



09.08.2023

1. Learned counsel for the appellant present. Mr. Asif Masood Ali Shah learned Deputy District Attorney alongwith Faheem Khan, Assistant for the respondents present.

2. Learned counsel for the appellant requested for adjournment in order to prepare the brief. Adjourned. To come up for arguments on 05.12.2023 before D.B. P.P given to parties.


(Fareeha Paul)
Member (E)


(Rashida Bano)
Member (J)

*KaleemUllah


RECORDED
BY: ST
Beshawar


01.12.2022

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

SCANNED
KPST
Peshawar

File to come up alongwith connected Service Appeal No. 1164/2019 titled "Muhib Ullah Vs Education Department" on 02.03.2023 before D.B.


(Fareeha Paul)
Member (E)



(Rozina Rehman)
Member (J)


2nd Mar, 2023

Junior of Mr. Noor Muhammad Khattak, Advocate present and filed Wakalatnama which is placed on file. Mr. Muhammad Jan, District Attorney for respondents present.

SCANNED
KPST
Peshawar

Junior to learned counsel for the appellant seeks adjournment on the ground that learned senior counsel is not available. To come up for arguments on 18/5/2023 before DB. PP given to the parties.


(Rozina Rehman)
Member (Judicial)



(Kalim Arshad Khan)
Chairman

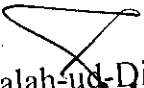
18.05.2023

Junior of learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

SCANNED
KPST
Peshawar

File to come up alongwith connected Service Appeal No. 1164/2019 on 09.08.2023 before D.B. Parcha Peshi given to the parties.

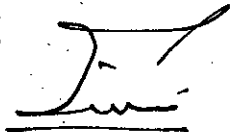

(Muhammad Akbar Khan)
Member (E)


(Salah-ud-Din)
Member (J)

19.05.2022

Learned counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Learned Member (Judicial) Ms. Rozina Rehman is on leave, therefore, arguments could not be heard. Adjourned. To come up for arguments on 21.07.2022 before the D.B.


(Salah-ud-Din)
Member (Judicial)


21.07.2022

Junior to counsel for the appellant present.

Muhammad Riaz Khan Paindakheil, learned Assistant Advocate General alongwith Bakhtmal Jan Litigation Officer for respondents present.

File to come up alongwith connected Service Appeal No.1164/2019 titled "Mohib Ullah Vs. Government of Khyber Pakhtunkhwa" on 27.09.2022 before D.B.


(Fareeha Paul)
Member(E)



(Rozina Rehman)
Member (J)

27.09.2022

Junior to counsel for appellant present.

Muhammad Riaz Khan Paindakheil learned Assistant Advocate General for respondents present.

File to come up alongwith connected Service Appeal No.1164/2019 titled "Muhib Ullah Vs. Education Department" on 01.12.2022 before D.B


(Fareeha Paul)
Member (E)


(Rozina Rehman)
Member (J)

20.12.2021

Counsel for the appellant and Mr. Muhammad Muhammad Adeel Butt, Addl. AG for the respondents present.

The respondents were afforded with last opportunity for submission of written reply/comments but even today they have not submitted reply/comments and seek adjournment through learned AAG. Let the respondents be afforded with another last chance subject to cost of Rs. 2000/- on or before next date with the warning that in case they fail to submit the written reply/comments and cost, their right for reply/comments shall be deemed as struck off by virtue of this order. Case to come up for arguments on 22.02.2022 before the D.B.


Chairman

22.02.2022

Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 19.05.2022 for the same as before.


Reader.

30-12-2020

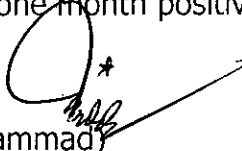
Due to summer vacation, case is adjourned to 17-3-2021 for the same as before.


Reader

17.03.2021

Counsel for the appellant and Addl. AG for the respondents present.

On 13.08.2020, the proceedings were adjourned for arguments, however, on subsequent two occasions, the matter was adjourned on the strength of Reader's Note. Learned AAG requests for time to furnish the reply/comments due to the said reason. Adjourned to 19.05.2021. On the next date arguments on the appeal shall be addressed while the respondents shall furnish the reply within one month positively.


(Mian Muhammad)
Member (E)


Chairman

19.5-2021

Due to COVID-19, the case is adjourned to 10.9.2021 for the same.

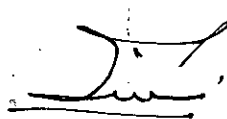


10.09.2021

Clerk of counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Clerk of counsel for the appellant stated that learned counsel for the appellant is unable to attend the Tribunal today due to strike of Lawyers. Adjourned To come up for arguments before the D.B. on 20.12.2021.


(ATIQ-UR-REHMAN WAZIR)
MEMBER (EXECUTIVE)


(SALAH-UD-DIN)
MEMBER (JUDICIAL)

28.10.2020

Proper D.B is on Tour, therefore, the case is
adjourned for the same on 30.12.2020 before D.B.

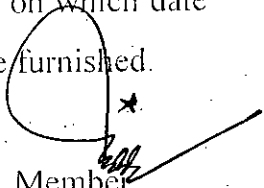


Reader

04.03.2020

Junior to counsel for the appellant and Addl. AG for the respondents present

Learned AAG seeks time to contact the respondents and submit written reply. Adjourned to 13.04.2020 on which date the requisite reply/comments shall positively be furnished.


Member

13.04.2020


Due to public holiday on account of COVID-19, the case is adjourned to 07.07.2020 for the same. To come up for the same as before S.B.


Reader

07.07.2020

Counsel for the appellant present.

Mr. Kabir Ullah Khattak learned Additional Advocate General for the respondents present and seeks time to submit comments. Last chance is given for submission of reply as well as for reply to application for suspension of notification, on 13.08.2020 before S.B.


Member (J)

13.08.2020

Counsel for the appellant present. Nemo for the respondents.

Despite last opportunity, the respondents have not furnished the requisite reply/comments. The matter is, therefore, posted to D.B for arguments on 28.10.2020.


Chairman

04.12.2019

Counsel for the appellant present.

21/10/2019
Contends that the appellant holds a master's degree in Computer Science and is presently performing duty as SST (General/Science) BPS-16. He is fully qualified for promotion against the post of Subject Specialist (IT) BPS-17 in view of notification dated 24.07.2014 issued by the respondent department. He, however, has been denied such promotion ostensibly on the strength of minutes of SSRC meeting dated 10.08.2017. Referring to copy of minutes learned counsel contended that no quota for promotion of officials similarly placed and including the appellant has been earmarked for the requisite promotion. The said act of respondents is tantamount to denial of valuable service rights of appellant.

6/12/19
Appellant Deposited Security & Process Fee
In view of the available record and arguments of learned counsel, instant appeal is admitted for regular hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents. To come up for written reply/comments on 27.01.2020 before S.B.

Chairman 

27.01.2020

Clerk to counsel for the appellant present. Written reply not submitted. Irfan Assistant representative of the respondent department present and seeks time to furnish written reply/comments. Granted. To come up for written reply/comments on 04.03.2020 before S.B.

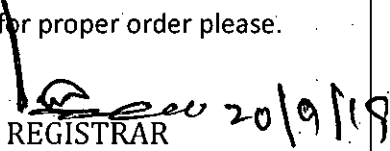



Member

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 1166/2019

| S.No. | Date of order proceedings | Order or other proceedings with signature of judge |
|-------|---------------------------|---|
| 1 | 2 | 3 |
| 1- | 20/09/2019 | <p>The appeal of Mr. Muhammad Nasimullah resubmitted today by Mr. Saadat ULLah Khan Tangi Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR 20/9/19</p> <p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>25/10/19.</u></p> <p> CHAIRMAN</p> <p>25.10.2019</p> <p>Nemo for the appellant.</p> <p>Notice be issued to appellant/counsel for preliminary hearing on 04.12.2019 before S.B.</p> <p> Chairman</p> |
| 2- | 23/09/19 | |

SCANNED
POST
Peshawar

The appeal of Mr. Muhammad Naseem Ullah Khan SST GHS Haji Marn District D.I.Khan received today i.e. on 29-07.2019 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days:-

- 1- Memorandum of appeal may be got singed by the appellant.
- 2- Affidavit may be got attested by the Oath Commissioner.
- 3- Annexures of the appeal may be attested.
- ④ Copy of appointment order is not attached with the appeal which may be placed on it.
- 5- Necessary party may be made in the heading of the appeal.

No. 1332 /S.T,

Dt. 31-7- /2019.


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Saadatullah Khan Tangi Adv. Pesh.

Re-Submitted after completion



17/8/19

Objection no.4 is still stand therefore, the appeal in hand is returned again to the counsel for the appellant for completion and resubmission within 15 days.

No. 1479 /S.T,

Dt. 23/8 /2019.

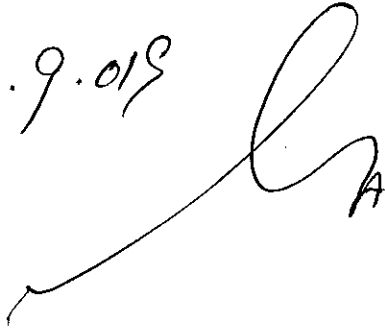

REGISTRAR

Mr.Saadatullah Khan Adv. Pesh.

Six, re-submitted after completion

the same may kindly be clubbed
with case title "Ghulam Abbas vs Govt"

fixed for 30.9.019

A

30.9.19

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA,
PESHAWAR

Service Appeal No. 1166 /2019

Muhammad Naseem Ullah Khan.....**Appellant**

Versus

Govt. of KP through Secretary Elementary & Secondary
Education, Peshawar.....**Respondent**

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| 3. | Addresses of parties | | 7 |
| 4. | Copy of Appointment Letter | A | 8-16 |
| 5. | Copy of Notification dt.24.07.2014 | B | 17-22 |
| 6. | Copy of minutes of the meeting | C | 32-25 |
| 7. | Copies of departmental Appeal and Writ Petition | D & E | 26-33 |
| 8. | Wakalatnama | | 34 |

Appellant
Through


Saadat Ullah Khan Tangi
Advocate High Court
Cell No.0331-5030566

DATE: 18.07.2019

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA,
PESHAWAR

Service Appeal No. _____/2019

Muhammad Naseem Ullah Khan, Son Fateh Ullah,
Appointed as SS, GHS Haji Marn,
District D.I.Khan.....**Appellant**

Versus

1. Govt. of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education, Peshawar
2. Govt. of Khyber Pakhtunkhwa through Chief Secretary Civil Secretariat, KPK Peshawar
3. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar

.....**Respondents**

Service Appeal U/S 4 of the Service Tribunal Act, 1974 against the non consideration of the appellant for promotion to the post of SS(IT) in line with the Notification No.SO (PE)4-5/ SSRC/meeting/ 2012/teaching Cadre dated 24.07.2014 published in official gazette and the same notification be also inserted in service rules 2019 and the appellant be considered for promotion to the post of SS(IT) on the basis of having master degree in Computer Science and having at least five year service as S.S.T (General/Science)

Respectfully Sheweth:

The appellant humbly submits as under:

1. That the appellant having qualification of B.ED, Master in computer Science was appointed as S.S.T, BPS-16 vide order dated 11.12.2009. (Copy of appointment letter is Annexure "A").
2. That since his appointment till date the appellant is performing his duty to the best of his ability and has not given any chance to displeasure of his superiors.
3. That previously in the rules pertaining to the year 2014 the category of appellant i.e. Master in Computer Science was made eligible for promotion to the post of S.S BPS-17. (Copy of Notification dated 24.07.2014 is annexure "B").
4. That later on meeting of respondent was held on 10.08.2017 in which SSTs (General /Science) having M.Sc (Computer Science)/BS (Computer Science)/MIT may be given 50% quota for promotion to the post of SS(IT) B-17. (Copy of minutes of the meeting is annexure "C").

5. That the respondent in utter violation of the notification, and minutes of the meeting as aforesaid is making promotions from SSTs (General/Science) but to utter violation are not considering the appellant for the promotion to the post of S.S(IT).
6. That the respondent is bent upon not to insert the above mentioned notification in the Rules and thereby depriving the appellant from the promotion to the post of SS(IT).
7. That the appellant after exhausting departmental remedies knocked at the doors of august High Court for the redressal of his grievance but the Hon'ble High Court dismissed the Writ Petition for being non maintainable and directed the appellant to approach competent forum for redressal of his grievances. (Copies of departmental Appeal and W.P is Annexure "D" & "E" respectively).
8. That the appellant prefer the instant Appeal on the following grounds inter alia

GRUNDS:

- A. That the non-considering of the appellant for promotion to the post of SS(IT) despite having requisite qualification of M.Sc Computer Science is in clear violation of Notification dated 24.07.2014 and minutes of the meeting dated 10.08.2017.
- B. That the non-insertion of the category of M.Sc Computer Science for the purpose of promotion to the post of SS(IT) is also violative of notification and minutes of the meeting mentioned above.
- C. That the appellant is quite eligible for promotion to the post of SS(IT) according to aforesaid minutes and Notification but the respondents is bent upon to deprive the appellant from his legal rights of promotion to the post of SS(IT).
- D. That the respondent is under legal obligation to act in accordance with law.
- E. That career progress is the right of every individual under the constitution of Pakistan.
- F. That the appellant reserves the right to agitate other additional grounds at the time of hearing.

It is, therefore prayed that on acceptance of the instant appeal non-considering of appellant for to the post of SS(IT) BPS-17 may kindly be declared as illegal, without lawful authority and notification mentioned above dated 24.07.2014 be also inserted in service rules 2019 and the appellant be considered for promotion to the post of SS(IT) BPS-17 on the basis of his Master Degree in Computer Science.

Through

Appellant


Saadat Ullah Khan Tangi
Advocate High Court

Dated 18.07.2019

CERTIFICATE

No such like appeal has earlier been preferred before this Hon'ble Tribunal.

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA,
PESHAWAR

Service Appeal No. _____/2019

Muhammad Naseem Ullah Khan.....**Appellant**

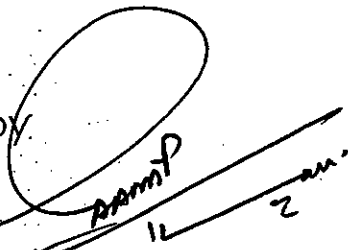
Versus

Govt. of KP through Secretary Elementary & Secondary
 Education, Peshawar.....**Respondent**

AFFIDAVIT

I, Muhammad Naseem Ullah Khan, Son Fateh Ullah, Appointed as SS, GHS Haji Marn, District D.I.Khan, do hereby 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 has been concealed from this Hon'ble Court.

Identified by



Saadat Ullah Khan Tangi
 Advocate High Court

CNIC#:

DEPONENT

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA,
PESHAWAR

Service Appeal No. _____/2019

Muhammad Naseem Ullah Khan.....**Appellant**

Versus

Govt. of KP through Secretary Elementary & Secondary
Education, Peshawar.....**Respondent**

ADDRESSES OF PARTIES

APPELLANT:

Muhammad Naseem Ullah Khan, Son Fateh Ullah,
Appointed as SS, GHS Haji Marn,
District D.I.Khan

RESPONDENTS:

1. Govt. of Khyber Pakhtunkhwa through Secretary
Elementary & Secondary Education, Peshawar
2. Govt. of Khyber Pakhtunkhwa through Chief
Secretary Civil Secretariat, KPK Peshawar
3. Director Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

Through Appellant


Saadat Ullah Khan Tangi
Advocate High Court

Dated 18.07.2019

OFFICE OF THE DIRECTOR ELEMENTARY & SECONDARY EDUCATION NWFP, PESHAWAR

8 A

NOTIFICATION

The competent authority has been pleased to regularize the services of the following adhoc contract employees against the post of SST (M) (B)S-16) with effect from 01-01-2009 under the NWFP employees (Regularization of services) Act, 2009 on the terms and conditions given at the end of this notification:-

| Peshawar | | | | | |
|----------|------------------|---------------------|-----------------|------------------------------|--|
| No. | Name of District | Name of SST | Father's Name | School Address | No. & Date of current contract Appointment |
| 1 | Peshawar | Inayat ur Rahman | Fazal Rahman | GHS Charpariza | 5139-5197/25-11-08 |
| 2 | Do | Feroz Khan | Abdur Rashid | GHS Charpariza | 5139-5197/16-09-08 |
| 3 | Do | Shahid Zaman | Hadis Zaman | GHS Charpariza | 5139-5197/25-11-08 |
| 4 | Do | Wisal Khan | Furhad Khan | GHS Badaber | 5139-5197/16-09-08 |
| 5 | Do | Iqyutullah | Suleman Shah | GHS Sheikh Mohammadi | 5139-5197/25-11-08 |
| 6 | Do | Momin Khan | Zaman Khan | GHS Haji Mohammad Noor Kalay | 5139-5197/16-09-08 |
| 7 | Do | Wajid Noor | Khad Noor | GHS Haji Mohammad Noor Kalay | 5139-5197/25-11-08 |
| 8 | Do | Naveedullah | Gul Sahib Sang | GHS Mashu Gagar | 5139-5197/25-11-08 |
| 9 | Do | Mohammad Amin | Zakria Khan | GHS Mashu Khet | 5139-5197/25-11-08 |
| 10 | Do | Sufaid Gul | Noor Zaman | GHS Gulzai | 5139-5197/25-11-08 |
| 11 | Do | Mohammad Akbar | Mohammad Ayaz | GHS Gulzai | 5139-5197/25-11-08 |
| 12 | Do | Sahin Khan | Mohammad Hanif | GHS Musuzai | 5139-5197/25-11-08 |
| 13 | Do | Mir Bahadar | Mohammad Zaman | GHS Muznai | 5139-5197/25-11-08 |
| 14 | Do | Sudrag Shah | Gul Nawaz Shah | GHS Muryunzai | 5139-5197/16-09-08 |
| 15 | Do | Mohammad Nasir | Mohammad Shoaib | GHS Garhi Sherdad | 5139-5197/25-11-08 |
| 16 | Do | Aminullah | Saeedullah Jan | GHS Tarnab Farm | 5139-5197/25-11-08 |
| 17 | Do | Iftikhar Ahmad | Rizool Khan | GHS Regi | 5139-5197/16-09-08 |
| 18 | Do | Inayat ur Rahman | Ali Rahman | GHS Zahir Abad | 5139-5197/16-09-08 |
| 19 | Do | Abdul Qadir Akhgar | Jehangir Khan | GHS Natra | 5139-5197/16-09-08 |
| 20 | Do | Abdul Karim | Jehangir Khan | GHS Shahi Bala | 5139-5197/16-09-08 |
| 21 | Do | Khalid Saifullah | Shahidullah | GHS Tala Band | 5139-5197/16-09-08 |
| 22 | Do | Minhal Khan | Nazirullah Jan | GHS Min Gajar | 5139-5197/25-11-08 |
| 23 | Do | Mohammad Fahim | Mohammad Usman | GHS Mathra | 5139-5197/25-11-08 |
| 24 | Do | Adnan Khan | Adnan Khan | GHS Mathra | 5139-5197/25-11-08 |
| 25 | Do | Adnan Shahzad | Shahzad Khan | GHS Chughamati | 5139-5197/25-11-08 |
| 26 | Do | S. Jehanzeb | S. Fazal Amin | GHS Chughamati | 5139-5197/25-11-08 |
| 27 | Do | Naveed ur Rahman | Shahzad Khan | GHS Sufaid Dheri | 5139-5197/25-11-08 |
| 28 | Do | Luqman Saeed | Gul Feroz | GHS Sufaid Dheri | 5139-5197/16-09-08 |
| 29 | Do | Zardad Khan | Abdul Kadir | GHS Badni | 5139-5197/25-11-08 |
| 30 | Do | Mohammad Rashid | Bahadar Sher | GHS Daag | 5139-5197/25-11-08 |
| 31 | Do | Hamid Ali | Sher Ali | GHS Daag | 5139-5197/25-11-08 |
| 32 | Do | Inayat Shah | Abdur Salam | GHS Badaber | 5139-5197/25-11-08 |
| 33 | Do | Mohammad Ijaz | Zar Wali Khan | GHS Kafoor Dheri | 5139-5197/16-09-08 |
| 34 | Do | Riaz Khan | Nawar Khan | GHS Sufaid Sang | 5139-5197/25-11-08 |
| 35 | Do | Gulzar Khan | Atlas Khan | GHS Sufaid Sang | 5139-5197/25-11-08 |
| 36 | Do | Mohammad Gul | Tofi Jan | GHS Sufaid Sang | 5139-5197/25-11-08 |
| 37 | Do | Mohammad Fakhr Alam | Khurshid Anwar | GHS Ahmad Khel | 5139-5197/25-11-08 |
| 38 | Do | Iftikhar Hussain | Shahzad Khan | GHS G. Ghulam Shah | 5139-5197/25-11-08 |
| 39 | Do | Ijaz Husrain | Bahadar Khan | GHS Gulbela | 5139-5197/25-11-08 |
| 40 | Do | Jehanzeb | Khayal Mohammad | GHS Talaband | 5139-5197/25-11-08 |
| Nowshera | | | | | |
| 41 | Nowshera | Ziarat Gul | Haroon Khan | GHS P.K. Khel | 5139-5197/25-11-08 |
| 42 | Do | Farhad Khan | Sawar Khan | GHS Marbat Banda | 5139-5197/25-11-08 |
| 43 | Do | Zia Ur Rahman | Gul Rahman | GHS Dagi Banda | 5139-5197/16-09-08 |
| 44 | Do | Eid Akbar | Gul Saad | GHS Dagi Banda | 5139-5197/16-09-08 |
| 45 | Do | Masani Khan | Shah Zaman | GHS Azakhel Bala | 5139-5197/16-09-08 |
| 46 | Do | Murad Ali | Abdul Quloos | GHS Azakhel Bala | 5139-5197/21-10-08 |
| 47 | Do | Basilr Mohammad | Nisar Mohammad | GMS Saidu Khel | 5139-5197/16-09-08 |
| 48 | Do | Anwar Ali | Wazir Khan | GHS Risapur | 5139-5197/16-09-08 |
| 49 | Do | Fida Mohammad | Mohammad Amin | GHS Manki Sharif | 5139-5197/16-09-08 |
| 50 | Do | Mohammad Arif | Mehar Dill | GMS Jungrai | 5139-5197/16-09-08 |

[Handwritten signature]

9

Conditions

1. Their services will be considered as regular but without pension & gratuity in terms of Section -19 of the NWFP Civil Servants Act, 1973 as amended vide NWFP Civil Servants (Amendment) Act, 2005. They will, however, be entitled to contributory Provident Fund in such a manner and at such rates as prescribed by the Government.
2. Their seniority will be determined according to Section-4 of the NWFP Employees (Regularization of services) Act, 2009.
3. They will be required to furnish copies of all their certificates / degrees along with original receipts and photo stat copies thereof, pertaining to the verification fee of the concerned Examinining body (Board & University to the EDO (E&SE) concerned.
4. The EDO (E&SE) concerned are directed not to release their pay until the verification of their documents.

Director
Elementary & Secondary Education
NWFP, Peshawar.

Dated Peshawar the 11-12-2009

Encls: No. 3057-4914/F No. A-14/SET(M)

Copy forwarded for information to the:-

1. Director of Education (FATA) NWFP Peshawar.
2. Executive District Officer (Elementary & Secondary Education) concerned.
3. Agency Education Officer concerned.
4. District Accounts Officer concerned.
5. Agency Account Officer concerned.
6. Principal / Headmaster concerned.
7. Teachers concerned.
8. PS to the Secretary to Govt. of NWFP E&SE Department.
9. PS to the Minister for E&SE Department.
10. PA to Director Elementary & Secondary Education, Local Office.

Deputy Director (Establishment)
Elementary & Secondary Education
NWFP, Peshawar.

Serial No. $\frac{GU}{2}$ 000185

10

GOMAL UNIVERSITY



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

DETAILED MARKS CERTIFICATE

B. Ed 2nd TERM

Examination held in August 2002/ Annual

Session: 2001-2002

Roll No: 2309

Name: Muhammad Naseemullah

The candidate secured the following marks & has been placed in First Division.

| SUBJECTS | Total No. of Marks Allotted | Marks Obtained | |
|--------------------------------------|-----------------------------|----------------|--------------------------------------|
| | | In figures | In Words |
| 1. School Organization Management | 100 | 73 | Seventy three |
| 2. Curriculum & Instruction | 100 | 44 | Forty four |
| 3. Measurement & Evaluation | 100 | 60 | Sixty only |
| 4. Individual Project | 100 | 70 | Seventy only |
| 5. Aggregate of 1 st term | 400 | 237 | Two hundred & thirty seven |
| 6. Practical Skills in Teaching | 200 | 140 | One hundred & forty only |
| Total Marks | 1000 | 624 | Six hundred & twenty four |

Result declaration date: 03-12-2002

Ales Lal
Head Master
Govt High School
Hall Meta, D.I.Khan
Controller of Examinations
Gomal University, D.I.Khan

Serial No. 38240

Registration No. 2309
Roll No. 2309
Session: 2001-2002

GOMAL UNIVERSITY

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



Provisional Certificate

This is to certify that Mr. / ~~Miss~~ / ~~Mrs.~~ MUHAMMAD NASEEMULLAH
Son / ~~Daughter~~ / ~~Wife~~ of FATEHULLAH KHAN
of the ~~Department~~ / Institute of EDUCATION AND RESEARCH
has passed B.Ed: ANNUAL, FINAL Examination held in AUGUST, 2002
in the subject of BACHELOR OF EDUCATION
He / ~~She~~ was placed in FIRST
division; Securing 624 marks out of 1000

The examination was taken as a whole / ~~in parts~~

Dera Ismail Khan

Dated 03-12-2002

Attested
[Signature]
Head Master
Govt. High School
Dera Ismail Khan

[Signature]
CONTROLLER OF EXAMINATIONS 6/2/03
[Signature]

Serial No. GU 000149

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

12

GOMAL UNIVERSITY

DERA ISMAIL KHAN

(N.W.F.P.) PAKISTAN



(Session 2003-2005)

MUHAMMAD NASEEM ULLAH.

SON of

FATEH ULLAH KHAN.

and a student of the INSTITUTE OF COMPUTING & INFORMATION TECHNOLOGY

having passed the prescribed examination in MARCH/APRIL, 2005,

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

MASTER OF INFORMATION TECHNOLOGY

in the FIRST Division.

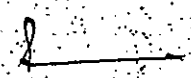
The Examination was taken as a whole/~~in parts~~.

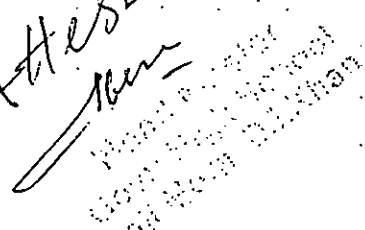
Registered No. 5465-D-98

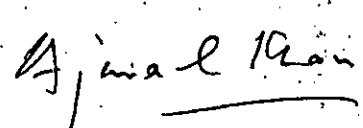
Roll No. 317

Result declared on JULY 8, 2005

Countersigned


Controller of Examinations

Attested



Vice-Chancellor

Serial No. $\frac{GU}{2}$ 004439

13

GOMAL UNIVERSITY



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

DETAILED MARKS CERTIFICATE
MASTER OF INFORMATION TECHNOLOGY 4TH TERM
Examination Held in Mar/April 2005 / Annual
Session: 2003-2005

Roll No: 317

Name: Muhammad Naseem Ullah Khan

The candidate secured the following marks & has been placed in First Division

| SUBJECTS | Total Number of Marks Allotted | MARKS OBTAINED | |
|---------------------------|--------------------------------|----------------|---|
| | | In figures | In words |
| Client Server Programming | 100 | 64 | Sixty Four only |
| Visual Programming | 100 | 76 | Seventy Six only |
| Artificial Intelligence | 100 | 67 | Sixty Seven only |
| E-Commerce | 100 | 75 | Seventy Five only |
| Project | 100 | 74 | Seventy Four only |
| Aggregate of 3rd Term | 600 | 407 | Four Hundred and Seven only |
| Aggregate of 2nd Term | 600 | 407 | Four Hundred and Seven only |
| Aggregate of 1st Term | 600 | 427 | Four Hundred and Twenty Seven only |
| Total Marks | 2300 | 1597 | One Thousand, Five Hundred and Ninety Seven only |

Result declaration date: 08 / 07 / 2005

Attested
Head Master
Govt. High School
Haji Mera, D.I. Khan

[Signature]
Controller of Examinations
Gomal University D.I. Khan.

Serial No. $\frac{GU}{2}$ 024522

14

GOMAL UNIVERSITY



DERA ISMAIL KHAN
(KHUBER PAKHTUNKHWA PAKISTAN)

GRADE CARD

MASTER OF SCIENCE IN COMPUTER SCIENCE 3rd SEMESTER
Session 2009-2011 Annual

Name: Muhammad Naseemullah Khan
Father Name: Fatehullah Khan
Registration No: 5465-D-98

| Courses | EVALUATION | | | | | |
|----------------------------|------------|--------------|---------|-------|------|---------------------------|
| | Title | Credit Hours | Marks % | Grade | N.G. | G.P.= (N.G. X Credits) |
| Advance Algorithm Analysis | | 3 | 85 | A | 4.0 | 12.0 |
| Data Mining | | 3 | 81 | A | 4.0 | 12.0 |

| | |
|---------------------------------|------------|
| GPA of 1 st Semester | 3.25 |
| GPA of 2 nd Semester | 3.78 |
| GPA of 3 rd Semester | 4.00 |
| CGPA | 3.64 |
| Grade | B |
| Remarks | Good |
| Result declaration date | 03-09-2012 |

Attested

Head Master
Govt. High School
Haji Mera, D.I. Khan

Controller of Examinations
Gomal University D.I. Khan

Serial No. GU-03403

15

بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ

GOMAL UNIVERSITY

DERA ISMAIL KHAN

(N.W.F.P.) PAKISTAN



(Session 2000)
ANNUAL

MUHAMMAD MASOUM DELAH. SON of FATEH ULLAH KHAN. and

a student of GOVT. COLLEGE NO. 1, D.I. KHAN,

having passed the prescribed examination in JULY/AUGUST, 2000

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

BACHELOR OF SCIENCE

in the PHI Division Passed also in PHI as an

Additional Optional Subject/Pakistan Studies and Islamiyat as Compulsory Subjects.

The Examination was taken as a whole/in parts

Registered No. 5465-1-98

Roll No. 367

Attested
[Signature]
Head Master
Govt. High School
Haji Mora, D.I. Khan

Countersigned

RESULT DECL. ON NOVEMBER 25, 2000

[Signature]
Controller of Examinations

[Signature]
Vice-Chancellor

Serial No. GU 000013



Registration No. 5465-D-98

GOMAL UNIVERSITY

DERA ISMAIL KHAN

KHYBER PAKHTUNKHWA PAKISTAN

16



(Session 2009-2011)

This is to certify that MUHAMMAD NASEEM ULLAH
Son/Daughter of FATEH ULLAH KHAN
of the Institute of Computing and Information Technology has obtained the
Degree of

MASTER OF SCIENCE IN COMPUTER SCIENCE (MSCS)

In this University at the Examination held in 2012

Result Declaration Date MARCH 04, 2015

Roll No.

A Hesteef
Head Master
Govt. High School
Haji Mera, D.I. Khan

Countersigned

Vice-Chancellor

[Signature]
Controller of Examinations

GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

Peshawar, dated the 24th July, 2014.



NOTIFICATION

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

AMENDMENTS

In the Appendix,-

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

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

(1)

18

| | | | | |
|----|--------------------------------------|---|-------------|--|
| 1A | Director Physical Education (BPS-17) | At least second class Master's Degree in Physical Education from a recognized University. | 22-35 years | <p>recruitment, and (b) fifty percent by initial recruitment.</p> <p>(a) Fifty percent by promotion, on the basis of seniority-cum-fitness, from amongst Senior Physical Education Teachers (BPS-16), with at least five years service as Senior Physical Education Teacher and Physical Education Teacher and having qualification mentioned in column No. 3:</p> <p>Provided that if no suitable person is available from amongst Senior Physical Education Teachers for promotion then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from amongst the Physical Education Teacher 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> |
|----|--------------------------------------|---|-------------|--|

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

| 1 | 2 | 3 | 4 | 5 |
|------------|-----------------------------------|---|-----------------|--|
| 19 "1B. | Secondary School Teacher (BPS-16) | <p>I. At least second class Bachelor Degree's from a recognized University on need basis from the following groups with two subject</p> <p>(a) (Chemistry, Botany or Zoology), Or (b) (Physics, Maths "A" or "B" or Statistics) Or (c) (Humanities and other equivalent groups at degree level with English as compulsory subject;</p> <p>and</p> <p>II. Bachelor of Education or Master of Education (Industrial Art or Business Education) or M.A. Education or equivalent qualifications from a recognized University.</p> | 21 to 35 years. | <p>1. Seventy Five per cent by promotion, on basis of seniority-cum-fitness, from 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> |

20

| | | | |
|--|--|--|---|
| | | | <p>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> <p>(v) 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> <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> |
|--|--|--|---|

(4)

(2)

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

(5)

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 MOMAN)
SECTION OFFICER (PRIMARY)



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. Shahzad 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. Naik 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 (PE)4-5/SSRC/Meeting/ 2013/ Teaching Cadre: dated 24/07/2014 has approved promotion to SS posts (BPS-17) from SST (BPS-16). The SST regular having 50% quota of the total sanctioned SS posts allotted for promotion (Annex-B). 50% quota has already been allotted for SSTs (General/Science) in 12 different subjects for Subject Specialist Post. But unfortunately, SSTs (General/Science) who have M.Sc (Computer Science)/BS (CS)/MIT qualification and are eligible for promotion to the post of SS (IT) B-17 have no quota for promotion.

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

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

| 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 (SS-IT) (B-17) Government Higher Secondary Schools/ Govt. comprehensive High Schools and other equivalent posts in the Teaching Cadre. | i.) Master Degree in Computer Science/IT at least in 2 nd Division or equivalent qualification from any recognized University. ii.) Bachelor Degree of Education (B.Ed) at least in 2 nd Division from any recognized University | 21-35 | a). Fifty percent by promotion on the basis of seniority-cum-fitness from amongst the Secondary School Teacher-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. Note: If no suitable candidate is available for promotion in the relevant cadre than by initial recruitment. Their seniority may be clubbed with SS and amendment may be made in the existing service rules. |
| 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 than by initial recruitment. |
| 3. | 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. |

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

(25)

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.

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

6/8/17
(Mohsin Mushtaq)
Assistant (R-1), 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

(Onisar Adam)
Special Secretary, E&SE Deptt:

12/9/17
Dr. Shahzad Khan Dangash
Secretary E&SE Department
(Chairman)

26th 11

143

Secondary Education Department,
Peshawar,
Chand

FOR SST (Gen/Sc) PROMOTION TO SS(IT) POSTS

My regards humbly beg to draw your kind attention to the
for favourable consideration please.

1 against - SST (Sc/Gen) post since 01.01.2009 in
Secondary Education Department Khyber Pakhtunkhwa.

2 serving against SST(SC) post at different schools,
district D.I. Khan, Khyber Pakhtunkhwa.

3 holding BS, M.Sc/ MS Computer Science, MII, B.Ed and
(Education)

4 Notification No. SO(PE4-5/SSRC/Meeting/2013/Teaching
& Secondary Education Department, Peshawar

5 approved promotion to SS posts (BPS-17) from SST
6 SS regular having 50% quota of the total sanctioned SS
7 promotion (Photo copy attached)

8 Notification No: SOG/E&SED/1-86/SS.IT/2016, of Elementary &
9 Secondary Education Department, Peshawar dated 15.08.2016 the
10 Government Authority is pleased to notify the nomenclatures of Information
11 Technology Teaching Cadre/Posts serving in the Government in High &
12 Secondary Schools of Khyber Pakhtunkhwa. Of Elementary &
13 Secondary Education Department, as Existing Nomenclature Sr. IT
14 Teacher BPS-17 to New Nomenclature Subject Specialist IT (SS-IT) BPS-
15 (Photo copy attached)

16 It is also decided in SRC meeting held on 10.08.2017 chaired by Dr.
17 Saeed Bengish Secretary E&SE Education Department and six other
18 respectable members that must provide the 50% quota to the
19 SST (Gen/Sc) (SRC minutes attached)

20 That therefore are in alloted above mentioned quota of various subjects
21 (for example Eng, Urdu, Pashto, Math's, Botany, Zoology etc) SS posts to
22 which promote the SST (Gen & Sc) of various subjects except the SST

[Handwritten signature]

15)

... (Gen/Sc: Subject Computer Science) who having no chance to promote
 ... in specific 50% quota.
 ... in the above policy of promotion, the SST (Gen/Sc: Subject Computer
 Science) who having promotion due are deprived of their rights.
 In the light of the above facts it is requested that your kind honour to
 this appeal for favourable consideration that at Higher Secondary level the
 Specialist (IT) posts to which promotion of the SST (Gen/Sc: Subject
 Computer Science) regular may please be allowed.
 I shall be highly obliged for this act of kindness.

Date: 22/9/11

1) [Signature]
 2) [Signature]
 3) [Signature]
 4) [Signature]

Yours Obediently,

- (1) Nasim Ullah
SST, GHS Haji Mora
- (2) Kallim Ullah
SET, GMS Lumda Para
- (3) Abdul Ahad
SST, GHS Gomal Kalan
- (4) Muhammad Bilal
SST, GHS Prova

To
The Most Respected
Director E&SE Department,
Khyber Pakhtunkhwa Peshawar

Subject:- APPEAL FOR THE NOTIFICATION OF THE MINUTES OF THE MEETING OF THE SSRC ON 10/08/2017 REGARDING ALLOTMENT OF 50% QUOTA TO SST (GEN/SC) FOR PROMOTION TO THE POST OF SS-IT.

Respected Sir,

With most veneration it is to bring in your kind notice that 50% quota has already been allotted for SSTs (General/Science) in the different subjects for subject specialist post but unfortunately, SSTs (General/Science) who have M.Sc (Computer Science)/BS(CS)/MIT qualification & are eligible for promotion to the post of SS(IT) BPS-17 have no quota for promotion.

But in the SSRC meeting on 10/08/2017 E&SE Department proposed that all those SSTs (General/Science) who have MSc. (Computer Science)/BS(CS)/MIT may be given 50% quota for promotion to the post of SS(IT) BPS-17 like other SSTs, so as to bring uniformity in the teaching cadre.

Now according to the SSRC meeting on 10/08/2017 the seniority of SST(General/Science) and SST(IT) will be clubbed together immediately for the purpose of promotion.

Date: 05.07.2018

Respected Sir
5/07/2018

Thanks

1. Muhammad Ibrahim (SST)
2. Muhammad Imran (SST)
3. Abdul Ghafoor (SST)
4. Muhammad Farooq (SST)
5. Ghulam Abbas (SST)
6. Muhammad Naseem Ullah Khan (SST)

(29)

JUDGMENT SHEET
IN THE PESHAWAR HIGH COURT, D.I. KHAN BENCH
(General Department)

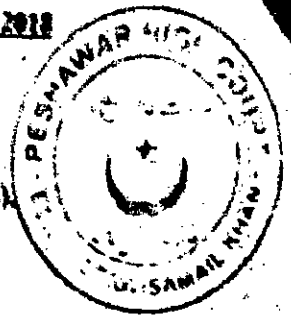
"E"

Writ Petition No. 877-D with C.A. Nos. 1099-D & 1101-D of 2018

Abdul Ahad and 9 others

Versus

Govt. of Khyber Pakhtunkhwa through Secretary (E&S)
Peshawar and seven others



JUDGMENT

Date of hearing

30.01.2019

For petitioners:

Muhammad Anwar Awan Advocate

For respondents:

Mr. Kamran Hayat Miankbel, Addl:
A.G and Mr. Zia ur Rehman Qazi
Advocate

S.M. ATIQUE SHAH, J.- Through the instant petition
under Article 199 of the Constitution of Islamic
Republic of Pakistan, 1973, the petitioners Abdul Ahad
and others have prayed that:-

"In wake of above submission it is respectfully prayed that on acceptance of this writ petition may kindly direct the respondent to collect the documents from SST (General/Science) for promotion as Subject Specialist (IT) and consider them according to rules. It is also further prayed that may kindly direct the respondents to amend or interpret the promotion rules by providing ample opportunity to SST (General/Science) as Subject Specialist (IT) BS-17."

ATTENUEL
EXAMINOR
Peshawar High Court
D.I. Khan Bench

2. The petitioners are serving as Secondary School
Teacher (General/Science) and seek issuance of writ

Amir

directing the respondents to collect documents from SST (General/Science) for promotion as Subject Specialist (IT) and to consider them according to rules and further directions to respondents to amend or interpret the promotion rules by providing ample opportunity to SST (General/Science) as Subject Specialist. Admittedly, the petitioners are civil servants and the matter in question relates to the terms and conditions of their service and in such like cases this Court has no jurisdiction to issue directions for the promotion of petitioners or direction for amendment in the Rules in question. In this respect, reliance is placed on the cases of Province of Punjab, Communication and Works Department, Lahore. Vs. Liaquat Ali Bukhari (1998 PLC(CS) 901), Muhammad Zafar Ali. Vs. Federation of Pakistan through Secretary Establishment, Islamabad (2018 PLC(CS) 116) and Hafiz Muhammad Ilyas. Vs. Government of Khyber Pakhtunkhwa (2018 PLC(CS) N 40). The Honourable Supreme Court of Pakistan in the case of Government of Khyber Pakhtunkhwa, Vs. Hayat Hussain (2016 SCMR 1021) held that:-

"No vested right of a government employee was involved in the matter of promotion or the rules determining their eligibility or fitness. High Court had no jurisdiction by means of constitution petition to strike down such rules."

MIKES/EL
2-02
EXAMINOR
Peshawar High Co.
O.A. Khan Bk

Thus, in view of aforesaid facts, it has conclusively been resolved that High Court has no jurisdiction to entertain matters relating to civil servants involving terms and conditions of their service, or any ground whatsoever.

3. Accordingly for the reasons stated above, this petition is not maintainable and is dismissed alongwith enlisted C.Ms and interim relief. However, the petitioners are at liberty to approach the competent forums for the redressal of their grievance, if so advised.

Announced
Dt. 30.01.2019
Hlm

JUDGE

JUDGE

(10)
Hon'ble Mr. Justice S.M. Anwar Shah
Hon'ble Mr. Justice Michael Ahmed

off
1/2

G.R. No. 557
Applicant: Registered and 12-02-19
Copies: 5
No of Pages: 05 Page
Conveyed to: 04
Urgent Fee: 200
Total Fee: 200
Copy ready for issue on: 12-02-19
Copy delivered on: 12-02-19
Signature of Examinor: [Signature]

[Signature]
12-02-19

Controlled to be Blue Copy
12-02-19
Registrar Upper Court Bench District
Muzaffargarh District
Muzaffargarh District

BEFORE PESHAWAR HIGH COURT BENCH AT D.I.KHAN

Writ No. 817 of 2018.



1. Abdul Ahad R/O Ghulam Muhammad R/O Alim
D.I.Khan currently working at GCMHS no. D.I.Khan as SST (Physics & Mathematics).

2. Kalim Ullah S/O Rehmat Ullah Cas Baluch R/O Mohallah Ahmad Saib Eid
Gah D.I.Khan currently working as ASDEO SST (General) chodwan circle District D.I.Khan.

3. Dr. M. Naseem Ullah S/O Fatch Ullah R/O Gillani Town near Wensum College
D.I.Khan Currently posted at GHS Haji Mora as SST (General), (Phd).

4. Ghulam Abbas S/O Ghulam Qasim R/O Village Mialy Tehsil Parova D.I.Khan
currently posted at GHS Mangal SST (General).

5. Abdul Ghafoor S/O Ghulam Nabi Khan R/O Village Lunda Para Tehsil Parova
D.I.Khan currently posted at GHS Wanda Sheru D.I.Khan SST (General).

6. Muhammad Imran S/O Haji Ismail R/O Parova D.I.Khan currently posted at
GMS Malaikhi SST (General).

7. Muhammad Bilal S/O Malik Muhammad Amir R/O Currently posted at GHS
SST (General) Gara Rahid D.I.Khan.

8. Raft Ullah S/O Hamzed Ullah R/O Kot Nawaz District Tank, currently working
as ASDEO Education Office Tank SST (General).

9. Asmat Ullah S/O Rahmat Ullah R/O Shadi Khel Village Daraki District Tank
SST (General).

10. Muhammad Farooq S/O Rahim Baksh R/O Village Chah Khan Wala Tehsil
Parova D.I.Khan currently posted at GHS Parova as SST (Physics & Mathematics).

Imran

VERSUS

EXAMINER
Peshawar High Court
D.I.Khan District

1. Govt of Khyber Pakhtunkhwa through Secretary (E/ES) Education Peshawar.
2. Govt of Khyber Pakhtunkhwa through Secretary Establishment Department Peshawar.
3. Govt of Khyber Pakhtunkhwa through Secretary Finance Department Peshawar.
4. Govt of Khyber Pakhtunkhwa through Secretary Law Peshawar.
5. Director General (E/ES) Education Khyber Pakhtunkhwa Peshawar.
6. Deputy Director EMIS (S/ESK) Department Khyber Pakhtunkhwa Peshawar.
7. District Education Officer (Male) D.I.Khan.
8. District Account Officer D.I.Khan.

**PETITION UNDER ARTICLE 199 OF CONSTITUTION
OF THE ISLAMIC REPUBLIC OF PAKISTAN, 1973.**

Respectfully Sheweth:

The facts leading rise to present writ petition in brief are:

1. That petitioner having degree of Bachelor of Science, appointed as Secondary School Teacher (General/Science). Copy of academic qualifications and notifications are annexure A & B.
2. That petitioner also acquired the degree of Master of Computer Science. Copy of Certificates is annexure C.
3. That respondent vide notification no. SO (PE) 4-5/SSRC/Meeting/2013/Teaching Cadre dated 24th of July 2014 approved some amendments regarding promotion of Secondary School Teacher BPS-16 to subject specialist BPS-17, according to which 50% promotion should be made on the basis of seniority cum fitness for the relevant subject amongst the SST with at least 5 year service along with 2nd class Master Degree or 4 year BS degree in the relevant subject. Copy of Notification is Annexure D.
4. That after the amendments some promotions were made but Secondary School Teacher (General/Science) were ignored reason best known to the respondents. In the

ATTESTED
 13-02-19
 EXAMINER
 Peshawar High Court
 D.I.Khan

بعدالت کروس ٹریبیونل چیئر مین انجمن انجمنہ اسلامیہ

2۔ پنجاب ایڈووکیٹ

محمد نسیم احمد صاحب بنام حکومت

کروس ٹریبیونل

مدرجہ
مقدمہ
دعویٰ
جرم

باعث تحریر آئینکے

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی دیکل کاروائی متعلقہ
آن مقام کروس ٹریبیونل کیلئے صاحب اللہ خان دستخطی ام ایڈووکیٹ صوبائی کورٹ
مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز
کیل صاحب کو راضی نامہ کرنے و تقریر ثالثہ فیصلہ بر حلف دینے جواب دہی اور اقبال دعویٰ اور
بصورت ڈگری کرنے اجراء اور صولی چیک دروپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق
زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری کی طرفہ یا اپیل کی برآمدگی اور منسوخی
نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور
کے کل یا جزوی کاروائی 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 باختیارات حاصل ہوں گے اور اس کا ساختہ
پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جانب التوائے مقدمہ کے سبب سے ہوگا۔
کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی
مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سندر ہے۔

المترجم _____ ماہ _____ 20

کے لئے منظور ہے۔

بنام کروس ٹریبیونل

محمد نسیم احمد صاحب

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

Service Appeal No: 1166/2019

Muhammad Naseem Ullah Khan SS B-17 (M) District D.I.Khan...Appellant.

VERSUS

Secretary (E&SE) Department, Khyber Pakhtunkhwa & others.....Respondents

JOINT PARAWISE COMMENTS ON & FOR BEHALF OF RESPONDENTS No:1-3.

Respectfully Sheweth:-

The Respondents No.1-3 submit as under:-

PRELIMINARY OBJECTIONS.

- 1 That the Appellant has got no cause of action/locus standi.
- 2 That the instant Service Appeal is badly time barred.
- 3 That the Appellant has concealed material facts from this Honorable Tribunal in the instant service appeal.
- 4 That the instant Service Appeal is based on mala-fide intentions.
- 5 That the Appellant has not come to this Honorable Tribunal with clean hands.
- 6 That the Appellant is not entitled for the relief he has sought from this Honorable Tribunal.
- 7 That the instant Service Appeal is against the prevailing law & rules.
- 8 That the instant Appeal is based on mala fide intentions just to put extra pressure on the Respondents for gaining illegal service benefits.
- 9 That the instant Service Appeal is not maintainable in its present form.
- 10 That the instant Service Appeal is bad for mis-joinder & non-joinder of the necessary parties.
- 11 That the instant Service Appeal is barred by law.
- 12 That the Appellant is not competent to file the instant appeal against the Respondents.

- 13 That no Departmental Appeal has been filed by the appellant to the Respondent Department against the impugned Notification dated 31/01/2008, hence, got finality.
- 14 That the appellant is not entitled for the grant of promotion w.e.f 18/07/2017 against the SS IT B-17 post in the Respondent Department.
- 15 That the Notification dated 24/07/2017 is not applicable upon the case of the appellant.
- 16 That the no rules/service structure has yet been framed for the promotion against the SS IT B-17 post in the Respondent Department till date.

ON FACTS.

- 1 That Para-1 needs no comments being relates to the academic/professional qualification & service record against the SST B-16 post inducted vide Notification dated 13-04-2018 & a copy whereof is **Ann- A**.
- 2 That Para-2 is also needs no comments as each & every civil Servant is liable to serve his parent Department with his utmost devotion for the salary he has drawing from the Govt. Treasury.
- 3 That Para-3 is incorrect & denied as perusal of the Notification dated 24-07-2014 with reference to the serial No.01 would show that for the promotion against the SS B-16 post the prescribed qualification is MA/M.Sc at least in 2nd Division with B.Ed/M.Ed from dully recognized university of the country at a ratio of 50% by promotion on the basis of seniority com fitness basis with qualifying service of five years in the Respondent Department & copies whereof are attached as **Ann-B & C**.
- 4 That Para-4 is correct on the grounds that a meeting was held on 10/07/2017 wherein it has been proposed that 50% quota may be reserved for SSTs (G/S) B-16 for promotion as SS (IT) B-17 with the above said qualification & criteria, however, the same rules/proposals have not been inserted in the service rules of the year of 2019 by the Respondent Department till date, hence the appellant, in the absence of formal service rules for promotion as SS (IT) B-17 cannot be promoted in the Respondent Department.
- 5 That Para-5 is incorrect & denied that the act of the Respondent Department with regard to the non-grant of promotion as SS (IT) B-17 is within legal sphere as no formal rules have been notified till date for the said post by the Respondent Department, hence , the plea of the appellant is baseless & liable to the rejected
- 6 That Para-6 is incorrect & denied as detail reply to this para has already being given in the above mentioned paras of the present reply, hence , needs no further comments.

- 7 That Para -7 is correct to the extent of dismissal of his writ petition No. 877-D/2018 Abdul Ahad etc VS Govt. Aby the Honorable Peshawar High Court Peshawar vide judgment dated 30/01/2019 on merits of the case & a copy whereof is attached as **Ann-D**.
- 8 That Para-8 is needs no comments, however, the Respondents further submit on the following grounds inter alia:-


GROUNDS.


- A **Incorrect & not admitted.** The appellant has been treated as per law, rules & policy by the Respondent Department in the instant case, hence, the stand of the appellant is baseless & liable to be rejected as the Notification dated 24/07/2014 & minutes dated 10/08/2017 are not applicable upon the case of the appellant.
- B **Incorrect & not admitted.** The appellant has been treated as per law, rules & policy by the Respondent Department in the instance case, hence, the stand of the appellant is baseless & liable to be rejected.
- C **Incorrect & not admitted.** The statement of the appellant is without any cogent reason & justification on the grounds as agitated in the foregoing paras of the present reply by the Respondents.
- D **Incorrect & not admitted.** The stance of the appellant is without any cogent reason & legal justification & liable to be rejected with the submission that the act of the Respondents with regard to the non-grant of promotion against the SS (IT) B-17 post is legally competent on the grounds that the appellant does not meet the criteria for promotion as SS (IT) B-17 post in the respondent Department under the rules.
- E **Incorrect & not admitted.** The stance of the appellant is without any legal force & justification as proper explanation has been given in the above mentioned paras in the present reply.
- F **legal.** However, the Respondents No.1-3 also seek leave of this Honorable Tribunal to submit additional grounds, case law and record at the time of arguments on the date fixed before this Honorable Bench.

4

In view of the above made submission, it is most humbly requested that this Honorable Tribunal may very graciously be pleased to dismiss the instant Service Appeal in favor of the Respondents in the interest of justice please.

Dated: ___ / ___ /2020.


SECRETARY
E&SE Department Khyber
Pakhtunkhwa, Peshawar.
(Respondents No.1 & 2)


DIRECTOR
E&SE Department Khyber
Pakhtunkhwa, Peshawar.
(Respondent No: 3)

AFFIDAVIT

I, Hayat Khan Asstt: Director (Lit: II) E&SE Department Khyber Pakhtunkhwa, Peshawar do hereby solemnly affirm and declare on oath that the contents of the instant Parawise Comments in the titled are true & correct to the best of my knowledge & belief.


Deponent

Directorate of Elementary and Secondary Education

Khyber Pakhtunkhwa Peshawar

PH No. 091-9225339, 9225344.

Fax 091-9225343.

Email: khattakfarid@gmail.com



NOTIFICATION.

Under the provision of The Khyber Pakhtunkhwa Employees of the Elementary and Secondary Education (Appointment and Regularization of Services) Act, 2018 (Khyber Pakhtunkhwa Act No.1 of 2018) and in pursuance of the Govt. of Khyber Pakhtunkhwa Notification No. SOTS/F/ E&SED/3-2/2018/SITT/Contract, Dated: 16-02-2018, the Services of the following Secondary School Teachers (SST Bio/Chem), (SST Maths Agencies), (SST General) appointed on Adhoc/Contract basis, are hereby regularized in BPS-10, on the SST posts in Teaching Cadre on the terms and conditions given below with effect from the date of their appointments.

SST (Bio/ Chem) 2014

| Sr | Name | Address | Score | Name of School | Appointment order No and dated | Extension order No and dated if any |
|----|-----------------|---|--------|------------------|--------------------------------|-------------------------------------|
| 1 | Hayat Khan | Mohalla Landi Shah Lower Village And Post Office Darara CNIC No.13701-5066599-3 | 122.58 | GHS Ganori | 2068-73 dated 30-04-2014 | 2913-30 dated 28-04-2017 |
| 2 | Wahedullah | Village Kuram Dahan Post Office Shokoor Tehsil Tungi District Charsadda CNIC No 13102-5006531-3 | 128.82 | GHS Sifana Daag | -do- | -do- |
| 3 | Farooq Rahim | Village And Post Office Akhars Mohallah Dak District Dir Upper CNIC No 15701-8508466-9 | 127.77 | GHS Sambar | -do- | -do- |
| 4 | Muhammad Karim | Village Osmani Tehsil and Post Office Wari District Upper Dir CNIC No 15700-0908885-7 | 126.79 | GHS Pochir Kalai | -do- | -do- |
| 5 | Abdul | Village And Post Office Chakdaran District Dir Upper CNIC No 15701-0287377-7 | 125.92 | GHS Securali | -do- | -do- |
| 6 | Latif Ali Gulam | Village Morohanda Post Office Bispur District And Tehsil Dir Upper CNIC No 15701-5429610-2 | 124.04 | GHS Gandigar | -do- | -do- |

2017

| Sr | Roll No. | Name | Permanent Address | Total Marks (Out of 200) | School | Appointment order No and dated | Extension order No and dated if any |
|----|-----------|------------------|---|--------------------------|------------|--------------------------------|-------------------------------------|
| 1 | 157000282 | Baitshah Hussain | Village Shokeaud Pa Wari Teh Wandi District Upper Dir CNIC No.15702-8805309-2 | 111.72 | GHS Nohay | 1878-84 dated 28-04-2017 | NA |
| 2 | 157000108 | Amir Nasir | Village Band Post Office Shykhaw District Tehsil Upper Dir | 113.79 | GHS Usheri | -do- | NA |

Dir Upper Male SSTs Regularization order-2018

| | | | | | | | |
|-----------|-----------------------|---|--------------------------|-----------------------|--------------------------|----|--|
| | | | CNIC No. 15701-5303080-5 | | | | |
| 791000140 | Ishfaq Ahmad | Village Qashimail Dera Gharo Tehsil And Post Office Wari District Dir Lower CNIC No. 15702-7119178-5 | 126.10 | GHS Mulengu | -do- | NA | |
| 791000150 | Sherif Allah | Village Matar Mohallah Cherhal Post Office And Tehsil Wari District Upper Dir CNIC No. 15702-3049819-9 | 126.23 | GHS Jatgram | -do- | NA | |
| 791000155 | Abdul Haseeb | Village Wari Payeen Tehsil And Post Office Wari District Upper Dir CNIC No. 15702-1448499-9 | 129.49 | GHS Wari | -do- | NA | |
| 791000071 | Muhammad Ajjamal Khan | Village Wari Post Office And Tehsil Wari District Upper Dir CNIC No. 15702-6862374-1 | 127.32 | GHS Wari | -do- | NA | |
| 791000163 | Hamid Zia | Village Jelar Post Office Wari Tehsil Wari District Dir Upper CNIC No. 15702-8726858-9 | 127.24 | GHS Jalor | -do- | NA | |
| 451001101 | Muhammad Shuaib | Fauji Abad Post Office Dera Tehsil And District Mardan CNIC No. 36161-6988745-7 | 126.35 | GHS Gansheer | -do- | NA | |
| 791000062 | Nasir Ahmad | Ahmad Public School And College Wari Disu Upper Dir CNIC No. 15702-6029389-1 | 125.26 | GHS SS Khel | -do- | NA | |
| 601000978 | Farman Ali | Afghan Colony Street #2 House No. 279 Tab Wari Chatek Peshawar City NCIC# 17201-5086097-0 | 126.0 | GHS Nohaq | -do- | NA | |
| 791000089 | Muhammad Sahab | Village And Post Office Baramail Baramail District Dir Upper CNIC No. 15701-4790667-7 | 123.01 | GHS Choukya 15th | 2983-89 dated 17-05-2017 | NA | |
| 791000187 | Khaista Rahmon | Village Nagrail Post Office Sahab Abad Tehsil Wari Dir Upper CNIC No. 15702-6933856-5 | 121.87 | GHS Baramail Baramail | 4878-89 dated 28-04-2017 | NA | |
| 791000026 | Farman Ullah | Village Choni, P/O Sheringal District Dir Upper CNIC No. 15701-4715187-7 | 124.64 | GHS Patrak | -do- | NA | |
| 791000064 | Baidshah Sardar | District And Tehsil Upper Dir Post Office Bilyaaur Village Kair District Upper Dir CNIC No. 15701-2314122-7 | 123.67 | GCMHS Dir | -do- | NA | |
| 791000058 | Lal Rehman | Village Bilyaaur Dir Upper CNIC# 15701-6401297-7 | 123.52 | GHS Usharai | 2937-43 dated 31-07-2017 | NA | |
| 791000153 | Yassar Khan | Village & PO Tehsil Wari District Dir Upper CNIC# 15702-5959950-3 | 123.10 | GHS Patrak | -do- | NA | |

SST Maths Physics 2014

| Seq. | Name | Address | Score | Name of School | Appointment order No and dated | Extension order No and dated if any |
|------|------------|---|--------|----------------|--------------------------------|-------------------------------------|
| 1 | Qasim Khan | Village Qashqari Pa Dir Upper Dera Gharo Tehsil Dir CNIC No. 15701-729482-1 | 119.4 | GHS Bin Dula | 2014-01 dated 30-04-2014 | 1017-20 dated 28-04-2017 |
| 2 | Shahid | Mohallah Eshara Rattou Payeen Post Office Dera Gharo Upper Dir CNIC No. 15701-6091826-1 | 124.65 | GHS Usharai | -do- | -do- |

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2015

| Sr# | RollNo | Name | Address | Total Marks (out of 200) | School/Remarks | Appointment order No and dated | Extension order No and dated if any |
|-----|---------|----------------------|---|--------------------------|----------------|--------------------------------|-------------------------------------|
| | 7920010 | Muhammad Sabzar Khan | Village Barora District Dir Upper CNIC No. 15701-629362-9 | 133.1 | GHS Chaklatan | 3987-93 dated 30-11-2015 | 3987-93 dated 30-11-2015 |
| | 7920013 | Ali Akbar Khan | District Upper Dir Tehsil Dir (U) Dorara Mahallah Shari Abad District Upper Dir CNIC No. 15701-9078517-3 | 127.91 | GHS Hela | -do- | -do- |
| | 7920025 | Azhar Ullah | Village Unvota Pargen Tehsil And Post Office Wari District Upper Dir CNIC No. 15702-9888832-9 | 127.8 | GHS Sparko | -do- | -do- |
| | 7920069 | Inran Khan | Village, Tehsil Wari District Dir Upper CNIC No. 16102-3283055-3 | 123.56 | GHS Gendigar | -do- | -do- |
| | 7920030 | Muhammad Ishfaq | Village Seraton District Dir Upper CNIC No. 15701-7267961-3 | 118.43 | GHS Gonshaf | -do- | -do- |

2017

| Sr# | RollNo | Name | Permanent Address | Total Marks (Out of 200) | School | Appointment order No and dated | Extension order No and dated if any |
|-----|---------------|------------------|--|--------------------------|-------------------|--------------------------------|-------------------------------------|
| | 7920000 80 | Altaf Ur Rahman | Village Jabar Post Office Gamsar Tehsil Dir District Dir Upper CNIC No. 15701-1222672-1 | 136.62 | GHS Gamsar | 4078-84 dated 28-04-2017 | NA |
| | 7920000 51 | Umar Farooq | Village Hichakay Post Office Chaklatan Tehsil And District Dir Upper CNIC No. 15701-9890605-7 | 131.55 | GEMPS Dir | -do- | NA |
| | 8020000 07 | Fazal Wahid | The Home Of Knowledge School And College Wari Upper Dir CNIC No. 15702-6271264-3 | 124.70 | GHS SS Khet | -do- | NA |
| | 6020000 30 | Shuja Ur Rehman | Vill Saldam Post Office Sheringal District Dir (U) CNIC No. 15701-0012791-7 | 124.32 | GHS Darg (P) | -do- | NA |
| | 7220001 29 | Shah Abdul Aziz | Vill Tangol Teh And Post Office CNIC No. 15702-2406113-9 | 122.26 | GHS Jangam | -do- | NA |
| | 7920011 17 | Aftab Ullah | Village Badal Usheri Darra District And Tehsil Upper Dir CNIC No. 15701-8457716-9 | 121.04 | GHS Barawal Bandi | -do- | NA |
| | 7920001 06 | Muhammad Pariz | Swat Collegiate School And College Khizar Khela Swat CNIC No. 17101-5207022-3 | 120.81 | GHS Nohar | -do- | NA |
| | 7920000 99 | Zia Ullah | The Greenmount Model School Wari Upper Dir CNIC No. 15702-4094431-1 | 120.73 | GHS Wari | 4004-10 dated 24-09-2017 | NA |
| | 7020000 05 | Hasan Ullah Khan | Village Kakul The And Post Office Wari District Dir Upper CNIC No. 15702-8601145-9 | 118.99 | GHS Wari | 3557-64 dated 19-10-2017 | NA |
| | 1520005 01 | Ahmad Waseem | Village Baskani Pargen Tehsil Dir District Upper Dir CNIC No. 15701-0302601-7 | 118.91 | GHS Patrok | 3578-84 dated 28-03-2017 | NA |
| | 7920001 05 | Zafar Khan | Village Begam P/O And Tehsil Wari CNIC No. 15702-1322803-5 | 117.99 | GHS Bandai (P) | -do- | NA |
| | 8920002 94 | Muhammad Ullah | Village Sadiq Banda P/O Akums Tehsil And District Upper Dir | 117.80 | GHS Darra | -do- | NA |

Dir Upper Male SSTs Regularization order-2018.

| | | | | | | |
|-----------|-------------------|--|--------|-------------------|------|----|
| 702000023 | Muhammad al-Ishaq | CNIC No. 15701-004285-1 Village Imam-Kul-Pishu And Post Office Work Dist Dir Upper | 117.43 | GHS Jelar | -do- | NA |
| 702000041 | Muhammad Din | CNIC No. 15701-2103235-1 Village Katan Pajera Post Office Danora Dir Upper CNIC No. 15701-1211851-3 | 117.06 | GHS Patrak | -do- | NA |
| 602000506 | Muhammad Anwar | Room Number 51 Hostel Number 03 Qaid E Azam University Of Islamabad CNIC No. 15701-8204121-1 | 116.08 | GHS Jelar | -do- | NA |
| 702000025 | Suhail Ahmad | Mahallah Boreham Village Jabor Post Office Counsel Upper Dir CNIC No. 15701-1587520-0 | 115.58 | GHS Usheri | -do- | NA |
| 702000021 | Usman Ullah | Department Of Agriculture Extension Dist Dir Lower CNIC No. 15701-110727-5 | 115.52 | GHS Kair Derra | -do- | NA |
| 702000020 | Syed Fazal Ghani | Vill & P/O Gonori Teh And Dist Upper Dir CNIC No. 15701-2214033-9 | 115.05 | GHS Barawal Bandi | -do- | NA |
| 702000073 | Abdullah | Village Quidia Post Office Athagram Tehsil Wari Dir Upper CNIC No. 15701-1214006-5 | 113.92 | GHS Wari | -do- | NA |
| 702000029 | Saqbal Ali | Village And Post Office Wari Dir Upper CNIC No. 15701-5062908-9 | 100.83 | GHS Hayagay (Sh) | -do- | NA |

(SST General) 2014

| Sr | Name | Address | Score | Name of School | Appointment order No and Date | Extension order No and dated if any |
|----|-----------------|---|--------|----------------------|-------------------------------|-------------------------------------|
| 1 | Muhammad Inseer | Jamia Usmania, Usmania Colony, Nathia Road Feshwar Cantt, Feshwar CNIC No. 17301-0115872-3 | 128.97 | GHS Kair Dara | 1089-91 dated 30-04-2014 | 4913-20 dated 28-01-2017 |
| 2 | Imran | Nara Wala New Model Colony Post Office And Tehsil Takhi Shari CNIC No. 15701-2925246-0 | 126.49 | GHS Dera | -do- | -do- |
| 3 | Sohail | Village Rehankot Tehsil And Post Office Dir District Upper Dir CNIC No. 15701-0921667-5 | 125.98 | GMS Dobando | -do- | -do- |
| 4 | Hazrat Saif | Village Thall stoballah Haji Shah Tehsil And Post Office Kalkot CNIC No. 15701-9267458-3 | 123.16 | GMS Sundri | -do- | -do- |
| 5 | Shabaz Khan | Village Gogial Post Office And Tehsil Wari District Dir Upper CNIC No. 15701-5183060-9 | 122.12 | GHS Shinkari | -do- | -do- |
| 6 | Shaukat Ishaq | House No. 157 Sector D/I Mirpur Afs CNIC No. 15701-0115972-2 | 121.19 | GHS Bashe | -do- | -do- |
| 7 | Muhammad Tariq | C/O Zakir, Phosphate Minin Road Dir Post Office Dir Tehsil Dir CNIC No. 15701-1192480-2 | 121.13 | GMS Bilhuzi | -do- | -do- |
| 8 | Usman Ullah | House No. 114 Near Bilal Masjid Bilal Lane Arbab Road-University Of The Postgraduate CNIC No. 15701-1870014-0 | 120.48 | GHS Seri Sultan Khan | -do- | -do- |
| 9 | Muhammad Azeem | District Tehsil Post Office Dir Upper Main Bazar Dir Upper Chahid Center CNIC No. 15701-1232152-5 | 120.08 | GHS Rukhan | -do- | -do- |
| 10 | Usman Ullah | 15701-081000-1 CNIC No. 15701-0811000-1 | 127.5 | GHS Janbatti | -do- | -do- |
| 11 | Mudiyat Ullah | Village Banjar Rohistan District Dir Upper | 126.19 | GHS Badarkani | -do- | -do- |

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Dir Upper Male SSTs Regularization order-2018

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|----|----------|--------------------------|--|--------|-------------------|------|------|
| 22 | 20300064 | CNIC No. 15701-8164289-3 | P/O Wari Tehsil Wari Village Wari District Mullerpet | 126.03 | GHS Bandari Osari | -do- | -do- |
|----|----------|--------------------------|--|--------|-------------------|------|------|

2015

| Sr | Roll No | Name | Address | Academic Marks (out of 100) | School/Institution | Appointment order No and dated | Extension order No and dated if any |
|----|---------|--------------|---|-----------------------------|--------------------|--------------------------------|-------------------------------------|
| 13 | 7030066 | Hazrat Wahab | Village Mono Bardo Post Office Bibyoliar Tehsil And District Dir Upper CNIC No. 15701-8164289-3 | 64 | GMS Siasati | -do- | -do- |
| 14 | 7030362 | Abdullah | Mohallah Qasimagi Village Katan Payawan Post Office Dgorar Tehsil Upper Dir District Upper Dir CNIC No. 15701-5496002-3 | 55-47 | GHS Bela | -do- | -do- |

2017

| Sr | Roll No | Name | Permanent Address | Total Marks (Out of 200) | School | Appointment order No and dated | Extension order No and dated if any |
|----|-----------|---------------|--|--------------------------|---------------|--------------------------------|-------------------------------------|
| 15 | 707000435 | Shaukat Ali | Village Gogyal Mahallah Gogyal Colony Tehsil And Post Office Wari CNIC No. 15702-3434680-5 | 153.45 | GMS Gandar | 2878-83 dated 28-04-2017 | NA |
| 16 | 703000333 | Mahmood Ullah | Post Office Box Tehsil Barawal Bandu District Dir Upper Mahallah Banglay Cham CNIC No. 15701-0981849-5 | 139.41 | GMS Nasrat | -do- | NA |
| 17 | 703000193 | Fazal Hayat | Vill Jajgram Post Office Wari Tehsil Wari District Dir Upper Kpk CNIC No. 15702-6126067-7 | 139.30 | GHS Karkabanj | -do- | NA |
| 18 | 703000417 | Hazrat Younus | Hazrat Younus S/O Shah Afzal Khan Village Gogyal Post Office Tehsil Wari District Dir Upper CNIC No. 15702-1690882-9 | 137.47 | GHS Jedar | -do- | NA |
| 19 | 703000724 | Abdul Wahid | Village Haji Shah Tehsil P/O Kalkat Kir Upper Kpk CNIC No. 15703-4892268-0 | 137.03 | GHS Patrak | -do- | NA |
| 20 | 703000678 | Irfan Ullah | Vill Bandai Teh And P/O Wari Dist Upper Dir CNIC No. 15701-6990918-7 | 136.72 | GMS Shaltala | -do- | NA |
| 21 | 703000727 | Faiz Ul Alam | Village And Post Office Sheringal Dist Dir Upper CNIC No. 15701-5953990-0 | 136.65 | GMS Doga (B) | -do- | NA |
| 22 | 70000001 | Kaleem Ullah | Village P/O Sahib Abad District Dir Upper CNIC No. 15702-7895643-9 | 135.88 | GHS Bayar | 5657-03 dated 24-08-2017 | NA |

TERMS & CONDITIONS

The regularization will not be in favour of those, who have not taken over charge till has remained absent from duty OR resigned from service and also not for those who are under disciplinary proceedings.

10 (B)

Dir Upper Male SST's Regularization order-2018

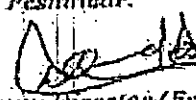
2. Their services shall be governed by the Khyber Pakhtunkhwa Civil Servant Act, 1977, the Khyber Pakhtunkhwa (Appointment, Deputation, Posting and Transfer of Teachers, Lecturer, Instructors and Doctors) Regularity Act, 2011 and such rules and Regulations as may be issued from time to time by the Government.
3. Their pay shall be released subject to the verification of academic and professional documents/ testimonials from the concerned boards/universities by the District Education Officers Concerned.
4. Their services will be considered regular and they shall be eligible for pension/ deduction of GP Fund in terms of the Khyber Pakhtunkhwa Civil Servant Act, 1977 as amended in 2013.
5. Their services are liable to termination on one month notice from either side. In case of resignation without notice, their one month pay/allowances shall be forfeited to the Government.
6. They shall possess the same qualification and experience required for the subject post on regular basis.
7. Their regularization shall not affect the promotion quota of the existing holders of posts in respective service cadre. They shall rank junior to all civil servants belonging to the same service or cadre, as the case may be, who are in service on regular basis on the commencement of The Khyber Pakhtunkhwa Employees of the Elementary and Secondary Education (Appointment and Regularization of Services) Act, 2018 (Khyber Pakhtunkhwa Act No. 1 of 2018); and shall also rank junior to such other persons, if any, who, in pursuance of the recommendation of the Khyber Pakhtunkhwa Public Service Commission made before the commencement of this Act, are to be appointed to the respective service or cadre, irrespective of their actual date of appointment.
8. Their seniority shall be determined on the basis of their continuous services in cadre, provided that if the date of continuous service in case of two or more employees is the same, the employee elder in age shall rank senior to the younger one.

(Farid Ahmad Khattak)
 Director
 Elementary and Secondary Education
 Khyber Pakhtunkhwa Peshawar

2969-75

Encls: No. / File No. 25/A-14/SST/Adhoc/Apptt: Dated Peshawar the 13/4/2018.

- Copy forwarded for information and necessary action to the:-
1. Accountant General Khyber Pakhtunkhwa Peshawar.
 2. Secretary Khyber Pakhtunkhwa Public Service Commission Peshawar.
 3. District Education Officer (Male) Dir Upper.
 4. District Accounts Officer Dir Upper.
 5. Official Concerned.
 6. PS to the Secretary to Govt: Khyber Pakhtunkhwa E&SE Department.
 7. PA to the Director E&SE Khyber Pakhtunkhwa, Peshawar.
 8. M/ File


 Deputy Director (Estab)
 Elementary and Secondary Education
 Khyber Pakhtunkhwa Peshawar

17/4/18

15

GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

Peshawar, dated the 24th July, 2014.

NOTIFICATION

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

AMENDMENTS

In the Appendix,-

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

| 1 | 2 | 3 | 4 | 5 |
|---|-----------------------------|--|----------------|---|
| 1 | Subject Specialist (BPS-17) | i. At least second class Master's Degree or four years BS Degree in the relevant subject; and ii. Bachelor of Education or Master of Education (Industrial Art or Business Education) or MA 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. |

(1)



**UNIVERSITY OF MALAKAND
PAKISTAN**

DETAILED MARKS CERTIFICATE

BS (4-year) in Computer Science

Department of Computer Science & IT

Session (2007-2011)

Name: Muhib Ullah

F/Name: Akbar Said Khan

Reg. No: 20070010010

| Subjects | Maximum Marks | Credit Hours | Marks Obtained | | | |
|--|---------------|------------------|---------------------------|--------|-----------------|-------|
| | | | Internal | Theory | Practical | Total |
| English Comprehension | 50 | 3 | | 21 | | 21 |
| Islamiyat | 50 | 2 | | 36 | | 36 |
| Physics | 100 | 3 | 16 | 46 | | 62 |
| Fundamentals of Computers | 100 | 3 | 17 | 50 | 20 | 87 |
| Calculus-I | 100 | 3 | 17 | 53 | | 80 |
| 1st Term Examination March 2008 Roll No: 110 | | Total Marks: 400 | Result Date: May 19, 2008 | | Obtained Marks: | 286 |
| Programming Concepts | 100 | 4 | 20 | 51 | 20 | 91 |
| Discrete Mathematics | 100 | 4 | 18 | 62 | | 80 |
| Mathematics-II | 100 | 4 | 14 | 67 | | 81 |
| Electronics | 100 | 3 | 19 | 67 | | 86 |
| 2nd Term Examination August 2008 Roll No: 209 | | Total Marks: 400 | Result Date: Oct 21, 2008 | | Obtained Marks: | 338 |
| Pakistan Studies | 50 | 2 | | 31 | | 31 |
| Business Communication | 50 | 3 | | 36 | | 36 |
| Object Oriented Programming | 100 | 4 | 17 | 50 | 18 | 85 |
| Data Structures | 100 | 4 | 18 | 51 | 18 | 87 |
| Digital Logic Computer Design | 100 | 4 | 15 | 72 | | 87 |
| 3rd Term Examination March-April 2009 Roll No: 309 | | Total Marks: 400 | Result Date: Aug 20, 2009 | | Obtained Marks: | 326 |
| Database-I | 100 | 4 | 17 | 41 | 16 | 74 |
| Computer Organization & Assembly Language | 100 | 4 | 17 | 45 | 18 | 80 |
| Programming Language-I (Visual C++) | 100 | 4 | 18 | 51 | 18 | 87 |
| Operating System | 100 | 4 | 18 | 52 | 18 | 88 |
| Statistics and Probability | 100 | 3 | 18 | 73 | | 91 |
| 4th Term Examination Oct-Nov 2009 Roll No: 409 | | Total Marks: 500 | Result Date: Jan 12, 2010 | | Obtained Marks: | 420 |
| Artificial Intelligence | 100 | 4 | 18 | 50 | 17 | 85 |
| Data Communication & Networks | 100 | 4 | 18 | 51 | 18 | 87 |
| Software Engineering-I | 100 | 4 | 18 | 53 | 19 | 90 |
| Programming Language-II (Java) | 100 | 4 | 20 | 53 | 20 | 93 |
| 5th Term Examination April-May 2010 Roll No: 509 | | Total Marks: 400 | Result Date: Jun 30, 2010 | | Obtained Marks: | 355 |
| Network Strategies | 100 | 4 | 17 | 47 | 18 | 82 |
| Numerical Analysis | 100 | 4 | 20 | 48 | | 68 |
| Database- II | 100 | 4 | 17 | 48 | 19 | 84 |
| Computer Architecture | 100 | 4 | 17 | 49 | 18 | 84 |
| Automata Theory | 100 | 3 | 18 | 53 | 16 | 87 |
| 6th Term Examination Sep-Oct 2010 Roll No: 619 | | Total Marks: 500 | Result Date: Dec 13, 2010 | | Obtained Marks: | 405 |
| E-Commerce Application and Technology | 100 | 3 | 16 | 49 | 17 | 82 |
| Software Engineering -II | 100 | 4 | 19 | 52 | 17 | 88 |
| Computer Graphics | 100 | 3 | 20 | 53 | 17 | 90 |
| Network Security | 100 | 3 | 17 | 53 | 18 | 88 |
| Web Programming | 100 | 4 | 20 | 53 | 18 | 91 |
| Design & Analysis of Algorithms | 100 | 3 | 20 | 57 | 20 | 97 |
| 7th Term Examination March 2011 Roll No: 1713 | | Total Marks: 600 | Result Date: May 31, 2011 | | Obtained Marks: | 536 |
| Compilers | 100 | 4 | 19 | 46 | 18 | 83 |
| Software Project Management | 100 | 3 | 19 | 47 | 18 | 84 |
| Multimedia Technology | 100 | 4 | 18 | 55 | 19 | 92 |
| Research Thesis (Software Project) | 100 | 6 | | 93 | | 93 |
| 8th Annual Examination Sept-Oct 2011 Roll No: 819 | | Total Marks: 400 | Result Date: Dec 27, 2011 | | Obtained Marks: | 352 |

Total Result Status: Maximum Marks 3600 Obtained Marks 3018

Overall Percentage : 83.83 Total Credit Hours : 137

Errors and omissions are subject to subsequent rectification

Prepared by: *[Signature]*

Checked by: *[Signature]*

[Signature]
Controller of Examinations
University of Malakand

13

70



Session 2007-2011

MUHIB ULLAH Son of AKBAR SAID KHAN Registration No. 20070010010 student of Department of Computer Science & I.T University of Malakand having passed the prescribed examination held in Sept-Oct 2011 under Roll No. 819 is admitted to the degree of

BS (4-Year)

in Computer Science

in First Division

Controller of Examinations

Result Declared on 27-Dec-2011

Issuance Date 21-Mar-2012

Countersigned

M. Aslam
Vice Chancellor

14

24



DEPARTMENT OF COMPUTER SCIENCE & IT
UNIVERSITY OF MALAKAND
CHAKDARA-DIR (Lower), KHYBER PAKHTUNKHWA



| | | | |
|-----------------|-------------------|------------------|-----------------|
| Student's Name | Mulih Ullah | Father's Name | Akbar Said Khan |
| Program/Session | M.Phil, 2012-2014 | Registration No. | 20070010010 |

M.Phil Course Work

| S.No. | Semester | Course Code | Course Title | Cr. Hrs. | Total Marks | Marks Obtained | Percentage | GP | GPA | Remarks |
|-----------|-----------|---|---|----------|------------------------|----------------|------------|------|------|----------|
| 1 | 1st | CS 903 | Research Methods in Computer Science | 3 | 100 | 71 | 71 | 10.2 | 3.47 | PROMOTED |
| 2 | | CS 701 | Advanced Operating System | 3 | 100 | 65 | 65 | 9.0 | | |
| 3 | | CS 913 | Advanced Topics in Software Engineering | 3 | 100 | 78 | 78 | 11.5 | | |
| 4 | | CS 912 | Empirical Software Engineering | 3 | 100 | 75 | 75 | 10.9 | | |
| Sub-total | | | | 12 | 400 | 289 | 72.25 | 41.6 | | |
| 5 | 2nd | CS 909 | Theory of Computation | 3 | 100 | 79 | 79 | 11.1 | 3.75 | PROMOTED |
| 6 | | CS 705 | System Re-Engineering | 3 | 100 | 75 | 75 | 10.5 | | |
| 7 | | CS 704 | Software Refactoring | 3 | 100 | 86 | 86 | 12.0 | | |
| 8 | | CS 702 | Advanced Analysis of Algorithm | 3 | 100 | 81 | 81 | 11.4 | | |
| Sub-total | | | | 12 | 400 | 321 | 80.25 | 45.0 | | |
| 9 | 3rd & 4th | Research "MOBILE COMMERCE CUSTOMERS RELATIONSHIPS MANAGEMENT MODEL" | | | Successfully Completed | | | | | |

| | |
|-------------------------|-----------|
| Over all results status | |
| Total Points | 86.6 |
| Total Cr. Hrs | 21+0 = 30 |
| CGPA | 3.61 |

Countersigned by

 Controller of Examination
 University of Malakand
 Dated: 26/04/18

M.S./P.E. Coordinator

 Deptt. of Computer Science & IT
 University of Malakand

Chairman

 CHAIRMAN
 Department of CS & IT
 University of Malakand

Errors and Omissions are subject to subsequent rectification.
 Date of Issue: 04-04-2018

D
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JUDGMENT SHEET
IN THE PESHAWAR HIGH COURT, D.I. KHAN BENCH
(General Department)

Writ Petition No. 877-D with C.M. Nos. 1099-D & 1131-D of 2018

Abdul Ahad and 9 others

Versus

Govt. of Khyber Pakhtunkhwa through Secretary (E&S)
Peshawar and seven others



JUDGMENT

Date of hearing: 30.01.2019

For petitioners: Muhammad Anwar Awan Advocate

For respondents: Mr. Kamran Hayat Miskhel, Addl:
A.G and Mr. Zia ur Rehman Qazi
Advocate

S.M. ATTIQUE SHAH, J. Through the instant petition under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973, the petitioners Abdul Ahad and others have prayed that:-

"In wake of above submission it is respectfully prayed that on acceptance of this writ petition may kindly direct the respondent to collect the documents from SST (General/Science) for promotion as Subject Specialist (IT) and consider them according to rules. It is also further prayed that may kindly direct the respondents to amend or interpret the promotion rules by providing ample opportunity to SST (General/Science) as Subject Specialist (IT) BS-17."

ATTEN: 5/12/2019
EXAMINOR
Peshawar High Court
D.I. Khan Bench

2. The petitioners are serving as Secondary School Teacher (General/Science) and seek issuance of writ

16 (33)
2

directing the respondents to collect documents from SST (General/Science) for promotion as Subject Specialist (IT) and to consider them according to rules and further directions to respondents to amend or interpret the promotion rules by providing ample opportunity to SST (General/Science) as Subject Specialist. Admittedly, the petitioners are civil servants and the matter in question relates to the terms and conditions of their service and in such like cases this Court has no jurisdiction to issue directions for the promotion of petitioners or direction for amendment in the Rules in question. In this respect, reliance is placed on the cases of Province of Punjab, Communication and Works Department, Lahore. Vs. Liaquat Ali Bukhari (1998 PLC(CS) 901), Muhammad Zafar Ali. Vs. Federation of Pakistan through Secretary Establishment, Islamabad (2018 PLC(CS) 116) and Haftiz Muhammad Ilyas. Vs. Government of Khyber Pakhtunkhwa (2018 PLC(CS) N 40). The Honourable Supreme Court of Pakistan in the case of Government of Khyber Pakhtunkhwa, Vs. Hayat Hussain (2016 SCMR 1021) held that:-

"No vested right of a government employee was involved in the matter of promotion or the rules determining their eligibility or fitness. High Court had no jurisdiction by means of constitution petition to strike down such rules."

ATTESTED
22.02
EXAMINOR
Jawahar High Co.
D.I. Khan Be

Thus, in view of above facts, it has conclusively been resolved that High Court has no jurisdiction in enforcing matters relating to civil servants monitoring terms and conditions of their service, or any ground whatsoever.

3. Accordingly, for the reasons stated above, this petition is not maintainable and is dismissed along with enlisted C.Ms and interest relief. However, the petitioners are at liberty to approach the competent forum for the redressal of their grievance, if so advised.

Announced
Dt. 30.01.2019
JUDGE

JUDGE

JUDGE

How To Mr. Justice S.M. Akhtar Shah
How To Mr. Justice Shahid Ahmad

off
11/2

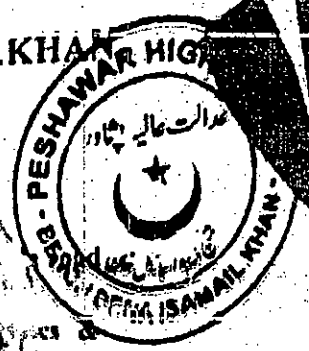
G.R. No. 557
Application Registered on 12-02-19
Copies 20
No of Pages 05 Page
Copies to 04
Urgent Fee 200
Total Fee 200
Copy ready for delivery 12-02-19
Copy delivered on 12-02-19
Signature of Examiner [Signature]

[Signature]
12-02-19

Confirmed to be Blue Copy
12-02-19
Signature of Examiner
12-02-19

BEFORE PESHAWAR HIGH COURT BENCH AT D.I.KHAN

Writ No. 817 of 2018.



1. Abdul Ahad S/O Ghulam Muhammad S/O Ahmad D.I.Khan currently working at GCHS no. D.I.Khan as SST (Physics & Mathematics).
2. Kalim Ullah S/O Rehmat Ullah Cas Baluch R/O Mohallah Ahmad Saib Eld Gab D.I.Khan currently working as ASDEO SST (General) chudwan circle District D.I.Khan.
3. Dr. M. Naseem Ullah S/O Fateh Ullah R/O Gillani Town near Wensum College D.I.Khan Currently posted at GHS Haji Mora as SST (General), (Phd).
4. Ghulam Abbas S/O Ghulam Qasim R/O Village Minly Tehsil Parova D.I.Khan currently posted at GHS Mangal SST (General).
5. Abdul Ghufoor S/O Ghulam Nabi Khan R/O Village Lunda Para Tehsil Parova D.I.Khan currently posted as GHS Wanda Sheru D.I.Khan SST (General).
6. Muhammed Imran S/O Haji Ismail R/O Parova D.I.Khan currently posted at GMS Malaikhi SST (General).
7. Muhammad Bilal S/O Malik Muhammad Amir R/O Currently posted at GHS SST (General) Gara Rahid D.I.Khan.
8. Rafi Ullah S/O Hameed Ullah R/O Kot Nawaz District Tank, currently working as ASDEO Education Office Tank SST (General).
9. Asmat Ullah S/O Rahmat Ullah R/O Shadi Khel Village Daraki District Tank SST (General).
10. Muhammad Farooq S/O Rahim Baksh R/O Village Chah Khan Wala Tehsil Parova D.I.Khan currently posted at GHS Parova as SST (Physics & Mathematics).

Shah

VERSUS

ATTESTED
EXAMINOR
Peshawar High Court
D.I.Khan District

- 19
- 32
1. Govt of Khyber Pakhtunkhwa through Secretary (E&S) Education Peshawar.
 2. Govt of Khyber Pakhtunkhwa through Secretary Establishment Department Peshawar.
 3. Govt of Khyber Pakhtunkhwa through Secretary Finance Department Peshawar.
 4. Govt of Khyber Pakhtunkhwa through Secretary Law Peshawar.
 5. Director General (E&S) Education Khyber Pakhtunkhwa Peshawar.
 6. Deputy Director EMIS (S&SR) Department Khyber Pakhtunkhwa Peshawar.
 7. District Education Officer (Male) D.I.Khan.
 8. District Account Officer D.I.Khan.

**PETITION UNDER ARTICLE 199 OF CONSTITUTION
OF THE ISLAMIC REPUBLIC OF PAKISTAN, 1973.**

Shawar
Respectfully Sheweth:

The facts leading rise to present writ petition in brief are:

1. That petitioner having degree of Bachelor of Science, appointed as Secondary School Teacher (General/Science). Copy of academic qualifications and notifications are annexure A & B.
2. That petitioner also acquired the degree of Master of Computer Science. Copy of Certificates is annexure C.
3. That respondent vide notification no. SO (PE) 4-5/SSRC/Meeting/2013/Teaching Cadre dated 24th of July 2014 approved some amendments regarding promotion of Secondary School Teacher BPS-16 to subject specialist BPS-17, according to which 50% promotion should be made on the basis of seniority cum fitness for the relevant subject amongst the SST with at least 5 year service along with 2nd class Master Degree or 4 year BS degree in the relevant subject. Copy of Notification is Annexure D.
4. That after the amendments some promotions were made but Secondary School Teacher (General/Science) were ignored reason best known to the respondents. In the

At 125/125
2014-02-19
EXAMINOR
Peshawar High Court
D.I.Khan District

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| | | | | |
|----|--------------------------------------|---|-------------|---|
| | | | | recruitment; and (b) fifty percent by initial recruitment. |
| IA | Director Physical Education (BPS-17) | At least second class Master's Degree in Physical Education from a recognized University. | 22-35 years | (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 Teacher 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 queue shall be filled by initial recruitment; and (b) fifty percent by initial recruitment"; and |

03056
Court
M Tangi

(ii) In Serial No. 1B, as so renumbered, for the existing entries, the following shall be substituted; in respective column namely

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

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| | | | | |
|--|--|--|--|---|
| | | | | <p>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> |
| | | | | <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> |
| | | | | <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> |

(27)

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

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

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

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

Provided that if no suitable candidate is available from amongst

(5)

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, (PIIE) 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

(TAMIN KHAN MOMANI)
SECTION OFFICER (PRIMARY)

BEFORE THE LEARNED SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA, PESHAWAR



C.M No. _____/2020

In

Service Appeal No./~~1818~~/2019

Muhammad Naeem Ullah KhanPetitioner

Vs

Govt of KPK & Others.....Respondents

Subject:- **APPLICATION FOR EARLY HEARING IN THE**
CAPTIONED CASE ALONG WITH CONNECTED
PETITIONS.

Respectfully Sheweth:-

The petitioner humbly submits as under:-

- 1- That the captioned connected Service Appeals is pending adjudication before this August Tribunal for 07.07.2020.
- 2- That the respondents issued notification dated 08.06.2020, and it is very necessary to restrain them from acting upon the same, that's why the petitioners preferred stay applications in the same.
- 3- That the date given is too late and the petitioner request this Hon'ble Tribunal that as such the noted date may please be expedited and be fixed at earliest.

It is therefore, respectfully prayed that on acceptance of this application the above titled case may kindly be fixed at earliest to meet the ends of justice.

Shall remain posted to the already filed.
[Signature]
26/6

Through

Petitioners

[Signature]
Saadat Ullah Khan Tangi

Advocate High Court

Peshawar

Cell#0331-5030566

Dated:-23.06.2020

(1)

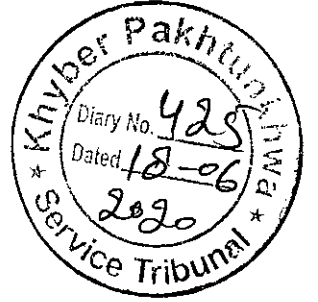
BEFORE THE LEARNED SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA, PESHAWAR

C.M No. _____/2020

In

Service Appeal No. _____/_____

Muhammad Naeem Ullah KhanPetitioner



Vs

Govt of KPK & Others.....Respondents

Subject:- **APPLICATION FOR SUSPENSION OF NOTIFICATION**
NO.332-52 SS (IT) PROMOTION DATED PESHAWAR
THE 08/06/2020, TILL THE FINAL DISPOSAL OF THE
SERVICE APPEAL.

Put up to the court
[Signature]

Respectfully Sheweth:-

Ready The petitioner humbly submits as under:-

- 1- That the captioned Service Appeal is pending adjudication before this August Tribunal for 07.07.2020.
- 2- That the Directorate of E&SE KPK issued notification No.332-52 SS (IT) Promotion dated Peshawar the 08.06.2020 inviting application/documents for Promotion of SST (IT) BS-16 to SS (IT) BS-17 Regular. (**Attested Copy of Notification is attached as Annexure "A"**).
- 3- That vide the said notification, the respondents intends to deprive the petitioner from his valuable rights of promotion, that's why the petitioner seeks indulgence of this Hon'ble Court for restraining the respondents from acting upon the same till the final disposal of the Service Appeal on the following grounds inter alia.

GROUND:-

A- That the impugned notification is against the law on the point and violative of fundamental rights of the petitioner as well as against promotion Rules 2014 & Minutes of SSRC dated 10.08.2017.

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B- That the petitioner has good prima facie case, Balance of Convenience lies in favour of petitioner & if impugned notification is not suspended the petitioner would face irreparable loss as the petitioner is discriminated in the matter.

It is, therefore, prayed that on acceptance of the instant application, notification impugned above may kindly be suspended till final disposal of the main service appeal.

Petitioner



Through



Saadat Ullah Khan Tangi

Advocate High Court

Peshawar

Cell#0331-5030566

Dated:-15.06.2020

3

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

C.M No. ____/2020

In

Service Appeal No. ____/ ____

Muhammad Na^sem Ullah KhanPetitioner

Vs

Govt of KPK & Others.....Respondents

AFFIDAVIT

I, Muhammad Naeem Ullah Khan (Petitioner), do hereby solemnly affirm and declare on oath that the contents of this **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.

[Handwritten Signature]
DEPONENT

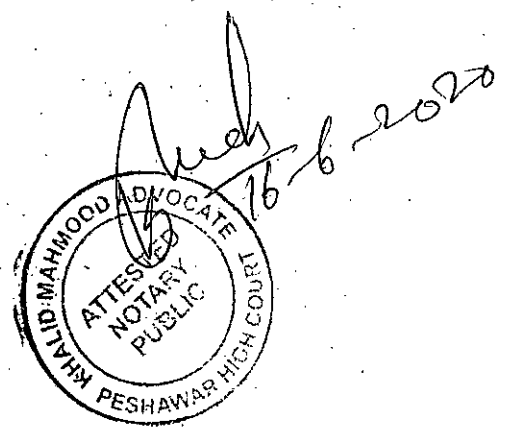


Identified by *[Handwritten Signature]*

Saadat Ullah Khan Tangi

Advocate High Court

Peshawar





Directorate of Elementary & Secondary Education Khyber
Pakhtunkhwa

No. 339-12 SS (IT) Promotions

Dated Peshawar the: 8/6/2020

4
A

To

1. All the District Education Officers (Male) Khyber Pakhtunkhwa
2. All the District Education Officers (Male) Newly Merged District in Khyber Pakhtunkhwa

Subject: SUBMISSION OF APPLICATION/DOCUMENTS FOR PROMOTION OF
SST (IT) BS-16 TO THE POST OF SS (IT) BS-17 REGULAR

Memo:

I am directed to refer to the subject cited above and to state that the Elementary & Secondary Education (E&SE) Khyber Pakhtunkhwa intends the promotions of SSTs(IT) (Male) BS-16 to the post of Subject Specialist (SS-IT) BS-17 (Regular), hence you are directed to inform the SSTs (IT) concerned having regular appointments up to 2014 against SST (IT) post in your respective districts to provide the applications alongwith relevant documents as per detail given below for the purpose of promotions to SS (IT) post on the following format.

| S# | Sen# | Name | Qual: | Div in master | Prof: Qual: | DOB | Domicile | DO 1 st apptt | DO of apptt as regular | Contact# | Remarks if any |
|----|------|------|-------|------------------|----------------|-----|----------|--------------------------------|------------------------------|----------|-------------------|
| | | | | | | | | | | | |

Note: - the relevant documents will be consisting of:

1. Bio Data/CNIC
2. 1st App: order/Contract Order
3. Regular App: as SST IT BS-16
4. Service Certificate
5. Non involvement certificate (duly countersigned by DEO)
6. Last 5 Years results
7. Pay slip
8. synopsis
9. ACRs (from 1st app: till 2019) Synopsis / ACRs should be submitted in separate file and documents in separate file, ACR and synopsis should be handed over with the conveying letter from concerned D.E.O to ACR branch.
10. All certificate/degrees with DMCs (duly attested)
11. Domicile
12. Information as per format referred to the above may be provided in hard.
13. Applications/Documents/ information should be reached to this directorate within (10) days after the issuance of this letter.
14. Candidates having 3rd division in Mater are not eligible.

DEPUTY DIRECTOR (ESTAB)

Directorate of Elementary & Secondary
Education Khyber Pakhtunkhwa

8/6/2020

Endst.No. _____ Dated _____/2020

Copy of the above is forwarded to the: -

1. PA to Secretary to Govt: E& SE Deptt Khyber Pakhtunkhwa
2. PA to Director E&SE Khyber Pakhtunkhwa Peshawar

DEPUTY DIRECTOR (ESTAB)

Directorate of Elementary & Secondary
Education Khyber Pakhtunkhwa