


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.

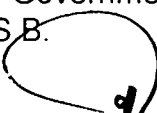

(Rozina Rehman)
Member (J)

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.

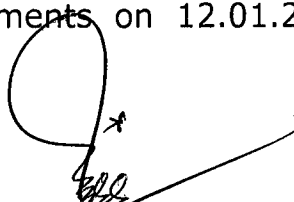

(Rozina Rehman)
Member (J)

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

12/10/21

FORM OF ORDER SHEET

Court of _____

Case No.- 2400 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	12/02/2021	<p>The appeal of Mr. Ishfaq Saeed resubmitted today by Mr. Noor Muhammad Khattak Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	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>
	20.07.2021	<p>Due to demise of the Worthy Chairman, the Tribunal is non-functional, therefore, case is adjourned to 20.07.2021 for the same as before.</p> <p style="text-align: right;"> Reader</p>
	20.07.2021	<p>As 20th July, 2021 has been declared public holiday on account of Eid ul Azha, therefore, case is adjourned to 23.07.2021 for the same as before.</p> <p style="text-align: right;"> Reader</p>

The appeal of Mr. Ishfaq Saeed PST GPS No. 3 Yarik District D.I.Khan received today i.e. on 08/02/2021 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

1- Copy of departmental appeal is not attached with the appeal which may be placed on it.

No. 300 /S.T,

Dt. 09/02 /2021


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Noor Muhammad Khattak Adv., Pesh.

Note, *Subject no.1 has been
remanded hence re-submitted
Today dated 12-02-2021
H. S.*

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR**

APPEAL NO. 2400 /2021

ISHFAQ SAEED

VS

EDUCATION DEPTT

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APPELLANT

THROUGH:

NOOR MOHAMMAD KHATTAK

OFFICE: Flat No.4, 2nd Floor,

Juma Khan Plaza,

Near FATA Secretariat,

Warsak Road, Peshawar.

0345-9383141.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. _____/2021

Mr. Ishfaq Saeed, PST (BPS-12),
GPS No.3 Yarik, 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 PST'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.

RYSHEWETH:
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

ISHFAQ SAEED

THOROUGH:

NOOR MOHAMMAD KHATTAK

KAMRAN KHAN

SHAHZULLAH YOUSAFZAI

&

AFRASIAB KHAN WAZIR

ADVOCATES

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. _____ / 2021

ISHFAQ SAEED

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

ISHFAQ SAEED

THROUGH:

NOOR MOHAMMAD KHATTAK

ADVOCATE,

High Court Peshawar

P.S.T

Appointment order of PST (Male) 2017, Adhoc, Dikhan

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DISTRICT EDUCATION OFFICER (MALE)

DIKHAN (KHYBER PAKHTUNKHWA)

Tel. 0966-9280131/9280128

Email: emisdikhan@yahoo.com

Annexure

A

APPOINTMENT ORDER.

Consequent upon recommendation of the Departmental Selection Committee appointment of the following candidates are hereby ordered against the post of PST, School based, in BPS-12 (Rs. 11140-800-35140) @ Rs. 11140/- fixed plus usual allowances as admissible under the rules on Adhoc/Contract Basis, under the existing policy of the Provincial Government, in Teaching Cadre on the terms and condition given below with effect from the date of their taking over charge:

Sr	Roll No	Name	Father Name	NIC	DOB	Total Marks (Out of 200)	PLACE OF POSTING
TEHSIL DIKHAN				UNION COUNCIL CHEHKAN			
1.	2332000119	MUHAMMAD IFTIKHAR	RUSTAM KHAN	12101-8958925-3	01/08/1988	124.07	GPS GARA FAZIL
2.	2333001130	MUHAMMAD WAQAR KHAN	RUSTAM KHAN	12101-2538743-3	11/12/1996	102.23	GPS CHEHKAN
3.	2333001286	ABDUL RAUF	MUHAMMAD AZIM	12101-2782462-5	26/11/1991	101.65	GPS NO. 2 POTA
4.	2317000354	MUHAMMAD IKRAM ULLAH	HAFIZ NAIMAT ULLAH	12101-0839585-5	15/09/1992	100.18	GPS JEEWAYA SAHI
5.	2317000392	FARID ULLAH	AZIZ ULLAH	12101-1690406-1	29/12/1992	96.31	GPS KOT ISSA KHAN
6.	2317000282	KHALIL AHMAD	GHULAM RASOOL	12101-0982330-5	12/12/1981	96.02	GPS CHEHKAN
7.	2331000638	MUHAMMAD KHALID	MUHAMMAD AKBAR	12101-0313868-3	14/05/1990	95.62	GPS NO. 2 POTA
8.	2331000516	MUHAMMAD TARIQ BILAL	ABDUL WAHEED	12101-0755069-3	11/04/1984	95.35	GPS DARABRI
TEHSIL DIKHAN				UNION COUNCIL DD.1			
9.	2331000578	MUHAMMAD ALI MATEEN	MUHAMMAD AYUB	12101-1740628-5	15/06/1990	116.21	GPS DINPUR
TEHSIL DIKHAN				UNION COUNCIL DD.2			
10.	2335001298	ASIF IQBAL	MUHAMMAD IQBAL KHAN	12101-0784116-9	04/04/1993	123.45	GPS THAHEEM ABAD
TEHSIL DIKHAN				UNION COUNCIL DEEWALA			
11.	2335001129	ASAD NAWAZ	RAB NAWAZ	42301-6243868-7	13/07/1985	117.3	GPS MADNI TOWN DIKHAN
TEHSIL DIKHAN				UNION COUNCIL GILOTI			
12.	2331000657	MUHAMMAD YAQOOB	MUHAMMAD IBRAHIM	12101-1599503-3	25/03/1989	131.4	GPS WANDA JANDAR
13.	2331000718	HAZRAT ALI	MUHAMMAD HAYAT KHAN	12101-6813193-7	21/02/1993	125.87	GPS MEHRABI
TEHSIL DIKHAN				UNION COUNCIL HISSAM			
14.	2532001072	FAZAL RAHIM	H. SIRAJ UD DIN	12101-4807522-7	13/02/1990	118.27	GPS HISSAM
15.	2317000619	IKRAM ULLAH	SHER MUHAMMAD	12101-0510369-5	10/04/1991	114.98	GPS WAZIR NAGAR
16.	2333001631	ABDUL SAMAD	ABDUL HANAN	12101-3878526-3	05/02/1990	113.67	GPS GARA REHMAN

ATTESTED

Appointment order of PST (Male)-2017-Adhoc, DIKhan--

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Roll No	Name	Father Name	NIC	DOB	Total Marks (Out of 200)	PLACE OF POSTING
2333000048	SAMI ULLAH	HAJI GHULAM SADIQUE	12101-6355778-3	25/03/1987	127.53	GPS GOMAL KALAN
2332000023	REHMAT ULLAH	UMER DARAZ	12101-6136714-1	02/11/1989	126.79	GPS SOHAIL ABAD
TEHSIL DIKHAN			UNION COUNCIL # 2 D.I.KHAN			
2335000048	MUHAMMAD ASIF	MUHAMMAD RAMZAN	12101-2538494-9	19/07/1981	127.25	GPS FAQEER ABAD
TEHSIL DIKHAN			UNION COUNCIL # 3 D.I.KHAN			
2331000964	MUHAMMAD RIZWAN ASIM	ELLAHI BAKHSH ASIM	12101-5938770-3	14/08/1992	130.5	GPS NO. 3 DIK
2331001073	SAFDAR RASHID	MUHAMMAD RASHID	12101-5917675-9	01/10/1990	121.13	GPS NO. 11
2333001334	UMAR FAROOQ	ASMAT ULLAH	12101-7419034-1	14/03/1995	111.53	GPS NO. 8 DIK
TEHSIL DIKHAN			UNION COUNCIL # 5 D.I.KHAN			
2332000809	MUHAMMAD AFNAN	MUHAMMAD JAN	12101-8099392-9	02/08/1992	139.81	GPS NO. 7 DIK
2333001537	RAJA MUDDASSAR KHAWAS KHAN	MUHAMMAD IKHLAS KHAN	12101-5884993-3	11/09/1987	129.33	GMPS NOMANIA SALIHA
TEHSIL DIKHAN			UNION COUNCIL YARIK			
2335001660	ISHFAQ SAIED	ABDUR RASHEED	12101-0896428-5	05/03/1982	124.15	GPS NO. 3 YARIK
TEHSIL DIKHAN			UNION COUNCIL ZINDANI			
2331001153	ASGHAR ALI ASGHAR	GHULAM ABBAS	12101-6936786-5	01/01/1986	130.81	GPS NO. 1 HAJI MORA
2332000863	GUL ZAMAN	MUHAMMAD BARAN	12101-3909912-1	08/03/1985	123.78	GPS KHUTTI
2332001103	IFTIKHAR HUSSAAN	AMAN ULLAH	12101-3023958-9	13/05/1994	122.83	GPS TEEKIN
TEHSIL KULACHI			UNION COUNCIL BHUKKI			
2335001828	MUHAMMAD KHALIL	ABDUR RASHEED	12104-4482259-7	20/08/1989	93.28	GMPS KOTHA DIRKHAN
TEHSIL KULACHI			UNION COUNCIL CHOUDHWAN			
2333001414	ABDULLAH KHAN	SHAH NAWAZ KHAN	12104-1712937-1	10/03/1989	122.117	GPS GARA MUMREZ TARIN
TEHSIL KULACHI			UNION COUNCIL DARABAN KALAN			
2335000703	HASEEB ULLAH KHAN	ASMAT ULLAH KHAN	12102-8881790-1	10/10/1984	128.41	GPS KOTHA SAGU
TEHSIL KULACHI			UNION COUNCIL GANDI UMAR KHAN			
2335001643	JABIR HUSSAIN SHAH	BARKAT ALI SHAH	12104-1210449-7	14/11/1988	135.78	GPS GARA ISSA KHAN
TEHSIL KULACHI			UNION COUNCIL HATHALA			
2317000543	ABDUL HAMEED	SAEED AHMAD	12102-6108447-5	22/05/1992	111.29	GPS NEW ABADI GARA MOHABAT
2332001025	ZIA UR REHMAN	JUMMA KHAN	12101-4208009-7	26/05/1990	107.37	GPS HATHALA
2333001153	RIZWAN ABBAS	ABBAS KHAN	12101-2112984-9	23/03/1993	106.4	GPS GARA MOHABAT

ATTESTED

Appointment order of PST (Male) 2017, Adhoc, DIKhan

8

Roll No	Name	Father Name	NIC	DOB	Total Marks (Out of 200)	PLACE OF POSTING
29. 2333001201	SAMI ULLAH MALIK	QUIDRAT ULLAH	12105-0352676-5	30/04/1993	107.33	GPS GARA ASHIQ
TEHSIL PAROA						
UNION COUNCIL PAROA						
130. 2333001269	MUHAMMAD WAQAS IQBAL	MUHAMMAD IQBAL	12105-0357373-5	01/01/1994	124.01	GPS JHOKE DESI
131. 2332001276	MUHAMMAD IMRAN	MANZOOR AHMAD	12105-0316761-7	23/11/1990	119.445	GPS NO. 4 PAROA
TEHSIL PAROA						
UNION COUNCIL MALANA						
132. 2333001690	SYED KASHIF HASNAIN SHAH	SYED MUHAMMAD HASNAIN SHAH	12101-1161408-3	07/04/1988	132.4	GPS KAT SHAHANI
133. 2331000752	ABID ALI	RAHMAT ULLAH	12101-8592951-1	18/04/1986	116.24	GPS RODA

DISABLE QUOTA.

Sr	Roll No	Name of Candidate	Father Name	CNIC	DOB	Total Marks (Out of 200)	PLACE OF POSTING
1	2331000662	ALI ASGHAR	KARIM KHAN	12101-8060378-1	01/01/1989	105.68	GPS HAIBATI
2	2332000787	KHALID AZIZ	AHMAD NAWAZ	12103-4624642-1	02/02/1986	100.96	GPS KOT MASOODAN
3	2332001109	MUHAMMAD IQBAL	MUHAMMAD KHAN	12101-0935010-3	10/06/1982	100.05	GPS MYALI

MINORITY QUOTA.

Sr	Roll No	Name	Father Name	NIC	DOB	Total Marks (Out of 200)	PLACE OF POSTING
1.	2332000995	RISHI HANS	HEERA LAL	12101-8047233-5	07/12/1996	90.48	GPS NEW ABADI KOTLA SAIDAN

TERMS & CONDITIONS.

1. NO TAADA etc is allowed.
2. Charge reports should be submitted to all concerned in duplicate.
3. Appointment is purely on temporary & contract basis initially for one year from the date of issuance.
4. He should not be handed over charge if he exceeds 35 years or below 18 years of age. Age relaxation case may be submitted to competent authority (if required).
5. Appointment is subject to the condition that the certificate/documents must be verified from the concerned authorities by the DEO, anyone found producing bogus Certificate will be reported to the law enforcing agencies for further action. Expenditure on verification will be borne by the appointees.
6. His services are liable to termination on one month's notice from either side. In case of resignation without notice his one-month pay/allowances shall be forfeited to the Government.

R

Am

ATTESTED

9

Pay will not be drawn until and unless pay release order issued by this office after verification of his documents.

8. He should join his post within 10 days of the issuance of this notification. In case of failure to join the post within stipulated period, his appointment will stand expired automatically and no subsequent appeal etc shall be entertained.
9. Health and Age Certificate should be produced from the Medical Superintendent concerned before taking over charge.
10. Before handing over charge, he will have to sign an agreement with the Department; otherwise this order will not be valid.
11. He will be governed by such rules and regulations as may be issued from time to time by the Govt.
12. His services shall be terminated at any time, in case his performance is found unsatisfactory during his contract period. In case of misconduct, he shall be proceeded under the rules framed from time to time.
13. His appointment is made on School based, He will have to serve at the place of posting, and His service is not transferable to any other station.
14. Before handing over charge, once again their document may be checked by the DDO concerned, if they have not the required relevant qualifications as per rules or in case of any degree/certificate issued after 30/09/2016 against which he claimed score for merit they may not be handed over charge of the post.

Sd/

DISTRICT EDUCATION OFFICER
(M) DERA ISMAIL KHAN

Endst.No. 12081-12231

Dated D.I.Khan the 05/05/2017

Copy forwarded for information and necessary action to:

1. The PS to Secretary to Govt. Khyber Pakhtunkhwa Elementary & Secondary Education Department, Peshawar.
2. The Director Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.
3. The Deputy Commissioner DIKhan.
4. The District Comptroller of Accounts DIKhan.
5. The SDE(O) (Male) DIKhan/Paharpur/ Paroa/ Kulachi/ Daraban Kalan.
6. The Candidates Concerned.
7. The Dealing Concerned.
8. Master File.

DISTRICT EDUCATION OFFICER
(M) DERA ISMAIL KHAN

ATTESTED

Annex "B" (10) 52

BN No 006274

Roll No. 70234



Board of Intermediate & Secondary Education
Bannu N.W.F.P Pakistan
Secondary School Certificate Examination
SESSION 1999 (ANNUAL)

THIS IS TO CERTIFY THAT ISHFAQ SAIED
Son/Daughter of ABDUR RASHEED
and a student of DISTRICT D.I. KHAN.

has passed the *Secondary School Certificate Examination* of the Board of Intermediate & Secondary Education, Bannu.

as a ~~Government~~/Private candidate. He/She obtained 450 Marks out of 850 and has been placed in Grade C Representing 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 is FIFTH MARCH,
one thousand nine hundred and EIGHTY TWO. (05/3/1982.)

[Signature]
Asstt. Secretary

[Signature]
Secretary
29/9/03

This certificate is issued without alteration or erasure.

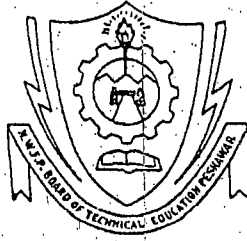
ATTESTED

S. No. 6025

Roll No. 54034

11

N.W.F.P. Board of Technical Education



PESHAWAR - PAKISTAN

Diploma of Associate Engineer

SESSION 2000

(ANNUAL / SUPPLEMENTARY)

This is to certify that

Miss/Mrs: Mr. ISHFAQ SAEED

Son / Daughter of Mr. ABDUR RASHEED

Registration No. GPI/DIK/M/98-1472

of GOVT. POLYTECHNIC INSTITUTE, D.I. KHAN

has passed the Diploma of Associate Engineer MECHANICAL

Technology, Examination held by the N.W.F.P., Board of Technical Education,
Peshawar, in the month of Jan. 03.

He / She secured 2000 Marks out of 3350 and has been placed
in Grade 'C'.

In recognition thereof, this

DIPLOMA OF ASSOCIATE ENGINEER

is awarded to him / her at Peshawar

on the 13th day of Sept. 03.

Younis Ali
ASSISTANT SECRETARY
N-W.F.P. Board of Technical
Education, Peshawar

[Signature]
SECRETARY
N-W.F.P. Board of Technical
Education, Peshawar

THIS CERTIFICATE IS ISSUED WITHOUT ANY ALTERATION OR ERASURE

ATTESTED

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

GOMAL UNIVERSITY

DERA ISMAIL KHAN
(N.W.F.P.) PAKISTAN



(Session 2005-2009)

ISHFAQ SAIED.

Son

of

ABDUR RASHEED

and a student of the INSTITUTE OF COMPUTING & INFORMATION TECHNOLOGY

having passed the prescribed examination in MARCH 20 09,

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

BACHELOR OF COMPUTER SCIENCE

in the FIRST Division.

The Examination was taken as a whole/in parts

Registered No. 735-ICIT-2005

Roll No. 1330

Result declared on JANUARY 22, 2010

Countersigned

Hamidullah
Controller of Examinations

M. Anwar
Vice-Chancellor

ATTESTED



UNIVERSITY OF SCIENCE & TECHNOLOGY BANNU

Khyber Pakhtunkhwa PAKISTAN

13

S.No:253822



DETAILED MARKS CERTIFICATE

Bachelor of Education

Session: 2013-2014

Second Term Examination Held in December, 2014

Name: Ishfaq Saeed Roll No: 12705

Father's Name: Abdur Rasheed Reg.No: 2013-UB-IIEMS-61306

Institute Name: International Institute of Education & Managment Sciences DIKhan

The Candidate has secured the following Marks.

No.	Subjects	Max Marks	MARKS OBTAINED				Remarks
			Theory + Internal	Practical	Total	In Words	
1	Lesson	200		---	145	ONE HUNDRED FORTY-FIVE	
2	Perspective of Education	100	67	---	67	SIXTY-SEVEN	
3	School Organization & Classroom Management	100	63	---	63	SIXTY-THREE	
4	Human Development & Learning	100	62	---	62	SIXTY-TWO	
5	Computer in Education	50	22	10	32	THIRTY-TWO	
Total		550			369	THREE HUNDRED SIXTY-NINE	

Note: Required Pass Percentage in each Subject (Written, Practical & Internal Separately) 45, Aggregate Pass Percentage 50

Prepared by: *[Signature]*

Checked by: *[Signature]*

[Signature]
Controller of Examinations
University of Science & Technology, Bannu

Result Declaration Date	17-04-2015
Issue Date	17-04-2015



ATTESTED

Mat No. 140685

14

ALLAMA IQBAL OPEN UNIVERSITY, ISLAMABAD
TRANSCRIPT



DMC No. 164480

Roll No. BI607931
Registration No. 14NDN02275
Enrollment Semester SPR-2016
Final Semester SPR-2017

Name ISHFAQ SAEED
Father's Name ABDUR RASHEED
Address VILL AND P/O YARIK



Tehsil D. I. KHAN
District D. I. KHAN

has successfully completed MASTER OF EDUCATION (M.ED)
TEACHER EDUCATION

The detail of passed courses is as under

Semester	Course Code	Title of Courses	Marks	
			Maximum	Obtained
SPR- 16	0831	FOUNDATIONS OF EDUCATION	100	68
SPR- 16	0837	EDUCATIONAL RESEARCH	100	69
SPR- 16	0838	CURRICULUM DEVELOPMENT & INSTRUCTIONS	100	68
SPR- 16	0840	EDUCATIONAL PSYCHOLOGY	100	60
AUT- 16	0826	ELEMENTARY EDUCATION	100	63
AUT- 16	0827	SECONDARY EDUCATION	100	67
AUT- 16	0828	HIGHER EDUCATION	100	61
AUT- 16	0829	TEACHER EDUCATION IN PAKISTAN	100	58
SPR- 17	6505	ISLAMIC SYSTEM OF EDUCATION	100	78
SPR- 17	6507	EDUCATIONAL MEASUREMENT & EVALUATION	100	70
SPR- 17	6552	TEXTBOOK DEVELOPMENT-I	100	70
SPR- 17	6553	TEXTBOOK DEVELOPMENT-II	100	64

ATTESTED

Credit Hours 36
Result Declared on MARCH 29, 2018
Date of Issue APRIL 10, 2018

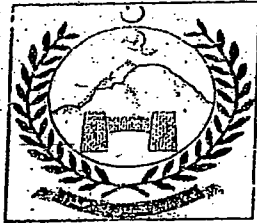
Total Marks/Obtained 1200 / 796
Percentage/Grade 66 / B

[Signature]
Controller of Examinations

Disclaimer:
This result card/transcript is issued provisionally, errors and omission excepted, as a notice only. Any entry appearing in this card does not itself confer any right or privilege on a candidate for the grant of certificate/degree/diploma, which will be issued under the rules/regulations on the basis of the original record of the university student.

Annexure "C" (15)

15



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 (b) fifty percent by initial recruitment"; and</p>
----	--------------------------------------	---	-------------	---

ATTESTED

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

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

ATTESTED

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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:

ATTESTED

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

(e) three per cent from amongst the Senior Qaris (BPS-16), with at least five years service as Senior Qari and Qari and having qualification mentioned in column No.3:

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

(f) twenty per cent from amongst the Primary School Head Teachers (BPS-16), with at least seven years service as Primary School Head Teachers and Senior Primary School Teachers and Primary School Teachers and having qualification mentioned in column No. 3:

Provided that if no suitable candidate is available from amongst

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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:

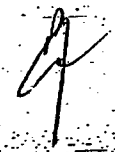
Provided further that if no suitable candidate is available from amongst Senior Primary School Teachers for promotion then the post shall be filled from amongst Primary School Teachers with at least seven years service as such and having qualification mentioned in column No. 3; and

(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."

ATTESTED



SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

21

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

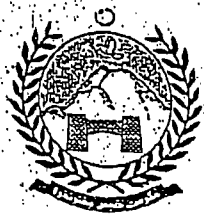
ATTESTED

(ZAMIN KHAN MOMAND)
SECTION OFFICER (PRIMARY)

Annexure D

22

EXTRAORDINARY
GOVERNMENT



REGISTERED NO. P.III

GAZETTE

KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, TUESDAY, 24th APRIL, 2018.

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

NOTIFICATION

Peshawar, dated: 24th April 2017

No.SO(G)/E&SE/1-85/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>
3.	Certified Teacher-Information Technology (CT-IT) (BPS-12)	<p>i. At least 2nd Division Intermediate School Certificate or equivalent qualification from a recognized Institution or Board with one year Diploma in Information Technology Computer Science from any recognized institution; and</p> <p>ii. Certified Teacher Certificate (CT) or Associate Degree in Education (ADE) from any recognized institution/ University</p> <p>Note: A candidate did not have the qualification under clause (ii), shall acquire the same within three years from the date of his/her appointment.</p>	18-35	By initial recruitment.

50% CT (IT)

50% Fresh

SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

ATTESTED

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

ATTESTED
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24

GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

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

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

The following attended the meeting:-

1. Dr. Shaliziad Khan Bangash, Secretary E&SE Department (In Chair)
2. Mr. Qaisar Alam, Special Secretary (Est.) E&SE Department.
3. Mr. Muhammad Rafiq Khattak, Director E&SE, Peshawar.
4. Mr. Muhammad Shoaib, Deputy Secretary (A), E&SE Department
5. Mr. Javed Siddique, Deputy Secretary (R) Finance Department.
6. Mr. Nalik 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 (PE)4-5/SSRC/Meeting/ 2013/ Teaching Cadre: dated 24/07/2014 has approved promotion to SS posts (BPS-17) from SST (BPS-16). The SST regular having 50% quota of the total sanctioned SS posts allotted for promotion (Annex-B). 50% quota has already been allotted for SSTs (General/Science) in 12 different subjects for Subject Specialist Post. But unfortunately, SSTs (General/Science) who have M.Sc (Computer Science)/BS (CS)/MIT qualification and are eligible for promotion to the post of SS (IT) B-17 have no quota for promotion.

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

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

ATTESTED



RESOLUTIONS:

26

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:

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

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

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

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

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

ATTESTED



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

Dated Peshawar, the August 15, 2018.

27

SANCTION

No. SG/Rec/A/IT-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	
*160151-Establishment of 500 IT Labs in Govt. High Schools in Khyber Pakhtunkhwa (Phase-II)	IT Teacher (BS-16)	451	
	Computer Lab Incharge (BS-12)	458	
Total		1476	

2. The expenditure involved is dutiable 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, 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

**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 (ME).
3. The Project Manager II/Deputy Director (EMIS), E & S Education Department.
4. All the Deputy Commissioners in Khyber Pakhtunkhwa.
5. Master File.

ATTESTED

(MURTAZA KHAN)
SECTION OFFICER (BUDGET)

28

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>SS-IT</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 <i>20% CT-IT</i> 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: <i>20% CT</i> 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: <i>4% DM</i> 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:

ATTESTED

[Signature]

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(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:

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:

(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:

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:

(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:

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:

(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

AT 47.

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P.T.

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Q.A.

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PST

ATTESTED

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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> <ol style="list-style-type: none"> I. If no suitable candidate is available in the relevant cadre of the above teachers, the post falling in their promotion quota shall be filled by initial recruitment II. Post of General SST and SSTs-1 Science and SST-2 Science shall be filled by promotion or initial recruitment, each on need basis separately."
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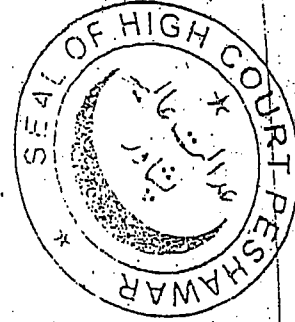
JUDGMENT SHEET
PESHAWAR HIGH COURT PESHAWAR
JUDICIAL DEPARTMENT

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.

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

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

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Peshawar High Court

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

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

2. Keeping in view the averments made in the instant petition, comments were called from the respondents who furnished the same accordingly, wherein, they opposed the issuance of desired writ, as prayed for.
3. Arguments heard and record perused.
4. Perusal of the record reveals that petitioners have called in question the recruitment rules notified vide Notification dated 24.07.2014; whereby, according to them, the incumbents, holding the posts of Primary School Teacher (BPS-12) with qualification of

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Peshawar High

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

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 "LA 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

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Peshawar High Court

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

Announced
Dt: 03.09.2020

JUDGE

JUDGE

(01) Hon'ble Justice (Retired) Khan and Justice Mr. Justice (Ret.) Anwar

21/09/2020

6285
Date of Presentation of Application 3/9/2020
No of Pages 17
Copying
Total 44
Date of Preparation of copy 7/9/2020
Date of Delivery of copy 7/9/2020
Received By [Signature]

[Signature]
CERTIFIED TO BE TRUE COPY
07 SEP 2020

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[Signature]

Annexure F (35)

To

The Director,
E&SE Department,
Khyber Pakhtunkhwa.

Subject:- DEPARTMENTAL APPEAL AGAINST THE IMPUGNED SERVICE RULES DATED 24-07-2014 AND 24-04-2018 WHEREBY NO PROMOTION QUOTA HAS BEEN ALLOCATED FOR TE CADRE OF PST & CT (WHOSE SUBJECTS IN B.SC ARE COMPUTER SCIENCE

Respected Sir,

Most respectfully it is sated that I am the employee of your good-self Department and performing my duty as PST at GPS No.3 Yarik, District Dera Ismail Khan quite efficiently and up to the entire satisfaction of my superiors. It is pertinent to mention here that all the other Primary School Teachers and Certified Teachers have promotion criteria/quota to the post of SST, SST (General & Science). That service rules dated 24-04-2018 framed by the respondent Department no promotion quota has been allocated for promotion from the post of PSTs and CT (who has the qualification of BSc in Computer Science) to the post of SST/SST(IT) . That the undersigned feeling aggrieved from the service rule 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.IB 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 cadre of PST and CT. Any other remedy which your good self deems fit hat may also be awarded in favor of the applicant.

Dated 20-10-2020

Your's obediently

ISHFAQ SAEED, PST (BPS-12)
GPS No.3 Yarik, District Dera Ismail Khan

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VAKALATNAMA

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

_____ OF 2021

ISHFAQ SAIED

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

Education Deptt

(RESPONDENT)
(DEFENDANT)

I/We ISHFAQ SAIED

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

ISHFAQ SAIED

CLIENT(S)

ACCEPTED

NOOR MOHAMMAD KHATTAK

15401-0705985-5

BC-08-0853

&

KAMRAN KHAN

AFRASIAB KHAN WAZIR

HAIDER ALI
HAIDER ALI

ADVOCATES

OFFICE:

Flat No.4, Upper Floor,
Juma khan plaza near (FATA) Secretariat
Warsak road Peshawar.

Mobile No. **0345-9383141**