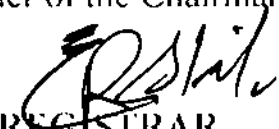


# FORM OF ORDER SHEET

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

**Appeal No.** 2430/2024

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. Sattar Gul 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. Sattar Gul 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. 971 /Inst./2024/KPST,

Dt. 25/10 /2024.

*Amalilloh*  
ADDITIONAL REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Mir Zaman Safi Adv.  
High Court Peshawar.

*Sir,*

*Re-Submitted after compliance.*

*as per  
07/11/2024*

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

APPEAL NO. 2430 /2024

SATTAR GUL

VS

EDUCATION DEPTT:

**INDEX**

<b>S.NO.</b>	<b>DOCUMENTS</b>	<b>ANNEXURE</b>	<b>PAGE</b>
1	Memo of appeal	.....	1- 3.
2	Affidavit	.....	4.
3.	Service book	A	5- 9.
5.	Promotion Notification	B	10- 12.
6.	Letter dated 19.11.2013	C	13- 15.
7.	Departmental appeal	E	16.
8.	Wakalat nama	.....	17.

APPELLANT

THROUGH:

  
MIR ZAMAN SAFI,  
ADVOCATE

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

①

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

APPEAL NO. 2430 /2024

Mr. Sattar Gul, PSHT(R) (BPS-15),  
GPS Taj Abad, 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.**

- 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.

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

SATTAR GUL

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

**SATTAR GUL**

**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

**SATTAR GUL**

**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 for.
- 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**



(For use in Police Department only).

"A" - 5

*[Signature]*  
14

Held,

Verification Roll No. dated received back

Left thumb-impression.

Qualification	Date
English	Passed the SSC (Am) examination under roll NO 32483 from the BISE Peshawar ab training First Arts/850 marks and was placed in 'A' grade. Result was declared 26-9-84. B. L. or B. A.
Pashtu	
Urdu	Pledership examination
Plan-drawing	Training School Final examination
Finger print	Other qualifications—
Drill instructing	Passed P.A. exam under Roll No. W-34813 from AISH Islamabad & obtained 254 marks, grade C. Result declared on 17-2-2011.
Court duties	
Reserve duties	

B. D. O.  
(Male) P. No. NSP

N. B—Also to be drawn under the qualification possessed.

1	2	3	4	5	6	7	8
Name of post	Whether substantive and whether permanent or temporary	If officiating, (i) substantive or (ii) whether for pension under Art. 371 C.S.R.	Pay in post	Additional Pay for officiating	Other emolument under the term 'Pay'	Date of appointment	Signature of Government servant
PTC Post							
A/T EPS Nason		Temp	1250/-			21/11	
A/T EPS Gannaboli		Do	560/-			20/9	
		Do	560/-			12/12	
		Revised A-7 (750-31-1370)	750/-			1/7	
			750/-			1/12	
			750/-			1/87	
			750/-			1/88	
			750/-			1/90	

Date of the account  
 17-11-1988  
 17-11-1988  
 17-11-1988  
 17-11-1988  
 17-11-1988

1	2	3	4	5	6	7	8
Name of post	Whether substantive and whether permanent or temporary	If officiating (a) substantive appointment, or (b) whether services continue under Act, 1947 C.S.N.	Pay in substantive post	Additional pay for officiating	Other emolument under the "Other Pay"	Date of appointment	Signature of authority
	PSI	PSI	Rs. 1550/- P.M.			12/12/50	50/10/50
			Pay on 12/4/53 B-15 Rs. 1550/-				
			One = Promotion from Rs. 1620/- 1-12-13				

Director  
Sd Divisional Education Officer (State)

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

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

7-

Name and Designation of the head of the office or other attesting officer	Date of termination or appointment	Reason of termination such as promotion, transfer, unabsent, etc.)	Signature of the head of the office or other attesting officer	Leave		Signature of the head of the office or other attesting officer	Reference to any records, punishment 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
[Signature] SDEO (M) Jehangira NSR	30/6/17	S/R	[Signature] SDEO (M) Jehangira NSR					
[Signature] SDEO (M) Jehangira NSR	11/17	A/P	[Signature] SDEO (M) Jehangira NSR					
[Signature] SDEO (M) Jehangira NSR	31/12/17	Retired from service	[Signature] SDEO (M) Jehangira NSR					
[Signature] SDEO (M) Jehangira NSR								
				CONCELATED SERVICE Verified w/c 21/11/1985 to 31/12/2017 From the Acq: Roll & Other Record of This Office				
				[Signature] SDEO (M) Jehangira NSR				
Retired from Govt. Service								
Retired from Govt. Service U.O. No. 1-01-01-2018 U.O. D/O L M, NS 12 No. 3284-86 ddt: 16-9-18				Service Verified w/c 17-16 To 21-1-1985 to 31-12-2017 from the Acq: Roll and other record to this office				
[Signature] SDEO (M) Jehangira NSR				[Signature] SDEO (M) Jehangira NSR				

FORWARDED TO THE



-9-

OFFICE OF THE  
DISTRICT EDUCATION OFFICER (MALE)  
NOWSHERA

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

**RETIREMENT ORDER**

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 officials.

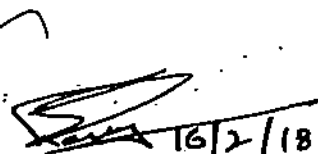
S#	Name of Official	Date of Retirement	Date of Birth	D/O 1 <sup>st</sup> Appt.	Encashment of LPR	Total service Length Y-M-D	Remarks
01	Mr. Muhammad Suleman PSHT GPS Usman Abad P.No.00133616	01-01-2018 (F.N)	15-06-1969	18-10-1988	365 days on full pay	29-02-13	Retired from Govt: Service on Pre-Mature.
02	Mr. Muhammad Tahir P.No.00138754	31-10-2017 (F.N)	01-08-1966	20-01-1988	357 days on full pay	29-09-11	Retired from Govt: Service on Pre-Mature.
03	Mr. Sheraz Gul PST GPS Shwangi P.No.00135463	01-01-2018 (F.N)	20-06-1961	23-11-1980	365 days on full pay	37-01-08	Retired from Govt: Service on Pre-Mature.
04	Mr. Satar Gul PSHT GPS Taj Abad P.No. 00135450	01-01-2018 (F.N)	01-12-1966	21-11-1985	365 days on full pay	32-01-10	Retired from Govt: Service on Pre-Mature.

FAYAZ HUSSAIN  
District Education Officer (Male)  
Nowshera

Ends: No. 3284-86 /DEO (M) NSR/EA-S/ F#60/Vol:III/Retirement of PST/ Dated Nowshera the 16/02/2018

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

- 1: Senior District Account Officer, Nowshera.
- 2: Sub Divisional Education Officer (Male), Jehangira.
- 3: Officials concerned.

  
Dy: 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 recommendation of the Departmental Promotion Committee (DPC) held on 12-2-2012 and in pursuance of the Government of Khyber Pakhtunkhwa, Elementary & Secondary Education Notification No. SO (11) AME/18/E&SE/2011 dated 11-07-2012 and Finance Department Endorsement No. SO(FRYED/10) dated 16-07-2012, following Male Senior Primary School Teachers (SPS) s B-14 are hereby promoted to the post of HPST (B) 15 (RS) 85 under the existing policy of the Provincial Government in Teaching Cadre on the terms and conditions given below with immediate effect and further:

recommendation of the Departmental Promotion Committee (DPC) held on 12-2-2012 and in pursuance of the Government of Khyber Pakhtunkhwa, Elementary & Secondary Education Notification No. SO (11) AME/18/E&SE/2011 dated 11-07-2012 and Finance Department Endorsement No. SO(FRYED/10) dated 16-07-2012, following Male Senior Primary School Teachers (SPS) s B-14 are hereby promoted to the post of HPST (B) 15 (RS) 85 under the existing policy of the Provincial Government in Teaching Cadre on the terms and conditions given below with immediate effect and further:

Share of HPSI	406
Share of prom	406

Share of HPSI	406
Share of prom	406

S. No.	S. L. No.	Name of Teacher	Present Post	Proposed Post	Date of Birth	Remarks
1	1	Hamid Shah	Enrillah	GPS DAKISMAJE KHAIL	01/05/1955	Will be adjusted/posted according to the rationalization policy
2	2	Muhammad Nazir	Enrillah	GPS Ghafar Khan Korona	12/03/1953	DO
3	3	Shahzad Khan	Enrillah	Baba GPS	15/07/1955	DO
4	4	Muhammad Akbar	Enrillah	Mohib Banda GPS	19/06/1954	DO
5	5	Mehmood Khan	Enrillah	Mohib Banda GPS No.2	12/03/1955	DO
6	6	Nasirullah Khan	Enrillah	Ali Baig GPS No.3	26/04/1953	DO
7	7	Shahzad Khan	Enrillah	GPS mill way station	17/04/1955	DO
8	8	Hafiz Amin	Enrillah	Babi Jaleed GPS No.1	12/04/1955	DO
9	9	Masoom Khan	Enrillah	GPS Shagan	25/07/1956	DO
10	10	Zaman Shah	Enrillah	Jam Korona GMPS	10/10/1954	DO
11	11	Muhammad Gul	Enrillah	Akbar Ufa GPS No.1	22/04/1956	DO
12	12	Firdaus Khan	Enrillah	Babi Jaleed GPS No.2	14/04/1957	DO
13	13	S. Raza	Enrillah	Tara Abba GPS No.2	25/12/1955	DO
14	14	Gulzar Khan	Enrillah	GPS Kheshgi Bala	13/08/1954	DO
15	15	Shamir Khan	Enrillah	GPS Gogbeh sud	01/01/1957	DO
16	16	F. Amir Khan	Enrillah	Akbar Ufa GPS No.2	15/02/1954	DO
17	17	F. Amir Khan	Enrillah	GPS Gogbeh sud 1	05/12/1953	DO
18	18	Jamir Khan	Enrillah	GPS Gogbeh sud 2	01/05/1954	DO
19	19	F. Gulroz Khan	Enrillah	Durr Jaleed GPS No.2	14/10/1955	DO
20	20	Muhammad Gul	Enrillah	GPS Kheshgi Bala No.1	15/10/1961	DO
21	21	Muhammad Shafiq	Enrillah	GPS Kheshgi Bala	09/02/1961	DO
22	22	Ajmal Khan	Enrillah	GPS Gogbeh sud	21/03/1958	DO
23	23	Muhammad Sajid	Enrillah	GPS Gogbeh sud Korona	07/07/1951	DO
24	24	Muhammad Khan	Enrillah	GPS Shagan Korona	01/04/1961	DO
25	25	Muhammad Shafiq	Enrillah	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/10-22E/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 Gu	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
14	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



Sl. No.	Serial No.	Name	Station	GPS No.	Date	DO
341	552	Muhammad	Thaqir Gul	GPS Shaidu	15/02/1966	DO
342	553	Nawab Khan	Q/S Shamsabad Khushal Payan		20/03/1968	DO
343	554	Blaz Ali Khan	GPS Modderi		07/02/1970	DO
344	555	Hubab Gul	Azakhil-Bala GPS No.1		25/07/1971	DO
345	556	Adnan Khan	Gps pakhi pshan		01/01/1972	DO
346	557	Deer Ahmed Khan	Innada nadi Gps no-2		20/12/1972	DO
347	558	Deedar Gul	Dheri Mianwali GPS		16/01/1966	DO
348	559	Chun Bahadur	Gps kander		12/04/1969	DO
349	560	Umar Khan	GRSPAF Risalpur		10/09/1970	DO
350	561					DO
351	562	Rehman	Kucyl GPS NO.1		20/02/1971	DO
352	563	Waseer Ahmad Janzal	GPS PAC Risalpur		27/03/1971	DO
353	564	Yousaf Jan	Gps Znskalen		03/06/1971	DO
354	565		GPS Saifden Khan Korona		04/02/1973	DO
355	566	Gul Rasool	Handa Sheikh Ismail Khan GPS		09/02/1973	DO
356	567	Shahidullah	Kandah GPS		03/05/1970	DO
357	568	Hamid Ullah	GPS Afrido Killi		28/02/1973	DO
358	569	Sahibzada	Kandah GPS		16/03/1969	DO
359	570	Shah Hussain	GPS Bahil		01/04/1970	DO
360	571	Ashraf Khan	GPS Shekhan		09/03/1972	DO
361	572	Abdul Wahid	GPS 2 purial		10/05/1964	DO
362	573	Abdul Wahid	GPS DAKISMAIL 6		26/01/1966	DO
363	574	Muhammad	Umar GPS No.2		15/05/1964	DO
364	575	Abdul Wahid	GPS DAKISMAIL KHANLI		05/03/1967	DO
365	576	Sahibzada	GPS Ismanabad		01/12/1966	DO
366	577	Abdul Wahid	GPS Joband Igr		25/06/1962	DO
367	578	Abdul Wahid	GPS Siavi		13/11/1962	DO
368	579	Abdul Wahid	GPS Sultan Ghari		14/02/1965	DO
369	580	Abdul Wahid	GPS Karim Baba		09/07/1966	DO
370	581	Abdul Wahid	GPS Jangbeh sud		18/05/1965	DO
371	582	Abdul Wahid	GPS Ismanabad		10/03/1965	DO
372	583	Abdul Wahid	Bala GPS		09/09/1962	DO
373	584	Abdul Wahid	Milad GPS		01/01/1968	DO
374	585	Abdul Wahid	ATB Bala GPS No.1		04/05/1964	DO
375	586	Abdul Wahid	GPS No.2 Mishak		23/12/1964	DO
376	587	Abdul Wahid	GPS Khawas Korona		04/02/1968	DO
377	588	Abdul Wahid	GPS Way Station		27/12/1966	DO
378	589	Abdul Wahid	Bala GPS		02/01/1966	DO
379	590	Abdul Wahid	GPS PAF Risalpur		20/11/1964	DO
380	591	Abdul Wahid	GPS No.1 Igr		03/04/1966	DO
381	592	Abdul Wahid	GPS Saies Mandi		06/01/1959	DO
382	593	Abdul Wahid	Puerto Ghari GPS		14/04/1967	DO
383	594	Abdul Wahid	GPS Ismanabad		05/01/1959	DO
384	595	Abdul Wahid	GPS Jangbeh sud		22/01/1964	DO
385	596	Abdul Wahid	GPS Ismanabad		05/01/1964	DO
386	597	Abdul Wahid	GPS Ismanabad		07/12/1968	DO

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Better copy 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. Israr 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 Batakzai	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
225	399	Sher Muhammad	Khan Bahadar	Camp Korona GPS	12/01/1966	Do
365	587	Satar Gul	Ibrahim Gul	GPS Usman Abad	01/12/1966	Do
366	589	Ali Akbar	Ali Zada	GPS Dobandi Jehangira	25/06/1962	Do

(Handwritten) 2/3

District Education Officer (Civil)  
 District Education Officer (Technical)  
 District Education Officer (Management)

Sl. No.	Name	Address	Mobile No.	Remarks	Date
10	GPS Kashari				20/03/1965
11	GPS Mhantari				22/05/1958
12	GPS Mhantari				13/03/1969
13	GPS Dalipati				16/05/1966
14	GPS Mhantari				19/05/1966
15	GPS Mhantari				19/05/1966
16	GPS Mhantari				10/04/1965
17	GPS Mhantari				10/05/1965
18	GPS Mhantari				17/11/1967
19	GPS Mhantari				10/04/1968
20	GPS Mhantari				02/11/1965
21	GPS Mhantari				12/01/1969
22	GPS Mhantari				12/01/1964
23	GPS Mhantari				10/05/1961
24	GPS Mhantari				06/03/1964
25	GPS Mhantari				08/05/1968
26	GPS Mhantari				04/01/1969
27	GPS Mhantari				07/06/1959

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**BETTER COPY PAGE- 12**

387	617	M. Ibrahim	Bakht Mañan	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

GOVERNMENT OF KHYBER PAKHTUNKHWA  
FINANCE DEPARTMENT  
(REGULATION WING)

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

13-

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(414)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 Aghar)  
SECTION OFFICER (SR-1)



Accountant General Khyber Pakhtunkhwa Peshawar  
Phone: 091 921125051

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

DATE: 21-11-2013

1. All DAC/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)



Office of the  
**Accountant General**

Khyber Pakhtunkhwa Peshawar

Phone: 091 9211250-53

-14-

No.H-24(414)/Edu:Corp/2013-14/199

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 to 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(PF)4-5/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 PST (BPS-12) Rs.14500/- PM  
Promoted as Sr.PST on 7.1.2013 to BPS-14 RS.15320/-PM (Next stage + Premium)  
Then from promoted as PSHT on 7.1.2013 to BPS-15 Rs.16200/-PM (Next stage + premium)

Copy Forwarded to Head Office/Office regarding BPS-12

14113y  
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All  
HR L  
Pay R  
CIA C  
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-15-

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-11-8/76-II dated 15.12.1981 as there 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 & BPS-15.

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.

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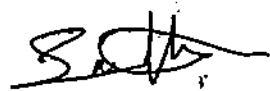
Subject: DEPARTMENTAL APPEAL FOR THE GRANT PRE-MATURE INCREMENT ON PROMOTION FROM BPS-14 TO BPS-15 SIMILARLY TO THE OTHER EMPLOYEES WHO HAVE ALREADY BEEN GRANTED THE SAME BENEFIT BY THE DEPARTMENT

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.



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-17-

VAKALATNAMA

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
PESHAWAR

Appeal OF 2024

Satar Gul

(APPELLANT)  
(PLAINTIFF)  
(PETITIONER)

VERSUS

Education Deptt:

(RESPONDENT)  
(DEFENDANT)

I/We Satar Gul

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

Satar Gul

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,  
Hashnagri, Peshawar.  
Mobile No.0333-9991564  
0317-9743003



مجلس القضاء

الكويت  
00135453

مجلس القضاء  
الكويت