05.042016

Clerk to counsel for the appellant and Mr. Ziaullah, GP for respondents present. Clerk to counsel for the appellant requested for adjournment. To come up for arguments on 03.08.2016.

12.12.2016

Since 12th December, 2016 has been declared as a public holiday an account of 12th Rabi-ul-awal. Case is adjourned to 17.04.2017 before D.B.

17.04.2017

None present for appellant. Mr. Hameed-ur-Rehman, AD (Litigation) alongwith Mr. Muhammad Adeel Butt, Additional AG for the respondents also present. The court time is about to over but non-· appeared on behalf of the appellant nor the appellant was present in person, therefore, the instant appeal is hereby dismissed in default. File be consigned to the record room.

ANNOUNCED

17.04.2017

(Ahmad Hassan) Member

(Muhammad Amin Khan Kundi)

Member

10.03.2015

Agent of counsel for the appellant, M/S Khurshid Khan, SO for respondent No. 1 and Mosam Khan, AD for respondent No. 4 alongwith Addl: A.G for all respondents present. Requested for adjournment. To come up for written reply on 24.6.2015 before S.B.

் **தி**ட் Chairman.

24.06.2015

Agent of counsel for the appellant, M/S Khurshid Khan, SO and Javed Ahmed, Supdt. alongwith Addl: A.G for respondents present. Parawise comments submitted. The appeal is assigned to D.B for rejoinder and final hearing for 13.11.2015.

Chairman

13.11.2015

Clerk to counsel for the appellant and Mr. Ziaullah, GP for respondents present. Arguments could not be heard due to shortage of time. Therefore, the case is adjourned to 57-46 for arguments as well as rejoinder.

Member

Member

09.12.13

vide order sheet dated 09.12.2013 in connected appeal No. 415/2013, this appeal is adjourned to 11.2.2014.

READER

Vide order sheet dated 09.12.2013 in connected appeal No. 415/2013, this appeal is adjourned to 30 - 4 - 14.

READER

30-4-14

Vide order sheet dated 09.12.2013 in connected appeal No. 415/2013, this appeal is adjourned to 23-6-14.

RIADAR

23-6-14

Vide order sheet dated 09.12.2013 in connected appeal No. 415/2013, this appeal is adjourned to $\frac{15 - 10 - 14}{2000}$.

REMOER

15-10-19

Vide order sheet dated 09.12.2013 in connected appeal No. 415/2013, this appeal is adjourned to 23-12-14.

READ#R

23-12-14

Vide order sheet dated 09.12.2013 in connected appeal No. 415/2013, this appeal is adjourned to 10.3-15.

READER

10-3-15

Vide order sheet dated 09.12.2013 in connected appeal No . 415/2013, this appeal is adjourned to ______.

29.08.2013

Appeal No. 417/2013. Mr. Said Hassun.

Mr.Ghulam Nabi, Advocate is present as proxy on behalf of

the appellant has not been treated in accordance with the law/rules. He further contended that similar nature of cases have already been admitted to regular hearing. In this respect he referred to one in service appeal No.1322/12 titled Ikramullah vs Govt which has been fixed for hearing before the Hon'ble Final Bench-II on 10.10.2013. On the same analogy the instant appeal also admitted for regular hearing subject to all legal objections. The appellant is directed to deposit the security amount and process fee within 10 days. Thereafter, notice be issued to the respondents. Case adjourned to 09.12.2013 for submission of written reply before Final Bench-II.

Mmber

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9.5.2013

Assistant to counsel for the appellant present and requested for adjournment. Case adjourned to 3.7.2013 for preliminary hearing.

Member.

03.07.2013

Clerk to counsel for the appellant present. In pursuance of the Khyber Pakhtunkhwa Service Tribunals (Amendment)

Ordinance 2013, (Khyber Pakhtunkhwa ord. II of 2013), the case is adjourned on note Reader for proceedings as before on 29.08.2013.

Reader

3. 26.3.2013

No one is present on behalf of the appellant.

To come up for preliminary hearing alongwith connected appeals on 9.5.2013.

Chairman.

Form- A FORM OF ORDER SHEET

Court of	•	·	
e No		417/2013	

S.No. Date of order Proceedings 1 2 3 18/02/2013 The appeal of Mr. Said Hassan presented Muhammad Isa Khan Advocate may be entered in the Register and put up to the Worthy Chairman for hearing. 2 22 22 -2 -2013 This case is entrusted to Primary Bench for hearing to be put up there on 26 - 3 - 2 CHAHRMA	
The appeal of Mr. Said Hassan presented Muhammad Isa Khan Advocate may be entered in the Register and put up to the Worthy Chairman for hearing. This case is entrusted to Primary Bench for hearing to be put up there on 26-3-2	lagistrate
Muhammad Isa Khan Advocate may be entered in the Register and put up to the Worthy Chairman for hearing. REGISTRA This case is entrusted to Primary Bench for hearing to be put up there on _26 - 3 - 2	
Register and put up to the Worthy Chairman for hearing. REGISTRA This case is entrusted to Primary Bench for hearing to be put up there on $26-3-2$	today by Mr.
hearing. REGISTRA This case is entrusted to Primary Bench for hearing to be put up there on $26-3-2$	the Institution
This case is entrusted to Primary Bench for hearing to be put up there on $26-3-2$	or preliminary
hearing to be put up there on $26-3-2$	•
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CHAIRMA	
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BEFORE THE KHYBER PUKHTOON KHAWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 417 /2013	
Syed Hassan S/o Rahmatullah Jan PST,	•
GPS Batwar No. 1, Bajawar Agency	<u>Appellant</u>
<u>Versus</u>	
Govt. of K.P.K., through Secretary Ele Education, Peshawar & others	mentary & Secondary Respondents

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3.	Application for Interim Relief alongwith affidavit		8-10
4.	Copy of appointment order	'A'	: //
5.	Copy of Notification dated 13 th Nov; 2012	'B' ·	12 -27
6.	Copies of orders	'C/'1 to 'C/'3	28-35
7.	Copy of Rules of Ministerial Staff	,D,	36 - 37
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9.	Wakalatnama		40

Through

Muhammad Isa Khan

Advocate Supreme Court

&

Akhtar ILyas Advocate High Court,

Peshawar

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BEFORE THE KHYBER PUKHTOON KHAWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 417 /2013

8-2-13

Syed Hassan S/o Rahmatullah Jan PST, GPS Batwar No. 1, Bajawar Agency

.....<u>Appellant</u>

Versus

- 1. Govt. of K.P.K., through Secretary Elementary & Secondary Education, Peshawar.
- 2. Director, Elementary & Secondary Education Govt. of K.P.K., Peshawar.
- 3. Secretary, Finance Department, Govt. of K.P.K., Peshawar.

.....Respondents

APPEAL U/S 4 OF K.P.K., SERVICE TRIBUNAL ACT, 1974.

PRAYER:

18/2/13

On acceptance of this appeal the respondents may graciously be directed to amend the impugned rule to the extent of giving the experience/length of service of the appellant a considerable place and allowing him promotion. It is further prayed that respondents may be directed to grant enhancement to the appellant to BPS-15 without tieing up his length of service with any academic qualification beyond Secondary School Certificate.

Sheweth,

- 1. That the appellant was appointed vide order dated 17.12.2005 (Annexure-'A') against the post of PTC Teacher (BPS-7), which has now been redesignated as Primary School Teacher (PST).
- 2. That the stated post was later on upgraded and by now the post of PST is BPS-12, as such all the PST have now been rendering services in BPS-12.
- 3. That being the senior most teachers and having served for decades on the same post and having no future prospect for the enhancement of their scales, the Teacher's Association struggled for a long time for providing them a service structure that may accommodate the Senior Teachers in higher pay scales either through promotion or upgradation or through some time scale.
- 4. That on pressing the demand vigorously and with untiring zeal by the Senior teachers, the respondents notified the Rules for the recruitment and promotion of the teachers vide notification dated November 13,2012 (Annexure-'B'), wherein PST (BPS-12) appears at 5.No. 21 with the required qualification and method of recruitment in the corresponding columns.

- 5. That at S.No. 19 of the rules (ibid) is the post of Primary School Head Teacher (PSHT) BPS-15, which is liable to be filled "by promotion, on the basis of seniority-cum-fitness, from amongst Senior Primary School Teachers with at least ten years service and having qualification prescribed for initial recruitment of Primary School Teacher".
- 6. That in the given scenario, the Senior Teachers, including the appellant having been placed no where and they are left hire and dry, without any chance of promotion or enhancement of pay scale. On the contrary, their juniors who are equipped with an intermediate certificate would be able to obtained (BPS-15) and become the bosses of their own seniors.
- 7. That feeling aggrieved of the impugned rules, the appellant assails the same through the instant appeal, inter alia, on the following:-

Grounds

a) That at the time of induction of the appellant as PTC the requisite qualification was only Secondary School Certificate (SSC) and no other academic qualification or, for that matter, any training was required as a condition percent for appointment against this post. Therefore, the additional qualification of Primary School Teacher Certificate or Diploma in Education, introduced

latter on, cannot be given retrospective effect and super-imposed on the appellant.

- b) That apart from the academic or other qualification(s) required for the post of PTC or PST at different times, the teachers working on these posts, who were equipped with the requisite qualification of their times, cannot be treated differently for any purpose. The appellant being SSC appointed in the year 1987 has to be treated equal footing with any PST Intermediate, PSTC or Diploma in Education on his credit but appointed recently.
- c) That the rich experience of the appellant as PST cannot be ignored and it requires to be considered on the time tested analogy of old is gold.
- d) That the rule of promotion against the post of Primary School Head Teacher (PSHT) is defective yet on another score, as the appellant and similar other Senior Teachers have been afforded no opportunity of further enhancement by way of promotion or otherwise in their service career.
- e) That the appellant has been discriminated as similarly placed teachers in other provinces have been allowed time scale upto BPS-15. For instance

the provinces of Balochistan and Sindh and the Govt of AJK have adopted a uniform policy by granting a time scale to the stated post on the following count:

after 25 years

BPS-7 to BPS-10 after 09 years.
BPS-10 to BPS-11 after 14 years
BPS-11 to BPS-14 after 21 years

BPS-14 to BPS-15

(Copies of the orders are appended herewith as Anenxure-'C/'1 to 'C/3).

- f) That the impugned rule is not sustainable for yet another defect. All the rules on the subject of promotion in almost all departments give a good margin to experience/length of service but this criterion is lacing in the impugned provision. Rules of Ministerial staff in the respondent department are attached as Annexure-'D'.
- g) That in the matter of upgradation of the same post of PST from BPS-9 to BPS-12 only length of Service of 10 years was required as requisite qualification and no other conditions were attached thereto (Annexure-'E').

- h) That the appellant has not been treated in accordance with law, as against the provisions contained in Article 4 of the Constitution.
- i) That the appellant seeks leave to urge additional grounds, after the stance of the respondents becames known to him.

PRAYER:

In view of the above said facts, it is therefore, prayed that on acceptance of this appeal the respondents may graciously be directed to amend the impugned rule to the extent of giving the experience/length of service of the appellant a considerable place and allowing him promotion. It is further prayed that respondents may be directed to grant enhancement to the appellant to BPS-15 without tieing up his length of service with any academic qualification beyond Secondary School Certificate.

Any other remedy to which the appellant is found fit in law, justice and equity may also be allowed.

Appellant

Through

Muhammad Isa Khan Advocate Supreme Court

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Akhtar ILyas Advocate High Court, Peshawar

BEFORE THE KHYBER PUKHTOON KHAWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No/201	3
Syed Hassan S/o Rahmatullah Jan Ps GPS Batwar No. 1, Bajawar Agency	
Versus	
Govt. of K.P.K., through Secretar Education, Peshawar & others	y Elementary & Secondary <u>Respondents</u>

<u>AFFIDAVIT</u>

I, Syed Hassan S/o Rahmatullah Jan PST, GPS Batwar No. 1, Bajawar Agency do hereby solemnly affirm and declare on oath that contents of the accompanying Service Appeal are true and correct to the best of my knowledge and belief and nothing has been kept concealed from this Honourable Tribunal.



Deponent

BEFORE THE SERVICE TRIBUNAL K.P.K., PESHAWAR

C.M.No	/2013		•
In .		· •	
Service Appeal No	/2013	•	
	— —	:	•
Syed Hassan 5/o Rahmo		÷ .	•
GPS Batwar No. 1, Bajav	var Agency	A1	ppellant
•	<u>Versus</u>	•	
Govt. of K.P.K., through	gh Secretary Ele	mentary & :	Secondary
Education, Peshawar & o	thers	Res	pondents

APPLICATION FOR **TEMPORARY** INJUNCTION TO THE EFFECT RESPONDENT MAY KINDLY BE RESTRAINED FROM TAKING ANY ACTION FOR THE PROMOTION OF PSTS TO BPS-14/15 AS ACCORDING TO THE MENTIONED PROCEDURE THE RULES/NOTIFICATION IMPUGNED DATED 13.11.2012

Sheweth:

1. That the appellant has filed the above titled service appeal before this Honourable Tribunal, in which no date of hearing has yet been fixed.

- 2. That respondent vide notification dated 13.11.2012 with regard to the fresh education policy has given a new method of promotion which is bound to violate the promotion right of thousands of teachers including the appellant
- That the applicant/appellant has prima facie case of action and is very hopeful for the ultimate success of his appeal.
- 4. That all the three ingredients i.e. prima facie case, balance of convenience and irreparable loss as per spirit of the rule for granting injunction are present in the said appeal.
- 5. That in case the injunction as prayed for above is denied, the applicant/appellant will suffer irreparable loss as the impugned vacancies will be fill up and there would be no chance for appellant's accommodation. Therefore, it is in the interest of justice to stay further proceedings on the impugned notification till the final decision of the instant appeal.
- 6. That the facts and grounds taken in the memo of appeal may kindly be considered as part and parcel of the instant application.

It is, therefore, humbly prayed that in the light of the above said submissions this Honourable Tribunal may please be kind enough to restrain the concerned respondents from taking any action towards promoting the PSTs teachers on the basis of the above noted notification.

Appellant

Through

Muhammad Isa Khan Advocate Supreme Court

Å

Akhtar ILyas Advocate High Court, Peshawar

<u>AFFIDAVIT</u>

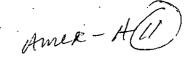
I, Syed Hassan S/o Rahmatullah Jan PST, GPS Batwar No. 1, Bajawar Agency do hereby solemnly affirm and declare on oath that contents of the above application are true and correct to the best of my knowledge and belief and nothing has been kept concealed from this Honourable Tribunal.



Deponent



OFFICE OF THE AGENCY EDUCATION OFFICER BAJAUR AGENCY AT KHAR



APPOINTMENTS

Consequent upon the result of Interview held on 15.8.2002, the following PTC Male. Trained candidates of (Sub Div Khar) Bajaur Agency, are nevery appointed against the vacant PTC posts in the schools noted below in BPS No.7. a. Rs.2553-140-6"55and BPS, 9. Rs.2770-165-7720. (for those who are F.A.F.Sc (2nd Division) P.M with usual Allowances as admissible under the rules. (ON CONTRACT BASIS) from the date of their staking over charge in the interest of public service.

<u>S.No</u>	Name of Candidate with parentage	Name of School where appointed	Remarks
1	Haidar Zaman S O Shahzada	GMPS Lar Mula Said	Against Vacant PTC Pari
	Fazh Wahid S O Sultan Muhammad	GPS Bagandil	A large Pforth of the state of the Aller And Pforth of the State of th
	Said Hassan S O Rahmatullah Jan	GPS Batwar No. j	York State and PACARS

TERMS/CONDITIONS

- The appointment of candidate is on Contract basis for the period of two years.
- The appointments of the candidate is being made purely on temporary and are liable to termination at any time without assignmentary teason in ease they wish to resign from their service they will give the month prior notice OR forfeit one month pay in lieu there of.
- 3 Their pay will not be submitted to the Accounts officer concerned before verification of all certificates from the concerned Institution Domicilé Certificate from the Political Agent concerned.
- 4 Charge report should be submitted in duplicate to this office.
- 5 The fresh candidates should produce their health and are certificate from the Agency surgeon concerned.
- 6. They should produce their original certificates before talling over charge
- They should not handed over charge of the post it they below 18 years of above 33 years of age.
- 8 If they do not take over charge within 15 days their order will be treated as cancelled.
- As disable quota has been completed therefore the appointment order of any person declared disable by the Agency Surgeon in health and age certificate will be considered as automatically cancelled.
- 10 No TA DA is allowed to the candidates.

(Mr RAZI HE SAN BANGASH)
Agency Education Officer
Bajaur Agency

Endst: No 5888-5592 Dated 12 12 2005

Copy to the:

- Director of Education FATA NAWE P Peshawar
- Political Agent Bajaur Agency
- 3 Agency Accounts Officer Bajaur Agency.
- 4 AAEO (Male) Concerned
- 5 Principal/Head Master Concerned, Official Concerned.
- 6 Accountant of the local Office

Agency Education Officer

Bajani Asence

our Her

MTester)



GOVERNMENT OF THE KHYBER PAKHTUNKHWA ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT.

NOTIFICATION

Peshawar, dated the November 13,2012.

No.SO(PE)4-5/SSRC/Meeting/2012/Teaching Cadret- In pursuance of the provisions contained in sub rule (2) of rule 3 of the Khyber Pakhtunkhwa Civ Servants (Appointment, Promotion and Transfer) Rules, 1989 and in supersession of all Notifications issued in this behalf, the Elementary and Secondar Education Department in consultation with the Establishment Department and the Finance Department hereby lays down the method of recruitment qualification and other conditions specified in the Appendix to this Notification which shall be applicable to all the posts specified in Column No. 2 of the said Appendix and the schedule therewith.

SECRETARY TO GOVERNMENT OF THE KHYBER PAKHTUNKHWA ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT.

Endst. No. & Date as above.

Copy forwarded to:-

- 1. The Secretary to Govt. of Khyber Pakhtunkhwa, Establishment Department.
- 2. The Secretary to Govt. of Khyber Pakhtunkhwa, Finance Department.
- The Secretary to Govt. of Khyber Pakhtunkhwa, Law Department.
- The Secretary Khyber Pakhtunkhwa, Public Service Commission Peshawar.
- 5. The Accountant General, Khyber Pakhtunkhwa Peshawar.
- The Director (E&SE) Khyber Pakhlunkhwa Peshawar.
- 7. The Director Education (FATA), Peshawar.

ector Curriculum & Teachers Education Abbottabad.
ector (PITE) Khyber Pakhtunkhwa Peshawar.
ector ESRU, Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.
outy Director Database(EMIS) E&SE Department.
ict Coordination Officers in Khyber Pakhtunkhwa.
cutive District Officers Elementary & Secondary Education in Khyber Pakhtunkhwa.
rict Accounts Officers in Khyber Pakhtunkhwa /Agency Accounts Officers FATA.
sovernor, Khyber Pakhtunkhwa.
hief Minister, Khyber Pakhtunkhwa.
hief Secretary, Khyber Pakhtunkhwa.
inister E&SE Khyber Pakhtunkhwa Peshawar.
ecretary E&SE Department.
File.

Section Officer (Primary)

APPENDIX

enclature of the post.	Minimum qualification and experience for initial appointment or by transfer.	Age Method of recruitment. limit. '5.
Secondary School Teacher BPS 16).	Physics, Mathematics, Statistics Humanities and other equivalent groups from a recognized University; or (ii) M.A in Education or Bachelor's Degree in	18 to 35 years. (i) forty per cent from amongst the Certified Teachers (General), Certified Teachers (Agriculture), Certified Teachers (Industrial Arts)
	Education, from a recognized University.	and Certified Teachers (Home Economics) with at least five years service as such and having qualification mentioned in column No. 3;
		(ii) four per cent from amongst the Drawing Masters with at least five years service as such and having qualification mentioned in column No.3;
		(iii) four per cent from amongst the Physical Education Teachers with at least five years service as such and having qualification mentioned in column No. 3;

Instructional Material Specialists, with atleast five years service as such and having qualification mentioned in column No. 3; and (v) one per cent from amongst the Arabic Teachers with at least five years service as such and having qualification mentioned in Column No. 3; and (b) fifty per cent by initial recruitment. By promotion, on the basis of seniority-cumfitness, from amongst Arabic Teachers, with at least five years service as such and having qualification as prescribed, for initial recruitment of Arabic Teacher Sea for Theology Teacher Sea for Theology Teacher Sign amongst Theology Teachers, with at least five years service as such and having qualification as prescribed for initial recruitment of Theology Teachers, with at least five years service as such and having qualification as prescribed for initial recruitment of Theology Teachers, with at least five years service as such and having qualification as prescribed for initial recruitment of Theology Teachers. Sea for Theology Teacher Sea for Theology Teacher (Sea for Theology Teacher fitness, from amongst Certified Teachers (General), with at least five years service as such and having qualification as prescribed for initial recruitment of Certified Teachers (General), with at least five years service as such and having qualification as prescribed for initial recruitment of Certified Teachers (General).		· · · · · · · · · · · · · · · · · · ·		(iv) one per cent from amongst the
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fitness, from amongst Theology Teachers, with at least five years service as such and having qualification as prescribed for initial recruitment of Theology Teacher. Sen 10 & Certified Teacher Sen 10 & Certified Teacher (General), with at least five years service as such and having qualification as prescribed for initial certified. (General), with at least five years service as such and having qualification as prescribed for initial and having qualification as prescribed for initial	Seu (or Arabic Teacher (SAT) (BPS-16)		•	least five years service as such and having qualification as prescribed for initial recruitment of Arabic Teacher.
fitness, from amongst Certified Teachers (SCI) (General)	Sem 101 Theology Teacher SII) (B-16).		<u>-</u>	at least five years service as such and having qualification as prescribed for initial recruitment of Theology Teacher.
	(Cc[))(General)	-	· · · · ·	fitness, from amongst Certified reachers (General), with at least five years service as such and having qualification as prescribed for initial

		* *,	,
Contined Teacher		-	By promotion, on the basis of seniority-cum- fitness, from amongst Certified Teachers (Industrial Arts), with at least five years service as such and having qualification as prescribed for initial recruitment of Certified Teacher (Industrial Arts).
Sem (D'Certified Teacher Aguillure) BPS 16). Sem 10 Drawing Master		•	By promotion, on the basis of seniority-cum- fitness, from amongst Certified Teachers (Agriculture), with at least five years service as such and having qualification as prescribed for initial recruitment of Certified Teacher (Agriculture).
BPS [6]. Semliot Certified Teacher			By promotion on the basis of seniority-cum- fitness from amongst Drawing Masters, with at least five years service as such and having qualification as prescribed for initial recruitment of Drawing Master.
5 C B P16).	-		By promotion, on the basis of seniority-cum- fitness, from amongst Certified Teachers (Home Economics), with at least five years service as such and having qualification as prescribed for initial recruitment of Certified Teacher (Home Economics).
Semior Physical Education [BPS-16].			By promotion, on the basis of seniority-cum- fitness, from amongst Physical Education Teachers, with at least five years service as such and having qualification as prescribed for initial ecruitment of Physical Education Teacher.

<u> </u>		years.	(a) Seventy-five per cent by initial recruitment; and (b) twenty-five per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Senior Qaris, with at least five years service and having
Senior Qari PAP(-15). Cer Lifed Teacher General) (BPS-15).	Chival and any other Government run Darul Ulcom, as notified by the Government from time to time; or (ii) Second Class Master's Degree in Islamiyas from a recognized University. Bachelor's Degree or equivalent qualification from recognized University with Certified Teache	a 18 to 35	qualification prescribed for initial recruitment of Theology Teacher: Note: In case of non availability of suitable person for promotion, then by initial recruitment. By promotion, on the basis of seniority-cumfitness, from amongst Qaris, with at least five years service as such and having qualification prescribed for initial recruitment. (a) Forty per cent by initial recruitment; and

	Certificate or two years Associate Degree in Education from a recognized University or eighteen months Diploma in Education.		(b) sixty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Primary School Head Teachers with at least five years service and having qualification prescribed for initial recruitment of Certified Teacher (General): Provided that if no suitable candidate is available amongst the
			Primary School Head Teachers for transfer, then the posts will be filled by promotion on the basis of seniority-cumfitness, from amongst Senior Primary School Teachers with at least five years service and having qualification prescribed for initial recruitment of Certified Teacher (General). Note: In case of non availability of suitable person for promotion, then by initial
And Ans)	(i) Bachelor's Degree from a recognized University with two years training in the relevant technical subjects from any Government Industrial or Govt. Technical Vocational Institute or Center; or (b) Bachelor's Degree from a recognized	18 to 35 years.	recruitment. (a) Forty per cent by initial recruitment; and (b) sixty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Primary School Head Teachers with at least five years service and having qualification prescribed for initial recruitment of Certified Teacher



·	University with nine months training from any Government Agro Technical Teacher	(Industrial Arts):
	Training Center of the Level of Certified Teacher, Agro technical (Industrial Arts).	Provided that if no suitable candidate is available amongst the Primary School Head Teachers for Promotion, then the posts will be filled by promotion on the basis of seniority-cum-fitness, from amongst Senior Primary School T.
		five years service and having qualification prescribed for initial recruitment of Certified Teacher (Industrial Arts).
Cery fied Teacher Africulture) B No -15).	(i) Bachelor's Degree from a recognized 18 to University with one year training in year. Agriculture from a confirmation of the second	1 Construction Initial reconstruction
	Agriculture from any Government institute or center with nine months training from Government Agro Technical Teacher Training Center of the level of Certified Teacher Agro Technical (Agriculture); or	(b) sixty per cent by promotion, on the basis of seniority-cum-fitness from amongst the Primary School Head Teachers, with at least five years service and having outlification.
	(ii) Bachelor's Degree with Agriculture as one of the subject, from a recognized University: or	recruitment of Certified Teacher (Agriculture):
	(iii) Bachelor's Degree from a recognized	Provided that if no suitable candidate is available amongst the

	any Government Agro Technical Teacher		promotion then the most will be on the
•	Training Center of the Level of Certified	·	promotion, then the posts will be filled by promotion on the basis of seniority-cum-
•	Teacher, Agro technical (Agriculture).		fitness, from amongst Senior Primary
			School Teachers with at least five years
j			service and having qualification
			prescribed for initial recruitment of
	·		Cértified Teacher (Agriculture).
. !			Note: In case of non availability of suitable
·			person for promotion, then by initial
Cex Hallescher (Home			recruitment.
Cer life Teacher (Home	(i) Bachelor's Degree with Home Economics, as	18 to 35	(a) Forty per cent by Initial recruitment; and
Encoloryics) 1875	one of the subject, from a recognized	years.	,
1395	University with in service training from Government Agro Technical Teacher		(b) sixty per cent by promotion, on the basis
	Training Center; or		of seniority-cum-fitness, from amongst
10	(ii) Certified Teacher Certificate with Home		the Primary School Head Teachers with at least five years service as such and
	Economics, as one of the subjects, from any		having qualification prescribed for initial
	Government Training school or college with	:	recruitment of Certified Teacher (Home
	Bachelor's Degree; or		Economics):
	iii) Bachelor's Degree from a recognized		
,	iii) Bachelor's Degree from a recognized University with nine months training from		Provided that if no suitable
	Government Agro Technical Teacher	j	candidate is available amongst the
ļ	Training Center of the level of the		Primary School Head Teachers for
	Certified Teacher Agro Technical (Home		promotion, then the posts will be filled by promotion on the basis of seniority-cum-
	Economics); or		fitness, from amongst Senior Primary
	j		School Teachers with at least five years
/:	y) Postulut P		service and having qualification
	v) Bachelor's Degree, from a recognized		prescribed for initial recruitment of

•

University with one year vocational training from any Government training center or institute with nine months training from Government Agro Technical Teacher Training center of the level of certified Teacher Agro Technical (Home Economics).		Certified Teacher (Home Economics). Note: In case of non availability of suitable person for promotion, then by initial recruitment.
har's Degree from a recognized University one year Drawing Master (DM) course	18 to 35 years.	(a) Eighty per cent by initial recruitment; and
inexic.		(b) twenty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Primary School Head Teachers with at least five years service and having qualification prescribed for initial recruitment of Drawing Master:
	· .	Provided that if no suitable candidate is available for promotion then on the basis of seniority-cum-fitness, from Senior Primary School Teachers with at least five years service and having qualification prescribed for initial recruitment of Drawing Master.
		Note: In case of non-availability of suitable candidate for promotion, then by initial recruitment.



Physieral Education (BPS-15).	Bachelor's Degree from a recognized University with one year junior Diploma in Physical Education course or Army equivalency or other equivalent qualification.	18 to 35 years.	(a) Eighty per cent by initial recruitment; and (b) twenty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Primary School Head Teachers with at least five years service and having qualification prescribed for initial recruitment of Physical Education Teacher:
•			Provided that if no suitable cancidate is available for promotion then on the basis of seniority-cum-fitness, from amongst Senior Primary School Teachers with at least five years service and having qualification prescribed for initial recruitment of Physical Education Teacher.
G. PST			Note: In case of non-availability of suitable candidate for promotion, then by initial recruitment.
School Head (PSHT)	_	-	By promotion, on the basis of seniority-cum- fitness, from amongst Senior Primary School Teachers with at least ten years service and having qualification prescribed for initial recruitment of Primary School Teacher.
(BPS-14).	-	-	By promotion, on the basis of seniority-cum- fitness, from amongst Primary School Teachers

Contraction of the contraction o

with at least five years service as suc having qualification prescribed for recruitment of Primary School Teacher. 21. Primary School Teacher (BPS-12). (i) Intermediate or equivalent qualification, from a recognized Board with Primary School Teacher Certificate/ Diploma in Education from a recognized Institute; or (ii) Secondary School Certificate, from a recognized Board in second Division with two years Associate Degree in Education from a recognized University. (iii) Secondary School Certificate, from a recognized University. (iv) Secondary School Certificate, from a recognized University.				
(ii) Secondary School Certificate, from a recognized Board in second Division with two years Associate Degree in Education from a recognized University. [BPS-12] [BPS-12] [Intermediate with Hifz-e-Quran and Qirat Sanad 18 to 35] [BPS-12] [Intermediate with Hifz-e-Quran and Qirat Sanad 18 to 35] [BPS-12] [Intermediate with Hifz-e-Quran and Qirat Sanad 18 to 35] [BPS-12] [Intermediate with Hifz-e-Quran and Qirat Sanad 18 to 35] [Intermediate with Hifz-e-Quran and Qirat Sanad 18 to 35] [Intermediate with Hifz-e-Quran and Qirat Sanad 18 to 35] [Intermediate with Hifz-e-Quran and Qirat Sanad 18 to 35] [Intermediate with Hifz-e-Quran and Qirat Sanad 18 to 35] [Intermediate with Hifz-e-Quran and Qirat Sanad 18 to 35] [Intermediate with Hifz-e-Quran and Qirat Sanad 18 to 35] [Intermediate with Hifz-e-Quran and Qirat Sanad 18 to 35] [Intermediate with Hifz-e-Quran and Qirat Sanad 18 to 35] [Intermediate with Hifz-e-Quran and Qirat Sanad 18 to 35] [Intermediate with Hifz-e-Quran and Qirat Sanad 18 to 35] [Intermediate with Hifz-e-Quran and Qirat Sanad 18 to 35] [Intermediate with Hifz-e-Quran and Qirat Sanad 18 to 35] [Intermediate with Hifz-e-Quran and Qirat Sanad 18 to 35] [Intermediate with Hifz-e-Quran and Qirat Sanad 18 to 35] [Intermediate with Hifz-e-Quran and Qirat Sanad 18 to 35]				having qualification prescribed for
recognized Board in second Division with two years Associate Degree in Education from a recognized University. 2. Qari Intermediate with Hifz-e-Quran and Qirat Sanad 18 to 35 By initial recruitment.	21.		a recognized Board with Primary School years. Teacher Certificate/ Diploma in Education	level: provided that if no suitable candid within the Union Council is available, ther
(RPS 12)			recognized Board in second Division with two years Associate Degree in Education	
	22	•	Intermediate with Hifz-e-Quran and Qirat Sanad 18 to 35 from a recognized Institution. years.	By initial recruitment.

SCHEDULE

Selection criterion and other conditions for direct recruitment against the below mentioned posts shall be as under:-

Arobic Teacher

Educational Qualification	Total Marks: 100
SSC	Marks obtained X 20 / total marks =
HSSC	Marks obtained X 20/ total marks =
BA/BSc ·	Marks obtained X 20 / total marks =
M.A. Arobic / Shahdatul Alamia Fil Uloomul Arabia well Islamia from a recognized Tanzimuatul Wafaqul Madaris	Marks obtained X 20 / total marks =
Other MAJMSOM.Ed / MA Edu	Marks obtained X 15 / total marks =
MPhil/PhD	Marks = 05

Theology Teacher



Category of Qualification	Total Marks 100
SSC	Marks obtained X 20 / total marks =
HSSC	Marks obtained X 20 / total marks =
BA/BSc	Marks obtained X 20 / total marks =
MAJMScM.Ed / MA Edu	Marks obtained X 20/ total marks =
M.A/Islamiat / Shahdatul Alamia Fil Uloomul Arabia wal slamia-from a recognized Tanzimuatul Wafaqul Madaris	Marks obtained X 15/ total marks =
MPhiUPhD	Marks = 05

Qari/Qaria

Category of Qualification	Total Marks 100
SSC	Marks obtained X 20 total marks =
Qiri Sanad from a recognized Institution.	Marks obtained X 20 / total marks =
HSSC	Marks obtained X 20 / total marks =
BA/BSc	Marks obtained XII) total marks =
MAJMSc/ M.Ed / MA Edu	Marks obtained X 15: total marks =
MPhil/PhD	λfarks = ÛS

Certified Teacher
(General, Industrial Arts, Agriculture, Home Economics)



Category of Qualification	Total Marks 100 For Humanities group at Intermediate/Graduation Level	For Candidate of Science group
SSC	Marks obtained X 20 / total marks =	5 Extra marks for FSc, 5 Extra marks for B.Sc and 5 Extra marks for M.Sc will be added to the total
HSSC	Marks obtained X 20 / 101al marks =	score obtained by a candidate during his selection
BA/BSc	Marks obtained X 20/ total marks =	
CT Certificate/ Diploma in Education /ADE.	Marks obtained X 20 / total marks =	
MANMSCIM.Ed / MA Edu	Marks obtained X 15 / total marks =	
MPhiVPhD	Marks = 05	

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Drawing Master

Category of Qualification	Total Marks 100	For Candidate of Science group
28€	Marks obtained X 20 / total marks =	5 Extra marks for FSc, 5 Extra marks for B.Sc and 5 Extra marks for M.Sc will be added to the total
Z Z TIŞSC	Marks obtained X 20 / total marks =	score obtained by a candidate during his selection
BA/BSc	Marks obtained X 20 / total marks =	
DM Certificate	Marks obtained X 20 / total marks =	
MANGOM Ed / MA Edu	Marks obtained X 15 / total marks =	
MPhiVPhD	Marks = 05	

DM Conficale	Marks obtained X 20 / total marks =	•
MANUSCIM Ed / MA Edu	Marks obtained X 15/101al marks =	
LAPAUPAD.	Marks = 05	
Physical Education Teacher		
Colegory of Qualification	Total Marks 100	For Candidate of Science group
Carry of Quanticution	70131 7721	
SSC	Marks obtained X 20 / total marks =	5 Extra marks for FSc, 5 Extra marks for B.Sc of 5 Extra marks for M.Sc will be added to the total
HSSC	Marks obtained X 20/101al marks =	score obtained by a candidate during his select
BAJESC	Marks obtained X 20/101al marks =	
DRE or Equivalent Certificate	Marks obtained X 20/101al marks =	
MAMSOM Ed / MA Edu	Marks obtained X 15 / total marks =	
APhiVPhD:	Marks = 05	The state of the s
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PROCESSION OF THE PROCESSION OF THE PARTY OF (रिव्हानसम्बद्धाः gion's metta that 27th October, 26i ft.

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The wilds Chief Soy (they). Soys of their, two began spacing the Penning Secretary in Guerane Blaige Sound, Cacha. The Perus and Bureling to Cheef bindstof Dake in dam Courses. The benue blendar/Municis, flowed of Revium, Boluchisters The Acidonian General Halmhister Quene. Art the Wilgianist directions, inflechings. Inc Chairma, Propunist huganum foam, Gentle. The Secretary, theuchiscus Provincial Assembly, Course All the Birginal Commissioners, Italianishas.

Allale Deputy Commissioners, Haludinsten. Aff the licents of Anable d Departments Universities. Ing Megistem, Habadifiem ligh Covie; Quetta . . 1 The Recibba, Directiny of Bankhirton, Owns. The Rachinal University of lat; Teclevolusis is in; Quella, Ų The Registry, Sarder Unbedium Lilim, Pleasen 11 giversity of Beluchistan, Quella, 14, The Secretary, fralochisten Public Service Commission, Queita. The Serretary, Office of the Provincial Mothanh Halor Lithan, Quena, .41 the Director, tublic Relations Bulledhiston, (pasta, VI. The Piecesor Finance (HIHI HAIS) Takalo Campan Quena. .2. the Cenhulter, Covenanna Fruiding frees, Quetta. м.

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CHART OF INCHMINE OF MEHRICHARDS ON THE BASIS OF TONE SCALE TO THE TRACHING STARY (SCHOOL SIDES OF PROCELION DELVICINEMENTIVICE NOLLYCHICS

in partial modification of this Department's Corollar No. P. (R-1)VII. 132200713257-3357 dated 18th Newtonber 2007, 140 FERINGSVII-1312038/57-181 deut 2th James of Rock, Flored Pole-13/11-13/2009/296-27 James 12-24-2009 & No.Figu-Date 13/2009/1921-1020 detect 30" June 2009 the jength of service for Time Scale to, the Fraching Staff (School Side) of Edychion Depathment Edochistal may be rend as under-

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from the date of appaintment as diffe	See ing in Kland	महार अलंबन्द्र कि श्रीम	
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Summary:

Award of time scales by all provinces to the teaching staff

s #	Name of Govt	Award of time scale for SST post	Length of service	Date of Notifications
1	Baluchistan	BPS 16 to 17 BPS 17 to 18 BPS 16 to 19	After 09 years After 14 years After 21 years After 09 years	18-11-2007 & 27-10-2010
2	Sindh	BPS 16 to 17 BPS 17 to 18 BPS 18 to 19 BPS 16 to 17	After 14 years After 21 years After 09 years	07-6-2010
3	AJ&K	BPS 18 to 18 BPS 18 to 19 BPS 16 to 17	After 14 years After 21 years After 09 years	20-6-2008
4	Punjab	BPS 17 to 18 BPS 18 to 19 BPS 16 to 17	After 14 years After 21 years After 09 years	30-9-2011
5	Gilgit & Baltistap	BPS 17 (0 18 BPS 18 to 19 BPS 16 to 17	After 14 years After 21 years After 10 years	26-01-2008 Only one slage was awarded by the then Government
6	Khyber Pakhtunkhwa		- The posts O	f BPS-17 had been

Since award of 04-tier formula to BPS 17 to 20 in past 1992, mostly posts of BPS-17 had been converted to BPS 18, 19 and 20 which affected the rights of SSTs and they have been stuck in the same scale and their promotions became badly slow to 24 years instead of 10 years.

Consequent upon the situation and to compensate the SSTs, at first, the Provincial Government of Balochistan has awarded time scale which was followed by all other Provincial Governments.

Recently, Khyber Pakhtunkhwa Government has updated o4-lier formula on 28-02-2012 for BPS-17 to 20, and also upgraded 15 Grade and below teaching staff on 01-7-2012 but Unfortunately the SSTs cadre BPS-16 was once again ignored.

Besides any incentive for SSTs cadre, 1765 Posts of BPS-17 have been abolished in recent 04-tier formula on which SSTs would have not been promoted to Head Master post forever.

Therefore the SSTs are requesting to the KPK Government for incentive of time scale as awarded by other Provincial Governments and also as generously awarded to Seniors staff and Juniors leaching staff of KPK by the present Khyber Pukhtunkhwa Government.

Allen



110. ru(015-1)1(-10)100... GOVERNMENT OF SINDH FINANCE DEPARTMENT Karaeni, dured the 7th June, 2019.

From. •

ter. Parlullah Pechalio, Secretary to Government of Sindh.

- The Chief Secretary to Government of Sigdli.
- All Additional Chief Sequences to Government of Sindh.
- The Scalor Member Build of Revenue, Singa. ...
- All Administrative Secretaries to Government of Sindh. Ϋ. ٠١.
- All Members Board of Revenue, Sindh. ١.
- The Principal Secretary to Chief Minister Sindh. Ġ.
- The Principal Secretary to Governor Sindh. 7.
- The Secretary to Provincial Assembly Sindh. All Heads of Attached Departments, Sindle ä.
- ٧. All Regional Heads of Departments, Sindh.
- 10: All District & Sessions Judges, Sindh. 11.
- The Registrar, High Court of Sindh. 12.
- All District Coordination Officers in Sindh. 13.
- The Registrar Sindh Services Tribunal, Karachi. 14.
- The Secretary, Sindh Public Service Commission, Hyderabad.
- The Secretary, Provincial Ombudsman Secretariat Sindh, Karachi. 15. 16.

Subjecti

Grant of incentive of nighter grade on the basis of time scale to the teaching staff (School side) of Education & Department, Sindh.

Covernment of Sindh has been pleased to allow a sanction incentive of grant of higher grade on the bosis of time scale to the teaching staff (School side) of Education & Literacy Department with the following terms and conditions with effect from 07.04.2010: -

Iron 07.04.2010.		The second	s of total
S.No. Romencluture of teaching	posts with	service required	for next
grades and many		higher grade as ra	T.
1. Printery School Teachers	/ equivalent		
Tqueiters (ES-7)		Aller 9 years	
BS-7 to BS-10		Vuct 14 Acars	
DS-10 to BS-11		After 21 years	
BS-11 to BS-14		After 25 years	
BS-1650 BS-15			ContdP/7
(/	1 '		••

Length of Service from the date of appointment at P.T. d Seg Date turs of Teaching Stall. (,T.1.& Juja (n. 08) Aller 07 years After 14 years prising in hirs. 11 After 71 years 10% 11 10 10% 12 Aller 15 years pry 17 is 10% 13 Leagth of Stevice in B-11 & shore for the next higher grade. 1025-14 to 1025-12 Brief Teaching Staff. TATINING COMMINATOR it. [1] Deminded on the popula harol for 151 in After 50 years Length of Service from the dete of appointment as SSI General. -1078 ± 0.01 1015-15 to 10 S 16 Science, Tech:, SAT & SUM III's of Teaching Stall. STICISHIMI. MITERCE, TROUBLEAT After Dy Years SUNTINES 16) 1115-16 to 1115-17 After 21 years 10'S-17 to 10'5-18 111% 15 to 111% TV

The Administrative Department is advised not to submit the two step cases of Time Scale of an officer before the Respective Forum at once but let them be disposed off

The benefit of maior structure already being availed by the teaching staff of one after the other. school and after promotion in B-17 vide Education Department notification No.50(5) 1-115791-Fidu: dated 21-7-1991 is hereby withdrawn with effect from 30th June, 2009.

The benefit of Time Scale will be considered and allowed on the recommendations of respective competent forum after sentiny of service record / ACRs etc. mstead of allowing by issuance of simple hotification / order.

The condition with regard to length of service reflected in this Department's Uncular NO.FD(R.1) VII-13/2010/2102-2228 dated 16th September 2010 may be treated as DOSTAIN KHAN JAMALDINI candelled.

Finance Secretary.

(Sana Ullah Khan) Section Officer (Reg-1)

A copy is forwarded toll-All Additional Secretaries / Deputy Secretaries in Finance Deput, Quetta.

The Private Secretary to Minister for Finance Balochistan, Quella

The Private Secretary to Chief Secretary Baluchistan, Quetta.

All Under Secretaries / Section Officers in Finance Department, Quetta.

(Saoz Ullah Khan) Section Officer (Reg-1)

Div.

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The second secon	Enjunher of years of total
S.No. Nomenclature of teaching posts with grades	miss required for nez!
S.No. Nomenciative of tenants at	higher grade as JST.
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2. Elementary Tenchers !	\ <u>'</u>
La Hang School Teachers /	Carrente
emilynlent Conchera (BS-2)	Vues 8 Acura
	After 14 years
135-9 to 55-12	After 21 years
(10-12 to DS-14	Aner 25 years
HS-14 to BS-15	
118-15 to 138-16	wars of total.
113.14 13.14	Ruminer of years of total
S.No. Nomenclature of teaching posts with grades	required in the
S.No. Nomenclature of teases	higher grade. IIST.
75775. /	
High School Teachers / Senior PTIs /	
3. Then School Leadin Teachers L.	
SUTS / SDMs / Arabic Teachers /.	N
Science Tenchers / equitation	After 9 years
Teachers (BS-15)	After 14 years
	After 21 years
DS-15 to DS-17	Aug. 21 January
108-17 to 338-13	
1. DS:18':0'DS-12	Number of years of total
S.No. Nem metature of teaching posts with grade	Number of years or dext
Cata I South manufacture of leaching trans-	service required
2.130	higher grade:
4. Subject Specialists (BS-17):	
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US-17 to BS-18	1
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The award of higher grade will be subj	for convenie conditions:
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The award of higher praise in the control of the co	
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The benefit of Time	be considered and allowed on the competent forum after scrutiny of ad of allowing by issuance of singular
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The benefit of 4-lier structure already being availed by the teach og staff of School side after promotion in BS-17 is hereby withdrawn with immediate effects.

(Righan Taring)
Deputy Secretary (SR-1/Admin):
For Secretary in Covernment of Sandh

NO. FD(SR-J)1(52)/2010

Karachi, dated the 7th June, 2010

A copy is forwarded for information and necessary action to:-

- 1. The Chief Secretary to Government of Sindh, Karachi,
- 2. The Additional Chief Secretary to Government of Sindl: (All).
- 3. The Senior Member, Board of Revenue, Sindi.
- 4. The Administrative Secretary to Covernment of Sindh (All).
- 5. The Members, Board of Revenie, Sinch (All).
- 6. The Principal Socretary to Governor, Sindh, Karachi.
- 7. The Secretary to Chief Windster, Sindh, Karachi.
- 8. The Secretary to Provincial Assembly, Sindh, Karachi.
- · 9. The Heads of attached Departments, Sindh (All).
 - 10. The Regional Heads of Department, Sindh.
 - 11. The District & Sessions Judges, Sindh (All).
 - 12. The Registrar, High Court of Sindh, Karachi.
- 13. The District Coordination Officers in Sindh (All).
- 14. The Registrar, Sindh Public Service Commission, Hyderabad,
- 15. The Secretary, Provincial Conbudsman (Mohtasib) Secretariat, Sindh.
- 16. The Registrar, Sindh Service Tribonal, Karachi.

17. The Deputy Secretary (Staff) to Chief Secretary, Sindh, Kurkehi.

(Tablib-ul-Islam) Section Officer (SR-1)

For Sucretary to Government of Sindhi

Contd. PW

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Govt, of the State of Jamma's Kashmir (Finance Department)

'MugaMarahud'

June 20,2008

Hatilication

the reproperties and the President of Acad January & Kashair has been pleased to sandom the time scale package in favour to the xelect teachers of 1000 to eight

The school tenesion of work Goal Withis 7 to DPS-16 shall by allowed to beastiffer have scale facility as one the following schemple subject to the conditions given their

Homenstature of the post v	Ho, of years service required for next
tenlo	hipper scale.
Primary Scale Joschera	
10.24 10 61.2 10	L. Alter sing years in DPS-7
030-10 to 005-11	Alter leadern years
REPORT SOMESTIME	Mist brenly one years
1 9925-14 to 903-15	All All se Iwenty five years
Juntor Lente Taxelous	
100S-9 to 100S-13	After nine years to 625-9
1922-17 to 1972-19	Alta londaen years
[1005-14 to 1925-15	After twenty one years
(<u>905-15 to 0025-16</u>	Alest liverily five years
Senior Scale Toochers	
UPS-16 to OPG-17.	Microine years in DPS-18/17.
	A lar lounced years was thing the
OVS-10 to 1028-19	After Wenty one years 1999

Communication than the control of the first God grasuit during the tiest it is is, yours of service in this sample on the polyectropolitie is allowed now briffing easily as par this makinge. ... as par this madage,

Title Seales will have no allest engregulariselistantive scales nor it shall be a ... remainding at any macrony. The favour got through reed sender under this policytonistonic will be decimal as pursonal scale to the extent of only formatiat hanell and these scales shall not affect the substantive scales of any entracy. of teachers and rights of their Seniorlly etc.

to longer appointments to 60% shall be mede on the basis of trasemuslification of EAPSe with one year training course and direct appointments at junior section shall be made on malbasis of basic qualification of BAIBSE & ET. Guranament shall amend the survice roles accordingly.

> Ur. Shehla Wagar Additional secretary Finance (13)

Corre

The Secretary to the President AJAK .

The Secretary in the Prime Minister GoAJK.

178 to the klinister Finance/Education Schools/Colleges GoAIR,

19S to the Chief Secretary GOAJK. 1975 to the ACS (Gen)/(Dev) GOAJK.

17/5 to the Senter Member Board of Revenue Getalls,

The Secretary Finance Govern.

The Societary Education Schools Conegas Goalk.

All Securitaries to the GoVIK

The Accountant General D.G Audi AJAKA

33 The Controller Printing Press Control

17 Master Peter

(III Yanansi)#

Azad Govt, ôf the State of January & Krajarda (Circuice Deportment)

l/locallarabad June 20,2008.

<u>Notification</u>.

No FDR/9329-9428/2008. The President of Azad Jamenio & Krishmir has been pleased to sanction the time scale package in layour of the school teachers of AJ& Kun tho following manner.

The school leachers of AJ&K Govt in SPS-7 to BPS-16 shell be allowed to benefit the time scale facility as par the following subject to the conditions given their

ndi **	
Nomunclation of the post servi-	tto, of yours service required for next.
scale	thist ar scale.
Primary State Toachers	The same of the sa
0PS-7 to 0PS-10	Alter one years in IVPS-7
BSP-10 to BPS-11	Affer fourteen years
BSP-11 to BPS-14	Arter leventy one years
BPS-14 to UPS-15	After twenty five years
Junior Scale Tunchers	
-BPS-9 to BPS-12	After nine years in BPS-9
BPS-12 to BPS14	After lemient years
	Alle livenly one years
BPS-14 to BPS-15	After Iwenly live years
BPS-15 to BPS-16	
Senior Scale Teachers	After nine years in BPS-16
BPS-16 to CPS-17	Wild their sense and a sense a
BPS-17 to BPS-10	Aller fourteen years
DPS-10 to UP3-19	After twenty one years

Conditions:

Concerned teachers will produce at least 60% result during the fast five (5) pears of service in the specific scale before helpin is allowed rest higher scale as per this packago.

Time Scales will have no affect on regular/substantive scales her it shall be a promption in any meaning. The layour got through next scales under this policy/package will be decensed as personal scale to the extent of only friendful benefit and these scales shall not affect the substantive scales of any category of teachers and rights of their senionly etc.

In future appointments in 1395-7 shall sign made on the basis of basis qualification of 7./VFSc with one year training course and direct appointments in junior scales shall be made on the basis of basis qualification of B.AUSc & CT. Government shall arrend the service rules accordingly.

> Dr. Shehia Vraqur Additional secretary Finance (R)

The Secretary to the President A.R.

The Sucretary to the Prime Mr Istyr GoAJK.

P/S to the Minister Finance/Education Enhance/Colleges GoAJIC.

PIS to the Chief Socretory GuAJK.

P/S to the ACS (Gen)/(Dav) GoAJK. P/S to the Senior Mornbur Hoard of Revenue GoAJK.

The Secretary Finance GoAsic.

The Secretary Education Schools/Callagus CoAJK.

All Socretories to the GuAJK

10. The Accountant Congrator of Michi ASSE

11. The Controller Printing From Goods.

12. Master File.

(M. Younger Mir) gation Officer (Negalitions)

NEVERD OF APPOIL THOSE, CHAINFIGATIONS AND OTHER APPLICABLE TO MINISPERIAL POSTS IN THE PRECATION DEPARTMENT. S.No. Nomenclature of the Minimum qualification | Minumum - Dage limit for Method-of appointment. Assistant Divisional ... By prevetien on the basis of Education Officen, semiarity-cum-fitness, from The amongst the Assistant (Director (Budget & Accounts)
Administrative Officer & Asstt: Distt:Education Officer (Accounts) helonging to the ministerial Establishment of Education Directorate. ---By promotion on the basis (Budget & Accounts) officel
Administrative Officer of seniority-cum-Sitness from amongst Superintendents. & Assistant Dist: belonging to the Ministerial Est: of Edu: Directorate. Education Officer(Accounts), Superintendent. ______ " By promotion on the hesis. of seniority-cum-fitness from amongst the holders of posts of Assistants/Head Clerks/ . Stenn-grapher. ... Assistant/Head Clerk ... Degree-from-a-recognised . Not Less than (i) 25% by initial recruitment . University. and (ij)-75% by premetion on -19 years and basis of Senioritynot nore than above 25 years.com-fitness:from smongst the holders of the posts of Senior Clerks.

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Government of N.W.F.P. Finance Department No. SO(ER) 10-22(B)/2005 Dated; 01-10-2007

To

The Secretary to Govt: of NWFP Schools & Literacy Department.

Subject:

UP-GRADATION OF YARIOUS POSTS OF TEACHERS/CAREER STRUCTURE IN SCHOOLS & LITERACY DEPARTMENT

GOVERNMENT OF N.W.E.P.

Sir

I am directed to refer to your letter No. SO(G) S&L) /I-4/2007 dated 01-10-2007 on the subject noted above and to inform that the Chief Minister NWFP has been pleased to up-graded various posts of teachers in Schools & Literacy Department NWFP as per details given below in respect of those incumbents who acquire or possess the qualification and experience mentioned against each with immediate effect.

S#	Designation Existing Pay Scale	Qualification	Revised Pay Scale
1	Primary School teacher (PST) BPS- 07	F.A.T.Se at least 2 nd Division with PTC/Diploma in Education	09
2	PST with requisite experience renamed as Head Teacher-Head Mistress of Primary School BPS-07	On the basis of 10 years	1 .
(37)	C. r. Drs-09	B.A. B.Se at least 2nd Division with Diploma in Education / CT	15
	AWVCT (Technical) / Industrial Arts/Home Economics BPS-09	B.AB.Se at least 2 nd Division with Diploma in Education? Certificate from Directorate of Curriculum & Teachers Education NAVEP Abbottabad in Agro. Rech/Industrial	15
(5)	D.M. BPS-09	Arts. Home Economics D.A.B.Se at least 2 nd Division with Drawing Master Course	15
7	PET BPS-09	B.A / B.Sc at least 2 nd Division with JDPE.	15
8	Qari/Qari BPS-07	Hafiz-e-Quran with SSC at least 2 nd Division and Sanad in Qirat	12
	SSTS SSEpa Teach: /Agrigawith requisite experience rename Sr. SST/Sr SST Teach/Sr.SST Agri DPS-16	M.A.M.Se at least 2nd Division, with H.Ed/M.Edw/: MrA. Education or equivalent qualification	17
9.	DPE EPS-16	M.Se at least 2nd Division in (HPE)	17
10	Librarian BPS-16*	MASTER degree in LIBRATY Science least 2 nd Division	17

C. J. C. delilia

Affect C

Attendo

The Promotion / Direct Promotion against the upgraded posts shall be made ?. as per laid down procedure and in accordance with the Service Rules to beframed pursuant to the relevant provisions of NWFP Civil Servants (Appointments, Promotion & Transfer) Rules 198 9 read with the NWTP Civil Servants Act, 1973 in the light of the meeting held on 26-09-2007 of the committee constituted vide Schools & Literacy Department Notification No SO(G)/S&L) /1-4/2007 dated 01-08-2007

Audit copy may please be prepared and sent to the Department for authentication / signature.

Section Officer (FR)

Endst: of even No. & Date

Copy for information & necessary action to:-

- Accountant General NWFP
- 2. Director Schools & Literacy NWFP Peshawar.
- 3. Pirector of Education FATA NWFP Peshawar. d.
- PSO to Chief Minister NWFP
- 5. PSO to Chief Secretary NWFP.
- G. PS to Secretary Finance Department NWFP
- 7. All District /Agency Accounts Officers in NWFP

Cilled 1/6. 8.

بعرالت من رول الم دعوى باعث تحريرآ نكه مقدمه مندرج عنوان بالامیں اپن طرف سے واسطے پیروی دجواب دہی وکل کاروائی متعلقہ مقرر کرے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کومقد مہ کی کل کاروائی کا کامل اختیار : وگا۔ نیز وكيل صاحب كوراضى نامه كرنے وتقرر ثالت و فيصله برحلف ديئے جواب دہى اورا قبال دعوى اور بصورت ڈگری کرنے اجراءاورصولی چیک در و پیارعرضی دعوی اور درخواست ہرشم کی تصدیق زرایی پردستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم بیروی یا ڈگری پیکطرفہ یا بیل کی برا مدگی اورمنسوخی نیز دائر کرنے اپیل مگرانی ونظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور کے کل یا جزوی کاروائی کے واسطے اوروکیل یا مختار قانونی کواپنے ہمراہ یا اپنے بجائے تقرر کا اختیار موگا _اورصا حب مقررشده کوبھی وہی جملہ مذکورہ باا ختیارات حاصل ہوں گےاوراس کا ساختہ پرواخته منظور قبول ہوگا۔ دوران مقدمہ میں جوخر چدد ہرجاندالتوائے مقدمہ کے سبب سے وہوگا۔ کوئی تاریخ بیشی مقام دورہ پر ہویا حدے باہر ہوتو وکیل صاحب یابند ہوں گے۔ کہ پیروی 19. ندکورکریں لہذا و کالت نامہ کھدیا کہ سندر ہے۔

SEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR

Service Appeal No: 417/2013.

Syed Hassan PST GPS Batwar Bajour Agency VERSUS

.....Appellant

The Secretary Elementary & Secondary Education Department Khyber Pakhtunkhwa, Peshawar & others

PARAWISE COMMENTS FOR & ON BEHALF OF THE RESPONDENTS No. 1 to 3.

Respectfully Sheweth:-

The Respondents submit as under:-

Preliminary objections

- 1 The appellant has no cause of action/locus standi.
- 2 The instant appeal is badly time barred.
- The appellant has concealed the material fact from this Hon! able Tribunal hence liable to be dismissed.
- The appellant has not come to Hon! able Court with clean hands.
- The present appeal is liable to be dismissed for non joinder/mis-joinder for necessary parties.
- 6 The appellant has filed the instant appeal on malafide motives.
- 7 The instant appeal is against the prevailing laws & rules.
- The appellant is stopped by his own conduct to file in present appeal.
- The instant appeal is not maintainable in the present form & also in the present circumstances of the issue.
- 10 This Hon lable Court has no jurisdiction to adjudicate the present appeal.
- The appellant has not submitted any departmental appeal through proper channel and in accordance with Section -22 of Khyber Pakhtunkhwa civil servant Act 1974 and civil servant appeal rules 1986. Hence the present appeal is not tenable and liable to be dismissed.
- That the rule 3(2) of Khyber Pakhtunkhwa Civil Servant (appointment, Promotion and Transfer) rules 1989, authorize the department to lay down the method of appointment, qualification and other conditions applicable to the post in consultation with the Establishment & Administration Department and Finance Department. Hence the appeal in hand is liable too be dismissed.
- That it was observed by the Apex Court that it is exclusively with in the domain of the government to decide whether a particular qualification will be considered sufficient for promotion from a particular grade and it is also with in the domain of the government to change the above policy from time to time as no body can claim any vested right in the policy.

<u>ON FACTS</u>

- This Para pertains to the service record of the appellant. While the appellant has not presented his appointment order and attested copy of service book, hence no
- 2 Pertains to record.
- This Para has no concern with the answering respondents, hence denied.
- The mentioned notification was issued in accordance with law, in the best interest of public, according to the needs of the department & society in large & also to enhance the quality of Education, hence there is no reason that the same may be objected/criticized by the appellants. It is pertinent that it was observed by the Apex Court that it is exclusively with in the domain of the government to decide whether a particular qualification will be considered sufficient for promotion from a particular grade and it is also with in the domain of the government to change the above policy from time to time as no body can claim any vested right in the policy.
- 5 This Para is related to policy, hence needs no comments.
- Incorrect and denied. The rules/qualification mentioned in this Para are not related to the appellant being PST. The qualification and other condition mentioned in this Para relates to senior PSTs BPS-14 and their promotion to Head Teacher post BPS-15 in E&SE Deptt: . It would not be out of place to mention here that under the said rules/policy hundreds of PSTs has already been upgraded/promoted to senior PST, and Head Teacher post and the same are not imp leaded in the present petition. The respondent department notified the rules for the recruitment and promotion for the teachers of various cadres dated 13/11/2012, in accordance with the prevailing law, rules on the subject and to improve/enhance the quality education in the best interest of Public while other contents of this Para are incorrect, misleading one and denied.
- Incorrect & not admitted. The present appellant does not fall within the definition of aggrieved person and there is no reason for the petitioner to be aggrieved from the mention ed prevailing policy dated 13/11/2012. While the appellant did not implead the upgraded / promoted under the said rules and those having the higher qualification than appellant and waiting for promotion. Hence the appellant has no cause of action/ locus standi to invoke the jurisdiction of this Hon! able Tribunal, hence the appeal in hand is liable to be dismissed inter alia on the following grounds:-

GROUNDS.

- A Incorrect and not admitted. It was observed by the Apex Court that it is exclusively with in the domain of the government to decide whether a particular qualification will be considered sufficient for promotion from a particular grade and it is also with in the domain of the government to change the above policy from time to time as no body can claim any vested right in the policy. Hence the whole Para is denied.
- Incorrect and not admitted. How it can be justified that the appellant possessing only SSC, be treated on equal footing with other PST teachers having higher academic & professional qualification, and the same is against norms of natural justice and merit.
- C Incorrect & not admitted. The statement of the appellant in this Para is baseless against the law. & rules on the subject and against principle of justice.
- D Incorrect & not admitted. The Statement of the appellant is against the principles of natural justice & merit.
- E The rules of other Provinces can not be implemented in Province of Khyber Pakhtunklhwa,

- F Incorrect & not admitted. The rules & policies of other departments are not applicable in the E&SE department, hence denied.
- G Incorrect & not admitted. The statement of the appellant in this Para is misleading one
- H Incorrect & not admitted the appellant has been treated in accordance with law.
- The respondents seek the permission of this Hon! able Tribunal to adduce more grounds & proofs at the time of arguments.

In view of the above submission, it is requested that this Hon' able Tribunal may very graciously be pleased to dismiss the appeal with cost in favour of the respondent Department.

Director

E &SE Khyber Pakhtunkhwa Peshawat

Secretary

E&SE Department, Government of Khyber Paklitunkhwa, Peshawar

Secretary

Govt: Of Khyber Pakhtunkhwa, (Finance) Department, Peshawar,

ZEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR

SERVICE APPEAL No. 17/2013.

Syed Hassan PST GPS Batwar Bajour Agency. Applicant

VERSUS

The Secretary E&SE Department Khyber Pakhtunkhwa, Peshawar & others......Respondents

REPLY FOR AND ON BEHALF OF RESPONDENTS, TO THE APPLICAION FOR TEMPORARY INJUNCTION, FILED BY THE APPELLANT.

- That the appellant has filed the above captioned Service Appeal on malafide motives, against the prevailing law, rules on the subject, with out any cogent legal reason hence not maintainable.
 - 2 Incorrect & not admitted sub: rule-2 of Rule-3 of the Khyber Pakhtunkhwa civil servant (appointment, promotion & transfer) Rules 1989 authorize the department to lay down the method of appointment, qualifications and other conditions applicable to a post in consultation with Establishment Department and Finance Department, hence under the mentioned rule the notification date 13/11/2013 was issued to improve the quality education and efficiency in service, in the best interest of public, hence liable to be kept intact.
 - Incorrect and not admitted. In fact the said notification has already been implemented and the promoted/upgraded PSTs under the said notification are not impleaded in the appeal in hand hence the case of the appellant is weak being against the law, rules on the subject. While stand and case of the respondents is based on well settled rules and laws on the subject and is very sanguine for its success, hence the whole Para is denied.
 - 4 Incorrect not admitted. The three in gradients i.e Prima facie case, balance of convenience and irreportable loss, for rejection of the present application are present in favour of the respondents.
 - Incorrect and not admitted. That in case the injunction as prayed for is granted, the respondents and the promoted PSTs would suffer extreme irrepable loss and hardship in administration of schools which would ultimately have an adverse effect on leering process of the kids of the nation. While on the other hand the appellant will suffer no loss being not qualified and not deserve for promotion/up gradation according to norms of natural justice and principles of merit.
 - The case of appellants does not fall within the ambit of Section-4 of Service Tribunal Act 1974. The preliminary objection, objections on fact and Grounds taken in the Para-wise comments/reply on behalf of respondents may kindly be considered integral and parcel part of instant reply.

In view of the above it is requested that this Hon! able Tribunal may very graciously be pleased to dismiss the application in hand along with main appeal in favour of the respondent Department with heavy cost.

/// Director
E&SE Department Khyber
Pakhtunkhwa, Peshawar.