


FORM OF ORDER SHEET

Court of _____

Appeal No. 2485/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	19/11/2024	<p>The appeal of Mr. Abdur Rauf Shah presented today by Mr. Javed Iqbal Gulbela Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 25.11.2024. Parcha Peshi given to counsel for the appellant.</p> <p>By order of the Chairman,</p> <p> REGISTRAR</p>

BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL
PESHAWAR

Service Appeal No 2485 /2024

Abdur Rauf Shah

VERSUS

Government of Khyber Pakhtunkhwa

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Dated: 12-11-2024

Appellant

Through

Javed Iqbal Gulbela
Advocate, Supreme Court, Pakistan

Add: B. 1- Nimrah Centre, Govt College Chowk Peshawar

①

BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL
PESHAWAR

Service Appeal No 2485 /2024

Abdur Rauf Shah, SET Seniority No. 2211, Retired as Head Master GHS,
Shamuzai District Mardan.

-----Appellant

VERSUS

1. SECRETARY ELEMENTARY AND SECONDARY EDUCATION GOVERNMENT of Khyber Pakhtunkhwa at Civil Secretariat Peshawar.
2. DIRECTOR ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT, Khyber Pakhtunkhwa Peshawar, near GHSS No.1 Peshawar City.

— Respondents

Appeal under section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974, against the impugned non extension and non-sanctioning the selection grade to the appellant and impugned Notification No.1138-43/File No.SST(M)Selection Grade dated.18-11-2021 of the office of the Elementary and Secondary Education Department Khyber Pakhtunkhwa, whereby selection grade has been refused to the appellant in a classical cursory and whimsical manner.

Respectfully Sheweth:

1. That the grievances, the solace of which the Appellant is seeking from this August tribunal, are multi-facet as the Appellant being envisaged with repeated episodes and doses of sheer discrimination coupled with unfitted bureaucratic approach of the Respondent and unbridled and unrein exercise of discretionary powers vested in Respondent.
2. That started with initial fact, the Appellant alongside his other colleagues are in fact serving and retired Headmasters, S.E.Ts, Principals, Vice-Principals and SETs/SSTs of the Department of Elementary & Secondary Education Khyber Pukhtunkhwa.
3. That the main epitome of the instant discourse is that back in the year 2008, a notification dated:26-12-2008 was issued whereby Selection Grade Award was granted to SET teachers into BPS-17.(Copy of the notification dated:26-12-2008 is annexed here as annexure "A - A/II")

4. That as per Rules and as per relevant criteria meant for the subject Selection Grade was that as a whole 1/3rd of the total strength of the "incumbents" were to be extended the fruits of Selection Grade. The mechanism as ordained in the ibid Notification was that this Selection Grade would be and was made applicable to the incumbents upon them on "Seniority" basis.
5. That in order to mechanize and made the scheme feasible and applicable, a meeting under the Chair of Secretary (E&SE) Department was held on 14-02-2007, wherein it was decided that 1/3rd or 33.33% of the incumbents would be placed in the Selection Grade, and for that purpose the Seniority list corrected up to 15.11.2000 was taken as a yardstick for determining the Seniority and placing 1/3rd out of them into Selection Grade. Besides the above the Chair was informed, rather it was held in the meeting Dated:14-02-2007 that there are total number of SETs (male) Sanctioned Posts were 7532 on 30.06.2001, as a whole & among-st from them 243 teachers are to be elevated to the next Selection Grade.(Copy of minutes of the meeting Dated:14-02-2007 are annexed as annexure "B")
6. That the irony of the fate is that this seniority list of SETs pertaining to the year 2000-2001, which had unfortunately been made a basis for actualization of the scheme in hand, contained many loopholes, errors and wrong placements where against repeated requests were made that those loopholes be removed and thereafter 1/3rd out of it be given and extended the fruit ions of Selection Grades, but a lass and in vain.
7. That in fact, there are almost 869 names of teachers in the Total strength of 7532, on 30-06-2021 which are to be removed from it for the reasons that some teachers were promoted, double listed, plethora of others stood retired prior to 04-09-2001 i.e Date of circulation of Seniority list, many of them had already passed away and died prior to the cut off d rite and even then figured in the impugned Seniority list of 2000-2001, whose all numbers reached to 869 by accumulating all categories of double listed, promoted died fellows and retired ones. This un rectified Seniority list caused a havoc in the upcoming lives of the Appellant as well as of all those teachers who were directly suffered and victimized just because of the omissions and negligence on part of the concerned offices of the Respondents.(Copy of the Seniority List of 2000/2001 is annexed as annexure "B/I")
8. That as stated above, this anomaly of still bearing the names of retired and dead fellows besides double figured ones, not only the Appellant but as a whole many teachers suffered as in spite of 177, vacancies still vacant at that time were not filled up because of the a fore mentioned dilemma.

9. That the acts and omissions on part of the Respondents constrained the Appellant to firstly approach the Provincial Services Tribunal for the readdress of their grievances i.e for rectification of Seniority list and grant of Selection Grade; but as the matter was not falling in the jurisdiction of the Honorable Services Tribunal, So the same was returned to the Appellant vide order Dated:14-12-2017.(Copies of service appeal No.2817/2010 and judgment dated: 14/02/2017 are annexed as annexure "B/II & B/III")
10. That thus the Appellant and others moved three different Writ Petitions bearing numbers W.P # 435-P/2018, W,P # 469-P/2018, & W.P # 5761-P/2019 for invoking the extraordinary Constitutional jurisdiction of the Peshawar High Court, and the Honorable High Court was gracious enough by allowing the W.Ps of the Appellant and others vide Judgments Dated: 28.03.2018, 06.11.2018 & 12-02-2020 respectively .(Copies of the W.P # 435-P/2018, W.P # 469-P/2018, & W.P # 5761-P/2019 and Judgments Dated: 28-03-2018, 06-11-2018, 12-02-2018 are annexed here as Annexures "C - H" respectively).
11. That as the Respondents were reluctant to implement the reverend Orders & Judgments of the August High Court and were actually flouting upon the same, which constrained the Appellant an others to approach the Hon'ble High Court once again for initiating C.O.C proceedings against the Respondent and for implementation of the Judgments of this August Court, by moving C.O.C Petitions bearing C.O.C # 328-P/2021 & C.O.C # 368-P/2021. Upon moving C.O.Cs against the Respondents due to their adamant behavior, in order to evade the contempt proceedings if any, the Case of the Appellant and others were decided by the Respondent department by turning it down and discarding the same vide the impugned Office Order/Notification Dated: 18-11-2021. Upon this the C.O.Cs Petitions of the Appellant and others were dismissed vide Judgment & Order Dated: 22-12-2021. (Copies of C.O.C # 328-P/2021 & 368-P/2021 and Judgment/Order Dated: 22-12-2021 are annexed here as annexures "I - K " respectively).
12. That there-after the Appellant and other moved C.O.C # 167-P/2022 & 163-P/2022 before the Honorable High Court, which were withdrawn by the Appellant and others with permission to file a fresh Writ Petition by challenging the impugned Order/Notification Dated: 18-11-2021, as well. (Copies of C.O.C # 167-P/2022, C.O.C # 163-P/2022, Orders/Judgments Dated: 13-09-2022 are annexed here as Annexures "L, M & N, which Impugned Notification at 18-11-2021 is annexed as "O").
13. That thus the appellant along with others moved a W.P No. 4110-P/2022. The Hon'ble Peshawar High Court Peshawar held, inter alia, that the matter pertains to terms and conditions of service whereby only this Hon'ble Tribunal is competent to proceed in the matter and thus the W.P of the appellant was disposed off with the directions to approach this Hon'ble Tribunal for seeking his remedy vide order and judgment 01/10/2024, and that order dated.14-12-2017 of

(4)

this Hon'ble Tribunal will not be a bar for the same. So in other words the subject matter would be deemed to be pending before this Hon'ble Tribunal. (copies of the W.P No.4110-P/ 2022 and order and judgment dated 01/10/2024 is annexed as "P & Q")

14. That thus the Appellant are approaching this Hon'ble Tribunal once again for his respective Selection Grade, rectification of Seniority list and for setting aside and cancellation of the impugned order/notification Dated: 18.11.2021, upon the following grounds, inter alias:

Grounds:

- A. That the appellant is a naturally born bonafide citizens of the Islamic Republic of Pakistan and is fully and equally, on equality basis, entitled to all basic and fundamental rights as enshrined in the fundamental law of the land, interpreted, guaranteed and enforced by the laws of the land and discrimination along with unfettered exercise of discriminatory powers by an authority or office is always been deplored, deprecated and depreciated by Superior Courts of the land.
- B. That it is the cherished principle of law, that where a thing is to be done in a particular manner, then that thing is to be done in that manner and not vice-versa.
- C. There where if at all the Seniority list of 2000-2001 was to be used as yardstick and threshold for the subject Selection Grade, then at least the same should have been made an undisputed document prior to and before to put it in use as a base camp of the subject Selection Grade, but a lass this is not the Case.
- D. That there exists no room in the law that a disputed Seniority List is to be made basis for any such like Selection Grade or up-gradation and particularly when the wrong entries are not only made disputed, but rather pointed out, but in spite of all that neither the names of Promotes, double figured, died and retired, i.e as a whole 869 teachers were removed from the list, nor 1/3rd of the S.E.Ts were extended Selection Grade after making necessary rectification in the impugned Seniority List.
- E. That because of the acts and omissions on part of the Respondents, the available vacant posts, even after extending the Scheme to many other teachers, there remained 399 posts vacant for no good reasons at all, and thus great injustice was matted out to the Appellant and his colleagues.
- F. That it's the established norms of justice that one should not be victimized or made to suffer just because of omissions on part of the responsible Govt; Officials, but here the picture is Volte-face.

- G. That the most abominable aspect of the case of the Appellant is that when the Write Petitions were allowed by the August High Court, and the Case was remitted to the concerned quarters for consideration, the same was turned down vide impugned Order/Notification Dated:18-11-2021 in an illegal, unlawful and void manner.
- H. That the impugned Notification Dated 18-11-2021 is thoroughly an illegal and void document for the reason that first of all the policy referred thereto is firstly pertaining to Federal Govt; and extendable to Federal Departments. Secondly, if at all the impugned Notification Dated 2001 is taken as correct one, even then not only the Respondents ordered up-gradation in 2008, but rather the Provincial as well as the Federal Govt. has repeatedly extended Selection Grades and move overs to different employees of different Departments. Above all, the instant disputed Case is also pertaining to the year 2008, which had taken place after 7 years of the Notification of 2001 of the Federal Govt. and this Selection Grade of 2008 too issued by and granted by the Provincial Govt; itself.
- I. That even if at all the notification 2001 is taken as valid and lawful for all intents and purposes and the stance of the Respondent Department even if taken as correct one, just for the sake of arguments; even then the Appellant and his colleagues are fully entitled for their respective Selection Grade for the reason that the Appellant and others are not seeking fresh notification for their upgradation, but rather seeking the implementation of Notification dated: 26-12-2008 in its true sense. The main crux of the case of the Appellant is not for issuing any fresh policy or notification for Selection Grade, but rather is seeking the implementation of the notification in its true sense and have approached this Honorable Court that let it be implemented strictly as per minutes of meeting 14-09-2007 by extending the fruition of Selection Grade to 1/3rd of 7532 teachers which figure comes to 2511 teachers, but on the other hand only roughly 2111 were given Selection Grade while the rest were deprived for no reasons at all. The case of the Appellant is that firstly the wrongly placed 869 names are to be removed from the seniority list pertaining to the year 2001 and there after the Scheme of Selection Grade is to be applied. But on the other hand the Respondents adhered to their policy of pick & choose which cost havoc in the careers of the Appellant and so many other their colleagues. So, if this notification Dated 26-12-2008 had been implemented in its spirit, the Appellant would have never approached, nor have ever knocked the doors of this August Court, as not only the Appellant but all other their eligible colleagues would have been placed in their respective Selection Grade, more than 14 years ago.
- J. That by saying so, the Appellant and his colleagues are not agitating for anything new, but rather seeking the implementation of their accrued rights in the light of Notification Dated: 26-12-2008; So, under no cannon of law the notification Dated: 18-11-2021 can be justified at all.

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- K. That from every angle not only the impugned notification Dated: 18-11-2021 is a nullity in the eyes of law, but as well as, the Appellant and his colleagues are fully entitled for their Selection Grade under the notification Dated: 26-12-2008, with all back benefits since then.
- L. That any other ground not raised here may graciously be allowed to be raised at the time of arguments.

It is, therefore, most humbly prayed that on acceptance of the instant petition, the impugned implementation report/Notification No.1138-43/File No.SST (M) Selection Grade Dated:18-11-2021 of the office of the Director Elementary and Secondary Education Department Khyber Pakhtunkhwa, may very graciously be declared as void and ultra vires and be set aside and cancelled and by doing so, the Appellant be declared as fully entitled for the subject Selection Grade in the light of the Notification Dated:26-12-2008 of the office of Secretary (E&SE) Department KPK and be extended the fruition's of Selection Grade to the Appellant with all back benefits since the Date from which Selection Grade in question has been extended and granted to the colleagues of the appellant or any other date when the first Notification of Selection Grade under Notification Dated:26-12-2008 was issued, with all back benefits.

It is further prayed that Notification Dated:26-12-2008 and minutes of meeting Dated:14-02-2007 be directed to be implemented in its true spirit, after rectifying the Seniority List of S.E.Ts 2000-2001 by removing the names of 869 teachers from it, being double figured or being the names of either promoted, retired or dead teachers etc.

Any other relief, not specifically asked for, may also very graciously be extended in favour of the Appellant in the circumstances of the Case.

Dated: 12-11-2024

Javed Iqbal Gulbela
Advocate Supreme Court
Muhammad Arif Mohmand
Advocate, Peshawar

Through

Appellant

Saghir Iqbal Gulbela
Advocate, High Court
Alamzeb Khan
Advocate, Peshawar

NOTE:-

That appellant and others had earlier filed appeals before this Hon'ble Tribunal, which were returned to them to approach Hon'ble Peshawar High Court, and now Peshawar High Court has returned the same by holding that the previous Judgment of this Hon'ble Tribunal shall not be a bar against the appellant, hence the instant service appeal.

Advocate

(+)

BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL
PESHAWAR

Service Appeal No _____/2024

Abdur Rauf Shah

VERSUS

Government of Khyber Pakhtunkhwa

AFFIDAVIT

I, Abdur Rauf Shah, SET Seniority No. 2211, Retired as Head Master GHS, Shamuzai District Mardan, do hereby solemnly affirm and declare on oath that contents of the instant Service Appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable court.

Deponent

CNIC:

Cell No.

Identified by 2

Javed Iqbal Gulbela
Advocate Supreme Court
Pakistan.

(8)

BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL
PESHAWAR

Service Appeal No _____ /2024

Abdur Rauf Shah

VERSUS

Government of Khyber Pakhtunkhwa

ADDRESSES OF PARTIES

Appellant

Abdur Rauf Shah, SET Seniority No. 2211, Retired as Head Master GHS, Shamuzai
District Mardan

RESPONDENTS

1. DIRECTOR ELEMENTARY AND SECONDARY EDUCATION
DEPARTMENT, Khyber Pakhtunkhwa Peshawar, near GHSS No.1 Peshawar City.
2. DIRECTOR ELEMENTARY AND SECONDARY EDUCATION
DEPARTMENT, Khyber Pakhtunkhwa Peshawar, near GHSS No.1 Peshawar City.

Dated: 12-11-2024

Through

Appellant

Javed Iqbal Gulbela
Advocate, Supreme Court,
Pakistan,



GOVERNMENT OF NORTH-WEST FRONTIER PROVINCE
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

NOTIFICATION

Peshawar, Dated: 26-12-2008

No. SO(PE)2-6/E&SE/DPC/SET/Selection Grade(BS-16 to BS-17)/08: Consequent

upon the recommendations of the Departmental Promotion Committee, the competent authority is pleased to grant Selection Grade BS-17 to the following sixteen SETs (BS-16) according to their seniority with effect from 30-6-2001: -

S#	NAME & DESIGNATION OF OFFICERS	PLACE OF POSTING
2205	1 Mr. Azizullah Khan SET.	Govt Middle School Spin Kamar (SWA)
2206	2 Mr. Khairullah Khan SET.	GCMHS Peshawar Cantt.
2207	3 Mr. Farid Nawaz SET.	ADO (Male) Primary Bannu.
2208	4 Mr. Hanifullah SET.	GCMHS Peshawar City
2209	5 Mr. Muhammad Shuaib, SET	GHSS Bilitang Kohat.
2210	6 Mr. Haider Ali Khan SET.	GHS Tallar Khel, Karak.
2211	7 Mr. Fazal Muhammad SET.	GHS Sawal Dher Mardan.
2212	8 Mr. Iqbal Hussain SET.	GHS Jehangira Swabi.
2213	9 Mr. Abdul Aziz SET.	Govt Middle School, Bhai Khan Mardan.
2214	10 Mr. Saidan Shah SET.	GHSS Jani Manselima
2215	11 Mr. Muhammad Ibrahim SET.	GHS Julagram Malakand Agency.
2216	12 Mr. Abdus Sattar SET.	GCMHS Abbottabad.
2217	13 Mr. Muhammad Zarin SET.	GHSS Kot Najeebullah Haripur.
2218	14 Mr. Muhammad Dawood SET.	GMS, Badar-bridge No:2 (SWA)
2219	15 Mr. Abdur Rahim Jan SET.	GHSS Zaida Swabi.
2220	16 Mr. Zahoor Muhammad SET.	GHS Toru Mardan.

1846 + 265 = 2111

SECRETARY TO GOVT OF NORTH-WEST FRONTIER PROVINCE
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

Endst; of even No. & Date:

Copy is forwarded to: -

- Secretary to Govt of NWFP, Establishment Department, Peshawar.
- Special Secretary (Regulation), Establishment Department, Govt of NWFP Peshawar.
- Secretary to Govt of NWFP, Finance Department, Peshawar.
- Secretary to Chief Minister NWFP.

M. T. Javed, Establishment Dept. Peshawar/Dec/2008

M. T. Javed
Govt. High School
Garang Sidi, Khel (Karak)

JAVED IQBAL GULBELA
Associate (P.T.O.)
Supreme Court of Pakistan
(ASC # 5317)

JAVED IQBAL GULBELA
Associate
Supreme Court of Pakistan
(ASC # 5317)

(12)
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Better Copy No.12

**GOVERNMENT OF NORTH-WEST FRONTIER
ELEMENTARY & SECONDARY EDUCATION**

NOTIFICATION

Peshawar Date: 28-12-2008

No. SO(PE)2-6/E&SE/DPC/SET/Selection Grade (BS-16 to BS-17)/08: Consequent upon the recommendations of the Departmental Promotion Committee the competent authority is pleased to grant Selection Grade BS-17 to the following sixteen SETs (BS-16) according to their seniority with effect from 30-06-2001:-

S#	NAME & DESIGNATION OF OFFICERS	PLACE OF POSTING
1.	Mr. Azizullah Khan SET	Govt Middle School Spin Kamar (SWA)
2.	Mr. Khairullah Khan SET	GCMHS Peshawar Cantt
3.	Mr. Farid Nawaz SET	ADO (Male) Primary Banhu
4.	Mr. Hanifullah SET	GCMHS Peshawar City
5.	Mr. Muhammad Shoaib SET	GHSS Bilitang Kohat
6.	Mr. Haider Ali Khan SET	GHS Tattar Khel Karak
7.	Mr. Fazal Muhammad SET	GHS Sawal Dhar Mardan
8.	Mr. Iqbal Hussain SET	GHS Jehangira Swabi
9.	Mr. Abdul Aziz SET	Govt Middle School Bhai Khan Mardan
10.	Mr. Saidan Shah SET	GHSS Jared Mansehra
11.	Mr. Muhammad Ibarhim SET	GHS Julagram Malakand Agency
12.	Mr. Abdus Sattar SET	GCMHS Abbottabad
13.	Mr. Muhammad Zarin SET	GHSS Kot Nateebullah Haripur
14.	Mr. Muhammad Dawood SET	GMS Badar brdge No.2 (SWA)
15.	Mr. Abdur Rahim Jan SET	GHSS Zaida Swabi
16.	Mr. Zahoor Muhammad SET	GHS Toru Mardan

Sd/-

SECRETARY TO GOVT OF NORTH-WEST FRONTIER PROVINCE
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

Endst: of even No. & Date:

Copy is forwarded to:-

1. Secretary to Govt of NWFP, Establishment Department, Peshawar.
2. Special Secretary (Regulation), Establishment Department, Govt of NWFP Peshawar:
3. Secretary to Govt of NWFP, Finance Department, Peshawar.
4. Secretary to Chief Minister NWFP.

M. Tahir Muhammad/Final Notification/Dec/2008

JAVED IQBAL GULBELA
Associate
Attorney General of Pakistan
ASC 2517

JAVED IQBAL GULBELA
Associate
Attorney General of Pakistan
Case # 53171

(15) (11)



GOVERNMENT OF NWFP
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT.

Dated Peshawar the 17-9-2009.

Am - A
1/1

NOTIFICATION

NO. SO/PE/2-6/E&SE/DPC MEETING/09:

Consequent upon recommendations of the Departmental Promotion Committee, the competent authority is pleased to antedate award of Selection Grade BS-17 to the following seven (7) SETs (Technical) BS-16 according to their seniority with effect from the date mentioned against each officer:-

S. No.	Name / Designation	Date of antedation of Selection Grade
1	Nasir Hussain, SET(Tech)	Award of Selection Grade (BS-17) w.e.f 06-02-1989 instead of 12-09-1989
2	Sajjad Ahmad, SET(Tech)	Award of Selection Grade (BS-17) w.e.f 19-10-1989 instead of 07-06-1999
3	Mohammad Khalid, SET(Tech)	Award of Selection Grade (BS-17) w.e.f 19-10-1989 instead of 20-07-1999
4	Hafiz ur Rahman, SET(Tech)	Award of Selection Grade (BS-17) w.e.f 19-06-1995 instead of 08-10-1999
5	Allaulah Jan, SET(Tech)	Award of Selection Grade (BS-17) w.e.f 21-07-1999 instead of 08-03-2000
6	Zakirullah, SET(Tech)	Award of Selection Grade (BS-17) w.e.f 05-11-1999 instead of 27-12-1999
7	Mumtaz Pervez, SET(Tech)	Award of Selection Grade (BS-17) w.e.f 9-03-2000 instead of 29-12-1990

SECRETARY TO GOVT OF NWFP
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

Enlist: of even no. & date:

Copy is forwarded to:-

- 1) Secretary to Govt of NWFP, Establishment Department, Peshawar.
- 2) Special Secretary (Regulation), Establishment Department, Govt of NWFP Peshawar.
- 3) Secretary to Govt. of NWFP, Finance Department, Peshawar.
- 4) Director (E&SE) NWFP Peshawar.
- 5) Executive District Officer (E & SE) concerned.
- 6) The Accountant General NWFP.
- 7) District Accounts Officer concerned.
- 8) Deputy Database Administrator (EMIS) Elementary & Secondary Education Peshawar.
- 9) PS to Secretary Elementary & Secondary Edu: Department
- 10) Officer concerned
- 11) Master file

ARIF JAMIL
SECTION OFFICER (PRIMARY)

JAVED IGBAL GULBELA
Solicitor General
Supreme Court of Pakistan
(S.C # 5317)

JAVED IGBAL GULBELA
Solicitor General
Supreme Court of Pakistan
(S.C # 5317)

(14)

12

Better Copy No.13

GOVERNMENT OF NWFP ELEMENTARY &
SECONDARY EDUCATION DEPARTMENT

Dated Peshawar the 17-09-2009.

NOTIFICATION

NQ.SO (PE)2-6/E&SE/DPC MEETING/09:

Consequent upon recommendations of the Departmental Promotion Committee, the competent authority is pleased to antedate award of Selection Grade BS-17 to the following seven (7) SETs (Technical) BS-16 according to their seniority with effect from the date mentioned against each officer:-

S. No.	Name / Designation	Date of antedation of Selection Grade
1	Nasir Hussain SET/Tech	Award of Selection Grade (BS-17) w.e.f 06-02-1989 instead of 12-19-1989
2	Sajjad Ahmad SET (Tech)	Award of Selection Grade (BS-17) w.e.f 19-10-1989 instead of 07-06-1999
3	Muhammad Khalid SET (Tech)	Award of Selection Grade (BS-17) w.e.f 19-10-1989 instead of 20-07-1999
4	Hafiz ur Rehman SET (Tech)	Award of Selection Grade (BS-17) w.e.f 19-06-1995 instead of 08-10-1999
5	Attaullah Jan SET (Tech)	Award of Selection Grade (BS-17) w.e.f 21-07-1999 instead of 08-03-2000
6	Zakirullah SET (Tech)	Award of Selection Grade (BS-17) w.e.f 05-11-1999 instead of 27-12-1990
7	Mumtaz Pervez SET (Tech)	Award of Selection Grade (BS-17) w.e.f 09-03-2000 instead of 29-12-1990

SECRETARY TO GOVT OF NWFP
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

Endst: of even no. & date:

Copy is forwarded to:-

- 1) Secretary to Govt of NWFP, Establishment Department, Peshawar.
- 2) Special Secretary (Regulation), Establishment Department, Govt NWFP Peshawar.
- 3) Secretary to Govt of NWFP, Finance Department, Peshawar.
- 4) Director (E&SE) NWFP Peshawar.
- 5) Executive District Officer (E&SE) concerned.
- 6) The Accountant General NWFP.
- 7) District Accounts Officer concerned.
- 8) Deputy Database Administrator (EMIS, Elementary & Secondary Education Peshawar.
- 9) PS to Secretary Elementary & Secondary Edu: Department.
- 10) Officer concerned.
- 11) Master file.

ARIF JAMIL
SECTION OFFICER (PRIMARY)

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 5317)

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 5317)

(15) (13)

11/A7B
29-5-2008

OFFICE OF THE DIRECTOR SCHOOLS AND LITERACY NWFP, PESHAWAR.

NOTIFICATION:-

Amir A

Consequent upon the approval of the Departmental Promotion Committee(DPC) recorded in its meeting held on 9-4-2008, the Director Schools and Literacy NWFP, Peshawar is pleased to allow the Selection Grade B-17 in r/o the following SETs/ADOs of the Schools Administration Branch(Men's Section) with effect from the Dates noted against their Names:-

No	Name/Designation/Address	Date for Award of Selection Grade.
1348-1	Taj Afzar SET ADO O/O Dy: D.O.(M) A. Abad	8-4-2001
197-2	Qazi Isalat SET/ADO -do-	25-4-2001
1987-3	Gul Sher SET GHS. Muzbi (Mardan)	25-4-2001
2037-4	Muhammad Hussain SET GHS. No. 3 Mardan	02-06-2001
2115-5	Zahidullah SET GHS. Zindi Ali Khel FR-Bannu	30-6-2001
2115-6	Shad Nawaz SET GHS. Landi Jalandara (Bannu)	30-6-2001
2189-7	Muhammad Ghulam SET GHS. Beeka (Swabi)	30-6-2001

DIRECTOR
Schools & Literacy N.W.F.P,
Peshawar.

Indst No. 7244-50 /A-14/Selection Grade/SET(M) Dated Pesh: 29/5/08 /2008

Copy of the above is forwarded to the:-

- Director PATA Education NWFP.
- District Accounts Officer Concerned.
- Office/Principals/Head Master Concerned.
- Section Officer (Primary) Govt; of NWFP (S&L) Deptt: Peshawar w/r to his letter No. SO(FE)2-6/DFC Meeting-08 dated 6-5-2008.
- Officers Concerned.
- F/A to Director (S&L) Local Office.

JAVED IQBAL GULBEI
Advocate
Supreme Court of Pakistan
(ASC # 5317)

Deputy Director (Estab.)
(S & L) N.W.F.P, Peshawar.

JAVED IQBAL GULBEI
Advocate
Supreme Court of Pakistan
(ASC # 5317)

(26) (14)

Better Copy No.14

OFFICE OF THE DIRECTOR SCHOOLS AND LITERACY NWFP PESHAWAR
NOTIFICATION:

Consequent upon the approval of the Departmental Promotion Committee (DPC) accorded in its meeting held on 09-04-2008, the Director Schools and literacy NEFP Peshawar is pleased to allow the selection grade B-17 in r/o the following SETs/ ADOs of the Schools Administration Brach (Men's Section) with effect from he dated noted against their names:-

S. No. Name/Designation/Address	Date for Award of Selection Grade:-
1) Taj Afzar SET ADO O/O Dy: D_O (M) A/Abad	08-04-2001
2) Qazi Adalati SET/ADO -do-	25-04-2001
3) Gul Sher SET GHS Machi (Mardan)	25-04-2001
4) Muhammad Hussain SET GHS No.3 Mardan	02-06-2001
5) Zahidullah SET GHS zindi Ali Khel FR-Bannu	30-06-2001
6) Shad Nawaz SET GHS Landi Jalandara (Bannu)	30-06-2001
7) Muhammad Ghulam SET GHS Bēeka (Swabi)	30-06-2001

Director
Schools & Literacy NWFP
Peshawar

Endst No. _____/A-14/Selection Grade/SET (M) Dated Peshithe 29/05/____/2008

Copy of the above is forwarded to the:-

- 1) Director FATA Education NWFP.
- 2) District Accounts Officer Concerned.
- 3) Office/Principals/Head Master Concerned.
- 4) Section Officer (Primary) Govt. of NWFP (S&L) Deptt.
- 5) Peshawar w/r to his letter No. SO(FE) 2-6/DPC Meeting-08 dated 06-05-2008
- 6) Officers Concerned.
- 7) P/A to Director (S&L) Local Office.

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 537)

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 537)

JAVED IQBAL GUREELA
 Associate Director
 of Pakistan
 (ASD # 5317)

JAVED IQBAL GUREELA
 Associate Director
 of Pakistan
 (ASD # 5317)

(STB) (SARJAN SAAD)
 DEPUTY DIRECTOR (ESTD)
 DIRECTORATE OF SCHOOLS & LITERACY
 NWFP PESHAWAR

[Handwritten signature]

- Copy forwarded to the:-
1. Accountant General NWFP Peshawar.
 2. Director of Education (FATA) Peshawar.
 3. Executive District Officer (Schools Literacy) concerned.
 4. District Accounts officers concerned.
 5. Principal/Headmasters concerned.
 6. Section Officer (PE) S&L Deptt: Govt: of NWFP with reference to his letter No. SO(S)S&L/M. Over 16-17/Vol: II dated 26-2-2004.
 7. Teachers concerned.
 8. PA to Director Schools & Literacy NWFP Peshawar.
 9. M/Fls.

Endst: No. _____ /Date above _____
 DIRECTOR OF SCHOOLS & LITERACY
 NWFP PESHAWAR

24	Mohammad Ilyas MA BEd GMS Malakot Malad	04-10-00	1923
25	Roshan Din BA, BEd, GMS Pakha Ghulam Peshawar	04-10-00	(1915)
26	Fazil Azim MA, BEd, GMS No. 2 Bikut Guni Mardan	04-10-00	1926
27	Nowsheryan BA, BEd, GMS gani Kapoora Mardan	04-10-00	1927
28	Shah Jehan MA, BEd, GMS Peshora Manshira	04-10-00	1929
28	All Aghar SET GMS Nanoka Kahan Manshira	01-04-01	1930
30	Muhammad Sabir MA BEd, GMS Lohar Ewabi	01-04-01	1931
31	Subhanud Din MA, BEd GMS Dhot Likpani Mardan	01-04-01	1932
32	Haji Muhammad MA, BEd GMS Gagra Swat	01-04-01	1933
33	Muhammad Dadshah MA, BEd, GMS Haji Abad Dir	01-04-01	1934
34	Shiqur Rehman MA, BEd GMS Shamsia Mansera	01-04-01	1935

18-9-00 / 17-9-200

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24	Muhammad Ilyas MA BED GMS Malkot A/Abad	04-10-00
25	Roshan Din BA.BED GHS Pakha Ghulam Peshawar	04-10-00
26	Fazil Azim MA. BED GHS No... Bikut Gunj Mardan	04-10-00
27	Nowsherwan BA.BED GHS Garhi Kapoora Mardan	04-10-00
28	Shah Jehan MA.BED GMS Parshora Mansehra	04-10-00
29	Ali Asghar SET GMS Nanoka/Kalan Mansehra	01-04-01
30	Muhammad Sabir MA. BED GHS lahore Swabi	01-04-01
31	Subhanud Din MA. BED GHS Dehri Likpani Mardan	01-04-01
32	Haji Muhammad MA.BED GHS Gagra Swat	01-04-01
33	Muhammad Badshah MA. BED GHS Haji Abad Dir	01-04-01
34	Shafiqur Rehman MA. BED GHS Shangla Mansehra	01-04-01

DIRECTOR OF SCHOOLS & LITERACY
NWFP PESHAWAR.

Endst: No. _____ /Date above.

Copy forwarded to the:-

- 1) Accountant General NWFP Peshawar.
- 2) Director of Education (FATA) Peshawar.
- 3) Executive District Officer (Schools & Literacy) concerned.
- 4) District Accounts Officers concerned.
- 5) Principal/Headmasters concerned.
- 6) Section Officer (PE) S&L Deptt: Govt: of NWFP with reference to his latter No.SO(S)&L/M. Over 16-17/Vol:II dated 26-02-2004.
- 7) Teachers concerned.
- 8) PA to Director Schools & Literacy NWFP Peshawar.
- 9) M/File.

(SYED MANZAR JAN SAJID)
Deputy Director (PSTAB)
Directorate of schools & literacy
NWFP Peshawar.

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 537)

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 537)

(19) (17)

11-10-2004
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DIRECTORATE OF SCHOOLS & LITERACY NWFP PESHAWAR

NOTIFICATION

Consequent upon the approval of the Departmental Promotion Committee (DPC) accorded in its meeting held on 25-8-2004, the Director Schools & Literacy NWFP Peshawar is pleased to allow Selection Grade from BPS-16 to BPS-No.17 in respect of the following SETS/ADOs of the schools administration branch (Men Section) with effect from the dates noted against their names.

S.No	Name /Designation/Address	Awarded selection w.e.f
1894	1. Mastullah Khan MA B.Ed GHS Ghungji Killa Karak	01-09-99
1895	2. Habibul Rehman M.Sc B.Ed GHS Sorai Swabi	01-09-99
1898	3. Muhammad Hayat BSo.Bed. GHS Kaza Khat MDN.	01-09-99
1899	4. Sabz Ali MA.Bed. ASDEO Charsadda. Now SET GHS Charsadda Khus	01-10-99
1901	5. Salim Khan BSo.Bed. GHSS Hathlan Mardan	01-11-99
1902	6. Abdul Majeed MA.Bed GHS Yaf Hussain Swabi	01-11-99
1904	7. Abdul Qaddus BA Bed. GHSS No.1 Peshawar City.	01-12-99
1905	8. Karimullah Khan MA.Bed.GHS Chamtar Mardan	01-12-99
1908	9. Muhammad Mumtaz MA.Bed. GHS No.1 Mardan	01-12-99
1908	10. Shah Nazar MA.Bed. GMS Zahir Abad Peshawar.	01-04-00
1909	11. Anwar Shah MA.Bed. GMS Tordher Mardan	01-04-00
1910	12. Sher Ball BA .Med. C. 3 Hathlan Mardan	01-04-00
1911	13. Kaseerullah MA.Bed. GHS Rajjar Charsadda	01-04-00
1913	14. Khawahish Khan MA.Bed. GMS.Karak	10-07-00
1914	15. Muhammad Ismail MA.Bed. GHS Kaga Wala Pesh.	01-09-00
1915	16. Shah Alam Khan MA.Bed GHS Toqib Bala Kohat.	01-09-00
1916	17. Kirayabullah MA.Bed. GHSS Bhabqadar Fort CHD.	01-09-00
1917	18. Muhammad Gul MA.Bed. GHS Kheshgi Bala NSR.	01-09-00
1918	19. Ashraf Hussain SET GHS Muhammad Ali Killi Pesh.	01-10-00
1919	20. G. Imam Shah MA.Bed. GHS Nahayl Peshawar.	01-10-00
1920	21. Mohibi Yaqub Dn. Bed. GHS Jagnath Swabi.	01-10-00
1921	22. Mushtaq Hussain BA Bed GHS Baldara Mansehra	04-10-00
1922	23. Gul Amber Khan MA Bed GHS NO.1 Mangora Swabi	04-10-00

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 5171)

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 5171)

Better Copy No.16

DIRECTORATE OF SCHOOLS & LITERACY NWFP PESHAWAR
NOTIFICATION

Consequence upon the approval of the Departmental Promotion Committee (DPC) accorded in its meeting held on 25-08-2004, the Director Schools & Literacy NWFP Peshawar is pleased to allow Selection Grade from BPS-16 to BPS-17 in respect of the following SETs/ADOs of the schools administration branch (Men Section) with effect from the dates noted against their names:-

S. No.	Name/Designation/Address	Awarded selection w.e.f
1	Matiullah Khan MA BED GHS Ghundi Killa Karak	01-09-00
2	Habibur Rehman M.Sa BED GHS Seraj Swabi	01-09-00
3	Muhammad Hayat BSa BED GHS Kata Khat MDN	01-09-00
4	Sabz Ali MA. BED ASDEO Charsadda, Now SET GHS Charsadda Khas.	01-10-00
5	Salim Khan BSa BED GHSS Hathlan Mardan	01-11-00
6	Abdul _____ MA. BED GHS Yar Hussain Swabi	01-11-00
7	Abdul Qaddus BA BED GHSS No.1 Peshawar City	01-12-00
8	Karimullah Khan MA. BED GHS Mardan	01-12-00
9	Muhammad Mumtaz MA. BED GHS No.1 Mardan	01-12-00
10	Shah Nazar MA. BED GMS Zahir Abad Peshawar	01-04-00
11	Anwar Shah MA. BED GMS Tordhar Mardan	01-04-00
12	Sher Ball BA. BED GMS Hathyan Mardan	01-04-00
13	Khairullah BA. BED GHS Rajjar Charsadda	01-04-00
14	Khawabish Khan BA. BED GMS Karak	10-07-00
16	Muhammad Ismail MA. BED GHS Kaga Wala Peshawar	01-00-00
16	Shah Alam Khan MA. BED. GHS Togh Bala Kohat	01-00-00
17	Kifayat Ullah MA. BED GHSS Shabqadar For Charsadda	01-00-00
18	Muhammad Gul MA. BED GHS Khushgi Bala NSR	01-09-00
19	Ashraf Hussain SET GHS Muhammad Ali Kily Peshawar	01-10-00
20	Salman Shah M. BED GHS Nahaqi Peshawar	01-10-00
21	Mohibi BA. BED GHS Jagnath Swabi	01-10-00
22	Mushtaq Hussain BA. BED GHS Baldara Mansehra	04-10-00
23	Gul Amber Kha MA. BED GIS No.1 Mangara Swat	04-10-00

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 5317)

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 5317)

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DIRECTORATE OF SCHOOLS AND LITERACY N.W.F.P. PESHAWAR.

No. 1391-1415/A-220/ACR

Dated Peshawar the: 14/12/2004

To

The Director of Education (FATA) NWFP Peshawar.
All the Executive District Officers (Schools and Literacy) in NWFP

Subject:

SUBMISSION OF ACRs

Memo.

I am directed to enclose herewith a list of those SET teachers who are in the Selection Grade B-17, their ACR noted against each alongwith the 20 copies of Synopsis / 2 copies Non involvement / 2 copies Service Certificate and last three year result may be submitted to this office immediately.

It is further directed that those SET teacher who have been promoted to another grade, retired, died, left department, on deputation abroad disposed off, direct selectee may clearly be indicated with dates.

Sl:#	Name	Schools	D/O Birth/Domicile	Required ACR:
1941	Mr. Shahid Hayat MSc BEd	GHS Masabdar Swabi	15-3-61/Swabi	1st. Apptt. to 2003
1943	Mr. Manzoor Elahi MA BEd	GHS Sarai Saleh A.Abad	1-4-54/A.Abad	1st. Apptt. to 2003
1944	Mr. Muhammad Fiaz BSc BEd	GHSS No.3 Pesh:City	4-8-57/Charsadda	1st. Apptt. to 2003
1945	Mr. S.Kamal Shah MA BEd	GHS Taru Jabba	4-1-55/Pesh:	1st. Apptt. to 2003
1950	Mr. Khalid Mian BA BEd	GHS Bateela-Mansehra	1-5-49/Mansehra	1st. Apptt. to 2003
1951	Mr. Muhammad Farooq BA BEd	GHS Sangar Mansehra	15-6-5/Mansehra	2003 Retd
1952	Mr. Wali Muhammad MA BEd	GHS Hajoya A.Abad	11-10-46/A.Abad	1st. Apptt. to 2003
1954	Mr. Muhammad Farooq BA BEd	GHS	1-2-52/	1st. Apptt. to 2003
1955	Mr. Zar Dad Khan MA BEd	GHS No.2 A.Abad	2-10-79/A.Abad	1st. Apptt. to 2003
1956	Mr. Muhammad Arif MA BEd	GHSS Mingora Swat	4-2-42/Swat	1st. Apptt. to 2003
1957	Mr. Muhammad Zada MA BEd	GHS Malta Swat	10-1-51/Swat	1st. Apptt. to 2003
1958	Mr. Faridullah BA BEd	GHS Abdul Khel DIK	9-1-60/DIK	1st. Apptt. to 2003
1959	Mr. Irfanud Din MA BEd	GMS Galoch Swat	1-10-43/Swat	1st. Apptt. to 2003
1960	Mr. Sulab Zeb BA BEd	GHS Nawakalay Swat	15-5-52/Swat	1st. Apptt. to 2003
1961	Mr. Munawar Shah BA BEd	GHS Dir	1-3-52/Swat	1st. Apptt. to 2003
1963	Mr. Shafiq Rehman MA BEd	GHS Minadog Dir	3-11-52/Dir	1st. Apptt. to 2003
1964	Mr. Khalid Rehman MA BSc MEd	GHS No.2 Mardan	2-12-55/Mardan	1st. Apptt. to 2003
1965	Mr. Fayun Khan MA BEd	GHSS Kabal Sw	3-12-46/Swat	1st. Apptt. to 2003
1966	Mr. Muhammad Iqbal MA BEd	GHS Khaki Mansehra	24-9-48/Mansehra	1st. Apptt. to 2003
1967	Mr. Saeed Khan MA BEd	GHS Asbar Dir	1-8-58/Dir	1st. Apptt. to 2003

ADVOCATE
Supreme Court of Pakistan
(ASC 5317)

ADVOCATE
Supreme Court of Pakistan
(ASC 5317)

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DIRECTORATE OF SCHOOLS AND LITERACY N.W.F.P PESHAWAR

No. 1391-1415/A-220/ACR

Dated Peshawar the : 14/12/2004

To

The Director of Education (FATA) NWFP Peshawar.
All the Executive District Officers (Schools and Literacy in NWFP

Subject: SUBMISSION OF ACRS

Memo:

I am directed to enclose herewith a list of those SET teachers who are in the Selection Grade B-17, there ACR noted against each along with the 20 copies of Synopsis / 2 copies Non involvement / 2 copies Service Certificate and last three year result may be submitted to this office immediately.

It is further directed that those SET teacher who have been promoted to another grade retired, died left department on deputation abroad disposed off direct _____ may clearly be indicated with dates.

St#	Name	Schools	D/O Birth/ Domicile	Required ACR
1941	Mr. Shahid Hayat MSc BEd	GHS Masabdar Swabi	15-3-61/Swabi	1st Appt: to 2003
1943	Mr. Manzoor Elahi MA BEd	GHS Sarai Saleh A.Abad	1-4-54/A.A.Abad	1st Appt: to 2003
1944	Mr. Muhammad Fiaz BSc BEd	GHSS No.3 Pesh. City	4-8-57/Charsadda	1st Appt: to 2003
1945	Mr. S.Kamal Shah MA BEd	GHS Taru Jabba	4-1-55/Peshawar	1st Appt: to 2003
1950	Mr. Khalid Mian BA BEd	GHS Bateela Mansehra	1-5-49/Mansehra	1st Appt: to 2003
1951	Mr. Muhammad Farooq BA BEd	GHS Sangar Mansehra	15-6-5/Mansehra	1st Appt: to 2003
1952	Mr. Wali Muhammad MA Bed	GHS Hajoya A.Abad	11-10-46/A.Abad	1st Appt: to 2003 Rtd
1954	Mr. Muhammad Farooq BA BEd	GHS	1-2-52/	1st Appt: to 2003
1955	Mr. Zar Dad Khan MA BEd	GHS No.2 A.Abad	2-10-79/A.Abad	1st Appt: to 2003
1956	Mr. Muhammad Arif MA BEd	GHSS Mingora Swat	4-2-42/Swat	1st Appt: to 2003
1957	Mr. Muhammad Zada MA BEd	GHS Matta Swat	10-2-47/Swat	1st Appt: to 2003
1958	Mr. Faridullah BA BEd	GHS Abdul Khel DIK	9-1-60/DIK	1st Appt: to 2003
1959	Mr. Irfanul Din MA BEd	GHS Galoch Swat	1-10-43/Swat	1st Appt: to 2003
1960	Mr. Sultab Zaid BA BEd	GHS Nawakaly Swat	15-5-52/Swat	1st Appt: to 2003
1961	Mr. Munawar Shah BA BEd	GHS Dir	1-3-52/Swat	1st Appt: to 2003
1963	Mr. Shafiqur Rahman MA BEd	GHS Minadog Dir	3-11-52/Dir	1st Appt: to 98
1964	Mr. Khalid Rahman MA BSc MEd	GHS No.2 Mardan	2-12-55/Mardan	1st Appt: to 2003
1965	Mr. Payun Khan MA BEd	GHSS Kabal Swat	3-12-46/Swat	1st Appt: to 2003
1966	Mr. Muhammad Iqbal MA BEd	GHS Khaki Mansehra	24-9-48/Mansehra	1st Appt: to 2003
1967	Mr. Saeed Khan MA BEd	GHS Asbar Dir	7-8-58/Dir	1st Appt: to 2003

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 5317)

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 5317)

MINUTES OF THE DEPARTMENTAL PROMOTION COMMITTEE MEETING HELD ON 14-2-2007.

A meeting of the Departmental Promotion Committee of the Schools & Literacy Department was held on 14-2-2007 at 10.00 am under the Chairmanship of the Secretary Schools & Literacy Department. The following attended the meeting:-

1. Mr. Shafiullah Khan
Secretary to Govt. of N.W.F.P.,
Schools & Literacy Department.
2. Mr. Muhammad Tariq Khan
Deputy Secretary, Govt. of NWFP
Schools & Literacy Department.
3. Mr. Arif Jamil
Section Officer (Regulation-I)
Establishment Department.
4. Mr. Muhammad Qasim
Section Officer (SR-II)
Finance Department.
5. S. Manzar Jan,
Deputy Director
Directorate of Schools & Literacy
Peshawar.

In Chair.

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The following item was discussed:-

Item Grant of Selection Grade BPS-17 to SETs BPS-16.

Opening up the discussion the Committee was apprised that a total of 243 posts are available for grant of selection grade BPS-17 to SETs (BPS-16).

Accordingly grant of selection grade to the following SETs was considered and decisions noted against each taken:-

S.No.	Name & Designation of Officers	Decision
1	Mr. Tnj Afsar	The Committee deferred grant of selection grade to the officer concerned for want of full detail of the case.
2	Mr. Iqbal Muhammad	Considered suitable for grant of selection grade wef; 8-4-2001.
3	Mr. Shahid Hayat	Considered suitable for grant of selection grade wef; 8-4-2001.
4	Mr. Muhammad Younis	Considered suitable for grant of selection grade wef; 8-4-2001.
5	Mr. Manzoor Elahi	The committee desired to know whether the officer died before 8-4-2001 or after the due date for grant of selection grade. The case was therefore deferred.
6	Mr. Muhammad Rizuz	The committee deferred the case for want of ACRs for the required period.
7	S. Kamal Shah	Considered suitable for grant of selection grade wef; 8-4-2001.

MAILED IOBAL
Advocate
Govt of Pak
(AS 5317)

	Mr. Noor Sharif	12	Considered suitable for grant of selection grade wef: 8-4-2001
10	Mr. Reayat Khan		Considered suitable for grant of selection grade wef: 8-4-2001
11	Mr. Fazal Nawab		Considered suitable for grant of selection grade wef: 8-4-2001
12	Mr. Khalid Mian		Considered suitable for grant of selection grade wef: 8-4-2001
13	Muhammad Farooq		Considered suitable for grant of selection grade wef: 8-4-2001
14	Mr. Wali Muhammad		Considered suitable for grant of selection grade wef: 8-4-2001
15	Mr. Muhammad Fayyaz		Considered suitable for grant of selection grade wef: 8-4-2001
16	Muhammad Farooq		The committee did not consider the case as the officer is not entitled to the grant of selection grade.
17	Mr. Zurdad Khan		-do-
18	Muhammad Arif		Considered suitable for grant of selection grade wef: 8-4-2001
19	Muhammad Zada		Considered suitable for grant of selection grade wef: 8-4-2001
20	Mr. Faridullah		Considered suitable for grant of selection grade wef: 8-4-2001
21	Mr. Irfanud Din		Considered suitable for grant of selection grade wef: 8-4-2001
22	Mr. Sultan Zeb		The committee did not consider his case as he is not entitled to the grant of selection grade.
23	Mr. Munawar Shah		Considered suitable for grant of selection grade wef: 8-4-2001
24	Mr. Nasir Ahmad		Considered suitable for grant of selection grade wef: 8-4-2001
25	Mr. Shafiur Rehman		Considered suitable for grant of selection grade wef: 8-4-2001
26	Mr. Khalilur Rehman		The committee did not consider the case as the officer is not entitled to the grant of selection grade.
27	Mr. Fayun Khan		Considered suitable for grant of selection grade wef: 8-4-2001
28	Muhammad Iqbal		Considered suitable for grant of selection grade wef: 8-4-2001
29	Mr. Saeed Khan		The committee did not consider the case as the officer is not entitled to the grant of selection grade.
30	Mr. Mir Hassan		Considered suitable for grant of selection grade wef: 8-4-2001
31	Mr. Hakim Din		Considered suitable for grant of selection grade wef: 8-4-2001
32	Mr. Abdul Karim		Considered suitable for grant of selection grade wef: 8-4-2001
33	Qazi Rashid Ahmad		Considered suitable for grant of selection grade wef: 8-4-2001
34	Mr. Imdad Hussain		Considered suitable for grant of selection grade wef: 25-4-2001
35	Muhammad Nawaz		Considered suitable for grant of selection grade wef: 25-4-2001

MUHAMMAD IQBAL QULBELA
 District Officer
 District Office
 District of District

37	Muhammad Idris	Considered suitable for grant of selection grade wef: 25-4-2001
38	Mr. Nahir Hussain	Considered suitable for grant of selection grade wef: 25-4-2001
39	Muhammad Jehanzeb	The committee did not consider his case as the officer has already retired from service.
40	Mr. Azizur Rehman	The committee deferred his case for want of ACRs of the officer.
41	Qazi Adalat	The committee deferred his case for want of ACRs for the required period.
42	Muhammad Hassan	Considered suitable for grant of selection grade wef: 25-4-2001
43	Mr. Fazal Rehman	The committee did not consider his case due to his retirement from service.
44	Mr. Kala Khan	Considered suitable for grant of selection grade wef: 25-4-2001
45	Mr. Faizur Rehman	Considered suitable for grant of selection grade wef: 25-4-2001
46	Mr. Wazir Muhammad	Considered suitable for grant of selection grade wef: 25-4-2001
47	Muhammad Javed Khan	Considered suitable for grant of selection grade wef: 25-4-2001
48	Muhammad Munsif	Considered suitable for grant of selection grade wef: 25-4-2001
49	Mr. Gul Sher	The committee deferred his case for want of proper justification.
50	Mr. Sikandar Khan	Considered suitable for grant of selection grade wef: 25-4-2001
51	Mr. Sardar Khan	Considered suitable for grant of selection grade wef: 25-4-2001
52	Mr. Qadir Khan	Considered suitable for grant of selection grade wef: 25-4-2001
53	Mr. Abdul Majid	Considered suitable for grant of selection grade wef: 25-4-2001
54	Mr. Abdul Karim	The committee did not consider his case due to his retirement from service on 31-12-2000.
55	Mr. Awal Khan	Considered suitable for grant of selection grade wef: 25-4-2001
56	Mr. Wali Dad	Considered suitable for grant of selection grade wef: 25-4-2001
57	Muhammad Ayub	Considered suitable for grant of selection grade wef: 1-5-2001
58	Mr. Shahwaiz Hussain	Considered suitable for grant of selection grade wef: 1-5-2001
59	Mr. Khizer Hayat	Considered suitable for grant of selection grade wef: 1-5-2001
60	Mr. Nematullah	Considered suitable for grant of selection grade wef: 1-5-2001
61	Mr. Sikandar Khan	Considered suitable for grant of selection grade wef: 1-5-2001
62	Mr. Habibullah	Considered suitable for grant of selection grade wef: 1-5-2001
63	Mr. Abdus Salam	The committee did not consider him suitable for grant of selection grade.
64	Muhammad Rauf Khan	Considered suitable for grant of selection grade wef: 1-5-2001

JASIR IQBAL GUL-BELA
 Advocate
 High Court of Pakistan
 (SCN-5317)

66	Mr. Faizur Rehman	Considered suitable for grant of selection grade wef: 1-5-2001
67	Muhammad Zahir Shah	Considered suitable for grant of selection grade wef: 1-5-2001
68	Mr. Abdur Rahim	Considered suitable for grant of selection grade wef: 1-5-2001
69	Mr. Shamsul-Khetab	Considered suitable for grant of selection grade wef: 1-5-2001
70	Mr. Noor Muhammad	Considered suitable for grant of selection grade wef: 1-5-2001
71	Mr. Iqbal Anwar	The committee did not consider him suitable for grant of selection grade.
72	Mr. Anwar Ali Shuli	Considered suitable for grant of selection grade wef: 1-5-2001
73	Mr. Ghaniur Rehman	Considered suitable for grant of selection grade wef: 1-5-2001
74	Mr. Abdul Matin	Considered suitable for grant of selection grade wef: 15-5-2001
75	Mian Sheikh Zada	Considered suitable for grant of selection grade wef: 15-5-2001
76	Mr. Khaista Noor	Considered suitable for grant of selection grade wef: 15-5-2001
77	Muhammad Jabbar	Considered suitable for grant of selection grade wef: 15-5-2001
78	Mian Muambar	Considered suitable for grant of selection grade wef: 15-5-2001
79	Muhammad Hakim	Considered suitable for grant of selection grade wef: 15-5-2001
80	Mr. Inayat ur Rehman	The committee did not consider him suitable for grant of selection grade.
81	Mr. Fazal Sani	Considered suitable for grant of selection grade wef: 15-5-2001
82	Mr. Mumtaz Khan	Considered suitable for grant of selection grade wef: 15-5-2001
83	Mr. Hussain Ahmad	Considered suitable for grant of selection grade wef: 15-5-2001
84	Muhammad Saleh	The committee deferred his case for want of ACRs.
85	Mr. Taj Muhammad	Considered suitable for grant of selection grade wef: 15-5-2001
86	Mr. Fazal Hakim	Considered suitable for grant of selection grade wef: 15-5-2001
87	Mr. Gul Badshah	The committee deferred selection grade of the officer for want of ACRs.
88	Mr. Bagh Iram	Considered suitable for grant of selection grade wef: 15-5-2001
89	Mr. Abdur Rashid	Considered suitable for grant of selection grade wef: 15-5-2001
90	Mr. Ghulam Akbar	Considered suitable for grant of selection grade wef: 15-5-2001
91	Mr. Salahud Din	Considered suitable for grant of selection grade wef: 15-5-2001
92	Mr. Kishwar Shah	The committee deferred selection grade of the officer due to his retirement from service on 3/8/2000.
93	Mr. Abdur Rehman Saadi	Considered suitable for grant of selection grade wef: 2-6-2001

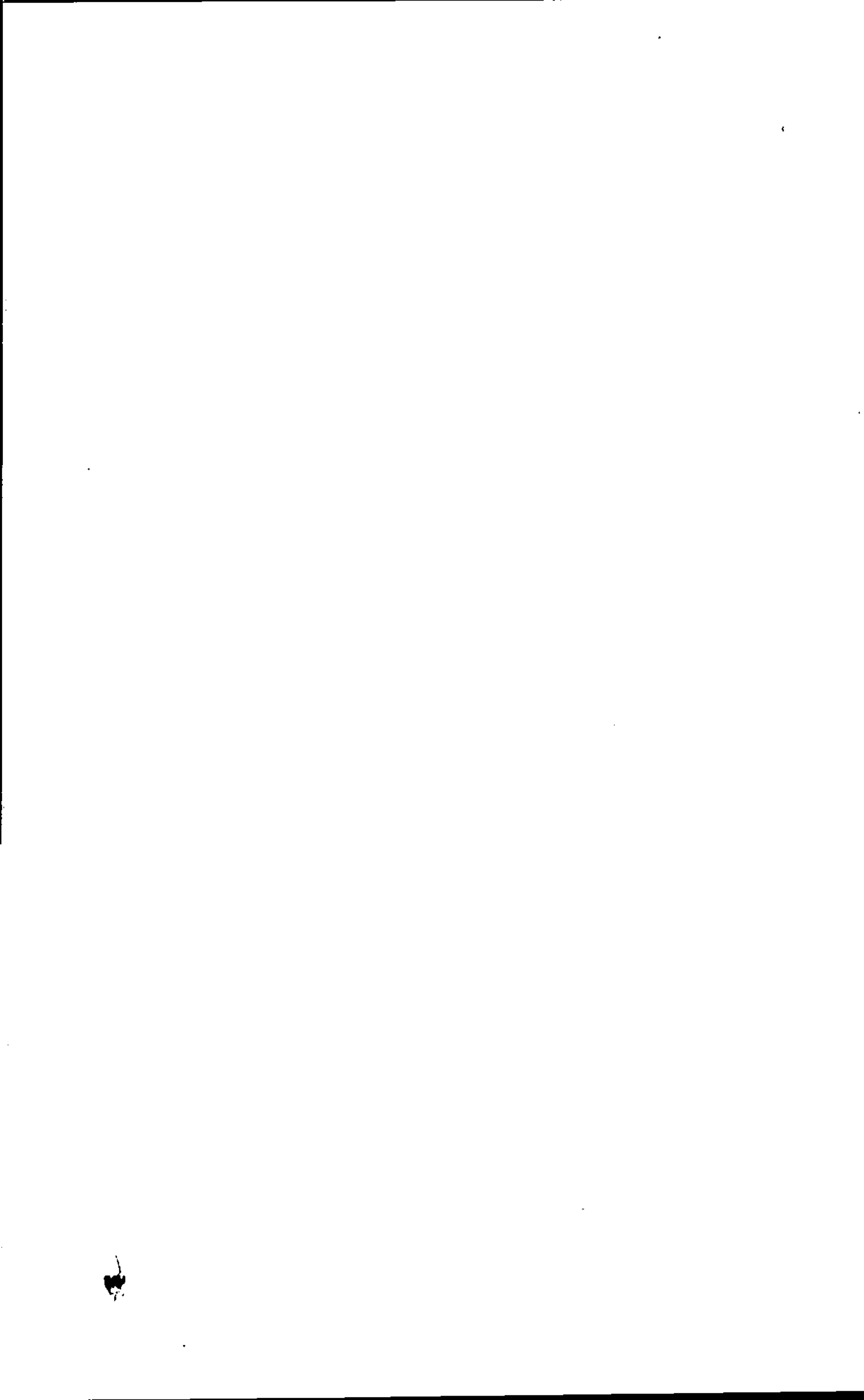
25

95	Mr. Abdul Majid	15 Considered suitable for grant of selection grade wef: 2-6-2001
96	Mr. Fazal Mahmood	Considered suitable for grant of selection grade wef: 2-6-2001
97	Mr. Salim Khan	Considered suitable for grant of selection grade wef: 2-6-2001
98	Mr. Sabez Ali	Considered suitable for grant of selection grade wef: 2-6-2001
99	Muhammad Hussain	The committee deferred the case for want of full detail.
100	Mr. Liaqat Ali	Considered suitable for grant of selection grade wef: 2-6-2001
101	Mr. Isme Ali	The committee did not consider him suitable for grant of selection grade.
102	Mr. Abdur Raziq	Considered suitable for grant of selection grade wef: 2-6-2001
103	Mr. Rehmanullah	The committee deferred selection grade of the officer for want of ACRs.
104	Mr. Sher Afzal	Considered suitable for grant of selection grade wef: 2-6-2001
105	Mr. Noorul Haq	Considered suitable for grant of selection grade wef: 2-6-2001
106	Mr. Abad Khan	The committee deferred selection grade of the officer for want of ACRs.
107	Mr. Rustam Khan	Considered suitable for grant of selection grade wef: 2-6-2001
108	Mr. Din Muhammad	Considered suitable for grant of selection grade wef: 25-6-2001.
109	Mr. Zarf Khan	Considered suitable for grant of selection grade wef: 25-6-2001.
110	Muhammad Amin	Considered suitable for grant of selection grade wef: 25-6-2001.
111	Mr Qamar Zaman	Considered suitable for grant of selection grade wef: 25-6-2001.
112	Mr. Abdul Khalid	Considered suitable for grant of selection grade wef: 25-6-2001.
113	Mr. Taj Muhammad	The committee deferred selection grade of the officer for want of ACRs.
114	Mr. Sulaiman Khan	Considered suitable for grant of selection grade wef: 25-6-2001.
115	Mr. Muzamil Khan	Considered suitable for grant of selection grade wef: 25-6-2001.
116	Mr. Nadir Khan	Considered suitable for grant of selection grade wef: 25-6-2001.
117	Mr. Abdur Rehman	The committee did not consider grant of selection grade to the officer due to his retirement from service wef: 7-2-2001
118	Mr. Nemat Khan	The committee did not consider his case as the officer has already been granted selection grade.
119	Mr. Gul Nawaz	Considered suitable for grant of selection grade wef: 25-6-2001.
120	Mr. Lal Badshah	The committee deferred selection grade of the officer for want of ACRs.
121	Mr. Mumsali Khan	Considered suitable for grant of selection grade wef: 25-6-2001.
122	Mr. Rehman Sher	Considered suitable for grant of selection grade wef: 25-6-2001.
123	Mr. Ghaidie Hussain	

JAVED KHAN CU/BELA
 Chairman
 IAS Commission of Pakistan
 IAS # 5317

124	Mr. Abdul Akbar	16	Considered suitable for grant of selection grade wef: 25-6-2001.
125	Mr. Ghazi Khan		Considered suitable for grant of selection grade wef: 25-6-2001.
126	Mr. Sahib Bahadur		Considered suitable for grant of selection grade wef: 25-6-2001.
127	Mr. Zahid Khan		Considered suitable for grant of selection grade wef: 25-6-2001.
128	Mr. Sher Zada		Considered suitable for grant of selection grade wef: 25-6-2001.
129	Mr. Jehanzeb		Considered suitable for grant of selection grade wef: 25-6-2001.
130	Mr. Abdus Samad		Considered suitable for grant of selection grade wef: 25-6-2001.
131	Mr. Nisarul Haq		The committee did not consider him suitable for grant of selection.
132	Mr. Mir Badshah		Considered suitable for grant of selection grade wef: 25-6-2001.
133	Mr. Saifullah Khan		Considered suitable for grant of selection grade wef: 25-6-2001.
134	Mr. Dilshad Ahmad		Considered suitable for grant of selection grade wef: 30-6-2001.
135	Mr. Baber Khan		Considered suitable for grant of selection grade wef: 30-6-2001.
136	Mr. Ajmal Khan		The committee did not consider suitable for grant of selection grade.
137	Muhammad Iqbal Azam Khan		Considered suitable for grant of selection grade wef: 30-6-2001.
138	Mr. Rehmatullah Khan		Considered suitable for grant of selection grade wef: 30-6-2001.
139	Mr. Abdul Malik		Considered suitable for grant of selection grade wef: 30-6-2001.
140	Muhammad Niaz		Considered suitable for grant of selection grade wef: 30-6-2001.
141	Mr. Azim Muhammad		Considered suitable for grant of selection grade wef: 30-6-2001.
142	Hafiz Muhammad Saddique		Considered suitable for grant of selection grade wef: 30-6-2001.
143	Mr. Mir Wali Khan		Considered suitable for grant of selection grade wef: 30-6-2001.
144	Mr. Shah Pursun		Considered suitable for grant of selection grade wef: 30-6-2001.
145	Mr. Fazal Mabood		Considered suitable for grant of selection grade wef: 30-6-2001.
146	Mian Said Wahid		Considered suitable for grant of selection grade wef: 30-6-2001.
147	Mr. Saifur Rehman		Considered suitable for grant of selection grade wef: 30-6-2001.
148	Mr. Ashraf Ali		Considered suitable for grant of selection grade wef: 30-6-2001.
149	Muhammad Zada		Considered suitable for grant of selection grade wef: 30-6-2001.
150	Durdana Baig		Considered suitable for grant of selection grade wef: 30-6-2001.
151	Mr. Baz Muhammad		Considered suitable for grant of selection grade wef: 30-6-2001.
152	Muhammad Karim		Considered suitable for grant of selection grade wef: 30-6-2001.

MAJLIS ULLEGE
 UNIVERSITY OF PAKISTAN
 KARACHI



153	Mr. Shah Jehan	The committee deferred selection grade of the officer for proper scrutiny of his case.
154	S. Abdullah Shah	Considered suitable for grant of selection grade wef: 30-6-2001
155	Mir Habibur Rehman	Considered suitable for grant of selection grade wef: 30-6-2001
156	Mr. Saadullah Khan	The Committee deferred selection grade of the officer for want of ACRs.
157	Mr. Usman Ali Khan	The Committee deferred selection grade of the officer for want of ACRs.
158	Muhammad Akbar	Considered suitable for grant of selection grade wef: 30-6-2001
159	Mr. Yaqub Nawaz	Considered suitable for grant of selection grade wef: 30-6-2001
160	Mr. Ali Sher	Considered suitable for grant of selection grade wef: 30-6-2001
161	Mr. Barkat Shah	Considered suitable for grant of selection grade wef: 30-6-2001
162	Muhammad Haroon	Considered suitable for grant of selection grade wef: 30-6-2001
163	Mr. Faqir Muhammad	Considered suitable for grant of selection grade wef: 30-6-2001
164	Mr. Younis Ali	The Committee deferred selection grade of the officer for want of ACRs.
165	Mr. Aftab Hussain	Considered suitable for grant of selection grade wef: 30-6-2001
166	Mr. Fazali Akbar	Considered suitable for grant of selection grade wef: 30-6-2001
167	Mr. Ahmad Qadir	Considered suitable for grant of selection grade wef: 30-6-2001
168	Mr Sultan Mehmood	The Committee did not consider him suitable for grant of selection grade.
169	Mr. Jumua Gul Shah	The Committee deferred selection grade of the officer for want of ACRs.
170	Mr. Ali Muhammad	Considered suitable for grant of selection grade wef: 30-6-2001
171	Mr. Mehboob Elahi	The Committee deferred selection grade of the officer for scrutiny of his case.
172	Mr. Afzal Din	Considered suitable for grant of selection grade wef: 30-6-2001
173	Muhammad Tariq	Considered suitable for grant of selection grade wef: 30-6-2001
174	Mr. Basal Khan	Considered suitable for grant of selection grade wef: 30-6-2001
175	Mr. Zahidullah	The Committee deferred selection grade of the officer for want of ACRs.
176	Mr. Saadullah Khan	Considered suitable for grant of selection grade wef: 30-6-2001
177	Muhammad Shafiq	Considered suitable for grant of selection grade wef: 30-6-2001
178	Muhammad Shafi Khan	Considered suitable for grant of selection grade wef: 30-6-2001
179	Mr. Shad Nawaz	The Committee deferred selection grade of the officer for want of ACRs.
180	Mr. Shable Ahmad	Considered suitable for grant of selection grade wef: 30-6-2001

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182	Mr. Khalilur Rehman	Considered suitable for grant of selection grade wef: 30-6-2001.
183	Muhammad Gulab Shah	The Committee deferred selection grade of the officer for want of ACRs.
184	Mr. Attaullah	The Committee did not consider him suitable for grant of selection grade.
185	Muhammad Laiq	Considered suitable for grant of selection grade wef: 30-6-2001
186	Mr. Sher Sahib Khan	Considered suitable for grant of selection grade wef: 30-6-2001
187	Mr. Amjid Ali	The Committee deferred selection grade of the officer for want of ACRs.
188	Mr. Said Ahmad	Considered suitable for grant of selection grade wef: 30-6-2001
189	Mr. Dehli Sardar	Considered suitable for grant of selection grade wef: 30-6-2001
190	Mr. Qismat Khan	The Committee deferred selection grade of the officer for want of ACRs.
191	Mr. Ali Shah	The Committee deferred selection grade of the officer for want of ACRs.
192	Mr. Luqman Zarin	The Committee deferred selection grade of the officer for want of ACRs.
193	Mr. Hashim Khan	The Committee deferred selection grade of the officer for want of ACRs.
194	Mr. Khan Wali	Considered suitable for grant of selection grade wef: 30-6-2001
195	Mr. Dur Jan	Considered suitable for grant of selection grade wef: 30-6-2001
196	Mr. Samiur Rehman	Considered suitable for grant of selection grade wef: 30-6-2001
197	Mr. Khuda Niga	Considered suitable for grant of selection grade wef: 30-6-2001
198	Muhammad Nadir Shah	Considered suitable for grant of selection grade wef: 30-6-2001.
199	Mr. Abdur Rauf	The Committee deferred selection grade of the officer for want of ACRs.
200	Mr. Khurshid Ali	Considered suitable for grant of selection grade wef: 30-6-2001
201	Mr. Khurshid Ahmad	The Committee did not consider him suitable for grant of selection grade.
202	Mr. Hidayat Khan	Considered suitable for grant of selection grade wef: 30-6-2001
203	Mr. Ziaud Din	Considered suitable for grant of selection grade wef: 30-6-2001
204	Mr. Ubaidullah	Considered suitable for grant of selection grade wef: 30-6-2001
205	Mr. Mustafa Khan	Considered suitable for grant of selection grade wef: 30-6-2001
206	Mr. Lal Sattar	Considered suitable for grant of selection grade wef: 30-6-2001
207	Mr. Ali Muhammad Khan	Considered suitable for grant of selection grade wef: 30-6-2001
208	Mr. Asol Khan	Considered suitable for grant of selection grade wef: 30-6-2001
209	Mr. Taimoor Khan	The Committee did not consider him suitable for grant of selection grade.
210	Mr. Babbar Khan	

JAVED GULAB
Advocate
Sindh High Court of Pakistan
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211	Mr. Shaukat Ali	The Committee did not consider him suitable for grant of selection grade.
212	Mr. Nizamud Din	Considered suitable for grant of selection grade wef: 30-6-2001
213	Muhammad Raziq	Considered suitable for grant of selection grade wef: 30-6-2001
214	S. Bahre Karani	Considered suitable for grant of selection grade wef: 30-6-2001
215	Mr. Umar Khetab	Considered suitable for grant of selection grade wef: 30-6-2001
216	Mr. Chinor Shah	Considered suitable for grant of selection grade wef: 30-6-2001
217	Mr. Riayat Khan	Considered suitable for grant of selection grade wef: 30-6-2001
218	S. Arab Shah	Considered suitable for grant of selection grade wef: 30-6-2001.
219	Muhammad Saadat	The Committee deferred selection grade of the officer for want of ACRs.
220	Mr. Abdul Majced	Considered suitable for grant of selection grade wef: 30-6-2001
221	Mr. Razi Mand	Considered suitable for grant of selection grade wef: 30-6-2001
222	Mr. Mir Qalam Khan	Considered suitable for grant of selection grade wef: 30-6-2001
223	Mr. Nawab Khan	Considered suitable for grant of selection grade wef: 30-6-2001
224	Mr. Mir Qazim Khan	Considered suitable for grant of selection grade wef: 30-6-2001
225	Mr. Noor Bakmal	Considered suitable for grant of selection grade wef: 30-6-2001
226	Mr. Hamid Raza	Considered suitable for grant of selection grade wef: 30-6-2001
227	Mr. Hukam Khan	Considered suitable for grant of selection grade wef: 30-6-2001.
228	Mr. Taj Riayat Khan	Considered suitable for grant of selection grade wef: 30-6-2001.
229	Mr. Ajab Noor	The Committee deferred the selection grade of the officer for want of ACRs.
230	Mr. Abdul Riaz	Considered suitable for grant of selection grade wef: 30-6-2001
231	Mr. Feroz Shah	The Committee deferred the selection grade of the officer for want of ACRs.
232	Mr. Samiur Rehman	The Committee deferred the selection grade of the officer due to proper justification of the case.
233	Mr. Akbar Hussain	The Committee did not consider him suitable for grant of selection grade.
234	Mr. Jan Muhammad	Considered suitable for grant of selection grade wef: 30-6-2001.
235	Muhammad Shuaib	Considered suitable for grant of selection grade wef: 30-6-2001
236	Mr. Lal Muhammad	Considered suitable for grant of selection grade wef: 30-6-2001
237	Mr. Sardar Shah	Considered suitable for grant of selection grade wef: 30-6-2001
238	Mr. Baz Muhammad	The Committee deferred the selection grade of the officer for want of ACRs.
239	Mr. Shamshad	Considered suitable for grant of selection grade wef: 30-6-2001

SUPREME COURT OF PAKISTAN
 ADVOCATE GENERAL
 RAJINDRA PRAKASH
 14/5/2011

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240	Mr. Aslam Khan	Considered suitable for grant of selection grade wef; 30-6-2001
241	Mr. Zaheerud Din	Considered suitable for grant of selection grade wef; 30-6-2001
242	Mr. Abbas Gul	Considered suitable for grant of selection grade wef; 30-6-2001
243	Mr. Gul Zaman	Considered suitable for grant of selection grade wef; 30-6-2001
244	Mr. Qamar Ali	Considered suitable for grant of selection grade wef; 30-6-2001
245	Mr. Fida Muhammad	The Committee did not consider him suitable for grant of selection grade.
246	Mr. Muslim Shah	Considered suitable for grant of selection grade wef; 30-6-2001
247	Mr. Shamsur Rehman	Considered suitable for grant of selection grade wef; 30-6-2001
248	Muhammad Azam	Considered suitable for grant of selection grade wef; 30-6-2001
249	Muhammad Ghulam	The Committee deferred the selection grade of the officer for want of ACRs.
250	Mr. Sahib Noor	Considered suitable for grant of selection grade wef; 30-6-2001
251	Mr. Sardaraz Khan	Considered suitable for grant of selection grade wef; 30-6-2001
252	Mr. Noorul-Wahab	The Committee did not consider him suitable for grant of selection grade.
253	Mr. Niaz Muhammad	Considered suitable for grant of selection grade wef; 8-4-2001.
254	Mr. Shujaat Ali	Considered suitable for grant of selection grade wef; 30-6-2001.
255	Mr. Badshah Zada	Considered suitable for grant of selection grade wef; 30-6-2001
256	Muhammad Noor	Considered suitable for grant of selection grade wef; 30-6-2001
257	Mr. Ghandal Khan	Considered suitable for grant of selection grade wef; 30-6-2001
258	Mr. Said Badshah	Considered suitable for grant of selection grade wef; 30-6-2001
259	Muhammad Zahir Khan	Considered suitable for grant of selection grade wef; 30-6-2001
260	Mr. Rustem Shah	Considered suitable for grant of selection grade wef; 30-6-2001
261	Mr. Mulik Aman	Considered suitable for grant of selection grade wef; 30-6-2001
262	Mr. Rahmat Shah	Considered suitable for grant of selection grade wef; 30-6-2001
263	Mr. Abdul Karim	Considered suitable for grant of selection grade wef; 30-6-2001
264	Mr. Abdul Malik	Considered suitable for grant of selection grade wef; 30-6-2001
265	Mr. Ibrahim Khan	Considered suitable for grant of selection grade wef; 30-6-2001
266	Muhammad Ayub	The Committee deferred the selection grade of the officer for want of ACRs.
267	Mr. Akhtar Zaman	Considered suitable for grant of selection grade wef; 30-6-2001
268	Mr. Rahman Ali	

JAVED IQBAL COLBEIA
Advocate
Supreme Court of Pakistan
IAS (1983)

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Mr. Hidayat Ali Shah

The Committee deferred the selection grade of the officer for want of ACRs.

The meeting ended with thanks from and to the Chair:-

1. Muhammad Qasim
Section Officer (SR-II)
Finance Department

3. S. Manzoor Jan
Deputy Director
Directorate of Schools & Literacy
Peshawar.

2. Arif Jamil
Section Officer (Regulation-I)
Establishment Department

4. (Muhammad Tariq Khan)
Deputy Secretary
Schools & Literacy Deptt.

(Shafiqullah Khan) 24/3/07
Secr tary Schools & Literacy Department.

JAVED IQBAL MULBEY
Secretary
Directorate of Education
Government of Pakistan
JASC-53171

Ann-BH

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تنظیم اساتذہ ہونے پر
(مشعبہ ہیڈ اساتذہ)

DIRECTORATE OF SECONDARY
EDUCATION NWFP PESHAWAR.
NO. 3199-3233/A-68/B List.
Dated Peshr the 29.8 /2001.

To

1. The Director of Education (PATA) NWFP, Peshawar.
2. The Director of Education Primary NWFP, Peshawar.
3. The Director Bureau of Curriculum Development and Education Extension NWFP, Peshawar.
4. All the Executive District Officers Literacy and Education in NWFP.

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B

Subject;- FINAL SENIORITY LIST OF SETS EDUCATION DEPARTMENT (MALE SECTION) UPTO

Memo;

A copy of the Final Seniority list of SETs(M) is enclosed herewith for information of all concerned who are working under your jurisdiction. The said Seniority list should be brought into the notice of all SETs and their signature for having seen and checked the list thoroughly should be obtained from them and kept in your office for record.

Deputy Director Secy Edu: NWFP, Peshawar.

Enclst: No. 3234-3334

Copy forwarded to the:-
Officials concerned.

- 1.
2. PA to Director Secy: Edu: NWFP, Peshawar.

Deputy Director Secy Edu: NWFP, Peshawar.
29/8/01
JAWAD KHALIL
Advocate
Supreme Court of Pakistan
(ASC # 5317)

Abdul Jabbar.
29/8/01.

2194	Mr. Muhammad Zahir Khan MA BEd	Gadezai Swat	1986	3-8-48/Swat	7-9-64	1-11-86	2284
2195	Mr. Rustam Shah MA BEd	GHSS Mardan	1980	2-12-42 Mardan R	25-1-87	1-11-86	2285
2196	Mr. Malik Aman MA BEd	GMS Sikandari Swbi	1990	8-8-47/Swabi	25-5-69	1-11-86	2286
2197	Mr. Rahmat Shah MA BEd	GHS No.2 Pesh. Cantt.	1980	11-7-52/Pesh.	7-9-71	1-11-86	2287
2198	Mr. Abdul Karim MA BEd	GHS Kheshgi Bala Nowshera	1979	6-2-50/Charsadda	2-10-71	1-11-86	2288
2199	Mr. Abdul Malik MA BEd	GHS Yar Hussain Swabi	1984	6-4-54/Swabi	24-1-74	1-11-86	2289
2200	Mr. Ibrahim Khan MA BEd	GMS Garhi Daulatzi Mardan	1980	3-11-56/Mardan	15-10-80	1-11-86	2290
2201	Mr. Muhammad Ayub MA BEd	GHS Kani Gurram SWA	1981	3-2-58/Bannu	24-1-81	1-11-86	2291
2202	Mr. Akhtar Zaman BSc BEd	GMS Mama Khel Bahochi	1986	15-1-61/Bannu	29-10-85	1-11-86	2292
2203	Mr. Rehman Ali MA BEd	GHS Jalbat Mardan	1980	1-11-56/Mardan	1-11-56	1-11-86	2293
2204	Mr. Hidayat Ali Shah MSc BEd	GHS	1984	24-2-69/Pesh.	1-11-83	1-11-86	2294
2205	Mr. Khairullah Khan BSc MED	GHS Doaba Kohat ✓ 6	1985	3-9-60/Karak	1-11-85	1-11-86	2295
2206	Mr. Farid Nawaz MA BEd	GHSS Sarai Nauang Bannu	1981	10-2-54/Bannu	22-11-75	2-11-86	2296
2207	Mr. Hanifullah MA BEd	GMS Zaryab Colony Pesh.	1984	1-1-48/Pesh.	19-11-78	4-11-86	2297
2208	Mr. Muhammad Shoab MA BEd	GHS Bilitang Kohat 6	1986	16-2-60/Kohat	9-12-85	4-11-86	2298
2209	Mr. Fazal Muhammad BA BEd	GHS Tarma Mardan	1986	13-4-61/Mardan	15-10-81	5-11-86	2299
2210	Mr. Iqbal Hussain MA BEd	GHS Jabba Nowshera	1980	1-3-57/Mardan	23-9-80	6-11-86	2300
2211	Mr. Muhammad Javed MSc BEd	GHS Baja Swabi	1984	21-3-81/Mardan	6-11-85	6-11-86	2301
2212	Mr. Muhammad Afzin MA BEd	GHS Yar Hussain Swabi	1980	1-1-48/Swabi	5-4-66	8-11-86	2302
2213	Mr. Abdur Rashid	GHS Mitha - KIK	1977	13-11-48/ KIK	1-9-70	15-12-86	2303
2214	Mr. Saadullah Khan BA BEd	GHS Dhakki DIK	1983	24-5-49/DIK	7-9-71	8-11-86	2304
2215	Mr. Abdul Aziz MA BEd	GHS Gurat Mardan	1980	2-1-53/Mardan	18-4-72	8-11-86	2305
2216	Mr. Abdul Wadood BA BEd	GHS Kotli Bala Mansehra	1981	1-4-43/Mansehra R	22-4-65	11-11-86	2306
2217	Mr. Saldan Shah MED	GHSS Mansehra	1986	10-6-51/Mansehra	7-9-71	11-11-86	2307
2218	Mr. Muhammad Ibrahim MA BEd	GHS Kharki Dheri MKD	1983	2-2-51/MKD	9-12-72	11-11-86	2308
2219	Mr. Abdul Sattar MA BEd	GHS Hamoo A. Abad	1983	1-1-55/A. Abad	1-11-86	11-11-86	2309
2220	Mr. Muhammad Zarin MA MED	GHS Baij A. Abad	1985	12-4-59/A. Abad	1-2-78	11-11-86	2310
2221	Mr. Muhammad Dand BA BEd	GMS Badar Bariage No.2 SWA	1986	1-1-58/SWA	23-10-86	11-11-86	2311
2222	Mr. Abdur Rahim Jan MA BEd	GMS Dodher Swabi	1980	12-12-44/Swabi	1-10-64	12-11-86	2312
2223	Mr. Zahoor Ahmad MA BEd	GHS Toru Maira Mardan	1979	27-3-44/Mardan R	5-4-68	12-11-86	2313
2224	Mr. Mushtaqur Rehman MA BEd	GHS Dadwan Dir	1984	18-2-54/Dir	4-5-78	12-11-86	2314
2225	Mr. Muhammad Khrushid MA MED	Oghi Mansehra	1986	23-5-55/Mansehra	5-2-75	12-11-86	2315
2226	Mr. Shah Jehan MA BEd	GHS Qandil Swat	1984	22-8-45/Swat	30-4-86	12-11-86	2316
2227	Mr. Aurangzeb BA BEd	GHS Darra Paizu Bannu	1985	8-11-51/Bannu	12-11-86	12-11-86	2317
2228	Mr. Muhammad Sadiq MA MED	GHS Dalola A. Abad	1981	1-4-43/A. Abd R	23-9-81	13-11-86	2318
2229	Mr. Sultanul Arifin BA BEd	GHSS T. Town Ship A. Abad	1982	2-6-44/A. Abad	8-5-66	13-11-86	2319
2230	Mr. Saeedullah MA BEd	GMS Katan Bala Dir	1984	3-4-58/Dir	6-11-75	13-11-86	2320
2231	Mr. Khalid Nabern BA BEd	GHS Landi Aslander FR DIK	1986	29-8-43/DIK R	11-4-75	13-11-86	2321
2232	Mr. Muhammad Nazir MA BEd	GHS Khanpur Dir	1984	15-1-57/Dir	16-6-80	13-11-86	2322
2233	Mr. Sadiq Jan MA BEd	GMS Badardani Dir	1984	31-8-55/Dir	13-10-75	14-11-86	2323

33

Supervisor
J.A.S.C. # 50171
Pakistan
LAELA

2274	Mr. Mohammad Haroon MA:BED:MED	ASDEO Mansehra	1983	1-1-50/Mansehra	1-7-70	12-1-87	2314
2275	Mr. Hirkeetur Rehman MA:BED	GHS Dantol A.Abad	1983	15-2-54/A.Abad	12-10-74	12-1-87	2315
2276	Mr. Faqir Mohammad BA:BED	GHS Dantol A.Abad	1983	4-1-56/A.Abad	12-10-74	12-1-87	2316
2277	Mr. Shad Mohammad BA:BED	GHS Jareed Mansehra	1983	30-6-54/Mansehra	2-1-76	12-1-87	2317
2278	Mr. Mehboob Elahi MA Urdu	GHS Tofican A.Abad	1983	1-1-57/Haripur	15-10-76	12-1-87	2318
2279	Mr. Mohammad Ashiq MA Isl:BED	GHS Pandi Lalma Khyber Agy.	1985	15-5-57/Charsadda	14-5-78	12-1-87	2318
2280	Mr. Banaras Khan BA:BED	GHS Bagnotar A.Abad	1983	28-10-48/A.Abad	27-12-69	13-1-87	2320
2281	Mr. Maqbool Ahmad BA:BED	GMS Khairan A.Abad	1983	10-5-51/Haripur	20-10-73	13-1-87	2321
2282	Mr. Jumma Khan MA Isl:MED	GHS Shamdara Mansehra	1985	1-1-55/Mansehra	12-10-74	13-1-87	2322
2283	Mr. Ahmad Khan BA:BED	GHS Nawazabad Mansehra	1983	2-8-57/Mansehra	14-12-87	13-1-87	2323
2284	Mr. Mohammad Ismail MA Isl:BED	GMS Shamoni Khattak Bannu	1960-81	10-3-55/Bannu	16-3-81	13-1-87	2324
2285	Mr. Nasrullah Khan Khattak MA	GHS Shakar Dara Kohat	1985	3-5-48/Kohat	13-11-83	13-1-87	2325
2286	Mr. Eid Gul MA:MED	GHS Esaf Khel Karak	1983	15-3-47/Karak	4-4-66	14-1-87	2326
2287	Mr. Abdul Qadir BA:BED	GHS Chamiali A.Abad	1983	18-7-50/A.Abad	13-7-73	14-1-87	2327
2288	Mr. Sultan Ali BA:BED	GHS Jabri Haripur	1982	25-12-48/Haripur	5-3-75	14-1-87	2328
2289	Mr. Sanaullah Khan MA:P.Sc:BED	GHS Musazai Shaif Dikhan	1984	11-4-56/Dikhan	13-9-81	14-1-87	2328
2290	Mr. Fazlur Rehman MA:BED	GHS Bodla A.Abad	1984	15-5-59/A.Abad	4-2-78	15-1-87	2330
2291	Mr. Mohammad Saeed MA:BED	GHS No.2 Dikhan	1983	11-4-58/Dikhan	8-1-85	15-1-87	2331
2292	Mr. Said Laiq Shah MA Isl:BED	GHS Dewana Baba Daggat Bunir	1983	3-1-47/Bunir	11-5-68	17-1-87	2332
2293	Mr. Fazal Hussain BA:BED	GHS Jaral A.Abad	1983	14-4-58/A.Abad	18-12-76	17-1-87	2333
2294	Mr. Faiz Mohammad BA:BED	GMS Sinā Garhi Chitral	1984	23-4-42/Chitral	14-11-69	18-1-87	2334
2295	Mr. Rehmat Khan BA:BED	GMS Chilwasht SWA	1983	25-1-58/SWA	5-11-86	21-1-87	2335
2296	Mr. Rehmat Wali BA:BED	GHS Ujnu Chitral	1984	3-4-46/Chitral	1-12-84	24-1-87	2336
2297	Mr. Bashir Ahmad BA:BED	GHS Broz Chitral	1985	3-8-57/Chitral	23-11-78	24-1-87	2337
2298	Mr. Nak Nawaz MA:BSc:BED:MED	GHS Mandoori Kohat	1985	1-5-58/Karak	14-1-82	24-1-87	2337
2299	Mr. Habib Shah MA Urdu:BED	GHS Rehmat Abad Karak	1983	2-2-55/Karak	5-3-74	25-1-87	2338
2300	Mr. Mohammad Sarfaraz BA:BED	GHS Moolia A.Abad	1983	3-12-51/A.Abad	1-5-76	26-1-87	2339
2301	Mr. Liaqat Ali SET BSc:BED:MED	GHS Dabgari Gate Peshawar	1985	12-5-55/Nowshera	21-1-84	26-1-87	2341
2302	Mr. Hamid Ali MA:BSc:BED	GHS Manki Swabi	1986	1-4-82/Swabi	13-12-88	26-1-87	2342
2303	Mr. Falak Naz Khan	GHS Ismail Khel Bannu	1989	29-12-59/Bannu	26-1-87	26-1-87	2343
2304	Mr. Mohammad Tahirullah MA:BED	GHS Batagram Charsadda	1981	29-8-44/Charsadda	15-6-63	27-1-87	2344
2305	Mr. Subhanud Din BA:BED	GHS Batagram Charsadda	1980	8-1-42/Charsadda	6-4-64	27-1-87	2345
2306	Mr. Abdul Rashid MA:BED	GHS Malogo Peshawar	1981	1-1-45/Peshawar	12-12-84	27-1-87	2346
2307	Mr. Salahud Din BA:BED	GHS Chitral	1986	5-11-53/Chitral	22-3-74	27-1-87	2347
2308	Mr. Raham Akbar MA Isl:MED	GHS Babozai Mardan	1984	11-7-56/Mardan	2-9-78	27-1-87	2348
2309	Mr. Fazli Malik MA Pa:MED	GHS Khair Abad Mardan	1984	25-5-58/Mardan	22-9-78	27-1-87	2348
2310	Mr. Ishtiaq Ahmad MA Urdu:BED	GHS Hajar Khawani Peshawar	1980	12-12-48/Peshawar	8-7-69	28-1-87	2350
2311	Mr. Abdur Rauf Shah BA:MED	GHS Mian Khan Mardan	1984	7-5-56/Mardan	20-2-75	28-1-87	2351
2312	Mr. Sher Zada MA History:MED	GMS Malik Abad Gadoon	1984	9-9-56/Swabi	8-11-75	28-1-87	2352
2313	Mr. Sher Aman MA Urdu:BED	GHS Chanai Gadoon	1984	24-3-60/Swabi	1-1-80	28-1-87	2353

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died

GLOBAL CIVIL BELA
Advocate
of Pakistan
(RSC-5317)



BEFORE THE SERVICE TRIBUNAL, KHYBER PUKHTOONKHA,
PESHAWAR.

Service Appeal No. 2817, 2010

Sc. 2203
Date 23-11-10

Abdur Rauf Shah, Head Master, Boqa EX
S.E.T. (EPS-16) SwabiAppellant

B/II

Versus

1. Government of Khyber Pakhtoonkhwa Secretary Schools & Literacy, Peshawar.
 2. Director, Schools & Literacy, Khyber Pakhtoonkhwa Peshawar.
 3. Secretary to Government of Khyber Pakhtoonkhwa, Finance Department, Peshawar.
 4. Secretary to Government of Khyber Pakhtoonkhwa, Services Department, Peshawar
- Respondents.

Filed to file
22/11/10
Resubmitted

Appeal U/S 4 of the Service Tribunal Act, 1974 for the grant of Selection Grade EPS-17 to the appellant.

Prayer: On acceptance of this appeal, the respondents may please be directed to grant/allow the appellant the selection grade EPS-17 w.e.f. 30-06-2001.

Respectfully sheweth:

1. That the appellant is serving as Headmaster at GHS Boqa Dist Swabi
2. That the Education Department has issued the Notification dated 26-12-2008, thereby selection grade (EPS-17) has been granted to the SET Teacher upto seniority No. 2238
(Copy of the Notification is attached as Annexure "A").

ATTESTED

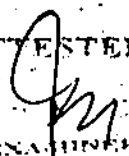
EXAMINER
Khyber Pakhtoonkhwa
Service Tribunal
Peshawar
06-11-24

JAVED IOBAL QALBELA
Advocate
Supreme Court of Pakistan
(ASC # 5317)

- 2 -

3. That the appellant has got at his credit his seniority No. 234 (Copy of seniority list is attached as Annexure "B").
4. That on 14-02-2007 a meeting was held under the supervision of Secretary Elementary & Secondary Education, whereby it was held that till 30-06-2001 the recommended numbers of SETs (Male) was 7532 amongst which 243 teachers were eligible for the selection grade on the basis of 33%. (Copy of the minutes of the meeting is attached as Annexure "C").
5. That the factual position in the above said case is that 05 SET teachers have been double listed, 05 SET teachers have already died, 91 SET teachers have been retired before 30-11-2001 and similarly 18 SET teachers have been regularly promoted through the Public Service Commission, thereby bringing the number of total eligible teachers for the selection becomes 177. (Copies of the Annexures regarding the above noted teachers are attached herewith as Annexures "D" to D/3").
6. That because of the above said position the appellant will alongwith his other colleagues are being deprived of their legal and lawful right of the selection grade for mere clerical mistakes or for not providing the correct and upto date information into the service record.
7. That the appellant has in this connection filed an appeal before the appellate authority for the grant of a selection grade as according to the above noted position there are more 177 vacancies for the selection grade available for the senior SET teachers. (Copy of the departmental appeal is attached as Annexure "E").

ATTESTED


 ENAAM HINER
 Member, Islamabad
 Service Tribunal
 Islamabad

JAVED IQBAL GOLBELA
 Advocate
 Supreme Court of Pakistan
 Islamabad 753171

8. That the appellant now approaches this Hon'ble Tribunal for the grant of above said relief on the following grounds amongst the others :-

G R O U N D S

- a) That the act of the respondents, thereby depriving the appellant from his legal and lawful right of selection grade on mere grounds that the record of 177 teachers has not correctly been made and has not been made upto date is an act illegal, unlawful, without authority/ jurisdiction and being based on the malafide intentions of the respondent department is liable to be set-aside.
- b) That the appellant has been waiting since so many years for his turn to come for the selection grade but on a mere presumption his right of selection grade has been snatched by the respondents department on the grounds that record regarding the retired, dead and promoted teachers has not been correctly made upto date and on his clerical mistake the right of the selection grade of the appellant is being snatched by the respondent department.
- c) That it is mere a lame excuse that the record regarding the 177 teachers as mentioned above is not correct, hence till the correction of this record the appellant will be kept deprived of his right of getting selection grade.
- d) That it is the primary duty of the respondents department to maintain the upto date record as according to the exact factual position of the teachers, thereby deleting the names of the teachers on double list, dead, retired or already

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

JAWED JOBAL COUNSEL
Advocate
Supreme Court of Pakistan
IASC # 53171

retired or already promoted to a higher grade and the failure of the respondents not to maintain the above said record fresh and upto date cannot be a good excuse for depriving the appellant of his legal right of selection grade.

- e) That the appellant is being condemned unheard and being punished without any fault at his part which is an act of unjust and against all the norms of justice.
- f) That it is now the proper time that the appellant should be given his right of selection grade without further delay for spending more time on correction and for the up dating the record.

It is, therefore, prayed that on acceptance of this appeal, this Hon'ble Tribunal may please be kind enough to direct the respondents department to process the case of the appellant for the selection grade and to grant the said selection grade to the appellant, if he is otherwise eligible for the said benefit after making the proper corrections in the above said record.

Abdul Sattar
Appellant

through *Ghulam Nabi*
(Ghulam Nabi)
Advocate, Peshawar.

ATTESTED

[Signature]
EXAMINER
Khyber Pakhtunkhwa
Services Tribunal
Peshawar

JAVED IQBAL QALBELA
Advocate
Supreme Court of Pakistan
IASC # 53171

5

BEFORE THE SERVICE TRIBUNAL, KHYBER PUKHTOONKHA,
PESHAWAR.

Service Appeal No. _____ / 2010

Abdur Hauf ShabAppellant

Versus

Govt. of Khyber pukhtoonkhwa
and othersrespondents.

A P P I D A V I T

I, Ghulam Nabi, Advocate, Peshawar as per instructions
of my client do hereby solemnly affirm and declare on oath that
contents of the accompanying service appeal are true and correct
to the best of my knowledge and belief and nothing has been kept
concealed from this Hon'ble Tribunal.

Ghulam Nabi
Deponent

Certified to be true copy

EXAMINER
Khyber Pakhtoonkhwa
Service Tribunal,
Peshawar.
06-11-24

ATTEST
JAVED IQBAL GULBELA
4/11/24

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
IASC # 53171

Khyber Pakhtoonkhwa Service Tribunal, Peshawar
Application No. 572 Date 29-10-24
Name of Applicant Ummid
Number of Words/Pages 5-P
Copying Fee 25/-
Urgent/Ordinary 5/-
Name & Sign of Copyist Seeshan
Date of Completion of Copy 06-11-24
Date of Return of Copy 11-11-24

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Ann - B/III



29.11.2017

Counsel and Addl. AG for the respondents present. The learned AAG objected to the very jurisdiction of this Tribunal. The learned counsel for the appellant seeks adjournment. Granted. To come up for arguments on 14.12.2017v before the D.B.

[Signature]
Member

[Signature]
Chairman

14.12.2017

Counsel for the appellant and Mr. Kabeerullah Khattak, Addl. AG alongwith Hameedur Rahman, A.D for the respondents present. Arguments heard and record perused.

Vide our detailed judgment of today, in connected service appeal NO. 2813/2010, entitled "Raham Akbar Versus Government of Khyber Pakhtunkhwa through Secretary Schools & Literacy, Peshawar and others", this appeal is also returned to the appellant for seeking redressal before the proper forum with all just legal and factual exceptions. Parties are left to bear their own costs. File be consigned to the record room.

Certified true copy
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar
06-11-24

[Signature]
MEMBER

[Signature]
CHAIRMAN

ANNOUNCED
14.12.2017

Khyber Pakhtunkhwa Service Tribunal, Peshawar	
Application No. <u>572</u>	Date <u>29-10-24</u>
Name of Applicant <u>JAMID 3</u>	
Number of Words/Pages <u>1-1</u>	
Copying Fee <u>5/-</u>	
Urgent/Ordinary <u>5/-</u>	
Total <u>5/-</u>	
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Date of Completion of Copy <u>06-11-24</u>	
Date of Delivery of Copy <u>11-11-24</u>	

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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR



Appeal No. 2813/2010

Date of Institution ... 23.11.2010

Date of Decision ... 14.12.2017

Raham Akbar, Headmaster, GHS Sangao, District Mardan, Ex-SET (BPS-16).
.. (Appellant)

VERSUS

1. Government of KPK through Secretary, Schools & Literacy Peshawar and
others.(Respondents)

MR. MIAN TAJAMMUL SHAH, ... For appellant
Advocate

MR. KABIRULLAH KHATTAK, ... For respondents.
Addl. Advocate General

MR. NIAZ MUHAMMAD KHAN, ... CHAIRMAN
MR. MUHAMMAD AMIN KHAN KUNDI, ... MEMBER

JUDGMENT

NIAZ MUHAMMAD KHAN, CHAIRMAN.-

This judgment shall also

dispose of connected service appeals No. 2814/2010 Habib Shah, No. 2815/2010
Allah Nawaz, No. 2816/2010 Hidayatul Haq, No. 2817/2010 Abdur Rauf Shah, No.
2818/2010 Fazlur Raziq, No. 2819/2010 Sherzada, No. 2829/2010 Mumtaz Khan,
No. 2821/2010 Sher Afzal, No. 2822/2010 Sarzamin Khan, No. 2823/2010 Hazrat
Usman, No. 2824/2010 Eid Gul, No. 2825/2010 Syed Mir Hassan Jan, No. 2826/10
Qari Muhammad Shafique, No. 2827/10 Naik Nawaz, No. 2828/2010, Ali Haider
No. 2829/2010 Ali Muhammad, No. 2830/2010 Muhammad Farooq, No. 2831/2010

JAVED IQBAL MULBELA
Advocate
Supreme Court of Pakistan
MSO. # 53371

07-11-24

Iftikharud Din, No. 2832/2010 Abdul . ayat, No. 2833/2010 Munir Hassan, No. 2834/2010 Malik Aman, No. 2835/2010 Sher Aman, No. 2836/2010 Jamshid Khan, No. 2837/2010 Gulab Khan, No. 2838/2010 Minhaj Ahmad, No. 2839/2010 Abdur Raziq, No. 3103/2010 Muhammad Saleem, NMo. 3104/2010 Syed Khalil-ur-Rehman Abbasi, No. 3105/2010 Muhammad Sarfaraz, No. 3106/2010 Aman Ullah Khan, No. 2196/2010 Mushtaq-ur-Rehman, No. 2197/2010 Shah Jehan, No. 11/2011 Muhammad Younas, No. 12/2011 Muhammad Tsayyab, No. 13/2011 Syed Yousaf Shah, No. 14/2011 Talib Ullah, No. 1636/2011 Abdul Qadeem Shah, No. 1637/2011 Syed Manzoor Shah, No. 1638/2011 Mubarak Haleem, No. 1639/2011 Sarwar Khan, No. 1640/2011 Ajmal Khan, No. 1641/2011 Abdul Sattar No. 62/2012 Gulab Khan and 1379/2013 Mir Salam as in all the appeals common questions of law and facts are involved.

2. Arguments of the learned counsel for the parties heard and record perused.

FACTS

3. The appellants have prayed for grant of selection grade due to their seniority and eligibility. This Tribunal on the last date directed both the parties to argue the jurisdiction of this Tribunal regarding the issue in hand.

ARGUMENTS.

4. The learned counsel for the appellants argued that the present appeals involved the matter of grant of selection grade and in view of the judgment of Worthy Peshawar High Court entitled "*Maulana Ihsanul Hadi Vs. Government of Khyber Pakhtunkhwa and 4 others*" reported as 2015-PLC(C.S) 779, the grant of selection grade relates to terms and conditions of service and this Tribunal therefore, has the jurisdiction in view of the above mentioned judgment. The learned counsel for the appellants further relied upon a judgment of this Tribunal in service appeal No. 1/2016 entitled "*Bakht Zada Vs. Government of Khyber Pakhtunkhwa and two others*" decided on 07.08.2017 wherein the relief for grant of

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selection grade was given to the appellants. The learned counsel for the appellants argued that though in the judgment of the august Supreme Court of Pakistan reported as 2016-SCMR-859 entitled "*Regional Commissioner Income Tax Vs. Syed Munawar Ali*" upgradation has been held to be outside the jurisdictional ambit of this Tribunal but the issue of selection grade has not been discussed in that very judgment and therefore, the judgment of the Worthy Peshawar High Court referred to above to the extent of selection grade would remain intact.

5. On the other hand the learned AAG argued that this Tribunal in a case entitled "*Sajid Firdous Vs. Government of Khyber Pakhtunkhwa and others*" in service appeal No. 467/2012 decided on 20.09.2017 held that the issue of selection grade was not within the jurisdiction of this Tribunal. The learned AAG further argued that in view of the judgment of Khan Toti reported as 2015-SCMR-1206 read with judgment entitled "*Province of Punjab Vs. Ghulam Rasool and others*" reported as 1990-SCMR-1106, the issue of selection grade not being part of terms and conditions of service fall outside the jurisdictional ambit of this Tribunal.

10/11/17

CONCLUSION.

6. The judgment of the worthy Peshawar High Court referred to by the learned counsel for the appellant involved the issue of upgradation and not selection grade. However, during discussion the worthy Peshawar High Court while upholding that upgradation would be promotion to higher scale also put the selection grade in the same category and decided that the selection grade as well as upgradation would relate to terms and conditions of service and would therefore falls within the ambit of Article 212 of the Constitution of Islamic Republic of Pakistan. But the august Supreme Court of Pakistan in the case of upgradation in the case of *Regional Income Tax* held otherwise. The ratio of the said judgment is that upgradation is distinct from the expression promotion which is not defined either in the Khyber

10/11/17

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 5317)

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Pakhtunkhwa Civil Servants Act or the rules framed there under. The august Supreme Court of Pakistan finally held that upgradation could not be called as promotion but can be granted through a policy. Another judgment of the august Supreme Court of Pakistan reported as 2017 SCMR 890 while referring to above mentioned judgment further elaborated the issue and upheld that upgradation was carried out without creation of post in the relevant scale and was under a policy. That upgradation is personal to the incumbent of the isolated post. In view of the said two judgments upgradation was not considered to be promotion and therefore, being based on a policy was outside of the terms and conditions of a civil servant. The judgment of the Worthy Peshawar High Court put selection grade and upgradation in one class by terming these to be part of terms and conditions of service due to being identical. But since the *ratio* of the judgment of the Supreme Court is applicable to both selection grade as well as upgradation because both are carried out under a scheme/policy and both are not defined in the Khyber Pakhtunkhwa Civil Servants Act or the rules and both cannot be termed as promotion for certain purposes. Therefore, this Tribunal is of the view that the judgment of the Worthy Peshawar High Court to the extent of selection grade has also been upset by the *ratio* of both the judgments of the august Supreme Court of Pakistan.

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7. Coming to the conflicting judgments of this Tribunal mentioned above we are to see whether the issue of jurisdiction was raised and decided in the service appeal No. 1/2016 or only relief was granted. In this very judgment, this Tribunal granted relief of selection grade only as the issue of jurisdiction was never raised or decided by this Tribunal and as such this judgment is *sub silentio* on the issue of selection grade. The issue was specifically decided in Sajid Firdous case by the Tribunal and settled a positive *ratio* to be followed.

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JAVED ICRAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC.# 5317)

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8. In view of the above discussion this Tribunal is of the view that it lacks the jurisdiction in the matter of selection grade being not part of terms and conditions of service. All the appeals are returned to the appellants for seeking redressal before the proper forum with all just legal and factual exceptions. Parties are left to bear their own costs. File be consigned to the record room.

(Signature)
(NAZ MUHAMMAD KHAN)
CHAIRMAN

(Signature)
(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

ANNOUNCED
14.12.2017

(Signature)
07-11-24

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29-10-24
11-11-24

JAVED IQBAL GULBEILA
Advocate
Supreme Court of Pakistan
(ASC # 5317)

IN THE HON'BLE PESHAWAR HIGH COURT, PESHAWAR

W.P. No. 435P / 2018



1. Abdul Qadeem Shah, Head Master GHS Khula, Dand District Charsadda.
2. Syed Manzoor Shah, Head Master GHS Khula Dher, District Charsadda.
3. Mubarak Haleem Head Master District Abazar District Charsadda.
4. Sarwar Khan Head Master GHS Gandheri Tangi District Charsadda.
5. Ajmal Khan Head Master Retired GHS Gula Abad Tangi District Charsadda

Petitioners

VERSUS

1. Government of Khyber Pakhtunkhwa, through Secretary Elementary and Secondary Education, Civil Secretariat Peshawar.
2. Government of Khyber Pakhtunkhwa through Secretary Finance Civil Secretariat Peshawar.
3. Director Education Khyber Pakhtunkhwa G.T. Road, Peshawar.

Respondents

FILED TODAY
Deputy Registrar
JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
ASC # 5317
19 JAN 2018

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
ASC # 5317

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
ASC # 5317

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PESHAWAR HIGH COURT PESHAWAR
FORM "A"
FORM OF ORDER SHEET

Court of.....

Case No.....



Serial No. of Order or Proceedings	Date of Order or Proceedings	Order or other Proceedings with Signature of Judge or that of parties or counsel where necessary
	28.03.2018	<p><u>WP No. 435-P/2018.</u></p> <p>Present:</p> <p>Mr. Ghulam Nabi Khan, Advocate for petitioners.</p> <p>Mr. Mohammad Riaz, AAG alongwith Miss Nadia, Advocate, Litigation E&SED.</p> <p>*****</p> <p><u>ROOF-U-AMIN KHAN, J:</u> Through the instant petition under Article-199 of the Constitution of Islamic Republic of Pakistan, 1973, petitioners have prayed for issuance of the following writ.</p> <p>" It is therefore, humbly prayed that the teachers who have been double listed, died, retired before 30.11.2001 and similarly promoted to B-18 should be deducted from the above said list and the respondents be directed to process case of petitioners for the selection grade and to grant the said selection grade to the petitioners if they are otherwise eligible for the said benefit after making proper correction the above said record."</p>

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 5317)

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 5317)

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 5317)

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2. In view of the submissions of learned counsel for petitioners, the worthy AAG was put on notice who sought time to consult the concerned department. After a while he turned up, came to the rostrum and stated at the bar that the department has empowered him that in the final seniority list the name (s) of deceased employee(s), retired employee (s) before 30.11.2001, already promoted employee (s) to BPS-18 as well as the doubling shall be deleted and the seniority list of in-service employees be rectified, therefore the case of petitioners will be processed for entitlement of grant of selection grade if they otherwise eligible for the same.

3. In view of statement of learned AAG, the instant writ petition is disposed of accordingly.

Announced on:
28th of March, 2018

JUDGE
JUDGE

(DB)
Mr. Justice Rooh-Ul-Amin Khan & Mr. Justice Syed Ahsan Shah

CERTIFIED TO BE TRUE COPY

Power of Attorney, Peshawar
Authority Under Article 163 of
The Constitution of Pakistan, 1973

07 APR 2018

JAVED IQBAL GULEER
Advocate
Supreme Court of Pakistan
(ASC # 5317)

JAVED IQBAL GULEER
Advocate
Supreme Court of Pakistan
(ASC # 5317)

(47)



IN THE HON'BLE PESHAWAR HIGH COURT, PESHAWAR

W.P. No. 4697 /2018

1. Raham Akbar, Head Master (Retd) GHS Babuzai, Mardan.
2. Mir Salam Khan, SET, Vice Principal (Retd), GHS Rustam, District Mardan.
3. Hidayat Ul Haq, Head Master (Retd) GHS Satti Abad, District Charsadda.
4. Sher Zada, SST (Retd) GHSS No.1 Tangi District Charsadda.
5. Muhammad Saleem, Principal (Retd) GHS No.1 Tangi, District Charsadda.
6. Gulab Khan, Head Master (Retd) GHS Lakki Marwat.
7. Aman Ullah Khan Head Master (Retd) GHS Wargha Banda, District Karak.
8. Eid Gul, SST (Retd) GHS Jata Ismail Khan, District Karak.
9. Habib Shah, Head Master (Retd) GHS Shaheendan Wazir Karak.
10. Muhammad Farooq, Head Master (Retd), GHS Saratti Killi, District Karak.
11. Sher Afzal, Head Master (Retd) GHS Sarfaraz Killi Charsadda.
12. Muhammad Shafique, SST Head Master (Retd) GHS Bala Ghari, District Mardan.

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
IASO # 53171

FILED TODAY
Deputy Registrar

22 JAN 2018

ATTESTED
EXAMINER
Peshawar High Court

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13. Muhammad Younas S.D.E.O (Retd) District Battagram.
14. Abdur Rauf, Head Master (Retd) GHS Shamoza, District Mardan.
15. Hazrat Usman, Head Master GHS Sarfaraz Killi District Charsadda.
16. Muhammad Tayyab, (Retd) Head Master GHS Battagram, District Battagram.
17. Nek Nawaz, Head Master GHS Sheikhan District Kohat.
18. Mumtaz Khan (Retd) Head Master GHS Ahmad Khel, Lakki Marwat.
19. Minhaj Ahmad (Retd) Head Master GHS Mohabbat Abad, District Mardan.
20. Malik Aman (Retd) SST GHS Bakhshali District Mardan.
21. Ali Haider (Retd) SST GHS No.1 District Mardan.
22. Munir Hussain Head Master GHS Sameer Lower Kurram Agency.
23. Talib Ullah Head Master GHS Shamlai, District Battagram.
24. Mushtaq Ur Rehman (Retd) Head Master GHS Ramorha, District Dir Lower.

Petitioners

VERSUS

1. Government of Khyber Pakhtunkhwa, through Secretary Elementary and Secondary Education, Civil Secretariat Peshawar.

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASO # 5317)

FILED FOR BY
Deputy Registrar
22 JAN 2018

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Peshawar High

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PESHAWAR HIGH COURT, PESHAWAR
FORM OF ORDER SHEET

Date of Order or Proceedings	3	
06.11.2018	W.P No.469-P/2018.	
	<p>Present: Barrister Mian Tajammal Shah, Advocate, counsel for the petitioners.</p> <p>Syed Sikandar Hayat Shah, AAG, for the respondents.</p> <p>****</p> <p><u>QALANDAR ALI KHAN, J.-</u> Raham Akbar and 25 other petitioners, being employees of the Education Department, invoked the constitutional jurisdiction of this Court under Article 199 of Constitution of the Islamic Republic of Pakistan, 1973, with the following prayer:-</p> <p><i>"It is, therefore, humbly prayed that the teachers who have been double listed, died, retired before 30.11.2001 and similarly promoted to BPS-18 should be deducted from the above said list and the respondents be directed to process case of the petitioners for the selection grade and to grant the said selection grade to the petitioners if they are otherwise eligible for the said benefit after making proper correction in the above said record.</i></p> <p><i>Any other order deemed fit and proper under the circumstances and have not been properly asked for may also please be granted very graciously."</i></p> <p>2. At the outset, the learned counsel for the petitioners submitted a copy of order dated 28.03.2018 of this Court in an identical case</p>	

JAVED IOBAL GULBEILA
Advocate
Supreme Court of Pakistan
(ASC # 3217)

ATTESTED
EXAMINER
Peshawar High Court

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vide W.P No.435-P/2018, whereby the writ petition was disposed of in the terms stated therein. The learned AAO did not oppose the disposal of the instant writ petition in the light thereof.

3. Therefore, the instant writ petition is also disposed of in the terms that in the final seniority list, the name(s) of deceased employee(s), retired employee(s) before 30.11.2001, already promoted employee(s) to BPS-18 as well as names of those employees who figure twice in the list shall be deleted/omitted, and seniority list of in-service employees rectified/updated, accordingly; where-after case of the petitioners shall be processed for consideration of their entitlement for grant of selection grade if they were otherwise found eligible for the same.

4. The writ petition is, accordingly, disposed of in the above stated terms.

Announced
06-11-2018



SENIOR PUISNE JUDGE

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JUDGE

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(D.S)

Hon'ble Mr. Justice Qazi Fazil Khan.
Hon'ble Mr. Justice Qazi Fazil Khan.

(M. 4400)

JAVED IOBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC/16317)

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**BEFORE THE HON'BLE PESHAWAR HIGH COURT
PESHAWAR**

Writ Petition No. 57617/2019

1. Gul Zareef, Retired SST, Govt. High School Wardaga, Charsadda R/o Gul Abad, Charsadda.
2. Saeed Ullah, Retired Headmaster, Govt. High School Katan Balan, Dir Upper.
3. Muhammad Nazir, Retired Headmaster, Govt. High School Maina Battan, Dir Lower.
4. Shahir ud Din, Retired Headmaster, Govt. High School Kharki Dheri, Malakand.
5. Ali Akbar, Retired SST, Govt. High School Totalai, Bunner.
6. Jamroz Khan (Late), Retired SST, Govt. High School Chengai, Bunner, through his son Mushtaq.
7. Sadrul Alam, Retired Headmaster, Govt. High School Dara Serai, Shangla.
8. Khurshid ul Haq, Retired Headmaster, Govt. High School Siyawarghar, Dir Lower.
9. Hazrat Hassan, Retired Headmaster, Govt. High School Banda Talash, Dir Lower.
10. Ahmad Khalil, Retired Headmaster, Govt. High School Rehan Kot, Dir Upper.
11. Faiz ur Rehman, Retired Headmaster, GCMHS Batkhela, Malakand.

JAVED IQBAL QULBELA
Advocate
Supreme Court of Pakistan
(ASC # 117)

FILED TODAY
Deputy Registrar
24 OCT 2019

ATTESTED
EXAMINER
Peshawar High Court

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12. Sadiq Jan (Late), Retired Headmaster, Dir Upper through his son Sami ur Rehman. PETITIONERS.

VERSUS

- 1. Govt. of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education, Civil Secretariat, Peshawar.
- 2. Govt. of Khyber Pakhtunkhwa through Secretary Finance, Civil Secretariat, Peshawar.
- 3. Director Education, Khyber Pakhtunkhwa, G.T Road, Firdous Chowk, Peshawar. RESPONDENTS.

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

Respectfully Sheweth:

- 1. That the petitioners were the employees of Education Department, and were serving in the Schools mentioned against their names respectively, and being Pakistani national having the protection of laws of the land and constitution of the Islamic Republic of Pakistan, 1973.
- 2. That petitioners Sadiq Jan and Jamroz Khan are died and their sons namely Sami ur Rehman and Mushtaq respectively will represent them. (COPIES OF THE DEATH CERTIFICATE, SUCCESSION CERTIFICATE AND CNIC ARE ANNEXURE "A").

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 5317)

FILED TODAY
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24 OCT 2019

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Peshawar High Court

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PESHAWAR HIGH COURT, PESHAWAR.

ORDER SHEET

Date of Order or Proceedings	Order or others Proceedings with Signature of Judge or counsel where necessary
1	2
12.02.2020	<p><u>W.P NO. 5761-P/2019.</u></p> <p>Present: Barrister Mian Tajamal Shah, for the petitioners.</p> <p>Syed Sikandar Hayat Shah, AAG for the respondents.</p> <p>*****</p> <p><u>MUHAMMAD NAEEM ANWAR, J.</u> Through this writ petition under Article 199 of the constitution of the Islamic Republic of Pakistan, 1973, the petitioners Gul Zareef and twelve others seek issuance of a writ directing the respondents to process their case for their selection grade as per the seniority list.</p> <p>2. As per averments of the petition, the petitioners were the employees of Education department and the respondents issued a notification dated 26.12.2018 whereby selection grade (BPS-17) was granted to the SET Teachers upto seniority No. 2223 and in this respect, their other colleagues filed writ petition No. 469/2018 before this Court, which was allowed, however, the respondents are not granting selection grade. According to them, they being citizen of Pakistan are deserved to the equal protection of law and they are</p>

ATTESTED
EXAMINER
Peshawar High Court

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC #5317)

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required to be dealt with in accordance with law.

3. Arguments heard and record perused.

4. The record reveals that earlier other colleagues of the petitioners had filed writ petition No. 469-P/2018, which was allowed by this court on 06.11.2018 in the following terms:-

"2. At the outset, the learned counsel for the petitioners submitted a copy of order dated 28.03.2018 of this Court in an identical case vide W.P. No. 435-P/2018, whereby the writ petition was disposed of in the terms stated therein. The learned AAG did not oppose the disposal of the instant writ petition in the light thereof.

3. Therefore, the instant writ petition is also disposed of in the terms that in the final seniority list, the name(s) of deceased employec(s), retired employees(s) before 30.11.2001; already promoted employees(s) to BPS-18 as well as names of those employees who figure twice in the list shall be deleted/omitted, and seniority list of in service employees rectified/updated, accordingly; thereafter case of the petitioners shall be processed for consideration of their entitlement for grant of section grade if they were otherwise found eligible for the same.

4. The writ petition is, accordingly, disposed of in the above stated terms."

5. When writ Petition No. 469-P/2018 filed by the other similarly placed persons, involving similar controversy, has been allowed by this court, vide judgments dated 06.11.2018, therefore, we, in the

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 9317)

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EXAMINER
Peshawar High Court

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circumstances of the case, admit and allow this writ
petition as prayed for in the light of judgment of this
court passed in writ petition No. 469-P/2018.

Announced
12.02.2020
"M.Zafar PS"


SENIOR PUISNE JUDGE


JUDGE

(DB: Hon'ble Mr. Justice Qazi Fazal Khan &
Hon'ble Mr. Justice Muhammad Naeem Anwar)

RECORDED 16 FEB 2020

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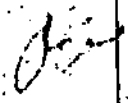
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JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(AS) # 5317

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BEFORE THE PESHAWAR HIGH COURT PESHAWAR.

COC NO. 328 P OF 2021 IN W.P NO. 469-P/2018.

1. Raham Akbar, Head Master Retired GHS Babu ai, Mardan.
2. Mir Salam Khan, SET, Voice Principle Retired GHS Rustam, District Mardan.
3. Muhammad Shafiq, SST Headmaster Retired GHS Bala Ghari District Mardan.
4. Sher zada, SST Retired GHSS no.1 Tangi, District Charsada.
5. Abdur Rauf, Headmaster Retired GHS Shmoa i, District Mardan.
6. Haz rat Usman, Headmaster GHS Sarfara Kalli, District Charsada.
7. Aman Ullah Khan, Headmaster Retired GHS Wargha Banda, District Karak.
8. Muhammad Farooq, Headmaster Retired GHS Sarati Killi, District Karak.
9. Muhammad Ajmal, SST Retired GHSS no.1 Tangi, District Charsada.
10. Sher Afazal, Headmaster Retired GHS Sarfara Killi, District Charsada.

FILED *[Signature]*
Deputy Registrar
05 JUL 2021

JAVEL IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 5317)

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BEFORE THE PESHAWAR HIGH COURT PESHAWAR.

COC. NO OF 2021 IN W.P NO. 469-P/2018.

1. Raham Akbar, Head Master Retired GHS Babuzai, Mardan.
2. Mir Salam Khan, SET, Voice Principle Retired GHS Rustam, District Mardan.
3. Muhammad Shafiq, SST Headmaster Retired GHS Bala Ghari District Mardan.
4. Sher zada, SST Retired GHSS no.1 Tangi, District Charsada.
5. Abdur Rauf, Headmaster Retired GHS Shmoazi, District Mardan.
6. Hazrat Usman, Headmaster GHS Sarfara Kalli, District Charsada.
7. Aman Ullah Khan, Headmaster Retired GHS Wargha Banda, District Karak.
8. Muhammad Farooq, Headmaster Retired GHS Sarati Killi, District Karak.
9. Nek Nawaz, Headmaster GHS Shikhan,, District Kohat.
10. Eid Gul, SST Retired GHS Jata Ismail Khel, Distract Karak.
11. Muhammad Ajmal, SST Retired GHSS no.1 Tangi, District Charsada.
12. Sher Afzal, Headmaster Retired GHS Sarfara Killi, District

JAVED IOBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC# 317)

FILED TODAY
Deputy Registrar
28 JUL 2021

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11. Mumtaz Khan, Headmaster Retired GHS Ahmad Khel, Lakki Marwat.
12. Gulab Khan, Headmaster Retired GHS Lakki Marwat.
13. Muhammad Saleem, Principle Retired GHS no.1 Tangi, District Charsada.
14. Mushtaq ur Rehman, Retired Headmaster GHS Ramorha District Dir Lower.
15. Muhammad Tayyab, Retired Headmaster GHS Batagram District Batgram.
16. Muhammad Younas, S.D.E.O Retired District Batgram.
17. Talib Ullah, Headmaster GHS Shamlai District Batgram.
18. Iftikhar Uddin, Chitral District Chitral.
19. Ajmal Khan Headmaster Retired GHS Gula Abad Tangi District Charsada.

.....Applicants/Petitioners).

VERSUS:

1. Govt of K.P.K Through Chief Secretary Secretariat Peshawar.
2. Govt of K.P.K Secretary (E & SE) Dep't Civil Secretariat Peshawar.

FILED TODAY

Deputy Registrar

05 JUL 2021

JAVED IOBA GULBELA
Advocate
Supreme Court of Pakistan
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13. Mumtaz Khan, Headmaster Retired GHS Ahmad Khel, Lakki Marwat.
14. Gulab Khan, Headmaster Retired GHS Lakki Marwat.
15. Muhammad Saleem, Principle Retired GHS no.1 Tangi, District Charsada.
16. Mushtaq ur Rehman, Retired Headmaster GHS Ramorha District Dir Lower.
17. Muhammad Tayyab, Retired Headmaster GHS Batagram District Batgram.
18. Muhammad Younas, S.D.E.O. Retired District Batgram.
19. Talib Ullah, Headmaster GHS Shamlai District Batgram.
20. Iftikhar Uddin Chitral District Chitral.

.....Applicants/Petitioners).

VERSUS

1. Dr Kazim Niaz Chief Secretary Govt of K.P.K Secretariat Peshawar.
2. Yahya Akhon zada Secretary (E & SE) Govt of K.P.K Civil Secretariat Peshawar.
3. Hafiz Dr Muhammad Ibrahim Director (E & SE) Department Near no.1 School Peshawar.

.....(Respondents).

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC 75317)

FILED TODAY
Deputy Registrar
28 JUL 2021

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3. Director (E & SE) Department: Near no.1 School Peshawar.
.....(Respondents).

**PETITION UNDER ARTICLE 204 OF THE CONSTITUTION
OF ISLAMIC REPUBLIC OF PAKISTAN, 1973, SECTION 3
& 4 OF CONTEMPT OF COURT ACT, 1976 FOR
INATIATING CNTEMPT OF COURT PROCEEDING
AGAINST THE RESPONDENTS.**

Respectfully sheweth:

1. That the petitioners filed writ petition NO. 469-P/2018 on 13.03/17.
2. That this Honorable court was kind enough to passed an orders/judgments/ on 6.11.2018 and 28.3.18s. (Copies of the judgment / orders are annex A and B)
3. That in spite of the fact that more than 2-3 years been passed of the judgments of this Honorable court, applicants/ petitioners approached so many time to respondents to act upon over the order / judgment accordingly, but matter is there where it was.
4. That respondents after the judgment only constituted committees which is four in numbers of which till date no

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05 JUL 2021

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 3877)

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PETITION UNDER ARTICLE 204 OF THE CONSTITUTION OF ISLAMIC REPUBLIC OF PAKISTAN, 1973, SECTION 3 & 4 OF CONTEMPT OF COURT ACT, 1976 FOR INIATING CNTEMPT OF COURT PROCEEDING AGAINST THE RESPONDENTS.

Respectfully sheweth:

1. That the petitioners filed writ petition NO. 469-P/2018.
2. That this Honorable court was kind enough to passed an order/judgment/ on 28.3.18.
(Copies of the judgment / order as annex A).
3. That in spite of the fact that more than three years been passed of the judgment of this Honorable court, applicants/ petitioners approached so many time to respondents to act upon over the order / judgment accordingly but matter is there where it was.
4. That respondents after the judgment only constituted committees which is four in numbers of which till date no fruitful result is there.
5. That 1st committee was constituted on 3.4.19 same without any result the then 2nd was constituted on 13.6.19 whom present report on 5.11.19 same without further any action similarly 3rd committee and 4th one on 22.1.2021 which is

JAVED IOBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 4317)

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JUDGMENT SHEET
PESHAWAR HIGH COURT, PESHAWAR
JUDICIAL DEPARTMENT

COC No.328-P/2021 in W.P. No.469-P/2018

Raham Akbar and others

Vs.

**Government of Khyber Pakhtunkhwa through Chief
Secretary, Peshawar and others**

Date of hearing **22.12.2021**

Petitioner(s) by: **Mr. L. Nawab Ali Noor, Advocate.**

Respondent(s) by: **Syed Qaiser Ali Shah, AAG.**

JUDGMENT

IJAZ ANWAR, J. Through this judgment, we intend to decide the instant COC petition and COC bearing **No.368-P/2021 in Writ Petition No.5761-P/2019** titled "**Gul Zarif and others Vs. Government of Khyber Pakhtunkhwa through Chief Secretary, Peshawar and others**", since in both these cases, petitioners are seeking initiation of Contempt of Court proceedings against the respondents for not complying with/implementing the judgments and orders dated 06.11.2018 and 12.02.2020 passed in the subject writ petitions, which were allowed and disposed of.

2. Arguments heard and record perused.
3. Perusal of the record reveals that this Court has vide order dated 06.11.2018 disposed of the writ petition of the present petitioners with direction to the respondents to

IAVED IOBAL GULBELA
Advocate
Supreme Court of Pakistan
(MSC# 117)



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consider them for grant of selection grade, if they are found entitled/eligible. In response to the notices issued in the instant petitions, respondents have submitted the implementation report/Notification dated 18.11.2021, whereby, the case of the petitioners for grant of selection grade was duly considered and they were declared as "not entitled for the said award of selection grade". Copy of the said Notification was duly conveyed vide letter dated 18.11.2021.

4. In view of the above when the order of this Court has duly been complied with; as such, no case for contempt of Court is made out. In view thereof, this and the connected COC petition stand dismissed. Notices issued to the respondents are hereby withdrawn.

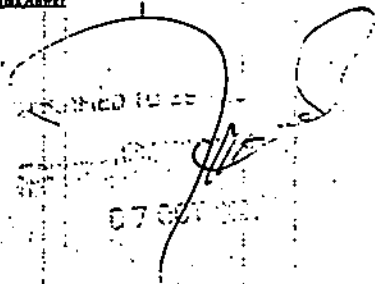
Announced
Dt: 22.12.2021


Chief Justice


Judge

(D.D., Hon'ble Mr. Justice Qazi Fazlur Rahman, F.C.I and Hon'ble Mr. Justice Ijaz Ahmad)

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AVED IOBAL GULBELA
Advocate
Supreme Court of Pakistan
HSC # 327

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BEFORE THE PESHAWAR HIGH COURT PESHAWAR.

COC. N.O. 3687 OF 2021 IN W.P NO. 5761-P/2019.



1. Gul Zarif , SST Retired GHS Wardaga Charsada.
2. Saeed Ullah, SET, Retired H.M GHS Katan Balan Dir Upper.
3. Muhammad Nazir , Retired I.M GHS Mina Battan Dir Lower.
4. Shair Ud Din , Retired H.M GHS Kharki Dheri, Malakand
5. Ali Akbar , Retired SST GHS Totali Bunner
6. Jamroz Khan , late Rtd SST GHS Chengi Bunner through his son Mushtaq.
7. Sadrul Alam Rtd Headmaster GHS Dara Serai Shangla.
8. Ahmad Khalil , Headmaster Retired GHS Rehan Kot Dir Upper.
9. Sadiq Jan late , Headmaster GHS Dir Upper through his son Sami Ur Rehman.
10. Fazal Raziq , SST Retired GHS Barikot Swat.
11. Noor zaman , SST Retired GHS Srai Bala Dir Lower.

.....Applicants/Petitioners).

VERSUS

1. Dr Kazim Niaz Chief Secretary Govt of K.P.K Secretariat Peshawar.
2. Yahya Akhon zada Secretary (E & SE) Govt of K.P.K Civil Secretariat Peshawar.

IAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
S.C. No. 50171

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28 JUL 2021

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ATTORNEY
PESHAWAR HIGH COURT

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3. Hafiz Dr Muhammad Ibrahim Director (E & SE) Department
Near no.1 School Peshawar.

.....(Respondents).

**PETITION UNDER ARTICLE 204 OF THE CONSTITUTION
OF ISLAMIC REPUBLIC OF PAKISTAN, 1973, SECTION 3
& 4 OF CONTEMPT OF COURT ACT, 1976 FOR
INATIATING CNTEMPT OF COURT PROCEEDING
AGAINST THE RESPONDENTS.**

Respectfully sheweth:

1. That the petitioners filed writ petition NO. 5761-P/2019.
2. That this Honorable court was kind enough to passed
an orders/judgments/ on 12.2.20.
(Copies of the judgment / order as annexed).
3. That in spite of the fact that more than two and half years been
passed of the judgments of this Honorable court, applicants/
petitioners approached so many time to respondents to act
upon over the order / judgment accordingly but matter is
there where it was.
4. That respondents after the judgment only constituted
committees which is four in numbers of which till date no
fruitful result is there.
5. That 1st committee was constituted on 3.4.19 same without
any result the then 2nd was constituted on 13.6.19 whom
present report on 5.11.19 same without further any action.

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC-317)

FILED TODAY
Deputy Registrar

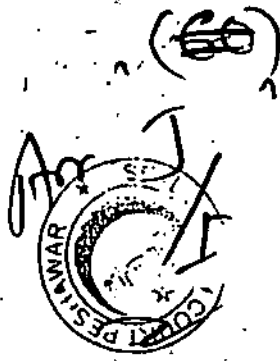
28 JUL 2021

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JUDGMENT SHEET
PESHAWAR HIGH COURT, PESHAWAR
JUDICIAL DEPARTMENT



COC No.368-P/2021 in W.P. No.5761-P/2019

Gul Zarif and others

Vs.

Government of Khyber Pakhtunkhwa through Chief Secretary, Peshawar and others.


Date of hearing 22.12.2021
Petitioner(s) by: Mr. L. Nawab All Noor, Advocate.
Respondent(s) by: Syed Qaiser Ali Shah, AAG.

JUDGMENT

IJAZ ANWAR, J. For the reasons recorded in COC bearing No.328-P/2021 in Writ Petition No.469-P/2018 titled "Raham Akbar and others Vs. Government of Khyber Pakhtunkhwa through Chief Secretary, Peshawar and others", this COC petition stands dismissed. Notices issued to the respondents are hereby withdrawn.

Announced
Dt:22.12.2021


Chief Justice


Judge

Qtd. Hon'ble Mr. Justice Qaiser Rashid Khan, J.C. and Hon'ble Mr. Justice Ijaz Anwar.

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
SEC# 5-11

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JUDGMENT SHEET
PESHAWAR HIGH COURT, PESHAWAR
JUDICIAL DEPARTMENT



COC No.328-P/2021 in W.P. No.469-P/2018

Raham Akbar and others

Vs.

Government of Khyber Pakhtunkhwa through Chief Secretary, Peshawar and others

Date of hearing 22.12.2021
Petitioner(s) by: **Mr. L. Nawab Ali Noor, Advocate.**
Respondent(s) by: **Syed Qaiser Ali Shah, AAG.**

JUDGMENT

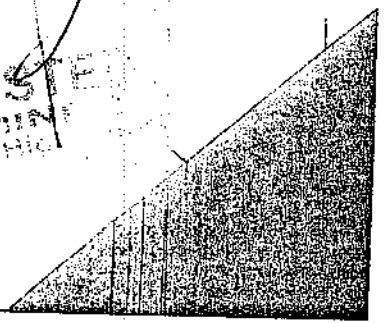
IJAZ ANWAR, J. Through this judgment, we intend to decide the instant COC petition and COC bearing No.368-P/2021 in Writ Petition No.5761-P/2019 titled "Gul Zarif and others Vs. Government of Khyber Pakhtunkhwa through Chief Secretary, Peshawar and others", since in both these cases, petitioners are seeking initiation of Contempt of Court proceedings against the respondents for not complying with/implementing the judgments and orders dated 06.11.2018 and 12.02.2020 passed in the subject writ petitions, which were allowed and disposed of.

- 2. Arguments heard and record perused.
- 3. Perusal of the record reveals that this Court has vide order dated 06.11.2018 disposed of the writ petition of the present petitioners with direction to the respondents to

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SAVED IGBAL QULBELA
Advocate
Supreme Court of Pakistan
(SC 7/2017)

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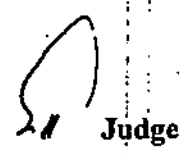
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consider them for grant of selection grade, if they are found entitled/eligible. In response to the notices issued in the instant petitions, respondents have submitted the implementation report/Notification dated 18.11.2021, whereby, the case of the petitioners for grant of selection grade was duly considered and they were declared as "not entitled for the said award of selection grade". Copy of the said Notification was duly conveyed vide letter dated 18.11.2021.

4. In view of the above when the order of this Court has duly been complied with; as such, no case for contempt of Court is made out. In view thereof, this and the connected COC petition stand dismissed. Notices issued to the respondents are hereby withdrawn.

Announced
Dt:22.12.2021


Chief Justice


Judge

028. Hon'ble Mr. Justice Qazi Faez Islam, RCL and Hon'ble Mr. Justice Usama Aslam

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JAVED IQBAL QULBELA
Advocate
Supreme Court of Pakistan
(ASC R. 1317)

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BEFORE THE PESHAWAR HIGH COURT PESHAWAR.

COC. NO 167 OF 2022 IN W.P NO. 469-P/2018.



1. Raham Akbar, Head Master Retired GHS Babu ai, Mardan.
2. Mir Salam Khan, SET, Voice Principle Retired GHS Rustam, District Mardan.
3. Muhammad Shafiq, SST Headmaster Retired GHS Bala Ghari District Mardan.
4. Sher Zada, SST Retired GHSS no.1 Tangi, District Charsada.
5. Abdur Rauf, Headmaster Retired GHS Shmoa i, District Mardan.
6. Ha Zrat Usman, Headmaster GHS Sarfara Kalli, District Charsada.
7. Aman Ullah Khan, Headmaster Retired GHS Wargha Banda, District Karak.
8. Muhammad Farooq, Headmaster Retired GHS Sarati Killi, District Karak.
9. Nek Nawaz, Headmaster GHS Shikhan, District Kohat.
10. Eid Gul, SST Retired GHS Jata Ismail Khel, Distract Karak.
11. Muhammad Ajmal, SST Retired GHSS no.1 Tangi, District Charsada.
12. Sher Afazal, Headmaster Retired GHS Sarfara Killi, District

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC 7/17)

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26 APR 2022



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PESHAWAR HIGH COURT, PESHAWAR
FORM OF ORDER SHEET

Date of Order of Proceedings	Order or other Proceedings with Signature of Judge.
1	2
<p>ORDER 13.09.2022</p>	<p>COC No.167-P/2022 in COC No.328-P/2021 in Writ Petition No.469-P/2018</p> <p>Present: Mr. Javed Iqbal Gulbela, Advocate, for Raham Akbar etc., petitioners.</p> <p>Syed Sikandar Hayat Shah, Addl. AG, along with Mr. Muhammad Rizwan, Assistant Director (Legal), for the respondents.</p> <p>*****</p> <p>QAISER RASHID KHAN, CJ.-The former seeks the withdrawal of the instant petition as he intends to challenge the Notification dated 18.11.2021 of the Director, Elementary & Secondary Education, Khyber Pakhtunkhwa whereby award of selection grade has been denied to the petitioners. Order accordingly.</p> <p>Announced. 13.09.2022</p> <p> CHIEF JUSTICE</p> <p> JUDGE</p>

(For) (D.B) Justice Qaiser Rashid Khan, CJ & Justice Syed Muhammad Atiqe Shah, J

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
ASC # 2011

ATTESTED
EXAMINER
Peshawar High Court

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BEFORE THE PESHAWAR HIGH COURT PESHAWAR.

COC. NO. 1631 OF 2022 IN W.P NO. 5761-P/2019.

1. Gul Zarif ,SST Retired GHS Wardaga Charsada.
2. Saeed Ullah, SET , Retired H.M GHS Katan Balan Dir Upper.
3. Muhammad Nazir , Retired H.M. GHS Mina Battan Dir Lower.
4. Shair Ud Din , Retired H.M GHS Kharki Dheri, Malakand
5. Ali Akbar , Retired SST GHS Totali Bunner.
6. Jamroz Khan , late Rtd SST GHS Chengi Bunner through his son Mushtaq.
7. Sadrul Alam Rtd Headmaster GHS Dara Serai Shangla.
8. Ahmad Khalil , Headmaster Retired GHS Rehan Kot Dir Upper.
9. Sadiq Jan late , Headmaster GHS Dir Upper through his son Sami Ur Rehman.
10. FaZal Raziq , SST Retired GHS Barikot Swat.
11. Noor zaman , SST Retired GHS Srai Bala Dir Lower.

.....Applicants/Petitioners).

VERSUS

1. Hafiz Dr Muhammad Ibrahim Director (E & SE) Department
Near no.1 School Peshawar.

.....(Respondent).

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FILED TODAY
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JAVED IQBAL
Advocate
Supreme Court of Pakistan
ASC # 53171

JAVED IQBAL CILBECA
Advocate
Supreme Court of Pakistan
ASC # 53171

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PETITION UNDER ARTICLE 204 OF THE CONSTITUTION OF ISLAMIC REPUBLIC OF PAKISTAN, 1973, SECTION 3 & 4 OF CONTEMPT OF COURT ACT, 1976 FOR INATLATING CNTEMPT OF COURT PROCEEDING AGAINST THE RESPONDENTS.

Respectfully sheweth:

1. That the petitioners filed writ petition NO. 5761-P/2019 which was decided through order dated 12.2.2020. Copy of the order as annexure A.
2. That after the same when respondents not honor the order of this Honorable court petitioner filed COC petition before this Honorable court. Copy of the COC petition as annexure B.
3. That respondent submitted comments mentioned the notification dated 18.11.2021, which is deliberately intentionally present wrong information which is no relevancy nor act upon over the order of this Honorable court. Copy of the notification dated 18.11.21 is annexure C.
4. That petitioners filed COC which was dispose of through order dated 22.12:21. Copy of the order as annexure D.

JAVED IQBAL SOLBELLA
Advocate
Supreme Court of Pakistan
(ASC # 5317)

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JAVED IQBAL SOLBELLA
Advocate
Supreme Court of Pakistan
(ASC # 5317)

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5. That in spite of the fact that more than two and half years been passed of the judgments of this Honorable court, applicants/petitioners approached so many time to respondents to act upon over the order / judgment accordingly but matter is there where it was.
6. That respondents after the judgment, only constituted committees which is four in numbers of which till date no fruitful result is there.
7. That 1st committee was constituted on 3.4.19 same without any result the then 2nd was constituted on 13.6.19 whom present report on 5.11.19 same without further any action similarly 3rd committee and 4th one on 22.1.2021 which is till date only and lonely delaying tactics no more than this. Copies of relevant are annexure E.
8. That when double entree, wrong awarded dead persons are clearly mentioned, respondents even then not ready to honor the order of this Honorable court which is question mark before this Honorable court?. Copies of the Double entrée, wrong awarded etc are annexure F.
9. That respondents delberately, intentionally not honor the order of this Honorable court reason best known to them.

JAVED IOBAL QULBELA
Advocate
Supreme Court of Pakistan
(ASC # 5317)

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Peshawar High Court

JAVED IOBAL QULBELA
Advocate
Supreme Court of Pakistan
(ASC # 5317)

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10. That order of this honorable court is quite clear no ambiguity is there in spite of the same fact not act upon , not extend the said relief to respondents is day light contempt of this Honorable court.

11. That by disregarding , disrespecting the honorable order of this honorable court by respondents, thus respondents committed act contempt of court for which they deserve to be treated , proceeded in accordance with law and punish accordingly.

12. That respondents being civil servants duty bound to act over the order of this honorable court badly failed hence they deserve to be treated under the shadow of the contempt of court.

It is there most humbly prayed that on acceptance of this petition , this Honorable court may please to initiate appropriate proceeding under the law as mentioned in the heading of the petition & may proceed the respondents for not awarding the relief as per judgment of this Honorable court.

Applicants/Petitioners

Through

L. Nawab Ali Noor
Advocate High Court
Peshawar
03469076945.

Certificate: Certified that no such like COC petition now pending before this Honorable court.

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 5317)

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Peshawar High Court

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 5317)

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BEFORE THE PESHAWAR HIGH COURT PESHAWAR.

COC. NO 163 P OF 2022 IN W.P NO. 5761-P/2019.

1. Gul Zarif ,SST Retired GHS Wardaga Charsada and others.
.....Applicants/Petitioners).

VERSUS

1. Hafiz Dr Muhammad Ibrahim Director (E & SE) Department
Near no.1 School Peshawar.
.....(Respondent).

AFFIDAVIT

I, Gul Zarif ,SST Retired GHS Wardaga Charsada
do solemnly affirm and declare on oath that the contents of the
accompanying COC are true and correct to the best of my knowledge
and belief and nothing been kept concealed from this Honorable
court.

Identified by
L. A. Habibullah Khan
Date

Deponent

File No. 17101-032021-1 ✓

Roll No. 03429877255

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 5317)

ATTESTED
EXAMINER
Peshawar High Court

No: 8273

Certified that the above was verified on solemnly
affirmation before me in office, this 26
day of April 2022 at Gul Zarif
s/o. Said Nazim Charsada
who was late of L. A. Habibullah Khan
Who is pers. (us) late of L. A. Habibullah Khan

Oath Commissioner
Peshawa. High Court Peshawar.
26/04/2022

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08 MAR 2022

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 5317)

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**DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION DEPARTMENT
KHYBER PAKHTUNKHWA PESHAWAR**

NOTIFICATION

1. Whereas, the petitioners namely Mr. Raham Akbar Ex-Head Master and (23) Others filed writ petition No. 469-P/2018 before the Honorable Peshawar High Court, Peshawar with the following prayer:

"It is therefore, humbly prayed that the teachers who have been double listed, died, retired before 30-11-2001 and similarly promoted to UPS 18 should be deducted from the above said list and the respondents be directed to process the case of the petitioners for the selection grade and to grant the same selection grade to the petitioners if they are otherwise eligible for the said benefit after making proper correction in the above said record"

2. And whereas, the Honorable Peshawar High Court, Peshawar decided the case of the petitioner vide judgment dated 6-11-2018, the operative part of the judgment (id) is re-produced as under:

"Therefore, the instant writ petition is disposed of in the terms that in final seniority list the name(s) of deceased employees, retired employees before 30-11-2001, already promoted employees to UPS 18 as well names of those employees who figure twice in the list shall be deleted/omitted, and seniority list of in service employees rectified/updated accordingly, where after case of the petitioner shall be processed for consideration of their entitlement for grant selection grade if they were otherwise found eligible for the same"

3. And whereas, the matter in issue pertaining to selection grade of SST teachers has already been elucidated vide letter No. 706/P.No.306/A-14/S. Grade Dated 08-05-2009, issued by the then Deputy Director-(Estab) Directorate B&S, whereby it was intimated that the balance quota of selection grade posts was totally utilized, hence there is no balance of selection grade post

4. And whereas, the Govt. of Pakistan-Finance Division-(Regulation Wing) has issued office memorandum No. P.1.(5):IMP/2001/Istambad dated 04-09-2001, wherein, vide Para-6 the Selection Grade & Move over has been discontinued, hence, the petitioners are not entitled for the said award of selection grade.

Now therefore, in compliance of the judgment dated 06-11-2018, passed by the Honorable Peshawar High Court, Peshawar & having gone through the whole case record that the balance quota of selection grade were totally utilized and there is no quota of selection grade as per available record of this office.

**DIRECTOR
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar.**

Kindst. No. 138-43 /Ho No. SST (M) Selection grade Dated Peshawar the 18/11/2021
Copy forwarded for information & action to the:-

1. Learned Registrar Peshawar High Court, Peshawar.
 2. Learned AG Khyber Pakhtunkhwa, Peshawar High Court, Peshawar.
 3. District Education Officer (Male) Mardan.
 4. Section Officer (Litigation-I) B&S DPKP Peshawar.
 5. Deputy Director (Legal) B&S Department Khyber Pakhtunkhwa Peshawar.
 6. Official concerned.
 7. Section Officer (Primary) Govt. of Khyber Pakhtunkhwa, B&S Department.
- B. Master file.

**Deputy Director (Estab/M-I)
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar**

**JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC# 5317)**

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BEFORE THE HONBLE PESHAWAR HIGH COURT.
PESHAWAR.

W.P. No _____/2022

1. Raham Akbar SET Seniority No. 2308, Retired as Head Master GHS Ghala District Mardan.
2. Mir Salam Khan SET Seniority No. 2585, Retired as Vice Principal GHS Rustam, District Mardan.
3. Sher Zada SET Seniority No. 2212, Retired as SSS GHSS Bamkhel District Swabi.
4. Abdur Rauf Shah SET having Seniority No. 2211, Retired as Head Master GHS Shamoza, District Mardan.
5. Hazrat Usman SET Seniority No. 2421, Retired as Head Master GHS Sarfaraz Kalli, District Mardan.
6. Aman Ullah Khan SET Seniority No, 2270, Retired as Head Master GHS Wargha Banda, District Karak.
7. Eid Gul SET Seniority No. 2286, Retired as SET GHS Jata Ismail Kheil, District Karak.
8. Ajmal Khan, SET Seniority No. 2572, Retired as Head Master GHS Gul Abad Tangi, District Charsadda.
9. Sher Afzal SET Seniority No. 2396, Retired as Head Master GHS Sur Kamar District Charsadda.
10. Muhammad Twayyeb SET Seniority No. 2394, Retired as Head Master GHS Batagram, District Batagram.
11. Muhammad Younas SET Seniority No. 2242, Retired as S.D.E.O Batagram District Batagram.
12. Talib Ullah SET Seniority No. 2358, Retired as Head Master GHS Shamlayee, District Batagram.
13. Saeed Ullah SET Seniority No. 2230, Retired as Head Master GHS Katan Balan, District Dir Lower.
14. Muhammad Nazir SET Seniority No. 2232, Retired as Head Master GHS Mina Battan District Dir Lower.
15. Shahir Ud Din SET Seniority No. 2238, Retired as Head Master GHS Kharki Dheri, Malakand.
16. Ali Akbar SET Seniority No. 2239, Retired as SET GHS Totalai District Buner.
17. Jamroz Khan (late) SET Seniority No. 2237, Retired as SET GHS Chengai, District Buner.
18. Sadrul Alam SET Seniority No. 2241, Retired as Head Master GHS Dara Serai District Shangla.
19. Ahmed Khalil SET Seniority No. 2236, Retired as Head Master GHS Rehan Kot District Dir Upper.
20. Fazal Raziq SET Seniority No. 2240, Retired as SET GHS Barikot District Swat.
21. Noor Zaman SET Seniority No. 2355, Retired as SET GHS Serai Bala, District Dir Lower.
22. Habib Shah SET Seniority No. 2299, Retired as Head Master GHS Shaheedan Wazir District Karak.
23. Abdul Qadim Shah SET Seniority No. 2668, Retired as Head Master GHS Kula Dand, District Peshawar.

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Petitioners

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Peshawar High Court

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC No. 317)

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VERSUS

1. Chief Secretary Govt. of Khyber Pakhtunkhwa, at Civil Secretariat Peshawar.
2. Secretary Elementary and Secondary Education Government of Khyber Pakhtunkhwa at Civil Secretariat Peshawar.
3. Director Elementary and Secondary Education Department, Khyber Pakhtunkhwa Peshawar, near GHSS No.1 Peshawar City.
4. Secretary Finance, Govt. of Khyber Pakhtunkhwa at Peshawar.
5. Secretary Establishment, Govt. of Khyber Pakhtunkhwa at Peshawar
.....Respondents.

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

Respectfully Sheweth:

1. That the petitioners are naturally born bonafide citizens of the Islamic Republic of Pakistan and hail from respectable families across the province.
2. That the grievances, the solace of which the Petitioners are seeking from this August Court, are multi-facet as the Petitioners being envisaged with repeated episodes and doses of sheer discrimination coupled with unfitted bureaucratic approach of the Respondents and unbridled and rein exercise of discretionary powers vested in Respondents.
3. That started with initial fact, the Petitioners are in fact serving and retired Headmasters, S.E.Ts, Principals, Vice-Principals and SETs/SSTs of the Department of Elementary & Secondary Education Khyber Pakhtunkhwa.
4. That the main epitome of the instant discourse is that back in the year 2008, a notification dated:26-12-2008 was issued whereby Selection Grade Award was granted to SET teachers into BPS-17.(Copy of the notification dated:26-12-2008 is annexed here as annexure "A")

JAVED IQBAL QULBELA
Advocate
Supreme Court of Pakistan
(ACC # 1111)

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Peshawar High Court

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5. That as per Rules and as per relevant criteria meant for the subject Selection Grade was that as a whole 1/3rd of the total strength of the "incumbents" were to be extended the fruits of Selection Grade. The mechanism as ordained in the ibid Notification was that this Selection Grade would be and was made applicable to the incumbents upon them on "Seniority" basis.

6. That in order to mechanize and made the scheme feasible and applicable, a meeting under the Chair of Secretary (E&SE) Department was held on 14-02-2007, wherein it was decided that 1/3rd or 33.33% of the incumbents would be placed in the Selection Grade, and for that purpose the Seniority list corrected up-to 15.11.2000 was taken as a yardstick for determining the Seniority and placing 1/3rd out of them into Selection Grade. Besides the above the Chair was informed, rather it was held in the meeting Dated:14-02-2007 that there are total number of SETs (male) Sanctioned Posts were 7532 on 30.06.2001, as a whole & amongst from them 243 teachers are to be elevated to the next Selection Grade. (Copy of Record of the minutes of meeting Dated:14-02-2007 are annexed as annexure "B")

7. That the irony of the fate is that this seniority list of SETs pertaining to the year 2000-2001, which had unfortunately been made a basis for actualization of the scheme in hand, contained many loopholes, errors and wrong placements where against repeated requests were made that those loopholes be removed and thereafter 1/3rd out of it be given and extended the fruit ions of Selection Grades, but a lass and in vain.

8. That in fact, there are almost 869 names of teachers in the Total strength of 7532, on 30-06-2021 which are to be removed from it for the reasons that some teachers were promoted, double listed, plethora of others stood retired prior to 04-09-2001 i.e Date of circulation of Seniority list, many of them had already passed away and died prior to the cut off d rite and even then figured in the impugned Seniority list of 2000-2001, whose all numbers reached to 869 by accumulating

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Advocate
Supreme Court of Pakistan

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Peshawar High Court

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all categories of double listed, promoted died fellows and retired ones. This un rectified Seniority list caused a havoc in the upcoming lives of the Petitioners as well as of all those teachers who were directly suffered and victimized just because of the omissions and negligence on part of the concerned offices of the Respondents.

9. That as stated above, this anomaly of still bearing the names of retired and dead fellows besides double figured ones, not only the Petitioners but as a whole many teachers suffered as in spite of 177, vacancies still vacant at that time were not filled up because of the a fore mentioned dilemma.
10. That the acts and omissions on part of the Respondents constrained the Petitioners to firstly approach the Provincial Services Tribunal for the readdress of their grievances i.e for rectification of Seniority list and grant of Selection Grade; but as the matter was not falling in the jurisdiction of the Honorable Services Tribunal, So the same was returned to the Petitioners vide order Dated:14-12-2017.
11. That thus the Petitioners moved three different Writ Petitions bearing numbers W.P # 435-P/2018, W.P # 469-P/2018; & W.P # 5761-P/2019 for invoking the extraordinary Constitutional jurisdiction of this August Court.(Copies of the W.P # 435-P/2018, W.P # 469-P/2018, & W.P # 5761-P/2019 are annexed here as Annexures "C, D& E" respectively).
12. That this Honorable Court was gracious enough by allowing the W.Ps of the Petitioners vide Judgments Dated: 28.03.2018, 06.11.2018 & 12-02-2020 respectively. (Copies of Judgments Dated: 06-11-2018, 12-02-2018 are annexed here as annexures "F, G, & H" respectively).
13. That as the Respondents were reluctant to implement the reverend Orders & Judgments of this August Court and were actually flouting upon the same, which constrained the Petitioners to approach this August Court once again for initiating C.O.C proceedings against the

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JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
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Peshawar High Court

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Respondents and for implementation of the Judgments of this August Court, by moving C.O.C Petitions bearing C.O.C # 328-P/2021 & S.O.C # 368-P/2021. (Copies of C.O.C # 328-P/2021 & 368-P/2021 are annexed here as annexures "I & J," respectively).

14. That upon moving C.O.Cs against the Respondents due to their adamant behavior, in order to evade the contempt proceedings if any, the Case of the Petitioners were decided by the Respondent department by turning it down and discarding the same vide the impugned Office Order/Notification Dated: 18-11-2021. Upon this the C.O.Cs Petitions of the Petitioners were dismissed vide Judgment & Order Dated: 22-12-2021. (Copy of the Judgment/Order Dated: 22-12-2021 is annexed here as annexure "K").

15. That there-after the Petitioners moved C.O.C # 167-P/2022 & 163-P/2022 before this Honorable Court, which were withdrawn by the Petitioners with permission to file a fresh Writ Petition by challenging the impugned Order/Notification Dated: 18-11-2021, as well. (Copies of C.O.C # 167-P/2022, C.O.C # 163-P/2022, Orders/Judgments Dated: 13-09-2022 and 27-09-2022 are annexed here as Annexures "L, M, N & O", which Impugned Notification at 18-11-2021 is annexed as "P").

16. That thus the Petitioners are approaching this August Court once again under extra ordinary jurisdiction for their respective Selection Grade, rectification of Seniority list and for setting aside and cancellation of the impugned order/notification Dated: 18.11.2021, upon the following grounds, inter alias:

Grounds:
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A. That there exist no other expedient-cum expeditious & adequate remedy available to the Petitioners, hence the instant petition under the extraordinary jurisdiction of this August Court.

B. That the petitioners are naturally born bonafide citizens of the Islamic Republic of Pakistan and are fully and equally, on equality

JAVED IOBAL QUREBELA
Advocate
Supreme Court of Pakistan
(ASC # 517)

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Peshawar High Court

basis, entitled to all basic and fundamental rights as enshrined in the fundamental law of the land, interpreted, guaranteed and enforced by the laws of the land and discrimination along with unfettered exercise of discriminatory powers by an authority or office is always been deplored, deprecated and depreciated by Superior Courts of the land.

- C. That it is the cherished principle of law, that where a thing is to be done in a particular manner, then that thing is to be done in that manner and not vice-versa.
- D. There where if at all the Seniority list of 2000-2001 was to be used as yardstick and threshold for the subject Selection Grade, then at least the same should have been made an undisputed document prior to and before to put it in use as a base camp of the subject Selection Grade, but a lass this is not the Case.
- E. That there exists no room in the law that a disputed Seniority List is to be made basis for any such like Selection Grade or up-gradation and particularly when the wrong entries are not only made disputed, but rather pointed out, but in spite of all that neither the names of Promotes, double figured, died and retired, i.e as a whole 869 teachers were removed from the list, nor 1/3rd of the S.E.Ts were extended Selection Grade after making necessary rectification in the impugned Seniority List.
- F. That because of the acts and omissions on part of the Respondents, the available vacant posts, even after extending the Scheme to many other teachers, there remained 399 posts vacant for no good reasons at all, and thus great injustice was matted out to the Petitioners.
- G. That it's the established norms of justice that one should not be victimized or made to suffer just because of omissions on part of the responsible Govt; Officials, but here the picture is Volte-face.

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 217)

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Peshawar High Court

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- H. That the most abominable aspect of the case of the Petitioners is that when the Write Petitions were allowed by this August Court, and the Case was remitted to the concerned quarters for consideration, the same was turned down vide impugned Order/Notification Dated: 18-11-2021 in an illegal, unlawful and void manner.
- I. That the impugned Notification Dated 18-11-2021 is thoroughly an illegal and void document for the reason that first of all the policy referred thereto is firstly pertaining to Federal Govt; and extendable to Federal Departments. Secondly, if at all the impugned Notification Dated 2001 is taken as correct one, even then not only the Respondents ordered upgradation in 2008, but rather the Provincial as well as the Federal Govt. has repeatedly extended Selection Grades and move overs to different employees of different Departments. Above all, the instant disputed Case is also pertaining to the year 2008, which had taken place after 7 years of the Notification of 2001 of the Federal Govt. and this Selection Grade of 2008 too issued by and granted by the Provincial Govt; itself.
- J. That even if at all the notification 2001 is taken as valid and lawful for all intents and purposes and the stance of the Respondent Department even if taken as correct one, just for the sake of arguments; even then the Petitioners are fully entitled for their respective Selection Grade for the reason that the Petitioners are not seeking fresh notification for their upgradation, but rather seeking the implementation of Notification dated: 26-12-2008 in its true sense. The main crux of the case of the Petitioners is not for issuing any fresh policy or notification for Selection Grade, but rather is seeking the implementation of the notification in its true sense and have approached this Honorable Court that let it be implemented strictly as per minutes of meeting 14-09-2007 by Deputy Registrar extending the fruition of Selection Grade to 1/3rd of 7532 teachers which figure comes to 2511 teachers, but on the other hand only

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Deputy Registrar

11 OCT 2022

JAVED IQBAL
Advocate
Supreme Court of Pakistan
(ASC # 537)

WP 110-2022 RAHAM AKBAR VS STATE OF PGS132 USB.pdf

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Peshawar High Court

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roughly 2111 were given Selection Grade while the rest were deprived for no reasons at all. The case of the Petitioners is that firstly the wrongly placed 869 names are to be removed from the seniority list pertaining to the year 2001 and there after the Scheme of Selection Grade is to be applied. But on the other hand the Respondents adhered to their policy of pick & choose which cost havoc in the careers of the Petitioners and so many other their colleagues. So, if this notification Dated 26-12-2008 had been implemented in its spirit, the Petitioners would have never approached, nor have ever knocked the doors of this August Court, as not only the Petitioners but all other their eligible colleagues would have been placed in their respective Selection Grade, more than 14 years ago.

- K. That by saying so, the Petitioners are not agitating for anything new, but rather seeking the implementation of their accrued rights in the light of Notification Dated: 26-12-2008, So, under no cannon of law the notification Dated: 18-11-2021 can be justified at all.
- L. That from every angle not only the impugned notification Dated: 18-11-2021 is a nullity in the eyes of law, but as well as, the Petitioners are fully entitled for their Selection Grade under the notification Dated: 26-12-2008, with all back benefits since then.
- M. That the Petitioners had earlier filed Petitions before this August Court which were withdrawn with permissions to file the instant fresh one.
- N. That any other ground not raised here may graciously be allowed to be raised at the time of arguments.

It is, therefore, most humbly prayed that on acceptance of the instant petition, the impugned implementation report/Notification No.1138-43/File No.SST (M) Selection Grade Dated:18-11-2021 of the office of the Director Elementary and Secondary Education Department Khyber Pakhtunkhwa, may very graciously be declared

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Advocate
Supreme Court of Pakistan
(ASC # 337)

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as void and ultra vires and be set aside and cancelled and by doing so, the Petitioners be declared as fully entitled for the subject Selection Grade in the light of the Notification Dated:26-12-2008 of the office of Secretary (E&SE) Department KPK and be extended the fruition's of Selection Grade to the Petitioners with all back benefits since the Date from which Selection Grade in question has been extended and granted to the colleagues of the petitioners or any other date when the first Notification of Selection Grade under Notification Dated:26-12-2008 was issued, with all back benefits.

It is further prayed that Notification Dated:26-12-2008 and minutes of meeting Dated:14-02-2007 be directed to be implemented in its true spirit, after rectifying the Seniority List of S.E.Ts 2000-2001 by removing the names of 869 teachers from it, being double figured or being the names of either promoted, retired or dead teachers etc.

Any other relief, not specifically asked for, may also very graciously be extended in favour of the Petitioners in the circumstances of the Case.

Dated: 06-10-2022

Petitioners

Through

Javed Iqbal Gulbela
ASC

NOTE:-

The petitioners had earlier filed their respective writ petitions, which were allowed by the Hon'ble court, where after, COC's were moved but as the matter/case of the petitioners had been sent to department for consideration, which upon alleged consideration were turned down, so the petitioners sought permission from this Hon'ble court to file fresh writ petition, hence the instant petition.

Advocate.

LAW BOOKS:-

- Constitution of Islamic Republic of Pakistan, 1973.
- Case Law according to need.

Advocate.

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11 OCT 2022

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
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Peshawar High Court

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IN THE HON'BLE PESHAWAR HIGH COURT PESHAWAR

W.P No. _____/2022

Raham AkbarPetitioner

VERSUS

The Govt. of KPK & others Respondents

AFFIDAVIT

I, Raham Akbar S/o Mir Haider R/o Abakhel, Babuzai Aba Khel, Tehsil & District Mardan, do hereby solemnly affirm and declare that the contents of the accompanying **Writ Petition** true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.

[Signature]

DEPONENT

CNIC # 16101-1205569-3 ✓

Cell # 03459271188

Identified By:

[Signature]

JAVED IQBAL GULBELA
ASC, Peshawar

CERTIFIED TO BE TRUE COPY
EXAMINER
Peshawar High Court Peshawar
Authorized Under Article 6 & 7 of
the Qanoon-e-Shahadat Act 1988
05 OCT 2024

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Certified that the contents of the above affidavit are true and correct on solemnly affirmation by the deponent on the day of 06 Oct 2022 at Mir Haider Abakhel Mardan who is personally known to me Javed Iqbal Gulbela
Who is present

[Signature]
06/10/2022

FILED TODAY
[Signature]
Deputy Registrar
11 OCT 2022

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC) Peshawar

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JUDGMENT SHEET
PESHAWAR HIGH COURT, PESHAWAR
JUDICIAL DEPARTMENT

W.P. No.4110-P/2022

Raham Akbar and others

Vs.

**Chief Secretary, Government of Khyber
Pakhtunkhwa, Peshawar and others**

Date of hearing 01.10.2024
For Petitioner(s): **Mr. Javed Iqbal Gulbela, Advocate.**
For Respondent(s): **Mr. Adnan Ali, AAG.**

JUDGMENT

IJAZ ANWAR, J. This writ petition is filed under Article
199 of the Constitution of Islamic Republic of Pakistan, 1973,
with the following prayer:-

"It is, therefore, most humbly prayed that on acceptance of the instant writ petition, the impugned implementation report/Notification No.1138-43/File No.SST (M) Selection Grade dated 18.11.2021 of the office of the Director Elementary & Secondary Education Department, Khyber Pakhtunkhwa, may graciously be declared as void and ultra vires and be set-aside and cancelled and by doing so, the petitioners be declared as fully entitled for the subject Selection Grade in the light of the Notification dated 26.12.2008 of the office of the Secretary (E&SE) Department, KPK and be extended the fruition's of Selection grade to the petitioners with all back benefits since the date from which the Selection Grade in question has been extended and granted to the colleagues of the petitioners or any other date when the first Notification of Selection Grade under Notification dated 23.12.2008 was issued, with all back benefits.

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan

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EXAMINER
Peshawar High Court



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It is further prayed that Notification dated 26.12.2008 and minutes of meeting dated 14.02.2007 be directed to be implemented in its true spirit, after rectifying the seniority list of S.E.Ts. 2000-2001 by removing the names of 869 teachers from its, being double figured or being the names of either promoted, retired and dead teachers etc.

Any other relief, not specifically asked for, may also very graciously be extended in favour of the petitioners in the circumstances of the case".

2. Comments were called from the respondents, who submitted the same accordingly, wherein, they opposed the issuance of desired writ asked for by the petitioners.

3. Arguments heard. Record perused.

4. It appears that petitioners have earlier approached the Khyber Pakhtunkhwa Service Tribunal, however, their Service Appeals were dismissed vide consolidated judgment dated 14.12.2017, holding that Selection Grade amounts to upgradation and has relied upon the judgments of the Hon'ble Supreme Court of Pakistan passed in the cases titled "Federal Public Service Commission through Secretary Vs. Anwar-Ul-Haq (Private Secretary), Islamabad and others (2017 SCMR 890) and Regional Commissioner Income Tax, Northern Region, Islamabad and another Vs. Syed Munawar Ali and others (2016 SCMR 859)". The appeals were, therefore, returned to the petitioners for seeking redressal before the proper forum. Instead of questioning the said judgment before the Hon'ble

JAVED IQBAL GUJRAL
Advocate
Supreme Court of Pakistan
(ASC # 537)

ATTESTED
EXAMINER
Peshawar High Court

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Supreme Court of Pakistan, the petitioners have approached this Court in writ petition. Initially, this Court vide order dated 06.11.2018 held that the cases of the petitioners be considered for entitlement of their Selection Grade in accordance with law. In compliance of the order of this Court, the Department duly considered the cases of the petitioners, however, regretted the same vide Notification dated 18.11.2021 on the ground that the scheme of Selection Grade was discontinued through Office Memorandum dated 01.09.2001; besides, it was also held that the balance quota of Selection Grade has already been utilized and there is no quota of Selection Grade as per available record. Again this writ petition has been filed by the petitioners on the basis of a Committee's decision dated 13.03.2021, according to which, still their cases for promotion can be considered, while according to the learned AAG, representing the Provincial Government, at this stage, the cases of the petitioners cannot be considered particularly when in the year, 2008, the grant or otherwise of the Selection Grade has been discontinued, besides, according to him, at the relevant time, there was no quota for Selection Grade and the same has already been exhausted.

5. Since the order/direction of this Court has already been complied with by the respondent-Department and the cases of the petitioners have been considered and a speaking order has been issued, now impugned in this writ petition, as such, we are of the view that the petitioners have got a final

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(A.C.S. # 2317)

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Peshawar High Court

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order in the matter and such matter cannot be decided in the constitutional jurisdiction of this Court.

6. We when asked learned counsel representing the petitioners to refer to the seniority list prevailing prior to the year, 2008, he referred to the seniority list, placed on file, however, could not point out that how many officers have got their Selection Grade at the time when the grant of Selection Grade was in the field. Such factual controversy, thus, cannot be resolved in the constitutional jurisdiction of this Court. We are of the view that for the resolution of such factual controversy/dispute, petitioners should approach the Khyber Pakhtunkhwa Service Tribunal. The judgment of the Hon'ble Khyber Pakhtunkhwa Service Tribunal dated 14.12.2017, returning Service Appeals to the petitioners, could not be considered as a hurdle while hearing their appeals.

7. For what has been discussed above, this writ petition is disposed of. The petitioners are, however, at liberty to avail the remedies provided to them under the law by approaching the proper forum, if they are so advised.

Announced
Dt:01.10.2024

JAVED IQBAL CHEBELA
Advocate
Supreme Court of Pakistan
(ASC # 5, 17)

Senior
Puisne Judge

Judge

(DB) Hon'ble Mr. Justice Isha Anwar and Hon'ble Mr. Justice Syed Arshad Ali

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Date of Presentation of Application 05-10-2024
No of Pages 14
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Date of Preparation of Copy 05-10-2024
Date of Delivery of Copy 05-10-2024
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Peshawar High Court, Peshawar
Authorized Under Article 8.7 of
the Qanoon-e-Shahadat Act 1984
05 OCT 2024

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To: The Deputy Director (Establishment)
Directorate of E&SE, Khyber Pakhtunkhwa
Peshawar

Subject: REPORT OF THE COMMITTEE CONSTITUTED FOR SCRUTINY OF DOCUMENTS PERTAINING TO THE AWARD OF SELECTION GRADE TO SST B-17

Memo: Kindly refer to your Notification Endst: No.2490-93 dated 13-06-2019 whereby the following Committee was constituted for scrutiny of documents pertaining to the award of selection grade to SST B-17 in the light of the judgment of Honourable High Court Peshawar in different writ petitions:

1. Mr. Mian Muhammad Arif, Deputy Director Local Directorate (Chairman)
2. Mr. Ziaur Rehman, Assistant Director Local Directorate (Member)
3. Mr. Muhammad Sohail, Assistant Director Local Directorate (Member)

As per the Court Judgment vide dated 28-03-2018 and 06-11-2018, the Committee arranged a number of meetings on various dates on the above subject agenda. Details of SSTs Departmental Promotees, direct selectees (By Public Service Commission), Retired, Pre-Mature retired, double entries and died before 30-11-2001 from the seniority list of SSTs teachers corrected up to 15-11-2000 vide Directorate of Secondary Education Khyber Pakhtunkhwa Peshawar Endst: No.3199-3233/A-88/Seniority List dated Peshawar 29-08-2001.

Detail of the correction up to 30-11-2001 is given below:

1. Departmental Promotees	661
2. Direct Selectees to HM/SS and B-18	104
3. Retired from service before 30-11-2001	92
4. Pre-mature retired	2
5. Double entry in the seniority list	7
6. Died before 30-11-2001	3
Total...	869

It is therefore proposed that the above mentioned numbers may be excluded from the seniority list and as per the judgment of the Honourable Peshawar High Court Peshawar, the eligible among the petitioners SSTs may be awarded Selection Grade.

All the necessary documents are hereby attached for ready reference.

Ziaur Rehman
Mr. Ziaur Rehman
Assistant Director
Local Directorate
(Member)

Muhammad Sohail
Mr. Muhammad Sohail
Assistant Director
Local Directorate
(Member)

ATTESTED

Mian Muhammad Arif
Mr. Mian Muhammad Arif
Deputy Director
Local Directorate
(Chairman)

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 5117)

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05-11-2019

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OFFICE OF THE PRINCIPAL GOVERNMENT SHAHEED HUSSAIN ALI SHAH
HIGHER SECONDARY SCHOOL NO.3 PESHAWAR CITY

To
The Director E&SE,
Khyber Pakhtunkhwa, Peshawar

Subject- CHECKING OF THE RECORD

Introduction / Background of the case

(A)

The committee received the enquiry containing Enq. No. 368790 dated 22/01/2021 & 02/02/2021 regarding the award of selection grade to SST BPS-16 up to the era of 30/11/2001 in compliance with the direction of Honorable Peshawar High Court in Writ Petition No. 435/P 2018 decision issued on 28/03/2018 & 469/P 2018.

The committee was assigned the task of rechecking the working papers of previous committee to the accomplishment of the task.

In keeping TCRs in view, the committee arranged the following meetings with the Stake holders, the details follows as:-

1. The committee members arranged meeting held on Feb 2, 2021 and discussed various issues regarding the case.
2. Second meeting was held on Feb 3, 2021 with dealing Assistant in Directorate E&SE for providing relevant documents. The concern Assistant requested few days for providing relevant record.
3. Relevant record regarding the enquiry was received on Feb 5, 2021.
4. The committee members conducted four meetings to check the record thoroughly on 07/02/2021 to 11/02/2021.
5. On Feb 12, 2021 meeting of the committee members was held with Additional Director, Deputy Director and Assistant Director and discussed the case through various angles.
6. On Monday, Feb 15, 2021 meeting was held with the petitioners and discussed the matter in detail.

MAVEED IQBAL/SULBELA
Advocate
Supreme Court of Pakistan
(ASC 45317)

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7. Two days meeting of Committee Members were held on 15-16/02/2021.

List of Documents Checked by the Committee

(B)

- 1) Final seniority list of SETs (male) No.3199-3233/A-68/S. List. Dated Peshawar 29-08-2001
- 2) WP No 435/P-2008
- 3) WP No 469/P-2018 /File
- 4) Unsigned seniority list of SETs Before 30-11-01 corrected up-to 15-11-2001 in light of PHC Decision W.P. No 469/18
- 5) Final Seniority list of SETs of Education Department (male) corrected up-to 13-12-1989
- 6) Report of the committee constituted for scrutiny of documents pertaining to award of selection grade to SSTs BS-17 (WP-435/P/2008 and 469/18)
- 7) Minutes of DPC meeting held on 25-08-2004
- 8) File that contains list of department promotes, Direct Selectees, Retired SSTs, Pre-mature retirement, Died Before 30-11-2001, Double entry of SETs.
- 9) Minutes of DPC held on 29-11-2008
- 10) Minutes & notification of 208 selection grade awardee No. 4932-39/A-14/S/Grade/SETs dated 03-04-2007

Departmental Stance

- ◆ According to Director B&SE office on 30-06-2001 total sanctioned strength of SETs in Districts and Agencies/FRs were= 7532 (6584+948)
- ◆ Quota for award of Selection Grade @33%=2486
- ◆ Selection Grade already awarded =2193
- ◆ Vacancies/ Quota availability for Selection Grade = 293
- ◆ A DPC meeting held on 28-08-2004, selection Grad was awarded to 94 eligible SETs on 11-10-2004(Annex-B)
- ◆ A DPC was held for the award of SG of SETs on 03-04-2007 and SG was awarded to 208 SETs (Annex-C)
- ◆ Another DPC was held for the award of SG on 09-04-2008 and awarded SG to 07 SETs (Annex-D)

(Annex-A)

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ATTESTED

MAKID IQBAL GILBELLA
 Advocate
 Supreme Court of Pakistan
 (R.C.# 57)

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◆ A DPC meeting held on 29-11-2008 and awarded SG to 16 SBTs (Annex-B)

Tabular Form

The above aforementioned points are displayed in Tabular form below

S.No.			
	Total No. of Sanctioned posts of SBTs on 30-06-2001	7532	
	Quota for award of Selection Grade @33%	2486	
	Selection Grade already awarded (30-06-2001)	2193	
	Quota available for Selection Grade	293	Remaining Position
	Selection Grade awarded on 28-08-2004	34	259
	Selection Grade awarded on 14-02-2007	208	51
	Selection Grade awarded on 09-04-2008	7	44
	Selection Grade awarded on 29-11-2008	16	28

The above mentioned figured depicts that only 28 posts for selection grade are available in comparison to the total no. of sanctioned posts of SBTs on 30-06-2001 which is 7532.

Petitioners Stance

According to petitioner's statement that the Court has clearly directed that the "final seniority list, the name (s) retired employees before 30-11-2001, already promoted employees to BPS-18 as well as names of these employees who figure twice in list shall be deleted/omitted and seniority list of in service employees rectified/updated, accordingly. Case of the petitioners shall be processed for consideration of their entitlement for grant of selection grade if they were otherwise found eligible for the same."

On the direction of the Peshawar High court Decision, Director E&SE constituted a scrutiny committee comprising of- (Annex-F)

1. Mr. Mian Muhammad Arif, Deputy Director Local Directorate as a Chairman.
2. Mr. Zia-ur-Rahman Assistant Director as a Member.
3. Muhammad Sohail Assistant Director as a Member.

Vide notification No. 2490-93 dated 13-06-2019. They scrutinized final seniority list of SBTs bearing No. 3199-3233/A-88/Seniority list Dated 29-08-2001.

(Signature)

(Signature)

ATTESTED

JAVED IQBAL GJLBELA
Advocate
Supreme Court of Pakistan
(AEC # 117)

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Which shows that 869 departmental promotes /Direct Selectees/retired/pre-mature retired/Double entries and Died before 30-11-2001 were removed from seniority list (Annex-G).

Consequent upon on updated seniority list (unsigned/un-notified) was prepared by the concerned section in the light of Writ Petition 469/18(Annex-H).

The above findings are showed in tabular form as follows:-

Facts and Figures		
1.	Total Strength of SETs on 30-06-2001 (Annex-A)	7532
2	33% of 7532 (Annex-A)	2486
3	Correction up to 30-11-2001 (Annex-F)	
	I. Department promotes	=661
	II. Direct Selectees to HM/SS& BPS-18	=104
	III. Retired before 30-11-2001	=92
	IV. Pre-mature Retired	=02
	V. Double Entry in S. List	=07
	VI. Died Before 30-11-2001	=03
	Total	=869
	Awarded up to 30-06-2001 (Annex-A)	2193
	Net after removal of 869	2193
	Awardees on 30-06-2001	869 =1324
	Post available for selection grade, on 30-06-2001	2486
		1324 =1162
	Awarded after 30-06-2001 (Annex - B,C,D,E)	265
	Left to be filled on 30-01-2001	897

Conclusion:

The committee verified and checked thoroughly documents listed given above.

Committee also checked and verified the report given by the previous committee and came to the conclusion:-

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ATTESTED

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 67/17)

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- a) In the light of departmental stance non of the W.P.435/2018 falls in selection grade zone. However the petitioners of W.P. No.469/2018 all falls in the selection grade zone except petitioners No.2 Mir slam Khan & No.20 Malik Aman for verification Annex-G can be used.
- b) In the light of Peshawar High Court decision all of the petitioners of W.P.No.435/P-2018 and W.P.469/P-2018 fall in the selection grade zone.(Annex-H) can be used for verification.
- c) (Annex-I) shows both court decisions and their seniority numbers in New or rectified seniority list (Annex-H) and old seniority list (Annex-G)

1. PARVEZ IQBAL (PRINCIPAL BPS-19)
GHSS NO.3 PESHAWAR CITY
(Chairman)

2. Amir Muhammad (PRINCIPAL/SS BPS-18)
GHSS Toda China Dir. (Member)
(Member)

3. Mr. Aziz Ur Rahman (PRINCIPAL BPS-18)
GHSS Lachi Kohat
(Member)

4. Mr. Abdul Karim (ADEO Primary Estt: BPS-16)
DEO (M) Peshawar
(Member)

ATTESTED

YASVEED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
PSC # 2377

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(A).Detail of Notifications, regarding Award of Selection Grade B.17, Wef; (23.12.1992 to 17.09.2009) notified according to Seniority list No. (01-to-2223) Listed & non listed related to the final integrated Seniority List Corrected up-to 15.11.2000, Issued on 29.8.2001.

S.No	Notifications of Award of Selection Grade with numbers & Dates according to Seniority List as mentioned above, (All Copies attached).	Total No. of SETs - S/Grade Awarded
1.	Selection Grade B.17 Awarded to SETs B. 15 Vide Notification No.7173-7477/A-14/ SET/ S.Grade, Dated 23.12.1992, According to Seniority List (2000-2001), from Seniority No. 01 to 301. Total =252.	252
2.	Selection Grade B.17 Awarded to SETs B.15 Vide Notification; No.2725-3061/A-14/ SET/ S.Grade, Dated 15.03.1993. According to S./List from S/No.302 to 560, Total = 279.	279
3.	Selection Grade B.17 Awarded to SETs B.15, Vide Notification No.6239-6583/A-14/ SET/ S.Grade. Dated 22.03.1993. According to S/List, from S/No.561 to 822 Total = 271.	271
4.	Selection Grade B.17 Awarded to SETs B.15, (Upgraded to B.16)Vide Notification No.1841-2000/A-14/ S.Grade/93-94/Vol- 1, Dated: 14.07.1994. Awarded to SET According to Seniority List, from S/No. 823 to 945, Total= 132.	132
5.	Vide Notification No.SO(S)1-7/94, Dated. 05.03.1995, Selection Grade B.17 Awarded to SET's B.16wef; the Dates noted against each According to Seniority List, from S/No.946 to 1176, Total=244.	244
6.	Selection Grade B.17 Awarded to SETs B.16, Vide Notification; No.SO(S)1-7/97, Dated. 01.01.1998. According to Seniority List from S.No.1177 to 1573, Total =334	334
7.	Selection Grade B.17 Awarded to SETs B.16, Vide Notification No.SO(S)1-7/97- JehanZeb, Dated 06.01.1999. Total Left over SETs =61.	61
8.	Selection Grade B. 17 Awarded to SETs B.16, Vide Notification No. 1496-1825/1-14/SETs/ S.Grade/2000, Dated. 17.04.2000. According to Seniority List from S/No.1574 to 1896, Total = 273.	273
9.	Selection Grade B.17 Awarded to SETs B.16, Vide Notification No. 1496-1825, Dated. 11.10.2004. In the DPC Meeting held on 25.08.2004, according to Seniority List from S/No.1894 to 1935, Total = 34,	34
10.	Selection Grade B.17 Awarded to DETs B.16, Vide Notification No.4932-39/A-14/S.Grade, Dated. 30.04.2007, in the DPC Meeting held on 14.02.2007, according to Seniority list, from S/No.1936 to 2203. Total = 208.	208
11.	Selection Grade B.17 Awarded To SETs B.16, Vide Notification No.1335-55/A-14/SET (Tech;) S/G, Dated 16.01.2008. Total =56.	56
12.	Selection Grade B.17 Awarded to SETs B16, Vide Notification No.7244-50/A-14/S.Grade/SET (M), Dated. 29.05.2008, in the DPC meeting held on 09.04.2008, According to Seniority List, Total=07. (Left over SETs).	07
13.	Selection Grade B.17 Awarded to SETs B.16, Vide, Notification No.SO(PE)2-6/ E&SE /DPC/ SET/Selection Grade(BS-16 to BS-17)/08, Dated. 25.12.2008, According to their Seniority from S/No.2204 to 2223, Total=16.	16
14.	Selection Grade B.17 Awarded to SETs (Tech;) Vide Notification No. SO(PE)2-6/E&SE/DPC Meeting/09, Dated 17.9.2009. Total=07.	07
G.Total	Grand Total SETs Selection Grade B.17 Awardees among 7532 Total Sanctioned SET posts in Khyber Pakhtunkhwa up to 30.06.2001=2174 instead of 2510.	2174
NOTE	According to above all the mentioned Selection Graded SETs, existing in the Seniority List 2000-2001 issued on 29.08.2001 from Seniority No.28 to 2223. Are =	2111

2001

ATTESTED

ADVOCATE IQBAL GULBELA
Advocate
Supreme Court of Pakistan
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بخدمت جناب سیکرٹری صاحب ایگزیکٹو ایڈمنسٹریشن خیر بھختو نواح ایشادور

عنوان: Double Enlisted, Died, Retired & Promoted

سلیکشن گریڈ کے حال (مردانہ) کی جگہ پر مزید تعداد SET's کو سلیکشن گریڈ ایوارڈ کرنا۔

جناب عالی

عرض ہے کہ بحوالہ نمبر List 3199-3233/A-88/S شمارہ مورخہ از سریل نمبر 1 مورخہ 14/09/1974ء سریل

نمبر 7279 مورخہ 12/07/1999ء جناب ڈائریکٹر ایگزیکٹو ایڈمنسٹریشن خیر بھختو نواح ایشادور کے شائع شدہ

SET سفاری لیٹ کے مطابق سلیکشن گریڈ کے بارے چند ارشادات پیش کی جاتی ہیں۔

(1) محکمہ تعلیم کی جانب سے سیکرٹری ایگزیکٹو ایڈمنسٹریشن خیر بھختو نواح کی سرپرستی میں مورخہ 14/02/2007ء کو

سلیکشن گریڈ کے لئے منعقدہ اجلاس میں 30/06/2001 تک صوبہ بھر میں اطوار اور ایجنسیوں کی سطح پر منظور شدہ

SET's (مردانہ) پوسٹوں کی کل تعداد 7532 تھی جن میں 243 اضافہ سلیکشن گریڈ کے تعداد تھے۔

(2) 33 فیصد کے حساب سے 29/08/2001 کو جاری کردہ فائنل لیٹ کے مطابق سفاری لیٹ نمبر 2223 (کسی ظہور احمد) کو

سلیکشن گریڈ تکیل 17 ایوارڈ کیا گیا ہے۔

(3) مذکورہ سفاری لیٹ میں پانچ ایسے SET's کے نام بھی ہیں جو Double Enlisted ہیں۔

(4) مذکورہ سفاری لیٹ میں پانچ ایسے SET's کے نام شامل ہیں جو ذات پانچے ہیں۔

(5) مذکورہ سلیکشن گریڈ کے حال 30/11/2001 SET's 91 تک رینڈ ہو چکے ہیں۔

(6) مذکورہ سفاری لیٹ میں گریڈ پبلک سروس کمیشن کے ذریعے ریگولر تکیل 17 یا 18 میں پروموت ہو چکے ہیں جن کی کل تعداد

177 بنتی ہے۔

(7) سلیکشن گریڈ کے مطابق مزید 177 اضافہ 30/11/2001 تک سلیکشن گریڈ تکیل نمبر 17 کے تعداد ہیں جن میں مسائل

کامیابی نمبر ہے۔

یاد رہے کہ 30/11/2001 تک موجود SET's کی پوسٹوں پر 33% کے حساب سے SET's کو سلیکشن گریڈ تکیل

نمبر 17 لے گا تاہم 30/11/2001 تک اگر سلیکشن گریڈ کے حال کوئی SET ذات پانچے یا رینڈ ہو جائے یا ریگولر

تکیل نمبر 17 یا 18 میں پروموت ہو جائے تو اس کی جگہ پر سفاری لیٹ کے مطابق اگلے تعداد کو اس تاریخ سے سلیکشن گریڈ ایوارڈ کیا

جائے گا۔ لہذا مسائل کو قواعد کے مطابق سلیکشن گریڈ ایوارڈ کے احکامات صادر کئے جائیں۔ شکریہ

Adul
عبدالروف شاہ

خط

بمطابق سابقہ سفاری لیٹ سے جو تعداد کوئی تکیل مسائل ہیں

(مردانہ) سفاری لیٹ نمبر 2311

موجود ہے۔

منجملہ صوابی

تاریخ 29/7/2010

0345 3416 916

JAVED IQBAL & BELA
Advocate
Supreme Court of Pakistan
(ASC # 5317)

وکالت نامہ

عدالت: ض۔ سندس مزد منجیل لکھنؤ

مسد الروف شاہ بنام صورت دستار

منجانب ایسٹرنٹ دعویٰ سندس منجیل

تاریخ 2024 11 12

باعث تحریر آنکہ مقدمہ مندرجہ بالا عنوان اپنی طرف سے واسطے پیروی و جوابدہی
بمقام لکھنؤ کیلئے جاوید اقبال گل بیلہ ایگروکیٹ سپریم کورٹ آف پاکستان

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

موزنہ مضمون مختار نامہ من لیا ہے گویا اچھی طرح سمجھ لیا ہے اور منظور ہے۔

Accd
10/11

صاحب مسد الروف شاہ
کلیئر
Adul