

11.10.2022

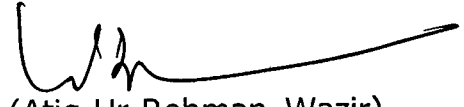
Junior to counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional AG for respondents present.

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

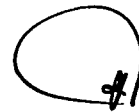
Due to retirement of the Worthy Chairman, case is adjourned to 07.06.2022 for the same as before.


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.

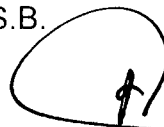

(Rozina Rehman)
Member (J)

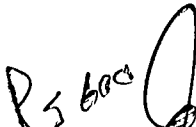
25.07.2022

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)

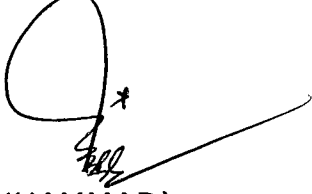

Rs 6000
Appellant deposited
Security & Process Fee

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.

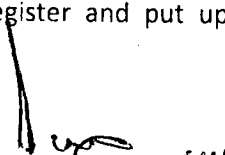




Chairman

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> 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> 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> 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> Reader</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. 2391 /2021

FAZAL AHAD

VS

EDUCATION DEPTT

INDEX

S.NO	DOCUMENTS	ANNEXURES	PAGES
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4	Educational Testimonials	B	8-15
5	Notification Dated 24-07-2014	C	16-22
6	Notification Dated 24-04-2018	D	23-31
7	Judgment Dated 03-09-2020	E	32-35
8	Departmental Appeal	F	36
9	Vakalatnama	37

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. Fazal Ahad, PST (BPS-12),
GPS Malkot, District Dera Ismail Khan.

..... **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.

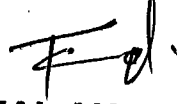
F- That under Article 38(e).of the Constitution of Pakistan 1973 state is bound to reduce disparity in the income and earning of the individuals including persons in the various service of Pakistan.

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



FAZAL AHAD

THOROUGH:



NOOR MOHAMMAD KHATTAK

KAMRAN KHAN

SHAHZULLAH YOUSAFZAI

& 

**AFRASIAB KHAN WAZIR
ADVOCATES**

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. _____/2021

FAZAL AHAD

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


FAZAL AHAD

THROUGH:


NOOR MOHAMMAD KHATTAK
ADVOCATE,

High Court Peshawar

Annexure, Aⁿ

6

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) BATTAGRAM.

OFFICE ORDER/APPOINTMENT

Consequent upon the recommendation/ approval of the District selection Board BATTAGRAM in its meeting held on 27.12.2012, the Competent Authority is pleased to appoint the following fresh trained Male PST candidates on merit having the prescribed qualification in BPS 12 (Rs.7000-500-22000) plus usual allowances as admissible under the rules against the vacant post of PST (Male) mentioned against each their names on regular basis under the existing policy of the Provincial Govt. on terms and conditions given below with effect from the date of their taking over charge in the interest of public service.

S.No	Candidate Name	Father's Name	Score	UC	School/Station where posted	Remarks
1	Inamullah	Meraj Nabi	62.80	Battagram	GPS Shoukat Abad	Against Vacant Post
2	Hassan Muhammad	Hazrat Zaman	48.81	Battagram	GPS Sortai	Against Vacant Post
3	Abdul Malik Usmani	Abdul Khaliq	76.53	Banian	GPS Taya Jadeed	Against Vacant Post
4	Muhammad Razaullah	Gul Zarin	39.43	Banian	GMPS Qaboola	Against Vacant Post
5	Muhammad Ishtaq	Muhammad Yaqoob	54.37	Banna	GPS Seri Sadat	Against Vacant Post
6	Nawab Khan	Ashna Khan	51.68	Banna	GPS Sari Sadat	Against Vacant Post
7	Said Rehman	Jan Muhammad	48.03	Bateela	GPS Kalota	Against Vacant Post
8	Ihsan ul Haq	Hejab Khan	41.27	Bateela	GPS Jabar Bateela	Against Vacant Post
9	Sanallah	Ghuham Karim	41.01	Bateela	GPS Matta Mansoor	Against Vacant Post
10	Aftab Ahmed Khan	Hastam Khan	40.23	Bateela	GPS Petaw Nogram	Against Vacant Post
11	Banaras Khan	Rustam Khan	39.62	Bateela	GPS Deshwal	Against Vacant Post
12	Hazrat Islam	Muhammad Zanif	45.41	Battamori	GPS Lundi Rajmaira	Against Vacant Post
13	Muhammad Asif	Muhammad Rustam	44.79	Battamori	GPS Hanif Abad	Against Vacant Post
14	Wali Muhammad	Hussain Khan	43.54	Battamori	GPS Nehray Ayub	Against Vacant Post
15	Muhammad Nazif	Baz Gul	42.41	Battamori	GPS Nehray Ayub	Against Vacant Post
16	Fazal Ahad	Muhammad Afzal	65.48	Gijbori	GPS Malkot	Against Vacant Post
17	Abdul Basit	Taj Mehmood	58.46	Gijbori	GPS Batar Kool	Against Vacant Post
18	Muhammad Nawaz	Shah Zarin	55.67	Hutal Batkool	GPS Kachal Soorgai	Against Vacant Post
19	Shuaib Muhammad	Gul Nawab	51.40	Hutal Batkool	GPS Goshra	Against Vacant Post
20	Hafiz ur Rehman	Muhammad Ajan	50.68	Hutal Batkool	GPS Faqiroo	Against Vacant Post
21	Shah Khalid	Gul Nawab	45.19	Hutal Batkool	GPS Dabbar Batkool	Against Vacant Post
22	Niaz Ahmed	Bakht Zarin Khail	40.49	Hutal Batkool	GMPS Purana Batkool	Against Vacant Post
23	Irshad ur Rehman	Hidayat Khan	39.40	Hutal Batkool	GPS Maidan Kanai	Against Vacant Post

ATTESTED

7

- 11- The SDEO will not activate the pay of the appointees till the verification of all the relevant documents.
- 12- The Competent Authority reserves the right to rectify the errors and omissions if any noted at any stage in the instant order issued erroneously.
- 13- No TA/DA will be allowed to the appointees for joining their duty.
- 14- Charge report should be submitted to all concerned.


Muhammad Saeed
District Education Officer
(Male) BATTAGRAM.

Endst: No. 8467-72

Dated: 19/3 /2013

Copy to the:-

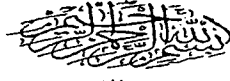
- 1- Director E&SE Department Khyber Pakhtunkhwa Peshawar.
- 2- The Deputy Commissioner Battagram.
- 3- District Officer (F&P) Battagram.
- 4- District Accounts Officer Battagram.
- 5- SDEO (Male) Battagram.
- 6- Candidates concerned.
- 7- Office File.


Deputy District Education Officer
(Male) BATTAGRAM

ATTESTED

S.No. 143859

Roll No. 41856



Board of Intermediate and Secondary Education
Peshawar N.W.F.P. Pakistan
Secondary School Certificate Examination
SESSION 2001-ANNUAL
(Science Group)

ATTENDED

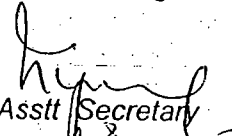
This is to Certify that Fazal Ahad Son / Daughter of Muhammad Afzal
and a student of Govt. High School No.2 Mardan has passed the Secondary School Certificate
Examination of the Board of Intermediate and Secondary Education, Peshawar held in March/April, 2001 as a Regular
candidate. He / She obtained 526 Marks out of 850 and has been placed in Grade B Representing Very Good


The Candidate passed in the following subjects:

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

He / She has been awarded Grade -- on the basis of internal assessment by the Institution concerned.

Date of birth according to admission form January 01, 1985


Asstt Secretary


Secretary

This certificate is issued without alteration or erasure.

Answer B B

120

07385

S. No.

Roll No. 22017

Group. Medical

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ



ATTESTED

Board of Intermediate and Secondary Education

Mardan N.W.F.P. Pakistan

INTERMEDIATE EXAMINATION

SESSION 2003 - ANNUAL

This is to certify that FAZAL AHAD son of MUHAMMAD AFZAL
and a student of Govt. Post Graduate College Mardan Registered No. 17-B/M-2001
has passed the Intermediate Examination of the Board of Intermediate & Secondary Education,
Mardan held in May/June - 2003 as a Regular candidate. He obtained 493 Marks out
of 1100 and has been placed in Grade D Representing Fair. The Examination was
taken as a whole

Asstt. Secretary

Secretary

This certificate is issued without alteration or erasure.

101

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

University of Peshawar
(Pakistan)

ATTESTED

FAZAL AHAD

SON of

MUHAMMAD AFZAL

and a student of MARDAN INSTITUTE OF INFORMATION & TECHNOLOGY & MS COLLEGE MARDAN

having passed the prescribed examination held in JUNE 2005

is this day admitted by the University of Peshawar to the Degree of

Bachelor of Science

in SECOND Division

The Examination was taken as a whole / in parts

Serial No 030616

Registration No. 2003-MSC-73

Roll No. 7335

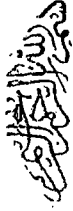
Result declared on OCTOBER 03, 2005



[Signature]
Registrar

Countersigned

[Signature]
Vice-Chancellor



University of Peshawar (Pakistan)

ATTENDED

Session ANNUAL 2007

FAZAL AHAD SON of MUHAMMAD AFZAL

and a student of the Department of Library and Information Science having passed the prescribed examination held in JUNE, 2008 is this day admitted by the University of Peshawar to the Degree of

Master of Library & Information Science

in the FIRST Division

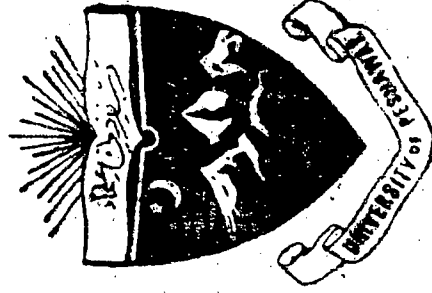
The examination was taken as a whole in parts

Serial No. 000951

Registration No. 2007-MSO-73

Roll No. 357

Result declared on 29TH SEP, 2008



[Signature]
Registrar

Countersigned
[Signature]
Vice-Chancellor

(=)

180



ABDUL WALI KHAN UNIVERSITY

MARDAN, PAKISTAN

TRANSCRIPT

12

KHYBER COLLEGE OF EDUCATION, MARDAN
B.Ed

Name: Fazal Ahad

F: Name: Muhammad Afzal

Roll No: 96

Reg. No: 10-AWKUM-KCEM-M-40

1st Semester (Spring, 2010)							
Title of Course	Total Marks	Marks Obtained	CR Hrs	NG	GP	GPA	Remarks
Perspective of Education	100	80	3	4	12		
Curriculum & Instruction	100	85	3	4	12		
School Organization & Management	100	78	3	3.8	11.4		
Computer Literacy	100	86	3	4	12		
Islamic Education	50	44	2	4	8		
Functional English	50	37	2	3.4	6.8		
TOTAL	500	410	16		62.2	3.89	Promoted
2nd Semester (Fall, 2010)							
Title of Course	Total Marks	Marks Obtained	CR Hrs	NG	GP	GPA	Remarks
Educational Psychology	100	79	3	3.9	11.7		
Classroom Assessment	100	72	3	3.2	9.6		
Teaching of English	100	81	3	4	12		
Teaching of Pak Studies	100	75	3	3.5	10.5		
Individual Project	100	66	3	2.6	7.8		
Teaching Practice	200	160	6	4	24		
TOTAL	700	533	21		75.6	3.60	Passed
			37		137.8		
CGPA	3.72						

Errors & Omissions are subject to subsequent rectification

Result Declaration Date: - March 15, 2011

Prepared by: Ijaz Ahmad

Checked by: Shahzad Khan

Controller of Examinations

ATTESTED



ABDUL WALI KHAN UNIVERSITY

MARDAN, PAKISTAN

TRANSCRIPT

13

KHYBER COLLEGE OF EDUCATION, MARDAN
M Ed

Name: FAZAL AHAD

Father's Name: MUHAMMAD AFZAL

Roll No: 592

Registration No: 10-AWKUM-KCEM-M-40

1st Semester (Fall, 2011)								
Title of course	Total Marks	Marks Obtained	CR Hrs	Grade	NG	GP	GPA	Remarks
Educational Research	100	58	3	C	2	6		
Guidance & Counseling	100	75	3	B+	3.3	9.99		
Teacher Education in Pakistan	100	85	3	A	3.7	11.01		
Advance Educational Psychology	100	59	3	C	2	6		
Curriculum Development	100	74	3	B	3	9		
Educational Measurement And Evaluation	100	76	3	B+	3.3	9.99		
TOTAL	600	427	18			51.99	2.89	Promoted
2nd Semester (Spring, 2012)								
Title of course	Total Marks	Marks Obtained	CR Hrs	Grade	NG	GP	GPA	Remarks
Islamic System of Education	100	73	3	B	3	9		
Philosophy of Education	100	72	3	B	3	9		
Education in Pakistan Issues and Problems	100	65	3	C+	2.5	7.5		
Educational Planing & Management	100	72	3	B	3	9		
Research Thesis	200	140	6	B	3	18		
TOTAL	600	422	18			52.5	2.92	Passed

CGPA 2.90

36

104.5

Errors & Omissions are subject to subsequent rectification

Result Declaration Date: - Sep 17, 2012

Prepared by: Ijaz Ahmad

Checked by: Shahzad Khan

Controller of Examinations

ATTESTED

14

MINHAJ UNIVERSITY LAHORE



THIS IS TO CERTIFY THAT

Fazal Ahad

Son of

Muhammad Afzal



of the Department of Library & Information Science,

has obtained the degree of

M. PHIL

In

LIBRARY & INFORMATION SCIENCE

From this University after having fulfilled the requirements of the Semester System

Year of passing the examination: 2015 Session: 2012-2014 (Spring)

Percentage of marks obtained: 81.80 Grade: B+

CGPA: 3.68

Registrar



Vice Chancellor

Chairman,
Board of Governors

Dated: 18-01-2016

ATTESTED

Alama Iqbal Open University
Islamabad

Serial No 173514

75



Certified that *Mr/Ms* **FAZAL AHAD**
Son/Daughter of **MUHAMMAD AFZAL**
Registration No **03 NMN 0203** *Roll No* **N 605475**
Semester **AUTUMN 2003** *having met all the requirements*
under the semester system is this day awarded the

Primary Teaching Certificate

He/She has secured **63%** *marks*
and has been placed in **B** *grade*



Result declared on: **February 21, 2005**

Date of issue: **July 03, 2006**

[Signature]
Controller of Examinations

Note: This certificate is issued without alteration/erasure.
The detail of courses is overleaf.

ATTESTED



15/A

05J27

MINHAJ UNIVERSITY LAHORE

DEPARTMENT OF LIBRARY & INFORMATION SCIENCE

Transcript

M. Phil. Library Science, Session Spring 2012-2014

Name: **Fazal Ahad**
Father's Name: **Muhammad Afzal**

Roll No: **07**
Registered No: **2012S-mumpl-lib-28**



Semester-I					
Sr. No.	Name of Course	Marks Obtained	Grade Points	Cr. Hrs.	Total GP
1	Theoretical Foundation of Library Science	82	3.70	3	11.10
2	Theoretical Foundation of Information Science	80	3.70	3	11.10
3	Development of Library & Information Sciences in Pakistan	82	3.70	3	11.10
4	Quantitative Research Methods	87	4.00	3	12.00
Total Cr. Hrs. 12		Marks Obtained: 331/400	GPA: 3.78	Total Grade Points: 45.30	
Semester-II					
Sr. No.	Name of Course	Marks Obtained	Grade Points	Cr. Hrs.	Total GP
5	Qualitative Research Methods	82	3.70	3	11.10
6	Seminar in Library & Information Science	70	3.00	3	9.00
7	Computer Application in Library and Information Science	80	3.70	3	11.10
8	Marketing of Library & Information Science	75	3.30	3	9.90
Total Cr. Hrs. 12		Marks Obtained: 307/400	GPA: 3.43	Total Grade Points: 41.10	
Semester-III & IV					
Sr. No.	Name of Course	Marks Obtained	Grade Points	Cr. Hrs.	Total GP
9	Thesis/Viva-Voce	180	4.00	6	24.00
Total Cr. Hrs. 06		Marks Obtained: 180/200	GPA: 4.00	Total Grade Points: 24.00	

1. He has passed GAT- General.
2. He has passed Comprehensive Examination.

FINAL RESULT POSITION

Total Marks Obtained: 818/1000	Percentage of Marks: 81.80
Total Credit Hours Earned: 30	Total Grade Points: 110.40 CGPA: 3.68 Grade: B+

(Signature)
(Shabir Amjad)
Prepared By:

(Signature)
(Abdul Jabbar)
Asstt: Contrller of Exam.

(Signature)
(Prof. Dr. Asif Mahmood Qureshi)
Controller of Examinations

Dated: 13-10-2015, (Passing year: 2015).

ATTESTED

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 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

ATTESTED

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:

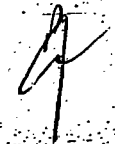
Provided further that if no suitable candidate is available from amongst Senior Primary School Teachers for promotion then the post shall be filled from amongst Primary School Teachers with at least seven years service as such and having qualification mentioned in column No. 3; and

(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."

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)

(7)

Annexure D

23

EXTRAORDINARY
GOVERNMENT



REGISTERED NO. P111
G A Z E T T E

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/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)	<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-IT 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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<p>2. Secondary School Teacher-Information Technology (SST-IT) (BPS-16)</p>	<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>	<p>21-35</p>	<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>
<p>3. Certified Teacher-Information Technology (CT-IT) (BPS-12)</p>	<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 (i), shall acquire the same within three years from the date of his/her appointment.</p>	<p>18-35</p>	<p>By initial recruitment.</p>

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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[Signature]

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GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

25



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. Shuhzad Khan Bangash, Secretary E&SE Department (In Chair)
2. Mr. Qaisar Alam, Special Secretary (Ist.) 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. SOG/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 (PI)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

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(20)

Nomenclature of the post	Minimum Qualification for appointment or by transfer	Age Limit	Method of recruitment
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-II (SST) (General/Science) possessing master degree in IT or equivalent qualification with 05 years' experience. b) Fifty percent by initial recruitment.
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 & 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	Their seniority may be clubbed with SS and amendment may be made in the existing service rules. 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.
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.

ATTENDED

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

Sanjay Kumar

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 Shoab
Deputy Secretary (A), E&SE Deptt:

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

(Qaisar Alam)
Special Secretary, E&SE Deptt:

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

ATTESTED



**GOVT. OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT**

28

Dated: Peshawar, the August 15, 2018

SANCTION

(Signature)

No. SO/BS&A/II-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.

Description	Designation of posts	No. of Posts	Remarks
150559-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.
	IT Teacher (BS-16)	172	
	Computer Lab Incharge (BS-12)	368	
160131-Establishment of 500 IT Labs in Govt. High Schools in Khyber Pakhtunkhwa (Phase-III)	IT Teacher (BS-16)	451	
	Computer Lab Incharge (BS-12)	458	
Total		1476	

2. The expenditure involved is dubitable 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.

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

Endst No. BOV/FD/2-38/2018-19

Dated Pesh by the 10/10/2018

Copy of above is forwarded to:

1. The Accountant General Khyber Pakhtunkhwa.
- 2-26. All the District Accounts Officers in Khyber Pakhtunkhwa

(Signature)
**BUDGET OFFICER-V
FINANCE DEPARTMENT**

Endst. of even number & date.

Copy forward for information to the:-

1. The Budget Officer-V, 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-II/Deputy Director (EMIS), E. & S. Education Department.
4. All the Deputy Commissioners in Khyber Pakhtunkhwa.
5. Master File.

ATTESTED

(Signature)
**(MURTAZA KHAN)
SECTION OFFICER (BUDGET)**

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>CST</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:

20% CST-IT

20% CST

4% DM

ATTESTED

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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 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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PST

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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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Annexure "E"

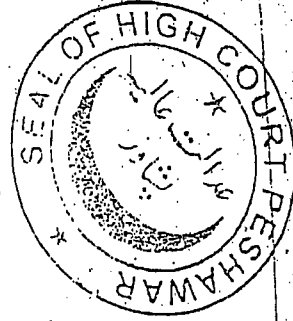
32

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.

IAZ 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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ATTESTED
EXAMINER
Peshawar High Court

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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ATTESTED

EXAMINER
Peshawar High

ATTESTED

[Signature]

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Computer 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



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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) Hon'ble Justice Ikramullah Khan and Hon'ble Mr. Justice Ijaz Ahmad

23/09/2020

6285
 Date of Presentation of Application: 3/9/2020
 No of Pages: 17
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 CERTIFIED TO BE TRUE COPY
 Peshawar Bench, District Court
 The District Sessions Office, Peshawar
 07 SEP 2020

ATTESTED

[Signature]

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Anwar 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).**

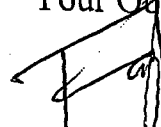
Respected Sir,

Most respectfully it is stated that I am the employee of your good self-Department and performing my duty as PST at GPS Malkot, Battagram 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



FAZAL AHAD, PST
GPS Malkot, D.I. Khan

ATTESTED

VAKALATNAMA

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

_____ OF 2021

Fazal Ahmad

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

Education Deptt

(RESPONDENT)
(DEFENDANT)

I/We Fazal Ahmad

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

Fazal

CLIENT(S)

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

KAMRAN KHAN
Kamran Khan
AFRASIAB KHAN WAZIR
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