


11.10.2022

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

Written reply on behalf of respondents not submitted. Learned Additional AG seeks time to contact the respondents for submission of written reply. Adjourned. To come up for written reply/comments on 16.11.2022 before S.B.

  
(Fareeha Paul)  
Member (E)

15.03.2022

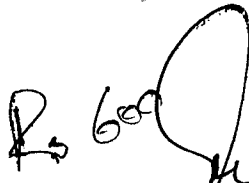
Due to retirement of the Worthy Chairman, case is adjourned to 07.06.2022 for the same as before.

  
Reader

07.06.2022

Clerk to counsel for the appellant present.

As per office report, security and process fee has already been deposited but due process was not issued by the concerned Moharrir. The concerned (Safeer Ullah) present and admitted the none issuance of notice to the respondents due to rush of work. He is warned to be careful in future. All the respondents be put on notice for 25.07.2022 for submission of comments before S.B.

  
Rs 600  
Appellant Deposited  
Security & Process Fee  
15/7/22

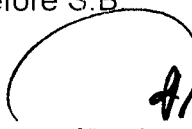
  
(Rozina Rehman)  
Member (J)

25.07.2022

Appellant present through counsel.

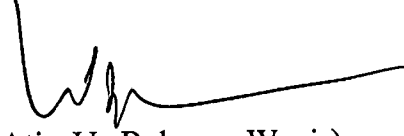
Kabir Ullah Khattak, learned Additional Advocate General for respondents present.

Reply on behalf of respondents is still awaited. Learned AAG made a request for adjournment in order to submit reply/comments. Opportunity is granted. To come up for reply/comments on 11.10.2022 before S.B.

  
(Rozina Rehman)  
Member (J)

12.01.2022

Appellant with counsel present and submitted application for the grant of permission to deposit security & process fee. Application is allowed and 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)

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)

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

SERVICE APPEAL NO. 2375 /2020

Kram Ullah s. 27

V/S

Education Deptt

**APPLICATION FOR THE GRANT OF PERMISSION TO DEPOSIT  
SECURITY PROCESS FEE**

Respected Sir,

1. That the above titled appeal is pending adjudication before this Honourable tribunal which is fixed for hearing on 12/1/22
2. That the case was fixed for preliminary hearing on 5/10/21 and admitted for regular hearing subject to deposit of security process fee.
3. That due to unavoidable circumstance the security process was not deposited within the stipulated time.
4. That there is no legal bar if permission is granted for depositing the security process fee.

It is therefore, most humbly prayed that permission may kindly be granted to deposit security process fee.

**APPELLANT**

Through:

**NOOR MOHAMMAD KHATTAK,**  
Advocate High Court, Peshawar

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

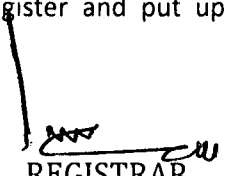



P

Form- A

FORM OF ORDER SHEET

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

Case No.- 2375 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	08/02/2021	<p>The appeal presented today by Mr. Noor Muhammad Khattak Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-		<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>12/04/21</u></p> <p style="text-align: right;"> CHAIRMAN</p>
	12.04.2021	<p>Due to demise of the Worthy Chairman, the Tribunal is non-functional, therefore, case is adjourned to 20.07.2021 for the same as before.</p> <p style="text-align: right;"> Reader</p>
	20.07.2021	<p>As 20<sup>th</sup> July, 2021 has been declared public holiday on account of Eid ul Azha, therefore, case is adjourned to 23.07.2021 for the same as before.</p> <p style="text-align: right;"> Reader</p>

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL  
PESHAWAR**

**APPEAL NO. 2375/2021**

**IKRAM ULLAH**

**VS**

**EDUCATION DEPTT**

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**APPELLANT**

**THROUGH:**

**NOOR MOHAMMAD KHATTAK**

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

Juma Khan Plaza,

Near FATA Secretariat,

Warsak Road, Peshawar.

0345-9383141.



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

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

Mr. Ikram Ullah, PST (BPS-12),  
GPS Dawa Khan Kalay, District Malakand.

..... **APPELLANT**

**VERSUS**

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

.....**RESPONDENTS**

**APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED SERVICE RULES NOTIFIED ON 24-7-2014 WHEREBY NOT INCLUDING THE SUBJECT OF COMPUTER SCIENCE IN THE ELIGIBILITY CRITERIA FOR PROMOTION OF 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.

**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.

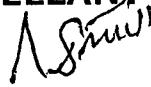
**GROUND:**

- 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**



**IKRAM ULLAH**

**THOROUGH:**



**NOOR MOHAMMAD KHATTAK**

**KAMRAN KHAN**

**SHAHZULLAH YOUSAFZAI**

**&**

**AFRASIAB KHAN WAZIR  
ADVOCATES**

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

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

IKRAM ULLAH

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

IKRAM ULLAH

THROUGH:

**NOOR MOHAMMAD KHATTAK**

ADVOCATE,

High Court Peshawar

Anexur A (6)

**OFFICE OF THE EXECUTIVE DISTRICT OFFICER (E&S-Edu:) MALAKAND PROMOTION /APPOINTMENT**

Consequent upon the recommendation of the Departmental Promotion/Selection Committee Malakand in its meeting held on 25.5.2012, the EDO(E&SE), Malakand, being the competent authority is pleased to approve and promote the following existing PSTs as C.Ts and to appoint the fresh eligible candidates (Male & Female) against the post of C.T (General)/DM/Qaria in BPS No.09 (Rs.6200-380-17600) and PSTs in BPS No.07 (Rs.5800-320-15400) plus usual allowances as due and admissible to them under the rules from the date of their taking over charge against the posts at the schools noted against their names in the interest of public service with the following terms and conditions.

**(1) PROMOTION OF PST (MALE) AGAINST THE 60% VACANCIES**

C	Name	Father's name	Seniority No.	Present School	School where posted as C.T
1.	Abdus Salam	Sherin Zada	254	GPS Faisal Abad	GHS No.1 Dheri Alladand
2.	Sher Ali	Toti Rahman	283	GPS Kharki	GHSS, Palai
3.	Noor Zada	Azim Khan	331	GPS Ghawar Kali	GHSS, Palai
4.	Abdul Wadood	Ghulam Muhammad	347	GPS No.2 Dargai	GHSS, Palai
5.	Nazar Muhammad	Hazrat Muhammad	363	GPS No.2 Makhnawala	GHS, Bazdara Bala

**(2) PROMOTION OF PST (FEMALE) AGAINST THE 60% VACANCIES**

S#	Name	Father's name	Seniority No.	Present School	School where posted as C.T
1.	Robina Akbar	Ghulam Akbar	194	GGPS No.2 Batkhela	GGMS, Piran (Julagram)
2.	Bacha Zamina	Khanzad Gul	425	GGPS Totai	GGMS, Nehr Banglow
3.	Fahmida	Sultan Mehmood	455	GGPS Dheri Julagram	GGHS, Dheri
4.	Sajida	Taj Muhammad	501	GGCMS Agra	GGMS, Piran (Julagram)

**(3) APPOINTMENT OF THE LEFT OVER CANDIDATES AGAINST THE POST OF CT (MALE) BPS NO.09 WHICH LEFT VACANT DUE TO NON-ASSUMPTION OF CHARGE BY THE APPOINTEES**

S#	Name	Father's name	Rresidence	Score	Merit Position	School where posted As C.T
1.	Karam Muhammad	Wali Muhammad	Dheri Alladand	56.95	13	GHSS, Palai
2.	Fazli Wahid	Amir Zaman	Kot	56.66	14	GHS, Bazdara Payan

**(3) APPOINTMENT OF THE LEFT OVER CANDIDATES AGAINST THE POST OF DM (MALE) BPS NO.09 WHICH LEFT VACANT DUE TO NON-ASSUMPTION OF CHARGE BY THE APPOINTEES**

S#	Name	Father's name	Rresidence	Score	Merit Position	School where posted As DM
1.	Shahid Khaliq	Fazli Khaliq	Thana	47.31	4	GHS, Bazdara Bala
2.	Muhammad Ishfaq Hussain	Muhammad Sherien Badshah	Alladand	46.86	5	GMS, Heroshah

**(4) APPOINTMENT OF QARI (FEMALE) BPS NO.09**

S#	Name	Father's name	Residence	Score	Merit Position	School where posted As Qaria
1.	Amina Bibi	Umar Rahman	Thana Malakand Agency	56.06481	1	GGHS No.2 Batkhela
2.	Shahana Gul	Nek Muhammad	Thana Malakand Agency	49.70266	2	GGHS, Bazdara Bala
3.	Madina Zaman	Shah Zaman	Village & P.O Matkanai	48.1126	3	GGHS, Matkani
4.	Laila Nisar	Muhammad Nisar Khatak	Village Meherdi	45.19153	4	GGHS, Wartair
5.	Nusrat Begum	Muhammad Pervaiz	Village & P.O Agra	44.5899	5	GGHS, Agra
6.	Sapna Kamran	Sher Muhammad	Village Heroshah	43.46515	6	GGHS, G.U.Khel
7.	Roshni Bibi	Fazli Rahman	Dheri Julagram	36.23658	7	GGHS, Totakan
8.	Hajira Bibi	Shahabud Din	Dheri Julagram	35.16465	8	GGHS, Pirkhel
9.	Zainab	Mukhtar Ahmad	Thana	33.05882	9	GGHS, Maina
10.	Safia Bibi	Fazal Waris	Agra	31.92727	10	GGHS, Kot

**(6) APPOINTMENT OF PST (FEMALE) BPS NO.07**

S#	Name/Father's Name	Residence	Union Council	Score	Merit Position	School Where Posted	Union Council Where posted as PST
1	Tasneem Sani D/O Mushtaq Ahmad	Ghund Agra	Agra	49.629	1	GGPS, Sargaro	Agra
2	Saeeda Begum D/O Nek Muhammad	Agra	Agra	49.096	2	GGPS, Margho	Agra
3	Zafran Begum D/O Said Muhammad	Agra	Agra	48.818	3	GGPS, Kuz Naranjai	Agra
4	Safia Bibi D/O Yaqoob Khan	Sarkawai	Agra	39.843	4	GGPS, Thand	Agra
5	Husna D/O Muhammad Ismail	Alladand	Alladand	57.406	1	GGPS No.2 Batkhela	Batkhela Upper (Adjacent)
6	Shamim Begum D/O Gul Hakim	Abbas Kali	Badragga	40.119	1	GGPS Badragga	Badragga

**ATTESTED**

7	Nousheen Kiran D/O Saeed Khan	Batkhela Lower	Batkhela Lower	51.361	1	GGPS, No.1 Batkhela	Batkhela (M) adjacent
8	Shagufta D/O Khan Muhammad	Dargai	Dargai	54.541	1	GGPS, Dargai Patak	Dargai
9	Naseem Begum D/O Faqir Muhammad	Dheri (Alladand)	Dheri (Alladand)	50.116	1	GGPS, Baghdadara	Dheri (Alladand)
10	SaminaBibi D/O Khadim Muhammad	Dheri (Alladand)	Dheri (Alladand)	48.784	2	GGPS, Baghdadara	Dheri (Alladand)
11	ZainabBibi D/O Sher Ali Khan	Khatak Abad	GarhiUsmaniKhel	50.735	1	GGPS, Naro Ubo	Heroshah adjacent
12	Saima D/O Habib Khan	HaryanKot	HeroShah	51.945	1	GGPS, H/Shah Kalan	Heroshah
13	GhazalaBibi D/O HabibRasool	Amir Akbar Shah Kali	Heroshah	51.061	2	GGPS, Zarif Shah Baba	Heroshah
14	HabshaSaleem D/O Muhammad Saleem	Palonow	Heroshah	46.312	3	GGPS, Zarif Shah Baba	Heroshah
15	Fozia Begum D/O Muhammad Saeed	HaryanKot	Heroshah	38.897	4	GGPS, Naro Ubo	Heroshah
16	TahiraBibi D/O Fazli Akbar	Kotkay Khar	Khar	46.031	1	GGPS, Dheri	DheriJulagram (Adjacent)
17	Anila D/O Amir Khan	Kharki	Kharki	48.973	1	GGPS, Pirkhel	Pirkhel (Adjacent)
18	Rahat D/O Rahmatullah	Kharki	Kharki	44.966	2	GGPS, Sholawai	Pirkhel (Adjacent)
19	Nazish Rahim D/O Rahimidad	Koper	Koper	52.069	1	GGPS, Ashakai	Koper
20	Asia Zahir Shah D/O Zahir Shah	Qadar Kali	Koper	51.182	2	GGPS, M/Patai	Koper
21	Ghazala Jamal D/O Nasir Ali Shah	Koper	Koper	44.271	3	GGPS, Aghi Garh	Hero Shah (Adjacent)
22	Mehdia D/O Hayat Nabi	Kot	Kot	55.368	1	GGPS, D/Kot	Selai Patty (Adjacent)
23	Yasmeen Bibi D/O Mian Said	Kot	Kot	53.324	2	GGPS, S/Patai	Selai Patty (Adjacent)
24	Parveen D/O Muhammad Ali	Maina	Kot	50.887	3	GGPS, Khanoori No.2	Selai Patty (Adjacent)
25	MadeehaBano D/O Zaiwar Khan	Kot	Kot	50.347	4	GGPS, Khanoori No.2	Selai Patty (Adjacent)
26	SeemaBibi D/O MasihUllah	Kot	Kot	48.076	5	GGPS Dad Dheri	Selai Patty (Adjacent)
27	Nizakat Begum D/O Abdullah Shah	Kot	Kot	48.052	6	GGPS, Dad Dheri	Selai Patty (Adjacent)
28	AsimaBibi D/O Zaiwar Khan	Kot	Kot	47.187	7	GGPS, Dara Total	Selai Patty (Adjacent)
29	SaimaBibi D/O Muhammad Azam	Maina	Kot	46.031	8	GGPS, Naranji Total	Selai Patty (Adjacent)
30	SaimaNawab D/O Said Nawab	Piran	Malakand	47.695	1	GGPS, Jehangir Abad	Malakand
31	Tawseef Iqbal D/O Muhammad Iqbal	Piran	Malakand	47.377	2	GGPS, Jehangir Abad	Malakand
32	Shabnam Sultan D/O Sultanul Haq	Malakand	Malakand	45.239	3	GGPS, Hatam Banda	Malakand
33	NaziaGul D/O Rahmat Shah	Malakand	Malakand	43.749	4	GGPS, Hatam Banda	Malakand
34	Naveeda D/O Jamshaid	Palai	Palai	47.266	1	GGPS, Palai No.1	Palai
35	Khursheeda D/O Fazal Ghafoor	Dawa Khan Kali	S/KOT BANDAJAT	42.734	1	GGPS, Arab Danda.	S/KOT BANDAJAT
36	NeelamAman D/O Amanullah	Sakhakot	S/KotJadeed	55.971	1	GGPS, Petaw	S/KotJadeed
37	Ayesha Bibi D/O Muzammil Shah	Latifay Kalay	S/KotJadeed	52.855	2	GGPS, Petaw	S/KotJadeed
38	Farzana Gul D/O Itbar Gul	Baghicha Kali	S/KotJadeed	49.99	3	GGPS, Khadoo	S/KotJadeed
39	Sumaira Imran D/O Muhammad Imran	Khan Garhi	S/KotKhas	51.933	1	GGPS, Khan Garhi	S/KotKhas
40	Ummi Kalsoom D/O Khan Lali	CC Thana	Thana Bandajat	51.96	1	GGPS, Shahkot	Palai (Adjacent)
41	Robina Begum D/O Saif Ur Rahman	Bakhta	Thana Bandajat	51.098	2	GGPS, Gandiro Sharif	Palai (Adjacent)
42	Salma Naz D/O Sher Ali	Sorana	Wartair	51.464	1	GGPS, Plandara	Wartair
43	Nehaz D/O Isal Muhammad	Wartair	Wartiar	47.859	2	GGPS, Plandara	Wartair
44	Safia D/O Tahir	Dobandi	Wartair	46.859	3	GGPS, Nakar Dara	Wartair
45	Madeeha Ahmad D/O AhmadKhan	Dobandai	Wartair	46.464	4	GGPS, B/Bala	Palai (Adjacent)

**ATTESTED**

S. No 16031

Roll No. 29783



BOARD OF INTERMEDIATE AND SECONDARY EDUCATION

Saidu Sharif, Swat N.W.F.P. Pakistan

Secondary School Certificate Examination

SESSION 2000 (ANNUAL/SUPPLEMENTARY)

THIS IS TO CERTIFY THAT IKRAMULLAH

Son/Daughter of BAHADUR KHAN

and a student of GOVT. HIGH SCHOOL NO. 2 SAKHAKOT MKD AGENCY

has passed the Secondary School Certificate Examination of the Board of Intermediate and Secondary Education, Saidu Sharif, Swat held in 2000 as a Regular/Private candidate. He/She obtained 566 Marks out of 850 and has been placed in Grade E Representing VERY GOOD

The candidate passed in the following subjects:

- |            |                     |              |            |
|------------|---------------------|--------------|------------|
| 1. English | 3. Islamiyat        | 5. MATHS     | 7. PHYSICS |
| 2. Urdu    | 4. Pakistan Studies | 6. CHEMISTRY | 8. BIOLOGY |

Date of birth according to admission form is SIXTH APRIL one thousand nine hundred and EIGHTY THREE (06-04-1983)

Asstt. Secretary

Secretary

This certificate is issued without alteration or erasure.

ATTESTED





UNIVERSITY OF MALAKAND  
PAKISTAN

12

Serial No BSc./1647

*This Degree of  
Bachelor of Science  
Is Awarded to*

*Mr/Ms* IKRAM ULLAH *Son/Daughter of* BAHADAR KHAN

*Student/Probate candidate of* G.D.C Dargai Malakand Agency

*Having passed the prescribed examination held in* July-August, 2004

*Session* \_\_\_\_\_ *Registration No* 2002540143 *Roll No* 190315

*Division* First

*Examination was taken as a whole/in parts*

*Result Declared on* 16-Oct-2004

*Issuance Date* 07-Jul-2010

*Countersigned*

ATTESTED

# Alama Iqbal Open University Islamabad



Serial No. 145788

Certified that Mr. / Ms. IKRAMULLAH

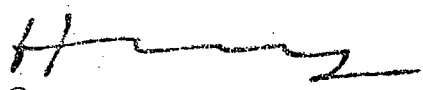
Son / Daughter of BAHADAR KHAN

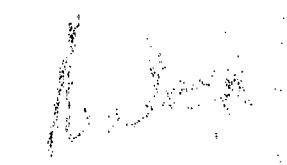
Registration No: 06-NMD-0737 Roll No: U-693485

having successfully completed the prescribed requirements  
in semester AUTUMN 2007 is awarded the degree of

## Bachelor of Education (B.Ed)

He/She has secured 65 % marks and has been placed in B grade.

  
CONTROLLER OF EXAMINATIONS

  
VICE-CHANCELLOR

Result declared on: July 26, 2008

Date of Issue: December 20, 2010

NOTE: THIS DEGREE IS TO BE READ IN CONJUNCTION WITH THE TRANSCRIPT/PROVISIONAL CERTIFICATE ISSUED SEPARATELY

**ATTESTED**

Annexure C

14



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

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

**NOTIFICATION**

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

**AMENDMENTS**

In the Appendix,-

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

1	2	3	4	5
"1.	Subject Specialist (BPS-17).	i. At least second class Master's Degree or four years BS Degree in the relevant subject; and  ii. Bachelor of Education or Master of Education (Industrial Art or Business Education) or M.A Education or equivalent qualification from a recognized University.	23 to 35 years	(a) Fifty per cent by promotion, on the basis of seniority-cum-fitness, for the relevant subject from amongst the Secondary School Teachers (BPS-16), with at least five years service as such and having qualification mentioned in column No. 3.  Note: If no suitable candidate is available in the relevant subject the post falling in their promotion quota shall be filled by initial

ATTESTED

	<p>1A- Director Physical Education (BPS-17)</p>	<p>At least second class Master's Degree in Physical Education from a recognized University.</p>	<p>22-35 years</p>	<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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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
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.s</p> <p>(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>

ATTESTED

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."

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TESTED



SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

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**Endst : of even No & date:**

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

**ATTESTED**

(ZAMIN KHAN MOMAND)  
SECTION OFFICER (PRIMARY)

Annxure D

21

EXTRAORDINARY  
GOVERNMENT



REGISTERED NO. P/11  
G A Z E T T E

**KHYBER PAKHTUNKHWA**

Published by Authority

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

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

**NOTIFICATION**

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

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

**APPENDIX:**

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

50% CT (IT)


50% Fresh

SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

ATTESTED

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ATTACHED  


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GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

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

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

The following attended the meeting:-

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

*[Signature]*

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

**ATTESTED**

Signature of the post	Minimum Qualification for appointment by initial	Age Limit	Method of recruitment
Subject Specialist-Information Technology (SS-IT) (B-17) (Government Schools/ Govt. Comprehensive High Schools and other equivalent posts in the Teaching Cadre.	(i) Master Degree in Computer Science/IT at least in 2 <sup>nd</sup> Division or equivalent qualification from any recognized University. (ii) Bachelor Degree of Education (B.Ed) at least in 2 <sup>nd</sup> Division from any recognized University.	21-35	a) Fifty percent by promotion on the basis of seniority-cum-merit from amongst the Secondary School Teachers with at least five years' service (SS) (General/Science) possessing master degree in IT or equivalent qualification with 05 years' experience. b) Fifty percent by initial recruitment. Note: If no suitable candidate is available for promotion in the relevant cadre than by initial recruitment.
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 <sup>nd</sup> Division equivalent from any recognized institution. (ii) Bachelor Degree of Education (B.Ed) at least in 2 <sup>nd</sup> Division from any recognized institution.	21-35	a) Fifty percent by promotion on the basis of seniority-cum-merit from amongst the Computer Lab in-charge with (05) years' service having the qualification prescribed for the post of IT Teacher. b) Fifty percent by initial recruitment. Note: If no suitable candidate is available for promotion in the relevant cadre than by initial recruitment.
Junior Teacher-Information Technology (JT-IT) (B-12) Govt. High/Higher Secondary Schools	Intermediate or equivalent qualification from any recognized institution with one-year Diploma in IT/Computer Science from any recognized institution and Certified Teacher Certificate/Diploma or equivalent qualification from any recognized institution.	18-35	By initial recruitment.

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Decisions:

The following decisions were made in consensus:-

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

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

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

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

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

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

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

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

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

**INTERESTED**

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

Dated Peshawar, the August 15, 2018

26

**SANCTION**

No. SG/BSA/11-18/2018/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.c.f. 08-01-2018 as per detail given below, subject to the observance of all usual formalities before incurrence of expenditure.

Description	Designation of posts	No. of Posts	Remarks
*150159-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-III)	IT Teacher (BS-16)	451	
	Computer Lab Incharge (BS-12)	458	
<b>Total</b>		<b>1476</b>	

2. The expenditure involved is debit 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 (M/E).
3. The Project Manager-IT/Deputy Director (EMIS), E & S Education Department.
4. All the Deputy Commissioners in Khyber Pakhtunkhwa.
5. Master File.

**ATTESTED**

(MURTAZA KHAN)  
SECTION OFFICER (BUDGET)

77

*[Signature]*

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 mention in Column No.3:  Provided that if no suitable candidate is available from amongst Senior Certified Teachers for promotion then the post shall be 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%  
CT-IT

CT  
20%

4%  
DM

**ATTESTED**

*[Signature]*



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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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**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"> <li>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</li> <li>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." </li></ol>
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**ATTESTED**

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Annxure "E"

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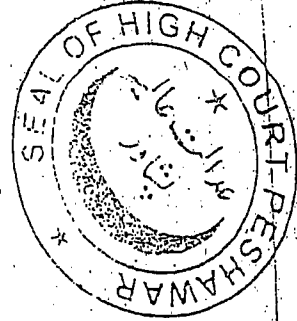
**JUDGMENT SHEET**  
**PESHAWAR HIGH COURT PESHAWAR**  
**JUDICIAL DEPARTMENT**

W.P. No.596-P/2019

Muhaminad 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, w/w Mr. Jehangir Khan, AD  
(Litigation), Directorate of E&SED, Peshawar and  
Mr. Dawood Khan, ADO, office of DEO,  
Peshawar.

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

\*\*\*\*\*

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

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

~~ATTESTED~~

EXAMINER  
Peshawar High Court

**ATTESTED**

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

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

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

3. Arguments heard and record perused.

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

ATTESTED

EXAMINER  
Peshawar High

ATTESTED

34 32

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

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

(D) Hon'ble Justice (K) Samiullah Khan and Hon'ble Mr. Justice Hat Ahmad

6285  
 Date of Presentation of Application 3/9/2020  
 No of Pages 11-7  
 Copied  
 Total 14  
 Date of Preparation of copy 7/9/2020  
 Date of Delivery of copy 7/9/2020  
 Received By [Signature]

[Signature]  
 AUTHORIZED TO BE TORN UP  
 AUTHORIZED BY THE SECRETARY OF THE QUARTERS  
 07 SEP 2020

**AFFECTED**

[Signature]

To, 

Annex F

34

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 Dawa Khan Kalay, District Malakand quite efficiently and upto the entire satisfaction of my superiors. It is pertinent to mention here that all the other Primary School Teachers and Certified Teachers have the promotion criteria/quota to the post of SST, SST (General & Science). That service rules dated 24.07.2014 and 24.04.2018 framed by the respondent Department no promotion quota has been allocated for promotion from the post of PSTs and CTs (who has the qualification of B.Sc in Computer Science) to the post of SST/SST (IT). That the undersigned feeling aggrieved from the service rules mentioned above preferred this Departmental appeal before your good self.

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

Dated: 20.10.2020

Your Obediently



IKRAM ULLAH, PST  
GPS Dawa Khan Kalay, Malakand

ATTESTED

**VAKALATNAMA**

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

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

Ikramullah

(APPELLANT)  
(PLAINTIFF)  
(PETITIONER)

**VERSUS**

Education Deptt 1

(RESPONDENT)  
(DEFENDANT)

I/We Ikramullah

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

Agreed  
\_\_\_\_\_  
**CLIENT(S)**

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

&

Kamran Khan  
**KAMRAN KHAN**

Afrasiab Khan Wazir  
**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**



**"B"**

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**  
JUDICIAL COMPLEX (OLD), KHYBER ROAD,  
PESHAWAR.

13

No.

Appeal No. 2375 to 2402 of 21

Sikram Ullah & (2) others Appellant/Petitioner

Govt of KPK through Chief Secy Peshawar Respondent

Respondent No. (1)

Notice to: Govt of KPK through Chief Secy Peshawar

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on 25/07/2022 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No.....dated..... 09

Given under my hand and the seal of this Court, at Peshawar this.....

Day of June 20 22

[Signature]

Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

ISSUE BRANCH  
CHIEF SECRETARY  
Govt. of Khyber Pakhtunkhwa

[Signature] 21/07/2022

- Note:
1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
  2. Always quote Case No. While making any correspondence.

**"B"**

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**  
JUDICIAL COMPLEX (OLD), KHYBER ROAD,  
PESHAWAR.

No.

Appeal No. 2375 to 2401 of 20 <sup>SB</sup>

IKRAM ULLAH 3(26) others Appellant/Petitioner <sup>21</sup>

Govt of KPK through Chief Secy Peshawar Respondent  
Respondent No. (2)

Notice to: Secy Finance Deptt: KPK Peshawar

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on.....at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this.....

Day of.....20

For Comments June

Prince KPK  
24.7.22

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u

Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

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2. Always quote Case No. While making any correspondence.

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**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**  
JUDICIAL COMPLEX (OLD), KHYBER ROAD,  
PESHAWAR.

No.

SB

Appeal No. 2376 to 2401 of 20 21

Gkram ullah & (26) others Appellant/Petitioner

Govt of KPK through Chief Secy Peshawar Respondent

Respondent No. (3)

Notice to: Secy Establishment Deptt: KPK Peshawar

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on.....25/07/2022.....at 8.00 A.M. If you wish to urge anything against the appellants/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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Copy of appeal is attached. ~~Copy of appeal has already been sent to you vide this~~

office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this.....09.....

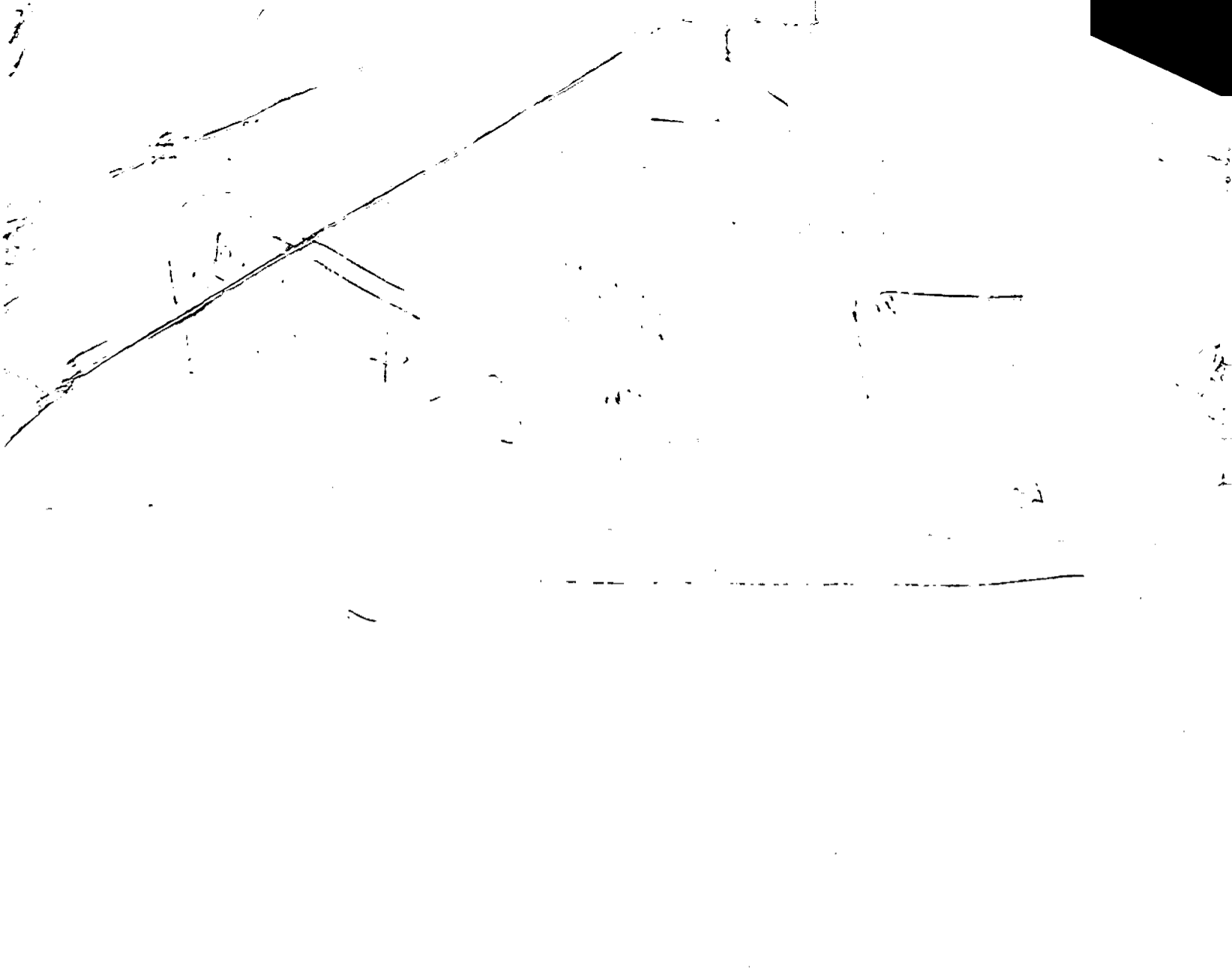
Day of.....June.....20.....

*For Comments*

*Diary No. 21307/22  
FTS No. 22/22  
Date. 09/07/22*

Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

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2. Always quote Case No. While making any correspondence.



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**"B"**

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**  
JUDICIAL COMPLEX (OLD), KHYBER ROAD,  
PESHAWAR.

Appeal No. 2275 to 2401 of 2022  
Ikram ulah 3 (3) others Appellant/Petitioner

Govt of KPK through Chief Secy Respondent

Respondent No. ....

Office to: Secy ESSE Department, KPK Peshawar

*[Handwritten signature]*  
216

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on 25/07/2022 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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Given under my hand and the seal of this Court, at Peshawar this.....

Day of June ..... 20 22

*[Handwritten note: For Comments]*

*[Handwritten signature]*

Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

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C. J. ...

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C. J. ...

**"B"**

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.  
JUDICIAL COMPLEX (OLD), KHYBER ROAD,  
PESHAWAR.**

No.

2375 + 2402

SAB

Appeal No. .... of 2021

SKYANI ulah & (56) others

Appellant/Petitioner

Govt of KPK through Chief Secy Peshawar

Respondent

Respondent No. ....

Director Ed's Education KPK Peshawar

Notice to: —

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on.....<sup>25/09/2022</sup> at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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09

Given under my hand and the seal of this Court, at Peshawar this.....

Day of..... June ..... 20<sup>22</sup>

(For Comments) [Signature] 22/7/22

[Signature]

Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

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