


FORM OF ORDER SHEET

Court of _____

Appeal No. 2481/2024

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. Sher Zada 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  REGISTRAR</p>

BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL

PESHAWAR

Service Appeal No 2481 /2024

Sher Zada

VERSUS

Government of Khyber Pakhtunkhwa

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Dated: 12-11-2024

Sher Zada
Appellant

Through

Javed Iqbal Gulbena
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 2481 /2024

Sher Zada, SET Seniority No. 2212, Retired Head Master, Education Department
Khyber Pakhtunkhwa.

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 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

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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.

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- 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 **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

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BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL
PESHAWAR

Service Appeal No _____/2024

Sher Zada

VERSUS

Government of Khyber Pakhtunkhwa

AFFIDAVIT

I, Sher Zada, SET Seniority No. 2212, Retired Head Master, Education Department Khyber Pakhtunkhwa, 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

Javed Iqbal Gulbela
Advocate, Supreme Court
Pakistan

(B)

BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL
PESHAWAR

Service Appeal No _____ /2024

Sher Zada

VERSUS

Government of Khyber Pakhtunkhwa

ADDRESSES OF PARTIES

Appellant

Sher Zada, SET Seniority No. 2212, Retired Head Master, Education Department
Khyber Pakhtunkhwa.

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: 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 (US-16) according to their seniority with effect from 30-6-2007:-

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 Biliqang 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 Jhangira Swabi.
2213	9 Mr. Abdul Aziz SET.	Govt Middle School, Bhai Khan Mardan.
2214	10 Mr. Saidan Shah SET.	GHSS Janal Manshera
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.

Attested by: *[Signature]*

[Signature]
Govt. High School
Gorang Sidi Khel (Kohat)

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)

(12)

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**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 Bannu
4.	Mr. Hanifullah SET	GCMHS Peshawar City
5.	Mr. Muhammad Shosib SET	GHSS Bilitang Kohat
6.	Mr. Haider Ali Khan SET	GHS Tattar Khel Karak
7.	Mr. Fazal Muhammad SET	GHS Sawal Dher 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 Manshra
11.	Mr. Muhammad Ibrahim SET	GHS Julagram Malakand Agency
12.	Mr. Abdus Sattar SET	GCMHS Abbottabad
13.	Mr. Muhammad Zarin SET	GHSS Kot Nateshullah Haripur
14.	Mr. Muhammad Dawood SET	GMS Badar brdge No.2 (SWA)
15.	Mr. Abdur Rahim Jan SET	GHSS Zeida Swabi
16.	Mr. Zahoor Muhammad SET	GHS Toru Mardan

Sd/-

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

Ends: 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. Tufail Muhammad/Final Notification/Dec/2008

JAVED IQBAL GULBELA
Associate
Supreme Court of Pakistan
ASC # 5317

JAVED IQBAL GULBELA
Associate
Supreme Court of Pakistan
ASC # 5317

JAVED IQBAL GULBELA
Associate
Supreme Court of Pakistan
ASC # 5317



(1/3) (11)

**GOVERNMENT OF NWFP
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT**

Dated Peshawar the 17-9-2009

Am-A
/I
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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	Altaullah 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 9-03-2000 instead of 29-12-1990

SECRETARY TO GOVT OF NWFP
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

Encls: of oven 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 IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 6317)

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 6317)

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 6317)

(17)

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GOVERNMENT OF NWFP-ELEMENTARY &
SECONDARY EDUCATION DEPARTMENT

Dated Peshawar the 17-09-2009.

NOTIFICATION

NO. SO (PE)2-8/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	Sajid 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 19-08-1995 instead of 08-10-1999
5	Attaullah Jan SET (Tech)	Award of Selection Grade (BS-17) w.e.f 21-07-1999 instead of 08-09-2000
6	Zakirullah SET (Tech)	Award of Selection Grade (BS-17) w.e.f 05-11-1999 instead of 27-12-1990
7	Muntas Parvez SET (Tech)	Award of Selection Grade (BS-17) w.e.f 09-08-2000 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 JAMIC
SECTION OFFICER (PRIMARY)

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

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

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

Supreme Court of Pakistan
 Advocates General
 JAVED IQBAL GILBERA
 (Advocate General)

(B.A.L.) H.A.L.P. Peshawar
 Deputy Director (B&E)

Supreme Court of Pakistan
 Advocates General
 JAVED IQBAL GILBERA
 (Advocate General)

W/V to Director (S&T) Local Office

Critics Concerned

Dated 6-5-2008

Respected W/V to his letter No. 50 (B&E)-2-6/2008 Meeting-08

Section Officer (Primary) Govt. H.A.L.P. (S&T) Deptt.

Office/Principals/Head Master Concerned

Private Accounts Officer Concerned

Director P.A. Education H.A.L.P.

Copy of the above is forwarded to the

Order No. /Y-14/Selection Grade/S&T (H) dated Peshawar

DIRECTOR
 Schools & Literacy H.A.L.P.
 Peshawar

- 1348-1 2nd Atax B&E ADO O/O D.Y.D.O. (H) A.A. Peshawar
- 177-2 2nd Atax B&E ADO
- 1987-3 2nd Atax B&E ADO (Mardan)
- 2037-4 2nd Atax B&E ADO No. 3 Mardan
- 2115-6 2nd Atax B&E ADO (Mardan)
- 2115-6 2nd Atax B&E ADO (Mardan)
- 30-6-2001 2nd Atax B&E ADO (Mardan)
- 30-6-2001 2nd Atax B&E ADO (Mardan)
- 30-6-2001 2nd Atax B&E ADO (Mardan)
- 25-4-2001 2nd Atax B&E ADO
- 8-4-2001 2nd Atax B&E ADO

No. Name/Designation/Address
 Date for award of Selection Grade

Dates noted against their names in the Selection Grade (B&E) section with effect from the date of the award of the Selection Grade at the Peshawar and Literacy H.A.L.P. Peshawar is placed on file for reference of the Department of the Department.

[Handwritten signature]

(A) THE OFFICE OF THE DIRECTOR SCHOOLS AND LITERACY H.A.L.P. PESHAWAR

29-5-2008
 (13)

(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 Branch (Men's Section) with effect from the date 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 Shar 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 Beeka (Swabi)	30-06-2001

Director
Schools & Literacy NWFP
Peshawar

Endst No. _____ /A-14/Selection Grade/SET (M) Dated Peshitha 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 GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 537)

S.F.F.
S/No

1923	24	Mohammad Ilyas MA Bed GMS Malkot AAsad	04-10-00
(1925)	25	Roshan Din BA,BED. GHS Pakha Ghulam Peshawar	04-10-00
1926	26	Fazil Azim MA,Bed. GHS No.2 Bikit Gurd Mardan	04-10-00
1927	27	Nowaherwan.BA.Bed. GHS garhi Kapoora Mardan	04-10-00
1929	28	Shah Jehan MA.Bed. GMS Peshora Mansoura	04-10-00
1930	29	All Asghar SET GMS Nanooki Kakan Mansehra	01-04-01
1931	30	Muhammad Sabir MA Bed. GHS Lahor Swabi	01-04-01
1932	31	Subhanud Din MA. Bed GHS Dharl Likpani Mardan	01-04-01
1933	32	Haji Muhammad MA. Bed. GHS Gajra Swat	01-04-01
	33	Muhammad Badshah MA.Bed. GHS Haji Abad Dir.	01-04-01
1934 1935	34	Shahqur Rahman MA.Bed GHS Shemala Mansera.	01-04-01

18-9-00 / 17-9-2000

DIRECTOR OF SCHOOLS & LITERACY
NWFP PESHAWAR.

Endst: No. 1242571 / 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 Dept: Govt: of NWFP with reference to his letter No.SO(5)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/File.

(11/11/04)

Syed Iqbal Gulbela
(SYED IQBAL GULBELA)

DEPUTY DIRECTOR (ESTABL)
DIRECTORATE OF SCHOOLS & LITERACY
NWFP PESHAWAR.

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)

Better Copy No.15

24	Muhammad Ilyas MA BED GMS Malkot A/Abad	04-10-00
25	Roshan Din RA BED GHS Pakha Ghulam Peshawar	04-10-00
26	Fazil Azim MA BED GHS No. Bikut Gunj Mardan	04-10-00
27	Nowsharwan 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 Sahir 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.**

Encl: 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 letter No.SO(S)&LM. 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 (FSTAB)
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)~~

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

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. Matullah Khan MA B.Ed GHS Ghungji Killa Karak	01-08-99
1895	2. Mahmud Bahgat MA B.Ed GHS Sami Swabi	01-08-99
1898	3. Muhammad Hayat BSc.Bed. GHS Kata Khat MDN	01-08-99
1899	4. Sabz Ali MA.Bed. ASDEO Charasadda, Now SET GHS Charasadda Khuz	01-10-99
1901	5. Salim Khan BSc.Bed. GHSS Hathari Mardan	01-11-99
1902	6. Abdul Matpon 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 Chamli Mardan	01-12-99
1908	9. Muhammad Mumtaz MA.Bed. GHS No.1 Mardan	01-12-99
1908	10. Shah Nuzar MA.Bed. GHS Zahir Abad Peshawar	01-04-00
1909	11. Anwar Shah MA.Bed. GHS Yordher Mardan	01-04-00
1910	12. Sher Ball BA. Med. C. 3 Hathari Mardan	01-04-00
1911	13. Kasirullah MA.Bed. GHS Rajur Charasadda	01-04-00
1913	14. Khawshish Khan MA.Bed. GHS Karak	10-07-00
1914	15. Muhammad Iemali MA.Bed. GHS Kapa Wala Pesh	01-07-00
1915	16. Shah Alam Khan MA.Bed GHS Togh Bala Kohat	01-07-00
1916	17. Idrayabillah MA.Bed. GHSS Shabqadar Fati 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. Imam Shah MA.Bed. GHS Nuhayl Peshawar	01-10-00
1920	21. Mohiul Yuzdan Dr. Bwd. GHS Jagnath Swabi	01-10-00
1921	22. Mushtaq Hussain BA Bed GHS Baldara Masohra	04-10-00
1922	23. Gul Amber Khan MA Bed GHS NO.1 Mangora Swabi	04-10-00

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Supreme Court of Pakistan
(ASC # 5177)

JAVED IQBAL GUGBELA
Advocate
Supreme Court of Pakistan
(ASC # 5177)

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Advocate
Supreme Court of Pakistan
(ASC # 5177)

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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 Rahman M.Sa BED GHS Seraj Swabi	01-09-00
3	Muhammad Hayat B.Sa BED GHS Kata Khat MDN	01-09-00
4	Sabz Ali MA, BED ADEO Charanadda, New SET GHS Charanadda Khas	01-10-00
5	Salim Khan B.Sa 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 Mumtas MA, BED GHS No.1 Mardad	01-12-00
10	Shah Nazir MA, BED GMS Zahir Abad Peshawar	01-04-00
11	Anwar Shah MA, BED GMS Turdher Mardan	01-04-00
12	Sher Ball BA, BED GMS Hathyan Mardan	01-04-00
13	Khairullah BA, BED GHS Rajjar Charanadda	01-04-00
14	Khawabiah Khan BA, BED GMS Karak	10-07-00
15	Muhammad Iqbal 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 Shahqadar For Charanadda	01-00-00
18	Muhammad Gul MA, BED GHS Khanagi Bala NSR	01-09-00
19	Ashraf Hussain SET GHS Muhammad Ali Kily Peshawar	01-10-00
20	Sahpan Shah M, BED GHS Nalaghi Peshawar	01-10-00
21	Mohiiti BA, BED IHS Jagmath Swabi	01-10-00
22	Muhammad Hussain BA, BED GHS Baldara Mansehra	04-10-00
23	Gul Amber Kha, BA, BED GHS No.1 Mangura Swat	04-10-00

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Supreme Court of Pakistan
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Supreme Court of Pakistan
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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, 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 selection may clearly be indicated with dates.

Sl#	Name	Schools	D/O Birth/Domicile	Required ACR: 1st Appt to 2003
1941	Mr. Shahid Hayat MSc BEd	GHS Masabdar Swabi	15-3-81/Swabi	1st Appt to 2003
1943	Mr. Manzoor Elahi MA BEd	GHS Sarai Saleh A.Abad	1-4-54/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/Pesh.	1st Appt to 2003
1950	Mr. Khalid Mian BA BEd	GHS Baleela-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	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	2003
1956	Mr. Muhammad Arif MA BEd	GHSS Mingora Swat	4-3-32/Swat	1st Appt to 2003
1957	Mr. Muhammad Zada MA BEd	GHS Mulla Swat	10-1-32/Swat	1st Appt to 2003
1958	Mr. Faridullah BA BEd	GHS Abdul Khaj DIK	9-1-60/DIK	1st Appt to 2003
1959	Mr. Irfan Din MA BEd	GHS Galoch Swat	1-10-33/Swat	1st Appt to 2003
1960	Mr. Sultan Zeb BA BEd	GHS Nawakalay Swat	15-5-52/Swat	1st Appt to 2003
1961	Mr. Munawar Shab BA BEd	GHS Dir	1-3-52/Swat	1st Appt to 2003
1963	Mr. Shafiq Rehman MA BEd	GHS Minadog Dir	3-11-52/Dir	1st Appt to 2003
1964	Mr. Khalilur Rehman MA BSc MEd	GHS No.2 Mardan	2-12-55/Mardan	1st Appt to 2003
1965	Mr. Fayyaz 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
IASC # 53171

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Advocate
Supreme Court of Pakistan
IASC # 53171

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Better Copy No.17

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:

Sl#	Name	Schools	D/O Birth/ Domicile	Required ACR
1941	Mr. Shahid Hayat MSc BEd	GHS Masahdar 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/Charaadda	1st Appt to 2003
1945	Mr. S.Kamal Shah MA BEd	GHS Taru Jahba	4-1-55/Peshawar	1st Appt to 2003
1950	Mr. Khalid Mian BA BEd	GHS Bataola 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
1958	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	4-1-60/DIK	1st Appt to 2003
1969	Mr. Irfanud Din MA BEd	GHS Galoch Swat	1-10-49/Swat	1st Appt to 2003
1960	Mr. Sultan Z. 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. Shafiq ur Rahman MA BEd	GHS Minadog Dir	3-11-52/Dir	1st Appt to 98
1964	Mr. Khalid ur Rahman MA BSc MEd	GHS No.2 Mardan	2-12-56/Mardan	1st Appt to 2003
1965	Mr. Fayun 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. Saad Khan MA BEd	GHS Ashar Dir	7-8-58/Dir	1st Appt to 2003

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Advocate
Supreme Court of Pakistan
(ASC # 5317)

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**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. Tej 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 Riaz	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 IGBAL
Supreme Court
TASCU EST

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	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. Zorlad 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. Furidullah		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

JAVED IQBAL & CO
 Chartered Accountants
 531/532, The Court House
 U.S.C. # 531/532

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37	Muhammad Idris	Considered suitable for grant of selection grade wef: 25-4-2001
38	Mr. Naadir 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 Hussain	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

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 Shah	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 Malin	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. Khajista 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 Muammar	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. Kishvar Shah	The committee deferred selection grade of the officer due to his retirement from service on 31-8-2000.
93	Mr. Abdur Rehman Saadi	Considered suitable for grant of selection grade wef: 1-6-2001

JAVED IQBAL
 ADVOCATE
 SUPREME COURT
 (A.S.C.A. 171)

95	Mr. Abdul Majid	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. Sulman 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. Ghousia Hussain	

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124	Mr. Abdul Akbar	76 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. Rehnatullah 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 Pursan	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.

JAVED IQBAL
 ASST. COMMISSIONER
 (ASST. COMMISSIONER)
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153	Mr. Shah Jehan	The committee deferred selection grade of the officer for proper scrutiny of his case.
154	S. Abdullahi Shuh	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 Huroon	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. Shabir 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 Gatab 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. Dchli 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 considered 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. Asal 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	

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 11/11/2001

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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. Bilal 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. Chinar 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 Majeed	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 Bakhtal	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. Abdur Riaz	Considered suitable for grant of selection grade wef: 30-6-2001
231	Mr. Peroz 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

JAVED IQBAL
 SHARAH COMMISSIONER OF PUNJAB
 (ASC # 53-51)

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. Malik Aman	Considered suitable for grant of selection grade wef; 30-6-2001
262	Mr. Bahmat 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	

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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

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

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

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

(Shafiqullah Khan)
Secretary Schools & Literacy Department

29/3/07

JAVED IQBAL (SU-BELA)
Advocate
Supreme Court of Pakistan
(SC# 5317)

(32)

Ann-B II

(13)

تنظیم اساتذہ ہونے کے لیے
(مشعبہ لیبوری 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 signatures (for having seen and checked the list thoroughly) should be obtained from them and kept in your office for record.

Deputy Director Sec. Edu.
Education NWFP, Peshawar.

Encl: No. 3234-3334

Copy forwarded to the:-
Officials concerned.
PA to Director Secy: Edu: NWFP, Peshawar.

- 1.
- 2.

29/8/01
Deputy Director Secondary
Education NWFP, Peshawar.

Abdul Jabbar.
30/8/01.

JAVED IQBAL SUFIA
Advocate
Supreme Court Peshawar
TASC # 53231

2184	Mr. Muhammad Zahir Khan MA BED	Gadawal Swat	1986	3-8-48/Swat	7-9-64	1-11-86	2228
2185	Mr. Rustam Shah MA BED	GHSS Mardan	1980	2-12-42 Mardan R	25-1-67	1-11-86	2229
2186	Mr. Malik Aman MA BED	GMS Sikandar Swabi	1980	8-8-47/Swabi	25-5-69	1-11-86	2230
2187	Mr. Rahmat Shah MA BED	GHS No.2 Pesh Cantt.	1980	11-7-52/Pesh	7-9-71	1-11-86	2231
2188	Mr. Abdul Karim MA BED	GHS Khishgi Bala Nowshera	1979	6-2-50/Charsadda	2-10-71	1-11-86	2232
2189	Mr. Abdul Malik MA MED	GHS Yar Hussain Swabi	1984	6-4-54/Swabi	24-1-74	1-11-86	2233
2200	Mr. Ibrahim Khan MA BED	GMS Garhi Dautzai Mardan	1980	3-11-58/Mardan	15-10-80	1-11-86	2234
2201	Mr. Muhammad Ayub MA BED	GHS Kani Gurfam SWA	1981	3-2-58/Bannu	24-1-81	1-11-86	2235
2202	Mr. Akhtar Zaman BSc BED	GMS Mama Khat Bahochi	1986	15-1-81/Bannu	29-10-85	1-11-86	2236
2203	Mr. Rehman Ali MA BED	GHS Jabba Mardan	1980	1-11-58/Mardan	1-11-58	1-11-86	2237
2204	Mr. Hidayat Ali Shah MSc BED	GHS	1984	24-2-89/Pesh	1-11-89	1-11-86	2238
2205	Mr. Khalidullah Khan BSc MED	GHS Doaba Kohat ✓ 6	1985	3-9-60/Kohat	1-11-89	1-11-86	2239
2208	Mr. Farid Nawaz MA BED	GHSS Sami Naurang Bannu	1981	10-2-54/Bannu	22-11-75	2-11-86	2240
2207	Mr. Hanifullah MA BED	GMS Zaryab Colony Pesh	1984	1-1-48/Pesh	18-11-78	4-11-86	2241
2208	Mr. Muhammad Shoab MA BED	GHS Bijliang Kohat ✓ 6	1989	16-2-60/Kohat	9-12-85	4-11-86	2242
2209	Mr. Fazal Muhammad BA BED	GHS Tarna Mardan	1986	13-4-81/Mardan	15-10-81	5-11-86	2243
2210	Mr. Iqbal Hussain MA BED	GHS Jabba Nowshera	1980	1-3-57/Mardan	23-9-80	6-11-86	2244
2211	Mr. Muhammad Javed MSo BED	GHS Baja Swabi	1984	21-3-81/Mardan	8-11-59	6-11-86	2245
2212	Mr. Muhammad Amir MA BED	GHS Yar Hussain Swabi	1980	1-1-48/Swabi	5-4-69	8-11-86	2246
2213	Mr. Abdur Rashid	GHS Mitha - K A	1977	13-11-48/K A	1-9-70	15-12-86	2247
2214	Mr. Saadullah Khan BA MED	GHS Dhakki DIK	1983	24-5-49/DIK	7-9-71	8-11-86	2248
2215	Mr. Abdul Aziz MA BED	GHS Guat Mardan	1980	2-1-53/Mardan	18-4-72	8-11-86	2249
2216	Mr. Abdul Wadood BA BED	GHS Kotli Bala Manshra	1981	1-4-43/Manshra R	22-4-65	11-11-86	2250
2217	Mr. Saldan Shah MED	GHSS Manshra	1986	10-6-51/Manshra	7-9-71	11-11-86	2251
2218	Mr. Muhammad Ibrahim MA BED	GHS Kharid Dheri MKD	1983	2-2-51/MKD	9-12-72	11-11-86	2252
2219	Mr. Abdul Sattar MA BED	GHS Hamoo A Abad	1983	1-1-55/A Abad	1-11-85	11-11-86	2253
2220	Mr. Muhammad Zahir MA MED	GHS Bala A Abad	1985	12-4-59/A Abad	1-2-78	11-11-86	2254
2221	Mr. Muhammad Dard BA BED	GMS Babar Baildige No.2 SWA	1986	1-1-58/SWA	23-10-88	11-11-86	2255
2222	Mr. Abdur Rahim Jan MA BED	GMS Dodher Swabi	1980	12-12-44/Swabi	1-10-84	12-11-86	2256
2223	Mr. Zahoor Ahmad MA BED	GHS Teru Malra Mardan	1979	27-3-44/Mardan R	5-4-69	12-11-86	2257
2224	Mr. Mushtaqur Rehman MA BED	GHS Dadkan Dir	1984	18-2-54/Dir	4-5-78	12-11-86	2258
2225	Mr. Muhammad Khurshid MA MED	Oghil Manshra	1986	23-5-55/Manshra	5-2-78	12-11-86	2259
2226	Mr. Shah Jehan MA BED	GHS Qandil Swat	1984	22-8-45/Swat	30-4-86	12-11-86	2260
2227	Mr. Aurangzeb BA BED	GHS Dara Pabzu Bannu	1985	8-11-51/Bannu	12-11-86	12-11-86	2261
2228	Mr. Muhammad Saad MA MED	GHS Dakla A Abad	1981	1-4-43/A Abd R	23-9-81	13-11-86	2262
2229	Mr. Sultanul Arifin BA BED	GHSS T. Town Ship A Abad	1982	2-6-44/A Abad	8-5-86	13-11-86	2263
2230	Mr. Saeedullah MA BED	GMS Katan Bala Dir	1984	3-4-58/Dir	6-11-75	13-11-86	2264
2231	Mr. Khalid Naem BA BED	GHS Landi Asandher FR DIK	1986	29-8-43/DIK R	11-4-76	13-11-86	2265
2232	Mr. Muhammad Nazir MA BED	GHS Khangur Dir	1984	15-1-57/Dir	16-8-80	13-11-86	2266
2233	Mr. Saadqan MA BED	GMS Bedardanj Dir	1984	31-8-55/Dir	13-10-75	14-11-86	2267

JAVED IDENI GULBERG
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2274	Mr. Mohammad Hafeez MA:BED:MED	ASDEO Mansehra	1983	1-1-60/Mansehra	1-7-70	12-1-87	2314
2275	Mr. Hakeelur Rehman MA:BED	GHS Dambor A.Abad	1983	15-2-54/A.Abad	12-10-74	12-1-87	2315
2276	Mr. Taj Mohammad BA:BED	GHS Dambor 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	30-8-54/Mansehra	2-1-76	12-1-87	2317
2278	Mr. Mehboob Elahi MA Urdu	GHS Tofican A.Abad	1983	1-1-57/Haripur	15-10-78	12-1-87	2318
2279	Mr. Mohammad Ashiq MA Isl:BED	GHS Pandi Latra Khyber Agy	1985	15-5-57/Charsadda	14-5-78	12-1-87	2319
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	GHS Khairan A.Abad	1983	10-5-51/Haripur	20-10-73	13-1-87	2321
2282	Mr. Jumma Khan MA Isl:MED	GHS Shamgara 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	14-12-67	13-1-87	2323
2284	Mr. Mohammad Ismail MA Isl:BED	GMS Shamoni Khattak Bannu	1983	10-3-55/Bannu	16-3-81	13-1-87	2324
2285	Mr. Nasrullah Khan Khattak MA	GHS Shakar Dara Kohat	1980-81	9-5-48/Kohat	19-11-83	13-1-87	2325
2286	Mr. Beg Gul MA:MED	GHS Esaf Khel Korak	1985	15-9-47/Karak	4-4-66	14-1-87	2326
2287	Mr. Abdul Qadir BA:BED	GHS Charhlail A.Abad	1983	16-7-50/A.Abad	13-7-73	14-1-87	2327
2288	Mr. Sultan Ali BA:BED	GHS Jabri Haripur	1983	25-12-48/Haripur	5-3-75	14-1-87	2328
2289	Mr. Sanaullah Khan MA P.Sc:BED	GHS Musazal Shaif Dikhan	1982	GHS No.2 Dikhan	13-9-81	14-1-87	2329
2290	Mr. Fazlur Rehman MA:BED	GHS Bodla A.Abad	1984	GHS Dewana Baba Daggar Bunir	4-2-78	15-1-87	2330
2291	Mr. Mohammad Saeed MA:BED	GHS Jaral A.Abad	1983	GHS Sinā Garhi Chitral	6-1-85	15-1-87	2331
2292	Mr. Said Laiq Shah MA Isl:BED	GMS Chitwasht SWA	1984	GHS Ujnu Chitral	11-5-88/A.Abad	17-1-87	2332
2293	Mr. Fozal Hussain BA:BED	GHS Broz Chitral	1983	GHS Mandoor Kohat	18-12-76	17-1-87	2333
2294	Mr. Falz Mohammad BA:BED	GHS Rehmat Abad Karak	1985	GHS Moofia A.Abad	14-11-69	18-1-87	2334
2295	Mr. Rehmat Khan BA:BED	GHS Dabgar Gate Peshawar	1985	GHS Manki Swabi	5-11-88	21-1-87	2335
2298	Mr. Rehmat Wali BA:FCU	GHS Small Khel Bannu	1985	GHS Batagram Charsadda	1-12-84	24-1-87	2336
2298	Mr. Bashir Ahmad BA:BED	GHS Batagram Charsadda	1985	GHS Malogo Peshawar	23-11-78	24-1-87	2337
2298	Mr. Nak Nawaz MA:BS:BED:MED	GHS Chitral	1981	GHS Chitral	14-1-82	24-1-87	2338
2299	Mr. Habib Shah MA Urdu:BED	GHS Babozal Mardan	1983	GHS Khair Abad Mardan	5-3-74	25-1-87	2339
2300	Mr. Mohammad Sarfaraz BA:BED	GHS Hazer Khawani Peshawar	1985	GHS Mian Khan Mardan	1-5-78	26-1-87	2340
2301	Mr. Liqat Ali SET BSc:BED:MED	GMS Malik Abad Gadoon	1985	GHS Chahal Gadoon	21-1-84	26-1-87	2341
2302	Mr. Hamid Ali MA:BS:BED	GHS Chahal Gadoon	1986		21-1-84	26-1-87	2342
2303	Mr. Falak Naz Khan		1986		21-1-84	26-1-87	2343
2304	Mr. Mohammad Tahirullah MA:BED		1986		21-1-84	26-1-87	2344
2305	Mr. Subhanud Din BA:BED		1986		21-1-84	26-1-87	2345
2306	Mr. Abdul Rashid MA:BED		1986		21-1-84	26-1-87	2346
2307	Mr. Salahud Din BA:BED		1986		21-1-84	26-1-87	2347
2308	Mr. Raham Akbar MA Isl:MED		1986		21-1-84	26-1-87	2348
2309	Mr. Fazli Malik MA Pa:MED		1986		21-1-84	26-1-87	2349
2310	Mr. Ishaq Ahmad MA Urdu:BED		1986		21-1-84	26-1-87	2350
2311	Mr. Abdul Rauf Shah BA:MED		1986		21-1-84	26-1-87	2351
2312	Mr. Sher Zada MA History:MED		1986		21-1-84	26-1-87	2352
2313	Mr. Sher Aman MA Urdu:BED		1986		21-1-84	26-1-87	2353

JAVED IQBAL GURBELA
 RAJWALAH
 H.S.C. 537

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BEFORE THE SERVICE TRIBUNAL, KHYBER PUKHTOONKHA,
PESHAWAR.

Service Appeal No. 2819 / 2010

Service Tribunal
Service Appeal No. 2819
Dated 23/11/10

Sherzada, S.S. & H.S.S. Bam Khel
District Swabi Ex-S.E.T. (BPS-16)Appellant

Ann B/II
(II)

Versus

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

Filed to-159

23/11/10

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

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

Respectfully sheweth:

1. That the appellant is serving as 3rd Teacher at GHSS Bam Khel Dist Swabi.
2. That the Education Department has issued the Notification dated 26-12-2008, thereby selection grade (BPS-17) has been granted to the SET Teacher upto seniority No. 2223 (Copy of the Notification is attached as Annexure "A").

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ATTESTED

08-11-24

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BY
11/11/10

3. That the appellant has got at his credit his seniority No. 2312 (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 3%. (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").

APPROVED

[Signature]

SECRETARY
ELEMENTARY & SECONDARY
EDUCATION
GOVT. OF PUNJAB
LUDHIANA

DIGBAL CHAUHANELA
SECRETARY
ELEMENTARY & SECONDARY
EDUCATION
GOVT. OF PUNJAB
LUDHIANA

- 3 -

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 mala fide 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

ATTENDED

STATE OF RAJASTHAN
 PUBLIC SERVICE COMMISSION
 JAIPUR

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.

[Signature]
Appellant

through *[Signature]*
(Ghulam Nabi)
Advocate, Peshawar.

ATTESTED

[Signature]

SECRETARY
PESHAWAR
PESHAWAR

ADIL GULSENI
Advocate
Peshawar
ASC-137

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BEFORE THE SERVICE TRIBUNAL, KHYBER PUKHTOONKHW, PESHAWAR.

5

Service Appeal No. _____ / 2010

SherzadaAppellant

VERSUS

Govt. of Khyber Pukhtoonkhwa and others Respondents.

A F F 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 true copy

06-11-24
Khyber Pukhtoonkhwa
Service Tribunal,
Peshawar

ATTESTED
LADAT ALI KHAN ADVOCATE
B.A. LL.B
Distt Commissioner
DISTT PESHAWAR
4/11/18

Khyber Pukhtoonkhwa Service Tribunal, Peshawar
Application No. 572
Name of Applicant Sherzada
Number of Transcripts 5-1
Copies of 25/-
Amount Paid 25/-
Total 2 Peshawar
Name & Sign of Deputy
Date of Deposit 06-11-24
Date of Receipt of Doc 11-11-24

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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 "Raaham 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.

[Signature]
MEMBER

[Signature]
CHAIRMAN

ANNOUNCED
14.12.2017

Certified Signature Dept

[Signature]
Khyber Pakhtunkhwa
Service Tribunal
Peshawar
06-11-24

Khyber Pakhtunkhwa Service Tribunal, Peshawar	
Application No.	572
Date	29-10-24
Name of Applicant	Jam 133
Number of Copies/Pages	1-9
Copying Fee	5/-
Other Charges	
Total	5/-
Name & Sign of Copyist	Zeeshan
Date of Completion of Copy	06-11-24
Date of Receipt of Copy	11-11-24

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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

Ann-B/III

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 MUIHAMMAD 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.

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07-11-24

JAVED IQBAL GULBELA
Advocate
High Court of Peshawar
Case # 33

Iftikharud Din, No. 2832/2010 Abdul Hayat, 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

JAVED IQBAL GULBELA
Supreme Advocate
IASC
Islamabad

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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.

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

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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 IOBAL QURESHI
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)
(NIAZ MUHAMMAD KHAN)
CHAIRMAN

(Signature)
(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

ANNOUNCED
14.12.2017

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IANEES IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASO)

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 Abazai 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.

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

.....Respondents

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

ATTESTED

19 JAN 2018

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

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
	2 28.03.2018	<p style="text-align: center;">E</p> <p><u>WP No. 435-P/2018.</u></p> <p>Present:</p> <p style="padding-left: 40px;">Mr. Ghulam Nabi Khan, Advocate for petitioners.</p> <p style="padding-left: 40px;">Mr. Mohammad Riaz, AAG alongwith Miss Nadia, Advocate Litigation E&SED.</p> <p style="text-align: center;">*****</p> <p><u>ROOF-UL-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 style="padding-left: 40px;">" 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)

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

(DB)

Mr. Justice Enob-Ul-Amin Khan & Mr. Justice Syed Ahsan Shah

CERTIFIED TO BE TRUE COPY

Peshawar District Court, Peshawar
Authorized Officer Section 49 of
The Courts (Amendment) Act, 1984

07 APR 2018

JAVED IQBAL GULBEHA
Advocate
Supreme Court of Pakistan
(AS/2/5317)

JAVED IQBAL GULBEHA
Advocate
Supreme Court of Pakistan
(AS/2/5317)

JAVED IQBAL GULBEHA
Advocate
Supreme Court of Pakistan
(AS/2/5317)

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
(AS # 5317)

FILED TODAY
Deputy Registrar
22 JAN 2018

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Peshawar High Court

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

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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 Sheikhhan 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.

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 Deputy Registrar
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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 OF ORDER SHEET

Date of Order or Proceedings	3
1	2
06.11.2018	<p><u>W.P No.469-P/2018.</u></p> <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 RPS-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 IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 3317)

ATTESTED EXAMINER
Peshawar High Court

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 3317)

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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 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 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

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JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC No. 5317)

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC No. 5317)

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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 17/17)

FILED TODAY
Deputy Registrar
24 OCT 2019

ATTESTED
EXAMINER
Peshawar High Court

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

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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

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

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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 NAKIRM 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)

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 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; thereafter care 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

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Supreme Court of Pakistan
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Peshawar High Court

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Supreme Court of Pakistan
(ASC # 3017)

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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. Zaheer FSP


SENIOR PUISNE JUDGE

JUDGE

(DB: Hon'ble Mr. Justice Qazi Faez Islam & Hon'ble Mr. Justice Muhammad Nadeem Anwar)

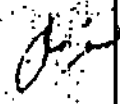
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JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASO # 5317)

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

BEFORE THE PESHAWAR HIGH COURT PESHAWAR.

COC. N O. 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 Killi, 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 Afzal, Headmaster Retired GHS Sarfara Killi, District Charsada.

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Advocate
Supreme Court of Pakistan
(ASC # 5317)

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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. 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. Nek Nawa2, Headmaster GHS Shikhan, District Kohat.
- 10. Eid Gul, SST Retired GHS Jata Ismail Khej, Distract Karak.
- 11. Muhammad Ajmal, SST Retired GHSS no.1 Tangi, District Charsada.
- 12. Sher Afzal, Headmaster Retired GHS Sarfara Killi, District

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Duty Registrar
28 JUL 2021

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 1937)

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Advocate
Supreme Court of Pakistan
(ASC # 1937)

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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.

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

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Advocate
Supreme Court of Pakistan
(ASC 5317)

Charsada.

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).

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Advocate
Supreme Court of Pakistan
(ASC 175317)

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Advocate
Supreme Court of Pakistan
(ASC 175317)

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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 INIATING CNTEMPT OF COURT PROCEEDING AGAINST THE RESPONDENTS.

Respectfully sheweth:

1. That the petitioners filed writ petition NO. 469-P/2018. on 18.05/18.

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 as a 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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Advocate
Supreme Court of Pakistan
(ASC # 5017)

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Advocate
Supreme Court of Pakistan
(ASC # 5017)

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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 INATIATING 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 IQBAL QULBELA
Advocate
Supreme Court of Pakistan
(ASD # 457)

FILED TODAY
Deputy Registrar
28 JUL 2021

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JAVED IQBAL QULBELA
Advocate
Supreme Court of Pakistan
(ASD # 457)

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

JAVED IQBAL GULBELA
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(ASC # 4317)

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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

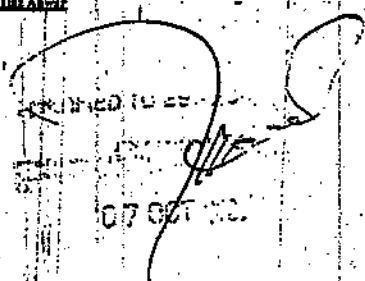

Chief Justice


Judge

ADL. Hon'ble Mr. Justice Qazi Faez Elahi, HC and Hon'ble Mr. Justice Ijaz Ahmad

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Advocate
Supreme Court of Pakistan
(ASC # 537)

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Advocate
Supreme Court of Pakistan
(ASC # 537)

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BEFORE THE PESHAWAR HIGH COURT PESHAWAR.

COC No. 368/P 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 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. 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.

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Advocate
Supreme Court of Pakistan
(SC-4517)

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Peshawar High Court

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Advocate
Supreme Court of Pakistan
(SC-4517)

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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, annex 5).
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 11317)

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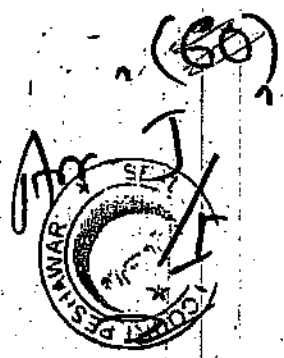
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JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC 11317)

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 Ali 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

(08) Hon'ble Mr. Justice Ijaz Ahmad Khan, H.C. and Hon'ble Mr. Justice Ijaz Anwar

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC-5017)

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Advocate
Supreme Court of Pakistan
(ASC-5017)

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

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

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JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
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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

CCM, Mr. Justice Qazi Rizwan Khan, J.C. and Mr. Justice Desai

S.S.S.U.
07/10/2021

Stamp: OCT 2021

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(ASC #117)

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Advocate
Supreme Court of Pakistan
(ASC #117)

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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 Killi, 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, District Karak.
11. Muhammad Ajmal, SST Retired GHSS no.1 Tangi, District Charsada.
12. Sher Afazal, Headmaster Retired GHS Sarfara Killi, District Charsada.

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Advocate
Supreme Court of Pakistan
(ASC 73317)

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Supreme Court of Pakistan

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Charsada.

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 Shamlal District Batgram.

20. Iftikhar Uddin Chitral District Chitral.

.....Applicants/Petitioners).

VERSUS

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

.....(Respondent).

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

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Supreme Court of Pakistan
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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 style="text-align: center;">*****</p> <p><u>OAISER RASHID KHAN, CJ.</u>-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><u>Announced.</u> 13.09.2022</p> <div style="text-align: right; margin-top: 20px;">  CHIEF JUSTICE </div> <div style="text-align: right; margin-top: 20px;">  JUDGE </div>

(Kiyaz)

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

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Supreme Court of Pakistan
(ASC # 331)

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Peshawar High Court

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Advocate
Supreme Court of Pakistan
(ASC # 331)

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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 Balaj Dir Lower.

.....Applicants/Petitioners).

VERSUS

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

.....(Respondent).

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(ASC # 5317)

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Advocate
Supreme Court of Pakistan
(ASC # 5317)

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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 INITIATING CONTEMPT 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.

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(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 deliberately, intentionally not honor the order of this Honorable court reason best known to them.

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

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Advocate
Supreme Court of Pakistan
(ASC # 5317)

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Advocate
Supreme Court of Pakistan
(ASC # 5317)

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BEFORE THE PESHAWAR HIGH COURT PESHAWAR.

COC. NO 163 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 Ilrahim 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. M. Qureshi A.M. Noor
Date

Signature of
Deponent

FNIC No: 17101-032021-1

Roll No. 03429877255

JAVED IQBAL QURESHA
Advocate
Supreme Court of Pakistan
Peshawar

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No: 9873

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 in the presence of L. M. Qureshi A.M. Noor
Who is present in my office.

[Signature]
Oath Commissioner
Peshawar High Court Peshawar.

26/04/2022

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[Signature]
Deputy Registrar
08 MAR 2022

JAVED IQBAL QURESHA
Advocate
Supreme Court of Pakistan
Peshawar
Roll No. 03429877255

Advocate JAVED IOBAL SUIBELA
Advocate # 5713
Supreme Court of Pakistan

JAVED IOBAL SUIBELA
Advocate
Supreme Court of Pakistan
(ASCP # 5713)

WP4110-2022 (COMMENTS 02-03) Federal Appellate Court of KP, Pakistan

CS CamScanner

Deputy Director (Recruitment/M-1)
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

Signature of Deputy Director (Recruitment/M-1)

1. Learning Registrar Peshawar High Court, Peshawar.
2. Learning Registrar Peshawar High Court, Peshawar.
3. District Education Officer (Male) Marhan Peshawar.
4. Section Officer (Legal) Peshawar Peshawar Peshawar.
5. Deputy Director (Legal) Peshawar Peshawar Peshawar.
6. Official concerned.
7. Section Officer (Primary) Govt of Khyber Pakhtunkhwa, Peshawar Department.
8. Masterfile.

Copy forwarded for information & retention in files.
Memo No. SST (M) Section grade dated Peshawar Dte. (SMA) / 2021.
Khyber Pakhtunkhwa Peshawar.

Now there is no compliance of the judgment dated 06-11-2018, passed by the Honorable Peshawar High Court, Peshawar, having regard to the fact that the selection process was already underway and there is no question of selection. The balance quota of selection grade was already filled for the selection grade.

And whereas, the Govt of Pakistan Finance Division (Regulation Wing) has issued Memo No. F.1 (S) / MFP / 2001 / Islamabad dated 09-09-2001, wherein, the selection process was already underway and there is no balance of selection grade post.

And whereas, the number in issue pertaining to selection grade of SST teachers has already been provided with Memo No. 706 / P.No. 206 / A-14 / S. Grade dated 08-05-2009, issued by the then Deputy Director (Recruitment) Peshawar, wherein it was intimated that the balance quota of selection grade post was already filled, hence there is no balance of selection grade post.

Therefore, the petition is disposed of in the terms that in final scrutiny the names of deceased employees, retired employees before 30-11-2001, and primary employees in 195-18 as well as names of those employees who figure in the list shall be deleted/omitted, and scrutiny list of teachers employees recruited/supervised accordingly, where-ever cases of the petitioners shall be processed for consideration of their entitlement for grant selection grade if they were otherwise found eligible for the same.

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 that is reproduced as under:

"The petitioners have prayed that the teachers who have been double listed, deleted before 30-11-2001 and scrutiny provided to 195-18 should be deleted from the above list and the respondents be directed to process the cases 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 report."

1. Whereas, the petitioners namely Mr. Rahim Akbar, Ex-Head Master and (23) Others filed with petition No. 459-P/2018 before the Honorable Peshawar High Court, Peshawar with the following prayer:

NOTIFICATION

DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION DEPARTMENT
KHYBER PAKHTUNKHWA PESHAWAR

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(Signature)

WP4110-2022 (COMMENTS 02-03) Federal Appellate Court of KP, Pakistan

(80) (57) Am-P

BEFORE THE HON'BLE 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. 2292, 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 Khahil 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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(ASC #2317)

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Peshawar High Court

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

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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-189 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 hails 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 GULBELA
Advocate
Supreme Court of Pakistan
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Advocate
Supreme Court of Pakistan
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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 7582 on 30.06.2001, as a whole & amongst from them 248 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 7582, 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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 JAVED IQBAL GULBELA
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 Supreme Court of Pakistan
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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 & C.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

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Advocate
Supreme Court of Pakistan
(ASC # 5317)

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

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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 alas 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 meted 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.

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Supreme Court of Pakistan
(ASC # 5317)

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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 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.

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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Supreme Court of Pakistan
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10-2022 RAHAM AKBAR VS STATE OF PGS132 USE.pdf

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Peshawar High Court

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Advocate
Supreme Court of Pakistan
(ASC # 52/7)

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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.

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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.1188-48/File No.EST (M) Selection Grade Dated:18-11-2021 of the office of the Director Elementary and Secondary Education Department Khyber Pakhtunkhwa, may vary graciously be declared

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Peshawar High Court

JAVED IOBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 337)

JAVED IOBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 337)

(H)

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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Deputy Registrar

11 OCT 2022

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 6317)

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EXAMINER
Peshawar High Court

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 6317)

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IN THE HON'BLE PESHAWAR HIGH COURT PESHAWAR

W.P No. ____/2022

Raham Akbar **Petitioner**

VERSUS

The Govt. of KPK & others **Respondents**

AFFIDAVIT

I, **Raham Akbar S/o Mir Haider R/o Abakhel, Babuzai Abakhel, 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 87 of
the Qanun-e-Shanadat Act 1984

05 OCT 2024

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ACC # 357)

FILED TODAY

Deputy Registrar

11 OCT 2022

2002
Certified the affirmation of **Raham Akbar** on solemnly day of **06** **October** **2022** at **Mardan** who is person **Javed Iqbal Gulbela**

[Signature]
06/10/2022

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ACC # 357)

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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

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
I.A.S.C. No. 1171

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

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Supreme Court of Pakistan
(ASC.# 637)

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EXAMINER
Peshwar High Court

JAVED IQBAL GUL BELA
Advocate
Supreme Court of Pakistan
(ASC.# 637)

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(29)

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.

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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

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Supreme Court of Pakistan
(AO 11.2.17)

ATTESTED
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Peshawar High Court

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Supreme Court of Pakistan
(AO 11.2.17)

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(88)

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

Senior
Puisne Judge

Judge

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 5517)

(DE) Hon'ble Mr. Justice Ijaz Ahmad and Hon'ble Mr. Justice Saeed Ahmad AD

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EXAMINER
Peshawar High Court, Peshawar
Authorized Under Article 8, 7 of
the Oath-taking Statute Act 1984
05 OCT 2024

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 5517)

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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 Sobail, 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, Pro-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. Pro-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 Sobail
Mr. Muhammad Sobail
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
(SC 2517)

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05-11-2019

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(SC 2517)

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OFFICE OF THE PRINCIPAL GOVERNMENT SHAHRED 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 Enlist No. 368798 dated 22/01/2021 & 02/02/2021 regarding the award of selection grade to SST BBS-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 committees to the accomplishment of the task.

In keeping TCs 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 petitioner and discussed the matter in detail.

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(ASC#5317)

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(ASC#5317)

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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

(8)

- 1) Final seniority list of SETs (male) No.3199-3233/A-68/S. List Dated Peshwar 29-08-2001
- 2) WP No 435/P -2008
- 3) WP No 469/P -2018 /File
- 4) Unlisted 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 awardees No. 4932-39/A-14/S/Grade/SBTs dated 03-04-2007

Departmental Service

- ◆ According to Director EASE 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 34 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)

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(ASC 3237)

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

Tabular Form

The above mentioned points are displayed in Tabular form below

S.No.			
	Total No. of Sanctioned posts of SETs 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 SETs on 30-06-2001 which is 7532.

Petitioner's Statement

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 EASE 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 SETs bearing No. 3199-3233/A-88/Seniority list dated 29-08-2001.

(Signature)

(Signature)

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Advocate
Supreme Court of Pakistan
(ACC # 5317)

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Advocate
Supreme Court of Pakistan
(ACC # 5317)

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

Consequent upon an 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 SBTs on 30-06-2001 (Annex-A)	7532
2.	33% of 7532 (Annex-A)	2486
3.	Correction up to 30-11-2001 (Annex-F)	
	<ul style="list-style-type: none"> i. Department promotex =661 ii. Direct Selectees to HM/SSA BPS-18 =104 iii. Retired before 30-11-2001 =92 iv. Pro-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
	Awardies on 30-06-2001	869 =1324
	Post available for selection grade, on 30-06-2001	2486
		1324 =1162
	Awarded after 30-06-2001 (Annex - A,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 committees and came to the conclusion:-

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ATTESTED

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 5377)

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 5377)

(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(5)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(5)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(5)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. 1496-1825/2-14/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.1295-55/A-14/SET (Tech) S/G, Dated 16.01.2008. Total =56.	56
12.	Selection Grade B.17 Awarded to SETs B.16, 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/ EBSE /DPC/ SET/Selection Grade(BS-16 to BS-17)/08, Dated. 26.12.2008, 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. 50(PE)2-6/EBSE/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

all 2001

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Advocate
Shripping Court of Pakistan
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Advocate
Shripping Court of Pakistan
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خدمت جناب سیکرٹری سروس ایگزیکٹو ایڈمنسٹریشن ایڈ سیکٹری ایجوکیشن خیبر پختونخوا ایشاد
موازن: Double Enlisted, Died, Retired & Promoted
سلیکشن گریڈ کے مال (سرواں) کی جگہ پر مزید حقدار SET's کی سلیکشن گریڈ پر ایوارڈ کیا۔

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جناب مال:

میں ہے کہ حوالہ نمبر List 3199-3233/A-88/S اور سوری ایسریل نمبر 1 سوری 14/09/1974 سے لی
نمبر 7279 سوری 12/07/1999 جناب ڈائریکٹر ایڈمنسٹریشن ایڈ سیکٹری ایجوکیشن سوبہ خیبر پختونخوا ایشاد کے شائع شدہ
SET's سلیکشن گریڈ کے مطابق سلیکشن گریڈ کے اہل ہونے پر اشارات پیش کی جالی ہیں۔

(1) ملکہ تعلیم کی جانب سے سیکرٹری ایڈمنسٹریشن ایڈ سیکٹری ایجوکیشن سوبہ خیبر پختونخوا کی سرپرستی میں سوری 14/02/2007 کو
سلیکشن گریڈ کے لئے مستندہ اجلاس میں 30/06/2001 تک سوبہ بھر میں اطلاع اور ایکٹیوٹیوں کی سطح پر منظور شدہ
SET's (سرواں) پرسوں کی کل تعداد 7532 میں میں 243 ساتھ ساتھ سلیکشن گریڈ کے حقدار تھے۔

(2) 33 فیصد کے حساب سے 29/08/2001 کو جاری کردہ فائل سٹ کے مطابق سلیکشن نمبر 2223 (سلیکشن نمبر 2223) کو
سلیکشن گریڈ سکیل 117 ایوارڈ کیا گیا ہے۔

(3) مذکورہ سلیکشن گریڈ میں باغی ایسے SET's کے نام ہیں جو Double Enlisted ہیں۔

(4) مذکورہ سلیکشن گریڈ میں باغی ایسے SET's کے نام شامل ہیں جو ذات پائے ہیں۔

(5) مذکورہ سلیکشن گریڈ کے حامل 91 SET's 30/11/2001 سے قبل ریٹائر ہو چکے ہیں۔

(6) مذکورہ سلیکشن گریڈ میں گریڈ چارج سرہی سلیکشن کے ذریعے ریٹائر سکیل 17 یا 18 میں پروموت ہو چکے ہیں جن کی کل تعداد
177 تھی ہے۔

(7) سلیکشن گریڈ کے مطابق مزید 177 ساتھ ساتھ 30/11/2001 تک سلیکشن گریڈ سکیل نمبر 17 کے حقدار ہیں جن میں سے
کا سلیکشن نمبر 2312 ہے۔

یاد رہے کہ 30/11/2001 تک سوبہ SET's کی پرسوں پر 33% کے حساب سے SET's کی سلیکشن گریڈ سکیل
نمبر 17 لے گا تاہم 30/11/2001 تک اگر سلیکشن گریڈ کے حامل کوئی SET وقت پاجانے یا ریٹائر ہو جائے یا ریٹائر
سکیل نمبر 18 یا 17 میں پروموت ہو جائے تو اس کی جگہ پر سلیکشن گریڈ کے مطابق اگلے حقدار کو ای وارڈ سے سلیکشن گریڈ ایوارڈ کیا
جائے گا۔ ہذا مسائل کو حقدار کے مطابق سلیکشن گریڈ ایوارڈ کے امکانات حقدار کے جائیں۔ عمریہ

(تعارف)

نام اصل
شہر راولپنڈی
Ex-SET SS
(Handwritten signature)

GHS Rabuni (S) مطابق سلیکشن گریڈ سکیل نمبر 17

تاریخ: 29/7/17

Mob: no 0346-9818719

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وکالت نامہ

عدالت: صدا۔ سرس سہیل
 نام: شیراز
 منجانب: اسپرینڈ دعویٰ سرس سہیل
 تاریخ: 2022 11 12

باعث تعمیر آنکھ مقدمہ مندرجہ بالا عنوان اپنی طرف سے واسطے پیروی و جوابدہی
 بمقام کیلے جاویدا قبال گل بیلہ ایڈوکیٹ سپریم کورٹ آف پاکستان

کو بدیں شرط وکیل مقرر کیا ہے۔ کہ میں ہر پیشی کا کوڈ یا بزرگ مختار خاص رو برو عدالت حاضر ہوتا ہوں گا۔ اور بوقت پکارے
 جانے مقدمہ وکیل صاحب موصوف کو اطلاع دے کر حاضر دالت کروں گا، اگر پیشی پر من مظہر 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 کچہری کی کسی اور جگہ یا کچہری کے مقررہ اوقات سے پہلے یا پیچھے یا بروز تعطیل پیروی کرنے کے ذمہ دار نہ
 ہونگے۔ اگر مقدمہ علاوہ صدر مقام کچہری کے کسی اور جگہ سماعت ہونے یا بروز تعطیل یا کچہری کے اوقات کے آگے پیچھے پیش
 ہونے پر من مظہر 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 پر داختہ 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 گمرانی ہر قسم کی درخواست پر دستخط و تصدیق کرنے کا بھی
 اختیار ہوگا اور کسی حکم یا ڈگری کے اجراء کرانے اور ہر قسم کے روپیہ وصول کرنے اور رسید دینے اور داخل کرنے اور ہر قسم کے
 بیان دینے اور سپروٹاشی و راضی نامہ فیصلہ پر خلاف کرنے اقبال دعویٰ دینے کا بھی اختیار ہوگا۔ اور بصورت اپیل و برآمدگی
 مقدمہ یا منسوخی ڈگری یکطرفہ درخواست حکم امتناعی یا ترقی یا گرفتاری قبل از اجراء ڈگری بھی موصوف کو بشرط ادا سنگی 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 بیرنٹر کو بجائے اپنے یا اپنے ہمراہ مقرر کریں اور ایسے مشیر قانون کے
 ہر امر وہی 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 سندر ہے۔

موضوع: مضمون مختار نامہ من لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے۔