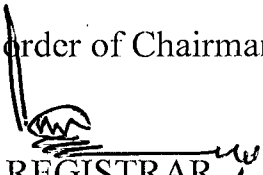


Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 1599/2022


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	10/11/2022	<p>The appeal of Mr. Sultan Ali resubmitted today by Mr. Khaled Rehman Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on _____. Notices be issued to appellant and his counsel for the date fixed.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

The appeal of Mr. Sultan Ali son of Said Sharif Bacha Ex-PST GPS Ikrampur Katlang Mardan received today i.e. on 25.10.2022 is incomplete on the following score which is returned to the counsel for the appellatant for completion and resubmission within 15 days.

- 1- Check list is not attached with the appeal.
- 2- Appeal has not been flagged/marked with annexures marks.
- 3- Annexures of the appeal may be attested.
- 4- Appeal may be page marked according to index.
- 5- Copy of letter dated 21.10.2019 mentioned in para-8 of the memo of appeal (Annexure-J) is not attached with the appeal which may be placed on it.
- 6- Copies of order/letter dated 12.10.1995, 6.01.1997, 9.10.2018; 11.12.2020 and 9.01.2021 are illegible which may be replaced by legible/better one.
- 7- Copy of rejection order of departmental appeal in respect of appellatant is not attached with the appeal which may be placed on it.
- 8- Copy of reply to show cause notice is not attached with the appeal which may be placed on it.
- 9- Five more copies/sets of the appeal along with annexures i.e complete in all respect may also be submitted with the appeal.

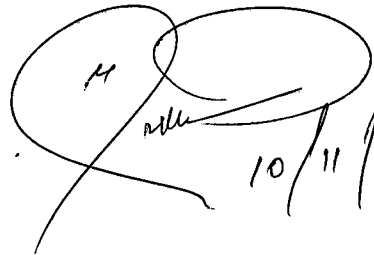
No. 3008 /S.T,

Dt. 26/10 /2022



REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Khaled Rehman Adv. Pesh.

مذکورہ کیس کے بارے میں
مذکورہ کیس کے بارے میں


10/11/22

Respected Sir.
Annexure "N" is not available with the counsel
and filed annexure "N" from appeal.



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 1599/2022

Sultan Ali Appellant

Versus

The Govt. of KPK and others Respondents

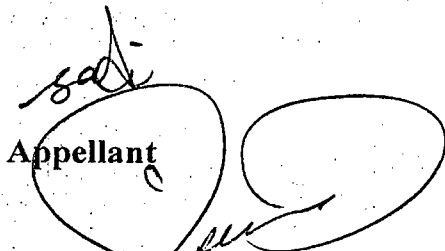
INDEX


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4.	The Khyber Pakhtunkhwa Sacked Employees (Appointment) Act, 2012		C	12-14
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6.	Judgment of Hon'ble Peshawar High Court, Abbottabad Bench in W.P. No.516-A/2013	24.05.2016	E	28-34
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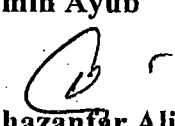
Through

Appellant


Khaled Rahman
Advocate, Supreme Court


Muhammad Amin Ayub

&


Muhammad Ghazanfar Ali
Advocate, High Court

4-B, Haroon Mansion
Khyber Bazar, Peshawar
Off: Tel: 091-2592458
Cell # 0313-9040434

Dated: 23/10/2022

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. _____/2022

Sultan Ali S/o Said Sharif Bacha
Ex-PST, GPS Ikrampur, Katlang, District Mardan.....**Appellant**

VERSUS

1. **The Govt. of Khyber Pakhtunkhwa**
through Secretary, Elementary & Secondary Education
Civil Secretariat, Peshawar.

Khyber Pakhtunkhwa
Service Tribunal

Discy No. 1712

Dated 25/10/2022

2. **The Director,**
Elementary & Secondary Education Department,
Khyber Pakhtunkhwa, G.T. Road, Peshawar.

3. **The District Education Officer (Male),**
District Mardan**Respondents**

SERVICE APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNALS ACT, 1974 AGAINST THE ORIGINAL IMPUGNED ORDER DATED 15.08.2022 WHEREBY APPELLANT WAS AWARDED MAJOR PUNISHMENT OF REMOVAL FROM SERVICE AGAINST WHICH HE PREFERRED DEPARTMENTAL APPEAL ON 22.08.2022 BUT THE SAME WAS UNLAWFULLY FILED VIDE IMPUGNED APPELLATE ORDER DATED 27.09.2022.

PRAYER:

On acceptance of the instant appeal, the impugned original order dated 15.08.2022 passed by Respondent No.3 and the impugned appellate order dated 27.09.2022 passed by Respondent No.2, may graciously be set aside and appellant be re-instated into service with all back benefits.

Respectfully Sheweth,

Facts giving rise to the present appeal are as under:-

1. That initially, appellant was inducted in the Education Department as PST vide appointment order (*Annex:-A*) in accordance with the then prevailing Policy of the Government. His Service Book was prepared wherein

necessary entries were made from time to time. From the date of his first appointment he performed his duties to the entire satisfaction of the high-ups and was never subjected to any departmental proceedings.

2. That subsequently, with the change of political government, the services of the appellant were illegally dispensed with (*Annex:-B*) which was challenged before the Court but the effort proved abortive except that some colleagues in time approached the Court and got the relief.
3. That in the year 2012 the Provincial Government passed "*the Khyber Pakhtunkhwa Sacked Employees (Appointment) Act, 2012 (Annex:-C)*" providing for the reinstatement of the sacked employees and the Department made numerous appointments of similarly placed employees later on law was not fully implemented and appellant was not reinstated.
4. That against the non-appointment as per the Act *ibid*, some colleagues of the appellant approached the Hon'ble Peshawar High Court, Peshawar in Writ Petition No. 1662/2013 which was allowed vide judgment dated 24.12.2014. The appellant alongwith others had filed Writ Petitions No.2439-P/2016, No.2440-P/2016 & No.4762-P/2016 before the Hon'ble Peshawar High Court, Peshawar which were allowed vide consolidated Judgment dated 12.04.2018 (*Annex:-D*), the operative part of which is reproduced as below:-

"7. Accordingly, this and the connected Writ Petitions are allowed and the Respondents are directed to consider the petitioners strictly in accordance with law, the mode and manner set out by this Court in its judgment dated 24.05.2016 in W.P. No.516-A/2013, and upheld by the august Apex Court in its judgment dated 24.05.2017."

5. That the Circuit Bench of Hon'ble Peshawar High Court at Abbottabad further observed in W.P. No.516-A/2013 decided on 24.05.2016 (*Annex:-E*) that:-

"i. That the Petitioners though eligible for appointment but not equipped with training Certificate, shall be considered for re-instatement against their respective posts under the

Khyber Pakhtunkhwa Sacked Employees (Appointment) Act, 2012 immediately;

- ii. *The concerned District Education Officer shall scrutinized the case of each individual Petitioner independently;*
- iii. *Thereafter the Department shall arrange and manage the requisite training course for them and Petitioners shall be provided opportunity to acquit the requisite training certificate;*
- iv. *In case the Petitioners failed to acquire the requisite training certificate within the stipulated period, specified by the Department, their services shall stand terminated automatically.*

Needless to remark that the respective EDOs of each district shall complete the process of re-instatement of the Petitioners within one month positively."

It is pertinent to aver here that the same findings has already been incorporated in Para No.4 of the consolidated Judgment dated 12.04.2018. The Judgment dated 24.05.2016 *ibid*, was already upheld by the Hon'ble Apex Court dated 24.05.2017.

6. That later on, appellant and others were appointed vide appointment orders dated 09.10.2018 (*Annex:-F*) against their respective posts but subject to the outcome of CPLA which was then pending adjudication before the Hon'ble Apex Court.
7. That pursuant to the order *ibid*, appellant joined duties vide Charge Report & Medical Certificate (*Annex:-G*) and while performing his duties he came to know that the judgment of the High Court in case of the appellant was in fact upheld by the august Supreme Court vide order dated 05.09.2018 (*Annex;-H*) and communicated to the Department by the Advocate General office on 19.09.2018.
8. That appellant while performing his duties was waiting for arrangement of requisite training by the Department as per judgment of the Hon'ble High Court. In this respect, the Directorate of Curriculum and Teachers Education, Khyber Pakhtunkhwa Abbottabad addressed a letter dated 21.10.2019 (*Annex:-I*) to the concerned quarter by informing that the Directorate was going to arrange condense courses of PTC, CT, DM, JDPE etc. for sacked employees in light of the Judgment of the Hon'ble Peshawar

High Court, Abbottabad Bench passed in W.P. No.516-A/2013, therefore, complete data of the appellant alongwith others was requisitioned.

9. That pursuant to letter *ibid*, SDEO transmitted letter dated 17.12.2019 (*Annex:-J*) to DEO (Male), Mardan for sending the names of the appellant alongwith others for the requisite training. The Office was supposed to comply with the directions of the Hon'ble Peshawar High Court, Peshawar by sending the names of appellant along with others for such training to Directorate of Curriculum and Teacher Education, Abbottabad. It is further elucidated that the then DEO (Male) Mardan transmitted a letter dated 09.01.2021 (*Annex:-K*) by providing data of the appellant alongwith others for training. Likewise, another letter dated 04.03.2021 (*Annex:-L*) was also issued for the same purpose, however, even thereafter no training for the sacked employees was arranged.
10. That the process of requisite training was not only kept pending, but to the utter bewilderment of appellant vide Show Cause Notice (*Annex:-M*) whereby he was directed to submit reply which he accordingly submitted (). However, without fulfilling the codal formalities, appellant was handed over the impugned office order dated 15.08.2022 (*Annex:-O*) whereby appellant was removed from service against which appellant preferred Departmental Appeal (*Annex:-P*) on 22.08.2022 but the same was unlawfully filed vide impugned appellate order dated 27.09.2022 (*Annex:-Q*).
11. That appellant being aggrieved of the impugned original order dated 15.08.2022 and impugned appellate order dated 27.09.2022, files the instant Service Appeal inter-alia on the following grounds:-

Grounds:

- A. That Respondents have not treated appellant in accordance with law, rules and policy on subject and acted in violation of Article 4 and 10A of the Constitution of Islamic Republic of Pakistan, 1973 and unlawfully issued the impugned orders, which are unjust, unfair and hence not sustainable in the eye of law.

- B. That discrimination has been meted out towards the appellant because similar placed employees were issued Show Cause Notices which were later on withdrawn and now they are regularly performing their duties against the subject post while appellant was singled out despite the fact that the Writ Petition filed by the appellant was allowed by the Hon'ble Peshawar High Court, Peshawar and the same as upheld by the Apex Court, therefore, as per Article-25 & 27 of the Constitution of Islamic Republic of Pakistan, 1973 similarly placed persons are supposed to be treated alike. Reliance is placed on:

2002 SCMR 82

---Art.25---Equality before law---Employer could not mete out different treatment to two groups of its employees, as dictates of law, justice and equity required exercise of power by all concerned to advance the cause of justice and not to thwart it.

Likewise, Reference is made to the *Sheikh Riazat-ul-Haq case* that under Article-9 of the Constitution a civil servant has fundamental rights to be treated as per law. Reliance is placed on 2017 PLC(CS) Note 23 which is as under;-

"Article-25: Discrimination Similar treatment Scope Alike should be treated Alike."

- C. That it is transpired from the Judgment of the Hon'ble Peshawar Court, Peshawar wherein the Department was directed to arrange and manage the requisite training course for appellant and others and provide them opportunity to acquire the requisite Training Certificate, which the Department failed to do inspite of repeated requests by the concerned quarter to the Department to forward the data/names of the appellant and sacked employees for training, therefore, appellant should not be made to suffer for the acts and omissions of the Department.
- D. That the acts and omissions of the Department are not only based upon malafide intention but also squarely falls within the ambit of contempt of Court of lawful orders of the Hon'ble High Court which was maintained by the Apex Court, therefore, the Department has failed to comply with the Court directions without any legal justification, therefore, the impugned office order dated 15.08.2022 is not tenable in the eye of law.

- E. **That** the requisite training for the PTC/PST has been abolished (*Annex:-R*) by the Provincial Government, therefore, the objection is no more in field. Moreover, as has already been explained hereinabove that the process of training was deliberately kept pending by the Department. It is further added that as per Article-189 of the Constitution of Islamic Republic of Pakistan, 1973 judgment of the Hon'ble Supreme Court is binding upon all the Institutions of the Government.
- F. **That** no proper opportunity has been provided to the appellant in the Minutes of the Meeting dated 12.08.2022 on the basis of which the impugned order dated 15.08.2022 was passed, therefore, appellant was supposed to be represented in the Meeting and if he would have been heard then he would have been explained his position well and turning decision definitely in his favor.
- G. **That** appellant was supposed to be treated as per Section-16 of the Khyber Pakhtunkhwa Civil Servants Act, 1973 because the legislation has codified the word "*shall*", therefore, appellant has not been treated in accordance with law and rules. Thus the impugned order is void ab-initio in the eye of law and is liable to be brushed aside.
- H. **That** Rule-2(1)(1) of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 stipulates misconduct. The bear perusal of the same will reveal that the acts and omissions as have been attributed to appellant do not fall within the definition of misconduct. Moreover, it has been narrated that infact Department was/is responsible for the failure in arranging the requisite training.
- I. **That** a proper mechanism has been provided in Rule-5 of the Rules *ibid*, wherein it was held that:

5(1) If on the basis of its own knowledge or information placed before it, the competent authority is of the opinion that there are sufficient grounds for initiating proceedings against Government servants under these rules it shall either:-

- (a) *Proceed itself against the accused by issuing a Show Cause Notice under Rule-7 and, for reasons to be*

recorded in writing, dispense with inquiry."

Therefore, neither Show Cause Notice nor Statement of Allegations were served upon appellant rather he was condemned unheard and the impugned order has been issued at his back.

- J. **That** it is a settled legal principle that where major penalty is proposed then only a regular enquiry is to be conducted wherein the accused must be associated with all stages of the enquiry including the collecting of oral and documentary evidence in his presence and he must be confronted to the same and must be afforded an opportunity of cross-examining the witnesses. Thus the impugned order is nullity in the eye of law and hence liable to be set aside.
- K. **That** the impugned appellate order dated 27.09.2022 does not qualify the condition of Rule-5 of Khyber Pakhtunkhwa Civil Servants (Appeal) Rules 1986 read with Section-24A of the General Clauses Act, 1897 as the Departmental Appeal of the appellant has not been decided by the appellate authority without giving reasons. Reliance is placed on **2010 SCMR 511, 2010 SCMR 1475, 2010 SCMR 1778, 2015 SCMR 630:-**

2010 SCMR 511

"---S. 24-A---Speaking order---Scope---Public functionaries are obliged to redress grievances of citizens/their subordinates with reasons."

2010 SCMR 1475

---S. 24-A---Speaking order---Scope---Under S.24-A, General Clauses Act, 1897, even public functionaries are duty bound to decide the case after application of mind.

2010 SCMR 1778

"---Each and every public functionary is duty bound to decide cases in accordance with law."

2015 SCMR 630

"---S. 24A---Executive authority---Discretion, exercise of---Scope---When legislature conferred a wide ranging power, it must be deemed to have assumed that the power would be, firstly, exercised in good faith, secondly, for the advancement of the objects of the legislation, and, thirdly in a reasonable manner---Where the authorities failed to regulate their discretion by the framing of rules, or policy statements or precedents, it became mandatory for the courts to intervene in order to maintain the requisite balance for the exercise of statutory power."

- L. That no opportunity of personal hearing was afforded to the appellant neither by the competent authority, nor by the Enquiry Officer nor even by the appellate authority which are the mandatory requirements of law. Reliance is placed on 2003 SCMR 1126, which states that:-

“where the civil servant was not afforded a chance of personal hearing before passing of termination order, such order would be void ab-initio.”

Further reliance is placed on PLD 2008 SC 412 which states as under:-

“Natural Justice, principles of — Opportunity of hearing — Scope — order adverse to interest of a person cannot be passed without providing him an opportunity of hearing — Departure from such rule may render such order illegal.”

It is, therefore, humbly prayed that the instant appeal may graciously be accepted as prayed for above.

Any other relief as deemed appropriate in the circumstances of case not specifically asked for, may also be granted to appellant.

Through

Appellant

Khalid
Khaled Rahman
Advocate, Supreme Court

&

Muhammad Amin Ayub
Muhammad Amin Ayub

&

Muhammad Ghazanfar Ali
Muhammad Ghazanfar Ali
Advocates, High Court

Dated: 23/10/2022

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. _____/2022

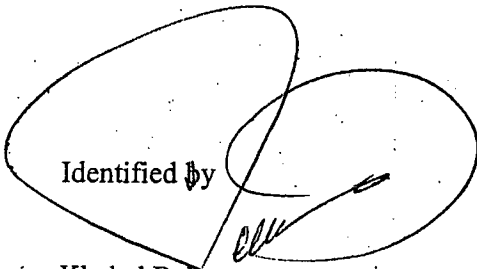
Sultan Ali Appellant

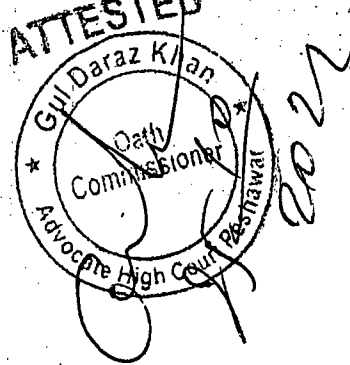
Versus


The Govt. of KPK and others Respondents

Affidavit

I, Sultan Ali S/o Said Sharif Bacha, Ex-PST, GPS Ikrampur, Katlang, District Mardan, do hereby solemnly affirm and declare on oath that the contents of this Appeal are true and correct to the best of my knowledge, and nothing has been concealed from this Hon'ble Tribunal.

Identified by 
Khaled Rahman
Advocate, Peshawar

ATTESTED
* Gul Daraz Khan *
Oath
Commissioner
Advocate High Court Peshawar



Deponent

APPOINTMENT.

OFFICE ORDER.

Mr. Sultan Ali P.A. S/O Said Sharif Candidate
B/O Mardan (Mardan) District Mardan is hereby
appointed as P.T.C. Un-Trained Teacher at P.T.C. Mardan against P.T. in
in B.P.S-7 (@Rs. 1480/ PM fixed plus usual allowances) and
admissible to him under the rules with immediate effect in
the interest of public service with the following terms and
Condition: "On the expiry of leave of the original incumbent his
services will automatically be ceased."

TERMS AND CONDITION.

- 1) His appointment is made purely on temporary basis in liable to termination at any time without assigning any reason or notice.
- 2) In case of resignation he will have to submit one month's prior notice to the Department or forthwith one month's notice thereof to the Govt.
- 3) He is required to produce Health and age certificate from the M/S DHO Hospital Mardan before taking over charge.
- 4) His original certificate should be checked before handing over charge.
- 5) He should not be allowed to take over charge if his age is less than 18 years & above than 30 years.
- 6) If he fail to take over charge of the post within 15 days on the issue of this order his appointment order will be cancelled.
- 7) NO.TA/DA extra is allowed.
- 8) Charge report should be submitted to all concerned.

(HAJI MOHAMMAD ZAMAN KHAN)
DISTRICT EDUCATION OFFICER

Order No. 3546-47 P.No. 25/22-11-1970 P.T.C./I-44, Listed. 10-10-70

Copy of the above is forwarded to the:-

1. The Sub-Div: Edu: Officer (Male), Mardan / PESHAWAR.
2. Candidate concerned.

Inshan Ullah

DISTRICT EDUCATION OFFICER
MALE, PRIMARY MARDAN

H

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) PRIMARY
MARDAN

10

APPOINTMENT

Mr. Sultan Ali FA S/O Said Sharif Candidate R/O District Mardan is hereby appointed as PTC, Un-Trained Teacher at GPS against in BPS-7 @Rs.1480/PM fixed plus usual allowances as admissible to him under the rules with immediate effect in the interest of public service with the following terms and conditions:- On the Expiry of leave of the original incumbent his services will automatically be ceased:-

TERMS AND CONDITION

1. His appointment is purely Temporary and liable to termination at any time assigning any reason or notice.
2. In case of resignation they will have to submit one Months prior notice to the Department forfeit one month pay lieu thereof to the Govt.
3. He is required to produce Health and age certificate from the M/S DHQ Hospital Mardan before taking over charge.
4. His original certificate should be checked before handing over charge.
5. He should not be allowed to take over charge if his age is less then 18 years and above than 30 years.
6. If he fails to take over charge of the post within 15 days on the issue of this order his appointment order will be cancelled.
7. No TA/DA etc is allowed.
8. Charge report should be submitted to all concerned.

HAJI MOHAMMAD ZAMAN KHAN
DISTRICT EDUCATION OFFICER
(MALE) PRIMARY MARDAN

Endst No.3546-47/F.No.25/Apptt: PTC/I-AE, Dated :12/10/1995

Copy of the above is forwarded to the:-

1. The Sub Divisional Education Officer (Male) Mardan
2. Candidate concerned

DISTRICT EDUCATION OFFICER
(MALE) PRIMARY MARDAN

11 Annex B

THE SUB DIVISIONAL EDUCATION OFFICER (MALE) PRIMARY M.R.D.A.N. IRREGULAR APPTT: DT: 6/1/95

To: Mr. Sultan Ali PTC

GPS GMPS GEPS Bhaqi PTC

Sub: WITHDRAWAL OF SERVICES OF IRREGULAR PTC TEACHERS WITH EFFECT FROM 1.7.1995.

Memorandum: Consequent upon the order of District Education Officer (Male) Primary, Mardan issued vide his order No. 77/G dated 14.12.1994 all irregular appointments of PTC teachers have been withdrawn w.e.f. 1.7.1995. The District Education Officer (Male) Primary Mardan directed vide his No: 12-13, dated 2-1-1995 to inform all the irregular PTC teachers accordingly.

In the light of the instructions issued under reference above you are hereby informed that your appointment Order NO: [redacted] Dated 17.10.1995 has already been withdrawn.

SUB DIVISIONAL EDUCATION OFFICER (MALE) MARDAN.

Signature: [redacted] Dated: [redacted] /1995.

- 1. Copy forwarded to the District Education Officer (Male) Primary Mardan w.r to his order.
- 2. All ASDEO letters Nos. referred above to be strictly complied with.
- 3. All ASDEO (A) for necessary action.

SUB DIVISIONAL EDUCATION OFFICER (MALE) MARDAN.

B

Khyber Pakhtunkhwa Sacked Employees (Appointment) Act, 2012

¹[Act XVII of 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 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 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.

14

Sacked Employees (Appointment) Act, 2012

(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 purpose of this Act.

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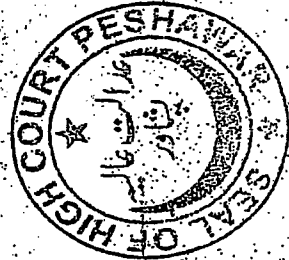
Annex D²

IN THE PESHAWAR HIGH COURT PESHAWAR

2439

WRIT PETITION No. /2016

1. Ittikhar Ali S/o Mir Bahadar,
R/o Bari Cham, Rustan, Mardan.
2. Rajid Ali Khan S/o Gul Umar,
R/o Char Gali, Mardan.
3. ✓ Jamal Khan S/o Wasil Khan,
R/o Mohallah Biland Khel, Mardan.
4. ✓ Saeed-ur-Rehman S/o Hafiz-ur-Rehman,
R/o Mohallah Qazi Khel, Hoti, Mardan.
5. ✓ Zahir Ali S/o Sabz Ali,
R/o Mohallah Biland Khel, Mardan.
6. Sakhi Arsala Khan S/o Ilyas Khan,
R/o Ilyas Khan Korona, Bara Par Hoti, Mardan.
7. Afzal Khan S/o Abdul Haq,
R/o Koopar, Pir Abad, Takht Bhai, Mardan.
8. Murad Ali Shah S/o Haji Imran-ud-Din,
R/o Mohallah Kuz Kandi, Baghdada, Mardan.
9. Fatek Haz S/o Momin Khan,
R/o Kacha Sarak, Par Hoti, Mardan.
10. Fazli Wahid S/o Abdul Rehman,
R/o Saro Shah, Takht Bhai, Mardan.
11. Malik Aman S/o Abdul Ghafar,
R/o Shamshad Abad, Toro, Mardan.
12. Muhammad Javed S/o Rizwanullah,
R/o Kass Korona, Mardan.
13. Wisal Muhammad S/o Anwarullah,
R/o Dhaki Gumbat, Mardan.
14. Inamullah S/o Muhammad Ayub,
R/o Mohallah Sadi Khel, Mayar, Mardan.
15. Muhammad Shoab S/o Saif-ur-Rehman,
R/o Takht Bhai, Mardan.
16. Muhammad Sadr S/o Muhammad Yousaf,
Ex-Chowkidar
R/o Mohallah Bai Khel, Mardan.



~~TESTED~~
EXAMINER
Peshawar High Court
13 APR 2018

FILED TODAY
16 MAY 2016

D

17. ✓ Ali Said S/O Pir Said,
R/o Said Badshah, Par Hoti, Mardan.
18. ✓ Muhammad Zshid S/o Hakim Khan,
R/o Mughal Kaley, Saro Shah, Takht Bhai, Mardan.
19. ✓ Siraj Muhammad S/o Noor Muhammad,
R/o Mohallah Miangan, Takht Bhai, Mardan.
20. ✓ Asghar Khan S/o Akbar Khan,
R/o Bikat Ganj, Mardan.
21. ✓ Azam Khan S/o Muhammad Shah,
R/o Tambulak, Mohallah Affidi, Mardan.
22. ✓ Sher Zamin Khan S/o Ameer Khan,
R/o Muslim Abad, Mardan.
- ✓ Sultan Ali S/o Said Sharif,
R/o Ikram Pura, Mardan.
24. ✓ Ijaz Khan S/o Sikandar Khan,
R/o Mohallah Muslim Abad, Canal Road, Mardan.
25. ✓ Nasir Ahmad S/o Ghulam Nabi,
R/o Eidgah Road, Mardan.
26. ✓ Alam Khan S/o Behram Khan,
R/o Bikat Ganj, Mardan.
27. ✓ Zahir Khan S/o Muhammad Arif,
R/o Mohallah Gulbahar, Canal Road,
near Masjid Khaatir-ul-Anbia, Mardan.
28. ✓ Syed Muhammad Tufail S/o Syed Zakir Hussain,
R/o Mohallah Gulbahar, Stree No.2, Charsadda Chow, Mardan.
29. ✓ Said-ul-Akbar S/o Said Afzal,
R/o Baba Ji Sahib, Muhib Banda, Mardan.
30. ✓ Syed Muhammad Asif S/o Sher Zada,
R/o Hathiyan, Tehsil Takht Bhai, Mardan.
31. ✓ Arshad Ali S/o Charagh Din,
R/o Mohallah Meer Shah Said, Mardan.
32. ✓ Hazrat Muhammad S/o Tamash Gul,
R/o Guli Bagh, Mardan.
33. ✓ Abdul Sattar S/o Taj Muhammad,
R/o Bijli Ghar, Mardan.
34. ✓ Ayaz Ahmad S/o Fayaz Ahmad,
R/o Mohallah Khan Kel Toru, Mardan (constable)..... Petitioners

Versus

The Secretary
Govt. of Khyber Pakhtunkhwa,
Elementary & Secondary Education
Department, Civil Secretariat, Peshawar.

FILED TODAY
Deputy Registrar

16 MAY 2016

17

IN THE PESHAWAR HIGH COURT PESHAWAR

C.M. No. _____ /2017

IN

W.P. No.2439-P/2016



Iftikhar Ali and others Petitioner

Versus

The Govt. of KPK and others Respondents

Application for the correction of the name of Petitioner No.27.

Respectfully Sheweth,

1. That the titled Writ Petition is pending before the august Court wherein the next date of hearing is fixed on 12.12.2017.
2. That as a matter of fact the name of Petitioner No.24 is *Muhammad Zahir* while that has inadvertently been written as *Zahir Khan*, which is not correct.
3. That it is in the interest of justice to rectify the error as mentioned above.

It is therefore, humbly prayed that on acceptance of this application, the name of Petitioner No.27 may graciously be rectified by substituting the same with that given in Para No.2 above.

Through:

Applicant/Petitioner

Khaled Rahman
Advocate,
Supreme Court of Pakistan

Dated: 02/12/2017.

CERTIFIED TO BE TRUE COPY

[Signature]
Peshawar High Court
The Court was established under Order 1944

17 DEC 2018

FILED TODAY
DEPT. REGISTRAR

02 DEC 2017

18

IN THE PESHAWAR HIGH COURT PESHAWAR

C.M. No. _____/2017

IN

W.P. No. 2439-P/2016

Iftikhar Ali and others Petitioners

Versus

The Govt. of KPK and others Respondents

Affidavit

I, Muhammad Zahir (Petitioner No. 27) S/o Muhammad Arif, R/o Mohallah Gulbahar, Canal Road near Masjid Khaatim-ul-Anbiya, Mardan, do hereby solemnly affirm and declare on oath that the contents of this application are true and correct to the best of my knowledge, and nothing has been concealed from this Hon'ble Court.

Petitioner No. 27

Deponent

16101-5402851-9

Identified by

Khaled Rahman
Advocate Peshawar

No. 10677
 Certified that the above was verified on solemnly
 affirmation before me in office this _____ day of _____
 day of Nov 2017 by Muh Zahir
 s/o Muh Arif by Khaled Rahman
 who was telephonically contacted by Khaled Rahman
 who is personally known to me.

Officer Commissioner
 Peshawar High Court, Peshawar

CERTIFIED TO BE TRUE COPY

Registrar
 Peshawar High Court, Peshawar
 Authorized under Article 87 of
 The Constitution of Pakistan Order 1984

23 APR 2018

FILED BY DAY
 Deputy Registrar

02 DEC 2017

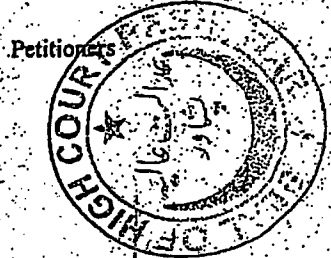
**IN THE PESHAWAR HIGH COURT,
PESHAWAR
(Judicial Department).**

Writ Petition No.2439-P/2016

Iftikhar Ali and 33 others

VERSUS

**The Secretary,
Govt of Khyber Pakhtunkhwa,
Elementary & Secondary Education
Department, Civil Secretariat Peshawar,
And others.**



Respondents

**For Petitioners :- Mr. Khalid Rehman, Advocate.
For Respondents :- Mr. Waqar Ahmad, AAG.**

Date of hearing: 12.04.2018

JUDGMENT

ROOH-UL-AMIN KHAN, J:- This writ petition is disposed of in terms of our common judgment of even date placed in connected Writ Petition No.2438-P/2016, filed Mst. Samina Qazi and 42 others Vs The Secretary Govt of Khyber Pakhtunkhwa Elementary & Secondary Education and others"

**Announced:
12.04.2018**

Siraj Afridi P.S.

JUDGE

OB of Mr. Justice Rooh-ul-Amin Khan and Mr. Justice Ibrahimullah Khan

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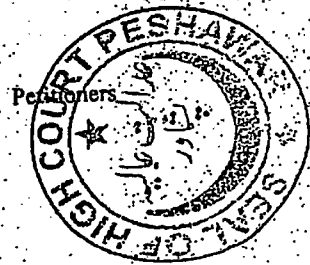
**Examiner
Peshawar High Court, Peshawar
Authorised Under Article 57 of
The Qanun-e-Shahadat Order 1984**

13 APR 2018

**IN THE PESHAWAR HIGH COURT,
PESHAWAR,
Judicial Department.**

Writ Petition No. 2433-P/2016

Mst. Samina Qazi and 42 others,



VERSUS

The Secretary,
Govt of Khyber Pakhtunkhwa,
Elementary & Secondary Education
Department, Civil Secretariat Peshawar,
And others.

Respondents

For Petitioners :- Mr. Khalid Rehman, Advocate
For Respondents :- Mr. Waqar Ahmad, AAG

Date of hearing: 12.04.2018

JUDGMENT

ROOH-UL-AMIN KHAN, J.: Through this common judgment, we shall decide the instant and connected Writ Petitions No. 2433-P and 2240-P of 2016, filed by (Fikhar Ali and 33 others and Abdul Ahad and 50 others (to be referred hereinafter as petitioners), as identical question of law and facts are involved therein.

2. In essence, grievance of the petitioners is that during the period since 1993 to 1995, the respondents after observing all legal and codal formalities, appointed them against various positions i.e. CT, PET, DM, OT, T.T., Lab. Assistant and Junior Clerk on different dates, mentioned in their appointment orders, annexed with the respective writ petitions, in Education Department, but with the change of

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EXAMINED
Peshawar High Court
13 APR 2018

Government, their services were terminated on the pretext of irregularities committed in their appointment. The petitioners rise their voice before various forum, but proved futile. In the year 2010, the Federal Government enacted 'the Sacked Employees (Re-Instatement) Act, 2010' (the Act of 2010) to provide relief to persons in corporation service or autonomous or semi autonomous bodies or in the Government service who were dismissed, removed or terminated from service. The Provincial Government of Khyber Pakhtunkhwa while following the Act of 2010, enacted 'the Khyber Pakhtunkhwa Sacked Employees (Appointment) Act, 2012' (the Act of 2012) so as 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.

Case No. 105/2012

3. Respondents have filed their Para-wise comments, wherein it is averred that under the Act of 2012, sacked employee is 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

ATG
 15/11/2012

that time during a period from 1st day of November, 1993 to 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. Some of the petitioner petitioners being lacking the prescribed academic qualification and criteria laid down by the Act of 2012, and some being untrained, cannot be extended benefit of the Act of 2012.

4. Having heard the arguments of learned counsel for the parties, it appears from the record the controversy of re-instatement of sacked employees cropped up before this Court in "Writ Petition No. 1662-P/2013, titled, 'Hazrat Hussain etc Vs the Govt. of Khyber Pakhtunkhwa and others'" which was decided on 24.12.2014, as follows:

"It is worth to note that persons similarly placed with the petitioners have been re-instated by the department while giving effect to the judgments given by the Khyber Pakhtunkhwa Service Tribunal. Moreover, one Mst. Gul Rukh whose services were terminated by the respondents along with the petitioners, has been appointed under the Act vide order dated 09.05.2013. It is cardinal principle of law that similarly placed persons should be treated alike and no different yard stick should be used while redressing their grievances. It is the hall mark and grundnorm of our constitution that every person is entitled to equal protection of law. Not only similarly placed colleagues of the petitioners have been appointed by the respondents but the petitioners are also entitled to the relief given to the sacked employees under the Act.

For what has been discussed above, we admit and accept both the writ petitions and direct the respondents to consider the petitioner for their appointment in accordance with the provision of the Act."

ATTESTED
 REGISTRAR
 Federal High Court
 13 APR 2018

Subsequently, W.P. No.516-A/2013, titled, "Tfikhra Khan etc Vs Govt of Khyber Pakhtunkhwa etc" and so many other writ petitions, were filed by the sacked employees with regard to relief of reinstatement, before Abbotabad Bench of this Court, which were disposed of through a common judgment, dated 24.05.2016, placed in W.P. No:516-A/2013, in the following terms:-

- i. That the petitioners though eligible for appointment but not equipped with training certificate, shall be considered for re-instatement against their respective posts under the Khyber Pakhtunkhwa Sacked Employees (Appointment) Act, 2012 immediately.
 - ii. The concerned District Education Officer shall scrutinize the case of each individual petitioner independently.
 - iii. Thereafter the department shall arrange and manage the requisite training course for them and the petitioners shall be provided opportunity to acquire the requisite training certificate.
 - iv. In case the petitioner failed to acquire the requisite training certificate within the stipulated period specified by the department, their services shall stand terminated automatically.
- Needless to remark that the respective EDOs of each district shall complete the process of re-instatement of the petitioners within one month positively.

The aforesaid judgment of this Court was impugned before the Hon'ble apex Court in C.P. No.401-P/2016 by the Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education, Peshawar, and the Hon'ble Supreme Court while maintaining the judgment of this Court vide judgment dated 24.05.2017 held as under:-

"We have been apprised by learned counsel for the respondents that according to the advertisement and appointment letters issued to the respondents, two kinds of candidates could be appointed (i)

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ATTESTED
 EXAMINER
 Peshawar High Court
 13 APR 2018

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those who have the requisite academic qualifications and training (if) those who have the requisite academic qualification but do not possess the necessary training. As regards the second category, such persons would be provided with an opportunity to complete the training within a specific period. This is exactly what the learned High Court as allowed in the relief granting portion of the impugned judgment. Undoubtedly, this is in consonance with the Department's own advertisement and the terms and conditions of service, therefore, the learned High Court did not fall into any error by requiring the Department to allow the respondents to complete training within a specific period of time and to take action against them in case of failure to do so. No exception can be taken to the impugned judgment, which is upheld. Resultantly, Civil Petition No.401-P/2016 is dismissed on merit. The connected petitions are also dismissed on the above score and for being time-barred as no sufficient cause has been shown for condonation of delay."

5. In section 2 (g) of the Act of 2012, sacked employee has been defined as under:-

"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."

Case No. 401-P/2016

The petitioners having been appointed during the period since 1993-1996, do fall within the meaning of section 2 (g) of the Act of 2012. Section 3 of the Act (ibid), provides mechanism for appointment of the sacked employees;

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 High Court
 13 APR 2018

according to which on commencement of the 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. Proviso attached to section 3 provides that the sacked employees shall be appointed against thirty percent of the available vacancies in the said Department and according to second proviso attached to section 3 provides 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. The case of the present petitioners is not on different footing from the other sacked employees who have already been granted the relief of re-instatement in their service in light of decision of the Service Tribunal as well as the judgments of this Court and the Hon'ble Supreme Court (supra). The respondents have not specifically mentioned as to what kind of the academic qualification the petitioners are lacking. So far as the objection of the respondents that some of the petitioners are untrained is concerned, suffice to say that objection has exhaustively been dealt with by the Hon'ble apex Court in the judgment (supra) that according to the advertisement and appointment letters issued to the petitioners, two kinds of candidates could be appointed. (i) those who have the requisite academic

43 APR 1988

qualifications and training (ii) those who have the requisite academic qualification but do not possess the necessary training. As regards the second category, such persons would be provided with an opportunity to complete the training within a specific period.

6. It is golden principle of law that alike shall be treated alike which has further been elaborated by the apex Court in the case of "Hameed Akhtar Niazi Vs the Secretary Establishment Division, Government of Pakistan and others" reported as (1996 SCMR 1185) and again in the case of "Government of Punjab through Secretary Education and others Vs Sameena Parveen & others" reported as (2009 SCMR 01), in the following words"

"If a Tribunal or this Court, decides a point of law relating to the terms and conditions of a civil servant, who litigated and there were other civil servants, who may not have taken any legal proceedings, in such a case, the dictates of justice and rule of good governance demand that the benefit of the same decision be extended to other civil servants also, who may not be parties to that litigation instead of compelling them to approach the Tribunal or any other legal forum."

7. Accordingly, this and the connected writ petitions are allowed and the respondents are directed to consider the petitioners strictly in accordance with the mode and manner set out by this Court in its judgment dated

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24.05.2016 in W.P. No.516-A/2013, and upheld by the august apex Court in its judgment dated 24.05.2017.

Announced:
12.04.2018

Siraj Afridi P.S.

Rookh-e-Sani
JUDGE

[Signature]
JUDGE

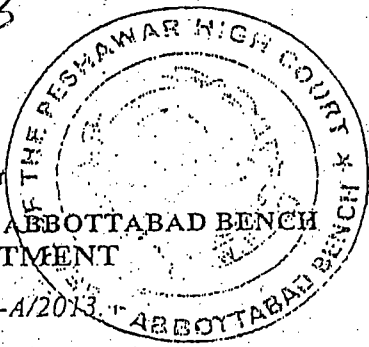
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Sahaj

20/04/2018

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Home E



Judgment Sheet

IN THE PESHAWAR HIGH COURT, ABBOTTABAD BENCH
JUDICIAL DEPARTMENT

Writ Petition No. 516-A/2013

JUDGMENT

Date of hearing.....24.05.2016.....

Petitioners Ifti Khan Khan by Mr. Mohammad Asghar Khan

Respondents Govt etc Mr. Mohammad Aslam Abbasi

ROOH-UL-AMIN KHAN, J.- Through this single judgment we intend to dispose of connected W.P.No. 20-A/2014 titled "Akram Khan & 05 others Vs. Government of Khyber Pakhtunkhwa through Secretary Education (E&SE) Peshawar & 03 others", W.P.No. 546-A/2013 titled "Waseem Gul Khan & 47 others Vs. Government of Khyber, Pakhtunkhwa through Secretary Education (E&SE) Peshawar & 14 others", W.P.No. 676-A/2015 titled "Abdul Razzaq Vs. Government of Khyber Pakhtunkhwa through Secretary Education (E&SE) Peshawar & 02 others", W.P.No.105-A/2015 titled "Mst. Saima Noreen & 04 others Vs. Government of Khyber Pakhtunkhwa through Secretary Education (E&SE) Peshawar & 03 others", W.P.No. 189-A/2015 titled "Muhammad Zafar Iqbal, Vs. Government of Khyber Pakhtunkhwa through Secretary Education (E&SE)

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Examiner
Peshawar High Court
Abbottabad Bench
authorized Under Sec 477 Act 1974
28/8/15

Lawyer

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Peshawar & 02 others", W.P.No. 216-A/2015 titled "Muhammad Nawaz & 46 others Vs. Government of Khyber Pakhtunkhwa through Secretary Education (E&SE) Peshawar & 03 others", W.P.No. 1155-A/2015 titled "Rashid Iqbal & 14 others Vs. Government of Khyber Pakhtunkhwa through Secretary Education (E&SE) Peshawar & 02 others", W.P.No. 702-A/2014 titled "Shaheen Akhtar Vs. Government of Khyber Pakhtunkhwa through Secretary Education (E&SE) Peshawar & 02 others and W.P.No. 115-A/2014 titled "Khalid Khan & another Vs. Government of Khyber Pakhtunkhwa through Secretary Education (E&SE) Peshawar & 02 others" as the petitioners of all these petitions have prayed for reinstatements in their services on the basis of "Khyber Pakhtunkhwa Sacked Employees (Appointment) Act, 2012".

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Examiner
Peshawar High Court
Abbottabad Bench
Authorized Under Section 25 of the Act

28/8/15

2. Succinct facts leading to the instant petitions are that the petitioners were appointed by the respondents against their respective posts in accordance with the prescribed method of recruitment and later on their services were illegally terminated by the respondents, whereafter the Government of Khyber Pakhtunkhwa introduced "Khyber Pakhtunkhwa Sacked Employees (Appointment) Act, 2012" whereunder the

Signature

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respondents were bound to reinstate the petitioners as per criteria mentioned in the Act ibid but they did not appoint the petitioners inspite of the fact that more than hundreds posts were lying vacant in different cadres and were available in the establishment of respondent No.3, which conduct of the respondents towards the petitioners, being perverse, callous, malafide, is liable to be declared illegal and against the law. Initially comments of the respondents were called for, which were submitted accordingly wherein the claim of petitioner was refuted on the grounds that at the time of initial appointment, petitioners were not qualified to be selected as teacher, as they were not possessing the requisite training certificates.

3. In essence, grievance of the petitioners is that they were recruited by the respondents after fulfilling all the legal and codal formalities but their services were terminated in the year 1996-97 on the basis of political victimization, however, the Provincial Government promulgated the Khyber Pakhtunkhwa Sacked Employees (Appointment) Act, 2012 for reinstatement of the employees, who had been appointed on regular basis to a civil posts in the Province and equipped with the prescribed

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 Examiner
 Peshawar High Court
 Abbottabad Bench
 Authorized Under Section 47 of Ordinance
 28/5/15

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qualification and experience of sacked employees at the time during the period from 01.11.1993 to 30.11.1996.

4. In pursuance of the enabling provisions of the Act, the petitioners approached the respondent-department but were refused the benefit of the Act ibid on the sole ground that at the time and during their initial service they were lacking the prescribed teaching training.

5. At the very outset, learned counsel for the petitioner produced a judgment of this court rendered in W.P.No. 1662-P/2013; whereby the respondents were directed to consider the untrained teachers for appointments against their respective posts, for the reason that at the time of initial appointments of

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M.T.
Examiner
Peshawar High Court
Abbottabad Bench
Authorized Under Sec 5(1) of P.T.C.
28/8/16

the employees, under the laid down criteria, the untrained candidates were made eligible for appointment against the post of PTC.

30/8/16

6. The learned Additional Advocate General representing the respondent-department reiterated the same old arguments that the petitioners were lacking the requisite training certificate, therefore, under the Act ibid they cannot be considered for appointment.

7. We are not in consonance with the arguments advanced by the learned AAG for the reason that the respondent-department itself has considered numerous employees under the Act *ibid*; who were not in possession of the training certificate whereas they were provided opportunity to complete their training within three years. The relevant para of the reinstatement order / notification of various employees is reproduced below for ready reference: -

For Mr. Tramsel

"16. In case of having less qualification which ever is prescribed intermediate / FA for PST as well as PST certificate as professional the candidate must be qualified both the academic / professional qualification within three years after issue of this appointment order, failing which their appointment order shall stand terminated automatically, without any further period."

Certified to be true copy
 of
 Peshawar High Court
 Abbottabad Bench
 Authorized Under Sec. 5 of the
 28/8/12

Lawyer

8. It is golden principle of law that alike shall be treated alike which has further been elaborated by the apex court in the case of "*Hameed Akhtar Niazi Vs. The Secretary, Establishment Division, Government of Pakistan & others*". reported as 1996 SCMR 1185 and again in the case of "*Government of Punjab through Secretary Education & others*

Vs. Sameena Parveen & others" reported as 2009 SCMR 01

where it has been held as under: -

"if a Tribunal or this Court, decides a point of law relating to the terms and conditions of a civil servant, who litigated, and there were other civil servants, who may not have taken any legal proceedings, in such a case, the dictates of justice and rule of good governance demand that the benefit of the same decision be extended to other civil servants also, who may not be parties to that litigation instead of compelling them to approach the Tribunal or any other legal forum."

منسوخ

9. In view of the above, all these petitions are disposed of in the following terms: -

28/8/16
 Peshawar High Court
 Abbottabad Bench

منسوخ

- i. That the petitioners though eligible for appointment but not equipped with training certificate, shall be considered for reinstatement against their respective posts under the Khyber Pakhtunkhwa Sacked Employees (Appointment) Act, 2012 immediately;
- ii. The concerned District Education Officer shall scrutinize the case of each individual petitioner independently;
- iii. Thereafter, the department shall arrange and manage the requisite training course for them and the petitioners shall be provided opportunity

منسوخ

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to acquire the requisite training certificate;

- iv. In case the petitioner failed to acquire the requisite training certificate within the stipulate period, specified by the department, their services shall stand terminated automatically

Needless to remark, that the respective EDOs of each district shall complete the process of reinstatement of the petitioners within one month positively.

Announced:
24.05.2016

*/*Self*/*

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Peshawar High Court
Abbottabad Bench
Authorized Under Section 44 of the
Peshawar High Court Act, 1971

28/5/16

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28.5.16



38
F
OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) MARDAN

OFFICE ORDER

In Compliance with Peshawar High Court Peshawar Coc No.503-P/2018 in Writ petition No.2439-P/2016, coc No.510-P/2018 in W.P No.2440-P/2016, Coc No.511 in WP No.2438-p/2016, COC No.538-P/2018 in WP No.2440-P/2016, COC No.564/2018 in W.P No.2440-P/2016., and in the light of recommendations of Litigation Branch local office & Committee, the appointment order of the following candidate is hereby ordered against the vacant post of PSI in BPS-12 (Basic plus usual allowances) as admissible under the rules under the existing policy of Provincial government in teaching cadre in Sacked employee quota on the terms and conditions given below with effect from the date of their taking overcharge.


S.No.	Name	Father Name	D.O.B	School where appointed
1	Syed Ul Akbar	Said Afzal	20-01-61	GPS NO.2 MOHIIB BANDA
2	Malak Aman	Abdul Ghaffar	09-01-63	GPS NO.2 SHAMSHAD ABAD
3	Ibn Ameen	Toor Jan	14-03-65	GPS AKBAR ABAD
4	Sabz Ali Khan	Gul Shaid	18-06-65	GPS JANGI DHER NO.2
5	Sher Zamin Khan	Amir Khan	07-02-66	GPS MUSLIM ABAD
6	Nasir Ahmad	Ghulam Nabi	14-04-67	GPS NO.2 BICKET GUNJ
7	Wisal Muhammad	Anwar Ullah	13-05-68	GPS DAKKI GUMBAT
8	Syed Muhammad Tufail	Syed Zakir Rahman	15-01-69	GPS MIRWAS
9	Fazal Mehmood	Muzarab Shih	03-02-69	GPS CHAMAN ABAD
10	Saeed Ur Rahman	Hafeez Ur Rahman	19-03-69	GPS BILAND KHEL
11	Muhammad Mujahid	Mumtaz Khan	12-04-69	GPS BHATI KORONA MAYAR
12	Tariq Hassan	Abdul Hasan	03-04-70	GPS SOWARYAN
13	Safdar Khan	Muhammad Amin	18-04-71	GPS NO.1 FAZAL ABAD
14	Hameed Khan	Haji Firdos Khan	20-04-71	GPS NASEER KILLI
15	Azam Khan	Muhammad Shah	04-09-71	GPS MAHO NARI
16	Muhammad Farooq	Gul Munaf	06-01-72	GPS NO.1 BALA GARHI
17	Sultan Ali	Said Sharif	06-01-72	GPS SALAK
18	Ijaz Hussain	Ghulam Nabi	01-04-72	GPS AZIZ ABAD
19	Muhammad Asghar	Gulab Din	01-05-72	GPS ZOOR MANDI
20	Amjad Ali Shah	Muhammad Nabi	05-09-72	GPS HAJI MUHAMMAD KILLI
21	Aman Ullah	Hazrat Ullah	01-10-72	GPS LANDAKI
22	Fazli Wahid	Abdur Rahman	01-02-73	GPS NO.2 TAKHT BHAI
23	Muhammad Ayaz	Muhammad Jamil	09-03-74	GPS ADINA DHERI
24	Shah Hussain	Zainoon Shah	01-04-74	GPS NO.1 GD ZAI
25	Murad Ali	Alam Zeb	10-04-74	GPS MARGHANO KILLI
26	Ahad Khan	Farukh Saif	10-05-74	GPS SHANKAR MARDAN
27	Shakir Ullah	Saif Ur Rahman	01-01-75	GPS NO.2 TAKHT BHAI
28	Shams Ur Rehman	Fazle Rehman	02-08-75	GPS NO.2 BICKET GUNJ
29	Saeed Muhammad	Awal Din	01-01-76	GPS ITEHAD COLONY
30	Siraj Muhammad	Noor Muhammad	02-02-76	GPS NO.2 GULI BAGH Sawal Dh
31	Imran Khan	Shah Jehan	03-02-76	GPS NO.1 TAKHT BHAI
32	Bahadur Khan	Muslim Shah	14-03-76	GPS NO.2 BAGHICHA DHERI

F

33	Taj Muhammad	Anwar Khan	01-04-76	GPS NO.1 AFZAL ABAD
34	Abdul Ahad	Fila Muhammad	01-01-77	GPS NO.1 MAYAR
35	Sohail Ahmad	Sahib Badshah	07-02-77	GPS DILARAM KILLI
36	Fayz Muhammad	Wall Muhammad	13-02-77	GPS NO.1 BUT SERI
37	Khurshid Ali	Muhammad Yousaf	01-04-78	GPS GUNJAI
38	Tahir Muhammad	Noor Muhammad	04-04-78	GPS HOTI

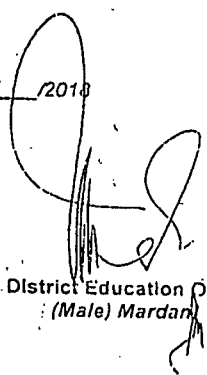
Terms & Condition:

- 1 The appointment will be subject to the condition of decision of Supreme Court of Pakistan in the light of CPLA already pending, if the decision of the Honorable Supreme Court of Pakistan come against them, their appointment shall stand cancelled w.o.f the date of issuance.
- 2 No TAVDA etc is allowed
- 3 Charge report should be submitted to all concerned.
- 4 Their appointment is subject to the conditions that their certificates/ documents and domicile should be verified from the concerned Authority before release of their Salary in the light of Section 3 of the said Act
- 5 They will be governed by such rules and regulations as may be issued from time to time by the Govt.
- 6 Their appointment has been made in pursuance of Khyberpakhtunkhwa Sacked employees (appointment) Act 2012, hence under section 5 of the said act, he shall not be entitled to claim any kind of seniority, promotion and other back benefits.
- 7 They will produce Health and Age Certificate from the M/S of D.H.Q. Mardan.
- 8 Their appointment has been made in pursuance of Khyberpakhtunkhwa Sacked Employee Act 2012, hence under section 4 of the said Act the period during which they remained dismissed, removed or terminated from service till the date of his appointment shall have been automatically relaxed.
- 9 They Should join their post within 15 days of the issuance of this Notification, In case of failure to join the post within 15 days of the issuance of this notification, his appointment will be consider as cancelled automatically and no subsequent appeal etc shall be entertained.
- 10 Their pay will be released after the verification of his documents by the SDEO/H.M/Principal concerned.
- 11 In case their/his documents are found fake/bogus on verification from issuing authority, the service of the official will be terminated and legal action be taken against him under the law.
- 12 The SDEO/Principal/H.M concerned could furnish a certificate to the effect that the candidate has joined the post or otherwise within 15 days of the issue of his posting/appointment order.
- 13 Their services can be terminated at any time in case of his performance is found unsatisfactory, In case of misconduct he will be proceeded under the rules framed from time to time by the Govt.
- 14 In case of resignation they/he will submit his one month prior notice to the Department, otherwise he will forfeit one month pay/allowances to Government Treasury.
- 15 In case of having no prescribed qualification, the same may be obtained within 03 years after issuing of this order otherwise appointment will be automatically stand cancelled.
- 16 The competent authority reserves the right to rectify the errors/omission if any noted/observed at any stage in instant order issued erroneously.


 IJAZ ALI KHAN
 District Education Officer
 (Male) Mardan

Encl: No. 7602/9 Prg: Branch Dated 09-10-2018

- 1 Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar
- 2 District Account Officer Mardan
- 3 Principal/H.M/SDEO(M) concerned.
- 4 Official Concerned.


 District Education Officer
 (Male) Mardan

36

Rana G

چارچ رپورٹ

من مسمیٰ سید شریف پی ایس ٹی بروئے آرڈر نمبر 7602/19
ڈی ای او (فیمل) مردان آج بمورخہ 10/10/2018 کو قبل از دوپہر

اپنے

عہدے کا چارج لے لیا۔

گورنمنٹ پرائمری سکول سالاری
یونین کونسل کٹی گراٹھ

چارچ دھندہ

چارچ گرھندہ

Head Master
Govt: Primary School
Salak Katlang

G

37

MEDICAL CERTIFICATE No- 1734/006

Name of Official Sultan Ali 16102-4597363-9

Caste of Race Afghan

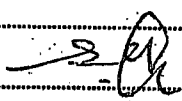
Father's Name Syed Sharif Baqar

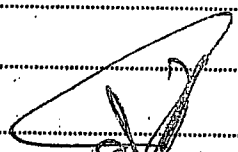
Residence Village Ikram Pura Tehsil Takht Bhai District Mardan

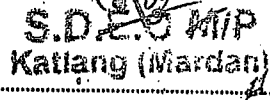
Date of Birth 06-01-1972 (As per CMIC)

Exact Height by measurement 5-06

Exact mark of identification _____

Signature of the Official 

Signature of the Head of Office 

Seal of Office 


I do hereby certify that I have examined Mr. Sultan Ali for employment in the office of the DEO (Male) Mardan and cannot discover that he had any disease communicable or other constitutional affection or bodily infirmity except NIL

I do not consider this is disqualification for employment in the office of the above as PST BPS-12 his age according to his own statement 47 year and by appearance about year Forty seven years




LEFT HAND THUMB AND FINGER IMPRESSION

Dated 10-10-2018


 Medical Superintendent, ^{10/10} 2018
 DHQ Hospital, Mardan.

Medical Superintendent
DHQ Hospital, Mardan.


LECTURER
 Department of mathematics
 Govt Post Graduate College
 Mardan.

38 Duma H⁹

ساجد

**IN THE SUPREME COURT OF PAKISTAN
(APPELLATE JURISDICTION)**

PRESENT: MR. JUSTICE MIAN SAQIB NISAR, HCJ
MR. JUSTICE UMAR ATA BANDIAL
MR. JUSTICE IJAZ UL AHSAN

CIVIL PETITIONS NO. 481-P AND 482-P OF 2018
(Against the judgment dated 12.4.2018 of the Peshawar High Court,
Peshawar passed in WP Nos. 2439-P of 2016 & 2440-P of 2016)

Government of KPK through Secretary Elementary & Secondary
Education Peshawar & others
...Petitioner(s)
(In both cases)

VERSUS

Iftikhar Ali & others
Abdul Ahad & others
In C.P.481-P/2018
In C.P.482-P/2018
...Respondent(s)

For the petitioner(s): Mr. Zahid Yousaf Qureshi, Addl. A.G.
For the respondent(s): Not represented
Date of hearing: 5.9.2018

ORDER

MIAN SAQIB NISAR, C.J.- The only point raised is that the respondents who sought restoration on the basis of the Khyber Pakhtunkhwa Sacked Employees (Appointment) Act, 2012 (the Act) were not working on a regular basis but against leave vacancies. Learned counsel could not satisfy us as to how that rendered the respondents disentitled to relief under the Act. We do not find any legal or factual error in the impugned judgment calling for interference by this Court. These petitions being without merit are, therefore, dismissed.

Sd/-HCJ

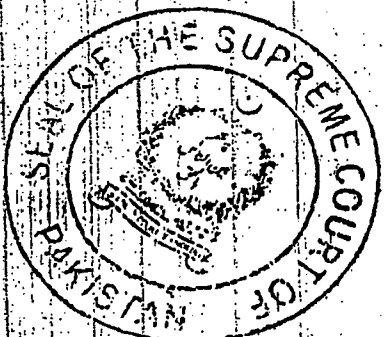
Sd/-J

Sd/-J

Certified to be True Copy

AC

Senior Court Associate
Supreme Court of Pakistan
Islamabad 22/9/2019



Islamabad, the
5th of September, 2018.
Not Approved For Reporting

CF No: _____ Civil/Criminal
Date of Presentation: 11.11.18
No. of Words: _____
No. of Folios: 3
Requisition Fee Rs: _____
Copy Fee in: 180
Court Fee Stamps: 600
Date of Completion of Copy: 11-11-2018
Date of delivery of Copy: 11/11/18
Compared by: P. _____

H

39

Annex I



**Directorate of Curriculum and Teacher Education
Khyber Pakhtunkhwa, Abbottabad.**

Phone #:0992-382634 Fax #:0992-381527 E-mail: dctc-kpk@hotmail.com

No.6236-39/TPD/Pre-Service

Dated: 21/10/2019

To

1. Director,
Elementary & Secondary Education,
Khyber Pakhtunkhwa.
2. All DEO (F/M),
Elementary & Secondary Education,
Khyber Pakhtunkhwa.

Subject: DATA OF SACKED EMPLOYEES OF DIFFERENT CADRES (PTC, DM, CT etc.)

Dear Sir /Madam,

I am directed to refer to E&SE Deptt: letter No.SO(B/T)E&SE/2-13/2009/PITE/PTC Training dated 16-10-2019, and to inform that the Directorate of Curriculum and Teachers Education is going to arrange condense courses of PTC,CT,DM, JDPE, etc for sacked employees in light of the Judgment of Honourable Peshawar High Court, Abbottabad Bench passed Writ Petition No. 516-A/2013.

You are, therefore requested to provide complete data of sacked employees according to format as under .

S#	Name of teacher	Name of school	Course for training (PTC,CT,DM, JDPE)	Date of Appointment	Districts /Division
1.					
2.					


SUBJECT SPECILIST (Pre-Service)

Copy for information to the:

1. Secretary Elementary & Secondary Education Department Government of Khybe Pakhtunkhwa Peshawar.
2. PA to Director local office.


SUBJECT SPECILIST (Pre-Service)



40
Annex J
OFFICE OF THE SUB-DIVISIONAL EDUCATION OFFICER,
(Male) Takht Bhal
E-MAIL: sdo@stbhal@gmail.com

470 / 17 / 13

To

The District Education Officer,
(Male) Mardan.

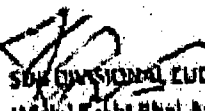
Subject:

DATA OF SACKED EMPLOYEE FOR PTC TRAINING.

Memo:

Please refer to Directorate of Curriculum and Teacher Education Khyber Pakhtoon Khwa, letter No. 6236-39 dated: 21/10/2019, And No. 4619-21 dated: 26/10/2020 on the subject cited above. The requisite data of sacked PTC employees is submitted as under for further necessary action/process please.

S.No.	Name of PST Teachers	Name of School / GPS	Course for training	D/O Avail	Remarks
1.	Imran Khan,	No. 1 Takht Bhal	PTC	09.10.2018	
2.	Shahir Ullah	Itbar Khan KIBI	PTC	09.01.2018	
3.	Taj Muhammad	Afzal Abad No.1	PTC	09.10.2018	
4.	Khurshid Ali	Ganjai	PTC	09.10.2018	
5.	Muhammad Ibrahim	No.4 Takht Bhal	PTC	02.03.2013	
6.	Fazl Wahid	Afzal Abad	PTC	10.10.2018	
7.	Ilme Amin	Afzal Abad	PTC	09.10.2018	
8.	Muhammad Maseem	Dad Muhammad Kili	PTC	11.10.2018	
9.	Ashraf Khan	Uman Banda	PTC	01.09.2013	
10.	Sohail Ahmad	Dilaram Kili	PTC	09.10.2018	
11.	Saidar Khan	No. 1 Afzal Abad	PTC	09.10.2018	


SUB-DIVISIONAL EDUCATION OFFICER
(Male) Takht Bhal, Mardan

←


- 41 -

- 47 -

List of sacked Employees circle takht bhai.

the undersigned has been directed by S.D.E.O (male) Primary Takht Bhai office through whatsapp information to submit data of sacked employees on Performa shared on circle ASDEO group.

S.No	Name	Designation	School	Remarks
1	Imran Khan	PET	G.P.S. NO.1 TAKHT BHAJ	Received
2	Shakir ullo Khan	PST	G.P.S. Jilankhwa Killa	Received
3	Taj Muhammad	P.S.T	G.P.S. Afzalabad No.1	Received
4	Khurshed Ali	P.S.T	G.P.S. Gungaj T. Bhai	Received
5	Muhammad Ibrahim	P.S.T	G.P.S. No.4: T. Bhai	Received
6	Fuzliwahid	P.S.T	G.P.S. Asarabad T.B	Received.


 29
 2020
Asstt. Sub. Div.
Ed. Officer
Pr. Takht Bhai

42 Annex 42 K²
 OFFICE OF THE DISTRICT EDUCATION OFFICER
 IMATE FAIRHADAN
 No. 266 Dated 09-01-2021

The Director
 ESSE Khyber Pakhtunkhwa, Peshawar

SUBJECT: DATA OF SACKED EMPLOYEES OF PSE FOR TRAINING

Memo: In continuation to this office letter No 7465 dated 11-12-2020 and reference to the Director Curriculum and Teacher Education Khyber Pakhtunkhwa, Peshawar letter No 4619/21 dated 26-10-2020 on the subject listed above

I have the honor to submit the required information of sacked employees of prescribed profession for the purpose of training as desired please

S.No	Name of Teacher	School Name	Training For	Date of Apptl	Remarks
1	Imran Khan	GPS No 1 Takht Bhai	PTC	09-10-2018	
2	Shakirullah	GPS Hbar Khan Killa	PTC	09-10-2018	
3	Taj Muhammad	GPS Alzal Abad-1	PTC	09-10-2018	
4	Khurshid Ali	GPS Gunjai	PTC	09-10-2018	
5	Muhammad Ibrahim	GPS No 4 Takht Bhai	PTC	10-10-2018	
6	Fazli Wahid	GPS Afsar Abad	PTC	09-10-2018	
7	Ubaid Ameen	GPS Afsar Abad	PTC	11-10-2018	
8	Muhammad Naem	GPS Dad Muhammad Killa	PTC	03-09-2018	
9	Muhammad Khan	GPS Usman Banda	PTC	09-10-2018	
10	Sohail Ahmad	GPS Dilaram Killa	PTC	09-10-2018	
11	Safdar Khan	GPS No 1 Fozal Abad	PTC	09-10-2018	
12	Rahim Khan	GPS Nari Surang	PTC	06-11-2018	
13	Muhammad Ayaz	GPS Adina Dheri	PTC	10-10-2018	

Encl No 267 Sacked training/Dated 09-01-2021

Copy forwarded to the
 1 Director DCCE Abbottabad with letter no 4619/21 dated 26-10-2020

DISTRICT EDUCATION OFFICER
 IMATE FAIRHADAN
 08/01/2021

DISTRICT EDUCATION OFFICER
 IMATE FAIRHADAN

LEGIBLE COPY

OFFICE OF THE DISTRICT EDUCATION OFFICER
(MALE) MARDAN
No.266/Dated 09.01.2021

42

To,

The Director
E&SE Khyber Pakhtunkhwa, Peshawar

Subject:- **DATA OF SACKED EMPLOYEES OF PST FOR TRAINING**

Memo:-

In continuation to this office letter No.7465 dated:11.12.2020 and reference to the Director Curriculum and Teacher Education Khyber Pakhtunkhwa, Peshawar No.4619-21 dated:26.10.2020 on the subject noted above.

I have the honor to submit the required information of sacked employees on prescribed proforma for the purpose of training as desired please.

S.No	Name of Teacher	School Name	Training For	Date of Apptt	Remarks
1.	Imran Ullah	GPS No.1 Takht Bhai	PTC	09.10.2018	
2.	Shakirullah	GPS Itbar Khan Killi	PTC	09.10.2018	
3.	Taj Muhammad	GPS Afzal Abad 1	PTC	09.10.2018	
4.	Khurshid Ali	GPS Gunjai	PTC	09.10.2018	
5.	Muhammad Ibrahim	GPS No.4 Takht Bhai	PTC	10.10.2018	
6.	Fazli Wahid	GPS Afsar Abad	PTC	09.10.2018	
7.	Ibne Amin	GPS Afsar Abad	PTC	11.10.2018	
8.	Muhammad Naeem	GPS Dad Muhammad Killi	PTC	03.09.2018	
9.	Mujahid Khan	GPS Usman Banda	PTC	09.10.2018	
10.	Sohail Ahmad	GPS Dilaram Killi	PTC	09.10.2018	
11.	Safdar Khan	GPS No.1 Fazal Abad	PTC	09.10.2018	
12.	Rahim Khan	GPS Nari Surang	PTC	06.11.2018	
13.	Muhammad Ayaz	GPS Adina Dheri	PTC	10.10.2018	

**DISTRICT EDUCATION OFFICER
(MALE) MARDAN**

Endst No.267/sacked training/Dated:09.01.2021

Copy forwarded to the

1. Director DCTE Abbotabad with letter No.4519-22 dated:26.10.2020

**DISTRICT EDUCATION OFFICER
(MALE) MARDAN**

43

OFFICE OF THE DISTRICT EDUCATION OFFICER
(MALE) (MIA-03A)

No 7465 / Date 11-12-2020

To:

The Director,
JRSI Hyder Pakhtunkhwa Peshawar

SUBJECT: DATA OF SACRED EMPLOYEES OF PST FOR TRAINING

Memorandum: Reference to the Director Curriculum and Teacher Education Peshawar dated 20/10/2020 and the subject cited above.

I have the honor to submit the required information of sacked employees on prescribed proforma for the purpose of training as desired please

S.No	Name of Teacher	School Name	Training For	Date of Appt	Remarks
1	Fazal Ahmad Sraih	GPS Hassan Abad	PTC	30-10-2018	
2	Ahmad Ahmad	GPS No 1 Mayar	PTC	09-10-2018	
3	Muhammad Khalid	GPS Bala Korona	PTC	10-10-2018	
4	Saeed Muhammad	GPS Ittehad Colony	PTC	10-10-2018	
5	Taj Ali	GPS No 3 Korazi	PTC	06-11-2018	
6	Malik Aman	GPS Shamshad Abad 2	PTC	09-10-2018	
7	Hafiz Ali	GPS Ahmad Abad	PTC	10-10-2018	
8	Khalid Naz	GPS Shamshad Killi	PTC	10-10-2018	
9	Muhammad Muhammad	GPS Anarbag 1	PTC	09-10-2018	
10	Ahmad Ali Khan	GPS Gurdari	PTC	09-10-2018	
11	Fazal Muhammad	GPS Madadin Gumbat	PTC	09-10-2018	
12	Said ul Ashar	GPS No 2 Mohit Banna	PTC	10-10-2018	
13	Shahzad Rehman	GPS Bisset Gunj 1	PTC	09-10-2018	
14	Naseer Ahmad	GPS Bisset Gunj 1	PTC	09-10-2018	
15	Syed M. Tahir	GPS Mawas	PTC	09-10-2018	
16	Azhar Khan	GPS Maho Narai	PTC	09-10-2018	
17	Fazal Hussain	GPS Sowaryan	PTC	09-10-2018	
18	Muhammad Ali	GPS Marghano Killi	PTC	09-10-2018	
19	Siraj Muhammad	GPS Jangi Dher 2	PTC	09-10-2018	
20	Fazal Mahmood	GPS Azam Shah	PTC	09-10-2018	
21	Sultan Ali	GPS Frampur	PTC	09-10-2018	
22	Khalid Ali Khan	GPS Gushup 2	PTC	09-10-2018	
23	Muhammad Khan	GPS Gushup 2	PTC	09-10-2018	
24	Ahmad Ali Khan	GPS Bharat Fort	PTC	11-12-2018	

DISTRICT EDUCATION OFFICER
(MALE) (MIA-03A)

Copy No: / Sacked Training Dated: / 2020

Copy forwarded to the
1 Director ECCE Abbottabad with letter No 40-14-22 dated 26/10/2020

sdh
DISTRICT EDUCATION OFFICER
(MALE) (MIA-03A)

OFFICE OF THE DISTRICT EDUCATION
OFFICER

(MALE) MARDAN

No.7465/Dated 11.12.2020

To,

The Director
E&SE Khyber Pakhtunkhwa, PeshawarSubject:- **DATA OF SACKED EMPLOYEES OF PST FOR TRAINING**Memo:- Reference to the Director Curriculum and Teacher Education
Khyber Pakhtunkhwa, Peshawar No.4619-21 dated:26.10.2020 on the subject
noted above.I have the honor to submit the required information of sacked employees on
prescribed proforma for the purpose of training as desired please.

S.No	Name of Teacher	School Name	Training For	Date of Apptt	Remarks
1.	Fazal Ahma Shah	GPS Hassan Abad	PTC	30.10.2018	
2.	Abdul Ahad	GPS No.1 Mayar	PTC	09.10.2018	
3.	Muhammad Mujahid	GPS Batai Korona	PTC	10.10.2018	
4.	Saeed Muhammad	GPS Ittehad Colony	PTC	10.10.2018	
5.	Taj Alam	GPS No.3 Koragh	PTC	06.11.2018	
6.	Malik Aman	GPS Shamshad Abad 2	PTC	09.10.2018	
7.	Hazrat Ali	GPS Ahmad Abad	PTC	30.10.2018	
8.	Falak Naz	GPS Shamandaroz Killi	PTC	30.10.2018	
9.	Wisal Muhammad	GPS Anarbaig 1	PTC	09.10.2018	
10.	Amanullah Khan	GPS Landaki	PTC	09.10.2018	
11.	Fayyaz Muhammad	GPS Saadudin Gumbat	PTC	09.10.2018	
12.	Said Ul Akbar	GPS No.2 Mohib Banda	PTC	10.10.2018	
13.	Shamsur Rehman	GPS Bicket Gunj 1	PTC	09.10.2018	
14.	Nasir Ahmad	GPS Bicket Gunj 1	PTC	09.10.2018	
15.	Syed M Tufail	GPS Mirwas	PTC	09.10.2018	
16.	Azam Khan	GPS Maho Narai	PTC	09.10.2018	
17.	Tariq Hussain	GPS Sowryan	PTC	09.10.2018	
18.	Murad Ali	GPS Marghano Killi	PTC	09.10.2018	
19.	Siraj Muhammad	GPS Jangi Dher 2	PTC	09.10.2018	
20.	Fazal Mahmood	GPS Azeem Shah	PTC	09.10.2018	
21.	Sultan Ali	GPS Ikrampur	PTC	09.09.2018	
22.	Sabz Ali Khan	GPS Gulberg 2	PTC	09.10.2018	
23.	Riaz Ali Khan	GPS Spin Jumat Shero	PTC	10.10.2018	
24.	Ahmad Ur Rehman	GPS Bharat Khel	PTC	11.12.2018	

DISTRICT EDUCATION OFFICER
(MALE) MARDAN

Endst No. _____/sacked training/Dated: _____, 2020

Copy forwarded to the

1. Director DCTE Abbotabad with letter No.4619-22 dated:26.10.2020

DISTRICT EDUCATION OFFICER
(MALE) MARDAN

- 44 Date "2"

OFFICE OF THE DISTRICT EDUCATION OFFICER
(MALE) MAHDAN
No _____ / Dated 24-03-2021

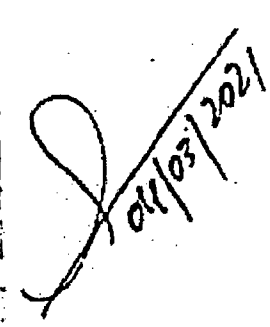
To

The Director,
I & SE Khyber Pakhtunkhwa, Peshawar

SUBJECT: DATA OF SACKED EMPLOYEES OF PST / OR TRAINING IN LIGHT OF COURT DECISION

Memo: Reference to the Director Curriculum and Teacher Education Khyber Pakhtunkhwa Peshawar letter No: 4619-21 dated 26-10-2020 and in continuation of this office letter No: 7465 dated 11-12-2020 and letter No: 266 dated 09-01-2021 on the subject cited above. It is stated that this office has appointed various teachers in SACKED EMPLOYEE QUOTA as PST in light of Peshawar High Court Peshawar with conditions that department shall arrange and manage the requisite training for them who are untrained and are not equipped with departmental PST certificate.

Therefore the required information of sacked employees on prescribed proforma for the purpose of training is hereby submitted as desired please

S.No	Name of Teacher	School Name	Training For	Date of Apptl	Remarks
1	Fazal Ahmad Shah	GPS Hassani Abad	PST	30-10-2018	
2	Abdul Anad	GPS No 1 Mayar	PST	09-10-2018	
3	Muhammad Mujahid	GPS Batai koroona	PST	10-10-2018	
4	Saeed Muhammad	GPS Ittehad Colony	PST	10-10-2018	
5	Taj Alam	GPS No. 3 Koragh	PST	06-11-2018	
6	Malik Aman	GPS Shamshad Abad-2	PST	09-10-2018	
7	Hazrat Ali	GPS Ahmad Abad	PST	30-10-2018	
8	Falak Naz	GPS Shamandroo Killa	PST	30-10-2018	
9	Wasal Muhammad	GPS Anarbaig-1	PST	09-10-2018	
10	Amanullah Khan	GPS Landaki	PST	09-10-2018	
11	Fayaz Muhammad	GPS Saadudin Gumbat	PST	09-10-2018	
12	Said ul Akbar	GPS No. 2 Mohib Banda	PST	10-10-2018	
13	Shamsur Rehman	GPS Hicket Gunj 1	PST	09-10-2018	
14	Nasir Ahmad	GPS Hicket Gunj 1	PST	09-10-2018	
15	Syed Ali Talat	GPS Mirwas	PST	09-10-2018	
16	Azam Khan	GPS Masim Nara	PST	09-10-2018	
17	Tariq Hussain	GPS Suwaryan	PST	09-10-2018	
18	Musad Ali	GPS Marghana Killa	PST	09-10-2018	
19	Sajid Muhammad	GPS Jangi Dher-2	PST	09-10-2018	
20	Fazal Muhammad	GPS Azam Shah	PST	09-10-2018	

Handwritten signature and date: 04/03/2021

h

LEGIBLE COPY

Office of the Education Officer
(Male) Mardan
No. _____ /Dated 04.03.2021

44

To,

The Director

E&SE Khyber Pakhtunkhwa, Peshawar

Subject:- **DATA OF SACKED EMPLOYEES OF PST FOR TRAINING IN LIGHT OF COURT DECISION.**

Memo

Reference to the Director Curriculum and Teacher Education Khyber Pakhtunkhwa Peshawar letter No.4619-21 dated: 26.10.2020 and in continuation of this office letter No.7465 dated:11.12.2020 and letter No.266 dated: 09.01.2021 on the subject noted above it is stated that this office has appointed various teachers in SACKED EMPLOYEE QUOTA as PST in light of Peshawar High Court, Peshawar with conditions that department shall arrange and manage the requisite training for them who are _____ and are not equipped with departmental PST certificate.

Therefore, the required information of sacked employees on prescribed proforma for the purpose of training is hereby submitted as desired please.

S.No	Name of Teacher	School Name	Training For	Date of Apptt	Remarks
1.	Fazal Ahma Shah	GPS Hassan Abad	PTC	30.10.2018	
2.	Abdul Ahad	GPS No.1 Mayar	PTC	09.10.2018	
3.	Muhammad Mujahid	GPS Batai Korona	PTC	10.10.2018	
4.	Saeed Muhammad	GPS Ittehad Colony	PTC	10.10.2018	
5.	Taj Alam	GPS No.3 Koragh	PTC	06.11.2018	
6.	Malik Aman	GPS Shamshad Abad 2	PTC	09.10.2018	
7.	Hazrat Ali	GPS Ahmad Abad	PTC	30.10.2018	
8.	Falak Naz	GPS Shamandaroz Killi	PTC	30.10.2018	
9.	Wisal Muhammad	GPS Anarbaig 1	PTC	09.10.2018	
10.	Amanullah Khan	GPS Landaki	PTC	09.10.2018	
11.	Fayyaz Muhammad	GPS Saadudin Gumbat	PTC	09.10.2018	
12.	Said Ul Akbar	GPS No.2 Mohib Banda	PTC	10.10.2018	
13.	Shamsur Rehman	GPS Bicket Gunj 1	PTC	09.10.2018	
14.	Nasir Ahmad	GPS Bicket Gunj 1	PTC	09.10.2018	
15.	Syed M Tufail	GPS Mirwas	PTC	09.10.2018	
16.	Azam Khan	GPS Maho Narai	PTC	09.10.2018	
17.	Tariq Hussain	GPS Sowryan	PTC	09.10.2018	
18.	Murad Ali	GPS Marghano Killi	PTC	09.10.2018	
19.	Siraj Muhammad	GPS Jangi Dher 2	PTC	09.10.2018	
20.	Fazal Mahmood	GPS Azeem Shah	PTC	09.10.2018	

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S.No	Name of Teacher	School Name	PST	Date of Apptl	Remarks
21	Sultan Ali	GPS Ikampur	PST	09-10-2018	
22	Sabz Ali Khan	GPS Gullbapli-2	PST	09-10-2018	
23	Riaz Ali Khan	GPS Speen Jumat Shero	PST	30-10-2018	
24	Ahmad ur Rahtman	GPS Bharat Khel	PST	31-12-2018	PTC course has already completed
25	Imran Khan	GPS No.1 Takht Bhai	PST	09-10-2018	
26	Shakirullah	GPS Ibar Khan Kili	PST	09-10-2018	
27	Taj Muhammad	GPS Afzal Abad-1	PST	09-10-2018	
28	Khurshid Ali	GPS Gunja	PST	09-10-2018	
29	Muhammad Ibrahim	GPS No.4 Takht Bhai	PST	10-10-2018	
30	Fazli Wahid	GPS Afsar Abad	PST	09-10-2018	
31	Ibne Anis	GPS Afsar Abad	PST	11-10-2018	
32	Muhammad Naeem	GPS Dad Muhammad Kili	PST	03-09-2018	
33	30	GPS Usman Banda	PST	09-10-2018	
34	Sohail Ahmad	GPS Dilaram Kili	PST	09-10-2018	
35	Saidar Khan	GPS No.1 Fazal Abad	PST	09-10-2018	
36	Rahim Khan	GPS Nari Surang	PST	06-11-2018	
37	Muhammad Ayaz	GPS Adina Dheri	PST	10-10-2018	

Sd
DISTRICT EDUCATION OFFICER
(MALE) MARDAN

Enrol No 1897 /sacked training/Dated 01-03/2021

Copy forwarded to the

1 Director DCTE Abbottabad with letter No-4619-22 dated 26-10-2020

DISTRICT EDUCATION OFFICER
(MALE) MARDAN
01/03/2021

21.	Sultan Ali	GPS Ikrampur	PTC	09.09.2018	
22.	Sabz Ali Khan	GPS Gulberg 2	PTC	09.10.2018	
23.	Riaz Ali Khan	GPS Spin Jumat Shero	PTC	10.10.2018	
24.	Ahmad Ur Rehman	GPS Bharat Khel	PTC	11.12.2018	
25.	Imran Khan	GPS No.1 Takh Bhai	PTC	09.10.2018	
26.	Shakirullah	GPS Itbar Khan Killi	PTC	09.10.2018	
27.	Taj Muhammad	GPS Afsar Abad -1	PTC	09.10.2018	
28.	Khurshid Ali	GPS Gunjai	PTC	09.10.2018	
29.	Muhammad Ibrahim	GPS No.4 Takht Bhai	PTC	10.10.2018	
30.	Fazli Wahid	GPS Afsar Abad	PTC	09.10.2018	
31.	Ibne Amin	GPS Afsar Abad	PTC	11.10.2018	
32.	Muhammad Naeem	GPS Dad Muhammad Killi	PTC	03.09.2018	
33.		GPS Usman Banda	PTC	09.10.2018	
34.	Sohail Ahmad	GPS Dilaram Killi	PTC	09.10.2018	
35.	Safdar Khan	GPS No.1 Fazal Abad	PTC	09.10.2018	
36.	Rahim Khan	GPS Nari Surang	PTC	06.11.2018	
37.	Muhammad Ayaz	GPS Adina Dheri	PTC	10.10.2018	

DISTRICT EDUCATION OFFICER

(MALE) PRIMARY MARDAN

Endst No.1897/sacked training/Dated 04.03.2021

forwarded to the:-

1. District DCPE Abbotabad with...

DISTRICT EDUCATION OFFICER
(MALE) PRIMARY MARDAN



DISTRICT EDUCATION OFFICE (M) MARDAN

Phone & Fax #. 0937933151

Email address: deomalemardan@gmail.com



- 46

No. 500 /sacked/ Dated: 21-06-2022



Dr. M

SHOW CAUSE NOTICE

I, Zulfiqar ul Mulk, District Education officer (Male) Mardan as Competent Authority under the Khyber Pakhtunkhwa government servants (Efficiency & Discipline) Rules, 2011, do hereby serve you Mr. Sultan Ali PST GPS Ikrampur Katlang shows cause notice as follows:

- a. You have been appointed conditionally vide No:7602/G dated 09-10-2018 in light of Court Decisions and were bound to fulfill prescribed qualifications within 03 years in light of terms & conditions at S.No 15 of appointment, but you failed to do so till date.
- b. In exercise of the power conferred by the KPK Govt: servant (Efficiency & Discipline) Rules, 2011, the Competent Authority is hereby pleased to serve you with the instant show cause notice with the direction to submit your defense in writing within 07 days of the issuance of this notice as to why the major penalty of Rule (b) of the said rules should not be imposed upon you and also intimate whether you desire to be heard in person.
- c. In case you failed to submit your reply within the stipulated period, it will be presumed that you have no defense to offer and ex-parte decision will be taken against you.

(Zulfiqar ul Mulk)

DISTRICT EDUCATION OFFICER
(MALE) MARDAN

Copy to the:

- 1. SDEO(M) Katlang to serve this show cause notice and ensure his reply

[Handwritten signature]
DISTRICT EDUCATION OFFICER
(MALE) MARDAN

*DA
Please Remind
The show cause notice
concerned teacher*

تقریر فی مابین ۲۱ جون سلطان علی سی پی

KEEP NOTHING UNDER THE TABLE, EXCEPT YOUR SHOES & USE THEM TO KICK OUT CORRUPTION

۵۲۰۰ تاریخ ۲۱/۶/۲۰۲۲ - خود وصول کی ہے

سید = ۵۲۰۰

M



DISTRICT EDUCATION OFFICE (M) MARDAN

Phone & Fax #. 0937933151

Email address: deomalemardan@gmail.com



47

Amir 0

OFFICE ORDER

WHEREAS, in Compliance with Peshawar High Court Peshawar COC No.503-2018 in Writ Petition No:2439-p/2016, coc No.510-p/2018 in W.P No:2440-p/2016, coc No:511 in W.P No:2438-p/2016, coc No:538-p/2018 in WP No:2440-p/2016, coc No:564-2018 in WP No:2440-p/2016, one Mr. Sultan Ali s/o Said Sharif has been appointed in sacked employee quota on PST post vide this office No:7602/G dated 09-10-2018 at S.No:17.

AND WHEREAS, as per terms and conditions No:15 of cited order, he was bound to complete the prescribed qualification for the said post within 03 years, in case of failure his appointment order will stand cancelled.

AND WHEREAS, after passing more than 03 years, this office after knowing his existing qualification, has issued a show cause notice to him.

AND WHEREAS, after receiving his written reply in which he confessed that he does not possess the prescribed qualification at present even by passing more than 03 years.

AND WHEREAS, in light of August Supreme Court of Pakistan decision announced on 28-01-2022.

Therefore, in exercise of the power conferred under Khyber Pakhtunkhwa Govt servants E&D rules 2011 (4b), and on the basis of evidence on the record, the undersigned being Competent Authority is pleased to impose the penalty of Removal from Service upon, Mr. Sultan Ali PST GPS Ikrampur Katlang with immediate effect.

(Zulfiqar ul Mulk)
District Education Officer
(Male) Mardan

Endst No. 6207/4 /sacked/ Dated: 15-08-2022

copy forwarded for information and necessary action to the:-

1. Secretary E&SE Education, Khyber Pakhtunkhwa, Peshawar
2. Director E&SE Khyber Pakhtunkhwa, Peshawar
3. DAO Mardan
4. SDEO(M) Katlang.
5. Official concerned.

[Signature]
District Education Officer
(Male) Mardan

KEEP NOTHING UNDER THE TABLE, EXCEPT YOUR SHOES & USE THEM TO KICK OUT CORRUPTION

- 48

The Director,
Elementary & Secondary Education,
Khyber Pakhtunkhwa, Peshawar

Amir P

Subject: Departmental Appeal against the impugned office order dated 15.08.2022 passed by the DEO (Male), Mardan whereby appellant was removed from service.

Respected Sir,

I have the honour to submit the departmental Representation for your favourable consideration on the following facts and grounds:

1. That initially, appellant was inducted in the Education Department as PST way back in the year 1995 in accordance with the then prevailing Policy of the Government whereafter he performed his duties to the entire satisfaction of the high-ups and was never subjected to any departmental proceedings.
2. That subsequently, with the change of political government, the services of the appellant were illegally dispensed with which was challenged before the Court but the effort proved abortive except that some colleagues in time approached the Court and got the relief.
3. That in the year 2012 the Provincial Government passed "the Khyber Pakhtunkhwa Sacked Employees (Appointment) Act, 2012 providing for the reinstatement of the sacked employees and the Department made numerous appointments of similarly placed employees later on law was not fully implemented and appellant was not reinstated.
4. That against the non-appointment as per the Act ibid, some colleagues of the appellant approached the Hon'ble Peshawar High Court, Peshawar in Writ Petition which was allowed. The Judgment of the Hon'ble High Court was called in question before the Hon'ble Supreme Court of Pakistan but was dismissed on 24.05.2017.
5. That later on, appellant and others were appointed vide appointment orders against their respective posts but subject to the outcome of CPLA which was then pending adjudication before the Hon'ble Apex Court. They took over the charge and started performing duties but all of sudden appellant along with others visited the impugned office order dated 15.08.2022 whereby they were removed from service.
6. That appellant was not treated in accordance with law and rules. Moreover, Section-16 of the Khyber Pakhtunkhwa Civil Servants Act, 1973 stipulates civil servants shall be dealt with in accordance with prescribed procedure. Neither Charge Sheet was issued nor Statement of allegations to appellant.
7. That now it is admitted fact that in case of imposition of major penalty, the Department is supposed to conduct a regular inquiry while in case of appellant even a fact finding inquiry was not conducted. Moreover, the

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22-8-2022

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principle of natural justice i.e. opportunity of personal hearing was also not provided to appellant which vitiates the whole proceedings.

It is, therefore, requested that on acceptance of this Departmental Appeal, the impugned office order dated 15.08.2022 may kindly be set aside and appellant be reinstated into service with all consequential back benefits.

Yours faithfully
[Signature]
Mr. Sultan Ali
Ex. PST, SPS. ilqam pur,
Wazirpur, Mandla.

Dated: 22 /08/2022



50 Imran Q

**DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION
KHYBER PAKHTUNKHWA PESHAWAR**

No 5625 / File: 524/RTI/P.F. Imran Khan
& Others/Mardan/2022.

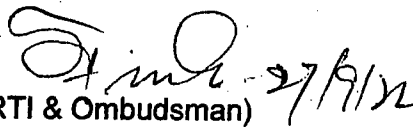
Dated Peshawar the: 27/09 /2022

To

Mr. Imran Khan & Others,
Ex-PSTs (Sacked Employees)
Sardar Killi Saro Shah Takht Bhai District Mardan.
Cell No. 0344-9165285

Subject: - PROVISION OF INFORMATION UNDER RTI ACT 2013.

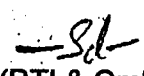
I am directed to refer to your application dated 07.09.2022 on the subject cited above and to state that your appeal for re-instatement into service dated 15.08.2022 has been seen & filed by the Worthy Director, Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar being competent authority.


AD (RTI & Ombudsman)
Directorate of E&SE KP

Endst: No. _____ /

Copy forwarded to the: -

1. P.A to Director E&SE KPK Peshawar.


AD (RTI & Ombudsman)
Directorate of E&SE KP

Q

**GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT**

NOTIFICATION

Peshawar, dated the 30th January, 2018.

No.SO(PE)4-5/SSRC/Meeting/2012/Teaching Cadre/2017:- In pursuance of the provisions contained in sub rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Promotion and Transfer) Rules, 1989, the Elementary and Secondary Education Department, in consultation with the Establishment Department hereby directs that, in this Department's Notification No.SO(PE)4-5/SSRC/Meeting/2012/Teaching Cadre, dated 13-11-2012, amendments shall be made, namely:-

AMENDMENTS

In the Appendix:-

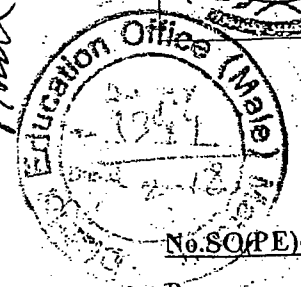
- (i) against Serial No.1, in columns No.3 and 4, for the existing entries, the following shall be substituted, namely:

3	4
“(i) At least Second Class Bachelor’s Degree or four (4) years BS Degree in the relevant subject; and (ii) nine months in service mandatory professional training at Regional Institute for Teacher Education (RITE) or Provincial Institute for Teacher Education (PITE).	21 to 35 years

- (ii) against Serial No.1B, in columns No.3 and 4, for the existing entries, the following shall be substituted, namely:

3	4
(i) At least Second Class Bachelor’s Degree from a recognized University from the following groups with two subject on need basis. (a) Chemistry, Botany or Zoology; or	19 to 35 years

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ADDC(A)
ADDC(S) ✓
1/19/1 ✓

SI

19-2-18

<p>(b) Physics, Maths or Statistics; or (c) Humanities and other equivalent groups at degree level with English as subject; and</p> <p>(ii) nine months in service mandatory professional training at Regional Institute for Teacher Education (RITE) or Provincial Institute for Teacher Education (PITE).</p>	
--	--

(iii) against Serial No. 10, in columns No.3 and 4, for the existing entries, the following shall be substituted, namely:

3.	4.
<p>(i) At least Second Class Master's Degree in Arabic from a recognized University; or at least Second Class Bachelor's Degree from a recognized University with Shahadatul Alamia Fil Uloomul Arabia wal Islamia from a recognized Tanzimuatul Wafaqul Madaris; or Darul Uloom Saidu Sharif Swat, Darul Uloom Charbagh Swat, Darul Uloom Chitral, Darul Uloom Darosh Chitral and any other Government run Darul Uloom, as notified by Government from time to time; and</p> <p>(ii) nine months in service mandatory professional training at Regional Institute for Teacher Education (RITE) or Provincial Institute for Teacher Education (PITE).</p>	<p>19 to 35 years";</p>

(iv) against Serial No. 11, in columns No.3 and 4, for the existing entries, the following shall be substituted, namely:

3.	4.
<p>(i) At least Second Class Master's Degree in Islamiyat from a recognized University; or at least Second Class Secondary School Certificate from a recognized Board with Shahadatul Alamia from a recognized Tanzimuatul Wafaqul Madaris; or Darul Uloom Saidu Sharif Swat, Darul Uloom Charbagh Swat, Darul Uloom Chitral, Darul Uloom Darosh Chitral and any other Government run Darul Uloom, as notified by Government from time to time; and</p> <p>(ii) nine months in service mandatory professional training at Regional Institute for Teacher Education (RITE) or Provincial Institute for Teacher Education (PITE).</p>	<p>19 to 35 years";</p>

<p>(b) Physics, Maths or Statistics; or (c) Humanities and other equivalent groups at degree level with English as subject; and (ii) nine months in service mandatory professional training at Regional Institute for Teacher Education (RITE) or Provincial Institute for Teacher Education (PITE).</p>	
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(iii) against Serial No. 10, in columns No.3 and 4, for the existing entries, the following shall be substituted, namely:

3.	4.
<p>(i) At least Second Class Master's Degree in Arabic from a recognized University; or at least Second Class Bachelor's Degree from a recognized University with Shahadatul Alamia Fil Uloomul Arabia wal Islamia from a recognized Tanzimuatul Wafaqul Madaris; or Darul Uloom Saidu Sharif Swat, Darul Uloom Charbagh Swat, Darul Uloom Chitral, Darul Uloom Darosh Chitral and any other Government run Darul Uloom, as notified by Government from time to time; and (ii) nine months in service mandatory professional training at Regional Institute for Teacher Education (RITE) or Provincial Institute for Teacher Education (PITE).</p>	<p>19 to 35 years</p>

(iv) against Serial No. 11, in columns No.3 and 4, for the existing entries, the following shall be substituted, namely:

3.	4.
<p>(i) At least Second Class Master's Degree in Islamiyat from a recognized University; or at least Second Class Secondary School Certificate from a recognized Board with Shahadatul Alamia from a recognized Tanzimuatul Wafaqul Madaris; or Darul Uloom Saidu Sharif Swat, Darul Uloom Charbagh Swat, Darul Uloom Chitral, Darul Uloom Darosh Chitral and any other Government run Darul Uloom, as notified by Government from time to time; and (ii) nine months in service mandatory professional training at Regional Institute for Teacher Education (RITE) or Provincial Institute for Teacher Education (PITE).</p>	<p>19 to 35 years</p>

against Serial No. 13, in columns No.3 and 4, for the existing entries, the following shall be substituted, namely:

3.		4.
(i)	Bachelor's Degree from a recognized University; and	19 to 35 years";
(ii)	nine months in service mandatory professional training at Regional Institute for Teacher Education (RITE) or Provincial Institute for Teacher Education (PITE).	

(vi) against Serial No. 17, in columns No.3 and 4, for the existing entries, the following shall be substituted, namely:

3.		4.
(i)	Bachelor's Degree from a recognized University; and	19 to 35 years";
(ii)	nine months in service mandatory professional training at Regional Institute for Teacher Education (RITE) or Provincial Institute for Teacher Education (PITE).	

(vii) against Serial No. 18, in columns No.3 and 4, for the existing entries, the following shall be substituted, namely:

3.		4.
(i)	Bachelor's Degree from a recognized University; and	19 to 35 years";
(ii)	nine months in service mandatory professional training at Regional Institute for Teacher Education (RITE) or Provincial Institute for Teacher Education (PITE).	

(viii) against Serial No. 21, in columns No.3 and 4, for the existing entries, the following shall be substituted, namely:

3.		4.
(i)	Bachelor's Degree from a recognized University; and	19 to 35 years"; and
(ii)	nine months in service mandatory professional training at Regional Institute for Teacher Education (RITE) or Provincial Institute for Teacher Education (PITE).	

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against Serial No.22, in columns No.3 and 4, for the existing entries, the following shall be substituted, namely:

3	4
(i) Bachelor's Degree from a recognized University and Qirat Sanad from registered Institution; and	19. to 35 years
(ii) nine months in service mandatory professional training at Regional Institute for Teacher Education (RITE) or Provincial Institute for Teacher Education (PITE).	

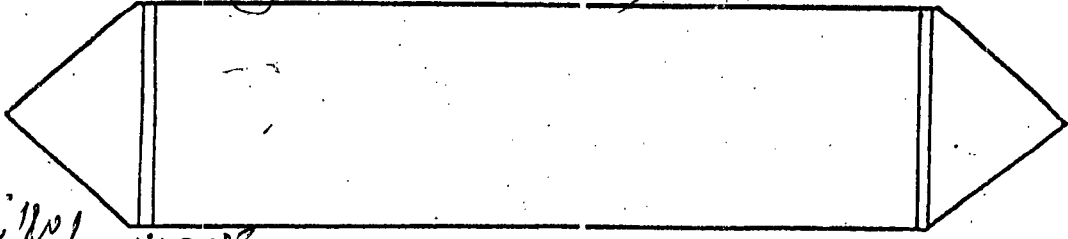
SECRETARY TO
GOVERNMENT OF KHYBER PAK
ELEMENTARY & SECONDARY
DEPARTMENT.

Endst: of even No. & date:

1. The Secretary to Government of Khyber Pakhtunkhwa, Establishment and Administration Department Peshawar.
2. The Secretary to Government of Khyber Pakhtunkhwa, Finance Department Peshawar.
3. The Secretary to Government of Khyber Pakhtunkhwa, Law Department Peshawar.
4. The Secretary Khyber Pakhtunkhwa, Public Service Commission Peshawar.
5. The Accountant General Khyber Pakhtunkhwa Peshawar.
6. The Director, Elementary and Secondary Education, Khyber Pakhtunkhwa Peshawar.
7. The Director of Education (FATA) Peshawar.
8. The Director, Curriculum and Teacher Education Khyber Pakhtunkhwa Abbottabad.
9. The Director, (PITE) Khyber Pakhtunkhwa Peshawar.
10. The Director, ESRU Elementary and Secondary Education Department Khyber Pakhtunkhwa Peshawar.
11. Manager Government Printing Press Khyber Pakhtunkhwa Peshawar.
12. The Deputy Director, EMIS (E&SE) Department Khyber Pakhtunkhwa Peshawar.
13. All District Education Officers (M&F) in Khyber Pakhtunkhwa.
14. All District Accounts Officers in Khyber Pakhtunkhwa.
15. All Agency Education Officers/ Agency Accounts Officers in FATA.
16. PS to Governor Khyber Pakhtunkhwa. Peshawar.
17. PS to Chief Minister Khyber Pakhtunkhwa. Peshawar.
18. PS to Chief Secretary Khyber Pakhtunkhwa. Peshawar.
19. PS to Minister E&SE Khyber Pakhtunkhwa. Peshawar.
20. PS to Secretary E&SE Khyber Pakhtunkhwa. Peshawar.

SECTION OFFICE

بعدالت جہر لخواہ سرور سے درخواست



2022ء منجانب سرور

سلطان علی بنام خواجہ

موزخہ
مقدمہ
دعویٰ
جرم

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ
آن مقام کے سرور کیا جاوے گا اور اس کے لئے

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز
وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث فیصلہ برحلف دیئے جواب دہی اور اقبال دعویٰ اور
بصورت ڈگری کرنے اجراء اور وصولی چیک و رسید عارضی دعویٰ اور درخواست ہر قسم کی تصدیق
ذرائع پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی
نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور
کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار
ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ
پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا۔
کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی
مذکورہ کریں۔ لہذا وکالت نامہ لکھ دیا کہ سند ہے۔

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ماہ اکتوبر

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المرقوم

واہ العب

کے لئے منظور ہے۔

بمقام

Handwritten signature