


10.08.2022

Appellant's Application
Security & Process Fee

10/8

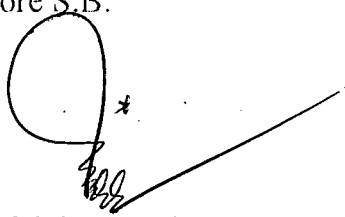
Learned counsel for the appellant present and submitted an application for submission of security and process fee. Application allowed with direction to submit security and process fee within 3 days, thereafter notices be issued to respondents for submission of written reply/comments. To come up for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

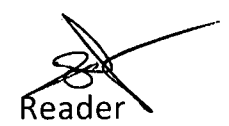
Learned counsel for the appellant present.

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

23rd May, 2022

Counsel for the appellant present and seeks adjournment in order to properly assist the court. Adjourned. To come up for preliminary hearing on 06.07.2022 before S.B.

Last chance is given.


(Kalim Arshad Khan)
Chairman

06th 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.




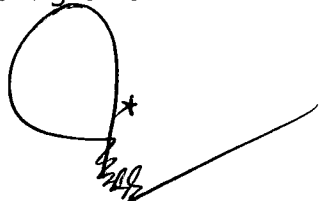

(Kalim Arshad Khan)
Chairman

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 7336 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	26/08/2021	<p>The appeal of Mr. Riaz Mehmood 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 at Peshawar. Notice be issued to appellant/counsel 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>

Reference your reply submitted in response to our observations, it is reiterated that the objections/observations raised by this office at serial no. 2 and 3 have not been removed and still stands. Moreover in the memo of appeal the name of the appellant has been shown as Riaz Muhammad while in index of the appeal the name of appellant is written as Riaz Ahmad. Therefore, the appeal in hand is returned for removing the above mentioned observations and resubmission with 15 days.

No. 1581 /S.T.

Dt. 11/08/2021.

L.Nawab Ali Noor Adv. Pesh.



REGISTRAR

The appeal of Mr. Riaz Muhammad ^{Ahmed} son of Nazir Muhammad Village and post office Pirkho Mahmood Abad Mardan received today i.e. on 09.07.2021 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- ✓ 1- Appeal has not been flagged/marked with annexures marks.
- ✓ 2- Annexures of the appeal may be attested.
- ✓ 3- There are interruption between the heading and facts of the appeal, continuity be maintained in the memo of appeal.
- ✓ 4- One copy/set of the appeal for 2nd Member be submitted in file cover.
- ✓ 5- Check list is not attached.
- ✓ 6- Certificate be given to the effect that appellant has not been filed any service appeal earlier on the subject matter in this Tribunal.

No. 1201 /S.T,

Dt. 12/07 /2021


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Nawab Ali Noor Adv. Pesh.

Respectfully Submitted

Needfull done kindly put before the Court



BEFORE THE SERVICE TRIBUNAL K.P.K PESHAWAR.

S. Appeal N O of 2021.

1. Riaz ~~Muhammad~~.

2336/21

.....(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

Through

Appellant

L.Nawab Ali Moor
Advocate / High Court
Peshawar.
03469076945

BEFORE THE SERVICE TRIBUNAL K.P.K PESHAWAR.

1

S. Appeal No. of 2021.

1. Riaz Muhammad S/O Nazir Muhammad village and P/O Pirkho
Mahmood abad Tehsil Takht Bhi Distt Mardan.

.....Appellant

VERSUS

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

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

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

.....Respondents

APPEAL UNDER SECTION - 4 OF THE KHYBER PUKHTOONKHWA
SERVICE TRIBUNAL ACT 1974 AGAINST THE IMPUGNED
SERVICE RULES NOTIFICATION DATED 24.7.2014 WHEREBY NOT
INCLUDING THE COMPUTER SCIENCE SUBJECT/DEGREE HOLDER
IN THE CRITERIA OF ELIGIBILITY 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 degree holder in their relevant computer science subject along With PST/ CT, BED / MED decrees etc.

~~(Copy of the technical 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 K.

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 Q.

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

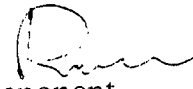
L.Nawab Ali Noor
Advocate High Court
Peshawar.

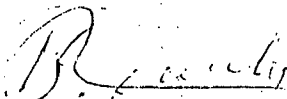
Certificate: certified that no such like service. appeal filed before this Honorable tribunal.

L.Nawab Ali Noor
Advocate High Court
Peshawar.

AFFIDAVIT.

I Riaf Muhammad S/O Nazir Muhammad village and P/O Per Kho Mahmood Abad Tehsil Takht Bhai Distt Mardan, do solemnly affirm and declare on oath that the contents of the accompanying service Appeal are true and correct to the best of my knowledge and belief and nothing been kept concealed from this Honorable tribunal.


Deponent


4/11/21

BEFORE THE SERVICE TRIBUNAL K.P.K PESHAWAR.

6

S. Appeal No. of 2020.

1. Ria Muhammad S/O Nazir Muhammad village and P/O Per Kho
Mahmood Abad Tehsil Takht Bhai Distt Mardan.Appellant
VERSUS

1. Govt of K.P.K Through Chief Secretary K.P.K Peshawar and others.
.....Respondents

Application for stay over the appointment of SST till decision.

RESPECTFULLY SUBMITTED.

1. That above titled service appeal is pending before this honorable court for adjudication, and no date of hearing has been fixed so far.
2. That service appeal is read as an integral part of this application.
3. That appellant have a good prima facie and arguable case, balance of convince lies in their favor if temporary injunction not granted will suffer irreparable loss and injury.

Under the above circumstances, humbly prayed that respondent may kindly be restrained from further any promotion till final decision of the instant service appeal

Through

Applicant / Appellant

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

AFFIDAVIT.

I Ria Muhammad S/O Nazir Muhammad village and P/O Per Kho Mahmood Abad Tehsil Takht Bhai Distt Mardan, do solemnly affirm and declare on oath that the contents of the accompanying service Appeal are true and correct to the best of my knowledge and belief and nothing been kept concealed from this Honorable tribunal.

Deponent

(Signature)
24/11/2020

OFFICE OF THE EXECUTIVE DISTRICT OFFICER ELEMENTARY AND SECONDARY EDUCATION MARDAN

OFFICE ORDER

Consequent upon the advertisement published in Daily Mashriq and Daily Aaj Dated 11.08.2009 and Test/Interview held at SAGHS No.1 on Mardan 31.08.2009/ 10.09.2009 respectively and approval given by the Departmental Selection Committee District Mardan in its meeting held on 04.01.2010 the undersigned being Competent Authority is pleased to appoint the following PST Male Candidates in BPS_07(3820-230-10720) Plus usual allowance as admissible to them under the rule against the vacant post at the schools noted against each w.e.f the date of their taking over charge in the interest of public service subject to the following existing terms and conditions.
PST MALE OPEN MERIT 60%

Mr A-7

S.No	Name	Father Name	Name of Union-Council	Home Address	Total Score	School Where Appointed
1	IQHDAR ALI SHAH	RAHIM SHAH	GUJRAT	Gujrat Mardan	69.05	GPS Baro Banda no 2
2	MOHAMMAD QASIM	SAID GHAWAS	GARYALA	Babu Khan Mardan	68.11	GPS Pilawo Malandari
3	ASHFAQ AHMAD	SHAH MUHAMMAD	MUSLIM ABAD	Shamsi Road Mardan	66.99	GPS Mohabat Abad
4	NEZAMUL HAQ	HISAN UL HAQ	LUND KHWAR	Village: Muti Banda I/Khawar	66.74	GPS No.1 Ghalla Dher
5	MOHAMMAD AMIN	FAZAL RAHMAN	KATI GHARI	Village: Salak Katti Garhi	66.20	GPS Salak Ghundao
6	YASIR ARAFAT	GUL HABIB	G.D.ZAI	G.D.Zai Mardan	66.14	GPS No.2 Mohib Banda
7	MABHOOB ALI	SAID WALI	PIR SADDI	VPO Pir Saddi	65.28	GPS Abdu. Ghafoor Mayar
8	HASHIRUL AMIN	MOHAMMAD ASGHAR	KOT DAULAT ZAI	Village Kot Dolat Zai	64.66	GPS G.I.Zai.No 2
9	SAEEDUR RAHMAN	GHANIUR RAHMAN	KOT DAULAT ZAI	Village: Kot.Dolat Zai Ghari Kapura	64.59	GPS No.1 Ghalla Dher
10	SUDEHAIR SHAH	QADIR SHAH	PIR SADDI	VPO Pir Saddi	64.48	GPS Sheikhan Killi
11	ANWAR SHED BACHHA	MOHAMMAD SIHER	SERI BETHLOL	Village: Qandaro T/Bhai	64.39	GPS Said Amin No.1
12	MOHAMMAD QAYUM	MIR AKBAR KHAN	KATLANG 2	Village:Kunj Katlang	64.37	GPS Mashal Khan Koroona
13	MOHAMMAD INAM KHAN	SHAMSHAD	CHAMTAR	Nissta Road Mardan	64.36	GEPS Mian Gulzara
14	ZABBAR SHAH	SALIM SHAH	ALO	Vill: Saddiq Abad Alo	64.16	GPS Pipal No.1
15	FAROOQ KHAN	SANOBAR KHAN	PAT BABA	Village: Pati Khurd T/Bhai	64.15	GPS Falthma
16	JAVED KHAN	ZAMIN KHAN	SHER GARH	Shergarh T/Bhai	64.14	GPS No.1 Ghalla Dher
17	MUHAMMAD RASAN	HAMEED GUL	JELIANGIR ABAD	Village: Janday Kalpani	64.08	GPS No.1 Ghalla Dher
18	ABDUL HALHEEM	HABIB UR RAHMAN	JALALA	Lekson Depo No.2 Sher Garh	63.96	GPS No.1 Ghalla Dher
19	SYED JAMAL SHAH	MUKAMMIL SHAH	KANDAR	Village: Ghari Kapura Mardan	63.94	GPS Mohib Banda No.3
20	FALAK NAZ KHAN	SAKIB BAHADAR	KOT DAULAT ZAI	Village: Kot Ismail Zai Ghari Kapura	63.80	GPS No.1 Butseri
21	MOHAMMAD ISRAR	TAJ ZARIN	HATHIAN	Village:Dad Muhammad Killi Hathian	63.79	GPS Meskeen Abad GPS Qadir Shah Pirsaddi
22	UMAR SHAH	GULDAD SHAH	SHER GARH	Shergarh T/Bhai	63.71	
23	AKHTAR ALI	SARDAR HUSSAIN	G.I.ZAI	G.D.Zai Mardan	63.65	GPS G.I.Zai.No.3
24	ABID ALI	ZORTALAB KHAN	PAT BABA	Village: Jamsheed Khan T/Bhai	63.63	GPS Jamra Patbaba
25	ASIF IQBAL	QASIM JAN	BAGHDADA	Village Baghdada Mardan	63.60	GPS Ghalla Dher No.1
26	NAEEM KHAN	ESSA KHAN	TORU	Village: Kass Killi Toru Mardan	63.55	GPS Kass Killi
27	SAJID ALI KHAN	HIRAT GUL	GUJAR GARHI	Gujar Ghari Mardan	63.53	GPS Gujar Ghari
28	LIAQAT ALI	LAL ZARIN	PIR SADDI	VPO Pir Saddi	63.48	GPS Palalo

Ann. B(9)



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT



Peshawar, dated the 24th July, 2014.

NOTIFICATION

No.SO(PE)4-5/SSRC/Meeting/2013/Teaching Cadre:- In pursuance of the provisions contained in sub rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Elementary and Secondary Education Department in consultation with the Establishment Department and the Finance Department hereby directs that in this Department's Notifications No.SO(G)S&LD/1-28/2003/Vol-II dated, 09-04-2004, Notification No.SO(G)S&L/1-69/06/Vol-1/DPE/LIB dated, 13-11-2007, and Notification No.SO(PE) 4-5/SSRC/Meeting/2012/Teaching Cadre, dated, 13.11.2012, the following further amendments shall be made namely:

AMENDMENTS

In the Appendix,-

(i) Serial No. 1 shall be renumbered as 1B and before Serial No. 1B, as so renumbered, the following new entries shall be inserted in respective columns, namely:

1	2	3	4	5
"1"	Subject Specialist (BPS-17) <i>iT subject</i>	i. At least second class Master's Degree or four years BS Degree in the relevant subject; and ii. Bachelor of Education or Master of Education (Industrial Art or Business Education) or 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

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www.governmentofkhyberpakhtunkhwa.gov.pk



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; (سائنس / سائنس)</p> <p>II. Bachelor of Education or Master of Education (Industrial Art or Business Education) or M.A Education or equivalent qualifications from a recognized University.</p>	<p>21 to 35 years.</p>	<p>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>

Ans f
f:- P.S

(SST)
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(Language & Science)
Handwritten note in Urdu.

Computer Science is not present

CT

DM

(3)

Subject
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Attached to b-1
Copy of

Ann. B (17)

			<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>(e) three per cent from amongst the Senior Qaris (BPS-16), with at least five years service as Senior Qari and Qari and having qualification mentioned in column No. 3;</p> <p>Provided that if no suitable candidate is available from amongst the Senior Qaris then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from Qaris with at least five years service as such and having qualification mentioned in column No. 3;</p> <p>(f) twenty per cent from amongst the Primary School Head Teachers (BPS-16), with at least seven years service as Primary School Head Teachers and Senior Primary School Teachers and Primary School Teachers and having qualification mentioned in column No. 3;</p> <p>Provided that if no suitable candidate is available from amongst</p>
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(5)

Attached to
Finance Copy

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
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Ann. C-13

EXTRAORDINARY
GOVERNMENT



REGISTERED NO. P.II
GAZETTE

KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, TUESDAY, 24th APRIL, 2018. →

GOVERNMENT OF KHYBER PAKHTUNKHWA ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

NOTIFICATION

Peshawar, dated: 24th April 2017

No.SO(G7E&SE/I-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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P. S. Khan
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MS-C-14

2.	Secondary School Teacher-Information Technology (SST-IT) (BPS-1 i)	<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 2nd 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.

(CT)

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SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA
 ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

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Attended to
 by P. M. C. P.

CTC
 ed

Annex - C (15)

(15)

No	Nomenclature of the post	Minimum Qualification for appointment by initial recruitment or by transfer.	Age Limit	Method of recruitment
1	Subject Specialist-Information Technology (SS-IT) (B-17) Government Higher Secondary Schools/ Govt. comprehensive High Schools and other equivalent posts in the Teaching Cadre.	i.) Master Degree in Computer Science/IT at least in 2 nd Division or equivalent qualification from any recognized University. ii.) Bachelor Degree of Education (B.Ed) at least in 2 nd 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) (B-16) Govt. High / Higher Secondary Schools	i). Bachelor Degree with the subject of Computer Science at least in 2 nd Division or equivalent Qualification from any recognized Institution. ii). Bachelor Degree of Education (B. Ed) at least in 2 nd 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 (J.T-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.

(SS IT)

(SST IT)

IT

The committee members discussed the proposed amendments in the service rules/strategies for the SST (General/Science) & SST (IT) in depth and were agreed upon unanimously.

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

[Handwritten signature]
Appellant

Dated: 1/11/2021

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

PST. IT my cadre computer science not mentioned in rules for which is great discrimination. That entire five category except side I am not entitled for the promotion while rest is entitled appointment on basis of the same qualification while on other was not awarded promotion. That if I am entitled for fitness I being full fill all mentioned required above even then I

[Handwritten signature]

Appellant

Kiaz Muhammad
vs
2 مخدوم
بنام

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

موردہ
مقدمہ
دعوی
جزم

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کارروائی کے
آن مقام سے پھر نہیں سنبھال سکتا اور کیلئے ایسی کیوں علی الترتیب اور ایسی کیوں
مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کمال اختیار ہوگا۔ نیز
وکیل صاحب کو راضی نامہ کرنے و تقرر رہا جس پر حلف دینے جواب دہی اور اقبال دعویٰ اور
بصورت ڈگری کرنے اجراء اور وصولی چیک دروپہ اور دعویٰ اور درخواست ہر قسم کی تصدیق
درائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری کے طرفہ باپیل کی برآمدگی
اور منسوخی کی صورت میں گمرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ ان کے لئے ضرورت
مقدمہ مذکور کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار کوئی 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 داختم منظور و قبول ہوگا دوران مقدمہ میں جو چیز ہر جائز اتوائے مقدمہ کے
سبب سے دہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حادثے باہر ہو تو وکیل صاحب پابند ہوں
گے۔ کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سندر ہے۔

W. Khan

مقام سے پھر نہیں سنبھال سکتا اور کیلئے ایسی کیوں علی الترتیب اور ایسی کیوں