

1st Mar, 2023

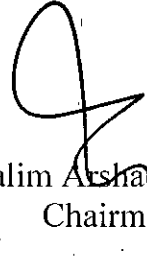
Clerk of learned counsel for appellant present. Mr. Umair
Azam, Additional Advocate General for respondents present.

Counsel are on strike. The case is adjourned. To come up for
arguments on 10.05.2023 before D.B. PP given to the parties.

SCANNED
KPST
Peshawar



(Rozina Rehman)
Member (J)




(Kalim Arshad Khan)
Chairman

2nd Nov., 2022

Assistant to counsel for the appellant present. Mr. Muhammad Adeel Butt, Addl. Advocate General for the respondents present.

Request for adjournment was made due to engagement of learned senior counsel for the appellant before Hon'ble Peshawar High Court. Adjourned. To come up for arguments on 13.12.2022 before the D.B.


(Fareeha Paul)
Member (E)


(Kalim Arshad Khan)
Chairman


13.12.2022


Junior to counsel for the appellant present.

Mr. Naseerud Din Shah, Assistant Advocate General for the respondents present.

Former requested for adjournment due to engagement of learned senior counsel for the appellant in the Hon'ble High Court today. Adjourned. To come up for arguments on 01.03.2023 before the D.B.

SCANNED
KPST
Peshawar


(FAREEHA PAUL)
Member(E)


(ROZINA REHMAN)
Member (J)

21.02.2022

Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 31.05.2022 for the same as before.

Reader.

31.05.2022

Counsel for the appellant present.

Naseer Ud Din Shah learned Assistant Advocate General present.

Reply on behalf of respondents, is still awaited. Notice be issued to respondents for submission of comments within 15 days of the receipt of notice in office, positively. If the reply/comments are not submitted within stipulated time, right of respondents for submission of comments shall be deemed as struck off. To come up for arguments on 10.08.2022 before D.B.

(Fareeha Paul)
Member(E)

(Rozina Rehman)
Member (J)

10.8.2022

Proper DB not available the case is adjourned to 2.11.2022

Reader

08.07.2021

Junior to counsel for the appellant present. Preliminary arguments heard.

Points raised need consideration. The appeal is admitted to regular hearing, subject to all just and legal objections including of 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, or extension of time is not sought through written application with sufficient cause, the office shall submit the file with a report of non-compliance. File to come up for arguments on 20.10.2021 before the D.B.

Appellant Deposited
Security & Process Fee



Chairman

20.10.2021

Clerk to counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present and seek further time for submission of written reply/comments. Respondents are directed to furnish reply/comments within 10 days in office. In case they fail to submit reply/comments within stipulated time from today, they shall have to seek extension of time through written application citing sufficient reasons, otherwise, their right for submission of reply/comments shall be deemed as struck off. To come up for arguments on 21.02.2022 before D.B.



(Salah-Ud-Din)
Member (Judicial)






Chairman

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 1677 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	27/01/2021	<p>The appeal of Mr. Ihtishamul Haq resubmitted today by Mr. L. Nawab Ali Noor 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 27/11/2021</p>
2-		<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>02/04/21</u></p> <p style="text-align: right;"> CHAIRMAN</p>
	02.04.2021	<p>Nemo for appellant.</p> <p>Notice be issued to appellant/counsel for <u>8/07/2021</u> for hearing before S.B.</p> <p style="text-align: right;"> (Rozina Rehman) Member (J)</p>

SCANNED
KFST
Peshawar

The appeal of Mr. Ihtishamul Haq son of Samiul Haq received today i.e. on 18/01/2021 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 testimonial mentioned in para-2 of the memo of appeal (Annexure-B) is not attached with the appeal which may be placed on it.
- 2- Annexures of the appeal may be attested.
- 3- Address of the appellant which may be completed according to the Khyber Pakhtunkhwa Service Tribunal rules 1974.

No. 131 /S.T,

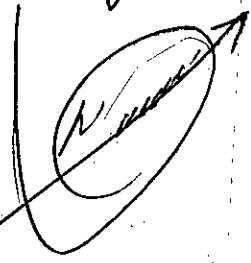
Dt. 19/01 /2021


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. L.Nawab Ali Noor Adv. Pesh.

Respectfully Submitted,

Needfull done kindly put before the Court.


[Signature]

BEFORE THE SERVICE TRIBUNAL K.P.K PESHAWAR

1

S. Appeal No. of 2021.

1677/21

1. Ihtisham-Ul-Haq S/O Sami Ul Haq GPS Alam Khan Killi Tehsil Takht
Bhi Distt Mardan.

.....Appellant

VERSUS

1. Govt of K.P.K through Chief Secretary Civil Secretariat
Peshawar.

.....Respondents

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S.NO.	Description	Annexure	Pages
1.	S. Appeal		1-5
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4.	Copy of appointment order	A	7-9
4.	Copy of notifications dated 24.7.14	B	10-16
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6.	Copy of the departmental appeal	D	21-22
9	Wakalat Nama		23

Appellant

Through

L. Nawab Ali Noor

Advocate High Court Peshawar.

03469076945

BEFORE THE SERVICE TRIBUNAL K.P.K PESHAWAR.

S. Appeal No. of 2021.

1

1. Ihtisham-Ul-Haq S/O Samiul-Haq GPS Alam Khan Killi
Tehsil Takht Bhi Distt Mardan.
.....Appellant

VERSUS

1. Govt of K.P.K through Chief Secretary Civil Secretariat Peshawar.
2. Secretary Elementary and Secondary education K.P.K Civil Secretariat , Peshawar.
3. Director Elementary and Secondary education K.P.K ~~Distt Secretariat~~, Peshawar.

.....Respondents

APPEAL UNDER SECTION-4 OF THE KHYBER PUKHTOONKHWA SERVICE TRIBUNAL ACT 1974 AGAINST THE IMPUGNED SERVICE RULES NOTIFICATION DATED 24.7.2014 WHEREBY NOT INCLUDING THE COMPUTER SCIENCE SUBJECT/DEGREE HOLDER IN THE CRITERIA OF ELIGABILITY FOR THE PROMOTION OF PST, IT TO THE POST OF SST BPS-16 SAME IS AGAINST THE SERVICE RULES NOTIFIED IN THE NOTIFICATION DATED 24.4.2018 TO THE EXTENT OF SERIAL NO.2 COLUMN NO.5 OF THE TABLE WHEREBY NO QUOTA HAS BEEN ALLOCATED FOR APPELLANT CASE AS PST IT AND SAME TIME AWARDED TO ALL OTHERS AND TAKING ANY ACTION ON THE DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS.

PRAYERS:

On acceptance of this service appeal this honorable court may graciously be pleased to set aside / declare, null and void / amended / modified the impugned service rules / notification dated 24.7.2014 to the extent of the S.NO. 1 B Column NO.3 the table by including / inserting / amending / Modifying service rules as well as service rules 24.2.2018 also may kindly be / inserting / amending / Modifying to the extent of S.NO.2 column no.5 and may please allocate promotion quota for appellant as PST IT for the promotion to the post of SST IT BPS -16 with all back benefit

It is further requested to consider the appellant for promotion for the post of SST IT BPS-16 with all back benefit from 2014 i.e from the date of notification benefit granted to others.

May also awarded the relief of 7 years duration of service also.

RESPECTFULLY SUBMITTED,

1. That appellant is civil servant doing their job in education department as PST.

(Copy of the appointment order as annexure A).

2. That appellant is highly educated hiring master decree holder in their relevant computer science subject along With PST/CT, BED / MED decrees etc.

3. That it is to be noted by your honor that following six cadres of SST (BPS -16) are there in which the appellant cadre is PST (IT) which is only and lonely cadre of the appellant whom ignored, deprived from the promotion rights.

4. That It is further to be noted that till date even for the appellant cadre as PST (IT), even rules of promotion are completely silent which is further question mark before this honorable court?.

5. That so much so may visit the notification dated 24.7.14 in which for

category a,b,c,d qualification for which properly promotion rules are there and they are awarded the same from the date of notification while on other side appellant with qualification / degree of Computer science , Math A, Math B along with others subject ignored reason best known to them .Copy of the notification 24.7.14 as annexure **B**.

6. That It is further to be noted that till date even for the petitioners cadre ,whose subject is computer science at bachelor level even rules of promotion are complete silent which is further question mark before this honorable court ?.

7. That so much so may visit the notifications dated 24.7.14 ,24.4.2018 very interesting to see that in 24.7.2014 where cadre is there but subject subject ignore while 24.4.2018 subject of computer is there but cadre ignore which is great joke and pure question of discrimination before this Honorable court .

Copy of notification 24.4.18 is attached as annexure **C**.

8. That appellant filed departmental appeal before the competent authority but same is with no response within the statutory period.

Copy of the Departmental appeal as annexure **D**.

That appellant aggrieved from the same having others no adequate remedy approach this Honorable court on following amongst others.

GROUND:

- a. That awarding the promotion , seniority back benefit to others while deprived the appellant cadre was/is illegal , unlawful, unconstitutional act of the respondents hence need modified, amend, and set aside the same up to the asking relief .
- b. That awarding the same relief to rest of five categories and deprived from the same benefit appellant and his cadres is question of

discrimination before this Honorable tribunal.

c. That notifications in questions is against the service rules, law, constitution hence no way except to award the promotion quota to appellant/appellant cadre along with back benefit from the date of notification.

d. That under what law and circumstances only appellant/appellant cadre deprived from promotion while rest of all are benefited through same notification and awarded relief with back benefit reason best known to them.

e. That under the constitution appellant has the same rights like others civil servant but same not extend equally which is injustice.

f. That act of the respondent to pick and chose is not justified at any cost which is against the basic provision of the constitution, law service rules.

g. That action on the part of respondents amount to misuse of power and approach beyond from the jurisdiction under the law mentioned for.

h. That superior court repeatedly delivered judgment in respect ART.4, 25 etc and present case respondents violated the same also.

It is therefore most humbly prayed that on acceptance of this service appeal your honor may graciously be to set aside / declare, null and void/amended /modified the notification dated 24.7.2014 to the extent of the S.NO. 1B column NO.3 of the table by including / inserting/ amending / Modifying service rules as well as service rules 24.2.2018 also may kindly be / inserting/ amending / Modifying to the extent of S.NO. 2 column no. 5 and may please allocate promotion quota for the appellant/appellant cadre.

It is further requested to consider the appellant for promotion for the post of SST IT BPS-16 with all back benefit from 2014 date of notification.

May also awarded the relief of 7 years duration of service also.

5

May please awarded any other relief for which appellant entitled not specifically mentioned deem appropriate may also awarded.

Dated:


Appellant

Through


L. Nawab Ali Noor
Advocate High Court
Peshawar.

Certificate: certified that no such like service appeal filed before this Honorable tribunal.

L. Nawab Ali Noor
Advocate High Court
Peshawar.

AFFIDAVIT.

I, Ihtisham-ul-Haq S/O Samiul-Haq GPS Alam Khan Killi Tehsil Takht Bhi Distt Marcar, do solemnly affirm and declare on oath that the contents of the accompanying service Appeal are true and correct to the best of my knowledge and belief and nothing been kept concealed from this Honorable tribunal.


Deponent



BEFORE THE SERVICE TRIBUNAL K.P.K PESHAWAR.

6

S. Appeal No. of 2020.

1. Ihtisham-ul-Haq S/O Samiul-Haq GPS Alam Khan Killi Tehsil Takht Bhi Distt Mardan.Appellant.

VERSUS

1. Govt of K.F.K Through Chief Secretary K.P.K Peshawar and others.Respondents

Application for stay over the appointment of SST till decision.
RESPECTFULLY SUBMITTED.

1. That above titled service appeal is pending before this honorable court for adjudication, and no date of hearing has been fixed so far.
2. That service appeal is read as an integral part of this application.
3. That appellant have a good prima facie and arguable case, balance of convince lies in their favor if temporary injunction not granted will suffer irreparable loss and injury.

Under the above circumstances, humbly prayed that respondent may kindly be restrained from further any promotion till final decision of the instant service appeal

Through

Applicant/Appellant

L. Nawab Ali Noor Advocate
High Court Peshawar.

AFFIDAVIT.

I Ihtisham-ul-Haq S/O Samiul-Haq GPS Alam Khan Killi Tehsil Takht Bhi Distt Mardan, do solemnly affirm and declare on oath that the contents of the accompanying service Appeal are true and correct to the best of my knowledge and belief and nothing been kept concealed from this Honorable tribunal.



OFFICE OF THE EXECUTIVE DISTRICT OFFICER ELEMENTARY AND SECONDARY EDUCATION MARDAN
OFFICE ORDER

Ann A C

Consequent upon the advertisement published in Daily Mashriq and Daily Aaj Dated 11.08.2009 and Test/Interview held at GGHS No.1 on Mardan 31.08.2009/ 10.09.2009 respectively and approval given by the Departmental Selection Committee District Mardan in its meeting held on 04.01.2010 the undersigned being Competent Authority is pleased to appoint the following PST/Male Candidates in BPS_07(3820-230-10720) Plus usual allowance as admissible to them under the rule against the vacant post at the schools noted against each w.e.f the date of their taking over charge in the interest of public service subject to the following existing terms and conditions.
PST MALE OPEN MERIT 60%

S.#	Name	Father Name	Name of Union-Council	Home Address	Total Score	School Where Appointed
1	IQTIDAR ALI SHAH	RAHIM SHAH	GURAT	Gujar Mardan	69.05	GPS Baro Banda no 2
2	MUHAMMAD QASIM	SAID GHAWAS	GARYALA	Habi Khan Mardan	68.11	GPS Pitawo Malandan
3	ASHFAQ AHMAD	SHAH MUHAMMAD	MUSLIM ABAD	Shamsi Road Mardan	66.99	GPS Mohabat Abad
4	NEZAMU HAQ	HISAN UL HAQ	LUND KHWAR	Village: Muti Banda L/Khawar	66.74	GPS No.1 Ghalla Dher
5	MUHAMMAD AMIN	FAZAL RAHMAN	KATI GHARI	Village: Salak Katti Garhi	66.20	GPS Salak Ghundao
6	YASIR ARAFAT	GUL HABIB	G.D.ZAI	G.D.Zai Mardan	66.14	GPS No.2 Mohib Banda
7	MAHBOOB ALI	SAID WALI	PIR SADDI	VPO Pir Saddi	65.28	GPS Abdul Ghafoor Mayar
8	WASIHUL AMIN	MUHAMMAD ASGHAR	KOT DAULAT ZAI	Village Kot Dolat Zai	64.66	GPS G.I.Zai.No.2
9	SAEEDUR RAHMAN	GHANUR RAHMAN	KOT DAULAT ZAI	Village: Kot Dolat Zai Ghari Kapura	64.59	GPS No.1 Ghalla Dher
10	SUDHAIR SHAH	QADER SHAH	PIR SADDI	VPO Pir Saddi	64.48	GPS Sheikhano Killi
11	ANWAR SHEH BACHA	MUHAMMAD SHEH	SERI BEHACL	Village: Qandaro T/Bhai	64.39	GPS Said Amin No.1
12	MUHAMMAD QAYUM	MIR AKBAR KHAN	KATLANG 2	Village:Kunj Katlang	64.37	GPS Mashal Khan Korona
13	MUHAMMAD INANI KHAN	SHAMSHAD	CHAMTAR	Nissta Road Mardan	64.36	GEPS Mian Gulzara
14	ZUBAIR SHAH	SALIM SHAH	ALO	Vill: Saddiq Abad Alo	64.16	GPS Pipal No.1
15	FAROOZ KHAN	SANOBAR KHAN	PAT BABA	Village: Pati Khurd T/Bhai	64.15	GPS Fathma
16	JAVED KHAN	ZAMIN KHAN	SHER GARH	Shergarh T/Bhai	64.14	GPS No.1 Ghalla Dher
17	MUHAMMAD RASAN	HAMEED GUL	JEHANGIR ABAD	Village: Janday Kalpani	64.08	GPS No.1 Ghalla Dher
18	ABDUL HAFEEZ	HABIB UR RAHMAN	JALALA	Lekson Depo No.2 Sher Garh	63.96	GPS No.1 Ghalla Dher
19	SYED JANAL SHAH	MUKAMMIL SHAH	KANIDAR	Village: Ghari Kapura Mardan	63.94	GPS Mohib Banda No.3
20	FALAK NAZ KHAN	SAKIB BAHADAR	KOT DAULAT ZAI	Village: Kot Ismail Zai Ghari Kapura	63.80	GPS No.1 Butseri
21	MUHAMMAD ISRAR	TAJ ZARIN	HATHIAN	Village:Dad Muhammad Killi Hathian	63.79	GPS Meskeen Abad GPS Qadir Shah Pirsaddi
22	UMAR SHAH	GULDAZ SHAH	SHER GARH	Shergarh T/Bhai	63.71	
23	AKHTAR ALI	SARDAR HUSSAIN	G.I.ZAI	G.I.Zai Mardan	63.65	GPS G.I.Zai.No.3
24	ABID ALI	ZORTALAB KHAN	PAT BABA	Village: Jansheed Khan T/Bhai	63.63	GPS Jamra Patbaba
25	ASIF IQBAL	QASIM JAN	BAGHDADA	Village Baghdada Mardan	63.60	GPS Ghalla Dher No.1
26	NAEEM KHAN	ESSA KHAN	TOKU	Village: Kass Killi Toru Mardan	63.55	GPS Kass Killi
27	SAJID ALI KHAN	HURAT GUL	GUJAR GARHI	Gujar Ghari Mardan	63.53	GPS Gujar Ghari
28	HAQAT ALI	LAL ZARIN	PIR SADDI	VPO Pir Saddi	63.48	GPS Palato

My A.C

97	ATTA ULLAH	SHER ALI SHAH	BAROZAI	Village Babo zai mardan	60.76	GPS Barakhel
98	KHADIM HUSSAIN	MUZAMMIL SHAH	BALA GARHI	Kitab Abad Shahbaz Garhi	60.75	GPS Miangan Sawal Dher
99	HAFIZ HANIF HAQ	SAMI UL HAQ	LUND KHWAR	Village: Karkani VPO L/Khwar	60.72	GPS Raziq Abad Sawal Dher
100	PIR MOHAMMAD	ZARGHOON SHAH	JALALA	Village: Shamlat Zarifi Jalala	60.64	GPS Khan Zamir Banda
101	JAMSHED ALI	SHER BAHADAR	NARAI	Village: Nawab Dheri PO Takkur	60.6	GPS Artoona
102	ZAWAR ALI	GHANI MOHAMMAD	HATHIAN	Moh: Babo Khan Halfain	60.55	GPS Chapal Abad
103	SHAHID ALI	AMIN ULLAH	MIAN ESSA	Village: Malo Shah T/Bhai	60.54	GPS Shaheeda Palo wand
104	SULAIMAN	ABDUL KHALIQ	MAKORI	Village kandari PO Hathian	60.48	GPS Khan Muhammad Kili Sher Garhi
105	SHAD ALI KHAN	ARAF KHAN	PARKHO DHERI	VPO Ghano Dheri PO Umar Abad	60.41	GPS Bagkhel Ato
106	ZAFQUR UL ISLAM	AIN UD DIN	CHAMTAR	Check Baghdad	60.42	GPS Mistri Abad
107	WAZIR MOHAMMAD	BACHA GUL	MADAY BABA		60.36	GPS Saced Abad

60% DISTRICT MERIT 69 POST

S.NO	Roll No	Name	Father Name	Name of Union-Council	Home Address	Total Marks	School Where Appointment
1	1749	SARTAJ KHAN	Haji Mahmood Din	PAT BABA	Ward no. 5 Nchir Par T/Bhai	60.34	GPS Tambulak
2	1202	NAVEED AHMAD KHAN	ADAM KHAN	JEHANGIR ABAD	Village: Mian Gul Kili T/Bhai	60.32	GPS Miangano Cham Gujar Garhi GPS Baghicha Dheri
3	1741	GOHAR TAJ	ZAHIR TAJ	BAGHICHA DHERI	Village: Shickh Abad Shahbaz Garhi	60.30	GPS Ajnabi Khan Dheri
4	1081	PARDUL KHAN	RAHIM KHAN	BABOZAI	VPO Babo Zai	60.28	GPS Kohi Barmol No.2
5	721	AZMAT ISLAM	ASHRAF KHAN	KRAM PUR	VPO Ikram Pur Moh: Torzai T/Bhai	60.28	GPS No.1 Gahrib Abad
6	2215	IMRAN KHAN	ALI HAIDER	KATLANG 2	Village: Zargan Banda PO Kailang Mardan	60.26	GPS Qamar Abad Rustam
7	1825	JUNAID ALI	NASIRKHAN	LUND KHWAR	Village and Po L/Khwar T/Bhai Mardan	60.26	GPS Falato
8	698	MUSTAQIM SHAH	NOOR AHMAD	LUND KHWAR	Village: Karim Abad PO L.Khwar Gul Mira	60.23	GPS Gull Bagh Mardan
9	383	ABHAS KHAN	ABDUL AZIZ	GULI BAGH	Guli Bagh Hoti Mardan	60.23	GPS Miangan Sawal Dher
10	972	MURAD ALI	GHULAM MOHAMMAD	JAMAL GARHI	Center Jamal Garhi	60.21	GEPS Kachkool Abad
11	1237	HASIR AHMAD	AZIZ ULLAH	PARKHO DHERI	Vill: Hussai Umar Abad T/Bhai	60.19	
12	2205	SHAH ROOM KHAN	MUHAMMAD IBRAHIM	BABENI		60.14	GPS Shankar Koroona GPS No.2 Palo Dheri
13	935	MOHAMMAD JANAM	MUHAMMAD JAN	PALO DHERI	VPO Phalu dheri Mardan	60.10	GPS Kopper
14	1701	FEROZ SHAH	SHER ALI	JALALA	Village: Jamal Abad PO Pirsaddi	60.09	GPS Khalid Abad L/Khwar
15	1776	MUSTAFAQ MUHAMMAD	ZAFAR KHAN	PIR SADDI	VPO Pirsaddi T/Bhai	60.07	
16	1665	ZAWAR HUSSAIN	HAFIZ HUSSAIN AHMAD	BARICHAM	Moh: Abbas Khan Hoti Mardan	60.05	GPS Landaki Hoti GPS Peshkand
17	920	ANBAD ALI	MUHAMMAD AMIN	SAWAL DHER		60.05	GPS Pando Kotay Rustam
18	450	IKRAM UR RAHMAN	ABDUR RAHMAN	RUSTAM	VPO Rustam Haji Abad	59.99	GPS Pirsai Rustam
						59.97	

- Any A. 9
- 4- The DDO Male Mardan/Takht Bhai ADOs Circle Head Teacher should furnish certificate to the effect that the candidates have joined posts within 15 days or otherwise the appointment order shall automatically stand canceled.
 - 5- They will be on probation for a period of two years.
 - 6- Their appointments are subject to further condition that they are domiciled of District Mardan for 60% Open Merit/District Merit, Disable and Concerned Union Council in case of 40% Union Council Merit.
 - 7- All those Candidates who have obtained Certificate/Diploma from private colleges/ institutions they will take 3 month refresher course in the relevant field on the reasonable tuition fees which shall be deposited in the concerned RTI/college.
 - 8- They are required to produce health and age certificate from the concerned Medical Superintendent before taking over charge.
 - 9- They are not allowed to take over charge if their age is less than 18 years and more than 35 years.
 - 10- No TA/DA is allowed
 - 11- The DDO Male Mardan/Takht Bhai ADOs Circle Head Teacher check their original Certificate/Degree/DMC and Domicile before taking over charge
 - 12- In case of valid appeal of senior most candidates, the junior most candidate in the relevant merit list will be replaced either open merit /District Merit or UC Merit
 - 13- Their Appointments are subject to the verification of all the certificates/degrees/DMC/Domicile if any bogus/Fake certificate/degree was found appointments will be considered automatically cancelled from the of issue.
 - 14- The Deputy District Officer Mardan and T.Bhai ADOs Circle, and Head Teacher may not hand over charge to the appointees if there is no vacant post in the school
 - 15- The Drawing and Disbursing Officer should submit a certificate for release of pay as under:-

Mr. _____ S/O _____ R/O _____ appointed against PST Post at GPS _____ vide order No. _____ at S No _____ Total score _____ 60% and 40% his certificates/degrees/DMC and Domicile certificate of District Mardan and Union Council _____ have been personally verified and found correct. In case of any discrepancy if detected later on will be the sole responsibility of the undersigned.

Signature _____ Name _____
 DDO /ADO Circle Male GPS _____
 (HANIF ULLAH)
 EXECUTIVE DISTRICT OFFICER
 E&S EDUCATION MARDAN

Encl No. 530-6 Dated 21-1- /2010

Copy of the above as forwarded for information and necessary action.

- 1- Director Elementary and Secondary Education NWFP Peshawar
- 2- District Co-ordination Officer Mardan
- 3- District Accountant Officer Mardan
- 4- District Officer (Male) E&S Local Office.
- 5- Principal/Head Master Concerned.
- 6- ADO (E) Local Office.
- 7- Budget and Accountant Officer local office
- 8- The Candidates Concerned.

(Signature)
 EXECUTIVE DISTRICT OFFICER
 E&S EDUCATION MARDAN

Ann. B. 10



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>IT subject</i>	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. <i>NOTE: If no suitable candidate is available in the relevant subject the post falling in their promotion quota shall be filled by initial</i>

(1)

Attached to
File
A

Handwritten notes in Urdu:
SSRC کے لئے
Subject Specialist
کے لئے
کے لئے
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Dr. B-17 11

1A	Director Physical Education (BPS-17)	At least second class Master's Degree in Physical Education from a recognized University.	22-35 years	recruitment; and (b) fifty percent by initial recruitment. (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: 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; 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
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(ii) against Serial No. 1B, as so renumbered, for the existing entries, the following shall be substituted, in respective columns, namely:

1	2	3	4	5
1B.	<p>Secondary School Teacher (BPS-16)</p> <p>(SST)</p> <p>Computer Science</p>	<p>I. At least second class Bachelor Degree's from a recognized University on need basis from the following groups with two subject</p> <p>(a) (Chemistry, Botany or Zoology), Or (b) (Physics, Maths "A" or "B" or Statistics) Or (c) (Humanities and other equivalent groups at degree level with English as compulsory subject; (تاریخ و ادب) and (سائنس و ریاضی)</p> <p>II. Bachelor of Education or Master of Education (Industrial Art or Business Education) or MA Education or equivalent qualifications from a recognized University.</p>	<p>21 to 35 years.</p> <p>CT</p> <p>DM</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-1), with at least five years service as Senior Drawing Masters and Drawing Masters and having qualification mentioned in column No.3:</p>

Ans f
:- P.S

Subject
کامپیوٹر سائنس
CT: PST (IT)

Computer Science is not present in

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				<p>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.</p>
			AT	<p>(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.</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 Arabic Teachers with at least five years service as such and having qualification mentioned in column No. 3;</p>
			TT	<p>(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.</p>

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			<p style="text-align: center;">(4)</p> <p style="text-align: center;">Qari</p> <p style="text-align: center;">← (PST)</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>(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:</p> <p>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;</p> <p>(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:</p> <p>Provided that if no suitable candidate is available from amongst</p>
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Finance Comm.

Mr. B. 15

				<p>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 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</p> <p>(ii) twenty five percent by initial recruitment.</p> <p>Note:</p> <p>I. If no suitable candidate is available in the relevant cadre of the above teachers, the post falling in their promotion quota shall be filled by initial recruitment.</p> <p>II. 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."</p>

Approved do.
J. S. C. P.
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Ann. B. 15

SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

Endst : of even No & date:

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

(ZAMIN KHAN MOMAND)
SECTION OFFICER (PRIMARY)

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Ann. C-17

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EXTRAORDINARY
GOVERNMENT



REGISTERED NO. P.H.

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(GYE&SE/1-85/LT/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, 1999, 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:

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APPENDIX:

S.No	Nomenclature of the pos	Minimum qualification for appointment by Initial recruitment transfer	Age limit	Method of recruitment
1	2	3	4	5
	Subject Specialist- Information Technology (SS-IT) (BPS-17)	<p>At least Second Class Master's Degree in Computer Science or Information Technology or Bachelor's Degree in Computer Science (BCS/BSCS Honours 4 years) or equivalent qualification from a recognized University; and</p> <p>ii. Bachelor Degree in Education (B.Ed) or equivalent qualification from a recognized University.</p> <p>Note: A candidate did not have the qualification under clause (ii), shall acquire the same within three years from the date of his/her appointment.</p>	21-35	<p>a) Fifty percent by promotion on the basis of seniority-cum-fitness from amongst the Secondary School Teacher-IT with at least five years service; and</p> <p>b) Fifty percent by initial recruitment.</p> <p>Provided that if no suitable candidate is available for promotion, then by initial recruitment</p>

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Handwritten notes: "IT subject", "BPS-17 cadre"

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Mr. C-18

1542 KHYBER PAKHTUNKHWA GOVERNMENT GAZETTE, EXTRAORDINARY, 24th APRIL, 2018

<p>2. Secondary School Teacher-Information Technology (SST-IT) (BPS-11)</p>	<p>i. At least Second Class Master's Degree in Computer Science or Information Technology or Bachelor's Degree in Computer Science (BCS/BSCS Honours 4 years) or Bachelor's Degree with a subject of Computer Science or equivalent Qualification from a recognized University; and</p> <p>ii. Bachelor Degree in Education (B.Ed) or equivalent qualification from a recognized University.</p> <p>Note: A candidate did not have the qualification under clause (ii), shall acquire the same within three years from the date of his/her appointment.</p>	<p>21-35</p>	<p>a). Fifty percent by promotion on the basis of seniority-cum-fitness from amongst the Certified Teacher-IT with five years service as such and having the qualification prescribed for the post of Secondary School Teacher-IT.</p> <p>b). Fifty percent by initial recruitment.</p> <p>Provided that if no suitable candidate is available for promotion, then by initial recruitment.</p>
<p>3. Certified Teacher Information Technology (CT-IT) (BPS-12)</p> <p><i>(CT)</i></p> <p><i>SO pa 15</i></p>	<p>i. At least 2nd Division Intermediate School Certificate or equivalent qualification from a recognized Institution or Board with one year Diploma in Information Technology Computer Science from any recognized institution; and</p> <p>ii. Certified Teacher Certificate (CT) or Associate Degree in Education (ADE) from any recognized institution/ University</p> <p>Note: A candidate did not have the qualification under clause (ii), shall acquire the same within three years from the date of his/her appointment.</p>	<p>18-35</p>	<p>By initial recruitment.</p>

SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

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

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No	Nomenclature of the post	Minimum Qualification for appointment by initial recruitment or by transfer.	Age Limit	Method of recruitment
1	Subject Specialist Information Technology (ES-IT) (B-17) Government Higher Secondary Schools/ Govt. Comprehensive High Schools and other equivalent posts in the Teaching Cadre.	i.) Master Degree in Computer Science/IT at least in 2 nd Division or equivalent qualification from any recognized University. ii.) Bachelor Degree of Education (B.Ed) at least in 2 nd Division from any recognized University.	21-35	a). Fifty percent by promotion on the basis of seniority-cum-fitness from amongst the Secondary School Teacher-IT with at least five years' service AND Secondary School Teacher (SST) (General/Science) possessing master degree in IT or equivalent qualification with 05 years' experience b). Fifty percent by initial recruitment.
2	Secondary School Teacher Information Technology (SST) (IT) (B-16) Govt. High / Higher Secondary Schools	i). Bachelor Degree with the subject of Computer Science at least in 2 nd Division or equivalent Qualification from any recognized Institution. ii). Bachelor Degree of Education (B. Ed) at least in 2 nd Division from any recognized institution.	21-35	a). Fifty percent by promotion on the basis of seniority-cum-fitness from amongst the Computer Lab in-charge with (05) years' service having the qualification prescribed for the post of IT Teacher. b). Fifty percent by initial recruitment. Note: If no suitable candidate is available for promotion in the relevant cadre then by initial recruitment. Their seniority may be clubbed with SS and amendment may be made in the existing service rules.
3	Junior Teacher Information Technology (JT-IT) (D-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.

(SST) IT

(SST) IT

IT

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

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Decisions:

The following decisions were made in consensus:-

- i. The proposed amendments in the service rules/structure as depicted in the above table was approved.
- ii. Nomenclature of the post of CT(IT) was changed as Junior Teacher Information Technology (JTIT)
- iii. Seniority of SST (General/Science) & SST (IT) will be clubbed together immediately for the purpose of promotion in light of the above awarded 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 Siddiqi)
 Deputy Secretary (R), Finance Department

(Mohsin Mushtaq)
 Assistant (R-D), E&SE Deptt.

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

(Muhammad Ghani)
 Deputy Secretary (R), E&SE Deptt.

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

(Sajid Zaman)
 Special Secretary, E&SE Deptt.

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

Approved to be
Done Off

Anx. D- 21

TO, THE SECRETARY EDUCATION KHYBER PUKHTOON
KHWA.

DEPARTMENTAL APPEAL NO OF 2020.

DEPARTMENTAL APPEAL AGAINST THE IMPUGNED
SERVICE RULES NOTIFICATION DATED 24.7.2014
WHEREBY NOT INCLUDING THE COMPUTER SCIENCE
SUBJECT/DEGREE HOLDER IN THE CRITERIA OF
ELIGABILITY FOR THE PROMOTION OF PST,S TO THE
POST OF SST BPS -16 SAME IS AGAINST THE SERVICE
RULES NOTIFIED IN THE NOTIFICATION DATED 24.4.2018
TO THE EXTENT OF SERIAL NO.2 COLUMN NO.5 OF THE
TABLE WHEREBY NO QUOTA HAS BEEN ALLOCATED FOR
APPELLANT / APPELLANT CADRE AS PST*IT* AND SAME
TIME AWARDED TO ALL OTHERS.

RESPECTFULLY SUBMITTED,

1. That with great respect it is stated that I am performing my
duty as PST BPS-12. That I am highly educated master degree
holder in relevant computer science subject along With PST/
CT, BED / MED decrees etc. I done my duty with full devotion
and never raised any objection from the student or any other side.
it is to be noted by your honor that following six cadres of
SST (BPS -15) are there in which my cadre is PST (IT) which
is the only and lonely cadre whom, ignored, deprived from the
promotion rights. That my cadre PST IT, even rules of promotion
are complete silent which is further question mark before your
honor? That notification dated 24.7.14 in which specifically
mentioned the promotion on base of strength of service which
is 7 years as well as 75% quota on basis of seniority cum

fitness i being full fill all mentioned required above even then I was not awarded promotion. That if I am entitled for appointment on basis of the same qualification while on other side I am not entitled for the promotion while rest is entitled which is great discrimination. That entire five category except PST.IT my cadre computer science not mentioned in rules for promotion.

It is therefore most humbly prayed that on acceptance of this service appeal your honor may graciously be pleased to set aside /declare, null and void/amended /modified the notification dated 24.7.2014 to the extent of the S.NO. 1B Colmn NO. 3 of the table by including /inserting/ amending /Modifying service rules as well as service rules 24.2.2018 also may kindly be /inserting/ amending /Modifying to the extent of S.NO. 2 column no. 5 and please allocate promotion quota for the appellant, appellant cadre.

It is further requested to consider me for promotion for the post of SST*IT* BPS-16 with all back benefit from 2014.

May also awarded the relief to me of 7 years duration of service also.

May please awarded any other relief for which me entitled not specifically mentioned deem appropriate may also awarded.

Dated: 10/10/20


Appellant

بعدالت

Before The Service Tribunal U.P.V. Perkarwar.

Appellant 2 پنجاب بنام Govt of U.P.V. Through Chief Secretary & others

Shirisham-ul-haq

VERSUS

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کا دعویٰ متعلقہ آن مقام سروسز ٹریبونل U.P.V. (پنجاب) کیلئے اپیل نمبر 202/2013 کی درخواست پر مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا مکمل اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ کرنے و تقررات و فیصلے کیلئے دیئے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء اور وصولی چیک دروپہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری کیلئے اپیل کی برآمدگی اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا۔ اور صورت ضرورت مقدمہ مذکور کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ بالا اختیارات حاصل ہوں گے اور اس کا ساختہ پرداخت منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جہانہ لائے مقدمہ کے سب سے وہ ہوگا۔ کوئی تاریخ پیش مقام دورہ پر ہو یا حد سے باہر ہوئے وکیل صاحب پابند ہوں گے۔ کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھد یا کہ سندر ہے۔

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مختار سٹیشنری جس خط کی کارروائی

مقام سروسز ٹریبونل U.P.V. پنجاہ

کے لئے منظور ہے۔