

18.05.2023

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

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)

kamranullah


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

SCANNED
KPST
Peshawar

SCANNED
KPST
Peshawar

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)

01.12.2022

Junior to counsel for the appellant present.

Muhammad Adeel Butt learned Additional Advocate General for respondents present.

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.

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

SCANNED
KPST
Peshawar

SCANNED
KPST
Peshawar

22.02.2022

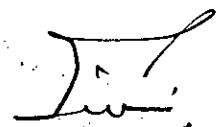
Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 19.05.2022 for the same as before.


Reader.

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)

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 hearing.




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

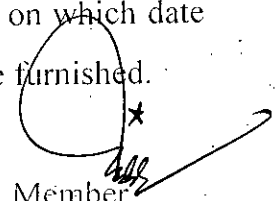
Proper D.B is on Tour, therefore, the case is
adjourned for the same on 30.12.2020 before D.B.


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

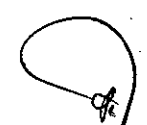
Due to public holiday on account of COVID-19, the case is adjourned to 07.07.2020 for the same. To come up for the same as before S.B.


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.

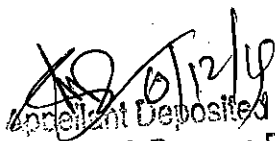

Chairman

04.12.2019

Counsel for the appellant present.

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.

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.


Appellant Deposited
Security & Process Fee


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.



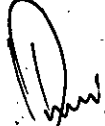

Member

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 1167/2019


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. Abdul Ghafoor 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 style="text-align: right;"> REGISTRAR 20/9/19</p>
2-	23/09/19	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>25/10/19.</u></p> <p style="text-align: right;"> CHAIRMAN</p>
	25.10.2019	<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 style="text-align: right;"> Chairman</p>

The appeal of Mr. Abdul Ghafoor SST GHS Wanda Shero 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 signed 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 mentioned in para-1 of the memo of appeal is not attached with the appeal which may be placed on it.
- 5- The authority to whom the departmental appeal was made/preferred has not been arrayed a necessary party.
- 6- Necessary party may be made in the heading of the appeal.

No. 1342 /S.T,

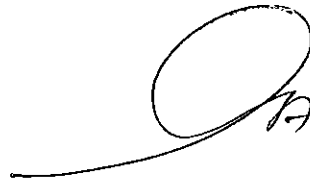
Dt. 31-7-2019.


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Saadatullah Khan Tangi Adv. Pesh.

Re-Submitted after completion

17.08.2019



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. 1481 /S.T,

Dt. 23/8 /2019.


REGISTRAR

Mr.Saadatullah Khan Adv. Pesh.

Sir, D.A is at Page 28
Re-Submitted after completion

the same may kindly be clubbed with

Case title "Ghulam Abbas vs Govt"

fixed for 30.9.019. I.P. was filed by
other colleagues of Petitioner

20.9.19

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA,
PESHAWAR

Service Appeal No. 1167 /2019

Abdul Ghafoor.....Appellant

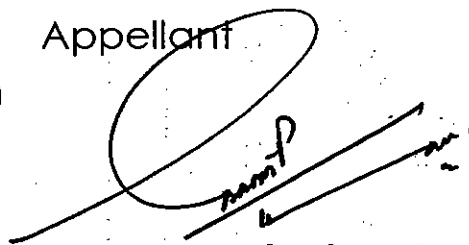
Versus

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

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S#	Description of Documents	Annex	Pages
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5.	Copy of Notification dt.24.07.2014	B	19-24
6.	Copy of minutes of the meeting	C	25-27
7.	Copies of departmental Appeal and Writ Petition	D & E	28-33
8.	Wakalatnama		34

Appellant
Through



Saadat Ullah Khan Tangi

Advocate High Court
Cell No.0331-5030566

Dated 18.07.2019

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA,
PESHAWAR

Service Appeal No. _____/2019

Abdul Ghafoor S/o Ghulam Nabi Khan,
Appointed as SST, GHS Wanda Shero,
District Dera Ismail 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 30.04.2014. (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

Abdul Ghafoor.....**Appellant**

Versus

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

AFFIDAVIT

I, Abdul Ghafoor S/o Ghulam Nabi Khan, Appointed as SST, GHS Wanda Shero, District Dera Ismail 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

Abdul Ghafoor.....**Appellant**

Versus

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

ADDRESSES OF PARTIES

APPELLANT:

Abdul Ghafoor S/o Ghulam Nabi Khan,
Appointed as SST, GHS Wanda Shero,
District Dera Ismail 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

Regularization

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: SO(S/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 /Physics), (SST General) appointed on Adhuc /Contract basis, are hereby regularized in RPS-16, 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)

Sr #	RollNo	Name	Domicile	Total Marks [Out of 200] J=H+I	School where posted	Appointment order No and dated	Extension order No and dated if any
1	2310209	Muhammad Javed	DIKhan	129.48	GhsKiriKhisore	No:2084-91 &Dated:30/04 /2014	No: 4913-20 Dated: 28-04-2017
2	2310338	Shafiq Ur Rehman	DIKhan	128.35	GHS GarraMohabat	-do-	-do-
3	2310302	Liaqat Ali	DIKhan	126.91	GHS kata Khel	-do-	-do-
4	2310311	Samoor Khan	DIKhan	125.16	GHS Gandi Umar Khan	-do-	-do-
5	2310221	Muhammad Faheem Khan	DIKhan	123.63	GHSS Abdul Khel	-do-	-do-
6	6011387	Ghulam Ali	DIKhan	122.83	GHSS Kacha Mali Khel	-do-	-do-
7	2310235	Muhammad Arslan Nawaz	DIKhan	122.61	GHS JhokeMoazam	-do-	-do-
8	2310378	Moeen Ud Din	DIKhan	122.21	GHSS Kathgarh	-do-	-do-

MU

Disable Quota

63	231000533	Muhammad Imad Mir	DIKhan	100	GHSS KachiPaand Khan	No 4472-79 & Dated 26-04- 2017
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(SST MATH PHY)

Sr	Roll No	Name	Domicile	Total Marks (Out of 200)	School	Appointment order No and dated	Extension order No and dated if any
1	2320168	RizwanUllah	DIKhan	129.52	GHS Gandi Umar Khan	No 2076-83 & Dated 30/04 /2014	No 4913- 20 Dated 28-04-2017
2	2320347	GhulamFars Areen	DIKhan	128.35	GHS Umar KheISharq	-do-	-do-
3	2320384	Abdul ghafoor	DIKhan	126.22	GHS Wanda Sheru	-do-	-do-
4	2320359	ShehzadaMu dassarUsma n	DIKhan	123.22	GHS Fakwara	-do-	-do-
5	2320182	JamshedIqb al	DIKhan	122.91	GHS bahadur	-do-	-do-
6	2310270	GhulamMurt za	DIKhan	122.73	GHS Gara Rashid	-do-	-do-
7	2310270	Muhammad Fahad Nawaz	DIKhan	122.45	GHSS KACHA MALI KHEL	-do-	-do-
8	2320133	Auq Uj Rehman	DIKhan	121.52	GHSS ABDUL KHEL	-do-	-do-
9	2320193	Muhammad Osama Saad	DIKhan	118.86	GHS Gara Essa Khan	-do-	-do-
10	602000269	MUHAMMA D JAWAD KHAN	DIKhan	134.27	GHS BAGGI QAMAR	No 4472-79 & Dated 26-04- 2017	NA
11	232000139	FAHEEM ULLAH	DIKhan	131.16	GHS SAGGU	No 4472-79 & Dated 26-04- 2017	NA
12	232000415	MUTI ULLAH	DIKhan	129.74	GHS UMAR KHEL	No 4472-79 & Dated 26-04- 2017	NA
13	232000291	IKRAM ULLAH KHAN	DIKhan	129.54	GHSS KOT JAI	No 4472-79 & Dated 26-04- 2017	NA
14	232000320	AKEEL KHAN	DIKhan	128.68	GHS MITHA PUR	No 4472-79 & Dated 26-04- 2017	NA
15	232000334	MUJAHID IQBAL	DIKhan	126.82	GHSS KECH	No 4472-79 & Dated 26-04- 2017	NA
16	232000265	MUHAMMA D FAHAD JALEEL	DIKhan	126.56	GHS RANGPUR	No 4472-79 & Dated 26-04- 2017	NA
17	232000418	MUHAMMA D YOUSAF WAQAS	DIKhan	126.47	GHSS DHALLAH	No 4472-79 & Dated 26-04- 2017	NA

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)

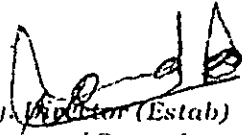
Director
Elementary and Secondary Education
Khyber Pakhtunkhwa Peshawar

4588-95

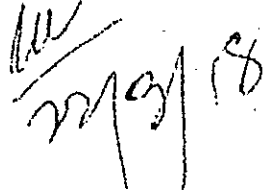
Enclst: No. / File No. 15/A-14/SST/Adhoc/Apptt: Dated Peshawar the 22/3/2018.

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) DIKhan.
4. District Accounts Officer DIKhan.
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



Dy. Director (Estab)
Elementary and Secondary Education
Khyber Pakhtunkhwa Peshawar



59	233001470	Muhammad Saleem	DIKhan	133.54	GHS KotAttal Sharif	-do-	NA
60	233002476	Muhammad Irfan	DIKhan	133.53	GHS GaraMohabal	-do-	NA
61	233002276	Hameed Ullah Khan	DIKhan	133.45	GHSS Kacha Mali Khel	-do-	NA
62	233001453	Syed Muhammad Imran Shah	DIKhan	133.18	GHS BaggiQamar	-do-	NA
63	233001628	JavedIqbal	DIKhan	132.73	GMS KotKundian	-do-	NA
64	233002405	GhulamSaddique	DIKhan	132.62	GHS KotAttal Sharif	-do-	NA
65	233001496	Aman Ullah	DIKhan	132.6	GHS Mangal	-do-	NA
66	233002082	NiazHussain	DIKhan	132.19	GHS Saiduwali	-do-	NA
67	233002097	Muhammad Imran	DIKhan	132.16	GMS Malikhi	No:2930-36 & Dated: 31-07-2017	NA

Minority Quota

68	233002641	IthmarJamil	DIKhan	118.15		No:4472-79 & Dated:26-04-2017	NA
69	233001406	NomanFarrukh	DIKhan	100.06	GHSS DarabanKhurd	-do-	NA

Disable Quota

70	233002032	Muhammad Waqas Khan	Dikhan	127.16	GHSS No.2 DIKhan	No:4472-79 & Dated:26-04-2017	NA
71	233002595	Inayatullah Khan	DIKhan	127.88	GHS Dinpur	1705-12 & Dated 09/06/2017	NA

TERMS & CONDITIONS:

- The regularization will not be in favour of those, who have not taken over charge OR has remained absent from duty OR resigned from service and also not for those who are under disciplinary proceedings.
- Their services shall be governed by the Khyber Pakhtunkhwa Civil Servant Act, 1973, 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.
- Their pay shall be released subject to the verification of academic and professional documents/ testimonials from the concerned boards/universities by the District Education Officer's Concerned.
- 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, 1973 as amended in 2013.
- 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.
- They shall possess the same qualification and experience required for the subject post on regular basis.
- 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.

Serial No. GU 000143

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

12

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



(Session 2003-2005)

ABDUL GHAFDOR.

SON of

GHULAM NABI 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.

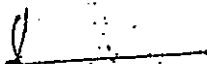
The Examination was taken as a whole/in parts:

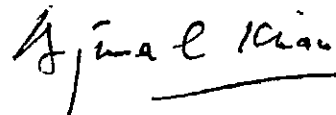
Registered No: 6191-D-2000

Roll No. 311

Result declared on JULY 8, 2005

Countersigned


Controller of Examinations


Vice-Chancellor

Serial No. $\frac{GU}{2}$ 004459

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: 311

Name: AbdulGhafoor

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	72	Seventy Two only
Visual Programming	100	70	Seventy only
Artificial Intelligence	100	53	Fifty Three only
E-Commerce	100	73	Seventy Three only
Project	100	75	Seventy Five only
Aggregate of 3rd Term	600	399	Three Hundred and Ninety Nine only
Aggregate of 2nd Term	600	412	Four Hundred and Twelve
Aggregate of 1st Term	600	417	Four Hundred and Seventeen
Total Marks	2300	1571	One Thousand Five Hundred and Seventy One only

Result Declaration date: 08/07/2005


Controller of Examinations
Gomal University D.I.Khan.

Serial No. GU 007585

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

(14)

GOMAL UNIVERSITY

DERA ISMAIL KHAN

(N.W.F.P) PAKISTAN

KHYBER PAKHTUNKHWA



(Session 2002)
ANNUAL

ABDUL GHAFOOR SON of GHULAM NABI KHAN and

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

having passed the prescribed examination in JUNE/JULY 2002

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

BACHELOR OF SCIENCE

in the FIRST Division HE Passed also in as a

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

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

Registered No. 5191-D-2000

Roll No. 475

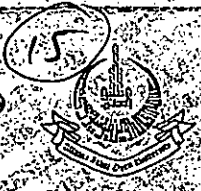
Result declared on AUGUST 31, 2002

Countersigned

Controller of Examinations

Vice-Chancellor

ALLAMA IQBAL OPEN UNIVERSITY, ISLAMABAD
PROVISIONAL RESULT CARD



Serial No. 130318

Name: ABDUL GHAFUOR
 Father's Name: GHULAM NABI KHAN
 Address: C/O PRINCIPAL THE LADDER H/S OF SCIENCE
 SMAHRAH P/O SAME
 Tehsil: PARGVA
 District: D I KHAN
 has successfully completed MASTER OF EDUCATION (M ED)
 TEACHER EDUCATION

Roll No. AY634911
 Registration No. 12NDNO1512
 Final Semester: SPR-2015

The detail of passed courses is as under:

Semester	Course Code	Title of Course	Marks	
			Maximum	Obtained
SPR-14	0840	EDUCATIONAL PSYCHOLOGY	100	68
SPR-14	0831	FOUNDATIONS OF EDUCATION	100	68
SPR-14	0837	EDUCATIONAL RESEARCH	100	69
SPR-14	0838	CURRICULUM DEVELOPMENT & INSTRUCTIONS	100	70
AUT-14	0828	HIGHER EDUCATION	100	73
AUT-14	0827	SECONDARY EDUCATION	100	75
AUT-14	0826	ELEMENTARY EDUCATION	100	62
AUT-14	0827	TEACHER EDUCATION IN PAKISTAN	100	59
SPR-15	6553	TEXTBOOK DEVELOPMENT - II	100	59
SPR-15	6552	TEXTBOOK DEVELOPMENT - I	100	71
SPR-15	6505	ISLAMIC SYSTEM OF EDUCATION	100	62
SPR-15	6507	EDUCATIONAL MEASUREMENT & EVALUATION	100	72

Attested

Ghulam Abbas
 SST (G)
 GHS, Mangal (DIK)

CREDIT HOURS: 36 Total Marks / Obtained: 1200 / 808
 Result Declared on: MARCH 08, 2016 Percentage / Grade: 67 / B
 Date of issue: MARCH 18, 2016

Signature
Controller of Examination

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

6/3/2017

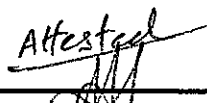
:: Completer Results

16

Allama Iqbal Open University
Online Web-Based Result Intimation Card

Completer Semester Spring 2015

Name: ABDUL GHAFOOR **DMC No:** 130318
Father Name: GHULAM NABI KHAN **Programme:** M.ED (T.EDU)
Roll No: AY634911 **Address:** C/O PRINCIPAL THE LADDER H/SOF
 SCIENCE SMAHRAH P/O SAME
Reg No: 12NDN01512 PAROVA D.I.KHAN

Result Completer Detail			
COURSE CODE	COURSE TITLE	CONFLATED MARKS	GRADE
Spring: 2014			
0831	FOUNDATIONS OF EDUCATION	68	B
0837	EDUCATIONAL RESEARCH	69	B
0838	CURRICULUM DEVELOPMENT & INSTRUCTIONS	70	A
0840	EDUCATIONAL PSYCHOLOGY	68	B
Autumn: 2014			
0826	ELEMENTARY EDUCATION	62	B
0827	SECONDARY EDUCATION	75	A
0828	HIGHER EDUCATION	73	A
0829	TEACHER EDUCATION IN PAKISTAN	59	C
Spring: 2015			
6505	ISLAMIC SYSTEM OF EDUCATION	62	B
6507	EDUCATIONAL MEASUREMENT & EVALUATION	72	A
6552	TEXTBOOK DEVELOPMENT-I	71	A
6553	TEXTBOOK DEVELOPMENT-II	59	C
Obtained Marks/Total Marks:		808 / 1200	B
 Ghulam Abbas SST (G) GHS, Mangal (DIK)			Controller of Examinations

Serial No 076406

Registration No. 6191-D-2000
Roll No. 1540
Session: 2011

17

GOMAL UNIVERSITY

DERA ISMAIL KHAN
N.W.F.P
PAKISTAN




Provisional Certificate

This is to certify that Mr. /~~Miss.~~ Mrs. ABDUL GHAFQOR
GHULAM NABI KHAN
Son/ Daughter/ Wife of
of the Department/ Institute of PRIVATE CANDIDATE OF DISTRICT D.I. KHAN
has passed B.Ed. ANNUAL, 2011 Examination held in APRIL, MAY, 2012
in the subject of BACHELOR OF EDUCATION
He / She was placed in FIRST
division, Securing 757 marks out of 1100

The examination was taken as a whole/in parts.

Dera Ismail Khan.

Dated 03-12-2012


ADDITIONAL CONTROLLER OF EXAMINATIONS

14/12/2012

GOMAL UNIVERSITY
No. 0191877



DERA ISMAIL KHAN
(Khyber Pakhtunkhwa PAKISTAN)

18

**DETAILED MARKS CERTIFICATE
BACHELOR OF EDUCATION (PRIVATE)**

Held in April - May: - 2012
Session 2011/ Annual

Roll No: 1549

Name: Abdul Ghafoor

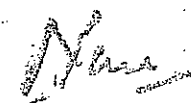
ENGLISH MEDIUM

Passing Marks=45%

The candidate secured the following marks & has been placed in 1st Division.

SUBJECTS	Total Number of Marks Allotted	MARKS OBTAINED	
		In figures	In Words
School Community and Teacher	50	38	
Perspective of Education & Cont: Social Issues	100	77	
School Organization & Classroom Management	100	77	
Human Development & Learning	100	73	
Test Development & Evaluation	100	68	
Educational Technology	100	74	
Curriculum & Development	100	52	
Teaching of English	100		
Teaching of Islamiyat	100		
Teaching of Urdu	100		
Teaching of Pak Study	100		
Teaching of Chemistry	100		
Teaching of Physics	100	55	
Teaching of Biology	100		
Teaching of Mathematics	100	85	
CE / G & C / SOMP / School Teacher	50	38	
Functional English (Marks not counting In the total)	100	68	
Project / Practical Skill	200	120	
Total Marks	1100	757	Seven Hundred & Fifty Seven

Result Declaration Date: 03.12.2012


Additional Controller of Examinations
Gomal University, D.I.Khan

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

				recruitment; and (b) fifty percent by initial recruitment.
1A	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 as 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

(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
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 and 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 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>

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				<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>(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>
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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 having qualification mentioned in column No. 3:

Provided that if no suitable candidate is available from amongst

(5)

(24)

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


JAMN 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.

Decisions:

The following decisions were made in consensus: -

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

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

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

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

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

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

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

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

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

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)

"E"

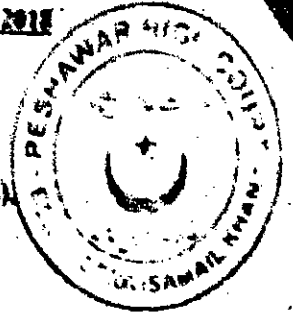
JUDGMENT SHEET
IN THE PESHAWAR HIGH COURT, D.I.KHAN BENCH
(Acad. Department)

Writ Petition No. 877-D with C.M.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. ATTIOUE 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."

ATTENTION
EXAMINOR
Peshawar High Court
D.I. Khan Bench

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

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."

ALLIED
22-02
EXAMINER
Jhwar High Co.
O.I. Khan Et

Thus, in view of above facts, it has conclusively been resolved that High Court has no jurisdiction to entertain matters relating to civil servants regarding 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 enhanced C.Ms and interim 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
[Signature]

[Signature]
JUDGE

[Signature]
JUDGE

(DB)
Hon'ble Mr. Justice S.M. Anwar Shah
Hon'ble Mr. Justice Shabaz Ahmad

off
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12-02-19
Establishment
High Court Bench D.I. Khan
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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 GC/HS no. D.I.Khan as SST (Physics & Mathematics).
2. Kalim Ullah S/O Rehmat Ullah Cas + Baloch R/O Mobullah Ahmad Saib Eid 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 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 Malnikhi 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).

VERSUS

ATTORNEY
 EXAMINOR
 Peshawar High Court
 D.I.Khan

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&S) 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.**

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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

11/25/14
 12-02-19
 EXAMINOR
 Peshawar High Court
 D.J. Khan

بعدالت سے سروس ٹریبونل صاحب اجتلا خان سندھ

2ء پنجاب اسپل اسٹ
بنام عدالت

عبدالغفور

سروس اسپل

موزعہ
مقدمہ
دعویٰ
جرم

باعث تحریر آئیکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ
آن مقام سروس ٹریبونل کیلئے سید احمد خان اسپل اسٹ سے دعا کرتے ہوئے
مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار دیا گیا۔ نیز
وکیل صاحب کو راضی نامہ کرنے و تقریر ثالثہ فیصلہ برخلاف دیئے جواب دہی اور اقبال دعویٰ اور
بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق
زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اسپل کی برآمدگی اور منسوخی
نیز دائر کرنے اسپل 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 تقریر کا اختیار
ہوگا۔ اور صاحب مقرر شدہ کو کبھی وہی جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ
پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جائزہ 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 لکھدیا کہ مندر ہے۔

2019

ماہ جولائی

26

المرقوم

واہ العین
کے لئے منظور ہے

سروس ٹریبونل

Attested

Accepted

ATTESTED

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

Service Appeal No: 1167/2019

Abdul Ghafoor SST B-16 (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

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**.

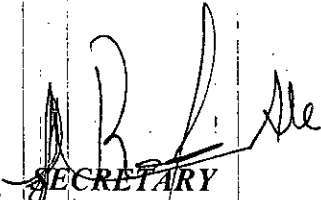
8 That Para-8 is needs no comments, however, the Respondents further submit on the following grounds inter alia:-


GROUND.

- 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.

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.

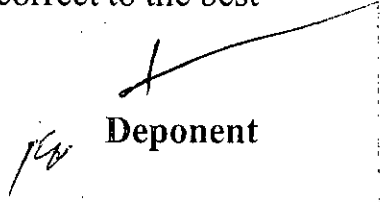
Dated: ___ / ___ /2020.


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 (Appointments and Regularization of Services) Act, 2018 (Khyber Pakhtunkhwa Act No.1 of 2018) and in pursuance of the Govt. of Khyber Pakhtunkhwa Notification No: SO(S/F) ESSED/3-2/2018/SITT/Contract, Dated: 16-02-2018. The Services of the following Secondary School Teachers (SST Bio/Chem), (SST Maths/Physics), (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	Sr	Name of School	Appointment order No and dated	Extension order No and dated if any
1	Mogul Khan	Mohalla Landi Shah Corner Village And Post Office Darcara CNIC No 15701-5066590-3	132.56	GHS Ganari	2068-75 dated 30-02-2014	4913-20 dated 28-04-2017
2	Mohamed Wali	Village Karan Bahari Post Office Shekool Tehsil Tangi District Charsadda CNIC No 15102-5660251-3	128.82	GHS Miana Darg	-do-	-do-
3	Amir Rahim	Village And Post Office Ahmud Mohallah Dak District Dir Upper CNIC No 15701-8528456-9	127.77	GHS Sankool	-do-	-do-
4	Muhammad Hassan	Village Osmani Tehsil And Post Office Wari District Upper Dir CNIC No 15702-0008885-7	126.79	GHS Pachur Kabi	-do-	-do-
5	Amir	Village And Post Office Chakdaran District Dir Upper CNIC No 15701-0482977-7	125.82	GHS Secraji	-do-	-do-
6	Lahif Ullah Khan	Village Marabanda Post Office Bappawar Distt And Tehsil Dir Upper CNIC No 15701-5129616-7	124.04	GHS Gaudigar	-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	151001287	Hasnain Hassan	Village Shorkand Pa Wari Teh Wandi District Upper Dir CNIC No 15702-8805508-2	111.72	GHS Nohay	1828-84 dated 28-02-2015	NA
2	00000081	Amir Nasir	Village Datal Post Office Sankool District Tehsil Upper Dir	113.79	GHS Ustari	-do-	NA

Dir Upper Male SSTs Regularization order-2018

			CNIC No.15701-8363080-5				
9	791000170	Ishfaq Ahmad	Village Qasimabad Osrooi Tehsil And Post Office Wari District Dir Lower CNIC No.15701-2113478-5	123.16	GHS Mulangu	-do-	NA
10	791000186	Sharif Ullah	Village Mayor Mahallah Cherhal Post Office And Tehsil Wari District Upper Dir CNIC No.15702-3040819-9	129.23	GHS Jatgrami	-do-	NA
11	791000125	Abdul Haseeb	Village Wari Payeen Tehsil And Dpost Office Wari District Upper Dir CNIC No.15702-1448799-9	129.19	GHSS Wari	-do-	NA
12	791000071	Muhammad Ajmal Khan	Village Wari Post Office And Tehsil Wari District Upper Dir CNIC No.15702-6868774-1	127.32	GHSS Wari	-do-	NA
13	791000163	Hamid Zia	Village Jelar Post Office Wari Tehsil Wari District Dir Upper CNIC No.15702-8786858-9	127.24	GHS Jelar	-do-	NA
14	451000101	Muhammad Shuaib	Fauji Alud Post Office Dayal Tehsil And District Mandan CNIC No.16161-0989745-7	126.36	GHS Gahiseer	-do-	NA
15	791000062	Nasir Ahmad	Almad Public School And College Wari Dist Upper Dir CNIC No.15702-6029180-1	126.26	GHSS Khel	-do-	NA
16	601000978	Farmen Ali	Afghan Colony Street #2 House No.279 Tub Well Chatak Peshawar City KCIC# 12301-5086977-0	126.0	GHSS Nehaq	-do-	NA
17	791000089	Muhammad Shahab	Village And Post Office Barawal Baudh District Dir Upper CNIC No.15701-4790667-7	125.21	GHSS Choukya Rai	2983-89 dated 17-05-2017	NA
18	791000187	Khaista Rahman	Village Nagrai Post Office Sahb Abad Tehsil Wari Dir Upper CNIC No.15702-6938866-5	124.82	GHSS Barawal Baudh	2878-89 dated 28-04-2017	NA
19	791000076	Farmen Ullah	Village Cham, P/O Sheringal District Dir Upper CNIC No.15701-4715187-7	124.64	GHSS Parvak	-do-	NA
20	791000064	Balshah Sardar	District And Tehsil Upper Dir Post Office Bibyanar Village Kair District Upper Dir CNIC No.15701-2314522-7	123.67	GCMHS Dir	-do-	NA
21	791000058	Lal Rehman	Village Bibyanar Dir Upper CNIC# 15701-5991297-7	123.52	GHSS Ushorai	2937-43 dated 31-07-2017	NA
22	791000153	Yassar Khan	Village & PO/Tehsil Wari District Dir Upper CNIC# 15702-5950950-3	123.10	GHSS Pertrak	-do-	NA

SST Maths Physics 2014

Sr.	Name	Address	Score	Name of School	Appointm order No and dated	Extension order No and dated if any
1	Qayyum Khan	Village Qasimabad Dir Upper District Lower Dir CNIC No.15701-2294820-1	100	GHS Bala Gula	2081-01 dated 30-04-2014	1977-20 dated 28-04-2017
2	Shoaib	Mahallah Chumra Kattan Payeen Post Office Dayoral Upper Dir CNIC No.15701-6091826-1	114.05	GHS Ushorai	-do-	-do-

Dir Upper Male SSTs Regularization order-2018

2015

Sr#	Roll No	Name	Address	Total Marks (out of 200)	School/ remarks	Appointment order No and dated	Extension order No and dated if any
	7920071	Muhammad Nausir Khan	Village Narora District Dir Upper CNIC No. 15701-6791587-9	133.1	GHS Chakindan	3987-93 dated 30-11-2015	3987-93 dated 30-11-2015
	7920043	Ali Akbar Khan	District Upper Dir Tehsil Dir Jc Dororo Mahallah Shari Abad District Upper Dir CNIC No. 15701-9078317-3	127.91	GHS Hela	-do-	-do-
	7920035	Anwar Ullah	Village Unyolai Paytan Tehsil And Post Office Wari District Upper Dir CNIC No. 15702-9886832-9	127.8	GHS Sparako	-do-	-do-
	7920069	Inran Khan	Village, Tehsil Wari District Dir Upper CNIC No. 15702-7283959-7	123.56	GHS Gandig or	-do-	-do-
	7920030	Muhammad Ishfaq	Village Seratan District Dir Upper CNIC No. 15701-7267064-5	118.43	GHS Ganshal	-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
8	7920000 80	Allaf Ur Rahman	Village Jabar Post Office, Camisore Tehsil Dir District Dir Upper CNIC No. 15701-4227322-9	136.62	GHS Camisore	4878-84 dated 29-04-2017	NA
9	7920000 51	Unar Farooq	Village Hichsalay Post Office Chakindan Tehsil And Dir And District Dir Upper CNIC No. 15701-9896057-7	131.55	GCMHS Dir	-do-	NA
10	8920000 07	Fazal Wahid	The Home Of Knowledge School And College Wari Upper Dir CNIC No. 15702-5071364-3	124.70	GHS SS Khel	-do-	NA
11	6020000 30	Shuja Ur Rehman	Vill Seldam Post Office Shernigal District Dir (U) CNIC No. 15701-0012791-7	124.32	GHS Dady (P)	-do-	NA
12	7920001 29	Shah Abdul Aziz	Vill Tangai Teh And Post Office CNIC No. 15702-2406118-9	122.26	GHS Jatgram	-do-	NA
13	7920001 17	Aftab Ullah	Village Batal Usheri Darra District And Tehsil Upper Dir CNIC No. 15701-9457718-9	121.04	GHS Barawal Bandi	-do-	NA
14	7920001 86	Muhammad Tariq	Sweet College Post School And College Khuzia Khela Sweet CNIC No. 15701-9207797-3	120.81	GHS Nchoq	-do-	NA
15	7920000 99	Zia Ullah	The Crescent Model School Wari Upper Dir CNIC No. 15702-4694431-4	120.73	GHS Wari	4004-10 dated 24-09-2017	NA
16	7920000 94	Ihsan Ullah Khan	Village Kakul The Aul Post Office Wari District Dir Upper CNIC No. 15702-6601745-9	118.99	GHS Wari	3257-04 dated 19-10-2017	NA
17	7920005 91	Muhammad Waqar	Village Baskund Pa Usher Tehsil Dir District Upper Dir CNIC No. 15701-0302601-2	118.91	GHS Patrok	3878-84 dated 28-01-2017	NA
18	7920001 02	Zafar Khan	Village Degam P/O And Tehsil CNIC No. 15702-1522805-5	117.99	GHS Bandai (P)	-do-	NA
19	8920002 94	Muhammad Ullah	Village Sadig Danda P/O Akhais Tehsil And District Upper Dir	117.30	GHS Dairava	-do-	NA

Dir Upper Male SSTs Regularization order-2018

70200002	Muhammad Al Ishaq	CNIC No. 15701-0061285-1 Village Umeir Kot Tehsil And Post Office Wari Dist Dir Upper	172.17	GHS Jelar	-do-	NA
70200004	Hesam Uddin	CNIC No. 15701-2401232-1 Village Kaitan Pajawa Post Office Daryap Dir Upper CNIC No. 15701-2401232-3 Room Number 51 Hostel	172.06	GHS Patrak	-do-	NA
60200005	Muhammad Anwar	Number 03 Qiahi E Azam University Of Islamabad CNIC No. 15701-8224142-1	116.08	GHS Jelar	-do-	NA
70200009	Sahib Ahmad	Mohallah Bereham Village Jabor Post Office Gamsar Upper Dir CNIC No. 15701-5875200-9	115.58	GHS Ushari	-do-	NA
70200011	Usman Ullah	Department Of Agriculture Extension Dist Dir Lower CNIC No. 15701-1169727-5	115.32	GHS Kair Durra	-do-	NA
70200000	Syed Fazal Ghani	Vill & P/O Gombi Tehl And Dist Upper Dir CNIC No. 15701-2214033-9	115.05	GHS Barawal Bandi	-do-	NA
70200000	Abdullah	Village Qiala Post Office Akhgram Tehsil Wari Dir Upper CNIC No. 15701-2522006-5	113.92	GHS Wari	-do-	NA
70200000	Muhammad Ali	Village And Post Office Wari Dir Upper CNIC No. 15701-5062908-9	100.88	GHS Hayagan (Sh)	-do-	NA

(SST General) 2014

Sr	Name	Address	Score	Name of School	Appointment order No and dated	Extension order No and dated if any
1	Muhammad Inseer	Jamia Umania, Umania Colony, Notbia Road Peshawar Cantt, Peshawar CNIC No. 15701-6115872-3	128.07	GHS Kair Dura	2083-93 dated 30-04-2014	4913-20 dated 28-04-2017
2	Imran	Narai Wala New Model Colony Post Office And Tehsil Takhi Dhari CNIC No. 15701-2928246-9	136.69	GHS Duro	-do-	-do-
3	Sahib	Village Rehankot Tehsil And Post Office Dir District Upper Dir CNIC No. 15701-0971667-5	135.98	GMS Dohinda	-do-	-do-
4	Hazrat Saif	Village Thall Mchallah Haji Shaif Tehsil And Post Office Kalkal CNIC No. 15701-9267458-3	133.16	GMS Sundri	-do-	-do-
5	Muhammad Khair	Village Gomal Post Office And Tehsil Wari District Dir Upper CNIC No. 15701-5183460-9	132.12	GHS Shinkari	-do-	-do-
6	Muhammad Ishaq	House No. 157 Sector D/I Mirpur Ajk CNIC No. 15701-1115073-7	131.19	GHS Besha	-do-	-do-
7	Muhammad Inseer	C/O Zakir Photozone Main Bazar Dir Post Office Dir Tehsil Dir CNIC No. 15701-1193380-3	131.03	GMS Bilauki	-do-	-do-
8	Imran Ullah	House No 114 Medr Bilal Masjid Bilal Long Arbab Road-University Of The Peshawar CNIC No. 15701-1876014-5	129.48	GHS Seri Sultan Khalil	-do-	-do-
9	Muhammad Inseer	District Tehsil Post Office Dir Upper Main Bazaar Dir Ismail Chasood Cange CNIC No. 15701-152152-5	129.08	GHS Rukhan	-do-	-do-
10	Imran Ullah	15701-0811000-1 CNIC No. 15701-0811000-1	127.5	GHS Janbatti	-do-	-do-
11	Muhammad Ishaq	Village Ilyar Kolistan District Dir Upper	126.10	GHS Badarkani	-do-	-do-

Copy No. 030

Dir Upper Male SSTs Regularization order-2018

3

	CNIC No. 15702-8634529-7				
12	Zoh Ullah	P/O Wari Tehsil Wari Village Wari Pajeeh Mullapur	125.03	GHS Bandan Osari	-do-

2015

No.	Roll No	Name	Address	Academic Marks (out of 100)	School/Institution	Appointment order No and dated	Extension order No and dated if any
13	7930066	Hazrat Wahab	Village Mano Bando Post Office Bibyqeen Tehsil And District Dir Upper CNIC No. 15701-8164289-3	64	GMS Satah	-do-	-do-
14	7930362	Abdullah	Mohallah Qasmaqi Village Katan Pajeeh Post Office Dgorar Tehsil Upper Dir District Upper Dir CNIC No. 15701-496092-9	55.47	GHS Bela	-do-	-do-

2017

No.	Roll No	Name	Permanent Address	Total Marks (Out of 200)	School	Appointment order No and dated	Extension order No and dated if any
15	793000435	Shaukat Ali	Village Gajjal Mohallah Gajjal Colony Tehsil And Post Office Wari CNIC No. 15702-3434680-5	153.43	GMS Gandar	5878-84 dated 28-04-2017	NA
16	793000333	Muhtezab Ullah	Post Office Box Tehsil Barawal Banda District Dir Upper Mohallah Bangloy Cham CNIC No. 15704-6981849-5	139.41	GMS Nasrat	-do-	NA
17	793000193	Fazal Hayat	Vill Jutygram Post Office Wari Tehsil Wari District Dir Upper Kpk CNIC No. 16202-6126067-7	139.30	GHS Karkabari	-do-	NA
18	793000447	Hazrat Younus	Hazrat Younus S/O Shah Afzal Khan Village Gajjal Post Office Tehsil Wari District Dir Upper CNIC No. 15702-4620282-9	137.47	GHS Jelar	-do-	NA
19	793000724	Abdul Wahid	Village Haji Shah Tehsil P/O Kalkot Kir Upper Kpk CNIC No. 15703-4832268-0	137.03	GHSS Patrak	-do-	NA
20	793000678	Irfan Ullah	Vill Bandal Teh And P/O Wari Dist Upper Dir CNIC No. 15702-6290918-5	136.72	GMS Shaktala	-do-	NA
21	793000727	Faiz Ul Alam	Village And Post Office Sheringal Dist Dir Upper CNIC No. 15701-5953930-3	136.65	GMS Doot (B)	-do-	NA
22	793000601	Kalsham Ullah	Village P/O Sahib Ahad District Dir Upper CNIC No. 15702-7305643-9	135.88	GHSS Bajjar	5877-03 dated 24-08-2017	NA

TERMS & CONDITIONS:

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

1 Th
330.00

Dir Upper Male SSTs 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
Enclst: 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 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 initials.

(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

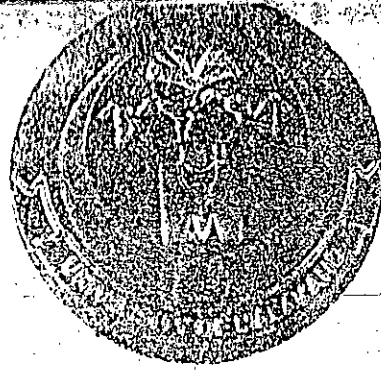
Prepared by:

Checked by:

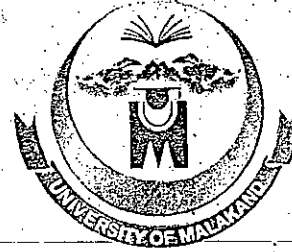
Controller of Examinations
University of Malakand

13

70



PAKISTAN



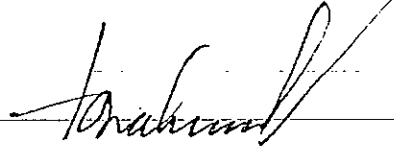
Session 2007-2011

MUHBIB 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

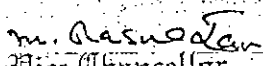
in First Division


Controller of Examinations

Result Declared on 27-Dec-2011

Issuance Date 21-Mar-2012

Countersigned


Vice-Chancellor

14

(21)



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



Student's Name: Muhib 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		
		CS 912	Empirical Software Engineering	3	100	75	75	10.9		
Sub-total				12	400	289	72.25	41.6		
6	2nd	CS 908	Theory of Computation	3	100	79	79	11.1	3.75	PROMOTED
7		CS 705	System Re-Engineering	3	100	75	75	10.5		
8		CS 704	Software Refactoring	3	100	86	86	12.0		
		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:	- 86.6 -
Total Points	2100 = 30
Total Cr. Hrs	361
CGPA	

Countersigned by

Errors and Omissions are subject to subsequent rectification.
Date of Issue: 04-04-2015

M.S/Ph.D Coordinator
Dept. of
University of Malakand

Controller of Examination
University of Malakand
Dated: 26/04/15

Chairman
26-Apr-2015
CHAIRMAN
Department of CS & IT
University of Malakand

D

D/V 15 2
"E"

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

Writ Petition No. 877-D with C.M. Nos. 1099-D & 1091-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 Minichel, 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."

ATTEST
22-2-2019
EXAMINOR
Peshawar High Court
D.I. Khan Bench

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

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."

WILLIS TOWERS WATSON
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 22-02
 EXAMINER
 Jashwar High Co.
 D. Khan St

17 (30) 2

Thus, in view of above facts, it has conclusively been resolved that High Court has no jurisdiction to entertain matters relating to civil servants regarding 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 interests 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
10:00 AM

JUDGE

JUDGE

(20)
Hon'ble Mr. Justice B.S. Anand Shah
Hon'ble Mr. Justice Suresh Kumar

off
h/v

557

C.R.No. _____
 Application received on 12-02-19
 Copy No. _____
 No of Pages 05
 Copy No. 04
 Uprate Fee _____
 Total Fee 200/-
 Copy ready for delivery 12-02-19
 Copy delivered on 12-02-19
 Signature of Registrar _____
12-02-19

Received by Mr. J. K. Coor
 Registrar High Court Bench District
 12-02-19
 J. K. Coor

BEFORE PESHAWAR HIGH COURT BENCH AT D.I.KHAN

Writ No. 817 of 2018.



1. Abdul Alim S/O Ghulam Muhammad S/O Alim
D.I.Khan currently working at GCMS no. D.I.Khan as SST (Physics & Mathematics).
2. Kalim Ullah S/O Rehmat Ullah Cas : Baluch I/O Mohallah Ahmad Sali Eld
Cas: D.I.Khan currently working as ASDEO SST (General) Chudwan Circle
District D.I.Khan.
3. Dr. M. Naseem Ullah S/O Fateh Ullah I/O Gillani Town near Wensum College
D.I.Khan Currently posted at GIS Haji Mora as SST (General), (Phd).
4. Ghulam Abbas S/O Ghulam Qasim I/O Village Mialy Tehsil Parova D.I.Khan
currently posted at GHS Mangal SST (General).
5. Abdul Ghafoor S/O Ghulam Nahi Khan R/O Village Lunda Para Tehsil Parova
D.I.Khan currently posted as 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. Rafi Ullah S/O Hameed Ullah R/O Kot Navuz 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 GIS Parova as SST (Physics & Mathematics).

VERSUS

APPEAL
EXAMINER
Peshawar High Court
D.I.Khan Bench

- 19
1. Govt. of Khyber Pakhtunkhwa through Secretary (R&G) 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 (R&S) Education Khyber Pakhtunkhwa Peshawar.
 6. Deputy Director EMIS (S&SK) 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 Certificate 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

ADJUTANT
EXAMINER
PESHAWAR HIGH COURT
D.I. Khan

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IA	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>
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 Court
 in Tang

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(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>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 at having qualification mentioned 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>
--	--	--	--	--

(27/8)

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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 I'câd Teachers (BPS-16), with at least seven years service as Primary School Head Teachers and Senior Primary School Teachers and Primary School Teachers and having qualification mentioned in column No. 3;

Provided that if no suitable candidate is available from amongst

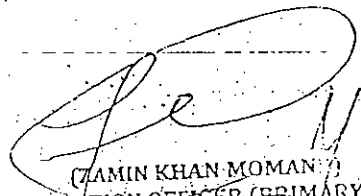
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24 3

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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


(ZAMIN KHAN MOMAN)
SECTION OFFICER (PRIMARY)

BEFORE THE LEARNED SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA, PESHAWAR

C.M No. _____/2020

In

Service Appeal No. ~~1214~~/2019

Abdul Ghafoor.....Petitioner

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 date already fixed,
Through.*

26/6

Petitioners

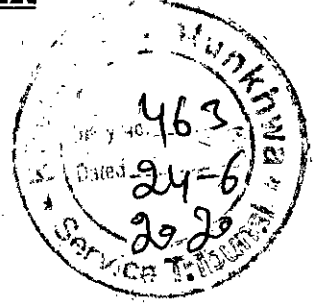
Saadat Ullah Khan Tangi

Advocate High Court

Peshawar

Cell#0331-5030566

Dated:-23.06.2020



(1)

BEFORE THE LEARNED SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA, PESHAWAR

C.M No. _____/2020

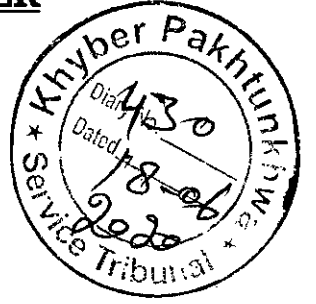
In

Service Appeal No. _____/_____

Abdul Ghafoor.....Petitioner

Vs

Govt of KPK & Others.....Respondents



Put up the Court
Gamer
18/6/20

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.**

Respectfully Sheweth:-

Reader 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.

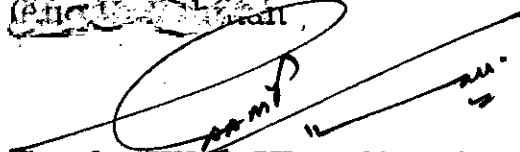
B- That the petitioner has good prima facie case, Balance of Convenience lies in favour of petitioner & if impugned notification is not suspended the petitioner would face irreparable loss as the petitioner is discriminated in the matter.

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

~~Petitioner~~

Through



Saadat Ullah Khan Tangi

Advocate High Court

Peshawar

Cell#0331-5030566

Dated:-15.06.2020

~~Stamp~~

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

C.M No. ____/2020

In

Service Appeal No. ____/____

Abdul Ghafoor.....Petitioner

Vs

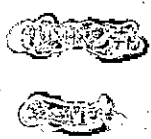
Govt of KPK & Others.....Respondents

AFFIDAVIT

I, Abdul Ghafoor S/O Ghulam Nabi 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.

Abdul Ghafoor

DEPONENT



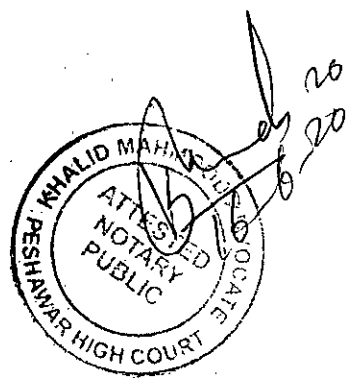
Identified by

[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

66 A 21

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 brach.
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