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BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL
PESHAWAR

BEFORE: KALIM ARSHAD KHAN ... CHAIRMAN
MUHAMMAD AKBAR KHAN ... MEMBER (E)

Service Appeal No. 16409/2020

Date of presentation of Appeal.....23.12.2020
Date of Hearing.....13.06.2024
Date of Decision.....13.06.2024

Jehan Muhammad DEO Elementary and Secondary Education
Batkheja.....(Appellant)

VERSUS

1. Government of Khyber Pakhtunkhwa through Chief Secretary Khyber Pakhtunkhwa Peshawar.
2. Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.
3. Director Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.....(Respondents)

L. NAWAB ALI NOOR,
Advocate

--- For appellant.

MUHAMMAD JAN,
District Attorney

--- For respondents

JUDGMENT

MUHAMMAD AKBAR KHAN, MEMBER (E):-The instant service appeal has been instituted under Section 4 of the Khyber Pakhtunkhwa Service Tribunal, Act 1974. with the prayer copied as under;

"On acceptance of this appeal the order dated 20.12.2020 of no response of the respondent No. 1 may please be set aside and appellant may kindly be promoted to BPS-20 from due date alongwith all benefit."

SCANNED
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02. Brief facts of the case are that appellant was serving in BPS-19; that vide letter dated 06.10.2020 from respondent No. 2, addressed to the Director Education respondent No. 3 direction were given to process his promotion case to BPS-20 working paper were requisitioned for promotion to BPS-20; that his case was not processed, and in the meanwhile he retired from service 03.01.2021; that the appellant filed departmental appeal on 20.09.2020 for promotion to BPS-20 but the same was not responded, hence, the instant service appeal.

03. Notices were issued to the respondents, who submitted their comments, wherein they refuted the assertions raised by the appellant in his appeal. We have heard arguments of learned counsel for the appellant, learned District Attorney for the respondents and have gone through the record with their valuable assistance.

04. The learned counsel for the appellant reiterated the facts and grounds detailed in the memo and grounds of the appeal while the learned District Attorney, controverted the same by supporting the comments submitted by the respondents.

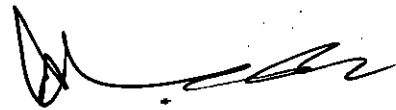
05. At the very outset, learned District Attorney raised the objection on the maintainability of the instant case stating that the appellant has come to the Tribunal without impugning any original or appellate order, as there is no order on file which could show that the appellant was aggrieved of. He referred to Section-4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974. Section-4 of the Khyber Pakhtunkhwa Service Tribunal, Act 1974 is reproduced as below:-

Appeal to Tribunals.--- *Any civil servant aggrieved by any final order, whether original or appellate, made by a departmental authority in respect of any of the terms and conditions of his service may, within thirty days of the communication of such order to him.*

06. The above mentioned Section of law clearly determines the fate of the case of the appellant as his case does not fall within the ambit of Section-4 of the Khyber Pakhtunkhwa Service Tribunal, Act 1974 as he has come to this Tribunal without impugning any order, whether original or appellate. Besides, the appellant's claim that he was at the top of the seniority list and was therefore, eligible to be promoted to BPS-20 is not correct. The appellant has annexed final seniority list wherein his name stands at Serial No.10.

07. In view of foregoing findings the appeal in hand is dismissed being not maintainable. Costs shall follow the event. Consign.

08. *Pronounced in open court at Peshawar and given under our hands and seal of the Tribunal on this 13th day of June, 2024.*



(KALIM ARSHAD KHAN)
CHAIRMAN



(MUHAMMAD AKBAR KHAN)
MEMBER (E)

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ORDER

13.06.2024

1. Learned counsel for the appellant present. Mr. Muhammad Jan, learned District Attorney for the respondents present. Arguments heard and record perused.
2. Vide our detailed judgment of today, separately placed on file, the appeal in hand is dismissed being not maintainable. Costs shall follow the event. Consign.
3. *Pronounced in open court at Peshawar and given under our hands and seal of the Tribunal on this 13th day of June, 2024.*



(KALIM ARSHAD KHAN)
CHAIRMAN




(MUHAMMAD AKBAR KHAN)
MEMBER (E)


18th April, 2024 1. Learned counsel for the appellant present. Mr. Muhammad Jan, District Attorney alongwith Mr. Touseef Ur Rehman, Focal Person for respondents present.

2. Former requested for adjournment on the ground that he has not prepared the case. Last chance is given to argue the case on the next date. To come up for arguments on 08.05.2024 before D.B. P.P given to the parties.

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Adnan Shah, P.A


(Muhammad Akbar Khan)
Member(E)



(Kalim Arshad Khan)
Chairman


8th May, 2024 1. Learned counsel for the appellant and Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

2. Partial arguments heard. To come up for remaining arguments on 13.06.2024 before D.B. P.P given to the parties.

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Mutazem Shah


(Muhammad Akbar Khan)
Member (E)


(Kalim Arshad Khan)
Chairman


SA 16409/20

27th Nov.2023

01. Nemo for the appellant. Mr. Habib Anwar, Addl. Advocate General for the respondents present.

02. Reply/comments on behalf of the respondents not submitted. Learned AAG requested for time. Granted. To come up for reply/comments as well as preliminary hearing on 20.12.2023 before the S.B. Parcha Peshi given to the learned AAG.

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Peshawar



(Fareeha Paul)
Member(E)

Fazle Subhan, P.S

20.12.2023

Learned counsel for the appellant present. Mr. Habib Anwar learned Assistant Advocate General for the respondents present.

Written reply on behalf of respondents submitted which is placed on file. A copy of the same is handed over to the learned counsel for the appellant. Learned counsel for the appellant requested for adjournment to file rejoinder. Granted. To come up for rejoinder/preliminary hearing on ^{18.04.} ~~01.02.~~ 2024 before S.B. P.P given to the parties.


(Rashida Bano)
Member (J)

SCANNED
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Peshawar

11.09.2023

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Learned counsel for the appellant present and requested for adjournment in order to prepare the brief.

To come up for preliminary hearing on 18.10.2023 before

S.B. P.P given to learned counsel for the appellant.

SCANNED
KFST
Peshawar

(Rashida Bano)
Member (J)

KaleemUllah

8th Oct, 2023 1. Learned counsel for the appellant present. Mr. Asif Masood

Ali Shah, Deputy District Attorney for the respondents present.

2. A Pre-admission notice was issued on 03.03.2023 to the respondents to submit reply/comments but on 24.05.2023 the appeal in hand was dismissed in default. Learned counsel for the appellant submitted restoration application on 26.05.2023 which was restored vide order dated 24.07.2023 and notices have not been issued to the respondents to submit their reply/comments, therefore, respondents be summoned through TCS, the expenses of which be deposited by the appellant within three days. To come up for reply/comments as well as preliminary hearing on 27.11.2023 before S.B. P.P given to the parties.


(Muhammad Akbar Khan)
Member (F)

24.07.2023

Learned counsel for the petitioner present. Mr. Fazal Shah Mohmand, Additional Advocate General for the respondents present. Arguments on restoration application heard and record perused.

The Service Appeal bearing No. 16409/2020 was dismissed in default vide order dated 24th May, 2023. According to learned counsel for the petitioner, he was busy before the Tribunal at Camp Court, Abbottabad and his junior counsel appeared at 11.00 but it came to the knowledge of junior of learned counsel for the petitioner that the appeal was dismissed in default. The petitioner submitted application for restoration of appeal on 26.05.2023 which is well within time. On the other hand learned AAG raised no objection. The application for restoration of service appeal is supported by duly sworn affidavit. Law also favours adjudication on merit by avoiding technicalities.

The application in hand is, therefore, accepted and Service Appeal bearing No. 16409/2020 stands restored. To come up for preliminary hearing on 11.09.2023 before S.B. P.P given to learned counsel for the appellant. Original record also be requisitioned for the date fixed.


(Muhammad Akbar Khan)
Member (I)

SCANNED
K.P.S.T
Peshawar

Kamramullah

Service Appeal No. 16409/2020

24th May, 2023 1. Nobody is present on behalf of the appellant. Mr. Fazal Shah Mohmand, learned Additional Advocate General for respondents present.

2. This appeal was filed on 23.12.2020. It was dismissed in default on 27.05.2021, but was restored on 25.06.2021. It was once again dismissed in default on 01.06.2022, but was restored on 06.12.2022. On the previous date and even today nobody is present on behalf of the appellant hence, dismissed in default. Consign.

3. *Pronounced in open Court in Peshawar given under my hand and seal of the Tribunal on this 24th day of May, 2023.*

**SCANNED
KPST
Peshawar**



(Kalim Arshad Khan)
Chairman

Kaleem Ullah

(10)

3rd Mar, 2023

Petitioner present through counsel.

Let a pre-admission notice be given to the other side. To come up for reply/preliminary hearing on 05.04.2023 before SB. PP given to the parties.

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Peshawar



(Kalim Arshad Khan)
Chairman

05th April, 2023

Nemo for the appellant. Mr. Asad Ali Khan, Asstt. AG for the respondents present and requested for time to submit reply. To come up for written reply/preliminary hearing on 24.05.2023 before the S.B. Parcha Peshi given to learned AAG.

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Peshawar



(Fareeha Paul)
Member(E)

6th Dec, 2022

Learned counsel for the petitioner present. Mr. Muhammad Adeel Butt, Addl: AG for respondents present.

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Learned Addl: AG on behalf of the respondents did not controvert the contention of the learned counsel for the appellant. Instant application is for restoration of appeal No. 16409/2020 dismissed in default on 01.06.2022. Considering the contention of learned counsel for the petitioner and in the interest of justice, instant service appeal is restored to its original number. To come up for preliminary hearing on 17.01.2023 before S.B.

2. Pronounced in open court in Peshawar and given under my hand and seal of the Tribunal on this 6th December day of November, 2022.


(Kalim Arshad Khan)
Chairman

17th Jan. 2023

Lawyers are on strike today.

To come up for preliminary hearing on 03.03.2023 before the S.B. Office is directed to notify the next date on the notice board as well as website of the Tribunal.


(FAREEHA PAUL)
Member(E)

02.09.2022

Learned counsel for the petitioner present and requested for adjournment on the ground that he has not gone through the record. Adjourned. To come up for arguments on restoration application before the S.B on 17.10.2022.

(Mian Muhammad)
Member (E)

17th Oct., 2022

Counsel for the appellant present. Mr. Kabirullah Khattak, Addl. AG for the respondents present.

**SCANNED
KPST
Peshawar**

Learned counsel for the petitioner seeks adjournment in order to further prepare the brief. Adjourned. To come up for arguments on restoration application on 04.11.2022 before S.B.

(Kalim Arshad Khan)
Chairman

4th Nov, 2022

None for the appellant present. Mr. Muhammad Adeel Butt, Addl: AG for respondents present.

Because of strike of the Bar, this matter is adjourned to 06.12.2022 before S.B. Office is directed to notify the next date on the notice board as well as on the website of this Tribunal.



(Kalim Arshad Khan)
Chairman

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Form-A
FORM OF ORDER SHEET

Court of _____

Restoration Application No. 379/2022

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	30.06.2022	<p>The application for restoration of appeal No. 16409//2020 submitted today by Mr. L.Nwab Ali Noor Advocate may be entered in the relevant register and put up to the Court for proper order please.</p> <p> REGISTRAR</p>
2	5.7.2022	<p>This restoration application is entrusted to Single Bench at Peshawar to be put up there on <u>2-9-22</u>. Original file be requisitioned. Notices to the applicant and his counsel be also issued for the date fixed.</p> <p> CHAIRMAN</p>

*Counsel Infor - By
msg to mobile phone.
for Dated Fixed
11-8-22*

23.09.2021

None for the appellant present.

Notices be issued to the appellant and his counsel. Adjourned. To come up for preliminary hearing before the S.B on 16.11.2021.

(MIAN MUHAMMAD)
MEMBER (E)

16.11.2021

None for the appellant present.

Fresh notice be issued to the appellant and his counsel. Adjourned. To come up for preliminary hearing on ~~26~~ 26.01.2022 before S.B.

(Mian Muhammad)
Member(E)

26.01.2022

Clerk of learned counsel for the appellant present.

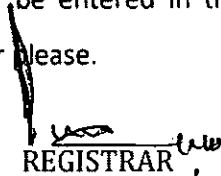


Former requests for adjournment on the ground that learned counsel for the appellant is not available today. Adjourned. To come up for preliminary hearing on 28.03.2022 before S.B.

(Mian Muhammad)
Member(E)

FORM OF ORDER SHEET

Court of _____

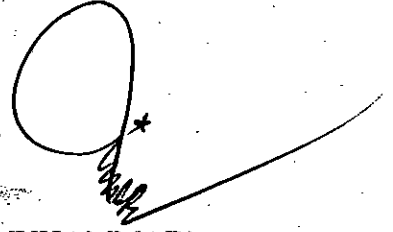
Restoration Application No. 109 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	01.06.2021	<p>The Restoration Application submitted by Mr. Jehan Muhammad through Mr. L. Nawab Ali Noor Advocate may be entered in the relevant Register and put up to the Court for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	25.06.21	<p>This Restoration Application be put up before S. Bench on <u>25/6/21</u></p> <p style="text-align: right;"> CHAIRMAN</p> <p>Counsel for the petitioner present.</p> <p>Instant application submitted on 01.06.2021 is for restoration of Service Appeal No. 16409/2020, dismissed for non-prosecution on 27.05.2021. The application is within time, the appeal is restored to its original number. To come up for preliminary hearing on 23.09.2021 before S.B.</p> <p style="text-align: right;"> Chairman</p>

28.03.2022

None for the appellant present.

Notices be issued to the appellant and his counsel.
Adjourned. To come up for preliminary hearing on 01.06.2022
before S.B.



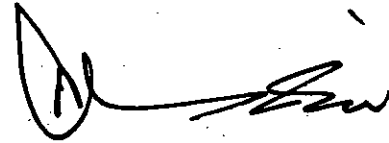
(MIAN MUHAMMAD)
MEMBER(E)

1st June, 2022

1. None present for the appellant.

2. This appeal was dismissed in default on 27.05.2021 but restored on 25.06.2021. Today the instant appeal was called time and again but neither appellant nor his counsel put appearance. In view of the above, the appeal is dismissed in default. Consign.

3. *Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal this 1st day of June, 2022.*

(Kalim Arshad Khan)
Chairman

27.05.2021

None present on behalf of the appellant despite repeated calls. Notices as directed on 08.02.2021 were duly issued. Copies of notices are available on the file. It would be in the interest of justice to discuss the factual position so that the dismissal of this appeal for non-prosecution should not create bar for departmental remedy regarding proforma promotion and back benefits by the appellant, if so advised. The crux of the matter in the appeal is that the appellant purportedly being on top of the seniority list was expected promotion to higher grade from BPS-19 to BPS-20 but was left with no time because of his nearness to the superannuation age. The appellant was to retire from service on 03.01.2021 but he could be able to come to this Tribunal on 23.12.2020 only about 14 days before his retirement. It seems possible that he has retired from service without consideration for promotion. Nonappearance of the appellant and his counsel seems to be the result of this appeal having become infructuous due to retirement of the appellant. With the given factual observations, this appeal is dismissed in default.


Chairman

ANNOUNCED

27.05.2021

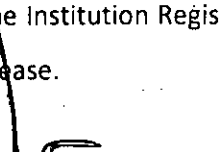


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Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 16409 /2020

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	23/12/2020	<p>The appeal of Mr. Jehan Muhammad presented today by Mr. L.Nawab Ali Noor Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-		<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>08/02/21</u></p> <p style="text-align: right;"> CHAIRMAN</p>
	08.02.2021	<p>Nemo for appellant.</p> <p>Notice be issued to appellant/counsel for 27.05.2021 for preliminary hearing, before S.B.</p> <p style="text-align: right;"> (Rozina Rehman) Member (J)</p>

[Handwritten signature]

BEFORE THE SERVICE TRIBUNAL K.P.K PESHAWAR.

S. Appeal No. of 2020.

1. Jehan Muhammad DEO Elementary and Secondary Education
Batkhela

.....Appellant.

VERSUS

1. Govt of K.P.K Through Chief Secretary Civil Secretariat
Peshawar and others.

.....Respondents.

Index

S.NO.	Description	Annexure	Pages
1.	S.Appeal		1-6
2.	Affidavit		6
4.	Copy of the seniority list	A	7
5.	Copy of relevant	B	8
6.	Copy of the application	C	9
8	Copy of the latter dated 6.12.20	D	10
9.	Copies of the departmental appeal	E	11
12	Wakalat Nama		12

Through

Appellant

L.Nawab Ali Noor
Advocate High Court Peshawar.
03466076945

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BEFORE THE SERVICE TRIBUNAL K.P.K PESHAWAR.

S. Appeal NO ¹⁶⁴⁰⁹ OF 2020.

1. Jehan Muhammad DEO Elementary and Secondary Education
Batkhela.

.....(Petitioner).

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 16856

Dated 23/12/2020

VERSUS

1. Govt of K.P.K Through Chief Secretary ~~of Elementary &~~
~~Secondary Education~~ K.P.K Peshawar.

2. Govt of K.P.K Through Secretary of Elementary & Secondary
Education K.P.K Peshawar.

3. Director Elementary & Secondary Education K.P.K Peshawar.

.....(Respondents).

Appeal under section-4 of the N.W.F.P , Service Tribunal Act 1974
against the order dated 20.12.2020 , through which appellant was
appeal was not response and he was not promoted to BPS-20.

Filed to-day

Registrar

23/12/20 PRAYER:

On acceptance of this appeal the order dated 20.12.2020 of no
response of the respondent no.1 may please be set aside and

● appellant may kind be promoted to BPS-20 from due date along with all back benefit

1. That Appellant is belong from the mentioned above addresses in heading of the ~~copy~~ petition.

2. That Appellant was appointed in the year 1999 on BPS-17 the then on BPS-18 also through commission.

3. That appellant performed his duties in BPS-19 w.e.f 30.9.2006 to 23.2.2011 as principle.

4. That appellant was appointed as EDO in same scale BPS -19 w.e.f 24.2.2011 through public service commission.

5. That appellant is gong to be retired from service on 3.1.2021 on superannuation basis.

6. That as per final seniority list appellant stand at the top of the officers BPS-19 Executive Distt Officer / Additional Directors Elementary and Secondary Education Department management cadre. (Copy of the seniority list is annexure A).

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7. That post of Director Education BPS-20 merged areas is existing / vacant .

Copy of the relevant is annexure B.

8. That in this respect appellant consecutively request but the matter is there where it was.

(Copy of the applications as annexure C).

9. That a letter NO. SO (SM) E and SED/ 1-1/2018/ promotion BS-19 TO BS -20 Dated Peshawar the October 06, 2020 in which specifically mentioned that the working paper for the promotion of the appellant may be proceed and sent to this department for further necessary action.

(Copies of the promotion are annexure D).

10. That as the appellant is going to be retired on 3.1.21 and due to the technical hurdle and delaying tactics of the office of directorate appellant deprived from his due right which is against the constitution of 1973.

11. That in spite of latter dated 6.10.20 to Director till date working paper for promotion of the appellant not proceed nor the same sent to department reason best known to them.

23 4

12. That appellant filed departmental appeal before the concerned authority on 20.9.2020 which was no response.

That appellant being aggrieved from the same having no other adequate remedy approach this Honorable tribunal on following amongst others

GROUND:

a. That not sending the working paper by the Director to Govt of K.P.K (E and SE department) and not awarding the promotion BPS-20 to appellant, respondents intentionally deprived appellant from his due right was/is illegal, unlawful, unconstitutional act of the respondents.

b. That awarding the same relief to others and depriving from the same benefit appellant is question of discrimination before this Honorable court.

c. That after the specific direction of department to Director for working paper no way except to submit the working paper of the appellant not submitted is further illegality, irregularity and violation of law and rules of service.

d. That respondents under the law duty bound to act upon the law not action as per law is further violation of law and rules of service.

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e. That under the constitution appellant has the same rights like others but same not extend equally which is injustice.

f. That on one side responded awarded their blue eyed persons and same time appellant treated discriminately.

g. That respondents adopt the policy of pick and chose which is against the basic provision of the constitution and service law .

h. That action on the part of respondents amount to misuse of power and approach beyond from the jurisdiction under the law mentioned for.

i. That superior court repeatedly delivered judgment in respect ART.4, 25 etc and present case respondents violate the same also.

j. That under the law being civil servant same is the negligence of the respondents with malafide intention.

It is therefore most humbly prayed that on acceptance of this appeal this honorable court may graciously be pleased to set aside / declare , null and void all mentioned processes and impugned order dated 20.12.20 of respondent no.1 and appellant may kindly be promote to BPS-20 from due date along with all back benefit

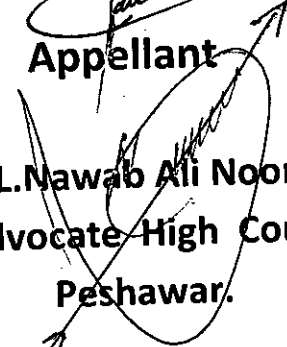
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May please awarded any other relief for which appellant entitled not specifically mentioned deem appropriate may also awarded.


Appellant


Through

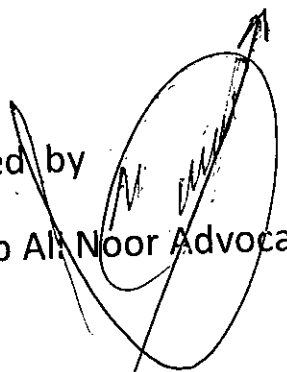

L. Nawab Ali Noor
Advocate High Court
Peshawar.

Certificate: certified that no such like S. Appeal is before this Honorable tribunal.

AFFIDAVIT.

I, Jehan Muhammad DEO Elementary and Secondary Education Batkhela ,do solemnly affirm and declare on oath that the contents of the accompanying S. Appeal are true and correct to the best of my knowledge and belief and nothing been kept concealed from this Honorable Tribunal.


Deponent

Identified by
L. Nawab Ali Noor Advocate


FINAL SENIORITY LIST OF OFFICERS bps-19 (EXECUTIVE DISTRICT OFFICERS/ADDITIONAL DIRECTORS) ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT MANAGEMENT CADER AS IT STOOD ON 22-02-2012.

S.No	NAME OF OFFICERS WITH DESIGNATION	DATE OF BIRTH	DOMICILE	DATE OF 1ST APPTTY: IN EDU: DEPTT:	DATE OF APPTT: /PROMOTION AS EDO/ ADDL DIR	METHOD OF RECRUITMENT	REMARKS
1	Mr. Bashir Hussain Shah Additional Director (P&D)/CPO E&SE Khyber pakhtunkhwa Promotion/ retired	10.01.1957	Haripure	01.12.1975	24.02.2011	Direct Select against 60% Departmental Quota	
2	Mr. Muhammad Rafique Additional Director (Est) E&SE Khyber pakhtunkhwa Promotion/ retired	14.02.1958	Karak	09.08.1978	24.02.2011	do	
3	Mr. Feroz Hussain Shah, EDO (E&SE) D.I Khan Retired	25.10.1954	DI Khan	11.11.1975	24.02.2011	do	
4	Mr. Abdur Rashid, EDO (E&SE) Bannu Promotion /Retired	15.05.1957	DI Khan	24.06.1978	24.02.2011	do	
5	Mr. Muhammad Ibrahim, EDO (E&SE) Dir Lower Promoted/ Director	16.3.1963	Dir Lower	10.02.1988	24.02.2011	do	
6	Mr. Sultan Mehmood Mian, EDO (E&SE) Swat Retired	21.12.1955	Swat	20.12.1983	24.02.2011	do	
7	Mr. Roz Wali, EDO (E&SE) wating for posting Retired	10.04.1957	Karak	01.12.1988	24.02.2011	do	
8	Gohar Ali Khan EDO (E&SE) Peshawar Promoted /Director	01.01.1967	Peshawar	232.04.1990	24.02.2011	do	
9	Mr. Abdullah, EDO (E&SE) Shangla Retired	20.09.1956	Malakand	04.03.1984	24.02.2011	do	
10	Muhammad Riaz EDO (E&SE) Abbottabad Retired	02.05.1960	Mansehra	24.05.1988	24.02.2011	do	
11	Jehan Muhammad EDO (E&SE) Hangu	04.01.1961	Nowshehra	26.10.1986	24.02.2011	do	
12	Haziq ur Rahman EDO (E&SE)Karak	06.02.1962	Karak	01.09.1985	24.02.2011	do	
13	Jaffar Mansoor Abbasi working as Prt GHS No 1 Abbottabad	15.09.1968	Abbottabad	11.02.1999	24.02.2011	do	
14	Zia ud Din EDO (E&SE) Dir Upper	01.09.1970	Lakki Marwat	01.09.2003	24.02.2011	do	
15	Atta Ullah Khan EDO (E&SE) Charsadda	18.03.1960	Lakki Marwat	16.02.1987	24.02.2011	do	
16	Mr. Ghulam Qasim Khan, EDO (E&SE) tank	10.01.1956	DI Khan	03.11.1973	24.02.2011	do	
17	Mr. Abdul Malik, EDO (E&SE) Lakki Marwat	07.01.1954	DI Khan	16.02.1977	24.02.2011	do	
18	Umar Khan EDO (E&SE) Mansehra	12.02.1962	Tank	01.10.1986	24.02.2011	do	
19	Shamas Khan Additional Director (P&D) E&SE Khyber Pakhtunkhwa	23.02.1954	Swabi	25.03.1975	24.02.2011	do	
20	Abdul Salam EDO (E&SE) Swabi	01.04.1962	DI Khan	09.10.1985	24.02.2011	do	
21	Siraj Muhammad EDO (E&SE) Chitral	20.04.1960	Peshawar	29.03.1988	24.02.2011	do	
22	Nazir Khan EDO (E&SE) Kohat	06.03.1959	Karak	24.10.1989	24.02.2011	do	
23	Sahibzada Hamid Mehmood EDO (E&SE) Torgher	06.09.1965	Peshawar	03.12.1989	24.02.2011	do	

CHIEF SECRETARY
KHYBER PAKHTUNKHWA

Dated Peshawar the, 08-05-2012

Endst: No. SO (S/M) E&SED/4-25/2012/Final Seniority List of MC (BPS-19):

Copy of the above is forwarded for information to the:-

- 1 Director Elementary and Secondary Education, Khyber Pakhtunkhwa, Peshawar.
- 2 Director of Education (FATA) Khyber Pakhtunkhwa, Peshawar.
- 3 Director (P&TE) Khyber Pakhtunkhwa, Peshawar.
- 4 Director Curriculum & Teacher Edu: Khyber Pakhtunkhwa, A/Abad.
- 5-29 All the Executive District Officers (E&SE) in Khyber Pakhtunkhwa.
- 30-52 All Officers concerned.
- 53 PS to Secretary to Govt: of Khyber Pakhtunkhwa, (E&SE) Peshawar.

SECTION OFFICER (SCHOOLS/MALE)

*Attached to be done
Copy*

Anx. A. 7

26

27 2

Ann B-8

NC21116(061)
ELEMENTARY AND SECONDARY EDUCATION

092102 ADMINISTRATION

FUNCTIONAL CUM OBJECT CLASSIFICATION AND PARTICULARS OF THE SCHE	NUMBER OF POSTS		BUDGET ESTIMATES 2019-2020	REVISED ESTIMATES 2019-2020	BUDGET ESTIMATES 2020-2021
	2019-2020	2020-2021			
09 EDUCATION AFFAIRS AND SERVICES					
092 SECONDARY EDUCATION AFFAIRS AND SERVICES					
0921 SECONDARY EDUCATION AFFAIRS AND SERVICES					
092102 ADMINISTRATION					
PR8135 Director of Education Merged Area Peshawar					
A01 TOTAL EMPLOYEES RELATED EXPENSES.			76620000	65642000	82088000
A011 TOTAL PAY	109	109	48603000	41206000	49824000
A011-1 TOTAL PAY OF OFFICERS	53	39	33189000	26106000	27460000
A01101 Total Basic Pay of Officer	53	39	33189000	25918000	27272000
D063 Director (BPS-20)	1	1	1672000		1704000
A238 Additional Director (BPS-19)	2	2	2672000		2715000
D028 Deputy Director (BPS-18)	6	6	4983000		5104000
A079 Assistant Director (BPS-17)	7	7	4651000		4764000
B050 Budget & Account Officer (BPS-17)	2	2	1350000		1382000
C153 Computer Programmer (BPS-17)	1	1	601000		617000
S112 Statistical Officer (BPS-17)	1	1	675000		691000
S166 Superintendent (BPS-17)	3	3	2025000		2073000
A004 Account Assistant (BPS-16)	1	1	493000		504000
A057 Assistant (BPS-16)	14	14	6992000		7141000
S061 Senior Scale Stenographer (BPS-16)	1	1	566000		577000
C082 Computer Operator (BPS-15)	7		2857000		
D013 Data Processing Supervisor (BPS-15)	1		476000		
J024 Junior Scale Stenographer (BPS-14)	6		3176000		
A01102 Personal Pay				188000	188000
A011-2 TOTAL PAY OF OTHER STAFF	56	70	15414000	15100000	22364000
A01151 Total Basic Pay other Staff	56	70	15414000	15068000	22332000
C082 Computer Operator (BPS-15)		7			2922000
D013 Data Processing Supervisor (BPS-15)		1			485000
J024 Junior Scale Stenographer (BPS-14)		6			3225000

Attended to be true copy. *[Signature]*

28

Ans. e. 9

To

The Director
Human Rights Cell
Hicourt Khyber Pakhtunkhwa Peshawar.

Subject:- **Delay in submission of working papers for promotion to BPS-20**

Memo:-

I have the honour to request as:-

I have been performing my duties in BPS-19 since 2006 in Elementary & Secondary Education Khyber Pakhtunkhwa.

A post of Director Education N.M.D B-20 is lying vacant.

Being standing on the top of seniority list of DEO's B-19, I have applied to the Secretary E&SED for promotion to the said post on 9th August 2020. Secretary E&SE has directed the Director E&SE to Submit working papers but still awaiting.

As my retirement date on Superannuation is 03rd Jan, 2021, So further delay in processing the case will deprive me from due right.

Therefore the department may please be directed to process my case through P.S.B to ensure my promotion well in time which is my due and admissible right as per rules.



(JEHAN MUHAMMAD.)
D.E.O (M) Malakand

Attached copy to be done
A



4
29
Anx D-10
ab

GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

No. SO(SM)E&SED/1-1/2018/Promotion BS-19 to BS-20
Dated Peshawar the October 06, 2020

To

The Director,
Directorate of E&SE,
Peshawar.

Subject: - **PROMOTION TO BS-20**

I am directed to enclose herewith copy of application submitted by Mr. Jehan Muhammad DEO (M) Malakand on the subject noted above and to state that working paper for promotion of the said officer may be processed and sent to this department for further necessary action.


Encl: As Above:

Endst: Even No. & Date:

Copy of the above is forwarded to the:

1. PS to Secretary E&SE Department.


(MUJEEB UR RAHMAN)
SECTION OFFICER (SCHOOLS MALE)


SECTION OFFICER (SCHOOLS MALE)

Attested copy to be forwarded

To

30
Am. E - 11
The Chief Secretary,
Govt. of Khyber Pakhtunkhwa.

Through: PROPER CHANNAL

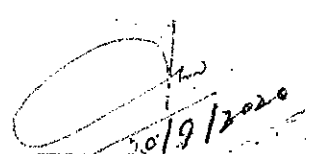
Subject: APPEAL FOR PROMOTION TO BS-20 THROUGH PSB.

Respected Sir,

I have the honour to pinpoint my request as:-


1. I had performed my duties in BS-19 w.e.f 30.09.2006 to 23.02.2011 as Principal.
2. Public Service Commission appointed me in the same scale as EDO (BS-19) w.e.f 24.02.2011.
3. I am going to be retired on 03.01.2021 on superannuation basis.
4. A post of Director Education (BS-20) Merged Areas is existing/vacant.
5. I have applied consecutively on 9th August 2020, and 6th October 2020 for promotion to the same post but still waiting for PSB.

It is requested in your great honour to manage/conduct PSB meeting within December 2020 and include my case for promotion to BS-20.


20/9/2020
JEHAN MUHAMMAD
DISTRICT EDUCATION OFFICER
MALAKAND

Copy to:

1. Secretary Elementary and Secondary Education Khyber Pakhtunkhwa with the request to include the case for PSB.
2. Director Elementary and Secondary Education Khyber Pakhtunkhwa to submit the working paper within time.
3. Office file.

Attested to be
True copy.




order of compulsory retirement was set aside---Plea raised by the Authority was that the employee had not filed any departmental appeal, therefore, his appeal before the Service Tribunal was not competent---Contention of the employee was that the reply of the Authority filed in High Court during pendency of his Constitutional petition on the same subject was the decision of the Authority---Validity---Employee had an inalienable right of hearing and he could not be condemned unheard on the principle of natural justice audi alteram partem without assigning any reason for his retirement from service---Authority had taken action under S. 17(1-A)(a) of Pakistan Water and Power Development Authority Act, 1958, whereunder no provision for filing appeal, review or representation had been provided and action of retirement was not initiated or taken under Pakistan Water and Power Development Authority Employees (Efficiency and Discipline) Rules, 1978, therefore, filing of appeal was no bar against filing appeal before Service Tribunal---Constitutional petition filed by employee before High Court could be treated to be a departmental appeal against the order of compulsory retirement---Objections/comments of Water and Power Development Authority filed in the Constitutional petition could legitimately be deemed to be an order of competent authority on the appeal of dismissal, therefore, there was no legal impediment in filing appeal before Service Tribunal on account of non-availing of departmental remedy---Supreme Court declined to interfere with the judgment passed by Service Tribunal---Leave to appeal was refused. [pp. 1441, 1442, 1443] A, B & C

Pakistan and others v. Public-at-large and others PLD 1987 SC 304; Muhammad Mushtaq Akbar Civil Appeal No.947 of 1999; WAPDA and others v. Shahen Yasrab and others Civil Petition No.1118/L of 2003 and Syed Aftab Ahmad and others v. K.E.S.C. and others 1999 SCMR 197 rel.

Muhammad Sharif, Advocate Supreme Court for Petitioner.

Respondent No.1 (in person).

Date of hearing: 1st June, 2004.

JUDGMENT

HAMID ALI MIRZA, J.---This civil petition for leave to appeal is directed against the judgment, dated 6-3-2003 in Appeal No.1355(R) of 1999 titled "Fida Hussain, Ex-Executive Engineer v. Water and Power Development Authority through its Chairman and 2 others" passed by learned Federal Service Tribunal, Islamabad whereby the appeal filed by the respondent Fida Hussain was allowed thereby the

section 17(1-A)(a) of WAPDA Act, 1958 was set aside, so also order, dated 2-5-2000 of removal from service.

2. Brief facts of the case are that the respondent Fida Hussain joined the petitioner-service in May, 1977 and was compulsorily retired as per order, dated 23-4-1999 when he was serving as Executive Engineer Rawabi Division-I, WAPDA Circle without serving him any show cause notice stating the grounds on which the said action had been taken and without affording him any opportunity of hearing. The respondent approached the Federal Service Tribunal by way of appeal which appeal was accepted as per impugned judgment; hence this petition.

3. We have heard learned counsel for the petitioner and the respondent in person and perused the record.

4. Contention of learned counsel for the petitioner is that the respondent having been retired from service under section 17(1-A)(a) of WAPDA Act, 1958, therefore, the latter in view of the said provision of law was not entitled to any show cause showing reasons thereof or right of hearing before passing of order of retirement, hence, the impugned judgment passed by the learned Federal Service Tribunal was erroneous in law, hence liable to be set aside. He further submitted that the respondent has not exhausted his departmental remedies available under the law to him, consequently, his appeal before the Federal Service Tribunal was incompetent in view of the provisions of section 4 of the Service Tribunals Act, 1973.

5. The respondent present in person submitted that he has inalienable right of hearing and thereby could not be condemned unheard. He has placed reliance upon Pakistan and others v. Public at Large and others PLD 1987 SC 304 at page 353. He further submitted that he has filed appeal before the authority and was replied that the decision taken was final as per letter No.C&I/DD (C) 05001/898/2344, dated 26-7-2000, therefore, his appeal before the Service Tribunal was competent. He further has placed reliance upon an unreported decision of this Court, dated 30-5-2001s in the case of Muhammad Mushtaq Akbar (Civil Appeal No. 947 of 1999).

6. We do not find any merit in the submissions of the learned counsel for the petitioner. The respondent has inalienable right of hearing and he cannot be condemned unheard on the principle of natural justice audi alteram partem without assigning any reason for his retirement from service. Reliance is placed upon an unreported decision, dated 8-12-2003 of this Court in the case of WAPDA etc. v. Shahen Yasrab etc. (Civil Petition No. 1118-L/2003, etc.) wherein this Court observed that inalienable right of an employee of natural justice audi alteram partem cannot be denied solely on the ground that statutory provision

does not postulate assigning of any reason for retirement of an employee from service. So far the filing of appeal is concerned, the respondent has pointed out that he did file appeal and he was informed that the order so passed was final. Besides it would be seen that on one hand the petitioner has contended that the respondent was not entitled to any show cause notice of hearing in view of section 17(1-A)(a) of WAPDA Act, 1958 and on the other hand he has contended that as the respondent had not filed appeal/representation, therefore, his appeal before the Service Tribunal was not competent. Section 4(a) of the Service Tribunals Act, 1973 provides that "where an appeal, review or representation to a departmental authority is provided under the Civil servants Act, 1973 (LXXI of 1973), or any rules against any such order, no appeal shall lie to a Tribunal unless the aggrieved civil servant has preferred an appeal or application for review or representation to such departmental authority and a period of ninety days has elapsed from the date on which such appeal, application or representation was so preferred". In the instant case, the action has been taken under section 17(1-A)(a) of WAPDA Act, 1958 whereunder no provision for filing appeal, review or representation has been provided under the Act and the action of retirement was not initiated or taken under the Pakistan WAPDA Employees (Efficiency and Discipline) Rules, 1978, therefore, in the circumstances, non-filing of appeal would be no bar from filing an appeal before the Federal Service Tribunal. Besides it may be observed that this Court in its decision, dated 30-5-2001 in the case of Muhammad Mushtaq Akbar Abbasi v. House Building Finance Corporation and others (Civil appeal No. 947 of 1999) held that he employee in case has preferred a constitutional petition before the High Court, (as in the instant case contended by the respondents), the same could be treated to be a departmental appeal against the order of compulsory retirement when the respondent in the Constitutional petition has opposed the petition that compulsory retirement order was legally passed, the said objections/comments could legitimately be deemed to be an order of competent authority on the appeal of dismissal, therefore, there was no legal impediment in filing the appeal before the Service Tribunal on account of non-availing of departmental remedy. Reference may be made to the decision of this Court in the case of Syed Aftab Ahmad and others v. K.E.S.E. and others 1999 SCMR 197. This Court in the case of Pakistan and others v. Public at Large and others PLD 1987 SC 304 at page 353 while dealing with analogous provisions of section 12 of Civil Servants Act with regard to civil servants' retirement from service, it was observed "Since removal of civil servant can only be ordered for a cause, for this reason also it would be necessary to give the person affected an opportunity of being heard, because 'cause' cannot be decided by a competent authority in the secrecy of his office because the object is to minimize rather to eliminate mischief of

possibility of corruption and arbitrariness" and it was held that section 12(i) and (ii) of the Punjab Act and corresponding sections of the Provincial laws are, therefore, repugnant to the Qur'an and the Sunnah. These sections are violative of the principle of Musawat (equality before law) also as there appears to be no reasonable classification of Additional Secretaries or persons of equal or higher ranks on the one hand and other employees of lower ranks on the other the interest of legislation cannot be served without making it necessary to issue notice to the employee to show cause against retirement.

7. In view of the aforesaid reasons, we find no merit in this petition, therefore, leave to appeal is declined and petition is dismissed.

M.H./W-4/S

Petition dismissed.

2004 S C M R 1443

[Supreme Court of Pakistan]

Present: Iftikhar Muhammad Chaudhry, Khaliq-ur-Rehman Ramday
and Falak Sher, JJ

Messrs CENTRAL COTTON MILLS LTD.---Appellant

versus

HABIB BANK LIMITED---Respondent

Civil Appeals Nos. 1694 and 1793 of 1996, decided on 11th may, 2004.

(On appeal against the order, dated 28-10-1996 passed by High Court of Sindh, Karachi, passed in J.M. No.38 of 1997).

Companies Ordinance (LXVII of 1984)---

---Ss. 305 & 306---Winding up of company---Bank defaulter---Failure to clear the debts---Right of bank to initiate winding up proceedings against defaulter company---Providing additional securities to bank---Company failed to demonstrate that it was in a functional condition and was making profits---Company further failed to prove that it was capable to discharge its liabilities to point out the debts owed to the bank as per record of the Company nor the company had come out with the statement showing how much amount could be deposited by it to discharge the liabilities of the bank---Company in written statement made no specific denial regarding liabilities towards the bank---Civil suits were pending between the parties against each other particularly one filed by bank for

rightly modified the appeal of civil servant and fixed the period of reduction in lower stage in time scale---Judgment passed by Service Tribunal did not suffer from misreading or non-reading of the material available on record---No question of general public importance as contemplated under Art.212(3) of the Constitution was involved---Leave to appeal was refused. [pp. 1438, 1439] A & B

S.M. Abdul Wahab, Advocate Supreme Court with M.A. Zaidi, Advocate-on-Record for Petitioner. (in C.P. No.699 of 2003).

Ch. Aamir Rehman, Addl. A.-G, Punjab for Petitioners (in C.P. No.1352/L of 2003).

Date of hearing: 10th June, 2004.

JUDGMENT

SYED DEEDAR HUSSAIN SHAH, J.--- Through this common judgment we intend to dispose of above two civil petitions for leave to appeal, which have arisen from a consolidated judgment, dated 25-2-2003, passed by the Punjab Service Tribunal, Lahore (hereinafter referred to as the Tribunal) in Appeal No. 2740 of 2002.

2. Muhammad Riaz petitioner in Civil Petition for Leave to Appeal No. 699 of 2003, filed an appeal against the order of the Secretary, Education Department, Government of the Punjab, dated 17-7-2000, whereby major penalty of reduction of rank was imposed.

3. The Tribunal, after going through the record and hearing the learned counsel for the parties, partially accepted the appeal of the petitioner with the direction that the penalty of reduction in rank from BS-18 to BS-17 shall continue for a period of two years to be effective from 12-7-2000.

4. We have heard the learned counsel for the parties and on query of the Court, the learned Law Officer has frankly conceded that while imposing penalty of reducing to a lower grade or post, or to a lower stage in time scale, the authority is bound to state the period for which it shall be effective.

5. The impugned judgment of the Tribunal is entirely in consonance with the law and proper appreciation of the material available. There is no misreading or non-reading of the material. However, it would be pertinent to refer here the relevant paragraph of the impugned judgment, which reads as under:--

"8. The two charges stand proved against the appellant. The question further arises as to the penalty imposed. Para. 4.12 of

servant, is on account of misconduct or inefficiency, reduced to a lower grade or post, or to a lower stage in time scale, the authority ordering such reduction shall state the period for which it shall be effective. The authority became oblivious of this provision of law and failed to specify the period for which the penalty was to endure. Considering the circumstances of the case and the charges which stand proved against the appellant, interest of justice warrants that penalty should be continued for a period of two years. Partially accepting the appeal, the penalty of reduction in rank from BS-18 to BS-17 shall continue for a period of two years to be effective from 12-7-2000."

6. We further found that the question of general public importance as contemplated under Article 212(3) of the Constitution is not spelt out in this case.

7. For the facts, circumstances and reasons mentioned hereinabove, we are of the firm opinion that these petitions are without merit and substance, which are hereby dismissed and leave declined.

M.H./M-116/S

Petition dismissed.

2004 S C M R 1439

[Supreme Court of Pakistan]

Present: Hamid Ali Mirza and Sardar Muhammad Raza Khan, JJ

WAPDA---Petitioner

versus

FIDA HUSSAIN---Respondent

Civil Petition No.917 of 2003, decided on 1st June, 2004.

(On appeal from the judgment, dated 6-3-2003 of the Federal Service Tribunal passed in Appeal No.1355(R) of 1999).

Pakistan Water and Power Development Authority Act (XXXI of 1958)---

S. 17(1-A)(a)---Service Tribunals Act (LXX of 1973), Ss.2-A & 4---

Constitution of Pakistan (1973), Art.212(3)---Compulsory retirement from service---Non issuance of show cause notice---Principle of audi

term partem---Applicability---Failure to file departmental appeal---

Effect---Employee was compulsorily retired from service without issuance of any show cause notice and

(20)

BEFORE THE SERVICE TRABUNIL K.P.K PESHAWAR.

Restoration application no. IN s. Appeal NO.16409/20

**SCANNED
KPST
Peshawar**

1. Jehan Muhammad

.....Applicant.

VERSUS

1. Govt of K.P.K and others.

.....Respondents.

Index

S.NO.	Description	Annexure	Pages
1.	Restoration application		1-3
2.	Affidavit		3
3.	Copy of the order	A	4-5
4.	Waklat Nama		5

Through

Applicant/Appellant

L.Nawab Ali Noor
Advocate High Court
Peshawar.
03469076945

(41) C

BEFORE THE SERVICE TRIBUNAL K.P.K PESHAWAR.

Restoration application no. IN s. Appeal NO.16409/20



1. Jehan Muhammad

.....Applicant.

VERSUS

1. Govt of K.P.K and others.

.....Respondents.

Application with utmost respect to Restore / set aside order dated 27.5.2021 through which the titled above S. Appeal was dismissed in default.

Respectfully submitted,

1. That cited above titled S. Appeal was fixed before this Honorable court for 27.5.2021.
2. That same was dismissed in default on 27.5.21 by this Honorable court. Copy of the order dated 27.5.21 as annexure A.
3. That applicant being aggrieved approach this Honorable court to restore on following amongst others Grounds.

- a. That applicant/appellant did appear visit the cause list but at serial no.2 case was fix of police department on same applicant approach his counsel inform about the same.
- b. That due to the open surgery operation of the counsel of appellant/applicant counsel was unable to attend this Honorable and advise his client that he will inquire after recovery of his health.
- c. That applicant due to mentioned reason and counsel of applicant due to surgery didn't appear.

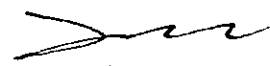


(42)

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- d. That petitioner valuable rights are very much attached with the case in question.
- e. That there is no bar/ nor any legal hurdle to restore the S. appeal by honorable court.
- f. That applicant /appellant non appearance was not deliberate nor intention but due mentioned reason.
- g. That law favor to decide the cases on merit rather than technicality.
- h. That superior courts plethora of judgments favor the cases to be decided on merits.

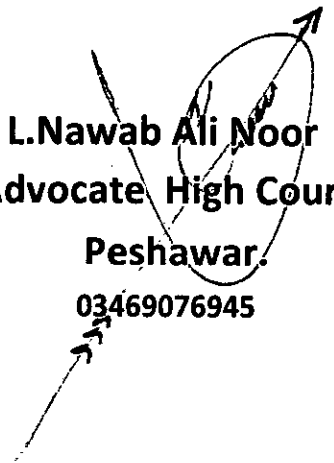
It is therefore most humbly prayed that on acceptance of this application your honor may graciously be pleased to set aside the order dated 27.5.21 may please restore the service appeal NO. 16409/20 and decide the same on merit.



Applicants

Through

L.Nawab Ali Noor
Advocate High Court
Peshawar.
03469076945



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Certificate:

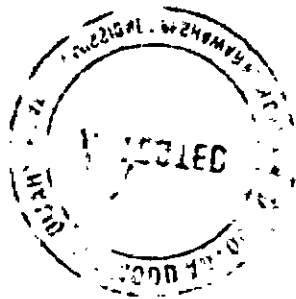
Certified that no such like restoration application is before this Honorable court in above service appeal.

L.Nawab Ali Noor
Advocate High Court
Peshawar.

AFFIDAVIT.

I, ~~Jahid~~ Muhammad ~~[scribble]~~ r/o village and P/O Naushera ~~[scribble]~~
~~[scribble]~~ Tehsil & Distt ~~[scribble]~~, do solemnly affirm and declare on oath
that the contents of the accompanying ~~[scribble]~~ ^{is applicat} are true and correct to
the best of my knowledge and belief and nothing been kept
concealed from this Honorable court.





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BEFORE THE SERVICE TRIBUNAL K.P.K PESHAWAR.

S. Appeal NO OF 2020.

16409

R. A. No 109/2021

1. Jehan Muhammad DEO Elementary and Secondary Education
Batkhela.

.....(Petitioner).

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 16856

Dated 23/12/2020

VERSUS

1. Govt of K.P.K Through Chief Secretary
K.P.K Peshawar.

2. Govt of K.P.K Through Secretary of Elementary & Secondary
Education K.P.K Peshawar.

3. Director Elementary & Secondary Education K.P.K. Peshawar.

.....(Respondents).

Appeal under section-4 of the N.W.F.P , Service Tribunal Act 1974
against the order dated 20.12.2020 , through which appellant
appeal was not response and he was not promoted to BPS-20.

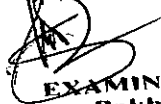
Filed to-day

Registrar

23/12/20 PRAYER:

On acceptance of this appeal the order dated 20.12.2020 of no
response of the respondent no.1 may please be set aside and

ATTESTED


EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

WS Appeal No. 16409/2020
Jehan Muhammad



27.05.2021

None present on behalf of the appellant despite repeated calls. Notices as directed on 08.02.2021 were duly issued. Copies of notices are available on the file. It would be in the interest of justice to discuss the factual position so that the dismissal of this appeal for non-prosecution should not create bar for departmental remedy regarding proforma promotion and back benefits by the appellant, if so advised. The crux of the matter in the appeal is that the appellant purportedly being on top of the seniority list was expected promotion to higher grade from BPS-19 to BPS-20 but was left with no time because of his nearness to the superannuation age. The appellant was to retire from service on 03.01.2021 but he could be able to come to this Tribunal on 23.12.2021 only about 14 days before his retirement. It seems possible that he has retired from service without consideration for promotion. Nonappearance of the appellant and his counsel seems to be the result of this appeal having become infructuous due to retirement of the appellant. With the given factual observations, this appeal is dismissed in default.

[Signature]
Chairman

ANNOUNCED

27.05.2021


Certified to be true copy
EXCISE OFFICER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Date of Presentation of Application	01/06/2021
Number of Words	800
Copying Fee	10.00
Urgent	4.00
Total	14.00
Name of Copier	
Date of Completion of Copy	01/06/21
Date of Delivery of Copy	01/06/21

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The restoration application of Mr. Jehan Muhammad DEO Batkhela received today i.e. on 27.06.2022 is returned to the counsel for the applicant with the remarks that four more copies/sets of the application along with annexures i.e. complete in all respect may also be submitted with the application within 15 days.

No. 2113 /S.T,
Dt. 27/6 /2022


Registrar
Khyber Pakhtunkhwa
Service Tribunal
Peshawar.

Mr.L.Nawab Ali Noor Adv.
High Court Peshawar.

Respectfully Submitted,

*Needfull done kindly put before
the Court.*

30/6/22

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BEFORE THE SERVICE TRIBUNAL K.P.K PESHAWAR..

Restoration application no. ^{379/2022} IN s. Appeal no.16409/2020

1. Jehan Muhammad

.....Applicant.

VERSUS

1. Govt of K.P.K and others.

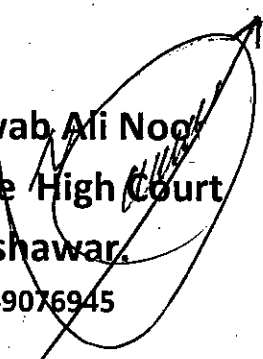
.....Respondents.

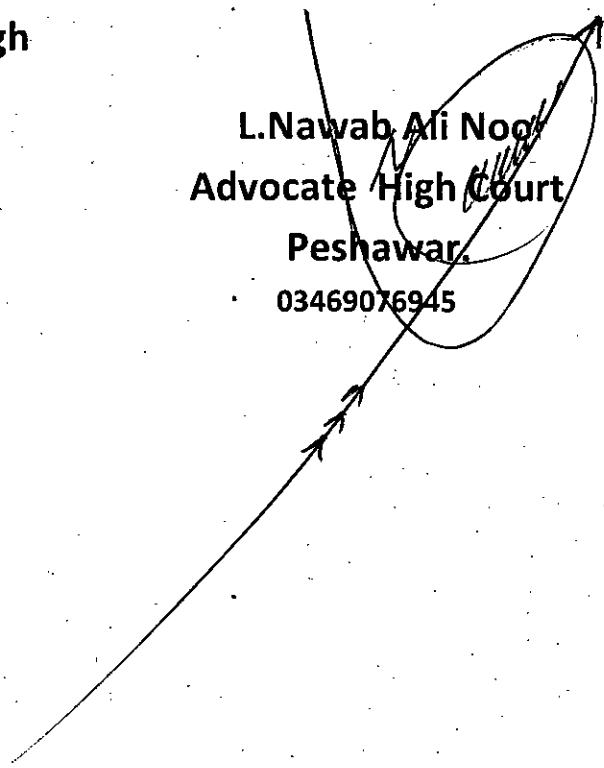
Index

S.NO.	Description	Annexure	Pages
1.	Restoration application -		1-3
2.	Affidavit and condensation of delay app.		3-4
3	Copy of the order	A	5-6
4	Waklat Nama		

Through

Applicant/Appellant


L.Nawab Ali Noor
Advocate High Court
Peshawar.
 03469076945



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1

BEFORE THE SERVICE TRIBUNAL K.P.K PESHAWAR.

Khyber Pakhtunkhwa
Service Tribunal

Restoration application no. 379/2022 / IN s. Appeal no. 16409/20

Diary No. 543

Dated 27-6-2022

1. Jehan Muhammad

.....Applicant.

VERSUS

1. Govt of K.P.K and others.

.....Respondents.

Application with utmost respect to Restore / set seaside order dated 1.6.22 through which the titled above S. Appeal was dismiss in default.

Respectfully submitted,

- 1. That cited above titled S. Appeal was fixed before this Honorable court for 1.6.22
- 2. That same was dismissed in default on 1.6.22 by this Honorable court. Copy of the order dated 1.6.22 as annexure A.
- 3. That applicant being aggrieved approach this Honorable court to restore on following amongst others

Grounds.

- a. That cited above service appeal was fix before this Honorable court for 1.6.22 which was dismissed in default.
- b. That on 17.5.22 applicant counsel due to emergency brought to saidu Group of teaching Hospital saidu sharif swat where he was admitted.
- c. That later on applicant /applicant counsel got information after his recovery on 24.6.22 that case dismissed in default .
- d. That petitioner valuable rights are very much attached with the case in question.
- e. That there is no bar/ nor any legal hurdle to restore the S. appeal by honorable court.
- f. That applicant /appellant / counsel of applicant non appearance was not deliberate nor intention but due mentioned reason.
- g. That law favor to decide the cases on merit rather than technicality.
- h. That superior courts pethora of judgments favor the cases to be decided on merits.

It is therefore most humbly prayed that on acceptance of this application your honor may graciously be pleased to set aside the order dated 1.6.22 may please restore the service appeal titled mentioned above and decide the same on merit.

Applicant/ appellant

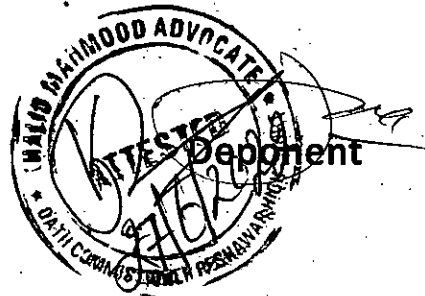
Through

**L.Nawab Ali Noor
Advocate High Court
Peshawar.
03469076945**

Certificate: Certified that no such like restoration application is before this Honorable court in above service appeal.

AFFIDAVIT.

I, Jehan Muhammad ,do solemnly affirm and declare on oath that the contents of the accompanying Restoration Application are true and correct to the best of my knowledge and belief and nothing been kept concealed from this Honorable court.





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BEFORE THE SERVICE TRIBUNAL K.P.K PESHAWAR.

Restoration application no. IN s. Appeal 16409/2020

1. Jehan MuhammadApplicant.

VERSUS

1. Govt of K.P.K and others.Respondents.

Application with utmost respect to condone if any delay the restoration application.

- a. That facts and grounds may kindly be considered facts and grounds for condonation of delay if any.
- b. That applicant/ appellant counsel got information on 24.6.22 after the recovery of his health.
- c. That no bar to accept the same and restore appeal.
- d. That this Honorable court has the power to restore.
- e. That no intention nor deliberately not submitted the application but due to the mentioned reason if any is liable to be condoned.

It is humbly prayed that may please condone if any delay in submission the restoration application.

Through

Applicant/ appellant

L. Nawab Ali Noor
Advocate High Court
Peshawar.
03469076945

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Av. A. 5

BEFORE THE SERVICE TRIBUNAL K.P.K PESHAWAR.

Appeal NO. OF 2020.

1. Jehan Muhammad DEO Elementary and Secondary Education
Batkhela.



.....(Petitioner).

VERSUS

Chy...
Date No. 16256
Dated 23/12/2020

- 1. Govt of K.P.K Through Chief Secretary
K.P.K Peshawar.
- 2. Govt of K.P.K Through Secretary of Elementary & Secondary
Education K.P.K Peshawar.
- 3. Director Elementary & Secondary Education K.P.K. Peshawar.

.....(Respondents).

Appeal under section-4 of the N.W.F.P , Service Tribunal Act 1974
against the order dated 20.12.2020 , through which appellat
appeal was not response and he was not promoted to BPS-20.

Filed to-day

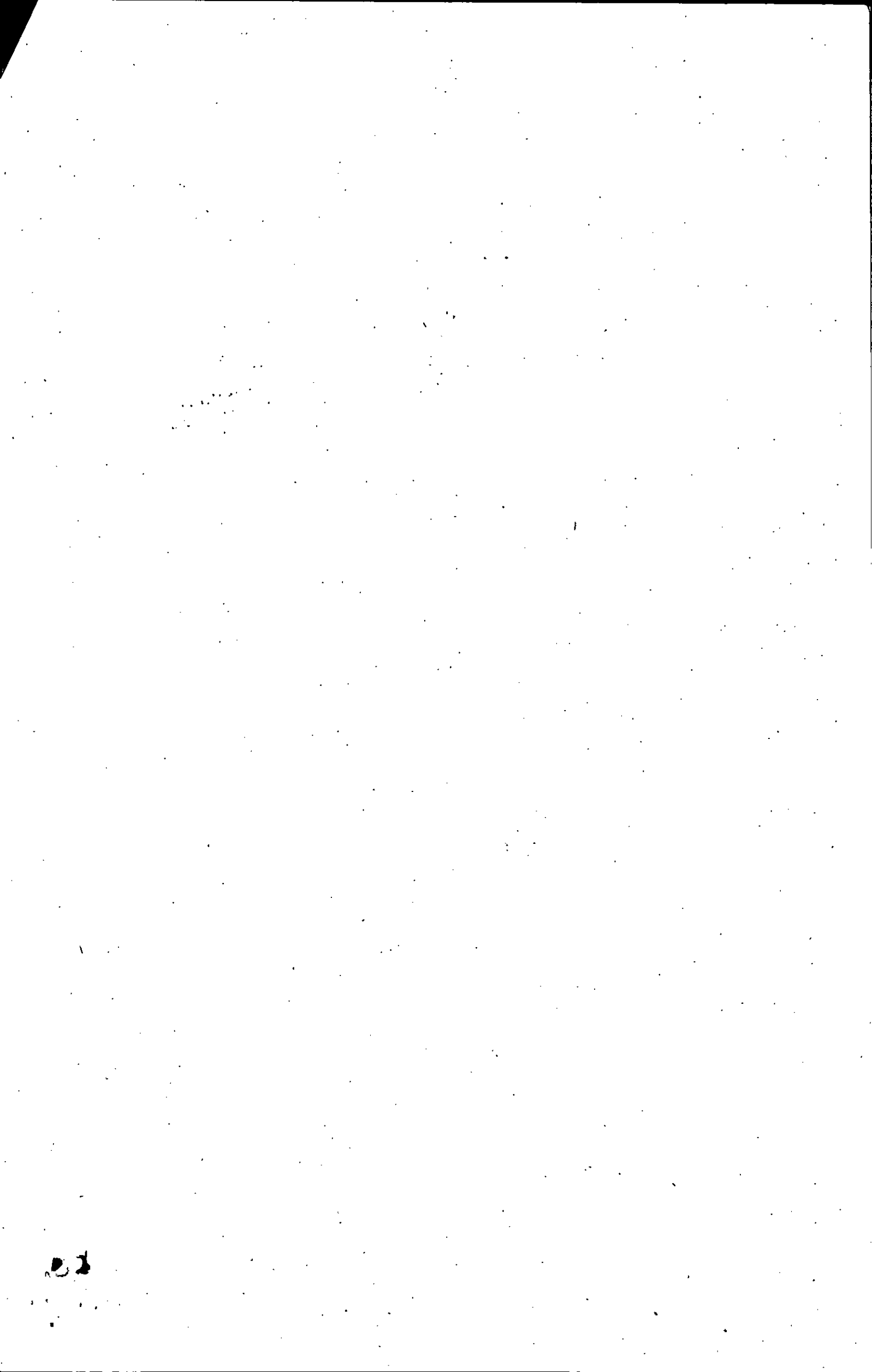
Registrar

23/12/20 PRAYER:

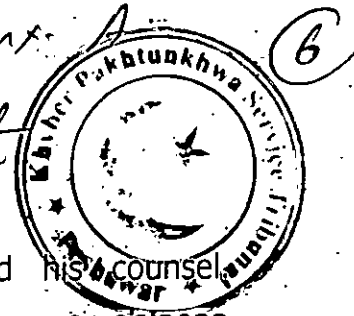
On acceptance of this appeal the order dated 20.12.2020 of no
response of the respondent no.1 may please be set aside and

Certified to be true copy

REGISTRAR
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar



153 Appeal No. 16409/2020
Jehan Muhammad vs Govt



28.03.2022

None for the appellant present.

Notices be issued to the appellant and his counsel.

Adjourned. To come up for preliminary hearing on 01.06.2022 before S.B.

(MIAN MUHAMMAD)
MEMBER(E)

1st June, 2022

1. None present for the appellant:

2. This appeal was dismissed in default on 27.05.2021 but restored on 25.06.2021. Today the instant appeal was called time and again but neither appellant nor his counsel put appearance. In view of the above, the appeal is dismissed in default. Consign.

3. Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal this 1st day of June, 2022.



(Kalim Arshad Khan)
Chairman

Certified to be true copy

Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Date of Presentation of Application 24-06-2022
 Number of Words 800
 Copying Fee 10/-
 Urgent 4/-
 Total 14/-
 Name of Copyist _____
 Date of Completion of Copy 24-06-2022
 Date of Delivery of Copy 24-06-2022



“B”

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.

No.

52

Appeal No. P.A. 379 of 2022.

Jehan Muhammad Appellant/Petitioner

Versus

Through Chief Secy Peshawar Respondent

Respondent No. (1)

Notice to: — Gort of KPK through Chief Secy Peshawar.

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 05/14/2023 at 8.00 A.M. If you wish to urge anything against the appelland/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of P.A.V appeal is attached. Pre-Admission Notice Copy of appeal has already been sent to you vide this

office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this 14/4.....

Day of.....14/4.....2023.

For Regt
ISSUE BRANCH
CHIEF SECRETARY
Govt of Khyber Pakhtunkhwa
Peshawar

[Signature]
Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence.

55

"B"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.

No.

P.A 379 22
Appeal No. Jahan Muhammad of 20

Through Chief Secy Peshawar

Appellant/Petitioner

Respondent

Through Secy ESSE Peshawar

SECRETARY DIARY

Notice to: —

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on.....at 8.00 A.M. If you wish to urge anything against the appellent/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No.....dated..... 19/11

Given under my hand and the seal of this Court, at Peshawar this.....

Day of.....20

For Regl

[Signature]

Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence.

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“B”

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.

No.

Appeal No. P.A. 379 of 20 22
Jehom Muhammad

Appellant/Petitioner

Through Chief Justice Peshawar

Respondent

Director EGSE KPL Peshawar
Respondent No.

Notice to: —

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on.....at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

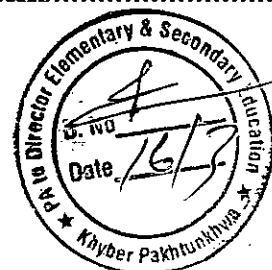
Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition. Admission Notice

Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No.....dated..... 14/4

Given under my hand and the seal of this Court, at Peshawar this.....
Day of.....20..... May 23

For Regr

[Signature]



Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence.

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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

SCANNED
KPST
Peshawar

SERVICE APPEAL # 16409/2020

Mr. Jahan Muhammad, Ex-DEO Malakand (BPS-19).....Appellant.

VERSUS

Govt: of Khyber Pakhtunkhwa & Others.....Respondents.

INDEX

S#	Description of Documents	Annex	Pages
1.	Affidavit	A	1
2.	Authority Letter	B	2
3.	Para-wise comments/reply	C	3-5
4.	Annexures	D	6--


Deponent

(58)

✓

BEFORE THE HON'BLE SERVICE TRIBUNAL PESHAWAR

Service Appeal # 16409/2028

Mr. Jahan Muhammad, Ex-DEO Malakand (BPS-19).....Appellant

VERSUS

Govt. of Khyber Pakhtunkhwa & others..... Respondents

AFFIDAVIT

I, **Motasim Billah Shah**, Secretary, Elementary & Secondary Education, Department do hereby solemnly affirm and declare that the contents of the accompanying para-wise comments, submitted by the respondents, are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.

It is further, stated on oath that in this appeal the answering Respondents have neither been placed ex-parte nor has their defense been struck off.



DEPONENT

Motasim Billah Shah

**Secretary
E&SE Department Peshawar**

(59)

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GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

Block "A" Civil Secretariat, Peshawar

Phone No. 091-9211128

AUTHORITY LETTER

It is certified that **Mr. Amjid Ali, Section Officer (Litigation-II)** Elementary & Secondary Education Department, Government of Khyber Pakhtunkhwa, Peshawar is hereby authorized to submit parawise comments on behalf of Secretary Elementary & Secondary Education Department Peshawar **SA#16409/2020** Case Titled **Mr. Jahan Muhammad, Ex-District Education Officer Malakand (BPS-19)** vs Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Department Khyber Pakhtunkhwa, Peshawar.

DEPONENT

A handwritten signature in black ink, appearing to read 'Motasim Billah Shah', written over the printed name.

Motasim Billah Shah

Secretary

E&SE Department Peshawar

(60) 3

**BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR.**

Service Appeal No: 16409/2020

**Jehan Muhammad Ex-District Education Officer (M) Malakand
.....Appellant**

VERSUS

**Government of, Khyber Pakhtunkhwa through Chief Secretary &
others.....Respondents**

JOINT PARAWISE COMMENTS ON BEHALF OF RESPONDENTS No: 2-3.

Respectfully Sheweth,

**Khyber Pakhtunkhwa
Service Tribunal**

PRELIMINARY OBJECTIONS.

Case No. **9996**

- Date: **20-12-2023**
to file instant
- 1 That the Appellant has got no cause of action/locus standi to file instant appeal.
 - 2 That the appellant is not an aggrieved person within the meaning of Section-4 Khyber Pakhtunkhwa Service Tribunal Act 1974 read with Article-212 of the constitution of Islamic Republic of Pakistan 1973.
 - 3 That the appeal in hand is bad for mis-joinder and non-joinder of the necessary parties.
 - 4 That the Notification dated 20-12-2020, whereby the plea of the appellant regarding proforma promotion to the post of Director in BS-20 MC was rejected under the rules & policy in vogue is legal and liable to be maintained.
 - 5 That the post of the Director Ex-FATA is no more functional in the Respondent Department, whereupon, the appellant cannot be promoted & adjusted under the Rules & policy.
 - 6 That the appellant is not entitled for anti-date promotion to the post of Director Ex-FATA now NMDs in BPS-20 on the grounds of being nonfunctional post in the Respondent Department.
 - 7 That the claim of the appellant is against the relevant provision of APT Rules 1989, hence, liable to be rejected.

ON FACTS.

- 1 That Para-1 pertains to the residential & academic record of the appellant.
- 2 That Para-2 is correct to the extent of appointment of the appellant in BPS-17 in 1999 & then in BPS-18 through the KPPSC in the Respondent Department.
- 3 That Para-3 pertains to the performance of the appellant in the Department against the principal post (BPS-19) w.e.f 30-09-2006 to 23-02-2011, hence needs no comments.

- (61) 4
- 4 That Para-4 is correct to the extent of that the appellant was appointed against the Executive District Officer (MC) in BS-19 among with others through KPPSC on dated 24-02-2011, pursuant to the National Educational Policy 2009, however with further submission that the nomenclature of EDO was changed to the DEO in BS-19 by the department.
 - 5 That Para-5 is correct that the appellant has already got retirement from service dated 03-01-2021 on attaining the age of 60 years against the noted post from the Department.
 - 6 That Para-6 is also incorrect & mis leading that the on the grounds that no final seniority of BS-19 of MC Cadre has been notified by the Department except the tentative seniority list dated 21-10-2021 impugned by Mr. Muhammad Uzair Ali an officer of BS-19 MC before the Honorable Service Tribunal in Service Appeal No. 2005/2022 under case titled Muhammad Uzair Ali Vs Govt; which is still pending adjudication attached *as Annex-A*.
 - 7 That Pra-7 is incorrect that no post of Ex-Director FATA in BS-20 is lying vacant & the former post of the said cadre is no more in field & functional as per available record of the Department.
 - 8 That Para-8 is also incorrect as the act of the Respondent Department with regard to the Notification dated 20-12-2020 is within legal sphere & liable to be maintained in favor of the Department *attached as Annex-B*.
 - 9 That Para-9 is incorrect as submission of working papers for the post of Director BS-20 MC vide Notification dated 06-10-2020 does not accrued any legal right of promotion to the appellant in BPS-20 in the Respondent Department.
 - 10 That Para-10 is correct as the appellant has got retired from service against the DEO (M) BS-19 MC on 03-01-2021 after attaining the age of 60 years of service, whereas rest of the para is baseless & liable to be rejected.
 - 11 That Para-11 is incorrect in view of the submissions made in the fore-going paras by the Respondent Department.
 - 12 That Para-12 is incorrect on the grounds that the act of the Department with regard to the Notification dated 20-12-2020 is legal, pursuant to the departmental appeal dated 20-09-2020 of the appellant which was seen & filed under the law & Rules by the Department, hence, the appeal in hand is liable to be dismissed on the following grounds inter alia: -

ON GROUNDS.

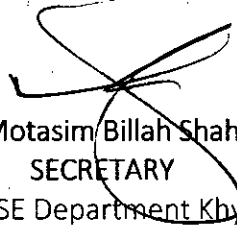
- a) **Incorrect & not admitted.** the appellant has been treated as per law & rules by the Respondent Department in the titled appeal.
- b) **Incorrect & not admitted.** The stand of the appellant is against the facts & legal proposition made by the Respondents in the fore going paras of the present reply, hence, liable to be rejected.
- c) **Incorrect & not admitted.** the appellant is not entitled for anti dation of promotion to the post of Director Ex-FATA in BS-20 MC on proforma basis as he is not only got retired but the post of Director FATA is also nonfunctional in the Respondent Department.
- d) **Incorrect & not admitted.** The act of the Department is legal with no discrimination to words the appellant in the titled case.


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- e) Incorrect & not admitted. The act of the Department with regard to the Notification 20-12-2020 is legal with no discrimination to words the appellant in the titled case.
- f) Incorrect & not admitted. As reply to this ground has been given above.
- g) Incorrect & not admitted. the appellant is not entitled for anti dation of promotion to the post of Director Ex-FATA in BS-20 MC on proforma basis as he is not only got retired but the post of Director FATA is also nonfunctional in the Respondent Department.
- h) Incorrect & not admitted. The stand of the appellant is illegal as he is not entitled for proforma promotion to the BS-20 MC post under the rules.
- i) Incorrect & not admitted. The act of the Department with regard to the Notification 20-12-2020 is legal with no discrimination to words the appellant in the titled case in violation of Articles-4 & 25 of the constitution of 1973 by the Department.
- j) Incorrect & not admitted as the appellant is not an aggrieved person within the meaning of Section-4 Khyber Pakhtunkhwa Service Tribunal Act 1974 read with Article-212 of the constitution of Islamic Republic of Pakistan 1973 However, the Respondents also seek leave to this Learned Bench to submit additional grounds record & case law at the time on date of hearing.

Therefore, in view of the above made submissions, the appeal in hand may kindly be rejected in favor of the Department in the interest of justice.


(Motasim Billah Shah)
SECRETARY
E&SE Department Khyber
Pakhtunkhwa, Peshawar.
(Respondents No: ~~2~~ 2)


(Samina Altaf)
DIRECTOR
E&SE Department Khyber
Pakhtunkhwa, Peshawar.
(Respondent No: 3)

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Annex-A

GOVERNMENT OF NWFP
SCHOOLS & LITERACY DEPT

Dated Peshawar the 30-9-2006

NOTIFICATION

NO.SO(S)I-2/2006/Promotion BS-18 to BS-19(Male). The Provincial Government, in consultation with the Provincial Selection Board is pleased to promote the following officers of the School & Literacy Department from BPS-18 to BPS-19 on regular basis with immediate effect:

Sl. No	Name	Sl. No	Name	Sl. No	Name	Sl. No	Name
1-	Saifur Rehman	10-	Muhammad Rafiq	19-	Muhammad Saddique	28-	Khuna Gul
2-	Hasham Khan	11-	S. Wajid Ali Shah	20-	Rehman Ullah	29-	Fazle Malik
3-	Said Rehman	12-	Hamid Ali	21-	Fazle Umer	30-	Sultan Mehmood
4-	Ahmad Jan	13-	Liaqat Ali	22-	Zahid Rashid	31-	Khair Muhammad
5-	Abdus Salam	14-	Said Muhammad	23-	Karam Daq	32-	Shabir Ahmad
6-	Fazle Rahim	15-	Ali Shah	24-	Hazrat Kamal	33-	Ghulam Farid
7-	Fazle Malik	16-	Jamil Akhter	25-	Abdur Rehman	34-	Muhammad Iqbal
8-	Mushtaq Ahmad	17-	Jamilur Rehman	26-	Ghulam Mursaleen	35-	Muhammad Khan
9-	Noorul Wahab	18-	Luqman Ali	27-	Musharaf Khan		

2- The Provincial Government in consultation with Provincial Selection Board is further been pleased to appoint the following BPS-18 officers of the Schools & Literacy Department in BPS-19 on Acting Charge basis with immediate effect:

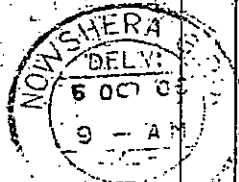
Sl. No	Name	Sl. No	Name	Sl. No	Name	Sl. No	Name
36-	Azizur Rehman	52-	Nader Khan	68-	Mukhtar Ahmad	84-	Abdul Wahid
37-	Asmat Khan	53-	S.Mahboob Ahmad Shah	69-	Sultan Zaib	85-	Muhammad Sultan
38-	Roz Wali	54-	Abdul Latif	70-	Ahmad Hassan	86-	Mohabat Yar
39-	Abdullah	55-	Muhammad Qadeem	71-	Nek Nawaz	87-	Khaziqur Rehman
40-	Muhammd Bashir Ahmad	56-	Attaullah	72-	Ajab Khan	88-	Muhammad Mukhtiar
41-	Muhammad Hamayun	57-	Mir Qalam	73-	Nazeer Khan	89-	Gul Zaman
42-	Muhammad Javed	58-	Misal Khan	74-	Khurshid Anwar	90-	Muhammad Qayum
43-	Muhammad Ibrahim	59-	Abdul Jabbar Khan	75-	Mir Baz Khan	91-	Muhammad Subhan
44-	Sher Ahmad Shah	60-	Akber Hussain	76-	Mehboob Rehman	92-	Amanullah Khan
45-	Salahud Din	61-	Fida Muhammad	77-	Jehan Muhammad	93-	Ghulam Akber
46-	Muhammad Hassan	62-	Iqbal Anwar	78-	Hussain Ahmad	94-	Rab Nawaz
47-	Saeed Khan	63-	Muhammad Javed	79-	Matiullah	95-	Saifur Rehman
48-	Abdul Haq	64-	Inayat Ali	80-	Atiqur Rehman	96-	Dilawar Khan
49-	Zahir Shah	65-	S.Abbass Ali Shah	81-	Saifullah		
50-	Mattiullah	66-	Said Wahab	82-	Attaullah		
51-	Hanifullah	67-	Raza Ullah	83-	Tariq Mehmood		

3- On their promotion/appointment on Regular/Acting Charge basis as the case may be, the following transfer/posting order are hereby issued in the public interest:

Section Officer (Schools)
Education Department
Civil Sectt: Islyber Pakhtunkhwa

C. P. 38

DEPARTMENT
Attn: Mr. [Name]
U.S. Dept. of Justice
Washington, D.C.



(64)

GOVERNMENT OF NWFP
SCHOOLS & LITERACY DEPTT.

Dated Peshawar the 30-9-2006

NOTIFICATION

NO.SO(S)1-2/2006/Promotion BS-18 to BS-19(Male). The Provincial Government, in consultation with the Provincial Selection Board is pleased to promote the following officers of the School & Literacy Department from BPS-18 to BPS-19 on regular basis with immediate effect:

Sl. No	Name	Sl. No	Name	Sl. No	Name	Sl. No	Name
1-	Saifur Rehman	10-	Muhammad Rafiq	19-	Muhammad Saddique	28-	Khuna Gul
2-	Hasham Khan	11-	S.Wajid Ali Shah	20-	Rehman Ullah	29-	Fazle Malik
3-	Said Rehman	12-	Hamid Ali	21-	Fazle Umer	30-	Sultan Mehmood
4-	Ahmad Jan	13-	Liaqat Ali	22-	Zahid Rashid	31-	Khair Muhammad
5-	Abdus Salam	14-	Said Muhammad	23-	Karam Dad	32-	Shabir Ahmad
6-	Fazle Rahim	15-	Ali Shah	24-	Hazrat Kamal	33-	Ghulam Farid
7-	Fazle Malik	16-	Jamil Akhter	25-	Abdur Rehman	34-	Muhammad Iqbal
8-	Mushtaq Ahmad	17-	Jamilur Rehman	26-	Ghulam Mursaleen	35-	Muhammad Khan
9-	Noorul Wahab	18-	Luqman Ali	27-	Musharaf Khan		

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38-	Roz Wali	54-	Abdul Latif	70-	Ahmad Hassan	86-	Mohabat Yar
39-	Abdullah	55-	Muhammad Qadeem	71-	Nek Nawaz	87-	Khaziqur Rehman
40-	Muhammad Bashir Ahmad	56-	Attaullah	72-	Ajab Khan	88-	Muhammad Mukhtiar
41-	Muhammad Hamayun	57-	Mir Qalam	73-	Nazeer Khan	89-	Gul Zaman
42-	Muhammad Javed	58-	Misal Khan	74-	Khurshid Anwar	90-	Muhammad Qayum
43-	Muhammad Ibrahim	59-	Abdul Jabbar Khan	75-	Mir Baz Khan	91-	Muhammad Subhan
44-	Sher Ahmad Shah	60-	Akber Hussain	76-	Mehboob Rehman	92-	Amanullah Khan
45-	Salahud Din	61-	Fida Muhammad	77-	Jehan Muhammad	93-	Ghulam Akber
46-	Muhammad Hassan	62-	Iqbal Anwar	78-	Hussain Ahmad	94-	Rab Nawaz
47-	Saeed Khan	63-	Muhammad Javed	79-	Matiullah	95-	Saifur Rehman
48-	Abdul Haq	64-	Inayat Ali	80-	Attiur Rehman	96-	Dilawar Khan
49-	Zahir Shah	65-	S.Abbass Ali Shah	81-	Saifitullah		
50-	Mattiullah	66-	Said Wahab	82-	Attaullah		
51-	Hanifullah	67-	Raza Ullah	83-	Tariq Mehmood		

3- On their promotion/appointment on Regular/Acting Charge basis as the case may be, the following transfer/posting order are hereby issued in the public interest:

Section Officer (BPS-18)

Edl. (BPS-18)

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S.No.	Name & Designation	Posted as	Remarks
1-	Mr.Saifur Rehman, EDO.(BS-19),S&L, Swabi (on acting charge basis)	EDO(BS-19), S&L, Swabi	Post Already Occupied by him.
2-	Mr.Hasham Khan, AEO.(BS-19), Kurrām Agency (on acting charge basis)	Agency Edu; Officer (BS-19), Kurrām Agency.	-do-
3-	Mr.Said Rehman, EDO(BS-19) S&L, Peshawar (on acting charge basis).	EDO (BS-19) S&L, Peshawar.	-do-
4-	Mr.Ahmad Jan, Pri.(BS-19) GHSS, Kheshti Bala, Nowshera(on acting charge basis).	Principal (BS-19), GHS,No.1 Tangi, Charsadda.	Against Vacant Post.
5-	Mr.Abdus Salam,Project Manager (BS-19) Deni Madaris Project, Peshawar(on acting charge basis).	Pri. (BS-19) G Comp. HS,Kohat.	-do-
6-	Mr.Fazle Rahim, Pri. (BS-19) GHS No.2 Bannu(on acting charge basis)	Pri. (BS-19), GHS, No.2, Bannu	Post already occupied by him.
7-	Mr.Fazle Malik, Pri. (BS-19),GHS, Gujrat Mardan(on acting charge basis).	Pri. (BS-19),GHS,Gujrat Mardan	-do-
8-	Mr.Mushtq Ahmad,EDO.(BS-19) S&L, Nowshera (on acting charge basis).	EDO.(BS-19)S&L, Nowshera.	-do-
9-	Mr Noorul Wahab,Pri.(BS-19) GHS,Lahor Swabi(on acting charge basis).	Pri. (BS-19), GHS, Lahor, Swabi	-do-
10-	Mr.Muhammad Rafiq, (BS-19) On Deputation with NCHD (on acting charge basis).	Pri.(BS-19) GHSS,Gardai, Bannu Agency.	Against vacant post
11-	S.Wasid Ali Shah, Pri.(BS-19) GHS No.3, Mardan (on acting charge basis).	Pri. (BS-19)GHS No.3, Mardan	Post already occupied by him.
12-	Mr.Hamid Ali, Pri.(BS-19) GHSS, Kabgani Swabi (on acting charge basis).	Pri.(BS-19) GHSS, Kabgani, Swabi.	-do-
13-	Mr.Ladad Ali, V/Pri. (BS-18), GHSS, Tarojaba, Nowshera.	Pri. (BS-19), GHSS, Tarojaba, Nowshera.	Against Vacant Post.
14-	Mr.Said Muhammad, Pri. (BS-19), GHS, Naway Killi Laman, Mohmand Agency (on acting charge basis)	Pri. (BS-19), GHS, Naway Killi Laman, Mohmand Agency.	Post already occupied by him.
15-	Mr.Ali Shah,AEO(BS-19), Orakzai Agency(on acting charge basis)	AEO(BS-19), Orakzai Agency.	-do-
16-	Mr.Jamil Akhter, Pri. (BS-19), GHS No.3 Abbottabad(on acting charge basis)	Pri. (BS-19), GHS No.3 Abbottabad.	Post already occupied by him.
17-	Mr.Jamilur Rehman, Pri. (BS-19), GHSS, Umer Payan, Peshawar(on acting charge basis)	Pri. (BS-19), GHSS, Umer Payan, Peshawar.	-do-
18-	Mr.Luqman Ali Khan, Pri. (BS-19), GHS, Akora Khattak, Nowshera(on acting charge basis)	Pri. (BS-19) GHS, Akora Khattak, Nowshera.	-do-
19-	Mr.Muhammad Saddique,Pri. (BS-19), GHS, Khanpur, Haripur(on acting charge basis)	Pri. (BS-19) GHS, Khanpur Haripur.	-do-
20-	Mr.Rehman Ullah, Pri. (BS-19), GHSS, Domel, Bannu(on acting charge basis)	Pri. (BS-19), GHSS, Domel, Bannu.	-do-
21-	Mr.Fazle Ummar, EDO(BS-19), S&L Hangu(on acting charge basis)	EDO(BS-19), S&L, Hangu	-do-
22-	Mr.Sahid Rashid, Pri. (BS-19),GHSS, Billitang, Kohat(on acting charge basis)	Pri. (BS-19), GHSS, Billitang, Kohat.	-do-
23-	Mr.Karam Dal, Pri. (BS-19), GHS, Aman Kot, Swat(on acting charge basis).	Pri. (BS-19), GHS., Aman Kot, Swat.	-do-
24-	Mr.Hazrat Kamal, Pri (BS-18), GHS, Sersana, Swat.	Pri. (BS-19), GHSS No.2, Mingora,Swat.	Against Vacant Post.
25-	Mr.Abdur Rehman, EDO(BS-19), S&L, Dir Upper(on acting charge basis)	EDO(BS-19), S&L, Dir Upper	Post Already Occupied by him.
26-	Mr.Ghulam Mursaleen, Pri.(BS-19), GHS, Kosht Chitral (on acting charge basis).	Pri. (BS-19),GHS, Kosht Chitral.	-do-
27-	Mr.Musharaf Khan, Pri. (BS-18), GHS, Chail, Swat.	Pri. (BS-19)GHS, Sha'du Nowshera.	Against Vacant Post.
28-	Mr.Khuma Gul, Pri. (BS-19), GHS, Dewlai, Swat(on acting charge basis)	Pri. (BS-19), GHS, Dewlai, Swat.	Post Already Occupied by him.
29-	Mr.Fazle Malik, Pri. (BS-19), GHSS, Pir Sadi, Mardan(on acting charge basis).	Pri. (BS-19), GHSS, Pir Sadi, Mardan.	-do-
30-	Mr.Sultan Mehmood,Pri. (BS-18), GHS, Totano Bandai, Swat.	Pri. (BS-19), GHS, Sherwan, Abbottabad.	Against Vacant Post.
31-	Mr. Khair Muhammad, Pri. (BS-18),GHS,	Pri. (BS-19), GHS No.1 Mardan.	-do-

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	Naseer Killi, Mardan.		
32-	Mr. Shabir Ahmad, V/Prl. (BS-18), GHSS, No.2, Peshawar Cantt.	Prl. (BS-19), GCMHS No.2, Peshawar City.	Against Vacant Post
33-	Mr. Ghulam Farid, Prl. (BS-18), GHS, Kangra Colony, Haripur.	Prl. (BS-19), GHSS, Kot Najibullah, Haripur.	-do-
34-	Mr. Muhammad Iqbal, Prl. (BS-18), GHSS, Latamber, Karak.	Prl. (BS-19), GHSS, Risalpur, Nowshera.	-do-
35-	Mr. Muhammad Khan, EDO (BS-18), S&L, Tank.	EDO (BS-19), S&L, Tank.	Post already occupied by him.
36-	Mr. Azizur Rehman, Prl. (BS-18), GHS, Jani Khel, FR Bannu.	Prl. (BS-19), (on acting charge basis) GHS, Miran Shah NWA.	Against Vacant Post.
37-	Mr. Asmat Khan, Pr. (BS-18), GHSS, No.1, Jamrud, Khyber Agency.	Prl. (BS-19), (on acting charge basis) GHSS, Sama Bada Bair, FR, Peshawar.	-do-
38-	Mr. Roz Wali, Prl. (BS-18), GHS, Kagawala, Peshawar.	Prl. (BS-19) (on acting charge basis), GHSS, Akberpura, Nowshera.	-do-
39-	Mr. Abdullah, V/Prl. (BS-18), GHSS, Totakan Malakand Agency.	Prl. (BS-19) (on acting charge basis), GHSS, Totakan, Mkd.	-do-
40-	Mr. Muhammad Bashir Ahmad, Prl. (BS-18), GHSS, Dosehra, Charsadda.	Prl. (BS-19), (on acting charge basis), GHS, Matta Mughzal Khel, Charsadda.	-do-
41-	Mr. Muhammad Hamayun, Prl. (BS-18), GHS, Serai Bala, Dir Upper.	Prl. (BS-19) (on acting charge basis), GHSS, Ziarat Talash, Dir Lower.	Against Vacant Post.
42-	Mr. Muhammad Javed, DO(M) (BS-18), S&L, Manehra.	Prl. (BS-19) (on acting charge basis), GHS, Balakot, Manehra.	-do-
43-	Mr. Muhammad Ibrahim, DO(M) (BS-18), S&L, Dir Lower.	Prl. (BS-19) (on acting charge basis), GHSS, Samar Bagh, Dir Lower.	-do-
44-	Mr. Sher Ahmad Shah, Prl. (BS-18), GHS, Paharpur, D.I. Khan.	Prl. (BS-19) (on acting charge basis), GHS Ladha, SWA.	-do-
45-	Mr. Salahud Din, Prl. (BS-18), GHS, Sufaid Dheri, Peshawar.	Prl. (BS-19) (on acting charge basis), GHS, Sufaid Dheri, Pesh.	Post Already occupied by him.
46-	Mr. Muhammad Hassan, Prl. (BS-18) GHSS, Chowlaki, Kohat.	Prl. (BS-19) (on acting charge basis), GHSS, Pir Pai, Nowshera.	Against Vacant Post.
47-	Mr. Saeed Khan, Prl. (BS-18), GHS, Balam Bat, Dir Lower.	Prl. (BS-19) (on acting charge basis), GHSS, Khanpur Dir Lower.	-do-
48-	Mr. Abdul Hq, DO(M) (BS-18), S&L, Mardan.	Prl. (BS-19), (on acting charge basis), GHS Bughdada, Mardan.	-do-
49-	Mr. Zahir Shah, Prl. (BS-18), GHSS, Serai Naurang, Lakki Marwat.	Prl. (BS-19) (on acting charge basis), GHSS, Nizampur NSR.	-do-
50-	Mr. Matiullah, Prl. (BS-18) GHSS, Jehangira, Swabi.	Prl. (BS-19) (on acting charge basis), GHS, Tur Dher, Swabi.	-do-
51-	Mr. Hanifullah, Instt (BS-18), RITE(M), Peshawar.	Prl. (BS-19), (on acting charge basis), GHSS, Topi, Swabi.	-do-
52-	Mr. Nader Khan, Prl. (BS-18), GHS, Labat Swat.	Prl. (BS-19) (on acting charge basis), GHSS, Drosh Khel, Swat.	-do-
53-	Syed Mehboob Ahmad Shah, Prl (BS-18), GHS, Khadizai, Kohat.	Prl. (BS-19), (on acting charge basis), GHS, Batagram Chd.	-do-
54-	Mr. Abdul Latif, Prl. (BS-18), GHS, Tendo Dagg, Swat.	Prl. (BS-19) (on acting charge basis), GHSS, Natiagali, A/Abad.	-do-
55-	Mr. Muhammad Qadeem, Prl. (BS-18), GHSS, Charbagh, Swat.	Prl. (BS-19) (on acting charge basis), GHSS, Fatehpur, Swat.	-do-
56-	Mr. Attaullah, Prl. (BS-18), GHSS, Katgar, D.I. Khan.	Prl. (BS-19) (on acting charge basis), GHSS, Khanispur, A/Abad.	-do-
57-	Mr. Mir Qalam, Instt. (BS-18), RITE(M) Koht.	Prl. (BS-19) (on acting charge basis), GHS, Rajoia, Abbottabad.	-do-
58-	Mr. Misal Khan, Prl. (BS-18), GHS, Gidar, Mardan.	Prl. (BS-19) (on acting charge basis), GHSS, Toru, Mardan.	-do-
59-	Mr. Abdul Jabar Khan, Instt. (BS-18), RITE(M), Bannu.	Prl. (BS-19) (on acting charge basis), GHS, S.K. Bala, Bannu.	-do-
60-	Mr. Akber Hussain, Prl. (BS-18), GHS, Sersanai, Swat.	Prl. (BS-19) (on acting charge basis), GHSS, No.1 Havelian, Anbottabad.	-do-
61-	Mr. Fida Muhammad, Prl BS-18), GHS, Babozai, Mardan.	Prl. (BS-19) (on acting charge basis), GHS, Katlang, Mardan.	-do-

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62-	Mr. Iqbal Anwar, Prl. (Bs-180, GHS, Pir Abad, Mardan.	Prl. (BS-19) (on acting charge basis), GHISS, Scrai Naimat Khan Haripur.	Against Vacant Post.
63-	Mr. Muhammad Javed, Prl. (BS-18), GHS, Tulandi, Swabi.	Prl. (BS-19) (on acting charge basis), GHS, Kota, Swabi	-do-
64-	Mr. Inayat Ali, Prl. (BS-18), GHS, Sharki Hoti, Mardan.	Prl. (BS-19) (on acting charge basis), GHSS, Mardan.	-do-
65-	Mr. Abbas Ali Shah, Prl. (BS-18), GHS, Mali Killi, Kurram, Agency.	Prl. (BS-19) (on acting charge basis), GHSS, Edak, NWA	-do-
66-	Mr. Said Nawab, Prl. (BS-18), GHS, Jaimrad Khyber, Agency.	Prl. (BS-19) (on acting charge basis), GHSS, Alamgudar, Khyber Agency.	-do-
67-	Mr. Razaullah, Asstt. Chief (BS-18), P & D Deptt: Civil Sectt: Peshawar.	Promoted to (BS-19) (on acting charge basis), & placed his services at the disposal of P&D Deptt. for further posting.	-do-
68-	Mr. Mukhtar Ahmad, Prl. (BS-18), GHS No.2, Mansehra.	EDO (BS-19), (on acting charge basis), S&L, Battagram.	Against Vacant Post.
69-	Mr. Sultan Zaib, DO(M) (BS-18), S&L, Buner.	Prl. (BS-19) (on acting charge basis), GHS, Totalai, Buner.	-do-
70-	Mr. Ahmad Hassan, DO(M) (BS-18), S&L, Swabi.	Prl. (BS-19) (on acting charge basis), GHS, Kalu Khan, Swabi	-do-
71-	Mr. Nek Nawaz, Prl. (BS-18) GHS, Ismail Khel, Bannu	Prl. (BS-19) (on acting charge basis), GHS, Batagram, District Battagram.	-do-
72-	Mr. Ajab Khan, Asst. Director (BS-18): Directorate of Edu. (FATA), Peshawar.	Prl. (BS-19) (on acting charge basis), GHS, Landi Kotal, Khyber Agency.	-do-
73-	Mr. Nazir Khan, Prl (BS-18), GHS, Jehangiri, Karak.	Prl. (BS-19) (on acting charge basis), GHSS, Umerzai, Chd.	-do-
74-	Mr. Khurshid Anwar, Prl. (BS-18), GHS, Chail, Swat.	Prl. (BS-19) (on acting charge basis), GHS, No.1 Nowshera Kalan.	-do-
75-	Mr. Mir Baz Khan, Deputy Director (BS-18), PITE, Peshawar.	Prl. (BS-19) (on acting charge basis), GHSS No.4 Mardan.	-do-
76-	Mr. Mehboob Rehman, Prl. (BS-18), GHS, Dhodial, Mardan.	Prl. (BS-19) (on acting charge basis), GHSS, Shankiari, Mardan.	-do-
77-	Mr. Jehan Muhammad, Prl. (BS-18), GHS, No.2, Nowshera.	Prl. (BS-19) (on acting charge basis), GHSS, Kuza Banda, Battagram.	-do-
78-	Mr. Hussain Ahmad, Instt: (BS-18) RITE(M) Timergara, Dir Lower.	Prl. (BS-19) (on acting charge basis), GHSS, Warai, Dir Upper.	-do-
79-	Mr. Matullah, EDO (BS-18), S&L, Karak.	EDO (BS-19) (on acting charge basis), S&L Karak.	Post already occupied by him.
80-	Mr. Attiqur Rehman, V/Pr. (BS-18) GHSS No.1, Peshawar City.	Prl. (BS-19) (on acting charge basis), GHSS, Bada Bare, Peshawar.	Against Vacant Post.
81-	Mr. Saifullah, Instt. (BS-18) RITE(M) Ghoriwala, Bannu.	Prl. (BS-19) (on acting charge basis), GHSS, Kotka Habibullah, FR, Bannu.	-do-
82-	Mr. Attaullah, EDO (BS-18), S&L, Laki Marwat.	EDO (BS-19) (on acting charge basis), S&L, Lakki Marwat.	Post Already Occupied by him.
83-	Mr. Tariq Mehmood, V/Pr. (BS-18), GHSS, Tarbela KTS, Haripur.	Prl. (BS-19) (on acting charge basis), GHSS, Tarbela, KTS, Haripur.	-do-
84-	Mr. Abdul Wahid, Instt: (BS-18), RITE(M), Mardan.	Prl. (BS-19) (on acting charge basis), GHSS, Khesghi, Bala, Nowshera.	Against Vacant Post.
85-	Mr. Muhammad Sultan, V/Pr. (BS-18), GHSS, Karak.	Prl. (BS-19) (on acting charge basis), GHS, Ahmad Abad, Karak	-do-
86-	Mr. Muhabat Yar, V/ Pr. (BS-18), GHSS, Khanpur Dir Lower.	Prl. (BS-19) (on acting charge basis) GHSS, Shergar, Mansehra	-do-
87-	Mr. Khaziqur Rehman, Prl. (BS-18), GHS, Ganderi Khattak, Karak.	Prl. (BS-19) (on acting charge basis), GHS, Rustam, Mardan.	-do-
88-	Mr. Muhammad Mukhtiar, Prl. (BS-18), GHS, Khazaha, Dir Lower.	Prl. (BS-19) (on acting charge basis), GHSS, Parina, Mansehra	-do-
89-	Mr. Gul Zaman, DO(M) (BS-18), S&L,	EDO (BS-19), (on acting charge	-do-

Section Officer (Schools)
 Education Department
 Civil Secretariat, Peshawar

2. Consequent upon the above, the following postings/transfers are hereby ordered, henceforth:-

S. #	NAME OF RECOMMENDEES	PLACE OF POSTING	REMARKS
1.	Ghulam Qasim Khan S/O Abdul Majeed Khan	EDO (E&SE) Tank	
2.	Abdul Malik S/O Muhammad Mushfiq	EDO (E&SE) Lakki Marwat.	
3.	Umar Khan S/O Muhammad Hassan	EDO (E&SE) Mansehra.	
4.	Shamas Khan S/O Mir Ahmad Khan	EDO (E&SE) Buner.	
5.	Abdus Salam S/O Hameed Ullah Jan	EDO (E&SE) Swabi.	already occupied by him
6.	Siraj Muhammad S/O Muhammad Khan	EDO (E&SE) Chitral.	
7.	Muhammad Uzair Ali S/O Abdul Qayyum	EDO (E&SE) Mardan	
8.	Nazir Khan S/O Gul Piao Khan	EDO (E&SE) Kohat.	
9.	Sahibzada Hamid Mehmood S/O Mehmood-ul-Hassan Akhtar	EDO (E&SE) Abbottabad.	
10.	Bashir Hussain Shah S/O Taj Hussain Shah	Addl. Director P&D, Directorate of E&SE	already occupied by him
11.	Muhammad Rafique S/O Niaz Khamim	Addl. Director Establishment Directorate of E&SE.	
12.	Feroz Hussain Shah S/O Sultan Ali Shah	EDO (E&SE) D.I. Khan.	
13.	Abdur Rashid S/O Ghulam Jaffar	EDO (E&SE) Banuu.	
14.	Muhammad Ibrahim S/O Buzurg Jamher	EDO (E&SE) Dir Lower.	already occupied by him
15.	Sultan Mahmood Mian S/O Mumtaz	EDO (E&SE) Swat.	
16.	Roz Wali Khan S/O Jannat Noor	EDO (E&SE) Nowshera.	already occupied by him
17.	Abdullah S/O Mir Azam	EDO (E&SE) Shangla.	
18.	Muhammad Riaz S/O Ghulam Khan	EDO (E&SE) Haripur.	
19.	Jehan Muhammad S/O Sultan Muhammad	EDO (E&SE) Hangu.	
20.	Gohar Ali Khan S/O Muhammad Ali Khan	EDO (E&SE) Peshawar.	
21.	Haziq-ur-Rahman S/O Sarwar Jan	EDO (E&SE) Karak.	
22.	Zia-ud-Din S/O Ghulam Mohiy-ud-Din	EDO (E&SE) Dir Upper	
23.	Atta Ullah Khan S/O Muhammad Nawaz Khan	EDO (E&SE) Charsadda.	

3. The services of the present incumbents of teaching cadre are placed at the disposal of Director, E&SE for further posting.

TERMS & CONDITIONS:

- 1- Their services will be considered regular but without Pension & Gratuity in terms of Section-19 of the NWFP Civil Servant Act, 1973 as amended vide NWFP Civil Servants (Amendment) Act, 2005. They will however be entitled to Contributory Provident Fund in such a manner and at such rates as prescribed by the Government.
- 2- The Officers who are already in Government Service and working against pensionable posts on regular basis before 1st day of July 2001, without any service break, on application to Khyber Pakhtunkhwa Public Service Commission through proper channel and selection by the Commission are appointed and allowed choice of option either to retain benefit of pension & gratuity as allowed to them under their previous terms of appointment or to avail the benefit of Contributory Provident Fund allowed to them under new appointment.

- 3- Their services are liable to termination on one month's notice from either side. In case of resignation without notice, their one month's pay/allowances shall be forfeited to the Government.
- 4- The appointees should join their posts within 30-days of the issuance of this notification. The Director, Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar would furnish a certificate to the effect that the candidates have joined the posts otherwise, after one month of the issuance of this Notification, failing which their candidature will expire automatically and no subsequent appeal etc shall be entertained.
- 5- They would be on probation for a period of one year extendable for another one year as provided in NWFP Appointment Promotion and Transfer Rules 1989.
- 6- They will be governed by such rules and regulations as may be issued from time to time by the Government.
- 7- 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 against under the NWFP Removal from Service (Special Powers) Ordinance, 2000 and the Rules framed from time to time.
- 8- Charge report should be submitted to all concerned.
- 9- No TA/DA will be allowed to the appointees for joining their duty.



SECRETARY

Endst: of even number & date:

Copy forwarded to the:

1. PSO to Chief Minister, Khyber Pakhtunkhwa.
2. Accountant General, Khyber Pakhtunkhwa Peshawar.
3. Director, E&SE Khyber Pakhtunkhwa, Peshawar.
4. District Accounts Officers concerned.
5. Executive District Officer E&SE concerned.
6. Director Recruitment, Khyber Pakhtunkhwa, Public Service Commission, Peshawar.
7. Manager Government Printing Press, Khyber Pakhtunkhwa, Peshawar.
8. PS to Minister E&SE, Khyber Pakhtunkhwa.
9. PS to Chief Secretary, Khyber Pakhtunkhwa.
10. PS to Secretary, E&SE, Department, Khyber Pakhtunkhwa.
11. PA to Additional Secretary, E&SE, Deptt.
12. PA to Deputy Secretary (Admn), E&SE Deptt.
13. Officers concerned.
14. Office order file.

Section Officer (Schools)
Education Department
Civil Sectt: Khyber Pakhtunkhwa


(MUJEEB-UR-REHMAN)
SECTION OFFICER (SCHOOLS/MALE)



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Annex-c

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

NOTIFICATION

Dated Peshawar the 08.05.2012

NO. SO (S/M) E&SED/4-25/2012/Final Seniority List of MC (BPS -19): In exercise of powers conferred under Sub Section (1) of Section -8 of the North West Frontier Province (now Khyber Pakhtunkhwa) Civil Servant Act, 1973 NO-XVIII of 1973, the Final Seniority List of EDOs/Additional Directors (BPS-19) of Management cadre Elementary & Secondary Education Department as it stood on 22/02/2012, is hereby notified for information of all concerned:

**CHIEF SECRETARY
Khyber Pakhtunkhwa**

[Signature]
**Section Officer (Schools)
Education Department
Civil Sectt: Khyber Pakhtunkhwa**

Endst:of even No & Date.

Copy forwarded to the:-

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar with the request to circulate the above Seniority list to all concerned.
2. Director Education (FATA) Khyber Pakhtunkhwa. Peshawar
3. Director Curriculum & Teacher Education Khyber Pakhtunkhwa Abbott Abad
4. Director PITE, Khyber Pakhtunkhwa. Peshawar.
5. All Executives District Officers, E&SE in Khyber Pakhtunkhwa.
6. PS. to Secretary (E&SE) Deptt. Khyber Pakhtunkhwa. Peshawar .
7. Office order file

[Signature]
**(MUJEEB-UR-REHMAN)
SECTION OFFICER (SCHOOLS/MALE)**

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**OFFICE OF THE DIRECTOR ELEMENTARY AND SECONDARY EDUCATION
KHYBER PAKHTUNKHWA PESHAWAR**

No 1501-51 /Etab/ Final Seniority List of MC (BPS -19) Dated Peshawar the 11.05.2012.

Copy of the above is forwarded along with Final Seniority List of MC (BPS -19) for information to the:-

- 1-25 All the Executive District Officers Elementary & Secondary Education Khyber Pakhtunkhwa.
- 16-48 All the Officers Concerned.
- 49 Section Officer (Schools/Male) Elementary & Secondary Education Department, Government of Khyber Pakhtunkhwa Peshawar.
- 74 P/S Secretary, Government of Khyber Pakhtunkhwa Elementary & Secondary Education, Department, Peshawar.
- 75 PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.

[Signature]
**Dy: Director (Etab)
Elementary and Secondary Education
Khyber Pakhtunkhwa Peshawar.**

**FINAL SENIORITY LIST OF OFFICERS BPS-19 (EXECUTIVE DISTRICT OFFICERS/ADDITIONAL DIRECTORS)
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT MANAGEMENT CADRE AS IT STOOD ON 22-02-2012.**

NAME OF OFFICERS WITH DESIGNATION	Date of Birth	Domicile	Date of 1st Apptt: in Edu; Deptt;	Date of Apptt/Promotion as EDO /Addl Dir	Method of Recruitment	Remarks
Mr. Bashir Hussain Shah Additional Director (P&D) /CPO E&SE Khyber Pakhtunkhwa	01.01.1957	Haripur	01.12.1975	24.02.2011	Direct Selectee against 60% Departmental Quota	
Mr. Muhammad Rafique, Additional Director (Est) E&SE Khyber Pakhtunkhwa	02.02.1958	Karak	09.08.1979	24.02.2011	-do-	
Mr. Feroz Hussain Shah, EDC (E&SE) D.I Khan	10.10.1954	DIKhan	11.11.1975	24.02.2011	-do-	
Mr. Abdur Rashid, EDO (E&SE) Lannu	05.05.1957	DIKhan	24.06.1978	24.02.2011	-do-	
Mr. Muhammad Ibrahim, EDO (E&SE) Dir Lower	03.03.1963	Dir Lower	10.02.1988	24.02.2011	-do-	
Mr. Sultan Mehmood Mian, EDO (E&SE) Swat	12.12.1955	Swat	20.12.1983	24.02.2011	-do-	
Mr. Roz Wali, EDO (E&SE) waiting for posting	04.04.1957	Karak	01.12.1988	24.02.2011	-do-	
Gohar Ali Khan EDO (E&SE) Peshawar	01.01.1967	Peshawar	22.04.1990	24.02.2011	-do-	
Mr. Abdullah, EDO (E&SE) Shangla	09.09.1956	Malakand	04.03.1984	24.02.2011	-do-	
Mr. Muhammad Riaz EDO (E&SE) Abbottabad	05.05.1960	Mansehra	24.05.1988	24.02.2011	-do-	
Jehan Muhammad EDO (E&SE) Haripur	02.02.1961	Nowshera	26.10.1986	24.02.2011	-do-	
Haziq ur Rahman EDO (E&SE) Karak	02.02.1962	Karak	01.09.1985	24.02.2011	-do-	
Jaffar Mansoor Abbasi Working as Prl GHS No.1 Abbottabad	09.09.1968	Abbottabad	11.02.1999	24.02.2011	-do-	
Zia ud Din EDO (E&SE) Dir Upper	09.09.1970	Lakki Marwat	01.09.2003	24.02.2011	-do-	
Atta Ullah Khan EDO (E&SE) Charsadda	03.03.1960	Lakki Marwat	16.02.1987	24.02.2011	-do-	
Mr. Ghulam Qasim Khan, EDO (E&SE) Tank	01.01.1960	DIKhan	03.11.1973	24.02.2011	Direct Selectee against 40% Open Market Quota	
Mr. Abdul Malik, EDO (E&SE) Lakki Marwat	01.01.1954	D.I Khan	16.02.1977	24.02.2011	-do-	
Umar Khan EDO (E&SE) Mansehra	02.02.1962	Tank	01.10.1986	24.02.2011	-do-	
Shamas Khan Additional Director (P&D) E&SE Khyber Pakhtunkhwa	02.02.1954	Swabi	25.03.1975	24.02.2011	-do-	
Abdul Salam EDO (E&SE) Swabi	04.04.1962	D.I Khan	09.10.1985	24.02.2011	-do-	
Siraj Muhammad EDO (E&SE) Chitral	04.04.1960	Peshawar	29.03.1988	24.02.2011	-do-	
Nazir Khan EDO (E&SE) Kohat	03.03.1959	Karak	24.10.1989	24.02.2011	-do-	
Sahibzada Hamid Mehmood EDO (E&SE) Torgher	09.09.1965	Peshawar	03.12.1989	24.02.2011	-do-	

**CHIEF SECRETARY
KHYBER PAKHTUNKHWA**

Endst.No. SO (S/M) E&SED/4-27/2012/Final Seniority List of MC (BPS -19):

Dated Peshawar the, 08.05.2012

Copy of the above is forwarded for information to the :-

1. Director Elementary and Secondary Education, Khyber Pakhtunkhwa, Peshawar.
2. Director of Education (FATA), Khyber Pakhtunkhwa, Peshawar.
3. Director (PITE) Khyber Pakhtunkhwa, Peshawar.
4. Director Curriculum & Teacher Edu; Khyber Pakhtunkhwa, A/Abad.
- 5-29. All the Executive District Officers (E&SE) in Khyber Pakhtunkhwa.
- 30-52. All officers concerned.
53. P.s to Secretary to Govt; of Khyber Pakhtunkhwa, (E&SE) Peshawar.

SECTION OFFICER (SCHOOLS/MALE)

Section Officer (Schools)
Education Department
Civil Secretariat Khyber Pakhtunkhwa

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