

11.10.2022

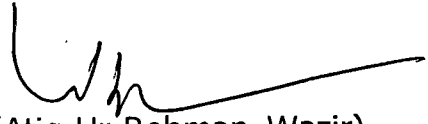
Junior to counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional AG for respondents present.

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

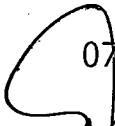
Due to retirement of the Worthy Chairman, case is adjourned to 07.06.2022 for the same as before.

Reader

07.06.2022

Clerk to counsel for the appellant present.

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.

  
Appellant Deposited  
Sec. Process Fee


  
(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.

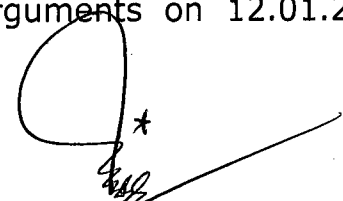
  
(Rozina Rehman)  
Member (J)

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.

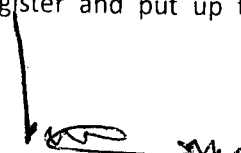



  
Chairman

Form- A

# FORM OF ORDER SHEET

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

Case No.- \_\_\_\_\_ /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> <p>2-</p>	12.04.2021	<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> <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 20<sup>th</sup> 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. 2386 /2021

**NIAMAT ULLAH KHAN**

**VS**

**EDUCATION DEPTT**

**INDEX**

<b>S.NO</b>	<b>DOCUMENTS</b>	<b>ANNEXURES</b>	<b>PAGES</b>
1	Memo of Appeal	.....	1- 4
2	Stay Application	.....	5-
3	Appointment order	<b>A</b>	6- 7
4	Educational Testimonials	<b>B</b>	8 - 13
5	Notification Dated 24-07-2014	<b>C</b>	14 - 20
6	Notification Dated 24-04-2018	<b>D</b>	21 - 29
7	Judgment Dated 03-09-2020	<b>E</b>	30 - 33
8	Departmental Appeal	<b>F</b>	34
9	Vakalatnama	.....	35

**APPELLANT**

**THROUGH:**

**NOOR MOHAMMAD KHATTAK**

OFFICE: Flat No.4, 2<sup>nd</sup> Floor,

Juma Khan Plaza,

Near FATA Secretariat,

Warsak Road, Peshawar.

0345-9383141.

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**  
**PESHAWAR**

**APPEAL NO. \_\_\_\_\_/2021**

Mr. Niamat Ullah Khan, PST (BPS-12),  
GPS Mela Shahab Khel, District Lakki Marwat.

..... **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: 28.01.2021.

**APPELLANT**



**NIAMAT ULLAH KHAN**

**THOROUGH:**



**NOOR MOHAMMAD KHATTAK**

**KAMRAN KHAN**

**SHAHZULLAH YOUSAFZAI**

**&**

**AFRASIAB KHAN WAZIR  
ADVOCATES**

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**  
**PESHAWAR**

APPEAL NO. \_\_\_\_\_/2021

NIAMAT ULLAH 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

NIAMAT ULLAH KHAN

THROUGH:

**NOOR MOHAMMAD KHATTAK**

ADVOCATE,

High Court Peshawar

## OFFICE OF THE EXECUTIVE DISTRICT OFFICER ELB: &amp; SEC:EDU: DEPTT

## LAKKI MARWAT

## APPOINTMENT ORDER:-

Consequent upon the recommendations of District Selection Committee, the appointment of below named candidates are hereby ordered as Primary School Teacher (M) in BPS-07(Rs 5800-320-15400) plus usual allowances as admissible under the rules on regular basis against vacant posts, under provision of Establishment & Administration Department circular bearing No. SOR-6(E&AD)13-01/2005 dated 10-08-2005 on the terms & conditions given below in the interest of public service from the date of taking over charge.

S.No	Name	Father, s Name	Union Council	To be posted at	Remarks
1	Nemat Ullah <del>NIAMAT ULLAH KHAN</del>	Akbar Ali	Mela Shahab Khel	GPS Madu Khel Ihsan Pur	Against vacant post
2	Tahir Nawaz	Mohammad Faraz	Mela Shahab Khel	GPS Dallo Khel No 1	-do-
3	Abdul Qayoum	Ghulam Daud	Mela Shahab Khel	GPS Mohammad Khel Jadid	-do-
4	Sifat Ullah	Gul Faraz	Mela Shahab Khel	GPS Mughal Kalan	-do-
5	Dil Nawaz	Amir Nawaz	Ghazni Khel	GPS No 1 Jabu Khel	-do-
6	Inran Ullah	Bashir Ahmad Khan	-do-	GPS Agari Khan Zad Khel	-do-
7	Naik Nawaz	Guli Jan	-do-	GPS Bahadur Saeed Khel	-do-
8	Ilaq Din	Ilahi Bakhsh	Abdul Khel	GPS Faqir Kari Allah Yar	-do-
9	Hamid Ullah Khan	Saad Ullah Khan	-do-	GPS Ibrahim Jhang Khel	-do-
10	Javed	Abas	Begu Khel	GPS Wanda Kutana	-do-
11	Mohammad Haroon Jan	Abdul Qadoos Jan	-do-	GPS Wanda Amir No 1	-do-
12	Mohammad Farooq Jan	Abdul Qadoos Jan	-do-	GPS Dabbak Mandra Khel 2	-do-
13	Junaid Iqbal	Mohammad Iqbal	-do-	GPS No 1 Dabbak Mandra Khel	-do-
14	Shahid Ullah	Ghulam Jan	Landiwah	GPS No 2 Sheikh Mansoori	-do-
15	Sami Ulah	Aslam Khan	-do-	GPS Wanda Pinjuma	-do-
16	Abdul Wali Khan	Mosam Khan	Lakki-1	GPS Baghban	-do-
17	Abdul Salam Khursheed	Dur Mar Jan	Lakki-1	GPS Haqdad Abad No 1	-do-
18	Shahid Suhail	Abdul Khalil	Lakki-1	GPS Haqdad Abad No 2	-do-
19	Ihsan Ullah	Ghulam Akbar	Lakki -1	GPS Toti Abad No 1	-do-
20	Farhan Ullah	Ghulam Akbar	Lakki-1	GPS Toti Abad: No 2	-do-
21	Mohammad Hashim Khan	Wali Khan	Tajazai	GPS Tajazai No 2	-do-
22	Mohammad Mansoor Jan	Mohammad Ali Jan	Tajazai	GPS Tajazai No 1	-do-
23	Mohammad Bilawal Mukhtiar	Mukhtiar Ahmad	Lakki-11	GPS Khoidad Khel No 1	-do-
24	Shahar Gul	Samar Gul	-do-	GPS Khoidad Khel No 2	-do-
25	Gul Mohammad Yousaf	Amir Mohammad	-do-	GPS Jan Abad	-do-
26	Mohammad Tariq Khan	Ghulam Mohammad K/han	-do-	GPS Railway Junction	-do-

ATTACHED

6

27	Akhtar Munir	Mohammad Sherin Khan	Pahar Khel Thal	GPS Wanda Khawas	-do-
28	Mohammad Anwar	Ghulam Saeed	-do-	GPS Wanda Lughman	-do-
29	Mohammad Iqbal	Mohammad Nawaz	-do-	GPS Wanda Shahab Khel No 4	-do-
30	Riaz Mohammad	Mir Wali Khan	-do-	GPS Waziran Pahar Khel	-do-
31	Mohammad Taus Jan	Mashal Khan	Dara Pezu	GPS Biland Khel	-do-
32	Fazal U Rahman	Abdul Haleem	-do-	GPS Teri	-do-
33	Qudrat Ullah	Hayat Ullah	Kheru Khel Pacca	GPS Sheri Khel No 1	-do-
34	Noor Nawaz	Amir Nawaz Khan	-do-	GPS Rasool Khan Pahar Khel Pacca	-do-
35	Naheed Ullah	Inayat Ullah	-do-	GPS Sheri Khel No 5	-do-
36	Zakir Ullah Khan	Habib Ullah Khan	-do-	GPS Maqbool Pahar Khel Pacca	-do-
37	Gul BadShah	Abdur Rahim Khan	-do-	GPS Qayum Pahar Khel Pacca	-do-
38	Younas Khan	Mushk-e-Alam	Gandi Khan Khel	GPS Kotka Shadi Khan	-do-
39	Zia U Rahman	Raheem U Din	-do-	GPS Kotka Jafar	-do-
40	Latif Ullah Shah	Hamid Ullah Shah	Nar Abu Samand Begu Khel	GPS Abu Samand Begu Khel	-do-
41	Hafiz Ullah Khan	Syed Badshah	-do-	GPS Nar Sahib Dad Midad Khel	-do-
42	Ikram Ullah Khan	Saad Ullah Jan	Baist Khel	GPS Zaffar Abad	-do-
43	Abdul Qadir Khan	Ayaz Khan	-do-	GPS Kotka Mehmood	-do-
44	Ishaq Khan	Nadir Khan	-do-	GPS Gambila No 2	-do-
45	Ihsan Ullah	Sakhi Jan	-do-	GPS Harama Tala Guli Khel	-do-
46	Said Nawaz Khan	Falak Naaz	Samandi	GPS Khana Hakim Khan	-do-
47	Feroz Khan	Sardar Ali	Dara Tang	GPS Dalwati	-do-
48	Shaukat Ullah	Mohammad Yousaf	Masha Mansoor	GPS Tabi Murad No 2	-do-
49	Imran Ullah Khan	Awal Khan	-do-	GPS Naqibullah Tabi Murad	-do-
50	Abdul Ghafar	Abdul Satar	Serai Naurang	GPS Danish Abad	-do-
51	Zabih Ullah	Sardaraz Khan	-do-	GPS Nar Mir Ahamad Shah	-do-
52	Rafiq Ullah Khan	Khaliq Dad Khan	Marmandi Azim	GPS Bana Manjiwala	-do-
53	Laal Bad Shah	Amir Bad Shah	-do-	GPS Toor Tala	-do-
54	Shafiq Ahmad	Abdul Satar	-do-	GPS Dakhli Mohammad Ghanzi Khel	-do-
55	Farhad Ali	Mohammad Ali	-do-	GPS Marmandi Ghulam Jan	-do-
56	Atta U Rahman	Fazal U Rahman	Abba Khel	GPS Mirza Ali Shah Abba Khel	-do-
57	Mohammad Kamal	Abdul Satar	-do-	GPS Thal Khan Abba Khel	-do-
58	Ihsan Ullah Khan	Abdul Qayum Khan	Isak Khel	GPS Isak Khel No 2	-do-
59	Saad U Din	Saadullah	-do-	GPS Nawar Khel No 3	-do-

AT SAIED

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60	Aurang Zeb Khan	Rahid Khan	Mama Khel	GPS Naser Khel	-do-
61	Kamal Hussain	Mushk E Alam	-do-	GPS Dry Plaree Mama Khel	-do-
62	Fakhar E Azam	Mohammad Azim	Mash Masti Khan	GPS Shamoni NO 2	-do-
63	Gul Tayaz Khan	Shahbaz Khan	-do-	GPS Kotka Mohammad Ali	-do-
64	Sher Daud	Sakhi Jan	Tajori	GPS Said Azam Bragi	-do-
65	Nawaz Khan	Mani Khan	Kaka Khel	GPS Mela Mandra Khel No 1	-do-
66	Asmat Ullah	Hashim Khan	Titter Khel	GPS Karmu Khel	-do-
67	Khan Afzal	Mir Afzal	Kot Kashmir	GPS Jangi Khan	-do-
68	Bahader Khan	Abdullah Jan	Shakh Quli Khan	GPS Passani No 1	-do-

**TERMS & CONDITIONS:**

1. Their appointment will be considered without pension and gratuity in terms of section 19 of NWFP Civil Servant Act 1973, as amended vide NWFP Civil Servant (Amendment) Act, 2005 but the candidates already workings permanent Govt: Servants, will under take whether they want to continue the benefits of old service or new. they will however be entitled to contributory provident fund in such a manner and such a rate as may be prescribed by Govt:
2. In case of resignation without notice two months pay/allowance will be refunded to Govt.
3. Their services will be governed by such rules and regulations as may be issued by Govt time to time.
4. In case of misconduct they will be proceeded against the civil servant removal from service (special power) ordinance,2000 and rules frame from time to time.
5. Charge reports should be submitted to all concerned
6. No TA/DA is allowed
7. The D.D.O will check the verified documents before the drawl of pay. However any fake documentation of certificates/Degrees detected at any stage will make the employee liable for termination and disciplinary action.
8. The appointment order is liable to termination, if the candidate failed to take over charge with in 15 days of commencement date.
9. The undersigned reserve the rights of amendment in case of any mistake.
10. They are required to produce health and age certificate from medical superintendent DHQ hospital Lakki Marwat

(Mir Azam Khan)  
Executive District Officer  
Ele: & Sec:Education Deptt  
Lakki Marwat

Endst No.3506-3581 dated 10/05/2012

Copy to the :-

1. Director Ele: & Sec:Education Deptt Khyber Pukhtunkhwa, Peshawar
2. District Co-ordination Officer Lakki Marwat
3. District Accounts officer Lakki Marwat
4. Deputy District Officer (M) Primary local office
- 5-72 Teacher Concerned

Haroon Bad Shah

Executive District Officer  
Ele: & Sec:Education Deptt  
Lakki Marwat

ATTACHED

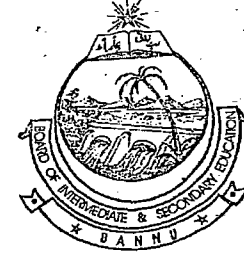
S.No. 2226

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Roll No. 8695



Board of Intermediate and Secondary Education  
Bannu N-W.F.P. (Pakistan)



SECONDARY SCHOOL CERTIFICATE EXAMINATION

SESSION 2002 (Annual)

This is to Certify that Niamat Ullah Khan

Son of

Akbar Ali Khan

Student of

Govt. High School No. 2, Lakki

has passed the Secondary School Certificate Examination of the Board of Intermediate and Secondary Education, Bannu held in March, 2002 as a Regular candidate.

He obtained 631 marks out of 850 and has been placed in Grade "A" Representing Excellent.

The candidate passed in the following subjects:

1. English	2. Urdu	3. Pakistan Studies	4. Islamiyat (Comp)
5. Riazi (New)	6. Physics	7. Chemistry	8. Biology

Date of birth according to admission form is 23 March, Nineteen Eighty-Six . (23-03-1986) .

Date of declaration of Result: 29-06-2002

Prepared on: January 10, 2005

  
Assistant Secretary

ATTACHED

SECRETARY

THIS CERTIFICATE IS ISSUED WITHOUT ALTERATION OR ERASURE

S.No.

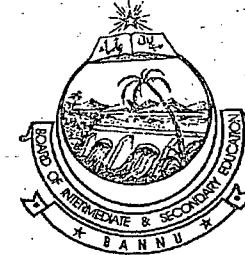
1233

Roll No. 15570

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ



Board of Intermediate and Secondary Education  
Bannu N-W.F.P. (Pakistan)



INTERMEDIATE EXAMINATION

SESSION 2004 (Annual)  
Pre-Engineering Group

This is to Certify that NIAMAT ULLAH KHAN

Son of AKBAR ALI KHAN

Student of GOVT. DEGREE COLLEGE, LAKKI

Registration No. 239-BB-GDCL-1-02 has passed the Intermediate Examination of the  
Board of Intermediate & Secondary Education, Bannu held in MAY, 2004 as a REGULAR candidate.

He obtained 672 marks out of 1100 and has been placed in Grade  Representing VERY GOOD.

Date of declaration of Result: 31-07-2004

Prepared on: MAY 30, 2008

Assistant Secretary

SECRETARY

THIS CERTIFICATE IS ISSUED WITHOUT ALTERATION OR ERASURE

ATTACHED



(10)

# GOMAL UNIVERSITY

## DERA ISMAIL KHAN

### (N.W.F.P) PAKISTAN



(Session 2007 )  
SUPPLEMENTARY

MIAMAT ULLAH KHAN. SON of AKBAR ALI and  
a student of GOVT. COLLEGE, LAKKI MARWAT

having passed the prescribed examination in JANUARY/FEBRUARY 20 08,

is this day admitted by the GOMAL UNIVERSITY to the DEGREE of

## BACHELOR OF SCIENCE

in the FIRST Division HE Passed also in ASIAN

~~Additional/Optional Subject~~ Pakistan Studies and Islamiyat as Compulsory Subjects.

The Examination was taken as ~~a whole~~ in parts.

Registered No. 4437-Loc-2005

Roll No. 185

Result declared on MARCH 1, 2008

Countersigned

Hamidullah  
Controller of Examinations

M. M. Khan  
Vice-Chancellor

**ATTACHED**

KOHAT UNIVERSITY OF SCIENCE AND TECHNOLOGY  
(PAKISTAN)

11

Niamat Ullah Khan

son of

Akbar Ali Khan

and a student of the Department of Physics

having fulfilled the requirements has been duly admitted to


the degree of

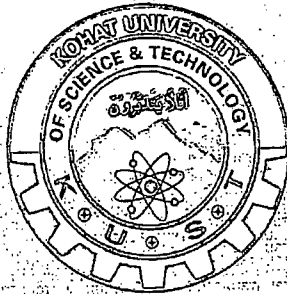
Master of Science


in

Physics

ATTESTED

  
Controller of Examinations



  
Vice Chancellor

Kohat, December 5, 2012

2010



12

# GOMAL UNIVERSITY

## DERA ISMAIL KHAN

(UNIVERSITY) PAKISTAN  
KHYBER PAKHTUNKHWA



(Session 2011-2012 )

NIAMAT ULLAH KHAN

SON of

AKBAR ALI

and a student of ROYAL INSTITUTE OF EDUCATION & MANAGEMENT SCIENCES LAKKI MARWAT

having passed the prescribed examination in SEPTEMBER <sup>(PVT)</sup> 2012 ,

is this day admitted by the GOMAL UNIVERSITY to the DEGREE of

### BACHELOR OF EDUCATION

in the THEORY Division in Part I (Theory)

in the THEORY Division in Part II (Skill in Teaching) and

in the FIRST Division in Aggregate.

The Examination was taken as a whole/~~in parts~~

Registered No. 4437-Loc-05

Roll No. 6836

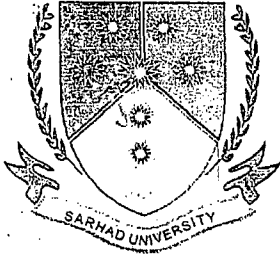
Result declared on JANUARY 28, 2013

Countersigned

Controller of Examinations

**ATTESTED**

Vice-Chancellor



# Sarhad University

OF SCIENCE & INFORMATION TECHNOLOGY, PESHAWAR

Serial Number SUIT-2016-PRO-11929

Date issued: 25 Nov, 2016

## Provisional Certificate

This is to certify that Mr. / Ms. Niamat Ullah Khan

Son/ daughter of Mr. Akbar Ali Khan

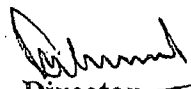
Registration number SUIT-15-02-036-0748

is a regular student of the Sarhad University of Science and Information Technology,  
Peshawar.

Mr. / Ms. Niamat Ullah Khan has completed all the requirements for the  
award of Master of Education degree with a  
CGPA of 3.21 on a scale of 4.00. He/ She has already been issued a  
transcript and degree will be awarded to him/ her in due course of time on the request of  
student.

Mr. / Ms. Niamat Ullah Khan bear's good moral character and his/ her  
conduct during his/ her stay at the University from 30 Mar, 2015 to 15 Oct, 2016  
has been Very Good.

**ATTESTED**

  
Director  
Distance Education

Annexure "C"

14

GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

Peshawar, dated the 24<sup>th</sup> July, 2014.



**NOTIFICATION**

**No.SO(PE)4-5/SSRC/Meeting/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 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

ATTESTED

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

1	2	3	4	5
1B	Secondary School Teacher (BPS-16)	<p>I. At least second class Bachelor Degree's from a recognized University on need basis from the following groups with two subject</p> <p>(a) (Chemistry, Botany or Zoology), Or (b) (Physics, Maths "A" or "B" or Statistics) Or (c) (Humanities and other equivalent groups at degree level with English as compulsory subject;</p> <p>and</p> <p>II. Bachelor of Education or Master of Education (Industrial Art or Business Education) or M.A. Education or equivalent qualifications from a recognized University.</p>	21 to 35 years.	<p>1. Seventy Five per cent by promotion, on the basis of seniority-cum-fitness, from the district concerned in the following manner:</p> <p>(a) forty per cent from amongst the Senior Certified Teachers (BPS-16), with at least five years service as Senior Certified Teacher and Certified Teacher and having qualification mentioned in column No.3:</p> <p>Provided that if no suitable candidate is available from amongst Senior Certified Teachers for promotion then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from amongst Certified Teachers, with at least five years service as such and having qualification mentioned in column No. 3;</p> <p>(b) four per cent from amongst the Senior Drawing Masters(BPS-16), with at least five years service as Senior Drawing Masters and Drawing Masters and having qualification mentioned in column No.3:</p>

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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:

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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

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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 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."

19

ATTESTED



SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

20

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)

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21

EXTRAORDINARY  
GOVERNMENT



REGISTERED NO. P11  
GAZETTE

**KHYBER PAKHTUNKHWA**

Published by Authority

PESHAWAR, TUESDAY, 24<sup>th</sup> APRIL, 2018.

**GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT**

**NOTIFICATION**

Peshawar, dated: 24<sup>th</sup> April 2017

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

**APPENDIX:**

S.No.	Nomenclature of the post	Minimum qualification for appointment by initial recruitment transfer	Age limit	Method of recruitment
1	2	3	4	5
1	Subject Specialist- Information Technology (SS-IT) (BPS-17)	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	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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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>	50% CT (IT)
3.	Certified Teacher-Information Technology (CT-IT) (BPS-12).	<p>i. At least 2<sup>nd</sup> Division Intermediate School Certificate or equivalent qualification from a recognized Institution or Board with one year Diploma in Information Technology Computer Science from any recognized institution; and</p> <p>ii. Certified Teacher Certificate (CT) or Associate Degree in Education (ADE) from any recognized institution/ University.</p> <p>Note: A candidate did not have the qualification under clause (ii), shall acquire the same within three years from the date of his/her appointment.</p>	18-35	By initial recruitment.	50% Fresh

SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

ATTESTED

ATTACHED

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GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

23

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. Shahzad 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 (B) Finance Department.
6. Mr. Malik 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. SOGE&SED/1-86/SS.FI/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 SST's, 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) -

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ATTESTED

Nomenclature of the post.	Minimum Qualification for appointment by initial recruitment or by transfer.	Age Limit	Method of recruitment
<p>1. Subject Specialist-Information Technology (SS-IT) (B-17)</p> <p>Government Higher Secondary Schools/ Govt. comprehensive High Schools and other equivalent posts in the Teaching Cadre.</p>	<p>i.) Master Degree in Computer Science/IT at least in 2<sup>nd</sup> Division or equivalent qualification from any recognized University.</p> <p>ii.) Bachelor Degree of Education (B.Ed) at least in 2<sup>nd</sup> Division from any recognized University.</p>	<p>21-35</p>	<p>a). Fifty percent by promotion on the basis of seniority-cum-fitness from amongst the Secondary School Teacher-II 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.</p> <p>b). Fifty percent by initial recruitment.</p> <p>Note: If no suitable candidate is available for promotion in the relevant cadre than by initial recruitment.</p> <p>Their seniority may be clubbed with SS and amendment may be made in the existing service rules.</p>
<p>2. Secondary School Teacher Information Technology (SST-IT) (B-16)</p> <p>Govt. High / Higher Secondary Schools</p>	<p>i). Bachelor Degree with the subject of Computer Science at least in 2<sup>nd</sup> Division or equivalent Qualification from any recognized institution.</p> <p>ii). Bachelor Degree of Education (B. Ed) at least in 2<sup>nd</sup> Division from any recognized institution.</p>	<p>21-35</p>	<p>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.</p> <p>b). Fifty percent by initial recruitment.</p> <p>Note: If no suitable candidate is available for promotion in the relevant cadre than by initial recruitment.</p>
<p>3. Junior Teacher- Information Technology (JT-IT) (B-12)</p> <p>Govt. High/ Higher Secondary Schools</p>	<p>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.</p>	<p>18-35</p>	<p>By initial recruitment.</p>

**ATTENDED**

*[Signature]*

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



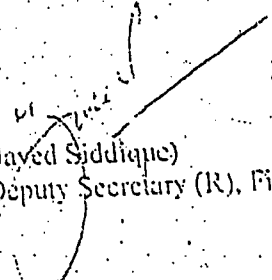
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Decisions:


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.

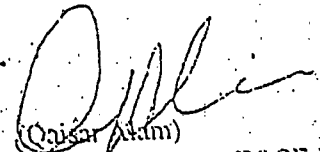
  
 (Javed Siddique)  
 Deputy Secretary (R), Finance Department

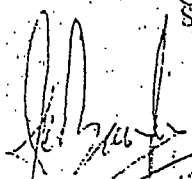
  
 (Mohsin Mushtaq)  
 Assistant (R-I), E&AD Deptt.

  
 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)

ATTENDED



SECTION OFFICER (BUDGET)  
 (MURTAZA KHAN)

**ATTESTED**

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

BUDGET OFFICER  
 FINANCE DEPARTMENT

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

Dated Resb: the 10/10/2018

Encl: No. BOV/ED/2-38/2018-19

Secretary to Govt. of Khyber Pakhtunkhwa  
 Elementary & Secondary Education Deptt.

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 post	No. of Posts	Remarks
Establishment of Senior IT Teacher (BS-17)	Senior IT Teacher (BS-17)	27	List of schools with their names printed on the back side.
500 IT Labs in Govt. High & Higher Secondary Schools in Khyber Pakhtunkhwa	IT Teacher (BS-16)	172	
Establishment of IT Teacher (BS-16)	Computer Lab Incharge (BS-12)	368	
800 IT Labs in Govt. High Schools in Khyber Pakhtunkhwa (Phase-III)	Computer Lab Incharge (BS-12)	458	
<b>Total</b>		<b>1476</b>	

No. SO/Secy/18/2018/IT Teacher 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 Resb: the August 15, 2018

GOVT. OF KHYBER PAKHTUNKHWA  
 ELEMENTARY & SECONDARY EDUCATION  
 DEPARTMENT



26

27

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)  SST	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 mention in Column No.3:  Provided that if no suitable candidate is available from amongst Senior Certified Teachers for promotion then the post shall be filed 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 filed 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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*[Signature]*

20% CT-IT

20% CT

4% DM

28



			<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 filled 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 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>(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 filled 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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ATTESTED

*[Handwritten signature]*



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			<p>qualification mentioned in column No.3:</p> <p>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:</p> <p>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</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. 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."</p>
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APPROVED

Handwritten signature or mark below the stamp.

Anxxuve "E"

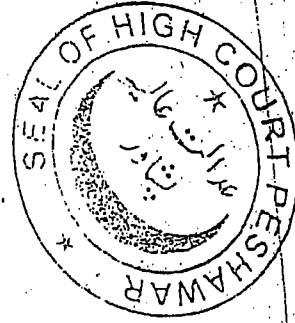
30

**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.

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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*

**ATTESTED**

**ATTESTED**  
**EXAMINER**  
Peshawar High Court

31

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

ATTESTED  
EXAMINER  
Peshawar High

ATTESTED

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

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 "I.A Sherwani and others (1991 SCMR 1041)", "Ali Azhar Khan Baloch (2015 SCMR 456)" and "Mobeen-ul-Salam (2006 SCMR 100)".

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

ATTESTED

EXAMINER  
Peshawar High Court

ATTESTED

**TESTED**

Date of Presentation of Application: 3/9/20  
 No of Pages: 11  
 Copying: 44  
 Total: 55  
 Date of Preparation of copy: 7/9/20  
 Date of Delivery of copy: 7/9/20  
 Accepted By: [Signature]

07 SEP 2020

[Signature]  
 [Stamp]  
 07 SEP 2020

THE PRESIDENT

JUDGE

JUDGE

Announced  
Dt: 03.09.2020

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.

33



Annoyance "F"

(34)

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 Mela Shahab Khel, District Lakki Marwat 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



NIAMAT ULLAH KHAN, PST  
GPS Mela Shahab Khel, District Lakki Marwat

ATTACHED

**VAKALATNAMA**

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**  
**PESHAWAR**

\_\_\_\_\_ OF 2021

Niamat ullah Khan

(APPELLANT)  
(PLAINTIFF)  
(PETITIONER)

**VERSUS**

Education Dept

(RESPONDENT)  
(DEFENDANT)

I/We Niamat ullah 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

[Signature]  
**CLIENT(S)**

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

**KAMRAN KHAN**  
**AFRASIAB KHAN WAZIR**  
[Signature]  
**HAIDER ALI**  
**ADVOCATES**

OFFICE:  
Flat No.4, Upper Floor,  
Juma khan plaza near (FATA) Secretariat  
Warsak road Peshawar.  
Mobile No. **0345-9383141**