

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

Service Appeal No: 399/2024

Gul Muhammad Shah Ex-SST District Swat.....Appellant

VERSUS

The Director E&SE Department & others.....Respondents.

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**SAMINA ALTAF
DIRECTOR**



**AUTHORIZED OFFICER
ABDUS SAMAD
DEPUTY DIRECTOR
E&SE Department Khyber
Pakhtunkhwa, Peshawar**

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

Service Appeal No: 399/2024

Gul Muhammad Shah Ex-SST District Swat.....Appellant

VERSUS

The Director E&SE Department & others.....Respondents

JOINT PARAWISE COMMENTS ON BEHALF OF RESPONDENTS No: 1 to 8

Respectfully Sheweth,

Khyber Pakhtunkhwa
Service Tribunal

The Respondents submit as under: -

Dist. No. 18159

PRELIMINARY OBJECTIONS.

Dated 20/11/24

- 1 That the Appellant has got no cause of action/locus standi to file instant appeal.
- 2 That the appellant is not an aggrieved person within the meaning of Section-4 Khyber Pakhtunkhwa Service Tribunal Act 1974 read with Article-212 of the constitution of Islamic Republic of Pakistan 1973.
- 3 That the appellant has concealed material facts from the ambit of this Honorable Tribunal.
- 4 That the appellant has not come to this Honorable Tribunal with clean hands.
- 5 That the appeal in hand is based on mala fide intentions for gaining illegal service benefits of annual increments since 1990 to 1993 seniority w.e.f 1993 till 05-02-2024 against the SST in BPS-16 from the Department in violation of the Rules.
- 6 That the appeal in hand is time barred by law and limitation.
- 7 That the appeal in hand is bad for mis-joinder and non-joinder of the necessary parties.
- 8 That the impugned Notifications dated 20-5-2020, whereby, the appellant has been promoted to the post of SST in BPS-16 is legal & liable to be maintained on the grounds of being final under the of limitation.
- 9 That the Notification dated 30-03-2009 of the Finance Department Govt: of KP is not applicable upon the case of the appellant of being effective with immediate effect under the relevant provision of APT Rules, 1989.
- 10 That the grant of seniority under the provision of Section-8 of the Act of 1973 read with Rule-17 of APT Rules 1989 is conditional with the holding of SST post by the appellant & cannot be granted from the date of passing B.Ed as a CT in BPS-15 post by the appellant.

ON FACTS.

- 1 That Para-1 pertains to the service record of the appellant against the SST (M) in BPS-16 post including his retirement from service on the age of (60)

years vide Notification dated 05-02-2024 from the Respondent Department,

- 2 That Para-2 is also pertains to the service record of the appellant against the CT post inducted vide order dated 01-04-1990, however, during his service as CT, the appellant has also passed his B.Ed on 07-09-1993 & finally promoted to the post of SST in BPS-16 vide Notification dated 20-05-2020 on the basis of his seniority cum fitness by the Respondent Department (*Copies of the B.Ed Degree & Notification dated 20-05-2020 are attached as Annex-A & B*).
- 3 That Para-3 is incorrect on the grounds that the appellant has served the Department against the CT post for 30 years & finally promoted to the post of SST in BPS-16 vide Notification dated 20-05-2020 by the Respondent No, 1, wherefrom, he is entitled for the grant of seniority against the SST post on the strength of passing of his B,Ed examination on the dated 07-09-1993 on the justification that B.Ed is mandatory for promotion & seniority against the SST post in the Respondent Department under the promotion policy notified on dated 13-11-2012 & 24-07-2014 *attached as Annex-C & D*.
- 4 That Para-4 is also incorrect on the grounds as agitated in Para-3 of the present reply by the Respondents.
- 5 That Para-5 is correct that a Notification No. if the (PRC) 5-2 /2002 dated 30-03-2009 was issued by the Finance Department Govt: of KP, where under, the untrained period of teaching cadres was considered for annual increments but without accrual of arrears of the untrained period meaning thereby, that the said Notification has been made effective with immediate effect instead of from the back date period, whereunder, the appellant is not entitled for the grant of annual increments under the pay revise Rules, 1978 in the respondent Department. (*Copy of the said letter is Annex-E*).
- 6 That Para-6 is also incorrect on the grounds as agitated in Para-3 of the present reply by the Respondent.
- 7 That Para-7 is incorrect on the grounds that the recommendations of the committee No. 26 dated 05-01-2015 are not applicable upon the case of the appellant in terms of the fore-made submission by the Respondents in the present reply.
- 8 That Para-8 is also incorrect as no appeal/application has been filed by the appellant to the proper forum till date, hence, this Para is also denied in the above said terms by the Respondents.
- 9 That Para-9 is also incorrect, hence, denied as no application has been filed by the Department.
- 10 That Para-10 is incorrect, the act of the Department with regard to the denial of grant of annual increments w.e.f 1990 to 1993 against the CT post & seniority grant on the strength of his passing B.Ed examination in 1993 without holding the SST post availed by the appellant in 2020 is legal, therefore, the plea of the appellant is liable to be rejected on the following grounds inter alia: -

ON GROUNDS.

- a) Incorrect & not admitted, the act of the Department with regard to the non-grant of annual increments w.e.f 1990 to 1993 against the CT post & seniority of SST post since 1993 without holding the SST post which has been availed by the appellant in 2020 is legal.

- b) Incorrect & not admitted. The stand of the appellant is against the facts of the case, therefore, liable to be rejected in the above-said terms.
- c) Incorrect & not admitted. the appellant has been treated as per law in terms of the Notification dated 30-03-2009 by the Department, whereunder, he is not entitled for the grant of back date arrears by placing reliance on an order dated 02-06-2021 of the august Supreme Court of Pakistan in CP No. 410/2020 case titled Govt: of Pakistan through Secretary Establishment Division Islamabad Vs Muhammad Ismail & others.
- d) Incorrect & not admitted. The act of the Respondent Department with regard to the afore-said treatment towards the appellant is legal, hence, not entitled for seniority of SST against the CT post on the strength of his B.Ed in 1993 & has correctly awarded seniority against the SST 2020 due to his promotion from CT/SCT to SST post in the Department .
- e) Incorrect & not admitted. as replied above.
- f) Incorrect & not admitted. The stand of the appellant is illegal as the act of the Department with regard to the cited orders is legally competent.
- g) Incorrect & not admitted. being relates to the domestic issues of the appellant.
- h) Incorrect & not admitted. The stand of the appellant is without legal justification & liable to be rejected.
- i) Incorrect & not admitted. as replied above.
- j) Incorrect & not admitted. the act of the Department is in accordance with the provision of the afore-said Judgment of the apex court of law.
- k) Incorrect & not admitted. as replied above.
- l) Incorrect & not admitted. as replied above.
- m) Incorrect & not admitted. as replied in Ground-H by the Respondent Département
- n) Incorrect & not admitted. The act of the Department with regard to the said orders is in accordance with the law & Rules on the subject.
- o) Incorrect & not admitted. as replied above.
- p) Incorrect & not admitted. The appellant is not an aggrieved person within the meaning of Section-4 Khyber Pakhtunkhwa Service Tribunal Act 1974 read with Article-212 of the constitution of Islamic Republic of Pakistan 1973 However, the Respondents also seek leave to this Learned Bench to submit additional grounds record & case law at the time on date of hearing.

(4)

Therefore, in view of the above made submissions, the appeal in hand may kindly be dismissed in favor of the Respondent Department in the interest of justice.

Dated: ____/____/2024

**SAMINA ALTAF
DIRECTOR**



**AUTHORIZED OFFICER
ABDUS SAMAD
DEPUTY DIRECTOR
E&SE Department Khyber
Pakhtunkhwa, Peshawar
Respondent No.1**

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

Service Appeal No: 399/2024

Gul Muhammad Shah Ex-SST District Swat.....Appellant


VERSUS

The Director E&SE Department & others.....Respondents

AFFIDAVIT

I, Samina Altaf, Director E&SE Department Khyber Pakhtunkhwa, do hereby solemnly affirm & declare on oath that the contents of the instant para wise Comments are true & correct to the best of my knowledge & belief. It is further stated on oath that in this appeal the answering Respondents have neither been placed Ex-Parte nor their defense has been struck off/cost.

**DEPONENT
SAMINA ALTAF
DIRECTOR**


**AUTHORIZED OFFICER
ABDUS SAMAD
DEPUTY DIRECTOR
E&SE Department Khyber
Pakhtunkhwa, Peshawar**

ATTESTED


Azmat Akbar
Notary Public
Jinnah Complex Peshawar



**DIRECTORATE ELEMENTARY & SECONDARY EDUCATION
KHYBER PAKHTUNKHWA, PESHAWAR.**

AUTHORITY LETTER

I, Samina Altaf, Director (E&SE) Khyber Pakhtunkhwa Peshawar do hereby authorized Mr. Bahramand Khan, Assistant Director Litigation-II of this Directorate for submission of Joint Parawise Comments in Service Appeal No. 399/2024 case titled Gul Muhammad Shah, Ex-SST District Swat Vs Government of Khyber Pakhtunkhwa & others, hence, an authority letter is hereby issued in favor of the above-named officer.

**(SAMINA ALTAF)
DIRECTOR**

**AUTHORIZED OFFICER
(ABDUS SAMAD)
DEPUTY DIRECTOR
E&SE Department Khyber
Pakhtunkhwa, Peshawar.**

Roll No. 672875



Allama Iqbal Open University

پتہ نمبر 4400

علامہ اقبال اوپن یونیورسٹی

GUL MOHAMMAD SHAH

Regn. No. 91-ASI-0212

کل محمد شاہ

son/daughter of MUBIN

بن / بنت مبین

having completed the prescribed requirements

in RETURN, 19 92 is awarded the degree of

کر خزان ۱۹۹۲ میں منظور شدہ شرائط کو مکمل کرنے پر

Bachelor of Education

He/she secured 55 % marks and was placed

in B grade

کہ درجہ حاصل کرنے میں اس نے ۵۵ فیصد نمبر حاصل کیے

بی۔ ایڈ

ATTA ULLAH
PRINCIPAL
Govt. High School
Srsinai, Dist. Swat

Bill Chancellor

This Degree is to be read in conjunction with the Transcript being annexed at courses passed, issued separately.

Diamabad

Dated: 7TH SEP 1992

Controller of Examinations

[Signature]

۱۹ ستمبر ۱۹۹۲ء

[Signature]



OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE)
SWAT AT GULKADA

PHONE/FAX 9240228
E-Mail
deomswat@gmail.com
www.male.sed.edu.pk
20/05/2020

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NOTIFICATION

Consequent upon the Notification issued by the Director of Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar vide his office Endst: No 681-85/File No.1//Promotion SST (B-16) Dated Peshawar the 05-02-2020. The following SSTs (whose services were placed at the disposal of DEO (M) Swat for further adjustment) are hereby adjusted against the post in the schools noted against each in the interest of public service under the existing policy of the Provincial Government on the terms and conditions given in the afore mentioned notification of the Director Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar with immediate effect.

SST (MATHS & PHYSICS)

S: #	Name	Present School	School Where adjusted	Remarks
01	MR.FAZAL SUBHAN C.T	GHSS MINGORA SWAT	GHS MANAI SWAT	AGAINST VACANT POST
02	MR.IFTIKHAR C.T	GHSS NO 3 MINGORA	GHSS NO 3 MINGORA SWAT	AGAINST VACANT POST
03	MR.ANWAR KHALIQ SPST	GPS SAMSARAY SWAT	GMS DADAHARA SWAT	AGAINST VACANT POST
04	MR.ABDUL QADOOS SPST	GPS DELAY SWAT	GHS QANDIL SWAT	AGAINST VACANT POST

SST (GENERAL)

S: #	Name	Present School	School Where adjusted	Remarks
1	MR ADIL JAN SCT	GHS SERSENAI	GHS SHAH DEHRAI	AGAINST VACANT POST
2	MR.MUHAMMAD ALAM SCT	GHS ASALA	GHS ASALA SWAT	AGAINST VACANT POST
3	MR.SAMIULLAH SCT	GHS NOI MINGORA	GHS NAWAKALY (M)	AGAINST VACANT POST
4	MR.ANWAR IQBAL SCT	GHS AMANKOT	GHS AMANKOT SWAT	AGAINST VACANT POST
5	MR.MUKARAM KHAN SCT	GCMHSS WADOODIA	GCMHSS WADUDIA SWAT	AGAINST VACANT POST
6	MR.FAZAL RAHMAN SCT	GHS TOTANO BANDAI	GHS TOTANO BANDAI	AGAINST VACANT POST
7	MR.MUHAMMAD LAIQ SCT	GHS MATTA	GHSS BAMAKHELA	AGAINST VACANT POST
8	MR.GUL MUHAMMAD SHAH	GHS SWEGALAI	GMS MALOOCH SWAT	AGAINST VACANT POST
9	MR ALAMGIR SCT	GHS UDIGRAM	GHS UDIGRAM SWAT	AGAINST VACANT POST
10	MR.FAZAL AZIM SDM	GHSS KHWAZAKHELA	GHSS BATAI KHWAZAKHELA	AGAINST VACANT POST
11	MR.UMAR ZADA SDM	GHS NO 4 MINGORA	GHSS CHARBAGH	AGAINST VACANT POST

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GOVERNMENT OF THE KHAYBER 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 KHAYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT.

Endst. No. & Date as above.

Copy forwarded to:-

1. The Secretary to Govt. of Khyber Pakhtunkhwa, Establishment Department.
2. The Secretary to Govt. of Khyber Pakhtunkhwa, Finance Department.
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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APPENDIX

S.No	Nomenclature of the post	Minimum qualification and experience for initial appointment or by transfer	Age limit	Method of recruitment
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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				Instructional Material Specialists, such as 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-15)			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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X	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).
X	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	5 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.
X	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	6 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)	(i) Second Class Secondary School Certificate from a recognized Board with Shahdatul Alamiya from a recognized Tanzimatul Wafaqul Madaris or Darul Uloom Saidul 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	years	
7		(ii) Second Class Master's Degree in Arabic from a recognized University.		
11.	Theology Teacher (TT) (BPS-15)	(i) Second Class Secondary School Certificate, from a recognized Board with Shahdatul Alamiya from a recognized Tanzimatul Wafaqul Madaris or Darul Uloom Saidul 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	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. Note: In case of non availability of suitable person for promotion, then by initial recruitment.
12.	Senior Qari (BPS-15)	(ii) Second Class Master's Degree in Islamiyat from a recognized University.		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

for B.Sc and added to the total his selection

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		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.
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 (b) 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

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	<p>University with nine months training from any Government Training Center of the Level of Certified Teacher, Agro technical (Industrial Arts).</p>		<p>(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.</p>
<p>15. 12</p> <p>Certified Teacher (Agriculture) (BPS-15)</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>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>

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

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, 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

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 as such a having qualification prescribed for initial recruitment of Certified Teacher (Home Economics)

Provided that if no suitable candidate is available amongst Primary School Head Teachers promotion, then the posts will be filled 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

posts for B.Sc and added to the total of his selection

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15	Physical Education Teacher (BPS-15)	Bachelor's Degree from a recognized University with one year special diploma in Physical Education course or Army equivalent or other equivalent qualification.	18 to 35	<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>Note: In case of non-availability of suitable candidate for promotion, then by initial recruitment.</p>
16	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.
17	Senior Primary School Teacher (BPS-14)			By promotion, on the basis of seniority-cum-fitness, from amongst Primary School Teachers

15 for B.Sc and added to the total including his selection

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with at least five years service as such and having qualification prescribed for initial recruitment of Primary School Teacher.

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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.

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Qari (BPS-12)

Intermediate with Hiz-e-Quran and Qirat Sanad from a recognized institution.

18 to 35 years

By initial recruitment.

marks for B.Sc and added to the total for his selection

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Annex - C



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

Peshawar, dated the 24th July, 2014.

NOTIFICATION

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

AMENDMENTS

In the Appendix,-

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

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

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1A	Director Physical Education (BPS-17)	At least second class Master's Degree in Physical Education from a recognized University.	22-35 years	<p>recruitment; and (b) — fifty percent by initial recruitment.</p> <p>(a) Fifty percent by promotion, on the basis of seniority-cum-fitness, from amongst Senior Physical Education Teachers (BPS-16), with at least five years service as Senior Physical Education Teacher and Physical Education Teacher and having qualification mentioned in column No. 3;</p> <p>Provided that if no suitable person is available from amongst Senior Physical Education Teachers for promotion then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from amongst the Physical Education 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 25 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="text-align: center;">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>

(3)

ATTESTED

ATTESTED

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ANN - "F"
GOVERNMENT OF N.W.F.P
FINANCE DEPARTMENT
(REGULATION WING)

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NO.FD (PRC) 5-2/2002
Dated Peshawar the: 30-03-2009

To:

The Secretary to Govt. of NWFP,
Elementary & Secondary Education,
Peshawar.

Subject:

GRANT OF ANNUAL INCREMENT / RUNNING
PAY TO UNTRAINED TEACHERS IN THE LIGHT
OF SUPREME COURT JUDGEMENT.

Dear Sir,

I am directed to refer to your letter NO.SO (B&A) 1-16/08/
Advance Increment dated February 27, 2009 on the subject noted above and
to state that the Provincial Government is pleased to allow the benefit of
annual increments to the untrained teachers from the date of their regular
appointment.

No arrears shall however, be admissible / payable prior to the
date of issuance of this circular.

(ABDUL JABBAR)
SECTION OFFICER (SR-1)

Endst: of even No & date.

Copy for information & necessary action to the:

1. Accountant General NWFP.
2. All District Coordination Officers.
3. All District / Agency Accounts Officers NWFP / FATA.

SECTION OFFICER (SR-1)