

10.08.2022

Appellant Deposited  
Security & Process Fee

AS/B

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)

14.12.2021

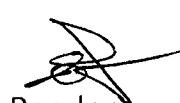
Learned counsel for the appellant present.

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.



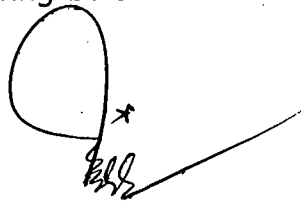
  
(Kalim Arshad Khan)  
Chairman

Form- A

### FORM OF ORDER SHEET

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

Case No.- 7159 /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.

7159/21

1. Suliman

.....(Appellant).

**VERSUS**

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

.....( Respondents).

**Index**

S.NO.	Description	Annexure	Pages
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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. Suliman S/O Abdurhman GPS Shah Noor Kalli Takht Bhi 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 CANDIDATE 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:**

**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 EPS -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 documents 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 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 ever 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 D.**

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.

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- c. That notifications in questions is against the service rules, law ,constitution hence no way except to award the promotion quota to appellatant /appellatant cadre along with back benefit from the date of notification .
- d. That under what law and circumstances only appellatant /appellatant 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 appellatant 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 appellatant / appellatant cadre.

It is further requested to consider the appellatant 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:

*Lu*  
Appellant

Through

L.Nawab Ali Noor  
Advocate High Court  
Peshawar.

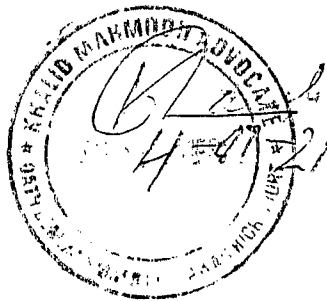
**Certificate:** certified that no such like service. appeal filed before this Honorable tribunal.

L.Nawab Ali Noor  
Advocate High Court  
Peshawar.

**AFFIDAVIT.**

I, Sulaiman S/O Abdur Rahman GPS Shah Noor Killi Tehsil Takht Bhai 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.

*Su*  
Deponent



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

6

S. Appeal No. of 2020.

1. Sulaiman S/O Abdur Rahman GPS Shah Noor Killi Tehsil Takht Bhai  
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**

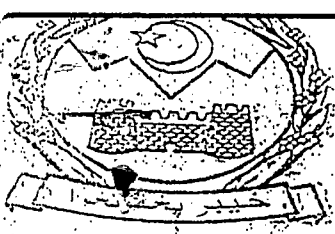
**L. Nawab Ali Noor Advocate  
High Court Peshawar.**

**AFFIDAVIT.**

I, Sulaiman S/O Abdur Rahman GPS Shah Noor Killi Tehsil Takht Bhai 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**





A. 7

**OFFICE OF THE EXECUTIVE DISTRICT OFFICER,  
ELEMENTARY & SECONDARY EDUCATION  
DEPARTMENT MARDAN.**

Phone # 0937-9230151, email: emismardan@yahoo.com

**OFFICE ORDER**

Consequent upon the Advertisement published in the Daily Aaj Dated, 30-05-2011 and Daily Mashriq dated 31-05-2011 and Test/Interview held on 03/07/2011 & 20-07-2011 respectively and approval given by the Departmental Selection Committee District Mardan in its meeting held on 13-03-2012 the undersigned being competent authority is pleased to appoint the following PST-Male Candidates (BPS-07/Rs 5800-320-15400)+ usual allowances as admissible to them under the rules against the vacant posts at the schools noted against each w.e.f the date of their taking over charge in the interest of public service subject to the following terms and conditions.

2% Disable Quota Candidates						
S.#	NAME OF CANDIDATE	FATEHR NAME	UNION COUNCIL	HOME ADDRESS	SCORE	School Where Appointed
1	SHAKIR ULLAH	SHER AFZAL	MIAN ESSA	Lund Khwar	56.9	GPS Ghazi Baba
2	HAZARAT HUSSAIN	SARDAR HUSSAIN	MAHO DHERI	Maho Narai	52.52	GPS Maho Narai
3	NAZ ALI	AMIR ALI	KOHI BARMOL	Kohi Barmol	52.22	GPS Doshi
4	SHER RAHMAN	SHAMS UF. RAHMAN	DAMAN-E-KOH	Takht Bhai	51.77	GPS Zarchad Bacha Korona
100% UNION COUNCIL WISE PST MALE						
S.#	NAME OF CANDIDATE	FATEHR NAME	UNION COUNCIL	HOME ADDRESS	SCORE	School Where Appointed
1	SAJID ALI KHAN	IHSAN ULLAH KHAN	ALO	Alo Mardan	53.22	GPS Baghi Khe
2	ATTA UR RAHMAN	ISA KHAN	ALO	Alo Mardan	51.84	GPS No. 1 Pipal
3	MOHD GAUHAH RAHMAN	ABDUR RAHMAN	ALO	Pipal	50.37	GPS No. 2 Pipal
4	MUDASSIR AHMAD	REDAD KHAN	BABENI	Babeni	58.86	GPS Haji Muhammad Killi
5	MUHAMMAD IRSHAD	AMIR NAWAZ	BABENI	Babeni	57.21	GPS Ajab Gul Killi
6	MURAD KHAN	FAQIR MUHAMMAD	BABENI	Shankar	54.8	GPS Mir Akbar Killi
7	KHAN WALI	FAZAL AHMAD	BABENI	Yahya Jadeed	54.64	GPS Mir Akbar Killi
8	JAMIL AHMAD	MUHAMMAD KAMAL	BABENI	Sheikh Killi	54.24	GPS Ghani Sheikh Killi
9	HAKIM SAID	BACHA KHAN	BABENI	Shagai	53.47	GPS Ghani Sheikh Killi
10	MAZHAR ALI	MUHAMMAD IERAHIM	BABENI	Sekandari	52.92	GPS Shankar
11	AMAN ULLAH	JAN BADSHAH	BAGH E IRAM	Majeed Abad St#9	50.22	GPS Tambulak
12	SHAHID AKBAR	MIR AKBAR SHAH	BAGHDADA	Mangan koz kanday Bagh	54.76	GPS Baghdada No. 1
13	RAEES KHAN	MUHAMMAD GHAWAS KHAN	BAGHDADA	Munz Kanday Baghda	51.82	GPS Baghdada No. 1
14	RAHMAN SHAH	FAZAL SHAH	BAGHDADA	Sobedaran Baghdada	51.72	GPS Faqir Band
15	MUHAMMAD ALI	GUL RAHMAN	BAGHICHA DHERI	Sheikh, Abad SBG	60.17	GPS Bul Seri No. 1
16	ZAHOR-AHMAD	SHAMS UF. RAHMAN	BAGHICHA DHERI	Baghicha Dheri	56.07	GPS Gulshan Abad
17	AMAN KHAN	GHAFOOR KHAN	BAGHICHA DHERI	Baghicha Dheri	51.31	GPS Bul Seri No. 1
18	AYAZ ALI	SAID RAHMAN	BALA GARHI	Cham Dheri	56.86	GPS Cham Dheri
19	ZUBAIR AHMAD	JAMSHED	BALA GARHI	Rola Garhi	49.15	GPS Koz Jemat
20	BAKHTAWAR SHAH	ZAR JAMIL	BAZAR	Aman Kot Rust	60.81	GPS Aman Kot
21	MUHAMMAD SHAKIL	GUL DAD	BAZAR	Gul Bahar Rust	54.18	GPS Shaheedan
22	SYED ARIF HUSSAIN	SHERIN BACHA	BAZAR	Bazar Rust	54.05	GPS Pir sai
23	NAZ AHMAD	QAZIM SHAH	BAZAR	Shaheedan Rst	54.03	GPS Pathao Malandri
24	SAJID KHAN	KHUSHID NOOR	BAZAR	Mch: Kalam Abad Bazar	52.65	GPS Sajawal Banda
25	SYED NASEER MUHAMMAD	IQBAL HUSSAIN	BAZAR	Zarin Abad	51.63	GPS Suni Malandri
26	DIL SHER	GUL SHER	BAZAR	Ishaq Zai Bazar	48.89	GPS Pathao Malandri
27	IFTIKHAR ALI	INZAR GUL	BAZAR	Haroon Abad Rst	48.82	GPS Sar Bula

131	MUHAMMAD SHAFIQ	MUZAMMIL SHAH	MAKORI	Jewar Hahian	53.62	GPS Shahdand No. 1
132	BASHIR AHMAD	YAR MUHAMMAD	MAYAR	Zor Mandi	55.72	GPS Jaba Mayari
133	FAZLE SUBHAN	MEHBOOB UR REHMAN	MAYAR	Mayar	55.71	GPS Fazlo Mubood
134	MUHAMMAD SOHAIL	FARMAN ALI	MAYAR	Mayar	55.43	GPS Sowaryan Abdul Ghafoor
135	ARSHAD KHAN	MUNIR KHAN	MAYAR	Mayar	54.81	GPS Sowaryan Abdul Ghafoor
136	HAZRAT BILAL	TAJ MUHAMMAD	MOHABBAT ABAD	Mohabat Abad	52.09	GPS Akbar Khan Kotley
137	SHAH ZEB	MUHAMMAD HUSSAIN	MOHABBAT ABAD	Alli Khan Koragh	50.48	GPS Kpragh No. 2
138	MUHAMMAD IMRAN	MUHAMMAD USMAN	MOHABBAT ABAD	Sheikh Maltoon	47.47	GPS Sher Pur
139	UBAID ULLAH	SULTAN MUHAMMAD	MOHABBAT ABAD	Shaheed Killi	47.19	GPS Ithehad Colony
140	ROZI AKBAR	ALI AKBAR	MOHABBAT ABAD	Mohabat Abad	43.14	GPS Ithehad Colony
141	SAJJAD AHMAD	WALI ULLAH	MOHABBAT ABAD	Mohabat Abad	42.95	GPS Mohabat Abad
142	AKBAR ALI	TAJ UD DIN	MOHIB BANDA	Mohib Banda	63.01	GPS Mohib Banda No. 3
143	MOHIB UR RAHMAN	SIRAJ UR RAHMAN	MOHIB BANDA	Zando Dheri	50.53	GPS Mohib Banda No. 4
144	ABDUL WAJID	UMAR GUL	MOHIB BANDA	Zando Dheri	50.15	GPS Mohib Banda No. 4
145	SYED MUHAMMAD AYAZ	SYED MUSTAFA	MOHIB BANDA	Mohib Banda	55.65	GPS Wakil Abad
146	SHAH IMRAN	MUHAMMAD ZAHIR SHAH	MOHIB BANDA	Mohib Banda	53.6	GPS No. 2 Mohib Banda
147	ABDUL WAHEED	ABDUL HASEEB	MOHIB BANDA	Zando Dheri	51.24	GPS No. 2 Mohib Banda
148	AJMEER KHAN	DOST MUHAMMAD	NARAI	Garro Shah	59.09	GPS Sri Kotley
149	SULEMAN	ABDUR RAHMAN	NARAI	Shah Noor Pul	58.95	GPS Sheikhano Killi
150	MUHAMMAD SHOAB	GUL MUHAMMAD	NARAI	Mulyano Killi	55.91	GPS Kalo Shah
151	MUHAMMAD FAROOQ	MEER AHMAD	NARAI	Garro Shah	55.66	GPS Sada Bahar Colony
152	TUFAIL	ZAULAN KHAN	NARAI	Sadar Bahar Colony	54.54	GPS Sada Bahar Colony
153	NAWAB ALI	WAZIR GUL	PALO DHERI	Palo Dheri	57.12	GPS Naray Surang
154	MUHAMMAD RIAZ	FAKHRUL ISLAM	PALO DHERI	Zor Abad	56.63	GPS Jalleel No. 1
155	YASIR ZEB	JEHAN ZEB	PAR HOTI	D. Jar	49.44	GPS Par Hoti
156	NOOR UL AMIN	NOOR DAD	PAR HOTI	New Gulbahar	45.16	GPS Shah Dhand
157	AZMAT ALI KHAN	SHAD ALI	PARKHO DHERI	Parkho Dheri	57.90	GPS Pecha
158	USMAN UD DIN	HABIB GUL	PAT BABA	Takht Bhai	58.99	GPS Pati Kalan
159	MUHAMMAD SAIF ULLAH WAZIR	KHAN ZADA	PATBABA	Bismillah Colony TBI	55.17	GPS Abbas Khan Killi
160	UMAR HAYAT	QALANDAR KHAN	PIR SADDI	Pir Saddi	61.24	GPS Pir Saddi No. 1
161	BOSTAN KHAN	GULISTAN	PIR SADDI	Pir Saddi	58.52	GPS Tor Dheri
162	MUSA KHAN	AMIR NAWAZ KHAN	PIR SADDI	Pir Saddi	58.1	GPS Pir Saddi No. 1
163	IRSHAD ALI	SAFDAR ALI	PIR SADDI	Pir Saddi	57.3	GPS Gal Meer Killi
164	SHER WALI	ISRAR ALI	PIR SADDI	Pir Saddi	56.61	GPS Pir Saddi No. 1
165	IBRAR HUSSAIN	HAZRAT HUSSAIN	PIR SADDI	Qutab Garh	56.49	GPS Gul Meer Killi
166	NAZ ALI	SHER BAHADAR KHAN	QASMI	Chall Bagh	54.65	GPS Hamoesh Gul
167	SHAHID IQBAL	MUHAMMAD YOUNAS	QASMI	Taza Gram	54.01	GPS Ghazi Baba
168	WAQAS ALI	AKHTAR GUL	QASMI	Qasmi	49.48	GPS Bada Baba
169	MUHAMMAD IRFAN	DIL MUHAMMAD	QASMI	Chial Bagh	48.76	GPS Bada Baba
170	ZAHIR SHAH	SHER ALI	RURAL MARDAN	Mansab Killi	58.48	GPS Iran Abad
171	IMRAN KHAN	SULTAN RIAZ	RURAL MARDAN	Sultan Abad	57.39	GPS Samarqand
172	TAYYEB KHAN	ALI AKBER	RURAL MARDAN	Sobidar Killi	54.82	GPS Pir Garhi
173	SAFI ULLAH	MUHAMMAD YAR	RURAL MARDAN	Mir Was	54.07	GPS Pir Garhi
174	BASHARAT ULLAH	SYED INAYAT ULLAH	RUSTAM	Kandar Rustam	54.8	GPS Haji Abad
175	GULZAR ALI	SAID SHAH	RUSTAM	Islamabad Rustam	54.43	GPS Horawand
176	TAHIR ZAMAN	ABDUR RAHMAN	RUSTAM	Paindo Kotley	53.2	GPS Horawand
177	JAMIL AHMAD	ZAR MULLAH KHAN	SARO SHAH	Mulyano Killi	57.31	GPS Feroz Pur
178	AZIZ UL HAQ	BAHRUL HAQ	SARO SHAH	Saro Shah	53.03	GPS Masi Gul Killi
179	MUHAMMAD ISRAR	FAZAL KARIM	SARO SHAH	Qila Jabra	51.91	GPS Masi Gul Killi
180	BILAL KHAN	ABDUL JALAL	SAWAL DHER	Sawal Dher	55.75	GPS Zerkitab Banda
181	FAQIR TAJ	MUHAMMAD HANIF	SAWAL DHER	Guli Bagh Sawal Dher	33.98	GPS Musa Khai
182	MUHAMMAD SADIQ	MEHMOOD KHAN	SAWAL DHER	Rama Amir Gul Baba	50.82	GPS Mian Alam Shah
183	SHAUKAT ALI	FAZAL DAD	SAWAL DHER	Guli Bagh	50.59	GPS Guli Bagh No. 1

(Khalid C O) 0345953111

Ann. B(1)



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/2013/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

*Handwritten notes in Urdu:*  
آئی ایس ایس ٹی  
موضوعات  
بابت

*Handwritten notes:*  
Attached to  
File  
A

Page B 10

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

3/16

1	2	3	4	5
"1B"	<p>Secondary School Teacher (BPS-16)</p> <p>(5ST)</p> <p>Computer Science</p>	<p>I. At least second class Bachelor Degree's from a recognized University on need basis from the following groups with two subject</p> <p>(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; (کمیونٹائی) (سائنس) and (کمیونٹائی) (سائنس)</p> <p>II. Bachelor of Education or Master of Education (Industrial Art or Business Education) or M.A Education or equivalent qualifications from a recognized University.</p>	<p>21 to 35 years.</p> <p>CT</p> <p>DM</p>	<p>Seventy Five per cent by promotion, on the basis of seniority-cum-fitness, from the district concerned in the following manner:</p> <p>(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;</p> <p>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;</p> <p>(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;</p>

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Subject  
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CT: PST (IT)

Computer Science is not present

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			<p style="text-align: center;">Q</p> <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>(e) 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)

Handed to  
Princ. C. M. V.

AUSTRIAN NATIONAL BANK

Mr. B. 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. S. S. Gupta  
A



Ann. C-13

EXTRAORDINARY  
GOVERNMENT



REGISTERED NO. P11

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(G7E&SE/1-85/L.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: 1. CT-IT 12

### 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) (B.S-17)	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  ii. Bachelor Degree in Education (B.Ed) or equivalent qualification from a recognized University.  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.	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  b) Fifty percent by initial recruitment.  Provided that if no suitable candidate is available for promotion, then by initial recruitment

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CT IT Subject  
CT Cadre

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1542 KHYBER PAKHTUNKHWA GOVERNMENT GAZETTE, EXTRAORDINARY, 24<sup>th</sup> 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>
3.	Certified Teacher Information Technology (CT-IT) (BPS-12)	<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.

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per 15

SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA  
 ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

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

Attached to  
 Mr. Pervez  
 [Signature]

CTI  
 [Signature]

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.
2	Secondary School Teacher Information Technology (SST) (IT) (B-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	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. 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 (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/structure for the SST (B-17) (IT) & SST (IT) in depth and were agreed upon unanimously.

Signature and date area with handwritten marks.

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  
ELIGABILITY 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.

*Sue*  
Appellant

Dated: 11/11/2021

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

Suliman

Appellant

۲۰ منجانب

بنام

vs

Govt of K.P.K. 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 سہرورد میں پیش کیا گیا ہے۔ اہل کورٹ علی گورنر ایڈووکیٹ جنرل کورٹ پشاور  
 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 کرنے پر حلف دیئے جواب دہی اور اقبال دعویٰ اور  
 بصورت ڈگری کرنے اجراء اور وصولی چیک دروپیہ اور دعویٰ اور درخواست ہر قسم کی تصدیق  
 زرائع پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری کے طرفہ یا اپیل کی برآمدگی  
 اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا۔ ان امور کی ضرورت  
 مقدمہ مذکور کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے  
 تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ باختیارات حاصل ہوں گے۔  
 اور اس کا ساختہ پر داختم منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے  
 سبب سے ہوگا۔ 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 سند ہے۔

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 الزقوم