



No.KP-TEVTA/ESTT/PF/11-174 4003(4)

dated 10 / 5 / 2023

To

Ms. Shazia Bano, Lecturer (BS-17),
Government Polytechnic Institute (Women) Hayatabad,
Peshawar.

SUBJECT: - SERVICE APPEAL NO. 14229/2020 TITLED "SHAZIA BANO VS. GOVERNMENT OF KHYBER PAKHTUNKHWA AND OTHERS."

In pursuance of Hon'ble Service Tribunal order dated 14.03.2023 in the subject Service Appeal, the matter regarding objection over the seniority list Dated 28-09-2022 pertaining to Mrs. Shazia Bano, Lecturer DDM (BS-17), Government Polytechnic Institute (Women) Hayatabad, Peshawar and others has been thoroughly examined. The Officer has, therefore, been accordingly afforded an opportunity of Personal Hearing on 05-05-2023 in KP-TEVTA Head Office. Her grievances in this regard have been patiently recorded and redressed as under.

1. According to the Officer, she is the senior most of the other incumbents as incorporated in the said seniority list at Sr. 1 and 2, on the basis of date of her initial appointment in BS-14 i.e. 08-11-1990. These incumbents at Sr. No. 1 and 2 of the seniority list for having their initial appointment later than her, are required to be placed in the afterward positions for this reason.

The relevant record transpire that both these officers belongs to other technologies i.e Electronics Technology and Architecture Technology respectively and whereas both of them have DAE qualifications in their respective technologies. They were promoted earlier from BS-14 to BS-17 on regular basis on 04-04-2002 and 07-05-2005 respectively on the basis of previous prevailing Service Rules-2001. Hence they have reckoned the existing seniority positions in BS-17 on the basis of these dates which is a legally correct and justified.

2. The other objection of the Officer is that she possesses the Qualification of Degree in Arts & Design (Hons). Her name, therefore, must be included in the seniority list of Degree Holder.

The record transpire that there is a separate provision in the relevant Service Rules-2015 for the Officers having the Degree of Engineering or B.Tech(Hons). Hence a separate Seniority of the degree holders Officers is maintained, The degree possess by Mrs. Shazia Bano i.e. Degree in Arts and Design (Hons) has not been included in the said Service Rules for certain reasons. This degree is also not equivalent to any of the degrees as enunciated in the said Rules. For the reason, the plea of the Officer to include her name in the relevant degree Holder seniority list is untenable. However, it is equally important to apprise that a case is being furnished to the quarter concerned for making necessary provisions and amendments in the Service Rules for accordingly

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providing a just, legal and fair opportunity of promotions to those having this particular and relevant degree qualification in the field of DDM field.

In view of the facts explained above, I Engineer Abdul Ghaffar, Managing Director KP-TEVTA, Peshawar hereby regret the instant departmental appeal of Mrs. Shazia Bano, Lecturer (DDM) BS-17, Govt: Polytechnic Institute for Women, Hayatabad, Peshawar.

(ENGR. ABDUL GHAFAR)
MANAGING DIRECTOR

Endt. No.KP-TEVTA/ESTT/PF/11-174

dated ___ / ___ / 2023

Copy for information to:-

1. Registrant KP- Service Tribunal, Peshawar.
2. PS to Secretary Industries Commerce & Technical Education Department.
3. Officer Concerned.
4. Mr. Ali Gohar, Legal Advisor on behalf of respondent No3.
5. PA to Managing Director, KP-TEVTA Head Office, Peshawar.


DIRECTOR (ADMN/HR)