


11.10.2022


Junior to counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional AG for respondents present.

File to come up alongwith connected Service Appeal No. 2375/2021 titled "Ikram Ullah Vs. Government of Khyber Pakhtunkhwa" on 16.11.2022 before S.B.


(Fareeha Paul)
Member (E)

12.01.2022

Learned counsel for the appellant present and submitted application for the grant of permission to deposit security & process fee. Application is allowed and learned counsel for the appellant is directed to deposit security & process fee within 03 working days. Thereafter, notice be issue to respondents for submission of reply/comments before the S.B on 15.03.2022


(Atiq-Ur-Rehman Wazir)
Member (E)

15.03.2022

Due to retirement of the Worthy Chairman, case is adjourned to 07.06.2022 for the same as before.



Reader

07.06.2022

Clerk to counsel for the appellant present.


Appellant Deposited
Security & Process Fee

File to come up alongwith connected Service Appeal No.2375/2021 titled Ikram Ullah Vs. Government of Khyber Pakhtunkhwa on 25.07.2022 before S.B.


(Rozina Rehman)
Member (J)

25.07.2022

Appellant present through counsel.

Kabir Ullah Khattak, learned Additional Advocate General for respondents present.

File to come up alongwith connected Service Appeal No.2375/2021 titled "Ikram Ullah Vs. Government of Khyber Pakhtunkhwa" on 11.10.2022 before S.B.

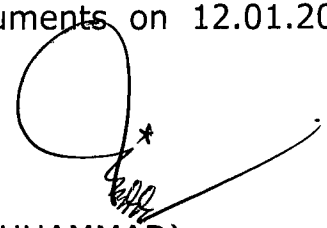

(Rozina Rehman)
Member (J)

05.10.2021

Mr. Noor Muhammad Khattak, Advocate, for the appellant present. Preliminary arguments heard.

Learned counsel for the appellant, in the instant service appeal, has challenged and assailed the impugned Service Rules of the respondent-department dated 24.07.2014 and 24.04.2018 whereby no quota has been specifically allocated for appellant's cadre i.e PST (IT). On non-action/response on his departmental appeal, the appellant approached Peshawar High Court in Writ Petition No. 596-P/2019 which was dismissed in limine on the ground of being wrong forum, vide order dated 03.09.2020. The appellant thereafter preferred departmental appeal on 20.10.2020 which was not responded within the stipulated statutory period hence the instant service appeal submitted in the Service Tribunal on 08.02.2021. On the question of limitation and maintainability, learned counsel for the appellant relied on the admission of an earlier Service Appeal No. 12230/2020 titled Fazal Hayat Versus Education Department etc. Moreover, judgement of the Larger Bench delivered by this Tribunal on 14.01.2021 in Service Appeal No. 868/2019 titled Iftikhar Khan Versus Government of Khyber Pakhtunkhwa through Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and three other respondents, was quoted through which the question of Service Rules and admissibility of service appeal against impugned Service Rules has been discussed at length and decided accordingly.

Points raised need consideration. The appeal is admitted to regular hearing subject to all legal objections including time limitation. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments in office within 10 days after receipt of notices, positively. If the written reply/comments are not submitted within the stipulated time, the office shall submit the file with a report of non-compliance. File to come up for arguments on 12.01.2022 before the D.B.


(MIAN MUHAMMAD)
MEMBER (EXECUTIVE)

23.07.2021

Junior to counsel for the appellant present and seeks adjournment due to non-availability of learned senior counsel for the appellant. Request accorded.

Case to come up for preliminary hearing on 05.10.2021 before S.B.

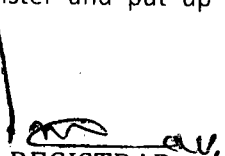




Chairman

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 2378 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	08/02/2021	<p>The appeal presented today by Mr. Noor Muhammad Khattak 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>12/4/21</u></p> <p style="text-align: right;"> CHAIRMAN</p>
	12.04.2021	<p>Due to demise of the Worthy Chairman, the Tribunal is non-functional, therefore, case is adjourned to 20.07.2021 for the same as before.</p> <p style="text-align: right;"> Reader</p>
	20.07.2021	<p>As 20th July, 2021 has been declared public holiday on account of Eid ul Azha, therefore, case is adjourned to 23.07.2021 for the same as before.</p> <p style="text-align: right;"> Reader</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. 2378/2021

SAJID KHAN

VS

EDUCATION DEPTT

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APPELLANT

THROUGH:

NOOR MOHAMMAD KHATTAK

OFFICE: Flat No.4, 2nd Floor,

Juma Khan Plaza,

Near FATA Secretariat,

Warsak Road, Peshawar.

0345-9383141.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. _____/2021

Mr. Sajid Khan, PST (BPS-12),
GPS Akram Abad, District Malakand.

..... **APPELLANT**

VERSUS

- 1- The Government of Khyber Pakhtunkhwa through Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
- 2- The Secretary Finance Department, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
- 3- The Secretary Establishment Department, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
- 4- The Secretary, E&S Education Department, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
- 5- The Director, E&S Education, Khyber Pakhtunkhwa, Peshawar.

.....**RESPONDENTS**

APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED SERVICE RULES NOTIFIED ON 24-7-2014 WHEREBY NOT INCLUDING THE SUBJECT OF COMPUTER SCIENCE IN THE ELIGIBILITY CRITERIA FOR PROMOTION OF DM's TO THE POST OF SST (BPS-16) AND AGAINST THE SERVICE RULES NOTIFIED ON 24-4-2018 TO THE EXTENT OF S. NO. 2 COLUMN NO.5 OF THE TABLE WHEREBY NO QUOTA HAS BEEN ALLOCATED FOR APPELLANT CADRE i.e. PST AND AGAINST NOT TAKING ACTION ON THE DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS.

PRAYER:

That on acceptance of this appeal the impugned service rules Notified on 24-07-2014 may kindly be amended/ modified to the extent of serial No. 1B column No.3 of the table by including/ inserting the computer science subject of the appellant in column No. 3 and the impugned service rules dated 24-04-2018 may kindly be amended/ modified to the extent of Serial No. 2 in column No.5 of the table by allocating promotion quota for the appellant's cadre i.e. PST and the respondents may further please be directed to consider the appellant for promotion to the posts of SST (BPS-16) or SST(IT) with all back benefits. Any other remedy which this august Service Tribunal deems fit that may also be awarded in favor of the appellant.

R/SHEWETH:
ON FACTS:

Brief facts giving rise to the present appeal are as under:

- 1- That the appellant was appointed as PST in the respondent No.5 Department and is serving the Department quite efficiently and up to the entire satisfaction of his superiors. Copy of the appointment order is attached as annexure..... **A.**
 - 2- That it is pertinent to mention here that appellant qualification is B.Sc. in Computer Science and was appointed/ selected on this qualification in the respondent No.5 department. Copies of the educational testimonial are attached as annexure.....**B.**
 - 3- That it is important to mention here that the respondents framed service structure/ rules of the different teaching cadres vide notification dated 24-07-2014, wherein Serial No. 1B the post has been mentioned as SST (BPS-16) for which the qualification and eligibility has been mentioned in column No.3 i.e. by including all subjects except the subject of appellant i.e. Computer science subject. Copy of the notification dated 24-07-2014 is attached as annexure **C.**
 - 4- That it is further to mention here that the respondents vide notification dated 24-04-2018 notified service structure/ rules for the different cadres of Information technology including the post of Secondary School Teacher- Information Technology SST (BPS-16) on Serial No.2 and in column No.5 of the table wherein eligibility for promotion to the post of SST-IT was mentioned as follows:
 - 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.**
 - b) **Fifty percent by initial recruitment.**
- But in the said Rules again the cadre of the appellant has been ignored i.e. PST Computer Science. Copy of the notification dated 24-04-2018 is attached as annexure..... **D.**
- 5- That where after Colleague of the appellant preferred a writ petition No. 596-P/2019 before the August Peshawar High Court, Peshawar and the same was dismissed as not maintainable and

was directed that he may seek his remedy from proper forum i.e. Khyber Pakhtunkhwa Service Tribunal Peshawar vide judgment dated 03-09-2020. Copy of the judgment dated 03-09-2020 is attached as annexure..... **E.**

- 6-** That appellant feeling aggrieved from both of the notifications mention above had preferred a departmental appeal/ representation. Copy of the departmental appeal is attached as annexure.....**F.**
- 7-** That having no other remedy the appellant preferred the instant appeal on the following grounds amongst others.

GROUND:

- A- That the by not including the subject of computer science in the impugned service rules dated 24-07-2014 and not allocating the quota for appellant cadre i.e. PST (Computer Science) in the impugned service rules dated 24-04-2018 is against the law, facts, norms of natural justice and materials on the record hence not tenable and liable to be modified/ rectified to the extent that subject of computer science in the eligibility criteria in the service rules dated 24-07-2014 may be included and the quota of the appellant cadre be allocated in the service rules dated 24-04-2018.
- B- That appellant has not been treated in accordance with law and rules by the respondent Department on the subject noted above and as such the respondents violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.
- C- That the said service rules dated 24.7.2014 and 24.4.2018 are violative of Section-9 of the Civil Servant Act, 1973 read with Rule-7 of the Appointment, Promotion and Transfer Rules, 1989.
- D- That the respondents acted in arbitrary and mala fide manner while issuing the impugned service rules dated 24-07-2014 and dated 24-04-2018 by not including the subject of computer science and not allocating the promotion quota for the cadre of appellant quota.
- E- That the act and action of the respondents is discriminatory, therefore not tenable and liable to be modified/ rectified.
- F- That under Article 38(e) of the Constitution of Pakistan 1973 state is bound to reduce disparity in the income and earning of the individuals including persons in the various service of Pakistan.
- G- That appellant seeks permission to advance other grounds and proofs at the time of hearing.

It is therefore, most humbly prayed that the appeal of the appellant may be accepted as prayed for.

Dated: 01.02.2021.

APPELLANT

Sajid Khan
SAJID KHAN

THROUGH:

N
NOOR MOHAMMAD KHATTAK

KAMRAN KHAN

SHAHZULLAH YOUSAFZAI

&

AF v b
AFRASIAB KHAN WAZIR
ADVOCATES

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. _____/2021

SAJID KHAN

VS

EDUCATION DEPTT:

APPLICATION FOR RESTRAINING THE RESPONDENTS
NOT TO FILL UP THE SECONDARY SCHOOL TEACHER
(BPS-16) POSTS FROM PROMOTION QUOTA TILL THE
FINAL DISPOSAL OF THE INSTANT APPEAL

R.SHEWETH:

1. That, the appellant has filed the above titled service appeal before this Honorable Tribunal in which no date has so far been fixed.
2. That, appellant filed the above mentioned service appeal against the impugned service rules dated 24.7.2014 & 24.4.2018 whereby no promotion quota has been allocated for PST Cadre.
3. That, all the three ingredients required for grant of stay are in favor of the appellant.
4. That, any other ground would be taken at the time of arguments with prior permission of this Honorable Tribunal.

It is therefore, most humbly prayed that on acceptance of this application the respondents may kindly be restrained not to fill up the posts of SST (BPS-16) & SST (I.T) from promotion quota till the disposal of the instant service appeal.

APPELLANT

SAJID KHAN

THROUGH:

NOOR MOHAMMAD KHATTAK

ADVOCATE,

High Court Peshawar

ATTESTED

S. No.	Name	ICNIC	Resident of UC	Name of School	Qualification	Age
1	Shafiq Farooq	15402-4473202	Male	GPS Baha Banda	GPS Baha Banda	AVP
2	Bashir Qazi	15402-5503217	Male	GPS Jalra No.1	GPS Jalra No.1	AVP
3	Sayad Khan	15402-5794224	Male	GPS Fala Banda	GPS Fala Banda	AVP
4	Saidi Muhammad	15402-7011219	Male	GP Bazar Pawan	GP Bazar Pawan	AVP
5	Zaid Chishti	15402-7282224	Male	GPS No.2 Pali	GPS No.2 Pali	AVP
6	Rizq Ghani	15402-7883213	Male	GP Bazar Koyan	GP Bazar Koyan	AVP
7	Muhammad Sabir	15402-5786213	Male	GPS Yara Banda	GPS Yara Banda	AVP
8	Amir Zafar	15402-5801220	Male	GPS Mha Banda	GPS Mha Banda	AVP
9	Bashir Nawaz	15402-7594227	Male	GPS Bazar Eain	GPS Bazar Eain	AVP
10	Qasir Hussain	15402-6717237	Male	GPS Jala Banda	GPS Jala Banda	AVP
11	Nami Shah	15402-4833243	Male	GPS Sheerana	GPS Sheerana	AVP
12	Fai Nawab	15402-8805259	Male	GPS Pasargal	GPS Pasargal	AVP
13	Javed Iqbal	33200-1480358	Male	GPS Eina Banda	GPS Eina Banda	AVP
14	Alkhan Khan	15402-4045219	Male	GPS Cardic Bandi	GPS Cardic Bandi	AVP
15	Muhammad	15402-4782217	Male	GPS Baha Bogan	GPS Baha Bogan	AVP
16	Rasid Khan	15402-4900225	Male	GPS Same Bogan	GPS Same Bogan	AVP
17	Asadullah	15402-8843232	Male	GPS Rasargal	GPS Rasargal	AVP
18	Umar Farooq	15402-4027252	Male	GPS Gal Kola	GPS Gal Kola	AVP
19	Muhammad Aftab	15402-2347271	Male	GPS Jalra No.1	GPS Jalra No.1	AVP
20	Khalid Hameed	15402-7168289	Male	GPS Jalra No.1	GPS Jalra No.1	AVP
21	Irfanul Haq	15402-5708292	Male	GPS Jalra No.1	GPS Jalra No.1	AVP
22	Muhammad Shaid	15420-9051783	Male	GPS Jalra No.2	GPS Jalra No.2	AVP
23	Imdad Hussain	15402-7425279	Male	GPS Jalra No.2	GPS Jalra No.2	AVP
24	Muhammad Ishaq	15402-4872293	Male	GPS Jalra No.2	GPS Jalra No.2	AVP
25	Gasir Khan	15402-2258291	Male	GPS Jalra No.2	GPS Jalra No.2	AVP
26	Muhammad Younas	15402-7144294	Male	GPS Jalra No.2	GPS Jalra No.2	AVP
27	Umar Rahman	15402-6123298	Male	GPS Jalra No.2	GPS Jalra No.2	AVP
28	Shah Hussain	15402-2310299	Male	GPS Jalra No.2	GPS Jalra No.2	AVP
29	Muhammad Zubair	15502-7266303	Male	GPS Jalra No.2	GPS Jalra No.2	AVP
30	Muhammad Duran	15402-7537414	Male	GPS Jalra No.2	GPS Jalra No.2	AVP
31	Muhammad Sabir Haq	15402-6788273	Male	GPS Jalra No.2	GPS Jalra No.2	AVP
32	Muhammad Zayed	15402-7018279	Male	GPS Jalra No.2	GPS Jalra No.2	AVP

Consequent upon the recommendation of Departmental Selection Committee, appointment of the following candidates are hereby recommended on the part of District Government in the schools listed against their names on the form and conditions given below with effect from the date of their joining over the job.

APPOINTMENT



District Education Officer
(Male) Malakand at Bathkela

Appointment Order 157147 DTS-22 Adhoc school based contract

Annexure 'A' 6

ATTACHED

177	Dr. Haidar	15401-9865703	G.P.S. Haidar	AVP
178	Shaukat Ali	15401-4542141	G.P.S. Haidar	AVP
179	Yusuf Ghaffar	15401-4542141	G.P.S. Haidar	AVP
180	Yusuf Ghaffar	15401-4542141	G.P.S. Haidar	AVP
181	Muhammad Sajid	15401-8152315	G.P.S. Haidar	AVP
182	Kamran Khan	15401-7154377	G.P.S. Haidar	AVP
183	Hammad	15401-6152315	G.P.S. Haidar	AVP
184	Muham Khan Khatkhat	15401-2530228	G.P.S. Haidar	AVP
185	Murad Ali	15401-9581103	G.P.S. Haidar	AVP
186	Aliq ur Rehman	15401-9225028	G.P.S. Haidar	AVP
187	Aliq ur Rehman	15401-9225028	G.P.S. Haidar	AVP
188	Zafar Iqbal	15401-5332905	G.P.S. Haidar	AVP
189	Taq Hussain	15401-1212281	G.P.S. Haidar	AVP
190	Anwar Khan	15401-8439209	G.P.S. Haidar	AVP
191	Muhammad Zaid	15401-5022229	G.P.S. Haidar	AVP
192	Munir Ahmad	15401-6555123	G.P.S. Haidar	AVP
193	Zaid Ullah	15401-5161057	G.P.S. Haidar	AVP
194	Muhammad Naveed	15401-5027055	G.P.S. Haidar	AVP
195	Rahman Ali	15401-5174975	G.P.S. Haidar	AVP
196	Muhammad Hakeem	15401-9277925	G.P.S. Haidar	AVP
197	Shahid Ullah	15401-9704149	G.P.S. Haidar	AVP
198	Asif Nawaz	15401-8568463	G.P.S. Haidar	AVP
199	Nasir Ali	15401-5107817	G.P.S. Haidar	AVP
200	Zia Ullah	15401-6522809	G.P.S. Haidar	AVP
201	Muhammad Javer	15401-3450323	G.P.S. Haidar	AVP
202	Ranullah	15401-5643353	G.P.S. Haidar	AVP
203	Qasim Ali	15401-6191833	G.P.S. Haidar	AVP
204	Hikmat	15401-9914237	G.P.S. Haidar	AVP
205	Rida Hussain	15401-5413623	G.P.S. Haidar	AVP
206	Khalid Khan	15401-5551567	G.P.S. Haidar	AVP
207	Adnan Khan	15401-5858583	G.P.S. Haidar	AVP
208	Faiz Khan	15401-8271603	G.P.S. Haidar	AVP
209	Said Ali	15401-9138897	G.P.S. Haidar	AVP
210	Jamil Khan	15401-0701753	G.P.S. Haidar	AVP
211	Muhammad Iqbal	15401-6894127	G.P.S. Haidar	AVP
212	Habibullah	15401-1898873	G.P.S. Haidar	AVP
213	Taj Muhammad	15401-7009283	G.P.S. Haidar	AVP
214	Sajid	15401-4007679	G.P.S. Haidar	AVP
215	Hikmat Khan	15401-3622773	G.P.S. Haidar	AVP
216	Dawood Hussain	15401-4507247	G.P.S. Haidar	AVP
217	Arshad Ali	15401-8271603	G.P.S. Haidar	AVP
218	Arif Hussain	15401-8887831	G.P.S. Haidar	AVP
219	Khan Zaid	15401-577863	G.P.S. Haidar	AVP
220	Said Khan	15401-789727	G.P.S. Haidar	AVP
221	Faiz Khan	15401-6049507	G.P.S. Haidar	AVP
222	Murshid Hussain	15401-5771387	G.P.S. Haidar	AVP
223	Amir Khan	15401-8892949	G.P.S. Haidar	AVP

7

ATTACHED

1. NO TADA/GIC is allowed.

2. Charge reports should be submitted in duplicate.

3. Appointment is purely on temporary basis unless a school order is issued for one year.

4. They should not be handed over charge if they exceed 25 days of delay to take effect of the order.

5. Appointment is subject to the condition that the educational institution must be verified from the concerned authorities of the concerned district and the concerned higher educational institution.

6. Their services are liable to termination on one month's notice from the date of termination of the Government.

TERMS & CONDITION

257	Muhammad Yaseen	Herat	15401-25230837	Herat	Herat	APP
256	Taimur Khan	Herat	15401-41301729	Herat	Herat	APP
255	Iqbal Khan	Herat	15401-25841725	Herat	Herat	APP
254	Said	Herat	15401-47812203	Herat	Herat	APP
253	Muhammad Dilip	Herat	15401-30730095	Herat	Herat	APP
252	Imbil Shah	Herat	15401-42069327	Herat	Herat	APP
251	Rohmat Khan	Herat	17102-42181221	Herat	Herat	APP
250	Ghulam Mustafa	Herat	15401-32573631	Herat	Herat	APP
249	Amir Khan	Herat	15401-65095627	Herat	Herat	APP
248	Muhammad Shaker Akbar	Herat	15401-19032301	Herat	Herat	APP
247	Muhammad Hayat	Herat	15401-84215265	Herat	Herat	APP
246	Sahid Khan	Herat	15401-33429273	Herat	Herat	APP
245	Samir Ali	Herat	15401-02052223	Herat	Herat	APP
244	Muhammad Ayaz	Herat	15401-80582259	Herat	Herat	APP
243	Sajid Ali	Herat	15401-05012343	Herat	Herat	APP
242	Mir Ali	Herat	15401-44322493	Herat	Herat	APP
241	Qasim Khan	Herat	15401-27214936	Herat	Herat	APP
240	Kamal Khan	Herat	15401-86232321	Herat	Herat	APP
239	Muhammad Razi	Herat	15401-90202434	Herat	Herat	APP
238	Muhammad Saad	Herat	15401-01241121	Herat	Herat	APP
237	Muhammad Saad	Herat	15401-02042254	Herat	Herat	APP
236	Muhammad Saad	Herat	15401-84302015	Herat	Herat	APP
235	Muhammad Saad	Herat	15401-15811803	Herat	Herat	APP
234	Muhammad Saad	Herat	15401-06020217	Herat	Herat	APP
233	Muhammad Saad	Herat	15401-00202232	Herat	Herat	APP
232	Muhammad Saad	Herat	15401-24620217	Herat	Herat	APP
231	Muhammad Saad	Herat	15401-44020213	Herat	Herat	APP
230	Muhammad Saad	Herat	15401-00310201	Herat	Herat	APP
229	Muhammad Saad	Herat	15401-03402147	Herat	Herat	APP
228	Muhammad Saad	Herat	15401-03402147	Herat	Herat	APP
227	Muhammad Saad	Herat	15401-03402147	Herat	Herat	APP
226	Muhammad Saad	Herat	15401-03402147	Herat	Herat	APP
225	Muhammad Saad	Herat	15401-03402147	Herat	Herat	APP

8

REQUESTED

Nasirul Haq
Updahan

DISTRICT EDUCATION OFFICER,
(MALE) MALAKAND AT BARKHELA

- Copy forwarded for information and necessary action to the:-
- 1- Director K&SE Khyber Pakhtunkhwa Peshawar.
 - 2- District Accounts Officer Malakand.
 - 3-4- Sub-Divisional Education Officer (M) Barkhela and Dargat.
 - 5- B & AO Local Office.
 - 6- Assistant Programmer, DEANISS (M) Local Office.
 - 7-264- Head Teachers/Teachers concerned.
 - 265- M/FILE.

(SYED MANZAR JAN SAJID)
DISTRICT EDUCATION OFFICER,
(MALE) MALAKAND AT BARKHELA

Dated Malakand the 29/02/2015

Encl: No. 1181-1445 /PST/Aspl-2015

- 15 The appointees who are regular students in any institution must have to cancel their regular education otherwise their appointment will be cancelled under the rules.
 - 14 Before handing over charge once again their document may be checked if they have not the required qualifications they may not be handed over charge.
 - 13 Their appointments are made on School based, they will have to serve at the place of posting and their services are not transferable to any other station.
 - 12 Their services shall be terminated at any time, in case their performance are found unsatisfactory during their contract period, in case of misconduct, they shall be proceeded under the rules framed from time to time.
 - 11 They will be governed by such rules and regulations as may be issued from time to time by the Govt.
 - 10 Before handing over charge, they will sign an agreement with the department, otherwise the order will not be valid.
 - 9 Health and Age Certificate should be produced from the Medical Superintendent concerned before taking over charge.
 - 8 They should join their posts within 15 days of the issuance of the office order, in case of failure, their appointment will expire automatically and no subsequent appeal etc shall be entertained.
- They will not be drawn with and unless a certificate to the effect by the undersigned is issued that their certificates are verified.

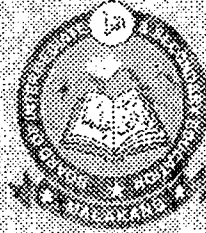
6

10

Answer "B"

S. No. 22758

Roll No. 55115



Board of Intermediate and Secondary Education, Malakand Chakdara, District Malakand

Secondary School Certificate Examination

Enrol No: 1110710192277 Session 2007 (Annual) Group Science

This is to certify that

SAJID KHAN

Son of

IQBAL SHAH

and a student of

GOVT. HIGH SCHOOL PRANGAL SAKHAKOT

He has passed the Secondary School Certificate Examination of the Board of Intermediate and Secondary Education, Malakand held in March, 2007 as a Regular Candidate. He obtained 558 Marks out of 900 and has been placed in Grade B Representing Very good.

The candidate passed in the following subjects.

- | | | | | |
|--------------|------------|---------------------|----------------------|------------|
| 1. English | 2. Urdu | 3. Pakistan Studies | 4. Islamic Education | 5. Physics |
| 6. Chemistry | 7. Biology | 8. Mathematics | | |

Date of birth according to admission form is: Sixteenth February Nineteen Ninety-One (16-Feb-91)

[Signature]
Supt.

Issue Date: 11 JUL 2008

[Signature]
Secretary

This certificate is valid without alteration or erasure.

ATTACHED

11

S No. 28798

Board of Intermediate & Secondary Education, Malakand at Chakara, FATA, Pakistan
Higher Secondary School Certificate Examination



Pre-Engineering Group
Session 2009 (Annual)

Roll No 22853

This is to certify that SAJID KHAN
Son of IQBAL SHAH
and a student of GOVT DEGREE COLLEGE DARGAI
registered no 75766-B/MKD-2008 has passed the Higher Secondary School Certificate Examination
of the Board of Intermediate and Secondary Education, Malakand held in April, 2009
as a Regular Candidate. He obtained 612 Marks out of 1100 and has been placed in Grade C
Representing Good. The examination was taken as a whole

Issue Date: 23 JAN 2010

[Signature]
Supdt

[Signature]
Secretary

ATTACHED

UNIVERSITY OF MALAKAND PAKISTAN

Serial No. 030222



Session 2009-2011

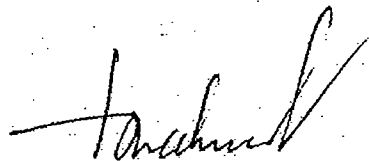
12

SAJID KHAN Son of IQBAL SHAH Registration No. 2009540005 Student of Govt. Degree College Dargai
Malakand Agency having passed the prescribed examination held in Jun-Jul, 2011 under Roll No. 37443 is
admitted by the University of Malakand to the degree of

Bachelor of Science

in Second Division

The examination was taken as a whole.


Controller of Examinations

Countersigned


Vice-Chancellor

Result Declared on 25-Aug-2011
Issuance Date 23-Feb-2016

ATTESTED

13

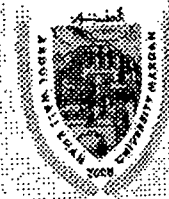
Serial No. 000212

Reg. No. 1-AUT-C-MCSE-48

Roll No. 14

Abdul Wali Khan University

Mardan, Pakistan



The University in recognition of the fulfilment of prescribed requirements has conferred upon
Mr. / Ms. SAJID KHAN Son / Daughter of IQBAL SHAH

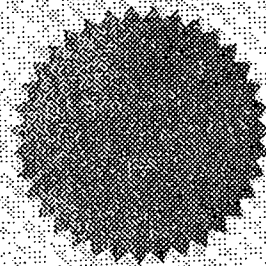
The Degree of

MASTER OF COMPUTER SCIENCE

in the examination held in June 2013 session Fall 2011-13

He / She was placed in 3.42 Division / Grade / CGPA

The examination was taken as a whole / in Parts



Controller of Examinations

Registrar

Vice Chancellor

Result Declaration Date 11-09-2013

ATTESTED

14

Allama Iqbal Open University Islamabad

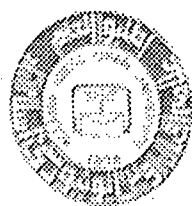


Serial No. 241026

Certified that *Mr./Ms.* SAJID KHAN
Son/Daughter of IQBAL SHAH
Registration No. 13NMD01506 *Roll No.* AW636767
Semester SPRING 2014 *having met all the requirements under*
the semester system in this day awarded the

Primary Teaching Certificate

He/She has secured 69 % *marks*
and has been placed in B *grade*



Result declared on: **January 12, 2015**

Date of issue: **March 22, 2016**

[Signature]

Controller of Examinations

[Signature]

ATTESTED

15

Alfama Iqbal Open University Islamabad

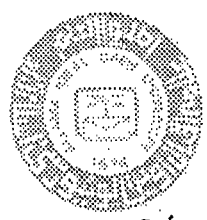


Serial No. 134080

Certified that *Mr/Ms* SAJID KHAN
Son/Daughter of IQBAL SHAH
Registration No 16NMD00443 *Roll No* BI674308
Semester AUTUMN 2016 *having met all the requirements under*
the semester system is this day awarded the

Certificate of Teaching

He/She has secured 68 % *marks*
and placed in B *grade*



M. J.

M. J.

Result declared on: **July 13, 2017**

Date of issue: **November 19, 2018**

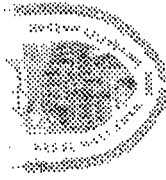
ATTESTED

Controller of Examinations

Serial No. 003569

Abdul Wali Khan University Mardan

Reg. No. H-10-17-AGS-P-16
Roll No. 9982



Session Fall 2016-17

The University in recognition of the fulfillment of prescribed requirements has awarded

MR. SAJID KHAN S/O MR. IQBAL SHAH

The Degree of

BACHELOR OF EDUCATION

Together with all honors, rights and privileges belonging to the degree.

In witness whereof this degree is granted.

ATTESTED

Vice Chancellor



Qasart
Controller of Examinations

[Signature]
Registrar

Result Declaration Date 23-04-2018

15/A

Serial No: B026039



15/B

The University of Agriculture Peshawar

In recognition of the fulfillment of prescribed requirements

Awards

Sajid Khan S/O Iqbal Shah

The degree of

MS COMPUTER SCIENCE

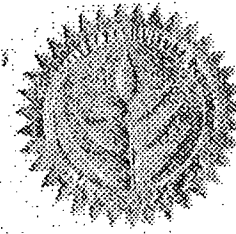
COMPUTER NETWORKS

On August 29, 2019

ATTACHED

Registrar

Controller of Examinations



Vice-Chancellor

16

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. 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 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

TESTED

IA	Director Physical Education (BPS-17)	At least second class Master's Degree in Physical Education from a recognized University.	22-35 years	<p>recruitment, and (b) fifty percent by initial recruitment.</p> <p>(a) Fifty percent by promotion, on the basis of seniority-cum-fitness, from amongst Senior Physical Education Teachers (BPS-16), with at least five years service as Senior Physical Education Teacher and Physical Education Teacher and having qualification mentioned in column No. 3:</p> <p>Provided that if no suitable person is available from amongst Senior Physical Education Teachers for promotion then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from amongst the Physical Education Teachers, with at least five years service as such and having qualification mentioned in column No. 3;</p> <p>Note:- If no suitable candidate is available in the relevant cadres of the above teachers, the post falling in their promotion quota shall be filled by initial recruitment; and</p> <p>(b) fifty percent by initial recruitment"; and</p>
----	--------------------------------------	---	-------------	---

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[Handwritten signature]

(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
<p>(1B)</p>	<p>Secondary School Teacher (BPS-16)</p>	<p>I. At least second class Bachelor Degree's from a recognized University on need basis from the following groups with two subject (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>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>	<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-16), with at least five years service as Senior Drawing Masters and Drawing Masters and having qualification mentioned in column No.3:</p>

ATTESTED

(19)

Provided that if no suitable candidate is available from amongst Senior Drawing Masters for promotion then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from amongst Drawing Masters with at least five years service as such and having qualification mentioned in column No. 3;

(c) four per cent from amongst the Senior Arabic Teachers(BPS-16), with at least five years service as Senior Arabic Teachers and Arabic Teachers, and having qualification mentioned in column No.3:

Provided that if no suitable candidate is available from amongst Senior Arabic Teachers for promotion then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from Arabic Teachers with at least five years service as such and having qualification mentioned in column No. 3;

(d) four per cent from amongst the Senior Theology Teachers(BPS-16), with at least five years service as Senior Theology Teachers and Theology Teachers and having qualification mentioned in column No.3:

ATTESTED

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;

(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;

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;

(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;

Provided that if no suitable candidate is available from amongst

ATTESTED

Primary School Head 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:


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

(ii) twenty five percent by initial recruitment.

Note:

- 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.
- 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."

ATTESTED



(22)

SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

Endst : of even No & date:

1. The Secretary to Government of Khyber Pakhtunkhwa, Establishment and Administration Department Peshawar.
2. The Secretary to Government of Khyber Pakhtunkhwa, Finance Department Peshawar.
3. The Secretary to Government of Khyber Pakhtunkhwa, Law Department Peshawar.
4. The Secretary Khyber Pakhtunkhwa, Public Service Commission Peshawar.
5. The Accountant General Khyber Pakhtunkhwa Peshawar.
6. The Director, Elementary and Secondary Education Department Khyber Pakhtunkhwa Peshawar.
7. The Director of Education (FATA) Peshawar.
8. The Director, Curriculum and Teacher Education Khyber Pakhtunkhwa Abbottabad.
9. The Director, (PITE) Khyber Pakhtunkhwa Peshawar.
10. The Director, ESRU Elementary and Secondary Education Department Khyber Pakhtunkhwa Peshawar.
11. Manager Government Printing Press Khyber Pakhtunkhwa Peshawar.
12. The Deputy Director, EMIS (S&SE) Department Khyber Pakhtunkhwa Peshawar.
13. All District Education Officer (M&F) in Khyber Pakhtunkhwa.
14. All District Account Officer in Khyber Pakhtunkhwa.
15. All Agency Education Officer in FATA.
16. All Agency Account Officer in FATA.
17. PS to Governor Khyber Pakhtunkhwa. Peshawar.
18. PS to Chief Minister Khyber Pakhtunkhwa. Peshawar.
19. PS to Chief Secretary Khyber Pakhtunkhwa. Peshawar.
20. PS to Minister E&SE Khyber Pakhtunkhwa. Peshawar.
21. PS to Secretary E&SE Khyber Pakhtunkhwa. Peshawar.
22. Master file

ATTESTED

(ZAMIN KHAN MOMAND)
SECTION OFFICER (PRIMARY)

Annxure D

(23)

EXTRAORDINARY
GOVERNMENT



REGISTERED NO. PIII

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(G)/E&SE/1-85/L.T/2017:- In pursuance of the provisions contained in sub rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, and in supersession of the notification issued in this behalf, the Elementary and Secondary Education Department in consultation with the Establishment & Administration Department and Finance Department hereby lays down the method of recruitment, qualification and other conditions specified in column No. 2 to 5 of the Appendix to the Notification which shall be applicable to the posts of Information Technology Teaching Cadre (Male/Female) in the Elementary and Secondary Education Department as specified in column No.2 of the said Appendix.

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
1	Subject Specialist- Information Technology (SS-IT) (BPS-17)	<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 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 Secondary School Teacher-JT with at least five years service; and</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>

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2.	Secondary School Teacher-Information Technology (SST-IT) (BPS-16)	<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 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.

50% CT (IT)

50% Fresh

SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

ATTESTED

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

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25

GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

Subject: MINUTES OF THE MEETING OF THE SSRC REGARDING ALLOTMENT OF 50% QUOTA TO SST (GEN/SC) FOR PROMOTION TO THE POST OF SS-IT

Meeting of the SSRC regarding the subject matter was held under the Chairmanship of Secretary Elementary & Secondary Education Department on 10/08/2017 at 11:00 am in the committee room of this Department. The following Officers/Officials of the concerned Department/attached Department attended the meeting.

The following attended the meeting:-

1. Dr. Shalhzad Khan Bangash, Secretary E&SE Department (In Chair)
2. Mr. Qaisar Alam, Special Secretary (Est.) E&SE Department.
3. Mr. Muhammad Rafiq Khattak, Director E&SE, Peshawar.
4. Mr. Muhammad Shoaib, Deputy Secretary (A), E&SE Department
5. Mr. Javed Siddique, Deputy Secretary (R) Finance Department.
6. Mr. Nalk Muhammad, Section Officer (Primary) E&SE Department.
7. Mr. Mohsin Mushfaq, Assistant (R-I) E&AD Department.

2. The forum was informed that E&SE Department vide Notification No. SO/G/E&SED/1-86/SS.IT/2016 of E&SE Department Peshawar dated 15.08.2016 has notified the nomenclature of Information Technology Teaching Cadre/Posts serving in the Government High & Higher Secondary Schools of Khyber Pakhtunkhwa of E&SE Department, as Subject Specialist-IT (SS-IT/Computer Science) BPS-17 (Annex-A). Further E&SE Department vide Notification No. SO (PE)4-5/SSRC/Meeting/ 2013/ Teaching Cadre: dated 24/07/2014 has approved promotion to SS posts (BPS-17) from SST (BPS-16). The SST regular having 50% quota of the total sanctioned SS posts allotted for promotion (Annex-B). 50% quota has already been allotted for SSTs (General/Science) in 12 different subjects for Subject Specialist Post. But unfortunately, SSTs (General/Science) who have M.Sc (Computer Science)/BS (CS)/MIT qualification and are eligible for promotion to the post of SS (IT) B-17 have no quota for promotion.

3. In light of the above facts, this Department, therefore, proposed that all those SSTs (General/Science) who have M.Sc. (Computer Science)/BS (Computer Science)/MIT may be given 50% quota for promotion to the post of SS (IT) B-17 like other SSTs, so as to bring uniformity in the teaching cadre.

4. In the above context, the service rules/structure of SST (General/Science) & SST (IT) were approved as tabulated below) -

ATTESTED

[Handwritten Signature]

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 than 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 than by initial recruitment.
3. Junior Teacher- Information Technology (JT-IT) (B-12) Govt. High/Higher Secondary Schools	Intermediate or equivalent qualification from any recognized institution with one-year Diploma in IT/Computer Science from any recognized institution and Certified Teacher Certificate/Diploma or equivalent qualification from any recognized institution.	18-35	By initial recruitment.

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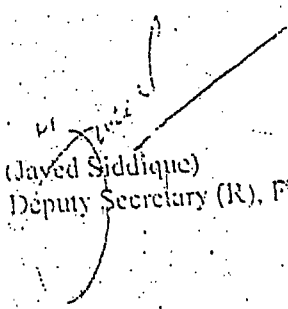
The committee members discussed the proposed amendments in the service rules/structure for the SST (General/Science) & SST (IT) in depth and were agreed upon unanimously.

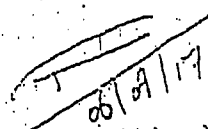
Resolutions:

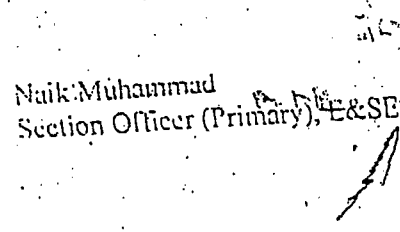
The following decisions were made in consensus:-


- i. The proposed amendments in the service rules/structure as depicted in the above table was approved.
- ii. Nomenclature of the post of CT(IT) was changed as Junior Teacher Information Technology (JT-IT)
- iii. Seniority of SST (General/Science) & SST (IT) will be clubbed together immediately for the purpose of promotion in light of the above amended service rules for the post of SST (General/Science) & SST (IT) to the post of SS(IT/Computer Science)


The meeting ended with vote of thanks to/from the Chair.

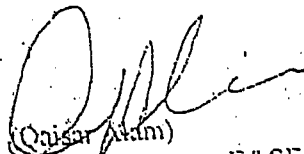

 (Javed Siddique)
 Deputy Secretary (R), Finance Department

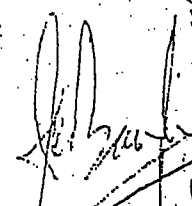

 (Mohsin Mushtaq)
 Assistant (R-I), E&AD Deptt:


 Naik Muhammad
 Section Officer (Primary), E&SE Department


 Muhammad Shoaib
 Deputy Secretary (A), E&SE Deptt:


 (Mohammad Rafique Khattak)
 Director, E & SE, Peshawar


 (Qaiser Akram)
 Special Secretary, E&SE Deptt:


 Dr. Shahzad Khan Bangash
 Secretary E&SE Department
 (Chairman)

ATTESTED

SECTION OFFICER (BUDGET)
 (MURTAZA KHAN)

ATTESTED

1. The Budget Officer, Finance Department, Govt. of Khyber Pakhtunkhwa.
 2. The Director, Elementary & Secondary Education Khyber Pakhtunkhwa with the request to circulate the same to all the District Education Officers (M/F).
 3. The Project Manager/ Deputy Director (EMIS), E & S Education Department.
 4. All the Deputy Commissioners in Khyber Pakhtunkhwa.
 5. Master file.
- Copy forward for information to the -
 Budget of even number & date

BUDGET OFFICER (V)
 FINANCE DEPARTMENT

Copy of above is forwarded to:
 The Accountant General Khyber Pakhtunkhwa
 All the District Accounts Officers in Khyber Pakhtunkhwa

Secretary to Govt. of Khyber Pakhtunkhwa
 Elementary & Secondary Education Deptt.
 Dated Peshawar the 10/10/2018

Encl. No. BOV/ED-38/2018-19

The expenditure involved is duplicable to the functional-cum-object classification:
 09-Education Affairs and Services 092-Secondary Education Affairs and Services 0921-Secondary Education Affairs and Services 092101-Secondary Education A01-Employees Related Expenses and shall be met out from within the Account IV.

Description	Designation of posts	No. of Posts	Remarks
**150459-Establishment of 500 IT Labs in Govt. High & Higher Secondary Schools in Khyber Pakhtunkhwa	Senior IT Teacher (BS-17)	27	List of schools with their names printed on the back side.
**160151-Establishment of 500 IT Labs in Govt. High Schools in Khyber Pakhtunkhwa	IT Teacher (BS-16)	172	
	Computer Lab Incharge (BS-12)	368	
	IT Teacher (BS-16)	451	
	Computer Lab Incharge (BS-12)	458	
	Total	1476	

Sanction of the Government of Khyber Pakhtunkhwa is hereby accorded to the creation of posts of Senior IT Teacher (BS-17), IT Teacher (BS-16) and Computer Lab Incharge (BS-12) for the Government High & Higher Secondary Schools in Khyber Pakhtunkhwa, w.e.f. 08-01-2018 as per detail given below, subject to the observance of all codal formalities, before incurrence of expenditure.

SANCTION

Dated Peshawar the August 15, 2018

GOVT. OF KHYBER PAKHTUNKHWA
 ELEMENTARY & SECONDARY EDUCATION
 DEPARTMENT

29

S.NO	Nomenclature of the post	Minimum qualification for appointment by initial recruitment transfer	Age Limit	Method of recruitment
1	2	3	4	5
1.	Subject specialist- Information Technology (SS-IT) (BPS-17) <i>SST</i>	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 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 years	1. Seventy Five per cent by promotion, on the basis of seniority-cum-fitness, from the district concerned in the following manner: (a) Twenty percent by promotion on the basis of seniority-cum-fitness from amongst the Certified Teacher-IT with at least five years' service and having the qualification prescribed for the post of Secondary School Teacher-IT Provided that if no suitable candidate is available for promotion then by initial recruitment. (b) Twenty percent by promotion on the basis of seniority-cum-fitness from amongst the Senior Certified Teachers (BPS-16) with at least five years' service as Senior Certified Teacher and Certified Teacher and having the qualification mentioned in Column No.3: 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: (c) Four percent from amongst the Senior Drawing Master (BPS-16), with at least five-years service as senior Drawing Masters and drawing Masters and having qualification mentioned in column No.3: Provided that if no suitable candidate is available from amongst Senior Drawing Masters for promotion then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from amongst Drawing Masters, with at least five years service as such and having qualification mentioned in column No.3:

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20%
CT-IT

CT
20%

4%
DM

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			<p>(d) Four percent from amongst the Senior Arabic Teachers (BPS-16), with at least five years service as senior Arabic Teachers and Arabic Teachers and having qualification mentioned in column No.3:</p> <p>Provided that if no suitable candidate is available from amongst Senior Arabic Teachers for promotion then the post shall be filed by promotion, on the basis of seniority-cum-fitness, from amongst Arabic Teachers, with at least five years service as such and having qualification mentioned in column No.3:</p> <p>(e) Four percent from amongst the Senior Theology Teachers (BPS-16), with at least five years service as senior Theology Teachers and Theology Teachers and having qualification mentioned in column No.3:</p> <p>Provided that if no suitable candidate is available from amongst Senior Theology Teachers for promotion then the post shall be filed 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>(f) Three percent from amongst the Senior Qaris Teachers (BPS-16), with at least five years service as Senior Qaris Teachers and Qaris Teachers and having qualification mentioned in column No.3:</p> <p>Provided that if no suitable candidate is available from amongst Senior Qaris Teachers for promotion then the post shall be filed by promotion, on the basis of seniority-cum-fitness, from amongst Qaris Teachers, with at least five years service as such and having qualification mentioned in column No.3:</p> <p>(g) Twenty percent from amongst the Primary Head Teachers (BPS-16), with at least seven years service as Primary Head Teachers and Senior Primary Teachers and Primary Teachers and having</p>
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qualification mentioned in column No.3:

Provided that if no suitable candidate is available from amongst 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:

Provided further that if no suitable candidate is available from amongst Senior Primary Teachers for promotion then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from amongst Primary School Teachers, with at least seven years service as and having qualification mentioned in column No.3: and

(ii) twenty five percent by initial recruitment.

NOTE:

- 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
- ii. Post of General SST and SSTs-1 Science and SST-2 Science shall be filled by promotion or initial recruitment, each on need basis separately."

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Annxure "E"

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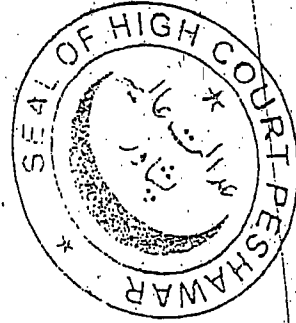
JUDGMENT SHEET
PESHAWAR HIGH COURT PESHAWAR
JUDICIAL DEPARTMENT

W.P. No.596-P/2019

Muhammad Raees Gul and another

Vs.

Government of Khyber Pakhtunkhwa through
Chief Secretary Khyber Pakhtunkhwa,
Peshawar and 06 others



JUDGMENT

Date of hearing 03.09.2020

Mr. Zahid Ullah Zahid, Advocate, for the petitioners.

Mr. Arshad Ahmad Khan, AAG, for the Provincial Government, a/w Mr. Jehangir Khan, AD (Litigation), Directorate of E&SED, Peshawar and Mr. Dawood Khan, ADO, office of DEO, Peshawar.

Mr. Aftab Khan, Advocate, for the private respondent No.7.

HAZ. ANWAR, J. Muhammad Raees Gul and another, petitioners herein, through the instant Constitutional petition under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973, have prayed for the following relief:-

"It is, therefore, most graciously prayed that while allowing this writ petition, an appropriate writ may kindly be issued by declaring the act of omitting the subject of

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Peshawar High Court

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Computer Science from promotion to the post of SST is illegal, unlawful, discriminatory and without lawful authority with the direction to consider and include the subject of Computer Science in the criteria for promotion to the post of SST.

Any other relief though not specifically asked for to which the petitioner is found entitled in the circumstances may also be granted".

2. Keeping in view the averments made in the instant petition, comments were called from the respondents who furnished the same accordingly, wherein, they opposed the issuance of desired writ, as prayed for.

3. Arguments heard and record perused.

4. Perusal of the record reveals that petitioners have called in question the recruitment rules notified vide Notification dated 24.07.2014; whereby, according to them, the incumbents, holding the posts of Primary School Teacher (BPS-12) with qualification of

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Peshawar High

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Compute Science, are not included in the
feed cadre for the post of Senior Science
Teacher (BPS-16).

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5. Learned counsel for the
petitioners has laid much stress upon the
discrimination so meted out to the
petitioners and also about depriving them
from future prospect of promotion, albeit,
we are of the view that questioning the
vires of rules purely relates to the terms
and conditions of service, for which the
proper forum is Khyber Pakhtunkhwa
Service Tribunal established under the
Khyber Pakhtunkhwa Service Tribunals
Act, 1974. Besides, the jurisdiction of
this Court is barred under Article 212 of
the Constitution of Islamic Republic of
Pakistan, 1973. In this regard, reference
can be made to the cases of "L.A. Sherwani
and others (1991 SCMR 1041)"; "Ali
Azhar Khan Baloch (2015 SCMR 456)"
and "Mobeen-ul-Salam (2006 SCMR
100)".

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6. Thus, for the reasons recorded
hereinabove and in view of the bar

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Peshawar High Court

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contained in Article 212 of the Constitution of Islamic Republic of Pakistan, 1973 and also in view of the availability of alternate remedy to the petitioners, this writ petition is not maintainable. Accordingly, it is dismissed in limine. Needless to observe that petitioners may approach to the Khyber Pakhtunkhwa Service Tribunal, Peshawar for the redressal of their grievance, if they are so advised.

Announced
Dt: 03.09.2020

JUDGE

JUDGE

(01) The Chief Justice, Islamabad High Court and Justice Mr. Justice Ijaz Ahmad

23/09/2020

6285
Date of Presentation of Application 3/9/2020
No of Pages 11-2
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Total 14
Date of Preparation of copy 7/9/2020
Date of Delivery of copy 7/9/2020
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07 SEP 2020

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Answer F

To,
The Director,
E&SE Department,
Khyber Pakhtunkhwa, Peshawar

Subject: **DEPARTMENTAL APPEAL AGAINST THE IMPUGNED SERVICE RULES DATED 24.07.2014 AND 24.04.2018 WHEREBY NO PROMOTION QUOTA HAS BEEN ALLOCATED FOR THE CADRE OF PST & CT (WHOSE SUBJECTS IN B.SC ARE COMPUTER SCIENCE).**

Respected Sir,

Most respectfully it is stated that I am the employee of your good self-Department and performing my duty as PST at GPS Akram Abad, Malakand quite efficiently and upto the entire satisfaction of my superiors. It is pertinent to mention here that all the other Primary School Teachers and Certified Teachers have the promotion criteria/quota to the post of SST, SST (General & Science). That service rules dated 24.07.2014 and 24.04.2018 framed by the respondent Department no promotion quota has been allocated for promotion from the post of PSTs and CTs (who has the qualification of B.Sc in Computer Science) to the post of SST/SST (IT). That the undersigned feeling aggrieved from the service rules mentioned above preferred this Departmental appeal before your good self.

It is therefore, most humbly prayed that on acceptance of this Departmental appeal the impugned service rules Notified on 24.07.2014 may very kindly be amended/modified to the extent of Serial No.1B column No.3 of the table by including/inserting the computer science subject of the appellant in column No.3 and the impugned service rules dated 24.04.2018 may kindly be amended/modified to the extent of Serial No.2 n column No.5 of the table by allocating promotion quota for the cadre of PST and CT. Any other remedy which your good self deems fit that may also be awarded in favor of the applicant.

Dated: 20.10.2020

Your Obediently


SAJID KHAN, PST

GPS Akram Abad, Malakand

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VAKALATNAMA

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

_____ OF 2021

Sajid Khan

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

Education Deptt

(RESPONDENT)
(DEFENDANT)

I/We Sajid Khan

Do hereby appoint and constitute **NOOR MOHAMMAD KHATTAK, Advocate, Peshawar** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

Dated. ____/____/2021

Sajid Khan
CLIENT(S)

ACCEPTED
NOOR MOHAMMAD KHATTAK
15401-0705985-5
BC-08-0853
&

KAMRAN KHAN
AFRASIAB KHAN WAZIR
Haider Ali
HAIDER ALI
ADVOCATES

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Mobile No. **0345-9383141**