

17.06 2022

Appellant present in person. Mr. Muhammad Adeel, Additional Advocate General alongwith DEO (M) Battagram and Latif Ullah, Litigation Officer for respondents present.

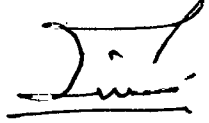
Written reply/comments on behalf of the respondents submitted which is placed on file. A copy of the same is also handed over to the appellant. To come up for rejoinder if any and arguments before D.B on 19.08.2022 at camp court A/Abad.



Fareeha Paul  
Member (E)  
Camp Court A/Abad.

19.01.2022

Learned counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General for the respondents present and sought time for submission of written reply/comments. Adjourned. To come up for written reply/comments on 18.04.2022 before the S.B at Camp Court Abbottabad.



(Salah-ud-Din)  
Member (J)  
Camp Court A/Abad

18.04.2022

Clerk of learned counsel for the appellant present. Mr. Noor Zaman Khattak, District Attorney present.

Representatives of the respondents are absent, therefore, notices be issued to the respondents through registered post and to come up for submission of written reply/comments on 17.06.2022 before the S.B at Camp Court Abbottabad.



(Salah-Ud-Din)  
Member (J)  
Camp Court Abbottabad

17.06.2022

Appellant present in person. Mr. Muhammad Adeel, Additional Advocate General alongwith DEO (M) Battagram and Latif Ullah, Litigation Officer for respondents present.

Written reply/comments on behalf of the respondents submitted which is placed on file. A copy of the same is also handed over to the appellant. To come up for rejoinder if any and arguments before D.B on 19.08.2022 at camp court A/Abad.

Fareeha Paul  
Member (E)  
Camp Court A/Abad.

3492/2021

28.12.2021

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

The appellant is one among others who were appointed as PST in BPS-12 on 15.02.2013 in pursuance to the mandate of Khyber Pakhtunkhwa Act XVII of 2012 and the judgment of the Hon'ble Peshawar High Court Abbottabad Bench dated 17.01.2013. He according to the prayer set up in the Memorandum of appeal seeks grant of all consequential benefits from the date of termination i.e. 28.07.1997 to the date of order dated 15.02.2013. The claim as set up by the appellant is undefined as to nature of consequential back benefits. 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 only question for the purpose of back benefits remains arguable whether the service rendered by the appellant in-between the date of his appointment and date of fresh appointment in pursuance to law is countable for pensionary benefits 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 19.01.2022 before S.B at camp court, Abbottabad.

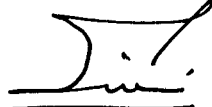
Appellant Deposited  
Security & Process Fee

04/01/22

Chairman  
Camp Court, A/Abad

11.10.2021

Appellant in person present and requested for adjournment on the ground that his counsel 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.

The appellant is one among others who were appointed as PST in BPS-12 on 15.02.2013 in pursuance to the mandate of Khyber Pakhtunkhwa Act XVII of 2012 and the judgment of the Hon'ble Peshawar High Court Abbottabad Bench dated 17.01.2013. He according to the prayer set up in the Memorandum of appeal seeks grant of all consequential benefits from the date of termination i.e. 28.07.1997 to the date of order dated 15.02.2013. The claim as set up by the appellant is undefined as to nature of consequential back benefits. 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 only question for the purpose of back benefits remains arguable whether the service rendered by the appellant in-between the date of his appointment and date of fresh appointment in pursuance to law is countable for pensionary benefits 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 19.01.2022 before S.B at camp court, Abbottabad.

App. Security Process Fee  
04/01/22

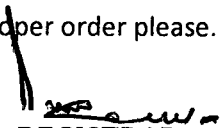


  
Chairman  
Camp Court, A/Abad

Form- A

FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No.- \_\_\_\_\_ 3494/2021 \_\_\_\_\_

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	10/03/2021	<p>The appeal of Mr. Muhammad Shafique resubmitted today by post through Mr. Abdul Aziz Khan 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>
2-	3-6-21	<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>
	16.07.2021	<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. Muhammad Shafiq son of Atiqullah SPST GPS Tranger District Battagram received today i.e. on 18/02/2021 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Memorandum of appeal may be got signed by the appellant.
- 2- Appeal has not been flagged/marked.
- 3- Annexure-A of the appeal is illegible which may be replaced by legible/better one.
- 4- Two more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 372 /S.T,

Dt. 18/02 /2021



Mr. Abdul Aziz Khan Adv.  
High Court Abbottabad.



**REGISTRAR**  
**SERVICE TRIBUNAL**  
**KHYBER PAKHTUNKHWA**  
**PESHAWAR.**

BEFORE THE SERVICES TRIBUNAL, KHYBER  
PAKHTUNKHWA, PESHAWAR

Service Appeal No. 3494, 2021

Muhammad Shafiq Son of Atiqullah, Resident of Paimal Sharif Dabri,  
Presently serving as SPST, Tehsil and district Battagram.

"Appellant"

Versus

Secretary, Education, Khyber Pakhtunkhwa, Peshawar and Others.

...Respondents

Service Appeal


INDEX

S.#	Description	Page no	Annexure
1	Service Appeal	1-4	
2	Affidavit	5	
3	Copy of office order no 26 dated 22-11-1994	6A	"A"
4	Copy of the order Dated 28-07-1997	7-14	"B"
5	Copy of the order number 7825-31 Dated 15-02-2013.	15-16	"C"
6	copy of the office order no7958-63 dated 26-02-2013	17	"D"
7	Copy of departmental Appeal and attachments	18-19	"E"
8	Copy of Educational record of Appellant	20-21	"F"
6	Wakalatnama	22	

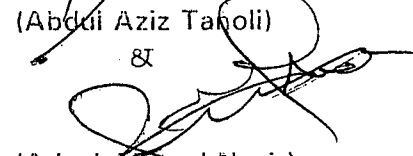
Through,

Dated: 15-02-2021

  
Appellant,

  
(Abdul Aziz Taholi)

&

  
(Adeel Ahmed Nazir)  
Advocate High Court  
Abbottabad.

①

**BEFORE THE SERVICES TRIBUNAL, KHYBER  
PAKHTUNKHWA, PESHAWAR**

Service Appeal No. \_\_\_\_\_ / 2021

Muhammad Shafiq Son of Atiqullah, Resident of Paimal Sharif Dabri,  
Presently serving as SPST GPS, \_\_\_\_\_ Tehsil and district Battagram.

Khyber Pakhtunkhwa  
Service Tribunal .....Petitioner

Diary No. 2941

Versus

Dated 18/2/2021

- 1 Government of Khyber Pakhtunkhwa, through secretary elementary and secondary education Peshawar.
- 2 Director, Elementary and Secondary Education, Khyber Pakhtunkhwa, Peshawar.
- 3 District Education Officer elementary and secondary education male primary Battagram.
- 4 District Account Officer Battagram.

.....Respondents

SERVICE APPEAL UNDER SECTION-4 OF  
KHYBER PAKHTUNKHWA SERVICES  
TRIBUNAL ACT, 1974, THAT THE  
APPELLANT IS WORKING IN THE  
RESPONDENTS DEPARTMENT AND HIS  
SERVICES WERE TERMINATED ON  
28/07/1997. THEREAFTER UNDER THE  
KHYBER PAKHTUNKHWA ACT XVII 2012  
AND IN THE LIGHT OF JUDGEMNT PASSED  
BY PESHAWAR HIGH COURT ABBOTABD  
BENCH DATED 17/01/2013 THE APPELLANT  
WAS APPOINTED AS PST IN BPS-12, VIDE  
ORDER DATED 15/2/2013 THE APPLANT IS  
ENTITLED FOR BACK BENEFITS FROM THE  
DATE OF TERMINATION I.E 28/07/1997 TO  
THE DATE OF ORDER DATED 15/02/2013  
BUT THE RESPODENTS DID NOT GRANT ALL

Filed to-day

Registrar

18/2/2021



2

CONSEQUENTIAL BACK BEEFITS FROM THE DATE OF TERMINATION TILL THE ORDER DATED 15/02/2013 WHICH IS AGAINST THE PROVISIONS OF SAID ACT,AS WELL AS DISCRIMINATION AS OTHER DEPARTMENTS ALLOWED THE BACK BNEFITS TO THE OTHER EMPLOYEES AS WELL AS THE CONDUCT OF RESPONDENTS TOWARDS THE APPELLANT IS ILLEGAL, MALAFIDE, ULAWFUL, WITHOUT LAWFUL AUTHORITY ,WITHOUT JURISDICTION, ARBITRARY ,PERVERSE, HARSH , VOID ABNITIO AND AGAINST THE PRINCIPLES OF NATURAL JUSTICE HENCE INEFFECTIVE UPON THE RIGHTS OF THE APPELLANT.

PRAYER: ON ACCEPTANCE OF THE INSTANT APPEAL, THE APPELLANT BE GRANTED ALL CONSEQUENTIAL BACK BENEFITS FROM THE DATE OF TERMINATION I.E 28/07/1997 TO THE DATE OF ORDER DATED 15/02/2013 ANY OTHER RELIEF WHICH THIS HONOURABLE TRIBUNAL DEEMS FIT AND PROPER IN THE CIRCUMSTANCES OF THE CASE MAY ALSO BE GRANTED.

Respectfully Sheweth,

The petitioner very humbly submits as under:

1. That the Appellant is resident of Distric Battagram was appointed as PST (BPS-7) GPS , Chinow District Battagram in on 22-11-1994. (Copy of office order no 26 dated 22-11-1994 is annexed as annexure "A")
2. That the appellant was terminated by the respondent no-3, without any justification on 28/7/1997.(Copy of the

order termination is attached and marked as annexure-  
"B")

3. That the appellant was appointed as PST in BPS -12 in the light Khyber Pkhtunkhwa act XVII 2012 and the judgment of Honourable High court Peshawar Abbottabad bench dated 17/01/2013 by the respondents department vide appointment order dated 15/02/2013. (Copy of appointment letter dated 15/02/2013 attached and marked as annexure "C")
4. That appellant served the respondents department with due diligence till date.
5. That the respondents vide order dated 26/02/2013 withdrew the conditions mentioned in the serial no.10 of order dated 15/02/2013. (copy of the office order no7958-63 dated 26-02-2013 is attached and marked as Annexure "D")
6. That the Appellant moved a representation before the respondent no-3 so far the grievances of the appellant have not been redressed and no decision whatsoever has been made in this regard. (copy of the Departmental representation is attached and marked as Annexure "E")
7. That, feeling aggrieved from the conduct of the respondents, appellant approaches this honorable tribunal for redressal of his grievances on the following amongst other ground.

GROUND:

- a. That once the Government allowed the back benefits then the department /respondents are bound to release the same to the appellant.
- b. That, it is settled principle of administrative law that when law prescribe something to be done in particular manner, that must be done that manner and not otherwise.
- c. That appellant has been allowed all back benefits vide office order dated 26/02/2013, after that respondent's deviation from their own commitment is against the law and fact.
- d. That the respondents department led the appellant to the place which is utterly, unknown to principle of jurisprudence, natural justice.

- e. That, other departments allowed back benefits to others employees as well, while ignoring the appellant by not allowing back benefits amounts to discrimination which is against the fair play and good governance.
- f. That the appellant is well qualified to hold the said post. (Copy of educational record is attached as annexure "F")
- g. That others grounds will be agitated with the permission of this honorable tribunal at the time of arguments.



**PRAYER:** ON ACCEPTANCE of the instant service appeal the appellant may kindly be granted all consequential back benefits from the date of termination i.e. 28/07/1997 till the order dated 15/02/2013, any other relief which this honorable tribunal deem fit and appropriate in the circumstances of case may kindly be allowed.

Dated 15-02-2021

Appellant

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Through:

  
(Abdul Aziz Tanoli)  
ST  
  
(Adeel Ahmed Nazir)  
Advocates High Court  
Abbottabad.

**VERIFICATION:**

Verified on oath that the contents of foregoing Service Appeal are true and correct to the best of my knowledge and belief and nothing has been mis-stated or concealed from this Honourable Tribunal.

Dated 15-02-2021

  
APPELLANT

5

**BEFORE THE SERVICES TRIBUNAL, KHYBER  
PAKHTUNKHWA, PESHAWAR**

Service Appeal No. \_\_\_\_\_ / 2021

Muhammad Shafiq Son of Atiqullah, Resident of Paimal Sharif Dabri,  
Presently serving as SPST Tehsil and district Battagram.

...Petitioner

Versus

Government of Khyber Pakhtunkhwa through, Secretary Education, Peshawar  
and Others.

...Respondents

**SERVICE APPEAL**

**AFFIDAVIT**

I, Muhammad Shafiq Son of Atiqullah, Resident of Paimal Sharif Dabri, Presently serving as SPST Tehsil and district Battagram (Appellant), do hereby affirm and declare that the contents of instant Service Appeal are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Honourable Court.

Dated: 15-02-2021



*M Shafiq*  
DEPONENT

15/2/21

(6)

Annexure No. A 22

OFFICE OF THE DISTRICT EDUCATION OFFICER (M) SECONDARY & FRY: BATAGRAM

OFFICE ORDER NO. 26

DATED BTM THE 22/11/

AFFOINTMENT

Consequent upon selection/recommendation of the selection committee the following Male untrained candidate's are hereby appointed against the vacant post of P.T GRs. 1480/E.M. fixed plus usual allowance admisible under the rules w.e.f. the date of his Taking over charge in the interest of public service.

S/No.	Name, father's name & address.	Name of Sch: where apptt:	Remarks
1.	Naik Mohammad S/O Jalal Khan	r/o Ajmira. Mos: Gul Behan	Ag: V: P
2.	Saifur Rehman S/O Azar Bakhat	r/o Arghashori" K.G.S. Hassan	-do-
3.	Inayatullah Rehman S/O Aliur Rehman	r/o Hutel G.E.S D.A. <del>Resultat</del>	-do-
4.	Mirsamad Khan S/O Hakim Khan R	r/o Fomang " Rashidebad	-do-
5.	Momin Khan S/O Hazarat Bilal	r/o Matta G. Bori G.E.S Mashkoney	do-
6.	Ghulam Farooq S/O Ajoon Khan	r/o Manomer G.F.S B/Fathey	-do-
7.	Habibullah Shah S/O Tahir Shah	r/o Pirhari G.E.S B/Fathey	-do-
8.	Liaqat Ali S/O Ibrahim	r/o Tumay Mos: M. Jan Mohd	-do-
9.	Siraj Khan S/O Miann Khan	r/o Phagora, Mos: Bara Dhoonga	-do-
10.	Fazalur Rehman S/O Abdul Hamid R/o	Kakarshang Mos: D/Juma Khan	-do-
11.	Javed M. Iqbal S/O Aurangzeb Khan	r/o Thakot G.E.S Bjargron.	-do-
12.	Nazir Mohammad S/O Furhad	r/o Trand G.E.S <del>Tal shaur</del>	-do-
13.	<del>XX</del>	<del>XX</del>	<del>XX</del>
14.	Jehanul Haq S/O Abdul Aman	r/o P/Sharif G.E.S Hanifabad	-do-
15.	M. Riaz s/o Ghulam Hussain	r/o Mandarwali. Mos: Khase Hill	-do-
16.	Aurangzeb Khan S/O Mundra	r/o Kahtora G.E.S Kahtora	-do-
17.	S. Zuhrah Shah S/O Furqan sad	r/o Mirani. G.E.S Barmal	-do-
18.	Muzir Khan S/O Gul Nazroz	r/o Imang. G.E.S Damagar	-do-
19.	Rustam Khan S/O Begra Khan	r/o Thakot G.E.S Jaba Feroz.	-do-
20.	Mohammad Shafique S/O Aqullah	r/o Dabri G.E.S Mashkency	-do-

Terms & Conditions.

1. Charge report should be submitted to all concerned and no TA/DA is all.
2. The appointment is purely temporary and liable to termination at any time without of assignation they will have to submit one month prior notice to the Department or forfeited one month pay to Government.
3. They are required to produce Health and age certificate from the Medical Authority concerned before t/over charge in c/o they are not Govt. Servant.
4. They are not allowed T/o charge if their age is less than 18 and more than 25 years, age relaxation for Distt: Batt: for 3 years up January 2000, has been granted vide notification No. 4/1/SO/TA-II(HD)/94 Dated 27.9.1994 & age relex: for 2 years has been granted vide H'le Chief Minister NWF, Peshawar No. SOS-III/S&GAD, dt: 8.4.1994 from the date of 18.7.1994.
5. All original Educational Characters, domicile certificates must be verified by the Head of institution concerned & one set of documents may be submitted to this office before Handing over charge.
6. If they fail to taking over charge of the post with in 15 days from the issue of this order the appointment will be automatically considered as cancelled.

(- FAZAL-E-MEHMOOD KHAN) 2-14/11/2021  
 DISTRICT EDUCATION OFFICER  
 (MALE) SECONDARY BATAGRAM

*Fazal*  
 15/2/2021

24  
Better copy

GA

**Office of the District Education Officer( M) Secondary&PRY**  
**Battagram**

**OFFICE ORDER NO: 26 DATED: BTM THE 22/11/99**

**APPOINTMENT:**

Consequent upon selection /recommendation of the selection committee the following Male untrained candidate's are hereby appointed against the vacant post of P.T @Rs .1480/ E.M fixed plus usual allowance admissible under the rules w.e.f the date of his taking over charge in interest of public service.

<u>S/NO.</u>	<u>Name, Father's name &amp; address</u>	<u>Name of sch:where apptt:</u>	<u>Remarks</u>
1.	Naik mohammad S/O jalal khan r/o Ajmir's .Mos :Gul Rehan	Ag: V : P	
2.	Saifur Rehman S/O Azhar Bakhat r/o Arghashori K.G.S Hassan	-do-	
3.	Inayatun Rehman S/O Aliur Rehman r/o Hutel GBS D.Amanullah		-do-
4.	Mirsaramd khan S/O Hakim khan r/o Pomang Rashidabad		-do-
5.	Momin khan S/O Hazarat Bilal r/o Matta G. Bori GBS Msshkoney		-do-
6.	Gulam Faoq S/O Ajoon khan r/o Manomer G.P.S B/Pathey		-do-
7.	Habibullah Shah S/O Tahir Shah r/o Pirhari GPS B/Pathey		-do-
8.	Liaqat Ali S/O Ibrahim r/o Tumay	Mos: M/ Jan Mohd	-do-
9.	Siraj Khan S/O Mian khan r/o Phagore,	Mos: Bara Dhooga	-do-
10.	Fazalur Rehman S/O Abdul Hamid r/o Kakarshog	Mos:D/Juma Khan	-do-
11.	Javed M.Iqbal S/O Aurangzeb Khan r/o Thakot GBS Bjargrann.		-do-
12.	Nazir Mohammad S/O Furhad r/o Tand	GBS Talshaus	
	do-		
13.	Jehanul Haq S/O Abdul Aman r/o P/Sharif	GBS Hanifabad	-do-
14.	M.Riaz S/O Ghulam Hussain r/o Mandawali	Mos:Khase Hill	-do-
15.	Auranzeb Khan S/O Mundra r/o Kahtora	GBS Kahtora	-do-
16.	S.Zuhrab Khan S/O Furqan Sad r/o Mirani	GBS Barmai	-do-
17.	Munir Khan S/O Gul Namroz r/o Pomang	GBS Darmaagar	-do-
18.	Rustom Khan S/O Begra Khan r/o Thakot	GBS Jaba Feroz	-do-
19.	Mohammad Shafique S/O Aiqullah r/o	GBS Mashkeney	-do-

**TERMS AND CONDITIONS:**

1. Charge report should be submitted to all concerned and no TA/DA sis allowed.
2. the appointment is purely temporary and liable to termination at any time without assignation they will have to submit one month prior notice to the department or forfeited one moth pay to government
3. They are required to produce health and age certificate from the Medical Authority concerned before t/over charge in c/o they are not Govt servant.
4. They are not allowed T/o charge if their age is less than 18 and more than 25 years, age relaxation for Distt:Batt : for 3 years up January 2000, has been granted vide notification No .4/1/SO/TA-II(HD)/94 dated 27/9/1994 & age relax: for 2 \* years has been granted vide Honorable Chief Minister NWFP, Peshawar No.SOS-III/S&GAD, dt :8/4/1994 from the date of 18/7/1994

5. All original Educational characters domicile certificates must be verified by the head of institution concerned and one set of documents may be submitted to this office before-handing over charge.
6. If they fail to taking over charge of the post with in 15 days from the issue of this order the appointment will be automatically considered as canceled.

(FAZAL -E- MEHMOOD KHAN)  
DISTRICT EDUCATION OFFICER  
(MALE) SECONDARY BATTAGRAM.

Endst: No . 1520-45 /F.No. EB/App:of PT/UT/ Dated 22/11/1994.

Copy to: -

1. Director Primary Education NWFP, Hayatbad Peshawar.
2. PS to Minister, Primary Education NWFP w/r to his recommendation & approval No.Nil dated 19/11/1994
3. Distt : Accounts Officer (M) Battagram.
4. All candidates concerned.
5. Officer order file.

DISTRICT EDUCATION OFFICER  
(MALE) SECONDARY BATTAGRAM

OFFICE OF THE DISTRICT EDUCATION OFFICER (D) DELHIARY BATAGRAM

7

OFFICE ORDER

OFFICE ORDER NO. \_\_\_\_\_  
 DATED 27/7/1997

In the light of findings of the enquiry commi-  
 ttee and in compliance with Memo. No. T.No. 33/DPE/BA/PP/Abdur  
 Rashid/LAO (M) Primary Batagram/AD(B.A)-M No. 35499 Dated  
 25.7.97.

The appointment of the following persons have  
 been found illegal abinitio void and against the prescribed  
 rules. Their services are, therefore, dispensed with, with eff-  
 ect from the date of their replacement by those selected on  
 purely merit basis in the light of following the selection  
 procedure as admissible under the rules.

However, they can apply afresh along with others  
 for their selection on merit.

No.	Name of Person	Father's Name	Deny	Name of School
1.	Imdadullah	M. Musa Khan	"	OPD Sherripabad.
2.	Shauqul Wahab	Abdul Wahab	"	" Jijjori.
3.	Alam Zaib	Zur Gul Khan	"	" Sharif Abad.
4.	Fazal Wahab	Abdul Wahab	"	" Sun Haddi.
5.	Yash Ahlaro	Rustam Khan	"	" Shawal B. roy.
6.	Amir Zada	Abdul Qalooq	"	" Paway Puchti.
7.	Haz. Muhammad	Hazrat Huss	"	" Hasicabad.
8.	Muhammad Sultan	Chazi	"	" Bahweli
9.	Qudrat Ali Shah	Huwab Shah	"	" Qidri.
10.	Muhammad Eherin	Hijab Khan	"	" Tikar Banda
11.	Taseer Khan	Sultan Khan	"	" Kuthal.
12.	Muhammad Shafiqo	Murizullah	"	" Gat Haroon.
13.	Ihsanullah	Gul Karim	"	" Ajmera.
14.	Alm Zaib	Mashal Khan	"	" Gijjori.
15.	Honsharwan	Noorul Hassan	"	" Bhatkhabad.
16.	Waikar Rajwan	Dukhtar	"	" Gangwal.
17.	Usur Rehman	Mubainon	"	" Bangoo.
18.	Anwar Rafaz	Sumanior Khan	"	" Doodpatti.
19.	Anwar Zamin	Abdus Sattar	"	" Gurati. Ashroy.
20.	Gul Fazi	Shah Jehan	"	" Ohinow.
21.	Ibadur Rehman	Miqab Shah	"	" Rashidabad.
22.	Abdul Nasir	Nafikullah	"	" Soori.
23.	Anwar Zaib	Kaura. Puchad Khan	"	" Shergay.
24.	Anwarullah	Muhammad Ullah	"	" Kurag.
25.	Abdul Chaffar	Fardoun Khan	"	" Humrai.
26.	Muhammad Umar	Mehnat	"	" Koyar.
27.	Abdullah	Matifatqon	"	" Shakhay.
28.	Muhammad Ibrahim	Muhammad Ja.	"	" Garbi H. Sali.
29.	Gul Abasa	Muhammad Khan	"	" Har Askargah.
30.	Shahir Muhammad	M. Mustafa	"	" Lalmai.
31.	Nadim Azam	Murangzaid	"	" Coli Batagram
32.	Saeed ur Rehman	Zaib ur Rehman	"	" H/ Pathool.
33.	Raza Muhammad	Ayaz Khan	"	" Lahore Talay.
34.	Amir Muhammad	Muhammad Iqbal	"	" Ckey.
35.	Munibul Haq	Muqool Khan	"	" Pelawa.
36.	Anwar Saded	M. Sakhair Khan	"	" Chaykharag.
37.	M. Anwarabi	Muhammad Khan	"	" -do-
38.	Ittacher	Amir Akbar	"	" Gaurab. Haddi.
39.	Riaz Muhammad	Hader Khan	"	" Jazibai.
40.	Khalil ur Rehman	Shurooz	"	" Jijjori.
41.	Rida Muhammad	Sajir Shah	"	" Dhodh. Jun- bira.
42.	Amir Muhammad	Aryat Khan	"	" Gadhara.
43.	Ashtar Amir	Muqarab Khan	"	" Gauray. Haddi.
44.	Anwar Zaib	M. Ayaz	"	" Kobra. Haddi.
45.	Haq Nawaz	Zahir Shah	"	" Kobra. Haddi.
46.	Shad Muhammad	Fagul Khan	"	" Haddi. Haddi.
47.	Amir Muhammad	Suri Khan	"	" I. H. Haddi.

Distt Officer (D) Batagram

*[Signature]*  
 15/2/2021



7-A

8

## BETTER COPY

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) PRIMARY BATTAGRAM.

Office order No. \_\_\_\_\_ /

Dated:- 28/7/1997

OFFICE ORDER:-

In the light of finding of the enquiry committee in compliance with memo No.F.33/DPE/R&A/PPA/ Rewind /Lwo (H) Primary Battagram /AD(P&A)-M No.335499 Dated: 25.07.99.

The appointment of the following promotions have been found illegal ab-initio void and against the prescribed rules. Their services and therefore dispense with, with effect from the date or their replacement by those selected on purely on merit basic in the light of following the selection procedure on admissible under the rules.

Hover, they can apply afresh along with other for their selection on merit.

S.No	Name of Person	Father Name	Designation	Name of School
1	Imdad Ullan	Noman Khan	P.T	GPS Sherinabad
2	Shoail Wahab	Abdul Wahab	=	GPS Jijouri
3	Alam Zaib	Zar Gul Khna	=	GPS Dharifabad
4	Fazal Wahab	Abdul Wahab	=	GPS Sun Hasti
5	Shah Ahairo	Rustam Khan	=	GPS Shwal B rey.
6	Amir Zadad	Abdul Qadoos	=	GPS Paway Bakat
7	Ijaz Muhammad	Hazarat Gul	=	GPS Hasirubed.
8	Muhammad Sultan	Ghazal	=	GPS Bunwuli
9	Rafaqat Ali Shah	Nawab Shah	=	GPS --
10	Muhammad Sherin	Hijab Khan	=	GPS Oidri
11	Muhammad Eshan	Hijab Khan	=	GPS Tikar Banda
12	Muhammad Shafiq	Hafiz Ullah	=	GPS Govt Haroon
13	Ibrar Ullah	Gul Feroz	=	GPS Ajmera
14	Alam Zaib	Hosbal Khan	=	GPS Gijbori
15	Horoon Ullah	Noor ullah	=	GPS ZuliAbad
16	Faraz Rehman	Buktawar	=	GPS Gandwal
17	Babdur Rehman	Muhaineen	=	GPS Bangoo
18	Anwar Faraz	Samundar Khan	=	GPS Doodh Patti
19	Anwar Zaman	Abdus Sattar	=	GPS Gujrthi Abaroy
20	Gul Faraz	Shah Jahan	=	GPS Gaarang
21	Tabdur Rehman	Niqab Shah	=	GPS Hanifabad
22	Abdul Sattar	Najeeb Ullhan	=	GPS Sooral.
23	Anwar Zaib	Anwar Farhad Khan	=	GPS Ghrehrey
24	Anwar Ullah	Muhammad Ullah	=	GPS Kurag
25	Abdul Ghaffor	Fardous Khan	=	GPS Bumui.
26	Muhammad Umar	Rehmat	=	GPS koyar
27	Abdullah	Arif Ullah	=	GPS Shakkhey
28	Muhammad Ibrahim	Muhammad Jan	=	GPS Gorhi N Soul
29	Gul Ameen	Khushal Khan	=	GPS Dari Jehangir Khan
30	Shabir Muhammad	Muhammad Rustam	=	GPS Lawmul
31	Nadeem Azad	Auragzaib	=	GPS Coli Battagram
32	Saeed Ur Rehman	Aziz Ur Rehman	=	GPS B/Bathool
33	Raza Muhammad	Aryal Khan	=	GPS Ajlo Ragin Abad
34	Adur Rasheed	Muhammad Iqbal	=	GPS Gkoy
35	Misba Ul Haq	Rasool Khan	=	GPS Pattan
36	Anwar Rasheed	Muh Zeeshan Khan	=	GPS --
37	M. Kushal	Muhammad Khan	=	GPS --
38	Ifikhar	Amir Muhammad	=	GPS --
39	Raza Muhammad	Noor Khan	=	GPS --
40	Khelil Ur Rehman	Shamroz	=	GPS --
41	Fida Muhammad	Skindar Khan	=	GPS --
42	--	--	--	GPS --
43	Amer Muhammad	Inayat Khan	=	GPS --
44	Akthar Munir	Muhammad Khan	=	GPS --
45	Iiyas Nawaz	Zahir Shah	=	GPS --
46	Shahid Muhammad	Fasial Khan	=	GPS --
47	Amir Muhammad	Raja Khan	=	GPS --

30.	✓ Duraj Khan	Hakmat Khan	MSQ	Doraj M. Jan.
31.	Said Ali Shah?	Said Main	"	Dor Kan Jhang.
32.	Maik Muhammad?	Jalal Khan	"	Gulrahan.
33.	✓ Dhotur Rehman?	Azar Bakht	"	li K.G.S. Hassan.
34.	✓ Inyat ur Rehman?	Ali ur Rehman	"	D. Azizullah.
35.	Mir Sam d Khan?	Musim Khan	"	Rashid Abad.
36.	✓ Mumin Khan?	Huzrat Halil	"	Mashkanai
37.	Ghulam Uroog?	Ajam Khan	"	H. Pettey.
38.	✓ Habibullah Shah?	Tahir Shah	"	H. Pettey.
39.	Liagat Ali?	Ibrahim	MSQ	H. Jan Muhammad
40.	✓ Siraj Khan	Mian Khan	"	Nara Dhoonga.
41.	Fazl ur Rehman?	Abdul Khamid	MSQ	Dhari Jang Khan.
42.	✓ X Javid M. Iqbal	Aurangzaib	"	Bajragran
43.	✓ Nazir Muhammad	Murhad	"	Tulshaus.
44.	✓ Jihenul Haq	Abdul Aman	"	Hanifabad.
45.	✓ M. Riaz	Ghulam Hussain	"	Kassi Hall.
46.	✓ Aurangzaib Khan	Mindra Khan	"	Kuthora.
47.	✓ S. Zuhrob Shah	Murqan Said	"	Bermai.
48.	✓ Kunir Khan?	Gul Namroz	"	Dangar.
49.	✓ Rustom Khan?	Biqra Khan	"	Jabatiruz
50.	M. Shafrique?	Aqilullah	"	Mashkanai.
51.	✓ Badar Khan?	Ali Gohar Khan	MSQ	Kiargali U. Khan.
52.	✓ Fida Muhammad?	Fazl ur Rehman	MSQ	Gidri Trand.
53.	✓ M. Khulid?	Sultan Room	"	X D. Azizullah.
54.	✓ Ibrahim?	Hidayatullah	"	Demagat.
55.	✓ M. Balil?	Ichtiar Malik	"	Rashidabad.
56.	✓ Ahmed Khan?	Gul M. Khan	"	Gidri Trand.
57.	✓ Amal Jan?	Saitul Haq	"	Jaba Teroz.
58.	✓ Patehul ah?	M. Farideen	"	Mundri.
59.	✓ Zabal Khan?	Abas Khan	"	Dodpatti.
60.	✓ Ghulam Rehmani?	Fazl ur Rehman	"	Turia Hill.
61.	✓ Dadiuz Zaman?	Tali Muhammad	"	Chinow.
62.	✓ S. Wallab Shah	M. Said	"	Tulshaus.
63.	✓ Abdul Ali?	Abdul Malik	"	Bagh Banda.
64.	✓ Miskin?	Abdul Latif	"	Chinow.
65.	✓ M. Javid?	Imanullah	"	Dajergam.
66.	✓ Muhammad Shah?	Said Rahmat Shah	"	Pakbanda.
67.	✓ Shahzada?	Abdul Mutein	"	Hanifabad.
68.	✓ Shaikat Ayaz?	Mulak Jan	"	Darney.
69.	✓ Inamullah?	Sara Khan	"	Mundri.
70.	✓ Habibullah?	Jumser Khan	"	Dajergam.
71.	✓ Aurangzaib?	M. Miskeen	"	Turia Hill.
72.	✓ Bakht Morin?	Huznak	"	G/Nawab Said.
73.	✓ Ali Asar Khan?	Misar Khan	"	Muzala.
74.	✓ M. Iqbal	Gul Muhammad	"	Trand.
75.	✓ Rustam Khan	Talas Khan	"	Chappargram.
76.	✓ M. Shabid	Abdul Razag	"	Peghoda.
77.	✓ Attullah	M. Saeed	"	Shalkbay.
78.	✓ Shah Rozem?	Hayat Khan	"	-do-
79.	✓ Ali Rehman	Umra Khan	"	Walargew.
80.	✓ Muhammad Ahmed?	Sheria Khan	"	Okey.
81.	✓ Kab Nawaz Khan?	Afzar M. Khan	"	Turbor.
82.	✓ Farhat Khan?	Murad	"	rashidabad.
83.	✓ Inyat ur Rehman?	Gujar Khan	"	Shaikat abad
84.	✓ Hamayatullah?	Shah Zad Khan	"	S. Khal banda
85.	✓ Noor ul Islam?	Razat Halli	"	Dabona.
86.	✓ Rustam?	Babir Khan	"	khatoona.
87.	✓ Razat Islam?	M. Zunif	"	rak Banda.
88.	✓ Wali Muhammad?	Roshan Khan	"	Khan Khaysona
89.	✓ M. Javid	Hex Ahmed	"	Thaya.
90.	✓ Shamsud din	Muliyudin	"	J Biskote.
91.	✓ Nadur Khan	Mir Ahmed Khan	"	Alom Khanow
92.	✓ Attullah?	Mumtaz Khan	"	Kutlar Abad.
93.	✓ Islam Shah?	Mian Gul Shah	"	Kukilar.
94.	✓ b. Helim Shah?	Mutabar Shah	"	Chunaidan.
95.	✓ Rahimad?	Gul Raz.	"	Mujogran.
96.	✓ Saeed ur Rehman?	Kuchkol Khan	"	H. N. J. ad.
97.	✓ Sardar Muhammad?	Huzrat Youngs	"	Gnam Sidor.
98.	✓ Anwar Faraz	Abdul Wahab	"	khait Waliabab
99.	✓ Shaikat Ali Shah?	Abd. Khatir	"	D/Cher Said
100.	✓ M. N. Khan	Abd. Noor Navi	"	Andarwal Bakiy

Contd. P/3

Dist Officer (Dist) Bahraich

Dist Officer (Dist) Bahraich

Attested 15/2/2021

Sl. No.	Applicant Name	Spouse Name	Relationship	GPS Location
55	Ghulam Farooq	Anjum Khan	=	GPS B. Pattey
56	Habib Ullab	Tahir Shkeih	=	GPS B. Pattey
57	Liaqat Ali	Ibahrin	I S Q	M. Jan Muhammad
58	Siraj Khan	Mian Khan	=	TASQ Bara Dhongga
59	Fazal Ur Rehman	Abdul Hamid	=	Dheri Jan Khan
60	Javed M. Iqbal	Aurangzaib	=	Bajrugron
61	Nazir Muhammad	Farhad	=	GPS Talshaus
62	Jihanul Haq	Abdul Aman	=	Hanifabad
63	Muhammad Riaz	Ghulam Hussain	Hsq	Kusui Hall
64	Aurangzaib Khan	Hindra Khan	=	GPS Kuthora
65	S Zuhrah Shah	Farqan Said	=	Darwai
66	Munir Khan	Gul Mamroz	=	Damgar
67	Rustam Khan	Biqra Khan	=	Jabatiruz
68	M. Shafique	Aqiullah	=	Mashkanai
69	Badar Khan	Ali Gohar Khan	Msq	Kiargli U Khan
70	Fida Muhammad	Fazal Ur Rehman	=	GPS Gidri Trund
71	M. Khalid	Sultan Room	=	H.D Azim Ullah
72	Ibrar Ullah	Hidayat Ullah	=	Damagat
73	M. Balil	Iftikhar Molook	=	Rashidabad
74	Ahmed Khan	Gul M. Khan	=	Gidri Trand
75	Amal Jan	Baitul Haq	=	Jaba Teroz
76	Fateh Ullah	M. Farideen	=	Mundri
77	Zabal Khan	Abbas Khan	=	Docdpatti
78	Ghulam Rehmani	Fazal Ur Rehman	=	Turia Hill
79	Badiuz Zaman	Toli Muhammad	=	Ghinow
80	B. Wallab Shah	M. Said	=	Talshous
81	Abdul Ali	Abdul Malik	=	Bagh Banda
82	Miskeen	Abdul Latif	=	Ghinow
83	M. Javed	Zaman Ullah	=	Bejergram
84	Mohmood Shah	Said Rehmat Shah	=	Pakbanda
85	Bhahzada	Abdul Mateen	=	Hanifabad
86	Shuokat Ayaz	Malik Jan	=	Barwey
87	Inam Ullah	Bara Khan	=	Mundri
88	Habib Ullah	Jansar Khan	=	Dajergram
89	Auragzaib	M. Miskeen	=	Teria Hill
90	Bakat Morin	Hushnak	=	G.Hawab Said
91	Ali Asar Khan	Nisar Khan	=	M
92	M. Iqbal	Gul Muhammad	=	Hurzala
93	Rustam Khan	Talas Khan	=	Trand
94	M. Shahid	Abdul Razzak	=	Ghappcrgram
95	Attullah	M. Saeed	=	Peshord
96	Shah Rozem	Hayat Khan	=	-do-
97	Ali Rehman	Umra Khan	=	Walarget
98	Hussain Ahmed	Sherin Khan	=	Okey
99	Rab Nawaz Khan	Afsar M. Khan	=	Turbor
100	Farhat Khan	Muraid	=	Rashidabad
101	Inayat Ur Rehman	Gujar Khan	=	Shuakatabad
102	Hamayun Ullah	Shahzad Khan	=	S. Khalabando
103	Noor Ul Islam	Hazarat Hall	=	Thaya
104	Rustam	Babir Khan	=	Khatooana
105	Hazzarat Islam	M. Zunif	=	Pak Banda
106	Wali Muhammad	Roshan Khan	=	Rozok Khanoona
107	M. Javid	Mer Ahmed	=	Thaya
108	Shamsud Din	Muh Uddin	=	Biakote
109	Waqar Khan	Mir Ahmad Khan	=	Alama Khanow
111	Islam Shah	Mian Gul Shah	=	Kuttiar Abad
112	B. Helim Shah	Hutabar Blish	Msq	Ghunkadian
113	Rashid Dad	Gul Riaz	=	GPS Nujagran
114	Saeed Ur Rehman	Kuchkol Khan	Msq	--
115	Sardar Muhammad	Raysat Khan	Msq	Gnam Bajdar
116	Anwar Faraz	Abdul Wahab	=	Khait Wali Shah
117	Bakat Ali Shah	Noor Ullah Shah	=	B/Gershsaid
118	B/Mukhtiar Ali	M. Noor Nabi	=	--

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119. ✓ Faiz ul Bari	M. Naeem	P.T	Hanif Abad.
120. ✓ Talch Muhammad	Fida Muhammad	"	Gha. Hanj.
121. ✓ M. Zahid	Mudalim Gul	"	S. V. L. G. T.
122. ✓ Iftakhar Ahmad	M. Khatun	"	Khal. T. V. L. S. H.
123. ✓ Abdul Ghani Shah	Munawar Shah	"	Ohan Saldan.
124. ✓ Anahi Khan	Payee Khan	"	GP. B/Chazri Said.
125. ✓ B. Farhad Shah	M. Zahar Shah	"	E. N. Abad.
126. ✓ Waheed Khan	Said Ali Khan	"	D. J. Arvuli. Taty.
127. ✓ Rajaul Haq?	Abdul Qayyum	"	Dabocna.
128. ✓ Saib. Alam?	Jan Alam	"	Kaishal.
129. ✓ Hizbulah	Astam Khan	"	Saprocha.
130. ✓ Attaulah	Aftab	"	-do-
131. ✓ Mehtoozullah	Vali. Walullah	"	Kishal.
132. ✓ Ejaz Ahmed	M. Zahir Shah	"	Harmaria.
133. ✓ Sherin Zada	Ghulam Haider	"	Dar Murin.
134. ✓ Bashir Muhammad	Fazal Waji	"	Muhammad. S. D. I. Yar.
135. ✓ Khurshid Khan	M. Irtisad	"	-do-
136. ✓ Niaz Muhammad?	Muhammad Asa Khan	"	M. Kundi.
137. ✓ M. Iqbal	Aurangzab	"	Marzala.
138. ✓ S. Habiullah	M. Ali Shah	"	-do-
139. ✓ Du. H. M. Allah?	Mada Khail	"	Ajlo. Ranginabad.
140. ✓ Email	M. Hussain	"	Mugli Abad.
141. ✓ Gulzarul Wahab?	Abdul Wahab	"	Shaukat Abad.
142. ✓ Jihon Zaid?	Shah Zada	"	Kuchal.
143. ✓ M. Bashir?	Azimullah	"	Mandwali.
144. ✓ M. Mumtaz?	Said Ali	"	Hanjo.
145. ✓ M. Sharin	Rehmat Allah	"	Ohan Saldan.
146. ✓ M. Khurshid	M. Ayub	"	Hil.
147. ✓ M. Yousuf?	Ghulam Nabi	"	Dabocna.
148. ✓ M. Tariq	Pir Muhammad Khan	"	Bajargram.
149. ✓ Khan Muha mad	Teemaz Khan	"	Beri. Khali Wanda.
150. ✓ Abaziz	Abdullah	"	Lodul Noman Abad.
151. ✓ Baz Muhammad?	Azamullah	"	Chen. Zardar Meran
152. ✓ Abdul Haq	Sha. ur Khan	"	Mithoray Kurin.
153. ✓ S. Shabir Hussain	Hakim Said	"	Muht. Aladdin.
154. ✓ Amir Muhammad	Jan Muhammad	"	Puapi.
155. ✓ Fervaiz Khan?	Saif-ullah Khan	"	Buz Wal.
156. ✓ Inayat ur?	Chaman M. Hashid	"	Gandor.
157. ✓ M. Bayat?	M. Noor	"	Banda Dattangi.
158. ✓ Abdul Haq?	Azia Khan	"	Kendloo.
159. ✓ Ghulam Yousof	M. Khua. Wali	"	Paqiro
160. ✓ Adam Khan	M. Israil	"	Kaan. Darra.
161. ✓ M. Rehman	Abdullah Jan	"	Kan.
162. ✓ Gul Khan	Lucha Khan	"	Mano. Pashto.
163. ✓ Zulfiqar Ali	Madyet ul. ah	"	Mugkani.
164. ✓ Gul Bar?	Gul Akber	"	Maul. Seri.
165. ✓ Zia ur Rehman?	Fazl ur Rehman	"	Munbarban.
166. ✓ Jamil ur Rehman	Shar. Muhammad	"	Dawar. Ali.
167. ✓ Tida Muhammad?	Baltan. Muhammad	"	Karboi.
168. ✓ Akhtar Ali	Tora Baza	"	Cinjbbt.
169. ✓ Gul Zahir Shah	Ohargah Gul	"	Bateela.
170. ✓ S. Ahmed Shah?	S. Habib. Shah	"	Baba.
171. ✓ M. Fayaz?	Aurangzab	"	Deonga.
172. ✓ Bidar Bukht?	Payab Khan	"	Paqiro.
173. ✓ Attullah	Talut Khan	"	Alami. Kandow.
174. ✓ Tajud din	Abdul Karim	"	Jubba. Haha. fur.
0175. ✓ Ghulam Haider Shah	Lir. Ali. Shah	"	Batley.
176. ✓ Noor Saad	Ahmed Khan	"	Kumband.
177. ✓ S. Hamidullah	Saidullah	"	Kasin.
178. ✓ M. Kaveer	Gul Rozia	"	Kala. Bateela.
179. ✓ Hamid ul. ah	Muji. Fazl. Walid	"	Kachori.
180. ✓ Amir Muhammad	Shamshir. Mulkana	"	Maryola. Sultan.
181. ✓ M. Shafiq	Mir. Ded.	"	Hoter. Dishan.
182. ✓ Shur. Ali	Mubtar. Khan	"	Mehora.
183. ✓ Saib. Ali. Shah	Omer. Said	"	Karin. Ford.
184. ✓ M. Abbas	Jumroz. Khan	"	-do-
185. ✓ Khair Khan	Aurangzab Khan	"	Jumbag.
186. ✓ Kafayatullah?	Abdul Raqid	"	Jamroz. Gady.
187. ✓ M. Dulla?	Mehrajun. Nabi	"	-do-
188. ✓ Nawaz M. Khan	Taj. M. Khan	"	Batarkool.

Asst. Dist. Officer (S&S) Bahawalpur

Attested  
15.2.2021

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119	Faiz Ul Bari	M. Nacem	P.T	Nasir Abad
120	Talah Muhammad	Fida Muhammad	=	GPS HAngri
121	M. Shahid	Dil Shahad Gul	=	--
122	Iftikhar Ahmed	M. Roshan	=	--
123	Abdul Ghuni Shah	Munawar Shah	=	--
124	Shoail Khan	Payee Khan	=	GPS B/Gharri Said
125	S. Farhad Shah	M. Zahir Shah	=	B.N.Abad
126	Waheed Khan	Said Ali Khan	=	--
127	Ajmal Haq	Abdul Qayyum	=	Daboona
128	Saib Alam	Jan Alam	=	Kuishal
129	Hizbullah	Astam Khan	=	Saprocha
130	Attaullah	Afab	=	-do-
131	Metoozullah	Wali Walullah	=	Kiushul
132	Ejaz Ahmad	M. Zahir Shah	=	Darmurin
133	Sherin Zada	Ghulam Haider	=	Bar Murin
134	Bashir Muhammad	Fazal Haji	=	--
135	Khurshid Khan	M. Irshad	=	-do-
136	Niaz Muhammad	Muhammad Asad Khan	=	Sirkundi
137	M.Iqbal	Auragzaib	=	Darzola
138	S. Habib Ullah	M. Ali Shah	=	-Do-
139	Bu-hitar Ullah	Mada Khuil	=	Ajlo - Ranginabad
140	Islmail	M. Hussain	=	Musll Abad
141	Gul zuruin Wahab	Abdul Wahab	=	Shoukat Abad
142	Jihun Zaib	Shah Zada	=	Kuclial
143	M. Bashir	Azimullah	=	Mandrwali
144	M. Mumtaz	Said Ali	=	Ranju
145	M. Shurin	Rehmat Ullah	=	Onam Saidsm
146	M. Khurshid	M. Ayub	=	Hill
147	M. Younis	Ghulam Nabi	=	Daboona
148	M. Tariq	Pir Muhammad Khan	=	Bajargram
149	Khan Mula Mad	Telma Khan	=	Bert Khali Bande
150	Abaziz	Abdullah	=	Londuir Noman Abad
151	Baz Muhammad	Awais Ullah	=	Cham Sardar Meran
152	Abdul Haq	Shurin	=	Raghoray Kuria
153	S.Shabir Hussain	Habib Said	=	Khait Alsamddin
154	Amir Muhammad	Jan Muhammad	=	Tamul
155	Pervaiz Khan	Saif Ullah Khan	=	Baz Wal
156	Inayat Ur Rehman	Khanbadar	=	Gandor
157	M. Bayat	M. Noor	=	Danda Battangri
158	Abdul Haq	Azim Khan	=	Kandloo
159	Ghulam Yousaf	Muliv Khan	=	Farqiro
160	Adam Khan	M. Israil	=	Reen Darra
161	M. Rehman	Abdull Lan Jan	=	--
162	Gul Khan	Lucho Khan	=	Mano Poshto
163	Zulfiqar Ali	Hadyst ullah	=	Musul Seri
165	Zia Ur Rehman	Fazal Ur Rehman	=	Alhbarban
166	Jamil Ur Rehman	Shar Muhmmad	=	Barmer Aim
167	Fiad Muhammad	Sultan Muhammad	=	Karbori
168	Wahtorali	Tora Baz	=	Cinjbbri
169	Gul Zahir Shah	Obargah Gul	=	Batteln
170	S. Ahmed Shah	Habib Shah	=	Bagh
171	M. Fayyaz	Aurangzaib	=	Doonga
172	Bidar Bukht	Payab Khan	=	Faqiro
173	Attullah	Talut Khan	=	--
174	Tajud Din	Abdul Karim	=	Jubba Bahadur
175	Ghulam Hider Shah	Mir Ali Shah	=	Batley
176	Noor Samad	Ahmed Khan	=	Asharband
177	S. Hamidullah	Obid Ullah	=	Karin
178	M. Baseer	Gul Nazir	=	--
179	Hamiullah	Haji Faiz Wahid	=	--
180	Amir Muhamamd	Shoukat Rehman	=	--
181	M. Sharif	Mir Dad	=	Hotar Dishan
182	Bahar Ali	Mubatar Khan	=	Iushors
183	Said Ali Shah	Umer Said	=	Karim pura
184	M. Arshad	Jamroz Khan	=	-do-
185	Kwrur Khan	Aurengzeb Khan	=	Junitajj
186	Kifayat ullah	Abdur Rasheed	=	Jamroz osdia
187	M. Gulam	Mirajullah Habib	=	Do
188	Nawaz M. Khan	Taj M. Khan	=	Batarkol

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101. Javid Iqbal	Dilwar Khan
102. M. Abdur Razaq	Abdul Hakim
103. Qazi Shafiullah	M. Mustafa
104. Khaliq ur Rehman	Abdul Rehman
105. Muzir Ahmad	Sukandar Khan
106. M. Asim Khan	Shah Nawaz

PT	OP:	Maryula Sultan.
"	"	Jicool.
"	"	M. Ghunwali,
"	"	Arguhoori.
"	"	Matta Mansoor.
"	Mag:	Wazir.

(MALLI ABDUL RAHIM)  
 DISTRICT EDUCATION OFFICER (M.A.E)  
 PRIMARY BATTAGRAM.

Endutt. No. 244-18 / Dated Battagram the 28 / 3 / 1957.

Copy of the above are submitted to:-

- 1). Director Primary Education NWFP Dalgari Garden Peshawar.
- 2). I.S. to Secretary of Education NWFP Peshawar.
- 3). D.D.O. (M) Battagram with the remarks in conn. all the above mentioned teachers on their present addresses. Moreover to form the S.O. / O.S. of other Districts if you are favourable bearing in mind.
- 4). District Account Officer Battagram.

DISTRICT EDUCATION OFFICER  
 (M) PRIMARY BATTAGRAM.

Asst. Dist. Officer (Entry)  
 (S.S.) Battagram

Asst. Dist. Officer (Entry)  
 (S.S.) Battagram

*Accepted*  
*[Signature]*  
 15/3/57

NO-A

14

189	Javed Iqbal	Dilawar	P. S.	GPS. Maryola Sultan
190	A Abdur Hanif	Abdul Hakim	=	School
191	Ghazi Saif Ullah	Mubatal	=	Cnuwali
192	Atiq-Ur Rehman	Abdur Rehman	=	Aruuhuri
193	Nazir Ahmad	Bukundar Khan	=	Matta Mansoor
194	M. Asim Khan	Shah Nawaz	= Msq	Wama.

(MALIK ABDUR WAHID)  
DISTRICT EDUCATION OFFICER (MALE)  
PRIMARY BATTAGRAM

Endstt: No. 2414-18 / Dated Battagram the 28/5/1997.

Copy of the above are Submitted to:-

1. Director Primary Education N.W.F.P Dabgari Garden Peshawar.
2. PS to Secretary of Education N.W.F.P Peshawar.
3. SDEO (M) Battagram with reference above.
4. District Account Officer Battagram.

(15) (Amendment C)

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) BATTAGRAM.

ORDER

Consequent upon the recommendation of the Departmental Selection Committee and approval of the competent authority (Deputy Commissioner) Battagram, in the light of Khyber Pakhtunkhwa Act XVII 2012 and Honorable Court Judgment Peshawar High Court Abbottabad Bench dated 17-01-2013 the following Sacked employee are hereby appointed as PST in BPS-12 (Rs:7000-500-22000) (Non pensionable) plus usual allowances as admissible under the rules against the vacant post at the schools mentioned, against each in the interest of public service with effect from the date of their taking over charge

S. No	Name of Candidates	Father's Name	Address	Posted at	Remarks
1	Sardar Mohd. Khan	Hazrat Younas	Thaya Banian BTM	GPS Batkool Sarhadi	Against V/Post
2	Ghulam Haider Shah	Pir Ali Shah	Kuz Madan BTM	GPS Kar Patay Pashto	Against V/Post
3	Bahadar Khan	Ali Gohar Khan	Dharian BTM	GPS Kanai	Against V/Post
4	Ghulam Yousaf	Molvi Khan Wali	Shamlai BTM	GPS Hill Bach	Against V/Post
5	Muhammad Hayat	Muhammad Noor	Trand BTM	GPS Kaloota	Against V/Post
6	Noshewan	Noor ul Hassan	Gijboni BTM	GPS Malkot	Against V/Post
7	Zeebal Khan	Mubaras Khan	Thakot BTM	GPS Piza Batkool	Against V/Post
8	Duraj Khan	Hukmat Khan	Pokal Allai	GPS Mangri	Against V/Post
9	Pervez Khan	Saif ullah	Ajmera BTM	GPS Beran Gantar	Against V/Post
10	Imdad Ullah	Musa Khan	Gidri Khaimbad BTM	GPS Barmai	Against V/Post
11	Shahi Khan	Bai Khan	Peshora BTM	GPS Mala Bateela	Against V/Post
12	Abdul Aziz	Haji Abdullah	Gulbagh BTM	GPS Battagram	Against V/Post
13	Muhammad Miskaen	Abdul Latif Khan	Takia BTM	GPS Thaya	Against V/Post
14	Muhammad Riaz	Ghulam Hussein	Banser Shamlai BTM	GPS Koshgram	Against V/Post
15	Khurshed Khan	M. Arshad Khan	Biari Allai	GPS Chapri Karg	Against V/Post
16	Furhad Khan	Murad	Ajmera BTM	GPS Nathoo.	Against V/Post
17	Momin Khan	Bilal Khan	Kuzabanda BTM	GPS Nehar Qasim.	Against V/Post
18	Islam Shah	Mian Gul Shah	Bandigo BTM	GPS Sar Nasim.	Against V/Post
19	Rustam Khan	Palas Khan	Phagora ETM	GPS Ajlay Shahroom	Against V/Post
20	Rustam Khan	Begrah Khan	Thakote BTM	GPS Nehray Thakot	Against V/Post
21	Muhammad Shafiq	Atiqullah	Dabri Paimal BTM	GPS Trangar	Against V/Post
22	Anwar Faraz	Abdul Wahab Khan	Bauian BTM	GPS Jabba Asharban	Against V/Post

**NOTE** The Drawing and disbursing officer are directed to verify their Degrees/Certificates from the concerned Board/University/Institutions from the quarter concerned.

**TERMS AND Conditions:-**

- 1 The appointment is made purely on temporary basis and liable to termination at any time without assigning any reason or notice.
- 2 Theirs service will be on regular basis but not pension able and they will contribute to CP Fund.
- 3 They will be abide by the rules and regulation issued from time to time by the Provincial Govt.
- 4 Their appointment has been made in the Act of Sacked Employees Appointments Act ,No XVII,2012.
- 5 They should obtain Medical fitness Certificate from the Medical Superintendent DHQ Hospital Battagram.
- 6 In case of resignation
- 7 The candidates having less qualification will acquire requisite training and obtain FA qualification within three years failing which their appointment shall stand terminated automatically.
- 8 They should take over charge within in 15 days after the issuance of this appointment order otherwise the order of appointment shall stand cancel after 15 days.

O.P.  
Attested  
15/2/2021  
[Signature]



7/8

16

- 9 Charge report should be submitted to all concerned.  
10 The DDO is directed to obtain an affidavit on stamp paper duly attested by the Ist Class Magistrate that,  
(a) They will served the Education department for more then five(5) year countinously .  
(b) They are not served any other Department/Corporation/Agency.  
(c) Their previous services if any will be treated as EOL (without Pay).  
(d) They will not go in the court for their previous service benefils.  
11 No TA/DA etc is allowed to any one.

DEPUTY COMMISSIONER  
(CHAIRMAN)


BATTAGRAM


Endst.No 7825-31 /EB/AE-II/Appit:Sacked:Emp: DATED 15/02 /2013

Copy for information and necessary action to the:

- 1 Deputy Commissioner Battagram.
- 2 Registrar Honorable High court Peshawar
- 3 District Accounts Officer Battagram..
- 4 Head Master concerned School..
- 5 D.D.E.O (Male) Battagram.
- 6 Candidates concerned.
- 7 Office file.

  
Assistant District Education Officer  
Litigation Battagram

O.P  
Attested  
  
15/2/2021

PST 

Annexure "D"

17

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) BATTAGRAM.

OFFICE ORDER:-

Serial No, 10 of the terms and conditions mentioned in the Sacked employees appointments orders bearing Endst: No, 7825-31 dated 15-02-2013 is hereby withdrawn.

The remaining order will stand intact and unchanged.

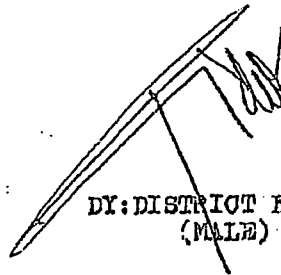
DISTRICT EDUCATION OFFICER  
(MALE) BATTAGRAM.

7958-63


Endst:No \_\_\_\_\_ /EB/AE-II/F-Sacked Emp:Apptt: dated 26/02/2013.

Copy for information to the:-

1. Deputy Commissioner Battagram.
2. Registrar High Court Bench Abbottabad.
3. District Accounts Officer Battagram.
4. Headmaster/ Head Teachers concerned schools.
5. Candidates concerned.
6. Office copy.



DY: DISTRICT EDUCATION OFFICER  
(MALE) BATTAGRAM.

O.P.  
Austed  
  
15/2/2021

بخدمت جناب ڈسٹرکٹ ایجوکیشن آفیسر صاحب ضلع بٹگرام

عنوان :- درخواست اپیل برک ادا کیے جانے

- BACK BENEFIT

جناب عالی - اپیل سائل ذیل عرض ہے -

1- یہ کہ سائل گورنمنٹ پرائمری سکول ضلع بٹگرام میں

بطور PST بھرتی ہووا - دورانِ سروس سائل

اپنی ڈیوٹی اسن طریقے سے سرانجام دیا اور

کبھی بھی غیر ذمہ دارانہ رویے کا مظاہرہ نہ کیا۔

2- یہ کہ سائل کو مورف 28-7-1997 کو لبریکسی

وجہ کہ ملازمت سے برخاست کر دیا گیا اور

سائل اس دوران بے روزگار رہا۔

3- یہ کہ سائل نے برخاستگی ملازمت کنٹراف

پنشا اور یاٹی کوڈ ایٹ آباد بیچ میں

رٹ سائل کی جس کے نتیجے میں مورف

17  $\frac{1}{2013}$  کو عدالت نے سائل کو ملازمت

پر دوبارہ بحال کیا - تاہم بعد از بحال

ابھی تک سائل کو Back benefit بمطابق

(19)

آڈر نمبری 63-7958 مورف  $26 \frac{52}{13}$  جس کا سائل  
تقدار نہ دیے گئے ہیں۔

4۔ یہ کہ سائل ایک غریب شخص ہے۔ جس کا پاسوائے  
اس ملازمت کے دیگر کوئی ذریعہ معاش نہ ہے اور  
سائل کافی عرصہ تک بطرف راج ہے جس کی  
وجہ سے سائل کو شدید مالی پریشانیوں کا  
سامنا ہے۔ بدیہ وجہ سائل Back benefit  
کا تقدار جو Department کی طرف تاحال  
سائل کو ادا نہ کیے گئے ہیں۔

لینڈا استرعا مکمل سائل کو جملہ واجبات  
ادا کیے جانے کے احکامات صادر فرمائے  
جائیں۔

10/11/2020  
الموع

AP Shah  
سید شہ

sNo. 541156

اللَّهُمَّ صَلِّ وَسَلِّمْ عَلَى نَبِيِّكَ مُحَمَّدٍ وَآلِهِ الطَّيِّبِينَ الطَّاهِرِينَ

20  
Roll No. 15215

Annexure 'F'

**BOARD OF INTERMEDIATE AND SECONDARY EDUCATION**



Peshawar N.W.F.P. Pakistan

Secondary School Certificate Examination

SESSION 1986 SUPPLEMENTARY

THIS IS TO CERTIFY THAT Mohammad Shafiq

Son/Daughter of Attiquallah

and a resident of Mansehra District

has passed the *Secondary School Certificate Examination*

of the Board of Intermediate & Secondary Education, Peshawar held in October 1986 as  
a *Private Candidate*. He/She obtained 472 Marks out of 850

and has been placed in *Grade*

**C**

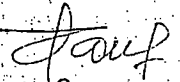
Representing Good

The Candidate passed in the following subjects:

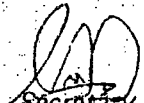
- |            |                     |                 |                     |
|------------|---------------------|-----------------|---------------------|
| 1. English | 3. Islamiyat        | 5. Gen. Science | 7. Gen. Mathematics |
| 2. Urdu    | 4. Pakistan Studies | 6. Isl. Studies | 8. Civics           |

Date of birth according to admission form is First August,

one thousand nine hundred and Sixty Nine (01-8-1969)

  
Asstt. Secretary

27th December 1986

  
Secretary

This certificate is issued without alteration or erasure

5  
ALLAMA IQBAL OPEN UNIVERSITY, ISLAMABAD  
PROVISIONAL RESULT CARD



21

Serial No 384395

Roll No. BF658424

Registration No. 15NEM00592

Final Semester SPR-2016

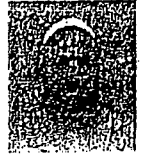
Name MUHAMMAD SHAFIQUE

Father's Name ATTIQ ULLAH

Address C/O RAJGAN EXCHANGE COMPANY B14 ITEFAQ  
PLAZA BATTAGRAM P/O SAME

Tehsil BATTAGRAM

District BATTAGRAM



has successfully completed PRIMARY TEACHING CERTIFICATE

The detail of passed courses is as under

Semester	Course Code	Title of Courses	Marks	
			Maximum	Obtained
SPR- 16	0611	PRACTICAL WORKSHOP & TEACHING PRACTICE	100	71
SPR- 16	0617	TEACHING OF URDU	100	63
SPR- 16	0618	TEACHING OF MATHEMATICS	100	64
SPR- 16	0619	TEACHING OF SCIENCES & PHYSICAL	100	62
SPR- 16	0620	TEACHING OF ISLAMIAT & SOCIAL STUDIES	100	59
AUT- 15	0613	PRINCIPLES OF EDUCATION	100	73
AUT- 15	0614	EDUCATIONAL PSYCHOLOGY	100	56
AUT- 15	0615	SCHOOL ORGANIZATION	100	61
AUT- 15	0616	SCHOOL COMMUNITY & PRACTICAL ARTS	100	58

Credit 5

Total Marks/Obtained

900 / 577

Result Declared JANUARY 10, 2017

Percentage/Grade

64 / B

Date of Issue JANUARY 20, 2017

*M. Han*  
Controller of Examinations

**Disclaimer:**

This result card is issued provisionally, errors and omission excepted, as a notice only. Any entry appearing in this card does not itself confer any right or privilege on a candidate for the grant of certificate/degree/diploma, which will be issued under the rules/regulations on the basis of the original record of the university student.

# وکالت نامہ

کورٹ فیس  
قیمتی

Before the Service Tribunal KPK Peshawar

منجانب

Muhammad Shafigue

دعویٰ یا جرم Service Appeal باعث تخریک آ

Secretary Education, Peshawar  
Adul Aziz Tanoli

Adel Ahmad Nazir Ady/14/C  
مذکورہ بالا عنوان میں اپنی طرف سے پیروی و جوابدی:

مقام Service Appeal بدیں شرط وکیل مقرر کیا ہے میں ہر پیشی پر خود یا بذریعہ مختار خاص روبرو عدالت حاضر ہوتا رہوں گا اور بوقت پکارے جانے وکیل صاحب موصوف کو اطلاع دیکر حاضر کروں گا۔ اگر کسی پیشی پر مظہر حاضر نہ ہوا اور غیر حاضری کی وجہ سے کسی طور پر مقدمہ میرے خلاف ہو گیا تو صاحب موصوف کے کسی طرح ذمہ دار نہ ہوں گے۔ نیز وکیل صاحب موصوف صدر مقام کچہری کے علاوہ کسی اور جگہ کچہری کے مقررہ اوقات سے پہلے یا بروز تعطیل پیروی کر نیے مجاز نہ ہوں گے۔ اگر مقدمہ مقام کچہری کے کسی اور جگہ سماعت ہونے پر یا بروز کچہری کے اوقات کے آگے یا پیچھے ہونے پر مظہر کو کوئی نقصان پہنچے تو ذمہ داریاں اسکے واسطے کسی معاوضہ ادا کرنے مختار نامہ واپس کرنے کے بھی صاف و موصوف ذمہ دار نہ ہوں گے۔ مجھے کل ساختہ پر داخنتہ صاحب مثل کردہ ذات خود منظور و قبول ہوگا اور صاحب موصوف کو عرضی دعویٰ اور درخواست اجرائے ڈگری و نظر ثانی اپیل نگرانی دائر کرنے نیز ہر قسم کی درخواست پر دستخط تصدیق کرنے کا بھی اختیار ہوگا۔ اور کسی حکم یا ڈگری کے اجراء کرانے اور ہر قسم کا روپیہ وصول کرنے اور رسید دینے اور داخل کرنے کا ہر قسم کا بیان دینے اور سپرد ثالثی و راضی نامہ و فیصلہ برخلاف کرنے و اقبال دعویٰ کا اختیار ہوگا اور بصورت اپیل و برآمدگی مقدمہ یا منسوخی ڈگری ایک طرف درخواست حکم انتہائی یا ڈگری و قبل از فیصلہ اجرائے ڈگری بھی صاحب موصوف کو بشرط ادائیگی علیحدہ پیروی مختار نامہ کرنے کا مجاز ہوگا۔ اور بصورت ضرورت اپیل یا اپیل کے واسطے کسی دوسرے وکیل یا ایئر سٹر کو بجائے اپنے ہمراہ مقرر کریں اور ایسے مشیر قانونی کو بھی اس امر میں وہی اختیارات حاصل ہوں گے جیسے صاحب موصوف کو پوری فیس تاریخ پیش سے پہلے ادا نہ کروں گا تو صاحب موصوف کو پورا اختیار ہوگا کہ مقدمہ کی پیروی نہ کریں اور ایسی حالت میں میرا مطالبہ صاحب موصوف کے برخلاف نہیں ہوگا لہذا اختیار نامہ لکھ دیا ہے کہ سندر رہے۔ مضمون مختار نامہ من لیا ہے اور اچھی طرح

محمد شفیع  
Adel Ahmad Nazir

المرقوم: 1200/12

Accepted by

*(Signature)*  
*(Signature)*

BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE

Tribunal Camp Court Abbottabad

SERVICE APPEAL No. <sup>3492+3496</sup> of 2021

Muhammad Shafiq S/O Atiqullah.....Appellant

VERSUS

Government of Khyber Pakhtunkhwa through Secretary E&SE KPK  
Peshawar and others.....Respondents

Index

S. No	Description /Documents	Annexure	Pages
1	Comments		1 to 3
2	Affidavit		4
3	Copy of Sacked Employees Act 2012	A	5 to 8
4	Copy of Judgment dated 20-02-2019	B	9 to 11

  
Respondent



(1)

**BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE**

**TRIBUNAL CAMP COURT ABBOTTABAD**

**SERVICE APPEAL No. 3492 of 2021**

Muhammad Shafiq S/O Atiqullah.....Appellant

VERSUS

Government of Khyber Pakhtunkhwa through Secretary E&SE KPK  
Peshawar and others.....Respondents

**Joint Para-wise comments /Reply on behalf of  
Respondents NO. 1 to 3**

**Respectfully Sheweth:**

**Preliminary Objections**

1. That the appellant has no cause of action/locus standi to file the present appeal.
2. That the appellant has concealed the material facts from this Hon'ble Tribunal.
3. That the appellant has not come to this Hon'ble Tribunal with clean hands.
4. That the appellant has filed the instant appeal on malafide grounds, just to put pressure on the respondent Department for illegal pension benefits.
5. That the appellant's appeal is against the prevailing rules and law.
6. That the appellant is estopped by his own conduct to file the instant appeal.
7. That the instant appeal is not maintainable in its present form and also in the present circumstances of the issue.
8. **As per Law/ Section 5 of Khyber Pakhtunkhwa Sacked Employees (Appointment) Act 2012, 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; hence the instant appeal is liable to be dismissed without any further proceeding.**
9. **That the instant appeal is badly barred by time; hence is liable to be dismissed without any further proceeding.**

ON FACTS

1. Para No. 1 of the appeal is correct. Pertaining to the appointment of the appellant; hence needs no comments.
2. Para No. 2 pertains to termination of the appellant, hence needs no comment.
3. Para No. 3 of the appeal is correct. Pertains to the appointment of the appellant in the light of Khyber Pakhtunkhwa Sacked Employees (Appointment) Act 2012, hence needs no comments.
4. Appellant is duty bound to perform his duties.
5. Respondent is bound to follow the rules/policy and law (Sacked Employees Appointment Act 2012) as mentioned in preceding paras.
6. Para No. 5 of the appeal is incorrect and denied. As per Section 5 of Khyber Pakhtunkhwa Sacked Employees (Appointment) Act 2012, it is clearly mentioned 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”**. And as decided in Service Appeal No.1377/2015. Titled **Syed Naveed Shah VS Govt. of KP & Others dated. 20-02-2019**, hence the plea of the appellant is against the law/act. (Copy of the Act and Judgment dated 20-02-2019 are attached as **“Annex. A & B”**).
7. The appellant has no cause of action.

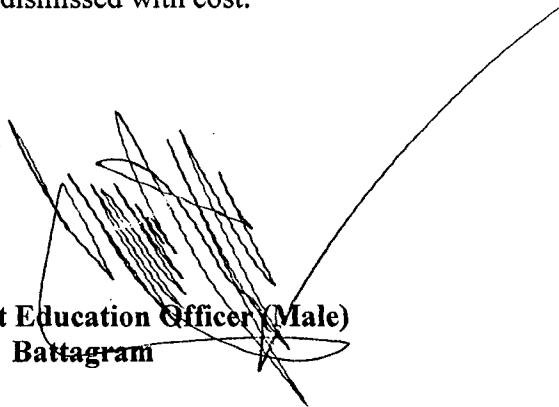
ON GROUNDS:

- a. Ground “a” of the appeal is incorrect, hence denied. Govt. has not allowed any back benefits as it is clearly mentioned in the Act, and respondents are not bound to obey the illegal demands of the appellant.
- b. Ground “b” of the appeal is incorrect. Detailed reply is given in the preceding paras.
- c. Ground “c” of the appeal is incorrect. Detailed reply is given in the preceding paras..
- d. Ground “d” of the appeal is incorrect. Respondents department followed the law/Act and acted accordingly.
- e. Ground “e” of the appeal is incorrect. Detailed reply is given in Para No. 5 of the Facts.
- f. Ground “f” of the appeal is incorrect. Appellant has no cause of action.
- g. Respondents seek permission of this Honour able Court to agitate other legal and factual ground at the time of arguments.


23

It is therefore humbly prayed that on acceptance of above Para-wise comments, the appeal of the appellant may graciously be dismissed with cost.


**RESPONDENT NO. 3**

  
**District Education Officer (Male)  
Battagram**

**RESPONDENT NO. 2**

  
**Director Elementary & Secondary Education  
Khyber Pakhtunkhwa Peshawar**

**RESPONDENT NO. 1**

  
**Secretary Elementary & Secondary Education  
Khyber Pakhtunkhwa Peshawar**

(24)

**BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE**  
**TRIBUNAL CAMP COURT ABBOTTABAD**

**SERVICE APPEAL No. of 2021**

**Muhammad Shafiq S/O Atiqullah.....Appellant**

**VERSUS**

**Government of Khyber Pakhtunkhwa through Secretary E&SE KPK  
Peshawar and others.....Respondents**

**AFFIDAVIT**

I Bakht Zada District Education officer (Male) Battagram do hereby affirm and declare on oath that contents of accompanying **Joint Para-wise comments** on behalf of respondent. NO. 1 to 3 are true and correct to the best of my knowledge and belief that nothing has been concealed from this Honorable Court.

  
DEPENDENT

CNIC:

15502-2004264-5

A-5

A-5

AN  
ACT

AF

7

*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 1<sup>st</sup> day of November 1993 to the 30<sup>th</sup> day of November, 1996 (both days inclusive) and were dismissed, removed or terminated from service during the period from 1<sup>st</sup> day of November 1997 to 31<sup>st</sup> 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 1<sup>st</sup> day of November, 1993 to 30<sup>th</sup> day of November, 1996 (both days inclusive).  
(3) It shall come into force at once.

A-B

6

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 1<sup>st</sup> day of November 1993 to the 30<sup>th</sup> day of November, 1996 (both days inclusive) and was dismissed, removed, or terminated from service during the period from 1<sup>st</sup> day of November 1996 to 31<sup>st</sup> 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:

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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 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.

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(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.



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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  
Hajiaam, District Manshehra. ... (Appellant)

VERSUS

Govt. of Khyber Pakhtunkhwa, through Secretary Elementary and Secondary  
Education, Peshawar and two others. ... (Respondent)

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

Ahmad Hassan  
Member (Judicial)

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 13.02.1997. After promulgation of Khyber Pakhtunkhwa Sacked Employees Appointment Act 2012, 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. 401-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

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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.

3. 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.


4. It is not disputed that initially the appellant was appointed as PST at GPS D m 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 aforementioned 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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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

03-05-19

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*Muhammad Amin*

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