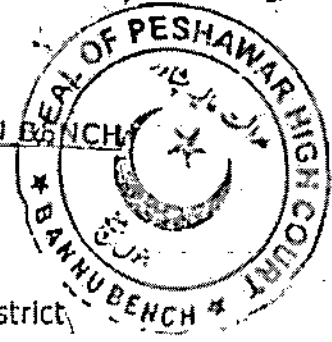
20

Amir

(E)

P.17

BEFORE THE PESHAWAR HIGH COURT, BANNU BENCH



Writ Petition No. 413 /2016

1. Mukhtiar Ali S.C.T Teacher GCMHS Chokara District Karak
2. Ghani Rahman SET Teacher GCMHS Chokara District Karak
3. Muhammad Iqbal CT Teacher GCMHS Chokara District Karak
4. Pio Khan SCT Teacher GCMHS Chokara District Karak
5. Riayat Khan SCT Teacher GCMHS Chokara District Karak
6. Muhammad Kamal S.D.M Teacher GCMHS Chokara District Karak
7. Sher Abbas SPET Teacher GCMHS Chokara District Karak
8. Naeem Ullah SAT Teacher GCMHS Chokara District Karak
9. Ahmad Wali Shah SCT Teacher GHS Sarki Lawarghar District Karak
10. Saddique Rahman SCT Teacher GHS Garang Siraj Khel District Karak
11. Anwar Ali SCT Teacher GHS Garang Siraj Khel District Karak
12. Hamid Ullah D.M Teacher GHS Zarkhan Killa District Karak
13. Sabar Nawaz D.M Teacher GHS Toopl Killa District Karak
14. Muhammad Ayaz SCT Teacher GHSS Jehangiri District Karak
15. Muhammad Yasin SCT Teacher GHSS Jehangiri District Karak
16. Asmat Ullah Khan SCT Teacher GHSS Jehangiri District Karak

Attested

*[Signature]*

Nadir Khan Beland Khel  
Advocate  
Distt Courts Kohat

*Zaman*

Signed To say  
6/1/2016  
National Registrar

ATTESTED  
EXAMINER  
Peshawar High Court  
Bannu Bench

17. Rauf Khan SCT Teacher GHSS Jehangiri District  
Karak
18. Noor Kamal SCT Teacher GHSS Jehangiri District  
Karak
19. Muhammad Sadique SDM Teacher GHSS Jehangiri  
District Karak
20. Rasool Khan PET Teacher GHS Gardi Banda  
District Karak
21. Muhammad Zaman SCT Teacher GHSS Warana  
District Karak
22. Zaheer Ud Din CT Teacher GHSS Warana District  
Karak
23. Muhammad Naseer Khan SCT Teacher GHS  
Latamber District Karak
24. Nalmat Ullah SCT Teacher GHSS Bogara District  
Karak
25. Anayat Ullah SCT Teacher GHS Ahmad Abad  
District Karak
26. Sher Aslam SCT Teacher GHSS Kandu Khel District  
Karak
27. Sher Aslam SAT Teacher GHSS Kandu Khel District  
Karak
28. Muqablla Khan SCT Teacher GHSS Bogara District  
Karak
29. Jamil Ur Rehman SCT Teacher GHSS Bogara — 7  
District Karak
30. Ikram Ullah Khan SPET Teacher GHSS Bogara  
District Karak . . . . . Petitioners
- Versus
1. Government of K.P Through Secretary of Elementary  
& Secondary Education K.P, Peshawar
2. Government of K.P Through Director of Elementary &  
Secondary Education K.P, Peshawar.

30/11/2018  
Registrar

SYTESTED  
EXAMINER  
Peshawar High Court  
Dewan House

- 3. Government of K.P Finance Department Regulation Wind, Peshawar.
- 4. District Account Officer Karak. ....  
..... Respondents

**WRIT PETITION UNDER ARTICLE 199 OF THE  
CONSTITUTION OF ISLAMIC REPUBLIC OF  
PAKISTAN, 1973.**

☞<=>☞<=>☞<=>☞<=>☞

**Respectfully Sheweth:**

This Writ Petition rising up from the following facts:

1. That all the petitioners are working in education department in different cadre and in the year 2003 the posts of the petitioners were up-graded in the basis of seniority through Selection Grade whereby all the petitioner have obtained the up-gradation of posts-cum-one pre-mature increment. (Copy of the Performa of petitioners and Selection Grade is annexed as "A").
2. That on 01-09-2007 the Government of K.P Finance department (Regulation Wind) generally up-graded all the posts of different cadre through notification. (Copy of the notification dated 28-07-2007 is annexed as "B").
3. That on 04-04-2009 the Government of K.P Finance department (Regulation Wind) have sanctioned one special advance increment to the Assistant Auditor,

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Senior Clerk and junior Clerk etc who have obtained the up-gradation through Selection grade.(Copy of the notification dated 04-04-2009 is annexed as "C").

4. That on 31-12-2013 the Government of K.P Finance department (Regulation Wind) have issued a notification the one advance increment of the basis of selection grade and endorsed the earlier letter of the finance department.(Copy of the notification dated 31-12-2013 is annexed as "D").

5. That on 07-02-2014 the Government of K.P Finance department (Regulation Wind) have issued a notification regarding the clarification of the earlier notification that one advance increment be given to those teachers who have obtained selection grade. (Copy of the notification dated 07-02-2014 is annexed as "E").

6. That being aggrieved from the inaction of the respondent No.2,3 being not extended the benefit of the notification dated 31-12-2013, the petitioners approaches this Honourable Court, inter alia, on the following grounds;

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Additional Registrar

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GROUND S:

A. That the petitioners are related to education department, working in different cadre and have obtained the selection grade by all the petitioners in the

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Additional Registrar

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session 2003 whereby all posts of the petitioners were up-graded-cum-one pre-mature increment but when generally the government of K.P up-graded the posts of different cadre with one increment then all the petitioners are deprived from the benefits of the order because the junior in rank of all posts are equal to the petitioners whom posts have been up-graded through Selection Grade and having not extended the benefit of the notification dated 31.12.2013 by the respondent to the petitioners is appealable to mind and also unwarranted by the law.

B. That in year 2007 the posts of education were up-graded by the respondents (government of K.P) through notification but the petitioners senior in teaching have no benefit of the said notification because the remedy in shape of pre-mature increment stopped by the respondents through notifications and letter to deviate the concentrations of the petitioners from one Advance increment which is basic and fundamental right of the petitioner thus, the benefit of the notification dated 31-12-2013 of the respondent intact through spirit and letter so, the inaction of the respondents is not appealable to prudent mind and is against the article 4 and article 25 of the constitution of Pakistan 1973

C. That all the petitioners are senior teachers and after Selection grade they are entitled of the benefit of the notification dated 31-12-2013 issued by the respondent (Finance Department) but without any cogent reason and rhyme the respondents have reluctant regarding the extension of benefit of said notification being used

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colourful exercise of powers, vested in the functionaries of the Government through Constitution of Pakistan, which is against the basic principles of the equality of citizens.

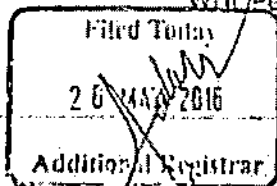
- D. That the said benefit of the one advance pre-mature increment are availing the clerical staff of the audit etc which is clear cut discrimination with the petitioners and action of the respondents is against the principle of equity and also violated the norms of justice.


It is, therefore, humbly prayed that on acceptance of this Writ Petition, the respondents may kindly be directed to extend the benefit of the notification dated 31-12-2013 and one pre-mature increment be awarded to the petitioners on the basis of Selection Grade Awarded to others cadre in accordance with law.

- E. Any other efficacious remedy may also be granted in favour of the petitioner.

**INTERIM RELIEF:**

By way of interim relief, the respondents provisionally be allowed to extent the benefit of the notification dated 31-12-2013 till final disposal of this Writ/Petition.



Petitioners  
Through   
Masood Iqbal Khattak

FORM "A"  
FORM OF ORDER SHEET

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P. 20  
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Date of order or proceedings	Order or other proceedings with signature of Judge or Magistrate and that of parties or counsel where necessary.
2.	3.
03.9.2018	<p><u>W.P. No. 413-B/2016 with IR.</u></p> <p><u>Present:</u></p> <p>Mr. Masooq Iqbal Khattak advocate for petitioner.</p> <p>*****</p> <p><u>ABDUL SHAKOOR, J.—</u></p> <p>At the very out-set, learned counsel for the petitioner states that his client will be satisfied if the instant writ petition is sent to the concerned department for its treatment as departmental appeal.</p> <p>Therefore, in the light of above, the instant writ petition is sent to the concerned department / authorities with the direction to treat the same as departmental appeal and decide the same within one (01) month positively, but, strictly in accordance with law.</p> <p>Disposed of accordingly.</p> <p><u>Announced.</u> 03.9.2018</p> <p>Sd/- Mr. Justice Abdul Shakoor-J Sd/- Mr. Justice Shakeel Ahmad J</p> <p>CERTIFIED TO BE TRUE COPY</p> <p>Examiner Peshawar High Court Barque Bench Authorised Under Article 87 of The Qanun-e-Shahadat Order 1988</p> <p>Office 03/9/2018</p>

\*Imranullah\* (D.B) Justice Abdul Shakoor and Justice Shakeel Ahmad SCANNED



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**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL  
PESHAWAR**



Service Appeal No. 750/2019

BEFORE: MR. SALAH-UD-DIN ... MEMBER (J)  
MISS FAREEHA PAUL ... MEMBER (E)

Riayat Khan, SGT GCMHS, Chokara, Karak..... (Appellant)

Versus

1. The Secretary E&SE, Government of Khyber Pakhtunkhwa, Civil Secretariat Peshawar.
2. The Director E&SE, Peshawar.
3. The District Education Officer (Male), District Karak.
4. The Secretary Finance, Government of Khyber Pakhtunkhwa, Peshawar.
5. The Secretary Establishment, Government of Khyber Pakhtunkhwa, Civil Secretariat Peshawar: ..... (Respondents)

Mr. Ashraf-Ali Khattak, Advocate ... For appellants

Mr. Fazal Shah Mohmand, Addl. Advocate General ... For respondents

*Attested*  
*[Signature]*

Date of Institution..... 08.05.2010  
 Date of Hearing..... 18.09.2023  
 Date of Decision..... 21.09.2023

Nadir Khan Beland Khel  
Advocate  
Distt Courts Kohat

**JUDGEMENT**

**FAREEHA PAUL, MEMBER (E):** Through this single judgment, we intend to dispose of instant appeal as well as connected Service Appeal No. 751/2019, titled "Jamil-ur-Rehman Versus the Secretary Education (E&SE), Government of Khyber Pakhtunkhwa, Civil Secretary, Peshawar and others", Service Appeal No. 752/2019, titled "Pio Khan Versus the Secretary Education (E&SE), Government of Khyber Pakhtunkhwa, Civil Secretary, Peshawar and others", Service Appeal No. 753/2019, titled "Ghani-ur Rehman Versus the Secretary Education (E&SE), Government of Khyber Pakhtunkhwa, Civil Secretary, Peshawar and others", Service

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Peshawar

*[Signature]*

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Appeal No.754/2019 titled "Muhammad Kamal Versus the Secretary Education (E&SE), Government of Khyber Pakhtunkhwa, Civil Secretary, Peshawar and others", Service Appeal No. 755/2019 titled "Naeem Ullah Versus the Secretary Education (E&SE), Government of Khyber Pakhtunkhwa, Civil Secretary, Peshawar and others", and Service Appeal No. 914/2019 titled "Sher Abbas Versus the Secretary Education (E&SE), Government of Khyber Pakhtunkhwa, Civil Secretary, Peshawar and others" as in all the appeals common questions of law and facts are involved.

2. Brief facts of the case, as given in the memorandum of appeal, are that the appellant was serving against the CT post and had 37 years service at his credit. Vide Notification date 11.09.1997, selection grade in BPS-15 was awarded to him w.e.f 02.01.1997 and his name appeared at serial No. 97/232 of the order and his salary was fixed accordingly. Vide Government of Khyber Pakhtunkhwa, Finance Department, Notification No. SO(FR) 10-22(B)/2005 dated 01.10.2007 and Notification No. FD/SO(FR) 10-22/2007 dated 26-01-2008, the post of CT, alongwith other posts, was upgraded to BPS-15. The appellant and his other colleagues who had been brought on the strength of BS 15 much prior to the notification dated 01.10.2007 deserved were entitled to be treated like other staff members either in the shape of promotion to the next stage or in shape of two increments. Different examples mentioned in the appeal include the Senior SST Teachers working against BPS- 17 who were promoted to the post of S.S or Head Master in the same scale (BPS-17),

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GOVERNMENT OF KHYBER PAKHTUNKHWA  
PESHAWAR

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but on promotion in the same basic pay scale they were allowed two increments in the shape of one advance increment and the other as premature increment. On another occasion one time upgradation in BPS-16 was awarded to all Elementary School Teachers working against the post carrying Basic Pay Scale 15, who had five years service at their credit. All the Elementary School Teachers possessing five years service were upgraded to BPS- 16 accordingly. They were also allowed two increments in the shape of one next stage and one premature. Being aggrieved from the unfair and discriminatory treatment, the appellant, alongwith his other colleagues, invoked the Constitutional jurisdiction of the Hon'ble Peshawar High Court Bannu Bench in Writ Petition No. 413-B/2016 which was disposed of in the following words:-


*"At the very out-set, learned counsel for the petitioner states that his client will be satisfied if the instant writ petition is sent to the concerned department for its treatment as departmental appeal.*

*Therefore, in the light of above, the instant writ petition is sent to the concerned department/authorities with the direction to treat the same as departmental appeal and decide the same with one (01) month positively, but, strictly in accordance with law.*

*Disposed of accordingly."*

In the light of the order of the Hon'ble Peshawar High Court dated 03.09.2018, the appellant also preferred departmental appeal but the respondents paid no heed to it ; hence the instant service appeal.

3. Respondents were put on notice. They did not furnish written reply/comments despite numerous chances. After expiry of last chance, vide order dated 09.09.2020, the appeal was posted to D.B for arguments.

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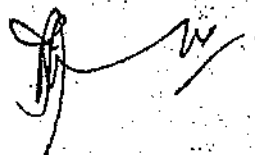


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Vide a later order dated 17.01.2022, another chance was given to the respondents to submit reply, failing which their right was to be struck off. No reply was received on behalf of the respondents. We have heard the learned counsel for the appellant as well as the learned Additional Advocate General for the respondents and perused the case file with connected documents in detail.

4. Learned counsel for the appellant, after presenting the case in detail, argued that the respondents had not treated the appellant in accordance with law, rules and policy on the subject and acted in violation of Article 4 of the Constitution, 1973. He argued that the appellant, and his other colleagues, who had been granted upgradation and selection grade prior to the notification dated 01.10.2007 and 26.01.2008, were entitled for financial benefits in shape of increment/allowance so that they could be equally treated with the promoted/upgraded teachers, who had been promoted/upgraded in the light of notification and who benefited with two increments in the shape of one next stage and one premature. He requested that the appeal might be accepted as prayed for.
5. The learned Additional Advocate General, while rebutting the arguments of learned counsel for the appellant, argued that the appellant had already availed the benefit of increment when he was awarded selection grade in BS- 15 and that he was not entitled to any further increment. He requested that the appeal might be dismissed.
6. From the arguments and record presented by the learned counsel for the appellant, it transpires that the appellant was appointed as C.T in the

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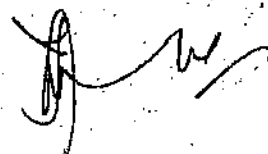
respondents department. He was awarded selection grade in 1997. Later on, vide Finance Department's letter dated 01.10.2007, various posts of teachers in the respondents department were upgraded and the post of appellant was also upgraded from BS-9 to BS-15. It is an undisputed fact that when a post is upgraded, it brings financial benefit also in the form of increment. As contended by the appellant, he was deprived of such increment when the post was upgraded and his departmental appeal was rejected on the ground that the letter dated 31.12.2013 of Finance Department did not cover his claim.

7. Learned counsel for the appellant produced a notification dated 04.04.2009 of the Finance Department according to which one special advance increment was allowed to Assistants, Auditors, Senior Clerks and Junior Clerks as well as employees from BS-1 to BS-4 in their upgraded/moved up pay scales that had been allowed to them vide notification dated 28.07.2007. The notification of 04.04.2009 took effect from 01.09.2007. Learned counsel produced another letter of Finance Department dated 31.12.2013 which has been issued as a clarification regarding grant of one special advance increment to the employees holding selection grade prior to upgradation of their posts in Basic Pay Scale already held by them. The letter is reproduced as follows:-

*"I am directed to refer to this Department's notification No. FD(SR-1)2-4/2008 dated 04.04.2009 and to state that certain queries have been received from different quarters as to whether the employees, who were holding Selection Grade prior to up-gradation of their posts in BPS already held by them, are*

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also eligible to the benefit of premature increment on up-gradation of their posts.


2. In this connection, the Provincial Government in consultation with Government of Pakistan, Finance Division, has to clarify that one special advance increment is admissible, also to the employees who were holding Selection Grade prior to up-gradation of their posts in BPS already held by them, just as in the case of same scale promotion.


3. This order will take effect from 01.09.2007”

8. In the light of the above quoted letter dated 31.12.2013 of Finance Department; it is clear that the appellant who was holding selection grade prior to his up-gradation of post in Basic Pay Scale already held by him; was entitled to one special advance increment on the same analogy as has been provided to the employees of provincial government upon up-gradation vide notification dated 04.04.2009 read with notification dated 28.06.2007.

9. The appeal in hand as well as connected appeals are, therefore, partially allowed on the above terms. Costs shall follow the event. Consign.

10. Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal this 21<sup>st</sup> day of September, 2023.

  
(FARDESHA PAUL)  
Member (E)

  
(SALAH-UD-DIN)  
Member (J)

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Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

Date of Presentation	21-9-23
Number of Words	6-P
Copying Fee	30/-
Urgent	
Total	30/-
Name of Copy	
Date of Completion	23-10-23
Date of Delivery	23-10-23

بعدالت فہرست لکھنؤ میں لکھی گئی ہے۔

نادر خان علی صاحب

BC-18-1001

0301-8321928

قیمت ایک روپیہ

کورٹ فیس

۲۰ منجانب

سکریٹری ایجوکیشن و سٹیٹ

محمد صدیق

مقدمہ

مقدمہ

دعویٰ

جرم

## باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جوابدہی کل کاروائی متعلقہ آں مقام کے لئے

مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا اختیار ہوگا۔ نیز وکیل صاحب کو کرنے راضی نامہ و تقریر ثالثت و فیصلہ برحلف دینے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء اور وصولی چیک در روپیہ اور عرضی دعویٰ اور درخواست ہر قسم کی تصدیق زر اس پر دستخط کرنے کا اختیار ہوگا۔ نیز بصورت عدم پیروی یا ڈگری یک طرفہ یا اپیل کی برآمدگی ابجد منصوصی و نیز دائر کرنے اپیل نگرانی نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ اور بصورت ضرورت مقدمہ مذکور کے کل یا اپنی بجائے تقریر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ بالا اختیارات حاصل ہوں گے۔ اور اس کا ساختہ پر داخنت منظور و قبول ہوگا۔ دوران مقدمہ میں جو خرچہ و ہرجانہ التوائے مقدمہ کے سبب سے ہوگا۔ اس کے مستحق کیا صاحب موصوف ہوں گے نیز بقایا خرچہ کی وصولی کرنے کا بھی اختیار ہوگا۔ اور کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر وکیل صاحب پابند نہ ہوں گے۔ کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سندر ہے۔

ماہ

المرقوم

محمد صدیق

کے لئے منظور ہے۔

مقام لکھنؤ

محمد صدیق

محمد صدیق