


FORM OF ORDER SHEET

Court of _____

Appeal No. 1782/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	05/09/2023	<p>The appeal of Mr. Shakeel Ahmad resubmitted today by Mr. Muhammad Arshad Khan Tanoli Advocate. It is fixed for preliminary hearing before touring Single Bench at A.Abad on</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

The appeal submitted by Mr. Muhammad Arshad Khan Tanoli Advocate today i.e. on 16.08.2023 is incomplete on the following score which is returned to him for completion and resubmission within 15 days.

1. Pages no. 13 & 21 of the appeal are illegible which may be replaced with legible/better one.

REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR

No. 3095 /S.T.

DT 25/08 /2023

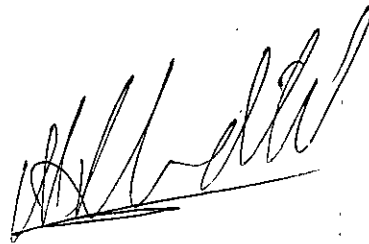


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Muhammad Arshad Khan Tanoli Adv.
Supreme Court.

Sir,

objection have been removed
as desired



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

Service Appeal No/1789/2023

Shakeel Ahmed son of Muhammad Ayub (PST) Government Primary School Tarmang, resident Village Kalwal post office Lassan Nawab, Tehsil and District Mansehra.

....APPELLANT

V E R S U S


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

...RESPONDENTS

SERVICE APPEAL

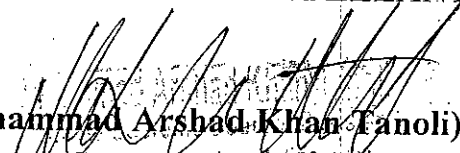
INDEX

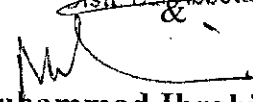
S.#	Description	Page No.	Annexure
1.	Service appeal along with affidavit	1 to 7	
2.	Copy of appointment order dated 22/11/1994 and termination order dated 13/02/1997 of the appellants	8-21	"A"
3.	Copy of KP sacked employees Appointment Act 2012	22-25	"B"
4.	Copy of appointment order dated 03/04/2018 of the appellants	26-28	"C"
5.	Copy of departmental appeal	29	"D"
6.	Copy of judgment of KP service Tribunal and the Apex Court	30-38	"E"
7.	Wakalatnama	39	


..APPELLANT

Through

Dated: _____/2023


(Muhammad Arshad Khan Tanoli)
Advocate Supreme Court of Pakistan
Distt. Peshawar & Abbottabad


(Muhammad Ibrahim Khan)
Advocate High Court, Abbottabad

①

BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR

Service Appeal No/782/2023

Shakeel Ahmed son of Muhammad Ayub (PST) Government Primary School Tarmang, resident Village Kalwal post office Lassan Nawab, Tehsil and 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 SERVICE ON
13/02/1997. THEREAFTER, THE APPELLANT**

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GOT APPOINTMENT AS PST ON 22/11/1994
AS PER KP SACKED EMPLOYEES
APPOINTMENT ACT 2012, BUT PREVIOUS
SERVICE W.E.F: 22/11/1994 TO 13/02/1997
AND 2012 TO 03/04/2018 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
03/04/2018 OF THE APPELLANT TOWARDS
CALCULATION OF PENSION AND
COMMUTATION. ANY OTHER RELIEF
WHICH THIS HONOURABLE TRIBUNAL
DEEM APPROPRIATE IN THE
CIRCUMSTANCES OF THE CASE MAY ALSO
BE ALLOWED TO THE APPELLANT.

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 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 22/11/1994 and was terminated in the year 13/02/1997 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 03/04/2018, but their

④

previous service w.e.f 22/11/1994 to 13/02/1997 and 2012 to 03/04/2018 has not been counted towards calculation of pension/commutation of the appellant. Copy of appointment order dated 03/04/2018 of the appellant is annexed as Annexure "C".

4. That, the appellant filed departmental appeal to respondents' department but of no avail. Copy of departmental 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 03/04/2018 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 should 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.

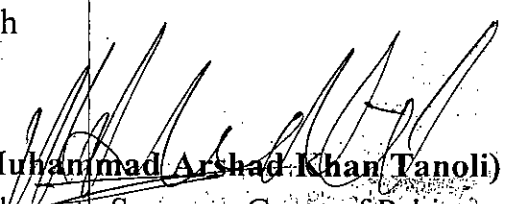
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It is therefore, very humbly prayed, that on acceptance of instant service appeal, the respondents' department may graciously be directed to count previous service w.e.f 22/11/1994 to 13/02/1997 and 2012 to 03/04/2018 of the appellant towards calculation of pension and commutation. Any other relief which this honourable tribunal deem appropriate in the circumstances of the case may also be allowed to the appellant.

Shahid
Shahid
..APPELLANT

Dated: _____/2023

Through


(Muhammad Arshad Khan Tanoli)
Advocate Supreme Court of Pakistan


(Muhammad Ibrahim Khan)
Advocate High Court, Abbottabad

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BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR

Service Appeal No. _____ 2023

Shakeel Ahmed son of Muhammad Ayub (PST) Government Primary School Tarmang, resident Village Kalwal post office Lassan Nawab, Tehsil and District Mansehra.

....APPELLANT

VERSUS

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

...RESPONDENTS

SERVICE APPEAL

AFFIDAVIT

I, *Shakeel Ahmed son of Muhammad Ayub (PST) Government Primary School Tarmang, resident Village Kalwal post-office Lassan Nawab, Tehsil and District Mansehra*, do hereby solemnly affirm and declare that the contents of foregoing appeal are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honourable Court.

Shakeel
DEPONENT

Annex-A

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

OFFICE ORDER NO. 88

DATED 22/11/1994.

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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.1480 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:Mathra	-do-
7-	Khalid s/o Sher Muhammad Mera Khurd		GPS Nambal	-do-
8-	Sain Ahmad s/o Muhammad Zaman.	Narala	Mos:Lohar Banda	-do-
9-	Muhammad Aslam s/o Fazal Rehman.	Chan Sair	GPS Seri Gorla	-do-
10-	Haider Zaman s/o Muhammad Gulaman.	Zarrori	GPS Beerlan	-do-
11-	Amjad Hussain s/o Anwar Shah.	Dhaman Dheri	GPS Bat Doga	-do-
12-	Saeedur Rehman s/o Haider Zaman.	Gali Badral	GPS Daroo	-do-
13-	Muhammad Parvez s/o Muhammad Akbar.	Kala Mera	Mos: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.	Shakeoki	Mos:Sinjel Bandi	-do-
17-	Muhammad Younis s/o Fazlur Rehman.	Mando	Mos Tunimar	-do-
18-	Muhammad Riaz s/o Kala Khan.	Hari Doga	GP 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
Supreme Court of Pakistan
District Abbottabad

No.	Name	Address	Religion	Remarks
21-	Lal Khan s/o Fazlur Rehman	Parkoh	GPS Tarmang	A.V.Post.
22-	Abdus Sattar s/o Maroof.	Kalas	GPS Sera Gali	A.V.Post.
22-	Niaz Abi Shah s/o Farman Ali Shah.	Darband	Mos:Chakli Miangan	-do-
23-	Muhammad Ishaq s/o Ghulam Qadir.	Maken 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.	Shurigli	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 Khaliq	Jund Seri	GPS Namshera	-do-
35-	Javed s/o Fazlur Rehman	Sharotta	GPS Khudian	-do-
36-	Muhammad Arshad s/o Sher Muhammad.	Sahaki	GPS Khudian	-do-
37-	Muhammad Fayaz s/o Niaz Muhammad	Bandi Mera	GPS Garwal	-do-
38-	Muhammad Arif s/o Wali Muhammad	Rooria	Mos:Parkhain	-do-
39-	Muhammad Gulab s/o Sikandar Khan.	Barri	Mos:Jorian	-do-
40-	Abdus Sadia 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	GP Chuntran	-do-
47-	Muhammad Saeed s/o Muhammad Israil.	Kalas	Mos:Moher Khurd	-do-
48-	Muhammad Bukhtiar s/o Thane 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	Chamial	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:Kaloo Bashti	-do-
55-	Shah Feroz s/o Firdoos.	Jaman Moori	Mos:Takkra Pain	-do-

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Muhammad
 District Home Court of Pakistan
 Room 23 Jinnah Plaza Adjacent to
 Dist: East Faisalabad

56-	Munawar s/o Masood.	Lasán Nawáb	GPS Tarmang	A.V.Post
57-	Ghulam Abbas s/o Abdus Sattar.	Deagri	Mos:Batangi	--do--
58-	Muhammad Azam s/o Khawaj Muhammad.	Khalian Arian	GPS Karka	--do--
59-	Anwar Zeb s/o Sikandar Khan.	Sharotta	GPS Hallah	--do--
60-	Akram s/o Suleman.	Sharotta	GPS Mera Khairoo	--do--
61-	Nazir Muhammad s/o Sher Muhammad.	Phuldhar	Mos:Nalbori	--do--
62-	Chiria Khan s/o Abdur Rehman, Jhangi		GPS Sinjliyal	--do--
63-	Muhammad Tariq s/o Pervez.	Sokal	GPS Shanaya Pain	--do--
64-	Dost Muhammad s/o Mir Muhammad Hair Abad		Mos:Dolarian	--do--
65-	Jehangir s/o Fazal Karim.	Hal Kaloo	GPS Hariyal	--do--
66-	Manzoor Ahmad s/o Magboolur Rehman.	Chandoor	GPS Chandoor	--do--
67-	Lal Khen s/o Sher Muhammad.	Jhanda		--do--
68-	Sultan s/o Rehmatullah.	Nara Doga	Mos:Gora	--do--
69-	Dure Amen s/o Nazir Muhammad	Sharotta	Mos:Kamari	--do--
70-	Muhammad Akbar s/o Sher Muhammad			
70-	Salar Khan s/o Abdul Akbar.	Larrori	GPS Akhun Bandi	--do--
71-	Iftikhar Ahmad s/o Ali Zaman	Shakokki	GPS Kandar	--do--
72-	Mubarak s/o Haider Zaman	Pakoona	GPS Matserian	--do--
73-	Sabir s/o Muhammad Yaqoob	Pakoona	GPS Ghazi Kot	--do--
74-	Dildar s/o Faqir Muhammad	Mohar	Mos Belan	--do--
75-	Rafiq s/o Sikandar	Bandian	GPS Bandi Khan Khel.	--do--
76-	Shakil Ahmad s/o Ayub.	Khalwad	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 Gulab Shah	Shergarh	GPS Seri Goria	--do--
90-	Saleem s/o Samandur	Shanaya	Mos:Bradar	--do--
91-	Munibur Rehman s/o Muhammad Zaman.	Kandar	GPS Kandar	--do--
92-	Sajid s/o Habibur Rehman	Phulra	GPS Kajla	--do--
93-	Muhammad Haroon s/o Ali Zaman	Bei Buhel	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 Piaz s/o Rafiullah.	Bandi Mera	Mos:Khamian	--do--

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District Court of Faisalabad

District Faisalabad

	Naveed Shah s/o Muazam Shah Shh Kot.	GPS Dham Nalla	A.V. Post
98-	Muhammed Nazir s/o Muhammad Khan Aseem	GPS Neel Batla	-do-
99-	Muhammad Azam s/o Sher Muhammad	Bedian	GPS Nara Doga -do-
100-	Abid Hussain s/o Abdur Rehman.	Daroon	GPS Chaniyal -do-
101-	Muhammad Asif s/o Wali Jan	Munda Gucha	GPS Chilyani -do-
102-	Nahid Ahmad s/o Ghulam Nabi	Jairoori	GPS Sundi -do-
103-	Muhammad Naeem s/o Attai Khan Phalai		GPS Neelban -do-
104-	Muhammad Naveed s/o Muhammad Ayub.	Sucha Kalan	GPS Bahadra -do-
105-	Muhammad Shakil s/o Muhammad Mussa	Sucha Kalan	GPS Said Abad -do-
106-	Ghulam Hassan s/o Muhammad Ishaq	GPS Nalla Jabbar	GPS Nalla Jabbar -do-
107-	Muhammad Khalid s/o Azizur Rehman.	Munda Gocha	GPS Munda Gocha -do-
108-	Gul Dad s/o Mughal Dad	Punjool	GPS Sukian -do-
109-	Muhammad Aslam s/o Muhammad Alam	Gali Jabbar	GPS Jabbar -do-
110-	Ghulam Nabi s/o Arsala Khan	Keeri Bala	GPS Sattan Gali -do-
111-	Akhtar Nawaz s/o Haq Nawaz Khan.	Sucha Kalan	GPS Kodar -do-
112-	Gul Wiaz s/o Sarfaraz Khan	GPS Banda Gee Tach	-do- -da-
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 Muntaz Ali Shah.	Bai Bala	GPS Thatta -do-
116-	Sajid Hussain Shah s/o Hayat Shah	Kot Chatter	GPS Dheri Nambardar -do-
117-	Muhammad Fayez s/o Abdul Wahab.	Wilkot	GPS Deri Haleem -do-
118-	Javed Hussain Shah s/o Nawab Said Shah.	Iachi Mang	GPS Deri Nambardaran -do-
119-	Zulfiqar Ali Shah s/o Sadiq Shah.	Bai Bala	GPS Shangreta -do-
120-	Abdul Ghaffar Ali Shah s/o Pir Bad Shah	Saloon	Gps Chinar Kot. -do-
121-	Ijaz Hussain Shah s/o Shah Said Shah.	Bhumla Chatter	GPS Khotri -do-
122-	Caisar 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 Razaq s/o Mir Hussain	Makan Gali	GPS GPS Dokal -do-
126-	Muhammad Ijaz s/o Omar Zaman	Dhanaka	Mos; Pagora -do-
126A	Muhammad Aslam s/o Omar Zaman	Gundan	GPS Battian -do-
127-	Abdus Sattar s/o Abdur Rehman	Dheman	GPS Chatta -do-
128-	Muhammad Yousef s/o Aurangzeb	Seri Gali	GPS Shanaya -do-
129-	Fariddud Din s/o Abdul Hai	Mat Seri	GPS Jigga -do-

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District Bar Abbottabad

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129-A	Sidique s/o Haider Zaman	Purni	GPS Hariyala	A.V.Post.
130	Azmet Ayub S/o Muhammad Ayub	Naryala	GP, Chameyari	A.V.Post
131	Gaid 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	Fancos Shah s/o Syed Azeem Shah xxx	Rongaly		K.D.
135	Syed Wahab s/o Muhammad Mustafa.	Jatka		K.D.
136	Pir Mukamil Shah s/o Pir Ahmad Shah.	Jatka		K.D.
137	Diagst Ali s/o Sher Muhammad Khan	Shinkhari		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 ICHLO)
 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.

Approved
 Secretary to Government of NWFP
 Education Department
 Peshawar

Serial 75

App. No. 88

22/11/94

Emd No = 2485-2626

22-11-94

Handwritten signature and notes in Urdu.

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

P-13

Termination Order

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 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 Akhri Gayum	Lassan Nawab	Msq:Khalyala
3.	Sheikh Anjid S/O Sheikh Taj Muhammad	Shakooki	GPS Bat Doga
4.	Muhammad Sajjad S/O Ali Akbar	Thakar Mera	Msq:Pojdara
5.	Zulfiqar S/O Fazal-ur-Rehman	Shergarh	GPS Seri Gorla
6.	Sarfraz S/O Muhammad Jan	Moorat Mera	Msq:Hathra
7.	Khalid S/O Sher Muhammad	Mera Khurd	GPS Numbal
8.	Sain Ahmad S/O Muhammad Zaman	Naryala	Msq:Loharbanda
9.	Muhammad Aslam S/O Fazal Rehman	Chansair	GPS Seri Gorla
10.	Haider Zaman S/O Muhammad Suleman	Karori	GPS Beerian
11.	Anjid Hussain S/O Anwar shah	Dhaman Dheri	GPS Batdoga

Contd: Page No. 2

Attested

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12.	Sayed-ur-Rahman S/O Fazal Zaman	Gali Badral	GPS Daroo
13.	Muhammad Iqbal S/O Muhammad Aftab	Kalif Mera	Msq: Sinjeliyala
14.	Muhammad Bushraf S/O Ghal Muhammad	Pangorhi	Msq: Khamari
15.	Muhammad Arfan S/O Muhammad Zaman	Gali Badral	GPS Lubar
16.	Muhammad Saeed S/O Muhammad Ayub	Shakooki	GPS Sinjal Bandi
17.	Muhammad Younis S/O Fazal-ur-Rehman	Mando	Msq: Tunimar
18.	Muhammad Saiz S/O Kala Koon	Hari Doga	GPS Chamial
19.	Muhammad Tariq S/O Abdur Rehman	Chansair	GPS Sunj
20.	Muhammad Haroon S/O Ghulam Haidar	Moorat Mera	GPS Sunj
21.	Lal Khan S/O Fazal-ur-Rehman	Tarnang	GPS Tarnang
22.	Abdul Satar S/O Harooof	Kalus	GPS Seri Gali
23.	Miaz Ali Shah S/O Farman Ali Shah	Darband	Msq: Chakli Miangan
24.	Muhammad Ishaq S/O Ghulam Qader	Makan Gali	GPS Chatta
25.	Aftab Ahmad S/O Abdul Jalil	Hari doge	GPS Chatta
26.	Abdul Malik S/O Rehmatullah	Chansair	GPS Bai
27.	Muhammad Shameer S/O Omar Zaman	Jasgran	GPS Sokai
28.	Hafeem Anwar S/O Muhammad Anwar	Shangli	GPS Neel Batla
29.	Muhammad Haroon S/O Khalid ur Rehman	Kutaira	GPS Neel Batla

Attest


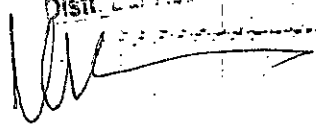
Secretary
Court of Pakistan
Main Office Adra Court
Lahore

987	30.	Abid Hussain Shah S/O Hussain Shah	Tamail Bandi	GPS Nawan Sher
	31.	Shakeel S/O Abdul Jabar	Sokal	GPS Sokal
	32.	Rashid Manan S/O Abdul Manan	Lassan Nawab	GPS Sokal
8257	33.	Taj Muhammad S/O Sher Dil	Chakli	GPS Namshera
	34.	Shuakat Ali S/O Gohar Rehman	Darband	GPS Namshera
2478	35.	Abdur Rashid S/O Abdul Kaliq	Jang Seri	GPS Namshera
17	36.	Javeed S/O Fazal-ur-Rehman	Shanotta	GPS Khudian
	37.	Muhammad Arshid S/O Sher Muhammad	Gahaki	GPS Khudian
15	38.	Muhammad Fayaz S/O Niaz Muhammad	Bandh Mera	GPS Garwal
2	39.	Muhammad Arif S/O Wali Muhammad	Rooria	Msq: Parkhain
21	40.	Muhammad Gulab S/O Sikandar Khan	Rarri	Msq: Jorian
2	41.	Abdus Sadiq S/O Behram	Kalac	GPS Minjahani
25	42.	Muhammad Ali S/O Taj Muhammad	Taqia Shahmiskeen	GPS Dham Nalla
24	43.	Naem Kausar S/O Ghulam Sarwar	Lassan Nawab	GPS Hallan
15	44.	Muhammad Humayun S/O Habib-ur-Rehman	Bandian	GPS Matserian
16	45.	Muhammad Pervez S/O Muhammad Zaman	Tharmang	GPS Miana Gali
82	46.	Zulfiqar S/O Ghulam Sarwar	Darband	Msq: Karam

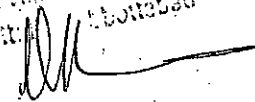
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 The P.T. Officer (Taza Aujaceli) to
 Dist. G. Abbottabad

[Signature]

	Page No.		
47. Habib-ur-Rehman S/O Jamil-ur-Rehman	4	Gali Badra	GPS Chuntran
48. Muhammad Saeed S/O Muhammad Israil		Kalas	Msq: Mohar Khurd
49. Muhammad Bukhtiar S/O Khan Zaman		Roria	GPS Miana Gali
50. Iftikhar S/O Ghulam Haider		Gojra	GPS Kahawa
51. Fida Hussain S/O Aziz Muhammad		Chor Bandi	GPS Mad Serian
52. Ghulam Mustafa S/O Hafizullah		Chamial	GPS Nikka Pani
53. Zulfikar S/O Quri Aman		Sinjliyal	Msq: Doga
54. Muhammad Bashir S/O Abdul Akbar		Machral	Msq: Hari Doga
55. Sher Muhammad S/O Taj Muhammad		Fateh Bandi	Msq: Kaloo Basthi
56. Shah Feroz S/O Ferdoss		Jaman Moori	Msq: Thakka Pain
57. Munawar S/O Masood		Lassan nawab	GPS Tarmang
58. Ghulam Abbas S/O Abdus Satar		Dehri	Msq: Batang
59. Muhammad Azam S/O Khawaj Muhammad		Khalian Arian	GPS Karka
60. Anwar Zeb S/O Sikandar Khan		Sharotta	GPS Mallah
61. Akram S/O Suleman		Sharotta	GPS Mera Khairoo
62. Nazir Muhammad S/O Sher Muhammad		Phuldhari	Msq: Nalbori
63. Chiria Khan S/O Abdur Rehman		Jhangi	GPS Sinjliyal
64. Muhammad Tariq S/O Farvez		Sokal	GPS Shanaya payeen


 Justice Khattak
 Supreme Court of Pakistan
 District Court


814/ 65.	Dost Muhammad S/O Mir Muhammad	Khair Abad	Msq: Dolarian
366.	Jehangir S/O Fazal Karim	Hal Kaloo	GPS Hariyala
367.	Manzoor Ahmad S/O Maqbool-ur-Rehman	Chandoor	Msq: Chandoor
368.	Lal Khan S/O Sher Muhammad	Jhanha	Msq: Chandoor
369.	Sultan S/O Rehmatullah	Nara Doga	GPS Gora
370.	Duri Aman S/O Wazir Muhammad	Sharotta	Msq: Kamari
828/ 71.	Salar Khan S/O Abdul Akbar	Karrori	GPS Akhun Bandi
372.	Iftikhar Ahmad S/O Ali Zaman	Shakokki	GPS Kandal
373.	Mubarak S/O Haider Zaman	Pakpona	GPS Maserian
474.	Sabar S/O Muhammad Yaqoob	Pakpona	GPS Ghazi Kot
475.	Oildar S/O Faqir Muhammad	Mohar	Msq: Belan
476.	Rafique S/O Sikandar	Randian	GPS Bandi Khan Khet
477.	Shakeel Ahmad S/O Ayub Khan Wali		Msq: Kotla darwazi
78/ 78.	Sadique S/O Farid	Jahand	Msq: Gud
479.	Khurshid S/O Faqir Muhammad	Chitti Moori	GPS Chontra
192/ 80.	Muhammad Farooq S/O Kala Khan	Kajla	GPS Kajla
829/ 81.	Nazar Hussain S/O Chulam Haider	Nikka Pani	Msq: Gali Tendki
482.	Sarwar S/O Abdul Nabi	Thanda	GPS Chaniyal

Attested

 Sd/-

4183.	Muhammad hanif S/O Ghulam Sarwar	Sokal	Mera Khairoo
4184.	Nazir Ahmad S/O Ghulam Sarwar	Batal Pain	Msq: Khajambar
4185.	Ali Munsaf S/O Ali Zaman	Doga	GPS Bradarh
4186.	Sarfraz S/O Alizaman	Jangi	GPS Thathi Katan
8187.	Iqbal S/O Yaqoob	Larri	Msq: Shanaya Pain
4188.	Muhammad Afzal S/O Ayub	Tangarh	Msq: Kharan
4189.	Hakim Khan S/O Gohar Rehman	Khaliala	GPS Mera Khairoo
4190.	Zaman Shah S/O Gulab Shah	Shergarh	GPS Seri Gorla
4191.	Saleem S/O Samandur	Shanaya	Msq: Bradar
4192.	Munib ur Rehman S/O Muhammad Zaman	Kandar	GPS Kandar
4193.	Sajid S/O Habib-ur-Rehman	Phulra	GPS Kajla
4194.	Muhammad Haroon S/O Ali Zaman	Bai Buhai	GPS Batdoga
4195.	Muhammad Javaid S/O Aurang Zeb	Jhanda	GPS Gali Badral
4196.	Muhammad Ismail S/O Muhammad Zaman	Gorha	GPS Theri
4197.	Muhammad Riaz S/O Rafiullah	Bandi Mera	Msq: Khamian
4198.	Naveed Shah S/O Muazam Shah	Shah Kot	GPS Dam Nulla
4199.	Muhammad Nazir S/O Muhammad Aseem	Nikka Pani	GPS Hooli Gattia
4200.	Muhammad Azam S/O Sher Muhammad	Bandian	GPS Nara Doga

Shahid
Ali

101. Abid Hussain S/O Abdur Rehman	Pakoona	GPS Chaniyal
102. Muhammad Asif S/O Wali Jan	Munda Gucha	GPS Chilyani
103. Nahib Ahmad S/O Ghulam Nabi	Jabori	GPS Sundi
104. Muhammad Naeem S/O Attai Khan	Phalai	GPS Neel Gan
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 Mughaldad	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 ✓ Sarfaraz Khan	Buz Bela	GPS Banda Geesach
114. Ghulam Nabi S/O Qadai	Chotta Bala	GPS Mohri
115. Javed Iqbal S/O ✓ Ahmad Jee	Punjooli	GPS Mohri
116. Ashiq Hussain shah S/O Mumtaz Ali shah	Bai Bala	GPS Thatta
117. Sajid Hussain Shah S/O Hayat Shah	Kot Chatter	GPS Oheri Nambardar

Attest

Distt. Abbottabad

[Signature]

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

Allested

Dist. S. Abbottabad

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P-21

Page No. 9

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

دعوای

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(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
- 11-15. All concerned.

[Handwritten signature]
DISTRICT EDUCATION OFFICER,
(MALE) PRIMARY MANSEHRA.

Attested
District Education Officer
Mansehra
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OFFICE OF THE DISTRICT EDUCATION OFFICER, (MALE) PRIMARY MANSHERA

No.5

Dated February 13 1997

OFFICE ORDER

On perusal of the relevant record. The 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	Nambal	GPS Nambal
2.	Muhammad Khalid s/o Abdul Qayum	Lassan Nawab	Msq Khalyala
3.	Sheikh Amjad s/o Taj Muhammad	Shakooki	GPS Bat Dogra.
4.	Muhammad Sajjad s/o Ali Akbar	Thakar Mera	Msq Pojdara
5.	Zulfaqar s/o Fazal --ur-Rehman	Shergarh	GPS Seri Gorla
6.	Sarfraz s/o Muhammad Jan	Moorat Mera	Msq Hathra
7.	Khalid s/o Sher Muhammad	Mera Khurd	
8.	Sain Ahmed s/o Muhammad Zaman	Naryala	Msq Loharbanda
9.	Muhammad Aslam s/o Fazal Rehman	Chansair	GPS Seri Gorla
10.	Haider Zaman s/o Muhammad Suleman	Karori	GPS Beenian
11.	Amjad Hussain s/o Anwar Shah	Dhaman Dheri	GPS Batdoga
12.	Sardar Rehman s/o Haider Zaman	Gali Badrai	GPS Daroo
13.	Muhammad Pervaz s/o Muhammad Akbar	Kala Mera	Msq Sinjeliyala
14.	Mushtaq s/o Muhammad Sher Muhammad	Pancorhi	Msq Khamari
15.	Muhammad Arfan s/o Muhammad Zaman	Gali Badral	GPS Lubar
16.	Muhammad Saeed s/o Muhammad Ayub	Shakooki	GPS Sinjal Bandi
17.	Muhammad Younus s/o Fazal ur-Rehman	Mando	Msq Tunimar
18.	Muhammad Riaz s/o Kala Khan	Hard Dogra	GPS Chamial
19.	Muhammad Taraq s/o Abdur Rehman	Chamsair	GPS Sunj
20.	Muhammad Haroon s/o Ghulam Haider	Moorat Mera	GPS Sunj
21.	Lal Khan s/o Fazal --ur-Rehman	Tamang	GPS Tamang
22.	Abdus Satar s/o Haroof	Kalas	GPS Seri Gali
23.	Niaz Ali shah s/o Farman Ali shah	Darband	GPS Chakli Miangan
24.	Muhammad Ishaq s/o Ghulam Qadar	Makan Gali	GPS Chatta
25.	Aftab Ahmed s/o Abdul Jalil	Hard dogra	GPS Chatta
26.	Abdul Malik s/o Rehmatullah	Chansair	GPS Bai
27.	Muhammad Shameer s/o Omar Zaman	Jasgran	GPS Sokal
28.	Naheem Anwar s/o Muhammad Anwar	Shangli	GPS Neel Batla
29.	Muhammad Haroon s/o Khalil-ur-Rehman	Kutaira	GPS Neel Batia

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30.	Abid Hussain Shah s/o Hussain Shah	Ismail Bandi	GPS Nawan Sher
31.	Shakeel s/o Abdul Jabar	Sokal	GPS Sokal
32.	Rashid Manan s/o Abdul Manan	Lassan Nawab	GPS Sokal
33.	Taj Muhammad s/o Sher Dil	Chakil	GPS Namshera
34.	Shuakat Ali s/o Gohar Rehman	Darband	GPS Namshera
35.	Abdul Rashid s/o Abdul Khaliq	Jan Seri	GPS Namshera
36.	Javid s/o Fazal ur-Rehman	Sharotta	GPS Khudian
37.	Muhammad Arshad s/o Sher Muhammad	Sahki	GPS Khudian
38.	Muhammad Fayaz s/o Niaz Muhammad	Bandi Mera	GPS Garwal
39.	Muhammad Riaz s/o Wali Muhammad	Gandan	Msq :Jabba Balrian
40.	Muhammad Gulab s/o Skindar Khan	Rarri	Msq Jorian
41.	Abdus Sadiq s/o Behram	Kalas	GPS Minjahani
42.	Muhammad Ali s/o Taj Muhammad	Taqia Shahmiskeen	GPS Dham Nallah
43.	Naheem Kusar s/o Ghullam Sarwar	Lassan Nawab	GPS Haillan
44.	Muhammad Hamayun s/o Habibi ur-Rehman	Bandian	GPS Matserian
45.	Muhammad Pervaz s/o Muhammad Zaman	Darband	GPS Miana Gali
46.	Zulfqar s/o Muhammad Ghulum Sarwar	Darband	Msq :Karam
47.	Habib-ur-Rehman s/o Jamil-ur-Rehman	Gali Badral	GPS Chuntran
48.	Muhammad Saeed s/o Muhammad Israil	Kalas	Msq Mohar Khurd
49.	Muhammad Bukhtiar s/o Khani Zaman	Roria	GPS Miana Gali
50.	Iftikhar s/o Ghulam Haider	Gojra	GPS Kahawa
51.	Fida Hussain s/o Aziz Muhammad	Chor Bandi	GPS Mad Serian
52.	Ghulam Mustafa s/o Hafizullah	Chamial	GPS Nikka Pant
53.	Zulfiqar s/o Duri Aman	Sinjliyal	Msq :Doga
54.	Muhammad Bashir s/o Abdul Akbar	Machral	Msq :Harj Doga
55.	Sher Muhammad s/o Taj Muhammad	Fateh Bandi	Msq :Kaloo Basthi
56.	Shah Feroz s/o Ferdoss	Jaman Moori	Msq : Thakkra Pain
57.	Munawar s/o Masood	Lassan Nawab	GPS Tarmang
58.	Ghulam Abas s/o Abdus Satar	Dehgri	Msq :Batangi
59.	Muhammad Azam s/o Khawaj Muhammad	Khalian Arian	GPS Karka
60.	Anwar Zeb s/o Sikandar khan	Sharotta	GPS Hallan
61.	Akram s/o Suleman	Sharotta	GPS Mera Khairoo
62.	Nazir Muhammad s/o Sher Muhammad	Phuildhar	Msq :Nalbori
63.	Chiria Khan s/o Abdur Rehman	Jhangi	GPS Sinjliyal
64.	Muhammad Tariq s/o Parvez	Sokal	GPS :Shanaya Payeen
65.	Dost Muhammad s/o Mir Muhammad	Khair Abad	Msq :Dolarian
66.	Jehangir s/o Fazal Karim	Hal Kaloo	GPS HariyaLa
67.	Marzoor Ahmed s/o Maqbool -ur-Rehman	Chandoor	Msq : Chandoor
68.	Lal Khan s/o Sher Muhammad	Jhanda	Msq : Chandoor
69.	Sultan s/o Rehmatullah	Nara Doga	GPS Gora
70.	Duri Aman s/o Wazir Muhammad	Sharotta	Msq :Kamari
71.	Salar Khan s/o Abdul Akbar	Karrori	GPS Akhun Bandi
72.	Aftikhar Ahmed s/o Ali Zaman	Shakokki	GPS Kandai
73.	Mubarak s/o Haider Zaman	Pakoona	GPS Maserian
74.	Sahir s/o Muhammad Yaqoob	Pakoona	GPS Ghazi Kot

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75.	Dildar s/o Fiaqar Muhammad	Mohar	Msq :Belan
76.	Rafique s/o Sikandar	Bandian	GPS Bandi Khan Khel
77.	Shakeel Ahmed s/o Ayub	Khalwal	Msq :Kotla darwaza
78.	Sadique s/o Farid	Jahand	Msq : Gud
79.	Khurshid s/o Faqir Muhammad	Chitti Moori	GPS Chontra
80.	Muhammad Farooq s/o Kala Khan	Kajla	GPS Kajla
81.	Nazar Hussain s/o Ghulam Haider	Nikka Pani	Msq : Gali Tendki
82.	Sarwar s/o Abdul Nabi	Thanda	GPS Chaniyal
83.	Muhammad Hanif s/o Ghulam Sarwar	Sokal	Mera Khairoo
84.	Nazir Ahmed s/o Ghulam Sarwar	Batal Pain	Msq : Khajambar
85.	Ali Munsaf s/o Ali Zaman	Doga	GPS Bradarh
86.	Sarfraz s/o Ali Zaman	Jangi	GPS Thathi Kalan
87.	Iqbal S/o Yaqoob	Larri	Msq :Shanaya Pain
88.	Muhammad Afzal s/o Ayub	Tangarh	Msq :Kharan
89.	Hakim Khan s/o Gohar Rehman	Khaliaia	GPS Mera Khairoo
90.	Zaman Shah s/o Gulab Shah	Shergarh	GPS Seri Gorta
91.	Salcem s/o Samandar	Shanaya	Msq :Bradar
92.	Munib Rehman s/o Muhammad Zaman	Kandar	GPS Kandar
93.	Sajid s/o Habib-ur-Rehman	Phulra	GPS Kajla
94.	Muhammad Haroon s/o Ali Zaman	Bai Buhai	GPS Batdoga
95.	Muhammad Javaid s/o Aurang Zeb	Thanda	GPS Gali Bandral
96.	Muhammad Ismail s/o Muhammad Zaman	Gorha	GPS Their
97.	Muhammad Riaz s/o Rafiullah	Bandi Mera	Msq : Khamian
98.	Naveed Shah s/o Muhammad Shah	Shah Kot	GPS Dam Nuria
99.	Muhammad Nazir s/o Muhammad Aseem	Nikka Pani	GPS Naei Batia
100.	Muhammad Azam s/o Sher Muhammad	Bandian	GPS Nara Doga
101.	Abid Hussain s/o Abdur Rehman	Pakoona	GPS Chaniyal
102.	Muhammad Asif s/o Wali Jan	Munda Gucha	GPS Chtiyar
103.	Nahib Ahmad s/o Ghulam Nabi	Jabori	GPS Sundi
104.	Muhammad Naeem s/o Attai Khan	Phalai	GPS Neel Ban
105.	Muhammad Naveed s/o Muhammad Ayub	Sachan Kalan	GPS Bahadra
106.	Muhammad Shakeel s/o Muhammad Mussa	Sachan Kalan	GPS Said Abad
107.	Ghulam Hassan s/o Muhammad Ishaq	Nalia Jabbar	GPS Nalia Jabbar
108.	Muhammad Khalid Aziz ur-Rehman	Munda Gocha	GPS Munda Gocha
109.	Gul Dad s/o Mughal dad	Punjool	GPS Sukian
110.	Muhammad Aslam s/o Muhammad Alam	Gali Jabbar	GPS Jabbar
111.	Ghulam Nabi s/o Arsala Khan	Keeri Bala	GPS Sattan Gali
112.	Akhtar Nawaz Khan s/o Haq Nawaz Khan	Sucha Kalan	GPS Kodar
113.	Gul Niaz s/o Sarfraz Khan	Buz Bela	GPS Banda Geesach
114.	Gulam Nabi s/o Qadai	Chotta Bala	GPS Mohri
115.	Javed Iqbal s/o Ahmad Jee	Punjool	GPS Mohri
116.	Ashiq Hussain shah s/o Mumtaz Ali Shah	Bai Bala	GPS thatta
117.	Sajid Hussain Shah s/o Hayat Shah	Kot Chattar	GPS Dheri Nambardaran
118.	Muhammad Fayaz s/o Abdul Wahab	Hilkot	GPS Dheri Haleem
119.	Javed Hussian Shah s/o Nawab Said Shah	Lachi Mang	GPS Dheri Nambardaran
120.	Zulfiqar Ali Shah s/o Sadiq Shah	Bai Bala	GPS Shangrela
121.	Abdul Ghaffar Ali Shah s/o Pir Badshah	Saloona	GPS Chinarkot
122.	Ijaz Hussain Shah s/o Shah Said Shah	Shumla Chattan	GPS Khotri
123.	Qaisar Rauf s/o Abdur Rauf Khan	Sachan Kala	GPS Keeri Nawazab
124.	Dahshat Khan s/o Haji Farid Khan	Sharkool	GPS Dheri Haleem

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125.	Muhammad Saeed S/o Miskeen	Karan	GPS Matser jan
126.	Abdur Razaq s/o Mir Hussain	Makan Gali	GPS Dokal
127.	Muhammad Ijaz s/o Omar Zaman	Dhanaka	Msq :Pagora
128.	Muhammad Aslam s/o Omar Zaman	Gundan	GPS Battain
129.	Abdus Sattar s/o Abdur Rehman	Dhaman	GPS Chatta
130.	Muhammad Yousaf s/o Aurang Zeb	Seri Gali	GPS Shanaya
131.	Farid -ur Din s/o Abdul Hai	Matseri	GPS Jiggi
132.	Sadique s/o Haider Zaman	Purni	GPS Hariyala
133.	Azmat Ayub s/o Muhammad Ayub	Naryala	GPS Chameyari Ghazi Kot
134.	Said Badshah s/o Mudassar Shah	Sarori (K.D)	Msq : Cheer
135.	Muhammad Mustara s/o Yasin Khan	Judb	Msq : Kalala
136.	Abdul Bashir s/o Gul Raiz	Uthlair	Msq : Mohri Danna
137.	Fanoos Shah s/o Syed Azeem Shah	Rongaly	Msq : Soormal Madda Khail
138.	Syed Wahab s/o Muhammad Mustala	Jatka	Msq :Laka Tiga
139.	Pir Muhammad Shah s/o Pir Ahmed Shah	Jatka	Msq : Tara Madda Khail
140.	Liaqat Ali s/o Sher Muhammad Khan	Shikiari	Msq : Jhangri
141.	Sardar Zaman s/o Shah Izat Khan	Deri Kaka Khail	Msq : Markharain

SD/-
(Haq Nawaz Khan)
District Education Officer
(Male) Primary Mansehra.

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

SD/-
(Haq Nawaz Khan)
District Education Officer
(Male) Primary Mansehra.

Annex-B

EXTRAORDINARY
GOVERNMENT



REGISTERED NO. PII
GAZETTE

P-22

KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, THURSDAY, 20TH SEPTEMBER, 2012.

PROVINCIAL ASSEMBLY SECRETARIAT,
KHYBER PAKHTUNKHWA

NOTIFICATION

Dated Peshawar, the 20th September, 2012.

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

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

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

AN
ACT

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

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

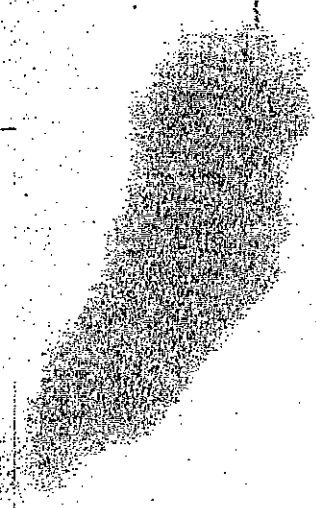
WHEREAS the Federal Government has also given relief to the sacked employees by enactment;

[Signature]
Joint Secretary
General Secretariat
District Bar Abbottabad

[Signature]
Attested
District Bar Abbottabad

[Signature]

[Signature]



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, 1999 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

Munshad Khan
Secretary
Supreme Court of Pakistan
Room 43, 1st Floor, Adjacent to
District Court, Lahore

Government Secretary
Khyber Pakhtunkhwa
Peshawar

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

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

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

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

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

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

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

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

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

Attested

[Signature]

Chief Justice
Supreme Court of Pakistan
Plaza Adjacent
Islamabad

[Signature]

Chief Justice
Supreme Court of Pakistan
Plaza Adjacent
Islamabad

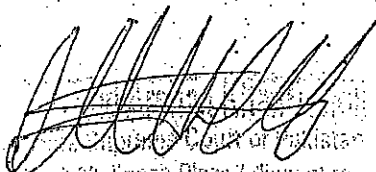
9. Act to override other laws.--- Notwithstanding anything to the contrary contained in any other law or rules for the time being in force, the provisions of this Act shall have overriding effect and the provisions of any other law or rules to the extent of inconsistency to this Act, shall cease to have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

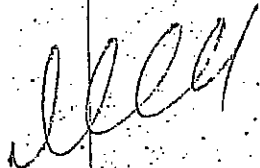
10. Power to make rules.--- Government may make rules for carrying out the purpose of this Act.

BY ORDER OF MR. SPEAKER
PROVINCIAL ASSEMBLY OF KHYBER
PAKHTUNKHWA

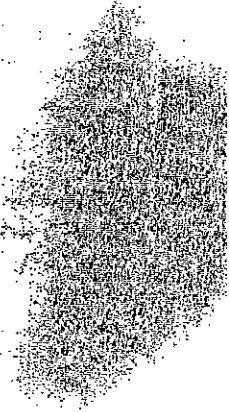
(AMANULLAH)
Secretary
Provincial Assembly of Khyber Pakhtunkhwa

Printed and published by the Manager,
Staty. & Ptg. Deptt., Khyber Pakhtunkhwa, Peshawar.


The Manager,
Staty. & Ptg. Deptt., Khyber Pakhtunkhwa,
Peshawar.



Attested
Arshed Khan
The Supreme Court of Pakistan
Office No. 11, Jinnah Plaza Adjacent to
District Court, Abbottabad





Annex - B C

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) MANSEHRA.

شماره سند درجہ اولیہ P-26

APPOINTMENT

In pursuance of Khyber Pakhtunkhwa Sacked Employees (Appointment) 2012 Consolidate Judgment passed by Honorable Peshawar High Court Abbottabad Bench Abbottabad vide Dated 24-05-2016, 27-03-2018, 03-04-2018 & 07-03-2019 in W/P No 516-A/2013, 576-A/2015, 20-A/2014, 216-A/2015, 1155-A/2015, 702-A/2014, 115-A/2014, and orders of Honorable High Court in COC No.22-A/2016, COENO. 47-A/2016, COC No. 58-A/2016, COC No. 03-A/2016, COC 14/2019, and recommendation of the Departmental Selection Committee the appointment of the following candidates are hereby ordered against the vacant post of PRIMARY SCHOOL TEACHER (PST) 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:-

Table with 8 columns: S. #, Name, Father's Name, Date of Birth, Domicile, Permanent Address, Place of posting, Remarks. It lists 22 candidates for the position of Primary School Teacher (PST) BPS-12 in Mansehra.

Handwritten signature and official stamp of the District Education Officer (Male) Mansehra.

23.	SHAMS UR-REHMAN	MUHAMMA D ZAMAN	26-12-1974	MANSEHRA	VILLAGE & P/O MORAT MAIRA TEHSIL & DISTRICT MANSEHRA	GPS MOORAT MAIRA	AGAINST VACANT POST
24.	MUHAMMAD SAIED	MUHAMMA D ISRAEL	01-07-1975	MANSEHRA	VILLAGE KALAS P/O LASSAN NAWAB TEHSIL & DISTRICT MANSEHRA	GPS CHOJA	AGAINST VACANT POST
25.	MARSHID	SHER MUHAMMA D	03-02-1975	MANSEHRA	VILLAGE & P/O SEHAKI BALA TEHSIL & DISTRICT MANSEHRA	GPS SEHAKI BALA	AGAINST VACANT POST
26.	ZULFIQAR ALI	MUHAMMA D FAROOQ	03-07-1975	MANSEHRA	VILLAGE NAWAN SHER P/O PERHINNA TEHSIL & DISTRICT MANSEHRA	GPS PHALKOTE	AGAINST VACANT POST
27.	KALA KHAN	ALI ZAMAN	18-03-1975	MANSEHRA	VILLAGE KARHI SALAMIA P/O LASSAN NAWAB TEHSIL & DISTRICT MANSEHRA	GPS BANDI GULO NO.2	AGAINST VACANT POST
28.	RUSTAM	GOHER AMAN	05-01-1975	MANSEHRA	VILLAGE KALAS RACHARI P/O NAWAZABAD TEHSIL BAFFA DISTRICT MANSEHRA	GPS ANDRASI	AGAINST VACANT POST
29.	TAJ MUHAMMAD	SHER DIL	20-07-1975	MANSEHRA	VILLAGE CHAKLI PANSIAL P/O NEW DARBAND TEHSIL OCHI DISTRICT MANSEHRA	GPS GIDDO BAGLA	AGAINST VACANT POST
30.	SYED MUHAMMAD ZAFFAR SHAH	SYED SHAH ZAMAN SHAH	15-02-1976	MANSEHRA	VILLAGE CHOONTIAN P/O PARAS TEHSIL BALAKOT DISTRICT MANSEHRA	GPS BAILA PARAS	AGAINST VACANT POST
31.	MUHAMMAD AZAN	KHUWAJ MUHAMMA D	17-04-1976	MANSEHRA	VILLAGE KHALIAN ABRAN PERHINNA TEHSIL & DISTRICT MANSEHRA	GPS HARYALA	AGAINST VACANT POST
32.	SHAKEEL AHMED	M AYUB	05-04-1976	MANSEHRA	VILLAGE KALWAL P/O LASSAN NAWAB TEHSIL & DISTRICT MANSEHRA	GPS TARMANG	AGAINST VACANT POST
33.	SYED PEER ALI SHAH	SYED FAHMAN SHAH	29-08-1976	MANSEHRA	VILLAGE DEVLII POST OFFICE PHULRA TEHSIL & DISTRICT MANSEHRA	GPS KAMAR MARI	AGAINST VACANT POST
34.	DEHSHAT KHAN	HAFI FAREED KHAN	10-03-1977	MANSEHRA	VILLAGE CHATTAR PLAIN TEHSIL BAFFA DISTRICT MANSEHRA	GPS DHIRI SHARCOOL	AGAINST VACANT POST
35.	MUHAMMAD EHAZ	FAQEER MUHAMMA D	09-8-1978	MANSEHRA	VILLAGE THAKAR MAIRA P/O PERHINNA TEHSIL & DISTRICT MANSEHRA	GPS PERHINNA VILLAGE	AGAINST VACANT POST


TERMS & CONDITIONS.

1. NO TA/DA etc is allowed.
2. Charge reports should be submitted to all concerned in duplicate.
3. Their Appointment are 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 Pakhtunkhwa, Sacked Employee (appointment) AC 2012. Hence under Section 5 of the said ACT they shall not be entitled to any claim of the seniority, promotion an back benefits.
6. Their appointment has been made in pursuance of Khyber Pakhtunkhwa, Sacked Employee (appointment) AC 2012. Hence Section 4 of the said ACT period during which they remained dismissed, removed or terminated from services, till the date of their appointment shall have been deemed atomically relaxed.
7. Their Appointment is subject to the condition that the certificates/documents must be verified from the concerne authorities by the DEO. Anyone found producing bogus Certificate will be reported to the law enforcing agencit for further action.

Attested
 The Supreme Court of Pakistan
 33 Junah Plaza Adjacent to
 Distt: Abbottabad

P-28


- years after issuance of this appointment order, failing which their appointment order shall stand terminated atomically, without any further notice.
16. Before handing over charge once again their documents must be checked by Head of institution and convey deficiencies in qualification to DEO office.
 17. Before handing over charge they will sign an affidavit by stating that they will not claim seniority or benefits/service and they will acquire required qualification within stipulated period of time, failing which they will have no objection on their removal.
 18. The competent authority reserve to right to rectify the error / omission, if any noted /observed at any stage in instant order issued erroneously.
 19. The candidates appointed against the school(s) falling in summer vacation shall be handed over the charge w.e.f 01-09-2019 on opening of school after summer vacation.
 20. Their documents if found fake/bogus at any stage, their appointment order shall be withdrawn and legal action be taken against him.


DISTRICT EDUCATION OFFICER,
(MALE) MANSEHRA


Endst: No. 10239-46 (PST/Sacked Apptt./2019/Dated Mansehra the 20/6/2019)

Copy forwarded for information 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. District Monitoring Officer Mansehra.
6. All SDEO (Male) in District Mansehra.
7. Budget & Account Officer Local Office.
8. Officials Concerned.
9. Office Order File


DY: DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

Attested


Supreme Court of Pakistan
33 Jinnah Plaza Adjacent to
Distt. Bd. Abbottabad

Annex-D

خدمت جناب ڈائریکٹر ایگزیکٹو ایجنڈ سیکنڈری ایجوکیشن پشاور

P-29

اپیل برادشال کیے جانے Protected پیرینڈتحت ایکٹ 2012ء و فیصلہ سپریم
کورٹ آف پاکستان

جناب عالی!

گزارش ہے کہ سائل کو PST 22/11/1994 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 ڈسٹرکٹ ایجوکیشن آفیسر (مردانہ) 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. 131-A/2015 دائر کی جس کا فیصلہ 03/04/2018 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 03/04/2018 کو بحال کر دیا۔ سائل 2012 سے نوکری کا حق رکھتا تھا اور یہ کہ وفاقی حکومت نے اپنے تمام ملازمین کو ریمینیشن کی تاریخ سے بحال کیا۔

لہذا استدعا ہے کہ سائل کو بمطابق فیصلہ سپریم کورٹ آف پاکستان 22/11/1994

سے 13/02/1997 اور 2012ء سے 03/04/2018 تک نوکری شامل کی جاوے۔

المقوم: 25/4/2023

ارض

Attestation
Supreme Court of Pakistan
Islamabad
Dist: East Abbottabad

شکیل احمد، PST (سائل)

Shakeel

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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

Rollary No. 641

Dated: 22/4/2019

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

Filed to-day
[Signature]
22/4/19

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

No-submitted to-day
and filed.

Registrar
15/15

ATTESTED

[Signature]
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

[Signature]
Jinnah Plaza Adjacent to
Bar Abbottabad

Attested
[Signature]
Court of Petition
Jinnah Plaza Adjacent to
Distt. Bar Abbottabad

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

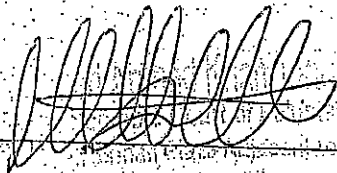
ROZINA REHMAN, MEMBER : This judgment is intended to dispose of

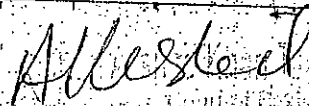
04 connected service appeals which are:

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


Attesting Officer
Khyber Pakhtunkhwa
Service Tribunal
Peshawar




Attested
District Officer, 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

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

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Handwritten signature of the learned counsel.

ATTESTED
 DEPUTY CLERK
 SERVICE TRIBUNAL
 PAKHTUNKHWA

Attested
 DEPUTY CLERK
 COURT OF PAKHTUNKHWA
 JALATA ACHACHHI
 DISTRICT ABBOTTABAD

P-34

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

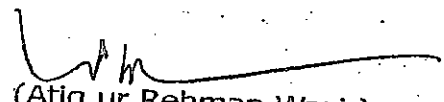
 Director (Pensionary)
 Service Tribunal
 Peshawar

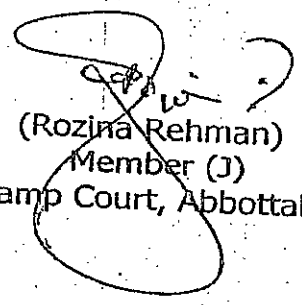
Attested


 District Magistrate
 District Peshawar

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.

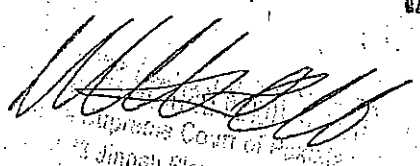
ANNOUNCED.
18.03.2021

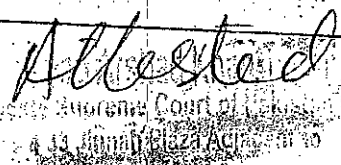

(Atiq ur Rehman Wazir)
Member (E)
Camp Court, Abbottabad


(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 Applicant _____
 Date of Completion of Copy 06/4/21
 Date of Delivery of Copy 06/4/21


Member (E)
Camp Court of Peshawar
Jinnah Plaza Adjacent to
District Court Peshawar


Member (J)
Camp Court of Peshawar
Jinnah Plaza Adjacent to
District Court Peshawar

IN THE SUPREME COURT OF PAKISTAN
(APPELLATE JURISDICTION)

Annex

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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 CPs.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

Supreme Court of Pakistan
12, Jinnah Plaza, Islamabad

Supreme Court of Pakistan
12, Jinnah Plaza Adjacent to
Distt. E. Pakistan

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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.

will

Attest

[Signature]

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

[Signature]

Chief Justice

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CHIEF JUSTICE NO. 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

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.

[Handwritten signature]

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.

ISLAMABAD
27.03.2020
ZR/1

Not Approved For Reporting

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Chief Justice of Pakistan
11 Jinnah Plaza Adjacent to
P.O. Star Ashraf

کورٹ فیس

وکالت نامہ

Service Tribunal IEPK Peshawar بعدالت

Shakeel Ahmed نام Govt of IEPK etc عنوان

Appellant منجانب

Service Appeal نوعیت مقدمہ

باعث تحریر آنکہ

مقدمہ مندرجہ میں اپنی طرف سے واسطے پیروی و جواب دی کل کاروائی متعلقہ آل مقام

Attd = M. Arshad Khan Tanoli ASC of Peshawar

کو وکیل مقرر کر کے اقرار کرتا ہوں کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا نیز وکیل

صاحب موصوف کو کرنے راضی نامہ و تقرر ثالث و فیصلہ برحلف و دینے اقبال و دعویٰ اور بصورت دیگر ڈگری

کرنے اجراء وصولی چیک روپیہ و عرضی دعویٰ کی تصدیق اور اس پر دستخط کرنے کا اختیار ہوگا اور بصورت

ضرورت مقدمہ مذکور کی کل یا کسی جزوی کاروائی کے لئے کسی اور وکیل یا مختار صاحب قانونی کو اپنے ہمراہ اپنی

بجائے تقرر کا اختیار بھی ہوگا اور صاحب مقرر شدہ کو بھی وہی اور ویسے ہی اختیارات ہوں گے اور اس کا

ساختہ پر داختم مجھ کو منظور و قبول ہوگا۔ دوران مقدمہ جو خرچہ و ہر جانہ التوائے مقدمہ کے سبب ہوگا اس کے

مستحق وکیل صاحب ہوں گے۔ نیز بقایا رقم وصول کرنے کا بھی اختیار ہوگا۔ اگر کوئی پیشی مقام دورہ پر ہو یا

حد سے باہر ہو تو وکیل صاحب موصوف پابند ہوں گے کہ پیروی مقدمہ مذکورہ کریں اور اگر مختار مقرر کردہ میں

کوئی جز و بقایا ہو تو وکیل صاحب موصوف مقدمہ کی پیروی کے پابند نہ ہوں گے۔ نیز درخواست بمراہ

استجارت نالاش بصیغہ مفلسی کے دائر کرنے اور اس کی پیروی کا بھی صاحب موصوف کو اختیار ہوگا۔

لہذا وکالت نامہ تحریر کیا تاکہ سند رہے۔

المقوم:

بمقام:

M. Arshad Khan Tanoli

Accepted

M. Ibrahim Khan Ade

M. Arshad Khan Tanoli
ASC of Peshawar at At