

BEFORE THE HONOURABLE SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA PESHAWAR

Service Appeal No. 1865/2024


Muhammad Noor Sultan

VS

Government of KPK

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Deponent

01

Khyber Pakhtunkhwa
Service Tribunal

Dinry No. 17545

Dated 04/11/24

BEFORE THE HONOURABLE SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA PESHAWAR

Service Appeal No. 1865/2024

Muhammad Noor Sultan **VS** **Government of KPK**

PARA WISE COMMENTS ON BEHALF OF RESPONDENT



Preliminary objections

- 1) That the appeal is not maintainable and incompetent in the eyes of Law in the present form.
- 2) That the appellant is estopped due to his own conduct to file this appeal.
- 3) That the appellant has got no cause of action and locus standi to file instant appeal.
- 4) That the appellant has not come to the Tribunal with clean hands and has suppressed all relevant facts.
- 5) That the appeal is bad for mis-joinder and non-joinder of necessary parties.
- 6) That the Honourable Service Tribunal has no jurisdiction to entertain the instant appeal in its present form.
- 7) That the appeal has been mis-oriented, mis-constructed and mistakenly drawn and is incompetent in its present form and context, and is liable for Rejection.
- 8) That the appeal is weak having no force, fabricated, fictitious, based on ill will, malafide and having no footings in the eyes of law.
- 9) That as per Section 10 of Civil Servants Act, 1973, every Civil Servant shall be liable to serve anywhere within or outside the province.
- 10) That the Order Impugned has been acted upon and compliance has been made, therefore, the instant appeal is infructuous.
- 11) The Private Respondent has already assumed charge at the new place of duty within the stipulated time and his pay has been active from the new station of duty i.e Dy: DEO(M)DIKhan.
- 12) That proceeding with the instant appeal would be a futile exercise and just wastage of the precious time of this Honourable Tribunal.
- 13) That as stated in the objections supra, the appeal is bereft of cause of action and is liable for dismissal.

Respectfully Sheweth

- 1) This para pertains to the address of parties and services of appellant as SDEO(M) (BS-17) Management Cadre in the respondent department.
- 2) Para pertains to the previous service appeal 76/2022 of the appellant, which was decided vide judgment dated 05.07.2022. It is further submitted that on the said appeal/judgment appellant filed Execution Petitions No. 223/23 & 558/23

and followed by CM 270/23. Hence the matter in Service Appeal No. 76/2022 is closed and past transaction.

- 3) This para is related to the EP No. 223/2023 on the judgment in service appeal No. 76/2022.
- 4) This para is related to the EP No. 558/2023 on the judgment in service appeal No. 76/2022.
- 5) Correct. Appellant was working as SDEO(M)DIKhan and he was authorized look after charge of the post of Dy: DEO(M)DIKhan vide order dated 27.09.2023 as he is BS-17 officer and later on he was appointed as Dy: DEO(M)DIKhan on Own Pay and Scale (OPS) basis vide Notification dated 01.12.2023 on stop gap arrangement.
- 6) This para is related to the Service appeal No. 2586/2023 of the private respondent which was dismissed vide judgment dated 12.02.2024. It is further submitted that the present appellant filed EP No. 775/2022 on the said judgment which was dismissed by this Honourable Tribunal. Hence the matter in the said service appeal is the closed and past transaction.
- 7) This para is related with the judgment in service appeal No. 2586/2023 of the private respondent No. 03 as discussed above.
- 8) No comments 
- 9) That the appellant was transferred from the post of Dy: DEO(M)DIKhan and his services were placed at the disposal of Directorate of E&SE KP Peshawar vide Notification dated 28.06.2024. The appellant is aggrieved from this transfer order and therefore he filed departmental appeal before the Secretary E&SE KP Peshawar on 29.06.2024. Through instant departmental appeal the appellant requested to the Secretary E&SE KP Peshawar to withdraw the transfer order dated 28.06.2024. 

Whereas the private respondent No. 03 was appointed as Dy: DEO(M)DIKhan vide Notification dated 19.07.2024 against the vacant post on stopgap arrangement in the light of Service Rules of Management Cadre Posts. The appellant also filed departmental appeal against this order as appellant does not have any concern with this transfer order because on 28.06.2024 he was transferred to Directorate of E&SE KP Peshawar. In this appellant once again discussed the matter of Service Appeal No. 2586/2023. It is further submitted that after departmental appeal dated 20.07.2024 appellant filed EP No. 775/2024 which was dismissed by this Honourable Tribunal. The Appellant is a

Civil Servant and as per Section 10 of Civil Servants Act, 1973, "Any Civil Servant shall be liable to serve anywhere within or outside the province in any post under the Federal Government or any Provincial Government".

- 10) Incorrect / not admitted. The appellant has got no cause of action. The appellant was appointed on Own Pay and Scale (OPS) as appellant is BS-17 officer and he was posted on the post of Dy: DEO BS-18 post on stopgap arrangement. Therefore, the respondent No. 02 rightly transferred him to the Directorate of E&SE KP Peshawar for further posting against the post of BS-17. The service appeal of the appellant is an exercise in futility. Further proceeding in this regard would bear no fruit. It is, therefore, requested to this Honourable Tribunal to dismiss the Service Appeal of the appellant with cost.

Objections on Grounds

- A. Incorrect / not admitted. The act of the respondents was according to law, based upon the natural principle of justice. No discrimination had been made with the present appellant. The appellant worked as SDEO in the District DIKhan since Aug 2020 to June 2024. In this tenure he got transfer from one Sub-Division to other within the District DIKhan. The present appellant did not work out of DIKhan District as SDEO, this material fact has been concealed from this Honourable Tribunal. Moreover transfer and posting could not be claimed as matter of right and only could determine as to which officer was suitable for which place (2013 PLC (CS) 864 and 1991 PLC (CS) 374) & Civil Servant could not claim posting at a particular station or at the place of his choice (2004 PLC (CS) 705).
- B. Incorrect and not admitted. Strongly denied. The stance of the appellant is having no truth and is totally false and fictitious. This act of the respondents cannot be declared against the law on any ground whatsoever but the straight away rejection of present Service Appeal. That in the impugned notification, the present appellant was transferred from the post of Management Cadre and his services were placed at Directorate of E&SE KP Peshawar (Management Cadre) whereas the private respondent No. 03 was posted as Dy: DEO(M) as stopgap arrangement. The private respondent assumed the charged of the post of Dy: DEO (M) DIKhan. The present appellant did not concern with the posting of private respondent as he is Management Cadre Officer (BPS-17) and was posted as at Disposal of Directorate for further posting as Assistant Director/SDEO (BPS-17). Hence the present appellant is required to report to the Directorate of E&SE for further

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posting as Assistant Director/SDEO (BPS-17) at Directorate of E&SE KP Peshawar.

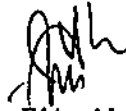
- C. Incorrect, strong denied. The impugned order was issued in best public interest as the appellant is BS-17 officer and he was posted as stopgap arrangement. The private respondent No. 03 is BS-18 officer therefore he was rightly posted as Dy: DEO(M)DIKhan. The appellant is interested to prolong his tenure at his choice station in spite of past and closed transaction after assumption of charge by the private respondent.
- D. Incorrect/ not admitted and strongly denied. The Appellant is management cadre officer of BS-17 and was transferred to the management cadre post (Directorate of E&SE) in the best public interest by the Competent Authority after fulfilling all legal and codal formalities; therefore, the appellant has got no cause of action or locus standi to file the present service appeal for his grievances before this Honourable Tribunal. Whereas the private respondent No. 03 was appointed as stopgap arrangement against the vacant post. He was appointed in the light of Elementary & Secondary Education Department Notification No. SO(SM)E&SED/3-2/2016/SSRC of M.C dated 27-03-2019 notified for Management Cadre of E&SE Department. The ibid Service Rules reflects that the posts of Management Cadre Officers from (BPS-17) to (BPS-20) shall be filled from the Management Cadre Officers, **provided that if no suitable officers is available from Management Cadre Officers then by transfer of officer from teaching cadre.**
- E. Incorrect / not admitted. The appellant raised this issue earlier before this Honourable Tribunal in EP No. 775/2024 and this Honourable Tribunal was pleased to dismissed the said Execution Petition vide order dated 09.10.2024. Hence appellant had not right to raised this issue once again before this Honourable Tribunal. (Annexure A)
- F. Incorrect / not admitted. The stance of the appellant in EP No. 775/2024 was dismissed by this Honourable Tribunal. Hence the appointment of respondent No. 03 is the past and closed transaction. It is therefore requested to this Honorable Tribunal to dismiss the present service appeal of the appellant.
- G. Incorrect / not admitted. The respondent No. 02 is working as per law, rule and policies of the Government. The respondent No. 02 is law abiding citizen of the Islamic Republic of Pakistan. In the light of Elementary & Secondary Education Department Notification No. SO(SM)E&SED/3-2/2016/SSRC of M.C dated 27-03-2019 notified the service rules for Management Cadre of

E&SE Department. The ibid Service Rules reflects/permit that the posts of Management Cadre Officers from (BPS-17) to (BPS-20) shall be filled from the Management Cadre Officers, **provided that if no suitable officers is available from Management Cadre Officers then by transfer of officer from teaching cadre.** The teaching cadre's incumbents are posted against the Management Cadre posts due to shortage / non-availability of Management Cadre Officers as stopgap arrangement. The incumbents of Teaching Cadre against the Management Cadre Officers will be replaced as and when Management Cadre Officers become available. (Annexure B)

H. The counsel for respondents may kindly be allowed to raise additional grounds at the time of arguments.

Pray

It is, further, requested to this Honourable Tribunal to dismiss the Service Appeal of the appellant because the Service Appeal of the appellants is only an exercise in futility as the appellant was transfer to the Directorate of E&SE KP Peshawar in the best public interest.



Mr. Fiaz Alam

Additional Secretary

On behalf of

Secretary

Elementary & Secondary Education Department

Khyber Pakhtunkhwa Peshawar

(Respondent No12) 

Masood Khan

06
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BEFORE THE HON'BLE SERVICE TRIBUNAL PESHAWAR

Service Appeal # 1865/2024

Muhammad Noor Sultan SDEO(BS-17)..... Appellant

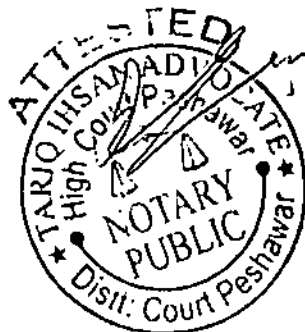
VERSUS


Secretary E&SE Govt. of Khyber Pakhtunkhwa & others..... Respondents

AFFIDAVIT

I, **Fiaz Alam**, Additional Secretary (Estab), Elementary & Secondary Education, Department do hereby solemnly affirm and declare that the contents of the accompanying para-wise comments, submitted by the respondents, are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.

It is further, stated on oath that in this appeal the answering Respondents have neither been placed ex-parte nor has their defense been struck off/costs




(Fiaz Alam)
Additional Secretary (Estab)
E&SE Department
on behalf of
SECRETARY E&SED
(Respondent No. 01&02)

BEFORE THE HONOURABLE SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA PESHAWAR

Service Appeal No. 1865/2024

Muhammad Noor Sultan

VS

Government of KPK

Authority

I, Respondent No. 2 do hereby authorized Dr. Khalid Saeed Akbar Litigation Officer DIKhan to attend this Honourable Service Tribunal KPK Peshawar on behalf of respondents in connection with submission of para wise comments and till the decision of the service appeal.



Mr. Fiaz Alam

Additional Secretary

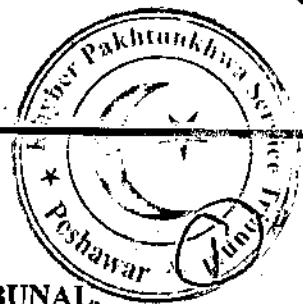
On behalf of

Secretary

Elementary & Secondary Education Department

Khyber Pakhtunkhwa Peshawar

(Respondent No. 2)



BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,
PESHAWAR

Execution petition No: 775/2024
In Service Appeal No.2586 /2023

Khyber Pakhtunkhwa
Service Tribunal
Diary No. 14470
Dated 24-07-2024

Muhammad Noor Sultan, Deputy DEO (Male) (Management Cadre)
District Dera Ismail Khan

.....**PETITIONER**

VERSUS

1. Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Department Khyber Pakhtunkhwa Peshawar.
2. Dr. Asim Saeed, (BPS 18) (Teaching Cadre) Education Department D.I.Khan

.....**RESPONDENTS**

EXECUTIVE/ IMPLEMENTATION PETITION UNDER
KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT
1974 (AS AMENDED) FOR IMPLEMENTATION THE
JUDGMENT DATED 12.02.2024, PASSED BY THIS
HONOURABLE TRIBUNAL IN SERVICE APPEAL
NO.2586/2023, TITLED AS DR. ASIM SAEED VS GOVT. OF
KPK ETC.

Respected Sheweth:-

BRIEF FACTS:-

The petitioner respectfully submits as under:-

- 1.
- 2.

That, present petitioner was respondent No.4 in above titled service appeal.

That, the present petitioner is serving as DDEO (Male) in Education Department. previously he was authorized to look-after the charge of post of DDEO (Male) vide notification dated 27.09.2023 and subsequently was posted as DDEO (Male) DIKhan vide Notification dated 01.12.2023 (Copy of Notification dated 27.09.2023 & 01.12.2023 are Annexed as A&A1)

That, being dissatisfied with Notification dated 27.09.2023 & 01.12.2023, the present respondent No.2 (Dr. Asim Saeed) filed service appeal No.2586/2023 before this Hon'ble Tribunal against respondent department as well as against present petitioner which

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

21-10-23

was dismissed with some observations vide Judgment dated 12.02.2024, which is reproduced as under:-


"With observation to post the appellant on the position of Principal for which he was appointed" same was submitted to respondent no.1 vide dated 16/03/2024. (Copy of Judgment dated 12.02.2024 & application dated 16/03/2024 are annexed as B & B1).

4. That, during the proceeding of the above said appeal, this Hon'ble Tribunal observed that present respondent No.2 belong to Teaching cadre whereas the post of DDEO (Male) is administrative post and also into consideration of his appointment order according to which he was appointed as Principal and being school specific post, he could not be transferred to any other position, not even any other post of teaching cadre. While issuing the impugned order dated 27.09.2023, this fact was not kept in view, in our opinion, it would have been in the fitness of mater to post the appellant on the position i.e Principal for which he was appointed. (Copy of Appointment Notification dated 25.08.2015 is annexed as C)

5.
6.

That, vide judgment dated 12.02.2024, this Hon'ble Tribunal was pleased to direct the official respondents to post the appellant on the position of Principal for which he was appointed.

That, petitioner were transferred and directed to report to Directorate of E&SE vide Notification dated 28.06.2024 and subsequently very surprisingly Dr. Asim Saeed Teaching cadre (Appellant in Service Appeal No.2586/2023, which was dismissed vide Judgment dated 12.02.2024), again has been appointed/ posted as DDEO (Male) DIKhan vide Notification dated 19.07.2024, in gross violation of the verdict of the judgment dated 12.02.2024 of this Hon'ble Tribunal. The said Dr. Asim Saeed (respondent No.2) is Principal and belongs to teaching cadre whereas the petitioner is Management cadre. The act of the respondent department is not only against the mandate of the judgment of this Hon'ble Tribunal but also contemptuous one as this Hon'ble Tribunal clearly directed the respondents to post the respondent No.2 on the position of Principal for which he was appointed. Copy of Notifications dated 28.06.2024 & 19.07.2024 is enclosed as Annexure "D-D1".

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Mithamir

7. That, Dr. Asim Saeed (respondent No.2) is Principal belongs to teacher cadre and prior to the judgment dated 12.02.2024, he has

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been appointed as Teacher. Whereas this Hon'ble Tribunal also directed the respondent department to post the appellatant on the position of Principal for which he was appointed. The petitioner also made representation to the official respondents regarding the appointment of Respondent No.2 (teaching cadre) against administrative post, but of no avail and respondent No.2 being Principal of teaching cadre is again appointed as DDEO (Male) DIKhan vide Notification dated 19.07.2024 which is also clear violation of the judgement of this Hon'ble Tribunal (Copy of representation dated 11.07.2024 of the petitioner is enclosed as Annexure "E".

3

8.

That, the acts of official respondents is clear violation of the judgment dated 12.02.2024, of this Hon'ble Tribunal and contemptuous of the judgment of this Hon'ble Tribunal.

In view of the above noted facts and circumstances this Honourable Tribunal will be pleased to direct the official respondent to implement the judgment dated 12.02.2024, of this Hon'ble Tribunal in letter and spirit and recall the transfer order of the teaching cadre (respondent No.2) from the post of Management cadre and be appointed as Principal and petitioner be restored to his post as DDEO (Male) DIKhan.

3

Dated: 20/07/2024

Your Humble Petitioner

3

ATTESTED

Signature of official respondent
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Signature of Muhammad Noor Sultan
Muhammad Noor Sultan

Through Counsel

Signature of Khalid Mahmood

Khalid Mahmood

Advocate High Court DIKhan

0336-4330001

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4

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

Execution petition No: /2024

In Service Appeal No.2586 /2023

Muhammad Noor Sultan, Deputy DEO (Male) (Management Cadre)
District Dera Ismail Khan

.....PETITIONER

VERSUS

1. Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Department Khyber Pakhtunkhwa Peshawar.
2. Dr. Asim Saeed, (BPS 18) (Teaching Cadre) Education Department D.I.Khan

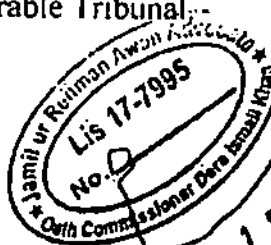
.....RESPONDENTS

AFFIDAVIT

I, Muhammad Noor Sultan, Deputy DEO, Petitioner do hereby solemnly affirm and declare on oath that the para-wise contents of the instant Execution Petition are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Tribunal.

Identified by Counsel

Khalid Mahmood
Advocate High Court DIKhan
0336-4330001



Deponent

M. Noor Sultan

12103-1489991-7

Certified to be true copy

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

21-10-24

| | |
|---|---------------|
| Khyber Pakhtunkhwa Service Tribunal, Peshawar | 21-10-24 |
| Application No. (214) | Date 21-10-24 |
| Name of Applicant | Asim Saeed |
| Number of Words/Paragraphs | 4-8 |
| Copying Fee | 20/- |
| Urgent/Ordinary | 5/- |
| Total | 25/- |
| Signature of Counsel | 21-10-24 |
| | 21-10-24 |

(5)

BEFORE THE HONORABLE SERVICE TRIBUNAL,
KHYBER PAKHTUNKHWA

CM Petition No. _____/2024

In Execution Petition No. _____/2024

In line with Service Appeal No.2586 of 2023

Muhammad Noor Sultan, Deputy DEO (Male) (Management Cadre)
District Dera Ismail Khan

.....PETITIONER

VERSUS

1. Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Department Khyber Pakhtunkhwa Peshawar.
2. Dr. Asim Saeed, (BPS 18) (Teaching Cadre) Education Department D.I.Khan

.....RESPONDENTS

APPLICATION WITH THE REQUEST TO SUSPEND THE OPERATION OF NOTIFICATION No. SO(MC)E&SED/4-16/2024/ PT/DDEO/DIK DATED: 19-07-2024 AS WELL AS NOTIFICATION DATED 28.06.2024 ISSUED BY RESPONDENT NO 1, TILL FINAL DECISION OF EXECUTION PETITION AND IN THE MEANWHILE RESPONDENT MAY ALSO BE ABSATINED FROM TAKING ANY ACTION DETRIMENTAL TO THE SERVICE CAREER OF THE PETITIONER.

Respectfully Sheweth,

1. That, Execution Petition is being filed before this Honorable Tribunal and grounds of same may please be considered as an integral part of the subject petition.
2. That, petitioner transferred from Deputy DEO(M) DIKhan to Directorate and Respondent No. 2 (Teaching Cadre) appointed as Deputy DEO (M) DIKhan against management cadre post vide notification dated 19.07.2024 which is clear cut violation of the judgements of High Court as well as this Honorable Tribunal dated 12.02.2024.
3. That the petitioner has got a good prima facie case on law as well as on facts and there is every likelihood of the success of the Execution Petition. Hence balance of convenience tilts in favor of Petitioner.

B

- 4. That the Notifications are on the basis of nepotism and favoritism, because the tenure of petitioner has not been completed, therefore in case of non-suspension of notifications, the petitioner will suffer an irreparable loss.

It is, therefore, humbly prayed that on acceptance of the present CM petition, the operation of Notification dated 19.07.2024 as well as notification dated 28.06.2024 may please be suspended and respondents may please be desisted from taking any action detrimental to the service career of petitioner till decision of service appeal.

Yours Humble Applicant

M. Sultan
Muhammad Noor Sultan

Through Counsel

Khalid Mahmood
Khalid Mahmood,
Advocate High Court
Stationed at D I Khan
0336-4330001

Dated 20/07/2024

AFFIDAVIT

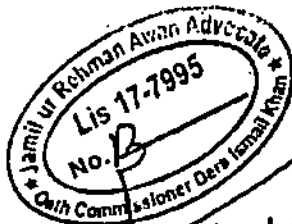
I, Mr. Muhammad Noor Sultan, DDEO (Male) (Management Cadre) do hereby solemnly affirm and declare on oath that all the Para-wise contents of this CM are true and correct to the best of my knowledge and nothing has been concealed deliberately from this Honorable Court.

Identified by Counsel:
Khalid Mahmood
Advocate High Court
Stationed at D.I.Khan

Deponent

M. Sultan

12103-1489991-7



16/20/7/24



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar
Phone No. 091-9210626

Imran (A)

~~Asim~~

(7)

Dated: 27th September, 2023

NOTIFICATION

NO.SO(MC)E&SED/2-J/2022/Promotion/MC/Asim Saeed/DDEO(M): Duo to administrative exigencies Mr. Asim Saeed, (TC BS 18), Deputy DEO (Male) D.I.Khan is hereby transferred posted as Subject Specialist (Islamiyat BS-18) GHSS Ramak D.I.Khan against the vacant post, with immediate effect.

Consequent upon the above, Muhammad Noor Sultan SDEO (M) D.I.Khan is hereby authorized to hold the Look After charge for the post of Deputy DEO (Male) D.I.Khan, in addition to his own duties, as stop gap arrangement, purely on temporary basis, till the arrival of regular officer, in the best public interest.

SECRETARY TO THE GOVT: OF KHYBER PAKHTUNKHWA
E&SE DEPARTMENT

1st of even No. & date:

Copy forwarded for information to the:

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director, E&SE Khyber Pakhtunkhwa, Peshawar.
3. Director EMIS, E&SE Department with the request to upload the same on the official website of the department.
4. Section Officer (School Male) E&SE Department.
5. District Education Officer (Male) D.I.Khan.
6. District Accounts Officer D.I.Khan.
7. PS to Secretary, E&SE Department, Khyber Pakhtunkhwa.
8. Officers concerned.
9. Master file.

Imran Zaman
Distt. Education Officer
(Male) D.I.Khan

11/4
(IMRAN ZAMAN)

SECTION OFFICER (Management Cadre)

ATTESTED

KHALID
Advocate High Court
Stationed at D.I.Khan

ORDER

09.10.2024

1. Learned counsel for the petitioner present. Mr.



Shah, Assistant Advocate General alongwith Dr. Khalid Saeed

Litigation officer for the respondents present.

2. Petitioner through instant petition seeks implementation of the judgment dated 12.02.2024 passed in service appeal No. 2586/2023.

Perusal of judgment reveals that appeal of the appellant (present private respondent) was dismissed with observation that appellant be posted on position of Principal. For execution of judgment there must be decree in

favour of the petitioner but in the instant case no such order was passed in favour of the petitioner, rather appeal of the appellant was dismissed

and no relief was granted to any of the parties. Under Section 10 of a civil servants Act 1973, posting of such a civil servant to post is the prerogative of the authority, who after considering all the factors and

suitability of the civil servant post him to a post upon which he can perform efficiently in the large public interest. Therefore, in my humble view, the petitioner has no *locus standi* to file present application for

implementation of the judgment, wherein no executable order has been passed by this Tribunal, hence the same is hereby dismissed. File be consign to record room.

3. *Pronounced in open court in Peshawar and given under my hand and seal of the Tribunal on this 9th day of October, 2024.*

Certified to be true copy

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal.
Peshawar

21-10-24

Rashida Bano
Member (J)

Khyber Pakhtunkhwa Service Tribunal, Peshawar
Application No. 214 Date 21-10-24
Name of Applicant Ahsan Bilal
Number of Words/Pages 1-p
Copying Fee 5/-
Urgent/Ordinary 8/-
Total 10/-
Name of Copyist Seebhan
Date of Application 21-10-24
Date of Payment 21-10-24



A/S

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GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

NOTIFICATION

Peshawar, dated the July 15, 2020

O.SO(SM)E&SED/3-2/2016/SSRC of M.C: In pursuance of the provision contained in sub-rule (2) of rule-3 of the Khyber Pakhtunkhwa Province Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 and in supersession of this Department's Notification No. SO(SM)E&SED/3-2016/SSRC of MC dated 27-03-2019, the Elementary & Secondary Education Department, in consultation with the Establishment Department and Finance Department, hereby lays down the method of recruitment, qualification and other conditions specified in Column No. 3 to 5 of the Appendix to the Notification which shall be applicable to the posts of Schools Management Cadre under the Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar and Directorate of Curriculum & Teachers Education Khyber Pakhtunkhwa Abbottabad as specified in Column No. 2 of the said Appendix.

APPENDIX

| # | Nomenclature of the Post | Minimum Qualification for Appointment by Initial Recruitment or by Transfer | Age Limit | Method of Recruitment |
|---|--------------------------|---|-----------|---|
| 1 | 2 | 3 | 4 | 5 |
| 1 | Director (BPS-20) | | | <p>By promotion, on the basis of seniority-cum-fitness, from amongst the District Education Officers and Additional Directors (Male and Female) with at least five year service in BPS-19 as such and having successful completion of Senior Management Course.</p> <p>Provided that if no suitable officer is available for promotion then by transfer of BPS-20 officer.</p> <p>Note: For the purpose of promotion, a joint seniority list of District Education Officers and Additional Directors (Male and Female) shall be maintained.</p> |

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| | | | |
|---|-----------------------|--|---|
| <p>by promotion, on the basis of seniority-cum-fitness, amongst the Deputy District Education Officers and Deputy Directors (Male and Female) with at least seven year service in BPS-18 or twelve year service in BPS-17 and above and such officer shall undergo six weeks post promotion training on the following modules, namely:</p> <ul style="list-style-type: none"> i. Financial Management; ii. HR Management; and iii. Information Technology; <p>Provided that if no suitable officer is available for promotion then by transfer of BPS-19 officer.</p> | | | <p>Senior District Education Officer/Deputy Director (BPS-19) (Male and Female)</p> |
| <p>(a) Eighty Percent by promotion, on the basis of seniority-cum-fitness, from amongst the Sub-Divisional Education Officers and Assistant Directors (Male/Female) with at least five year service as such and such officers shall undergo six weeks post promotion training on following modules, namely:</p> <ul style="list-style-type: none"> i. Financial Management; ii. HR Management; and iii. Information Technology; <p>Provided that if no suitable officer is available for promotion then by transfer of BPS-18 officer, and</p> <p>(b) twenty percent by initial recruitment.</p> | <p>25 to 45 years</p> | <ul style="list-style-type: none"> i. M.Phil in Education from recognized University with three years teaching or administrative experience in Government recognized educational institutions or offices; or ii. at least Second Class Master's Degree or BS (four years) and Bachelor's Degree of Education from recognized University with five years teaching or administrative experience in BPS-17 and above in Government recognized educational institutions or offices; or iii. at least Second Class M.A/M.Sc with Second Class M.Ed/M.A (Education Planning and Management) or equivalent qualification from a recognized University with at least five years teaching or administrative experience in Government recognized educational institutions or offices. | <p>Deputy District Education Officer/Deputy Director (BPS-19) (Male and Female)</p> |
| <p>100% by promotion on the basis of seniority-cum-fitness from amongst Assistant Sub-Divisional Education Officers and Assistant District Education Officers (Male and Female) with at least five years service and Bachelor's Education (B.Ed)</p> | <p>21 to 40 years</p> | <ul style="list-style-type: none"> i. At least Second Class M.A/M.Sc or BS (four years) from recognized University; ii. at least Second Class Bachelor's of Education from a recognized University; and iii. three years teaching or administrative experience in Government recognized institutions or offices. | <p>Sub-Divisional Education Officer/Assistant Director (BPS-17) (Female).</p> |