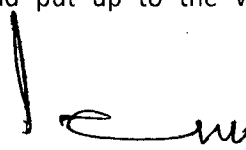

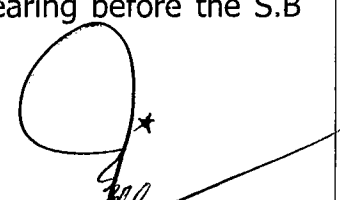


Form- A

FORM OF ORDER SHEET

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

Case No.- 7182 /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>

14.12.2021

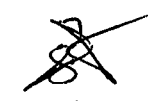
Learned counsel for the appellant present.

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

10.08.2022

Appellant Decried  
Security & Process fee

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.

  
(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 SERVICE TRIBUNAL K.P.K PESHAWAR.**

S. Appeal N O of 2021.

7182/21

1. Mujeeb Ur Rahman

.....(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

**Appellant**

**Through**

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

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

1

S. Appeal No. of 2020.

1. Mujeeb Ur Rahman S/O Syed Nazif Shah GPS Bahader Banda Katlang  
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:**

2

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.

**(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 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 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.

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, Mujeeb -ur-Rahman S/O Syed Nazif Shah GPS Badar Banda Tehsil Katlang 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. Mujeeb -ur-Rahman S/O Syed Nazif Shah GPS Badar Banda Tehsil  
Katlang 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, Mujeeb -ur-Rahman S/O Syed Nazif Shah GPS Badar Banda Tehsil Katlang 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



Ann A 7

26/03/16



OFFICE OF THE DISTRICT EDUCATION OFFICER  
MARDAN

NOTIFICATION

Consequent upon the recommendations of the Departmental Selection Committee held on 22-03-2016, appointment of the following candidates is hereby ordered against the posts (PST) on school & U/C based in EPS-12 ( Rs.9055-650-20555 ) plus usual allowances on an adhoc basis for the period of one year under the existing policy of the Provincial Government on the terms and conditions given below with effect from their taking over charge in the schools as mentioned.

S.No	Name	F/Name	School	U/C
<b>U/C AIO</b>				
1	Sajid Ali	Sajid Beashah	GPS Mui Bulo	
2	Muhammad Naeem	Azam Khan	GPS Phano Banda	
3	Muhammad Shereaz	Muhammad Feroze	GPS Fkano Banda	
4	Imran Ali	Zahid Ali Khan	GPS Phano Banda	
5	Muhammad Ali Khan	Sheraz Zaman	GPS No.1 Aio	
6	Imran Ali	Ahmad Khan	GPS Phano	
<b>U/C Babani</b>				
7	Malik Amir	Muhammad Afzal	GPS Sajid Akbar Kuli	
8	Akhtar Munoor	INawab Zada	GPS Shankar Koroona	
9	Shahid Ayaz	Fazal Gul	GPS Shankar Koroona	Babani
10	Muhammad Tariq	Fazal Rabi	GPS No.2 Shahgai	Babani
11	Fazil Mulla	Abdul Jameed	GPS No.1 Shahgai	Babani
12	Ijaz Ahmad	Bajwah Khan	GPS Shankar Koroona	Babani
13	Abdul Hameed	Muhammad Jid Duja	GPS Nasoor Killi	Babani
14	Murad Ali	Sheraz Khan	GPS Khudai Noor Killi	Babani
15	Shereaz	Nawab Zada	GPS Mir Akbar Killi	Babani
16	Fazal Raziq	Abdul Majid	GPS Kudinka	Babani
17	Shehzad Khan	Rumal Gul	GPS Shagai No1	Babani
<b>U/C Babuzai</b>				
18	Muhammad Shah	Muhammad Shah	GPS Babuzai	
<b>U/C Baghchahi</b>				
19	Muhammad Shah	Muhammad Shah	GPS No.1 Baghchahi	
20	Muhammad Shah	Ashraf Ullah Din	GPS Baghchahi	
<b>U/C Baghchahi Dheri</b>				
21	Sajid Khan	Khanji Khan	GPS Tambul	
<b>U/C Baghchahi Dheri</b>				
22	Waris Khan	Rammat Shah	GPS No.1 Baghchahi Dheri	Baghchahi Dheri
23	Fazal Hanan	Fazal Aman	GPS No.2 Baghchahi Dheri	Baghchahi Dheri
24	Wasim Ihsan	Ihsan Ullah	GPS No.1 Baghchahi Dheri	Baghchahi Dheri
25	Sabir Ur Rahman	Sabir Ur Rahman	GPS Gulshan Abad	Baghchahi Dheri
26	Mian Mufeed Ud Din	Mian Saad Ullah	GPS No.1 Baghchahi Dheri	Baghchahi Dheri
27	Farhan Ahmad	Sheraz Ahmad	GPS No.1 Baghchahi Dheri	Baghchahi Dheri
28	Ihsan Tej	Zehra Tej	GPS No.1 But Seri	Baghchahi Dheri
<b>U/C Bakshali</b>				
29	Asad Ali	Sheraz Ali	GPS Bakshali	Bakshali
30	Asad Ali	Qazi Idrar Jaf Din	GPS Bakshali	Bakshali
31	Feroze Ali	Jafar Khan	GPS Bakshali	Bakshali
32	Ahmad Ur Din	Haji Zaid	GPS Bakshali	Bakshali
33	Muhammad Ali	Ahmad Ali	GPS Bakshali	Bakshali
34	Muhammad Ali	Haji Muhammad	GPS Bakshali	Bakshali
<b>U/C Bazar</b>				
35	Muhammad Ali	Muhammad Ali	GPS Bazar	Bazar
36	Muhammad Ali	Ahmad Ullah	GPS Bazar	Bazar
37	Muhammad Ali	Muhammad Shah	GPS Bazar	Bazar
<b>U/C Bazar</b>				
38	Shahid Ali	Gul Shariq	GPS Shuhoodan	Bazar

Ann A 8

S/No	Name	F/Name	School	U/C	Date of Birth	Total Score	Remarks
302	Wahood Gul	Rehmal Gul	GPS Arabi Killi	Sen Bahlol	17-03-1980	108.20	A.V.P.
303	Ala Muhammed	Fuad Muhammed	GPS Arabi Killi	Sen Bahlol	14-03-1992	105.20	A.V.P.
304	Abdullah	Muhammed Ali Shah	GPS Sujana Shafiq Aboed	Sen Bahlol	12-02-1980	104.19	A.V.P.
305	Muhammed Iqbal	Majeed Gul	GPS No2 Afzal Abad	Sen Bahlol	22-04-1980	103.94	A.V.P.
306	Ishad Ahmad	Johar Zaman	GPS No1 Pir Abad	Sen Bahlol	01-11-1981	103.38	A.V.P.
307	Muhammed Iqbal	Gul Amin	GPS Aman Ullah Banda	Sen Bahlol	08-04-1981	101.15	A.V.P.
308	Shakir Ullah	Gul Ahmad	GPS Doko Baba	Sen Bahlol	13-08-1992	101.12	A.V.P.
309	Muhammad Ali	Gul Shor	GPS Milgan Pir Abad	Sen Bahlol	01-07-1980	100.00	A.V.P.
300	Sajid Ali	Fazil Wahid	GPS No.1 Afzal Abad	Sen Bahlol	20-03-1981	100.00	A.V.P.
<b>U/C Shahbaz Garhi</b>							
391	Muhammed Imran Khan	Ferzand Ali	GPS No.1 Baro Banda	Shahbaz Garhi	16-05-1991	123.75	A.V.P.
392	Sajid Iqbal	Iqbal Khan	GPS Narshak	Shahbaz Garhi	20-07-1980	111.76	A.V.P.
393	Muhammad Mehboobul Haq	Fazal Malik	GPS Lalindal	Shahbaz Garhi	21-04-1985	101.09	A.V.P.
394	Khalid Raza	Abdus Salam	GPS Shahbaz Garhi No.3	Shahbaz Garhi	03-02-1990	100.07	A.V.P.
395	Zamin Khan	Sher Zaman	GPS Gohar Khan Narshak	Shahbaz Garhi	07-03-1991	97.30	A.V.P.
396	Waqar Ahmad	Shaban Akbar	GPS No.2 Baro Banda	Shahbaz Garhi	15-01-1980	99.20	A.V.P.
397	Muhammad Ateeq Sald	Jan Saïd	GPS Shahbaz Garhi No.1	Shahbaz Garhi	13-07-1986	99.79	A.V.P.
398	Muhammad Amir	Hussain Khan	GPS Chacaka Oheri	Shahbaz Garhi	01-07-1992	97.50	A.V.P.
399	Hamza	Burhan Ullah	GPS No.1 Baro Banda	Shahbaz Garhi	13-07-1991	97.30	A.V.P.
400	Wahood Khan Akbar	Faqir Akbar	GPS No.1 Baro Banda	Shahbaz Garhi	03-06-1982	97.30	A.V.P.
<b>U/C Shamlat Pur</b>							
401	Muhammed Abdullah	Aman Ullah	GPS Muhammed Ullah	Shamlat Pur	12-07-1981	119.50	A.V.P.
402	Muhammed Ali	Abdul Majeed	GPS Shamlat Pur Killi	Shamlat Pur	09-11-1992	117.12	A.V.P.
403	Haziz Shahzad	Rahman Ullah	GPS Sowaryan	Shamlat Pur	26-04-1985	111.30	A.V.P.
404	Ayaz Shah	Ghansal Shah	GPS Shamlat Pur Killi	Shamlat Pur	01-05-1980	107.75	A.V.P.
<b>U/C Shamozaï</b>							
405	Syed Inayat Shah	Mubarak Shah	GPS Khan Zamin Banda	Shamozaï	02-03-1991	135.17	A.V.P.
406	Muhammed Ali	Mir Eas Khan	GPS Showa	Shamozaï	04-01-1980	128.21	A.V.P.
407	Wall Khan	Hayat Gul	GPS Pategi	Shamozaï	13-02-1979	122.06	A.V.P.
408	Niamat Ali	Maiang Jan	GPS Malha Cerakal	Shamozaï	22-01-1982	120.00	A.V.P.
409	Shakil Ahmad	Said Muhammed	GPS Shamozaï	Shamozaï	04-03-1992	119.12	A.V.P.
410	Zakir Shah	Hazrat Sald	GPS Ghordo	Shamozaï	07-11-1968	117.77	A.V.P.
411	Waqar Ullah Khan	Asmat Ullah Khan	GPS Mitha Phos	Shamozaï	02-01-1987	115.50	A.V.P.
412	Sajjad Ali	Rahim Ullah	GPS Pategi	Shamozaï	21-07-1986	114.65	A.V.P.
413	Tariq Nawaz	Muhammed Nawaz	GPS Aralona	Shamozaï	07-07-1980	114.53	A.V.P.
414	Jehangir Ullah	Masoor Khan	GPS Spin Chak	Shamozaï	11-07-1980	112.15	A.V.P.
415	Muhammed Ali	Syed Nazeef Sindh	GPS Badar Banda	Shamozaï	22-04-1980	107.21	A.V.P.
<b>U/C Sher Garhi</b>							
416	Shahin Khan	Sadler	GPS Ahmad Zai Killi	Sher Garhi	03-03-1987	127.15	A.V.P.
417	Qasim	Lajban Khan	GPS No2 Sher Garhi	Sher Garhi	15-04-1993	116.71	A.V.P.
418	Misbah Ud Din	Noor Ali Jan	GPS Nader Sher Killi	Sher Garhi	08-03-1993	115.10	A.V.P.
<b>U/C Takkar</b>							
419	Khurshid	Nawaz	GPS Pali Khurd	Takkar	20-09-1981	125.20	A.V.P.
420	Sardar Ali	Jahan Zada Khan	GPS Dil Aram Kuli	Takkar	11-04-1990	117.60	A.V.P.
421	Salah Ud Din	Fazal Mchir Ud Din	GPS No2 Fazal Abad	Takkar	10-02-1985	112.13	A.V.P.
<b>U/C Tarkar</b>							
422	Malloob Ahmed	Fazal Muhammad	GPS Sandi Mar	Tarkar	12-12-1983	139.00	A.V.P.
					21-08-1989	115.31	A.V.P.
					21-11-1992	111.01	A.V.P.

Ans. B-9



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) <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 MA 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.  <i>NOTE: If no suitable candidate is available in the relevant subject the post falling in their promotion quota shall be filled by initial</i>

Attached to File  
A

آئی ایس ایس آر سی  
موضوعات  
بابت  
مقرر ہوئے ہیں

Ann B 10

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

3/1/16

1	2	3	4	5
"1B.	Secondary School Teacher (BPS-16)	<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;</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>	21 to 35 years.	<p>1. 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>

Conf  
f:- P.S

(SST)  
Handwritten notes in Urdu script, possibly detailing subject requirements or administrative notes.

Computer Science  
Handwritten note in Urdu script.

Computer Science is not present  
Handwritten note in Urdu script.

CT  
Handwritten note in Urdu script.

DM  
Handwritten note in Urdu script.

Subject  
Handwritten notes in Urdu script.

Attached to b-1  
Copy of  
Handwritten notes in Urdu script.

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

(5)

15/11/17  
 High  
 Attached to  
 P. C. W. /

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>Note:</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>
--	--	--	--	---

Noted do  
D-111  
A



Ann. c-13

EXTRAORDINARY  
GOVERNMENT



REGISTERED NO. P.III

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)	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

من زینہ میں  
سین

(PT) سے  
CT  
IT

to CIT Subject  
in Pst/CT cadre

نوٹیفکیشن کے لیے مخصوص ہے  
Peshawar  
Copy

no. C-14

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.

CTI

pa 15

SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA  
 ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

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

Approved to  
 be  
 [Signature]

CTI  
 [Signature]

Annex - C (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 (SS-IT) (B-17) Government Higher Secondary Schools/ Govt. comprehensives/ 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 (SS-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	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.

The committee members discussed the proposed amendments in the service rules/stipend for the SST (C) (B-17) (Sec) & SST (IT) in depth and were agreed upon unanimously.

Signature: [Handwritten Signature]  
Date: [Handwritten Date]

Ann. D- 16

TO, THE SECRETARY EDUCATION KHYBER PUKHTOON  
KHWA.

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 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 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.

  
Appellant

Dated: 11/9/2021

بعدالت

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

Appellant

2 منجانب  
بنام

Majeed ur Rahman

vs

Govt of I.C.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 متعلقہ  
آن مقام سہرسونہ میں سٹار کیس ایبل گورنمنٹ لائبریری کے سربراہ اور سٹار کیس ایبل گورنمنٹ لائبریری کے سربراہ  
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 و روپیہ اور دعویٰ اور درخواست ہر قسم کی تصدیق  
زر میں 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۔ اور اس کے 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 پر داخستہ 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 سند ہے۔

تصاویر و دستخطات  
V.P.K. Peshawar