

IN THE SUPREME APPELLATE COURT, GILGIT BALSTISTAN

SMC NO 34/2011

(Complaint against Education Department)

Advocate General Gilgit-Baltistan.

Secretary, Education Department, Government of Gilgit-Baltistan.

Director, Colleges, Government of Gilgit-Baltistan.

Sher Ali, legal Advisor, Education Department.

Date of Hearing: 20-12-2011.

ORDER

Justice Muhammad Nawaz Abbasi, CJ: Mist, Sajida Yousaf, Saira Anwar and Naila Bibi residents of Gilgit-Baltistan have filed separate application before this court with the grievance that despite their selection of merit on the basis of Test and interview conducted by the Education Department, Government of Gilgit-Baltistan for appointment as Teacher against the vacant posts in different schools of Gilgit-Baltistan they have not been appointed. The report called in these application has been submitted and Secretary Education appearing in person has explained that applicants have been selected for appointment but as per merits list they could not be appointed against the existing vacancies and their names have been kept on waiting list which is usually maintained for a period of one month and in the present case, the waiting list after 4th January, 2012 will be treated no more valid.

2. The Secretary; Education, Government of Gilgit-Baltistan when point out that the waiting list is normally maintained for a period of 06 months, he conceded that in Punjab and other provinces of Pakistan the waiting list is maintained for a period of 6 months and agreed that the waiting list should also be maintained by the Education Department, Government of Gilgit-Baltistan for a period of six months. He stated that Department is facing shortage of about 2200 teachers in the schools and colleges throughout Gilgit-Baltistan but because of financial constraint and administrative reason, the department is handicapped to create the posts to meet the requirement.

3. The Education is a basic right of citizens and Gilgit-Baltistan being a remote and backward area would require maximum attention on health, food and education. The Government of Gilgit-Baltistan has not formed a proper education policy as a result of which, there is poor standard of education in the schools and colleges and students in each district are suffering. The shortage of Teachers in one of the major cause of deterioration of education standard.

4. The matter being of utmost importance the Chief Secretary may initiate the process on priority for approval of Chief Minister for creation of the maximum number of posts of Teachers to meet the requirement of the Education Department and will ensure the finalization of the process of approval within a month.

5. The Secretary Education in consultation with and approval of the Education Minister will forward the proposal to the Chief Secretary for approval by the Chief Minister on priority and Chief Secretary will issue instruction accordingly to the Finance Department for special allocation of funds for the posts to be created. The merit list prepared by the Education Department, Government, of Gilgit-Baltistan on the basis of Test and interview already undertaken shall remain operative till 30-06-2012 and the candidate who have been placed on waiting list shall have first right of appointment against the vacant or newly created posts. The waiting list in future will be maintained for a period of 06 months. These applications are disposed of accordingly.

6. The learned Advocate General will submit a compliance report and shall also attend the cases of Government of Gilgit-Baltistan to be fixed in Chamber during vacation at Islamabad.

Chief Judge