

ORDER SHEET
HIGH COURT OF SINDH CIRCUIT COURT,
MIRPURKHAS

C.P No.D-1372 of 2024

[Shahid Saleem and others v. Province of Sindh and others]

Before

Mr. Justice Adnan-ul-Karim Memon
Mr. Justice Riazat Ali Sahar

Mr. Maqsood Ahmed Laghari, Advocate on behalf of petitioner.
Mr. Ayaz Ali Rajper, Assistant A.G. Sindh.

Date of Hearing
& Order : 17.12.2025

ORDER

ADNAN-UL-KARIM MEMON, J. - Petitioners are seeking direction to the respondents to pay Ph.D allowance to them at Rs. 25,000/- per month w.e.f. 08.02.2018.

2. The case of the petitioners is that they are government teachers in schools and colleges, holding Ph.D degrees. Previously, all government teachers were paid Ph.D allowance at Rs.10,000/- per month. Vide notification dated 08.02.2018, the Government of Sindh enhanced the rate of Ph.D allowance to Rs.25,000/- per month, but restricted the benefit to Ph.D faculty of public sector universities only, while college and school teachers continue to receive Rs.10,000/- per month. The petitioners contend that the criteria, weightage, and worth of Ph.D degree is the same under HEC standards for all cadres, and denial of equal allowance violates Article 25 of the Constitution. Reliance is placed on judgment passed in CP No. D-7608 of 2018 (Dr. Liaquat Ali Abro case), wherein similar relief was granted. Despite repeated representations, the respondents failed to redress the grievance, hence this petition. Learned counsel seeks enhancement of Ph.D allowance in terms of the Decision of this Court.

3. Learned A.A.G submits that enhanced Ph.D allowance is exclusively meant for Ph.D faculty of public sector universities, as notified on 08.02.2018. The petitioners, being college/school teachers, are governed by service rules and are already receiving Rs.10,000/- per month as per government policy. It is further contended that Ph.D allowance forms part of terms and conditions of service, hence the matter falls within the jurisdiction of Service Tribunal under Article 212 of the Constitution, rendering the petition not maintainable. Financial matters are approved by the Finance Department, and the respondents merely implement the policy. The enhancement was approved to promote research and advanced learning in public sector universities, whereas college teachers are not

officially engaged in research activities. In view of the above, learned AAG prayed for dismissal of the petition.

4. Having heard learned counsel for the parties and examined the record. It is apparent that the enhancement of Ph.D allowance to Rs. 25,000/- per month was specifically notified on 08.02.2018 for Ph.D faculty members of public sector universities only. Though, the petitioners, being teachers of schools and colleges, are governed by their respective service rules and are already drawing Ph.D allowance at Rs. 10,000/- per month in accordance with the prevailing government policy. The fixation and enhancement of allowances needs to be looked into by the competent authority in terms of Decision made by this court in terms of the ratio of the order passed by this Court in the case of Dr. Liaquat Ali Abro as discussed supra.

5. Since the petitioners have established that they are similarly placed employees with Ph.D degree holders, as the enhanced allowance was granted to the similarly placed employees of law department and the case of the Petitioner is akin with the sole object of promoting research and advanced academic activity in school education. Primarily possession of Ph.D degree, with parity in service structure and functions, does by itself confer a right to identical financial benefits as claimed.

6. Accordingly, this Petition stands disposed of in terms of the ratio of the order passed by this Court in CP No. D- 7608 of 2018 wherein similar relief was granted, which falls within the ambit of article 25 of the Constitution. The aforesaid exercise shall be undertaken within two months.

JUDGE

JUDGE