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KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

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Khadija Bibi vs *Education Department*

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Incharge Judicial Branch

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ANNEX-B

GOVERNMENT OF NWFP
FINANCE DEPARTMENT

No. FD(SR-II)2-123/83

Dated Peshawar the 31.1.1988

1. All Administrative Secretaries to Government of NWFP.
2. The Senior Member Board of Revenue, N.W.F.P. Peshawar.
3. The Secretary to Governor, NWFP, Peshawar.
4. The Secretary, Provincial Assembly, NWFP.
5. All Commissioners/Deputy Commissioners/Political Agents/District & Session Judges in N.W.F.P.
6. All Heads of the Attached Department in N.W.F.P.
7. The Registrar, Peshawar High Court, Peshawar.
8. The Secretary, Public Service Commission, N.W.F.P. Peshawar.
9. The Registrar Services Tribunal, NWFP.
10. The Secretary, Board of Revenue, NWFP.

~~Subject: GRANT OF ADVANCE INCREMENT TO OFFICIALS FOR POSSESSING/AQUIRING HIGHER QUALIFICATIONS.~~

Sir,

I am directed to refer to the subject noted above and to state that in Para-6(a) of this Department letter No. FD(PRC)1-1/37-VIII dated 23rd July, 1987, advance increments have been allowed to the officials in BPS-1-15 for possessing or acquiring higher qualification over and above the qualification prescribed in the relevant recruitment rules. A question has been raised as to whether:-

- a) this order is also applicable to the teaching staff and
- b) an official who has drawn advance increment before 1.7.1987 for possessing higher qualification under the existing rules is entitled to fresh increment sanctioned now.

In respect of question (a) it is clarified that the order is not applicable to the teachers. The teachers are still to be governed by rules of the

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Dist. Education Officer
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BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL
PESHAWAR

BEFORE: **KALIM ARSHAD KHAN ... CHAIRMAN**
MUHAMMAD AKBAR KHAN ... MEMBER (E)

Service Appeal No. 4755/2020

Date of presentation of Appeal.....25.03.2021
Date of Hearing.....14.05.2024
Date of Decision.....14.05.2024

Khadija Bibi W/o Muhammad Kifayat Ullah, PST, GGPS Muhammad Gul Killi Hassan Khel, Sub-Division (HSD), Peshawar.....**(Appellant)**

VERSUS

1. Govt. of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat, Peshawar.
2. Secretary Elementary & Secondary Education, Civil Secretariat, Peshawar.
3. Director Elementary Secondary Education, Near Govt. Higher Secondary School City No. 1 Peshawar.
4. District Education Officer, Hassan Khel, Sub Division (HSD), Peshawar.....**(Respondents)**

NASIR MEHMOOD KHATTAK,
Advocate

For appellant.

UMAIR AZAM,
Additional Advocate General

For respondents

JUDGMENT

MUHAMMAD AKBAR KHAN, MEMBER (E):-The instant service appeal has been instituted under Section 4 of the Khyber Pakhtunkhwa Service Tribunal, Act 1974 with the prayer copied as under;

"That on acceptance of this appeal, the impugned order dated 19.03.2021 may graciously be set aside, and appropriate directions be issued by declaring non-inclusion of the Primary School Teacher (PST) BPS-12



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for promotion to the post of Physical Education Teacher (BPS-15) as illegal, discriminatory, against the fundamental rights as enshrined in the constitution, against the principal of policy, and be liable to be declared so, and the impugned Notification dated 13.11.2012 through which the Appointment, Promotion & Transfer Rules, 1989 were issued by the respondents/department may kindly be declared illegal and discriminatory to that extent by directing them to insert the post of PST (BPS-12) for promotion to the post of PET (BPS-15). Any other remedy which this Hon'ble Court deems appropriate in the circumstances of the case though not specifically asked for may kindly also be granted."

02. Brief facts of the case are that the appellant was appointed as Primary School Teacher in the Community School, Hassan Khel Sub Division Peshawar vide order dated 25.09.2009; that later on she improved her qualification by getting B.A degree in the year 2011. On the basis of the said degree her services were regularized vide order dated 21.01.2013. She further improved her qualification by getting Master degree in Islamiat, B.Ed Certificate of Teaching (C.T) and also having diploma in Physical Education; that other colleagues of the appellants belonging to other cadres have been promoted to the post of SST (BPS-16) while the appellant was ignored; that the appellants have no prospects of promotion as per the service rules notified on 13.11.2012

there were 20% quota for promotion on the basis of seniority-cum-fitness, from amongst the Primary School Head Teacher with at least five years service and having qualification prescribed for initial recruitment of Physical Education Teacher; that vide Notification dated 24.07.2014 further amendment were made in the above rules ibid and for promotion to the post of SST (BPS-16) proviso was asserted that if no suitable candidate is available from amongst the Senior Primary School Teacher for promotion then the post shall be filled from amongst Primary School Teacher with at least seven years service; that for declaring the Notification dated 13.11.2012 of respondent No. 2 to be nullity in the eye of law and of no legal effect whereby the post of Primary School Teacher (BPS-12) has not been included in the relevant rules for promotion to the post of Physical Education Teacher (BPS-15) he approached the Hon'ble Peshawar High Court, through Writ Petition No. 3453-P/2020. The Hon'ble Peshawar High Court, treated the said petition as departmental appeal and send back to the respondents for decision in accordance with law. Resultantly, the respondent department treated the said petition as departmental appeal, rejected the same vide order dated 19.03.2021, hence preferred the instant service appeal on 25.03.2021.

03. Notices were issued to the respondents, who submitted their comments, wherein they refuted the assertions raised by the appellant in his appeal. We have heard arguments of learned counsel for the appellant and learned Additional Advocate General and have gone through the record with their valuable assistance.

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04. Learned counsel for the appellants contended that the respondent No. 3 has illegally rejected the departmental appeal of the appellant, without giving any reason; thus the same is liable to be set aside; that the appellant has not been treated in accordance with law and the rights of the appellant for promotion have been violated which is not permissible in the law and Article 9 and 18 of the Constitution of Islamic Republic of Pakistan, 1973; that the fundamental rights of the appellant have been blatantly violated by the respondents and the appellant and other candidate having qualification of Diploma in Physical Education has been discriminated and has been denied his due rights; that the appellant is holding the prescribed qualification for promotion against the post of PET besides she has at her credit the higher qualification of Master Degree, B.Ed, CT and Diploma in Physical Education, however, in the rules on one side the PST (BPS-12) has been made eligible for the post of SST (BPS-16) but on the other hand PST (BPS-12) having qualification of Physical Education has been made ineligible for the post of PET (BPS-15) which is against the provision of the Article 3 & 4 of the Constitution of Islamic Republic of Pakistan, 1973 thus may be declared so.

05. Learned Additional Advocate General controverted the plea and stance taken by the learned counsel for appellant and contended that the respondent No. 3 is bound by law, rules and policy, having gone through the appeal/case and decided it according to the rules laid down by the Government for the post of PET and no rights of the appellant has been violated; that the appellant has the diploma of Physical Education but she

does not fall on the criteria which is needed for promotion to the said post; that the appellant is having he prescribed qualification but the post of PST (BPS-12) in which she is working not allowing her to be promoted to the post of PET, PSHT (BPS-15) and SPST (BPS-14) are allowed but PST (BPS-12) is not allowed for promotion to the post of Physical Education Teacher under the existing service rules and policy.

06. Scrutiny of record reveals that the appellant was first appointed as Primary School Teacher (PST-Female) BPS-07 against Project Post and posted at Female Community School Jamal Shah Kalli, in the erstwhile FR Peshawar vide order dated 25.09.2009. She was reappointed alongwith 15 other candidates against the same post and posted at Government Girls Primary School Noor Daman FR Peshawar vide order dated 21.01.2013. The stance of the appellant is that she has improved her academic and professional qualifications by getting degree of Master in Islamiat, B.Ed, Certificate of Teaching (CT) and diploma in Physical Education. According to her stance she is eligible for the post of Physical Education Teacher (PET) (BS-15) but there is no provision available in the Service Rules for elevation of the appellant to the post of PET. The appellant contends that on the analogy of the post of SST, provision for the PST may also be made in the Service Rules for promotion to the post of PET. Stance of the appellant is not tenable given the fact that mere improving qualification does not make a civil servant entitled for promotion that too in a different sub-cadre. In the service rules of the respondent department a career structure has been provided to the sub-cadre of PST to which the appellant encadred herself by her own choice.

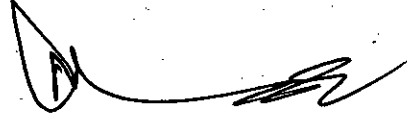


GOVERNMENT
OFFICE

A PST can move up to level of SST (BS-16) and even to SS (BS-17) by way of promotion as per existing service rules. Since career progression opportunity has duly been provided to the cadre of PST in the existing service rules, therefore, no justification exists for opening of another window for promotion to the same cadre. Moreover, the Service Rules provide for Eighty percent initial/direct recruitment against the post of PET. There is no bar on the appellant to apply and compete for the post on the basis of her academic qualification and eligibility.

07. In view of foregoing findings the appeal in hand is dismissed being devoid of merit. Costs shall follow the event. Consign.

08. *Pronounced in open court at Peshawar and given under our hands and seal of the Tribunal on this 14th day of May, 2024.*



(KALIM ARSHAD KHAN)
CHAIRMAN




(MUHAMMAD AKBAR KHAN)
MEMBER (E)

ORDER

14.05.2024

1. Learned counsel for the appellant present. Mr. Umair Azam, Additional Advocate General Attorney for the respondents present. Arguments heard and record perused.
2. Vide our detailed judgment of today separately placed on file, the appeal in hand is dismissed being devoid of merit. Costs shall follow the event. Consign.
03. *Pronounced in open court at Peshawar and given under our hands and seal of the Tribunal on this 14th day of May, 2024.*

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MAY 2024



(KALIM ARSHAD KHAN)
CHAIRMAN




(MUHAMMAD AKBAR KHAN)
MEMBER (E)

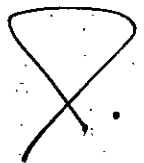
21.09.2023

Clerk of learned counsel for the appellant present. Mr. Arshad Ali, ADEO alongwith Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

Clerk of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is busy in the Hon'ble Peshawar High Court, Peshawar. Adjourned. To come up for arguments on 16.01.2024 before the D.B. Parcha Peshi given to the parties.

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(Fareeha Paul)
Member (E)



(Salah-ud-Din)
Member (J)


Naeem Amin

16th Jan. 2024

1. Appellant alongwith his counsel present. Mr. Muhammad Jan, District Attorney for the respondents present.
2. Being not prepared, learned counsel for the appellant requested for adjournment. Adjourned. To come up for arguments on 14.05.2024 before D.B. P.P given to the parties.

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Peshawar


(Muhammad Akbar Khan)
Member (E)


(Kalim Arshad Khan)
Chairman

Mutazem Shah

07.04.2023

Junior to counsel for the appellant present.

Asad Ali Khan, Assistant Advocate General for respondents present.

Former made a request of adjournment as senior counsel for the appellant is busy before Hon'ble Peshawar High Court, Peshawar. Adjourned. To come up for arguments on 19.06.2023 before D.B. Parcha Peshi given to the parties.

(Muhammad Akbar Khan)
Member (E)

(Rozina Rehman)
Member (J)

19.06.2023

Learned counsel for the appellant present. Mr. Muhammad Jan, District Attorney for the respondents present.

Learned counsel for the appellant seeks time for preparation of arguments. Adjourned. To come up for arguments on 21.09.2023 before the D.B. Parcha Peshi given to the parties.

(Fareeha Paul)
Member (E)

(Salah-ud-Din)
Member (J)

Naeem Amin

SCANNED
KPST
Peshawar

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Peshawar

22.11.2022

Junior of learned counsel for the appellant present. Mr. Muhammad Jan, District Attorney for the respondents present.

Junior of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is busy in the august Peshawar High Court, Peshawar. Adjourned. To come up for arguments on 10.01.2023 before the D.B.

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(Mian Muhammad)
Member (E)



(Salah-Ud-Din)
Member (J)

10.01.2023

Junior to counsel for the appellant present. Mr. Muhammad Riaz Khan Painsdakhel, Assistant Advocate General alongwith Mst. Shandan Ghani, ADO (Litigation) for the respondents present.

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Peshawar

Learned Member Executive (Miss Fareeha Paul) left the court at 11.00 A.M in order to attend a meeting in the Law Department, Government of Khyber Pakhtunkhwa, therefore, this case is adjourned to 07.04.2023 for arguments before the D.B.



(Rozina Rehman)
Member(J)

26th April, 2022

Learned counsel for the appellant present. Mr. Kabirullah Khattak, Addl. AG for the respondents present.

Learned counsel for the appellant requested for adjournment in order to further prepare the brief. Last opportunity is granted. To come up for arguments before the D.B on 16.06.2022.



(Fareeha Paul)
Member (E)

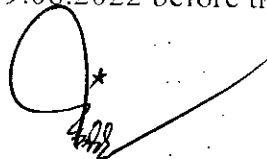


Chairman

16.06.2022

Learned counsel for the appellant present. Mr. Arshad Ali, ADEO (Litigation) alongwith Mr. Naseer-ud-Din Shah, Assistant Advocate General for the respondents present.

Learned counsel for the appellant sought adjournment on the ground that he has not made preparation for arguments. Adjourned. To come for arguments on 09.08.2022 before the D.B.



(MIAN MUHAMMAD)
MEMBER (EXECUTIVE)



(SALAH-UD-DIN)
MEMBER (JUDICIAL)

9-8-2022

Due to the Public holiday the case is adjourned to 22-11-2022



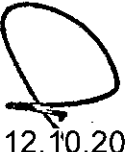
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12.07.2021

Learned Addl, A.G be reminded about the omission and for submission of reply/comments within extended time of 10 days.


Chairman

Stipulated period passed reply not submitted.





12.10.2021

Counsel for the appellant present.

Mr. Kabirullah Khattak, Additional Advocate General alongwith Muhammad Haroon ADEO (Litigation) for respondents present.

Reply/comments on behalf of respondents submitted. Learned counsel seeks adjournment in order to submit rejoinder; granted with direction to submit rejoinder within 10 days in office. To come up for arguments on 10.01.2022 before D.B.


(Atiq-Ul-Rehman Wazir)
Member (E)

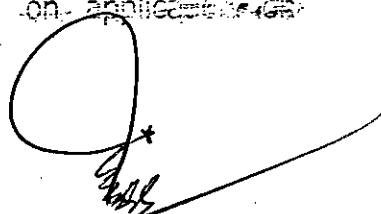

(Rozina Rehman)
Member (J)

10.01.2022

Learned counsel for the appellant present. Mr. M. Rashid, DDA for respondents present.

Due to non-availability of Hon'able Member (J), the case could not be heard. Adjourned. To come up for arguments on 26.04.2022 before D/B

~~26.04.2022 before D/B~~
~~20.04.2022 before D/B~~


(MIAN MUHAMMAD)
MEMBER (E)

02.06.2021

Counsel for the appellant present. Preliminary arguments heard.

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Points raised need consideration. The appeal is admitted to regular hearing subject to all just legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments in office within 10 days of the receipt of notices positively. If the written reply/comments are not submitted within the stipulated time, the office is directed to submit the file with a report of non-compliance. File to come up for arguments on 12.10.2021 before the D.B.

Appellant Deposited Security & Process Fee

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Chairman



14

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 4755 /2021

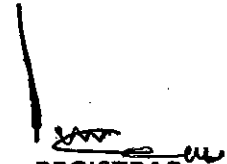
S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	08/04/2021	<p>The appeal of Mst. Khadija Bibi resubmitted today by Mr. Nasir Mehmood Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	27/05/21	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>02/06/21</u></p> <p style="text-align: right;"> CHAIRMAN</p>

The appeal of Mr. Khadija Bibi PST GGPS Muhammad Gul Killi Hassan Khel Sub Division Peshawar received today i.e. on 25/03/2021 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Copy of appointment order mentioned in para-2 of the memo of appeal (Annexure-B) is not attached with the appeal which may be placed on it.
- 2- Copy of grounds of Writ Petition mentioned in par-9 of the memo of appeal is not attached with the appeal which may be placed on it.

No. 594 /S.T,

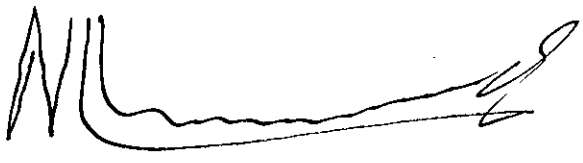
Dt. 25/03 /2021


REGISTRAR,
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Nasir Mehmood Adv. Pesh.

*Resubmitted After doing
 the needfull.*

08/04/2021



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. _____/2021

**SCANNED
KPST
Peshawar**

Khadija BibiAppellant

VERSUS

Govt. of Khyber Pakhtunkhwa, through
Through Chief Secretary and othersRespondents

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Appellant

Through


Nasir Mehmood

Advocate

Supreme Court of Pakistan

Cell:

(17) (1)

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

Service Appeal No. 4755/2020

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 4171

Dated 25/3/2021

Khadija Bibi W/o Muhammad Kifayat Ullah,
PST, GGPS Muhammad Gul Killi Hassan Khel,
Sub-Division (HSD), PeshawarAppellant

VERSUS

1. Govt. of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat, Peshawar.
2. Secretary Elementary & Secondary Education, Civil Secretariat, Peshawar.
3. Director Elementary & Secondary Education, Near Govt. Higher Secondary School City No. 1, Peshawar.
4. District Education Officer; Hassan Khel, Sub-Division (HSD), Peshawar.

....Respondents

**SERVICE APPEAL U/S 4 OF SERVICE
TRIBUNAL ACT, 1974 AGAINST THE
IMPUGNED ORDER DATED 19.03.2021
VIDE WHICH DEPARTMENTAL APPEAL
OF THE APPELLANT, WHEREBY THE
APPELLANT CHALLENGED THE VIRES
OF NOTIFICATION DATED 13.11.2012
WAS DISMISSED WITHOUT ASSIGNING
ANY REASON**

Filed to-day

Registrar,

25/3/2021

Re-submitted to-day
and filed.

Respectfully Sheweth:-

- 1) That appellant is a bonafide resident of Hassan Khel Sub-Division Peshawar and having qualification of

Registrar (M/2021)

Intermediate and Primary Teaching Certificate (PTC).
(Copies of educational testimonials are Annex "A")

- 2) That appellant was appointed as Primary School teacher upon the selection of the Departmental Selection Committee in Community School, Hassan Khel Sub Division, Peshawar, vide appointment order dated 25.09.2009. (Copy of appointment order dated 25.09.2009 is Annex "B")
- 3) That later on, the appellant improved her qualification by getting degree of Bachelors of Arts in the year 2011 and on the basis of which the services of appellant were regularized vide order dated 21.01.2013. (Copy of BA Degree & regularization order dated 21.01.2013 are Annex "C")
- 4) That the appellant further improved her qualification by getting Master Degree in Islamiat, B.Ed, Certificate of Teaching (C.T) and also having diploma in Physical Education. (Copy of the Master degree and certificates are Annex "D")
- 5) That the respondents through notification dated 13.11.2012 in exercise of power under sub-rule 2 of Rule 3 of KP Civil Servant (Appointment, Promotion & Transfer Rules, 1989) laid down the method of recruitment, qualification and other condition further post of different School Teacher as specified in the notification *ibid*. Through this notification promotion to the post of Physical Education Teacher (appellant) BPS-15 was laid down as under:-

"(a) Eighty percent by initial recruitment and;

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(b) Twenty percent 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 candidate 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.

Through notification dated 24.07.2014, further amendment were made in the above said rules and for promotion to the post of Secondary School Teacher (SST) BPS-16, proviso was inserted therein through which Primary School Teacher (BPS-12) having seven years' service were made eligible for promotion to the post of SST (BPS-16), provided if no suitable candidate was available from amongst Senior Primary School Teacher. The same is reproduced for ready reference.

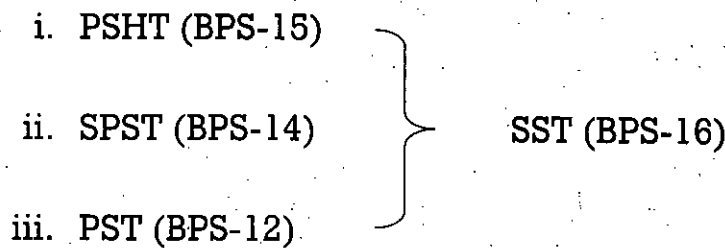
"Provided further that if no suitable candidate is available from amongst Senior Primary School Teachers for promotion then the post shall be filled from amongst Primary School Teachers with at least seven years' service as such

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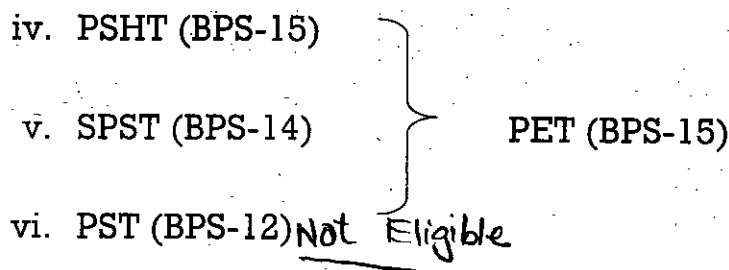
and having qualification mentioned in column No.3"

The above said provisions would show that the Primary School Teacher (BPS-12) was made eligible for promotion to the post of SST (BPS-16), but on the other hand PST (BPS-12) having qualification of Diploma in Physical Education was not eligible for promotion to the post of PET (BPS-15), which is discriminatory and is against the fundamental rights of the petitioner. (Copy of the Notification dated 13.11.2012 & notification dated 24.07.2014 are Annex "E & F")

6) That in order to further simplify the issue the following chart will assist this hon'ble Tribunal for reaching just and appropriate decision.



Meaning thereby that the PST (BPS-12) was made eligible for promotion to the post of BPS-16.



7) That the respondent No.4 requested respondent No.3 for availability of the representative for promotion from the post of PSHT to CT-15, DM-15, PET-15 and from PST to SPST-14, PSHT-15, the DPC meeting has been held

(21) (5)

and Teachers have been promoted. (Copy of the letter and notification are Annex "G")

- 8) That in the whole Sub-Division Hassan Khel there is no PSHT, SPST & PST having qualification of Diploma in Physical Education except the appellant, but since in the Rules there is no avenue for promotion of Physical Education, therefore, no promotion is to be effected to PET (BPS-15). Consequently the post left out from promotion will be advertised for initial recruitment.
- 9) That the appellant having no avenue for promotion to the post of PET (BPS-15) in the Rules, being highly aggrieved, wherefrom, approached to the hon'ble High Court by filing WP.No.3453/2020, which was converted into departmental appeal and send to department/ concerned authority for its decision. (Copy of grounds of writ petition and judgment dated 25.08.2020 are Annex "H")
- 10) That, thereafter, the respondents/ concerned authority without assigning any reason, dismissed/ rejected the departmental appeal of the appellant vide order dated 19.03.2021. (Copy of impugned order dated 19.03.2021 is Annex "I")
- 11) That appellant now having no other remedy approaches this Hon'ble Tribunal on the following grounds:-

GROUND.

- A. That the appellant is a natural born citizen of Islamic Republic of Pakistan, belonging from Hassan Khel Sub-Division, Peshawar and is fully entitled to all the basic

and fundamental rights as enshrined in the constitution and interpreted and guaranteed by the law of the land.

- B. That the appellant has not been treated in accordance with law and the rights of the appellant from promotion have been violated, which is not permissible in law and Article 9 r/w Article 18 of the Constitution of the Islamic Republic of Pakistan, 1973, therefore, directions is required to the respondents for insertion in the Rules for promotion of PST having qualification of Diploma in Physical Education to the post of PET (BPS-15).
- C. That the respondent No.3 has illegally rejected the departmental appeal of the appellant, without giving any reason, thus the same is liable to be set-aside on this score alone, because it is, settled principle of law that every authority is bound under the law to pass order by giving reasons, which is not been done by respondent No.3.
- D. That the fundamental rights of the appellant have blatantly been violated by the respondents and the appellant and other candidates having qualification of Diploma in Physical Education has been discriminated and has been denied his due rights under the Constitution of Islamic Republic of Pakistan, 1973.
- E. That the appellant fulfilled all the criteria provided for the post of PET in question, but since in the Rules the PST having qualification of Physical Education have been excluded in the Rules, therefore, the same non-inclusion in the Rules is against the Article 25, 25-A, 27 of the Constitution of Islamic Republic of Pakistan, 1973.

23

7

- F. That the appellant is holding the prescribed qualification for promotion against the post of PET, besides she has at his credit the higher qualification of MA degree, B.Ed, CT and Diploma in Physical Education, however, in the Rules on one side the PST (BPS-12) has been made eligible for the post of SST (BPS-16), but on the other hand PST (BPS-12) having qualification of physical education has been made ineligible for the post of PET (BPS-15), which is against the provision of the Article 3 & 4 of the Constitution of Islamic Republic of Pakistan, 1973 thus may be declared so.
- G. That any other ground not raised here superficially, may graciously be allowed to be raised at the time of arguments.

PRAYER

It is therefore, humbly prayed that on acceptance of this appeal, the impugned order dated 19.03.2021 may graciously be set-aside, and appropriate directions be issued by declaring non-inclusion of the Primary School Teacher (PST) BPS-12 for promotion to the post of Physical Education Teacher (BPS-15) as illegal, discriminatory, against the fundamental rights as enshrined in the constitution, against the principal of policy, and be liable to be declared so, and the impugned notification dated 13.11.2012 through which the Appointment, Promotion & Transfer Rules, 1989 were issued by the respondents/ department may kindly be declared illegal and discriminatory to that

24

8

extent by directing them to insert the post of PST (BPS-12) for promotion to the post of PET (BPS-15)

Any other relief which this hon'ble court deems appropriate in the circumstances of the case though not specifically asked for may kindly also be granted.

Dated:

Khadija Bibi

Appellant

Through

Nasir Mehmood

Advocate

Supreme Court of Pakistan

AFFIDAVIT

I, do hereby affirm and declare on oath that the contents of the appeal are true and correct to the best of my knowledge and belief and nothing material has been concealed from this hon'ble Tribunal.

Khadija Bibi

Deponent

25
9

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

Service Appeal No. _____/2018

Asad Ullah KhanAppellant

VERSUS

Provincial Govt. of Khyber Pakhtunkhwa,
through Secretary Establishment Department and others

.....Respondents

ADDRESSES OF PARTIES

APPELLANT

Khadija Bibi W/o Muhammad Kifayat Ullah,
PST, GGPS Muhammad Gul Killi Hassan Khel,
Sub-Division (HSD), Peshawar

RESPONDENTS

1. Govt. of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat, Peshawar.
2. Secretary Elementary & Secondary Education, Civil Secretariat, Peshawar.
3. Director Elementary & Secondary Education, Near Govt. Higher Secondary School City No.2, Peshawar.
4. District Education Officer, Hassan Khel, Sub-Division (HSD), Peshawar.

Khadija Bibi

Appellant

Through

Nasir Mehmood

Advocate

Supreme Court of Pakistan

Ann ex = 1
26
10

S.No. 473179

Roll No 150409

بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ



Duplicate

Board of Intermediate and Secondary Education Peshawar


N.W.F.P. Pakistan Secondary School Certificate Examination SESSION 2005- ANNUAL (Arts Group)

This is to Certify that Khadija Bibi Daughter of Gul Zamir
and a resident of Peshawar District has passed the Secondary School Certificate
Examination of the Board of Intermediate and Secondary Education, Peshawar held in March, 2005 as a Private
candidate. She obtained 618 Marks out of 1050 and has been placed in Grade C Representing Good

The Candidate passed in the following subjects:

- | | | | |
|--------------------|----------|---------------------|---------------------|
| 1. English | 2. Urdu | 3. Islamiyat (Comp) | 4. Pakistan Studies |
| 5. General Science | 6. Maths | 7. Islamic Studies | 8. Pashto |

Date of birth according to admission form February 14, 1988


Asstt Secretary

ATTACHED

Issued in lieu of OC# 433173 (Annual-2005)

This certificate is issued without alteration or erasure.


Secretary

27

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ



S. No. 016721
Roll No. 80451

Group. Humanities

**Board of Intermediate and Secondary Education
Peshawar
N.W.F.P Pakistan
INTERMEDIATE EXAMINATION
SESSION 2008- ANNUAL**

This is to Certify that Khadija Bibi Daughter of Gul Zamir
and a resident of Peshawar District Registered No. _____
has passed the Intermediate Examination of the Board of Intermediate & Secondary Education, Peshawar
held in May, 2008 as a Private candidate. She obtained 563 Marks out of 1100 and
has been placed in grade C Representing Good. The examination was taken in parts.


Asstt Secretary

ATTESTED


Secretary

This certificate is issued without alteration or erasure.

28

12

TRIBAL DOMICILE CERTIFICATE

DIN MUHAMMAD
Councillor
Janakor Mandai Adam Khel
F.R. Peshawar

I Prescribed Vide Commissioner. Peshawar Division Memo
No.20611 -23/CP/12/316/TA Dated 3.11.1960 & Read with Memo
No.9704-13/FR Dated 10.7.1969

No - 4691/PA
FR 29-6-2011

Certified that Mr./Miss KHADIJA BIBI
Son of/Daughter of GUL ZAMIR / W/O Muhammad Kadir Khan
Belong to recognized tribal of AFRIDI HASSAN KHEL FR PESHAWAR
Section TATKI ADAM KHEL Sub-Section BAKAR KHEL
Residence / Village MANDAI JANA KOR FR PESHAWAR

And this/her father is/was Permanent bonafide resident of the Tribal
Areas of Peshawar Frontier Region and he/she is an eligible Candidate
at avail himself/herself of the seat reserved for the special area of
(Division)of the Peshawar Division.Backward areas of Peshawar
Frontier Region.

COUNTERSIGNED

ASSISTANT POLITICAL AGENT
F.R. PESHAWAR

Political Naib Tehsildar

F.R. Peshawar.

ATTESTED

(28-a)

13

جناب عالی!

تصدیق کی جاتی ہے، کہ مسی مسات خدیجہ بی بی

ولد/زوج گل ضمیر/ محمد کنیز اللہ سکندہ ٹھنڈی کھلے منڈائی باکر طخیل

ایف، آر، پشاور کا مستقل پیدائشی باشندہ ہے اور اس کے اباؤ اجداد بھی یہاں کے مستقل پیدائشی باشندے ہیں۔
ہمارے ساتھ قومی نفع اور نقصان میں برابر کے شریک ہے۔ میں ان کو ذاتی طور پر جانتا ہوں۔ لہذا تصدیق عرض

بکھور ہے۔

تصدیق کنندہ

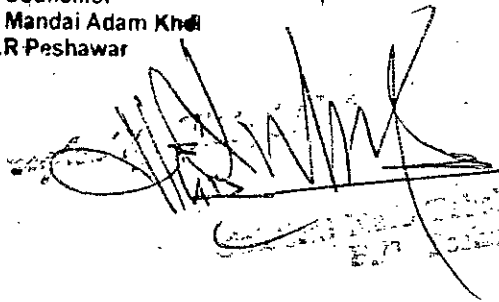
ملک نمبر 1: محمد گل ملک نمبر 2: محمد علی ملک نمبر 3: شری ماہ کونسلر > بن محمد

DIN MUHAMMAD

Councillor

Janakor Mandai Adam Khel

F.R Peshawar



ATTESTED

29 14

Serial No 181010

Allama Iqbal Open University Islamabad



Certified that *Ms/Ms* KHADIJA BIBI
 Son/Daughter of GUL ZAMIR
 Registration No 06 NPR 0945 Roll No T 628167
 Semester AUTUMN 2006 having met all the requirements
 under the semester system is this day awarded the

Primary Teaching Certificate

He/She has secured 59 % marks
 and has been placed in C grade



ATTESTED

Result declared on: September 20, 2007

Date of issue: March 10, 2008

Controller of Examinations

Note: This certificate is issued without alteration/erasure.
The detail of courses is overlaid.

(29-a)

15

The detail of courses passed is as under

Course code	Title of the course	Percentage of Marks obtained
613	Principles of Education	57
614	Educational Psychology	49
615	School Organization and Management	59
616	School Community and Practical Arts	63
617	Teaching of Urdu	59
618	Teaching of Mathematics	54
619	Teaching of Science and Physical Education	71
620	Teaching of Islamiat and Social Studies	58
611	Practical Workshop and Teaching Practice	59

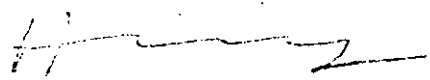
ATTESTED

07/2/11

Total credit hours XXX
 5 Full Credits
 Total credits AIOU
 SPRING 2006
 First semester:

Obtained / Total marks 529 / 900
 Cumulative grade point average XXX
 Final semester AUTUMN 2006

Grading Scheme	
80% and above:	A+ grade
70% to 79%	A grade
60% to 69%	B grade
50% to 59%	C grade
40% to 49%	D grade
Below 40%	Fail


 Controller of Examinations

(30)
(16) Annex B
(20)

OFFICE OF THE AGENCY EDUCATION OFFICER F.R PESHAWAR/ F.R KOHAT

APPOINTMENT.

Consequent upon the selection of the Departmental Selection Committee, the following PSTs (Female) Trained Local candidates of FR Peshawar are hereby appointed purely on regular (Non-Pensionable) basis in BPS-07 @ (Rs.3530-190-9230) PM fixed plus usual allowances as admissible under the rules with effect from taking over charge in the community schools noted against their names.

SNO	Name/ Father Name	School where appointed	Remarks
1.	Fozia D/O Sher Dil Khan	FCS Ajmal Khan Kalli FR Peshawar	Against vacant PST post
2.	Bas Bibi D/O Abdul Samad	FCS Asmat Khan Kalli FR Peshawar	-do-
3.	Shaila D/O Muhammad Ayat	FCS Ajmal Khan Kalli FR Peshawar	-do-
4.	Hafiza D/O Muhammad Ismail	FCS Sultan Shah Kalli FR Peshawar	-do-
5.	Khadija Bibi D/O Gul Zamir	FCS Jamal Shah Kalli FR Peshawar	-do-

TERMS & CONDITIONS :-

1. Charge report should be submitted to all concerned.
2. The appointment of the candidate being purely on temporary basis for the project period and is liable to termination at any time without any notice by ending of project their services will be considered terminated automatically.
3. If the candidates wish to resign their post they will give One-Month prior notice or their pay for one month will be forfeited in lieu thereof.
4. They should produce their original , academic, Professional Certificates, Domicile and NIC copy before proper verification from the quarters concerned.
5. They should produce their Health and Age Certificate from the Medical Superintendent concerned.
6. They may not be handed over charge if they are below 18 years or above 40 years.
7. If they fail to report within 15 days then will be treated as cancelled automatically.
8. No salary may be drawn before the verification of all the testimonials from the quarter concerned.
9. If any technical legal flaw is pointed out the appointment will stand as cancelled.
10. The appointee will not be entitled to pension/ commutation/ annual increment and G.P Fund emoluments.
11. SNO. 4 & 5 subject to the condition that in case of repatriation 2 regularized teachers then their services will be liable to termination automatically.

(ASMAT KHAN AFRIDI)
Agency Education Officer
FR Peshawar/ FR Kohat

Endst: No. 2141-51 Dated 25/9/09

Copy forwarded to the: -

1. Director Education FATA, NWFP Peshawar.
2. Addl: Accountant General (PR) Sub Office Peshawar.
3. Accountant Local Office.
4. Assistant Political Agent, FR Peshawar.
5. Candidate Concerned.
6. EMIS Local Office.
7. AAEO (Female) FR Peshawar.

Agency Education Officer
FR Peshawar/ FR Kohat

ATTESTED

31
Annual - C. (17)

Allama Iqbal Open University Islamabad



Serial No 135156

Certified that *Ms/Ms* KHADIJA BIBI
Son/Daughter of GUL ZAMIR
Registration No 06NPR0945 Roll No AB430437
Semester AUTUMN 2010 having met all the requirements under
the semester system is this day awarded the degree of

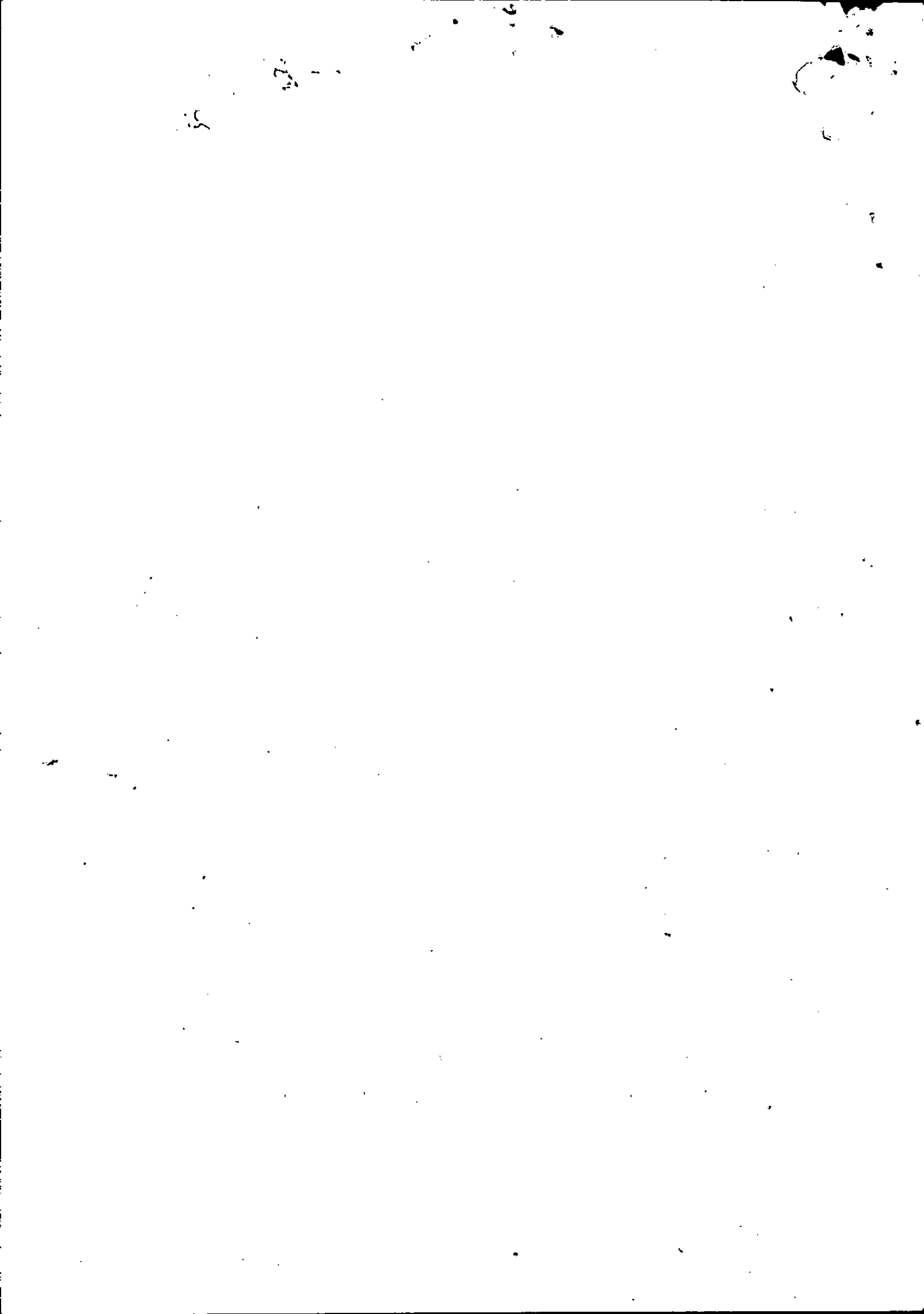
Bachelor of Arts Group - General

He/She has secured 60 %marks
and has been placed in B grade

Islam
CONTROLLER OF EXAMINATIONS
Result declared on: August 15, 2011
Date of issue: November 16, 2011



Muhammad Samiullah
VICE-CHANCELLOR
Dr. Muhammad Samiullah
The University of Agriculture
Peshawar



(32)

ALLAMA IQBAL OPEN UNIVERSITY, ISLAMABAD
PROVISIONAL RESULT CARD



Serial No. 235795

Name KHADIJA BIBI
Father's Name GUL ZAMIR
Address C/O ARIF CT POST OFFICE GHS
AKHORWAL ADAM KHEL
Tehsil KOHAT
District KOHAT

(18)

Roll No. AB430437
Registration No. 06NPRO945
Final Semester AUT- 2010

has successfully completed BACHELOR OF ARTS GROUP-GENERAL

The detail of passed courses are as under:

Semester	Course Code	Title of Course	Marks	
			Maximum	Obtained
AUT- 08	0417	PAKISTAN STUDIES (C)	100	56
AUT- 08	0416	ISLAMIAT (C)	100	62
SPR- 09	0436	SEERAT-E-TAYYABA	100	62
SPR- 09	0437	ISLAMIC STUDIES (E)	100	54
AUT- 09	0407	MODERN MUSLIM WORLD	100	45
AUT- 09	0464	ISLAMIC FIQH	100	65
SPR- 10	0445	HISTORY OF URDU ADAB	100	62
AUT- 10	0406	ECONOMICS OF PAKISTAN	100	68
AUT- 10	1423	COMPULSORY ENGLISH-I	100	64
AUT- 10	1424	COMPULSORY ENGLISH-II	100	65

CTC
ATTESTED

CREDITS: 8
Result Declared on AUGUST 15, 2011

Total Marks / Obtained 1000 / 603

Date of issue AUGUST 20, 2011

Percentage / Grade 60 B

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 any 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 the original record of the university student.

Controller of Examinations



33
19

AGENCY EDUCATION OFFICER
FR PESHAWAR
BLOCK 8 NEAR INFORMATION DEPTT
KHYBER ROAD PESHAWAR K.P.K
Phone No. 091-9210145

No. 6201-06 Dated 21/01/2013

RE-APPOINTMENT

Consequent upon the order of the Governor of Khyber Pakhtun Khwa issued vide Secretary Social Sector Department FATA Secretariat Notification No. SO(E)/SSD/CSTR/99-108 dated 11/05/2012, the following female teachers of Community schools are hereby re-appointed as PST in BPS-7 (Rs. 5800-320-15400) PM plus usual Allowances on contract regular Non Pensionable basis with effect from the date of their taking over charge in the following schools in the interest of public service on the below mentioned terms and conditions:-

S.No	Name	Father Name	Posted at	Remarks
1	Fozia	Sherdil Khan	GGPS Ajab Khan Killi	Against Vacant Post
2	Nasreen Bibi	Nader Khan	GGPS Khalid Khan	Do
3	Fozia Ayub	Gulam Hussain	GGPS Rehman Afzal	Do
4	Shamila Bibi	Muhammad Iqbal	GGPS Younas Khan	Newly created post
5	Hafiza	Muhammad Ismail	GGPS Dawa Khan	Against Vacant Post
6	Khadija BiBi	Gul Zamir	GGPS Noor Daman	Do
7	Shakeela Naz	Said Sher	GGPS Janat Khan	Do
8	Shazia	Sahib Gul	GGPS Dawa Khan	Do
9	Ume Habiba	Muhammad Khan	GGPS Yar shah	Newly created post
10	Hameeda	Feroz Muhammad	GGPS Khewa Gul	Against Vacant Post
11	Bushra Khanum	Abdul Malik	GGPS Yar shah	Newly created post
12	Naila BiBi	Muhammad Iqbal	GGPS Khalid Khan	Against Vacant Post
13	Seema Iqbal	Iqbal Shah	GGPS Rahman shah	Do
14	Shazia Habib	Noor Habib	GGPS Zul Fiqar	Newly created post
15	Amina BiBi	Mehboob Khan	GGPS Zul Fiqar	Do
16	Zainab BiBi	Abdul Qayum	GGPS Burki No.2	Against Vacant Post

TERMS AND CONDITIONS

- 1) Charge report should be submitted to all concerned.
- 2) If a candidate wishes to resign her post she will give one Month prior notice or her pay for one month will be forfeited in lieu thereof.
- 3) They should produce their original Certificates/documents for verification (In case of non entry in their service Books).
- 4) If any technical legal flaw is pointed out the appointment will stand as cancelled.
- 5) The appointees will not be entitled to pension/commutation and G.P Fund emoluments.

SYED HUSSAIN AFRIDI
AGENCY EDUCATION OFFICER
FR PESHAWAR

Copy for information and necessary action to the:-

- 1) Additional Accountant General (PR) Sub Office Peshawar.
- 2) Director Education FATA Peshawar.
- 3) Principals/Headmasters of schools concerned.
- 4) AAEO (M) FR Peshawar.
- 5) Candidates Concerned.
- 6) Accountant Local Office.

AGENCY EDUCATION OFFICER
FR Peshawar

ATTESTED

Government of Pakistan
AGPR Sub Office Peshawar
Monthly Salary Statement (July-2019)



34
20
33

Personal Information of Miss KHADIJA BIBI d/w/s of GUL ZAMEER
 Personnel Number: 50173068 CNIC: 1730183155280
 Date of Birth: 14.02.1988 Entry into Govt. Service: 01.02.2013

NTN:
 Length of Service: 06 Years 06 Months 001 Days

Employment Category: Active Temporary

Designation: PRIMARY SCHOOL TEACHER 99999999-Not Available

DDO Code: PR0215-AGENCY EDUCATION OFFICER F R PESHAWAR

Payroll Section: 006 GPF Section: 002 Cash Center:

GPF A/C No: Interest Applied: Yes **GPF Balance: 110,974.00**

Vendor Number: -

Pay and Allowances: Pay scale: BPS For - 2017 Pay Scale Type: Civil BPS: 12 Pay Stage: 6

Wage type		Amount	Wage type		Amount
0001	Basic Pay	19,080.00	1000	House Rent Allowance	1,961.00
1210	Convey Allowance 2005	2,856.00	1300	Medical Allowance	1,500.00
1528	Unattractive Area Allow	1,000.00	2148	15% Adhoc Relief All-2013	400.00
2199	Adhoc Relief Allow @10%	275.00	2211	Adhoc Relief All 2016 10%	1,434.00
2224	Adhoc Relief All 2017 10%	1,908.00	2247	Adhoc Relief All 2018 10%	1,908.00
2264	Adhoc Relief All 2019 10%	1,908.00			0.00

Deductions - General

Wage type		Amount	Wage type		Amount
3012	GPF Subscription - Rs2220	-2,220.00	3657	Group Insurance (FATA)	-2.00
3661	E.E.F (Exchange)	-100.00	3701	Benevolent Fund(Exchange)	-180.00
3705	R. Ben & Death Comp(Exch)	-600.00			0.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance

Deductions - Income Tax

Payable: 0.00 Recovered till JUL-2019: 0.00 Exempted: 0.00 Recoverable: 0.00

Gross Pay (Rs.): 34,230.00 Deductions: (Rs.): -3,102.00 Net Pay: (Rs.): 31,128.00

Payee Name: KHADIJA BIBI
 Account Number: 0010008244540017
 Bank Details: ALLIED BANK LIMITED, 250051 BHANA MARI PESHAWAR BHANA MARI PESHAWAR, PESHAWAR

Leaves: Opening Balance: Aailed: Earned: Balance:

Permanent Address:

City: PESHAWAR Domicile: - Housing Status: No Official
 Temp. Address: Email: khanafd2016@gmail.com
 City:

OTC
ATTESTED

System generated document in accordance with APPM 4.6.12.9 (SAPCCSUPPORT/26.07.2019/17:15:53/v1.1)
 * All amounts are in Pak Rupees
 * Errors & omissions exceted

(35) (21) Annual - D



University of Peshawar Pakistan

(35)

Detailed Marks Certificate

Master of Arts in Islamiyat

Final

Annual Examination 2017

District Peshawar



Private

Name: KHADIJA BIBI

Gender: Female

Roll No: 26038

Father's Name: GUL ZAMIR

Registration No: 2015-PE-29592

Division: 2nd

Papers	Max Marks	Marks Obtained	
		In Figures	In Words
Al Quraan Translation 2nd Half & Tafsir of Surah Nur & Ahzab-VI	100	52	Fifty Two
Usul al-Fiqh(Principles of Islamic Jurisprudence)-VII	100	40	Forty Only
Comparative Study of Judaism, Christianity & Islam-VIII	100	55	Fifty Five
Al-Kalam & Philosophy of Islam-IX	100	48	Forty Eight
Eco System of Islam (Comparison with Modern Eco Thought)-X	100	53	Fifty Three
Viva Voce	100	60	Sixty Only
Previous 17234:Annual-2015	500	242	Two Hundred and Forty Two
Final	1100	550	Five Hundred and Fifty

Errors & omissions are subject to subsequent rectification

Chance: 2

The Examination was taken In Parts

Examination held From 02-Aug-2017 to 16-Sep-2017

Result Declared on Wednesday, February 21, 2018

Issue Date: 02-Apr-2018

9:48 am

OTC
ATTESTED

(Dr. S. Fazl-i-Hadi)
CONTROLLER OF EXAMINATIONS
UNIVERSITY OF PESHAWAR

REGISTERED

(36)

University P

This

Khadija Bibi

having fulfilled all the requirements

Master o

and is entitled to all the rights, hon

Given this 21

Roll No: 26038

Session: Annual 2017

Reg. No: 2015-PE-29592

ATTESTED
[Signature]

ATTESTED

(37) (23)

ALLAMA IQBAL OPEN UNIVERSITY, ISLAMABAD



Serial No. 643059

PROVISIONAL RESULT CARD

Name KHADIJA BIBI
 Father's Name GUL ZAMIR
 Address C/O ARIF CT P/O GHS AKHORWAL DARA ADAM
 KHEL FR KOHAT

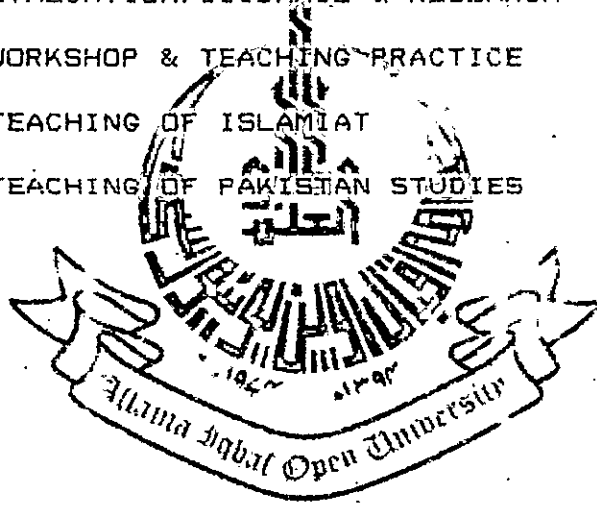
Roll No. AW612507
 Registration No. 06NPRO945
 Final Semester SPR-2014

Tehsil F. R. KOHAT
 District KOHAT

has successfully completed BACHELOR OF EDUCATION (B. ED)

The detail of passed courses is as under:

Semester	Course Code	Title of Course	Marks	
			Maximum	Obtained
AUT- 13	0513	SCHOOL ORGANIZATION	100	63
AUT- 13	0651	ENGLISH (COMPULSORY)	100	65
AUT- 13	0518	EDUCATIONAL PSYCHOLOGY & CURRICULUM	100	68
AUT- 13	0512	PERSPECTIVES OF EDUCATION	100	64
AUT- 13	0652	ISLAM, PAKISTAN AND MODERN WORLD	100	64
AUT- 13	0514	EVALUATION, GUIDANCE & RESEARCH	100	75
SPR- 14	0655	WORKSHOP & TEACHING PRACTICE	100	92
SPR- 14	0654	TEACHING OF ISLAMIAT	100	64
SPR- 14	0517	TEACHING OF PAKISTAN STUDIES	100	57



MUHAMMAD SAMIULLAH
 Signature:
 Dept: Human Nutrition
 The University of Agriculture
 Peshawar

CREDITS: 6

Total Marks / Obtained

900 / 612

Result Declared on JANUARY 16, 2015

Percentage / Grade

Date of issue JANUARY 20, 2015

68 B

Controller of Examinations

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 any 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 the original record of the university student.

(38) (24)

Allama Iqbal Open University Islamabad



Serial No. 111691

Certified that Mr/Ms KHADIJA BIBI
Son/Daughter of GUL ZAMIR
Registration No 06-NPR-0945 *Roll No* AM691793
Semester SPRING 2012 *having met all the requirements under*
the semester system is this day awarded the

Certificate of Teaching

He/She has secured 72 % *marks*
and placed in A *grade*



OTC
ATTESTED
[Signature]

Result declared on: **January 16, 2013**

Date of issue: **April 17, 2014**

[Signature]
Controller of Examinations

(38-0)

The detail of courses passed is as under

Course code	Title of the course	Percentage of obs
631	DIMENSIONS IN EDUCATION	69
632	EDUCATIONAL PSYCHOLOGY	62
633	SCHOOL ORGANIZATION	80
634	ENGLISH AND ITS TEACHING	73
638	TEACHING STRATEGIES & EVALUATION	69
612	PRACTICAL WORKSHOP & TEACHING PRACTICE	94
604	URDU LANGUAGE AND ITS TEACHING	72
605	SOCIAL STUDIES & ITS TEACHING	58
635	ISLAMIAT AND ITS TEACHING	70

OK
Par

Total credit hours **XXX**

Total credits AIOU **5**

First semester: **AUTUMN 2011**

Obtained / Total marks **647 / 900**

Cumulative grade point average **XXX**

Final semester **SPRING 2012**

Grading Scheme

80% and above:	A+ grade
70% to 79%	A grade
60% to 69%	B grade
50% to 59%	C grade
40% to 49%	D grade
Below 40%	Fail

[Signature]
Controller of Examinations

Serial No. 000450

39 76
Abdul Wali Khan University
Mardan, Pakistan

Reg. No. ^{14-AU-CPERP-24}

Roll No. 2562



The University in recognition of the fulfilment of prescribed requirements has conferred upon
Mr. / Ms. KHADIJA BIBI Son / Daughter of GUL ZAMIR

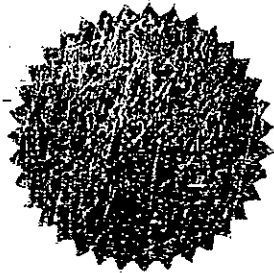
The Diploma in

PHYSICAL EDUCATION

in the examination held in May 2015 session Fall 2014-15

He / She was placed in 2.63 Division / Grade / CGPA

The examination was taken as a whole / ~~in Parts~~.



[Signature]
Controller of Examinations

ATTESTED

[Signature]
Registrar

[Signature]
Vice Chancellor

Result Declaration Date. 17-09-2015



ABDUL WALI KHAN UNIVERSITY

MARDAN, PAKISTAN

TRANSCRIPT

COLLEGE OF PHYSICAL EDUCATION & RESEARCH, PESHAWAR
DPED

Name: Khadija Bibi

Father's Name: Gul Zamir

Roll No: 2562

Registration No: 14-AU-CPERP-24

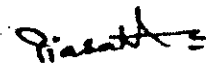
1st Semester (Fall, 2014)							
Title of Course	Total Marks	Marks Obtained	CR Hrs	Grade	GP	GPA	Remarks
Foundation of PE	100	52	3	C-	6		
Anatomy & Physiology	100	53	3	C-	6		
Rules & Technique of Games & Sports	100	53	3	C-	6		
Practical Games & Sports	50	30	2	C+	5		
Practical Track & Field	50	33	2	B-	5.5		
Practical Edu Gymnastics	50	33	2	B-	5.5		
Teaching Practice	50	44	2	A	7.5		
TOTAL	500	298	17		41.5	2.44	Promoted
2nd Semester (Spring, 2015)							
Title of Course	Total Marks	Marks Obtained	CR Hrs	Grade	GP	GPA	Remarks
Health Education	100	69	3	B-	8.25		
Science of Movement	100	86	3	A	11.25		
Science of Track & Field	100	72	3	B	9		
Practical of Games & Sports	50	30	2	C+	5		
Practical of Track & Field	50	32	2	C+	5		
Practical of Gymnastics	50	33	2	B-	5.5		
Project	50	30	2	C+	5		
Viva Voce	50	25	2	C-	4		
TOTAL	550	377	19		53	2.79	Passed
	1050	675	36		94.5		
CGPA	2.63						

Errors & Omissions are subject to subsequent rectification

Result Declaration Date: - Sep 17, 2015

Prepared by: Computer Cell

Checked by: Ijaz Ahmad

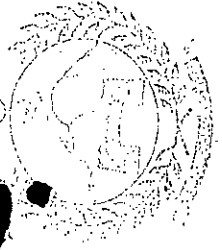

ATTESTED Controller of Examinations

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GOVERNMENT OF THE KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT.



NOTIFICATION

Peshawar, dated the November 13, 2012.

No. SO(PED)-5/SSRC/Meeting/2012/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 and in supersession of all Notifications issued in this behalf the Elementary and Secondary 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.

Encl. No. ? Date as above.

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

Copy forwarded to:-

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

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**GOVERNMENT OF THE KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT.**

Notification

Peshawar dated the November 13, 2012.

No.SO(PE)4-5/SSR/Meeting/2012 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) Rule, 1989 and in supersession of all Notifications issued in this behalf, the Elementary and Secondary 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 & Secondary Education Department

Endst No. & Date as above

Copy forwarded to:-

1. The Secretary to Government of Khyber Pakhtunkhwa, Establishment Department.
2. The Secretary to Government of Khyber Pakhtunkhwa, Finance Department.
3. The Secretary to Government of Khyber Pakhtunkhwa, Law Department.
4. The Secretary Khyber Pakhtunkhwa, Public Service Commission Peshawar.
5. The Accountant General, Khyber Pakhtunkhwa Peshawar.
6. The Director (e7SE) Khyber Pakhtunkhwa Peshawar.
7. The Director Education (FATA), Peshawar.

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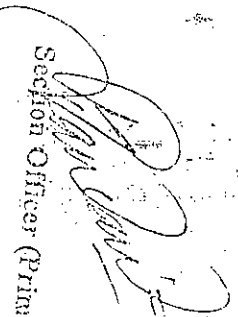
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8. The Director Curriculum & Teachers Education Abbottabad.
9. The Director (PITE) Khyber Pakhtunkhwa Peshawar.
10. The Director ESRU, Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.
11. The Deputy Director Database (EMIS) E&SE Department.
12. All District Coordination Officers in Khyber Pakhtunkhwa, Peshawar.
13. All Executive District Officers Elementary & Secondary Education in Khyber Pakhtunkhwa.
14. All District Accounts Officers in Khyber Pakhtunkhwa / Agency Accounts Officers FATA.
15. All Agency Education Officers in Khyber Pakhtunkhwa.
16. P.S to Governor, Khyber Pakhtunkhwa.
17. P.S to Chief Minister, Khyber Pakhtunkhwa.
18. P.S to Chief Secretary, Khyber Pakhtunkhwa.
19. P.S to Minister E&SE Khyber Pakhtunkhwa.
20. P.S to Secretary, E&SE Department.
21. Master File.

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Section Officer (Primary)

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APPENDIX

S.No.	Nomenclature of the post.	Minimum qualification and experience for initial appointment or by transfer.	Age limit.	Method of recruitment.
1.	2.	3.	4.	5.
1.	Secondary School Teacher (BPS-16).	(i) Second class Bachelor's Degree with two subjects as Chemistry, Botany, Zoology, Physics, Mathematics, Statistics Humanities and other equivalent groups from a recognized University; or (ii) M.A in Education or Bachelor's Degree in Education, from a recognized University.	18 to 35 years.	(a) Fifty percent by promotion on the basis of seniority-cum-fitness, in the following manner: (i) forty per cent from amongst the Certified Teachers (General), Certified Teachers (Agriculture), Certified Teachers (Industrial Arts) 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;

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			<p>(iv) one per cent from amongst the Instructional Material Specialists, with atleast five years service as such and having qualification mentioned in column No. 3; and</p> <p>(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</p>
2.	Senior Arabic Teacher (SAT) (BPS-16)		(b) fifty per cent by initial recruitment.
3.	Senior Theology Teacher (STT) (B-16).		By promotion, on the basis of seniority-cum-fitness, from amongst Arabic Teachers, with at least five years service as such and having qualification as prescribed for initial recruitment of Arabic Teacher.
4.	Senior Certified Teacher (SCT)(General) (BPS-16).		By promotion, on the basis of seniority-cum-fitness, from amongst Theology Teachers, with at least five years service as such and having qualification as prescribed for initial recruitment of Theology Teacher.
			By promotion, on the basis of seniority-cum-fitness, from amongst Certified Teachers (General), with at least five years service as such and having qualification as prescribed for initial recruitment of Certified Teacher (General).

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5.	Senior Certified Teacher (Industrial Arts) (BPS-16).		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).
6.	Senior Certified Teacher (Agriculture) (BPS-16).		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).
7.	Senior Drawing Master (BPS-16).		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.
8.	Senior Certified Teacher (SCT) (Home Economics) (BPS-16).	<p><i>C.T.C.</i></p> <p>ATTACHED</p>	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).
9.	Senior Physical Education Teacher (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 recruitment of Physical Education Teacher.

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10.	Arabic Teacher (AT) (BPS-15).	(i) Second Class Secondary School Certificate, from a recognized Board with Shahdatul Alamia Fil Uloomul Arabia wal Islamia from a recognized Tanzimatuul Wafaquul Madaris: or Darul Uloom Saidu Sharif Swat, Darul Uloom Charbagh Swat, Darul Uloom Chitral, Darul Uloom Darosh Chitral and any other Government run Darul Uloom, as notified by the Government from time to time; or (ii) Second Class Master's Degree in Arabic from a recognized University.	20 to 35 years.	By initial recruitment
11.	Theology Teacher (TT) (BPS-15).	(i) Second Class Secondary School Certificate, from a recognized Board with Shahdatul Alamia from a recognized Tanzimatuul Wafaquul Madaris: or Darul Uloom Saidu Sharif Swat, Darul Uloom Charbagh Swat, Darul Uloom Chitral, Darul Uloom Darosh Chitral and any other Government run Darul Uloom, as notified by the Government from time to time; or (ii) Second Class Master's Degree in Islamiyat from a recognized University.	20 to 35 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 qualification prescribed for initial recruitment of Theology Teacher: <u>Note:</u> In case of non availability of suitable person for promotion, then by initial recruitment.
12.	Senior Qari (BPS-15).			By promotion, on the basis of seniority-cum-fitness, from amongst Qaris, with at least five years service as such and having qualification prescribed for initial recruitment.
13.	Certified Teacher (General) (BPS-15).	Bachelor's Degree or equivalent qualification from a recognized University with Certified Teacher	18 to 35 years.	(a) Forty per cent by initial recruitment; and

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	Certificate or two years Associate Degree in Education from a recognized University or eighteen months Diploma in Education.		<p>(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):</p> <p>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-cum-fitness, from amongst Senior Primary School Teachers with at least five years service and having qualification prescribed for initial recruitment of Certified Teacher (General).</p> <p><u>Note:</u> In case of non availability of suitable person for promotion, then by initial recruitment.</p>
14. Certified Teacher (Industrial Arts) (BPS-15).	<p>(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</p> <p>(b) Bachelor's Degree from a recognized</p>	18 to 35 years.	<p>(a) Forty per cent by initial recruitment; and</p> <p>(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</p>

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<p>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 Teachers with at least five years service and having qualification prescribed for initial recruitment of Certified Teacher (Industrial Arts).</p> <p>Note: In case of non availability of suitable person for promotion, then by initial recruitment.</p>	<p>18 to 35 years.</p>	<p>(a) Forty per cent by Initial recruitment; and</p> <p>(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 (Agriculture):</p> <p>Provided that if no suitable candidate is available amongst the</p>	<p>15. Certified Teacher (Agriculture) (BPS-15).</p>
<p>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 Teachers with at least five years service and having qualification prescribed for initial recruitment of Certified Teacher (Industrial Arts).</p> <p>Note: In case of non availability of suitable person for promotion, then by initial recruitment.</p>	<p>18 to 35 years.</p>	<p>(i) Bachelor's Degree from a recognized University with one year training in 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</p> <p>(ii) Bachelor's Degree with Agriculture as one of the subject, from a recognized University; or</p> <p>(iii) Bachelor's Degree from a recognized</p>	<p>any Government Agro Technical Teacher Training Center of the Level of Certified Teacher, Agro technical (Industrial Arts).</p>

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		any Government Agro Technical Teacher Training Center of the Level of Certified Teacher, Agro technical (Agriculture).		<p>promotion, then the posts will be filled by promotion 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 Certified Teacher (Agriculture).</p> <p><u>Note:</u> In case of non availability of suitable person for promotion, then by initial recruitment.</p>
16.	Certified Teacher (Home Economics) (BPS-15).	<p>(i) Bachelor's Degree with Home Economics, as one of the subject, from a recognized University with in service training from Government Agro Technical Teacher Training Center; or</p> <p>(ii) Certified Teacher Certificate with Home Economics, -as one of the subjects, from any Government Training school or college with Bachelor's Degree; or</p> <p>(iii) Bachelor's Degree from a recognized University with nine months training from Government Agro Technical Teacher Training Center of the level of the Certified Teacher Agro Technical (Home Economics); or</p> <p>(iv) Bachelor's Degree, from a recognized</p>	18 to 35 years.	<p>(a) Forty per cent by Initial recruitment; and</p> <p>(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 as such and having qualification prescribed for initial recruitment of Certified Teacher (Home Economics):</p> <p>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 Teachers with at least five years service and having qualification prescribed for initial recruitment of</p>

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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.

17. Drawing Master (BPS-15).

Bachelor's Degree from a recognized University with one year Drawing Master (DM) course Certificate.

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 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.

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18.	Physical Education Teacher (BPS-15).	Bachelor's Degree from a recognized University with <u>one year junior Diploma in Physical Education course or Army equivalency or other equivalent qualification.</u>	13 to 35 years.	<p>(a) Eighty per cent by initial recruitment; and</p> <p>(b) <u>Twenty</u> 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.</p> <p>Provided that if no suitable candidate 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.</p> <p>[Note: In case of non-availability of suitable candidate for promotion, then by initial recruitment.]</p>
19.	Primary School Head Teacher (PSHT) (BPS-15).			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.
20.	Senior Primary School Teacher (BPS-14).			By promotion, on the basis of seniority-cum-fitness, from amongst Primary School Teachers

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				with at least five years service as such and having qualification prescribed for initial 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.	18 to 35 years.	By initial recruitment on merit at Union Council level: provided that if no suitable candidate is within the Union Council is available, then from the adjacent Union Councils on merit.
22.	Qari (BPS-12).	Intermediate with Hifz-e-Quran and Qirat Sanad from a recognized Institution.	18 to 35 years.	By initial recruitment.

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SCHEDULE

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

Arabic Teacher

<u>Educational Qualification</u>	<u>Total Marks: 100</u>
SSC	Marks obtained X 20 / total marks = ____
HSSC	Marks obtained X 20 / total marks = ____
BA/BSc	Marks obtained X 20 / total marks = ____
M.A Arabic / Shahadatul Alamia Fil Uloomul Arabia wal Islamia from a recognized Tanzimiatul Wafaqul Madaris	Marks obtained X 20 / total marks = ____
Other MA/MSc/M.Ed / MA Edu	Marks obtained X 15 / total marks = ____
MPhil/PhD	Marks = 05

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Theology Teacher

<u>Category of Qualification</u>	<u>Total Marks 100</u>
SSC	Marks obtained X 20 / total marks = ____
HSSC	Marks obtained X 20 / total marks = ____
BA/BSc	Marks obtained X 20 / total marks = ____
MA/MSc/M.Ed / MA Edu	Marks obtained X 20 / total marks = ____
M.A Islamiat / Shahadatul Alamia Fil Uloomul Arabia wal Islamia from a recognized Tanzimiatul Wafaqul Madaris	Marks obtained X 15 / total marks = ____
MPhil/PhD	Marks = 05

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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 X 20 / total marks = _____
MA/MSc/ M.Ed / MA Edu	Marks obtained X 15 / total marks = _____
MPhil/PhD	Marks = 05

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 F.Sc, 5 Extra marks for B.Sc and 5 Extra marks for M.Sc will be added to the total score obtained by a candidate during his selection.
HSSC	Marks obtained X 20 / total marks = _____	
B.A/B.Sc	Marks obtained X 20 / total marks = _____	
CT Certificate/ Diploma in Education / ADE	Marks obtained X 20 / total marks = _____	
MA/MSc/M Ed / MA Edu	Marks obtained X 15 / total marks = _____	
MPhil/PhD	Marks = 05	

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Drawing Master

Category of Qualification	Total Marks 100	For Candidate of Science group
SSC	Marks obtained X 20 / total marks = _____	5 Extra marks for F.Sc, 5 Extra marks for B.Sc and 5 Extra marks for M.Sc will be added to the total score obtained by a candidate during his selection
HSSC	Marks obtained X 20 / total marks = _____	
BA/BSc	Marks obtained X 20 / total marks = _____	
DM Certificate	Marks obtained X 20 / total marks = _____	
MA/MSc/M.Ed / MA Edu	Marks obtained X 15 / total marks = _____	
MPhil/PhD	Marks = 05	

Physical Education Teacher

Category of Qualification	Total Marks 100	For Candidate of Science group
SSC	Marks obtained X 20 / total marks = _____	5 Extra marks for F.Sc, 5 Extra marks for B.Sc and 5 Extra marks for M.Sc will be added to the total score obtained by a candidate during his selection
HSSC	Marks obtained X 20 / total marks = _____	
BA/BSc	Marks obtained X 20 / total marks = _____	
JDPE or Equivalent Certificate	Marks obtained X 20 / total marks = _____	
MA/MSc/M.Ed / MA Edu	Marks obtained X 15 / total marks = _____	
MPhil/PhD	Marks = 05	

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Primary School Teacher

Category of Qualification	Total Marks 100 For Humanities group at Intermediate 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 score obtained by a candidate during his selection
HSSC	Marks obtained X 10 / total marks = ____	
BA/BSc	Marks obtained X 25 / total marks = ____	
PST Certificate/ Diploma in Education / ADE.	Marks obtained X 20 / total marks = ____	
MA/MSc/M.Ed / MA Edu	Marks obtained X 20 / total marks = ____	
MPhil/PhD	Marks = 05	

Other conditions:-

1. The concerned Appointing Authority will scrutinize and verify the documents and make the appointment as per prescribed rule and the will get the documents verified after the issuance of appointment orders within shortest possible time, not exceeding ninety (90) days.
2. The merit list prepared by the concerned appointing authority shall be displayed for ten days to receive the objections/appeals, if any, and shall issue the final merit list after making necessary corrections while addressing the observations/objections/appeals, followed by requisite appointment orders.
3. In case a document(s) is/are found fake/ forged/ bogus upon scrutiny/ verification, the service of the teacher concerned shall be terminated and the amount paid to him as salary shall be recovered from him and an FIR shall be lodged against him on account of forgery/fraud under the relevant law.
4. Deni Asaad from recognized Tazemat-ul-Wafaqul Madaris, Darul Uloom Saidu Sharif Swat, Darul Uloom Charbagh Swat, Darul Uloom Chitral, Darul Uloom Darosh Chitral and any other Government run Darul Uloom, as notified by the Government from time to time will be acceptable for the purpose of appointment against the posts of Arabic Teachers or Theology Teachers, as the case may be.

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Annex F20 451



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

Peshawar, dated the 24th July, 2012.

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NOTIFICATION

No. SO(PE)4-5/SSRC/Meeting/2012/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&I/1-28/2003/Vol-II dated, 09-04-2003, Notification No. SO(G)S&I/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
1A	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's 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 qualifications 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 lateral entry.

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**GOVERNMENT OF THE KHYBER PAKHTUNKHWA
ELEMENTARY AND 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 Département hereby directs that in this Department's Notificiations No.SO(G) S&LD/1-28/2003/Vol-II dated, 09.04.2004, Notification No.SO(G)S&L/1-69/06/Vol-I/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 a renumbered, the following new entries shall be inserted in respective columns, namely:-

1	2	3	4	5
	Subject Specialist BPS-17	<ul style="list-style-type: none"> 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 25 years	<ul style="list-style-type: none"> a) Fifty percent 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. <p>Note: If no suitable candidate is available in the relevant subject the post failing in their promotion quot shall be filled by initial</p>

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				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	<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 Teachers, 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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against Serial No. 1B, as so renumbered, for the existing entries, the following shall be substituted, in respective columns, namely:

1	2	3	4	5
"1B.	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 style="text-align: center;">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 style="padding-left: 40px;">Provided that if no suitable candidate is available from amongst Senior Certified Teachers for promotion then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from amongst Certified Teachers, with at least five years service as such and having qualification mentioned in column No. 3;</p> <p>(b) four per cent from amongst the Senior Drawing Masters(BPS-16), with at least five years service as Senior Drawing Masters and Drawing Masters and having qualification mentioned in column No.3:</p>

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Supplement



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

(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:

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;

(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

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			<p>Provided that if no suitable candidate is available from amongst Senior Drawing Masters for promotion then the post shall be filled by promotion, on the basis of Seniority cum fitness, from amongst Drawing Masters with at least five years service as such and having qualification mentioned in column No.3;</p> <p>c) four percent 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 atleast five years service as Senior Theology Teachers and Theology Teachers and having qualification mentioned in column.</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;

(d) twenty per cent from amongst the Primary School Head Teachers (BPS-16), with at least seven years service as Primary School Head Teachers, 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 the Primary School Head Teachers, Senior Primary School Teachers and Primary School Teachers then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from amongst the Primary School Head Teachers, Senior Primary School Teachers and Primary School Teachers with at least seven years service as such and having qualification mentioned in column No. 3;

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Advertisement

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ATTESTED

Primary School Head Teachers for promotion then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from amongst Senior Primary School Teachers with at least seven years service as Senior Primary School Teachers and Primary School Teachers and having qualification mentioned in column No.3:

Provided further that if no suitable candidate is available from amongst Senior Primary School Teachers for promotion then the post shall be filled from amongst Primary School Teachers with at least seven years service as such and having qualification mentioned in column No. 3; and

(ii) twenty five percent by initial recruitment.

Note:

- I. If no suitable candidate is available in the relevant cadre of the above teachers, the post falling in their promotion quota shall be filled by initial recruitment.
- II. Posts of General SST and SSTs-1 Science and SST-2 Science shall be filled by promotion or initial recruitment on need basis separately.

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			<p>Primary School/ Head Teachers for promotion then the post shall be filled by promotion, on the basis of Seniority Cum fitness, from amongst Senior Primary School Teachers with a t least seven years service as Senior Primary School Teachers and Primary School Teachers and having qualification mentioned in column No.3:-</p> <p>Provided further that if no suitable candidate is available from amongst Senior Primary School Teachers for promotion then the post shall be filled from amongst Primary School Teachers with at least seven years service as such and having qualification mentioned in Column No3; and</p> <p>(ii) twenty five percent by initial recruitment.</p> <p>Note:</p> <p>I. If no suitable candidate is available in the relevant cadre of the above teachers, the post falling in their promotion quota shall be filled by initial recruitment.</p> <p>II. Posts of General SST and SSTs 1 Science and SST-2 Science shall be filled by promotion or initial recruitment such needs basis separately.</p>
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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, (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

ATTESTED

ZAMIN KHAN
SECTION OFFICER

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Handwritten signature and date 4/8/14

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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 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.
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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

OTC

ATTESTED

Zamin Khan Momand
Section Officer (Primary)

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To: The Additional Director NMD
KP Peshawar

Amir Khan

(Signature)

Subject: PROMOTION FROM PSHT TO CT-15, DM-15, PET-15 AND FROM
PST TO SPST-14, PSHT-15.

Memo

With honour and respect it is stated that the undersigned is intend to held
DPC meeting for the subject cited posts on dated 11/07/2020

It is request to appoint a representative from your kind office in the best
interest of public service.

District Education Officer
Hassan Khel SD Peshawar

ATTESTED

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OFFICE OF THE District Education Officer
Hassan Khel Sub division Peshawar.
Bacha Khan Chowk Peshawar.
Ex-APA FR Peshawar office
Phone No. 091-9210245
Email Add: fr_peshawar@yahoo.com

NOTIFICATION

In pursuance of the Director Education NMDs Khyber Pakhtunkhwa Letter No.19297-310/1:-7/1:-6/up-gradation dated: 04.12.2017 and consequent upon the recommendation of the Departmental Promotion Committee. The following female PSHT in HSD Peshawar are hereby Promoted to the post of Regular CT (Gen) (BPS-15) Rs.(16120-1330-56020) plus usual allowances as admissible under the rules on regular basis the existing policy of provincial Government in teaching Cadre on terms and condition given below with effect from 11.07.2020 and posted in the schools noted against their names:-

S.#	S.L.#	Name of Teachers	F/Name	DOB	Name of school	Adjusted at:-
1.	24	Naseem Akhter	Sher Dad Shah	01-01-73	GGPS Rehman Shah	GGMS Rehman Shah
2.	45	Shahida	Noor Muhammad	21-09-77	GGPS Noor Daman	GGMS Barkl No.2
3.	50	Basraj Mir	Mir Hawas Khan	03-02-83	GGPS Hukam Khan	GGMS Abdul Badshah
4.	57	Karishama	Mir Hawas Khan	05-06-83	GGPS Ajab Khan	GGMS Abdul Badshah
5.	58	Hina Tabassum	Jahan Zalb	01-05-85	GGPS Barkl No.2	GGMS Barkl No.02
6.	66	Fozia Aziz	Aziz Khan	01-05-85	GGPS Malik Hasham	GGMS Muzaffar Killi

Terms & Conditions:


1. They will be on probation for period of one year extendable for another one year.
2. They will be governed by such rules and regulations as may issue from time to time by the Government.
3. Their Services can be terminated at any time. In case his performance is found unsatisfactory during probation period. In case of misconduct he will be proceeded under the rules framed time to time.
4. Charge Report should be submitted to all concerned.
5. Their Inter-se-Seniority on lower post will remain intact.
6. No T.A/D.A is allowed for joining his duty.
7. They will give an undertaking to be recorded in their service book to effect that if any over payment has made to them in light of this order will be recovered and if they are wrongly promoted he will be reserved.

Endst: No. 1278-85 Dated 20/17/2020

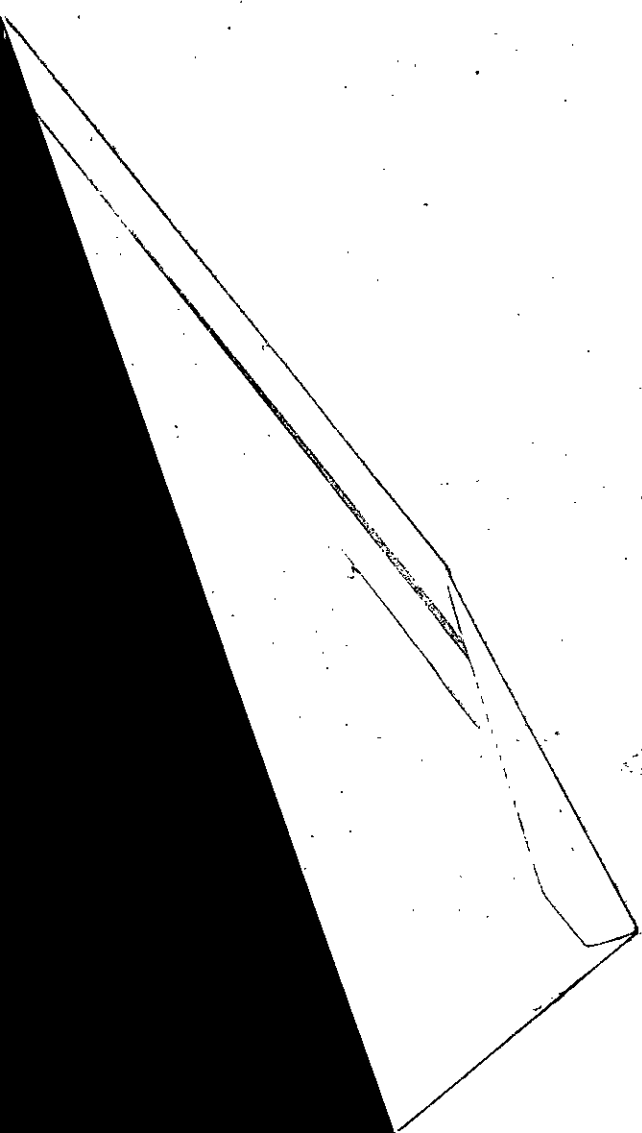
Copy to the: -

1. Director Education E&SE Khyber Pakhtunkhwa Peshawar.
2. Additional Director Edu. NMDs Khyber Pakhtunkhwa Peshawar.
3. Accountant General Khyber Pakhtunkhwa.
4. Principal/ Headmistress concerned.
5. ADEO(F) HSD Peshawar.
6. Teachers concerned.
7. EMIS Cell.
8. Office Record.

(Abdur Rauf Shah)
District Education Officer
Hassan Khel SD Peshawar


District Education Officer
Hassan Khel SD Peshawar

ATTESTED



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BEFORE THE HONORABLE PESHAWAR

HIGH COURT PESHAWAR



Writ petition No 3453-P/2020

Khadija Bibi W/o Muhammad Kifayat Ullah, PST,
GGPS Muhammad Gul Killi Hassan Khel Sub Division
(HSD) Peshawar

.....Petitioner

VERSUS

1. Government of Khyber Pakhtunkhwa through
Chief Secretary, Civil Secretariat, Peshawar.
2. Secretary Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar.
3. Director Elementary & Secondary Education.
Near Govt Higher Secondary School City NO 1
Peshawar.
4. District Education Officer Hassan Khel Sub
Division (HSD) Peshawar.

.....Respondents

WRIT PETITION UNDER ARTICLE 199 OF
THE CONSTITUTION OF ISLAMIC
REPUBLIC OF PAKISTAN, 1973 AS
AMENDED UP-TO DATE BY DECLARING

FILED TODAY
Deputy Registrar

27 JUL 2020

ATTESTED

EXAMINER
Peshawar High Cour

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THE NOTIFICATION DATED 13.11.2012
THROUGH WHICH THE APPOINTMENT,
PROMOTION & TRANSFER RULES 1989
WERE ISSUED BY THE RESPONDENTS
DEPARTMENT TO THE EXTENT OF NON-
INCLUSION OF THE PRIMARY SCHOOL
TEACHER (PST) BPS-12 FOR PROMOTION
TO THE POST OF PHYSICAL EDUCATION
TEACHER BPS-15 AS ILLEGAL,
DISCRIMINATORY, AGAINST THE
FUNDAMENTAL RIGHTS AS ENSHRINED IN
THE CONSTITUTION, AGAINST THE
PRINCIPAL OF POLICY, AND THE LIABLE
TO BE DECLARED SO.

Prayer in Writ Petition:

It is therefore, most humbly prayed that on acceptance of this Writ Petition, an appropriate writ may kindly be issued by declaring non-inclusion of the Primary School Teacher (PST) BPS-12 for promotion to the post of physical education Teacher BPS-15 as illegal, discriminatory, against

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the fundamental rights as enshrined in the constitution, against the principal of policy, and be liable to be declared so and the impugned notification dated 13.11.2012 through which the Appointment, Promotion & Transfer Rules 1989 were issued by the Respondents department may kindly be declared illegal and discriminatory to that extent by directing them to insert the post of PST BPS-12 for promotion to the post of PET BPS-15.

Respectfully Sheweth:-

The Petitioner humbly submits as under:-

1. That Petitioner is a bonafide resident of Hassan Khel Sub Division Peshawar and having qualification of Intermediate and Primary Teaching Certificate (PTC) was appointed as Primary School Teacher upon the selection of the Departmental Selection Committee in Community School Hassan Khel Sub Division Peshawar, vide appointment Order dated 25.09.2009. (Copy of Education Documents and Appointment Order are attached as annexure A)

ATTESTED

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2. That later on the Petitioner has improved his qualification by getting Degree of Bachelors of Arts in year 2011 and on the basis of which; the services of the Petitioner was regularized vide order dated 21.01.2013. **(Copy of BA Degree and Regularization Order dated 21.01.2013 are attached as annexure B & C)**

3. That the Petitioner has further improved her qualification by getting Master Degree in Islamiat, B.Ed, Certificate of Teaching (CT) and also having **Diploma in Physical Education. (Copy of Degrees and Certificates are attached as annexure D)**

4. That the Respondents through notification dated 13.11.2012 in exercise of power under sub-Rule 2 of Rule 3 of KP Civil Servant (Appointment, Promotion and Transfer Rules 1989) laid down the method of recruitment, qualification and other condition further post of different School Teacher as specified in the notification *ibid*. Through this notification promotion to the post of Physical Education Teacher (Petitioner) BPS-15 was laid down through which

ATTESTED

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- (a) Eighty percent by initial recruitment and,
(b) Twenty percent 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 candidate 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.

Through notification dated 24.07.2014, further amendment were made in the above said rules and for promotion to the post of Secondary School Teacher (SST) BPS-16, proviso was asserted therein through which Primary School Teacher (BPS-12) having seven year service were made eligible for promotion to the post of SST BPS-16, provided if no suitable candidate was available from amongst Senior Primary School Teacher. The same is reproduced for ready reference:

Provided further that if no suitable candidate is available from amongst Senior Primary School Teachers for promotion

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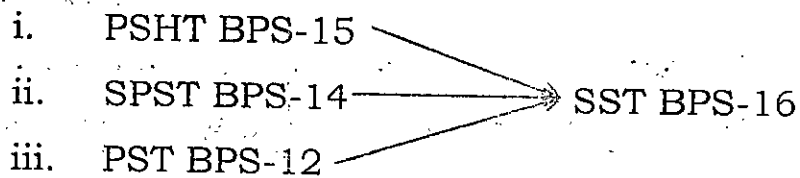
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then the post shall be filled from amongst Primary School Teachers with at Least seven years service as such and having qualification mentioned in column No 3.

The above said provisions would show that the Primary School Teacher BPS-12 was made eligible for promotion to the post of SST BPS-16 but on the other hand PST BPS-12 having qualification of Diploma in Physical Education was not eligible for promotion to the post of PET BPS-15 which is discriminatory and is against the fundamental rights of the Petitioner. (Copy of the Notification dated 13.11.2012 & Notification dated 24.07.2014 are attached as annexure E & F)

5. In order to further simplify the issue the following chart will assist this Hon'ble Court for reaching just and appropriate decision.



Meaning thereby that the PST BPS-12 was made eligible for promotion to the post of BPS-16.

ATTESTED

(8) (8)

having no other adequate, efficacious and alternative remedy readily available but to approach this Hon'ble Court, inter alia on the following grounds:

Grounds:-

A) That the Petitioner is a natural born citizen of Islamic Republic of Pakistan, belonging from Hassan Khel Sub Division Peshawar and is fully entitled to all the basic and fundamental rights as enshrined in the constitution and interpreted and guaranteed by the law of the land.

B) That the petitioner has not been treated in accordance with law and the rights of the petitioner for promotion have been violated which is not permissible in law and Article 9 read with Article 18 of the Constitution of the Islamic Republic of Pakistan 1973, therefore directions is required to the Respondents for insertion in the Rules for Promotion of PET having qualification of Diploma in Physical Education to the Post of PET RPS-15.

C) That the fundamental right of the Petitioner has blatantly been violated by the Respondents and the Petitioner and other

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candidates having qualification of Diploma in Physical Education has been discriminated and has been denied his due rights under the Constitution of Islamic Republic of Pakistan, 1973.

- D) That the Petitioner fulfilled all the criteria provided for the post of PET in question but since in the Rules the PST having qualification of Physical Education have been excluded in the Rules, therefore the same non inclusion in the Rules is against the Article 25, 25-A, 27 of the Constitution of Islamic Republic of Pakistan, 1973.
- E) That the petitioner is holding the prescribed qualification for promotion against the post of PET, besides she has at his credit the higher qualification of M.A degree, B.Ed, CT and Diploma in Physical Education, however in the Rules on one side the PST BPS-12 has been made eligible for the post of SST BPS-16 but on the other hand PST BPS-12 having qualification of physical education has been made ineligible for the post of PET BPS-15, which is against the provision of the Article 3 & 4 of the Constitution of Islamic Republic of Pakistan, 1973 thus may be declared so.

ATTESTED

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F) That any other ground not raised here specifically may graciously be allowed to be raised at the time of arguments.

PRAYER:-

It is therefore, most humbly prayed that on acceptance of this Writ Petition, an appropriate writ may kindly be issued by declaring non-inclusion of the Primary School Teacher (PST) BPS-12 for promotion to the post of physical education Teacher BPS-15 as illegal, discriminatory, against the fundamental rights as enshrined in the constitution, against the principal of policy, and be liable to be declared so and the impugned notification dated 13.11.2012 through which the Appointment, Promotion & Transfer Rules 1989 were issued by the Respondents department may kindly be declared illegal and discriminatory to that extent by directing them to insert the post of PST BPS-12 for promotion to the post of PET BPS-15.

Any other relief, not specifically asked for may also graciously be extended in favour of the petitioner in the circumstances of the case.

INTERIM RELIEF:-

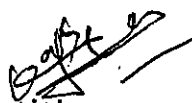
By way of interim relief, the Respondents may be directed to retain one post of PET BPS-

ATTESTED

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15, till the final disposal of the instant writ petition.


Petitioner

Through:

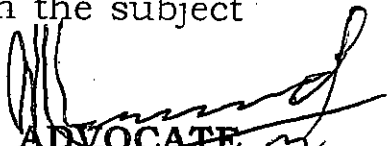

NASIR MEHMOOD

Advocate,
Supreme Court of
Pakistan

Dated:- 23.07.2020


CERTIFICATE:-

No such like petition has earlier been filed by the Petitioner before this Honourable Court on the subject matter.


ADVOCATE

LIST OF BOOKS:-

1. Constitution of Islamic Republic of Pakistan, 1973
2. Any other book as per need


ADVOCATE

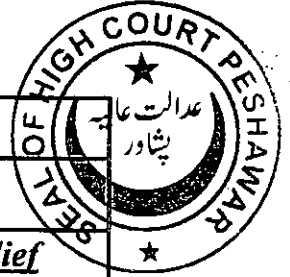
ATTESTED

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PESHAWAR HIGH COURT, PESHAWAR

FORM OF ORDER SHEET



Date of Order of Proceedings	Order or other Proceedings with Signature of Judge.
1	2
ORDER 25.08.2020	<p><u>Writ Petition No.3453-P/2020 with Interim Relief</u></p> <p>Present: Mr. Nasir Mehmood, Advocate for Khadija Bibi, petitioner.</p> <p>*****</p> <p><u>QAISER RASHID KHAN, J.</u>-The petitioner, through the instant writ petition, has prayed for declaring the notification dated 13.11.2012 of respondent No.2 to be nullity in the eye of law and of no legal effect whereby the post of Primary School Teachers (BPS-12) has not been included in the relevant rules for promotion to the post of Physical Education Teacher (BPS-15).</p> <p>2. During the course of brief submissions, when it was pointed out to the learned counsel for the petitioner that the relief, sought through the present petition, falls within the exclusive jurisdiction of the Khyber Pakhtunkhwa Service Tribunal, he requests for treating the present petition as an appeal and sending it to the Secretary to Government of Khyber Pakhtunkhwa, Elementary & Secondary Education,</p>

ATTESTED
EXAMINER
Peshawar High Co

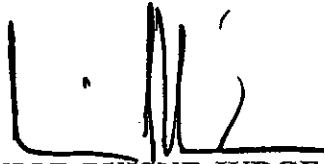
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Peshawar for its disposal.

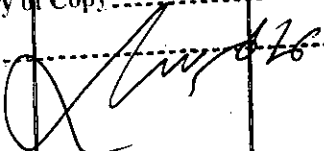
Accordingly, we while disposing of this writ petition, treat it as an appeal of the petitioner before the Secretary to Government of Khyber Pakhtunkhwa, Elementary & Secondary Education, Peshawar and direct him to decide the same in accordance with law. The office is directed to send this petition to the aforesaid authority by retaining a copy thereof for record.

Announced.
25. 08. 2020


SENIOR PUISNE JUDGE

JUDGE

CERTIFIED TO BE TRUE COPY
EXAMINER
Peshawar High Court, Peshawar
Authorized Under Article 87 of
The Qanun-e-Shahadat Order 1984
03 SEP 2020

No. 6125
Date of Presentation of Application 03/08/2020
No of Pages 30
Copying fee 100
Total 100
Date of Preparation of Copy 03/08/2020
Date of Delivery of Copy 03/08/2020
Received By 

(Fayaz)

(D.B) Justice Qaiser Rashid Khan & Justice Ijaz Anwar

(85)
Amend I (72)

**DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION DEPARTMENT KHYBER
PAKHTUNKHWA**

NOTIFICATION

1. **WHEREAS**, the appellant namely Mst Khadija Bibi is serving as PST (BS-12) at Govt. Girls Primary School Muhammad Gul Killi, Sub-Division Hassan Khel (Ex-FR Peshawar).
2. **AND WHEREAS**, the Departmental Promotion Committee has not promoted the teacher concerned to the post of PET as she was not eligible for promotion under policy November 13, 2012. The Policy for promotion to the post of PET is reproduced as below;

Nomenclature of the post	Minimum qualification and experience for initial appointment or by transfer	Age Limit	Method of recruitment
Physical Education Teacher (BPS-15)	Bachelor's Degree from recognized University with one year Diploma in Physical Education Course or Army equivalency or other equivalent qualification.	18-35	(a) Eighty percent by initial recruitment, and (b) Twenty percent by promotion on the basis of seniority cum- fitness, from amongst the primary school Head Teacher with at least five years service and having qualification prescribed for initial recruitment Physical Education Teacher. Provided that if no suitable candidate 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. In case of non-availability of suitable candidate for promotion, then by initial recruitment.

3. **AND WHEREAS**, feeling aggrieved, Mst. Khadija Bibi filed W.P No. 3453-P/2020 case titled Khadija Bibi VS Govt. of KPK & Others, in the Honorable Peshawar High Court Peshawar with the prayer that " It is therefore, most humbly prayed that on acceptance of this writ petition, an appropriate writ may kindly be issued by declaring non-inclusion of the Primary School Teacher (PST) BPS-12 for promotion to the post of physical education teacher BPS-15 as illegal, discriminatory, against the fundamental rights as enshrined in the constitution, against the principles of policy, and be liable to be declared so and the impugned notification dated 13-11-2012 through which the appointment, promotion & Transfer Rule 1989 were issued by the respondents department may kindly be declared illegal and discriminatory to that extent by directing them to insert the post of PST BPS-12 for promotion to the post of PET BPS-15, the same was decided vide judgment dated 25.08.2020 with the directions to the Secretary Elementary & Secondary Education Department Khyber Pakhtunkhwa for decision in accordance with law.
4. **AND WHEREAS**, the petitioner has been provided opportunity of personal hearing who apprised the Committee regarding her grievances, upon which The ADEO (Litigation), Hassan Khel Sub-Division provided record pertaining to her grievances

Now therefore, in compliance of the Judgment dated 25-08-2020 of the Honorable Peshawar High Court Peshawar, & having gone through the whole case record along with consulting the relevant provision under Section-21 of General Clauses Act 1897 as amended in 1956, read with APT Rules 1989 & in exercise of the powers conferred upon the undersigned in a capacity of an Appellate Authority, the Departmental Appeal of the petitioner is hereby stand rejected as she was not eligible for promotion under policy November 13, 2012.

DIRECTOR,
(E&SE) Department Khyber
Pakhtunkhwa, Peshawar.

Endst: No: 3810-15 / Dated Peshawar the 19/03/2021

Copy forwarded for information & n/action to the:-

- 1 Additional Registrar Judicial Peshawar High Court Peshawar.
- 2 Addl: Advocate General Peshawar High Court Peshawar
- 3 District Education Officer (M) Sub-Division Hassan Khel.
- 4 Section Office (Lit-I), Elementary & Secondary Education Department KP.
- 5 Mst Khadija Bibi serving as PST (BS-12) at Govt. Girls Primary School Muhammad Gul Killi, Sub-Division Hassan Khel (Ex-FR Peshawar).
- 6 PA to Director local office.

Villanueva
19/3/2021
Deputy Director (Estab)

Merged Areas 3/19/21

OTC
[Signature]

12/10.

86

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA
PESHAWAR

SCANNED
KEST
Peshawar

Service Appeal No. 4755/2021

Mst: Khadija Bibi PST GGPS Muhammad GulAppellant

Versus

District Education Officer (F) Peshawar and others..... Respondents.

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S.No	Description of Document.	Annex	Page No.
01	Para wise Comments	-----	01-02
02	Affidavit	-----	03
03	Authority Letter		4
04	Copy of rules regulation and policy dated. Nov 13, 2012	Annexure A	5-19
05	Copy of Departmental Appeal Dated. 19.03.2021	Annexure B	20

Man
10/9/21
District Education Officer
(Female) Peshawar

*Clerk of the Council of
the Appellate: Asim Bhatt*

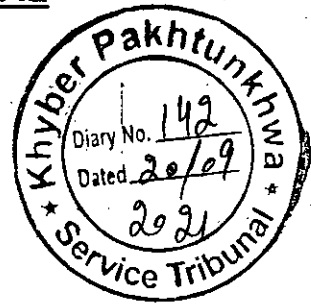
87

1

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Service Appeal No. 4755/2021

Mst: Khadija Bibi PST GGPS Muhammad Gul..... Appellant



Versus

District Education officer (F) Peshawar and other..... Respondents.

Comments on behalf of respondents No.03 and No. 04.

Preliminary objections.

- That the appellant have got no cause of action, locus standi to file the instant appeal.
- That the appeal is not maintainable.
- That the appellant has not come to this Court with clean hands.
- That the appellant has concealed material facts from the honorable court.

Respectfully Sheweth.

1. Pertain to record.
2. Correct to the extent of appointment as PST, however, it was a project post purely on temporary basis during project period.
3. That the appellant was re-appointed by the respondent department in the year 2013 on contract regular non pensionable basis.
4. Subject to record.
5. Correct to the extent that in notification Nov 13, 2012 the method of recruitment and promotion was laid down by the E&SE with consultation of Establishment and Finance department.
Further amended in the (APT) rules were made in 29.07.2014 for specific subject and not for all.
6. The amendment was made in PST BPS-12 for the promotion to the post of SST due to less no of teachers for promotion in PSHT, SPST especially for SST (Science Groups).
This amendment was not made for the promotion of PET.
7. Correct to the extent that a representative was compulsory for DPC meeting. After completion of process, the orders of the promotee teachers were issued.
8. Incorrect. The DPC meeting was for both male and female. In male there was a PSHT teacher who was promoted while there was no female PSHT, SPST teacher for promotion to the post of Physical Education Teacher (PET). Hence the post was advertised for initial recruitment.
9. The provisions contained in sub rule 2 of rule 3 of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 and is supersession of all notifications issued in this, the Elementary and Secondary Education Department in consultation with the Establishment Department and the Finance Department laid down the method of recruitment, qualification and others conditions which is applicable to all the posts including PET which is specified in the notification No. SO(PF)-4-5/SSRC/Meeting/2012(Teaching Cadre) dated. 13.11.2012. (Copy of the rules, policy is attached as Annexure "A").

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10. Incorrect. In compliance to the judgment of the honorable High Court Peshawar Dated. 25.08.2020 in W.P No. 3453-P/2020 the respondent No 3 being appellate authority gone through the whole case and rejected the appeal of the appellant according to the rules and policy. (Copy of the decision of the departmental appeal is attached as Annexed "B").

11. This para is legal and need no reply.


ON GROUNDS

- A. Correct to the extent that every citizen have equal rights and opportunities according to constitution of Islamic Republic of Pakistan. The respondents being bound by the rules regulations made by the Govt from time to time.
- B. Incorrect. The appellant has treated according to rules, law and policy and no rights of the appellant has been violated.
- C. Incorrect. The respondents no 03 being bound by law, rules and policy, having gone through the whole case/appeal and decided it according to the rules laid down by the Govt for the post of (PET)
- D. Incorrect. The respondent's No. 03 and 04 are bound by law, rules and policy and while doing the whole process, no rights of the appellant has been violated.
The appellant has the diploma of Physical Education teacher but she does not fall on criteria which is needed for promotion to the said post.
- E. As elucidated in para D.
- F. Incorrect. The appellant is having the prescribed qualification but the post PST BPS-12 in which she is working not allowing her to promote to the post of PET. PSHT BPS-15 and SPST BPS-14 are allowed but PST BPS-12 is not allowed for promotion to the post of (PET) under the existing rules and policy.
- G. This para is legal and need no reply.

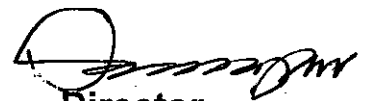
PRAY.

In light of the above cited facts and legal position it is humbly prayed that the case of the appellant may kindly be dismissed.


2


Secretary
E&SE Khyber Pakhtunkhwa
Peshawar

3


Director
E&SE Khyber Pakhtunkhwa
Peshawar

4


15/9/21
District Education Officer
(Female) Peshawar

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3

BEFORE THE SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 4755/2021

Mst. Khadija Bibi PST GGPS Muhammad Gul.....Appellant

Versus

DEO (F) Peshawar and others.....Respondent

AFFIDAVITE

I Muhammad Haroon Assistant District Officer (Lit) HSD Peshawar do hereby solemnly affirm and declare that the contents of the accompanying para wise comments submitted and correct to the best of my knowledge and belief nothing has been concealed from this honorable court.

Identified By:-

Additional Advocate General Service tribunal
Khyber Pakhtunkhwa Peshawar

Handwritten signature of Mr. Muhammad Haroon

Deponent
Mr. Muhammad Haroon
CNIC: 17301-8609968-1
Mobile: 0330-5165571

ATTESTED



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AUTHORITY LETTER

Mr. MUHAMMAD HAROON Assistant District Officer (Litigation) Hassan Khel
Sub Division Peshawar (Ex-FR) having CNIC No. 17301-8609968-1 of the District
Education Officer (F) Peshawar (do here by authorized for court cases on the
behalf of District Education officer (Female) Peshawar.

B
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24/8/21

District Education officer
(F) Peshawar



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 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 and in supersession of all Notifications issued in this behalf, the Elementary and Secondary 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. 3. 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.
3. The Secretary to Govt. of Khyber Pakhtunkhwa, Law Department.
4. The Secretary Khyber Pakhtunkhwa, Public Service Commission Peshawar.
5. The Accountant General, Khyber Pakhtunkhwa Peshawar.
6. The Director (E&SE) Khyber Pakhtunkhwa Peshawar.
7. The Director Education (FATA), Peshawar.

*Ali Akbar
Hamm*

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"A"

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- 8. The Director Curriculum & Teachers Education Abbottabad.
- 9. The Director (PITE) Khyber Pakhtunkhwa Peshawar.
- 10. The Director ESRI, Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.
- 11. The Director Database (EMIS) E&SE Department.
- 12. All District Coordination Officers in Khyber Pakhtunkhwa.
- 13. All Executive District Officers Elementary & Secondary Education in Khyber Pakhtunkhwa.
- 14. All District Accounts Officers in Khyber Pakhtunkhwa / Agency Accounts Officers FATA.
- 15. All Agency Education Officers FATA.
- 16. P.S to Governor, Khyber Pakhtunkhwa.
- 17. P.S to Chief Minister, Khyber Pakhtunkhwa.
- 18. P.S to Chief Secretary, Khyber Pakhtunkhwa.
- 19. P.S to Minister E&SE Khyber Pakhtunkhwa Peshawar.
- 20. P.S to Secretary E&SE Department.
- 21. Master File.

[Handwritten Signature]
 Section Officer (Primary)

Attested
[Handwritten Signature]

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APPENDIX

7

S.No.	Nomenclature of the post.	Minimum qualification and experience for initial appointment or by transfer.	Age limit.	Method of recruitment.
1.	2.	3.	4.	5.
1.	Secondary School Teacher (BPS-16).	(i) Second class Bachelor's Degree with two subjects as Chemistry, Botany, Zoology, Physics, Mathematics, Statistics Humanities and other equivalent groups from a recognized University; or (ii) M.A in Education or Bachelor's Degree in Education, from a recognized University.	18 to 35 years.	(a) Fifty percent by promotion on the basis of seniority-cum-fitness, in the following manner: (i) forty per cent from amongst the Certified Teachers (General), Certified Teachers (Agriculture), Certified Teachers (Industrial Arts) 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;

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				(iv) one per cent from amongst the 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.
2.	Senior Arabic Teacher (SAT) (BPS-16)			By promotion, on the basis of seniority-cum-fitness, from amongst Arabic Teachers, with at least five years service as such and having qualification as prescribed for initial recruitment of Arabic Teacher.
3.	Senior Theology Teacher (STT) (B-16).			By promotion, on the basis of seniority-cum-fitness, from amongst Theology Teachers, with at least five years service as such and having qualification as prescribed for initial recruitment of Theology Teacher.
4.	Senior Certified Teacher (SCT)(General) (BPS-16).			By promotion, on the basis of seniority-cum-fitness, from amongst Certified Teachers (General), with at least five years service as such and having qualification as prescribed for initial recruitment of Certified Teacher (General).

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5.	Senior Certified Teacher (Industrial Arts) (BPS-16)		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).
6.	Senior Certified Teacher (Agriculture) (BPS-16)		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).
7.	Senior Drawing Master (BPS-16)		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.
8.	Senior Certified Teacher (SCT) (Home Economics) (BPS-16)		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).
9.	Senior Physical Education Teacher (BPS-16)	<p><i>Assisted</i></p> <p><i>[Signature]</i></p>	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 recruitment of Physical Education Teacher.

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10.	Arabic Teacher (AT) (BPS-15).	(i) Second Class Secondary School Certificate, from a recognized Board with Shahdatul Alamia Fil Uloomul Arabia wal Islamia from a recognized Tanzimatul Wafaqul Madaris: or Darul-Uloom-Saidu-Sharif-Swat, Darul-Uloom Charbagh Swat, Darul Uloom Chitral, Darul Uloom Darosh Chitral and any other Government run Darul Uloom, as notified by the Government from time to time; or (ii) Second Class Master's Degree in Arabic from a recognized University.	20 to 35 years.	By initial recruitment <i>Approved</i>
11.	Theology Teacher (TT) (BPS-15).	(i) Second Class Secondary School Certificate, from a recognized Board with Shahdatul Alamia from a recognized Tanzimatul Wafaqul Madaris, or Darul Uloom Saidu Sharif Swat, Darul Uloom Charbagh Swat, Darul Uloom Chitral, Darul Uloom Darosh Chitral and any other Government run Darul Uloom, as notified by the Government from time to time; or (ii) Second Class Master's Degree in Islamiyat from a recognized University.	20 to 35 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 qualification prescribed for initial recruitment of Theology-Teacher: <u>Note:</u> In case of non availability of suitable person for promotion, then by initial recruitment.
12.	Senior Qari (BPS-15).			By promotion, on the basis of seniority-cum-fitness, from amongst Qaris, with at least five years service as such and having qualification prescribed for initial recruitment.
	Certified Teacher (General) (BPS-15).	Bachelor's Degree or equivalent qualification from a recognized University with Certified Teacher	18 to 35 years.	(a) Forty per cent by initial recruitment; and

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(97)

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-cum-fitness, 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 recruitment.

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14. Certified Teacher (Industrial Arts) (BPS-15).

(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

18 to 35 years.

(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

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(b) Bachelor's Degree from a recognized

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University with nine months training from any Government Agro Technical Teacher Training Center of the Level of Certified Teacher, Agro technical (Industrial Arts).

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(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 Teachers with at least five years service and having qualification prescribed for initial recruitment of Certified Teacher (Industrial Arts).

Note: In case of non availability of suitable person for promotion, then by initial recruitment.

15.

Certified Teacher (Agriculture) (BPS-15):

- (i) Bachelor's Degree from a recognized University with one year training in 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
- (ii) Bachelor's Degree with Agriculture as one of the subject, from a recognized University: or
- (iii) Bachelor's Degree from a recognized

18 to 35 years.

- (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 (Agriculture):

Provided that if no suitable candidate is available amongst the

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any Government Agro Technical Teacher Training Center of the Level of Certified Teacher, Agro technical (Agriculture).

promotion, then the posts will be filled by promotion 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 Certified Teacher (Agriculture).

Note: In case of non availability of suitable person for promotion, then by initial recruitment.

16.

Certified Teacher (Home Economics) (BPS-15).

- (i) Bachelor's Degree with Home Economics, as one of the subject, from a recognized University with in service training from Government Agro Technical Teacher Training Center; or
- (ii) Certified Teacher Certificate with Home Economics, as one of the subjects, from any Government Training school or college with Bachelor's Degree; or
- (iii) Bachelor's Degree from a recognized University with nine months training from Government Agro Technical Teacher Training Center of the level of the Certified Teacher Agro Technical (Home Economics); or
- (iv) Bachelor's Degree, from a recognized

18 to 35 years.

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- (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 as such and having qualification prescribed for initial recruitment of Certified Teacher (Home Economics):

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 Teachers with at least five years service and having qualification prescribed for initial recruitment of

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		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.
17.	Drawing Master (BPS-15)	Bachelor's Degree from a recognized University with one year Drawing Master (DM) course Certificate.	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 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.

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18.	Physical Education Teacher (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.	<p>(a) Eighty per cent by initial recruitment; and</p> <p>(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:</p> <p>Provided that if no suitable candidate 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.</p> <p><u>Note:</u> In case of non-availability of suitable candidate for promotion, then by initial recruitment.</p>
19.	Primary School Head Teacher (PSHT) (BPS-15).			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.
20.	Senior Primary School Teacher (BPS-14).			By promotion, on the basis of seniority-cum-fitness, from amongst Primary School Teachers

Physical Education

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				with at least five years service as such and having qualification prescribed for initial 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.	18 to 35 years.	By initial recruitment on merit at Union Council level: provided that if no suitable candidate is within the Union Council is available, then from the adjacent Union Councils on merit.
22.	Qari (BPS-12).	Intermediate with Hifz-e-Quran and Qirat Sanad from a recognized Institution.	18 to 35 years.	By initial recruitment.

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Assessed from

SCHEDULE

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

Arabic 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 Arabic / Shahdatul Alamia Fil Uloomul Arabia wal Islamia from a recognized Tanzimuatul Wafaqul Madaris	Marks obtained X 20 / total marks = ____
Other MA/MSc/M.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 = ____
MA/MSc/M.Ed / MA Edu	Marks obtained X 20 / total marks = ____
M.A Islamiat / Shahdatul Alamia Fil Uloomul Arabia wal Islamia from a recognized Tanzimuatul Wafaqul Madaris	Marks obtained X 15 / total marks = ____
MPhil/PhD	Marks = 05

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"Allesleer" written vertically.
"Hamid" written below it.

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18

Qari/Qaria

Category of Qualification	Total Marks 100
SSC	Marks obtained X 20 / total marks = ____
Qirt Sanad from a recognized Institution.	Marks obtained X 20 / total marks = ____
HSSC	Marks obtained X 20 / total marks = ____
BA/BSc	Marks obtained X 20 / total marks = ____
MA/MSc/ M.Ed / MA Edu	Marks obtained X 15 / total marks = ____
MPhil/PhD	Marks = 05

*All scores
to be
added*

*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 score obtained by a candidate during his selection
HSSC	Marks obtained X 20 / total marks = ____	
BA/BSc	Marks obtained X 20 / total marks = ____	
CT Certificate/ Diploma in Education /ADE.	Marks obtained X 20 / total marks = ____	
MA/MSc/M.Ed / MA Edu	Marks obtained X 15 / total marks = ____	
MPhil/PhD	Marks = 05	

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Drawing Master

Category of Qualification	Total Marks 100	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 score obtained by a candidate during his selection
HSSC	Marks obtained X 20 / total marks = ____	
BA/BSc	Marks obtained X 20 / total marks = ____	
DM Certificate	Marks obtained X 20 / total marks = ____	
MA/MSc/M.Ed / MA Edu	Marks obtained X 15 / total marks = ____	
MPhil/PhD	Marks = 05	

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Physical Education Teacher

Category of Qualification	Total Marks 100	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 score obtained by a candidate during his selection
HSSC	Marks obtained X 20 / total marks = ____	
BA/BSc	Marks obtained X 20 / total marks = ____	
JDPE or Equivalent Certificate	Marks obtained X 20 / total marks = ____	
MA/MSc/M.Ed / MA Edu	Marks obtained X 15 / total marks = ____	
MPhil/PhD	Marks = 05	

Alissa
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DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION DEPARTMENT KHYBER PAKHTUNKHWA

NOTIFICATION

1. **WHEREAS**, the appellant namely Mst Khadija Bibi is serving as PST (BS-12) at Govt. Girls Primary School Muhammad Gul Killi, Sub-Division Hassan Khel (Ex-FR Peshawar).
2. **AND WHEREAS**, the Departmental Promotion Committee has not promoted the teacher concerned to the post of PET as she was not eligible for promotion under policy November 13, 2012. The Policy for promotion to the post of PET is reproduced as below;

Nomenclature of the post	Minimum qualification and experience for initial appointment or by transfer	Age Limit	Method of recruitment
Physical Education Teacher (BPS-15)	Bachelor's Degree from recognized University with one year Diploma in Physical Education Course or Army equivalency or other equivalent qualification.	18-35	(a) Eighty percent by initial recruitment, and (b) Twenty percent by promotion on the basis of seniority cum- fitness, from amongst the primary school Head Teacher with at least five years service and having qualification prescribed for initial recruitment Physical Education Teacher. Provided that if no suitable candidate 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. In case of non-availability of suitable candidate for promotion, then by initial recruitment.

3. **AND WHEREAS**, feeling aggrieved, Mst. Khadija Bibi filed W.P No. 3453-P/2020 case titled Khadija Bibi VS Govt. of KPK & Others, in the Honorable Peshawar High Court Peshawar with the prayer that " It is therefore, most humbly prayed that on acceptance of this writ petition, an appropriate writ may kindly be issued by declaring non-inclusion of the Primary School Teacher (PST) BPS-12 for promotion to the post of physical education teacher BPS-15 as illegal, discriminatory, against the fundamental rights as enshrined in the constitution, against the principles of policy, and be liable to be declared so and the impugned notification dated 13-11-2012 through which the appointment, promotion & Transfer Rule 1989 were issued by the respondents department may kindly be declared illegal and discriminatory to that extent by directing them to insert the post of PST BPS-12 for promotion to the post of PET BPS-15 , the same was decided vide judgment dated 25.08.2020 with the directions to the Secretary Elementary & Secondary Education Department Khyber Pakhtunkhwa for decision in accordance with law.
4. **AND WHEREAS**, the petitioner has been provided opportunity of personal hearing who apprised the Committee regarding her grievances, upon which The ADEO (Litigation), Hassan Khel Sub-Division provided record pertaining to her grievances

Now therefore, in compliance of the Judgment dated 25-08-2020 of the Honorable Peshawar High Court Peshawar, & having gone through the whole case record along with consulting the relevant provision under Section-21 of General Clauses Act 1897 as amended in 1956, read with APT Rules 1989 & In exercise of the powers conferred upon the undersigned in a capacity of an Appellate Authority, the Departmental Appeal of the petitioner is hereby stand rejected as she was not eligible for promotion under policy November 13, 2012.

DIRECTOR,
(E&SE) Department Khyber
Pakhtunkhwa, Peshawar.

Endst: No: 3810-151 Dated Peshawar the 19/03/2021

Copy forwarded for information & n/action to the:-

- 1 Additional Registrar Judicial Peshawar High Court Peshawar.
- 2 Addl: Advocate General Peshawar High Court Peshawar
- 3 District Education Officer (M) Sub-Division Hassan Khel.
- 4 Section Office (Lit-I), Elementary & Secondary Education Department KP.
- 5 Mst Khadija Bibi serving as PST (BS-12) at Govt. Girls Primary School Muhammad Gul Killi, Sub-Division Hassan Khel (Ex-FR Peshawar).
- 6 PA to Director local office.

Assisted
[Signature]

[Signature]
19/3/2021
Deputy Director (Estab)
Merged Areas 2/19/3/21

107

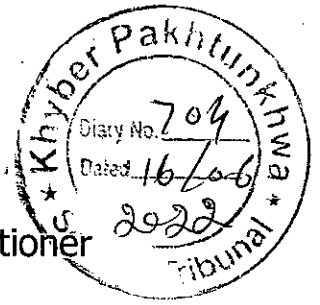
SCANNED
KPST
Peshawar

BEFORE THE KP SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 4755/2021

Khadija Bibi

..... Petitioner



Versus

District Education Officer (Female) Peshawar & others

..... Respondents.


Application for impleadment of the (1) Secretary Govt. of Khyber Pakhtunkhwa, Finance Department, Peshawar & (2) Secretary Govt. of Khyber Pakhtunkhwa, Establishment Department, Peshawar being necessary parties in the panel of respondents.

Respectfully Sheweth:

1. That the above noted service appeal is pending before this Hon'ble Tribunal and is fixed for today i.e. 16.06.2022.
2. That the appellant has challenged the amendment in Rule which were effected in consultation with (1) Secretary Govt. of Khyber Pakhtunkhwa, Finance Department, Peshawar & (2) Secretary Govt. of Khyber Pakhtunkhwa, Establishment Department, Peshawar, therefore, they being necessary parties may be impleaded in the above titled service appeal in the panel of respondents.

3. That it will be in the interest of justice and equity for just deposit of the case that the above mentioned respondents may kindly be impleaded as respondents.

It is, therefore, humbly prayed that on acceptance of this application, the above mentioned respondents may kindly be arrayed as respondents in the instant service appeal.


Petitioner

Through

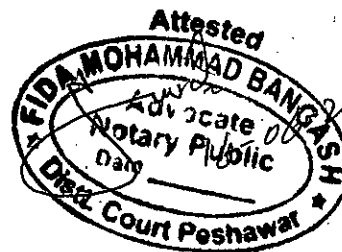

Nasir Mehmood

Advocate Supreme Court.

AFFIDAVIT

I, do hereby solemnly declare that the accompanying Application is true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.

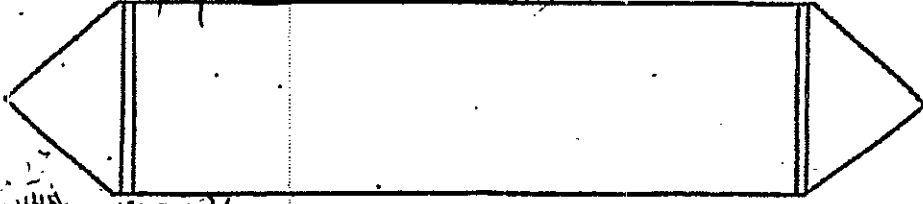

Deponent





SCANNED
KPST
Peshawar

بعدالت سرورین راجیونا KPK



ایڈیٹور
2021 جنوری

ہدایتی بنام گورنمنٹ

موزخہ
مقدمہ
دعویٰ
جرم

باعث تحریر آنکے

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی اور جواب دہی دیکھ کر کارروائی متعلقہ
آن مقام پر ~~مقدمہ~~ کیلئے ~~مقدمہ~~ کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز
دیکھ صاحب کو رضی نامہ کرنے و تقرر تاملتہ فیصلہ برحلف دیے جواب دہی اور اقبال دعویٰ اور
بصورت ڈگری کرنے اجراء اور صولی چیک ور پیسہ اور عرضی دعویٰ اور درخواست ہر قسم کی تصدیق
زر اس پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یا بطریقہ یا ایمل کی برادگی اور مشورتی
نیز دائر کرنے ایمل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور
کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ لیا جائے بجائے تقرر کا اختیار
ہوگا۔ اور صاحب مقرر شدہ کو کسی دہی جملہ مذکورہ یا اختیارات حاصل ہوگی کے اور اس کا ساختہ
پر واضح منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ دہر جائے تو اس کے لئے ~~مقدمہ~~ کے لئے ~~مقدمہ~~ ہوگا
کوئی تاریخ پیشی مقام دورہ پر یا حد سے باہر ہو تو وکیل صاحب پابند نہیں گے۔ کہ پیروی
مذکورہ کریں۔ لہذا وکالت نامہ لکھ دیا کہ سند ہے۔

2021
واہ

الرقوم

کے لئے منظور ہے۔

پیشاد

بمقام

Handwritten signature or initials.

Handwritten signature or initials.