


10.08.2022

Appellate Department  
Security & Process Fee

12/8

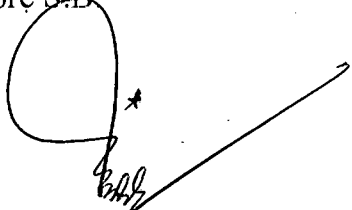
Learned counsel for the appellant present and submitted an application for submission of security and process fee. Application allowed with direction to submit security and process fee within 3 days, thereafter notices be issued to respondents for submission of written reply/comments. To come up for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



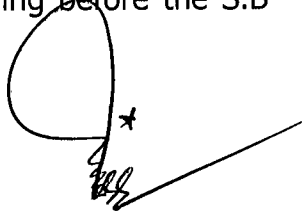
  
(Kalim Arshad Khan)  
Chairman.

Form- A

FORM OF ORDER SHEET

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

Case No.- 7149 /2021

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

1. Adnan .

.....*2149*.....(Appellant).

**VERSUS**

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

.....( Respondents).

**Index**

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4	Waklat Nama		18

**Through**

**Appellant**

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

S. Appeal No. of 2021.

1. Adnan S/O Muhammad Nisar R/O Bampokha Tehsil Dagger Distt  
Buner.

.....Appellant

**VERSUS**

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

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

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

.....Respondents

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

**PRAYERS:**

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

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

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

**RESPECTFULLY SUBMITTED,**

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

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

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

~~Applicant of this notification is appointed to~~

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 E.**

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 E.**

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

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

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

**GROUND:**

iiii. 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 .

jjjj. 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

kkkkk. 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.

lllll. 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.

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

nnnnn. 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.

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

ppppp. 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.

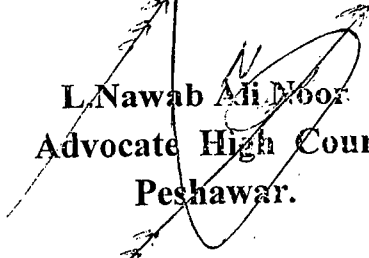
Dated:

  
Appellant

Through

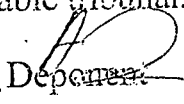
L.Nawab Ali Noor  
Advocate High Court  
Peshawar.

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

  
L.Nawab Ali Noor  
Advocate High Court  
Peshawar.

**AFFIDAVIT.**

I, Adnan S/O Muhammad Nisar R/O Bampokha Tehsil Dager Distt Buner, 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



S. Appeal No. of 2020.

1. Adnan S/O Muhammad Nisar R/O Bampokha Tehsil Dager Distt Buner. ....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

Applicant / Appellant

Through

L. Nawab Ali Noor, Advocate  
High Court Peshawar.

**AFFIDAVIT.**

I, Adnan S/O Muhammad Nisar R/O Bampokha Tehsil Dager Distt Buner, 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



OFFICE OF THE EXECUTIVE DISTRICT OFFICER ELEMENTARY & SECY, EDU, BUNER.

NOTIFICATION.

Consequent upon the recommendation of the departmental selection committee (D.S.C) held on 20/09/2012, as contained in the minutes of the meeting issued vide this office No. 2077-81 dated 20/09/2012.

As approved by the competent authority the Executive District Officer Elementary & Secondary Education Buner is pleased to order the appointment of the following PST male teachers against the vacant posts in schools, mentioned against their names, in BPS- 12 (7000-500-22000) plus usual allowances as admissible to them under the rules, with effect from the date of taking over charge subject to the terms and condition given at the end in the interest of public service.

BST ( Male)

100 % Deceased Candidate:

S.No	Name	Father Name	Residence	D.O.B	School Where Posted	Remarks
1	AJMAL KHAN	FAZAL WAHAB	KHAN PUR	02/04/1993	GPS ZAR MALKA	U/C AMAZI
2	FARZEEL UR RAHMAN	FAIZ UL HADI	KAWGA	29/03/1986	GPS NAMDAR	U/C KAWGA
3	ZLBULLAH	QAMAR ZAMAN	GUMBAT	10/04/1992	GPS RAMZAI	U/C GULBANDI
4	ASHRAF ALI	ABDUL HASSAN	KARAPA	02/04/1986	GPS BUGHDARA	U/C KARAPA

2 % Disable Candidates Quota:

S.No	Name	Father Name	Residence	D.O.B	School Where Posted	Remarks
1	HESHAID AMIN	MAIN MULA	NAWAGAI	04/03/1984	GPS ATAULLAH BANDA	U/C NAWAGAI
2	ALIWAR HUSSAIN	GUL MASHID	PACHA KALAY	02/03/1985	GPS BATAI NO.2	U/C PACHA

100 % BA Wise Candidates Open Merit:

<u>U/C NAWAGAI</u>						
S.No	Name	Father Name	Residence	D.O.B	School Where Posted	Remarks
1	ZAFAR ALI	AMIR SULTAN	KANGAN	03/10/1988	GPS YASIN DANAJA	

<u>U/C KAWGA</u>						
S.No	Name	Father Name	Residence	D.O.B	School Where Posted	Remarks
1	SHAHID ZAHIER	BAKHTI AFSER	AGARAI	20/02/1989	GPS AGARAI NO.1	
2	SHAH BAHADAR	ALI BAHADAR	KOWGA	11/01/1985	GPS MANEZAI KAWGA	
3	HAZRAT USMAN	ABDUL MAT WAZIR	AGARAI	05/03/1986	GPS AMBELA DARA	
4	AMRAM UDDIN	ZUHAR JAMIL	AGARAI	06/06/1986	GPS JICA AGARAI	
5	MOMIN ZADA	BAKHT ULLAH	AGARAI	02/02/1988	GPS AGARAI NO.1	
6	SHER RAHMAN	GOGA	AMBELA DARA	20/03/1985	GPS LALOO	
7	SIYAR HAKIM	SULTAN HAKIM	KOWGA	19/05/1985	GPS KANKOWAY	
8	AMJAD AKHTAR	BAKHT ZAMIN	AGARAI	01/02/1987	GPS AGARAI NO.2	
9	AJEEB ULLAH	YAQOOB KHAN	AMBELA	05/01/1988	GPS AMBELA	

<u>U/C MAKHRANAI</u>						
S.No	Name	Father Name	Residence	D.O.B	School Where Posted	Remarks
1	ABDUR RASHID	MUNTAZIR SHAH	AHMAD ALI DHEIN	05/05/1984	GPS JEHANGER Y	
2	MUSTAKIM SHAH	GUL HAMAD	KATAKOT	10/02/1988	GPS KALA KHEL	
3	BAKHT MARIN KHAN	ZARIN KHAN	DANAD MAIRA	06/06/1982	GPS DAND MAIRA	
4	FARIO HUSSAIN	SAID FARIO	KORYA	15/04/1988	GPS KORYA DARA	
5	AMJAD KHAN	MULA DAD KHAN	KANDOWPATAY	10/04/1995	GPS SHALIZARA	

*Handwritten signature and date: 22/9/12*

5	WAJID ALI BARKH AMIN	MOATABAR SHAH ZARAFI KHAN	CHEENA BARKALAY	20/03/1990 01/01/1987	GPS CHANAR NO.1 GPS KAREZI	
<b>U/C REGA</b>						
S.No	Name	Father Name	Residence	D.O.B	School Where Posted	Remarks
1	SAID QADIM KHAN	MEHTAB	REGA	01/04/1985	GPS REGA NO.3	
<b>U/C GOKAND</b>						
S.No	Name	Father Name	Residence	D.O.B	School Where Posted	Remarks
1	UMAR FAROOQ	AMIR KHAN	BARIMAL	13/04/1989	GPS TAGHAN	
2	MUHAMMAD IRFAN	ABDUL HALIM	KHAIDARA	12/04/1988	GPS RAJGALIA	
3	KAFIULLAH	MAL YAR	KOZ GOKAND	04/01/1989	GPS KALAIL	
<b>U/C DAGGAR</b>						
S.No	Name	Father Name	Residence	D.O.B	School Where Posted	Remarks
1	MUHAMMAD AZHAR UDDIN	PARDUL KHAN	HISAR	10/10/1979	GPS HISAR	
2	SAMIUR RAHMAN	JAMAR ALI KHAN	DAGGAR	01/04/1988	GPS DAGGAR NO.2	
3	ZAHIDULLAH	AMINULLAH	DAGGAR	01/01/1988	GPS KALPANI DAGGAR	
4	AMJAD ALI	GUL MUHAMMAD	KHAIL DAGGAR	01/04/1991	GPS RAGO KHUYA	
5	UMAR ALI	SHAMSUT TAHIR	DAGGAR	15/03/1988	GPS HISAR BANEA	
6	IBRAH ZAMIN	SHAH ZARIN KHAN	BAGRA	22/05/1986	GPS GIRO	
7	SAJJAD ALI KHAN	KAMEEN KHAN	DAGGAR	03/04/1987	GPS RAGO KHUYA	
8	HIGAR ALI	HAMISH KHAN	TOPDARA	01/04/1985	GPS BAR HISAR	
<b>U/C TORWARSAK</b>						
S.No	Name	Father Name	Residence	D.O.B	School Where Posted	Remarks
1	ISKHTI RAWAN	MUHAMMADA SHAH	TORWARSAK	03/04/1989	GPS GHAKHAI	
2	YANU SHAH	REHAN SHAH	TORWARSAK	24/02/1987	GPS JANG DARA	
<b>U/C ELAI</b>						
S.No	Name	Father Name	Residence	D.O.B	School Where Posted	Remarks
1	KALI OM ULLAH	MATI ULLAH	ELAI	01/03/1986	GPS ANCHAPUR NO.1	
2	GUL CHANI	GULAB NOOR	ELAI	15/02/1984	GPS ASHEZO MALTA	
3	WAHID IQBAL	ABDUL GHAFFAR	SHINCAT ELAI	02/03/1986	GPS ASHEZO NAWAKALAY	
<b>U/C KARAPA</b>						
S.No	Name	Father Name	Residence	D.O.B	School Where Posted	Remarks
1	ALI AKBAR	RASOOL DAD	BANDA	01/01/1985	GPS BUGH DARA	
2	ZAFAR KHAN	ASHTAR KHAN	NAWAKALY	21/03/1991	GPS INZARGAI	
3	MUHAMMAD TARIQ	MUHAMMAD SAJJAD	KARAPA	04/04/1988	GPS INZARGAI	
<b>U/C MALI KHAIL</b>						
S.No	Name	Father Name	Residence	D.O.B	School Where Posted	Remarks
1	SHAMSUR RAHMAN	SAIF UR RAHMAN	JOWAR	01/01/1981	GPS LEGANAI	
<b>U/C AAB KHAIL</b>						
S.No	Name	Father Name	Residence	D.O.B	School Where Posted	Remarks
1	ADNAN	MOHD NISAR	BAMPOKHA	01/04/1984	GPS CHORBANDA	
2	DAWA KHAN	TAJ MUHAMMAD KHAN	BAZARGAI	10/03/1985	GPS SARBANDA	
<b>U/C GADEZI</b>						
S.No	Name	Father Name	Residence	D.O.B	School Where Posted	Remarks
1	ABDUL HAQ	MUHAMMAD FAZIL	KALAKHELA	21/03/1983	GPS BHAI KALALY	
2	MUHSINULLAH	SHIN GUL	SULTANWAS	16/10/1992	GPS KHAWARA	

*Handwritten signature and date*  
19/03/2019

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.  NOTE: If no suitable candidate is available in the relevant subject the post falling in their promotion quota shall be filled by initial

Added to File  
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آئی ایس ایس ٹی  
موضوعات  
بابت  
پشاور

Ann B 10

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

1	2	3	4	5
"1B.	Secondary School Teacher (BPS-16)	<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>(دینیات اور دیگر متعلقہ گروپس میں ایم ای کے ساتھ انگریزی کو لازمی مضمون کے طور پر)</p> <p>and</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>

3/16

Ans f  
f:- P.S

(SST)  
کمیونٹی سائنس  
کمپیوٹر سائنس  
انگریزی

Computer Science  
(SST)

Computer Science is not present

CT

DM

Subject  
کمیونٹی سائنس اور کمپیوٹر سائنس  
CT - PST (IT)

Attached to B-7  
copy of

			<p style="text-align: center;">(9)</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-15), 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)

1.5.52  
 High  
 Attached to  
 Finance Com.  
 A

Mr. B. (12)

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

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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>
1.	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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*20/04/18*

SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA  
 ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

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

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Annex - C (15)

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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. 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 (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.  Note: If no suitable candidate is available for promotion in the relevant cadre then by initial recruitment.
3	Junior Teacher- Information Technology (JT-IT) (D-12) Govt. High/ Higher Secondary Schools	Intermediate or equivalent qualification from any recognized institution with one-year Diploma in IT/Computer Science from any recognized institution and Certified Teacher Certificate/Diploma or equivalent qualification from any recognized institution.	18-35	By initial recruitment.

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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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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. 5 of the table by including / inserting / amending / Modifying service rules as well as service rules 24.2.2018 also may kindly be / inserting / amending / Modifying to the extent of S.NO. 2 column no. 5 and please allocate promotion quota for the appellant, appellant cadre.

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

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

*[Signature]*  
Appellant

Dated: 11/4/2021

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

Adoran

Appellant

۲۲ محترم  
بنام

VS

Govt of I.C.P.W. through Chief  
Secretary & Others

مورد  
مقدمہ  
دعوی  
جوہ

باعث تحریر آنگہ

پٹنہ اور

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کارروائی مختلفہ  
ان مقام سے جو سب سے پہلے مندرجہ کے اہل امور سے ملنے والی تھی اور اس کے نتیجے میں  
مقررہ کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز  
ان صاحب کو راضی نامہ کرنے و تقرر حاصل کرنے پر حلف دینے جواب دہی اور اقبال دعویٰ اور  
درت ڈگری کرنے اجراء اور وصولی چیک اور واپس لینے اور دعویٰ اور درخواست ہر قسم کی تصدیق  
میں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری کے طور پر یا اپیل کی برآمدگی  
فوری نیز دائر کرنے اپیل گھرانے و نظر خانی و پیروی کرنے کا اختیار ہوگا۔ ان تمام امور  
مذکورہ کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے  
کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ بالا اختیارات حاصل ہوں گے  
کا ساختہ پر داختم منظور و قبول ہوگا و در ان مقدمہ میں جو چیز ہر جائزہ ان کے مقدمہ کے  
سے دہوگا کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو و وکیل صاحب پابند ہوں  
کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ مسترد ہے۔

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حکومت ہند  
کتاب مسطورہ سب سے پہلے مندرجہ کے اہل امور سے ملنے والی تھی اور اس کے نتیجے میں