

10.08.2022

Appellate  
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)

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.



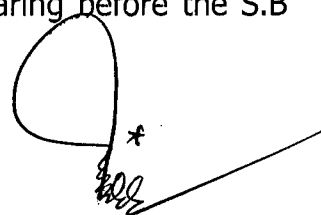
  
(Kalim Arshad Khan)  
Chairman

Form- A

FORM OF ORDER SHEET

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

Case No.- 7172 /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>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.

7/72/24

1. Muhammad zia *ullah*

.....(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
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5.	Notification dated 24.7.18	C	13-15
6.	Departmental Appeal	D	16-17
4	Waklat Nama		18

Through

Appellant

L.Nawab Ali Noor  
Advocate High Court  
Peshawar.  
03469076945

S. Appeal No. of 2021.

1. Muhammad Zia Ullah S/O Sahib Zada GPS Khattaky Takhtbhi

.....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:**

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.

~~Copy of the test results 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 A.**

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 B.**

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 C.**

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

**GROUNDS:**

ww. 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 .

xx. 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

yy. 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.

zz. 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.

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

bbb. 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.

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

ddd. That superior court repeatedly delivered judgment in respect ART.4, 25 etc and present case respondents violated the same also.

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

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




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

5

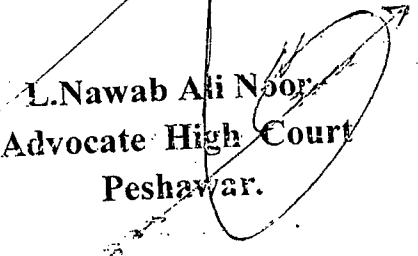
May please awarded any other relief for which appellant entitled not specifically mentioned deem appropriate may also awarded.

Dated:

Through

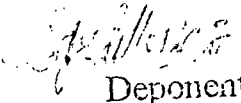
  
Appellant  
L. Nawab Ali Noor  
Advocate High Court  
Peshawar.

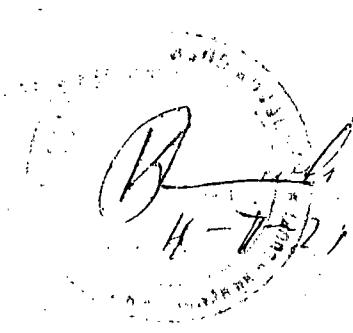
**Certificate:** certified that no such like service. appeal filed before this Honorable tribunal.

  
L. Nawab Ali Noor  
Advocate High Court  
Peshawar.

**AFFIDAVIT.**

I, Muhammad Ziaullah S/O Sahib Zada R/O Bhatti Korona Hathyan P/O Tehsil Takht Bhi Distt Mardan, do solemnly affirm and declare on oath that the contents of the accompanying service Appeal are true and correct to the best of my knowledge and belief and nothing been kept concealed from this Honorable tribunal.

  
Deponent



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

6

S. Appeal No. of 2020.

1. Muhammad Ziaullah S/O Sahib Zada R/O Bhatti Korona Hathyan P/O  
Tehsil Takht Bhi 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

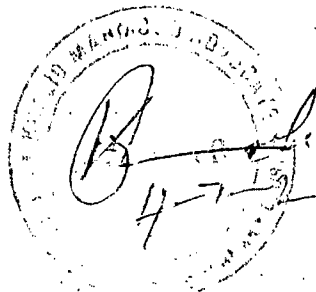
*Muhammad Ziaullah*  
Applicant / Appellant

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

**AFFIDAVIT.**

I, Muhammad Ziaullah S/O Sahib Zada R/O Bhatti Korona Hathyan P/O  
Tehsil Takht Bhi 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.

*Muhammad Ziaullah*  
Deponent





**OFFICE OF THE  
DISTRICT EDUCATION OFFICER (MALE)  
DIR LOWER (Phone # 0945 9250081-82)**

**NOTIFICATION /APPOINTMENT**

Consequent upon the recommendation of Departmental Selection Committee, appointment of the following candidates are hereby ordered against the vacant PST posts on one year Ad hoc School based policy in BPS: 12 (Rs.11140/-) Fixed PM plus usual allowances as admissible to them under the Rules and existing policy of the Provincial Government in Teaching Cadre on the terms & conditions given below in the interest of public service.

S.#	Name of candidate	Father's Name	Union Council	D/O Birth	Score	School where appointed
1	KIFAYAT ULLAH	UMAR SAID	BISHGRAM	13/02/1990	123.41	GPS SHAGAI MARKHANAI
2	HAYAN ULLAH	MUHAMMAD ZAHID SHAH	BISHGRAM	05/06/1992	123.18	GPS MARKHANI MAIDAN
3	RIAZ ULLAH	ABDUL JAMIL KHAN	BISHGRAM	03/10/1993	121.73	GPS WARSAKAY SHARQE
4	NASEER ULLAH	FAZAL KHITAB	BISHGRAM	01/11/1993	115.02	GPS MARKHANI MAIDAN
5	ABDUL MALIK	FAZAL HALIM	BISHGRAM	25/08/1993	113.54	GPS MARKHANI MAIDAN
6	NASAR KHAN	UMAR MUHAMMAD	BISHGRAM	01/04/1994	113.4	GPS KANDU MACHLA
7	AMJAD ALI	ABDUL QAYUM KHAN	BISHGRAM	17/09/1993	111.23	GPS MARKHANI MAIDAN
8	ZAHID ULLAH	SAID ARIF KHAN	BISHGRAM	25/03/1994	109.69	GPS RINA MANZI
9	MUHAMMAD HASSAN	GHANI RAHMAN	BISHGRAM	10/09/1989	108.64	GPS GUMBAT BANDA
10	SAID FAROOQ	JEHAN BADSHAH	BISHGRAM	20/04/1993	106.3	GPS KAS GUMBAT
11	NOMAN KHAN	HIITISHAM UL HAQ	BISHGRAM	18/02/1995	106.25	GPS SAR SKHAWANI
12	MUHAMMAD ZUBAIR	GUL QASIM KHAN	BISHGRAM	03/03/1993	105.35	GPS AWARAI MAIDAN
13	SAFI ULLAH	MOHAMMAD ASLAM	BISHGRAM	01/05/1989	105.28	GPS ASHROGAI MAIDAN
14	WAHID SHAH	ZAHIR SHAH	BISHGRAM	15/04/1991	104.84	GPS KAS GUMBAT
15	SAEED ULLAH	DARVAIZ KHAN	BISHGRAM	06/01/1995	104.46	GPS KARGHA
16	MUHAMMAD USMAN	BAD SHAH RAHMAN	BISHGRAM	20/09/1986	104.3	GPS SHAPANKI (M)
17	MUHAMMAD MUSA	MUHAMMAD IBRAHIM	BISHGRAM	05/05/1991	103.62	GPS DALGRAM (P)
18	NASRER UDDIN	AMIN UL HAQ	BISHGRAM	20/02/1988	103.36	GPS DALGRAM BALA
19	UMAR A KIAN	SHAH ZARIN KHAN	BISHGRAM	07/04/1990	103.28	GPS BANDA GUMBAT
20	MUHAMMAD USMAN	MUHAMMAD ALAM KHAN	BISHGRAM	01/04/1989	103.27	GPS KOWARO BAGH
21	AMANULLAH KHAN	SHAH WAZIR KHAN	BISHGRAM	15/04/1982	102.01	GPS DALGRAM BALA
22	IBRAHIM SAEED	SHAMSUL HAQ	BISHGRAM	09/04/1992	101.76	GPS BANDA GUMBAT
23	ISMAIL	JAMSHAD KHAN	BISHGRAM	15/04/1995	98.86	GPS ASHROGAI MAIDAN
24	HAFEEZ UR RAHMAN	SHAMAND ROOZ KHAN	BISHGRAM	14/07/1993	97.65	GPS MISHWANO
25	MUHAMMAD ZIA ULLAH	SAHIB ZADA	BISHGRAM	05/04/1984	97.62	GPS KHATKAY MAIDAN
26	ZAHEER ABBAS	PAINDA KHAN	BISHGRAM	18/06/1984	97.5	GPS RINA MANZI
27	ANWAR UL HAQ	PURSAND KHAN	GAL	02/01/1991	122.11	GPS ZANAI
28	BAKHT SHAH ZAIB	KHIAL BADSHAH	GAL	10/01/1982	112.97	GPS WAHDAT MAIDAN
29	FARMAN ULLAH	MUHAMMAD SARDAR	GAL	17/04/1994	107.77	GPS NAMBATAI
30	GUL RAHIM	GUL BUNIR KHAN	GAL	01/04/1991	105.36	GPS LARA LACHA (M)
31	AHMAD ULLAH	ALIM GUL	GAL	09/04/1993	103.00	GPS SATARA
32	MUHAMMAD ZAHID	BAKHT E RAWAN	GAL	01/02/1987	101.76	GPS BABA GAM
33	NOORULLAHA	ANWAR BADSHA	GAL	02/08/1997	100.95	GPS SORIPAW
34	IMDAD ULLAH	HABIB UL HAQ	GAL	11/03/1991	100.65	GPS LACHA BALA
35	IRSHAD ULLAH	BAKHT ZAMAN	GAL	20/06/1994	99.66	GPS SATARA
36	USMAN ALI	NASIB ULLAH	GAL	05/02/1993	99.65	GPS BABA GAM
37	RAHAT ULLAH	HASSAN WALI	GAL	05/03/1993	98.15	GPS MERAKAI
38	MASAJD KHAN	GULL SHER KHAN	GAL	01/02/1988	97.90	GPS SORIPAW
39	MUHAMMAD SALIH	LAL ZAMIN KHAN	GAL	11/08/1989	97.52	GPS UTALA MAIDAN

S.#	Name of candidate	Father's Name	Union Council	D/O Birth	Score	School where appointed
40	MUHAMMAD SULIMAN	TAHMER KHAN	GAL	07/04/1992	92.90	GPS SRAFO MANZA
41	AZIZ MUHAMMAD	TAJ MUHAMMAD	GAL	16/06/1985	91.88	GPS UTALA MAIDAN
42	IBRAHIM	SYED HAKIM	KOTKAI	08/08/1991	135.41	GPS TAKATAK
43	AMAN ULLAH	ABDUR RAZIQ	KOTKAI	01/02/1990	123.69	GPS REDGAI
44	MUHAMMAD AYAZ KHAN	UMAR DARAZ	KOTKAI	04/03/1988	118.68	GPS FAZLI MALIK KOROONA DABOONA
45	SULTAN ZAIB	GUJAR KHAN	KOTKAI	15/06/1993	117.09	GPS KOTKI (M)
46	LATIF ULLAH	FAHEEM KHAN	KOTKAI	03/06/1986	109.84	GPS GUMBATI MAIDAN
47	IJAZ ULLAH	SHER ZADA	KOTKAI	07/08/1994	109.43	GPS GUMBATI MAIDAN
48	RIZWAN ULLAH	FAZAL MUHAMMAD	KOTKAI	02/10/1985	107.24	GPS FAZLI MALIK KOROONA DABOONA
49	SALIB ZADA	SAID JAN	KOTKAI	06/01/1991	106.45	GPS FAZAL ABAD KOTHO
50	HIDAYAT ULLAH	BAKHT MUNEER	KOTKAI	12/07/1990	105.52	GPS CHINAR KOT
51	SULTAN ZEB	FAZAL RAHIM	KOTKAI	02/05/1987	103.51	GPS CHINAR GAI MADIAN
52	RAHIMAN ULLAH	JEHAN ZAIB	KOTKAI	02/05/1989	102.85	GPS MULYANO BANDA
53	MOHAMMAD SOHAIL SARDAR	UMER SARDAR	KOTKAI	13/03/1990	102.3	GPS GALGOOT
54	MURAD KHAN	ZAHID KHAN	KOTKAI	04/04/1990	102.11	GPS KOTKI (M)
55	MALAK SAAD	MUHAMMAD ZAMAN	KOTKAI	10/09/1993	101.91	GPS KOTKI (M)
56	ABID KHAN	ZAFAR RAHMAN	LAL QILA	14/02/1988	117.08	GPS MANYAL NO.2
57	MAJID KHAN	MUHAMMAD HAKIM	LAL QILA	15/03/1987	115.76	GPS DEHRO (B)
58	RAFI ULLAH KHAN	INAYAT ULLAH KHAN	LAL QILA	08/04/1991	115.30	GPS MANYAL NO.1
59	HABIB ULLAH	FAZAL AHAD	LAL QILA	10/03/1978	114.27	GPS NIMAZ KOT
60	INAYAT UR REHMAN	UMAR RAHMAN	LAL QILA	12/05/1987	113.97	GPS MANYAL NO.1
61	ZIA ULLAH	RAHIM GUL	LAL QILA	01/08/1989	110.53	GPS ODIGRAM (M)
62	IJAZ AHMAD	BAHAUD DIN	LAL QILA	10/10/1991	109.73	GPS BURANI.
63	RAHAT ULLAH	MAIN GUL	LAL QILA	08/02/1987	109.59	GPS UAMAR RAHMAN KOROONA
64	HABIB SALEEM	AZAD BAKHAT	LAL QILA	22/12/1986	108.23	GPS DAWLAI
65	MUHAMMAD SHOAB	MUHAMMAD TAYYEB JAN	LAL QILA	01/05/1994	107.10	GPS SAFARI MAIDAN
66	AJAB KHAN	FAZAL KHALIQ	LAL QILA	01/11/1991	106.03	GPS BAR KHANI BALA
67	ANWAR ZEB	AMIR HAMZA KHAN	ZAIMDARA	01/02/1990	132.57	GPS BERAGAM (M)
68	IJAZ AHMAD	JEHAN BAD SHAH	ZAIMDARA	01/06/1993	123.36	GPS DAROO (M)
69	SADDEEQ UR RAHMAN	ASHAQ UR RAHMAN	ZAIMDARA	17/03/1991	123.33	GPS KHANDAQ
70	USMAN ALI	FAZAL AHMAD	ZAIMDARA	13/04/1996	119.55	GPS SAN GATHO
71	HASSAN RAZA	RAHMAT JAN	ZAIMDARA	09/04/1993	118.98	GPS PULA MAIDAN
72	MUSHTAQ AHMAD	MUHAMMAD SALEEM	ZAIMDARA	01/11/1991	118.28	GPS DAROO (M)
73	RAFEEQ AHMAD	MOHAMMAD SABIR	ZAIMDARA	06/05/1992	107.09	GPS MIRGAM BALA
74	INAYATUR RAHMAN	FAZALI SUBHAN	ZAIMDARA	20/06/1989	116.24	GPS ZAIMDARA
75	BADSHAH RAHMAN	KHAISTA RAHMAN	ZAIMDARA	12/04/1993	112.22	GPS LAR KANDAY BALO KHAN
76	MUHAMMAD IRSHAD	MONEEN SHAH	ZAIMDARA	03/02/1987	108.47	GPS DAROO (M)
77	MANSOOR AHMAD	MUHAMMAD SALIM	ZAIMDARA	14/04/1989	105.83	GPS JABAROO PAYEEN
78	UBAID ULLAH	HAZRAT SHER	ZAIMDARA	20/12/1984	105.13	GPS DARGAI MAIDAN
79	ASSAD ULLAH	MIRAJ UL HAQ	ZAIMDARA	16/04/1991	103.35	GPS JABAROO PAYEEN
80	IMRAN ULLAH	MUHAMMAD RAHEEM	ZAIMDARA	09/04/1990	101.93	GPS ZAIMDARA
81	ZAKIR ULLAH	MOHAMMAD YOUNAS	ZAIMDARA	15/11/1990	101.08	GPS ADD (M)
82	ANAYAT UR RAHMAN	SHAMS UR RAHMAN	ZAIMDARA	01/01/1989	100.88	GPS DARGAI MAIDAN
83	BADSHAH UD DIN	ABDUL BAQI	ZAIMDARA	02/01/1988	100.50	GPS LAR KANDAY BALO KHAN
84	AAMIR ZEB	SULTAN ZEB	ZAIMDARA	09/03/1992	98.84	GPS MIRGAM BALA

### Terms & Conditions

1. No TA/DA is allowed.
2. Charge reports should be submitted to all concerned.
3. Appointment is purely on temporary & ad hoc basis for one year period with effect from 18-03-2017 to 17-03-2018.
4. They should not be handed over charge if their age exceeds 35 (Thirty Five) or below 18 years of age.

Am. 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 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.  <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

*Handwritten notes in Urdu:*  
1. SSRC Meeting  
2. Subject Specialist  
3. IT subject  
4. BPS-17  
5. 23 to 35 years  
6. 50% promotion  
7. Seniority-cum-fitness  
8. Secondary School Teachers (BPS-16)  
9. At least five years service  
10. Qualification mentioned in column No. 3



Mr. 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"	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>(دیکورائنس) (کمپیوٹر سائنس) and (Computer Science)</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>

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Computer Science  
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Computer Science is not present

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			<p style="text-align: center;">(1)</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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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>
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Approved do.  
J. S. S. C. S. S.  
A



Ann. C-13

EXTRAORDINARY  
GOVERNMENT



REGISTERED NO. PIII  
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	2	3	4	5
	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

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Dr. C - (14)

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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SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA  
 ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

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

Attested to  
 by Pw Cell

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Annex - C (15)

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Sl. 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-17) (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.
2	Secondary School Teacher Information Technology (SST) (IT) (D-26) 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.
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.

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(SST IT)

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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.

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Ann. D. 26

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

Dated: 11/11/2021

*[Handwritten signature]*

May please awarded any deem appropriate may also awarded. Specifically mentioned also.  
May also awarded the relief to me of 7 years duration of service of SST\*IT\*BPS-16 with all back benefit from 2014.

It is further requested to consider me for promotion for the post please allocate promotion to the extent of S.NO. 2 column no. 5 and amending / Modifying to the extent of S.NO. IB Column NO. 3 of the well as service rules 24.2.2018 also may kindly be / inserting / declare, null and void/amended / modified the notification dated / service appeal your honor may graciously be pleased to set aside 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 amendng / Modifying to the extent of S.NO. 2 column no. 5 and also.

It is therefore most humbly prayed that on acceptance of this promotion. PST. IT my cadre computer science not mentioned in rules for which I am not entitled for the promotion while rest is entitled side I am not entitled for the promotion while rest is entitled for appointment on basis of the same qualification while in other was not awarded promotion. That if I am entitled for fitness I being full fill all mentioned required above even then I

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بعدالت

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

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Muhammad Zamallat

Appellant

2 بنجاب

بنام

VS

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

مقدمہ

دعویٰ

جرم

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کارروائی مختلفہ  
 آن مقام سہرسونڈ سٹیٹ لٹریچر سٹیٹ لٹریچر ایبل گورنمنٹ علی گڑھ یونیورسٹی کے  
 مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز  
 وکیل صاحب کو راضی نامہ کرنے و تقرر تالیف پر حلف دینے جواب دہی اور اقبال دعویٰ اور  
 بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ اور دیگر دعویٰ اور درخواست ہر قسم کی تصدیق  
 ذرائع پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یا ڈگری کے خلاف ہر قسم کی برآمدگی  
 اور منسوخی نیز دائرہ کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ ان تمام امور کی ضرورت  
 مقدمہ کو رکن کے کل یا جزوی کارروائی 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 بااختیارات حاصل ہوں گے  
 اور اس کا ساختہ پر داخستہ منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے  
 سبب سے دہوگا کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں  
 گے۔ کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سندر ہے۔

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