


17.05 2022

Counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney alongwith Hamid Mansoor. Assistant for the respondents present.


Written reply/comments on behalf of respondents submitted which is placed on file. Copy of the same is handed over to the learned counsel for the appellant. To come up for rejoinder as well as arguments before D.B on 21.07.2022 at camp court Abbottabad.



(Fareeha Paul)
Member (E)
Camp Court Abbottabad

22nd July 2022 1. Learned counsel for the appellant present. Mr. Kabirullah Khattak, Addl: AG for the respondents present.

2. Learned counsel for the appellant submits that the appellant would be satisfied if the departmental appeal, which was not decided by the department, is remitted to the department for decision in the light of the latest judgment of the august Supreme Court of Pakistan within three months. Disposed of accordingly. Consign.

3. *Pronounced in open court in Camp Court Abbottabad and given under our hands and seal of the Tribunal on this 22nd day of July, 2022.*

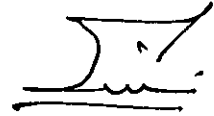

(Salah Ud Din)
Member (Judicial)


(Kalim Arshad Khan)
Chairman
Camp Court Abbottabad



11.10.2021

Clerk of learned counsel for the appellant present and requested for adjournment on the ground that learned counsel for the appellant is unable to appear before the Tribunal today due to strike of lawyers. Adjourned. To come up for preliminary hearing before the S.B on 28.12.2021 at Camp Court Abbottabad.



(SALAH-UD-DIN)
MEMBER (JUDICIAL)
CAMP COURT ABBOTTABAD

28.12.2021

Counsel for the appellant present. Preliminary arguments have been heard.

According to the prayer set up by the appellant, he claims back benefits which can be divided into two periods. One period is in-between the termination of the appellant from service on 06.03.1996 and the date of promulgation of the Khyber Pakhtunkhwa Act XVII of 2012 and the other period is in-between the date of promulgation of the said act and the reinstatement of the appellant on 04.12.2017. Section 5 of the Khyber Pakhtunkhwa Sacked Employees (Appointment) Act, 2012 provides that a Sacked employee appointed under Section 3 shall not be entitled to any claim of seniority, promotion or other back benefits and his appointment shall be considered as fresh appointment. Having regard to scope of Section 5 question for the purpose of back benefits and similarly the back benefits of the period in-between the promulgation of the Act, 2012 and the reinstatement of the appellant on 04.12.2017 are admissible under the facts and law or not. In wake of this question, let the appeal be formally heard. The appeal is admitted for full hearing. 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 on 15.03.2022 before S.B at camp court, Abbottabad.

Appellant Deposited
Security & Process Fee

04/01/22

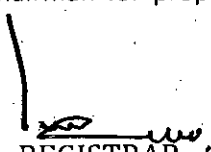




Chairman
Camp Court, A/Abad

FORM OF ORDER SHEET

Court of _____

Case No.- _____ 4517/2021 _____


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	31/03/2021	<p>The appeal of Mr. Abdul Manan resubmitted today by post through Mr. Muhammad Arshad Khan Tanoli Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p> <p>2-</p> <p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>16-7-21</u>. Notices be issued to appellant/counsel for the date fixed.</p> <p style="text-align: right;"> CHAIRMAN</p> <p>3-6-21</p> <p>16.07.2021</p> <p>This case belongs to the Hazara Division and such cases were previously heard at camp Court, Abbottabad. May be notices issued to appellant/counsel have not been received by them, therefore, they are not in attendance.</p> <p>Fresh notices be issued to appellant/counsel for preliminary hearing on 11.10.2021 at camp court, Abbottabad.</p> <p style="text-align: right;"> Chairman</p>

The appeal of Mr. Abdul Manan T.T r/o Kothehra Post Office Kurla District Mansehra received today i.e. on 26.10.2020 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Copy of first appointment order and termination order dated 13.2.1997 in respect of appellant are not attached with the appeal which may be placed on it. The name of the appellant may be highlighted with clear ink.
- 2- Copy of Writ Petition in respect of appellant mentioned in para-3 of the memo of appeal is not attached with the appeal which may be placed on it. The name of the appellant be highlighted with clear ink.
- 3- Copy of second appointment order mentioned in para-4 of the memo of appeal in favour of appellant is not attached with the appeal which may be placed on it.
- 4- Annexures of the appeal may be flagged.

No. 3790 /S.T,

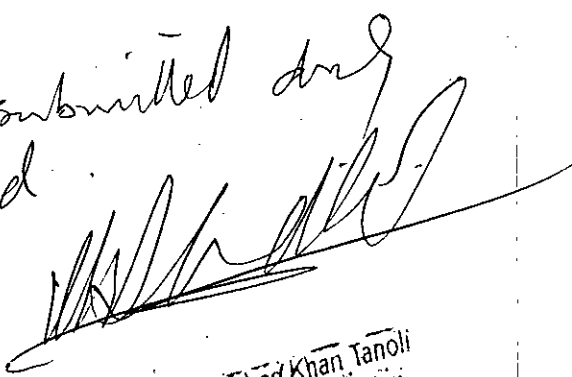
Dt. 05/11 /2020.


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Muhammad Arshad Khan Tanoli
Advocate, High Court A.Abad.

3/11

case re-submitted and
rectified


Muhammad Arshad Khan Tanoli
Advocate High Court
Office No: 33 Adjacent to
Distt Bar Abbottabad

2005 S C M R 1206

[Supreme Court of Pakistan]

Present: Sardar Muhammad Raza Khan and Saiyed Saeed Ashhad, JJ

MANZOOR HUSSAIN---Petitioner

versus

SECRETARY, GOVERNMENT OF PUNJAB and another---Respondents

Civil Review Petition No.169 of 2004, decided on 26th April, 2005.

(On review from the judgment, dated 17-6-2004 passed in C.P. No. 1549-L of 2003).

(a) Civil service---

---Appeal before Service Tribunal---Limitation---Limitation for a civil servant to go in appeal before Service Tribunal could not in any case be stretched beyond one hundred and twenty days.

2003 SCMR 826 ref. 

Muhammad Siddique v. Mian Amir Khisro 1985 SCMR 1848 and Ghulam Ali Memon's case 2000 SCMR 1474 rel.

Constitution of Pakistan (1973)---

---Art. 212(3)---Question of limitation, though raised before Service Tribunal, but remained unattended---Effect---Supreme Court suo motu could entertain such question.

Mian Allah Nawaz, Advocate Supreme Court for Petitioner.

Dr. Mohy-ud-Din Qazi, Advocate Supreme Court for Respondents.

Date of hearing: 26th April, 2005.

JUDGMENT

SARDAR MUHAMMAD RAZA KHAN, J.---Learned counsel for the petitioner initiated his arguments saying that the question of limitation has incorrectly been determined against the petitioner and that, in view of 2003 SCMR 826 the period of 90 days is restricted only to wait before filing an appeal and that section 4 of the Service Tribunals Act is silent on the point as to how much period thereafter the civil servant would go to the Service Tribunal.

2. We have gone through the impugned judgment but were not satisfied that it laid down a proper interpretation of section 4 of the Service Tribunals Act. Moreover, it runs contrary to the verdict of a larger Bench (of four Judges) of this Court rendered in the case of Muhammad Siddique v. Mian Amir Khisro 1985 SCMR 1848 and another ruling in Ghulam Ali Memon's case reported as 2000 SCMR 1474 where it has been settled authoritatively that limitation for a Civil Servants to go in appeal before the Service Tribunal cannot, in any case, be stretched beyond one hundred and twenty days.

3. The original order against the petitioner was passed on 16-7-1987 against which he made a

representation on 27-7-1987 but the same remained unanswered. According to the learned counsel it is unanswered even up to this day. We are afraid that this is not the correct position because the original order; of termination dated 16-7-1987 was withdrawn on 3-12-1982 and the petitioner was reinstated. Thereafter the withdrawal order was also rescinded vide another order dated 5-12-1988 and thus, the department, wittingly or unwittingly; revived the cause of action for the benefit of the petitioner. The petitioner submitted no departmental representation against the second order aforesaid.

4. The interesting aspect of the case is that the petitioner instead of going to the Service Tribunal filed a writ petition against the order of termination dated 16-7-1987. The writ petition was dismissed on 25-4-1992 with observation that the petitioner should resort to the Service Tribunal. Even then the petitioner resorted to the Tribunal on 6-12-1997 i.e. 5 years after the above decision and 10 years after the original order of termination.

5. This Court though suo motu can entertain the question of limitation yet it was observed that the Tribunal did not attend to the question despite the fact that the respondents had taken the plea of limitation in their reply (P.90).

6. Considered from any angle, the review cannot be allowed. The same is hereby dismissed.

S.A.K./M-263/S

Review dismissed.

BEFORE THE SERVICE TRIBUNAL KHYBER
PAKHTUNKHUWA, PESHAWAR

4517

Service Appeal No. _____/2020

Abdul Manan son of Syed Imran, (Syed Rehman), TT, resident of Kothehra, Post Office, Kurla, Tehsil & District Mansehra.

...APPELLANT

VERSUS

Government of KPK through Secretary Elementary and Secondary Education, Peshawar.

...RESPONDENTS

SERVICE APPEAL

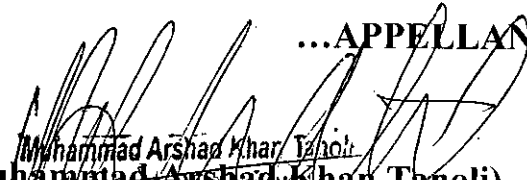
INDEX

S.#	Description	Page No.	Annexure
1.	Service appeal along with affidavit	1 to 8	
2.	Copies of appointment order and termination order	9-31	"A" & "B"
3.	Copy of Khyber Pakhtunkhwa Sacked Employment Act, 2012	32-41	"C"
4.	Copy of Writ Petition	42-48	"D"
5.	Copy of Appointment order dated 04/12/2017 of the appellant	49-50	"E"
6.	Copy of departmental appeal	51-53	"F"
7.	Copies of similar employees who were appointed in other districts	54-55	"G"
8.	Wakalatnama	56	"H"

Dated: _____/2020

Through

...APPELLANT


(Muhammad Arshad Khan Tanoli)
Advocate High Court, Abbottabad
Distt Bar Abbottabad

BEFORE THE SERVICE TRIBUNAL KHYBER
PAKHTUNKHUWA, PESHAWAR

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 13325

Date 26/10/2020

4517

Service Appeal No. _____/2020

Abdul Manan son of Syed Imran, (Syed Rehman), TT, resident of Kothehra, Post Office, Kurla, Tehsil & District Mansehra.

...APPELLANT

VERSUS

1. Government of KPK through Secretary Elementary and Secondary Education, Peshawar.
2. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
3. District Education Officer (Male) District Mansehra.

...RESPONDENTS

SERVICE APPEAL UNDER SECTION 4 OF
SERVICE TRIBUNAL ACT 1974 FOR
DECLARATION TO THE EFFECT THAT THE
APPELLANT WAS REINSTATED IN SERVICE
WITH EFFECT FROM 04/12/2017. VIDE
APPOINTMENT ORDER ENDST NO. 19777-85
DATED 14.01.2017 UNDER THE KHYBER
PAKHTUNKHWA SACKED EMPLOYEES
APPOINTMENT ACT 2012, AS WELL AS IN THE
LIGHT OF JUDGEMENT OF PESHAWAR HIGH

File day

Registrar

26/10/2020

Re-submitted to -day
and filed.

Registrar

31/03/2021

COURT BENCH ABBOTTABAD IN WRIT PETITION
NO. 516-A/2013 DECIDED ON 24/05/2016 THE
APPELLANT WAS TO BE REINSTATED IN
SERVICE I.E. HIS DATE OF TERMINATION FROM
SERVICE I.E. 06/03/1996 OR FROM THE DATE OF
PROMULGATION OF THE ACT, 2012 WITH ALL
SERVICE BACK BENEFITS BUT RESPONDENT
NON.3 APPOINTED / REINSTATED THE
APPELLANT IN SERVICE ON 04/12/2017 WHICH
IS DISCRIMINATORY, PERVERSE AGAINST THE
LAW.

PRAYER: ON ACCEPTANT OF THE INSTANT
SERVICE APPEAL, RESPONDENTS MAY
GRACIOUSLY BE DIRECTED TO REINSTATE THE
APPELLANT EITHER 06/03/1996 OR FROM THE
DATE OF PROMULGATION OF SACKED
EMPLOYEES APPOINTMENT ACT, 2012 WITH ALL
SERVICE BACK BENEFITS AND THE SAID
PERIOD MAY ALSO BE COUNTED TOWARDS
PENSIONARY BENEFITS. ANY OTHER RELIEF
WHICH THIS HONOURABLE TRIBUNAL DEEMS
APPROPRIATE MAY ALSO BE GRANTED TO THE
APPELLANT.

Respectfully Sheweth;-

Brief Facts of the case are as under:-

1. That the appellant was appointed as TT in the year 1993-94 and was terminated from service in the year 1997-98. Copies of appointment order and termination order are annexed as Annexure "A" & "B".
2. That Govt. of Khyber Pakhtunkhwa announced KPK Sacked Employees Appointment Act, 2012 wherein all the sacked employees who were appointed in the year 1993-1996 and terminated from service in the year 1997-1998 are to be reinstated in service. Copy of Khyber Pakhtunkhwa Sacked Employment Act, 2012 is attached as Annexure "C".
3. That the respondent No. 3 did not appoint the petitioner as per KPK Sacked Employees Act, 2012 in time. Hence, the appellant filed writ petition '516-A/2013 before Honourable High Court, Bench Abbottabad for his appointment under the said Act. Copy of Writ Petition is attached as Annexure "D".

4. That during the pendency of the writ petition, respondent No 3 issued appointment order vide No 20672-702 dated 04/12/2017. Copy of appointment order dated 04/12/2017 of the appellant is attached as Annexure "E".
5. That the respondent No.3 also appointed some similar employees under the said Act in the year 2012-13 but appointed the appellant on 04/12/2017 which is discriminatory, perverse, against the law and the appointment order of the appellant should have been issued either from the date of termination from service in the year 1997-98 or from the dated Promulgation Sacked Employees Appointment Act 2012. The appellant filed departmental appeal to respondent No.2 for redressal of his grievance in December 2017 but respondent No.2 did not bother to reply the appellant so far. Copy of departmental appeal is attached as Annexure "F".
6. That feeling aggrieved, the instant appeal is filed inter-alia, on the following grounds:-

GROUND:

- a) That respondent No.3 was supposed to appoint the appellant under KPK Sacked Employees Appointment Act 2012, as and when the said Act was promulgated in the Year 2012 but respondent No.3 finally issued appointment order of the appellant 04/12/2017 which is against the law and discriminatory. Hence the appellant is entitled to have all the service back benefits w.e.f the date of termination of service in the Year 1997-98 as has been granted by the Federal Govt. to its employees in the Year 2010.

- b) That respondent No.3 appointed some similar employees who are juniors in age from the appellant, whereas the appellant has been appointed/reinstated in service on 04/12/2017 which is against the principle of equality and natural justice as well as principle of good governance.

- c) That District Education Officer under the control of respondents No.1 & 2 issued

appointment orders of similar employees in other districts under the said Act in the year 2013. Copies of similar employees who were appointed in other districts are attached as Annexure "G".

- d) That the appellant is to be given all service back benefits i.e salary either the date of termination and period of service i.e. in the year 1997-98 to 04/12/2017 is to be counted towards length of qualifying service for pensionary benefits.
- e) That respondents-department has led the appellant to the place which is utterly unknown to the principle of jurisprudence and natural justice. The appellant is to be treated at par with other employees under the control of the respondents-department.
- f) That when the law prescribe something which is to be done in a particular manner that must be done in that manner and not otherwise.

- g) That there is no other efficacious and adequate remedy available to the appellant, except the present appeal.
- h) That other points shall be raised before the Honourable Tribunal at the time of arguments.

It is, therefore, humbly prayed that, on acceptant of the instant service appeal, respondents may graciously be directed to reinstate the appellant either from the year 1997-98 or from the date of promulgation of Sacked Employees Appointment Act, 2012 with all service back benefits and the said period may also be counted towards pensionary benefits. Any other relief which this Honourable Tribunal deems appropriate may also be granted to the appellant.



...APPELLANT

Through

Dated: _____/2020

(Muhammad Arshad Khan Tanoli)

Advocate High Court, Abbottabad

Advocate High Court

Office No: 33 Adjacent to

Distt Bar Abbottabad

VERIFICATION:-

Verified on oath that the contents of foregoing appeal are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honourable Court.



...APPELLANT

BEFORE THE SERVICE TRIBUNAL KHYBER
PAKHTUNKHUWA, PESHAWAR

Service Appeal No. _____/2020

Abdul Manan son of Syed Imran, (Syed Rehman), TT, resident of Kothehra, Post Office, Kurla, Tehsil & District Mansehra.

...APPELLANT

VERSUS

Government of KPK through Secretary Elementary and Secondary Education, Peshawar.

...RESPONDENTS

SERVICE APPEAL

AFFIDAVIT

I, Abdul Manan son of Syed Imran, (Syed Rehman), TT, resident of Kothehra, Post Office, Kurla, Tehsil & District Mansehra., do hereby solemnly affirm and declare that the contents of foregoing appeal are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honourable Court.




DEPONENT

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) SECONDARY MANSEHRA

APPOINTMENTS

The following appointments are hereby ordered with effect from their taking over charge on the following terms & conditions, in the interest of public service:

S.NO NAME & FATHER'S NAME/Address Post/Scale Place of Posting Remarks

Abdul Muzan s/o Syed Samran B.T. (B-7-1480-SI-2695)

G.H.S.S Mansehra

Vacant Post

TERMS & CONDITIONS:

- 1. No TA/DA is allowed.
- 2. Charge report should be submitted to all concerned.
- 3. The appointment is purely temporary and liable to termination at any time without assigning any reason or notice.
- 4. Age & health Certificate from Civil Surgeon DHQ Hospital Mansehra should be produced.
- 5. Appointee should not be handed over charge if age exceeds 10 years or below 18 years.
- 6. Appointment shall stand automatically cancelled if they failed to join the post within 15 days of the issue of this order.
- 7. In case they wish to resign, they will have to give one month notice or forfeit one month pay in lieu of short notice.
- 8. Head of Institution is responsible to check Original Certificates before handing over charge.
- 9. Candidates are required to get verified their certificates from the Board/University concerned.
- 10. Special relaxation in Upper Age limit for two years has already been allowed vide Govt. NWFP: S&A No. SOS-III (S&A) 8(4) dated 13-7-1994.

(PARA MUR RAHIM) DISTRICT EDUCATION OFFICER (MALE) SECONDARY MANSEHRA

No. 4869-73/PM Dated 3-6-96

Copy forwarded for information to:-

- Director of Secondary Education, NWFP: Pesbawar
- Director of Secondary Education, Hazara Division, Abbottabad
- Principal Account Officer, Mansehra
- Principal/Headmaster concerned.
- Candidate concerned

DISTRICT EDUCATION OFFICER (MALE) SECONDARY MANSEHRA

A. H. H. Head Master

B-11 Govt. Middle School

M. Anwar
Encl.
Recd. overleaf
29/1/97

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) SECONDARY MANSEHRA.

APPOINTMENTS.

9. B

Consequent upon their selection by the Departmental Selection Committee the District Education Officer(Male) Secondary Mansehra has been pleased to appoint the following trained Theology Teachers candidates at the Schools noted against their names in in BPS-7 (Rs: 1480-81-2399) plus usual allowances as admissible under the rules with immediate effect subject to the existing terms and conditions.

S.No: Interv.	Name/Fathers name list No:/marks & address & D/O Birth. School. obtained.	Name of School.	Remarks.
/167/80.	Mohd Imran S/O Sharab R/O Kotka Mansehra. (20/3/69).	GMS, Dhodial.	Vice Nazir Mohd S/Term: not selected on merit.
/200/80.	Khalid Naseem S/O Mohd Naseem R. Hado Bandi (28/12/72).	GMS, Hado- Bandi.	Already occupied by him.
/110/74.	Fida Mohd S/O M. Akbar R/O Hajiabad. (1/5/74).	GMS, Ichrian.	Against the post already occupied by him.
/157/74.	Abdul Wahid S/O Faqir Mohd R. Bajna Bala (5/2/73).	GMS, Kotkay M.H. Zai (KD).	Vice Tasneem Babar S/Term: not selected on merit.
/194/72.	Abdul Hamid S/O Abdul Aziz R. Remkot. (15/5/75).	GMS, Hal- Kaloo.	Against the post already occupied by him.
/125/71.	Abdur Rehim S/O Abdul Hamid R. Gurwal. (4/4/70).	GMS, Bandi Paraw.	Vice Tariq S/Term: not selected on merit.
/177/70.	Mohd Amir S/O M. Farooq R/O Pakpala (Perhinna) (28/11/73).	GMS, Neel- Batla.	Vice Abdul Hakim S/Ter: not selected on merit.
/169/70.	Karimullah S/O Abdul Sattar R. More Baffa Kalan (18/4/78).	GMS, Nasir- Abad.	Vice M. Arif S/Ter: not selected on merit.
33/65.	Mohd Idrees S/O Khan Wali R/O Shinkari. (25/4/69).	GMS, Methal.	Against the post already occupied by him.
100/62.	Abdul Matin S/O Abdul Wahab R/O Judbah (KD). (1/1/73).	GMS, Kharyala.	Vice M. Siddique S/Term: not selected on merit.
124/58.	Noor Islam S/O Abdur Rehman R/O Naran (17/1/51).	GMS, Sywan.	Vice Wahiduz Zaman S/Ter: not selected on merit.
113/55.	Babar Naushad S/O Mir Mohd R/O Balhag. (23/4/70).	GMS, Basundh.	Vice Hamidud Din S/Term: not selected on merit.
220/55.	Altafur Rehman S/O Abdul Qayum R/O Bagwai-Darband (31/3/74).	GMS, Shahtal (KD).	Vice Beroz Khan S/Term: not selected on merit.
14/54.	Habibullah S/O Khadimullah R/O Bilyani (Kt). (7/12/77).	GMS, Gawandla (KD).	Vice M. Fayyaz S/Term: not selected on merit.
17/54.	Abdullah S/O El. ni Bakhsh R/O Thaker Mera (13/4/74).	GMS, Bandi. Kenth.	Against the post already occupied by him.

9-C

- 12/141/54. Faisal Shah S/O Afsar GMS, Pansial (15/4/75). Against the post already occupied by him. Vice M. Tayub S/Term: not selected on merit.
- 18/215/53. Abdul Malik S/O Roshan Khan GMS, Chirikot. (4/8/70). Against the post already occupied by him.
- 19/271/52. Mohd Saleem S/O Fazal Dad GMS, Bagh. (1/5/71). Vice M. Asif S/Term: not selected by him.
- 20/6/52. Shabir Ahmed S/O M. Kousif GMS, Chakli. (1/4/74). Against the post already occupied by him.
- 21/230/51. Shabir Ahmed S/O Abdur Rehman R/O Gmdhian GMS, Bandi Kenth. (16/4/73). Against the post already occupied by him.
- 22/224/50. Abdul Kafeel S/O Abdul- Esq R/O Dr. Pansial (1968). GMS, Shanai Bala. Against the post already occupied by him.
- 23/229/49. S.Z. Shah S/O Ghulam Shah GHSS, R/O Shergoth (20/3/74). Baffa. Vice Noorul Islam S/Term: not selected on merit.
- 24/222/48. Abdur Rehman S/O Mohd Jan. GMS, Dotar. (4/2/71). Against the post already occupied by him.
- 25/249/43. Mohd Sulhan S/O Ghulam Hussain R/O Naran GMS, Naranah. (5/6/72). Vice Azhar Ayaz S/Term: not selected on merit.
- 26/149/48. Azizur Rahman S/O Abdur Rashid R/O Guli Bagh. GMS, Guli-Bagh. (20/3/78). Vice Nazir Hussain S/Term: not selected on merit.
- 27/72/47. Abdur Rauid S/O Abdur Rehman R/O Mansehra GHSS, Mansehra. (25/4/72). Vice Abdul Manan S/Term: not selected on merit.
- 28/58/46. Mohd Bakir S/O Abdur Rahim R/O Sial G.H. Ullah GMS, Bela Sacha. (14/12/67). Vice M. Siddique S/Term: not selected on merit.
- 28/24/46. A.H. Shah S/O Niamat Shah R/O Mohayan GMS, Kayyan. (6/2/75). Vice Saeedur Rehman S/Term: not selected on merit.
- 30/193/45. Waheedur Zaman S/O Mehdi Zaman R/O Mohandari GMS, Darra-Shohal. (1/1/75). Vice M. Anwar S/Term: not selected on merit.

Handwritten signatures and initials:
 J. J. J.
 M.
 J. J. J.
 M.

TERMS & CONDITIONS.

1. They will be governed by such rules and regulations as may be prescribed by the Govt. from time to time for the category of the Govt. servant to which they belong.
2. Their services will be liable to termination on one month notice from either side. In case of resignation without notice, one month pay shall be forfeited in lieu thereof.
3. They should join the posts within one month of the issue of this notification.
4. Their inter-seniority will be determined in accordance with the rules of the departmental selection committee.
5. Charge report should be submitted to all concerned.
6. They will be on probation for a period of two years and will have to pass the departmental examination. In case a candidate fails to qualify the departmental Exam: he will be given one more chance. If he fails again then his service will be terminated. On arrival/availability of trained teachers, the services of untrained teachers occupies the posts shall be terminated.
7. Their original certificates/degrees should be checked and verified from the concerned university/BISE/RDE and Islamic Madrassas before handing over the charge.
8. Service Books of the teachers must be prepared complete in all respect before handing over the charge.

Handwritten notes and stamps:
 C/S
 in extent
 prepared by the
 District Education Officer
 Mansehra
 20/7/75
 198

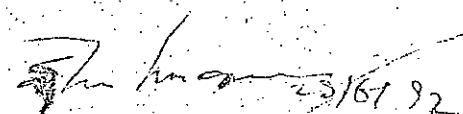
Declaration of assets should be obtained from them immediately and placed on record.
They are required to produce health and age certificate from Medical authorities concerned before handing over the charge.
Charge reports should be submitted to all concerned and charge should not be given to overage candidates until their cases for age relaxation be sent to the concerned quarter.
Efforts for transfer before the completion the tenure will disqualify him from service.
No TA/DA is allowed.
An under taking shall be obtain from Master and degree holders PTC that they will serve the department for at least five years while they are selected by the public service commission for any post.
In case of person appointed as an untrained teachers he will have to pass the requisite training examination within a period of four years failing which his services will be terminated.

(FAZALUR RAHIM)
DISTRICT EDUCATION OFFICER
(MALE) SECONDARY MANSEHRA.

st:No: 15953-58 / Dated Mansehra the 28/6/97.

Copy forwarded for information to the:-

- Director Secondary Education NWFP, Peshawar.
- Divl: Director of Education (S) Hazara Div: Abbottabad.
- District Accounts Officer Mansehra.
- Principals/Headmaster concerned.
- Candidates concerned.
- Accountant Local office.


DISTRICT EDUCATION OFFICER
(MALE) SECONDARY MANSEHRA.

OFFICE ORDER NO. 88

DATED 22/11/1994.

APPOINTMENT

Annex-A

P-9

Consequent upon the finalization of the lists of un-trained candidates duly approved by the Minister for Primary Education NWFP, the following candidates are hereby appointed in BPL-7 @ Rs.1489 fixed per month plus usual allowances as admissible under the rules w.e.f. the date of their taking over the charge against the vacant posts in the interest of public service:

S.No.	Name & Father's Name	Address	Place of posting	Remarks
1-	Fakhruddin s/o Ghulam Mobyud Din.	Nambal	GPS Nambal	Against vacant post.
2-	Muhammad Khalid s/o Abdul Qayum.	Lassan Nawab	Mos:Khaliyala	-do-
3-	Sheikh Amjad s/o Sheikh Taj Muhammad.	Shakooki	GPS Bat Doga	-do-
4-	Muhammad Sajjad s/o Ali Akbar.	Takkar Mera	Mos:Pojdara	-do-
5-	Zulfiqar s/o Fazal Rehman Shergarh		GPS Seri Gorla	-do-
6-	Sarfraz s/o Muhammad Jan.	Moorat Mera	Mos:Mathra	-do-
7-	Khalid s/o Sher Muhammad	Mera Khurd	GPS Nambal	-do-
8-	Sain Ahmad s/o Muhammad Zaman.	Naryala	Mos:Lohar Banda	-do-
9-	Muhammad Aslam s/o Fazal Rehman.	Chan Sair	GPS Seri Gorla	-do-
10-	Haider Zaman s/o Muhammad Suleman.	Karrori	GPS Beerian	-do-
11-	Amjad Hussain s/o Anwar Shah.	Dhaman Dheri	GPS Bat Doga	-do-
12-	Saeedur Rehman s/o Haider Zaman.	Gali Badral	GPS Daroo	-do-
13-	Muhammad Parvez s/o Muhammad Akbar.	Kala Mera	Mos:Sinjeliyala	-do-
14-	Muhammad Mushtaq s/o Sher Muhammad.	Pangorhi	Mos:Khamari	-do-
15-	Muhammad Irfan s/o Muhammad Zaman.	Gali Badral	GPS Lubar	-do-
16-	Muhammad Saeed s/o Muhammad Ayub.	Shakeeki	Mos:Sinjel Bandi	-do-
17-	Muhammad Younis s/o Fazlur Rehman.	Mando	Mos Tunimar	-do-
18-	Muhammad Riaz s/o Kala Khan.	Hari Doga	GPS Chamial	-do-
19-	Muhammad Tariq s/o Abdur Rehman.	Chansair	GPS Sunj	-do-
20-	Muhammad Haroon s/c Ghulam Haider.	Moorat Mera	GPS Sunj	-do-

20-A	Lal Khan s/o Fazlur Rehman Parkong		GPS Tarmang	A.V.Post.
21-	Abdus Sattar s/o Maroof.	Kalas	GPS Sera Gali	A.V.Post.
22-	Niaz Ahi Shah s/o Farman Ali Shah.	Darband	Mos:Chakli Miangan	--do--
23-	Muhammad Ishaq s/o Ghulam Qadir.	Makan Gali	GPS Chatta	--do--
24-	Aftab Ahmad s/o Abdul Jalil.	Hari Doga	GPS Chatta	--do--
25-	Abdul Malik s/o Rehmatullah.	Chan Sair	GP Bai	--do--
26-	Muhammad Shameer s/o Omar Zaman.	Jasgeran	GPS Sokal	--do--
27-	Naeem Anwar s/o Muhammad Anwar.	Shungli	GPS Neel Batla	--do--
28-	Muhammad Haroon s/o Khalilur Rehman.	Kutaira	GPS Neel Batla	--do--
29-	Abid Hussain Shah s/o Hussain Shah.	Ismail Bandi	GPS Nawan Sher	--do--
30-	Shakil s/o Abdul Jabbar.	Sokal	GPS Sokal	--do--
31-	Rashid Manan s/o Abdul Manan.	Lassan Nawab	GPS Sokal	--do--
32-	Taj Muhammad s/o Sher Dil.	Chakli	GPS Namshera	--do--
33-	Shaukat Ali s/o Gohar Rehman	Darband	GPS Namshera	--do--
34-	Abdur Rashid s/o Abdul Khaliq	Jund Seri	GPS Namshera	--do--
35-	Javed s/o Fazlur Rehman	Sharotta	GPS Khudian	--do--
36-	Muhammad Arshad s/o Sher Muhammad.	Sahaki	GPS Khudian	--do--
37-	Muhammad Fayaz s/o Niaz Muhammad	Bandi Mera	GPS Garwal	--do--
38-	Muhammad Arif s/o Wali Muhammad	Rooria	Mos:Parkhain	--do--
39-	Muhammad Gulab s/o Sikandar Khan.	Rarri	Mos:Jorian	--do--
40-	Abdus Sadiq s/o Bahram.	Kalas	GPS Minjahani	--do--
41-	Muhammad Ali s/o Taj Muhammad	Thakia Shah Miskeen.	GPS Dham Nalla	--do--
42-	Naeem Kausar s/o Ghulam Sarwar	Lassan Nawab	GPS Hallan	--do--
43-	Muhammad Humayun s/o Habibur Rehman.	Bandian	GPS Mat Serian	--do--
44-	Muhammad Parvez s/o Muhammad Zaman.	Tharmang	GPS Miana Gali	--do--
45-	Zulfiqar s/o Ghulam Sarwar.	Darband	Mos:Karam	--do--
46-	Habibur Rehman s/o Jamilur Rehman.	Gali Badral	GPS Chuntran	--do--
47-	Muhammad Saeed s/o Muhammad Israil.	Kalas	Mos:Mohar Khurd	--do--
48-	Muhammad Bukhtiar s/o Khane Zaman	Roria	GPS Miana Gali	--do--
49-	Iftikhar s/o Ghulam Haider.	Gojra	GPS Kahawa	--do--
50-	Fida Hussain s/o Aziz Muhammad	Chakar Bandi	GPS Matserian	--do--
51-	Ghulam Mustafa s/o Hafizullah	Chamial	GPS Nikka Pani.	--do--
52-	Zulfiqar s/o Dure Aman	Sinjliiyala	Mos:Doga	--do--
53-	Muhammad Bashir s/o Abdul Akbar.	Machral	Mos:Hari Doga	--do--
54-	Sher Muhammad s/o Taj Muhammad.	Fateh Bandi	Mos:Kaloo Basshi	--do--
55-	Shah Feroz s/o Firdoos.	Jaman Moori	Mos:Takkra Pain	--do--

56-	Munawar s/o Masood.	Lassen Nawab	GPS Tarmang	A.V.Post
57-	Ghulam Abbas s/o Abdus Sattar.	Dehgri	Mos:Batangi	-do-
58-	Muhammad Azam s/o Khawaj Muhammad.	Khalian Arian	GPS Karaka	-do-
59-	Anwar Zeb s/o Sikandar Khan.	Sharotta	GPS Hallah	-do-
60-	Akram s/o Sulaman.	Sharotta	GPS Mera Khairoo	-do-
61-	Nazir Muhammad s/o Sher Muhammad.	Phuldhar	Mos:Nalbori	-do-
62-	Chiria Khan s/o Abdur Rehman, Jhangi		GPS Sinjliyala	-do-
63-	Muhammad Tariq s/o Pervez.	Sokal	GPS Shanaya Pain	-do-
64-	Dost Muhammad s/o Mir Muhammad Khair Abad		Mos:Dolarian	-do-
65-	Jehangir s/o Fazal Karim.	Hal Kaloo	GPS Hariyala	-do-
66-	Manzoor Ahmad s/o Maqboolur Rehman.	Chandoor	GPS Chandoor	-do-
67-	Lal Khan s/o Sher Muhammad.	Jhanda		-do-
68-	Sultan s/o Rehmatullah.	Nara Doga	Mos:Gora	-do-
69-	Dure Aman s/o Wazir Muhammad	Sharotta	Mos:Kamari	-do-
70-	Muhammad Azam s/o Sher Muhammad			
70-	Salar Khan s/o Abdul Akbar.	Karrori	GPS Akhun Bandi	-do-
71-	Iftikhar Ahmad s/o Ali Zaman	Shakokki	GPS Kandar	-do-
72-	Mubarak s/o Haider Zaman	Pakoona	GPS Matserian	-do-
73-	Sabir s/o Muhammad Yaqoob	Pakoona	GPS Ghazi Kot	-do-
74-	Dildar s/o Faqir Muhammad	Mohar	Mos Belan	-do-
75-	Rafiq s/o Sikandar	Bandian	GPS Bandi Khan Khel.	-do-
76-	Shakil Ahmad s/o Ayub.	Khalwal	Mos:Kotla Darwaza	-do-
77-	Siddique s/o Farid	Jhand	Mos:Gud	-do-
78-	Khurshid s/o Faqir Muhammad	Chitti Moori.	GPS Chontra	-do-
79-	Muhammad Farooq s/o Kala Khan Kajla		GPS Kajla	-do-
80-	Nazar Hussain s/o Ghulam Haider.	Nikka Pani	Mos:Gali Tendki	-do-
81-	Sarwar s/o Abdul Nabi.	Thanda	GPS Chaniyal	-do-
82-	Muhammad Hanif s/o Ghulam Sarwar.	Sokal	GPS Mera Khairoo	-do-
83-	Nazir Ahmad s/o Ghulam Sarwar	Battal Pamn	Mos:Khajambar	-do-
84-	Ali Munsaf s/o Ali Zaman.	Doga	GPS Bradarh	-do-
85-	Sarfraz s/o Ali Zaman.	Jhangi	GPS Thathi Kalan	-do-
86-	Iqbal s/o Yaqoob.	Lari	Mos Shanaya Pain	-do-
87-	Muhammad Afzal s/o Ayub	Tangerh	Mos: Kharan	-do-
88-	Hakim Khan s/o Gohar Rehman	Khaliala	GPS Mera Khairoo	-do-
89-	Zaman Shah s/o Gulab Shah	Shergarh	GPS Seri Gorla	-do-
90-	Saleem s/o Samandur	Shanaya	Mos:Bradar	-do-
91-	Munibur Rehman s/o Muhammad Zaman.	Kandar	GPS Kandar	-do-
92-	Sajid s/o Habibur Rehman	Phulra	GPS Kajla	-do-
93-	Muhammad Haroon s/o Ali Zaman	Bai Buhai	GPS Bat Doga	-do-
93-	Muhammad Haroon s/o Ali Zaman	Bai Buhai	GPS Bat Doga	-do-
94-	Muhammad Javed s/o Aurangzeb.	Jhanda	GPS Gali Badral	-do-
95-	Muhammad Ismail s/o Muhammad Zaman.	Gorha	GPS Theri	-do-
96-	Muhammad Riaz s/o Rafiullah	Bandi Mera	Mos:Khamian	-do-

97-	Naveed Shah s/o Muazam Shah	Shah Kot.	GPS Dham Nalla	A.V. Pos
98-	Muhammad Nazir s/o Muhammad Assem	Nika Pani	GPS Neel Batla	-do-
99-	Muhammad Azam s/o Sher Muhammad	Bandian	GPS Nara Doga	-do-
100-	Abid Hussain s/o Abdur Rehman	Pakoona	GPS Chaniyal	-do-
101-	Muhammad Asif s/o Wali Jan	Munda Gucha	GPS Chilyani	-do-
102-	Nahid Ahmad s/o Ghulam Nabi	Jaboori	GPS Sundi	-do-
103-	Muhammad Naeem s/o Attai Khan	Phalai	GPS Neelban	-do-
104-	Muhammad Naveed s/o Muhammad Ayub	Sucha Kalan	GPS Bahadra	-do-
105-	Muhammad Shakil s/o Muhammad Mussa	Sucha Kalan	GPS Said Abad	-do-
106-	Ghulam Hassan s/o Muhammad Ishaq	GPS Nalla Jabbar	GPS Nalla Jabbar	-do-
107-	Muhammad Khalid s/o Azizur Rehman	Munda Gocha	GPS Munda Gocha	-do-
108-	Gul Dad s/o Mughal Dad	Punjool	GPS Sukian	-do-
109-	Muhammad Aslam s/o Muhammad Alam	Gali Jabbar	GPS Jabbar	-do-
110-	Ghulam Nabi s/o Arsala Khan	Keeri Bala	GPS Sattan Gali	-do-
111-	Akhtar Nawaz s/o Haq Nawaz Khan	Sucha Kalan	GPS Kodar	-do-
112-	Gul Niaz s/o Sarfaraz Khan	Buz Bela	GPS Banda Gee Sach	-do-
113-	Ghulam Nabbi s/o Qadai	Chotta Bala	GPS Mohri	-do-
114-	Javed Iqbal s/o Ahmad Jee	Punjool	GPS Mohri	-do-
115-	Asbiq Hussain Shah s/o Muntaz Ali Shah	Bai Bala	GPS Thatta	-do-
116-	Sajid Hussain Shah s/o Hayat Shah	Kot Chattar	GPS Dheri Nambardar	-do-
117-	Muhammad Fayez s/o Abdul Wahab	Hilkot	GPS Deri Haleem	-do-
118-	Javed Hussain Shah s/o Nawab Seid Shah	Lachi Mang	GPS Deri Nambardaran	-do-
119-	Zulfiqar Ali Shah s/o Sadiq Shah	Bai Bala	GPS Shangreta	-do-
120-	Abdul Ghaffar Ali Shah s/o Pir Bad Shah	Saloona	Gps Chinar Kot.	-do-
121-	Ijaz Hussain Shah s/o Shah Said Shah	Bhumla Chattar	GPS Khotri	-do-
122-	Qaiser Rauf s/o Abdur Rauf Khan	Sucha Kalan	GPS Keeri Nawaz Abad.	-do-
123-	Dahshat Khan s/o Haji Farid Khan	Shar Kool	GPS Deri Haleem	-do-
124-	Muhammad Saeed s/o Miskeen	Karan	GPS Mat Serian	-do-
125-	Abdur Razaq s/o Mir Hussain	Makan Gali	GPS GPS Dokal	-do-
126-	Muhammad Ijaz s/o Omar Zaman	Dhanaka	Mos; Pagora	-do-
126A	Muhammad Aslam s/o Omar Zaman	Gundan	GPS Battian	-do-
127-	Abdus Sattar s/o Abdur Rehman	Dhaman	GPS Chatta	-do-
128-	Muhammad Yousaf s/o Aurangzeb	Seri Gali	GPS Shanaya	-do-
129-	Fariddud Din s/o Abdul Hai	Mat Seri	GPS Jiggi	-do-

129-A Sidique s/o Haider Zaman	5 - Purni	GPS Hariyala	A.V. Post,
130- Azmat Ayub S/o Muhammad Ayub.	Naryala	GPS Chameyari	A.V. Post Ghazi Kot.
131- Said Bad Shah s/o Mudassar Shah.	Sarori K.D.		E.D.
132- Muhammad Mustafa s/o Yasin Khan.	Judba		E.D.
133- Abdul Bashir s/o Gulraiz.	Uthlair		K.D.
134 Fanoos Shah s/o Syed Azeem Shah	Rongaly		E.D.
135- Syed Wahab s/o Muhammad Mustaffa.	Jatka		K.D.
136- Pir Mukamil Shah s/o Pir Ahmad Shah.	Jatka		K.D.
137- Liaqat Ali s/o Sher Muhammad Khan	Shinkiari		K.D.
138- Saifdar Zaman s/o Shah Izat Khan.	Deri Kaka Khel		K.D.

TERMS AND CONDITIONS

1. They should submit their charge reports to all concerned.
2. Their appointment is purely on temporary basis and liable for termination at any stage without assigning any reason.
3. Their appointment is subject to the verification of their original Academic and Professional certificates/documents. Their original Academic and Professional certificates should be checked thoroughly before handing over the charge and should not be handed over the charge if their original certificates are not found correct.
4. No one should be handed over charge if he is below 18 years and above 30 years in case of the candidates relating to Zone III and 27 years of others.
5. Their pay will not be drawn until they produce age and Health certificate from Medical Superintendent DHO Hospital Mansehra.
6. They will be governed under prescribed service rules framed by the Government of NWFP.

(MUHAMMAD I.H.O)
I/C DISTRICT EDUCATION OFFICER,
(MALE) PRIMARY MANSEHRA.

Endstt: No. 2485-2626 GB(G/I-Vol-III/94 Dated Mansehra the 22/11/94.

Copy forwarded to the:

- 1- Secretary to Government of NWFP, Education Deptt; Peshawar.
- 2- Director, Primary Education, NWFP (Hayatabad) Peshawar.
- 3- District Accounts Officer Mansehra.
- 4- Sub Divisional Education Officer (Male) Mansehra.
- 5-143- All the candidates concerned.
- 144- Superintendent local Office.

I/C DISTRICT EDUCATION OFFICER
(MALE) PRIMARY MANSEHRA.

App. No. 88

22/11/94

Order No. 2485-2626

22-11-94

Amir B

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) PRIMARY MANSEHRA

NO. 5

Dated February 13, 1997

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OFFICE ORDER

On perusal of the relevant record, the appointments of the following Primary Teachers have been found illegal ab initio void and against the prescribed rules. Their services are, therefore, hereby dispensed with, with immediate effect.

S.No. Name & Father's Name Residence Place where Appointed

S. No.	Name & Father's Name	Residence	Place where Appointed
1.	Fakhar-ud-Din S/O Ghulam Mohyud Din	Numbal	GPS Numbal
2.	Muhammad Khalid S/O Abdul Gayum	Lissan Nawab	Msq: Khaliyala
3.	Sheikh Amjad S/O Sheikh Taj Muhammad	Shakopki	GPS Bat Doga
4.	Muhammad Sajjad S/O Ali Akbar	Thakar Mera	Msq: Pojdara
5.	Zulfiqar S/O Fazal-ur-Rehman	Sengarh	GPS Seri Gorla
6.	Sarfraz S/O Muhammad Jan	Inoorat Mera	Msq: Hathra
7.	Khalid S/O Sher Muhammad	Kera Khurd	GPS Numbal
8.	Sain Ahmad S/O Muhammad Zaman	Naryala	Msq: Loharbanda
9.	Muhammad Aslam S/O Fazal Rehman	Chansair	GPS Seri Gorla
10.	Haider Zaman S/O Muhammad Suleman	Karori	GPS Beerian
11.	Amjad Hussain S/O Anwar Shah	Dhaman Dheri	GPS Batdoga

Cont. Page No. 2

12	Shahid-Ul-Hussain S/O Fazal-Zaman	Gali Badral	GPS Daroo
13	Muhammad Farooq S/O Muhammad Farooq	Kala Mera	Msq: Sinjeliyala
14	Muhammad Farooq S/O Sheer Muhammad	Panjerhi	Msq: Khamari
15	Muhammad Arfan S/O Muhammad Zaman	Gali Badral	GPS Lubar
16	Muhammad Farooq S/O Muhammad Ayub	Shakooki	GPS Singal Bandi
17	Muhammad Younis S/O Fazal-Ur-Rahman	Mando	Msq: Tunimar
18	Muhammad Rizaz S/O Kala Kalam	Hari Doga	GPS Chamial
19	Muhammad Farooq S/O Abdur Rahman	Chansair	GPS Sunj
20	Muhammad Haroon S/O Ghulam Haidar	Moorat Mera	GPS Sunj
21	Lal Khan S/O Fazal-Ur-Rahman	Tarnang	GPS Tarnang
22	Abdur Satar S/O Ghulam Haidar	Marooft Kalas	GPS Seri Gali
23	Njaz Ali Shah S/O Farman Ali Shah	Darband	Msq: Chakli Miangan
24	Muhammad Ishaq S/O Ghulam Qadir	Makan Glai	GPS Chatta
25	Attab Ahmad S/O Abdul Jalil	Hari Doga	GPS Chatta
26	Abdul Malik S/O Rehmatullah	Chansair	GPS Bai
27	Muhammad Shauqer S/O Omar Zaman	Jasgran	GPS Sokal
28	Nabeem Anwar S/O Muhammad Anwar	Shangli	GPS Naal Batla
29	Muhammad Haroon S/O Khalid ur Rahman	Kutaira	GPS Naal Batla

- 30. *98V* Abid Hussain Shah S/O Hussain Shah Tasmal Bandi GPS Nawar Sher
- 31. *15* Shakil S/O Abdul Jabar Sokal GPS Sokal
- 32. *12* Rashid Manan S/O Abdul Manan Lissan Nawab GPS Sokal
- 33. *82V* Taj Muhammad S/O Sher Dil Chakli GPS Namshera
- 34. Shukat Ali S/O Gohar Rehman Darband GPS Namshera
- 35. *82V* Abdur Rashid S/O Abdul Kalic Jand Sehi GPS Namshera
- 36. *17* Javaid S/O Fazal-ur-Rehman Sharotta GPS Khudian
- 37. *13* Muhammad Arshid S/O Sher Muhammad Sahaki GPS Khudian
- 38. *15* Muhammad Fayaz S/O Niaz Muhammad Bandi Mera GPS Garwal
- 39. *23* Muhammad Arif S/O Wali Muhammad Rooria Msd: Parkhair
- 40. *21* Muhammad Gulab S/O Sikandar Khan Rapti Msd: Jorian
- 41. *22* Abdus Sadiq S/O Behram Kalas GPS Minjehani
- 42. *24* Muhammad Ali S/O Taj Muhammad Taqia Sharmiskeen GPS Dham Nalla
- 43. *25* Naeem Kausar S/O Ghulam Sarwar Lissan Nawab GPS Hallan
- 44. *25* Muhammad Humayun S/O Habib-ur-Rehman Bandian GPS Matserian
- 45. *26* Muhammad Pervez S/O Muhammad Zaman Tharmang GPS Miana Gali
- 46. *28V* Zulfikar S/O Ghulam Sarwar Darband Msd: Karan

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- 47. Habib-ur-Rehman S/O Jamil-ur-Rehman Gali Badra GPS Chuntran
- 48. Muhammad Saeed S/O Muhammad Israil Kalas Msq: Mohar Khurd
- 49. Muhammad Bukhtiar S/O Khani Zaman Roria GPS Miana Gali
- 50. Iftikhar S/O Ghulam Maider Gojra GPS Kahawa
- 51. Fida Hussain S/O Aziz Muhammad Chor Bandi GPS Mad Serian
- 52. Ghulam Mustafa S/O Hafizullah Chamial GPS Nikka Pani
- 53. Zulfiqar S/O Duri Aman Sinjliyal Msq: Doga
- 54. Muhammad Bashir S/O Abdul Akbar Machral Msq: Hari Doga
- 55. Sher Muhammad S/O Taj Muhammad Fateh Bandi Msq: Kaloo Basthi
- 56. Shah Feroz S/O Ferdoss Jaman Moorh Msq: Thakra Pain
- 57. Munawar S/O Masood Lassan nawab GPS Tarmang
- 58. Ghulam Abbas S/O Abdus Satar Dehri Msq: Batang
- 59. Muhammad Azam S/O Khawaj Muhammad Khaliah Arian GPS Karka
- 60. Anwar Zeb S/O Sikandar Khan Sharotta GPS Mallah
- 61. Akram S/O Suleman Sharotta GPS Mera Khairoo
- 62. Nazir Muhammad S/O Sher Muhammad Phuldhar Msq: Nalbori
- 63. Chiria Khan S/O Abdur Rehman Jhangh GPS Sinjliyal
- 64. Muhammad Tariq S/O Parvez Sokal GPS Shanaya payeen

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81/65	Dost Muhammad S/O Min Muhammad	Khair Abad	Msq-Dolarian
166	Jehangir S/O Fazal Karim	Har Kaloo	GPS Hariyala
367	Manzoor Ahmad S/O Maqbool-ur-Rehman	Chandoor	Msq-Chandoor
568	Lal Khan S/O Sher Muhammad	Jhanda	Msq-Chandoor
369	Surtan S/O Rehmatullah	Nara Doga	GPS Gora
370	Duri Aman S/O Wazir Muhammad	Sharotta	Msq-Kamar
82/71	Salar Khan S/O Abdul Akbar	Kairori	GPS Akhun Bandi
372	Jitkhar Ahmad S/O Ali Zaman	Shakokki	GPS Kandal
373	Mubarak S/O Haider Zaman	Pakoona	GPS Maserian
474	Sabir S/O Muhammad Yaqoob	Pakoona	GPS Ghazi Kot
475	Dildar S/O Faqir Muhammad	Mohar	Msq-Belan
476	Rafique S/O Sikandar	Bandian	GPS Bandi Khan Khel
477	Shakeel Ahmad S/O Ayub	Khalwal	Msq-Kotla darwaza
82/78	Sadique S/O Farid	Jahand	Msq-Gudi
479	Khurshid S/O Faqir Muhammad	Chitti Moori	GPS Chontra
480	Muhammad Farooq S/O Kala Khan	Kajla	GPS Kajla
82/81	Nazar Hussain S/O Ghulam Haider	Nikkal Pani	Msq-Gali Tendki
482	Sarwar S/O Abdul Nabi	Thanda	GPS Chanial

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483. Muhammad Hanif S/O Ghulam Sarwar	Sokal	Mera Khairoo
484. Nazir Ahmad S/O Ghulam Sarwar	Batal Pain	Msq: Khajambar
485. Ali Munsaf S/O Ali Zaman	Doga	GPS Bradarh
486. Sarfanaz S/O Alizaman	Jangi	GPS Thathi Kalan
888 87. Iqbal S/O Yaqoob	Larri	Msq: Shanaya Pain
888 88. Muhammad Afzal S/O Ayub	Tangarh	Msq: Kharan
889 89. Hakim Khan S/O Gohar Rehman	Khaliala	GPS Mera Khairoo
890 90. Zaman Shah S/O Gulab Shah	Shergarh	GPS Seri Gorla
891 91. Saleem S/O Samandur	Shanaya	Msq: Bradarh
892 92. Munib ur Rehman S/O Muhammad Zaman	Kandar	GPS Kandar
893 93. Sajid S/O Habib-ur-Rehman	Phulra	GPS Kajla
894 94. Muhammad Haroon S/O Ali Zaman	Bai Buhai	GPS Batdoga
895 95. Muhammad Javaid S/O Aurang Zeb	Jhanda	GPS Gali Badral
896 96. Muhammad Ismail S/O Muhammad Zaman	Gorla	GPS Theri
897 97. Muhammad Riaz S/O Rafiullah	Bandi Mera	Msq: Khamian
898 98. Navsed Shah S/O Muazam Shah	Shah Kot	GPS Dam Nulla
899 99. Muhammad Nazir S/O Muhammad Aseem	Nikka Pani	GPS Neel Batia
900 100. Muhammad Azam S/O Sher Muhammad	Bandian	GPS Nara Doga

Shafiq

101. Abid Hussain S/O Abdur Rehman	Pakoona	GPS Chaniyal
102. Muhammad Asif S/O Wali Jan	Munda Gucha	GPS Chilyani
103. Nahib Ahmad S/O Ghulam Nabi	Jabori	GPS Sundi
104. Muhammad Naeem S/O Attai Khan	Phalai	GPS Neel Bar
105. Muhammad Naveed S/O Muhammad Ayub	Sachan Kalan	GPS Bahadra
106. Muhammad Shakel S/O Muhammad Mussa	Sachan Kalan	GPS Said Abad
107. Ghulam Hassan S/O Muhammad Ishaq	Nalla Jabbar	GPS Nalla Jabbar
108. Muhammad Khalid Aziz ur Rehman	Munda Gocha ✓	GPS Munda Gocha
109. Gul Dad S/O Mughaldad	Punjool	GPS Sukian
110. Muhammad Aslam S/O Muhammad Alam	Gali Jabbar	GPS Jabbar
111. Ghulam Nabi S/O Arsala Khan	Keeri Bala	GPS Sattan Gali
112. Akhtar Nawaz S/O ✓ Haq Nawaz Khan	Sucha Kalan	GPS Kodar
113. Gul Niaz S/O ✓ Sarfraz Khan	Ruz Bala	GPS Banda Geesach
114. Ghulam Nabi S/O Qadai	Chotta Bala	GPS Mohri
115. Javed Iqbal S/O ✓ Ahmad Jee	Punjool	GPS Mohri
116. Ashiq Hussain Shah S/O Muntaz Ali Shah	Bai Bala	GPS Thatta
117. Sajid Hussain Shah S/O Hayat Shah	Kot Chattar	GPS Dheri Nambardar

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- 118. Muhammad Fayaz S/O Abdul Wahab Hirkot GPS Dheri Haleem
- 119. Javed Hussain Shah S/O Lachi Mang Nawab Said Shah GPS Dheri Nambardaran
- 120. Zulfikar Ali Shah S/O Bai Bala Sadiq Shah GPS Shangreta
- 121. Abdul Ghaffar Ali Shah Saloona S/O Pir Badshah GPS Chinarkot
- 122. Ijaz Hussain Shah S/O Ghumla Chatter Shah Said Shah GPS Khotri
- 123. Qaisar Rauf S/O Abdur Rauf Khan Sachan Kalan GPS Keeri Nawazabad
- 124. Dahshat Khan S/O Haji Farid Khan Sharkool GPS Dheri Haleem
- 125. Muhammad Saeed S/O Miskeen Karan GPS Matserian
- 126. Abdur Razaq S/O Mir Hussain Nakan Gali GPS Dokal
- 127. Muhammad Ijaz S/O Omar Zaman Dhanaka Msd: Pagora
- 128. Muhammad Aslam S/O Omar Zaman Gundan GPS Battian
- 129. Abdus Sattar S/O Abdur Rehman Dhaman GPS Chatta
- 130. Muhammad Yousaf S/O Aurang Zeb Seri Gali GPS Shanaya
- 131. Farid-ud-Din S/O Abdul Hai Matseri GPS Jiggi
- 132. Sadiqie S/O Haider Zaman Purni GPS Hariyala
- 133. Azmat Ayub S/O Muhammad Ayub Naryala GPS Chameyari Ghazi Kot
- 134. Said Badshah S/O Mudassar Shah Sarori (K:D) Msd: Cheer

Resumed

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Page No. 9

135. Muhammad Mustafa S/O Yasin Khan	Judb.	Msq: Kalala
136. Abdul Bashir S/O Gul Raiz	Uthlair	Msq: Mohri Danna
137. Fardos Shah S/O Syed Azeem Shah	Rongaly	Msq: Soormal Madda Khail
138. Syed Wahab S/O Muhammad Mustafa	Jatka	Msq: Laka Tiga
139. Pir Mukami Shah S/O Pir Ahmad Shah	Jatka	Msq: Tara Madda Khail
140. Liaqat Ali S/O Sher Muhammad Khan	Shinkiar	Msq: Jhangri
141. Safdar Zaman S/O Shah Izat Khan	Deri Kaka Khail	Msq: Markharain

دفعہ نمبر

sd (—
(HAQ NAWAZ KHAN)
DISTRICT EDUCATION OFFICER,
(MALE) PRIMARY MANSEHRA.

Endst: No. 217-367 / Dated Mansehra the February 13, 1997

Copy forwarded to the :-

1. P.S to Secretary to Government of N.W.F.P Education Department Peshawar.
2. P.A to Director Primary Education N.W.F.P Peshawar.
3. District Accounts Officer Mansehra.
4. Sub-Divisional Education Officer (Male) Mansehra.
- 5-10. ASDEO Circl. Pulra, Shergarh, Oghi, Battal, Jabori & Kala Dhaka
- 11-151. All concerned.

DISTRICT EDUCATION OFFICER,
(MALE) PRIMARY MANSEHRA.

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Annex - B

BETTER COPY

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) PRIMARY MANSEHRA

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No. 5

Dated: February 13.1997

OFFICE ORDER

On perusal of the relevant record, the appointments of the following Primary Teachers been found illegal, ab-initio void and against the prescribed rules. Their services are the restore, hereby dispensed with. with immediate effect.

S.#	Name & Father's Name	Residence	Place where appointed
1.	Fakhar ud Din. S/o Ghulam Mohi ud Din	Numbal	GPS Numbal
2.	Muhammad Khalid S/o Abdul Qayyum	Lassan Nawab	Msq Khalyala
3.	Sheikh Anjid S/o Sheikh Taj Muhammad	Shakoori	GPS Bat Doga.
4.	Muhammad Sajjad S/o Ali Akhtar	Thakar Mera	Msq. Pojdara
5.	Zulfiqar S/o Fazal ur Rehman	Shergarh	GPS Seri Gorla
6.	Sarfaraz S/o Muhammad Jan	Moorat Mera	Msq: Hathra
7.	Khalid S/o Sher Muhammad	Mera Khurd	GPS Numbal
8.	Sain Ahmad S/o Muhammad Zaman	Naryala	Msq: Loharbanda
9.	Muhammad Aslam S/o Fazal Rehman	Chansair	GPS Seri Gorla
10.	Haider Zaman S/o Muhammad Suleman	Karori	GPS Beerian
11.	Anjid Hussain S/o Anwar Shah	Dhaman Dheri	GPS Batdoga

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12.	Shafiq ur Rehman S/o Haider Zaman		Gali Badral	GPS Daroo
13.	Muhammad Parvaiz Muhammad Akbar	S/o	Kalu Mera	Msq. Sinjeliyala
14.	Muhammad Mushtaq Sher Muhammad	S/o	Panserhi	Msq. Khamari
15.	Muhammad Aslan Muhammad Zaman	S/o	Gali Badral	GPS Lubar
16.	Muhammad Saeed Muhammad AYub	S/o	Shakook	GPS Sinjal Bandi
17.	Muhammad Younus Fazal ur Rehman	S/o	Mando	Msq: Tunimar
18.	Muhammad Riaz S/o Khan	Kala	Hari Doga	GPS Chamial
19.	Muhammad Tariq S/o Rehman	Abdur	Chamsair	GPS Sunj
20.	Muhammad Haroon Ghulam Haider	S/o	Moorat Mera	GPS Sunj
21.	Lal Khan S/o Fazal ur Rehman		Tarmang	GPS Tarmang
22.	Abdus Sattar S/o Maroof		Kalas	GPS Seri Gali
23.	Niaz Ali Shah S/o Farman Ali Shah		Darband	Msq: Chakli Miangan
24.	Muhammad Ishaq Ghulam Dadar	S/o	Makan Glai	GPS Chatta
25.	Aftab Ahmad S/o Abdul Jalil		Hari Doga	GPS Chatta
26.	Abdul Malik S/o Rehmatullah		Chansair	GPS Bar
27.	Muhammad Shameer Omar Zaman	S/o	Jasgran	GPS Sokal
28.	Naheem Anwar Muhammad Anwar	S/o	Shangli	GPS Neel Btla
29.	Muhammad Haroon Khalil ur Rehman	S/o	Kutaira	GPS Neel Batla

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30.	Abid Hussain Shah Hussain Shah	S/o	Ismail Bandi	GPS Nawanshehr
31.	Shakeel S/o Abdul Manan		Sokal	GPS Sokal
32.	Rashid Manan S/o Abdul Manan		Lassan Nawab	GPS Sokal
33.	Taj Muhammad S/o Sher	Ali	Chakli	GPS Namshera
34.	Shaukat Ali S/o Gohar Rehman		Darband	GPS Namshera
35.	Abdul Rashid S/o Abdul Khalid		Jand Seri	GPS Namshera
36.	Javaid S/o Fazal ur Rehman		Sharotta	GPS Khudian
37.	Muhammad Arshid S/o Sher Muhammad		Sahaki	GPS Khudian
38.	Muhammad Fayaz S/o Niaz Muhammad		Bandi Mera	GPS Garwal
39.	Muhammad Arif S/o Wali Muhammad		Rooria	Msq: Parkhain
40.	Muhammad Gulab S/o Sikandar Khan		Rarri	Msq: Jorian
41.	Abdus Sadiq S/o Behram		Kalas	GPS Minjahani
42.	Muhammad Ali S/o Taj Muhammad		Taqia Shahmiskeen	GPS Dham Nalla
43.	Naeem Kausar S/o Ghulam Sarwar		Lassan Nawab	GPS Hallan
44.	Muhammad Hamayun S/o Habib ur Rehman		Bandian	GPS Matserian
45.	Muhammad Parvez S/o Muhammad Zaman		Tharmag	GPS Miana Gali
46.	Zulfiqar S/o Ghulam Sarwar		Darband	Msq: Karam

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47.	Habib ur Rehman S/o Jamil ur Rehman	Gali Badra	GPS Chuntran
48.	Muhammad Saeed S/o Muhammad Jarail	Kalas	Msq: Mohar Khurd
49.	Muhammad Bukhtiar S/o Khani Zaman	Roria	GPS Miana Gali
50.	Iftikhar S/o Ghulam Haider,	Gojra	GPS Kahawa
51.	Fida Hussain S/o Aziz Muhammad	Chor Bandi	GPS Mad Serian
52.	Ghulam Mustafa S/o Hafizullah	Chamial	GPS Nikka Pani
53.	Zulfiqar S/o Duri Aman	Sinjliyal	Msq: Hari Doga
54.	Muhammad Bashir S/o Abdul Akbar	Machral	Msq: Hari Doga
55.	Sher Muhammad S/o Taj Muhammad	Fateh Bandi	Msq: Kaloo Bashti
56.	Shah Feroz S/o Firdous	Jaman Mpori	Msq: Thakra Pain
57.	Munawar S/o Masood	Lassan Nawab	GPS Tarmang
58.	Ghulam Abbas S/o Abdus Satar	Dehari	Msq: Batangi
59.	Muhammad Azam S/o Khawaj Muhammad	Khakian Arian	GPS Karka
60.	Anwar Zeb S/o Sikandar Khan	Sharotta	GPS Hallan
61.	Akram S/o Suleman	Sharotta	GPS Mera Khairoo
62.	Nazir Muhammad S/o Sher Muhammad	Phuldhar	Msq: Nalbori
63.	Ghiria Khan S/o Abdur Rehman	Jhangi	GPS Sinjliyal

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64.	Muhammad Tariq S/o Parvez	Sokal	GPS Shanaya Payeen
65.	Dost Muhammad S/o Mir Muhammad	Khairabad	Msq: Dolarian
66.	Jehangir S/o Faal Karim	Hal Kaloo	GPS Hariyala
67.	Manzoor Ahmad S/o Maqbool ur Rehman	Chandoor	Msq: Chandoor
68.	Lal Khan S/o Sher Muhammad	Jhanda	Msq; Chandoor
69.	Sultan S/o Rehmatullah	Nara Doga	GPS Gora
70.	Duri Aman S/o Wazir Muhammad	Sharotta	Msq: Kamari
71.	Salar Khan S/o Abdul Akbar	Karrori	GPS Akhun Bandi
72.	Iftikhar Ahmad S/o Ali Zaman	Shakokki	GPS Kandal
73.	Mubarak S/o Haider Zaman	Pakoona	GPS Maserian
74.	Sabir S/o Muhammad Yaqoob	Pakoona	GPS Ghazi Kot
75.	Diidar S/o Faqir Muhammad	Mohar	Msq: Belan
76.	Rafique S/o Sikandar	Bandian	GPS Bandi Khan Khel
77.	Shakeel Ahmad S/o Ayub	Khalwal	Msq: Kotla Darwaza
78.	Sadique S/o Farid	Jahand	Msq: Gud
79.	Khurshid S/o Faqir Muhammad	Chitti Moori	GPS Chontra
80.	Muhammad Farooq S/o Kala Khan	Kajla	GPS Kajla
81.	Nazar Hussain S/o Ghulam Haider	Nikka Pani	Msq: Gali Tendki
82.	Sarwar S/o Abdul Nabi	Thanda	GPS Chaniyal

83.	Muhammad Hanif S/o Ghulam Sarwar	Sokal	Mera Khairoo
84.	Nazir Ahmad S/o Ghulam Sarwar	Batal Pain	Msq: Khaj Ambar
85.	Ali Munsaf S/o Ali Zaman	Doga	GS Bradarh
86.	Sarfraz S/o Ali Zaman	Jangi	GPS Thathi Kalan
87.	Iqbal S/o Yaqoob	Larri	Msq: Shanaya Pain
88.	Muhammad Afzal S/o Ayub	Tangarh	Msq: Kharan
89.	Hakim Khan S/o Gohar Rehman	Khaliala	GPS Mera Khairoo
90.	Zaman Shah S/o Gulab Shah	Shergarh	GPS Seri Gorla
91.	Saleem S/o Samandur	Shanaya	Msq: Bradar
92.	Munib ur Rehman S/o Muhammad Zaman	Kandar	GPS Kandar
93.	Sajid S/o Habib ur Rehman	Phutra	GPS Kajla
94.	Muhammad Haroon S/o Ali Zaman	Bai Buhai	GPS Batdoga
95.	Muhammad Javaid S/o Aurangzeb	Jhanga	GPS Gali Badral
96.	Muhammad Ismail S/o Muhammad Zaman	Gorha	GPS Their
97.	Muhammad Riaz S/o Rahiullah	Bandi Mera	Msq: Khamian
98.	Naveed Shah S/o Muazam Shah	Shah Kot	GPS Dam Nurla
99.	Muhammad Nazir S/o Muhammad Aseem	Nikka Pani	GPS Neel Batla
100.	Muhammad Azam S/o Sher Muhammad	Bandian	GPS Nara Doga

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101.	Abid Hussain S/o Abdur Rehman	Pakoona	GPS Chaniyala
102.	Muhammad Asif S/o Wali Jan	Munda Gucha	GPS Chilyani
103.	Nahib Ahmad S/o Jabori	GPS Sundi	
104.	Muhammad Naeem S/o Attai Khan	Phalai	GPS Neel Ban
105.	Muhammad Naveed S/o Muhammad Ayub	Sachan Kalan	GPS Bahadra
106.	Muhammad Shakeel S/o Muhammad Mussa	Sachan Kalan	GPS Saidabad
107.	Ghulam Hassan S/o Muhammad Ishaq	Nalla Jabbar	GPS Nala Jabbar
108.	Muhammad Khalid S/o Aziz ur Rehman	Munda Gocha	GPS Murida Gocha
109.	Gul Dad S/o Mughaldad	Punjool	GPS Sukian
110.	Muhammad Aslam S/o Muhammad Alam	Gali Jabbar	GPS Jabbar
111.	Ghulam Nabi S/o Arsala Khan	Keeeri Bala	GPS Sattan Gali
112.	Akhtar Nawaz S/o Haq Nawaz Khan	Sucha Kalan	GPS Kodar
113.	Gul Niaz S/o Sarfraz Khan	Buz Kela	GPS Banda Geesach
114.	Ghulam Nabi S/o Qadar	Chotta Kala	GPS Mohri
115.	Javed Iqbal S/o Ahmad Jee	Punjool	GPS Mohri
116.	Ashiq Hussain Shah S/o Mumtaz Ali Shah	Bai Bala	GPS Thatta
117.	Sajid Hussain Shah S/o Hayat Shah	Kot Chattar	GPS Dheri Nambardar

118.	Muhammad Fayaz S/o Abdul Wahab	Hilkot	GPS Dheri Hale
119.	Javed Hussain Shah S/o Nawab Said Shah	Lachi Mang	GPS Dheri Nambardar
120.	Zulfiqar Ali Shah S/o Sadiq Shah	Bai Bala	GPS Shangreta
121.	Abdul Ghaffar Ali Shah S/o Pir Badshah	Saloon	GPS Chinarkot
122.	Ijaz Hussain Shah S/o Said Shah	Ghumla Chattar	GPS Khotri
123.	Qaisar Rauf S/o Abdur Rauf Khan	Sachan Kalan	GPS Keeri Nawab
124.	Dahshat Khan S/o Haji Farid Khan	Sharkool	GPS Dheri Hale
125.	Muhammad Saeed S/o Miskeen	Karan	GPS Matserian
126.	Abdur Razaq S/o Mir Hussain	Makan Gali	GPS Dokal
127.	Muhammad Ijaz S/o Omar Zaman	Dhanaka	Msq: Pagora
128.	Muhammad Aslam S/o Omar Zaman	Qundan	GPS Battian
129.	Abdus Sattar S/o Abdur Rehman	Dhaman	GPS Chatta
130.	Muhammad Yousaf S/o Auranzeb	Seri Gali	GPS Shanaya
131.	Farid ud Din S/o Abdul Hai	Matseri	GPS Jiggi
132.	Sadique S/o Haider Zaman	Purni	GPS Hariyala
133.	Azmat Ayub S/o Muhammad Ayub	Naryala	GPS Chameyari Ghazikot
134.	Sadi Badshah S/o Shah	Mudssar Sarori (K.D)	Msq: Cheer

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135.	Muhammad Mustafa S/o Yasin Khan	Judba	Msq: Kalala
136.	Abdul Bashir S/o Gul Raiz	Uthlair	Msq: Mohri Danna
137.	Fanoos Shah S/o Syed Azeem Shah	Rongaly	Msq: Soormal Madda Khail
138.	Syed Wahab S/o Muhamad Mustafa	Jatka	Msq: Laka Tiga
139.	Pir Mukamal Shah S/o Pir Ahmad Shah	Jatka	Msq: Tara Madda Khail
140.	Liaqat Ali S/o Sher Muhammad Khan	Shinkhari	Msq: Jhangri
141.	Sardar Zaman S/o Shah Izat Khan	Deri Kaka Khail	Msq: Markharain

Sd/-
(HAQ NAWAZ KHAN)
DISTRICT EDUCATION OFFICER
(MALE) PRIMARY MANSEHRA

Endst: No. 217-367 _____ / Dated Mansehra the February 13, 199

Copy forwarded to the:-

1. P.S to Secretary to Government of NWFP Education Department, Peshawar.
2. P.A to Director Primary Education NWFP, Peshawar.
3. District Accounts Officer, Mansehra.
4. Sub-Divisional Education Officer (Male), Mansehra.
- 5-10 ASDEO Circle Pultra, Shergarh, Oghi, Battal, Jabori and Kala Dhaka.
- 11-151. All concerned

Sd/-
DISTRICT EDUCATION OFFICER
(MALE) PRIMARY MANSEHRA

Annex - C

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Annexure

EXTRAORDINARY
GOVERNMENT



REGISTERED NO. PIII
GAZETTE

KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, THURSDAY 20TH SEPTEMBER, 2012.

PROVINCIAL ASSEMBLY SECRETARIAT,
KHYBER PAKHTUNKHWA

NOTIFICATION

Dated Peshawar, the 20th September, 2012.

No. PA/Khyber Pakhtunkhwa/Bills/2012/6077, The Khyber Pakhtunkhwa Sacked Employees (Appointment) Bill, 2012 having been passed by the Provincial Assembly of Khyber Pakhtunkhwa on 10th September, 2012 and assented to by the Governor of the Khyber Pakhtunkhwa on 17th September, 2012 is hereby published as an Act of the Provincial Legislature of the Khyber Pakhtunkhwa.

THE KHYBER PAKHTUNKHWA SACKED EMPLOYEES (APPOINTMENT) ACT, 2012

(KHYBER PAKHTUNKHWA ACT NO. XVII OF 2012)

(First published after having received the assent of the Governor of the Khyber Pakhtunkhwa in the Gazette of the Khyber Pakhtunkhwa (Extraordinary), dated the 20th September, 2012).

AN
ACT

to provide relief to those sacked employees in the Government service, who were dismissed, removed or terminated from service, by appointing them into the Government service

WHEREAS it is expedient to provide relief to those sacked employees who were appointed on regular basis to a civil post in the Province of the Khyber Pakhtunkhwa and who possessed the prescribed qualification and experience required for the said post, during the period from 1st day of November, 1993 to the 30th day of November, 1996 (both days inclusive) and were dismissed, removed, or terminated from service during the period from 1st day of November, 1996 to 31st day of December, 1998 on various grounds;

WHEREAS the Federal Government has also given relief to the sacked employees by enactment;

146 KYBER PAKHTUNKHWA GOVERNMENT GAZETTE, EXTRAORDINARY, 20th SEPTEMBER, 2012.

AND WHEREAS the Government of the Khyber Pakhtunkhwa has also decided to appoint these sacked employees on regular basis in the public interest;

It is hereby enacted as follows:

1. Short title, extent and commencement---(1) This Act may be called, the Khyber Pakhtunkhwa Sacked Employees (Appointment) Act, 2012.

(2) It shall apply to all those sacked employees, who were holding various civil posts during the period from 1st day of November, 1993 to 30th day of November, 1996 (both days inclusive).

(3) It shall come into force at once.

2. Definitions--- In this Act, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them that is to say,--

(a) "civil post" means a post created by the Finance Department of Government for the members of civil service of the Province;

(b) "Department" means the Department and the Attached Department as defined in the Khyber Pakhtunkhwa Government Rules of Business, 1985, including the Divisional and District offices working thereunder;

(c) "Government" means the Government of the Khyber Pakhtunkhwa;

(d) "Prescribed" means prescribed by rules;

(e) "Province" means the Province of the Khyber Pakhtunkhwa;

(f) "rules" means the rules made under this Act; and

(g) "sacked employee" means a person who was appointed on regular basis to a civil post in the Province and who possessed the prescribed qualification and experience for the said post at that time, during the period from 1st day of November, 1993 to the 30th day of November, 1996 (both days inclusive) and was dismissed, removed, or terminated from service during the period from 1st day of November, 1996 to 31st day of December, 1998 on the ground of irregular appointments.

3. Appointment of sacked employees--- Notwithstanding anything contained in any law or rule for the time being in force, on the commencement of this Act, all sacked employees subject to section 7, may be appointed in their respective cadre of their concerned Department, in which they occupied civil posts before their dismissal, removal and termination from service:

Provided that the sacked employees shall be appointed against thirty percent of the available vacancies in the said Department:

Provided further, that the appointment of sacked employees shall be subject to the medical fitness and verification of their character antecedents to the satisfaction of the concerned competent authority.

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4. Age relaxation— The period during which a sacked employee remained dismissed, removed or terminated from service, till the date of their appointment shall be deemed to have been automatically relaxed and there shall be no further relaxation under any rules for the time being in force.
5. Sacked employees shall not be entitled to claim seniority and other back benefits— A sacked employee appointed under section 3, shall not be entitled to any claim of seniority, promotion or other back benefits and his appointment shall be considered as fresh appointment.
6. Preference on the basis of age— On the occurrence of a vacancy in the respective cadre of the concerned Department of the sacked employee against the thirty percent available share, preference shall be given to the sacked employee who is older in age.
7. Procedure for appointment— (1) A sacked employee, may file an application, to the concerned Department within a period of thirty days from the date of commencement of this Act, for his appointment in the said Department:

Provided that no application for appointment received after the due date shall be entertained.

(2) The concerned Department shall maintain a list of all such sacked employees whose applications are received under sub-section (1) in the respective cadres in chronological order.

(3) If any vacancy occurs against the thirty percent available share of the sacked employee in any Department, the senior in age from such sacked employees shall be considered by the concerned Departmental Selection Committee or the District Selection Committee, as the case may be, to be considered in the prescribed manner, for appointment.

Provided that no willingness or response is received within a period of thirty days, the next senior sacked employee shall be considered for appointment.

(4) The concerned Departmental Selection Committee or District Selection Committee, as the case may be, will determine the suitability or eligibility of the sacked employee.

(5) If no sacked employee is available against thirty percent vacancy reserved in respective cadre in a Department, then the post shall be filled through initial recruitment.

8. Removal of difficulties— If any difficulty arises in giving effect to any of the provisions of this Act, the Chief Minister, Khyber Pakhtunkhwa may issue such order not inconsistent with the provision of this Act, as may appear to him to be necessary for the purpose of removing the difficulty.

Provided that no such power shall be exercised after the expiry of one year from coming into force of this Act.



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14th KYBER PAKHTUNKHWA GOVERNMENT GAZETTE, EXTRAORDINARY, 20th SEPTEMBER, 2012.

- 9. Act to override other laws.— Notwithstanding anything to the contrary contained in any other law or rules for the time being in force, the provisions of this Act shall have overriding effect and the provisions of any other law or rules to the extent of inconsistency to this Act, shall cease to have effect.
- 10. Power to make rules.— Government may make rules for carrying out the purpose of this Act.

BY ORDER OF MR. SPEAKER
PROVINCIAL ASSEMBLY OF KYBER
PAKHTUNKHWA

(AMANULLAH)
Secretary
Provincial Assembly of Kyber Pakhtunkhwa

Printed and published by the Manager,
State & P.G. Dept., Khyber Pakhtunkhwa, Peshawar.

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KHYBER PAKHTUNKHWA
PUBLISHED BY AUTHORITY
PESHAWAR, THURSDAY, 20TH SEPTEMBER 2012
PROVINCIAL ASSEMBLY SECRETARIAT
KHYBER PAKHTUNKHWA

NOTIFICATION

Dated Peshawar, the 20th September, 2012.

No. PA/Khyber Pakhtunkhwa/Bills/2012/6077. The Khyber Pakhtunkhwa Sacked Employees (Appointment) Bills, 2012 having been passed by the Provincial Assembly of Khyber Pakhtunkhwa on 10th September 2012 and assented to by the Governor of the Khyber Pakhtunkhwa on 17th September, 2012 is hereby published as an Act of the Provincial legislature of the Khyber Pakhtunkhwa.

THE KHYBER PAKHTUNKHWA SACKED EMPLOYEES
(APPOINTMENT) ACT, 2012

(KHYBER PAKHTUNKHWA ACT NO. XVII OF 2012)

(First Published after having received the assent of the Governor of the
(Khyber Pakhtunkhwa in the Gazette of the Khyber Pakhtunkhwa
(Extraordinary), dated the 20th September, 2012).

AN

ACT

To provide relief to those sacked employees in the Government service who
was dismissed moved or terminated from service by appointing them into
the Government service.

WHEREAS it is expedient to provide relief to those sacked employees
who were appointed on regular basis to a civil post in the Province of the
Khyber Pakhtunkhwa and who possessed the regular basis qualification and

experience required for the said post. During the period from 1st day of November, 1993 to the 30th day of November, 1996 (both days inclusive), and were dismissed removed, or terminated from service during the period from 1st November, 1996 to 31st day of December, 1998 on various grounds;

WHEREAS the Federal Government has also gives relief to the sacked employees by enactment;

Khyber Pakhtunkhwa Government Gazette, Extraordinary, 20th September, 2012.

AND WHERE AS the Government of Khyber Pakhtunkhwa has also decided to appoint these sacked employees on regular basis in the public interest.

It is hereby enacted as follows:

1. Short the extent and commencement (1) This Act may be called the Khyber Pakhtunkhwa Sacked, Employees (Appointment) Act, 2012.
2. It shall apply to all those sacked employees, who were holding various civil posts during the period from 1st day of November, 1993 to 30th day of November, 1996 (both days inclusive).
3. It shall come into force at once.

DEFINITIONS: In this Act, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them that is to say.

- a. Civil post means a post created by the Finance Department of Government for the members of civil service of the Province.

- b. Department in case the Department and the attached Department as defined in the Khyber Pakhtunkhwa Government Rules of Business, 1985, including the Divisional and District offices working there under.
- c. Government means the Government of the Khyber Pakhtunkhwa.
- d. Prescribed means prescribed by rules.
- e. Province means the Province of the Khyber Pakhtunkhwa.
- f. Rules means the rules made under this act. And
- g. Sacked employee means a person who was appointed on regular basis to a civil post in the Province and who possessed the prescribed qualification and experience for the said post at that time. During the period from 1st day of November, 1993 to the 30th day of November, 1996 (both days inclusive) and was dismissed removed or terminated from service during the period from 1st day of November, 1996 to 31st day of December, 1998 on the ground of irregular appointments.

Appointment of sacked employees. Not with standing contained in any law or rule for the time being in force, on the commencement of this Act, all sacked employees subject to section 7 may be appointed in their respective cadre of their concerned Department, in which they occupied civil posts before their dismissal removal and termination from service.

Provided that the sacked employees shall be appointed against thirty percent of the available vacancies in the said Department:

Provided further that the appointment of sacked employees shall be subject to the medical fitness and

verification of their character antecedents to the satisfaction of the concerned competent authority.

KHYBER PAKHTUNKHWA GOVERNMENT GAZETTE
EXTRAORDINARY, 20TH SEPTEMBER 2012.

4. Me relaxation:- The period during which a sacked employee remained dismissed removed or terminated from service till the date of their appointment shall be deemed to have been automatically relaxed and there shall be no further relaxation under any rules for the time being in force.
5. **SACKED EMPLOYEES SHALL NOT BE ENTITLED TO CLAIM SENIORITY AND OTHER BACK BENEFITS:** A sacked employee appointed under section 3, shall not be entitled to any claim of seniority promotion or other back benefits and his appointment shall be considered as fresh appointment.
6. **PREFERENCE ON THE BASIS OF AGE:-** On the occurrence of a vacancy in the respective cadre of the concerned Department of the sacked employee against the thirty percent available share preference shall be given to the sacked employee who is older in age.
7. **PROCEDURE FOR APPOINTMENT:-** A sacked employee may file an application to the concerned Department within a period of thirty days from the date of commencement of this Act, for his appointment in the said Department:
Provided that no application for appointment received after the due date shall be entertained.

(2). The concerned Department shall maintain a list of all such sacked employees whose applications are received under subsection (1) in the respective cadres in chronological order.

(3). If any vacancy occurs against the thirty percent available share of the sacked employee in any Department, the senior in age from such sacked employee shall be considered by the concerned Departmental Selection Committee or the district Selection Committee, as the case may be to be constituted in the prescribed manner for appointment.

(4). The concerned Departmental Selection Committee or District Selection Committee as the case may be will determine the suitability or eligibility of the sacked employee.

(5). The sacked employee is available against thirty percent vacancy reserved irrespective cadre in a Department, then the post shall be filled through initial recruitment.

REMOVAL OF DIFFICULTIES: Any difficulty arises in giving effect to any of the provisions of the Act, the Chief Minister Khyber Pakhtunkhwa may issue such order not inconsistent with the provision of this Act, as may appear to him to be necessary for the purpose of removing the difficulty.

Provide that no such power shall be exercised after the expiry of one year from coming into force of this Act.

KHYBER PAKHTUNKHWA GOVERNMENT GAZETTE, EXTRAORDINARY, 20TH SEPTEMBER 2012.

P. 41

ACT TO OVERRIDE OTHER LAWS:- No by the standing any thing to the contrary contained in any other law or rules for the time being in force the provision of this Act shall have overriding effect and the provisions of any other law or rules to the extent of inconsistency of this Act, shall cease to have effect.

POWER TO MAKE RULES:- Government may make over for carrying out the purpose of this act.

BY ORDER OF MR SPEAKER

PROVINCIAL ASSEMBLY OF KHYBER
PAKHTUNKHWA

(AMANULLAH)
SECRETARY
PROVINCIAL ASSEMBLY OF KHYBER
PAKHTUNKHWA

①

Annex-D

BEFORE THE PESHAWAR HIGH COURT

ABBOTTABAD BENCH

P-32

Writ Petition No. 516 /2013

1. Ifikhar Khan S/O Abdul Hakeem Govt Middle School Jalkot, Kohistan.
2. Afzal Khan S/O Abdul Haq Govt Middle School Barigo Kohistan.
3. Khayal Muhammad S/O Tajbar Govt Middle School Bargheen, Kohistan.
4. Zulfikar Ali S/O Zahoor Muhammad Govt Middle School Bargheen, Kohistan.
5. Mohtaram Shah S/O Mahroof Shah Govt Middle School Shotid, Kohistan.
6. Muhammad Saleem Khan S/O Gul Zareen CT, Govt Middle School Ghazia Abad, Kohistan.
7. Nasir Khan S/O Hamidullah, PET Govt Middle-School Beela, Kohistan.
8. Javed Hayat Akhtar, S/O Rehmatullah Govt Middle School Dag, Kohistan.
9. Gohar Zaman S/O Badi-uz-Zaman, Govt. Middle School Barbaheen, Kohistan.
10. Noor Syed S/O Umar Gul, Govt Middle School Dag, Pattan, Kohistan.
11. Shakeel Ahmed Khan S/O Musharaf Khan, Govt Middle School Barsharial, Kohistan.
12. Murad Ali Shah S/O Haji Imran-ud-Din, Govt Middle School Paragari, Kohistan.
13. Zarab Khan S/O Noor Habib Govt Middle School Madakhail, Kohistan.
14. Shahai Nawab S/O Abdul Hameed, Govt Middle School Peerobela, Kohistan.
15. Umar Khitab S/O Daray Khan CT, Govt Middle School Bargaheen, Kohistan.

Certified to be true copy
 PESHAWAR HIGH COURT
 ABBOTTABAD BENCH
 28/9/13

No 1884
 26-9-13

No 1888
 18/9/13

FILED

- (2) P-32
16. Qari Maqbool-ur-Rehman QT, GHS, Thakra Teh & District Mansehra.
 17. Muhammad Haroon (Ex-PTC) GPS Neel Batla Teh & District Mansehra.
 18. Ifikhar Ahmed (Ex-PTC) GPS Kahawah Teh & District Mansehra.
 19. Abdul Manan (Ex-TT) GHS Mansehra No. 1 Tehsil & District Mansehra.
 20. Kala Khan Ex-PST Tehsil & District Mansehra.
 21. Sarfraz Ex-PST Tehsil & District Mansehra.
 22. Bibi Shazia Maroof Ex-PST Tehsil & District Mansehra.
 23. Rehmat Ali S/O Haq Nazar CT GMS Sherakot District Kohistan.
 24. ~~Jamal~~ Jamal-ud-Din S/O Muhammad Farooq DM GHS Pattan Kohistan.
 25. Rasheed Ali S/O Muhammad Ziad CT GMS Aleel Kohistan.
 26. Fazal-e-Rabi S/O Nam-e-Haq CT GMS Dargeen Kohistan.
 27. Fazal-e-Haq S/O Muhammad Ayub Khan CT GMS Mujgali Kohistan.
 28. Bher-e-Karam S/O Bher-e-Room DM GMS Jaba Made Khail Kohistan.
 29. Muhammad Saleem S/O Muhammad Miskeen Junior Clerk Govt Higher Secondary School Dhodial District Mansehra.
 30. Muhammad Miskeen GMS Baila Mansehra

P-42-A

.....PETITIONERS

VERSUS

1. Govt. of KPK through Secretary Education (E&SE) KPK Peshawar.
2. Director (E&SE) KPK Peshawar.
3. District Education Officer (Male) District Kohistan.
4. District Education Officer (Male) District Mansehra.

.....RESPONDENTS

Certified to be true Copy
Peshawar Bench
Authorized Under: Sec 15, Act 19 of 1973

[Handwritten signature]
6/1/15

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P-303

43

WRIT PETITION UNDER ARTICLE 199 OF THE CONSTITUTION OF ISLAMIC REPUBLIC OF PAKISTAN, READ WITH ARTICLE 25 OF THE CONSTITUTION TO THE EFFECT THAT THE PETITIONERS WERE TERMINATED IN THE YEAR 1996-97 BY THE RESPONDENTS AND GOVT OF KPK INTRODUCE KHYBER PAKHTUNKHAW SACKED EMPLOYEES (APPOINTMENT) ACT 2012 WHEREIN RESPONDENTS ARE BOUND TO RE-INSTATE THE PETITIONERS BUT THE RESPONDENTS ARE NOT ISSUING RE-INSTATEMENT ORDERS OF THE PETITIONERS WHEREAS SIMILAR SACKED EMPLOYEES HAVE BEEN RE-INSTATED IN DIFFERENT DISTRICTS OF KPK VIZ DISTRICT SWABI AND DISTRICT BATTAGRAM ETC, WHICH IS MALA FIDE, AGAINST THE LAW, DISCRIMINATORY AGAINST THE NATURAL JUSTICE

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PRAYER ON ACCEPTANCE OF THE INSTANT WRIT PETITION, THAT THE RESPONDENTS MAY BE DIRECTED TO

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P-34

RE-INSTATE THE PETITIONERS
FORTHWITH AS MORE THAN SEVEN
MONTHS HAS ELAPSED AFTER THE
PROMULGATION OF THE SAID ACT.

Respectfully Sheweth:

1. That the petitioners were appointed by the respondents according to the prescribed method of recruitment and their services were illegally terminated in the year 1996-97. Copies of appointment orders are attached as Annexure "A".
2. That as per sacked employees (appointment) act 2012 of KPK, the respondents are bounds to re-instate the petitioners as per criteria mentioned in the said act but the respondents did not appoint the petitioners in spite of the fact that more than hundreds posts are vacant in different carders and are available on the establishment of respondent No 3. The conduct of the respondents towards the petitioners is perverse, callous, mala fide and also speaks of ulterior motives. Hence,

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 Peshawar High Court
 Abbottabad Bench
 Authorized Under Section 10(4) of the
 Peshawar High Court Act, 1973

Filed Today
 26/6/16

5
the petitioners filed instant writ petition
inter alia on the following grounds.

P-75

GROUNDS: -

- a. That the once in act, law and notification is issued by the competent authorities all the state functionaries are bound to implement the said act, rules and notification, but the respondents are not implementing the provision of said employees act in letter and sprits which amounts to misconduct. It is the mandate of good governance that the conduct of any officer or authority can be looked into in case that official / authority does not implement the rules / act.
- b. That the said act has been promptly implemented by the concerned authorities of other Districts of KPK and appointed the said employees under the sacked employees appointment act 2012. Copies of appointment orders of similar employees of District Swabi and Battagram are attached as Annexure "B and C".

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M. K.
28/07/16
Abdul Wahid
Authorized Officer, Social Security Agency

R. / 20/06

- c. That respondents are violating the provision of the act and they are bound to appoint the petitioners without further delay but the indolence, negligent behavior in implementing the law is illegal and accountable.
- d. That all the authorities / state functionaries are bound to act according to law when a law prescribes something which is to be done in a particular manner that must be done according to that law and not otherwise.
- e. That the KPK sacked employees (appointment) act 2012 has been promulgated on 20.09.2012 but the respondents has fully failed to implement the said law and re-instate the petitioners as teacher in education department within a period of more than seven months.
- f. That it is sorrow state of affairs that whenever, the petitioners visit the office of respondent No 3 who is not providing plausible reasons for creating delay.
- g. That respondents are continuously creating delay and the petitioners are mentally

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28/6/16

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AC / 26/6/16

tortured as well as the petitioners are being discriminated by respondents which is clear violation of article 25 of the Constitution of Islamic Republic of Pakistan.

P-47

h. That the respondents are exploiting the petitioners, which is totally against the Article 4 of the constitution as no one can exploit any other illegally and respondents are bound to discharge their duties and obligations towards the petitioners without further delay.

i. That the petitioners previously filed writ petition No 592/10 before the passing of KPK sacked employees (appointment) act 2012 and the said writ petition was converted into representation by this Honourable Court dated 05.12.2012 but the respondents did not act upon the directions which were rendered by this Honourable Court. Copy of order of this Honourable Court dated 05.12.2012 in writ petition No 592/10 is attached as Annexure "D".

Certified to be true Copy
Federal High Court
Abbottabad Bench
Authorized Signatory
[Signature]

[Signature]

Ⓢ P-28
j. That there is no other prompt and efficacious remedy available to the petitioners except the invocation of Constitution Jurisdiction of this Honourable Court.

k. Court fee Rs 500 affixed with the writ petition.

P-48

PRAYER: It is therefore, humbly prayed that on acceptance of the instant writ petition, that the respondents may be directed to re-instate the petitioners forthwith as more than seven months has elapsed after the promulgation of the said act.

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28/8/13
[Signature]

.....PETITIONERS

Iftikhar Khan

Through

Dated; _____/2013

[Signature]
(MULHAMMAD KRISHAN KHAN TANOLI)

&

(SARDAR MUHAMMAD ASIF)

&

(Yasir Zahoor Abbasi)
Advocates High Court

Abbottabad

[Signature] 10/26/13

Annex-E



OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) MANSEHRA

APPOINTMENT

P-49

In pursuance of Khyber Pakhtunkhwa Sacked Employees (Appointment) 2012 and Judgement passed by Honorable Peshawar High Court Abbottabad Bench Abbottabad, In Consolidate Judgment Vide Dated 24-05-2016, in W/P No 516-A/2013, 676-A/2015, 20-A/2014, 216-A/2015, 1155-A/2015, 702-A/2014, 115-A/2014, and directions of Honorable Court in COC No.22-A/2016, COC No. 47-A/2016, COC No. 58-A/2016, COC No. 83-A/2016 2014, consequent upon recommendation of the Departmental Selection Committee, appointment of the following candidates are hereby ordered against the post of TT, School based and in BPS-15 (Rs.16120-13330-56020) plus usual allowances as admissible under the rules, under the existing policy of the Provincial Government, on the terms and condition given below with effect from the date of their taking over charge:-

S.#	Name	Father's Name	Domicile	Permanent Address	Place of posting
1.	MUHAMMAD SIDDIQUE	MUHAMMAD MISKEEN	26-06-71	Village Naran The Balakot Distt: Mansehra	GMS Halkaloo
2.	IFTIKHAR AHMED	ANEES UR REHMAN	01-01-73	Village Ichrina Mansehra	GMS BalhagPayeen
3.	Abdul Manan	Syed Rehman	01-01-78	Village Phulra Mansehra	GMS Chak Pansial

TERMS & CONDITIONS.

1. NO TA/DA etc is allowed.
2. Charge reports should be submitted to all concerned in duplicate.
3. Their Appointment are subject are condition that, their certificates/document and domicial be verify from the concerned authority before releasing their salary in the light of Section 3 of the said ACT.
4. They will be governed by such rules & regulation enforce and as may be prescribed by the Government time to time for the category of the Government savant to which they belon.
5. Their appointment has been made in pursuance of Khyber Pakhtunkhawa, Sacked Employee (appointment) ACT 2012. Hence under Section 5 of the said ACT they shall not be entitled to any claim of the seniority, promotion and back benefits.
6. Their appointment has been made in pursuance of Khyber Pakhtunkhawa, Sacked Employee (appointment) ACT 2012. Hence Section 4 of the said ACT period during which they remained dismissed, removed or terminated from services, till the date of their appointment shall have been deemed atomically relaxed.
7. Their Appointment is subject to the condition that the certificates/documents must be verified from the concerned authorities by the DEO. Anyone found producing bogus Certificate will be reported to the law enforcing agencies for further action.
8. Their services are liable to termination on one month's prior notice from either side. In case of resignation without notice his one-month pay/allowances shall be forfeited to the Government.
9. Their pay will not be drawn until and unless a certificate to the effect by DEO is issued that his certificates/degrees are verified from the concerned board/university.
10. The Principal / Headmaster School concern is directed to submit their Degrees /Certificates etc to this office for verification from Board /University/Institutions before any payment made to them.
11. They should join their post within 15 days of the issuance of this notification. In case of failure to join their post within 15 days of the issuance of this notification, his appointment will expire automatically and no subsequent appeal etc shall be entertained.
12. Health and Age Certificate should be produced from the Medical Superintendent King Abdullah Teaching Hospital Mansehra before taking over charge.
13. They will be governed by such rules and regulations as may be issued from time to time by the Govt.
14. Their services shall be terminated at any time, in case his performance is found unsatisfactory during their contract period. In case of misconduct, they shall be proceeded under the rules framed from time to time.
15. Their appointments are made on School based, they will have to serve at the place of posting, and their service is not transferable to any other station.
16. In case of having less qualification which ever is prescribed Acadeic SSC for TT as well as classical certificate as profession the candidate must be qualified the above prescribed

Annex- F

بخدمت جناب ڈائریکٹر صاحب ایلمنٹری اینڈ سیکنڈری ایجوکیشن پشاور۔

درخواست برائے ادائیگی سابقہ سروس بقایا جات۔

P-51

جناب عالی!

گزارش ہے کہ سائل کو 05-06-1996 کو TT کی پوسٹ پر بھرتی کیا گیا اور پھر 13-02-1997 کو سائل کو ملازمت سے برطرف کر دیا گیا تھا اور بعد ازاں حکومت نے 2012 Sacked Employees Act کا نفاذ کرتے ہوئے 1993-94ء میں بھرتی ہونے والے اور 1997-98ء میں برطرف شدہ ملازمین کی بحالی کا حکم نامہ جاری کیا گیا سائل کو IDEO نمبرہ نے بمطابق قانون 2012ء کے بحال نہیں کیا جسکی وجہ سے سائل نے پشاور ہائیکورٹ ایپلٹ آبادیج میں W.P.No. 516-A/2013 دائر کی جس کا فیصلہ 24-05-2017 کو سائل کے حق میں ہوا اور بعد ازاں سپریم کورٹ آف پاکستان نے بھی 24-05-2017 کو ہائیکورٹ کے فیصلہ کو بحال رکھا۔ لہذا سائل کو بروئے حکم عدالت عالیہ مورخہ 06-12-2017 کو بحال کر دیا سائل 2012 سے نوکری پر بحالی کا حق رکھتا تھا اور یہ کہ وفاقی حکومت نے اپنے تمام ملازمین کو ریٹائرمنٹ کی تاریخ سے بحال کیا۔

اندریں حالات استدعا ہے کہ سائل کی نوکری سال 1997ء اور بعدہ 2012ء سے پینشن کے لئے

اکاؤنٹ کرتے ہوئے تنخواہ کے بقایا جات بھی ادا کئے جائیں۔

الرقوم: 27-12-2017

ارض

ج.ت

عبدالمنان ولد سید عمران (TT)

گورنمنٹ ٹیڈل سکول نواسہ تحصیل ضلع مانسہرہ

سکنہ کوئٹہ پوسٹ آفس بھلوہ تحصیل ضلع مانسہرہ

رابطہ نمبر: 0302-8102572

No. 12-009808-002



CM 5064822869

CASH 201-12-27-12:50

MNA-PEW Staff # 70964 X26106

Name: GOVT. ...
Contact: 03028102577
Address: GOVT. ...

Name: DIRECTOR
Address: ... AND SECONDARY EDUCATION

Phone: 0309999919

Service Tax	100
Other Amount	0.0
VAS	0
Insurance CHG	0
GST	25
TOTAL	125

Amex-

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JK



Annex - C

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) MANSEHRA

NOTIFICATION:

P-55

In pursuance of Khyber Pakhtunkhwa Sacked Employee (Appointment) Act 2012 and decision passed by Peshawar High Court Abbottabad Bench in W/P No 497/2013 dated 25/06/2013 and in W/P No 401-A/2013 dated 22/05/2013 and also in compliance of COC No 70-A 2013 in W/P No 401-A/2013 vide order dated 21/05/2015 and 23/06/2015 and consequent upon recommendation by the Departmental Selection Committee in its meeting held on 25/06/2015, the competent authority in the B&SE District Mansehra is pleased to order the appointment of the following sacked employee in BPS-15 (Rs.8500-700-29500) plus usual allowances as admissible under the rules against the post of Certified Teacher and post them against the vacant position in the schools mentioned against their names with immediate effect, on the terms and condition given:-

S.#	Name	Father's Name	D.O.B	Posted AT	Remarks
1.	Muhammad Akbar Khan	Sayed Ul Haq	02-02-1966	GHSS Battal	A/V Post
2.	Muhammad Ayaz	Salar Khan	04-03-1966	GHSS Battal	A/V Post
3.	Shaukat Ali Khan	M. Yousaf Khan	01-06-1971	GHS Madserian	A/V Post
4.	Nadeem Asahraf	Muhammad Ashraf	07-09-1971	GMS Arbora (Oghi)	A/V Post
5.	Matloob Ahmed	Said Mehmood	17-01-1975	GHS Chaki Bala	A/V Post

TERMS & CONDITIONS

1. NO TA/DA etc is allowed.
2. Charge reports should be submitted to all concerned in duplicate.
3. Their appointment are subjected to the condition that their Certificates/ Documents And Domicile Be Verified From The Concerned Authority Before Release Of Their Salary in the light of section 3 of the said ACT
4. They will be governed by such rules and regulations enforced and as may be prescribed by the Government from time to time for the category of the Government servants to which they belong.
5. Their appointments have been made in pursuance of Khyber Pakhtunkhwa, Sacked Employees (Appointment) Act 2012. Hence under Section 6 of the said Act they shall not be entitled to claim any of seniority, promotion and other back benefits.
6. They should obtain Medical Fitness certificate from the Medical Superintendent/ Civil Surgeon DHQ Hospital Mansehra.
7. Their appointment have been made in pursuance of Khyber Pakhtunkhwa, Sacked Employees (Appointment) Act 2012. Hence under Section 4 of the said Act the period during which they remained dismissed, removed or terminated from service, till the dated of their Appointment shall have been deemed automatically relaxed.
8. In case they failed to assume the charge of their post within 15 days of their appointments, their candidature-ship will be stand automatically cancelled.
9. They will be on probation for a period of one year, extendable to another one year keeping in view their performance.
10. They have not served in any other Department/ Corporation/ Agency etc.
11. The principal/ DDO should not release pay of the teacher till the pay release order by the District Education Officer (M) Mansehra. After verification of their documents.
12. The Principal/Head Master concerned is directed to submit their degrees/certificates etc for verification from the concerned Board/University/Institute before any payment made to them.
13. In case their documents are found Fake/ Bogus on verification from the issuing authority; the service of the official shall be terminated and an FIR be lodged against him under the relevant law.
14. Their services are liable to termination on one month prior notice from either side in case of resignation without prior notice; his one month pay/allowances shall be forfeited to Government treasury.
15. If their performance is found un-satisfactory, they will be proceeded under E&D Rules.
16. In case of having less qualification which ever is prescribed Academic BA/B.Sc for CT as well as classical certificate as professional the candidate must be qualified the above prescribed qualification i.e. Academic/professional within 3 years after issue of this appointment order, failing which their appointment order shall stand terminated automatically, without any further notice.
Their appointment is made on school based. They will have to serve at the place of posting and their service is not transferable to any other school.
17. They will took over the charge in the schools falls in summer zones areas w.e.f. 01/09/2015 and in case of winter zones areas w.e.f. 01/08/2015

P-55

18. They will take over the charge in case schools falls in summer zones areas w.e.f. 01/09/2015 and in case of winter zones areas w.e.f 01/08/2015.
19. The Competent Authority resume to right to rectify by the errors/omission if any noted/observed at any stage in instant order issued erroneously.

-Sd-
DISTRICT EDUCATION OFFICER,
(MALE)MANSEHRA

Endst: No. 926677 /File No. _____ /CT/Sacked /appointment/Dated Mansehra the 01/77 2015

Copy forwarded for information and necessary action to the:-

1. Registrar Peshawar High Court Abbottabad Bench Peshawar.
2. Secretary to Government of Khyber Pakhtunkhwa E&SE Department Peshawar
3. Director, Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
4. District Accounts Officer Mansehra.
5. District Monitoring Officer Mansehra.
6. Principal/Head Master School concerned
7. B&AO Local Office.
8. Official Concerned.
9. Office File


DY: DISTRICT EDUCATION OFFICER,
(MALE)MANSEHRA

کورٹ فیس

وکالت نامہ

Service Tribunal v/le Peshawar

اعدالت

عنوان: Govt of Peshawar نام Abdul Manan

منجانب: Appellant

نوعیت مقدمہ:

باعث تحریر آنکہ

مقدمہ مندرجہ میں اپنی طرف سے اسے پیروی و جواب دہی کل کارروائی متعلقہ آں مقام

Muhammad Arshad Khan, Janji
Advocate High Court

Office No. 33 Adjacent to

کو وکیل مقرر کر کے اقرار کرتا ہوں کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا نیز وکیل صاحب موصوف کو کرنے راضی نامہ و تقرر ثالث و فیصلہ بر حلف و دینے اقبال دعویٰ اور بصورت دیگر ڈگری کرانے اجراء وصولی چیک روپیہ و عرضی دعویٰ کی تصدیق اور اس پر دستخط کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ مذکور کی کل یا کسی جزوی کارروائی کے لئے کسی اور وکیل یا مختار صاحب قانونی کو اپنے ہمراہ اپنی بجائے تقرر کا اختیار بھی ہوگا اور صاحب مقرر شدہ کو بھی وہی اور ویسے ہی اختیارات ہوں گے اور اس کا ساختہ پرداختہ مجھ کو منظور و قبول ہوگا۔ دوران مقدمہ جو خرچہ و ہرجانہ التوائے مقدمہ کے سبب ہوگا اس کے مستحق وکیل صاحب ہوں گے۔ نیز بقایا رقم وصول کرنے کا بھی اختیار ہوگا۔ اگر کوئی پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب موصوف پابند ہوں گے کہ پیروی مقدمہ مذکورہ کریں اور اگر مختار مقرر کردہ میں کوئی جزو بقایا ہو تو وکیل صاحب موصوف مقدمہ کی پیروی کے پابند نہ ہوں گے۔ نیز درخواست بمراد استجارت نالاش بصیغہ مفلسی کے دائرہ کرنے اور اس کے پیروی کا بھی صاحب موصوف کو اختیار ہوگا۔

لہذا وکالت نامہ تحریر کر دیا تاکہ سند رہے۔

المقوم:

بمقام: 

العبد

Muhammad Arshad Khan, Janji
Advocate High Court
Office No. 33 Adjacent to
Distt Sar Abbottabad

BEFORE THE HONOURABLE KPK SERVICE TRIBUNAL PESHAWAR
CAMP COURT ABBOTTABAD.

Service Appeal No.4517-A/2020

Abdul Manan.....APPELLANT.

VERSUS


1. Secretary Elementary & Secondary Education KPK Peshawar.
2. Director Elementary & Secondary Education KPK Peshawar.
3. District Education Officer (Male) Mansehra.....RESPONDENTS.

PARAWISE COMMENTS / WRITTEN REPLY ON BEHALF OF RESPONDENTS

NO 1,2 & 3:-

INDEX

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1.	<i>Comments Respondents</i>	<i>of</i>	1-3
2.	<i>Affidavit</i>		4
3.	<i>Copy of sacked Employee Appointment Act,2012.</i>		5-9
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DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

(1)

BEFORE THE HONOURABLE KPK SERVICE TRIBUNAL PESHAWAR
CAMP COURT ABBOTTABAD.

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1. Secretary Elementary & Secondary Education KPK Peshawar.
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NO 1,2 & 3:-

PRELIMINARY OBJECTIONS:-

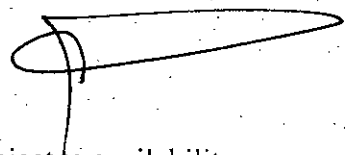
1. That the appellant has got no cause of action locus standi.
2. That the instant service appeal is badly time barred. Hence liable to be dismissed.
3. That the appellant has concealed material facts from his Honorable Tribunal in the instant service appeal. Hence not entitled for any relief and appeal is liable to be dismissed without any further proceeding.
4. That the instant service appeal is based on malafide intentions.
5. That the appellant has not come to this Honorable Tribunal with clean hands.
6. That the appellant is not entitled for the relief he has sought from this Honorable Tribunal.
7. That the instant service appeal is against the prevailing law and rules.
8. That the appeal is based on malafide intentions just to put extra pressure on the Respondents for gaining illegal service benefits.
9. That the instant service appeal is not maintainable in its present form.
10. That the service appeal of the Appellant is infructuous as per Khyber Pakhtun khawa sacked employee appointment Act, 2012. Under section 5, wherein sacked Employee shall not be entitled to claim seniority and other back benefits.

FACTUAL OBJECTIONS:

1. Para No.1 is incorrect, Petitioner were appointed contrary to law and policy, then such irregularly appointees were later on declared illegal and were terminated.
2. Para No.2 is correct to the extent that the government of Khyber Pakhtun Khawa promulgated Khyber Pakhtun Khawa Sacked Employee Appointment Act, 2012.
3. Para No.3 is correct to the extent that the Appellant filed a writ petition before Honorable High Court Abbottabad Bench, which was decided on 24-05-2017, and also a filed COC

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- against non-compliance of the judgment *ibid*, wherein respondent Department appointed the appellant as TT vide dated 06-12-2017 under KPK Sacked Employee Act, 2012, as well as the direction of Honourable High Court Abbottabad Bench.
4. Para No.4 is correct to the extent that the appellant was appointed as per Sacked Employees (Appointment) Act 2012, as well as the direction of Honorable High Court Abbottabad Bench.
 5. Para No.05 is incorrect that those Sacked Employee who submitted their application to the concerned Department within a period of thirty days from the date of commencement of this Act, will be appointed during the year 2014-15 as per Sacked Employees (Appointment) Act 2012, while rest of the Para is incorrect. After the submission of the service record and documents and approval of DSC, the appellant was appointed on 4/12/2017, whereupon appellant did not filed any departmental appeal to the appellate authority. whereas *as per sacked Employee appointment Act, 2012, under section 5, sacked Employee shall not be entitled to claim seniority and other back benefits: A sacked Employee appointment under section 3, shall not be entitles any claim seniority, promotion or other back benefits and his appointment shall be considered as fresh appointment.*
 6. Para No.6 of the appeal is incorrect, the appellant is not aggrieved person in the meaning sacked Employee Act, 2012, inter-alia, on the following grounds.



GROUND:-

- a. Incorrect and denied; that appointment order of the appellant was made subject to availability of vacant post as per section 3 of sacked Employee Act 2012, wherein the sacked Employee shall be appointed against thirty percent of the available vacancies in the Department.. So stance of the appellant is baseless, malafide and misleading.
- b. Incorrect and denied, the appellant was appointed in the light of sacked Employee Act 2012, as per rules and policy and also direction of Honourable Peshawar High Court Abbottabad Bench. The appointment order of the appellant was issued in accordance with the rules, Act and policy of the Government.
- c. Incorrect and denied, the appellant has been treated as per law and rules & act, wherein no question of violation of law, rules & policy. detail reply has already been given in above Paras.
- d. Para D is incorrect, that *as per sacked Employee appointment Act, 2012, under section 5, sacked Employee shall not be entitled to claim seniority and other back benefits: A sacked Employee appointment under section 3, shall not be entitles any claim seniority, promotion or other back benefits and his appointment shall be considered as fresh appointment. Hence the appellant is not entitled to any claim of the back benefits. The same nature case has been dismissed by this Honourable Service Tribunal vide Judgenment dated*

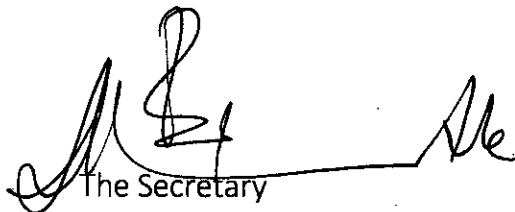
20/2/2019 in service appeal No. 1377/2015 titled " Syed Naveed Hussain shah vs Govt of KPK and others.

(Copy of Sacked Employees (Appointment) Act,2012 and Judgment 20/02/2019 are annexed as annexure A & B)

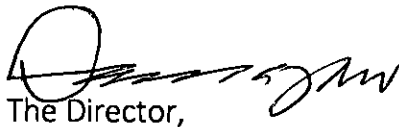
- e. Incorrect and denied, the appellant has been treated as per law and rules & act, wherein no question of violation of law, rules & policy. Respondent department bound to exercise his power justly fairly, honestly in the light of laws and rules Governed by the Government, not whim and wishes of any body.
- f. As stated above.
- g. Incorrect and denied
- h. The Respondents seek leave of this Honorable Tribunal to submit addition grounds & record at the time arguments before this Honorable Bench.

PRAYER:

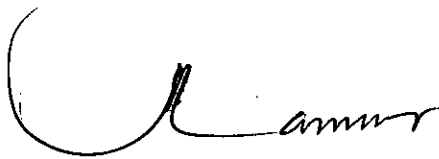
In the view of above made submissions, it is requested that this Honorable Tribunal may very graciously be pleased to dismiss the instant service appeal with cost in favor of the Respondent Department in the interest of justice.



The Secretary
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar.



The Director,
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar



The District Education Officer,
(Male) Mansehra

BEFORE THE HONOURABLE KPK SERVICE TRIBUNAL PESHAWAR
CAMP COURT ABBOTTABAD.

Service Appeal No.4517-A/2020

Abdul Manan.....APPELLANT.

VERSUS

1. Secretary Elementary & Secondary Education KPK Peshawar.
2. Director Elementary & Secondary Education KPK Peshawar.
3. District Education Officer (Male) Mansehra.....RESPONDENTS.

PARAWISE COMMENTS / WRITTEN REPLY ON BEHALF OF RESPONDENTS

NO 1,2 & 3:-

AFFIDAVIT

I, Mr. Muhammad Toseef Assistant District Education officer on Behalf of District Education Officer (M) Mansehra do, hereby solemnly affirm and declare that the Para wise comments of the Service Appeal No.4517/2020 titled Abdul Manan versus Govt, is true to the best of my conviction and belief and nothing has been concealed from this Honourable Court.

DEPONENT _____

ASSISTANT DISTRICT EDUCATION OFFICER.
(MALE) MANSEHRA.

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**THE KHYBER PAKHTUNKHWA
SACKED EMPLOYEES (APPOINTMENT) ACT, 2012.
(KHYBER PAKHTUNKHWA ACT NO. XVII OF 2012)**

CONTENTS

PREAMBLE

SECTIONS

1. Short title, extent and commencement.
2. Definitions.
3. Appointment of sacked employees.
4. Age relaxation.
5. Sacked employees shall not be entitled to claim seniority and other back benefits.
6. Preference on the basis of age.
7. Procedure for appointment.
8. Removal of difficulties.
9. Act to override other laws.
10. Power to make rules.

(D)

**THE KHYBER PAKHTUNKHWA
SACKED EMPLOYEES (APPOINTMENT) ACT, 2012.**

(KHYBER PAKHTUNKHWA ACT NO. XVII OF 2012)

*[first published after having received the assent of the Governor of
the Khyber Pakhtunkhwa in the Gazette of Khyber Pakhtunkhwa
(Extraordinary), dated the 20th September, 2012].*

**AN
ACT**

*to provide relief to those sacked employees in
the Government service, who were dismissed,
removed or terminated from service, by
appointing them into the Government service.*

WHEREAS it is expedient to provide relief to those sacked employees who were appointed on regular basis to a civil post in the Province of the Khyber Pakhtunkhwa and who possessed the prescribed qualification and experience required for the said post, during the period from 1st day of November 1993 to the 30th day of November, 1996 (both days inclusive) and were dismissed, removed, or terminated from service during the period from 1st day of November 1996 to 31st day of December 1998 on various grounds;

WHEREAS the Federal Government has also given relief to the sacked employees by enactment;

AND WHEREAS the Government of the Khyber Pakhtunkhwa has also decided to appoint these sacked employees on regular basis in the public interest;

It is hereby enacted as follows:

1. Short title, extent and commencement.---(1) This Act may be called the Khyber Pakhtunkhwa Sacked Employees (Appointment) Act, 2012.

(2) It shall apply to all those sacked employees, who were holding various civil posts during the period from 1st day of November, 1993 to 30th day of November, 1996 (both days inclusive).

(3) It shall come into force at once.

2. Definitions.--- In this Act, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them that is to say,-

- (a) "civil post" means a post created by the Finance Department of Government for the members of civil service of the Province;
- (b) "Department" means the Department and the Attached Department as defined in the Khyber Pakhtunkhwa Government Rules of Business, 1985, including the Divisional and District Offices working thereunder;
- (c) "Government" means the Government of the Khyber Pakhtunkhwa;
- (d) "Prescribed" means prescribed by rules;
- (e) "Province" means the Province of the Khyber Pakhtunkhwa;
- (f) "rules" means the rules made under this Act; and
- (g) "Sacked employee" means a person who was appointed on regular basis to a civil post in the Province of the Khyber Pakhtunkhwa and who possessed the prescribed qualification and experience for the said post at that time, during the period from 1st day of November 1993 to the 30th day of November, 1996 (both days inclusive) and was dismissed, removed, or terminated from service during the period from 1st day of November 1996 to 31st day of December 1998 on the ground of irregular appointments;

3. **Appointment of sacked employees.**--- Notwithstanding anything contained in any law or rule for the time being in force, on the commencement of this Act, all sacked employees subject to section 7, may be appointed in their respective cadre of their concerned Department, in which they occupied civil posts before their dismissal, removal and termination from service;

Provided that the sacked employees shall be appointed against thirty percent of the available vacancies in the said Department;

Provided further that the appointment of sacked employees shall be subject to the medical fitness and verification of their character antecedents to the satisfaction of the concerned competent authority.

4. **Age relaxation.**--- The period during which a sacked employee remained dismissed, removed or terminated from service, till the date of their appointment shall be deemed to have been automatically relaxed and there shall be no further relaxation under any rules for the time being in force.

5. **Sacked employees shall not be entitled to claim seniority and other back benefits.**--- A sacked employee appointed under section 3, shall not be entitled to any claim of seniority, promotion or other back benefits and his appointment shall be considered as fresh appointment.

6. **Preference on the basis of age.**--- On the occurrence of a vacancy in the respective cadre of the concerned Department of the sacked employee against the thirty percent available share, preference shall be given to the sacked employee who is older in age.

7. **Procedure for appointment.**---(1) A sacked employee, may file an application, to the concerned Department within a period of six months from the date of commencement of this Act, for his appointment in the said Department:

Provided that no application for appointment received after the due date shall be entertained.

(2) The concerned Department shall maintain a list of all such sacked employees whose applications are received under sub-section (1) in the respective cadres in chronological order.

(3) If any vacancy occurs against the thirty percent available share of the sacked employee in any Department, the senior in age from such sacked employee shall be considered by the concerned Departmental Selection Committee or the District Selection Committee, as the case may be, to be constituted in the prescribed manner, for appointment:

Provided that no willingness or response is received within a period of thirty days, the next senior sacked employee shall be considered for appointment.

(4) The Concerned Departmental Selection Committee or District Selection Committee, as the case may be, will determine the suitability or eligibility of the sacked employee.

(5) If no sacked employee is available against thirty percent vacancy reserved in respective cadre in a Department, then the post shall be filled through initial recruitment.

8. **Removal of difficulties.**--- If any difficulty arises in giving effect to any of the provisions of this Act, the Chief Minister Khyber Pakhtunkhwa may issue such order not inconsistent with the provision of this Act as may appear to him to be necessary for the purpose of removing the difficulty:

Provided that no such power shall be exercised after the expiry of one year from coming into force of this Act.

9. Act to override other laws.---Notwithstanding anything to the contrary contained in any other law or rules for the time being in force, the provisions of this Act shall have overriding effect and the provisions of any other law or rules to the extent of inconsistency to this Act, shall cease to have effect.

10. Power to make rules.--- Government may make rules for carrying out the purposes of this Act.

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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR
AT CAMP COURT ABBOTTABAD.

Service Appeal No. 1377/2015

Date of Institution .. 10.12.2015

Date of Decision .. 20.02.2019



Syed Naveed Shah son of Muazzam Shah, PST, Govt. Primary School Maira Hajaam, District Mansehra. (Appellant)

VERSUS

Govt. of Khyber Pakhtunkhwa; thro'g. Secretary Elementary and Secondary Education, Peshawar and two others. (Respondents)

MR. MUHAMMAD ARSHAD KHAN TANOLI, Advocate

For appellant:

MR. MUHAMMAD BILAL, Deputy District Attorney

For respondents

MR. AHMAD HASSAN, MR. MUHAMMAD AMIN KHAN KUNDI

MEMBER (Executive)
MEMBER (Judicial)

JUDGMENT

AHMAD HASSAN, MEMBER - Arguments of the learned counsel for the parties heard and record perused.

ATTESTED

Signature of Ahmad Hassan, Member

ARGUMENTS

2. Learned counsel for the appellant argued that he joined the Education Department as PST on 22.11.1994. That his services were terminated vide order dated 13.02.97. After promulgation of Khyber Pakhtunkhwa Sacked Employees Appointment Act 2002, all the employees who were appointed in the year 1993-96 and terminated in 1997-98 were reinstated. As the appellant was not reinstated so he filed writ petition no. 411-A/2012 before the Peshawar High Court, Abbottabad bench. Judgment of the Peshawar High Court Abbottabad bench dated 22.05.2013 was not implemented by the respondents so C.O.C no. 70-A/2013 was filed. Resultantly, vide impugned order dated 01.07.2015, the appellant was reinstated in service with immediate effect. Feeling aggrieved, he filed

departmental appeal on 29.07.2015 which was not responded within the stipulated period, hence, the present service appeal. The appellant is required to give all service benefits w.e.f 03.02.1997 to 01.07.2015.

5. Learned Deputy District Attorney argued that as the appellant was appointed in violation of invogue rules, hence, his services were terminated vide order dated 13.02.1997. Under the Khyber Pakhtunkhwa Sacked Employees Appointment Act 2012, he was reappointed as PST vide order dated 01.07.2015. According Section-5 of the said Act sacked employees shall not be entitled to claim seniority and other back benefits. Appellant was treated according to law and rules.

CONCLUSION.

It is not disputed that initially the appellant was appointed as PST at GPS D in Nalla on 22.02.1994. Later on when it came to the notice of the respondents that his appointment was made in violation of rules, hence, his services were terminated vide order dated 13.02.1997. In the meanwhile the provincial government promulgated Khyber Pakhtunkhwa Sacked Employees Appointment Act 2012. When grievances of the appellant were not redressed at departmental level he resorted to litigation by filing writ petition in Peshawar High Court, Abbottabad Bench. Finally in pursuance of the directions of the Peshawar high Court, Abbottabad Bench he was appointed as PST at GPS Mira Hajam with immediate effect vide order dated 01.07.2015. The appellant is asking for reappointment from the date of his termination from service dated 03.02.1997. Attention is drawn to Section-5 of the afo mentioned Act, wherein it is clearly laid down that the sacked employee shall not be entitled to claim seniority and other back benefits. The relevant provision is reproduced below:-

"A sacked employee appointed under Section-3, shall not be entitled to any claim of seniority, promotion or other back benefits and his appointment shall be considered as fresh appointment"

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5. As a sequel to above, the appeal is dismissed. Parties are left to bear their own costs. File be consigned to the record room.

(AHMAD HASSAN)
Member
Camp Court Abbottabad.

Muhammad Amin
(MUHAMMAD AMIN KHAN KUNDI)
Member

ANNOUNCED
20.02.2019

Date of Presentation of Application 03-05-19
 Number of Words 1650
 Copying Fee 10/-
 Urgent -
 Total 10/-
 Name of Copier [Signature]
 Date of Completion of Copy 15-5-19
 Date of Delivery of Copy 15-5-19

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04 Feb on
Legal page

W. H. Bond

