The appeal of Mr. Fazal Hayat CT GHS Kandi Zarin Khel Hassan Khel District Peshawar received today i.e. on 02.10.2020 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

1- Page Nos. 20 to 24 of the appeal are illegible which may be replaced by legible/better one.

No. 2835 /S.T. Dt. 05/10 /2020.

> KHYBER PAKHTUNKHWA PESHAWAR.

Noor Muhammad Khattak Adv. Pesh.

Note.

Setter Copy of the Selevant page leas been prepared, therefore, De-Sabnitted Looday dalief 16. 10/2020.

FAZAL HAYAT

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL **PESHAWAR**

APPEAL NO	/2020
VS	EDUCATION DEPTT

INDEX

S.NO.	DOCUMENTS	ANNEXURE	PAGE
1	Memo of appeal		1- 4.
2 Stay application			5.
3	Appointment order	Α	6- 8.
4	Educational testimonials B		9- 12.
5	Service rules 24.07.2014 C		13- 19.
6	Notification dated 24.04.2018 D		20- 28.
7	Departmental appeal	E	29.
8	Judgment	F	30- 33.
9	Vakalat nama		34.

APPELLANT

THROUGH:

NOOR MOHAMMAD KHATTAK ADVOCATE



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL **PESHAWAR**

APPEAL NO. 12220/2020

Khyber Pakhtukhwa Service Tribunal

Mr. Fazal Hayat, CT (BPS-15), GHS Kandi Zarin Khel, Hassan Khel, District Peshawar.

... APPELLANT

VERSUS

- 1- The Government of Khyber Pakhtunkhwa through Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
- 2- The Secretary Finance Department, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
- 3- The Secretary Establishment Department, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
- 4- The Secretary, E&S Education Department, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
- 5- The Director, E&S Education, Khyber Pakhtunkhwa, Peshawar.

<u>APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA</u> SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED SERVICE RULES NOTIFIED ON 24-7-2014 WHEREBY NOT INCLUDING THE SUBJECT OF COMPUTER SCIENCE IN THE **ELIGIBILITY CRITERIA FOR PROMOTION OF CT's TO THE** POST OF SST (BPS-16) AND AGAINST THE SERVICE RULES NOTIFIED ON 24-4-2018 TO THE EXTENT OF S. NO. 2 COLUMN NO.5 OF THE TABLE WHEREBY NO QUOTA HAS BEEN ALLOCATED FOR APPELLANT CADRE i.e. CT AND AGAINST NOT TAKING ACTION ON THE DEPARTMENTAL Filedto-dasAPPEAL OF THE APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS.

PRAYER:

That on acceptance of this appeal the impugned service rules Notified on 24-07-2014 may kindly be amended/ modified to the extent of serial No. 1B column No.3 of the table by including/ inserting the computer science subject of the appellant in column No. 3 and the impugned service rules dated 24-04-2018 may kindly be amended/ modified to the extent of Serial No. 2 in column No.5 of the table by allocating promotion quota for the appellant's cadre i.e. CT and the respondents may further please be directed to consider the appellant for promotion to the posts of SST (BPS-16) or SST (IT) with all back benefits. Any other remedy which this august Service Tribunal deems fit that may also be awarded in favor of the appellant.

Re-submitted to -day and filed.

R/SHEWETH: ON FACTS:

Brief facts giving rise to the present appeal are as under:

- 4- That it is further to mention here that the respondents vide notification dated 24-04-2018 notified service structure/ rules for the different cadres of Information technology including the post of Secondary School Teacher- Information Technology SST (BPS-16) on Serial No.2 and in column No.5 of the table wherein eligibility for promotion to the post of SST-IT was mentioned as follows:
 - a) Fifty percent by promotion on the basis of senioritycum-fitness from amongst the Certified Teacher-IT with five years service as such and having the qualification prescribed for the post of Secondary School Teacher -IT.

b) Fifty percent by initial recruitment.

5- That appellant felling aggrieved from both of the notifications mention above had preferred a departmental appeal/

- 6- That other colleagues of the appellant filed writ petition No. 596-P/2019 before the August Peshawar High Court, Peshawar and the same was dismissed as not maintainable and the Honorable Peshawar High Court issued directions to approach the proper forum i.e. Khyber Pakhtunkhwa Service Tribunal Peshawar vide judgment dated 03-09-2020. Copy of the judgment dated 03-09-2020 is attached as annexure.
- 7- That having no other remedy the appellant preferred the instant appeal on the following grounds amongst others.

GROUNDS:

33

- A- That the by not including the subject of computer science in the impugned service rules dated 24-07-2014 and not allocating the quota for appellant cadre i.e. CT in the impugned service rules dated 24-04-2018 is against the law, facts, norms of natural justice and materials on the record hence not tenable and liable to be modified/ rectified to the extent that subject of computer science in the eligibility criteria in the service rules dated 24-07-2014 may be included and the quota of the appellant cadre be allocated in the service rules dated 24-04-2018.
- B- That appellant has not been treated in accordance with law and rules by the respondent Department on the subject noted above and as such the respondents violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.
- C- That the said service rules dated 24.7.2014 and 24.4.2018 are violative of Section-9 of the Civil Servant Act, 1973 read with Rule-7 of the Appointment, Promotion and Transfer Rules, 1989.
- D- That the respondents acted in arbitrary and mala fide manner while issuing the impugned service rules dated 24-07-2014 and dated 24-04-2018 by not including the subject of computer science and not allocating the promotion quota for the cadre of appellant quota.
- E- That the act and action of the respondents is discriminatory, therefore not tenable and liable to be modified/ rectified.
- F- That under Article 38(e) of the Constitution of Pakistan 1973 state is bound to reduce disparity in the income and earning of the individuals including persons in the various service of Pakistan.

G- That appellant seeks permission to advance other grounds and proofs at the time of hearing.

It is therefore, most humbly prayed that the appeal of the appellant may be accepted as prayed for.

Dated: 01.10.2020.

APPELLAIN

FAZÁL HAYAT

THORUGH:

NOOR MOHAMMAD KHATTAK

KAMRAN KHAN

SHAHZULLAH YOÛŞAFZAI

R

MIR ZAMÁN SAFI ADVOCATES

(**I**)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

APPEAL NO		/2020
FAZAL HAYAT	VS	GOVT: OF KPK

APPLICATION FOR CONDONATION OF DELAY IN FILING THE ABOVE NOTED APPEAL

R.SHEWETH:

- 1- That the appellant has filed an appeal along with this application in which no date has been fixed so for.
- 2- That the appellant prays for the condonation of delay in filing the above noted appeal inter alia on the following grounds:

GROUNDS OF APPLICATION:

- A- That valuable rights of the appellant are involved in the case hence the appeal deserve to decide on merit.
- B- That it has been the consistent view of the Superior Courts that cases should be decided on merit rather on technicalities including the limitation. The same is reported in 2002 PLC C.S 1388, 2004 PLC (CS) 1014 and 2003 PLC (CS) 76.

It is therefore prayed that on acceptance of this application the delay in filing the above noted appeal may please be condoned.

APPELLANT

THROUGH:

NOOR MOHAMMAD KHATTAK ADVOCATE

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

C.M. NO)	/2020
	IN	
APPEAL NO.		/2020

FAZAL HAYAT

VS

GOVT: OF KPK & OTHERS

APPLICATION FOR RESTRAINING THE RESPONDENTS
NOT TO FILL UP THE SECONDARY SCHOOL TEACHER
(BPS-16) POSTS FROM PROMOTION QUOTA TILL THE
FINAL DISPOSAL OF THE INSTANT APPEAL

R.SHEWETH:

- 1. That, the appellant has filed the above titled service appeal before this Honorable Tribunal in which no date has so far been fixed.
- 2. That, appellant filed the above mentioned service appeal against the impugned service rules dated 24.7.2014 & 24.4.2018 whereby no promotion quota has been allocated for CT Cadre.
- 3. That, all the three ingredients required for grant of stay are in favor of the appellant.
- 4. That, any other ground would be taken at the time of arguments with prior permission of this Honorable Tribunal.

It is therefore, most humbly prayed that on acceptance of this application the respondents may kindly be restrained not to fill up the posts of SST (BPS-16) & SST (I.T) from promotion quota till the disposal of the instant service appeal.

FAZAL HAYAT

THROUGH:

NOOR MOHAMMAD KHATTAK

ADVOCATE, High Court Peshawar



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

No. 7136-40/ Dated 07.06 2013

APPOINTMENT.

Consequent upon interviewed by the Selection Committee, the following Male Candidate of FR Peshawar Domicile holder is hereby appointed as C.T teacher in BPS-9 (Rs.6200-380-17600) PM plus usual Allowances with effect from the date of his taking over charge in the following school in the interest of public service on the following terms and conditions:-

S.No.	Name.	Father Name	Posted at		Domicle	Remarks.
1	Fazal Hayat	Ihsanullah	GHS Kandow	FR	Jana Kor	Against
			Peshawar.			Vacant post

TERMS AND CONDITIONS.

- 1) Charge report should be submitted to all concerned.
- 2) If the candidate wishes to resign his post he will give one Month prior notice or his pay for one month will be forfeited in lieu thereof.
- 3) He should produce his original Certificates/documents for verification/entry in S/Book.
- 4) He should produce his health and age Certificate from the Medical Superintendent Concerned.
- 5) He may not be handed over charge if his age is below 18 years or above 35 years age.
- 6) If he fails to report within 15 days then will be treated as cancelled automatically.
- 7) If any technical legal flaw is pointed out the appointment will stand as cancelled.

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) Principal GHS Kandow FR Peshawar.
- 4) AAEO (M) FR Peshawar.
- 5) Candidate Concerned.

AGENCY EDUCATION OFFICER

7



OFFICE OF THE AGENCY EDUCATION OFFICER FR PESHAWAR

BLOCK: 8 NEAR INFORMATION DEPTI KHYBER ROAD, PESHAWAR, K.P.K

Phone No. 091-9210145 No. 9736- 40 Dated 6/8/2014

Award of BPS -14.

Consequent upon passing of B.Sc Examination in 2nd Division from University of Peshawar, Mr. Fazal Hayat, CT GHS Kandaw FR Peshawar is allowed BPS-14 (Rs.8000-610-26300)with effect from 07.06.2013, the date of taking over charge as admissible under the rules Vide Govt. of Khyber PakhtunKhwa finance Department Notification No FD (PRC)1-1/89 dated 07.08.1991.

Note:-Necessary entry to this effect should be made in his service book and other office record.

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) Principal GHS Kandaw FR Peshawar.
- 3) Accountant Local Office.
- 4) AAEO(M) FR Peshawar
- 5) Teacher concerned.

AGENCY EDUCATION OFFICER

FR PESHAWAR.

4



OFFICE OF THE AGENCY EDUCATION OFFICER FR PESHAWAR

BLOCK: 8 NEAR INFORMATION DEPTT: KHYBER ROAD, PESHAWAR, K.P.K Phone No. 091-9220145

8

NOTIFICATION

In compliance of issued vide secretary Govt: of Khyber Pakhtunkhwa (E&SE) Department ..., Reshawar Notification No. SO/(B&A)1-18/E&SE/2012 dated 11.07.2012 and director Education FATA, Peshawar Endst: No. 20551-70 dated 25.11.2013 sanction is hereby accorded to the up-gradation of post with immediate effect for grant of incentive of Higher pay scale to the different categories/Cadres of teachers(Male/Female) in FR Peshawar.

S.#	Nomenclature of Teaching Cadre Post	Location	Existing Basic Pay Scale	Up- (graded BPS	Remarks
1.	СТ	Govt. Middle/High/Higher Secondary School	BPS-9 BPS-10 BPS-12 BPS-14	BPS-15	All the existing posts of CT are up-graded to BPS-15 for the present incumbents to the post as well as further appointeds.
2.	PET	-do-	BPS-9 BPS-10 BPS-12 BPS-14	BPS-15	All the existing posts of PET are up-graded to BPS-15 for the present incumbents to the post as well as further appointees.
3.	DM .	-do-	BPS-9 BPS-10 BPS-12 BPS-14	BPS-15	All the existing posts of DM are up-graded to BPS-15 for the present incumbents to the post as well as further appointees.
4.	AT	-do-	BPS-9 BPS-10 BPS-12 BPS-14	BPS-15	All the existing posts of AT are up-graded to BPS-15 for the present incumbents to the post as well as further appointees.

(Syed Hussain Afridi) Agency Education Officer FR Peshawar

Endst: No. 9379-87 Dated 26 105 12014.

Copy to the: -

1. Secretary Social Sectors Department FATA Secretariat Peshawar.

2. Deputy Commissioner/Political Agent Peshawar.

3. Director Education (FATA) Peshawar.

4. Addl: Accountant General (PR) sub- Office Peshawar.

5. Principal/ Headmistress concerned.

AAEO(M/S) ER Prublima

marie Oall

Agency Education Officer

FR Peshawar

A

297277 S.No. Roll No. <u>83411</u> Board of Intermediate and Secondary Education Peshawar N.W.J.P. Pakistan **Secondary School Certificate Examination SESSION 2004 - ANNUAL** (Science Group) Ihsan Ullah _Son / Daughter of __ This is to Certify that _____ Fazal Hayat has passed the Secondary School Certificate and a student of Govt. High School Kandi Zarin Khel F.R Peshawar Examination of the Board of Intermediate and Secondary Education, Peshawar held in March/April, 2004 as a Regular candidate. He / She obtained 521 Marks out of 850 and has been placed in Grade B Representing Very Good The Candidate passed in the following subjects: 7 Chemistry Mathematics 3. Islamiyat 1. English 8. Biology 4. Pakistan Studies 6. Physics 2. Urdu Date of birth according to admission form January 04,1988 Asstt Secretary

This certificate is issued without alteration or erasur

S.No. 216539 Roll No. 62736 **Marks Improved** Group. Pre-Engineering Board of Intermediate and Secondary Education Peshawar N.W.F.P. Pakistan INTERMEDIATE EXAMINATION **SESSION 2007-ANNUAL** Ihsan Ullah and a resident of has passed the Intermediate Examination of the Board of Intermediates Secondary Education, Ceshawar held in May, 2007 as a Private candidate. He obtained 497 Marks out of 1100 and has been placed in grade ____ D_ Representing ____ Fair ___ The examination was taken as a whole. Issued in lieu of Certificate Roll No 3110 (Inter Supplementary 2006) Secretary Asstt Secretary This certificate is issued without alteration or erasure



Hnibersity Of Peshawar

(Pakistan)

Session: Annual 2009



FAZAL HAYAT		S on O f	IHSAN	<u>I ULLAH</u>	and a
Student Of	Govt: Superior	Science College,	Peshawar		having Passed the
prescribed examination held in	<u>June 2009</u>	is this day adı	nitted by the	Unibersi	ty Of Peshawar to
the Degree of	Bachelor	of Science		in _	2nd Division

The examination was taken as a whole

Registration No. 280

2007-SP-2258

Rell Na.

7876

C.N.I.C.M.

22501-4145137~9

Result Declared on

October_19, 2009





Meaistrax

mal

Vice Chancellor



University Of Peshawar

Session: _	Annual 2011	(Pakistan)	•	
	FAZAL HAYAT		IHSAN ULLAH	and a
Student Of	Brains	Post Graduate College Hayatak	oad Peshawar	having Passed the
prescribed e	xamination held in	July 2011 is this day admi	tted by the Univers	ity Of Peshawar to
the Begree o	f <u>Master</u>	of Science in Computer Scienc	e in	2nd Division
The examin	ation was taken <u>as a</u>	Whole_		> 5 0 00
Registration No.	2007-SP-2258	No. 13 Sept.		Registrar
Rati Na.	5728	R. A. C. P. C.		1 Degistrar
C.N.I.CM.	22501-4145137-9	UNIVERS CHEMPS		41

Vice Chancellor

Result Declared on

McCama Sabal Open Aniversity **Islamabad**



105504 Serial No.

Certified that Mr / Ms

FAZAL HAYAT

Son / Daughter of

IHSAN ULLAH

Registration Na

08-NPR-01290

Roll Na AA694695

Semester

SPRING 2009

having met all the requirements under

the semester system is this day awarded the

Certificate of Teaching

He/She has secured

marks

and placed in

grade



Result declared on:

March 30, 2010

Controller of Examinations

Date of issue:

 h_1

March 30, 2013

Note: This certificate is issued without alteration/e
The detail of courses is overleaf.

ALLAMA IQBAL OPEN UNIVERSITY, ISLAMABAD PROVISIONAL RESULT CARD

41,5898 Serial No.

FAZAL HAYAT

IHSAN ULLAH

Father's Name IMDAN OLLHO Address F/O GUNJ BUS STAND C/O MIRBAT KHAN SHOP

Final Semester

Roll No.

AK670239 Registration No. 08NPR01290

SPR-2012



MO 21

PESHAWAR

Tehsil

Name

PESHAWAR

District

BACHELOR OF EDUCATION(B. ED)

has successfully completed

Semester	Course	T:41 6 C	Ma	rks
Semester	Code	Title of Course	Maximum	Obtained
SPR- 11	0651	ENGLISH (COMPULSORY	100	57
SPR- 11	0513	SCHOOL ORGANIZATION	100	58
SPR- 11	0518	EDUCATIONAL PSYCHOLOGY & CURRICULUM	100	62
11 -TUA	0514	EVALUATION GUIDANCE & RESEARCH	100	64
4UT- 11	0653	TEACHING OF CHEMISTRY	100	67
AUT- 11	0656	TEACHING OF PHYSICS	100	61
BPR- 12	0512	PERSPECTIVES OF EDUCATION	100	67
SPR- 12	0652	ISLAM, PAKISTAN AND MODERN WORLD	100	61
SPR- 12	0655	WORKSHOP & TEACHING PRACTICE	100	88
			1	
,				

CREDITS:

Total Marks / Obtained

900 / 585

65

Result Declared on

JANUARY 04,2013

Percentage / Grade

Date of issue

JANUARY 18, 2013

Controller of Examinations

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.

ALLAMA IQBAL OPEN UNIVERSITY, ISLAMABAD

PROVISIONAL RESULT CARD

Serial No

156748

Roll No.

AT624917

Registration No.

08NPR01290

Final Semester

SPR-2016

Marks

. Name

FAZAL HAYAT

Father's Name

IHSAN ULLAH

. Addres

VILLAGE LABI KHEL JANAKOR P/O GUNJ BUS STA

ND C.O MIR BAT KHAN SHOP NO 21

Tehsil

PESHAWAR

District

PESHAWAR

has successfully completed

MASTER OF EDUCATION (M.ED)

SCIENCE EDUCATION

The detail of passed courses is as under

(2/C)



Semester SPR- 13 SPR- 13 SPR- 13 SPR- 13 AUT- 15 AUT- 15 AUT- 15 SPR- 16 SPR- 16 SPR- 16 SPR- 16	Course Code 0831 0837 0838 0840	FOUNDATIONS OF EDUCATION EDUCATIONAL RESEARCH CURRICULUM DEVELOPMENT & INSTRUCTIONS	100 100 100	Obtained 60 66
SPR- 13 SPR- 13 SPR- 13 AUT- 15 AUT- 15 AUT- 15 AUT- 15 SPR- 16 SPR- 16 SPR- 16	0837 0838 0840	EDUCATIONAL RESEARCH	100	
SPR- 13 SPR- 13 AUT- 15 AUT- 15 AUT- 15 AUT- 15 SPR- 16 SPR- 16	0838 0840	—— • • • • • • • • • • • • • • • • • •		66
SPR- 13 AUT- 15 AUT- 15 AUT- 15 AUT- 15 SPR- 16 SPR- 16 SPR- 16	0840	CURRICULUM DEVELOPMENT & INSTRUCTIONS	100	1
SPR- 13 AUT- 15 AUT- 15 AUT- 15 AUT- 15 SPR- 16 SPR- 16 SPR- 16			1	63
AUT- 15 AUT- 15 AUT- 15 AUT- 15 SPR- 16 SPR- 16 SPR- 16	0.005	EDUCATIONAL PSYCHOLOGY	100	63
AUT- 15 AUT- 15 AUT- 15 SPR- 16 SPR- 16 SPR- 16	U695 I	FOUNDATIONS OF SCIENCE EDUCATION	100	58
AUT- 15 AUT- 15 SPR- 16 SPR- 16 SPR- 16	0696	TEACHING STRATEGIES IN SCIENCE	100	61
AUT- 15 SPR- 16 SPR- 16 SPR- 16	0697	ASSESSMENT IN SCIENCE EDUCATION	100	65
SPR- 16 SPR- 16 SPR- 16	0698	LABORATORY ORGANIZATION, MANAGEMENT &	100	56
SPR- 16 SPR- 16	0846	TEACHING STRATAGIES	100	56
SPR- 16	0855	COMPUTER IN EDUCATION	100	56
l i	6506	EDUCATION IN PAKISTAN	100	61
SPR- 10	6507	EDUCATIONAL MEASUREMENT & EVALUATION	100	63

Credit Hours

36

Result Declared on MARCH 17,2017

Date of Issue

APRIL 11,2017

Total Marks/Obtained

Percentage/Grade

1200 / 728

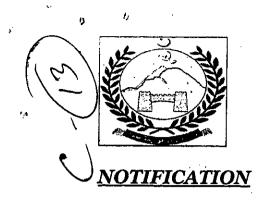
61 / B

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.





GOVERNMENT OF KHYBER PAKHTUNKHWA ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

Peshawar, dated the 24th July, 2014.

A)

No.SO(PE)4-5/SSRC/Meeting/2013/Teaching Cadre: In pursuance of the provisions contained in sub rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Elementary and Secondary Education Department in consultation with the Establishment Department and the Finance Department hereby directs that in this Department's Notifications No.SO(G)S&LD/1-28/2003/Vol-II dated, 09-04-2004, Notification No.SO(G)S&L/1-69/06/Vol-1/DPE/LIB dated, 13-11-2007, and Notification No.SO(PE) 4-5/SSRC/Meeting/2012/Teaching Cadre, dated, 13.11.2012, the following further amendments shall be made, namely:

AMENDMENTS

In the Appendix,-

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

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

•					recruitment; and (b) fifty percent by initial recruitment.
(14)	1A	Director Physical Education (BPS-17)	At least second class Master's Degree in Physical Education from a recognized University.	22-35 years	(a) Fifty percent by promotion, on the basis of seniority-cum-fitness, from amongst Senior Physical Education Teachers (BPS-16), with at least five years service as Senior Physical Education Education Teacher and Physical Education Teacher and having qualification mentioned in column No. 3:
					Provided that if no suitable person is available from amongst Senior Physical Education Teachers for promotion then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from amongst the Physical Education Teachers, 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 cadres of the above teachers, the post falling in their promotion quota shall be filled by initial recruitment; and (b) fifty percent by initial recruitment "; and



(ii) against Serial No. 1B, as so renumbered, for the existing entries, the following Shall be substituted, in respective columns, namely:

	1	2	3	4	5
(\mathcal{S})	"1B.	Secondary School Teacher (BPS-16)	I. At least second class Bachelor Degree's from a recognized University on need basis from the	21 to 35 years.	 Seventy Five per cent by promotion, on the basis of seniority-cum-fitness, from the district concerned in the following manner:
			following groups with two subject (a) (Chemistry, Botany or Zoology), Or (b) (Physics, Maths "A" or "B" or Statistics) Or		(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
			(c) (Humanities and other equivalent groups at degree level with English as compulsory subject;		having qualification mentioned in column No.3: Provided that if no suitable candidate is available from amongst Senior Certified Teachers for promotion
			and II. Bachelor of Education or Master of Education (Industrial Art or Business Education) or M.A Education or equivalent qualifications from a recognized University.		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;
					(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:

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

No.3:

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

(e) three per cent from amongst the Senior Qaris (BPS-16), with at least five years service as Senior Qari and Qari and having qualification mentioned in column No.3:

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

(f) twenty per cent from amongst the Primary School Head Teachers (BPS-16), with at least seven years service as Primary School Head Teachers and Senior Primary School Teachers and Primary School Teachers and having qualification mentioned in column No. 3:

Provided that if no suitable candidate is available from amongst

Primary School Head Teachers for promotion then the post shall be filled by promotion, on the basis of seniority-cumfitness, 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: If no suitable candidate is available in I. the relevant cadre of the above teachers, the post falling in their promotion quota shall be filled by initial recruitment. Posts of General SST and SSTs-1 Science and SST-2 Science shall be filled by promotion or initial recruitment, each on need basis separately.".

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.
- The Secretary to Government of Khyber Pakhtunkhwa, Law Department Peshawar
- 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

(ZAMIN KHAN MOMAND) **SECTION OFFICER (PRIMARY)**

KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, TUESDAY, 24th April, 2018.

GOVERNMENT OF KHYBER PAKHTUNKHWA ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

NOTIFICATION Peshawar dated 24th April 2017

No.SO(G)/E&SE/1-85/I.T/2017:- In pursuance of the provision contained in sub rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, promotion and Transfer) Rules. 1989, and in supersession of the notification issued in this behalf, the Elementary and Secondary Education Department in consultation with the Establishment & Administration Department and Finance Department hereby lays down the method of recruitment, qualification and other conditions specified in column No.2 to 5 of the Appendix to the Notification which shall be applicable to the posts of information Technology Teaching Cadre (Male/Female) in the Elementary and Secondary Education Department as specified in column No.2 of the said Appendix.

APPENDIX:

enclature	C 41 .		S.No. Nomenclature of the Minimum qualification for Age Method of recruitment										
	or the			um qu					Me	thod o	f recru	iitmei	nt
					•	initi	aı	Limit					
•		ı							a)	•	-		by
		l			_		in	35					the
	(SST-	I		-									-
3PS-16)						_				cum-f	itness	f	rom
			or]	Bachelo	r's De	gree	in				-		the
		ĺ	Con	nputer		Science	ce						r-IT
		1	(BC	S/BSC	S Hon	ours	4						ears
•			year	rs) oi	Ba	chelor	's			servic	e as	such	and
			Deg	ree wit	h a su	bject (of						the
			Con	nputer	Scien	ice (or			qualif	ication	ı	
			equi	ivalent	Quali	ficatio	on			prescr	ibed	for	the
			for	a	rec	ognize	ed			post	of S	econo	dary
			Uni	versity;	and	_				Schoo	ol Teac	her I	.T.
		ii.				ee :	in		b)	Fifty	perc	ent	by
			Edu	cation	_		or			initial	recrui	itmen	it.
			equi	ivalent			on						
			-						Pro	ovided	that	if	no
			Uni	versity.		~			sui	table	cand	idate	is
				,					ava	ailable	for p	romo	tion
		No	te:	A cand	lidate	did n	ot		1				itial
									rec	ruitme	_		
		1		-									
		1			_								
		1		date	of								
			-										
1	her Infor	her Information nology (SST-	ndary School i. her Information nology (SST-BPS-16) ii. No har cla sau the	ndary School her Information nology (SST-BPS-16) BPS-16) Con (BC) year Deg Conequifor Unii Bac Edu equ from Uni Note: have the clause same withe	ndary School her Information mology (SST-BPS-16) BPS-16) Graph terms in the state of the state	her Information nology (SST-BPS-16) Master's Degree Computer Scient information Technor or Bachelor's Degree with a su Computer (BCS/BSCS Honyears) or Bachelor Scient equivalent Qualifor a recultiversity; and ii. Bachelor Degree Education (B.E. equivalent qualiform a recultiversity. Note: A candidate have the qualification clause (ii), shall acquive same within three years the date of	recruitment transfer i. At least Second Cla Master's Degree Computer Science information Technolog or Bachelor's Degree Computer Scienc (BCS/BSCS Honours years) or Bachelor Degree with a subject Computer Science equivalent Qualification for a recognize University; and ii. Bachelor Degree Education (B.Ed) equivalent qualification from a recognize University. Note: A candidate did in have the qualification und clause (ii), shall acquire to same within three years fro the date of his/h	recruitment transfer i. At least Second Class Master's Degree in Computer Science or information Technology or Bachelor's Degree in Computer Science (BCS/BSCS Honours 4 years) or Bachelor's Degree with a subject of Computer Science or equivalent Qualification for a recognized University; and ii. Bachelor Degree in Education (B.Ed) or equivalent qualification from a recognized University. Note: A candidate did not have the qualification under clause (ii), shall acquire the same within three years from the date of his/her	recruitment transfer i. At least Second Class Master's Degree in Computer Science or information Technology or Bachelor's Degree in Computer Science (BCS/BSCS Honours 4 years) or Bachelor's Degree with a subject of Computer Science or equivalent Qualification for a recognized University; and ii. Bachelor Degree in Education (B.Ed) or equivalent qualification from a recognized University. Note: A candidate did not have the qualification under clause (ii), shall acquire the same within three years from the date of his/her	recruitment transfer i. At least Second Class Master's Degree in Computer Science or information Technology or Bachelor's Degree in Computer Science (BCS/BSCS Honours 4 years) or Bachelor's Degree with a subject of Computer Science or equivalent Qualification for a recognized University; and ii. Bachelor Degree in Education (B.Ed) or equivalent qualification from a recognized University. Note: A candidate did not have the qualification under clause (ii), shall acquire the same within three years from the date of his/her	recruitment transfer i. At least Second Class Aster's Degree in Master's Degree in Computer Science or information Technology or Bachelor's Degree in Computer Science (BCS/BSCS Honours 4 years) or Bachelor's Degree with a subject of Computer Science or equivalent Qualification for a recognized University; and ii. Bachelor Degree in Education (B.Ed) or equivalent qualification from a recognized University. Note: A candidate did not have the qualification under clause (ii), shall acquire the same within three years from the date of his/her ii. At least Second Class 21- a) Fifty promote the same within three years from the date of his/her	recruitment transfer Indary School i. At least Second Class Master's Degree in Computer Science or information Technology or Bachelor's Degree in Computer Science (BCS/BSCS Honours 4 years) or Bachelor's Degree with a subject of Computer Science or equivalent Qualification for a recognized University; and ii. Bachelor Degree in Education (B.Ed) or equivalent qualification from a recognized University. Note: A candidate did not have the qualification under clause (ii), shall acquire the same within three years from the date of his/her a) Fifty peropromotion basis of cum-fitness amongst Certified Te with five service as a having qualification prescribed post of S School Teac b) Fifty peropromotion basis of science or cum-fitness amongst Certified Te with five service as a having qualification prescribed post of S School Teac b) Fifty peropromotion basis of science or cum-fitness amongst Certified Te with five service as a having qualification prescribed post of S School Teac b) Fifty peropromotion basis of science or cum-fitness amongst Certified Te with five service as an having qualification prescribed post of S School Teac b) Fifty peropromotion basis of science or cum-fitness amongst Certified Te with five service as an having qualification prescribed post of S School Teac b) Fifty peropromotion basis of science or cum-fitness amongst Certified Te with five service as an having qualification prescribed post of S School Teac b) Fifty peropromotion basis of science or cum-fitness amongst Certified Te with five service as an having qualification prescribed post of S School Teac b) Fifty peropromotion basis of science or cum-fitness amongst Certified Te with five service as an having qualification prescribed post of S School Teac b) Fifty peropromotion basis of science or cum-fitness amongst Certified Te with five service as an having qualification prescribed post of S School Teac b) Fifty peropromotion for the fifty peropromotion for the fifty peropromotion for the fifty peropromotic for the fifty peropromot	recruitment transfer Indary School i. At least Second Class Master's Degree in 100 promotion on 100 promoti

D (20)

31)

EXTRAORDINARY

GOVERNMENT



REGISTERED NO. PHI

GAZETTE



KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, TUESDAY, 24th APRIL, 2018.

GOVERNMENT OF KHYBER PAKHTUNKHWA ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

NOTIFICATION

Peshawar, dated: 24th April 2017

No.SO(G)/E&SE/1-85/I.T/2017: 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 the notification issued in this behalf, the Elementary and Secondary Education Department in consultation with the Establishment & Administration Department and Finance Department hereby lays down the method of recruitment, qualification and other conditions specified in column No. 2 to 5 of the Appendix to the Notification which shall be applicable to the posts of Information Technology Teaching Cadre (Male/Female) in the Elementary and Secondary Education Department as specified in column No.2 of the said Appendix:

APPENDIX:

S.No	Nomenclature of the	Minimum qualification for appointment by initial recruitment transfer	Age limit	Method of recruitment
	7 7	3	44	5
	Subject Specialist- Information Technology (SS-IT) (BPS-17)	i. At least Second Class Master's Degree in Computer Science or Information Technology or Bachelor's Degree in Computer Science (BCS/BSCS Honours 4 years) or equivalent qualification from a recognized University; and	21-35	a) Fifty percent by promotion on the basis of seniority-cum-fitness from amongst the Secondary School Teacher-IT with at least five years service; and b) Fifty percent by initial recruitment:
	4_	ii. Bachelor Degree in Education (B.Ed) or equivalent qualification from a recognized University. Note: A candidate did not have the qualification under clause (ii), shall acquire the same within three years from the date of his/her appointment.		Provided that if no suitable candidate is available for promotion, then by initial recruitment.

CIC

1541







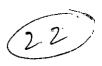
KHYBER PAKHTUNKHWA GOVERNMENT GAZETTE, EXTRAORDINARY, 24th APRIL, 2018 1542

	1542 KHTBER	PARMIONNAWA GOVERNMENT GAZETTE,	EXTITION	tom with a second	
2.	Secondary School Teacher-Information Technology (SST-17) (BPS-16)	i. At least Second Class Master's Degree in Computer Science or Information Technology or Bachelor's Degree in Computer Science (BCS/BSCS Honours 4 years) or Bachelor's Degree with a subject of Computer Science or equivalent Qualification from a recognized University; and	21-35	a). Fifty percent by promotion on the basis of seniority-cumfitness from amongst the Certified Teacher-IT with five years service as such and having the qualification prescribed for the post of Secondary School Teacher-IT.	So/ CT (11)
		ii. Bachelor Degree in Education (B.Ed) or equivalent qualification from a recognized University. Note: A candidate did not have the qualification under clause (ii), shall acquire the same within three years from the date of his/her appointment.		b). Fifty percent by initial recruitment. Provided that if no suitable candidate is available for promotion, then by initial recruitment.	. Sole Fresh
3.	Certified Teacher- Information Technology (CT-IT) (BPS-12)	At least 2 nd Division Intermediate School Certificate or equivalent qualification from a recognized Institution or Board with one year Diploma in Information Technology Computer Science from any recognized institution; and		By initial recruitment.	
	i.	ii. Certified Teacher Certificate (CT) or Associate Degree in Education (ADE) from any recognized institution/ University Note: A candidate did not have the qualification under clause (ii), shal acquire the same within three years			
		from the date of his/he	r L		

SECRETARY TO GOVERNMENT OF KHYBER PAKIITUNKHWA ELEMENTARY & SEOCNDARY EDUCATION DEPARTMENT

Printed and published by the Manager, Staty, & Ptg. Deptt., Khyber Pakhtunkhwa, Peshawar.

GOVERNMENT OF KHYBER PAKHTUNKHWA. ELEMENTARY & SECONDARY EDUCATION DEPARTMENT



Subject: MINUTES OF THE MEETING OF THE SSRC REGARDING ALLOTMENT OF 50% QUOTA TO SST (GEN/SC) FOR PROMOTION TO THE POST OF SS-IT

Meeting of the SSRC regarding the subject matter was held under the Chairmanship of Secretary Elementary & Secondary Education Department on 10/08/2017 at 11:00 am in the committee room of this Department. The following Officers/Officials of the concerned Department/attached Department attended the meeting.

The following attended the meeting:-

1. Dr. Shahzad Khan Bangach, Secretary E&Sh Department

(In Chair)

- 2. Mr. Quisar Alam, Special Secretary (Est.) F&SE Department.
- Mr. Muhammad Rafiq Chattali, Director E&SE, Peshawar.
- 4 Mr. Muhammad Shoaib, Deputy Secretary (A), E&SE Department
- 8. Mr. Javed Siddique, Deputy Secretary (B) Finance Department.
- 6 Mr. Maik Muhammad, Section Officer (Punnary) E&SÉ Department.
- 7. Mr. Mohsin Mushtaq, Assistant (R-D F&AD Department
- The forum was informed that E&SE Department vide Notification No. SOGTE&SED/1-86/SS.F1/2016 of E&SE Department Peshawar dated 15.08.2016 has notified the nomenclature of Information Technology Teaching Cadre/Posts serving in the Government High & Higher-Secondary Schools of Khyber Pakhtunkhwa of E&SE Department, as Subject Specialist-EF (SS-IT/Computer Science) BPS-17 (Annex-A). Further E&SE Department vide Notification No. SO (PE)4-5/SSRC/Meeting/ 2013/ Teaching Cadre: dated 24/07/2014 has approved promotion to SS posts (BPS-17) from SST (BPS-16). The SST regular having 50% quota of the total sanctioned SS posts allotted for promotion (Annex-B). 50% quota has already been allotted for SSTs (General/Science) in 12 different subjects for Subject Specialist Post. But unfortunately, SSTs (General/Science) who have M.Sc (Computer Science)/BS (CS)/MIT qualification and are eligible for promotion to the post of SS (FF) B-17 have no quota for promotion.
 - In light of the above facts, this Department, therefore, proposed that all those SSTs (General/Science) who have M.Sc. (Computer Science)/BS (Computer Science)/MIT may be given 50% quota for promotion to the post of SS (11) B-17 like other SSTs, so as to bring uniformity in the teaching eadre.
 - 4. In the above context, the service rules/structure of SST (General/Science) & SST (IT) were approved as tabulated below: -

(23).(24	Ų

,	•		1.2 1.3 1.3 1.3 1.3 1.3 1.3 1.3 1.3 1.3 1.3
Nomenclature of the post	Minimum Qualification for	Age	Method of recruitment
Š	appointment by initial	Limit	• • •
	recruitment or by transfer.		The state of the properties on
Subject Specialist-Information	i.) Master Degree in	31-35	a). Fifty percent by promotion on
rechnology (SS-IT) (B-17)	Computer Science/IV at [the basis of seniority-cum-
	least at 11 Division or	٠ أ	fitness from among at the
assermment Higher	equivalent qualification		Secondary School Teacher-FT
secondary Schools/ Govt.	from any recognized		with at least five years' service
comprehensive High Schools	University.	1	AND
and other equivalent posts in	Çili (Çili (Cili (Cili (Cili (Cili (Cili (Cili (.	Secondary - School Teacher
he Teaching Cadre.	41.) Bachelor Democ of		(SST) (General/Science)
			overessing master (legree in 11
•		İ	or equivalent qualification with
	least in 2 ²¹ Division	, r	05 years' experience
	from any recognized		
	1 University		b). Fifty percent by initial
	•		10). 1002 100
		_	recruitment.
			Note: If no suitable candidate is
		ľ	1thatsia for mediiolidii iii xiii
-			relevant cadro than by annual
•			recruitment.
			La calculatives
			Their seniority may be clubbed
	1		with SS and aniendment may be
	•		made in the existing service rules.
or the state of th	Buchelor Device with the	21-35	a). Fifty percent by promotion on
Secondary School Teacher	subject of Computer 1999	1	the, basis of seniority-cum-
Information Technology	Science at Lost in 21d	j.	1 1111000 1111111
(SST-11 (B-16)	Division a equivalent		Computer Lab In-charge with
			(05) years' service having the
Gove High Aligher Secondary	recognized institution.	1	qualification prescribed for the
· Schools	1 regeritived management		post of IT Teacher.
Segretaria .		Í	
	In. Bachelor Degree of	i	b). Fifty percent by initia
	Holycation (B. lad) at least	ļ	regrantment.
	in religion from any	!	rectamine.
	recognized maintains.	į	- 15 modilate
			Note: If no suitable candidate i
			available for promotion in the relevant cadre than by initial
		- 1	relevant caure man or man
			recruitment.
	Intermediate or equivalent	18-35	By initial recruitment.
Junior Teacher-Information	qualification from any		
Communey (JT-IT) (B-12)	the second of the second section of the second second section of the second	1	
Govi. High/Higher Secondar	Y recognized in months		
Schools	117/Computer Science from	. !	
	any recognized institution and	'	
1	Centified Teacher	•	
1	Confficate/Diploma or		· A A A A A A A A A A A A A A A A A A A
	The second contraction from	1	. 1
-	equivalent qualification from any recognized institution.		

The committee members discussed the proposed amendments in the service rules arricture for the SST (General/Science) & SST (IT) in depth and were agreed upon unanimously.

dsions:

The following decisions were made in consensus: -



The proposed amendments in the service rules/structure as depicted in the above table was

Nomenclature of the post of CT(IT) was changed as Junior Teacher Information Technology ii.

Squiority of SST (General/Science) & SST (IT) will be clubbed together immediately for the purpose of promotion in light of the above amended service rules for the post of SST 111. (General/Science) & SST (TT) to the post of SS(TT/Computer Science)

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

(Javed Siddique)

Deputy Secretary (R). Finance Department

(Mohsin Mushtaq)

Assistant (R-D, E&AD Deptt:

Naik Muhammad Section Officer (Primary) E&SE Department

Muhammad Shouib

Deputy Secretary (A), E&SE Depti:

(Mohammad Ratkfue Khattak)

Director, E & SE. Peshawar

Special Secretary, E&SE Deput

Dr. Statizad Atam Blugash

Secretary E&SE Department

(Chairman)



GOVT, OF KHYBER PARHTUNKHWA **ELEMENTARY & SECONDARY EDUCATION** DEPARTMENT

Dated: Peshawar, the August 15, 2018

SANCTION



No. SO(B&A)/1-18/2018/IT Teacher: Sanction of the Government of Khyber Pakhtunkhwa, is hereby accorded to the creation of posts of Senior IT Teacher (BS-17), IT Teacher (BS-16) and Computer Lab Incharge (BS-12) for the Government High & Higher Secondary Schools in Khyber Pakhtunkhwa, w.e.f. 08-01-2018 as per detail given below, subject to the observance of all codal formalities before incurrence of expenditure.

Description	Designation of posts	No. of Posts	Remarks
"150539-Establishmedment of	Senior IT Teacher (BS-17)	27	List of schools
500 IT Labs in Govt. High &	IT Teacher (BS-16)	. 172	with their names
Higher Secondary Schools in Khyber Pakhrunkhyo"	Computer Lab Incharge (BS-12)	358	printed on the back side.
man 111 + 1 - 1 - 111-5-	IT Teacher (BS-16)	451	
500 IT Labs in Govt. High Schools in Khyber Pakhtinikhwa (Phase-HD)	Computer Lab Incharge (BS-12)	458	
1.1 (1.44) No. (1.5.1.)	Total	1476	

The expenditure involved is dubitable to the Functional-cum-object classification 09-Education Affairs and Services 092-Secondary Education Affairs and Services 0921-Secondary Education Affairs and Services 092101-Secondary Education A01-Employees Related Expenses and shall be met out from within the Account-IV.

> Secretary to Govt. of Khyber Pakhtunkhwa Elementary & Secondary Education Deptt:

Maryl et	S.1.	to (A)	77K	n/a.	38/	201	3-	19
1 lert	- n	13111	7 (L*	11/2	7.0	4	41	4 1

Dated Peth: the 10 /10 /2018

Copy of above is forwarded to:

The Accountant General Khyber Pakhtunkhwa.

All the District Accounts Officers in Khyber Pakhtunkhwa 2 - 26.

> BUDGET OFFICER-V FINANCE DEPARTMENT

Endst, of even number & date.

Copy forward for information to the: -

1. The Budget Officer-V, Finance Department, Govt. of Khyber Pakhtunkhwa.

2. The Director, Elementary & Secondary Education Khyber Pakhtinkhwa with the request to circulate the same to all the District Education Officers (M/F).

The Project Manager-IT/Deputy Director (EMIS), E & S Education Department.

All the Deputy Commissioners in Khyber Pakhtunkhwa.

Master File.

(MURTAZA KHAN) SECTION OFFICER (BUDGET)

Page Lof 20



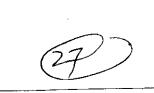
S.NO,	Nomenclature of the post	Minimum qualification for appointment by initial recruitment transfer	Age Limit	Method of recruitment
1	2	3	4	5
"1."	Subject specialist- Information Technology (SS-IT) (BPS-17)	At least second class Master's Degree in Computer Science or Information Technology or Bachelor's Degree in computer science (BCS/BSCS Honours 4 years) or equivalent qualification from a recognized University: and Bachelor Degree in Education (B.Ed) or equivalent qualification from a recognized University.	21-35 years	1. Seventy Five per cent by promotion, on the basis of seniority-cumfitness, form the district concerned in the following manner: (a) Twenty percent by promotion on the basis of seniority-cum-fitness from amongst the Certified Teacher-IT with at least five years' service and having the qualification prescribed for the post of Secondary School Teacher-IT Provided that if no suitable candidate is available for promotion then by initial recruitment.
		Note: A candidate did not have the qualification under clause(ii), shall acquire the same within three years from the date of his/her appointment		(b) Twenty percent by promotion on the basis of seniority-cum-fitness from amongst the Senior Certified Teachers(BPS-16), with at least five years' service as Senior Certified Teacher and Certified Teacher and having the qualification mention in Column No.3:
				Provided that if no suitable candidate is available from amongst Senior Certified Teachers for promotion then the post shall be filed 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:
				(c) Four percent from amongst the Senior Drawing Master(BPS-16), with at least five years service as senior Drawing Masters and drawing Masters and having qualification mentioned in column No.3:
		B		Provided that if no suitable candidate is available from amongst Senior Drawing Masters for promotion, then the post shall be filed 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:

v. 7.5

c7 x

47.000

4



		(d) Four percent from amongst the Senior A with at least five years service as senior Teachers and having qualification ment	Arabic Teachers and Arabic	AT UT.
-		Provided that if no suitable candidate is Senior Arabic Teachers for promotion the promotion, on the basis of seniority-cui Arabic Teachers, with at least five years qualification mentioned in column No.3	hen the post shall be filed by m-fitness, from amongst service as such and having	21.
		(e) Four percent from amongst the Senior with at least five years service as senior Theology Teachers and having qualification.	r Theology Teachers and	47.
		Provided that if no suitable candidate in Senior Theology Teachers for promotion by promotion, on the basis of seniority Theology Teachers, with at least five you having qualification mentioned in colu	on then the post shall be filed r-cum-fitness, from amongst ears service as such and	4, :
		(f) Three percent from amongst the Senic with at least five years service as Senic Teachers and having qualification men	or Qaris Teachers and Qaris	3 00
-		Provided that if no suitable candidate Senior Qaris Teachers for promotion t promotion, on the basis of seniority-co Qaris Teachers, with at least five years qualification mentioned in column No	hen the post shall be filed by um-fitness, from amongst s service as such and having	
	and the second of the second o	(g) Twenty percent from amongst the Pri with at least seven years service as Pr Senior Primary Teachers and Primary	imary Head Teachers and	7 25

. .



qualification mentioned in column No.3:

Provided that if no suitable candidate is available from amongst Primary School Head Teachers for promotion then the post shall be filed 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 Teachers for promotion then the post shall be filed by promotion, on the basis of seniority-cum-fitness, from amongst Primary School Teachers, with at least seven years service as and having qualification mentioned in column No.3: and

(ii) twenty Five percent by initial recruitment.

NOTE:

- 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
- Post of General SST and SSTs-1 Science and SST-2 Science shall be filled by promotion or initial recruitment, each on need basis separately."

A Company of the Comp

E - (29)

To

THE DIRECTOR GENERAL, E&S EDUCATION, KHYBERPUKHTOONKHWA.

SUBJECT: PSTs,CTs(whose subjects in Bsc are Computer sceience) SHOULD BE PROMOTED TO SST(IT) LIKE OTHERS PSTs and CTs PROMOTION IN SSTs(GENERAL, SCIENCE).

Respected Sir,

With most veneration it is to bring in your kind notice that we PSTs and CTs were inducted in Elementary and secondary Education Department . All other PSTs and CTs can be promoted to the SST(GENERAL, SCIENCE), but unfortunately PSTs and CTs (whose subjects in Bsc are Computer Science are excluded from the promotion of SST(IT).

Therefore, kindly PSTs and CTs should be given the opportunity that they may also render their services like other PSTs and CTs.

Date: 20/03/2020

Sec Et SE Od Solo 21 Yours Obediently,

FAZAL HAYAT(CT)
GS ACSTAKP

JUDGMENT SHEET PESHAWAR HIGH COURT, PESHAWAR JUDICIAL DEPARTMENT

W.P. No.596-P/2019

Muhammad Raees Gul and another

Vs.

Government of Khyber Pakhtunkhwa through Chief Secretary Khyber Pakhtunkhwa, Peshawar and 06 others

JUDGMENT

Date of hearing 03.09.2020

Mr. Zahid Ullah Zahid, Advocate, for the petitioners.

Mr. Arshad Ahmad Khan, AAG, for the Provincial Government, a/w Mr. Jehangir Khan, AD (Litigation), Directorate of E&SED, Peshawar and Mr. Dawood Khan, ADO, office of DEO, Peshawar.

Mr. Aftab Khan, Advocate, for the private respondent No.7.

IJAZ ANWAR, J. Muhammad Raees
Gul and another, petitioners herein,

through the instant Constitutional petition

under Article 199 of the Constitution of

Islamic Republic of Pakistan, 1973, have

prayed for the following relief:-

"It is, therefore, most graciously prayed that while allowing this writ petition, an appropriate writ may kindly be issued by declaring the act of omitting the subject of





ATTESTED

EXAMINER

Peshawar High Court

Computer Science from promotion to the post of SST is illegal, unlawful, discriminatory and without lawful authority with the direction to consider and include the subject of Computer Science in the criteria for promotion to the post of SST. Any other relief though not specifically asked for to which the petitioner is found entitled in the circumstances may also granted".

- 2. Keeping in view the averments made in the instant petition, comments were called from the respondents who furnished the same accordingly, wherein, they opposed the issuance of desired writ, as prayed for.
- 3. Arguments heard and record perused.
- 4. Perusal of the record reveals that petitioners have called in question the recruitment rules notified vide Notification dated 24.07.2014; whereby, according to them, the incumbents, holding the posts of Primary School Teacher (BPS-12) with qualification of

ATTESTED

EXAMINER

Peshawar High Court

(31

Compute Science, are not included in the feed cadre for the post of Senior Science Teacher (BPS-16).

5. Learned counsel for the petitioners has laid much stress upon the discrimination so meted out to the petitioners and also about depriving them from future prospect of promotion, albeit, we are of the view that questioning the vires of rules purely relates to the terms and conditions of service, for which the proper forum is Khyber Pakhtunkhwa Service Tribunal established under the Khyber Pakhtunkhwa Service Tribunals Act, 1974. Besides, the jurisdiction of this Court is barred under Article 212 of the Constitution of Islamic Republic of Pakistan, 1973. In this regard, reference can be made to the cases of "I.A Sherwani and others (1991 SCMR 1041)", "Ali Azhar Khan Baloch (2015 SCMR 456)" and "Mobeen-ul-Salam (2006 100)".

6. Thus, for the reasons recorded hereinabove and in view of the bar

ADTESTED

EXAMINER

Peshewar High Court

Article contained in 212 Constitution of Islamic Republic of Pakistan, 1973 and also in view of the availability of alternate remedy to the petitioners, this writ petition is not maintainable. Accordingly, is dismissed in limine. Needless to observe that petitioners may approach to the Khyber Pakhtunkhwa Service Tribunal, Peshawar for the redressal of their grievance, if they are so advised.

Announced Dt:03.09.2020

(DB) Hon'ble Justice Ikramullah Khan and Hon'ble Mr. Justice Jiaz Anwar

(DB) Hon ble Justice Ikramuligh Khan and Hon ble Mr. Justice Jiaz Anwar

CEXIIFIED O SETRUE GOTA

Authorization

2 2 SED 200

No. 1992
Date of Persentation 21/9/2026
Copyling to 1997
Date of the state of the s

(33)

VAKALATNAMA

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

-,	OF 2020
Fazal Hayat	(APPELLANT) (PLAINTIFF) (PETITIONER)
<u>VERS</u>	<u>sus</u>
EDUCATION DEPTT: I/We Fajal fayat	(RESPONDENT)(DEFENDANT)
Do hereby appoint and cons KHATTAK, Advocate, Pesha compromise, withdraw or refe my/our Counsel/Advocate in without any liability for his defi engage/appoint any other Advoc I/we authorize the said Advoc receive on my/our behalf all s deposited on my/our account in	r to appear, plead, act, r to arbitration for me/us as the above noted matter, ault and with the authority to cate Counsel on my/our cost. ate to deposit, withdraw and ums and amounts payable or
Dated/2020	CLIENT
	ACČEPTED NOOR MOHAMMAD KHATTAK
	SHAHZULLAH YOUSAFZAI MIR ZAMAN SAFI &
	AFRASIAB KHAN WAZIR ADVOCATES

OFFICE:

Flat No.4, 2nd Floor, Juma Khan Plaza, near FATA Secretariat, Warsak Road, Peshawar. Mobile No.0345-9383141

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR. JUDICIAL COMPLEX (OLD), KHYBER ROAD, PESHAWAR.

W . T	

No.
Appeal No
Appellant/Petitioner
Lord of Kolk through chief Sour Kfikespondent Kespondent No.
Kespondent No
Notice to: - Grant of KPK through chief Secretary KPK Paghinian.
WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhw
Province Service Tribunal Act, 1974, has been presented/registered for consideration, i
the above case by the petitioner in this Court and notice has been ordered to issue. You ar hereby informed that the said appeal/petition is fixed for hearing before the Tribuna
*on
the case may be postponed either in person or by authorised representative or by an
Advocate, duly supported by your power of Attorney. You are, therefore, required to file in
this Court at least seven days before the date of hearing 4 copies of written statemen
alongwith any other documents upon which you rely. Please also take notice that is
default of your appearance on the date fixed and in the manner aforementioned, th

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No.....dated..... Given under my hand and the seal of this Court, at Peshawar this.....

Khyber Pakhtunkhwa Service Tribunal, Peshawar.

The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.

Always quote Case No. While making any correspondence.

appeal/petition will be heard and decided in your absence.

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR. J. /3
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.

No.		12220		•
	Appeal No	·A	of 20 .	20
	Appeal No.	tayat	•	·
=	(<i>J</i>	Appellant/	•
· · · · · · /	Boxt of KOK th	Yessus fice	L Secy: KIK	
	101-17/21		Respo	ndent
•	· ·	Resnand	lent No	
•	The Secreti	ry Finance	2 Depth: K	OK Och
Notice to:	(Day per 10	Ti regn.
	•			
WHEREA	S an appeal/petition	under the pres	rician of the Miles	an Dalla .
Province Servi	ce Tribunal Act, 1974,	, has been preser	ited/registered for	consideration in
the above case k	by the petitioner in th	is Court and noti	ce has been ordere	ed to issue. You are
hereby i <u>nfg</u> rm	d that the said appe	al/petition is fix	ed for hearing be	fore the Tribunal
Oxx	**************************************	oloo Aliii. II you	wish to urge any	uning against the
appellant/petiti	oner you are at libert	y to do so on the	date fixed, or any o	ther day to which
Advocate, duly	e postponed either in supported by your pov	n person or by a	utnorised represe: You are therefore	ntative or by any
this Court at le	ast seven days before	e the date of he	ring 4 conies of v	required to file in written statement
alongwith any	other documents up	on which vou re	elv. Please also tal	ke notice that in
default of your	appearance on the	date fixed and i	n the manner afo	rementioned, the
appeal/petition	will be heard and deci	ided in your abse	nce.	
		· ·		· · · .
Notice of	any alteration in the	date fixed for he	earing of this appe	al/petition will be
given to you by	registered post. You	should inform t	he Registrar of an	y change in your
address, 11 you 1 address given in	ail to furnish such add the appeal/petition w	uress your addres	ss contained in this	notice which the
notice posted to	this address by regist	ered post will be	de your correct auc deemed sufficient	for the nurnose of
his appeal/peti	tion.	or our post will be		ioi m'c bai bose or
Copy of a	ppeal is attached. Co	py of appeal has	already been sen	t to you vide this
office Notice No		dated		
				21th
Given und	ler my hand and the			S
Day of	******************************	Jine	20 21	
<i>-</i> u y 01	1	***********************		-
				·
	Finance KPI	K	m	
	Secv.	*		
	Dan A		Registra:	

The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.

Peshawar.

2. Always quote Case No. While making any correspondence.

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR. JUDICIAL COMPLEX (OLD), KHYBER ROAD, PESHAWAR.

No.
12220 2
Appeal No of 20
Appeal No. 12220 of 2020 Fasal Hayat Appellant/Petitioner Gottof KPK Through Chief Secy: KPK Respondent
Vorsus
B. A A VOV throat Chief Secus: KIK
Color Respondent
Respondent No.
Notice to: _ The Secretary Establishment Deflet KPK.
Notice to: _ The Secretary ESTAD RUNNIAN FURTHER KPA
WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa
Province Service Tribunal Act, 1974, has been presented/registered for consideration, in
the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/potition is fixed for bearing before the Tribunal
hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on
appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which
the case may be postponed either in person or by authorised representative or by any
Advocate, duly supported by your power of Attorney. You are, therefore, required to file in
this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in
default of your appearance on the date fixed and in the manner aforementioned, the
appeal/petition will be heard and decided in your absence.
Notice of any alteration in the data fixed for housing of this and all the second lines.
Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your
address. If you fail to furnish such address your address contained in this notice which the
address given in the appeal/petition will be deemed to be your correct address, and further
notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.
insappear/petition.
Copy of appeal is attached. Copy of appeal has already been sent to you vide this
office Notice Nodateddated
Given under my hand and the seal of this Court, at Peshawar this
Day of
543 01
(M
Registrar,
Khyber Pakhtunkhwa Service Tribunal,

The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays. Always quote Case No. While making any correspondence.

13

"B"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR. JUDICIAL COMPLEX (OLD), KHYBER ROAD, PESHAWAR.

No.
Appeal No. 12220 of 2020 Fa.3al. Haya. Appellant/Petitioner Versus
Appeal No
Fazal Hauf L. Appellant/Petitioner
The state of the s
Versus
Boot of KIK through Chief Ley KRespondent Respondent No. 34
Respondent No2.7
a ful FORE DOR WAY A
Notice to: - Serve tary E&SE Deft KPK Resh.
WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa
Province Service Tribunal Act, 1974, has been presented/registered for consideration, in
the above case by the petitioner in this Court and notice has been ordered to issue. You are
hereby informed that the said appeal/petition is fixed for hearing before the Tribuna
*onat <u>8.00 A.M.</u> If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which
the case may be postponed either in person or by authorised representative or by an
Advocate, duly supported by your power of Attorney. You are, therefore, required to file in
this Court at least seven days before the date of hearing 4 copies of written statemen
alongwith any other documents upon which you rely. Please also take notice that in
default of your appearance on the date fixed and in the manner aforementioned, the
appeal/petition will be heard and decided in your absence.
Notice of the compatibility of the data fine decrease of this compatibility will be
Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in you
address. If you fail to furnish such address your address contained in this notice which the
address given in the appeal/petition will be deemed to be your correct address, and furthe
notice posted to this address by registered post will be deemed sufficient for the purpose o
this appeal/petition.
Copy of appeal is attached. Copy of appeal has already been sent to you vide thi
office Notice Nodateddated
Given under my hand and the seal of this Court, at Peshawar this
Day of
NA C
Registrar,
Khyber Pakhtunkhwa Service Tribuna
Peshawar.

The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.

2. Always quote Case No. While making any correspondence.

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR. JUDICIAL COMPLEX (OLD), KHYBER ROAD,

		PESHA	WAR.	-	•
No.					
	A 7 37		5220		40°
	Appeal No	Hayat	Y 	of 20	
,	rezam	raya		Appellant/Pet	itioner
• . •		Versi	us 🤈		
	through C	Miet Seen	: Vashau	Respond	ent
)	h 1.		1	
	· · · · · ·		Respondent No	_4 +	
Notice to:	(nout:	CFKPK	through	Chief	Secretar
•	•)och owar	۷ 5	
WHER!	EAS an appeal/po	etition under t	he provision o	f the Khyber	Pakhtunkhwa
the above cas	vice Tribunal Act e by the petitione	r in this Court a	ind notice has b	een ordered t	o issue. You are
hereby infor	med that the said	l appeal/petitio	n is fixed for l	nearing befor	e the Tribunal
*onappellant/pet	itioner you are at	:.!at <u>8.00 A.M.</u> : liberty to do so	. If you wish to	urge anythi	ing against the
the case may	be postponed ei	ther in person	or by authorise	ed representa	ative or by any
Advocate, dul	ly supported by yo	our power of Att	corney. You are,	therefore, re	quired to file in
alongwith an	least seven days y other docume	nts upon which	e or nearing <u>4 </u>	<u>copies</u> of wri ise also take	notice that in
default of yo	ur appearance of	n the date fixe	d and in the m	anner aforei	nentioned, the
appeai/petitio	on will be heard a	nd decided in yo	ur absence.		
Notice	of any alteration	in the date fixe	ed for hearing o	f this appeal/	petition will be
given to you address. If you	by registered pos u fail to furnish su	t. You should in Ich address von	nform the Regi	strar of any o	change in your
address given	in the appeal/pet	ition will be dee	med to be your	correct addre	ess, and further
notice posted this appeal/pe	to this address by	registered post	will be deemed	sufficient for	the purpose of
	•			•	
Copy of	f appeal is attach	ed. Copy of app	peal has airead	y been sent t	o you vide this
office Notice I	No	dat	ed	**************	. •
Civon v					24 任
Given	ınder my hand ar	id the seal of th		shawar this	••••••••••
Day of		• • • • • • • • • • • • • • • • • • • •	20 .	3-1	
Lui	Reply)				
Tor	~///				\
<i>I</i> ,	1091/	R BRANCH		Registrar,	•
/	CNI	EF SECRETARY	Khyber Pakhtı	unkhwa Ser	vice Tribunal,

The hours of attendance in the courdare the same that of the High Court except Sunday and Gazetted Holidays. Always quote Case No. While making any correspondence.

Peshawar.

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

30	DICIAL CC	·	WAR.	rber Ruai	SP
No.					
······································	Appeal No	P blayers	at o	of 20Appellant/Pe	c titioner
to	ough Ch	wet Second	Respondent N	eBRespon	dent
Notice to:	the Rec	retary	Perhan	ce Depr	r. npu
Province Service 7 the above case by the hereby informed to	Fribunal Act, he petitioner that the said enjoyen are at least poned eith ported by your seven days her document opearance on	1974, has bee in this Court appeal/petition and 8.00 A.M liberty to do so her in person ar power of At before the data the date fixed	n presented/nand notice had notice had notice had notice had been so the date for by authorous You are of hearing had and in the	registered for one been ordered or hearing before to urge anythe fixed, or any otrised represente, therefore, results of well ease also takens.	I to issue. You are one the Tribunal hing against the her day to which tative or by any equired to file in ritten statement in to that in
Notice of an given to you by readdress. If you fail address given in th notice posted to this appeal/petition	gistered post to furnish suc e appeal/petit is address by r	. You should i ch address you tion will be de	nform the R ir address cor emed to be yo	egistrar of any ntained in this our correct add	notice which the ress, and further
Copy of appo	eal is attache	d. Copy of ap	peal has alre	ady been sent	to you vide this
office Notice No	***************	da	ted	*************************	
Given under	my hand and	d the seal of t	his Court, at	Peshawar this	244
Day of	2264)		20 pK	2-1	
for M	S	ctva Finance K		Registrar,	*

Khyber Pakhtunkhwa Service Tribunal, Peshawar.

The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays. Always quote Case No. While making any correspondence.

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR. JUDICIAL COMPLEX (OLD), KHYBER ROAD PESHAWAR.

No.
Appeal No. 12280 of 20 Faral Hayat Appellant/Petitioner Versus Versus Respondent No. 3
Fazay Hayat Appellant/Petitioner
When a
1 d di Lo versus di
Respondent
Respondent No
Notice to: - the Pecretary Establish and Dept
$\mathcal{O}_{\mathbf{a}}$
WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhw
Province Service Tribunal Act, 1974, has been presented/registered for consideration, is
the above case by the petitioner in this Court and notice has been ordered to issue. You ar
*en
appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which
the case may be postponed either in person or by authorised representative or by an
Advocate, duly supported by your power of Attorney. You are, therefore, required to file in
this Court at least seven days before the date of hearing 4 copies of written statemen alongwith any other documents upon which you rely. Please also take notice that is
default of your appearance on the date fixed and in the manner aforementioned, th
appeal/petition will be heard and decided in your absence.
Notice of any alteration in the date fixed for hearing of this appeal/petition will b
given to you by registered post. You should inform the Registrar of any change in you
address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further
notice posted to this address by registered post will be deemed sufficient for the purpose of
this appeal/petition.
Copy of appeal is attached. Copy of appeal has already been sent to you vide thi
office Notice No.,dateddated
Given under my hand and the seal of this Court, at Peshawar this
Day of
1 for Kaply
Registrar, Khyhar Pakhtunkhwa Sarvica Tribuna

The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays. Always quote Case No. While making any correspondence:

Peshawar.

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR. JUDICIAL COMPLEX (OLD), KHYBER ROAD PESHAWAR.

No.		·	•		• .	
	Appeal No	al Har	800	of 20	٥.	
		0 11	. 1		,	٠.
•	(F-0.)	and the DA	f.art	Appellant	Petitioner	
	11	Ve	ersus			
	Lyouh	Chief Se	m. 1/25	LamadResp	ondent	
	through		Parmandant	No.		
			,	•		••••••
Notice to:	HEREAS an appeal	Secretar	Y' 'E	XSE	Depti	hay.
			$I_{i,j}$	γ		
w	HEREAS an anneal	/netition under	the provisi	of the Khy	AD Pokhtun	lzhvvo
1 10,11110	c per arce introductive	ict, 1014, mas be	en presentet	i/registered to:	r consideratio	on, in
the abov	e case by the petitio	ner in this Cour	t and notice l	ias been order	ed to issue. Yo	u are
*on	informed that the s	aid appeal/peti at 8.00 A.	tion is fixed : M. If you wi	for hearing be	store the Trib	ounal
appenar	it/petytioner you are	at liberty to do	so on the date	e fixed, or any	other day to w	vhich
the case	may be postponed	either in perso	n or by auth	orised represe	entative or by	v anv
this Cou	e, dúly supported by irt at least seven da	your power of A vs. before the d	Attorney. You	are, therefore	required to f	ile in
alongwi	in any other docum	ients upon whi	ch you rely.	Please also ta	ke notice th	at in
default (of your appearance	on the date fi	xed and in tl	he manner afo	rementioned	l, the
appeai/p	etition will be heard	and decided in	your absence	•		
No	otice of any alterati	on in the date fi	xed for heari	ng of this appe	eal/petition w	ill be
given to	you by registered p	ost. You should	inform the	Registrar of a	ny change in	Valir
address	If you fail to furnish given in the appeal/p	such address ye etition will be d	our address co leemed to be v	ontained in thi	s notice which	h the
notice po	ested to this address	by registered po	st will be dee	med sufficient	for the purpo	se of
this appe	eal/petition.		•	•		
Со	py of appeal is atta	ched. Copy of a	ppeal has all	eady been ser	ıt to you vide	this
office No	tice No	d	ated	***************		
, Giv	ven under my hand	and the seel of	Alain C		. 43	•
GI	ven under my hand	and the seal of	tnis Court, a -	t Peshawar th	is24.16	
Day of	************************		www20			
. 1			a angelesana)		ē
	011	-	•		*	
1 +	as Keply				\	•
(< 1 1	•	Por an	_	
-		N/6/3"-	Khyber Pa	Registra khtunkhwa S		nel
		V 2 3		Peshawa	r.	aı,
Noțe: 1. 2.	The hours of attendance in the co Always quote Case No. While ma	turt are the same that of the	ne High Court except S	Sunday and Gazetted Ho	lidays.	

Always quote Case No. While making any correspondence.

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR. JUDICIAL COMPLEX (OLD), KHYBER ROAD, JB PESHAWAR.

No.	1 m 12 m
	Appeal No
,	To lettate
,	Both KIK tongh Chief Seces Klespondent
	Chair. A. Mangh. Cody Respondent
	Respondent No.
· .	
Notic	ce 10: - The Divertex, EXS Education KPK Regh.
_	WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa
	vince Service Tribunal Act, 1974, has been presented/registered for consideration, in above case by the petitioner in this Court and notice has been ordered to issue. You are
here	by informed that the said appeal/petition is fixed for hearing before the Tribunal
	at 8.00 A.M. If you wish to urge anything against the
	ellant/petitioner you are at liberty to do so on the date fixed, or any other day to which case may be postponed either in person or by authorised representative or by any
Advo	ocate, duly supported by your power of Attorney. You are, therefore, required to file in
	Court at least seven days before the date of hearing 4 copies of written statement gwith any other documents upon which you rely. Please also take notice that in
defa	ult of your appearance on the date fixed and in the manner aforementioned, the
appe	eal/petition will be heard and decided in your absence.
	Notice of any alteration in the date fixed for hearing of this appeal/petition will be
-	n to you by registered post. You should inform the Registrar of any change in your
	ress. If you fail to furnish such address your address contained in this notice which the ress given in the appeal/petition will be deemed to be your correct address, and further
notic	ce posted to this address by registered post will be deemed sufficient for the purpose of
this	appeal/petition.
•	Copy of appeal is attached. Copy of appeal has already been sent to you vide this
offic	e Notice Nodateddated
	Given under my hand and the seal of this Court, at Peshawar this
Dav	of20 21
:	
;	
	Registrar.
	79 7 1 Khyber Pakhtunkhwa Service Tribunal,

1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.

Peshawar.

2. Always quote Case No. While making any correspondence.

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR. JUDICIAL COMPLEX (OLD), KHYBER ROAD; PESHAWAR.

•	•				-
No.		13	220	20	
	Appeal No.	al Hayai	}	of 20	
			•••••	Appellant/Pet	titioner
H		not-long		Poshowes Respond	ent
)	. •	Respondent No	<u> </u>	•
Notice to: —	the D	rivector Porho	EXSE	Deptr	KPK
		Palho	was		
Province Set the above ca hereby infor *on* appellant/pe the case ma Advocate, du this Court a alongwith a default of you appeal/petition	rvice Tribunal Asseby the petition representation of the second of the s	/petition under let, 1974, has been in this Court aid appeal/petiticum	en presented/reand notice has on is fixed for L. If you wish o on the date for by author te of hearing h you rely. Pled and in the our absence.	egistered for considered of the aring before to urge anythe ixed, or any other ised represente, therefore, results as also take manner afore gof this appeal egistrar of any	onsideration, in to issue. You are re the Tribunal ing against the ner day to which ative or by any equired to file in itten statement e notice that in mentioned, the
		i such address yo betition will be de			
	d to this address				or the purpose of
Сору	of appeal is atta	ched. Copy of a	peal has alre	ady been sent	to you vide this
office Notice	No	da	ıted	***************************************	
Given	under my hand	and the seal of	this Court, at	Peshawar this.	244
Day of	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		~ £ 20	•	
for K	Eply)			A	
		111.	· · · · · · · · · · · · · · · · · · ·	Registrar,	
•		20//12/2	Khyber Pak	htunkhwa Se	rvice Tribunal,

The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays. Always quote Case No. While making any correspondence.

Peshawar.

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR. JUDICIAL COMPLEX (OLD), KHYBER ROAD S PESHAWAR.

No.
Appeal No. 12-2-20 of 20 Fazal Hayat Appellant/Petitioner
- Woman O
Motice to: _ the Socretary Exit= Dept. 11/21 Notice to: _ Deshawad
Respondent No.
Notice to: _ the Socretory ERSE Dapth 11/21
Desharad.
WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa
Province Service Tribunal Act, 1974, has been presented/registered for consideration, in
the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribuna.
*onat 8.00 A.M. If you wish to urge anything against the
appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any
Advocate, duly supported by your power of Attorney. You are, therefore, required to file in
this Court at least seven days before the date of hearing 4 copies of written statement
alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the
appeal/petition will be heard and decided in your absence.
Notice of any alteration in the date fixed for hearing of this appeal/petition will be
given to you by registered post. You should inform the Registrar of any change in your
address. If you fail to furnish such address your address contained in this notice which the
address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of
this appeal/petition.
Copy of appeal is attached. Copy of appeal has already been sent to you vide this
office Notice Nodated
Civer under my hand and the goal of this Count, at Dachause this
Given under my hand and the seal of this Court, at Peshawar this
Day of
for Capty
(for taply)
Registrar
Khyber Pakhtunkhwa Service Tribunal,

The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays. Always quote Case No. While making any correspondence.

Peshawar.

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

		IAL COMPLEX			,	_
	41	PES	SHAWAR.			٠
No.	٠.					
*	Аррес	u No	2220	<i>o</i>	120 20	_
	F-02	al Hayot			vellant/Petition	er
	lı ,	,	Versus			-
	the (out: CF 197	n Chief	Yeng:	Respondent	211-20
	ks.		Respondent	1 No5		
Notice to:	ta	Director	后见后	ngu	Po: hawo	X.
					1	
the above case hereby information with a many the case may advocate, duthis Court at alongwith an adefault of your address. If your address given to give address given to go address given to go address given a motice posted this appeal/peal/peal/peal/peal/peal/peal/pea	titioner you be postported by supported by supported by other do not appear a consult of any alted by register u fail to furnin the apported to this addition.	peal/petition und hal Act, 1974, has betitioner in this Counter said appeal/per 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	been presente urt and notice tition is fixed A.M. If you wind o so on the date of hearing hich you rely. fixed and in the your address of deemed to be post will be deemed.	d/register has been for hear for hear ish to urge fixed, on the manner. Ing 4 copic Please as the manner. Ing of this Registrate contained your correct suffixed suffixed suffixed suffixed suffixed for the med suffixed	red for considered to isseed anything a rany other dispersentative refore, requires of written also take not er aforement in this notice ect address, a recient for the	deration, in sue. You are not Tribunal against the ay to which to or by any ed to file in statement ice that in tioned, the tion will be use in your which the und further purpose of
Copy o	f appeal is	attached. Copy of	appeal has al	ready be	en sent to yo	u-vide this
office Notice	No		.dated	************		
Given ı	ınder my ha	and and the seal o			var this	8H
Oay of	***************	***************************************	Jan 2	0 52		
100	Reply		·			-
			Fr	Re	gistrar, 💝 twa Service	795 *9 ·
\			Kavber Pa	akntunki	twa Service	Tribunal

The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays. Always quote Case No. While making any correspondence.

Peshawar.

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR, JUDICIAL COMPLEX (OLD), KHYBER ROAD, PESHAWAR.

No.		12 2-2-0	9 .~9	
•	Appeal Not 1-lay	47	of 20	
******			Appellant/Petitione	r
the	Court CF	Kirks Chief	Zeuf:Respondent	
,	Hu Recretar		· 1_	wod.
Notice to:	•	V	<i>' (</i> '	
Province Service the above case by hereby informed *on		has been presented/of Court and notice had led to the led to do so on the date person or by author er of Attorney. You at the date of hearing n which you rely. Fate fixed and in the ded in your absence. date fixed for hearing should inform the Ress your address could be deemed to be your edge.	registered for consides been ordered to issor hearing before the to urge anything a fixed, or any other darised representative re, therefore, required 4 copies of written Please also take not a manner aforement of this appeal/petite egistrar of any charatained in this notice our correct address, and sufficient for the	leration, in sue. You are e Tribunal against the ay to which e or by any ed to file in statement ice that in tioned, the tion will be age in your e which the and further purpose of
Copy of ap	peal is attached. Cop	py of appeal has alre	eady been sent to yo	u vide this
office Notice No		dated		8 K
Given unde	er my hand and the s	,		•••••
Day of		20	3 -	
fo	Secondary Secondary	ry No)
	,	_	Registrar, khtunkhwa Service	e Tribunal.

1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.

Peshawar.

2. Always quote Case No. While making any correspondence.

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

JUDICIAL COMPLEX (OLD), KHYBER ROAD, S. PESHAWAR.

No.
Appeal No. 12 22-0 of 20 20
Fazal Hayan Appellant/Petitioner
the Crart of MPH Chief Scay: Respondent
No. Appeal No. Fazal Hayori Appellant/Petitioner Wersus Versus Notice to: Respondent Respondent Respondent No. Respondent No. Notice to: No. Appellant/Petitioner Appellant/Petitioner Appellant/Petitioner Appellant/Petitioner Appellant/Petitioner Appellant/Petitioner Appellant/Petitioner Appellant/Petitioner Appellant/Petitioner Respondent No. Respondent No. Notice to: No. No. No. No. No. No. No. N
WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on
Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.
Copy of appeal is attached. Copy of appeal has already been sent to you vide this
office Notice Nodated
Given under my hand and the seal of this Court, at Pesnawar this
Day of 20 7.2
Postavar Registrar, Registrar, Khyber Pakhtunkhwa Service Tribunal.

The hours of attendance in the paulifice the same that of the High Court except Sunday and Gazetted Holidays. Always quote Case No. While making any correspondence.

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR. JUDICIAL COMPLEX (OLD), KHYBER ROAD, PESHAWAR.

No.
Appeal No
Faral Hoyat Appellant/Petitioner
Appeal No
Respondent No
Notice to: - the (not: at upm through Chief Secretary perhanas.)
WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa
Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on
Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.
Copy of appeal is attached. Copy of appeal has already been sent to you vide this
office Notice Nodateddated
Given under my hand and the seal of this Court, at Peshawar this
Day of
ISSUL FRANCH Registrary CHIEF TO TARY God: of Kill 200 And the Arrival Khyber Pakhtunkhwa Service Tribunal, Peshawar.
Note: 1 The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.

Form- A

FORM OF ORDER SHEET

Court of			
Case No	12220	/2020	

Muhammad Khattak Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please. REGISTRAR:	S.No.	Date of order proceedings	Order or other proceedings with signature of judge
Muhammad Khattak Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please. This case is entrusted to S. Bench for preliminary hearing to be put up there on o7 Indoor. CHAIRMAN O7.12.2020 Junior counsel for appellant present. Lawyers are on general strike, therefore, case is adjourned to 25.02.2021 for preliminary hearing, before S.B. (Rozina Rehman) Member (1) The learned Member Judicial Mr. Muhammad Jamal Khan under transfer, therefore, the case is adjourned. To come up the same before S.B on 15.06.2021.	1	2	3
up there on <u>o7 12/2020</u> Junior counsel for appellant present. Lawyers are on general strike, therefore, case is adjourned to 25.02.2021 for preliminary hearing, before S.B. (Rozina Rehman) Member (g) 25.02.2021 The learned Member Judicial Mr. Muhammad Jamal Khan under transfer, therefore, the case is adjourned. To come up the same before S.B on 15.06.2021.	1-	19/10/2020	The appeal of Mr. Fazal Hayat resubmitted today by Mr. Noor Muhammad Khattak Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.
Junior counsel for appellant present. Lawyers are on general strike, therefore, case is adjourned to 25.02.2021 for preliminary hearing, before S.B. (Rozina Rehman) Member (3) The learned Member Judicial Mr. Muhammad Jamal Khan under transfer, therefore, the case is adjourned. To come up the same before S.B on 15.06.2021.	2-		This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>07/12/2000</u> .
Lawyers are on general strike, therefore, case is adjourned to 25.02.2021 for preliminary hearing, before S.B. (Rozina Rehman) Member (3) The learned Member Judicial Mr. Muhammad Jamal Khan under transfer, therefore, the case is adjourned. To come up the same before S.B on 15.06.2021.			CHAIRMAN
adjourned to 25.02.2021 for preliminary hearing, before S.B. (Rozina Rehman) Member (3) The learned Member Judicial Mr. Muhammad Jamal Khan under transfer, therefore, the case is adjourned. To come up the same before S.B on 15.06.2021.		07.12.2020	Junior counsel for appellant present.
(Rozina Rehman) Member (1) The learned Member Judicial Mr. Muhammad Jamal Khan under transfer, therefore, the case is adjourned. To come up the same before S.B on 15.06.2021.			Lawyers are on general strike, therefore, case is
The learned Member Judicial Mr. Muhammad Jamal Khan under transfer, therefore, the case is adjourned. To come up the same before S.B on 15.06.2021.			adjourned to 25.02.2021 for preliminary hearing, before S.B.
under transfer, therefore, the case is adjourned. To come up the same before S.B on 15.06.2021.			i i
under transfer, therefore, the case is adjourned. To come up the same before S.B on 15.06.2021.			
under transfer, therefore, the case is adjourned. To come up the same before S.B on 15.06.2021.			
the same before S.B on 15.06.2021.	25.0)2.2021 T	ne learned Member Judicial Mr. Muhammad Jamal Khan
		unde	r transfer, therefore, the case is adjourned. To come up for
Reader		the s	ame before S.B on 15.06.2021.
			Reader

15.06.2021

Appellant present in person. Preliminary arguments heard.

Points raised need consideration. The appeal is admitted to regular hearing, subject to all just and 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 after receipt of notices, positively. If the written reply/comments are not submitted within the stipulated time, the office shall submit the file with a report of non-compliance. File to come up for arguments on 20.10.2021 before the D.B.

Appellant Deposited
Security & Process Fee

The appellant has also submitted an application for interim relief. Notice of application be also issued to the respondents.

man



12.07.2021

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



20.10.2021

Counsel for appellant present.

Kabir Ullah Khattak learned Additional Advocate General for respondents present.

Reply on behalf of respondents is still awaited. Learned A.A.G made a request for time to submit reply/comments; granted with direction to furnish reply within 10 days in office. If the reply/comments are not submitted within stipulated time, right of respondents for submission of reply shall be deemed as struck off. To come up for arguments on 12.01.2022 before D.B.

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

(Rozina Rehman) Member (J)

12.01.2022

Learned counsel for the appellant present.

Learned counsel for the appellant have not been submitted spare copies of appeal, therefore, he is directed to submit the same within 10 days in the office. Thereafter, notice be issue to respondents for submission of reply/comments before the S.B on 15.03.2022.

(Atiq-Ur-Rehman Wazir)

Member (E)

15.03.2022

Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 07.6.2022. for the same as before.

£.

J;▲c

Reader.

07.06.2022

Clerk to counsel for the appellant present.

Muhammad Riaz Khan Paindakheil learned Assistant Advocate General alongwith Naseem Khan Section Officer and Asif Khan Assistant for respondents present.

Reply of respondents is still awaited. Respondents requested for time to submit reply/comments. Last opportunity is granted. To come up for reply/comments on 18.07.2022 before \$.B.

(Rozina Rehman) Member (J)