


# FORM OF ORDER SHEET

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

**Appeal No.** 2415/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	08/11/2024	<p>The appeal of Mr. Gohar Ali resubmitted today by Mr. Mir Zaman Safi Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 18/11.2024. Parcha Peshi given to counsel for the appellant.</p> <p>By order of the Chairman</p> <p> REGISTRAR</p>

The appeal of Mr. Gohar Ali received today i.e on 25.10.2024 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Annexures-B of the appeal is illegible and incomplete be completed and replaced by legible/better one.
- 2- In every document the name of the appellant should be highlighted.

No. 967 /Inst./2024/KPST,

Dt. 25/10 /2024.

*Amalullah*  
ADDITIONAL REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Mir Zaman Safi Adv.  
High Court Peshawar.

*Sir*

*Re-Submitted after compliance.*

*M. B.*  
*27/11/2024*

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,**  
**PESHAWAR**

APPEAL NO. 2415 /2024

GOHAR ALI

VS


EDUCATION DEPTT:

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APPELLANT.

THROUGH:

  
MIR ZAMAN SAFI,  
ADVOCATE  
Room No. 6-E, 5<sup>th</sup> Floor,  
Rahim Medical Centre,  
Hashtnagri, Peshawar  
0333-9991564

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,**  
**PESHAWAR**

APPEAL NO. 2415 /2024

Mr. Gohar Ali, PSHT(R) (BPS-15),  
GPS Kheshgi Bala, District Nowshera.....APPELLANT

VERSUS

- 1- The Director, E&SE Department, Khyber Pakhtunkhwa, Peshawar.
- 2- The District Education Officer (M), District Nowshera.
- 3- The District Account Officer, District Nowshera.

.....RESPONDENTS

**APPEAL UNDER SECTION-4 OF THE KHYBER**  
**PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 FOR THE**  
**GRANT PRE-MATURE INCREMENT ON PROMOTION FROM**  
**BPS-14 TO BPS-15 SIMILARLY TO THE OTHER EMPLOYEES**  
**AND AGAINST NO ACTION TAKEN ON THE**  
**DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN**  
**THE STATUTORY PERIOD OF NINETY DAYS**

**PRAYER:**

That on acceptance of this service appeal the respondents may please be directed to grant pre-mature increment to the appellant upon promotion from BPS-14 to BPS-15 with other back benefits. Any other relief which this august Tribunal deems appropriate may also be granted in favor of the appellant.

**R/SHEWETH:**

**ON FACTS:**

*Brief facts giving rise to the present appeal are as under:-*

- 1- That the appellant was the employee of Elementary & Secondary Education Department and has served the department till his retirement on superannuation (60) years quite efficiently and upto the entire satisfaction of his superiors. Copy of the service book is attached as annexure.....A.
- 2- That during service the appellant was promoted from the post of PST (BPS-12) to the post of SPST (BPS-14) and subsequently promoted from SPST (BPS-14) to the post of PSHT (BPS-15) vide Notification dated 12.04.2013. Copy of the Notification dated 12.04.2013 is attached as annexure.....B.

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- 3- That it is pertinent to mention that the pay of the appellant had been fixed in BPS-14 and then BPS-15 and as such the appellant also granted pre-mature increment in BPS-14 while pre-mature increment on promotion to BPS-15 has not been granted till date despite of the repeated requests. Copy of the service book is already attached as annexure.....A.
- 4- That the appellant and his other colleagues are fully entitled for double benefits of pre-mature increments upon promotion to the BPS-14 and subsequently to BPS-15 in light of Finance Department letter 19.11.2013 and as such the appellant and his other colleagues time and again requested for the same but the respondents are not willing to grant the said pre-mature increment. Copy of the letter dated 19.11.2013 is attached as annexure.....C.
- 5- That the appellant feeling aggrieved from the inaction of the respondents by not granting/issuing pre-mature increment to the appellant upon promotion to (BPS-15) preferred departmental appeal to the respondent No.1 but no reply has been received so far. Hence the present appeal on the following grounds amongst the others. Copy of the departmental appeal is attached as annexure.....D.

**GROUND:**

- A- That the inaction of the respondents by not allowing/granting pre-mature increment to the appellant upon promotion to the post of PSHT (BPS-15) is against the law, facts, norms of natural justice and materials on the record.
- B- That the appellant has not been treated by the respondents in accordance with law and rules on the subject noted above and as such the respondents violated Article-4 and 25 of the Constitution of Islamic Republic of Pakistan, 1973.
- C- That the respondent department acted in arbitrary and malafide manner by not allowing/granting pre-mature increment to the appellant upon promotion to the post of PSHT (BPS-15).
- D- That the appellant is fully entitle for the grant of pre-mature increment upon promotion to the post of PSHT (BPS-15) in light of the letter dated 19.11.2013 and such violation of the judgment of the Khyber Pakhtunkhwa Service Tribunal, Peshawar in appeal No.770/2016 titled Muhammad Siddique Vs Accountant General, Khyber Pakhtunkhwa & others.
- E- That many colleagues of the appellant in service as well as retired employees have been granted the above mentioned benefits of pre-mature increments, therefore, in light of the judgment of the Apex Court reported in

(3)

1996 SCMR 1185 the appellant is fully entitled for the grant of pre-mature increment upon promotion to the post of PSHT (BPS-15) being similarly placed employee.

F- That the inaction of the respondents by not granting pre-mature increment to the appellant upon promotion to the post of PSHT (BPS-15) is based on discrimination.

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

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

APPELLANT

  
GOHAR ALI

THROUGH:   
MIR ZAMAN SAFI  
ADVOCATE

**CERTIFICATE:**

It is certified that no other earlier appeal was filed between the parties.

  
DEPONENT

**LIST OF BOOKS:**

- 1- CONSTITUTION OF PAKISTAN, 1973.
- 2- SERVICES LAWS BOOKS.
- 3- ANY OTHER CASE LAW AS PER NEED.

(4)

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE, PESHAWAR**

APPEAL NO. \_\_\_\_\_/2024

GOHAR ALI

VS

EDUCATION DEPTT:

**AFFIDAVIT**

I, Mir Zaman Safi, Advocate, High Court on the instructions and on behalf of my client, do hereby solemnly affirm that the contents of this APPEAL are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.

  
MIR ZAMAN SAFI  
ADVOCATE

- 4/A -

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,**  
**PESHAWAR**

SERVICE APPEAL NO. \_\_\_\_\_/2024

GOHAR ALI

VS

EDUCATION DEPTT:

**APPLICATION FOR CONDONATION OF**  
**DELAY IN FILING THE ABOVE NOTED**  
**APPEAL**

**R.SHEWETH:**

- 1- That the appellant has filed an appeal along with this application in which no date has been fixed so far.
- 2- That the appellant prays for the condonation of delay in filing the above noted appeal inter alia on the following grounds:


**GROUND OF APPLICATION:**

- A- That valuable rights of the appellant are involved in the case hence the appeal deserve to decide on merit.
- B- That the appeal of the appellant is related to the financial matters, therefore, as per judgment of the Superiors Courts reported in 2021 SCMR 1230 and 2002 PLC (C.S) 1388 limitation in financial matters could not run.
- C- That it has been the consistent view of the Superior Courts that cases should be decided on merit rather on technicalities including the limitation. The same is reported in 2004 PLC (CS) 1014 and 2003 PLC (CS) 76.

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

APPELLANT

THROUGH:

  
MIR ZAMAN SAFI  
ADVOCATE



"A" 3

(5)

گوار علی (45)

Notes:—The entries in this page should be renewed or re-attested at least every five years and the signature to lines 9 and 10 should be dated.

1. Name Gohar Ali Khan

2. Race Afghani

3. Residence Village and P.O. NSR Balan, Tehsil N.S.P. Distt. Peshawar

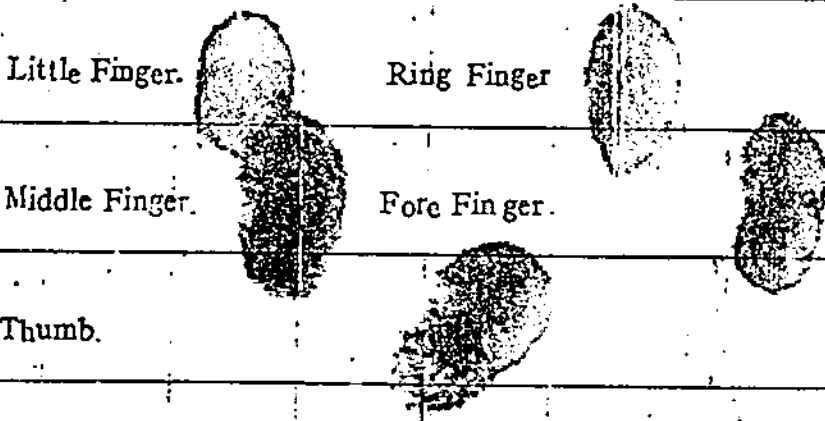
4. Father's name and residence Duran Khan

5. Date of birth by Christian era as nearly as can be ascertained 10-4-1965 Tenk A, il ayhas Sixty five

6. Exact height by measurement 5'6"

7. Personal marks for identification Birth Mark on left wrist

8. Left hand thumb and Finger impression of (non-gazetted) officer



9. Signature of Government servant Gohar Ali

10. Signature and designation of the Head of the Office, or other Attesting Officer.

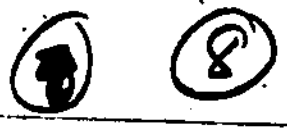
S. D. E. O.  
(M) Nowshera

(6)

1 Name of post	2 Whether substantive or officiating and whether permanent or temporary	3 if officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R.	4 Pay in substantive post	5 Additional Pay for officiating	6 Other emolument falling under the term "Pay"	7 Date of appointment	8 Signature of Government servant
G.P.S. No 4 NSR Kalan	Temp		Rs 750/-	pm. fixed		19/4/1988	[Signature]
d.	d.		750/-	d.	d.	01/11/88	[Signature]
d. d. d. d.	d. d. d. d.		750/- 700/- 750/-	d. d. d.		12/88 26/11/88 1/90	[Signature]
d.	d.	B.P.S. No 7	1095-60-1995	d.	d.	16/91	[Signature]
d.	d.		1095/-	d.	d.	12/91	[Signature]
d.	d.	BPS-9 - 1185-72-2265	d.	d.	d.	d.	[Signature]
d.	d.		1185/-	R	d.	4/92	[Signature]
d.	d.		1257/-	R	d.	12/92	[Signature]
d.	d.	Revised entry in	1329/-	R	d.	12/93	[Signature]
d.	d.	BPS No 9	d.	d.	d.	16-84	[Signature]
d.	d.	Scale	151-1605-92-3060	d.	d.	d.	[Signature]
d.	d.		1799/-	R	d.	8/94	[Signature]
d.	d.		1898/-	R	d.	12/94	[Signature]
d.	d.		1993/-	R	d.	12/95	[Signature]

9 Name and Designation of the head of the office or other attesting officer in attestation of columns 1 to 8	10 Date of termination or appointment.	11 Reason of termination such as promotion, transfer, casualty, etc.)	12 Signature of the head of the office or other attesting officer.	13 Leave		14 Signature of the head of the office or other attesting officer	15 Reference to any recorded punish- ment or censure or prize of the Government Service.	
				Nature and duration of leave taken.	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government			
					Period			Government to which debitable
<i>[Signature]</i> SDEO (M) Jehangira NSR	30/6/17	S/R	<i>[Signature]</i> SDEO (M) Jehangira NSR					
<i>[Signature]</i> SDEO (M) Jehangira NSR	11/17	A/P	<i>[Signature]</i> SDEO (M) Jehangira NSR					
<i>[Signature]</i> SDEO (M) Jehangira NSR	31/12/17	Retired from service	<i>[Signature]</i> SDEO (M) Jehangira NSR					
<i>[Signature]</i> SDEO (M) Jehangira NSR								
				<p>CONCEALATED SERVICE verified w.e.f. 21/11/1985 to 31/12/2017 From the Acq: Roll &amp; Other Record of This Office</p>				
				<p><i>[Signature]</i> SDEO (M) Jehangira NSR</p>				
<p>Retired from Govt. Service</p>								
<p>Retired from Govt. Service</p>				<p>Service Verified w.e.f. 1-12-16 To 31-12-2017 from the Acq: Roll and other record to this office</p>				
<p>U.O. No. 01-01-2018 under D.E.O (M) NSR No. 3284-86 dated 16-2-18</p>								
<p><i>[Signature]</i> SDEO (M) Jehangira NSR</p>				<p><i>[Signature]</i> SDEO (M) Jehangira NSR</p>				

FORM III



9	10	11	12	13	14	15	
				LEAVE			
Signature and designation of the head of the office or other attesting officer in attestation of columns 1 to 8				Nature and duration of leave taken	Allocation of period of leave on average may upto four months for which leave entry is debitabls to another Government	Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure, or reward or praise of the Government Servant.
S.D.E.O. (M) Nowshera	31/6/15	Scale Revis	S.D.E.O. (M) Nowshera			<p><b>SERVICE VERIFIED</b>  W.e.f. 12/12/14 to 30/11/15 From The Acq Roll and other Record of This office</p>	
S.D.E.O. (M) Nowshera	30/11/15	A/c	S.D.E.O. (M) Nowshera			<p><b>SERVICE VERIFIED</b>  W.e.f. 12/12/14 to 30/11/15 From The Acq Roll and other Record of This office</p>	
S.D.E.O. (M) Nowshera	30/6/16	S/A	S.D.E.O. (M) Nowshera			<p><b>SERVICE VERIFIED</b>  W.e.f. 12/12/14 to 30/11/15 From The Acq Roll and other Record of This office</p>	
S.D.E.O. (M) Nowshera	30/11/16	A/c	S.D.E.O. (M) Nowshera			<p>Service Verified with effect from 01/12/2015 to 30/11/2016 from the records of this office</p>	
S.D.E.O. (M) Nowshera		<p>Officer of the Accountant General  Special Provision (Comm. Peshawar)  Pay Fixed in the Revised Basic Pay Scales  10 (25-30)-38 (35)  Pay Fixed @ Rs. 24560 01-07-2015  R.B.P.S. 1115-1115-8741  Pay Fixed @ Rs. 31430 01-07-2016  Date of Next increment is on 01-07-2016</p>		<p>Passes BA Examination  A104-Islamabad under Roll No  AY481181 Registration No. 14NHA0934  Total marks 1100 obtained marks 701  Results declared on 09-09-2016.</p>	S.D.E.O. (Male) Nowshera		

S.D.E.O. (Male) Nowshera

4



OFFICE OF THE  
DISTRICT EDUCATION OFFICER (MALE) 9  
NOWSHERA

(Office Phone#0923-9220228, Fax#0923-9220228)

**RETIREMENT ORDER**

Mr. Gohar Ali PSHT GPS English Medium Khesghi Bala NSR is hereby retired from Govt: Service w-e-f 14-08-2014 afternoon on Superannuation.

Under the provision of Government of Khyber Pakhtunkhwa Finance Department letter No. FD (SR-IV) Vol.II dated 24-08-1983; sanction is hereby accorded to the grant of Encashment of Leave / Retirement detail given below in respect of the following official.

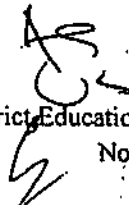
S#	Name of Official	Date of Retirement	Date of Birth	D/O 1 <sup>st</sup> Appt:	Encashment of LPR	Total service Length Y-M-D	Remarks
01	Mr. Gohar Ali PSHT GPS English Medium Khesghi Bala Nowshera	14-08-2014 (A.N)	15-08-1954	11-01-1977	365 days on full pay	37- 07-01	Retire from Govt: Service due to Age of Superannuation

(Muhammad Inam Toru)  
District Education Officer (Male)  
Nowshera

Endstt: No. 3418-22 DEO (M) NSR/EA/S/ File.No.1/Retirement of PST/ Dated Nowshera the 23/08/2014

Copy of the above is forwarded for information and necessary action to the: - 10-2014

- 1: Senior District Account Officer, Nowshera.
- 2: Sub Divisional Education Officer (Male), Nowshera
- 3: ADO Circle concerned
- 4: Official concerned.

  
District Education Officer (Male),  
Nowshera

OFFICE OF THE  
DISTRICT EDUCATION OFFICER (MALE)  
NOWSHERA

(Office Phone#0923-9220228, Fax#0923-9220228)

"B" 10

NOTIFICATION

Consequent to the...  
in pursuance of the...  
SO (B&AML-18/E/SE/2012...  
Dated 6/07/2012...  
the post of HPST B-15 (RS-85...  
under the existing...  
with immediate effect and further...  
posts

Recommendation of the Departmental Promotion Committee (DPC) held on 12-2-2012 of Khyber Pakhtunkhwa Elementary & Secondary Education Notification No. 11-07-2012 and Finance Department's Endorsement No. SQ(FR)/ED/10 following Male Senior Primary School Teachers SPS 1-14 are hereby promoted to 700-29500 plus usual allowances as admissible under the rules on regular basis subject to the condition that they will be posted in GPS of the District against the newly created HPST BPS-

Total Number of Posts	406
Share of HPST	406
Share of promotion	406

S. No.	Name of Teacher	Name	School	DOB	Remarks
5	Hamid Shah	K. Genillah	GPS DAKISMAIL KHAIL	01/05/1955	Will be adjusted/posted according to the rationalization policy
6	Muhammad Nazir	...	GPS Ghafur Khan Korona	12/03/1953	DO
7	Muhammad...	...	Bahawalpur	15/04/1955	DO
8	Muhammad...	...	Mohit Bander GPS	19/06/1954	DO
9	Muhammad...	...	Asghar GPS No. 2	12/03/1955	DO
10	Muhammad...	...	Atit GPS No. 3	26/04/1953	DO
11	Muhammad...	...	GPS Midway station	17/04/1955	DO
12	Muhammad...	...	Babi Jaded GPS No. 1	12/04/1955	DO
13	Muhammad...	...	GPS Shah	25/07/1956	DO
14	Muhammad...	...	Jam Korond GMPS	10/10/1954	DO
15	Muhammad...	...	Akbar GPS No. 1	22/04/1956	DO
16	Muhammad...	...	Babi Jaded GPS No. 2	14/04/1957	DO
17	Muhammad...	...	Tarabha GPS No. 2	25/12/1955	DO
18	Muhammad...	...	GPS Kosh Bahala	15/08/1954	DO
19	Muhammad...	...	GPS Shah Behsud 1	04/04/1957	DO
20	Muhammad...	...	Akbar GPS No. 2	15/02/1954	DO
21	Muhammad...	...	GPS Shah Behsud 1	05/12/1953	DO
22	Muhammad...	...	GPS Shah Behsud 2	01/05/1954	DO
23	Muhammad...	...	Dharmada GPS No. 2	14/10/1955	DO
24	Muhammad...	...	GPS Kosh Bahala	15/07/1956	DO
25	Muhammad...	...	GPS Kosh Bahala	09/02/1961	DO
26	Muhammad...	...	GPS Kosh Bahala	21/03/1958	DO
27	Muhammad...	...	GPS Kosh Bahala	07/07/1961	DO
28	Muhammad...	...	GPS Shah Korona	01/04/1961	DO
29	Muhammad...	...	Qasim GPS No. 1	15/09/1961	DO

**OFFICE OF THE  
DISTRICT EDUCATION OFFICER (MALE)  
NOWSHERA**

**NOTIFICATION**

Consequent upon the recommendations of the Departmental Promotion Committee (DPC) held on 12.2.2013 and in pursuance of the Government of Khyber Pakhtunkhwa Elementary & Secondary Education Notification No.SO (B&A)/1-18/E&SE/2012, dated 11.07.2012 and Finance Department Endorsement No. SO9FR)/FD/10-226/2010 dated 16.07.2012 the following Male Senior Primary School Teachers SPSTs B-14 are hereby promoted to the post of HPST B-15 (Rs-8500-700-29500) plus usual allowances as admissible under the rules on regular basis under the existing policy of the Provincial Government, in Teaching Cadre on the terms and conditions given below with immediate effect and further they will be posted in GPS of the District against the newly upgraded HPST B-15 posts.

Total Numbers SPST Posts	1805
Share of HPST Post	406
Share of Promotion 100%	406

S#	S.L#	Name of Teacher	Father's Name	School	DOB	Remarks
1	5	Hamid Shah	Kaseer Ullah	GPS Dak Ismail Khail	01.05.1955	Will be adjusted/posted according to the rationalization policy
2	6	M. Nazeer	Toti Gul	GPS Ghafar Khan Korona	12/03/1953	Do
3	7	9. Shah Jehan	M. Ali	Balu GPS	15/07/1955	Do
4	9	I.M. Akbar	Sher Afzal	Mohib Banda GPS	19/06/1954	Do
5	10	I.Mehmood Khan	Fazle Raziq	Akbar Pora GPS No.2	12/03/1955	Do
6	13	I.Nasrullah Khan	M. Atta Ullah	Ali Baig GPS No.3	26/04/1953	Do
7	14	Shamsul Haq	Mir baz	GPS Railway Station	17/04/1955	Do
8	16	Hazrat Amin	Habib Ur Rehman	Babi Jadeed GPS No.1	12/04/1955	Do
9	18	Masam Khan	M. Sharif	GPS Shagai	25/07/1956	Do
10	19	Zaman Shah	Sikandar Shah	Jam Korona GPSM	10/10/1954	Do
11	20	Khaista Gul	Faqir Muhammad	Akbar Pura GPS No.1	22/04/1956	Do
12	24	Firdos Khan	Umar Gul	Babi Jadeed No.2	14/04/1957	Do
13	25	S. Riaz Hussain Shah	Syed Akbar Shah	Taru Jabba No.2	25/12/1955	Do
15	30	Gohar Ali	Salahuddin	GPS Khashgi Bala	15/08/1954	Do
15	36	Shams Ur Rehman	Daulat Khan	GPS Dagbesud 1	01/01/1957	Do
16	39	Misal Khan	Mukamel Shah	Akbarpura GPS No.2	15/02/1954	Do
17	40	Aman Khan	Hamid Khan	GPS Dagbesud 1	05/12/1953	Do
18	41	Usman Shah	Zahir Shah	GPS Dagbesud 2	01/05/1954	Do
19	42	Gulroz Khan	Nawroz Khan	Dagi jaded GPS No.2	14/10/1955	Do
20	50	Roohul Amin	M. Kalim	GPS Khashgi Payan No.1	15/01/1961	Do
21	51	M. Sadiq	Asadullah	GPS Khashgi Bala	09/02/1961	Do
22	52	Ajmal Shah	Shamsul Wahid	GPS 2 Zkks	21/03/1958	Do
27	60	Shehr Yaz	Malook Shah	GMPS Mandori Bala	16/03/1963	Do
28	61	Ihsan Ullah	Wali Mohammad	Tarkha GPS No.2	15/10/1959	Do
119	239	Akhtar Biland	Sar Biland	GPS Khashgi Bala	04/04/1966	Do



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26				Tarapur GPS No.1	02/01/1962	DO
27				QWHS Mandori K. Balak	16/07/1963	DO
28				Tarapur GPS No.2	15/11/1962	DO
29				GPS Sakoli n. Abad K. Balak	18/01/1963	DO
30				GPS Jabbar Gan	14/01/1956	DO
31						DO
32				Taran GPS No.1	02/05/1962	
33				Gps railway station	18/12/1963	DO
34				Gps karia khalia	18/05/1964	DO
35				Tarapur GPS No.3	01/09/1963	DO
36				GPS Taran GPS No.4	09/04/1963	DO
37				Chokri GPS No.1	01/04/1963	DO
38				GPS Taran	07/01/1965	DO
39				GPS Taran Ahmad Baba	01/01/1962	DO
40				Nasir GPS	25/12/1964	DO
41				Bah GPS	15/11/1953	DO
42				GPS Bahkist Pavan 2	01/02/1964	DO
43				Gps Bahkist Pavan 1	18/10/1964	BB
44				GPS Kati Mioda	25/11/1964	DO
45				GPS Topwadi	12/02/1960	DO
46				GPS Amroli	15/05/1962	DO
47				Camli GPS	28/01/1957	DO
48				GPS Bahkist Corona	06/01/1966	DO
49				Gps Bahkist	01/01/1965	DO
50				Azhamil Bala GPS No.2	10/06/1963	DO
51						DO
52				GPS Gah Akora	15/02/1957	DO
53				GPS Gah	02/01/1964	DO
54				GPS Bahkist Rind	18/12/1963	DO
55				GPS Bahkist	15/05/1962	DO
56				GPS Gul Dhan	02/12/1959	DO
57				GPS Bahkist	01/01/1962	DO
58				Gps Bahkist	25/12/1963	DO
59				GPS Bahkist	01/06/1958	DO
60				GPS Bahkist	13/09/1959	DO
61				GPS Bahkist	18/09/1967	DO
62				GPS Bahkist	10/04/1964	DO
63				GPS Bahkist	06/04/1967	DO
64				Bahkist Muh. Han GPS	22/10/1962	DO
65				Akbarpura GPS No.1	19/02/1967	DO
66				Gps 2 khat Bahkist	18/11/1966	DO
67				GPS Bahkist	03/01/1958	DO
68				Ajani Bahkist	08/10/1962	DO
69				GPS Bahkist 6	02/03/1962	DO
70				Gps Bahkist	15/03/1962	DO
71				GPS Bahkist	20/01/1956	DO
72				GPS Bahkist	05/03/1958	DO



Better copy of Page - 11

120	240	Noor Ul Amin	M. Amin	GPS Hamza Rashaka No.2	12.04.1967	Do
121	242	Afzal Khan	Afsar Khan	GPS Rokhan Abad K. Bala	15/02/1967	Do
122	245	M. Isfar Khan	Nisar Khan	GPS Kabul River	02/01/1964	Do
123	247	Sharafat Ullah	Amir Nawaz Khan	GPS.1 Badrashi	08/03/1962	Do
124	248	M. Ahsan	M. Salih	GPS No. MsKalan	08/05/1962	Do
125	250	Abdul Munaf	Ghulam Muhammad	Akbar Pura GPS No.3	15/10/1962	Do
126	253	Manzoor Hussain	Abdul Khaliq	Pabbi GPS No.1	06/11/1960	Do
127	254	M. Gul	Baghi Gul	GPS Ashraf Khan Korona	01/04/1966	Do
128	255	Khaista Gul	Qadir Shah	GPS Naseer Abad	12/05/1963	Do
129	256	Amanat Khan	Umara Khan	GPS Zaidi Colony	14/03/1969	Do
130	257	Qamar Zaman	Nurshid Khan	GPS Dagbesud. 2	10/08/1955	Do
131	259	Subidar Shah	Gohar Shah	GPS No.1 Mian Esa	12/11/1960	Do
132	260	Safdar Ali	Sardar Ali	Banda Nabi GPS No.1	01/04/1963	Do
133	262	Riaz Ali	Kamil Khan	Azakhel Bala GPS No.2	02/10/1964	Do
134	264	Khair Ul Abrar	Sayyed Ul Abrar	Khan Sher, Garhi GPS	15/04/1967	Do
135	266	Ihsan Ur Rehman	M. umar	GPS Sheen Bagh	05/01/1958	Do
136	268	Aman Ullah	Jaidad Khan	GPS Labi Khel	15/02/1961	Do
137	269	Jehangir Khan	Inam Ali	GPS Afrido Killi	02/02/1963	Do
138	274	Khail Bahadar	Nawab Gul	GPS Feroz sons	05/04/1963	Do
152	292	M/Suleman	Ilyas Khan	GPS Usman Abad	15/06/1969	Do
153	293	Abdul Ghani	Abdul Qadir	GPS Zaidi Colony	15/04/1970	Do
154	295	Amir Khan	Islahud Din	GPS Batazkai	03/03/1970	Do
155	297	Amir Nawaz Khan	Hayat Khan	Khan Sher, Ghari GPS	21/09/1967	Do
156	298	Shah Nazar	Sarwar Khan	GPS Zando Banda	29/09/1970	Do
157	300	Muhammad Fayaz	Fazal-e-Razaq	Banda Mulahan GPS	21/10/1970	Do
158	302	Nazf Ur Rehman	Ahmad Quraish	Ghoki Gul Badshah GPS	22/11/1966	Do
159	304	Muhammad Irfan	Tameez Gul	GPS Spin Khak 3	02/08/1966	Do
160	305	Hukam Said	Tor Gul	GPS Manhi	14/04/1964	Do
161	306	Hussain Muhammad	Sher Zada	Khan Sher, Garhi GPS	12/04/1963	Do
162	307	Wasim Gul	Mehrab Gul	GPS Shahab Khel	01/12/1964	Do
163	308	Haydar	Raheem Khan	GPS Abbas Abad	01/05/1965	Do
167	312	Burhan Ud Din	Aman Ud Din	GPS Garu	10/11/1969	Do
175	329	Sardaraz Khan	Tawas Khan	GPS Serai Korona	10/02/1967	Do
176	330	Saida Gul	Sajeed Gul	GPS Ali Garh	04/09/1967	Do
187	347	Muhammad Zahir	Naseem Khan	GPS No.4 Pir Piai	01/10/1969	Do
188	348	Musa Khan	Raza Khan	Balu GPS	05/12/1964	Do
217	387	Muhammad Jan	Abdul Akbar	GPS Sikandar Abad	04/04/1966	Do
218	390	Javed Khan	Mehrab Gul	GPS 2 Shaidu	15/10/1966	Do
219	391	Basal Bota	Boota	GPS Kabul River	04/07/1962	Do

61	Shahid	Umar Said	GPS Rashakar	28/03/1965	DO
62	Shahid	Muhsun Khan	GPS Muzaffar	02/05/1958	DO
63	Shahid	Muhsun Khan	Gps Bahadur	12/03/1969	DO
64	Shahid	Muhsun Khan	Gps Bahadur	10/05/1966	DO
65	Shahid	Muhsun Khan	GPS Umm	11/09/1968	DO
66	Shahid	Muhsun Khan	Gps Bahadur	04/03/1967	DO
67	Shahid	Muhsun Khan	GPS Bahadur	10/04/1965	DO
68	Shahid	Muhsun Khan	GPS Bahadur	11/04/1967	DO
69	Muhammad	Muhammad	Umar Manjeer GPS	17/11/1957	DO
70	Muhammad	Muhammad	Gps Bahadur	30/04/1968	DO
71	Muhammad	Muhammad	Fazal Ghorani GPS	12/04/1960	DO
72	Muhammad	Muhammad	Gps Bahadur	02/11/1965	DO
73	Muhammad	Muhammad	Gps Bahadur	10/11/1969	DO
74	Muhammad	Muhammad	Gps AC center	26/12/1968	DO
75	Muhammad	Muhammad	GPS Bahadur	12/03/1964	DO
76	Muhammad	Muhammad	Azak Khan GPS No. 1	10/05/1961	DO
77	Muhammad	Muhammad	GPS Bahadur	06/03/1964	DO
78	Muhammad	Muhammad	GPS Bahadur	08/05/1968	DO
79	Muhammad	Muhammad	Akbar Mir GPS No. 1	04/01/1969	DO
80	Muhammad	Muhammad	GPS Bahadur	07/06/1959	DO

12

TERMS AND CONDITIONS  
 This contract shall be in force for a period of one year extendible for another one year. The Government reserves the right to terminate this contract at any time if the performance of the contractor is found to be unsatisfactory during the period of the contract. In case of termination, the contractor shall be liable to pay the Government the amount of the contract. The contractor shall be bound to comply with all the rules and regulations of the Government. The contractor shall be liable to pay the Government the amount of the contract. The contractor shall be bound to comply with all the rules and regulations of the Government. The contractor shall be liable to pay the Government the amount of the contract. The contractor shall be bound to comply with all the rules and regulations of the Government.

(Signature)  
 District Director Officer (Water)  
 Nowshera

District Education Officer (Water)  
 Nowshera

21/9/73

**BETTER COPY PAGE- 12**

387	617	M. Ibrahim	Bakht Manan	GPS Rashakai	28/03/1965	Do
388	618	Shah Qasim	Umer Said	GPS Mughalki	02/05/1958	Do
389	619	Shoaib	Muhsin Ullah	GPS Baitul Gharib	12/03/1969	Do
390	620	Zaib M. Gul	Didar Gul	GPS Aba Khel Wali	16/05/1966	Do
391	621	Sajid Khan	Suhbat Khan	GPS.3 Cantt.	11/09/1966	Do
392	623	Fayaz Ahmad	Ghulam Mehboob	GPS No.4 Nsr Kalan	01/03/1967	Do
393	624	Gohar Ali	Duran Khan	GPS Saies Mandir	10/04/1965	Do
394	625	Rahamdil	Abdus Satar	GPS Rashakai	10/05/1965	Do
395	627	M. Hussain	Ghulam Muhammad	Ghari Momeen GPS	17/11/1967	Do
396	628	Ijaz Muhammad	Badshah Muhammad	GPS Kana Khel	30/04/1968	Do
397	629	Khizar Ali	Hazrat Ali	Fazal Koroona GPS	12/04/1960	Do
398	630	Zahir Gul	Dawood Gul	GPS 1 zkks	02/11/1965	Do
399	631	Ayaz Ali Shah	Hashim Ullah	GPS 2 Bahadar Khel	10/11/1969	Do
400	633	Rashid Ali	Mali Shah	GPS AC Centre	26/12/1968	Do
401	635	Jehanzeb	Zahid Din	GPS Abbasabad	12/03/1964	Do
402	636	Majar Shah	Saeed Shah	AZakhel Payan GPS No.1	10/05/1961	Do
403	638	Sadeem Khan	Sanubar Khan	GPS Speen Khak 1	06/03/1964	Do
404	640	Khan Mir	Shehzad Mir	GPS Dak Ismail Khel 1	08/05/1968	Do
405	641	Farhad Ullah	Aman Ullah	Akbar Pura GPS No.3	04/01/1969	Do
406	642	Khan Muhammad	Ghulam Haider	GPS Ahmad Gul Korona	07/06/1959	Do

**TERMS AND CONDITIONS:-**

1. They would be on probation for a period of one year extendable for another one year.
2. They will be governed by same rules and regulations as may be issued from time to time by the Govt.
3. Their services can be terminated at any time in case of their performance was found unsatisfactory during probation period. In case of misconduct, they will be proceeded under the rule framed from time to time.
4. Charge should be submitted to all concerned.
5. Their inter-se-seniority on their post will remain intact.
6. No TA/DA is allowed for joining their duties.
7. They will give an under taking to be recorded in their service books to the effect that any over payment is made to them in the light of this order will be recovered and if he is wrongly promoted he will be reversed.

**(HAJI HASANAT GUL KHATTAK)**

District Education Officer (Male)

Nowshera

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

NO. FD (SOSR-1)-12-21-2013  
Dated Peshawar the: 19-11-2013

To: The Accountant General, Khyber Pakhtunkhwa  
Peshawar.

Subject: GUIDANCE REGARDING FIXATION OF PAY IN REGARD DIFFERENCE  
CATEGORIES OF TEACHERS.

Dear Sir,

I am directed to refer to your letter No. H-24(114)Edu:  
Comp/2013-14/1991 dated 12-09-2013 on the subject noted above and to  
state that the view point of AG Office is hereby confirmed/endorsed for  
further necessary action as desired.

Yours Faithfully,

(Wazir Muhammad Afaq)  
SECTION OFFICER (SR-1)



Accountant General Khyber Pakhtunkhwa Peshawar  
Phone: 091 9211250-54

No: H-24(113)Edu: Master/2012-13/ 2067  
Copy forwarded for information and compliance to:

DATED 19-11-2013

1. All DAOs/AAOs in Khyber Pakhtunkhwa.
2. HR Lab.
3. Pay Roll 2, 8 & 3 Section (L).
4. CIA Cell.
5. Accounts Officer (Pay Fixation Party)

ACCOUNTS OFFICER (HAD)

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Office of the  
**Accountant General**  
Khyber Pakhtunkhwa Peshawar  
Phone: 091 9211250-53

No.H-24(414)/Edu.Corrp/2013-14/ 99

Dated: 02.09.2013

To,  
The Secretary,  
To Govt. of Khyber Pakhtunkhwa,  
Finance Deptt. Peshawar.

Subject: GUIDANCE REGARDING FIXATION OF PAY IN REGARD  
DIFFERENT CATEGORIES OF TEACHERS.

Memo:

Kindly refer to the Elementary & Secondary Education Deptt. Notification No. SO(B&A)/-18/E&SE/2012 dated 11.7.2012 duly endorsed by the Finance Deptt. vide NO SO(FR)/FD/10-22(E)/2010 dated 16.7.2012 regarding up-gradation/re-designation of posts of different categories of teachers.

2. It is added in the above cited notification that "the posts will be filled in the manner as may be prescribed by the Elementary & Secondary Education Deptt. by making necessary services rules or amending the existing service rules, if any, for the post". Later on the Elementary & Secondary Education Deptt. framed the rules and circulated amongst all concerned teacher cadre vide Notification No. SO(PM4-5/SSR/Meeting/2012 dated 13.11.2012 for filling the post. (copy enclosed for ready reference).

3. According to the said rules the Distts. Education Officers granted BPS-12 to the existing PTC teachers & re-designated as PST teachers. Some of them promoted from BPS-12 to BPS-14 having 05 years service re-designated as Sr.PST. While certain of them promoted from BPS-14 to BPS-15 on same day and re-designated as Primary School Head teacher having 10 years service. An example of fixation made by the DEOs is given below:-

Mr. A----- pay on 5.1.2013 as FST (BPS-12) Rs.14500/- PM  
Promoted as Sr.PST on 7.1.2013 to BPS-14 RS.15320/-PM (Next stage +Premature).  
Then from promoted as PSHT on 7.1.2013 to BPS-15 Rs.16200/-PM (Next stage + premature).

D/Wy Director HAD Sialkot/Quetta regarding the Deptt.

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17/11/81

This office is of the view that the pay on promotion from BPS-14 to BPS-15 is contrary to the instruction issued by the Finance Deptt. letter No. SR-111-8/76-II dated 15.12.1981 as their incumbents not rendered service in BPS-14 for 3 years and therefore their pay has to be fixed directly from BPS-12 to BPS-15 and granted them next stage + premature in BPS-15 instead of BPS-12 to BPS-14 and then from BPS-14 to BPS-15.

5. In view of above if the mode of fixation stated in para 4 above is correct may kindly be confirmed or advised for future processing of the subject issue as the fixation of these employees lying pending in the DAOs.

Encl: As above.

Dy: Accountant General (HAD)

Copy forwarded for information to:-

1. The Secretary to Govt. of Khyber Pakhtunkhwa, Elementary & Secondary Education Deptt. Peshawar with the request also to examine the issue and directed all DEOs not to submit the cases to Audit Offices before confirmation of the view of this office is clarified by the Finance Deptt.
2. All DAOs/AAOs in Khyber Pakhtunkhwa.
3. The Distt. Accounts Officer Swabi with reference to their letter dated 29.7.2013.

Dy: Accountant General (HAD)



To,

The Director,  
E&SE Department,  
Khyber Pakhtunkhwa, Peshawar.

"D"

16

Subject: DEPARTMENTAL APPEAL FOR THE GRANT PRE-MATURE INCREMENT ON PROMOTION FROM BPS-14 TO BPS-15 SIMILARLY TO THE OTHER EMPLOYEES WHO HAVE ALREADY BEEN GRANTED THE SAME BENEFIT BY THE DEPARTMENT

Respected Sir,

With due respect it is most humbly stated that the appellant was the employee of your good self department and has served the education department till his retirement on superannuation (60) years quite efficiently and upto the entire satisfaction of his superiors. That during service the appellant was promoted from the post of PST (BPS-12) to the post of SPST (BPS-14) and subsequently promoted from SPST (BPS-14) to the post of PSHT (BPS-15) vide Notification dated 12.04.2013. That it is pertinent to mention that the pay of the appellant had been fixed in BPS-14 and then BPS-15 and such the appellant also granted pre-mature increment in BPS-14 while pre-mature increment on promotion to BPS-15 has not been granted till date despite of the repeated requests. That the appellant and his other colleagues are fully entitled for double benefit upon promotion to the BPS-14 and subsequently to BPS-15 in light of Finance Department letter 19.11.2013 but the department is not willing to grant pre-mature increment to the appellant upon promotion to the post of PSHT (BPS-15) which is clear violation of the letter dated 19.11.2013 and such violation of the judgment of the Khyber Pakhtunkhwa Service Tribunal, Peshawar in appeal No.770/2016 titled Muhammad Siddique Vs Accountant General, Khyber Pakhtunkhwa & others. That many colleagues of the appellant in service as well as retired employees have been granted the above mentioned benefits of pre-mature increments, therefore, in light of the judgment of the Apex Court reported in 1996 SCMR 1185 the appellant is fully entitled for the grant of pre-mature increment upon promotion to the post of PSHT (BPS-15) being similarly placed employee. That the denial for the grant of pre-mature increment upon promotion to BPS-15 is clear violation of Article-4, 25 and 38(e) of the Constitution of Islamic Republic of Pakistan, 1973.

It is, therefore, most humbly prayed that on acceptance of this departmental appeal the appellant may very kindly be granted pre-mature increment upon promotion to BPS-15 in terms of his pension with all other financial benefits.

Dated: 19.06.2024.

  
APPELLANT

Gohar Ali, PSHT(Rtd),  
GPS Kheshgi Bala, Nowshera

قیمت  
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پشاور بار ایسوسی ایشن، خیبر پختونخواہ

ایڈوکیٹ: Sarah Aziz

بار کونسل ایسوسی ایشن نمبر: Bc-19-1692

رابطہ نمبر: 0313-9080833



KP Sarah Aziz Trial Post

بجالات جناب:

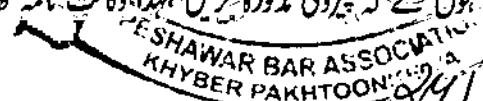
مخاطب: Appellant	دعویٰ:
Gohar Aasi	علت نمبر:
بنام	موضوع:
گور	جرم:
	تھانہ:

بامت تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب وہی کارروائی متعلقہ

آن مقام Peshawar کیلئے SARAH A212 کو وکیل مقرر

کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا، نیز وکیل صاحب کو راضی نامہ کرنے و تقررات نامت و فیصلہ بر حلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری کی طرف یا اپیل کی برآمدگی اور منسوخی، نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو وہی جملہ مذکورہ بالا اختیارات حاصل ہوں گے اور اس کا ساختہ پر داختم منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جائے التوائے مقدمہ کے سبب سے ہوگا و کوئی تاریخ پیشی مقام دورہ یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سند رہے



المرقوم 10/12/2022

مقام Peshawar کے لیے منظور ہے۔

Attested and accepted

Signature

نوٹ: اس وکالت نامہ کی فوٹو کاپی ناقابل قبول ہوگی۔



(17)

(36) (36)

VAKALATNAMA

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
PESHAWAR

OF 2024

Gohar Ali

(APPELLANT)  
(PLAINTIFF)  
(PETITIONER)

VERSUS

Education Deptt.

(RESPONDENT)  
(DEFENDANT)

I/we Gohar Ali

Do hereby appoint and constitute **MIR ZAMAN SAFI**, Advocate, Peshawar to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

Dated 1 / 1 / 2024

M. Zaman Safi  
CLIENT

M. Zaman Safi  
ACCEPTED  
MIR ZAMAN SAFI  
ADVOCATE

OFFICE:

Room No.6-E, 5<sup>th</sup> Floor,  
Rahim Medical Centre, G.T.Road,  
Hashinagri, Peshawar.  
Mobile No.0333-9991564  
0317-9743003

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