


28th April, 2023

1. Register
2. Learned counsel for the appellant present.
3. The office has reported that the appeal was returned to the learned counsel for the appellant on 23.11.2022 for completion and resubmission within fifteen days but the appeal was re-filed on 03.02.2023 i.e after 57 days and that too without removal of objections. Learned counsel for the appellant submits that it was a financial matter and no limitation ran. Let pre-admission notice be given to the other side to file reply also responding the late/ resubmission of file on or before 20.06.2023 before S.B at camp court Abbottabad. The appellant shall deposit the expenses of TCS for summoning of respondents. P.P given to the parties.




(Kalim Arshad Khan)
Chairman
Camp Court Abbottabad

Adnan Shah, P.A

Form-A
FORM OF ORDERSHEET

Court of _____

Case No. _____/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	15.02.2023	<p>As per direction of the Worthy Chairman counsel for the appellant is directed to argue the case before the Hon'ble Court on Office Objection on dated <u>22-2-2023</u></p> <p style="text-align: right;"> REGISTRAR</p>
	23 rd Feb, 2023	<p>Learned counsel for the appellant present.</p> <p>Learned counsel for the appellant wants time to address the office objection. To come up on 28.04.2023 before S.B at camp court Abbottabad.</p> <p style="text-align: right;"> (Kalim Arshad Khan) Chairman Camp Court Abbottabad</p>

Respected Sir,

It is submitted that the present appeal was received on 22.11.2022 after thoroughly scrutinizing the same many deficiencies were found in it which was returned to the counsel for the appellant for completion and resubmission within 15 days which was to be resubmitted on 07-12-2022 but counsel for the appellant re-filed the same today on 03.02.2023 late by 57 days without removing the objection no.1.

The appeal is submitted to your Honour under rule-7(c) of Khyber Pakhtunkhwa Service Tribunal rules 1974 for appropriate order please.


REGISTRAR

3/2/2023

Worthy Chairman

The appeal of Mr. Muhammad Asif PST GPS Nokot, District Mansehra received today i.e. on 22.11.2022 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Page Nos. 12 to 23 and 34 to 35 of the appeal are illegible which may be replaced by legible/better one.
- 2- In appointment and termination orders the name of the appellant may be highlighted with clear ink.


No. 3343 /S.T,

Di. 23/11 /2022


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

M. Arshad Khan Tanoli Adv. A.Abad.

*The documents obtained
with hectic efforts - full
case is submitted*


M. Arshad Khan Tanoli
Advocate Supreme Court of Pakistan
Office # 33 Jinnah Plaza Adjacent to
Distt. Bar Abbottabad

**BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR
CHECKLIST**

Case Title: Muhammad Asif vs Govt of KP

S.#	Contents	Yes	No
1.	This appeal has been presented by: <u>Asif Tareh An</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2.	Whether Counsel / Appellant / Respondent / Deponent have signed the requisite documents?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3.	Whether Appeal is within time?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.	Whether the enactment under which the appeal is filed mentioned?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5.	Whether the enactment under which the appeal is filed is correct?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6.	Whether affidavit is appended?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7.	Whether affidavit is duly attested by competent oath commissioner?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8.	Whether appeal/annexures are properly paged?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9.	Whether certificate regarding filing any earlier appeal on the subject, furnished?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10.	Whether annexures are legible?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11.	Whether annexures are attested?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12.	Whether copies of annexures are readable/clear?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
13.	Whether copy of appeal is delivered to A.G/D.A.G?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
14.	Whether Power of Attorney of the Counsel engaged is attested and signed by petitioner/appellant/respondents?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
15.	Whether numbers of referred cases given are correct?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16.	Whether appeal contains cuttings/overwriting?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17.	Whether list of books has been provided at the end of the appeal?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
18.	Whether case relate to this Court?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19.	Whether requisite number of spare copies attached?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20.	Whether complete spare copy is filed in separate file cover?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
21.	Whether addresses of parties given are complete?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
22.	Whether index filed?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
23.	Whether index is correct?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
24.	Whether Security and Process Fee deposited? on	<input type="checkbox"/>	<input type="checkbox"/>
25.	Whether in view of Khyber Pakhtunkhwa Service Tribunal Rules 1974 Rule 11, notice along with copy of appeal and annexures has been sent to respondents? on	<input type="checkbox"/>	<input type="checkbox"/>
26.	Whether copies of comments/reply/rejoinder submitted? on	<input type="checkbox"/>	<input type="checkbox"/>
27.	Whether copies of comments/reply/rejoinder provided to opposite party? on	<input type="checkbox"/>	<input type="checkbox"/>

It is certified that formalities/documentation as required in the above table have been fulfilled.

Name:

Zahid

Signature:

[Signature]

Dated:

22/11/22

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

Service Appeal No. 967 2022

Muhammad Asif PST, Government Primary School Nokot, District
Manshra.

....APPELLANT

VERSUS

Government of Khyber Pakhtunkhwa through Secretary Elementary and
Secondary Education, Khyber Pakhtunkhwa, Peshawar & others.

...RESPONDENTS

SERVICE APPEAL

INDEX

S.#	Description	Page No.	Annexure
1.	Service appeal along with affidavit	1 to 6	
2.	Copy of appointment order dated 22/11/1994 and termination order dated 13/02/1997 of the appellant	7-23	"A"
3.	Copy of KP sacked employees Appointment Act 2012	24-24	"B"
4.	Copy of appointment order dated 20/06/2019 of the appellant	31-35	"C"
5.	Copy of department appeal	36	"D"
6.	Copy of judgment of KP service Tribunal and the Apex Court	37-65	"E"
7.	Wakalatnama	1/1	

...APPELLANT

Dated: _____/2022

Through

(Muhammad Arshad Khan Tanoli)
Advocate Supreme Court of Pakistan
At Abbottabad

BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR

Service Appeal No. 967 2022

Muhammad Asif PST, Government Primary School Nokot, District
Mansehra.

....APPELLANT

V E R S U S

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

...RESPONDENTS

SERVICE APPEAL UNDER SECTION 4 OF
KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL ACT 1974 FOR DECLARATION
TO THE EFFECT THAT THE APPELLANT
WAS APPOINTED ON 22/11/1994 AND WAS
TERMINATED FROM THE SERVICE ON
13/02/1997. THEREAFTER, THE APPELLANT
GOT APPOINTMENT AS PST ON 20/06/2019,

AS PER KP SACKED EMPLOYEES
APPOINTMENT ACT 2012, BUT PREVIOUS
SERVICE W.E.F 22/11/1994 TO 13/02/1997
AND 2012 TO 20/06/2019 HAS NOT BEEN
COUNTED TOWARDS CALCULATION OF
PENSION BY THE DEPARTMENT.

PRAYER; ON ACCEPTANCE OF INSTANT
SERVICE APPEAL, THE RESPONDENTS'
DEPARTMENT MAY GRACIOUSLY BE
DIRECTED TO COUNT PREVIOUS SERVICE
W.E.F 22/11/1994 TO 13/02/1997 AND 2012 TO
20/06/2019 OF THE APPELLANT TOWARDS
CALCULATION OF PENSION AND
COMMUTATION.

Respectfully Sheweth;-

The facts forming the background of the instant
service appeal are arrayed as under;

1. That the appellant got appointment in the
respondents' department on 22/11/1994 in year
and his service was terminated on 13/02/1997.

Copy of appointment order dated 22/11/1994 and termination order dated 13/02/1997 of the appellant is annexed as Annexure "A".

2. That, the Khyber Pakhtunkhwa announced KP Sacked Employees appointment Act 2012, wherein, the employees appointed in the year 1993-94 and was terminated in the year 1997-98 were to be re-instated in service. Copy of KP sacked employees Appointment Act 2012 is annexed as Annexure "B".

3. That, as per KP Sacked Employees appointment Act 2012, the appellant was appointment PST on the 20/06/2019, but their previous service w.e.f 22/11/1994 TO 13/02/1997 and 2012 to 20/06/2019 has not been counted towards calculation of pension/commutation of the appellant. Copy of appointment order dated 20/06/2019 of the appellant is annexed as Annexure "C".

4. That, the appellant filed departmental appeal to respondents' department but of no avail. Copy of department appeal is annexed as Annexure

“D”. Hence, the instant service appeal is filed inter-alia on the following grounds.

GROUND:-

- a. That as per judgment of service tribunal as well as of the Apex Court protected period of service has been declared to be counted towards calculation of pension/commutation of the sacked employees. Therefore, the appellant is entitled to have the period w.e.f 22/11/1994 TO 13/02/1997 AND 2012 TO 20/06/2019 counted towards calculation of pension and commutation. Copy of judgment of KP service Tribunal and the Apex Court is annexed as Annexure “E”.
- b. That, department was supposed to count the above mentioned period of the appellant towards calculation of pension etc on the analogy of similar and similarly placed employees:
- c. That the respondents’ department is supposed to have one yard stick while

dealing with the employees who are similarly placed. Besides, once a point of law is decided by the Superior Courts that must be made applicable to all the employees who are similarly placed and no discrimination may be made out.

d. That the matter in issue relates to the terms and conditions of service, therefore, the Honourable Tribunal has jurisdiction to entertain the lis under Article 212 of the Constitution.

It is therefore, very humbly prayed, that on acceptance of instant service appeal, the respondents' department may graciously be directed to count previous service w.e.f 22/11/1994 to 13/02/1997 and 2012 to 20/06/2019 of the appellant towards calculation of pension and commutation.


..APPELLANT

Through;

Dated; _____/2022


(Muhammad Arshad Khan Tanoli)
Advocate Supreme Court of Pakistan

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

Service Appeal No. _____ 2022

Muhammad Asif PST, Government Primary School Nokot, District
Manshra.

....APPELLANT

V E R S U S

Government of Khyber Pakhtunkhwa through Secretary Elementary and
Secondary Education, Khyber Pakhtunkhwa, Peshawar & others.

...RESPONDENTS

SERVICE APPEAL

AFFIDAVIT

I, *Muhammad Asif PST, Government Primary School Nokot, District
Manshra*, do hereby solemnly affirm and declare that the contents of
foregoing appeal are true and correct to the best of my knowledge and belief
and nothing has been concealed therein from this Honourable Court.



Muhammad Asif
DEPONENT

Annex-A

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

OFFICE ORDER NO. 88

DATED 22/11/1994.

P-7

APPOINTMENT

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

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

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ATTESTED

[Signature]
Muhammad Arshad
Advocate Supreme Court of Pakistan
Office # 33 Jinnah Plaza Adjacent to
Distt Bar, Abbottabad

P-8

ATTESTE

Admission Office
 Office of the District Officer
 District of Ferozepur
 Punjab

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

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

Next page/4

TESTED

Muhammad Arshad Khan Tanoli
 Advocate Supreme Court of Pakistan
 Office # 33 Jinnah Plaza Adjacent to
 Dist: Bar Abbottabad

P-10

ATTESTED

Arshad Khan Tanoli
Arshad Khan Tanoli
Advocate Supreme Court of Pakistan
Office # 33 Jinnah Plaza Adjacent to
District Bar Association A.V. Post

- 4 -

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

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129-A	Sidique s/o Haider Zaman	Purni	GPE Hariyala	A.V.Post.
130-	Azmat Ayub s/o Muhammad Ayub.	Naryala	GP, Chameyari Ghazi Kot.	A.V.Post
131-	Said Bad Shah s/o Mudassar Shah.	Sarori K.D.		K.D.
132-	Muhammad Mustafa s/o Yasin Khan.	Judba		K.D.
133-	Abdul Bashir s/o Gulraiz.	Uthlair		K.D.
134	Feroos Shah s/o Syed Azeem Shah	Rongaly		K.D.
135-	Syed Mahab s/o Muhammad Mustaffa.	Jatka		K.D.
136-	Pir Mukamil Shah s/o Pir Ahmad Shah.	Jatka		K.D.
137-	Maqat Ali, s/o Sher Muhammad Khan	Chinkhari		K.D.
138-	Safdar Zaman s/o Shah Izat Khan.	Deri Kaka Khel		K.D.

TERMS AND CONDITIONS

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

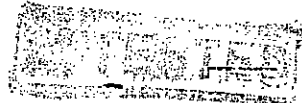
(Signature)
 (MUHAMMAD IHSAN)
 I/C DISTRICT EDUCATION OFFICER,
 (MALE) PRIMARY MANSEHRA.

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

Copy forwarded to the:

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

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



(Signature)
 Advocate Supreme Court of Pakistan
 Office # 33 Jinnah Plaza Peshawar
 Dist: Bar Abotubeh

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

NOTIFICATION

Re: 4/7/78

PF-45 Ward

Consequent upon their selection by the Departmental Selection Committee the District Education Officer (Male) Primary Manshera has been pleased to appoint the following trained TPC candidates at the schools noted against their names in SPS-7 (As. 1430-81-2695) plus usual allowances as admissible under the rules with immediate effect subject to the existing terms & conditions.

11.80
328
90
1898
1887
81
7968

S.N.	CANDIDATE NAME AND ADDRESS.	D/O BIRTH	NO. OF MERIT TESTED.	SUBJECTS	REMARKS.
1.	Muhammad Saleem S/O Saifullah R/O Dhangan.	15.3.73	03	G.S. Achwal	Vice Muhammad Naeem not selected on merit, hence terminated.
2.	Nadayat Ullah S/O Amanullah R/O Battal.	18.12.76	11	G.S. Chapra Dala	Vice Ashiq Hussain --do--
3.	Muhammad Hanif S/O Khan Buz R/O Tarwai.	1.1.75	13	G.S. Chatter Plain	Vice Ejaz Hussain Shah --do--
4.	Saqib Farvez S/O Muhammad Farvez R/O Manshera.	21.11.76	10	G.S. Chatter Plain	Vice Dasht Khan --do--
5.	Muhammad Riaz Abbasi S/O Shah Nawaz R/O Kanshian.	3.6.77	14	G.S. Dhamburi	Vice Zulfqar Ali Shah --do--
6.	Muhammad Farvez S/O Mir Zaman R/O Josacha.	4.10.72	16	G.S. Kandla	Vice Muhammad Fiaz --do--
7.	Abdul Malik S/O R/O Banda Gesach.	1.1.77	17	G.S. Bela Sidrat	Vice Javed Hussain Shah --do--
8.	Muhammad Munsif S/O Muhammad Wali R/O Kanshian.	10.9.74	18	G.S. Bela Sidrat	Vice Abdul Ghafoor Shah --do--
9.	Tufail Muhammad S/O Fasalur Rehman R/O Dattal.	7.3.75	19	G.S. Khhan	Vice Sajjad Hussain Shah --do--
10.	Tashir Ahmad S/O Gul Zaman R/O Kanshian.	2.5.77	22	G.S. Banda Thalyan	Vice Abdul Qayyum --do--
11.	Sajjad Ahmad S/O Akbar Khan R/O Shahdore.	5.9.74	23	G.S. Chota Dala	Vice Ghulam Nabbi --do--
12.	Malik Mohd Sajjad S/O Safiullah R/O Kanshian.	30.8.75	24	G.S. Malla Jabbar	Vice Ghulam Nabbi --do--
13.	Akhtar Zeh S/O Aurangzeb R/O Sajna.	15.3.74	25	G.S. Ludra	Vice Muhammad Naveed --do--
14.	Messer Ali Shah S/O S.Chan Mohd Shah R/O Mohayan Khari	19.6.75	25	G.S. Gorien	Against Vacant post.
15.	Fazal Haq S/O Abdus Sattar R/O Jaffa.	2.5.72	35	G.S. Baroccar	--do--
16.	S. Kaza Ali Shah S/O Mukhtar Shah R/O Bairan.	29.6.76	37	G.S. Choro Kalam	--do--

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DISTRICT MERIT.

Continued page No. 2.

REGISTERED

[Handwritten Signature]

Office # 33, Jinnah Plaza, Lahore.
Dist. Office, Manshera.

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2.

3.

4. 5.

6.

P-13

CONSTITUENCY MERIT.

P.F-45.

17.	Tahir Hussain Shah S/O S. Amir Shah w/o Dai Sala.	20.4.78	10	GIS Tareeda	Vice Guldad not selected on merit hence terminated. 2
18.	Tafail Muhammad S/O Taj Muhammad w/o Jatta.	1.1.75	12	GIS Mohri	Vice Javed Iqbal ---dc---
19.	Boston S/O Gharar Aman w/o Jagori.	1.5.75	14	GIS Bela Jabbar	Vice Ghulam Hassan ---dc---
20.	Karagat Ali S/O Abdul Qayyum w/o Janda Gesach.	7.4.75	16	GIS Kalsan	Vice Qaiser Rauf ---dc---
21.	Muhammad Yusuf S/O Abdul Hamid w/o Khabhal.	10.1.72	17	GIS Level	Vice Muhammad Hamid ---dc---
22.	Faheem Anwar S/O Anwar Rashid w/o Jabbari	1.4.75	19	GIS Sakhar No.2	Vice Muhammad Zaheer ---dc---
23.	Muhammad Ghayyur S/O Manze Nus Saad w/o Jaida.	1.1.77	20	GIS Bana Sarblaud	Vice Muhammad Liaqat ---dc---
24.	Muhammad Kaleem S/O Umar Khitab w/o Kanog. Jabbari	13.4.75	22	GIS Hikkote	Vice Talib Hussain ---dc---
25.	Siraj Muhammad S/O Muhammad Israr w/o Malockra.	1.12.72	24	GIS Malockra	Vice Muhammad Aslam ---dc---
26.	Fazalur Rehman S/O Khan Jee w/o Kayan.	18.5.75	23	GIS Cheta Sala	Vice Gul Hiaz ---dc---
27.	Abdul Qayyum S/O Niskeen w/o Giar Sacha-Intesar.	2.4.72	26	GIS Bela Sadat	Vice Naheed Anhad ---dc---
28.	Muhammad Exxxx S/O Ali Mardan w/o Shamshera	3.11.76	28	GIS Tareeda	Vice Akbar Nawaz ---dc---
29.	Muhammad Javed S/O Sharab Khan w/o Chela Sala	1.3.74	30	GIS Ketha Sala	Vice Muhammad Aslam ---dc---
30.	Muhammad Taufiq S/O Mushtaq Ahmad w/o Jaida	28.4.74	31	GIS Surhanj	Against Vacant Post.
31.	Shahid Hussain Shah S/O S. Maqbool Shah w/o Dambri.	6.6.65	32	GIS Said Abad	---dc---
32.	Shah Jehan S/O Ghulam Jan w/o Khabhal Sala	26.6.72	35	GIS Kayan	---dc---
33.	Naseeb Khan S/O Noor Zaman w/o Khabhal Main	15.3.73	36	GIS Men Chala Neka	---dc---

CONSTITUENCY MERIT

P.F-42.

34.	M. Arshid Muhammad S/O Muhammad Yunis w/o Manshra.	20.3.71	05	GIS Hawalisa	Vice Anwar Zeb not selected on merit, hence terminated.
-----	--	---------	----	--------------	---

CONSTITUENCY MERIT.

P.F-43.

35.	Abdul Latif S/O Muhammad Hussain w/o Ghanda.	23.4.75	10	GIS Kund	Vice Muhammad Akmal not selected on merit, hence terminated.
-----	--	---------	----	----------	--

Continued page No. 3.

REGISTERED

M. H.

Office # 33, Jinnah Plaza, Islamabad
 District Court, Islamabad
 District Court, Islamabad

TERMS & CONDITIONS.

P-14

1. They will be governed by such rules and regulations as may be prescribed by the Govt from time to time for the category of the Govt: servants to which they belong.
2. Their services will be liable to termination on one month notice from either side. In case of resignation without notice, one month pay will be forfeited in lieu thereof.
3. They should join the posts within the month of the issue of this notification.
4. Their inter-seniority will be determined in accordance with the merit of the departmental selection committee.
5. Charge reports should be submitted to all concerned.
6. They will be on probation for a period of two years and will have to pass the departmental examination. In case a candidate fails to qualify the departmental examination, he will be given one more chance. If he fails again then his services will be terminated. On arrival/availability of trained teachers, the services of untrained teachers occupying the posts shall be terminated.
7. Their original certificates/degrees should be checked and verified from the concerned university/MSU/ACS and Islamic Madrasahs before handing over the charge.
8. Service books of the teachers must be prepared complete in all respect before handing over the charge.
9. The declaration of assets should be obtained from them immediately and placed on record.
10. They are required to produce health certificate from medical authorities concerned before handing over the charge.
11. Charge reports should be submitted to all concerned & charge should not be given to average candidates until their cases for age relaxation be sent to the concerned quarters.
12. Efforts should be made for transfer before the completion the tenure will dis-qualify him from service.
13. No. Th/D. is allowed.
14. An undertaking shall be obtained from Master & degree holders ITC that they will serve the department for at least five years while they are selected by the public service commission for any post.
15. In case of person appointed as an untrained teacher, he will have to pass the requisite training examination within a period of four years failing which his services will be terminated.

NOTE:-

Complete information of appointees in consolidated lists on the prescribed proformas (Attached) alongwith charge reports be submitted by the lower offices to the Director Primary Education/D.E.O (M) Primary Mansehra within a week positively.

[Signature]
 (MOHAMMAD SAJJAD KHAN) 26/6
 DISTRICT EDUCATION OFFICER,
 (MALL) PRIMARY MANSEHRA.

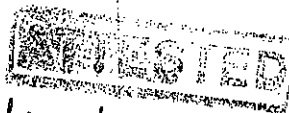
Endst: No. 1678-1713 /G.B/3-I/1997. Dated Mansehra the 26.6. /1997

Copy forwarded for information to the:-

1. Director Primary Education N.F. Peshawar.
2. Sub Divisional Education Officer (Male) Mansehra.
3. District Account Officer Mansehra.
4. All the candidates concerned.
5. Office Order File.

[Signature]
 26/6
 DISTRICT EDUCATION OFFICER,
 (MALL) PRIMARY MANSEHRA.

occupies



[Signature]
 Advocate Supreme Court of Pakistan
 Office # 22, Jinnah Plaza Adjacent to
 District Bar Association

22/11/94
Affidavit No. 88

Encl No = 2485-2626

22-11-94

P-15

OFFICE OF THE DISTRICT EDUCATION OFFICER, (MALE) PRIMARY MANSEHRA

NO. 5

Dated February 13, 1997

OFFICE ORDER

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

S.No.	Name & Father's Name	Residence	Place where Appointed
1.	Fakhar-ud-Din S/O Ghulam Mohyud Din	Numbal	GPS Numbal
2.	Muhammad Khalid S/O Abdul Qayum	Lassan Nawab	Msq: Khalyala
3.	Sheikh Amjid S/O Sheikh Taj Muhammad	Shakooki	GPS Bat Doga
4.	Muhammad Sajjad S/O Ali Akbar	Thakar Mera	Msq: Poldara
5.	Zulfiqar S/O Fazal-ur-Rehman	Shergarh	GPS Seri Goria
6.	Sarfraz S/O Muhammad Jan	Moorat Mera	Msq: Hathra
7.	Khalid S/O Sher Muhammad	Mera Khurd	GPS Numbal
8.	Gain Ahmad S/O Muhammad Zaman	Naryala	Msq: Loharbanda
9.	Muhammad Aslam S/O Fazal Rehman	Chansair	GPS Seri Goria
10.	Haider Zaman S/O Muhammad Suleman	Karori	GPS Beerlan
11.	Amjid Hussain S/O Anwar Shah	Dhaman Dheri	GPS Batdoga

Contd: Page No. 2

Muhammad Arshad Khan Tariq
Advocate Supreme Court of Pakistan
Office # 33 Jinnah Plaza Adjacent to
Distt. Bar Abbottabad

P-16

- 12. Saeed-ur-Rehman S/O Haider Zaman. Gali Badral. GPS Daroo.
- 13. Muhammad Pervez S/O Muhammad Akbar. Kala Mera. Msq: Sinjellyala.
- 14. Muhammad Furhad S/O Sher Muhammad. Panjorhi. Msq: Khamara.
- 15. Muhammad Arfan S/O Muhammad Zaman. Gali Badral. GPS Lubar.
- 16. Muhammad Saeed S/O Muhammad Ayub. Shakooki. GPS Sinjal Band.
- 17. Muhammad Younis S/O Fazal-ur-Rehman. Mando. Msq: Tunimar.
- 18. Muhammad Riaz S/O Kala Kisan. Hari Doga. GPS Chamial.
- 19. Muhammad Tariq S/O Abdur Rehman. Chansair. GPS Sunj.
- 20. Muhammad Haroon S/O Ghulam Haider. Moorat Mera. GPS Sunj.
- 21. Lal Khan S/O Fazal-ur-Rehman. Tarmang. GPS Tarmang.
- 22. Abdus Qatar S/O Maroof Kalas. Darband. GPS Seri Gali. Msq: Chakli Miangan.
- 23. Niaz Ali Shah S/O Farman Ali Shah. Makan Glai. GPS Chatta.
- 24. Muhammad Ishaq S/O Ghulam Qadar. Hari dogra. GPS Chatta.
- 25. Aftab Ahmad S/O Abdul Jalil. Chansair. GPS Bai.
- 26. Abdul Malik S/O Rehmatullah. Jasgran. GPS Sokal.
- 27. Muhammad Shameer S/O Omar Zaman. Shangli. GPS Neel Batla.
- 28. Naheem Anwar S/O Muhammad Anwar. Kutaira. GPS Neel Batla.
- 29. Muhammad Haroon S/O Khalil ur Rehman.

[Signature]
 Advocate Supreme Court of Pakistan
 Office # 33 Jinnah Plaza Adjacent to
 Distt: Bar, Abbottabad

P-17

Page No. 3

30. *SN* Abid Hussain Shah S/O Ismail Bandi GPS Nawar Sher
Hussain Shah
31. Shakeel S/O Sokal GPS Sokal
Abdul Jabar
32. Rashid Manan S/O Lissan Nawab GPS Sokal
Abdul Manan
33. *SN* Taj Muhammad S/O Chakli GPS Namshera
Sher Dil
34. Shuakat Ali S/O Darband GPS Namshera
Gohar Rehman
35. *SN* Abdur Rashid S/O Jand Seri GPS Namshera
Abdul Kalliq
36. Javid S/O Sharotta GPS Khudian
Fazal-ur-Rehman
37. Muhammad Arshid S/O Sahaki GPS Khudian
Sher Muhammad
38. Muhammad Fayaz S/O Bandi Mera GPS Garwal
Niaz Muhammad
39. Muhammad Arif S/O Rooria Msq: Parkhain
Wali Muhammad
40. Muhammad Gulab S/O Rarri Msq: Jorian
Sikandar Khan
41. Abdus Sadiq S/O Kalas GPS Minjahan
Behram
42. Muhammad Ali S/O Tajia Shahniskeen GPS Dham Nalla
Taj Muhammad
43. Naqem Kausar S/O Lissan Nawab GPS Hallan
Ghulam Sarwar
44. Muhammad Humayun S/O Raudhan GPS Matserian
Habib-ur-Rehman
45. Muhammad Pervez S/O Tharmang GPS Miana Gali
Muhammad Zaman
46. *SN* Zulfikar S/O Darband Msq: Karam
Ghulam Sarwar

Contd: Page No. 4

SN
Advocate Supreme Court of Pakistan
Office # 33 Jinnah Plaza Adjacent to
Distt. Bar, Abbottabad

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Page No. 4

- 47. Habib-ur-Rehman S/O Jamil-ur-Rehman Gali Badra: GPS Chuntran
- 48. Muhammad Saeed S/O Muhammad Jeraif Kalas: Msq: Mohar Khuro
- 49. Muhammad Bukhtiar S/O Khan Zaman Roria: GPS Miara Gali
- 50. Ittikhar S/O Ghulam Haider Gojra: GPS Kabawa
- 51. Fida Hussain S/O Aziz Muhammad Chor Bandi: GPS Mad Serian
- 52. Ghulam Mustafa S/O Hafizullah Chamial: GPS Nikka Pani
- 53. Zulfiqar S/O Duri Aman Sinjliyala: Msq: Doga
- 54. Muhammad Bashir S/O Abdul Akbar Machral: Msq: Hari Doga
- 55. Sher Muhammad S/O Taj Muhammad Fateh Bandi: Msq: Kaloo Basthi
- 56. Shah Feroz S/O Ferdoss Jaman Moori: Msq: Thakkra Pani
- 57. Munawar S/O Masood Lissan nawab: GPS Tarmang
- 58. Ghulam Abas S/O Abdus Satar Dehori: Msq: Batangi
- 59. Muhammad Azam S/O Khawaj Muhammad Khalian Arlan: GPS Karka
- 60. Anwar Zeb S/O Sikandar Khan Charotta: GPS Mallah
- 61. Akram S/O Suleman Charotta: GPS Mora Khairoo
- 62. Nazir Muhammad S/O Sher Muhammad Phuldar: Msq: Nalbori
- 63. Chiria Khan S/O Abdur Rehman Jhangl: GPS Sinjliyala
- 64. Muhammad Tariq S/O Parvez Sokal: GPS Shanaya payean

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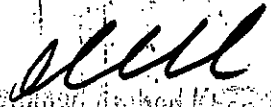
Muhammad Arshad Khan Tariq
 Advocate Supreme Court of Pakistan
 Office # 33 Jinnah Plaza Adjacent to
 Dist. Bar Association

P-19

Page No. 5

810/ 65.	Dost Muhammad S/O Mir Muhammad	Khair Abad	Msq: Dolarian
1/66.	Jehangir S/O Fazal Karim	Hal Kaloo	GPS Mariyala
4/67.	Manzoor Ahmad S/O Maqbool-ur-Rehman	Chandoor	Msq: Chandoor
5/68.	Lal Khan S/O Sher Muhammad	Jhandla	Msq: Chandoor
3/69.	Sultan S/O Rehmatullah	Nara Doga	GPS Gora
2/70.	Duri Aman S/O Wazir Muhammad	Sharotta	Msq: Kamara
820/ 71.	Salar Khan S/O Abdul Akbar	Karori	GPS Akhun Bandi
1/72.	Iftikhar Ahmad S/O Ali Zaman	Shakokki	GPS Kandal
3/73.	Mubarak S/O Haider Zaman	Pakoona	GPS Maserian
4/74.	Sabir S/O Muhammad Yaqoob	Pakoona	GPS Ghazi Kot
4/75.	Dildar S/O Faqir Muhammad	Mohar	Msq: Balan
4/76.	Rafique S/O Sikandar	Bandian	GPS Bandi Khan Khel
4/77.	Shakeel Ahmad S/O Ayub	Khalwal	Msq: Kotla darwaza
820/ 78.	Sadique S/O Farid	Jahand	Msq: Gud
4/79.	Khurshid S/O Faqir Muhammad	Chitti Moori	GPS Chontra
1/80.	Muhammad Farooq S/O Kala Khan	Kajla	GPS Kajla
820/ 81.	Nazar Husain S/O Ghulam Haider	Nikka Pani	Msq: Gali Tendki
4/82.	Sarwar S/O Abdul Nabi	Thanda	GPS Chanival

Contd: Page No. 6


Muhammad Asghar Khan
Advocate Supreme Court of Pakistan
Office # 33 Jinnah Plaza Adjacent to
Distt. Gujranwala

433. Muhammad harif S/O Ghulam Sarwar	Sokal	Mera Khairoo
434. Nazir Ahmad S/O Ghulam Sarwar	Batal Pain	Msq: Khajambar
435. Ali Munsaf S/O Ali Zaman	Doga	GPS Bradarh
436. Sartaraz S/O Arizaman	Jaugi	GPS Thathi Kalan
437. Iqbal S/O Yaqoob	Larri	Msq: Shanaya Pain
438. Muhammad Afzal S/O Ayub	Jangarh	Msq: Khanan
439. Hakim Khan S/O Gohar Rehman	Khaliala	GPS Mera Khairoo
440. Zaman Shah S/O Gulab Shah	Shergarh	GPS Seri Goria
441. Saleem S/O Samandur	Shanaya	Msq: Bradar
442. Munib ur Rehman S/O Muhammad Zaman	Kandar	GPS Kandar
443. Sajid S/O Hadeed-ur-Rehman	Phulra	GPS Kaila
444. Muhammad Haroon S/O Ali Zaman	Bai Dihal	GPS Batdoga
445. Muhammad Javaid S/O Aurang Zeb	Jhanda	GPS Gali Badra
446. Muhammad Ismail S/O Muhammad Zaman	Gorha	GPS Theri
447. Muhammad Riaz S/O Rafiullah	Bandi Mera	Msq: Khamfan
448. Naveed Shah S/O Muazam Shah	Shah Kot	GPS Dam Nulla
449. Muhammad Nazir S/O Muhammad Aseem	Nikka Pani	GPS Neel Batla
450. Muhammad Azam S/O Sher Muhammad	Bandian	GPS Nara Doga

[Signature]
 Advocate Supreme Court of Pakistan
 Office # 33 Jinnah Plaza Adjacent to
 Dist. Bar Abbottabad

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Page No. 7

101. Abid Hussain S/O Abdur Rehman	Pakoocha	GPS Chaniyal
102. Muhammad Aarif S/O Wali Jan	Munda Gocha	GPS Chilyan
103. Nahid Ahmad S/O Ghulam Nabi	Jabori	GPS Sundi
104. Muhammad Naeem S/O Attai Khan	Bhalai	GPS Neel Ban
105. Muhammad Naveed S/O Muhammad Ayub	Sachan Kalan	GPS Bahadra
106. Muhammad Shakeel S/O Muhammad Mussa	Sachan Kalan	GPS Said Abad
107. Ghulam Hassan S/O Muhammad Ishaq	Nalla Jabbar	GPS Nalla Jabbar
✓ → 108. Muhammad Khalid Aziz ur Rehman	Munda Gocha ✓	GPS Munda Gocha
✓ → 109. Gul Dad S/O Mughal Dad	Punjooli	GPS Sukian
110. Muhammad Aslam S/O Muhammad Alam	Gali Jabbar	GPS Jabbar
111. Ghulam Nabi S/O Arsala Khan	Keeri Bala	GPS Sattan Gali
112. Akhtar Nawaz S/O ✓ Haq Nawaz Khan	Sucha Kalan	GPS Kodar
113. Gul Niaz S/O ✓ Sarfraz Khan	Ruz Bela	GPS Banda Geesach
114. Ghulam Nabi S/O Qadai	Chotta Mata	GPS Mohri

Muhammad Arshad Khan Talib
Advocate Supreme Court of Pakistan
Office # 33 Jinnah Plaza Adjacent to
Distt. Bar Abbottabad

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

8/8

Resu

Arshad Khan Tani
Advocate Supreme Court of Pakistan
Office # 33 Jinnah Plaza Adjacent to
Distt Bar Abumehab

P-23

Page No. 9

135. Muhammad Mustafa S/O
Yasin Khan

Judba

Msq: Kalala

136. Abdul Bashir S/O
Gul Raiz

Uthair

Msq: Mohri Danna

137. Fanoos Shah S/O
Syed Azeem Shah

Rongaly

Msq: Soorma
Madda Khail

138. Syed Wahab S/O
Muhammad Mustafa

Jatka

Msq: Laka Tiga

139. Pir Mukamil Shah S/O
Pir Ahmad Shah

Jatka

Msq: Tara Madda Khail

140. Liaqat Ali S/O
Sher Muhammad Khan

Shinkiar

Msq: Jhangri

141. Sardar Zaman S/O
Shah Izat Khan

Deri Kaka Khail

Msq: Markharain

دفعہ 140

(Handwritten signature/initials)

(HAQ NAWAZ KHAN)
DISTRICT EDUCATION OFFICER
(MALE) PRIMARY MANSEHRA

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

Copy forwarded to the :-

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

(Signature)
DISTRICT EDUCATION OFFICER
(MALE) PRIMARY MANSEHRA

(Signature)
Muhammad Arshad Khan
Advocate Supreme Court of Pakistan
Office # 33 Jinnah Plaza Adjacent to
Distt. Bar Abbottabad



Primary School Teacher (PST) (37)

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) MANSEHRA

APPOINTMENT

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In pursuance of Khyber Pakhtunkhwa Sacked Employees (Appointment) 2012 and Consolidate Judgment passed by Honorable Peshawar High Court Abbottabad Bench Abbottabad vide Dated 24-05-2016, in W/P No 516-A/2013, 676-A/2015, 20-A/2014, 216-A/2015, 1155-A/2015, 702-A/2014, 115-A/2014, and orders of Honourable High Court in COC No.22-A/2016, COC No. 47-A/2016, COC No. 58-A/2016, COC No. 83-A/2016, consequent upon recommendation of the Departmental Selection Committee, appointment of the following candidates are hereby ordered against the post of PST, School based and in BPS-12 (Rs.13320-960-42120) plus usual allowances as admissible under the rules, under the existing policy of the Provincial Government, on the terms and condition given below with effect from the date of their taking over charge:-

S. #	COC/Writ Petition	Name	Father's Name	Date of Birth	Permanent Address	Place of posting
1.	COC 46-A/2016	GHULAM NABI	ARSALA	06-4-1975	VILLAGE KAIRI NAWAZABAD TEHSIL AND DISTRICT MANSEHRA.	GPS ANDRASI
2.	COC 46-A/2016(10)	AFTAB AHMED	ABDUL JALIL	22-05-1966	VILLAGE HAR BADOGA POST OFFICE KARORI TEHSIL OGHII & DISTT MANSEHRA	GPS PATTIAN
3.	WP 20-A/2015	MUHAMMAD JAN	MARQOF	02-01-1978	VILLAGE SHERGARH P/O HILKOT TEHSIL & DISTT MANSEHRA.	GPS DILRORI
4.	WP 216-A/2015	FIDA MUHAMMAD	RAJA KIYAN	05-04-1975	VILLAGE KARORI PAEIN P/O SHERGARH TEHSIL OGHII DISTRICT MANSEHRA	GPS MALIHAR
5.	WP 216-A/2015	MUHAMMAD SULEMAN	MUHAMMAD YAQOUB	26-04-1977	VILLAGE LAMBI DHERI P/O KOTKAY TEHSIL & DISTRICT MANSEHRA	GPS REERII
6.	WP 716-A/2015 (1)	ABDUL KHALIQ	MAQBOL UR REHMAN	11-11-1974	VILLAGE BANDI KIYAN KHAIL POST OFFICE SHERGARH TEHSIL & DISTT MANSEHRA	GPS CHAJJAR PAEIN
7.	WP 731-A/2016 (4)	ABDUL KIYANAN	BEHRAM KIYAN	10-4-1973	VILLAGE TARMANG P/O PHULRA TEHSIL & DISTRICT MANSEHRA	GPS ICHIRIAN
8.	WP 731-A/2016 (01)	M.SAEED	M.MISKEEN	10-03-1976	VILLAGE KACHI KHAKI TEHSIL & DISTRICT MANSEHRA	GPS SOKAR
9.	WP 731-A/2016 (06)	RASHID MANAN	ABDUL MANAN	01-07-1966	VILLAGE LASSAN NAWAB P/O LASSAN NAWAB TEHSIL & DISTT MANSEHRA	GPS MOHAR
10.	WP 731-A/2016 (17)	KIYAN MUHAMMAD	MEHMOOD	13-04-1974	VILLAGE SARNI POST OFFICE PHULRA TEHSIL & DISTT MANSEHRA	GPS GUDWAI
11.	WP 731-A/2016 (26)	ZULFIQAR AHMED	GHULAM SARWAR	07-04-1976	VILLAGE NEW-DARBAND TEHSIL OGHII DISTRICT MANSEHRA	GPS KHAN DHERI
12.	WP 731-A/2016 (30)	M.HAROON	GHULAM HAIDAR	15-03-1973	VILLAGE MORAT MAIRA TEHSIL & DISTT MANSEHRA	GPS SALTAR (H) I.
13.	WP 731-A/2016 (32)	MUHAMMAD SULTAN	REHMATULLAH	03-01-1971	VILLAGE NARIRA DOGA P/O PHULRA TEHSIL & DISTT MANSEHRA	GPS KOTLI PAIN
14.	WP 731-A/2016 (33)	M. IRFAN	M.MISKEEN	15-02-1972	VILLAGE SIHNAYA PAEIN P/O NEW DARBAND TEHSIL OGHII DISTRICT MANSEHRA.	GPS KARMAN: BALA
15.	WP 731-A/2016 (30)	M.IMRAN	BADRI ZAMAN	03-02-1975	VILLAGE KALI GATTI SERI GORIA P/O SHERGARH TEHSIL OGHII DISTRICT MANSEHRA	GPS KIYAN BALA
16.	WP 731-A/2016 (47)	MUHAMMAD ASLAM	MUHAMMAD ALAM	02-02-1971	VILLAGE JABBAR GALI P/O JABBAR TEHSIL & DISTT MANSEHRA	GPS CHITTA BATTI
17.	WP 731-A/2016 (51)	M.ZABEER	ALI AKBAR	05-03-1977	VILLAGE PARONA TEHSIL & DISTRICT MANSEHRA.	GPS HAILA RAQUEB
18.	WP 731-A/2016 (52)	ABDUL SADIQ	BRAHIM KHAN	02-01-1971	VILLAGE KALAS P/O LASSAN NAWAB TEHSIL & DISTT MANSEHRA	GPS SAMIAN
19.	WP 731-A/2016 (7)	HAKIM KHAN	GOHAR REHMAN	16-02-1969	VILLAGE KHAILYALA P/O LASSAN NAWAB TEHSIL & DISTRICT	GPS ARAB KHAN

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MANSEHRA.						
20.	WP 740-A/2016	GILDAD KHAN	MUBHAL BAB KHAN	08-01-1967	VILLAGE PANJOL POST MANDAGAUCHA TEHSIL & DISTRICT MANSEHRA.	GPS JACHA NO.1
21.	WP.1040-A/17	SHEIKH AMJID	S TAJ MUHAMMAD	15-05-1972	VILLAGE SHIKAKI LASSAN NAWAB TEHSIL & DISTRICT MANSEHRA.	GPS BHAG
22.	WP.690-A/2016 (1)	MUHAMMAD SARWAR	ABDUL NAUI	10-03-1974	VILLAGE THIANDA P/O PERIINNA TEHSIL & DISTRICT MANSEHRA.	GPS JAMA GIRAN PUR
23.	WP.690-A/2016 (10)	MUHAMMAD RAFIQUE	SIKANDAR	09-04-1970	VILLAGE BANDI KHAN KHAIL P/O PHULRA TEHSIL & DISTRICT MANSEHRA	GPS SUM
24.	WP.690-A/2016 (13)	MUHAMMAD PERVAIZ	MUHAMMAD ZAMAN	15-04-1973	Village TARMANG PHULRA P/O Khaki TEHSIL & DISTRICT MANSEHRA	GPS MAKHIRAN MAJNA
25.	WP.690-A/2016 (2)	MUHAMMAD NAZEER	ASEEM KHAN	14-4-1968	VILLAGE NIKKA PANI P/O SHERGARH TEHSIL OGHI & DISTRICT MANSEHRA	GPS PORNAIL
26.	WP.690-A/2016 (4)	MUHAMMAD FAROOQ	KALA KHAN	16-1-1969	VILLAGE KAJLA P/O DARBAND TEHSIL OGHI DISTRICT MANSEHRA	GPS DEVL
27.	WP.690-A/2016 (5)	MUHAMMAD MUSHTAQ	SHER MUHAMMAD	03-01-1975	VILLAGE PANGORI P/O LASSAN NAWAB TEHSIL & DISTRICT MANSEHRA	GPS SAMIAN
28.	WP.690-A/2016 (6)	ANWAR ZIB	ALI MUHAMMAD	2-11-1977	VILLAGE MAHAWALIAN P/O BEHALI TEHSIL & DISTRICT MANSEHRA.	GPS FOOT GALI
29.	WP.690-A/2016 (7)	MUHAMMAD SALEEM	ABDUL REHMAN	07-01-0975	VILLAGE KHAMBIAN PAIEN P/O LASSAN NAWAB TEHSIL & DISTRICT MANSEHRA	GPS BANDI GIAN
30.	WP.690-A/2016 (8)	MUHAMMAD NAHEEM	ATAE KHAN	10-6-1972	Village phali P/O BALI MONG TEHSIL & DISTRICT MANSEHRA.	GPS GALI BALI MANG
31.	WP-1102-A/15(1)	M ASIM FAROOQ	SHAHNAWAZ KHAN	23-04-1975	VILLAGE MALIK PUR TEHSIL & DISTRICT MANSEHRA	GPS TIMBER KHOLA
32.	WP-731-A/2016 (10)	S SAJJAD HUSSAIN SHAH	SYED HAYAT SHAH	02-04-1970	VILLAGE KOT P/O CHATTAR PLAIN TEHSIL & DISTRICT MANSEHRA.	GMPS GALI BALI MANG
33.	WP-731-A/2016 (12)	IFTIKHAIR AHMED	ALI ZAMAN	06-11-1974	VILLAGE SHAKOKO P/O LASSAN NAWAB TEHSIL & DISTRICT MANSEHRA.	GPS TAJAL
34.	WP-731-A/2016 (25)	M.HAMAYUN	HADIB UR REHMAN	11-04-1969	VILLAGE BANDIAN P/O MADSERIAN TEHSIL & DISTRICT MANSEHRA.	GPS ATTERSHEESHA
35.	WP-731-A/2016 (39)	MUHAMMAD D ASIF	WALI JAN	28-04-1966	VILLAGE MANDAGAUCHA TEHSIL & DISTRICT MANSEHRA.	GPS NOKOT
36.	WP-731-A/2016 (42)	SAJJID HUSSAIN	SAIN MUHAMMAD	01-03-1968	VILLAGE TARHA BALA P/O BERKUND TEHSIL & DISTRICT MANSEHRA.	GPS BAFFA DOHRAYA
37.	WP-731-A/2016 (49)	MUHAMMAD AFZAL	MUHAMMAD AYUB	5-1-1972	VILLAGE TANGIAR P/O PHULRA TEHSIL & DISTRICT MANSEHRA.	GPS KULJIARY MARKAZI

TERMS & CONDITIONS.

1. NO TA/DA etc is allowed.
2. Charge reports should be submitted to all concerned in duplicate.
3. Their Appointment are subject are condition that, their certificates/document and domicile be verify from the concerned authority before releasing their salary in the light of Section 3 of the said ACT.
4. They will be governed by such rules & regulation enforce and as may be prescribed by the Government time to time for the category of the Government savant to which they belong.
5. Their appointment has been made in pursuance of Khyber Pakhtunkhawa, Sacked Employee (appointment) ACT 2012. Hence under Section 5 of the said ACT they shall not be entitled to any claim of the seniority, promotion and back benefits.
6. Their appointment has been made in pursuance of Khyber Pakhtunkhawa, Sacked Employee (appointment) ACT 2012. Hence Section 4 of the said ACT period during which they remained dismissed

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 Advocate Supreme Court of Pakistan
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- removed or terminated from services, till the date of their appointment shall have been deemed automatically relaxed.
7. Their Appointment is subject to the condition that the certificates/documents must be verified from the concerned authorities by the DEO. Anyone found producing bogus Certificate will be reported to the law enforcing agencies for further action.
 8. Their services are liable to termination on one month's prior notice from either side. In case of resignation without notice his one-month pay/allowances shall be forfeited to the Government.
 9. Their pay will not be drawn until and unless a certificate to the effect by DEO is issued that his certificates/degrees are verified from the concerned board/university.
 10. The Principal / Headmaster School concern is directed to submit their Degrees /Certificates etc to this office for verification from Board /University/Institutions before any payment made to them.
 11. They should join their post within 15 days of the issuance of this notification. In case of failure to join their post within 15 days of the issuance of this notification, his appointment will expire automatically and no subsequent appeal etc shall be entertained.
 12. Health and Age Certificate should be produced from the Medical Superintendent King Abdullah Teaching Hospital Mansehra before taking over charge.
 13. They will be governed by such rules and regulations as may be issued from time to time by the Govt.
 14. Their services shall be terminated at any time, in case his performance is found unsatisfactory during their contract period. In case of misconduct, they shall be proceeded under the rules framed from time to time.
 15. Their appointments are made on School based, they will have to serve at the place of posting, and their service is not transferable to any other station.
 16. Before handing over charge once again their documents may be checked if they have not the required qualifications they may not be handed over charge.
 17. Before handing over charge they will sign an affidavit with the department, otherwise this order will not be valid.
 18. The competent authority reserve to right to rectify the error / omission, if any noted /observed at any stage in instant order issued erroneously.


sd/xx
DISTRICT EDUCATION OFFICER,
(MALE)MANSEHRA

Endst: No. 2829-76 /File No./PST/Sacked Applt./2018/Dated Mansehra the 29/7/2018

Copy forwarded for information and necessary action to the:-

1. Registrar Honorable Peshawar High Court Abbottabad Bench.
2. Director, Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
3. PS to Secretary Khyber Pakhtunkhwa E&SE Department Peshawar.
4. District Accounts Officer Mansehra.
5. All SDEO(Male) in District Mansehra.
6. Budget & Account Officer Local Office.
7. Officials Concerned.
8. Office Order File


DY: DISTRICT EDUCATION OFFICER
(MALE)MANSEHRA
29/7/18


Muhammad Arshad Khan Talwar
Advocate Supreme Court of Pakistan
Office # 33 Jinnah Plaza Adjacent to
Distt: Bar Abbottabad

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EXTRAORDINARY
GOVERNMENT



REGISTERED NO. P.H.
GAZETTE

KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, THURSDAY 20TH SEPTEMBER, 2012.

PROVINCIAL ASSEMBLY SECRETARIAT,
KHYBER PAKHTUNKHWA

NOTIFICATION

Dated Peshawar, the 20th September, 2012.

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

THE KHYBER PAKHTUNKHWA SACKED EMPLOYEES (APPOINTMENT) ACT, 2012

(KHYBER PAKHTUNKHWA ACT NO. XV OF 2012)

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

AN
ACT

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

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

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

TESTED

Advocate Supreme Court of Pakistan
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Dist: Bar Association

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116 KHYBER PAKHTUNKHWA GOVERNMENT GAZETTE, EXTRAORDINARY, 20th SEPTEMBER, 2012.

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

It is hereby enacted as follows:

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

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

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

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

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

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

ATTESTED

[Signature]

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Office # 33, Sunah Plaza, Adipatti
Distt: Bar Abotabakh

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

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

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

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

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

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

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

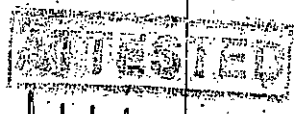
Provided that no willingness or response is received within a period of thirty days, the next senior sacked employee shall be considered for appointment.

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

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

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

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



M. M. Khan

Advocate Supreme Court of Pakistan
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Distt. Bar Adalat

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KHYBER PAKHTUNKHWA GOVERNMENT GAZETTE, EXTRAORDINARY, 20th SEPTEMBER, 2012

- 18. 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.
- 19. Power to make rules.— Government may make rules for carrying out the purpose of this Act.

BY ORDER OF MR. SPEAKER
PROVINCIAL ASSEMBLY OF KHYBER
PAKHTUNKHWA

(AMRULLAH)
Secretary
Provincial Assembly of Khyber Pakhtunkhwa

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

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[Handwritten Signature]

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Distt. Bar Association

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

NOTIFICATION

Dated Peshawar, the 20th September, 2012.

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

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

(KHYBER PAKHTUNKHWA ACT NO. XVII OF 2012)

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

AN
ACT

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

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

ATTESTED



Secretary
Provincial Assembly
Peshawar

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

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

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

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

It is hereby enacted as follows:

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

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

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

REGISTERED

[Signature]

Secretary
Government of Khyber Pakhtunkhwa
Peshawar

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

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

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

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

ANNEXED

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

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

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

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Advocate Supreme Court of Pakistan
Office # 33 Jinnah Plaza
District Bar Abbottabad

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

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

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

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

REMOVAL OF DIFFICULTIES:- Any difficulty arises in giving effect to any of the provisions of 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.

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

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

ATTESTED

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

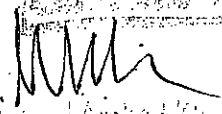
POWER TO MAKE RULES:- Government may make over for carrying out the purpose of this act.

BY ORDER OF MR SPEAKER

PROVINCIAL ASSEMBLY OF KHYBER
PAKHTUNKHWA

(AMANULLAH)
SECRETARY
PROVINCIAL ASSEMBLY OF KHYBER
PAKHTUNKHWA

REGISTERED



Advocate Supreme Court of Pakistan
Office # 33 Jinnah Plaza Adjacent to
District Bar Abbottabad

Sl. No.	Applicant Name	Spouse Name	Date of Birth	Village Name	Tehsil & District
21	GILKHO RIAN	MURTAZA RIAN	04-01-1958	VILLAGE PAKI	MANDAGAUCHA TEHSIL & DISTRICT MANSEHRA
22	SICHNI AMRO	S TAL MUHAMMAD	25-12-1972	VILLAGE SHIKATI LASSAN HAWAB	TEHSIL & DISTRICT MANSEHRA
23	MUHAMMAD FARWAR	ABDUL WAH	10-07-1974	VILLAGE TIANDA P/O FESHINRA	TEHSIL & DISTRICT MANSEHRA
24	MUHAMMAD KAFIQUB	SHANDAR	04-04-1970	VILLAGE BANDI KHAN VITAL P/O PHILRA	TEHSIL & DISTRICT MANSEHRA
25	MUHAMMAD PERVAIZ	ZAHAN	13-04-1973	VILLAGE TARDANG PHILRA P/O KHAN	TEHSIL & DISTRICT MANSEHRA
26	MUHAMMAD NAZEER	ASRUM KHAN	14-03-1948	VILLAGE NIKKA PANT P/O SHERGARH	TEHSIL OGHI & DISTRICT MANSEHRA
27	MUHAMMAD FAROOQ	KALAKHAN	10-1-1969	VILLAGE KAILA P/O DARGAUD	TEHSIL OGHI DISTRICT MANSEHRA
28	MUHAMMAD MUSHTAQ	SIJER MUHAMMAD	03-01-1975	VILLAGE PANGORI P/O LASSAN HAWAB	TEHSIL & DISTRICT MANSEHRA
29	ANWAR ZIB	ALI MUHAMMAD	0-11-1977	VILLAGE MAHAWALIAH P/O BEHALI	TEHSIL & DISTRICT MANSEHRA
30	MUHAMMAD SAKHEM	ABDUL REHMAN	07-01-0975	VILLAGE KHAMBIAH PAIEN P/O LASSAN HAWAB	TEHSIL & DISTRICT MANSEHRA
31	MUHAMMAD NANBEM	ATAE KHAN	10-6-1972	Village Phali P/O BALI MONG	TEHSIL & DISTRICT MANSEHRA
32	MASIM FAROOQ	SHANAWAZ KHAN	23-02-1975	VILLAGE MALIK PUR	TEHSIL & DISTRICT MANSEHRA
33	S SAJJAD IRUSSAIN SHAN	SYED HAYAT SHAH	02-04-1970	VILLAGE KOT P/O CHATTAR PLAIN	TEHSIL & DISTRICT MANSEHRA
34	IFTIKHAR AHMED	ALI SAMAN	06-11-1974	VILLAGE SHAROKO P/O LASSAN HAWAB	TEHSIL & DISTRICT MANSEHRA
35	M.HAMAYIM	ILABIB UR REHMAN	11-04-1969	VILLAGE BANDIAN P/O MADSERIAN	TEHSIL & DISTRICT MANSEHRA
36	D ASIF	WALITAN	28-04-1966	VILLAGE MANDAGAUCHA	TEHSIL & DISTRICT MANSEHRA
37	SAIID HUSSAIN	SAM MUHAMMAD	01-03-1968	VILLAGE TARIJA BALA P/O BERKUND	TEHSIL & DISTRICT MANSEHRA
38	MUHAMMAD AFZAL	MUHAMMAD AYUB	5-1-1972	VILLAGE TANGHAR P/O PHILRA	TEHSIL & DISTRICT MANSEHRA

TERMS & CONDITIONS.

- NO TA/DA etc is allowed.
- Charge reports should be submitted to all concerned in duplicate.
- Their Appointment are subject are condition that their certificates from the concerned authority before releasing their salary in the light of Section 3 of the Government servant to which they belong.
- They will be governed by such rules & regulation enforce and as may be prescribed in the said ACT 2012. Hence under Section 5 of the said ACT they shall not be entitled to their appointment has been made in pursuance of the seniority, promotion and back benefits.
- Their appointment has been made in pursuance of the seniority, promotion and back benefits.
- Their appointment has been made in pursuance of the seniority, promotion and back benefits.

A.S.D.E.O (2)
 Ghisla Phodra
 Mandagaucha

ADVOCATE
 Muhammad Arshad Khalil Tanoli
 Advocate Supreme Court of Pakistan
 Office # 33 Jinnah Plaza Adjacent to
 Distt: Bar Abbottabad

(19)



بخدمت جناب ڈائریکٹر صاحب ایلیمنٹری اینڈ سیکنڈری ایجوکیشن پشاور

درخواست براداد اکاؤنٹ کیے جانے protected پیریئڈ تحت ایکٹ 2012ء فیصلہ سپریم کورٹ آف پاکستان

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جناب عالی!

گزارش ہے کہ سائل کو PST 20/11/1994 کی پوسٹ پر بھرتی کیا گیا اور پھر 13/02/1997 کو سائل کو ملازمت سے برطرف کر دیا گیا تھا اور بعد ازاں حکومت نے 2012 Sacked Employees Act کا نفاذ کرتے ہوئے 1993-94ء میں بھرتی ہونے والے اور 1997-98ء میں برطرف شدہ ملازمین کی بحالی کا حکم نامہ جاری کیا گیا سائل کو DEO مانسہرہ نے بمطابق قانون 2012ء کے بحال نہیں کیا جس کی وجہ سے سائل نے پشاور ہائی کورٹ ایبٹ آباد بینچ میں W.P No. 516-A/2013 دائر کی جس کا فیصلہ 24/05/2017 کو سائل کے حق میں ہوا اور بعد ازاں سپریم کورٹ آف پاکستان نے بھی 24/05/2017 کو ہائی کورٹ کے فیصلہ کو بحال رکھا۔ لہذا سائل کو بروئے حکم عدالت عالیہ مورخہ 06-12-2017 کو بحال کر دیا سائل 2012 سے نوکری کا حق رکھتا تھا اور یہ کہ وفاقی حکومت نے اپنے تمام ملازمین کو ٹرمینیشن کی تاریخ سے بحال کیا۔

لہذا استدعا ہے کہ اکاؤنٹ کیے جانے protected پیریئڈ تحت ایکٹ 2012ء فیصلہ

سپریم کورٹ آف پاکستان۔

المرقوم: 2018/2022

ارضی

محمد آصف PST

ATTESTED

Muhammad Asif
 Advocate Supreme Court of Pakistan
 Office # 22, Jinnah Plaza, Adjacent to
 Courts Bar Abroad, etc.

Annex - E

P-37

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



Service Appeal No. 572/2019

Muhammad Haroon son of Khalil ur Rehman, GPS Phulra District Mansehra.

...APPELLANT

Khyber Pakhtunkhwa
Service Tribunal

VERSUS

Roll No. 641

Dated 22/11/2019

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

...RESPONDENTS

Presented by
[Signature]
22/11/19

SERVICE APPEAL UNDER SECTION 4 OF SERVICE TRIBUNAL ACT 1974 FOR DECLARATION TO THE EFFECT THAT THE APPELLANT WAS REINSTATED IN SERVICE WITH EFFECT FROM 04/12/2017 VIDE APPOINTMENT ORDER ENDST NO. 20672-702 DATED 04/12/2017 UNDER THE KHYBER PAKHTUNKHWA SACKED EMPLOYEES APPOINTMENT ACT 2012, AS WELL AS IN THE LIGHT OF JUDGEMENT OF PESHAWAR HIGH

Re-submitted to day and filed.

Registered
3/5/19

ATTESTED

[Signature]
ATTESTED

[Signature]
Office of the Registrar
District Mansehra

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 572/2019

Date of Institution ... 22.04.2019
Date of Decision ... 18.03.2021



Muhammad Haroon son of Khalil ur Rehman, G.P.S Phulra
District Mansehra.

(Appellant)

VERSUS

Government of Khyber Pakhtunkhwa through Secretary
Elementary & Secondary Education Peshawar and two others.

(Respondents)

Muhammad Arshad Khan Tanoli,
Advocate

... For appellant.

Riaz Khan Paindakheil,
Assistant Advocate General

... For respondents.

ROZINA REHMAN
ATIQU-UR REHMAN WAZIR

... MEMBER (J)
... MEMBER (E)

JUDGMENT

ROZINA REHMAN, MEMBER : This judgment is intended to dispose of
04 connected service appeals which are:

1. Service Appeal No.572/2019
2. Service Appeal No. 573/2019
3. Service Appeal No. 574/2019
4. Service Appeal No. 575/2019



ATTESTED

MEMBER (E)
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Muhammad Arshad Khan Tanoli
Advocate Supreme Court of Pakistan
Office # 73 Jinnah Plaza Adjacent to
D.G. Star Abbottabad

In view of common questions of law and facts, the above captioned appeals are being disposed of by this order.

2. The relevant facts leading to filing of instant appeals are that appellants were appointed as C.Ts in the year 1993-94 and were terminated from service in the year 1997-98. After the announcement of Khyber Pakhtunkhwa Sacked Employees (Appointment) Act, 2012, they were required to be reinstated in service but the appellants were not appointed accordingly, therefore, they filed Writ Petition before the Hon'ble High Court for their appointment under the said Act and it was during the pendency of the Writ Petition when appointment orders were accordingly issued on 04.12.2017. Some of the employees under the said Act were appointed in 2012-13 but the appellants were appointed on 04.12.2017, therefore, they filed departmental appeal which was not responded to, hence the present service appeal.

3. We have heard Muhammad Arshad Khan Tanoli Advocate for appellants and Riaz Khan Paindakheil learned Assistant Advocate General for the respondents and have gone through the record and the proceedings of the case in minute particulars.

4. Muhammad Arshad Khan Tanoli Advocate learned counsel appearing on behalf of appellants, inter-alia, argued that the respondent No.3 was supposed to appoint appellants under the Khyber Pakhtunkhwa Sacked Employees (Appointment) Act, 2012 when the said Act was promulgated in the year 2012 but their appointment order was issued on 04.12.2017 which is against law and discriminatory.

ATTESTED

Muhammad Arshad Khan Tanoli
Advocate Supreme Court of Pakistan
Office # 33, Jinnah Plaza Adjacent to
District Bar Abbottabad

ATTESTED
EXAMINER
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
Peshawar

Learned counsel further argued that some of the employees who were juniors to appellants were appointed, whereas, appellants were reinstated later on which act is against the principle of equality and natural justice. He submitted that appellants are to be treated at par with other employees in the said Department and lastly, he submitted that similar employees were given benefit by the Apex Court by counting of their service for the protected period for payment of pensionary benefits, therefore, request was made for the stated relief.

5. As against that, learned A.A.G submitted that appellants were appointed as P.S.Ts but later on, their appointments were declared illegal and they were terminated. The Government of Khyber Pakhtunkhwa promulgated Khyber Pakhtunkhwa Sacked Employees (Appointment) Act, 2012 and the appellants were appointed as P.S.Ts under Khyber Pakhtunkhwa Sacked Employees (Appointment) Act, 2012 as well as upon the direction of august High Court Abbottabad Bench. He submitted that as per Section-5 of the Sacked Employees (Appointment) Act, 2012, sacked employees shall not be entitled to seniority and other back benefits and that such nature cases were dismissed by the Service Tribunal. He, therefore, requested for dismissal of instant service appeals.

6. From the record, it is evident that appellants and others who were appointed back in 1994-95 were terminated in 1996-97. Sacked Employees (Appointment) Act, 2012 was specifically promulgated to extend relief to such sacked employees. Appellants were not

ATTESTED

Muhammad Arshad Khan Khatami
Advocate Supreme Court of Pakistan
Office # 33, Jinnah Plaza Adjacent to
Distt Bar Abbottabad

ATTESTED

MEMBER
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
Peshawar

considered for the reason best known to the respondents. The respondents however, considered other similar cases just after promulgation of the Act ibid which was discriminatory on the part of respondents. It was upon the intervention of the Hon'ble Peshawar High Court that appellants were reinstated at a belated stage in 2017 but with immediate effect. The main concern of the appellants is that such employees would reach the age of superannuation before earning qualifying service for pensionary benefits. We have observed that appellants had possessed all the qualifications as prescribed in the Act like others. It is also on record that co-employees tried their level best for back benefits and their cases were dismissed by this Tribunal as their earlier stance^{was} to get all service benefits. Feeling aggrieved from the judgment of this Tribunal CPLAs were filed in the Apex Court and relief of back benefits to co-employees was refused by the Apex Court too. However, Apex Court allowed counting of their service for the protected period for payment of pensionary benefits. The present appellants have a strong case as they had every right to be reinstated just after promulgation of the Act as they were having requisite qualification as prescribed in the Act. Their claim was accepted by the august High Court and reinstatement was ordered.

7. The present appellants have also prayed for all service back benefits with a request for counting of their service for the protected period in the light of judgment of the Apex Court which was passed in the case of co-employees. So, from the record, it is crystal clear that

ATTESTED


ATTESTED

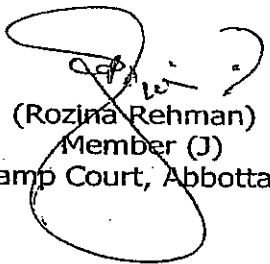
ATTORNEY
 IN CHARGE
 PESHAWAR HIGH COURT
 PESHAWAR

Advocate Supreme Court of Pakistan
 Office # 33 Jinnah Plaza Adjacent
 District Bar Association

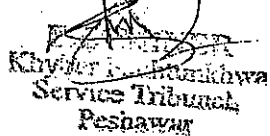
despite promulgation of an Act in the year 2012, appointment order of the appellants were issued in the year 2017 and that too, on the directions of the august High Court. No doubt, similar appeals of the sacked employees were dismissed regarding the back benefits but the Apex Court allowed the co-employees counting of their service for the protected period for payment of pensionary benefits only. Case of the present appellants is at par with those sacked employees who were granted this benefit by the Apex Court, therefore, these appeals are accepted to the extent that appellants are allowed counting of their services from the date of promulgation of the Khyber Pakhtunkhwa Sacked Employees (Appointment) Act, 2012 only for payment of pensionary benefits. No order as to costs. File be consigned to the record room.

ANNOUNCED.
18.03.2021


(Atiq ur Rehman Wazir)
Member (E)
Camp Court, Abbottabad


(Rozina Rehman)
Member (J)
Camp Court, Abbottabad

Certified to be true copy


Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Date of Presentation of Application 06/4/21
 Number of Words 2000
 Copying Fee 22/-
 Urgent
 Total 22/-
 Name of Copyist
 Date of Completion of Copy 06/4/21
 Date of Delivery of Copy 06/4/21

ATTESTED



Advocate Supreme Court of Pakistan
Office # 33, Jinnah Plaza Adjacent to
District Bar Abbottabad

IN THE SUPREME COURT OF PAKISTAN
(APPELLATE JURISDICTION)

Annex- G

P-62

PRESENT:

MR. JUSTICE GULZAR AHMED, HCJ
MR. JUSTICE IJAZ UL AHSAN

CIVIL PETITIONS NO.468-P, 469-P, 471-P & 472-P OF
2016.

(Against the judgment dated 12.07.2016 passed by the Khyber Pakhtunkhwa
Service Tribunal Camp Court, Swat in Appeals No.1202 and 1203 of 2013).

Muhammad Sheryar.
(in CP.468-P/16)

Anwar Zeb.
(in CP.469-P/16)

The Secretary to Education (E&S), Government of Khyber
Pakhtunkhwa, Peshawar and others.
(in CPs.471-P & 472-P/16)

...Petitioner(s)

Versus

The Secretary to Education (E&S), Government of Khyber
Pakhtunkhwa, Peshawar and others.
(in CPs.468-P & 469-P/16)

Muhammad Sheryar.
(in CP.471-P/16)

Anwar Zeb.
(in CP.472-P/16)

...Respondent(s)

For the Petitioner(s):

Mr. M. Asif, ASC.
(For Petitioners in CPs.468-P & 469-P/16 &
For Respondents in CPs.471-P & 472-P/16)

Barrister Qasim Wadood, Addl.
A.G. KP.
(in CPs.471-P & 472-P/16)

Date of Hearing:

27.03.2020.

ORDER

GULZAR AHMED, CJ. We have heard the learned
Additional Advocate General, Khyber Pakhtunkhwa appearing
for the Petitioners in Civil Petitions No.471-P and 472-P of

ATTESTED

Muhammad Asif, ASC.
Advocate, Supreme Court of Pakistan
Office # 13, Jinnah Plaza, Adj. to
Elsat, G-8/2, Abbottabad

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2016 as well as Mr. Muhammad Asif, learned ASC for the petitioners in Civil Petitions No.468-P and 469-P of 2016. The petitioners in Civil Petitions No.468-P and 469-P of 2016 (to be referred as the petitioners) were employed as PTC Teachers. Their services were terminated in the year 1997 against which they filed service appeals before the Khyber Pakhtunkhwa Service Tribunal ("the Tribunal") which vide judgment dated 04.01.2013 accepted the appeals with direction to the Respondents to consider their grievances. Pursuant to this direction of the Tribunal, the petitioners were reinstated in service, vide Office Order dated 05.07.2013 from the date of their taking charge but back benefits were not allowed to them for the period they remained out of service. The petitioners again filed service appeals before the Tribunal which vide impugned judgment dated 12.07.2016 accepted the appeals.

2. The learned counsel for the petitioners contends that the petitioners were entitled to grant of back benefits but we are unable to see as to how such back benefits could have been allowed to them more so when in the earlier judgment of the Tribunal dated 04.01.2013 no such relief was allowed to the petitioners and by the impugned judgment dated 12.07.2016 also apparently no such relief has been granted to them. He adds that some other similarly placed employees have been given back benefits.

3. We have asked the learned counsel for the petitioners to show us as to whether in the memo of appeal

ATTESTED
Advocate Supreme Court of Pakistan
Office # 29, Jinnah Park, Abbottabad
Distt. Bar Abbottabad

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before the Tribunal such point has been urged or any other ground in this regard was taken. He went through the memo of appeal and conceded that no such assertion in the memo of appeal was taken by the petitioners. The Tribunal has disallowed back benefits to the petitioners twice and it is obvious that such has been disallowed to the petitioners for the reason that they have not served the department for the said period and there is no material on record on the basis of which relief of back benefits could be allowed to them. There appears no illegality in the impugned judgment. Even otherwise, no substantial question of law of public importance in terms of Article 212(3) of the Constitution of the Islamic Republic of Pakistan, 1973 has been raised.

5. For what has been discussed above, all the listed petitions being devoid of merit stand dismissed and leave to appeal is refused.

6. It is however observed that the petitioners will be allowed counting of their service for the protected period for payment of pensionary benefits.

ATTESTED

Advocate Supreme Court of Pakistan
Office # 23 Minar Plaza Adjacent
Distt: Sarf-e-Azam

ISLAMABAD.

27.03.2020

ZR/

Not Approved For Reporting

17/4/20

