

10.08.2022

Rs 500  
Appellant deposited  
Security & Process Fee  
-10/8/22

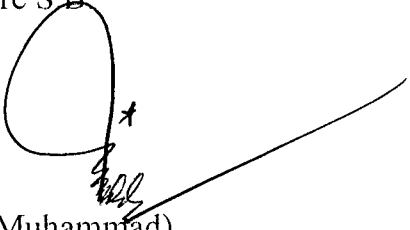
Learned counsel for the appellant present and submitted an application for submission of security and process fee. Application allowed with direction to submit security and process fee within 3 days, thereafter notices be issued to respondents for submission of written reply/comments. To come up for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

  
(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.

  
(Mian Muhammad)  
Member (E)

**BEFORE THE CHAIRMAN SERVICE  
TRABUNIL KPK PESHAWAR.**

**S.APPEAL NO.**

**Zahib & 48 others vs Govt of kpk & others**

**Shah Zaman & 24 others vs Govt of kpk & others**

Application with utmost respect to allow applicant to submit security fee of the mentioned above service appeals which fix today.

Respectfully submitted,

1. That mentioned above S. appeals are fix today.
2. That before the same I visited many times from Islamabad meet the concerned clerk whom told me that files not received when same will be received you will be informed.
3. That applicant as counsel of appellants did visited on 8<sup>th</sup> July then Eid vacations then 14<sup>th</sup> July, 18<sup>th</sup> July etc also contact on WhatsApp on 19, 20 July and 3<sup>rd</sup> August where no files were received with concerned clerk and finally told me that he will be on leave till 15<sup>th</sup> August.
4. That not summation of security not intention nor deliberately but due to the mentioned reasons.

It is humbly prayed may please allow applicant to submit security fee of the appeals.

Dated. 10.8.22

Counsel of appellants

L. Nawab Ali Noor

Advocate

*To-day*

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

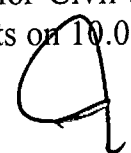
Learned counsel for the appellant present and requests for adjournment in order to properly assist the court. Adjourned. To come up for preliminary hearing before SB on 06.07.2022.

*Swan* *Last Chance is*  
  
(Kalim Arshad Khan)  
Chairman

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

Learned counsel for the appellant present.


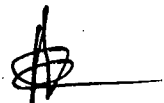
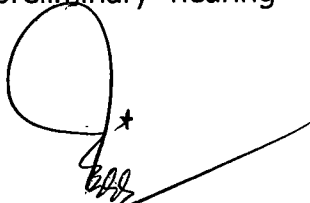
learned counsel says that appeals against the same order, filed by other appellants have already been admitted and are fixed for 10.08.2022. Therefore, this appeal is also admitted to full hearing, subject to all just and legal objections by the other side. The appellant is directed to deposit security 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.- 2148 /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>
2-		<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>
	11.10.2021	<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 <u>14.12.2021</u>.</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.

1. Zahab Khan .

.....(Appellant).

**VERSUS**

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

.....( Respondents).

**Index**

S.NO.	Description	Annexure	Pages
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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. ahab Khan S/O Muhammad Ria R/O Rehan Coloni P/O Oach  
Tehsil Oun ai Distt Lower Dir

.....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 decree holder in their relevant computer science subject along With PST / CT, BED / MED decrees etc.

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 complete 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 C.**

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 D.**

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

#### **GROUNDS:**

(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

6. 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.

7. 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.

8. That under the constitution appellant has the same rights like others civil servant but same not extend equally which is injustice.

9. 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.

10. That action on the part of respondents amount to misuse of power and approach beyond from the jurisdiction under the law mentioned for.

11. 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:

*Zahab Khan*  
Appellant

Through

L.Nawab Ali Noor  
Advocate High Court  
Peshawar.

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

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

**AFFIDAVIT.**

I, Zahab Khan S/O Muhammad Riaz R/O Rehan Coloni P/O Oach Tehsiloun ai Distt Lower Dir , 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.

*Zahab Khan*  
Deponent



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

S. Appeal No. of 2020.

1. Zahab Khan S/O Muhammad Riaz R/O Rehan Coloni P/O Oach  
Tehsiloun ai Distt Lower Dir. ....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**

*Zaer*  
**Applicant /Appellant**

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

**AFFIDAVIT.**

I, Zahab Khan S/O Muhammad Riaz R/O Rehan Coloni P/O Oach  
Tehsiloun ai Distt Lower Dir, 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.





**OFFICE OF THE  
DISTRICT EDUCATION OFFICER (MALE)  
DIR LOWER**

**NOTIFICATION:**

In continuation of this Office Order Endst No: 13391-13402 /CT/Appointment/Ad hoc/NTS Dated 26-12-2018 and on the recommendation of the Departmental Selection Committee appointment and re-adjustment of the following candidates are hereby ordered against the leftover/refused/denotified vacant Certified Teacher (CT) posts on one year Ad hoc School based policy in BPS: 15 (Rs.16120-1330-56020/-) Fixed plus usual allowances as admissible under the Rules and existing policy of the Provincial Government in Teaching Cadre on the terms & conditions given below with effect from the date of their taking over charge in the interest of public service.

**A. Certified Teachers (CT) BPS.15**

S.#	Name of candidate	Father's Name	D/O Birth	Score	School Where Posted
1.	TANVEER KHAN	SHER ALAM KHAN	20-12-1993	134.21	GMS ARIF KALAY
2.	SHAFIQ AHMAD	KIFAYAT ULLAH KHAN	03-01-1992	134.13	GHSS MANYAL
3.	ABDULLAH	SULTAN MAHMOOD	02-09-1989	134.09	GHS MANZ BANDA
4.	SAID ALI	MUQADAM KHAN	05-01-1992	134.06	GHS TAZAGRAM
5.	FARID ULLAH	MALOOK	03-07-1994	133.98	GMS TANGI KHADAGZAI
6.	IBRAR ULLAH	MUHAMMAD GUL	03-12-1990	133.97	GHS DMERI KASHMIR
7.	MURAD KHAN	BAHADAR SAID	25-03-1994	133.92	GMS KHAWAS
8.	KABIR AHMAD	FAZAL AZIM	01-06-1988	133.91	GHSS MALAKAND
9.	MOHSIN SALAM	ABDUL SALAM	06-09-1994	133.83	GMS MALAI
10.	SYED MUHAMMAD ADNAN JAN	MUHAMMAD IQBAL	01-02-1993	133.76	GMS GARBAND LAJBOOK
11.	ZEESHAN ULLAH	AZIM KHAN	15-01-1993	133.75	GHS SHAL KANDI
12.	MUHAMMAD IDREES	MUHAMMAD DIAYAR	13-04-1993	133.68	GHSS KAMBAT
13.	SHAKIR ULLAH	MUHAMMAD HABIB KHAN	05-01-1985	133.64	GHSS SARAI BALA
14.	FAROOQ	FAZLULLAH	20-12-1989	133.63	GMS KOTKAI SHAHI KHEL
15.	JAVID MIANDAD	ALI MOHAMMAD	01-11-1989	133.51	GHSS GUMBAT BANDA
16.	ZAHAB KHAN	MUHAMMAD RIAZ	05-06-1989	133.50	GMS WARSAK
17.	RAHIM ULLAH	HAIDER KHAN	14-02-1991	133.36	GMS DANDA
18.	FARHAD HUSSAIN	MUHAMMAD ZAHIR KHAN	01-05-1995	133.29	GMS KOTKAI SHAHI KHEL
19.	KARIM ULLAH KHAN	MUHAMMAD SATAR KHAN	22-11-1989	133.24	GHS MANZ BANDA
20.	KHAN ZEB	JEHAN ZEB	20-04-1992	131.18	GMS TIMTAI
21.	KHWAJA MUHAMMAD KHAN	RAHMAN UL MULK	14-02-1988	130.29	GHS TAKORO

**B. Consequential Adjustments:**

S.#	Name of Candidate	Father's Name	D.O.Birth	Score	Previous Station	Station Where Adjusted
1.	SHAHID KHAN	MIAN SHER	10-04-1995	143.91	GMS ARIF KALAY	GMS QANDARAI
2.	SAQIB MUHAMMAD	ALI GUL	10-02-1994	142.70	GHSS SARAI BALA	GHS OUCH GHARBI
3.	MUHAMMAD SHOAIB	ABDUL HAMEED KHAN	01-03-1986	141.57	GHSS GUMBAT BANDA	GHSS MANYAL
4.	ASMAT ULLAH KHAN	MUBARAK SHAH	01-01-1988	139.59	GMS MALAI	GMS GANILA RABAT
5.	ATTA ULLAH	BADSHAH KHAN	10-05-1993	138.24	GMS GARBAND LAJBOOK	GMS RAZAGRAM
6.	SALIM ULLAH	GHULAM ULLAH	05-06-1993	138.06	GMS KOTKAI SHAHI KHEL	GHS MANZ BANDA
7.	MUHAMAD GHUFRAN	WAZIR MUHAMMAD	10-09-1990	137.85	GHS DARMAL PAYEEN	GHS MINA BATTAN
8.	NOOR ULLAH	SHER BAHADAR	02-06-1992	136.39	GHSS MALAKAND	GHSS SAMARBAGH
9.	JEHAN DASTAGIR	JAWAN BAKHT	06-06-1993	135.11	GMS MANZ BANDA	GHS DARMAL PAYEEN

**Terms & Conditions**

1. No TA/DA is allowed.
2. The contract period for the re-adjusted teachers shall stand the same as mentioned in their initial appointment order (Endst No: 13391-13402 /CT/Appointment/Ad hoc/NTS Dated 26-12-2018).


3. Charge reports should be submitted to all concerned.
4. Appointment is purely on temporary & ad hoc basis for one year with effect from 26/04/2019 to 25/04/2020.
5. They should not be handed over charge if they exceed 35 (Thirty Five) with 3 (Three) years automatic relaxation for Malakand Division or are below 18 years of age.
6. Appointment is subject to the condition that the certificates/documents must be verified from the concerned authorities, anyone found producing bogus certificate/s or degree/s his appointment shall be cancelled and he will be reported to the Law enforcing agencies for further legal actions.
7. Their services are liable to termination on one month's prior notice from either side. In case of resignation without notice their one month pay/allowances shall be forfeited to the Government Treasury.
8. Pay shall not be drawn until and unless a certificate issued by this office that their documents are verified.
9. They should join their posts within 15 days of the issuance of this notification. In case of failure to join the post within 15 days of the issuance of this Notification their appointment shall stand expired automatically and no subsequent appeal etc. shall be entertained.
10. Health & Age Certificate should be produced from the Medical Superintendent before taking over charge.
11. They will be governed by such Rules and Regulations as may be issued from time to time by the Government.
12. Their services shall be terminated at any time in case their performance is found unsatisfactory during their service period. In case of misconduct, they shall be proceeded under the relevant rules & regulations announced from time to time.
13. Their appointment is Ad hoc and school based. They shall have to serve at the place of posting and their service is not transferable to any other station. This condition shall not apply to such consequential re-adjustments as made above.
14. Before handing over charge their documents may be checked and if found bogus or irrelevant as per qualification and rules charge of the post may not be handed over.
15. In-service candidates should be given charge subject to the production of charge leaving certificate by the concerned department.
16. If any meritorious candidate is deprived from appointment by this order and the competent authority accepted his appeal, the appointment order of the low merit candidate will be withdrawn and adjustment order will be reviewed according to merit.
17. They may be readjusted/shuffled in their opted schools in order to ensure merit of the next meritorious candidate.
18. Errors and omissions will be acceptable within the specified period.

(GHULAM NABI KHAN)  
DISTRICT EDUCATION OFFICER MALE  
DIR LOWER AT TIMERGARA

Endst No: 3664-71 /CT/1st Substitute Appointment/Ad hoc/NTS dated: 26 /04/2019

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

1. The Director Elementary & Secondary Education Department Khyber Pakhtunkhwa Peshawar.
2. The District Account Officer Dir Lower.
3. The District Monitoring Officer Dir Lower.
4. The Principal/Head Masters concerned.
5. The Superintendent (Secondary & Primary) Estb: Local Office.
6. The candidates concerned.
7. Master File.

  
DISTRICT EDUCATION OFFICER MALE  
DIR LOWER AT TIMERGARA



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

Ans. B.P.

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) <i>IT subject</i>	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

Attached to File  
A

SSRC  
Subject Specialist  
IT subject  
BPS-17  
23 to 35 years

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 (357)	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; (کیمیا، نبات، حیوانیات) اور (فیزکس، ریاضی "A" یا "B" یا اسٹیٹسٹکس) اور (ہنرمندی اور دیگر متبادل گروپس ڈگری لیول پر جو انگریزی کو لازمی مضمون کے طور پر لیں گے) 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  
کامپیوٹر سائنس  
CT - PST (IT)

Computer Science is not present

Attached to be a copy of

Ann. B (17)

			<p style="text-align: center;">Qari</p> <p style="text-align: center;">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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(5)

Attached to  
Finance Cell



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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Allocated do  
from cycle  
A

Ann. C-13

EXTRAORDINARY  
GOVERNMENT



REGISTERED NO. P111  
GAZETTE

**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>

مستند سازی

(PST) ...

CT IT

No. CIT Subject  
PST/CT Cadre

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 Session

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1542 KHYBER PAKHTUNKHWA GOVERNMENT GAZETTE, EXTRAORDINARY, 24<sup>th</sup> APRIL, 2018

<p>2. Secondary School Teacher-Information Technology (SST-IT) (BPS-11)</p>	<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>	<p>21-35</p>	<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>3. Certified Teacher Information Technology (CT-IT) (BPS-12)</p> <p>(CTI)</p> <p>20/04/18</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>	<p>18-35</p>	<p>By initial recruitment.</p>

SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA  
 ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

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

Attached to  
 b. P. P. Copy

CTI

Amended (15)

(30)

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) (D-17) 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) (D-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/structure for the SST (General/Science) & SST (IT) in depth and were agreed upon unanimously.

Ann. 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

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 Colmn 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 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: 1/9/2021

Zarb  
Appellant

Ann-D-17

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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

Appellant

Zahid Khan

Appellant

2 پنجاب  
بنام

VS

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

مورخہ  
مقدمہ  
دعویٰ  
جرم

باعث تحریر آنکے

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی اور جواب دہی وکل کارروائی کے لئے  
 آن مقام سسرپس سٹریٹس میں ایپل گورنمنٹ کے لئے ایک نوٹس جاری کیا گیا ہے جس میں  
 مقررہ کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کمال اختیار ہوگا۔ نیز  
 وکیل صاحب کو راضی نامہ کرنے و تقریر نمائندگی کے لئے جواب دہی اور اقبال دعویٰ اور  
 بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ اور دیگر درخواست ہر قسم کی تصدیق  
 زرائع پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری کے لئے ایپل کی برادگی  
 اور منسوخی نیز دائر کرنے ایپل گمرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ ان کے لئے ضرورت  
 مقدمہ مذکورہ کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے  
 تقریر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ باختیارات حاصل ہوں گے  
 اور اس کا ساختہ پر داخستہ منظور و قبول ہوگا دوران مقدمہ میں جو چیز ہر جانب التوائے مقدمہ کے  
 سبب سے دوہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں  
 گے کہ پیروی مذکورہ کریں۔ لہذا وکالت نامہ لکھ دیا کہ مندرجہ ہے۔

محمد سسرپس سٹریٹس میں ایپل گورنمنٹ کے لئے  
 ضابطہ



**"A"**

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**  
JUDICIAL COMPLEX (OLD), KHYBER ROAD,  
PESHAWAR.

No.

7148 to 7196

SB

APPEAL No. .... of 20<sup>21</sup>.

Zahab Khan & (48) others Connected

Appellant/Petitioner

Versus

Govt of KPK through Chief Secy KPK

RESPONDENT(S)

Respondent (1)

Govt of KPK through Chief Secy

Notice to Appellant/Petitioner

KPK Peshawar.

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 06/10/2022 at 9:00am

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

For Reply

*[Signature]*  
12/10/22

*[Signature]*

Copy of Appeal is Attached

Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

**"A"**

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**  
JUDICIAL COMPLEX (OLD), KHYBER ROAD,  
PESHAWAR.

No.

7148 to 7190

SB

APPEAL No..... of 20<sup>22</sup>.

Zahab Khan & (48) other Connected

Appellant/Petitioner

Versus

Govt of KP/IC through Chief Secy Peshawar.

RESPONDENT(S)

Respondent (2) Secy EGSE KP/IC Peshawar.

Notice to Appellant/Petitioner

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 06/10/2022 at 9:00 AM

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For Reply

Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

Copy of Appeal is Attached

**"A"**

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**  
JUDICIAL COMPLEX (OLD), KHYBER ROAD,  
PESHAWAR. SB

No.

7148 to 7196  
APPEAL No. .... of 20<sup>21</sup>

Zahab Khan & (48) other Connected.

Appellant/Petitioner

Versus

Govt of KP through Chief Secy KP

RESPONDENT(S)

Respondent (3)

Director EGSE KP Peshawar

Notice to Appellant/Petitioner

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 06/10/2022 at 9:00 AM

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

28/7 For Reply  
Copy of Appeal is Attached

*[Signature]*

Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.