

10.08.2022

*[Handwritten signature]*  
10/8

Learned counsel for the appellant present and submitted an application for submission of security and process fee. Application allowed with direction to submit security and process fee within 3 days, thereafter notices be issued to respondents for submission of written reply/comments. To come up for written reply/comments on 06.10.2022 before S.B.

*[Handwritten signature]*  
(Fareeha Paul)  
Member (E)

06.10.2022

Counsel for the appellant present. Mr. Muhammad Adeel Butt, Addl. AG for the respondents present.

Written reply/comments have not been submitted. Learned AAG requested for further time. Request is accepted. To come up for written reply/comments on 28.11.2022 before S.B.

*[Handwritten signature]*  
(Mian Muhammad)  
Member (E)

14.12.2021

Learned counsel for the appellant present.

Learned counsel for the appellant seeks adjournment on the ground that he has not prepared the brief. Adjourned. To come up for preliminary hearing on 23.02.2022 before S.B.

  
(MIAN MUHAMMAD)  
MEMBER (E)

24.02.2022

Due to retirement of the Hon'able Chairman, the case is adjourned to 23.05.2022 for the same before D.B.

  
Reader

23<sup>rd</sup> May, 2022

Learned counsel for the appellant present and requests for adjournment in order to properly assist the court. Adjourned. To come up for preliminary hearing before SB on 06.07.2022. *Last chance is given.*

  
(Kalim Arshad Khan)  
Chairman

06<sup>th</sup> July, 2022

Learned counsel for the appellant present.



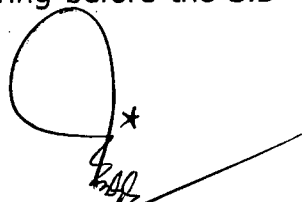
Learned counsel says that appeals against the same order, filed by other appellants have already been admitted and are fixed for 10.08.2022. Therefore, this appeal is also admitted to full hearing, subject to all just and legal objections by the other side. The appellant is directed to deposit security and process fee within 10 days. Respondents be summoned through process serving agency of the learned Senior Civil Judge, Peshawar. To come up for written reply/comments on 10.08.2022 before S.B.

  
(Kalim Arshad Khan)  
Chairman

## FORM OF ORDER SHEET

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

Case No.- 7161 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	05/08/2021	<p>The appeal resubmitted today by Mr. L. Nawab Ali Noor Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p> <p>2-</p> <p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>11-10-21</u></p> <p style="text-align: right;"> CHAIRMAN</p> <p>11.10.2021</p> <p>Clerk of learned counsel for the appellant present.</p> <p>Clerk of learned counsel for the appellant seeks adjournment due to General Strike of the Peshawar Bar Association. Adjourned. To come up for preliminary hearing before the S.B on 14.12.2021.</p> <p style="text-align: right;"> (MIAN MUHAMMAD) MEMBER (E)</p>

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

S. Appeal N O of 2021.

7161/21

1. Muhammad Yousaf

.....(Appellant).

**VERSUS**

1. Govt of K.P.K through chief secretary and others

.....( Respondents).

**Index**

S.NO.	Description	Annexure	Pages
1.	Appeal and affidavit		1-5
2.	Stay application		6
3.	Appointment order	A	7-8
4.	Notification dated 24.7.14	B	9-12
5.	Notification dated 24.7.18	C	13-15
6.	Departmental Appeal	D	16-17
4	Waklat Nama		18

**Through**

**Appellant**

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

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

1

S. Appeal No. of 2021.

1. Muhammad Yousaf S/O Jalaluddin GPS no.2 Kohi Barmof Distt Mardan.

.....Appellant

**VERSUS**

1. Govt of K.P.K through Chief Secretary Civil Secretariat Peshawar.

2. Secretary Elementary and Secondary education K.P.K Civil Secretariat , Peshawar.

3. Director Elementary and Secondary education K.P.K Civil Secretariat , Peshawar.

.....Respondents

APPEAL UNDER SECTION - 4 OF THE KHYBER PUKHTOONKHWA SERVICE TRIBUNAL ACT 1974 AGAINST THE IMPUGNED SERVICE RULES NOTIFICATION DATED 24.7.2014 WHEREBY NOT INCLUDING THE COMPUTER SCIENCE SUBJECT/DEGREE HOLDER IN THE CRITERIA OF ELIGABILITY FOR THE PROMOTION OF PST, IT TO THE POST OF SST BPS -16 SAME IS AGAINST THE SERVICE RULES NOTIFIED IN THE NOTIFICATION DATED 24.4.2018 TO THE EXTENT OF SERIAL NO.2 COLUMN NO.5 OF THE TABLE WHEREBY NO QUOTA HAS BEEN ALLOCATED FOR APPELLANT CATER AS PST IT AND SAME TIME AWARDED TO ALL OTHERS AND TAKING ANY ACTION ON THE DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS.

**PRAYERS:**

On acceptance of this service appeal this honorable court may graciously be pleased to set aside / declare, null and void / amended / modified the impugned service rules / notification dated 24.7.2014 to the extent of the S.NO. 1 B Column NO.3 the table by including / inserting / amending / Modifying service rules as well as service rules 24.2.2018 also may kindly be / inserting / amending / Modifying to the extent of S.NO.2 column no. 5 and may please allocate promotion quota for appellant as PST IT for the promotion to the post of SST IT BPS -16 with all back benefit

It is further requested to consider the appellant for promotion for the post of SST IT BPS-16 with all back benefit from 2014 i.e from the date of notification benefit granted to others.

May also awarded the relief of 7 years duration of service also.

**RESPECTFULLY SUBMITTED,**

1. That appellant is civil servant doing their job in education department as PST.

**(Copy of the appointment order as annexure A).**

2. That appellant is highly educated hiring master degree holder in their relevant computer science subject along With PST/ CT, BED / MED decrees etc.

~~(Copies of the testimonials as annexure B)~~

3. That it is to be noted by your honor that following six cadres of SST ( BPS -16) are there in which the appellant cadre is PST (IT) which is only and lonely cadre of the appellant whom ignored, deprived from the promotion rights.

4. That It is further to be noted that till date even for the appellant cadre as PST .IT, even rules of promotion are completely silent which is further question mark before this honorable court ?.

5. That so much so may visit the notification dated 24.7.14 in which for

category a,b,c,d qualification for which properly promotion rules are there and they are awarded the same from the date of notification while on other side appellant with qualification / degree of Computer science , Math A, Math B along with others subject ignored reason best known to them. **Copy of the notification 24.7.14 as annexure B.**

6. That It is further to be noted that till date even for the petitioners cadre ,whose subject is computer science at bachelor level even rules of promotion are complete silent which is further question mark before this honorable court ?.

7. That so much so may visit the notifications dated 24.7.14 ,24.4.2018 very interesting to see that in 24.7.2014 where cadre is there but subject subject ignore while 24.4.2018 subject of computer is there but cadre ignore which is great joke and pure question of discrimination before this Honorable court .

**Copy of notification 24.4.18 is attached as annexure D.**

8. That appellant filed departmental appeal before the competent authority but same is with no response within the statutory period.

**Copy of the Departmental appeal as annexure G.**

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

#### **GROUND:**

- a. That awarding the promotion ,seniority back benefit to others while deprived the appellant cadre was/is illegal , unlawful, unconstitutional act of the respondents hence need modified, amend, and set aside the same up to the asking relief .
- b. That awarding the same relief to rest of five categories and deprived from the same benefit appellant and his cadres is question of

discrimination before this Honorable tribunal.

4

- c. That notifications in questions is against the service rules, law ,constitution hence no way except to award the promotion quota to appellant /appellant cadre along with back benefit from the date of notification .
- d. That under what law and circumstances only appellant /appellant cadre deprived from promotion while rest of all are benefited through same notification and awarded relief with back benefit reason best known to them.
- e. That under the constitution appellant has the same rights like others civil servant but same not extend equally which is injustice.
- f. That act of the respondent to pick and chose is not justified at any cost which is against the basic provision of the constitution, law service rules.
- g. That action on the part of respondents amount to misuse of power and approach beyond from the jurisdiction under the law mentioned for.
- h. That superior court repeatedly delivered judgment in respect ART.4, 25 etc and present case respondents violated the same also.

It is therefore most humbly prayed that on acceptance of this service appeal your honor may graciously be to set aside / declare , null and void / amended / modified the notification dated 24.7.2014 to the extent of the S.NO. 1B column NO.3 of the table by including / inserting/ amending / Modifying service rules as well as service rules 24.2.2018 also may kindly be / inserting/ amending / Modifying to the extent of S.NO.2 column no. 5 and may please allocate promotion quota for the appellant /appellant cadre.

It is further requested to consider the appellant for promotion for the post of SST IT BPS-16 with all back benefit from 2014 date of notification.



May also awarded the relief of 7 years duration of service also.

5

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

Dated:

Through

Appellant

L.Nawab Ali Noor  
Advocate High Court  
Peshawar.

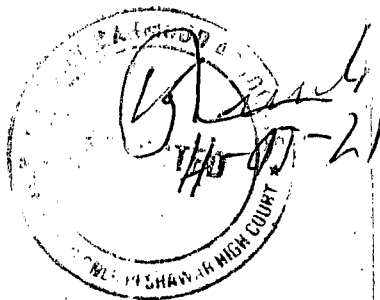
**Certificate:** certified that no such like service appeal filed before this Honorable tribunal.

L.Nawab Ali Noor  
Advocate High Court  
Peshawar.

**AFFIDAVIT.**

I Muhammad Yousaf S/O Jalaludin GPS-No.2 Kohi Barmof Distt Mardan do solemnly affirm and declare on oath that the contents of the accompanying service Appeal are true and correct to the best of my knowledge and belief and nothing been kept concealed from this Honorable tribunal.

Deponent



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

6

S. Appeal No. of 2020.

1. Muhammad Yousaf S/O Jalaludin GPS-No.2 Kohi Barmof  
Distt Mardan. .... **Appellant.**

**VERSUS**

1. Govt of K.P.K Through Chief Secretary K.P.K Peshawar and others.  
..... **Respondents**

**Application for stay over the appointment of SST till decision.**

**RESPECTFULLY SUBMITTED.**

1. That above titled service appeal is pending before this honorable court for adjudication, and no date of hearing has been fixed so far.
2. That service appeal is read as an integral part of this application.
3. That appellant have a good prima facie and arguable case, balance of convince lies in their favor if temporary injunction not granted will suffer irreparable loss and injury.

Under the above circumstances, humbly prayed that respondent may kindly be restrained from further any promotion till final decision of the instant service appeal

**Through**

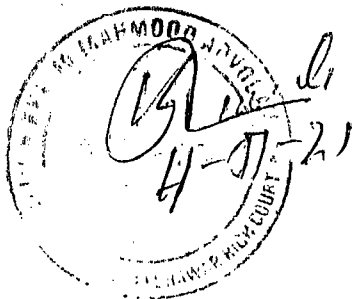
**Applicant / Appellant**

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

**AFFIDAVIT.**

I, Muhammad Yousaf S/O Jalaludin GPS-No.2 Kohi Barmof  
Distt Mardan, do solemnly affirm and declare on oath that the contents of the  
accompanying service appeal are true and correct to the best of my knowledge  
and belief and nothing been kept concealed from this Honorable tribunal.

Deponent



Mr A G

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

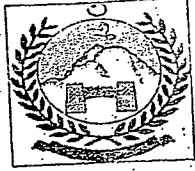
**NOTIFICATION**

Under the provision of section 4 of the Khyber Pakhtunkhwa (Appointment, Deposition, Posting and Transfer of Teachers, Lecturers and Doctors) Regulatory Act, 2011, Contract period of the following Primary School Teachers appointed vide this office Order No. 7045/G dated 13-06-2014 is hereby extended for the period one year w.e.f their taking over charge on School based in BPS-12 (Rs. 7000/500-22000) @ Rs. 7000/- Fixed plus usual allowances as admissible under the rules on adhoc basis on contract under the existing policy of the Provincial Govt. in the teaching cadre on the terms and conditions given below.

S.N. No.	NTS Roll No.	Name	Date of Birth	Address/U.C	School	Total Score	Remark
1	2761793	FARZAND AEI BACHA	20-10-81	VIII: But Seri (Baghicha Dheri)	GPS But Seri No 1	104.22	A.V. Post
2	2761782	MUHAMMAD ABID	18-01-79	VIII: But Seri (Baghicha Dheri)	GPS But Seri No 1	100.82	A.V. Post
3	2781528	ZAHID KHAN	27-02-89	VIII: Mandori (Seri Bahloo)	GPS Asif Killi	119.16	A.V. Post
4	2761009	Javed Shah	29-07-81	VIII: Babeni (Babeni)	GPS Babeni	120.34	A.V. Post
5	2760951	SARDAR HUSSAIN	01-04-84	VIII: Sadar Abdullah Jan Killi (Babeni)	GPS Haji Muhammad Killi	120.11	A.V. Post
6	2760093	MUHAMMAD HAYAT	16-01-88	VIII: Kodinaka (Babeni)	GPS: Khudal Noor Killi	116.51	A.V. Post
7	2761615	IRFAN ULLAH	20-06-88	VIII: Yakhya Jadeed (Babeni)	GPS Nasir Killi	114.05	A.V. Post
8	2761332	Jehangir Khan	05-02-83	VIII: Nasir Killi (Babeni)	GPS Shagkar	111.35	A.V. Post
9	2760326	NAWAB KHAN	14-11-80	VIII: Inzargay (Shamozai)	GPS Bagri Shah	130.76	A.V. Post
10	2761052	ZAHID ALI	05-02-84	VIII: Badar Banda (Shamozai)	GPS Shamozai No 1	123.97	A.V. Post
11	2760044	SULEMAN	09-01-92	VIII: Alo (Alo)	GPS Bagri Khel Pipal	117.54	A.V. Post
12	2760358	MUHAMMAD RIAZ	04-10-81	VIII: Alo (Alo)	GPS Janga Bala	123.58	A.V. Post
13	2761694	NOWSHER ALI	17-01-78	VIII: Alo (Alo)	GPS No 1 Pipal	118.29	A.V. Post
14	2761360	SAMI ULLAH	02-02-86	VIII: Pipal Alo	GPS No 1 Pipal	111.6	A.V. Post
15	2780937	ASAD ULLAH KHAN	05-04-89	VIII: Alo (Alo)	GPS No 1 Pipal	111.23	A.V. Post
16	2761080	ZAKIR ULLAH	11-01-81	VIII: Alo (Alo)	GPS No 1 Pipal	109.51	A.V. Post
17	2780278	INAYAT ALI SHAH	10-04-89	VIII: Dheri Killi (Manga)	GPS Bakiana	116.38	A.V. Post
18	2760295	TAHIR ALI	16-05-90	VIII: Machin Korona (Check Holi)	GPS Tawas Barida	128.4	A.V. Post
19	2760285	MAQSOOD KHAN	20-04-86	Wans Khan Korona (Check Holi)	GPS Bara	116.35	A.V. Post
20	2760192	MUHAMMAD ARIF	15-03-90	VIII: Tawas Banda (Check Holi)	GPS No 2 Pani Alabad Khel	100.73	A.V. Post
21	2760985	MUHAMMAD ADIL BACHA	14-03-88	VIII: Kaka Khel (Bala Garhi)	GPS Kuz Jamal	121.05	A.V. Post
22	2760350	MUHAMMAD BABAR SHAHZAD	16-01-89	VIII: Bala Garhi (Bala Garhi)	GPS Cham Dheri	115.83	A.V. Post
23	2761829	WASIF KHAN	23-03-89	VIII: Mehmoed Abad (Parkho)	GPS Chanchani Khel	130.19	A.V. Post
24	2761616	KAZIM KHAN	15-04-87	VIII: Parkho Dheri (Parkho)	GPS Chanchani Khel	122.42	A.V. Post
25	2762058	Arwar Khan	27-04-88	VIII: Sanga (Parkho)	GPS Jall Abad	116.51	A.V. Post
26	2761881	Qazi Gul	12-02-87	VIII: Sanga (Parkho)	GPS Faras Killi	115.12	A.V. Post
27	2761138	Bahar	10-03-81	VIII: Umar Abad (Parkho)	GPS Jall Abad	114.88	A.V. Post
28	2761047	KHALIL UR REHMAN	13-04-78	VIII: Gadar (Fathma)	GPS Dalasa	122.36	A.V. Post
29	2761934	ASHFAQ AHMAD	10-04-84	VIII: Kashmiriyano (Fathma)	GPS Dalasa	107.94	A.V. Post
30	2761301	SHAKIRULLAH	08-02-88	VIII: Chagharke (Fathma)	GPS Fathma	122.26	A.V. Post
31	2760979	MUJEEB UR RAHMAN	15-03-87	VIII: Gadar (Fathma)	GPS Gadar No 1	122.25	A.V. Post
32	2760270	SYED NASRULLAH JAN	01-01-88	VIII: Gadar (Fathma)	GPS Gadar No 1	119	A.V. Post
33	2760315	HUSSAIN AHMAD	12-04-90	VIII: Gadar (Fathma)	GPS Gadar No 1	109.51	A.V. Post
34	2782071	ALAMZEB	07-04-89	VIII: Gadar (Fathma)	GPS Gadar No 1	108.4	A.V. Post
35	2762112	SOHAIL AKHTAR	10-04-88	VIII: Jamal Garhi (Jamal Garhi)	GPS Darmandone	124.14	A.V. Post
36	2761833	MOHAMMAD ASIF	10-03-79	VIII: Gul Bahar (Jamal Garhi)	GPS Sarfaz Killi	120.66	A.V. Post
37	2761995	Muhammad Irfan Shah	18-08-89	VIII: Jamal Garhi (Jamal Garhi)	GPS Sarfaz Killi	117.04	A.V. Post
38	2780049	Irfan Hadi	14-02-91	VIII: Jamal Garhi (Jamal Garhi)	GPS Sarfaz Killi	96.88	A.V. Post
39	2780987	HASSAN MEHMOOD	26-12-83	VIII: Kohi Barmol (Kohi Barmol)	GPS Doshi	126.2	A.V. Post

Page A-8

No	NTS Roll No.	Name	Date of Birth	Village/U.C.	School	Total Score	Remarks
40	2761746	ABDUR RAUF	18-03-88	Vill: Kohi Barmol (Kohi Barmol)	GPS No 2 Kohi Barmol	120	A.V.P
41	2760241	MOHAMMAD YOUSAF	22-09-80	Vill: Kohi Barmol (Kohi Barmol)	GPS No 2 Kohi Barmol	113.05	A.V.P
42	2760218	ABDUL AJUM	12-04-89	Vill: Mian Khan (Kohi Barmol)	GPS No 2 Kohi Barmol	113.41	A.V.P
43	2761737	SHAHID NAVEED KHAN	01-02-89	Vill: Kohi Barmol (Kohi Barmol)	GPS No 2 Kohi Barmol	111.16	A.V.P
44	2761958	ANWAR JAMAL	11-01-84	Vill: Kohi Barmol (Kohi Barmol)	GPS No 1 Kohi Barmol	129.3	A.V.P
45	2761035	SABIR WALI	04-04-89	Vill: Mian Khan (Kohi Barmol)	GPS No 1 Mian Khan	123.86	A.V.P
46	2761540	HUKAM DALI	03-02-77	Vill: Sangao (Kohi Barmol)	GPS No 1 Sangao	122.78	A.V.P
47	2760983	Noor Mas Khan	10-01-91	Vill: Mian Khan (Kohi Barmol)	GPS No 2 Kohi Barmol	110.74	A.V.P
48	2761070	SYED MUHAMMAD SHAKEEL	09-02-81	Vill: Dagai (Dagai)	GPS Faram Koroona	120.26	A.V.P
49	2761660	MUHAMMAD KAMRAN	27-09-86	Vill: Ghala Dher (Ghala Dher)	GPS Khawo	122.52	A.V.P
50	2761119	MUHAMMAD ZAHID	13-04-93	Vill: Saeed Abad (Ghala Dher)	GPS No 1 Ghala Dher	114.13	A.V.P
51	2761630	ABDUL AHAD	12-04-88	Vill: Khao (Ghala Dher)	GPS No 1 Ghala Dher	113.6	A.V.P
52	2761242	ABDUL SAMAD	15-01-84	Vill: Ghala Dher (Ghala Dher)	GPS Saeed Abad	113.35	A.V.P
53	2761851	TAJAMMUL HASSAN	28-02-86	Vill: Shamshad Abad (Ghala Dher)	GPS No 1 Ghala Dher	109	A.V.P
54	2760247	Shakir Ullah	10-02-86	Vill: Wali Abad (Ghala Dher)	GPS Sohbat Abad	104.91	A.V.P
55	2760061	USMAN ULLAH	15-03-81	Vill: Qasimi (Qasimi)	GPS Ghazi Baba	130.75	A.V.
56	2760285	ZAHID MOHAMMAD	15-03-85	Vill: Qasimi (Qasimi)	GPS Ghazi Baba	127.47	A.V.
57	2761415	MAJID ALI	10-06-86	Vill: Gujar Garhi (Gujar Garhi)	GPS Gujar Garhi	127.65	A.V.
58	2761735	MUHAMMAD SALMAN	12-04-89	Vill: Gul Bagh (Gul Bagh)	GPS Gul Bagh	125.6	A.V.
59	2761376	AZIZ UR RAHMAN	15-01-87	Vill: Kotki (Dheri Likpani)	GPS Kotki	139.56	A.V.
60	2761839	WAQAS AHMAD	15-02-85	Vill: Kaka Abad (Dheri Likpani)	GPS Haji Abad	136.23	A.V.
61	2762012	SAJJAD AHMAD	04-12-78	Vill: Gumbal (Gumbal)	GPS Hayat Gul Koroona	128.33	A.V.
62	2761353	SARBILAND KHAN	13-02-87	Vill: Shekh Yousaf (Khazana Dheri)	GPS Shekh Yousaf	125.13	A.V.
63	2760117	Riaz Khan	07-01-81	Vill: Khazana Dheri (Khazana Dheri)	GPS Ibrahim Khan Killi	121.73	A.V.
64	2761326	SAJJAD ALI	10-03-88	Vill: Islam Gul Korona (Mian Essa)	GPS Islam Gul Korona	137.55	A.V.
65	2761832	SHAHAB UDDIN	12-04-87	Vill: Shero (Kattlang 2)	GPS Kunj	129.43	A.V.
66	2762057	MUHAMMAD SAJJAD KHAN	02-03-81	Vill: Shakar Tangi (Kattlang 2)	GPS Jan Abad	116.85	A.V.
67	2761525	NOOR ULLAH	20-03-89	Vill: Sher Dil Killi (Halian)	GPS Kaleem Abad	136.41	A.V.
68	2761623	ABDULLAH	02-02-90	Vill: Sher Dil Killi (Halian)	GPS Safi Abad	131.97	A.V.
69	2764186	SHABIR KHAN	28-03-84	Vill: Shah Rasool (Jehangir Abad)	GPS Kalpani	132.64	A.V.
70	2761083	SHAKIR KHAN	03-09-87	Vill: Jandai (Jehangir Abad)	GPS Salary	125.88	A.V.
71	2760187	BAKHT ZAMIN SHAH	05-02-74	Vill: Toru (Toru)	GPS Kasa Killi	120.06	A.V.
72	2761833	ANGES UR RAHMAN	18-07-89	Vill Toru (Toru)	GPS Kasa Killi	116.71	A.V.
73	2761375	BAHAR ALI	01-01-87	Vill: Kasa Koroona (Kasa Koroona)	GPS Kasa Koroona	123.99	A.V.
74	2760984	IFZAL	01-08-87	Vill: Shero (Kali Garhi)	GPS Kali Garhi No 1	123.36	A.V.
75	2760118	FAZLI AKBAR	11-01-83	Vill: Moll Banda (Lund Khwar)	GPS Gulshan Abad	134.09	A.V.
76	2760070	AFTAB AHMAD	12-02-80	Vill: Sadal Baba (LKhwa)	GPS Wali Khan Banda	139.88	A.V.
77	2761837	ASIM ALI	01-01-79	Vill: Lund Khwar (Lund Khwar)	GPS Khalid Abad	131.99	A.V.
78	2760209	KHALIL ULLAH	15-04-81	Vill: Faqir Abad (Sher Garh)	GPS Khan Mohd Killi	138.34	A.V.
79	2761079	ALAM KHAN	08-04-88	Vill: Sher Garh (Sher Garh)	GPS Khan Mohd Killi	129.15	A.V.
80	2760334	MUSHTAQ KHAN	18-02-78	Vill: Sher Garh (Sher Garh)	GPS Khan Mohd Killi	118.64	A.V.
81	2761901	ARSHAD ALI	01-01-84	Vill: Miri Abad (Rorya)	GPS Labour Colony	82.75	A.V.
82	2760019	SAHIB ZADA	01-03-86	Vill: Pir Saddi (Pir Saddi)	GPS Latif Abad	128.86	A.V.
83	2762107	FAROQ SHAH	17-04-90	Vill: Pir Saddi (Pir Saddi)	GPS Tordher	129.53	A.V.
84	2761373	SIRAJ KHAN	15-03-88	Vill: Tordher (Pir Saddi)	GPS Gulab Garh	124.48	A.V.
85	2761297	MUHAMMAD SALMAN	01-09-84	Vill: Mardan Khass (Mardan Khass)	GPS Margal	118.34	A.V.
86	2761010	AAMIR ZEB	05-07-84	Vill: Mardan Khass (Mardan Khass)	GPS Margal	110.6	A.V.
87	2761743	GHANI SUBHAN	02-03-82	Vill: Kaudry (Makari)	GPS Miskin Abad	129.13	A.V.
88	2760081	SAJID AHMAD	12-03-80	Vill: T/Bhai (Daman-e-Koh)	GPS Mazhar Abad	134.46	A.V.



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

Peshawar, dated the 24<sup>th</sup> July, 2014.

NOTIFICATION

No.SO(PE)4-5/SSRC/Meeting/2012/Teaching Cadre:- In pursuance of the provisions contained in sub rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Elementary and Secondary Education Department in consultation with the Establishment Department and the Finance Department hereby directs that in this Department's Notifications No.SO(G)S&LD/1-28/2003/Vol-II dated, 09-04-2004, Notification No.SO(G)S&L/1-69/06/Vol-1/DPE/LIB dated, 13-11-2007, and Notification No.SO(PE)4-5/SSRC/Meeting/2012/Teaching Cadre, dated, 13.11.2012, the following further amendments shall be made, namely:

AMENDMENTS

In the Appendix,-

(i) Serial No. 1 shall be renumbered as 1B and before Serial No. 1B, as so renumbered, the following new entries shall be inserted in respective columns, namely:

1	2	3	4	5
1	Subject Specialist (BPS-17) IT subject	i. At least second class Master's Degree or four years BS Degree in the relevant subject; and  ii. Bachelor of Education or Master of Education (Industrial Art or Business Education) or M.A Education or equivalent qualification from a recognized University.	23 to 35 years	(a) Fifty per cent by promotion, on the basis of seniority-cum-fitness, for the relevant subject from amongst the Secondary School Teachers (BPS-16), with at least five years service as such and having qualification mentioned in column No. 3.  NOTE. If no suitable candidate is available in the relevant subject the post falling in their promotion quota shall be filled by initial

(1)

Attached to  
File  
A

SSRC Meeting  
Subject Specialist  
IT subject  
BPS-17  
23 to 35 years  
50% promotion

Ans B-9

Ann. B 10

(ii) against Serial No. 1B, as so renumbered, for the existing entries, the following shall be substituted, in respective columns, namely:

1	2	3	4	5
1B	Secondary School Teacher (BPS-16) (SST) Computer Science (Computer Science)	I. At least second class Bachelor Degree's from a recognized University on need basis from the following groups with two subject (a) (Chemistry, Botany or Zoology), Or (b) (Physics, Maths "A" or "B" or Statistics) Or (c) (Humanities and other equivalent groups at degree level with English as compulsory subject; (ہیومنٹیز اور دیگر متبادل گروپس ڈگری لیول پر انگریزی کو لازمی مضمون کے طور پر) اور and II. Bachelor of Education or Master of Education (Industrial Art or Business Education) or M.A Education or equivalent qualifications from a recognized University.	21 to 35 years. CT DM	1. Seventy five per cent by promotion, on the basis of seniority-cum-fitness, from the district concerned in the following manner: (a) forty per cent from amongst the Senior Certified Teachers (BPS-16), with at least five years service as Senior Certified Teacher and Certified Teacher and having qualification mentioned in column No.3: Provided that if no suitable candidate is available from amongst Senior Certified Teachers for promotion then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from amongst Certified Teachers, with at least five years service as such and having qualification mentioned in column No. 3; (b) four per cent from amongst the Senior Drawing Masters (BPS-1), with at least five years service as Senior Drawing Masters and Drawing Masters and having qualification mentioned in column No.3:

Ans f  
 f:- P.S

Subject  
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 CT - PST (IT)

Computer Science is not present

Attached to be 1 copy of

Ann. B (11)

			<p style="text-align: center;">(4)</p> <p style="text-align: center;">Qari</p> <p style="text-align: center;">K (PST)</p>	<p>Provided that if no suitable candidate is available from amongst Senior Theology Teachers for promotion then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from amongst Theology Teachers with at least five years service as such and having qualification mentioned in column No. 3;</p> <p>(c) three per cent from amongst the Senior Qaris (BPS-16), with at least five years service as Senior Qari and Qari and having qualification mentioned in column No. 3;</p> <p>Provided that if no suitable candidate is available from amongst the Senior Qaris then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from Qaris with at least five years service as such and having qualification mentioned in column No. 3;</p> <p>(f) twenty per cent from amongst the Primary School Head Teachers (BPS-16), with at least seven years service as Primary School Head Teachers and Senior Primary School Teachers and Primary School Teachers and having qualification mentioned in column No. 3;</p> <p>Provided that if no suitable candidate is available from amongst</p>
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Mr. B. (12)

				<p>Primary School Head Teachers for promotion then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from amongst Senior Primary School Teachers with at least seven years service as Senior Primary School Teachers and Primary School Teachers and having qualification mentioned in column No.3.</p> <p>Provided further that if no suitable candidate is available from amongst Senior Primary School Teachers for promotion then the post shall be filled from amongst Primary School Teachers with at least seven years service as such and having qualification mentioned in column No.3; and</p> <p>(ii) twenty five percent by initial recruitment.</p> <p><b>Note:</b></p> <p>I. If no suitable candidate is available in the relevant cadre of the above teachers, the post falling in their promotion quota shall be filled by initial recruitment.</p> <p>II. Posts of General SST and SSTs-1 Science and SST-2 Science shall be filled by promotion or initial recruitment, each on need basis separately."</p>
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Approved do  
J. M. C. S.  
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Ann. c 13

EXTRAORDINARY  
GOVERNMENT



REGISTERED NO. PIII  
G A Z E T T E

**KHYBER PAKHTUNKHWA**

Published by Authority

PESHAWAR, TUESDAY, 24<sup>th</sup> APRIL, 2018. →

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

**NOTIFICATION**

Peshawar, dated: 24<sup>th</sup> April 2017

No. SO(G/E&SE/1-85/I.T/2017):- In pursuance of the provisions contained in sub rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, and in supersession of the notification issued in this behalf, the Elementary and Secondary Education Department in consultation with the Establishment & Administration Department and Finance Department hereby lays down the method of recruitment, qualification and other conditions specified in column No. 2 to 5 of the Appendix to the Notification which shall be applicable to the posts of Information Technology Teaching Cadre (Male/Female) in the Elementary and Secondary Education Department as specified in column No.2 of the said Appendix:

**APPENDIX:**

S.No	Nomenclature of the post	Minimum qualification for appointment by Initial recruitment transfer	Age limit	Method of recruitment
1	Subject Specialist- Information Technology (SS-IT) (BPS-17)	<p>At least Second Class Master's Degree in Computer Science or Information Technology or Bachelor's Degree in Computer Science (BCS/BSCS Honours 4 years) or equivalent qualification from a recognized University; and</p> <p>ii. Bachelor Degree in Education (B.Ed) or equivalent qualification from a recognized University.</p> <p>Note: A candidate did not have the qualification under clause (ii), shall acquire the same within three years from the date of his/her appointment.</p>	21-35	<p>a) Fifty percent by promotion on the basis of seniority-cum-fitness from amongst the Secondary School Teacher-IT with at least five years service; and</p> <p>b) Fifty percent by initial recruitment:</p> <p>Provided that if no suitable candidate is available for promotion, then by initial recruitment</p>

منزستگى  
سین

(15) منزهتگى

IT

IT Subject  
PST/CT cadre

منزهتگى  
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Examiner General Branch  
Session Coordination

14

1542 KHYBER PAKHTUNKHWA GOVERNMENT GAZETTE, EXTRAORDINARY, 24th APRIL, 2018

2. Secondary School Teacher-Information Technology (SST-IT) (BPS-11)	<p>i. At least Second Class Master's Degree in Computer Science or Information Technology or Bachelor's Degree in Computer Science (BCS/BSCS Honours 4 years) or Bachelor's Degree with a subject of Computer Science or equivalent Qualification from a recognized University; and</p> <p>ii. Bachelor Degree in Education (B.Ed) or equivalent qualification from a recognized University.</p> <p>Note: A candidate did not have the qualification under clause (ii), shall acquire the same within three years from the date of his/her appointment.</p>	21-35	<p>a). Fifty percent by promotion on the basis of seniority-cum-fitness from amongst the Certified Teacher-IT with five years service as such and having the qualification prescribed for the post of Secondary School Teacher-IT.</p> <p>b). Fifty percent by initial recruitment.</p> <p>Provided that if no suitable candidate is available for promotion, then by initial recruitment.</p>
<p>1. Certified Teacher Information Technology (CT-IT) (BPS-12)</p> <p>(CT)</p> <p>pa 15</p>	<p>i. At least 2<sup>nd</sup> Division Intermediate School Certificate or equivalent qualification from a recognized Institution or Board with one year Diploma in Information Technology Computer Science from any recognized institution; and</p> <p>ii. Certified Teacher Certificate (CT) or Associate Degree in Education (ADE) from any recognized institution/ University</p> <p>Note: A candidate did not have the qualification under clause (ii), shall acquire the same within three years from the date of his/her appointment.</p>	18-35	By initial recruitment.

SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

Printed and published by the Manager,  
Slaty. & Ptg. Dept., Khyber Pakhtunkhwa, Peshawar.

Attested to  
by Pw  
[Signature]

CT  
ed

Annexure (15)

(15)

No	Nomenclature of the post	Minimum Qualification for appointment by initial recruitment or by transfer.	Age Limit	Method of recruitment
1	Subject Specialist-Information Technology (ES-IT) (B-17) Government Higher Secondary Schools/ Govt. comprehensive High Schools and other equivalent posts in the Teaching Cadre.	i.) Master Degree in Computer Science/IT at least in 2 <sup>nd</sup> Division or equivalent qualification from any recognized University. ii.) Bachelor Degree of Education (B.Ed) at least in 2 <sup>nd</sup> Division from any recognized University.	21-35	a). Fifty percent by promotion on the basis of seniority-cum-fitness from amongst the Secondary School Teacher-IT with at least five years' service AND Secondary School Teacher (SST) (General/Science) possessing master degree in IT or equivalent qualification with 05 years' experience b). Fifty percent by initial recruitment. Note: If no suitable candidate is available for promotion in the relevant cadre then by initial recruitment. Their seniority may be clubbed with SS and amendment may be made in the existing service rules.
2	Secondary School Teacher Information Technology (SST/IT) (B-16) Govt. High/ Higher Secondary Schools	i.) Bachelor Degree with the subject of Computer Science at least in 2 <sup>nd</sup> Division or equivalent Qualification from any recognized institution. ii.) Bachelor Degree of Education (B. Ed) at least in 2 <sup>nd</sup> Division from any recognized institution.	21-35	a). Fifty percent by promotion on the basis of seniority-cum-fitness from amongst the Computer Lab in-charge with (05) years' service having the qualification prescribed for the post of IT Teacher. b). Fifty percent by initial recruitment. Note: If no suitable candidate is available for promotion in the relevant cadre then by initial recruitment.
3	Junior Teacher- Information Technology (JT-IT) (B-12) Govt. High/Higher Secondary Schools	Intermediate or equivalent qualification from any recognized institution with one-year Diploma in IT/Computer Science from any recognized institution and Certified Teacher Certificate/Diploma or equivalent qualification from any recognized institution.	18-35	By initial recruitment.

(SST/IT)

(SST/IT)

IT

The committee members discussed the proposed amendments in the service rules strictly for the SST (General/Science) & SST (IT) in depth and were agreed upon unanimously.

Anx. D- 16

TO, THE SECRETARY EDUCATION KHYBER PUKHTOON  
KHWANA.

DEPARTMENTAL APPEAL NO OF 2024.

DEPARTMENTAL APPEAL AGAINST THE IMPUGNED  
SERVICE RULES NOTIFICATION DATED 24.7.2014  
WHEREBY NOT INCLUDING THE COMPUTER SCIENCE  
SUBJECT/DEGREE HOLDER IN THE CRITERIA OF  
ELIGIBILITY FOR THE PROMOTION OF PST,S TO THE  
POST OF SST BPS -16 SAME IS AGAINST THE SERVICE  
RULES NOTIFIED IN THE NOTIFICATION DATED 24.4.2018  
TO THE EXTENT OF SERIAL NO.2 COLUMN NO.5 OF THE  
TABLE WHEREBY NO QUOTA HAS BEEN ALLOCATED FOR  
APPELLANT / APPELLANT CADRE AS PST\*IT\* AND SAME  
TIME AWARDED TO ALL OTHERS.

RESPECTFULLY SUBMITTED,

1. That with great respect it is stated that I am performing my  
duty as PST BPS-12. That I am highly educated master degree  
holder in relevant computer science subject along with PST/  
CT, BED / MED decrees etc. I done my duty with full devotion  
and never raised any objection from the student or any other side.  
it is to be noted by your honor that following six cadres of  
SST (BPS -15) are there in which my cadre is PST (IT) which  
is the only and lonely cadre whom, ignored, deprived from the  
promotion rights. That my cadre PST IT, even rules of promotion  
are complete silent which is further question mark before your  
honor? That notification dated 24.7.14 in which specifically  
mentioned the promotion on base of strength of service which  
is 7 years as well as 75% quota on basis of seniority cum

1

Ann-D-17

fitness i being full fill all mentioned required above even then I was not awarded promotion. That if I am entitled for appointment on basis of the same qualification while on other side I am not entitled for the promotion while rest is entitled which is great discrimination. That entire five category except PST.IT my cadre computer science not mentioned in rules for promotion.

It is therefore most humbly prayed that on acceptance of this service appeal your honor may graciously be pleased to set aside / declare, null and void / amended / modified the notification dated 24.7.2014 to the extent of the S.NO. 1B Column NO. 5 of the table by including / inserting / amending / Modifying service rules as well as service rules 24.2.2018 also may kindly be / inserting / amending / Modifying to the extent of S.NO. 2 column no. 5 and please allocate promotion quota for the appellant, appellant cadre.

It is further requested to consider me for promotion for the post of SST \*IT\* BPS-16 with all back benefit from 2014. May also awarded the relief to me of 7 years duration of service also.

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

Dated: 1/4/2021

*[Signature]*  
Appellant

Before the S.T  
K.P.V. Peshawar

Muhammad Yousof

Appellant

2 منجانب  
بنام

vs

Govt of K.P.V. through Chief  
Secretary & others.

مورخہ  
مقدمہ  
دعویٰ  
جرم

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی محققہ  
 آن مقام سسرورس ٹریبونل کیلئے اپیل کی اور علی الترتیب اس کی کاپی اور اس کی کاپی  
 مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز  
 وکیل صاحب کو راضی نامہ کرنے و تقرر ٹرائل کے واسطے پر حلف دیئے جواب دہی اور اقبال دعویٰ اور  
 بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ اور اس کی کاپی اور درخواست ہر قسم کی تصدیق  
 زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری کے واسطے اپیل کی برآمدگی  
 اور منسوخی نیز دائر کرنے اپیل گرانے و نظر ثانی و پیروی کرنے کا مختار ہوگا۔ اور اس کی ضرورت  
 مقدمہ مذکور کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے  
 تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ باختیارات حاصل ہوں گے  
 اور اس کا ساختہ پرداختہ منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانبہ التوائے مقدمہ کے  
 سبب سے دہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں  
 گے۔ کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سندر ہے۔

القوم  
محکم مسرورس ٹریبونل K.P.V. بنام سسرورس  
20  
مذکورہ