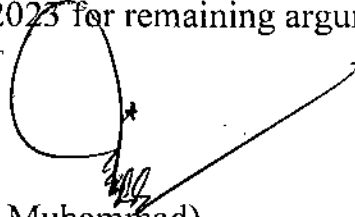


05.01.2023

Learned counsel for the appellant present. Mr. Naseer-ud-Din Shah, Assistant Advocate General for the respondents present.

This case was heard by a Bench comprising of one of us Mr. Mian Muhammad, Member (Executive), and Mr. Salah-ud-Din Member (Judicial), therefore, let it be fixed before the said bench on 08.02.2023 for remaining arguments.

SCANNED
KPST
Peshawar



(Mian Muhammad)
Member (E)



(Kalim Arshad Khan)
Chairman


14.11.2022

Junior to counsel for the appellant present.

Riaz Khan Paindakhel, learned Assistant Advocate General for respondents present.

Learned Member (Judicial) is on leave, therefore, arguments could not be heard. Adjourned. To come up for arguments on 02.01.2023 before D.B

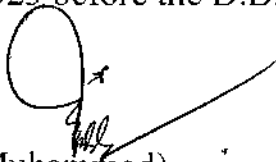
(Fareeha Paul)
Member (E)



(Fareeha Paul)
Member (E)

02.01.2023

Learned counsel for the appellant present. Mr. Naseer-ud-Din Shah, Assistant Advocate General for the respondents present.

Partial arguments heard. To come up for remaining arguments on 05.01.2023 before the D.B.


(Mian Muhammad)
Member (E)


(Salah-Ud-Din)
Member (J)

SCANNED
KPST
Peshawar

SCANNED
KPST
Peshawar

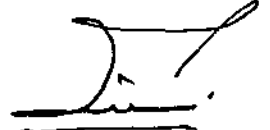
29.03.2022

Junior of learned counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Junior of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is busy in the august Peshawar High Court, Peshawar. Adjourned. To come up for arguments on 22.06.2022 before the D.B.



(Rozina Rehman)
Member (J)



(Salah-ud-Din)
Member (J)

22.06.2022

Nemo for appellant.

Muhammad Riaz Khan Paindakheil learned Assistant Advocate General for respondents present.

Notice be issued to appellant/counsel for 31.08.2022 for arguments before D.B.



(Fareeha Paul)
Member(E)



(Rozina Rehman)
Member (J)

31.08.2022

Counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Learned Member (Judicial) Ms. Rozina Rehman is on leave, therefore, arguments could not be heard. Adjourned. To come up for arguments on 14.11.2022 before the D.B.



(Salah-ud-Din)
Member (Judicial)

Noted for counsel
25/7/2022

31.12.2020 Due to summer vacation, case is adjourned to 12.04.2021 for the same as before.


Reader

12.04.2021 Due to demise of the Worthy Chairman, the Tribunal is non-functional, therefore, case is adjourned to 27.07.2021 for the same as before.


Reader

27.07.2021 Counsel for the appellant present.

Mr. Muhammad Adell Butt, learned Additional Advocate General for respondents present.

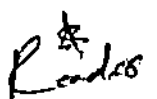
Learned counsel for the appellant seeks adjournment as he has not prepared the brief. Adjourned. To come up for arguments on 16.12.2021 before D.B.


(Rozina Rehman)
Member(J)


Chairman

16.12.21

DB is on tour case to come up
for the same on dated. 29-3-22


Reader

24.08.2020

Counsel for appellant present.

Mr. Riaz Khan Paindakheil learned Assistant Advocate General for respondents present.

Again, a request was made for adjournment in order to submit reply which request is acceded but on cost of Rs.2000/- to be paid on the next date. To come up for written reply/comments on 21.10.2020 before S.B.

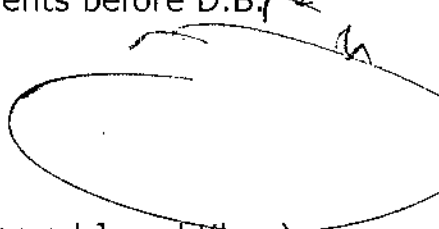


Member (J)

21.10.2020

Since the Members of the High Court as well as of the District Bar Association Peshawar are observing strike today, therefore, learned counsel for appellant is not available today. Mr. Kabirullah Khattak, Additional Advocate General alongwith Mr. Abdul Wahid, Litigation Officer, for the respondents are present.

Joint para-wise comments on behalf of respondents No. 1 to 3 submitted while written reply on behalf of respondent No. 4 has already been submitted. Adjourned to 31.12.2020 on which date to come up for rejoinder and arguments before D.B. ^J

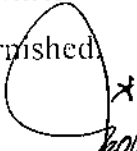


(Muhammad Jamal Khan)
Member (Judicial)

03.03.2020

Counsel for the appellant and Addl. AG alongwith Hayat Khan, AD for the respondents present.

Representative of the respondents seeks time to submit written reply. Adjourned to 09.04.2020 on which date the requisite reply/comments shall positively be furnished.


Member

09.04.2020

Due to public holiday on account of COVID-19, the case is adjourned to 01.07.2020 for the same. To come up for the same as before S.B.



Reader

01.07.2020

Junior counsel for the appellant present.

Mr. Kabir Ullah Khattak learned Additional Advocate General for respondents present.

Written reply on behalf of respondents No.1 to 3 is still awaited. Learned AAG requested for adjournment in order to submit written reply/comments on behalf of respondents No.1 to 3. Last chance is given. To come up for written reply/comments on 24.08.2020 before S.B.


Member (J)

04.12.2019

Counsel for the appellant and District Attorney for the respondents present.

Despite repeated orders the respondent No. ⁴ has failed to produce the service record of appellant.

Learned counsel contends that the appellant was initially recruited as Workshop Instructor in the year 1978. His post was renamed as SET in the year 1985. The appellant was, however, not allowed/granted pay fixation from the date of his initial appointment and his salary was fixed as per the table of 1985. In the said manner, the appellant suffered continuous considerable monetary loss due to action/inaction on the part of the respondents.

Instant appeal is admitted for regular hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents. To come up for written reply/comments on 27.01.2020 before S.B.

Chairman



27.01.2020

Clerk to counsel for the appellant present. Zaki Ullah Senior Auditor representative of respondent No.4 present and submitted written reply. Irfan Assistant representative of remaining respondents present and seeks time to furnish reply on behalf of respondents No. 1 to 3. Granted. To come up for written reply/comments on 03.03.2020 before S.B.



Member

Appellant Deposited
Security & Process Fee
13/12/19

11.07.2019

Counsel for the appellant present.

Issue pre-admission notice to respondents also for production of complete service record of appellant. To come up for hearing on 04.09.2019 before S.B.

SCANNED
KUST
Peshawar


Chairman

04.09.2019

Counsel for the appellant and Mr. Usman Ghani, District Attorney alongwith Wisal Muhammad, ADO and Sajid, Superintendent for the respondents present.

The representative of respondent No. 1 states that the appellant has retired from service, therefore, his service record has been handed over to District Accounts Officer, Charsadda.

The respondent No. 4 shall, therefore, be repeated notice for production of requisite record on 22.10.2019 before S.B.

Chairman 

22.10.2019

Counsel for appellant and Mr. Ziaullah, Deputy District Attorney for the respondents present.

Despite repeated notices, the respondent No.4 has not provided the service record of appellant. Learned DDA undertakes to procure the requisite record from respondent No. 4 on the next date.





Adjourned to 04.12.2019 before S.B.


Chairman

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 413/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	02/04/2019	<p>The appeal of Mr. Kifayatullah presented today by Mr. Noor Muhammad Khattak Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR 2/14/19</p>
2-	03/04/19	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>24/04/19</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
24.04.2019	12.06.2019	<p>Counsel for the appellant present and seeks adjournment as he has not prepared the case. Adjourned. Case to come up for preliminary hearing on 12.06.2019 before S.B.</p> <p style="text-align: right;"> (Ahmad Hassan) Member</p>
		<p>Learned counsel for the appellant present and request for adjournment as he could not prepare the brief due to engagement at Swat yesterday.</p> <p style="text-align: center;">Adjourned to 11.07.2019 before S.B.</p> <p style="text-align: right;"> Chairman</p>

SCANNED
 KUST
 Peshawar

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. 413 /2019

KIFAYAT ULLAH

VS

EDUCATION DEPTT:

INDEX

S. NO.	DOCUMENTS	ANNEXURE	PAGE
1	Memo of appeal	1- 3.
2	Appointment order	A	4.
3	Service book	B	5- 30.
4	Certificates and degrees	C	31- 34.
5	Order	D	35- 36.
6	Departmental appeal	E	37.
7	Vakalat nama	38.

APPELLANT

THROUGH:


NOOR MOHAMMAD KHATTAK
ADVOCATE

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. _____/2019

Mr. Kifayat Ullah, Retired SET (G),
R/O Battagram, Tehsil Shab Qadar, District CharsaddaAppellant

VERSUS

- 1- The Secretary, E&SE Department, Khyber Pakhtunkhwa, Peshawar.
- 2- The Secretary Finance Department, Khyber Pakhtunkhwa, Peshawar.
- 3- The Director, E&SE Department, Khyber Pakhtunkhwa, Peshawar.
- 4- The Accountant General, Khyber Pakhtunkhwa, Peshawar.

.....RESPONDENTS

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL ACT 1974 FOR FIXATION OF PAY w.e.f
20-7-1978 i.e. FROM THE DATE ON WHICH THE APPELLANT
WAS ADJUSTED/APPOINTED AS WORKSHOP INSTRUCTOR
AND AGAINST NOT TAKING ACTION ON THE DEPARTMENTAL
APPEAL OF THE APPELLANT WITHIN THE STATUTORY
PERIOD OF NINETY DAYS

PRAYER:

That on acceptance of this appeal the appellant may kindly be allow/granted pay fixation w.e.f 20-7-1978 i.e. from the date on which the appellant was appointed/adjusted as Workshop Instructor/SET with all monetary benefits. Any other remedy which this august Service Tribunal deems fit that may also be awarded in favor of the appellant.

R/SHEWETH:

ON FACTS:

Brief facts giving rise to the present appeal are as
under:

- 1- That the appellant was initially appointed in the respondent Department as Assistant Workshop Instructor (AWI)/ Junior English Teacher(JET) vide order dated 25-5-1968. (Copy of the appointment order is attached as annexure e.....A).
- 2- That later on the appellant was adjusted/appointed as Workshop Instructor (W.I) on 15-7-1978, and later on was re designated as S.E.T vide order dated 16-10-1985. (Copy of service book is attached as annexure..... B).
- 3- That appellant during service as workshop instructor/SET acquired the Degree of Bachelor of Education (B.Ed) in the year 1979. That

Fixed Pay

beside this the appellant has also acquired the Certificate in the field of Industrial Arts as well as Master Degree in the Subject of Pashto. Copies of the certificate and degrees are attached as annexure C.

- 4- That after acquiring the professional degree of Bachelor of Education the appellant requested the concerned authorities for his pay fixation i.e. w.e.f. 20.7.1978 but the respondents granted pay fixation w.e.f. 1985 instead of 20.7.1978. **Copy of service book is already attached as annexure.**
- 5- That appellant time and again requested the respondents to grant/allow pay fixation with effect from 20.7.1978 instead of 1985 but no reply was received. That finally the appellant was retired from service on the basis of superannuation on 31.3.2003 without availing the benefits of his regularization w.e.f. 20.7.1978. **Copy of the order is attached as annexure D.**
- 6- That appellant feeling aggrieved from the omission of the respondents by not fixing the pay of the appellant w.e.f. 20-7-1978, appellant preferred Departmental appeal/ representation but no reply has been received so far. Hence the present appeal on the following grounds amongst the others. Copy of the Departmental appeal is attached as annexure.....E.

GROUND:

- A- That by not allowing/granting pay fixation to the appellant w.e.f. 20-7-1978 instead of 1985 by the respondents is against the law, facts, norms of natural justice and materials on the record.
- B- That appellant has not been treated in accordance with law and rules by the respondent Department on the subject noted above and as such the respondents violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.
- C- That the respondents acted in arbitrary and mala fide manner by not allowing/granting pay fixation to the appellant w.e.f. 20-7-1978 instead of 1985.
- D- That the act and action of the respondents is discriminatory, therefore not tenable and liable to be set aside.
- E- That under Article 38(e) of the Constitution of Pakistan 1973 state is bound to reduce disparity in the income and earning of the individuals including persons in the various service of Pakistan, thus by not allowing/granting pay fixation to the appellant w.e.f. 20-7-1978 instead of 1985 the respondents violated article 38(e) of the Constitution of Pakistan 1973.

F- That the inaction of the respondents is violative of the fundamental rights of the appellant protected by the Constitution of Pakistan 1973.

G- That appellant seeks permission to advance other grounds and proofs at the time of hearing.

It is therefore, most humbly prayed that the appeal of the appellant may be accepted as prayed for.

APPELLANT

KIFAYAT ULLAH

THOROUGH:

NOOR MOHAMMAD KHATTAK

KAMRAN KHAN

&

SHAHZULLAH YOUSAFZAI
ADVOCATES

A-10

Office Order No. 125
Dated Peshawar, the 25th May, 1968.

APP-OILMENTS/TRANSFERS/REVERSION.

- 1:- The following postings of Arts & Crafts (Certificate Course) trainees from Govt. Technical Teachers Training College, Lyallpur & transfers & reversions necessitated thereby (O.S. 125/-P.H. fixed in the scale of Rs. 125-7-195/8-275 (Consolidated) as a Junior English Teacher (Technical) are hereby ordered in the interest of public service with effect from the dates of their taking over charge.
- 2:- All trainees should be handed over charge on the production of finally relieving chits from the college authorities.
- 3:- The successful candidates should be placed in the time scale stated above with effect from the date of successful declaration of their results and allowed two advance increments as admissible under the rules.
- 4:- All the fresh candidates may be sent for medical examination & no pay should be drawn for them till they produce their Health & Age Certificate.
- 5:- The case for relaxation of age limit if the age of any candidates exceeds 30 years should be sent to this office. Their original qualifications should be checked before handing over to them.
- 6:- The Undertaking and verification Roll of character and antecedents, security questionnaire and declaration of immovable property in respect of newly appointed candidates should be obtained on the prescribed forms and submitted to this office for reference and record.
- 7:- The appointments of new candidates are made purely on temporary basis and will be terminated without assigning any reasons. If any one of the candidate wishes to resign, he will have to give one month's prior notice or forfeit one month's pay in lieu thereof.
- 8:- M.T.A. is allowed to fresh candidates.
- 9:- Charge reports should be submitted in duplicate to all concerned.
- 10:- No joining time is allowed except what is absolutely necessary for transit.

Name.	From	To	Remarks.
1. M. Shah Jehan, F.A.	Trainee.	GHS: M.M. Khel, (Peshawar).	Vice S.No. 13, below.
2. M. Salahud-Din, Matric.	-do-	GHS: Hajizai, (Peshawar).	Vice S.No. 12, below.
3. M. Sher Akbar, F.A.	-do-	GHS: Mayyar, (Mardan).	Vice Ghulam Nabi, Matric services terminated.
4. M. Kifayatullah, F.A.	-do-	GHS: Hathan, (Mardan).	Vice Bahram Khan, F.Sc. services terminated.
5. M. Shah Nawaz, Matric.	-do-	GHS: Tarnab, (Peshawar).	Vice S.No. 15, below.
6. M. Hidayat-ur Rehman, Matric.	-do-	GPSS: Katlang, (Mardan).	Vice S.No. 14, below.
7. B. Fahim Shah, Matric.	-do-	GHS: Gujar Ghari, (Mardan).	Vice Mohd. Ibrahim, Matric services terminated.
8. M. Fazli Rahim, Matric.	-do-	GHS: Swabi, (Mardan).	Vice Noor Rehman, B.A. services terminated.
9. M. Mushtaq Ahmad, Matric.	-do-	GHS: Baizo Kharki, (Mardan).	Vice Mohd. Aslam, Matric services terminated.
10. M. Wilayat Khan, Matric.	-do-	GHS: Ibrahimzai, (Kohat).	Vice Nawab Khan, Matric services terminated.
11. M. Sher Dad, Matric.	-do-	GHS: Gurguri, (Kohat).	Vice Lachi Khan, F.A. services terminated.
12. S. Kiramat Shah,	GHS: Hajizai.	GHS: No. 3, Mardan.	Vice Sakirullah, F.A. services terminated.
13. M. Abdullh Khan,	GHS: M.M. Khel, (Peshawar).	GHS: Datta (Haz)	Vice Said Rahim, Matric services terminated.
14. M. Hakim Feroosh,	GPSS: Katlang, (Mardan).	GHS: Kalu Khan, (Mardan).	Vice Sher Mohd, Matric services terminated.

Note - The entries on this page should be reviewed or re-attested at least every five years and the signature in lines 9 and 10 should be dated.

1. Name *Kifayatullah*

2. Race - *Afghan*

3. Residence *Village Brittanysain Distt. of Takh Charsadda*

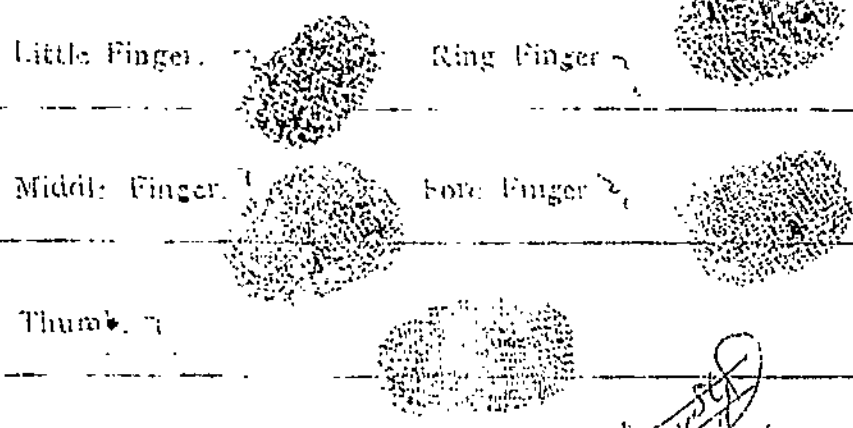
4. Father's name and residence *Haji Abdullah Khan*

5. Date of birth by Christian era as nearly as can be ascertained *1-4-1943*
1st April A.H. 1362

6. Exact height by measurement *5-7*

7. Personal marks for identification *Black mole on the left shoulder*

8. Left hand thumb and finger impression of (non-gazetted) officer *W/2258*



9. Signature of Government servants *[Signature]*

10. Signature and designation of the Head of the Office, or other Attesting Officer.
Fazal Bazar
PRINCIPAL
G.H.S. Department
Distt. Charsadda

1 Name of person	2 Whether substantive or officiating and whether permanent or temporary	3 If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C S. R.	4 Pay in substantive post	5 Additional Pay for officiating	6 Other emolument falling under the term "Pay"	7 Date of appointment	8 Signature of Government servant
AWI / J.E.T. GHS Battagram	Sub/Perm		1120/-			12/83	[Signature]
"	"		1155/-	✓		12/83	[Signature]
"	"		1190/-	✓		12/84	[Signature]
<p>1013/110</p> <p>11255</p> <p>SET</p>	<p>11755</p> <p>11755</p>	<p>Revised BPS</p> <p>BPS No. 15 (900-85-2000)</p>					[Signature]
GHS Pir Paisab	Temp	<p>1230</p> <p>165</p> <p>1395</p>	450	<p>1230</p> <p>165</p> <p>1395</p>	<p>Pre Matn to 85</p> <p>(1230 + 55) 85</p> <p>(3 advance for M.A)</p>		[Signature]
"	"		395	<p>1450</p> <p>1505</p>	<p>(with 3 advance for M.A)</p>	12/86	[Signature]
"	"		1946	1875	<p>BPS - 15 R. 1165-71-2585</p> <p>Revisio of pay in pay scales intro</p>	17/87	[Signature]

3

1 Name of post	2 Whether substantive or officiating and whether permanent or temporary	3 If officiating, (i) substantive appointment or (ii) retentive service under Sec. 17, C.S. &	4 Pay in substantive post	5 Additional Pay, for officiating	6 Other emolument falling under the term "Pay"	7 Date of appointment	8 Signature of Government servant	9 Signature of other officer (if any)
S.E.T. P.H.S Pir Pail	Sub/Per		1946/-			12/87		
SET Sms. Pail (C.A.K.)	"		1946/-			20.12.87 (P/Non)		
do SET	do		2017/-			1/85		
Sms. Pail	do		2017/-			31/89		
G.H.S. Sialpach	do	R	2017/-			7/89		
do	do		2088/-			1/89		
Do	do		2159/-			1/90		
3 Adv. manuscript			Note: - The following of payment					
1165-71-25 85			to made may be received					
1875/-			A. 55 PM 8 ¹⁰ / ₈₅ to 30 ⁶ / ₈₇ n. 1142/-					
			A. 71 PM 1 ⁷ / ₈₇ to 30 ¹¹ / ₈₇ n. 355/-					
			Total n. 1497/-					
			P. Pay. 1					
			Approved A. S. Officer					

C.D. [unclear]
H. [unclear]
Head Master
Dist. [unclear]
[unclear]

Verification certificate
No. [unclear]
has been made to the
MR. Pail for the SET [unclear]
to [unclear] [unclear]
[unclear] [unclear] [unclear]
[unclear] [unclear] [unclear]
Principal
C. H. S. S
Pir Pail

1875/12/18

9

Name 8

Post

Signature of Government servant

Re

PA

3 Adv: increment in MP
 No. of ...
 Date ...
 of Rs 1165-71-2585 2-15-1947
 of Rs 1875/- ... 1-9-1947
 with next increment on 1-12-1947

Original
 Accountant General
 P.W. Division, Bangalore

Note: The following
 payment of made
 be ...

1 55/PM 8 $\frac{10}{85}$ 830 $\frac{6}{87}$ A. 1142/-
 1 71/PM 1 $\frac{2}{87}$ to 30 $\frac{11}{87}$ A. 355/-
 Total A. 1497/-

19/12/47
 A.G. Srinivas
 A.G. Office

AB

BB

Classification
 11/12/47
 has been
 15/12/47

400
 152
 213
 322
 55
 20
 110

Handwritten mark

1 Name of post	2 Whether substantive or officiating and whether permanent or temporary	3 If officiating state (a) substantive appointment or (b) whether service counts for pension under Art. 371 C.S.R.	4 Pay in substantive post	5 Additional Pay for officiating	6 Other emolument falling under the term "Pay"	7 Date of appointment	8 Signature of Government servant
LHS S. Shetye Fod	Revised of	New Basic Scale (7620-131-3585)	367/pmt	28		1-6-91	[Signature]
	BPS- No. 16 (1875-146-4065)	From 1-7-1991	3061/pmt			1-6-91	[Signature]
	pay on 3-6-1991	in BPS No. 15	3061/pmt				
	pay on 1-7-1991	in BPS No. 16	3189/pmt				
Do	Revised	BPS No. 16 (1875-146-4065)	3189/pmt			1-7-91	[Signature]

Office of the Accountant General
 N. W. P. Province
 Pay fixed in the Revised Pay Scales 1991
 of Rs. 620-131-3565-15
 in Rs. 3061/- w.e.f. 1-6-1991
 with next increment on 1-12-1991

Office of the Accountant General
 N. W. P. Province
 Pay fixed in the Revised Pay Scales 1991
 of Rs. 825-146-4065-16
 in Rs. 3189/- w.e.f. 1-7-1991
 with next increment on 1-12-1991

Revised BPS No. 16 (1875-146-4065) From 1-6-1991

Do pay fixed Rs. 3189/- 1-6-91 [Signature]

Do Rs. 3335/- 1-12-91 [Signature]

Do Rs. 3481/- 1-12-92 [Signature]

Do Rs. 3627/- 1-12-93 [Signature]

9 Signature and designation of the head of the office or other attesting officer in attestation of columns 1 to 8	10 Date of termination or appointment	11 Reason of termination (such as promotion, transfer, dismissal, etc)	12 Period of average to four or which may be to another unit	13 Government to which debitible	14 Signature of the head of the office or other attesting officer	15 Reference to any recorded punishment or censure, or reward or praise of the Government Servant.
H. S. Bhatnagar G.A.	20/12/87	Promotion			[Signature]	[Reference]
[Signature]	30/11/88	Promotion	Secondary School		[Signature]	Govt. Higher Secondary School Pirpar (Nowshera)
[Signature]	[Date]	[Reason]	[Period]	[Government]	[Signature]	[Reference]
[Signature]	[Date]	[Reason]	[Period]	[Government]	[Signature]	[Reference]
[Signature]	[Date]	[Reason]	[Period]	[Government]	[Signature]	[Reference]
[Signature]	[Date]	[Reason]	[Period]	[Government]	[Signature]	[Reference]
[Signature]	[Date]	[Reason]	[Period]	[Government]	[Signature]	[Reference]
[Signature]	[Date]	[Reason]	[Period]	[Government]	[Signature]	[Reference]

SERVICE VERIFIED
w.e.f. 11/11/89 to 31/12/89 from
the Acc. Roll and the record of
the Office.

[Signature]
S. B. E. O. Malvi

Service verified
w.e.f. 1-9-89 to 6-9-89
from the Acc. Roll & Record
of the Office.

Service verified w.e.f.
7-9-89 to 30-11-89
from the Acc. Roll & other
Records of the Office.

Service verified w.e.f. 1-9-89
to 30-6-90 from the Acc. Roll & other
Records of the Office.

[Signature]
Principal
Govt. Higher Secy. School
Shabqad at Fort.

1. Name & Designation.
2. Existing Pay Scale.
3. Modified Pay Scale.
4. Revised pay scale.
5. Pay on 31.5.91.

B-15 DU 1165-71-200
 1160-45-2585
 1620-151-3585
 Rs 2159/-

12

my
sent
in
201

PAY FIXATION UNDER FORMULA (A).

1. Pay Fixed in Modified Scale.
2. No. of stage in M.P. Scale.
3. Pay fixed in BPS No. on 1.6.91 on the basis of corresponding stage in that scale.

2205/-
 15
 B-15: 3061/-
 B-16: 3189/-

0-7
 91
 2
 can
 ?

FORMULA (B).

1. Basic pay in 31.5.91.
2. Index Indexed Pay.
3. 5% Adhoc increase.
4. 10% Adhoc increase.
5. Dearness allowance @ 200/MP.
6. Total.
7. Increase of Rs.100/-
8. TOTAL:-

2159/-
 45/-
 108/-
 216/-
 300/-
 2728/-
 100/-
 2828/-

9. Pay fixed in BPS revised on 1.6.91.
10. Pay admissible as on 1.6.91.
11. Advance increments allowed on higher qualification (if any)
12. Date of next increment.

B-16: 3189/-
 2828/-
 1-12-91

Office of the Accountant General

N. W. F. P. Pradawar
 Pay fixed in the Revised Pay Scales 1991
 of Rs. 1620-151-3585 B-15
 @ Rs. 3061/- as on 1.6.91
 with next increment on 1.12.91

Principal
 Office, Shabdar Fort,
 Distt: Charsadda.

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Handwritten signatures and initials in the center.

RECORDED

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1	2	3	4	5	6	7	8
Name of post	Whether substantive or officiating and whether appointed under art. 374 U.S.A.	Officiating class substantive appointment or (if) whether service counts for pension under art. 374 U.S.A.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of appointment	Signature of Government servant
<p>Office of TDA Accountant General N.W.F.P. Peshawar Pay fixed in the revised basic pay scales 1984 of Rs 2535-197-5490 (B. 16) @ Rs 4859/- P.M. V.I.E.F. 1-6-1994 with next increment of 1-12-1994</p> <p>Pay Fixation Party N.W.F.P. Peshawar</p>							
<p>DMS. Subq. de. Fwd</p>			<p>4859/-</p>	<p>✓</p>		<p>1-6-94</p>	<p>✓</p>
<p>Do SET. Post GHS Battagram</p>			<p>5096/-</p>	<p>✓</p>		<p>1-12-94</p>	<p>✓</p>
<p>Do</p>			<p>Rs 5293/- P.M.</p>	<p>✓</p>		<p>1-12-95</p>	<p>✓</p>
<p>Do</p>			<p>5490/- P.M.</p>	<p>✓</p>		<p>1-12-96</p>	<p>✓</p>

Signature and designation of the head of the office or other attesting officer in attestation of columns 1 to 8	Date of termination of appointment	Nature of termination (such as promotion, transfer, dismissal, etc)	Signature of the head of the office or other attesting officer	Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government	Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure, or reward or praise of the Government
---	------------------------------------	---	--	------------------------------------	---	--	--

T-123

7.10.92

Drawn Rs. 1604/50 on A/c

2/10/91 pay 7-6/91 to 12/91

Rs 9/52

C. 3335/1000

Drawn Rs. 722/50 on A/c

of draw of pay comm. allow.

from 12/10 to 30/11/91

to BPS 16

Drawn Rs. 3189/-

Receipt Accounts Officer Charsadda

T-165

6.11.91

Drawn Rs. 1000/- on A/c

of pay & allowance until 12/91

pay draw to Rs. 3189/-

For month of Nov 91

Principal G.H.S. Battagram Distt. Charsadda

Advanced BPS No. 16

W.E.F 1-6/1991 instead of 1-7-91 first head of vide

no. FDLPRESI-1789

dated 3-9-8-1992

Principal G.H.S. Battagram Distt. Charsadda

Principal G.H.S. Battagram Distt. Charsadda

Principal G.H.S. Battagram Distt. Charsadda

Principal G.H.S. Battagram Distt. Charsadda

Principal G.H.S. Battagram Distt. Charsadda

Principal G.H.S. Battagram Distt. Charsadda

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Principal G.H.S. Battagram Distt. Charsadda

Principal G.H.S. Battagram Distt. Charsadda

Principal G.H.S. Battagram Distt. Charsadda

Principal G.H.S. Battagram Distt. Charsadda

Name of post	Whether substan- live or officiating and whether permanent or temporary	If officiating state (i) substantive appointment, or (ii) whether service counts for pension under Act, 311 C. S. R.	Pay in substantive post	Additional Pay for officiating	Other employment falling under the term "Pay"	Date of appointment	Signature of Government servant
Re-fixation on account of award of premature Incr w.e.f 8.10.85							
AW JHS Baitage	1		12/84 - Rs. 1190/-				
SET post JHS	8		10/85 - Rs. 1230/-				
Pr. Pci NSR			85 - Rs. 55/-				
	2		Acting Jc M.R. 165/-				
	4		10/85 - Rs. 1450/-				
	1		12/86 - Rs. 1505/-				
	1		7/87 - Rs. 1946/-		B-15 Rs. 1165/-	7-25-85	
	1		12/87 - Rs. 2017/-				
	1		12/88 - Rs. 2088/-				
	1		12/89 - Rs. 2159/-				
	1		12/90 - Rs. 2230/-				
	01		6/91 - Rs. 2192/-		B-15 Rs. 1620/-	131-35-85	
	01		6/91 - Rs. 3335/-		B-16 Rs. 1875/-	46-40-85	
	1		12/91 - Rs. 3481/-				
	1		12/92 - Rs. 3627/-				
	1		12/93 - Rs. 3773/-				
	1		6/94 - Rs. 5016/-		B-16 Rs. 2535/-	197-54-90	
	1		12/94 - Rs. 5093/-				
	1		12/95 - Rs. 5490/-				

AW JHS Baitage
SET post JHS
Pr. Pci NSR

BPS No: 15 Rs 900-55-2000

ACCEPTED

Pr. No
2250/CH

R= 5287/2
R= 2890/2
R= 3499/2

Chubbey collected

Pr. No: 6143 Baitage

Name of post	Whether substantive or officiating, and whether permanent or temporary	If officiating state— (i) substantive appointment or (ii) whether service counts for pension under Art. 374 C S R.	Pay to substantive post	Additional pay for officiating	Other emoluments falling under the term "Pay"	Date of appointment	Signature of Government servant
J.E.T. Tech / A.W.I	temp		2-532/-			10-6-81	<u>Handwritten Signature</u>
Govt. High school							
Matta Maghul Matta							
C.H. School Matta Maghul Matta	-00-		4-558/-			1-7-81	<u>Handwritten Signature</u>
Govt. High school Matta Maghul Matta	-00-		2-508/-			1-12-81	<u>Handwritten Signature</u>
Govt. High school Battagram	do		328/-			17-5-82	<u>Handwritten Signature</u>
Matta 22-13/11/81			10-6-82				
			1982	GRAND ALLOWANCE			
			1				
			2				
			254/-				
			10-6-82				
			364				
			2/6/82				
			<u>Handwritten Signature</u>				
			M.A.P.P.				
			<u>Handwritten Signature</u>				

500
16
784

Date of completion

Reason of termination (such as promotion, transfer, discharge, etc.)

Signature of the holder of the office or other attending officer

Signature of the holder of the office or other attending officer

Reference to any reward or punishment of the Government, etc.

Period	Government to which debitible.	Allocation of periods of leave on which pay up to four months for which leave salary is debitible to anna-Government	Signature of the holder of the office or other attending officer
Teaching allowance - covered for the part of the following months:			
Month	deduction	Charged to	
June 81	Rs 50/-	449022	
July - 81	Rs 50/-	5717-7-81	
August - 81	Rs 44/-	449828	
Nov	144/-	287-81	
		254427	
		71-7-81	

Head Master
Govt. High School
Matta Mangal Khat
Distt. Pashawari

Head Master
Govt. High School
Matta Mangal Khat
Distt. Pashawari

30-6-81 / Mr. Adhikari

30-11-81 /

16-5-82 /

Govt. High School
Matta Mangal Khat
Distt. Pashawari

Allehan

30-6-82 / Approved -

Continued against the
subordinate of 1911
with 100% of the
Director of Education (S)
Advantage of 100% of the
position of school teacher
No. 2031-2094/A-14
11/11/82

Section Allowance
and 10% per month
for the period of 10 months
from 17/3/82 to 15/3/89

Services Verified - 10 (FT)
From 17/3/82 To 15/3/89
From 17/3/82 To 15/3/89

G.H.S. Saffogram
Distt. Pashawari

Awarded Electricity Grade
No. 11/430-24/550/28-230/30
780

1-2-82 /
M. W. P. Pashawari
selection of 11/11/82

Name of officer

Whether substantive or officiating and whether permanent or temporary

Officiating state— (1) substantive appointment or (2) whether same covered by provisions of Act of March 3, 1879

Pay in substantive post

Additional pay for officiating

Other emoluments falling under the term "Pay"

Date of appointment

Signature of Government servant

Grade 430 - 24 - 550 / 28 - 830 / 30 - 980

AWI

Subst. Telgr. Officer

578/24
28/3

1-7-82

Allowed one premature increment

H. School
Battagram
(Post)

[Signature]

PAID BY
STATE OF
INDIA

639

~~550~~

1/12/82

568
18
586

1050
70
1120

Amount of Pay on Account of Substantive Grade
of the Officer liable to be paid on 1/12/82. The above is the
pay of the Officer on 1/12/82 Rs. 202/-

Asst. Secy

[Signature]

Date of termination or appointment	Reason of termination (such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting officer	Leave		Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure, or reward or praise of the Government served
			Nature and duration of leave taken	Allocation of periods of leave on average pay up to last month for which leave salary is debitable to another Government		
30/1/82		<i>[Signature]</i>			<i>[Signature]</i>	

Sullivan 30/1/82

Head Master
G.H.S. Battagram (Pesb)

**8000 BUILDING SCOOTER CYCLE
ADVANCE 1982-83**
DRAWN RS 13200/-
Vide Payment Register S. No. **94**
Under Taken No. 224 Dated **2.11.82**

Assistant Accounts Officer
N.W.F.P. Peshawar

I, *M. Fayyazullah P.W. G.H.S. Battagram*
do hereby give an undertaking to the effect
that if any over-payment is made to me
as a result of incorrect award of this
selection grade and deducted later on
it will be made good by recovery
from my pay/pension/gratuity as
may be fixed by the government/Deptt.

[Signature]
Signature of A.W.I.

[Signature]
27/11/82

For and on behalf of Pay on Account of Promotion vide RD No. 2136

20. 11.82

305/-
182/-
157/82

[Signature]

[Signature]

25

10	11	12	13	14		15
				Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure, or reward or praise of the Government servant	
				Leave		
				Nature and duration of leave taken	Allocation of periods of leave on average pay up to four months for which leave salary is debitable to Government	Signature of the head of the office or other attesting officer
					Period to which debitable.	

30/11/82
 Increment
 Kifayatullah

OPTION

I Kifayatullah a.w.c. hereby exercise my option to the re-fixation of my pay with the effect from 1-12-1982 in grade 11 with reference to my respective pay band N.P.S No. 11 under the rule

30/11/82
 Attested
 Kifayatullah

Kifayatullah a.w.c.
 G.H.S. Battagram (Pesh)
 M.A. B.Ed. A.W.
 elect to opt the fixation of pay under formula "B" in the relevant basic pay scale introduced w.e.f. 1-7-83

30/6/83
 Refixation of pay
 in R.P.S 1983
 Kifayatullah

Attested

Kifayatullah M.A. B.Ed. A.W.
 G.H.S. Battagram (Pesh)

30/11/83
 Increment
 Kifayatullah

30/11/84
 Increment
 Kifayatullah

[Handwritten signature]

Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating state— (i) substantive appointment or (ii) whether service counts for pension under Art. 374 C. S. R.	Pay in substantive post	Additional pay for officiating	Other emoluments falling under the term "Pay"	Date of appointment	Signature of Government servant
AWI/NET/Dech GHS Bathgram			Rs 1230/-			1/12/84	<i>[Signature]</i>
S.E.T. (General) GOVT. High School Peshawar			Rs 1230/-			8.10.85 A.M.	1-7-87
Do.			Rs 1594/-				
Office of the Accountant General N.W.F.P. Lahore							
Pay fixed in basic Pay Scale 1983 of Rs. 700-35-1/2 B.S. No. 1012							
Rs. 1015/- P.M. to e. s. 1.3.85 with post increment on 1.12.83							
Asstt. Accounts Officer							
Asstt. Acct. General N.W.F.P.							
House Building Sector, Cycle Admin. - 0.85-87							
Drawn to <u>2227</u> -							
Vide payment receipt No <u>1706</u>							
Token No <u>111</u> Dated <u>28-6-87</u>							
B.D.							
Assistant Accounts Officer							
Assistant Account General							
North West Frontier Province							
Peshawar.							

276

Recd
L.S.
Ch

Name of the holder of the office or other designation in which the servant is serving.	Grade or termination of appointment.	Reason of termination (such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting officer.	Leave Allocation of periods of leave on average pay up to four months for which leave salary is payable to another Government Period to which attributable.	Signature of the head of the office or other attesting officer.	Reference to any recorded punishment or censure, or reward or praise of the Government servant.
--	--------------------------------------	--	---	--	---	---

W. Khan
Head Master
G.H.S. Baltagram
Charadda

10
8-10 (14) Promotion to SET
23 Transfer

W. Khan
Head Master
G.H.S. Baltagram
Charadda

Promoted to SET and transferred to
G.H.S. Pir Pindi Newschara vide Director of Education
S.O. No. 42050-42210/F-43/A-4/M-1-AE/ADE
List/Part's Dated Peshawar, the 6/8 Oct 1985

W. Khan
8/10/85

Mohamed Ishtiaq

30¹⁰ Revision of pay made
87 Pay scale
with effect from 1-7-87

Took over on 8.10.85.

Mohamed Ishtiaq
HEAD MASTER
G.H.S. Pir Pindi
Newschara

Service verified w.e.f. from 8¹⁰ to 2-4-86 the acquittal of all and the other records in the Office.

Mohamed Ishtiaq
Head Master
G.H.S. Pir Pindi

~~One payment of Rs. 3000/- of 27-7-85 @ Rs. 1050/- with effect from 1.7.83~~

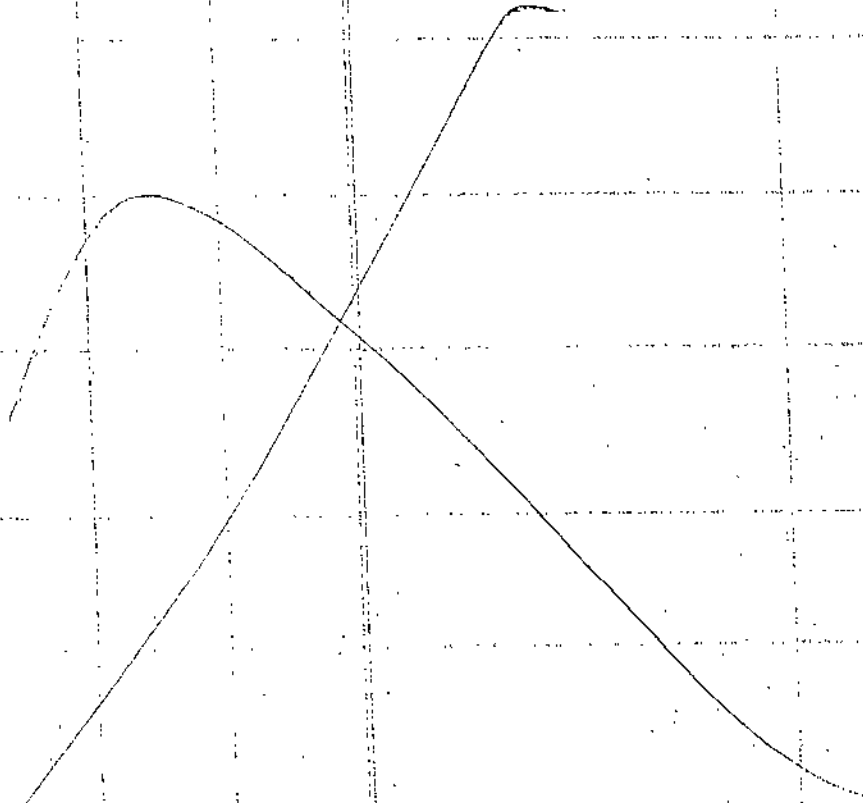
Asstt. Accounts Officer
G.H.S. Pir Pindi

TESTED

(For use in Police and other similar Departments).

RECORD OF POSTINGS.

District and post	No. of District Order	Date	District and post	No. of District Order
-------------------	-----------------------	------	-------------------	-----------------------



② advance income of BA

OFFICE OF THE ACCOUNTANT GENERAL overpayment w/ 17/6/30

H. V. P. BHAWAR

7-30 PM = 150/-

Pay fixed in the order of Rs. 1.33

Of Rs. 700-35-1400 (D. S. P. 11)

overpayment w/

@ Rs. 1120/- (D. S. P. 1-7-33)

7-39 PM = 420/-

With Next receipt of 1-1-33.

overpayment w/ 1

ADST. ACCOUNTS OFFICER

7-49 PM = 380/-

NEW G. P. BHAWAR

received

13/7/37

13.7.37

H. P. BHAWAR

RECEIVED

A

(29)

OFFICE OF THE HEADMASTER GOVT HIGH SCHOOL PIRPAI (PESHAWAR)
 PROFORMA FOR FIXATION OF PAY IN THE BASIC PAY SCALES INTRODUCED VIDE GOVT
 NWFP FINANCE DEPARTMENT CIRCULAR NO. FD(SR-1)1-67/82, Dt. 24.8.83

- 1) Name: KIFAYAT ULLAH
- 2) Qualification: M.A. B. Ed Academic M.A Professional B. Ed
- 3) Designation: J.E.T (Tech) / A-10-1
- 4) Department: Education Deptt.
- 5) Corresponding Basic Pay Scale No: 11 ER 700-35-1400
- 6) Revised National Pay Scale No: 11 ER 430-24-550/28-830/30-980
- 7) Fixation of Pay in the Basic Pay Scale on 1.7.83 will be as under:-

A) PAY FIXATION UNDER THE NO. OF STAGES FORMULA

- i) Basic Pay in the revised National Pay Scales on 30.6.83 634/-
- ii) No. of Stages availed in the No. revised National Pay Scale up to 30.6.83 8
- iii) Minimum of the corresponding Basic Scale 1983. 700
- iv) No of the Stages to be given in the Basic Pay Scale 1983 on 1.7.83 8 No. Amount 2 Rs: 280
- v) Increments on qualification: 2 Inc 70/- Qualification Increments
- vi) Teaching Allowance X
- vii) Pay Fixed on the Basic Pay in 1983 on 1.7.83 No 11 Rs 1050

B) PAY FIXATION UNDER 10% INCREASE FORMULA

- i) Basic Pay on 30.6.83 Rs 634
- ii) Dearness Allowance and Additional D.1 285
- Total:-Rs 919
- iii) 10% increase 92
- Total:-Rs 1011
- L.C.A Rs 32
- G: Total: 1043 RS
- Pay Fixed in the Basic No 11 along with 2 Adv. Incts. of Rs 70/-
 Pay Scale 1983 on 1.7.83 Rs 1120/- (Rs 1050/+70/-)

UNDERTAKING

Mr: Kifayat Ullah undertake to the effect that any overpayment made to me as a result of incorrect fixation of pay in the Basic Pay Scale introduced w.e.f. 1.7.83 vide Govt of NWFP Finance Department Letter No. FD(SR-1)1-67/83 Date: 24.8.83 will be recovered from my Pay Pension or gratuity as the case may be for as the Govt. may deem necessary.

Signature: Kifayat Ullah
 Name: KIFAYAT ULLAH
 Designation: J.E.T (Tech) / A-10-1

Attested
[Signature]
 Headmaster
 Govt. High School
 Pirpai

UNIVERSITY OF PESHAWAR



KHAWAJA

RAJI ABDULLAH KHAN

and a

PESHAWAR DISTRICT

having

passed the prescribed examination on

JUNE 1979

the University of Peshawar to the DEGREE of

BACHELOR OF EDUCATION

- in the THIRD Division in Part I (Theory);
- in the Second Division in Part II (Skill in Teaching) and
- in the THIRD Division in Aggregate.

GENERAL SCIENCE as an Additional Optional Subject.

The examination was conducted in parts.

Registered in the University

Roll No. 18

THE ONLY

WTS

Registrar

Countersigned

M. Raza Hussain
Vice-Chancellor

Serial No. 5019

University of Peshawar

(PAKISTAN)



and a student of _____
having passed the prescribed examination in _____

19 82

is this day admitted by the UNIVERSITY OF PESHAWAR to the DEGREE of

MASTERS OF ARTS ✓

in the _____ class

The subject of examination being _____

The examination was taken ~~as a whole~~ in parts.

Registered No. _____

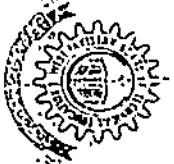
Roll No. 1028

[Signature]
Registrar

Countersigned
[Signature]
Vice-Chancellor

[Signature]

No. 0000472



Bill No. 55

33

West Pakistan Board of Technical Education, Lahore
CERTIFICATE IN INDUSTRIAL ARTS EDUCATION
SESSION 1958

This is to certify that Kifayat Ullah

of the Government Technical Teachers Training College,

Registered No. 777-L/25/69-3435

has successfully completed the 1st Year Programme of Instructions and has passed the

Final Examination in the First Division securing 590 / 650 marks

To render names in the following order

1. Kifayat Ullah

2. Farooq Ahmad

3. Abdul Wahid

4. Abdul Wahid

5. Abdul Wahid

6. Abdul Wahid

1st Year

2nd Year

3rd Year

4th Year

5th Year

6th Year

[Signature]
Chairman

15 DEC 1958

Covered Letters

15

Serial No. 12064

34

UNIVERSITY OF PESHAWAR



... of ... Mr. H. ABULLAH KHAN ...

and a student of ... having

passed the prescribed examination in ... JULY ... 1976 ...

this day admitted by the UNIVERSITY OF PESHAWAR to the DEGREE of

BACHELOR OF ARTS ✓

in the ... Division ... passed also in ISLAMIYAT

as an Additional Optional subject. The Examination was taken as a whole / in parts.

Registered No. ...

Roll No. ... 2778

1976

Registrar

Countersigned

Signature

Vice-Chancellor

Signature

D - (35)

Order No.

DIRECTORATE OF SCHOOLS & LITERACY NWFP PESHAWAR.

NOTIFICATION

1. The Director, Schools & Literacy, NWFP Peshawar is pleased to accord approval for grant of leave without pay of 180 days from Government service with effect from the 31st day of August 2003, on full pay/without pay as per Rules 1907 of the Government of NWFP Govt. Servants (Leave) Rules 1907 of the Government of NWFP Peshawar (S).

2. Details of Designation, Grade, Retainment Remarks/Duration of Leave/Period

- 1. Mr. Kiriyarullah Sar 31-8-03 Encashment of LPR
- 2. Mr. Attagrae Charsara 180 days on full pay

/

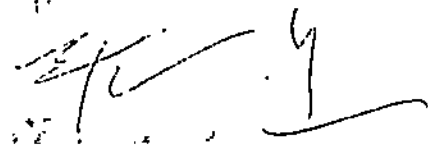
DIRECTOR SCHOOLS & LITERACY
N.W.F.P. PESHAWAR.

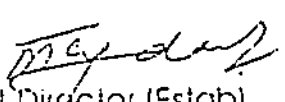
Order No 1276-SC

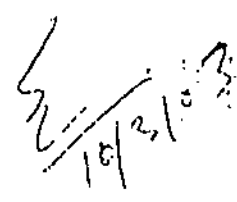
Date Peshawar the 18/8/2003

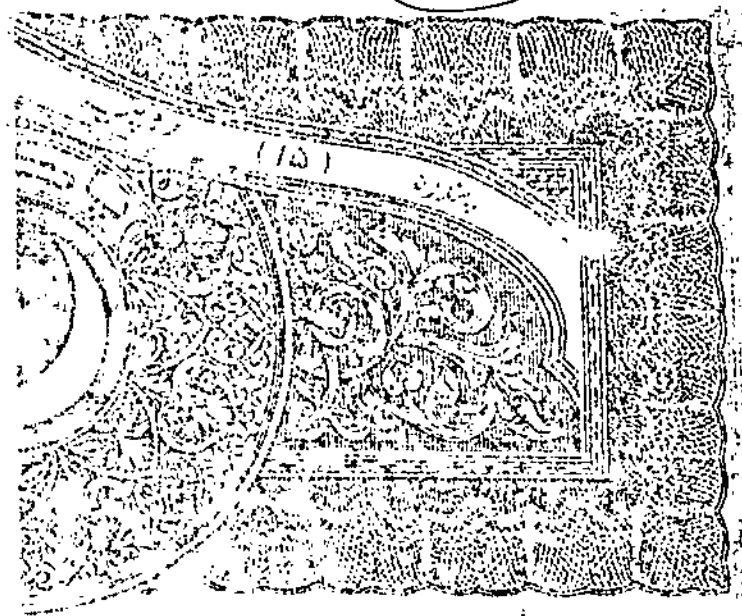
- 1. By forward to the
- 2. Accountant General NWFP Peshawar
- 3. Executive District Officer, NWFP Peshawar.
- 4. District Accounts Officer, Peshawar
- 5. District Headmaster, Peshawar
- 6. District Officer, Peshawar
- 7. District Officer, Peshawar
- 8. District Officer, Peshawar
- 9. District Officer, Peshawar
- 10. District Officer, Peshawar
- 11. District Officer, Peshawar
- 12. District Officer, Peshawar
- 13. District Officer, Peshawar
- 14. District Officer, Peshawar
- 15. District Officer, Peshawar
- 16. District Officer, Peshawar
- 17. District Officer, Peshawar
- 18. District Officer, Peshawar
- 19. District Officer, Peshawar
- 20. District Officer, Peshawar

9

Attested



Assistant Director (Estab)
Directorate Schools & Literacy
NWFP Peshawar.


18/8/2003



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Fazil Raza

Faded text below the signature, possibly a title or address.

STED
[Handwritten mark]



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E-37

To
The Director, E&SE Department,
Khyber Pakhtunkhwa, Peshawar.

Subject: DEPARTMENTAL APPEAL FOR FIXATION OF PAY w.e.f 20-7-1978
i.e. FROM THE DATE ON WHICH I WAS ADJUSTED/APPOINTED
AS WORKSHOP INSTRUCTOR.

Respected Sir,

Most respectfully I beg to say that I was initially appointed before your good self Department as Assistant Workshop Instructor (AWI)/ Junior English Teacher (JET) vide order dated 25-3-1968 and later on I was adjusted/appointed as Workshop Instructor (W.I) on 15-7-1978. Later on I was re-designated as S.E.T vide order dated 16-10-1985. During service as workshop instructor/SET acquired the Degree of Bachelor of Education (B Ed) in the year 1979. Beside this I have also acquired the Certificate in the field of Industrial Arts as well as Master Degree in the Subject of Pashto. After acquiring the professional degree of Bachelor of Education I requested the concerned authorities for my pay fixation i.e. w.e.f. 20.7.1978 but the concerned authorities granted pay fixation w.e.f. 1985 instead of 20.7.1978. I was time and again requested the authorities to grant/allow pay fixation with effect from 20.7.1978 instead of 1985 but no reply was received from the said authorities and finally I was retired from service on the basis of superannuation on 31.3.2003 without availing the benefits of the regularization w.e.f. 20.7.1978. I am feeling aggrieved from the inaction of the concerned authorities preferred this Departmental appeal before your good self for redressal of my grievances.

It is therefore, most humbly prayed that on acceptance of this Departmental appeal I may very kindly be allowed/granted pay fixation with effect from 20.07.1978 with all monetary benefits.

Date: 13.12.2018.

Your Obediently

KIFAYAT ULLAH
SET (G) (Rtd)

VAKALATNAMA

Before the KP Service Tribunal, Peshawar

_____ OF 2018

Kifayat Ullah

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

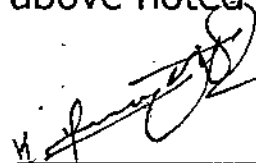
Education Dept.

(RESPONDENT)
(DEFENDANT)

I/We Kifayat Ullah

Do hereby appoint and constitute **NOOR MOHAMMAD KHATTAK, Advocate, Peshawar** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

Dated. _____/_____/2018



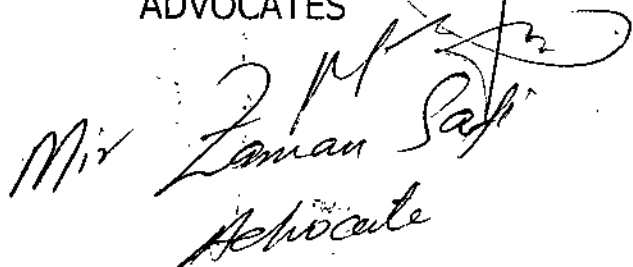
CLIENT

ACCEPTED

NOOR MOHAMMAD KHATTAK

&

**MUHAMMAD MAAZ MADNI
ADVOCATES**


Advocate

OFFICE:

Flat No.3, Upper Floor,
Islamia Club Building, Khyber Bazar,
Peshawar City.

Phone: 091-2211391

Mobile No. **0345-9383141**

"A"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.

No.

APPEAL No. 412 of 20 19.

Mrs. Shabana Begum, District Education Officer (S.E.T.) Peshawar
Teh. Shabkadan, District Peshawar
Appellant/Petitioner
Versus
Secretary, F.A.C. Dept. P.H. Peshawar
(S.E.T., P.H.S. Peshawar)
Chunguda

RESPONDENT(S)

Notice to Appellant/Petitioner
Resident No. 10
Dept. P.H. Peshawar
Secretary, F.A.C. Education

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 4-9-2019 at 9:00 AM, Peshawar.

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

production of complete service record of appellant.

Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

21/8

"A"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.

No.

APPEAL No. 413 of 2019.

Mr. Khayyatullah Khan (S.F.T./S.F.H.S.)
Appellant/Petitioner
Battagram, Charsadda

Versus

Secretary, P.S.F. Deptt. Peshawar
RESPONDENT(S)

Notice to Appellant/Petitioner
Secretary, Finance Deptt. Peshawar

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 4-9-2019 at 9.00 A.M. at Peshawar

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

production of complete service record of appellant.

[Signature]
Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

"A"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

JUDICIAL COMPLEX (OLD), KHYBER ROAD,

PESHAWAR.

No.

APPEAL No.

413

of 2019.

M. Inayatullah, Retired SPT (P) / SPT (H.S.)

Appellant/Petitioner

Behtegam Khan Sukh

Versus

Secretary, F&SE Deptt (P) Peshawar

RESPONDENT(S)

Respondent No 3 Director, F&SE Deptt

Notice to Appellant/Petitioner

Deputy CP Peshawar

Take notice that your appeal has been fixed for Preliminary hearing,

replication affidavit/counter affidavit/record/arguments/order before this Tribunal on 11-9-2019 at 9.00 A.M. at Peshawar

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

provision of contract service under of appellant

Registrar,

Khyber Pakhtunkhwa Service Tribunal,

Peshawar.

Handwritten signature and stamp at the top right of the page.

"A"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.

No.

APPEAL No. 113 of 20 19.

Mr. Khairatullah Khan, Petitioner - E.P.G. (E.T.P.H.S.)
Appellant/Petitioner
Retired Govt. Officer

Versus

Secretary, E.O.S.E Deptt, K.P. Peshawar
RESPONDENT(S)

Respondent No. 1, Accountant General,
Notice to Appellant/Petitioner
K.P. Peshawar



Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 4-9-2019 at 9:00 A.M. at Peshawar.

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

production of complete service record of appellant.

[Signature]

[Signature]
Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

"B"

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.**

No.

Appeal No. 413 of 2019

R/o Mr. Kifayatullah Pathan Appellant/Petitioner
Buttugram, Teh. Shabqad, District Charsadda
Eden City (P.O.S.E?) Deptt. H.P. or Respondent
Respondent No. 6

Notice to: Accountant General H.P.
Peshawar

WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 22-10-2019 at 8.00 A.M. If you wish to urge anything against the appellants/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

~~Copy of appeal is attached.~~ Copy of appeal has already been sent to you vide this office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this 16th.....

Day of Sep. 2019

20/9/2019
Asstt. Accounts Officer,
of A.G. Khyber Pakhtunkhwa, Peshawar

[Signature]
Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence.

"B"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.

No.

S.B

Appeal No..... of 20

413

Appellant/Petitioner

19

Mr. Kifayatullah

Respondent

The Secy Edu Peshawar

Respondent No.....

2

Notice to:

The Secretary Finance Dept.
Peshawar.

WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on.....at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this.....

Day of.....20

7th
Jan 20

Registrar,

Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Court

- Note:
1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
 2. Always quote Case No. While making any correspondence.

"B"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.

S.B

No.

Appeal No. 413 of 2019

Mr Kifayatullah Appellant/Petitioner

vs
Its Secy Edm Peshawar Respondent

Respondent No. 3

Notice to: Its Director ERSE Deptt.
Peshawar.

WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 27/1/2020 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. ~~Copy of appeal has already been sent to you vide this office Notice No.....dated.....~~

Given under my hand and the seal of this Court, at Peshawar this 7th.....

Day of Jan 20 20



Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence.

"B"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.

S.B.

No.

Appeal No. 413 of 2019

Mr. Kifayat Ullah Appellant/Petitioner

The Secy Edu Peshawar Respondent

The Secretary ERSE Deptt. Respondent No. 1
Peshawar. 20/11

Notice to: —

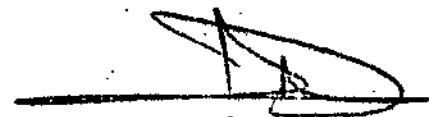
WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 27/11/2019 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No.....dated.....

7/11

Given under my hand and the seal of this Court, at Peshawar this.....
 Day of.....10 2019



Registrar,
 Khyber Pakhtunkhwa Service Tribunal,
 Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
 2. Always quote Case No. While making any correspondence.

"B"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.

No.

S.18

Appeal No. 413 of 20/9.

Mr. Kifayatullah Appellant/Petitioner

Versus

Secy ERSE Peshawar Respondent

Respondent No. 4

Asstt. Accounts Officer
 O/o A.G. Khyber Pakhtunkhwa

Notice to:

[Signature]

Accountant General Peshawar

WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 27/1/2020 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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Copy of appeal is attached. Copy of appeal has already been sent to you vide this

office Notice No. dated.....

Given under my hand and the seal of this Court, at Peshawar this 7/1/20

Day of Jan 20 20

[Signature]

Registrar,

Khyber Pakhtunkhwa Service Tribunal,
 Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
 2. Always quote Case No. While making any correspondence.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Appeal No.413/2019

Kifayat Ullah.....Appellant.

V/S

The Secretary Elementary & Secondary Education Department,
Khyber Pakhtunkhwa, Peshawar and othersRespondents.

(Para wise reply on behalf of Respondent No.4)

Preliminary Objections:-

- 1) That the Appellant has no cause of action.
- 2) That the Appellant has no locus standi.
- 3) That the Appeal in hand is not maintainable.
- 4) That the instant Appeal is time barred.
- 5) That the appellant has not come to this Court with clean hands.

Respectfully Sheweth:-

- 1) Pertains to record, however liable to be proved by the appellant.
- 2) Incorrect to the extent that as per the record of Service book of the appellant there is no such entry available that the appellant was appointed as Assistant workshop Instructor (AWI) and no such entry regarding appointment of the appellant as workshop Instructor (WI) dated: 15/07/1978.

It is Pertinent to mention here that the appellant was appointed as S.E.T vide office order dated: 06/10/1985 as per entry available in the Service Book on page-23.

However Respondent No.3 is in better position to show the status that on what ground they have adjusted /appointed the appellant as workshop instructor (W.I).


- 3) No comments.
- 4) That the appellant is required to produce/submit the appointment order as workshop Instructor (W.I) dated: 20/07/1978 as there is no such entry available in the Service Book of the appellant. He was appointment as S.E.T on 06/10/1985. Pay Fixation Party of Respondent No.4 is bound to follow the rules and instructions issued by the Provincial Government of Khyber Pakhtunkhwa. Hence correctly fixed the Pay of the appellant under the rules.
- 5) Relates to Respondents No.3, Hence no comments.
- 6) Relates to Respondents No.3, Hence no comments.

Grounds:-

A&B. Relates to Respondent No.3, they are in better position to satisfy the grievances of the appellant. Pay Fixation party through Respondent No. 4 is bound to follow the rules and instructions issued by the Provincial Government of Khyber Pakhtunkhwa from time to time. Hence, not violated any rules or law.

- C. As mentioned in Para "2" above.
- D. As mentioned in Para "A & B" above.
- E. As mentioned in Para "A & B" above.
- F. No comments.
- G. No comments.

Keeping in view the above mentioned facts it is, therefore, humbly prayed that the appeal in hand having no merits may be dismissed with cost.


ACCOUNTANT GENERAL
KHYBER PAKHTUNKHWA

Government of NWFP
Finance Department
No.Fd(SR-1)2-45/75
Dated: Pesh: the 25-6-87

Saeed Ullah Jan,
Secretary to Government of NWFP
Finance Department, Peshawar

To:
The Heads of All Departments,
In NWFP, and all other concerned.

Subject:- **RECONSIDERATION OF THE POSTS OF ASSISTANT WORKSHOP
INSTRUCTOR AND WORKSHOP INSTRUCTOR AS JET(TECH:) AND
SET (TECH:) IN THE EDUCATION DEPARTMENT**

Sir,

I am directed to refer to the subject noted above and to say that the case regarding redesignation of the posts of Assistant Workshop Instructor and Workshop Instructor in the Education Department was under consideration for quite some time. It is now been decided to redesignate these posts and place them in the following Revised Basic Pay Scales noted against each with immediate effect.

EDUCATION DEPARTMENT:

<u>S.No.</u>	<u>Name of post</u>	<u>Existing Basic Pay Scales</u>	<u>Revised basic Pay Scales</u>
1	Asstt. Workshop Instructor to be redesignated as Junior English Teacher (Tech:)	i) (BPS-8) ii) 30% of the cadre strength to be in B-11 on regular basis w.e.f 1-7-82	B-9 with Selection Grade equal to 1/3 rd posts in B-12
2.	Workshop Instructor to be redesignated as Senior English Teacher (Tech:)	i) <u>B-14</u> ii) 30% of the cadre strength to be in B-16 on regular Basis wef 1-7-82	B-15 with Selection Grade equal to 1/3 rd Posts in B-17

Yours obediently Servant
Sd/-
(Mir Laiq Khan)
Additional Secretary Finance
Government of NWFP

GOVERNMENT OF N.W.F.P.
FINANCE DEPARTMENT
NO. FD(CR-112-45/75)
Dated: 25-6-67

Secretary to Government of N.W.F.P.
Finance Department, Patna

Minister of Education Department,
Patna

Subject: REDESIGNATION OF THE POSTS OF ASSISTANT WORKSHOP
INSTRUCTOR AND WORKSHOP INSTRUCTOR (AS-NET-TECH)
AND PET(TECH) IN THE EDUCATION DEPARTMENT.

Reference is made to the subject mentioned above and to
the order regarding redesignation of the posts of Assistant
Workshop Instructor and Workshop Instructor in the Education Deptt.
which was issued by the Government for quite sometime. It has
now been decided to redesignate these posts and place them in the
Revised Basic Pay Scales notified against all with immediate
effect.

EDUCATION DEPARTMENT
Patna

Existing Basic Pay Scales
Revised Basic Pay Scales

- 1. Assistant Workshop Instructor
- 2. Workshop Instructor
- 3. Senior Teacher (Tech)

- 1) B-9 with Selection grade equal to 1/3rd posts in 5-12.
- 2) B-15 with Selection grade equal to 1/3rd posts in 5-17.

Your Obedient Servant,
(MR. LALU SHUK)

Additional Finance Secretary
Government of N.W.F.P.

OFFICE OF THE DIRECTOR OF EDUCATION (SCHOOLS) N.W.F.P. PATNA
Dated: 25/6/67

Copy of the above order is being furnished to the
Director of Education, Patna for their necessary action.
All concerned officials are requested to take necessary
steps for the implementation of the above order with effect
from the date of issue of this order.

Director of Education (SCHOOLS)

**BEFORE THE HONORABLE KHYBER PAKHATUNKHWA SERVICE
TRIBUNAL PESHAWAR.**

Service Appeal No: 413/2019

Kifayat Ullah, Ex SST/SET (G) B-16 District CharsaddaAppellant.

VERSUS

Secretary (E&SE) Department, Khyber Pakhtunkhwa & others..... Respondents.

INDEX SHEET

S/#	Description of document	Annexure	Page No.
1	Comment	—	1-4
2	AWI / Jet order 1968	-A-	P-5
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4			

**Asstt: Director (Lit: H)
E&SE Department, Khyber
Pakhtunkhwa, Peshawar.**

(1)

**BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR.**

Service Appeal No: 413/2019

Kifayat Ullah, Ex SST/SET (G) B-16 District CharsaddaAppellant.

VERSUS

Secretary (E&SE) Department, Khyber Pakhtunkhwa & others.....Respondents.

**JOINT PARAWISE COMMENTS ON & FOR BEHALF OF RESPONDENTS
No: 1-3.**

Respectfully Sheweth:-

The Respondents submit as under:-

Preliminary Objections:

- 1 That the Appellant has got no cause of action/locus standi.
- 2 That the instant Service Appeal is badly time barred.
- 3 That the Appellant has concealed material facts from this Honorable Tribunal in the instant service appeal.
- 4 That the instant Service Appeal is based on mala-fide intentions.
- 5 That the Appellant has not come to this Honorable Tribunal with clean hands.
- 6 That the Appellant is not entitled for the relief he has sought from this Honorable Tribunal.
- 7 That the instant Service Appeal is against the prevailing law & rules.
- 8 That the instant Appeal is based on mala fide intentions just to put extra pressure on the Respondents for gaining illegal service benefits.
- 9 That the instant Service Appeal is not maintainable in its present form.
- 10 That the instant Service Appeal is bad for mis-joinder & non-joinder of the necessary parties.
- 11 That the instant Service Appeal is barred by law.

12. That the Appellant is not competent to file the instant appeal against the Respondents.
13. That no Departmental Appeal has been filed by the appellant to the Respondent Department.
14. That the appellant is not entitled for the grant pay fixation wef 27/07/1978 till date against the workshop instructor/SET in the Respondent Department.

ON FACTS.

1. That Para-1 needs no comments, being pertains to the Service Record of the Appellant against the Assistant workshop instructor (AWI/JET vide order dated 25/05/1968 attached as Ann-A).
2. That Para-2 also needs no comments being pertains to the service record against the workshop instructor (WI) on dated 15/07/1978 & the same designation was renamed as SET vide order dated 16/10/1985 as per claim of the appellant & the burden of proving the same lies upon the shoulders of the appellant before this Honorable Bench.
3. That Para-3 needs no comments being pertains to the academic qualification of the appellant & the burden of proving the same lies upon the shoulders of the appellant before this Honorable Bench.
4. That para-4 is incorrect & denied as the act of the Respondents Department with regard to the pay fixation wef 1985 is legal and as per financial rules prevalent to the Respondent No.4 hence, the claim of the appellant is illegal & liable to be rejected.
5. That Para-5 is incorrect & denied. No appeal & application has been filed by the appellant to the Respondents No 1-4 for his pay fixation wef 20/07/1978 instead of 1985 by the appellant till date & has got retired from service after attaining the age of superannuation on 31/03/2003 against the SET/SST B-16 post from the Respondent Department however, it is submitted that he has correctly been granted pay fixation from 1985 by the Respondent No.4 under the relevant financial rules.
6. That Para-6 is incorrect & denied on the grounds that, no Departmental Appeal has been filed by the Appellant, hence the act of the Respondents No 1-4 with regard to the grant of pay fixation wef 1985 is legal & has got final under the rules against the appellant, however, the Respondents further submit on the following grounds inter alia:-


ON GROUNDS.

- A **Incorrect & not admitted.** The appellant has been treated as per law, rules & policy & has allowed pay fixation wef 1985 by the Respondent Department in the instant case, hence, the stance of the appellant is baseless & liable to be rejected.
- B **Incorrect & not admitted.** The appellant has been treated as per law, rules & policy by the Respondent Department in the instant case having no question of violation of Articles 4 & 25 of the constitution of 1973, hence, the stance of the appellant is baseless & liable to be rejected.
- C **Incorrect & not admitted.** The statement of the appellant is without any cogent reason & justification on the grounds as agitated in the foregoing paras of the present reply by the Respondents, hence, the plea of the appellant is without any justification.
- D **Incorrect & not admitted.** The stand of the appellant is without any cogent reason & legal justification on the grounds that the appellant has been allowed pay fixation wef 1985 instead of 20/07/1978 by the Respondent Department which is legal & liable to be maintained.
- E **Incorrect & not admitted.** The plea of the appellant is without legal justification & liable to be rejected as the appellant has been treated as per law, rules & policy by the Respondent Department in the instant case & the provision of Article 38 (e) of the constitution of 1973, hence, the stance of the appellant is baseless & liable to be rejected.
- F **Incorrect & not admitted.** The appellant has been treated as per law, rules & policy & has allowed pay fixation wef 1985 by the Respondent Department in the instant case, hence, the stance of the appellant is baseless & liable to be rejected.
- G **Legal.** However, the Respondents also seek leave of this Honorable Tribunal to submit additional grounds, record & case law at the time of arguments on the date fixed.

(4)

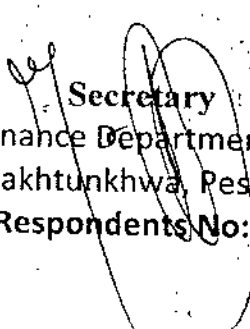
In view of the above made submissions, it is most humbly requested that this Honorable Tribunal may very graciously be pleased to dismiss the instant Service Appeal in favor of the Respondents in the interest of justice.

Dated ___/___/2020


Director

E&SE Department Khyber
Pakhtunkhwa, Peshawar.

(Respondent No: 3)


Secretary

Finance Department Khyber
Pakhtunkhwa, Peshawar

(Respondents No: 2)


Secretary

E&SE Department Khyber
Pakhtunkhwa, Peshawar.

(Respondent No: 1)

AFFIDAVIT

I. Muhammad Hayat Khan Asstt: Director (Litigation-II) E&SE Department Khyber Pakhtunkhwa, do hereby solemnly affirm & declare on oath that the contents of the instant Parawise Comments are true & correct to the best of my knowledge & belief.


Deponent

(5)
Annexure - (A)

DIRECTOR GENERAL OF TECHNICAL EDUCATION, PESHAWAR.

A-10

Order No. 125.
Peshawar, 25th May, 1968.

- 1:- The candidates who have passed the Certificate Course (Practice) from Govt. or other Teachers Training College, Peshawar & have not necessarily done so by order No. 125/-P.E. fixed in the scale of 125-7-1967-275 (Consolidated) as a Junior English Teacher (Technical), hereby ordered in the interest of public service with effect from the dates of their taking charge.
- 2:- All trainees should be handed over charge on the production of finally - given certificate from the college authorities.
- 3:- The successful candidates should be placed in the time scale stated above with effect from the date of successful declaration of their results and allowed the advance increments as admissible under the rules.
- 4:- All the successful candidates may be sent for medical examination & no person shall be appointed until they produce their Health Certificate.
- 5:- The candidates should be of the age of 18 years or above at the time of their appointment to this office. Their original qualification should be submitted for verification over to them.
- 6:- The candidates should be of good character and should not be holders of any immovable property in respect of which they are liable to be proceeded against for arrears of tax or for reference and recovery.
- 7:- The candidates should be appointed purely on merit and without assigning any reasons.
- 8:- The candidates who are appointed shall have to give an undertaking that they will not resign their office.
- 9:- The candidates should be appointed in the order of merit.
- 10:- The candidates should be appointed in the order of merit.
- 11:- The candidates should be appointed in the order of merit.
- 12:- The candidates should be appointed in the order of merit.

Name.	Rank.	Remarks.
1. M. Shah Jahan, F.A. - do -	G.S. Khan, Peshawar.	Vice S.No. 13, below.
2. M. Salahuddin, - do - Natic.	G.S. Nazki, Peshawar.	Vice S.No. 12, below.
3. M. Sher Khan, F.A. - do -	G.S. Mayyar, Mardan.	Vice Ghulam Nabi, Matric services terminated.
4. M. H. Khan, - do - Natic.	G.S. Khattak, Mardan.	Vice Bahram Khan, F.Sc., services terminated.
5. M. Shah Nawaz, - do - Natic.	G.S. Tarnab, Peshawar.	Vice S.No. 15 below.
6. M. Hidayatullah, - do - Natic.	CPSS. Katlang, Mardan.	Vice S.No. 14, below.
7. M. Fahim Khan, - do - Natic.	G.S. Gular Khan, Mardan.	Vice Mohd Ibrahim, Matric services terminated.
8. M. Farid Khan, - do - Natic.	G.S. Saba, Mardan.	Vice Noor Rahman, Matric services terminated.
9. M. Javed Khan, - do - Natic.	G.S. Baig Khan, Mardan.	Vice Mohd. Ismail, Matric services terminated.
10. M. Wajid Khan, - do - Natic.	G.S. Ibrahim Khan, Mardan.	Vice Nawab Khan, Matric services terminated.
11. M. Farid Khan, - do - Natic.	G.S. Burtari, Mardan.	Vice Lachi Khan, F.A. services terminated.
12. M. K. Khan, - do - Natic.	G.S. Khan, Mardan.	Vice Bakir Khan, F.A. services terminated.
13. M. Abdullah Khan, - do - Natic.	G.S. Khan, Peshawar.	Vice Said Ranim, Matric services terminated.
14. M. H. Khan, - do - Natic.	G.S. Khan, Mardan.	Vice Sher Mohd, Matric services terminated.

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