


25.09.2023

Learned counsel for the appellant present.
Mr. Lutf Ullah, Assistant alongwith Mr. Asif Masood Ali
Shah, Deputy District Attorney for the respondents
present.

Para-wise comments on behalf of respondents
received through office. Copy of the same handed over to
learned counsel for the appellant, who requested for
adjournment on the ground that he has not gone through
the para-wise comments submitted by the respondents.
Adjourned. To come up for preliminary hearing on
23.10.2023 before the S.B at Camp Court Abbottabad.
Parcha Peshi given to the parties.


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

Naeem Amin

19th June, 2023

1. Learned counsel for the appellant present and has been heard.

2. Though the appeal has been resubmitted after fifty two (52) days as against fifteen (15) days given to the appellant yet in the interest of justice the office objection is removed subject to the objection regarding the limitation if any taken by the other side and the office is directed to assign appeal number to this appeal.

3. Let pre-admission notice be issued to the other side. To come up for written reply/comments as well as preliminary hearing on 25.09.2023 before the S.B at camp court Abbottabad. P.P given to the parties.



(Kalim Arshad Khan)
Chairman
Camp Court Abbottabad

Adnan Shah, P.A.

29.03.2023

Appellant present through counsel.

He made a request for adjournment in order to prepare the brief. Adjourned. To come up for arguments on office objection on 25.04.2023 before S.B at Camp Court, Abbottabad. Parcha Peshi given to the appellant.



(Rozina Rehman)

Member (J)

Camp Court, Abbottabad

25-4-23

Due to public holiday to come up for the same as before on 19.6.23

On
Ready

Respected Sir,

It is submitted that the present appeal was received on 12.12.2022 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 28-12-2022 but counsel for the appellant re-filed the same through registered post which was received on 20.02.2023 late by 52 days without removing the objection no. 8 & 10.

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

REGISTRAR - W

20/2/23


Worthy Chairman

The appeal submitted by Mr. Muhammad Arshad Khan Tanoli Advocate today i.e. on 12.12.2022 is incomplete on the following score which is returned to him for completion and resubmission within 15 days.

1. ✓ Check list is not attached with the appeal.
2. ✓ Appeal has not been flagged/marked with annexures marks.
3. ✓ Annexures of the appeal may be attested.
4. ✓ Affidavit may be got attested by the Oath Commissioner.
5. ✓ In the memo of appeal many places have been left blank which may be filled up.
6. ✓ Copy of first appointment and termination order mentioned in para-1 of the memo of appeal (Annexure-A) are not attached with the appeal which may be placed on it.
7. Copy of Order dated 05.04.1997 attached with the appeal is illegible which may be replaced by legible/better one.
8. Address of appellant is hand written which is not acceptable the same may be written according to Khyber Pakhtunkhwa service tribunal rules 1974.
9. ✓ Five more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.
10. The documents that are to be provided must be legible.

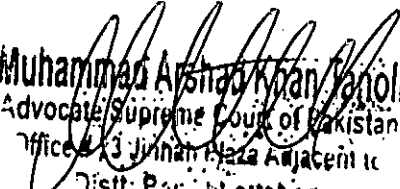
No. 3569 /S.T,

Dt. 13-12 /2022


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

M. Arshad Khan Tanoli Adv.
High Court A.Abad.

S/O. Documents and the
Appeal is re submitted
as desired


Muhammad Arshad Khan Tanoli
Advocate/Supreme Court of Pakistan
Office: 13 Jinnah Plaza Rawalpindi
Distt: Bar Abbottabad

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

Muhammad Anwar et GHS Gantar Buttagram

Service Appeal No. 2012 2023

....APPELLANT

VERSUS

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

...RESPONDENTS

SERVICE APPEAL

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S.#	Description	Page No.	Annexure
1.	Service appeal along with affidavit	1 to 6	
2.	Copy of appointment order and termination order of the appellant	7-28	"A"
3.	Copy of KP sacked employees Appointment Act 2012	29-32	"B"
4.	Copy of appointment order dated 28.02.2018 of the appellant	33-34	"C"
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6.	Copy of judgment of KP service Tribunal and the Apex Court	36-44	"E"
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M Anwar
...APPELLANT

Through

Dated: _____/2022

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

0346.9588583

BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 2234

Received 12/12/22

Service Appeal No. 2012-2023

Muhammad Anwar CT GHS Gantar Battagram

....APPELLANT

VERSUS

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) Battagram.

...RESPONDENTS

SERVICE APPEAL UNDER SECTION 4 OF
KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
ACT 1974 FOR DECLARATION TO THE EFFECT
THAT THE APPELLANT WAS APPOINTED ON
12-6-95 AND WAS TERMINATED FROM THE
SERVICE ON 5-4-97. THEREAFTER, THE
APPELLANT GOT APPOINTMENT AS CT ON
28.02.2018, AS PER KP SACKED EMPLOYEES
APPOINTMENT ACT 2012, BUT PREVIOUS

SERVICE W.E.F 18-6-95 TO 5-4-97 AND
2012 TO 28.02.2018 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 18-6-95
TO 5-4-97 AND 2012 TO 28.02.2018 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 18-6-95 and his
service was terminated on 5-4-97. Copy of
appointment order and termination order 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 CT on the 28.02.2018, but his previous service w.e.f 18-6-95 TO 5-4-97 and 2012 to 28.02.2018 has not been counted towards calculation of pension/commutation of the appellant. Copy of appointment order dated 28.02.2018 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.

GROUNDS:-

- 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 18-6-95 to 5-4-97 and 2012 to 28.02.2018 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 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.

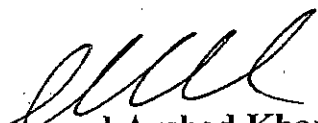
- d. That the matter in issue relates to the terms and conditions of service, therefore, the Honourable Tribunal has jurisdiction to entertain the lis under Article 212 of the Constitution.

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 18-6-95 to 5-4-97 and 2012 to 28.02.2018 of the appellant towards calculation of pension and commutation.

M. Arshad
..APPELLANT

Through;

Dated; _____/2022


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



BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR

Service Appeal No. _____ 2022

Muhammad Anwar CT GHS Gantar Battagram

....APPELLANT

VERSUS

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

...RESPONDENTS

SERVICE APPEAL

AFFIDAVIT

I, Muhammad Anwar CT GHS Gantar Battagram.

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.

M Anwar
DEPONENT

Annex - A P-2 P-7

OFFICE OF THE DIV. DIRECTOR OF EDUCATION (S) HAZARA ABBOTTABAD.

OFFICE ORDER NO. 264 /AE-III

DATED 06/8/1995

6/8/1995

CORRIGENDUM.

Please read "GMS Chiran Allai" instead of "GMS "Kuzza Banda" against the vacant CT post against the name of Mr. Muhammad Anwar BA S/O Rohdar Khan r/o V/PO Pokal Allai Battagram under order of appointment as CT vide this CO No. 220/ issued under Endst. No. 14059-AB-III/A/Trf: dated 18.6.1995, on the usual terms and conditions.

02-8-1995 Corrigendum issued vide this CO No. 257/AE-III A&T dated 02-8-1995 issued under Endst. No. 17419-23/AE-III A&T/FR-15 of even d 18880-86 is hereby cancelled.

(HAFIZ SARFIAZ KHAN)
DIV. DIRECTOR OF EDUCATION,
(S) HAZARA DIV: ABBOTTABAD.

Endst. No. 19125-28 /AE-III A&T/CT(M) 15/dated 06-8/1995

Copy to hae:-

1. District Education Officer (M) Secy: Battagram.
- 2-4. Principal/Headmasters, GHSS Kuzza Banda, GMS Rupkani and GMS Chiran Allai Battagram.
5. Office Order File.
6. ADE local Directorate.

FOR/DIV. DIRECTOR OF EDUCATION,
(S) HAZARA DIV: ABBOTTABAD.

[Handwritten signature]

OFFICE ORDER NO: 220 / AE-10 /
 DATED ABBOTTABAD THE 18/6 / 95.

APPOINTMENT:-

The following appointment of _____ candidates are hereby ordered on _____ post as noted against each in NPS-3 (Rs. 1,605-74-3760) and ~~RS 14~~ ~~RS 15~~ ~~RS 16~~ ~~RS 17~~ ~~RS 18~~ ~~RS 19~~ ~~RS 20~~ ~~RS 21~~ ~~RS 22~~ ~~RS 23~~ ~~RS 24~~ ~~RS 25~~ ~~RS 26~~ ~~RS 27~~ ~~RS 28~~ ~~RS 29~~ ~~RS 30~~ ~~RS 31~~ ~~RS 32~~ ~~RS 33~~ ~~RS 34~~ ~~RS 35~~ ~~RS 36~~ ~~RS 37~~ ~~RS 38~~ ~~RS 39~~ ~~RS 40~~ ~~RS 41~~ ~~RS 42~~ ~~RS 43~~ ~~RS 44~~ ~~RS 45~~ ~~RS 46~~ ~~RS 47~~ ~~RS 48~~ ~~RS 49~~ ~~RS 50~~ ~~RS 51~~ ~~RS 52~~ ~~RS 53~~ ~~RS 54~~ ~~RS 55~~ ~~RS 56~~ ~~RS 57~~ ~~RS 58~~ ~~RS 59~~ ~~RS 60~~ ~~RS 61~~ ~~RS 62~~ ~~RS 63~~ ~~RS 64~~ ~~RS 65~~ ~~RS 66~~ ~~RS 67~~ ~~RS 68~~ ~~RS 69~~ ~~RS 70~~ ~~RS 71~~ ~~RS 72~~ ~~RS 73~~ ~~RS 74~~ ~~RS 75~~ ~~RS 76~~ ~~RS 77~~ ~~RS 78~~ ~~RS 79~~ ~~RS 80~~ ~~RS 81~~ ~~RS 82~~ ~~RS 83~~ ~~RS 84~~ ~~RS 85~~ ~~RS 86~~ ~~RS 87~~ ~~RS 88~~ ~~RS 89~~ ~~RS 90~~ ~~RS 91~~ ~~RS 92~~ ~~RS 93~~ ~~RS 94~~ ~~RS 95~~ ~~RS 96~~ ~~RS 97~~ ~~RS 98~~ ~~RS 99~~ ~~RS 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P 9

OFFICE OF THE DEVL. DIRECTOR OF EDUCATION (S) HAZARA DIVISION, ABE

NOTIFICATION:

Consequent upon their selection by the Departmental Selecti Committee, the Divisional Director of Education (S) Hazara Divis has been pleased to appoint the following CT(Male) trained candid at the schools noted against their names in BPS-9 (Rs. 1605/97-30 BPS-14 (Rs. 2065-141-4480) in case of BA/B.Sc-II Divn: plus usual owances as admissible under the rules with immediate effect subj to the existing terms and conditions:-

S. No.	Name of candidate/address & date of birth.	No. of merit/ Marks.	School where appointed/ posted.	Remarks.
1.	Inayatpur Rahman, M.Sc/ PET, GMS, Chati Dhaki, Atd. (4.12.69)	1/95.	GMS, Mohar.	Vice Mohd terminate selected
2.	Mushtaq Hussain, M.Sc, CT, S/O M. Aslam, r/o Mahsehra. (18.4.68)	2/94.	GMS, Bai Behal	Vice Mohd. A terminated selected on
3.	Mohd. Ashraf S/O Sher Ahmed, r/o Haripur. (31.3.71)	3/94.	GMS, Kirochi.	Vice Mohd already tr
4.	Saifur Rehman, MA/CT, GMS, Bataghri Khurd. (3.1.65)	4/93.	GMS, Batangi Khurd.	Vice Post a occupied.
5.	Azam Khan, M.Sc/CT, S/O Khaliq Dad, r/o Hvn:(1.1.70)	5/93.	GMS, Satora.	vice Ishtiaq CT terminate selected on
6.	Zulfiqar Ahmed M.Sc/CT, C Mohri Be Bhen. (7.7.70)	6/93xxxxx	GMS, M. Bhen.	Post already occupied by st.
7.	Mohd Nasim, M.Sc/B.Ed/CT, PET, GMS, Saeela, Atd: (2.1.69)	7/92.	GMS, Saeela.	Vice Mr. Khal ood, CT tern not selected
8.	Mohd Ilyas, Qari, (1.2.65) MA/CT, No. 2, GMS, Haripur.	8/91.	GMS, Seri gadai.	vice Mohd Ay terminated selected on
9.	Sarwar Saeed S/O Hazara Yousaf, r/o Noshera, Battagram. (20.1.70)	9/89.	GMS, Judba. (KD)	vice Salim, C terminated selected on.
10.	Ejaz Ahmed S/O Rehmat Khan, CT, r/o Abbottabad. (20.1.70)	10/89.	GMS, Seri Khan, Kalan.	Vice Fiaz. G terminated selected on
11.	Shafiqur Ahmed, PTC, GPS, Nikkian Asamabad. (15.4.65)	11/88.	GMS, Biari.	vice Mohd An terminated a selected on
12.	Saeedur Rehman, PTC, (1.3.69) GPS, Ghora, Allolih Haripur.	12/88.	GMS, Kariplian.	vice Nazir term: as not
13.	Rebeh Azher, M.Sc/CT. (10.3.69) GMS, Salam Khand.	13/88.	GMS, Salam Khand	vice Salam ready occu
14.	Azhar Hussain Shah, PTC, GPS, Bal Giddrian, Hpr:(7.4.70)	14/88.	GMS, Serikot.	vice Mohd Zi not sel: on m

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C.T(MALE)

- Dil Nawaz, MA, S/O Haider Zaman, r/o Manshehra. (10.1.68) 36/80. GHS, Anj. vice Zahoor terminated selected
- 37. Mohd Younis S/O Fazalur Rehman. r/o Manshehra. (1.12.69) 37/80. GHS, Faisalabad. vice Mohd term:as no merit.
- 38. Ghulam Hazrat S/O Ghulam Ahmed, r/o Battagram. (15.5.57) 38/80. GMS, Rajmair. vice Shad Mo as not sel:c
- 39. Altaf Hussain, MA, PTC, GPS, Bandi Mair, L/Abad. 39/79. GHS, Mambal. vice Fakhrul ter: not sel:
- 40. Mohd Sharif Khan, PTC, GPS, K.T.Ship, No.2, Haripur. (15.12.58) 40/79. GMS, Kotla. vice Ejaz M term: not sel
- 41. Mohd Riaz, PET, GMS, Jalces, Haripur. (20.12.59) 41/79. GHS, B.apur Dhori. vice Tariq F terminated selected on
- 42. Gul Rehman S/O Abdul Razaq, Battagram. (12.7.71) 42/79. GHS, Batal. vice Aftab term: not sel
- 43. Aurangzeb S/O Mohd Miskeen, MA/CT, Manshehra. 43/79. GHSS, Darband. vice Mond Ar as not sel:
- 44. Azhar Mehmood, MA/GT, GPS, No, 2, Labban Bandi, Hpr: (10.2.65) 44/79. GHS, Kalinjar. vice Mohd Az as not sel:
- 45. Zulfiqar Ali Shah, S/O Nahmat Shah, Manshehra. (12.2.65) 45/79. GMS, Bartoni. vice Khalil M as not sel:o
- 46. Farooq Elahi S/O Mohd Elahi, MA/CT, Manshehra. (31.7.66) 46/79. GMS, Shinkhari. vice Zumar term: as not s
- 47. Abdul Bateer S/O Idrees, r/o Manshehra. (20.2.68) 47/79. GHS, Battal. vice Nazaf H term: not sel
- 48. Mohd Javed S/O Amanullah, r/o Battagram. (1.4.68) 48/79. GHS, -go. vice Haji Mo Tikri Bandas not sel:o
- 49. Mohd Ameen S/O Mohd Afzal, Battagram. (4.4.68) 49/79. GHS, Bateela. vice Bashir term: as not
- 50. Khan Bashir, PTC, GPS, Banda Said Khan, A. Abad. (10.4.68) 50/79. GMS, Maghian. vice Ibrar H term: as not
- 51. Mohd Sarfraz, MA/CT, GHS, Makool Payeed, r/o Abbottabad. (15.5.68) 51/79. GHS, Makool Payee. vicepost alr occupied
- 52. Shahzad Ahmed S/O Abdul Kalliq, r/o Abbottabad. (14.4.69) 52/79. GHS, Khaira-gali. vice Mohd Sh term: as not on merit.
- 53. Nazar Mohd S PTC, EPS, Sumender Katha. (9.12.55) 53/78. GHSS, Nathi-gali. vice Mohd Na term: as not merit.
- 54. Zulfiqar, PTC, GPS, Choonakari, Atd: (2.1.62) 54/78. GMS, Bassian. vice Kabeer term: not se
- 55. Tanveer Hussain, MA/CT, GHS, Paran, Manshehra. (2.5.62) 55/78. GM, Paran. vicepost al occupied by
- 56. Ajmal Khan, MA/CT, GHS, Laban Bandi, Haripur. (20.10.66) 55-A/78. GHS, Laban Bandi. -do-
- 57. Mohd Ayub, PTC, GPS, Bandi Barseen, Abbottabad. (25.12.65) 56/78. GMS, Kheri Khan kalan. vice Abid H terminated selected on

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- 57. Fiaz Khan, PTC, GPS, Maira, Hpr. (7.4.66) 57/58. GMS, Gafi. vice M. Nawaz, C as not sel: on
- 58. Mohd Pervez, PET, (15.6.67) 58/78. GMS, Lahore. vice Mohd Sult term: as not se
- 59. Mohd Niaz S/O Sharif Gul, r/o Mansehra. (10/04/78) 58/78. GMS, Gafi. vice Mukhtiar term: not sel: o
- 60. Mohd Nazir, PTC, GPS, (16.2.68) 60/78. GMS, Khabal. vice Abdul Sal not sel: on me
- 61. Gul Naveed, MA/CT, (16.2.68) 61/78. GHS, Bagpur D. Post already o by him.
- 62. Masood Akhtar, Lab: asstt: GHSS, Lora, A/Abad. (5.3.69) 62/78. GMS, Surjal. vice Fiaz Ahmed as not sel: on
- 63. Mohd Naqum S/O Gul Haider, r/o Serai Salch, Haripur. (15.4.69) 63/78. GHS, Dingi. vice Fazalur R not sel: on mer
- 64. Mohd Asif, GMS, No.1, K.T.Ship, Haripur. (3.1.71) 64/78. GMS, Karoli n. G. vice Majibur R terminated.
- 65. Mohd Sadique, CT, GHS, (10.7.65) 65/78. GMS, Nagri Tutial, A/Abad. vice Abdul Rash as not sel: on
- 66. Ali Asghar, PTC, GPS, Patotam Abbottabad. (3.3.66) 66/77. G.S. vice Sajjad Ahm term: not sel: o
- 67. Mohd Anwar Adil, MA/CT, GMS, Chandoor, Mansehra. (10.6.64) 67/77. GHS, Chandoor. vice Post already occupied.
- 68. Ali Nawaz, MA/CT, GHS, S.N.Khan, Haripur. (25.5.63) 68/77. GHS, S.N.Khan. vice -do-
- 69. Mohd Rafique S/O Mohd Ayub, Kholian Kalswadn, Hpr (3.2.65) 69/77. GMS, Ghoran. vice Naseer, Khar as not selected.
- 70. Shabir Ahmed, MA/CT, GMS, Timber Khola, Man: (30.3.66) 70/77. GMS, Timber Khola. Post alrea occupied
- 71. Abdur Rashid, PTC, GPS Jafferabad, A/Abad. (13.4.68) 71/77. GMS, Pattan. vice Azam Khan, as not sel: on me
- 72. Akhtar Nawaz, S/O Abdur Rahman, r/o Haripur. (14.11.67) 72/77. GMS, Kaniyocac. vice Ziaul Haq, nated as not se
- 73. Mohd Riaz S/O Zameen Khan, Battagram, (1.12.68) 73/77. GMS, Choran. vice Mohd Iqbal not sel: on meri
- 74. Mohd Riaz S/O Shaujahan, Mansehra. (4.10.69) 74/77. GMS, Chaniyal. vice SherAfzal, as not sel: on
- 75. Abdul Qayum, B.Sc/SS, No.1, GHS, Havelian. () 75/77. GMS, No.1, Hvn. vice post alrea occupied by him
- 76. Arshad Hussain, MA/CT (12.4.67) 76/77. GHS, Bodla, A/Abad. Post already occ by him.
- 77. Mohd Sadique, BA/CT, GHS, Nagri Tutial, Bala. () 77/77. GHS, Nagri Bala. vice -do-
- 78. Mohd Majeed Mirza S/O Allah Ditta, Abbottabad. (13.2.70) 78/76. GMS, Hadora. vice Mir Zaman, C term: as not sele on merit.
- 79. Sariraz, PTC, GMPS, Battangian. (2.1.63) 79/75. GMS, Tilli Hassanzai. vice Abdul Jalil term: as not sel:
- 80. Yar Mohd, CT, GHSS, Baffa, Mansehra. (6.4.63) 80/75. GHSS, Baffa. Post already occ pied by him.
- 81. Mohd Nasar S/O Mir Zaman, r/o Abbottabad. (10.6.66) 81/75. GMS, Nara. Vice Sagheer Akh terminated as not selected on merit

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CT (Male)

- 83. Naseem Akhtar, CT, GMS, N.K. Kalan, A/Abad. (15.2.70) 82/75. Post al
picd by
- 83. Mohd Azhar Khan S/O Mohd Ashraf Khan, r/o Pannian, Apr (1.3.71) 83/75. GMS, vice Akh
Kaneeri. not sele
merit.
- 84. Shah Faisal Khan, J/clk, 6/O the DEO (M/S) A/Abad. (5.4.69) 83/75. No.4, GHS vice Amar
Abbottabad. term: as n
- 84. Hukam Khan S/O Taj Khan, MA/B. Ed/CT, r/o Manshra. 31.3.55. 84/75. GHSS, Vice Amre
Darband. not selcc
- 85. Taus Khan, PTC, GPS, Noor Mandian, Manshra. (1.2.63) 85/74. GMS, vice Mohd
Sarhan. terminated
on merit.
- 86. Mohd Sarfraz, PTC, GPS, Phallah, A/Abad. 10.6.63. 86/74. GHS, vice Arshad
Satora. term: as not
- 87. Azam Khan, PTC, GPS, K.T.S, No. 3, Haripur. (27.13.64) 87/74. GMS, vice Mukhtia
term: as not
- 88. Mohd Saeed Akhtar S/O Mohd Younis, r/o Manshra. (15.3.67) 88/74. GMS, vice Abdul Sa
Bimbal. term: as not s
- 89. Abdul Wazir S/O Nobat Khan, r/o Battagram. (17.3.66) 89/74. GMS, vice M. Hanif,
Salabat. as not sel: on
- 90. Abdul Sattar, MA/PTC, GPS, Bakka, Haripur. (12.3.67) 90/74. GHS, vice Mujtaba
S.N. Khan. term: as not s
- 91. Mohd Sarwar S/O Mohd Jab, r/o Bhattian, A/Abad. (3.3.68) 91/74. GHS, vice M. Alam, to
Nagri Bala. not sel: or
- 92. Mohd Parvez, PTC, GPS, Chhor Sharif, Haripur. (5.4.68) 92/74. GHS, vice Jamil Hus
Bhera. terminated as
selected on me
- 93. Shahzada, M.Sc, S/O Misree Kholian Bala, Haripur. (1.4.69) 93/74. GHS, vice Hasnan Al
Ghumawan. term: as not se
merit.
- 94. Abdul Majid, PTC, GPS, Mandroach, A/Abad. (25/6/71) 94/74. GHS, vice Arshad Meh
Satora. term: as not sel
- 95. Shaikat Hussain, M.Sc/CT, S/O Mir Zaman, r/o Manshra. 95/74. GHS, vice Mian Zahid
Thathi. minated as not
ted on merit.
- 96. Fazalur Rehman, ML, S/O Abdur Rehman, Manshra. (12.2.55) 96/73. GMS, vice Sabir Ali,
Judba (KD) minated as not
ted on merit.
- 97. Shabir Hussain Shah, PTC, GPS, Jhangi, A/Abad. (1.9.62) 97/73. GHS, vice Aftab Khan
Rajoya. terminated as no
selected on meri
- 98. Lal Afsar, ML/PTC, GPS, Kakinjara, Haripur. (9.4.68) 98/73. GHS, vice Shabir Ahme
Khanpur. term: as not sele
on merit.
- 99. Mohd Abid, MA/ PTC, No.2; GPS, Kalinjer, Haripur. (15.3.67) 99/73. GHS, vice vice Nazim
Sarri. term: not sel: on m
- 100. Mohd Yaseen S/O Mohd Hamid Khan, r/o Nagri Bala, A/Abad. 100/73. GHS, vice Mohd Siddique
Nagri. terminated as not
Tutial. ected on merit.

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101. Auhangzeb S/O Ali Khan R/O Kohistan (26.3.68)	101/78	GHS Bataira Koh.	Fazl. Rehman Te as not selecte
102. Fazal Qader PTC GRS Phallah ATD (40.10.67)	102/72	GMS Goreeni ATD	Vice Mohd terminated selected on
103. Mohd Miskeen S/O Alaf Gul R/O Man: (20.3.67)	103/72	GMS Batdora Man:	Vice Qamar terminated selected on
104. Mohd Yousaf BA CT GHS K.N. Bullah (1.4.75)	104/72	GHS K.N. Bullah	Post already
105. Hazrat Mian STO. PTC Paragari Koh: (2.10.60)	105/72	GMS Paragari	---do---
106. Shah Nawaz S/O Hujam Khan R/O Mansehra (1.3.73)	106/71	GHS Ahl	Vice Israr terminated selected on
107. Warid Shah MA/CTGMS Kheroch (10.2.58)	107/70	GMS Kheroch	post already
108. Abdul Sallam M.S/O Abdul Jalil R/O Man: (1.4.68)	108/70	GHSS Battal	Vice Ayaz te as not selec
109. Tahveer Ahmad GMS More Kalan (10.3.71)	109/70	GMS More Kalan	post already
110. Dilhawaz PTC GMS Nara (11.4.61)	110/69	GHSS Lora	Vice Shoukat minated as ected on mer
111. Fida Mohd MSc/CT S/O Amanullah B/Gram (22.4.65)	111/69	GMS Rashid Btm	Vice Qudus minated as slected on m
112. Abdul Saboor S/O Abdul wahab R/O Man: (1.4.67)	112/69	GMS Cherikot	Vice Ali Far nated as not on merit.
113. Mohd Rafique S/O Sher Afzal R/O Man: (10.8.67)	113/69	GHSS Baffa	Vice Javed t as not selec merit.
114. Zahid Masood MA PTC GRS Havelian (12.2.67)	114/69	GHS Chaintri	Vice Ayub Sh nated as not on merit.
115. Abdul waheed CT GHS Panian (10.4.71)	115/69	GHS Panian	post already
116. Annar Gul S/O Allah Dad. Khan GHS Rahto (3.4.64)	116/68	GHSS Baffa	Vice H. Yar M terminated as selected on
117. Mohd Saeed S/O Mohd Ayub R/O Mans (16.6.75)	117/68	GMS Mohar	Vice Mr. Mohd terminated as selected on
118. Iltaf Hussain Shah CY GHS Serai Manoor (3.5.70)	118/68	GMS Serai Manoor	Post already
119. Mohd Safdar MA CT PTC GRS Sanle Nagri Hrp: (3.2.55)	119/68	GHS Kundi	Vice Mr. Mohd. terminated as selected on
120. Mohd Sadiq S/O Abdul Rehman R/O Man: (Dibakled (15.3.64)	120/68	GHS No. 3 Man:	Vice Mohd You terminated as selected on
121. Zulfiqar Hussain S/O Ghulam Hussain Shah (2.4.65) R/O Man:	121/68	GMS Chakli Panchal	Vice Alan Zet as not select

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122. Kalil-ur Rehman S/O Abdul Aziz R/O Man:(1.4.67)	122/68	GMS Sakki Moh	Vice Man terminat selected
123. Afsar Khan S/O Jinas Khan R/O Battgram(3.1.68)	123/68	GMS Kandi Btm	Vice Jay as not s
124. Ibrar Ahmad S/O Sardar R/O Haripur(19.1.68)	124/68	GMS Amble	Vice Abdi terminat selected
125. Mohd. Mustan DM GMS billah Hrp:(1.4.68)	125/68	GMS Kahl	Vice Moh. terminat selected
126. Mohd Saad S/O Shah Zahan R/O Man:(15.4.68)	126/68	GMS Lali	Vice Man terminat selected
127. Fazal R'uf S/O Haji Baz CT GMS Bankad Koh:(10.1.72)	127/68	GMS Bankad	post alr
129. Pinnah Ali Shah CT GMS Chahad (8.2.72)	128/68	GMS Chahad	-----
129. Mohd Tayub CT GMS Mari (15.4.69)	129/67	GMS Mari	-----
130. Mohd Riaz CT GMS Bagnoter (2.1.70)	130/67	GMS Bagnoter	-----
131. Tahir Jamil CT GMS M Pakshai (9.8.70)	131/67	GMS Pakshai	-----do
132. Sultan Behran CT GMS Mehloos(15.2.74)	132/67	GMS Tehloos	-----do
133. Ghulam Murtaza BA/CT GPS Malilla(7.4.63)	133/67	GMS Pakshai	Vice Abdul transferr
134. Syed Anjum Abbass S/O Mohd Shah GMS Durashkal	134/67	GMS Khari Mike	Vice Abdu terminat selected
135. Masood-ur-Rehman BA/PTC GMS Tharyati(10.3.68)	135/67	GMS A.Nallah	Vice Man terminat selected
136. Manzoor Hussain S/O Aurangzeb R/O Mansehra(1.2.65)	136/67	GMS Bhogarnang	Vice Jay terminat selected
137. Fida Mohd PTC GMS Kakul N/Sher (1.5.71)	137/67	GMS No. MTD	Shafqat terminat selected
138. Mohd Younas CT GHSS Parhina R/O Mansehra(16.4.62)	138/66	GHSS Parhina	post alr
139. Mohd Siddique S/O Mohd Shereen R/O Mansehra GMS K. Bala(7.2.68)	139/66	GMS Kund Bala	-----
140. Ghulam Khan S/O Hajat Khan CT GMS Narbeer(4.1.69)	140/66	GMS Zaffar Maidan	Vice Mo terminat selected
141. Mohd Sarfraz CT GMS Hari Khaiteer (15.2.69)	141/66	GMS Hari Khaiteer	post alr occupied
142. Zahid Ali Khan GMS Mirpur (5.5.70)	142/66	GMS Mirpur	-----do
143. Shafiqur Rehman S/O Abdur Rehman R/O Man:(12.4.73)	143/66	GMS Chakli Fancia	Vice Mo terminat selected

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144. Babar Khan CT GHS No. 1 (15.4.73)	144/66	GHS No. ATD	post already
145. Anjad Hussain S/O Faalur Rehman R/O Man: 11.12.73	145/66	GMS Mair Anjad Ali	-----do-----
146. Mohd Akram PET, G/S Chatti (14.3.62)	146/66	GHS Khanpur	Vice Shabir terminated as selected on me
147. Abdul Ghafoor TC G/S Majampur Hrp: (26.3.70)	147/66	GHS Hattar	Vice Arif Ayul terminated as selected on me
148. M. Sabir Hussain CT GHSS Nathigali ATD (1.5.70)	148/65	GHSS N/Gali ATD	post already occupied.
149. Mohd Zahir Shah R/O (1.8.57)	150/65	GHS Biari	Vice Mohd Anwar terminated as selected on me
150. Anjad Iqbal S/O Abdul Latif R/O Man: 16.11.69	151/65	GMS Karyala	Vice Kar Khan terminated as selected on me
151. Babar Khan S/O Gul Mohd R/O Man: (1.5.70)	152/65	GMS Batdoga	Vice Tariq ter minated as not s cted on merit.
152. Shafiqat Khan S/O Gul Mohd R/O Man: ATD (1.3.70) GMS Chanjaki	153/65	GMS Mehreen	Vice Mohd Idre terminated as selected on me
153. Humayun S/O Ali Zaman ATD (14.3.70)	154/65	GMS Dalola	Vice Mr Azher already transfe
154. Maroof Elah CT GHS K.N. Bullah (1.1.66)	155/64	GHS K.N. Bullah	post already oc pied.
155. Riaz Mohd Khan PTC G/S K. T. Ship (3.3.64)	156/65	GHS Sail	Vice Mr, Sher M Bahadar termin as not selected on merit
156. Abdur Rehman, PTC GPS Havelian (Vill: (7.12.65)	157/64	GMS Khable	Vice Faheem Ekht terminated as no selected on meri
157. Khalid Mahmood TC G/S Noordi (31.3.67)	158/64	GHS Ghazi	Vice Rashid Muni terminated as no selected on meri
158. Abdul Samad, PTC GPS, Qazi Saur Hrp: (21.3.71, 1.70)	159/64	GMS Qazi Fur	Vice Ehsanullah terminated as no selected on merit

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- 160. Atikhar Ali Shah S/O Pirayat Shah Man: (1.1.71) 160/64 GMS Bandi Kenth Vice Mr, Shahid Iqbal CT terminated as not selected on merit.
- 161. Malik Wahed S/O Mir Mohd R/O Manshra (1.1.71) 161/64 GMS Mohandry V/ Zaher Hafeez C terminated as not selected on merit
- 162. Mohamad Sabir S/O Mohamad Miskien (13.12.71) 162/64 GMS THTZani KD Vice Sajid Ali C terminated as not selected on merit
- 163. Riaz Mohd. TC G.S. Kola Manshra. (15.3.72) 163/64 GMS Manjhat KD Vice Shahnawaz C terminated as not selected on merit
- 164. Abdul Hamid Khan S/O Irshad Khan (9.1.74) 164/64 GMS Brag Mazai Vice Babar Khan terminated as not selected on merit
- 165. Raja Zaher S/O Sultan Mubarak, Man: (1.4.73) 165/64 GMS Seri Mander Vice Mr, Zohandi terminated as not selected on merit
- 166. Ejaz Khan Ahmad S/O Mohamad Iqbal (J/C D.F. Contraler (20.3.73) 166/64 GMS No.3 Man: Vice Mr, Junaid terminated as not selected on merit
- 167. Abdul Qayum S/O Mohd Yaqub R/O Man. TC (20.12.53) 167/64 GMS Afzal Abad Vice M. Hanif terminated as not selected on merit.
- 168. Musrat Hussain S/O Ghulam Rasool Man: (26.8.55) 168/64 GMS Shogarmang Vice Javed Iqbal terminated as not selected on merit
- 169. Mohamad Fiaz TC G.S. Kerri Serifal (15.5.63) 169/63 GMS Baghpur Dheri Vice Azizur Rehman terminated as not selected on merit Gul Badshah terminated as not selected on merit
- 170. Sultan Sahral TC G.S. Halli Hari pur (25.4.57) 170/63 GMS Baghpur Dheri Kneeri, amasai Vice ~~Azizur Rehman~~ terminated as not selected on merit
- 171. Abdur Rashid S/O Mohamad Zanan Manshra (1.9.65) TC 171/63 GMS Binbal KD Vice Mr. Amin terminated as not selected on merit.

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S.NO.	NAME & DESIGNATION.	D/O BIRTH.	NO. OF MERIT/ MARKS.	SCHOOL WHERE POSTED.	REMARKS.
173.	Mohammad Bashir S/O PTC GPS Terhana, AtD;	4.2.66.	173/63	GHSS Baffa.	Vice Moham Idrees CT inated as selected
174.	M. Saifur Rehman S/O M. Zamir Alam, A. Road.	5.8.66.	174/63	GHS Garhi Moorpar.	Vice Saifur CT termina not select merit.
175.	Nadeem Khan S/O Mohammad Khan Salhad, A. Abad.	20.2.67.	175/63	GHS Bhattian.	Vice A. M. J. terminated selected o.
176.	Abdul Hamid Lodhi, S/O Kala Khan AtD;	1.1.68.	176/63	GHS Ghambacr.	Vice M. Mar terminated selected o.
177.	Mohammad Ayub S/O Mohammad Sayeen, Man;	5.2.68.	177/63	GHS Chakli Pansiyal.	Vice Wazir CT terminat not select;
178.	Mohammad Shafiq, CT GHS Bataira, Koh;	4.3.68.	178/63	GHS Bataira.	Post. already occupied.
179.	Sajjad Ahmad; CT GMS Thunda, AtD;	20.4.69.	179/63	GMS Thunda.	-do-
180.	Naeemul Inham SPTC GPS Mankarai, H. Pur.	23.4.68.	180/63	GHS Faimal Shareef.	Vice Pir Za CT Terminat h t selec; o
181.	Mohammad Muqsaneen ETC GPS Kanikote, H. Pur.	13.4.69.	181/63	GHS Chhajjan.	Vice Sajjad ain, CT te as not sel on merit.
182.	Ehsanullah S/O Hazrat Yousaf R/O Manshra.	24.4.70	182/63	GMS Chor Banda.	Vice Moham akbar Kha terminated selected o.
183.	Abdul Hamid S/O Ahmad Din, Mans;	11.10.69.	183/63	GMS Hilokote.	Vice Malk I Hussain CT ated as not ted on merit.
184.	Ejaz Ahmad S/O Noor Ahmad R/O Manshra.	4.1.70	184/63	GMS Gondla Madakhal.	Vice Abdul CT Terminat not selecte merit.
185.	Mohammad Nisar, PTC GPS Deat sail, Jail, H. Pur.	6.2.71.	185/63	GHS S.N. Khan Haripur.	Vice Moham Younas CT T as not elec on merit.
186.	Azhar Ali S/O Ditta, Haripur.	12.4.71.	186/63	GHS KAKKAX Kotkay.	Vice Alam 2 Terminated selected or

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- 187. Zahir Farooq PTC 15.4.71. 187/63. GHS Pind. Vice Shouka
GPS Bhora Banda, H. Pur. Hasham Khan. mood CT Ter
as not sele
crit.
- 188. Saeed Akhtar, PTC 30.4.71. 188/63. GHS, Chamber Vice
GPS Khan Darkote. on merit.
Haripur.
- 189. Khalid Mahmoods/O 29.3.72. 189/62. GHS Malookra. Vice Shees
M. Yousaf, Mansehra. P. man CT
nated as n
cted on n
- 190. Mohammad Haroon Shah, 28.8.71. 190/63 GHS Kundi. Post alread
CT GHS Kundi, H. Fur. occupied.
- 191. Dildar Ahmad Shah, 1.4.72. 191/63. GHS P. Man. Vice
PTC GHS Keniy, Atd. on merit.
- 192. Mohammad shabbir, PTC 29.5.72. 192/63. GHS Razang. Vice Zafar
GHS Moh: Babu H. Fur. CT terminat
not selecte
- 193. Maneebur Rehman, 10.9.73. 193/63. GHS Ghazi. Vice Ghulam
PTC GHS Phallah. terminated
selected on
- 194. Mirza Yasir Jamil, 1.4.74. 194/63. GHS Ghazi. Vice sajjad
R/O Haripur. Shah, CT ter
as not sele
merit.
- 195. Jamil Hussain Shah, 2.4.70. 195/63. GHS Ghazi. Vice sajid
s/O Shah Mohammad Hamlet. terminated &
R/O Haripur. selected on
- 196. (A) Iftab Ahmad Khan 30.12.71. 196/63. GHS Bindi. Vice Ghulam
s/O Khan Gulab Khan. Month. CT Terminated
R/O Mansehra. selected on
- 197. Ashiq Hussain s/O 30.9.74. 197/63, GHS Ghazi. Vice Jamilur
Ghulam Hussain R/O. CT Terminat
Haripur. not selected
- 198. Fazalur Rehman s/O 5.5.71. 198/63. GHS Bataira. Vice Post a
Molvi Arbab, R/O Koh: occupi
- 199. Mohammad safeer s/O 24.72. 199/63. GMS Baila -do
Abdul Halcem CT GMS Dobair.
- 200. Mohammad Hareon CT 3.3.69. 200/62. GHS Kundi. -d
GHS Kundi, H. Fur.
- 201. Khalid Hamayun CT 1.4.64. 201/62 GHS Ghazi. -d
GHS Ghazi.
- 202. Mohammad Asif CT 14.4.71. 202/62 GHS Birote. -d
GHS Birote.
- 203. Mohammad Afsar 15.4.73. 203/62. GHS Dheri Niqarchian. -
CT GHS Dheri Niqarchian.
- 204. Mohammad Arif s/O 12.1.67. 204/62 GMS K.N. Khel (KD).
Mir Afzal, Manseh: CT GMS Kutli N. Khel, KD

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- 205. Taj Malcok CT, 5.11.70, 205/62 GMS Peshora, Post Occupied.
- 206. Mohammad Ejaz CT, 1.3.71, 206/62 GHS Mangloor, -do-
- 207. Mohammad Farid PTC, 4.4.65, 207/62 GMS Mirza Banda, Vice Gulzar CT Terminate selected on
- 208. Nazir Ahmad, PTC, 3.5.69, 208/62 GMS Mirza Banda, Vice Mohamm Terminated selected on
- ✓ 209. Javed Akhtar S/O Gheeba Khan Hind Muneem, H.Pur, 3.5.69, 209/62 GMS Cantar, Vice Zahir terminated selected on
- 210. Mohammad Nasim PTC, 4.70, 210/62. GMS Chor Banda, Man: Vice Akbar I terminated selected on
- 211. Zafar Iqbal S/O Noor Mohammad H.Pur, 13.6.70, 211/62 MS Panjaket, Vice Shah N terminated selected on
- ✓ 212. Tahir Nasim S/O Elahi, K.N.Ullah.H.pur, 4.1.70, 212/62 GMS Jhaba, Vice Sabir terminated selected on
- 213. Rafiq Khan S/O Mohammad Yaqoob R/O Abbottabad, 10.1.71, 213/62 GMS Mohayeen, Vice Navced terminated selected on
- 214. Muneer Ahmad CT Samund Khan Mans, 6.2.71, 214/62 GMS Basund, Vice M.Nasim Terminated selected on
- 215. Abdur Rashid S/O Rehmatalah Mans, 3.5.71, 215/62. GMS Kotgali, Vice Mr. Isl Ahmad termi as not selc merit.
- 216. Abdi Saeed, PTC GMS Seral Saleh, 19.11.71, 216/62 GMS Batsela, Vice Bashir CT Terminate not selected
- 217. Sajid Hussain Shah PTC GMS Barkote, 28.4.73, 217/62 GMS Thallah, Vice M.Hafiz Rehman CT te as not selco on merit.
- 218. Sajid Mahmood PTC S/O Hukan Dad, H.Pur, 24.3.74, 218/62 GMS Chirikat, Vice Moham Hanif CT te ated as not cted on me
- 219. Mahboobul Haq S/O Ghulam Mustafa R/D Sijikote Ltd, 2.4.74, 219/62. GMS Halkaloo, Vice Aurang terminated not selected merit.
- 220. S.Hassan Reza S/O S.Lal Hussain Shah R/O Haripur, 4.6.74, 220/62. GMS Khawar-kandian K, Vice M.Mut Shah, CT ter ted as not ted on merit.

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FTC, GFS, 4.6.74 220/62 GMS, Chcceran Vice Abdul F
Hpr. 1.3.75

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- shir S/O Bashir
R/O Satora. 15.3.72 222/61 GMS, Balakot Vice Abdul
terminated,
selected on
- Abdul Nasser CT, 19.11.60 223/61 GMS, Dotar Post already
S, Dotar Manshra. by him.
- Mohammad Fayaz CT, GMS 3.1.67 224/61 GMS, Chhabbar Post already
Chhabbar S./Abad. by him.
- Mukhtiar Ahmad S/O G 7.4.68 225/61 GMS, Darband -do-
Ghulam Qadar CT, GHSS,
Darband Manshra.
- 226. Baber Hussain Shah CT, 3.1.69 226/61 GMS, Talhatta. -do-
GMS, Talhatta Manshra.
- 227. Mashkoor Hussain CT, 1.5.73 227/61 GMS, Hassa. -do-
GMS, Hassa Manshra.
- 228. Umair Farooq LCO SDO(M/E) 10.7.69 228/61 GMS, Rupkani Vice Moh
Abbottabad. terminat
- 230. Mohamad Ayub S/O Subir 12.4.64 230/61 GMS, Bindi- Vice Matt
Hussain Manshra. Farooq. terminate
selected.
- 232. Liaqat FET, GMS, Majhian 3.3.68 232/61 GMS, Kaktai. Vice Riaz
Abbottabad. CT, termin
not selec
- 233. Zaffer Iqbal FET, GMS, 4.4.68 233/61 GMS, Chandor. Vice Anwe
Badal G-ran Msh. terminate
selected.
- 34. Ishtaq Ahmed S/O Urfan 15.4.68 234/61 GMS, Baidoga. Vice Sher
Manshra. terminate
- 235. Dilfraz Khan S/O Sarfraz 14.2.73 235/61 GMS, Buzi. Vice Babu
Khan Battagram. terminate
selected
- 36. Waqar Ahmed S/O M. Salih 10.1.74 236/61 GMS, Rahtoo. Vice Urf
FTC, GFS, K.N.Ullah Hpr. terminat
- 37. Mohd. Roshan S/O Rehmatullah 5.4.70 237/60 GHSS, Batta. Vice Afta
Manshra. CT, termin
selected.
- 38. Abid Rehman CT, GMS, Palsala 1.4.68 238/60 GMS, Palsala, post alr
Manshra. by him.
- 39. Abid Hussain S/O Habibur- 4.4.68 239/60 GMS, Sawan. Post already
Rehman CT, GMS, Sawan terminat
by him.
- 40. Sajjad Alam CT, GMS, Ahl 16.4.69 240/60 GMS, Ahl -do-
Manshra.
- 241. Nazakat Hussain Shah S/O 20.3.70 241/60 GMS, Chanhad Vice M. A
Mohammad Amin Gudwalian terminate
Haripur. selected
- 242. S. Abbas Ali Shah FTC, GFS 20.9.73 242/60 GMS, Naal-Batla Vice P
Kanger Maira S./Abad. as no

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- 243. Abdul Khalil S/O Mohd. 14.2.52 243/60 GHS, Pashtoo Vice Mansur
Faqeer Battagram, any transfer
- 244. Attiullah S/O Mohd: 19.6.55 244/60 GMS, Kaktai Vice M. Ayub.
Ishmail Ba ttagram. as not selec
- 245. Ishtaq Ahmad CT-Trd: 1.1.62 245/60 GHS, Sarhan Vice Iftikho
FTC, GHS, Maira Hasnal CT, terminate
Abbottabad. selected.
- 246. Niazur Rehman S/O 4.3.65 246/60 GMS, Kaktai Post already
Adeebur Rehman Battagram. by him.
- 247. Masad Gul DI, GMS, Banda Fhaw- 5.1.69 247/60 GHS, Nara Vice Mohd. Sal
arian Abbottabad. terminated as
selected.
- 248. Waheed Khan S/O Malik 2.10.69 248/60 GHS, Kuza-Banda Vice Mohd.
Mazufur Khan Haripur. CT, termina
not select
- 249. Mohammad Rahim FTC, GHS 10.1.70 249/60 GMS, Chakai Vice Mr. Manaw
Gali Battagram. CT, terminated
selected.
- 250. Dilfraz S/O Seraj Islam 1.4.70. 250/60 GHS, Sehaki- Vice Mohd. S
Manshra. Bala Msh: terminated
selected.
- 251. Mohammad Fiaz S/O Mohd. Zaman Ktship Haripur. 2.2.70. 251/60 GMS, Parla Vice Zaffer Iq
mazai. CT, transferred
- 252. Mazhar shcr. Khan S/O Mohd: Riaz, Khan Haripur. 13.2.70. 252/60 GMS, Perobala Vice Mohd. Naei
Terminated as
selected on m
- 254. Tariq Mehmood S/O Mohd: Mehmood Abbottabad. 7.2.71. 254/60 GMS, Hotel Bathkool Vice Raji.
CT, termin
not selec
- 255. Mohd. Tanveer S/O Maqbool-20.5.71 255/60 GHS, Gantar Vice Niaz Mo
ur Rehman R/O Abbottabad. Terminated.
- 256. Rashid Mehmood S/O Mohd: Sadiq Haripur. 20.10.66. 256/60 GMS, Sumner- Vice Shauk.
Nallah Koh: CT, termina
selected
- 257. Sagheer Ahmad FTC, GHS, 1.6.71 157/60 GHS, Kanai Vice Said M
Jabri Abbottabad. terminated
selected on
- 258. Mohammad Manzoor S/O Mohd: Akber Khan Abbottabad. 18.2.73 158/60 GHS, Pashtoo Vice Abdul K
terminated as
selected on
- 259. Ananullah Khan CT, GHS, 1.1.75 159/60 GHS, Jab Post already
Jab Haripur. by him.
- 260. Mohammad Sahkeel S/O Mohd: Sadiq Manshra. 25.3.75 260/60 GMS, Birsherial Vice Moh
Qureshi
as not s
- 1. Shad Mohammad S/O Sherafzal Battagram, CT, GMS, Rajmaira. 1.5.52 261/60 GMS, Rajmaira Post alre
occupied,

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- 265. Awab S/O Rajwali
Kohistan. 1.4.70. 262/60 GMS, Jhial Post closed by him.
- 266. S/O Mohd. Daud
31.3.71 264/59 GHSS, Pirkhina vice Mohd. terminated selected
- 267. Asar Ahmed ETC, GMS,
Bokater Haripur. 1.5.67. 265/59 GMS, Jolian Vice Zarfro as not sele
- 268. Khan Bahader ETC, GMS,
Maqsood Haripur. 1.4.68. 266/59 GMS, Butaira. Vice Mohd. Sh terminated by him.
- 269. Zahoor Iqbal S/O S. I. Khan
Abbottabad. 10.6.70. 267/59 GMS, Chamial Vice Mohd. Ar terminated on merit.
- 270. Syed Salamat Shah CT, GMS,
Salol Bandi Abbottabad. 13.2.65 268/59 GMS, Salol Bandi Post closed by him
- 271. Azher Majeed S/O M. M. Majeed
Manshra. 10.12.69 269/59 GMS, Rajwal Vice Bashir terminated.
- 272. Ghulam Jillani LCO/SDEO
(M/F) Manshra. 26.2.50 270/59 GMS, Jhemira Vice Ameenul terminated selected on
- 273. Mohrmmad Aslam ETC, GMS,
Sambli Abbottabad. 4.4.54 271/59 GMS, Hilkot Vice Altaf Hu terminated as selected on me
- 274. Javed ETC, GMS, Bandi
Sherkhan Abbottabad. 10.4.53 272/59 GMS, Jalkote. Vice M. Manzoo terminated as selected on m
- 275. Fazal Dad Abbasi ETC, GMS,
Khan Kalan Abbottabad. 15.5.57 273/59 GMS, Illocl Vice Hafizul I terminated as selected on me
- 276. Mohammad Qasim ETC, GMS,
Thabi Sharif Abbottabad. 1.1.61 274/59 GMS, Kakotri Vice Mohd. S-JI terminated as selected on mer
- 277. Mahi Yousaf ETC GMS,
Shingrian R/O Man. 3.1.61 275/59 GMS, Pero Bela Vice Mr. Fazal I terminated as r selected on mer
- 278. Taj Malook S/O Mir Afzal
Khan R/O Man. 3.6.67 276/59 GMS, Banil Jag Vice Ihsanul Ha CT term; as no selected on mer.
- 279. Tariq Mehmood ETC GMS,
Kalig. Haripur. 10.4.63 277/59 GMS, Surjal Vice Mohd. Arif (term; as not selected on mer
- 280. Mohd Yaqoob ETC GMS,
Sarbrote 10.6.63 278/59 GMS, Jullian Vice Zarfrosh CT terminated as no selected on merit
- 281. Zar Gul ETC GMS
Kakul. 14.12.63 279/59 GMS, Kasala Vice Abid Rahim (term; as not selected on merit
- 282. Manzoor Ahmad S/O Sumar
dar Khan 25.12.64 280/59 GMS, Gorechni Vice Mohd. Akram CT term; as not selected on merit
- 283. Sarfraz Khan S/O Zardad
Khan R/O Abd. 13.2.67 281/59 GMS, Chamial Vice Hamidullah CT term; as not

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282. Gohar Rehman PTC, (G.S, Malikpura Atc:	11.3.65	282/59	GHS, Sagar	
283. Shad Mohd Khan S/O Taji Mohd R/O Man:	08.11.58	283/59	GMS, Mairwa Amjad Ali	
284. Mohd Afzal S/O Mohd Haroon Man:	16.7.66	284/59	GMS, Jalces	
85. Mohd Ilyas S/O Hakam Dad Man:	14.12.67	285/59	GMS, Serhadian	Vice Mohd Ilyas term: as not on merit.
86. Mohd Merhban PTC, S/O Kala Khan Hrp:	27.8.68	286/59	GMS, Summa Kargha.	Vice Mohd Merhban term: as not on merit.
37. Altaf-ur-Rahman PTC, G.S, Bootigran Hrp:	10.2.68	287/59	GHS, Martian	Vice Junaid as not select merit.
38. Mohd Anwar PTC, G.S, Shaheedabad.	01.04.68	288/59	G.S, Sari Khan Kalan.	Vice Mohd Anwar Term: as not on merit.
39. Mohd Younis PTC, G.S, Bandi, Kalot.	06.04.68	289/59	G.S, Lora Bandi.	Vice Mir Zama term: as not on merit.
40. Shakeel Anwar Qureshi PTC G.S, Bolla.	24.6.68	290/59	G.S, Naroda	vice Shahzad term: as not on merit.
41. Javed Khan S/O Mufti dad Shaheedabad.	12.1.69	291/59	G.S, Malkote	Vice Waheed term: as not on merit.
2. Samiullah S/O Murad Khan R/O Man:	3.3.69	292/59	GHS, Marwala	Vice Nisar CT term: as select: on me
3. Shabbir Hussain PTC Akhreela	GMS 14.4.69	293/59	GHS, Lora	Vice Saddaqa CT term: as select: on me
4. Mohd Tasleem S/O Umar Khitab R/O Man:	1.5.70	294/59	GHS, Lora	Vice Yaya Kh Transferred.
5. Mohd Irshad S/O Qasimullah Man:	4.3.71	295/59	GHS, Lissan Nawab	Vice Gulzar CT term: as selected on
7. Sagheer Abbassi S/O Aziz Khan Abbassi Atc:	12.4.71	297/59	G.S, Maira Rohmal	vice Zafar term: as no select: on
8. Mushtaq Ahmed S/O Saeed R/O Man:	9.1.72	298/59	GHS, Sehaki Bala	Vice Saeed term: as no select: on merit.
9. Mohd Saeed PTC G.S, Jogi Mohra Haripur.	4.1.72	299/59	GMS, Baddah	Vice Amir CT term: as select: on
3. Intiaz S/O Ali Sghar R/O Man:	5.4.72	300/59	G.S, Galgan	Vice Javed term: as select: on
4. Zeb Rehman S/O Abdul Karim R/O Man:	3.5.72	301/59	GHS, Phodial	Vice Obidur CT term: as select: on m
2. Mohd Ghosib S/O Mohd Younis Atc:	15.4.73	302/59	GHS, Birote	Vice Azam su term: as not on merit.
3. Abid Masawer S/O Harood Msh Kohistan.	4.5.73	303/59	GMS, Ichrian	Vice Abdulla terminated a post already by him.
4. Abdul Saboor S/O Quresh Kohistan.	2.2.74	304/59	GMS, Looki	
5. Abdul Saboor S/O Mohd Hussain Haripur.	11.7.74	305/59	G.S, Jochan	Vice Mohd Ari Terminated, as on merit.

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	Ahmad S/O Balch R/O H. pur.	14.11.73.	306/59	GHS Chajjian.	Vice. Sobh Terminated not selected merit.
	Ghulam Rabbani S/O Abdul Haq R/O Atd:	1.5.75.	307/59	GHS Bareela.	Vice Mohd Arif CT 1 ated as r ected on
308.	Hukam Dad S/O Said R/O Kohis:	10.4.70.	308/59	GMS Shatal KD.	Post already occupied.
309.	Sakkar Hussain Shah CT GHS Barkot.	5.12.67.	309/58	GHS Barkote.	-do-
310.	S. Tariq Hussain Shah CT GHS Narbeer.	20.6.68.	310/58	GMS Narbeer.	-do-
311.	Najif Ali Shah, PTC G/S Narrian H. pur.	20.8.67.	311/58	GHS Dartian.	Vice Shekh terminated selected o
312.	Sharafat PTC G/S Dahna Bandi Maira Atd:	10.10.69.	312/58	GMS Pattan Kalan.	Vice Mohan Azam termi as not sel on merit.
313.	Mohammed Shakeel PTC G/S Doyan Khushki, Sirya, Haripur.	1.11.70.	313/58	GMS Sirya.	Vice Fakhru CT termina not selected merit.
314.	Khalid Mahmood G/S Garbi Haripur.	13.12.71.	314/58	GMS Cheri Shabi Khel.	Vice Amir M CT terminate not selected merit.
315.	Hasrat Mahmood S/O Ghulam Rasool, H. pur.	12.3.70.	315/58	-do-	Vice Israr I CT Terminate selected on
316.	Mohammed Ayub Khan S/O Haji Ismailing, Kha. R/O Battigram.	10.5.67.	316/58	GMS Kelai.	Vice Nazar S CT Terminated not selected
317.	Khalid Urfaan S/O M. Urfaan R/O Atd:	1.1.70.	317/58	GMS Chund Mada Khel.	Vice Sajid R CT terminated not selected merit.
318.	Gulzar Shah PTC G/S Karbeh,	2.2.57-	318/58.	GMS Maidan.	Vice Amir Kha CT Terminated selected on me
319.	Abdul Aziz S/O Abdul Karim Man:	8-10.58.	319/58	GHS Beet Gali.	Vice Nisar Ahmad, CT terminated as selected on me.
320.	Shad Mohammad S/O Taj Mohammad, Mans:	8.11.58.	320/58.	GMS Nasir Abad, Mans:	Vice Taj Moham terminated as r selected on me
321.	Mohammad Saleem PTC G/S Jambezi, Haripur.	21.11.58.	321/58	GMS Thakra.	Vice Mattiur R CT terminated selected on me

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- 322. Mohammad Sultan TC 5.1.60. 322/58 GMS Hangrai. Vice
Masjil SahiWari Kheri AtD; as no
- 323. Bal Khan TC G.S. 323/58 323/58 GMS Sumner Vice
Dakhan Titrell AtD; 1.3.60. Wallah Koh: CT te
not s
- 324. Mohammad Riaz TC 8.2.62. 324/58 GMS Basha. Vice
G.S. Ranga AtD; termin
selec
- 325. Mohammad Javed S/O 10.4.62. 325/58 GMS Dibori. Vice
Nawab Khan TC G.S. Khairpur. Shah C
as not
merit.
- 326. Alla Dada Khan TC G.S. 15.6.62. 326/58 GMS Ghambian. Vice
Kamal Bala, H.pur. Rustam
nated
cted or
- 327. Amir Mohammad TC 20.11.62. 327/58 GMS Nika Pani. Vice C
G.S. No. 1 Haripur. termina
selecte
- 328. Mohammad Zehid S/O 1.6.63. 328/58 GMS Gurwal. Vice-Kar
Khalid Khan B.Gram. terminate
selected
- 329. Miratiz Ahmad TC 14.2.64. 329/58 GMS Dilkando. Vice Yak
G.S. Kala Katha AtD; terminate
selected
- 330. Mohammad Arshad TC G.S. 14.2.64. 330/58 GMS Trand. Vice Jave
Sami Khullar A.abad. CT terminat
selected on
- 331. Muqadar Zaman S/O 331/58 331/58 GMS Goshali. Vice Aziz
Ali Zaman, A 15.3.64. terminated s
selected on
- 332. Mohammad Khurshid 1.4.64. 332/58 GMS Ghalaia. Vice Lati
S/O Sher Zaman, Mans; Khan; termina
not selected
- 333. Qazi Masoodur Rehman GMS 31.5.64. 333/58 GMS Tandol. Vice Ateezul
Nara, A.abad. terminated as
selected on
- 334. Mohammad Sajid G.S. 10.4.65. 334/58 GMS Shadi. Post already
Shadi, H.pur. occupied.
- 335. Hukam Dada S/O 1.4.64. 335/58 GMS Toheed Vice Sajjad
M. Younas, TCG.S. Ibad. CT terminat
not selected
- 336. Khalilur Rehman S/O 13.11.65. 336/58 GMS Pirhari Vice wahid S
Fazlur Rehman Mans; B.Gram. CT terminated
selected on m
- 337. Arshad Habib BTC 15.4.66. 337/58 GMS Pattan. Vice Khalid
G.S. Toar, H.pur. CT terminated
selected on m

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- 340. Af Shah S/O Mans: 22.6.66. 338/58. GHSS Jaffa. Vice Farid Khan terminated as not selected on merit
- 341. Akhtar Nawaz PTC G/S Muradbad, H. ur. 12.12.66. 339/58. GMS Kero Jafir. Vice Mun War Khan terminated as not selected on merit
- 342. Alor Shah S/O Anwar Shah, R/O Manshra. 2.1.67. 340/58. GMS Ahl. Vice Israr Ahmad terminated as not selected on merit
- 343. Abdul Hamid, PTC G/S Jabbian, Mans: 1.3.67. 341/58. GMS Shatei. Vice Eftikhar CT terminated as not selected on merit
- 344. Waqar Ahmad, PTC G/S No.1 K.T. Nullah. 1.3.67. 342/58. GMS Jalinger. Vice Mohammad Shabbir, CT terminated as not selected
- 345. Abdul Aziz S/O Karim, R/O Mans: 3.10.67. 343/58. GMS Dargah. Vice AbdulMajid terminated as not selected on merit
- 346. Sajjad Haider Shah PTC G/S Kahl H. ur. 1.1.67. 344/58. GMS Jutti. Vice Bilal, CT terminated as not selected on merit
- 347. Mohammad Wasim S/O Kala Khan, PTC Seri Dalola. 30.3.68. 345/58. GMS Sumar Nullah. Vice Mohammad terminated as not selected on merit
- 348. Shoukat Ali S/O Shah Laman Mans: 20.12.68. 346/58. GMS Goghar. Vice Mohammad terminated as not selected on merit
- 349. Saeed Ahmad LC SDEO(M)Atd: 6.2.69. 347/58. GHSS Khan-ispur Ayub. Vice M. Farid CT terminated as not selected
- 350. Mohammad Ashraf, R/O Haripur. 4.6.69. 348/58. GMS Illil. Vice Mohammad terminated as not selected on merit
- 351. Qaiser Javed S/O Mohammad Ayub Atd: 4.10.69. 349/58. GMS Rajoya. Vice Khalid terminated as not selected on merit
- 352. Rashid Khan PTC GPS Garhi Shah Mohd Mans: 12.10.69. 350/58. GMS Goghar Banda. Vice Taimoor terminated as not selected on merit
- 353. Mohammad Arshad S/O Dost Mohammad Mansh: 15.2.70. 351/58. GMS Maiden. Vice Moham Azam terminated as not selected
- 354. Anjal Khan S/O Saffdar Khan Havelian Atd: 15.3.70. 352/58. GMS Jijal. Vice Mohammad terminated as not selected on merit
- 355. Abdul Qader S/O Hussain R/O Atd: 13.6.71. 353/58. GMS, Kanfial. Hafeezul Haq as not sel:
- 356. Mohd. Fared PTC G/S, Dalola. 15.2.71. 354/58. GMS, Ghazi Abal. Vice Fakharu terminated as not selected on merit
- 357. Mohd Ashraf S/O Malik M. Bashir. 8.5.71. 355/58. GMS, Sherar kot. Vice Yaya Kh terminated as not selected on merit
- 358. Shabbir Ahmad PTC, Ghurawan Atd: 1.2.72. 356/58. GMS, Goshali. Vice Noor terminated as not selected on merit

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- 357. Mohd Siraj S/O Mohd S. 1.2.72 357/58 GMS, Mehreen Vice Afsar
Mishra R/O Man: term: as not on merit.
- 358. Mohd Ismail FTO, G.S ; S.Saleh Hrp: 26.12.72 358/58 GMS, GMS, Faragari vice Tahir
Term: as not on merit.
- 359. Majeedur Rehman S/O Habib Ahmed R/O Man: 28.12.73 359/58 GMS, Darsherial Vice Nawal
Term: as not on merit.
- 359. Haq Nawaz Khan S/O Mohd Akbar Khan 5.3.75 360/58 GMS, ... Vice Mohd Ar
Leban Bandi Hrp: term: as not on merit.
- 361. Ashfaq Akhtar S/O Mohd Saadiq 5.4.75 361/58 GMS, ... vice Saeed Kh
as not select on merit.
- 362. Mohd Danish FTO, G.S, Nambal: 1.2.72 362/58 GMS, Shera
vice Saeed A term: as not on merit.
- 363. Zahoor Ahmed FTO G.S, Nambal: 8.1.62 363/58 GMS, Dhanuac
Vice Nandar Term: as not on merit.
- 364. Abdul Gadoose S/O Ahmed Gul Man: 22.5.69 364/78. G.S, Rania
Vice Abid Meh term: as not on merit.
- 365. Mohd Ashraf FTO, GMS, Chamial. 21.5.72 365/58 GMS, Sec
Vice Faizullah term: as not on merit.
- 366. Abdul Latif FTO G.S, Shani Mera. 1.3.66 366/58 GMS, Goshali
Vice Gul Ra term: as not on merit.

TERMS AND CONDITIONS.

1. They will be governed by such rules and regulations as enforced as prescribed by the Govt. from time to time for the category of the Govt: servant to which they belong.
2. Their services will be liable to termination on month's notice from either side in case of resignation without notice month pay will be forfeited in lieu thereof.
3. They should join the post with month of the issue of this notification/order.
4. Their inter-seniority will be determined in accordance with merit of Departmental Selection Committee.
5. Charge reports should be submitted to all concerned.
6. They will be on probation period of two years and will have to pass Departmental examination. In case a candidate fails to qualify the Departmental Exam: he will be given more chance if he fails again then his services will be terminated on arrival available of trained teachers the service of untrained teacher occupies post will be terminated.
7. Their original certificates/Degrees should be checked and verified from the concerned University/BISE/RDE/Islamic Madra before handing over 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.

XXXXXXXXXXXXXXXXXXXX

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- are required to produce health and age certificate is a local authorities concerned before taking over charge.
- Charge report should not be given to the average candidate His case for relaxation be sent to the quarter concerned.
- Efforts for transfer before the completion of tenure will dis him from service.
- No T/F & D/A is allowed.
- An undertaking will be obtained from Master Degree holders and TC/Ct etc that they will serve the Department for 5 years.
- The above appointments are subject to production/verification of original Degrees/Certificate by the concerned Principal/Headmaster/Headmistress and D.O. Any candidate if fails to produce the documents may not be allowed to take over charge and report submitted to this office.
- In case any of the above appointees is not SSC with Drawing/Art Subject, he may not be allowed to take over charge and report submitted to this Director.
- The teachers who's services have been terminated as above have not been selected/approved by the Department Selection Committee in case of person appointed as an untrained teacher will have to pass the requisite training examination within a period of 3 years failing which his services will be terminated.
- Complete information of each category/separately in consolidated list on the prescribed proforma (attached) along with charge report be submitted by the lower offices to this Directorate, within a week positively.

IMPORTANT.

The candidates at S.../Merit No. 11, 55, 19, 364, 67, 70, 34, 35, 37, 43, 59, 62, 113, 82, 138, 365, 222, 154, 308, 459, 162, 184, 187, 194, 229, 315, 231, 270, 237, 302, 283, 297, 327, 332, 335, 366, 340, 341, 345, 352, & 362 are directed to please get checked the original documents viz Degrees/Educational Certificates testimonials and Service Certificate from the Divl. Director of Edu. (S) Hazara Division or responsible office of this Directorate particularly authorities for this purpose before taking over charge. They will not be considered the approval candidates for the post offered above until and unless they prove their qualification on the basis of this they have been as such and D.Os will not draw their pay till certificate is issued by this Directorate.

Endstt: No. 14444-894 /AS-III-3/Post. Headmaster/Headmistress (Class Room) DATED 25.6.19

- 1. Copy to:-
- 2. The Director Secretary Education W.F. Peshawar.
- 3. The D.Os (I) Secy: in Hazara Division.
- 4. The District Accounts officers concerned in Hazara Division.
- 5. Principal/Headmasters concerned.
- 6. P.S. to Secy: to Govt. W.F. Peshawar.
- 7. Official concerned.
- Office per file.

Tariq Khan.

[Handwritten Signature]
DIVISIONAL DIRECTOR OF EDUCATION
SCHOOLS HAZARA DIVISION ATD.

Annex-B

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EXTRAORDINARY
GOVERNMENT



REGISTERED NO. RIII
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/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;

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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.

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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. 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.

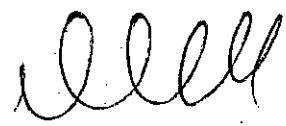
(3) If any vacancy occurs against the thirty percent available share of the sacked employee in any Department, the senior in age from such sacked employee shall be considered by the concerned Departmental Selection Committee or the District Selection Committee, as the case may be, to be constituted in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



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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.

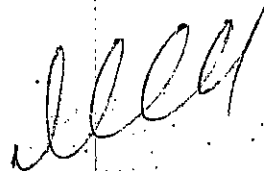
BY ORDER OF MR. SPEAKER

PROVINCIAL ASSEMBLY OF KHYBER
PAKHTUNKHWA

(AMANULLAH)

Secretary

Provincial Assembly of Khyber Pakhtunkhwa





OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE)
BATTAGRAM

Email: emsbattagram@gmail.com Ph# 0997-543539/543540



APPOINTMENT OF SACKED EMPLOYEES AGAINST CT POST

In compliance of the Judgment of Honorable Peshawar High Court Abbottabad Bench Dated: 24-05-2016 in W.P No.516-A/2013 upheld by Honorable Supreme Court of Pakistan Vide Order dated: 24-05-2017 passed in Civil petition No: 401-P/2016, other connected civil petitions and the Khyber Pakhtunkhwa Sacked Employees (Appointment) Act, 2012 & recommendation of the Departmental Selection Committee, appointment of the following sacked employees is hereby ordered against the vacant posts of Certified Teachers (CT) in BPS-15 @ (Rs: 16120-1330-56020) plus usual allowances as admissible under the rules & existing policy of the Provincial Government, in Teaching Cadre at Schools mentioned /noted against each on the terms and conditions given below with effect from the date of their taking over charge:

S. No	M. No	Name	Father Name	Date of Birth	CNIC	Qualif:	Village/ UC	Place of Posting
1	1	Niaz Muhammad	Fairöz Khan	06/01/1967	13202-0767568-5	BA/CT	Kuzabanda	GHSS Kuzabanda
2	2	Mohammad Furhad	Sarwar Khan	14/03/1967	13201-4955222-9	FA	Rabat	GMS Gangwal
3	3	Muhammad Anwar	Rahdar Khan	12/02/1968	13201-1831466-9	BA/CT	Pokal	GHS Gantar
4	4	Amanullah	Saif Ul Malook	04/03/1970	13202-0761553-1	FA	Ajmera	GMS Dehri Mashakhil
5	7	Abdul Khaliq	Firdos	15/04/1972	13202-0758528-1	FA	Kuzabanda	GHS Dagal
6	8	Haji Muhammad	Noor Ahmad Shah	31/01/1973	13202-0766043-7	FA	Pirhari	GHS Meeran
7	11	Zain Ul Abeddin	Khwaja Muhammad Sahibzada	09/05/1974	13202-0785350-9	BA/CT	Shamlai	GHS Shamlai
8	13	Said Mohammad	Gul Mohammad	05/11/1975	13202-6365780-9	FA	Kuzabanda	GMS Jesole

TERMS & CONDITIONS:

1. Their services will be considered as regular in terms of section 19 of the KP Civil servant act 1973 amended in 2013 issued vide Govt of KP Finance Department (Regulation wing) No SOS R-III/FD/12-1/2005 dated 27-02-2013. They will be governed by such rules and regulations as may be framed by the Govt from time to time for the category to which they belong.
2. This appointment order is subject to the Court decision in W.P.No: 1187-A of 2015, W.P.No: 1135-A of 2015 & W.P.No: 1056-A of 2015.
3. They will be on probation for a period of one year extendable to another year keeping in view their performance.
4. Their appointments have been made in pursuance of Khyber Pakhtunkhwa Sacked Employee (Appointment Act: 2012), hence under section 5 of the said Act: they shall not be entitled to any claim of seniority, promotion or other back benefits.
5. The period during which they remained dismissed, removed or terminated from service till the date of their appointment shall have been deemed automatically relaxed. Their appointment has been made in pursuance of Khyber Pakhtunkhwa Sacked Employee (Appointment) Act 2012, Hence under section 4 of the said Act the period during which they remained dismissed, removed or terminated from service till the date of their appointment shall have been deemed automatically relaxed.
6. Their Services are liable to termination on one month prior notice from either side. In case of resignation without prior notice, their one month pay plus allowances shall be forfeited to Government treasury.

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The appointment is made subject to the condition that the candidate is permanent domicile holder of District Battagram.

8. If their performance is found un-satisfactory, they will be proceeded under E&D Rules, 2011.
9. DDO Concerned will submit copies of their documents to this office for verification after 30 days of the issuance of appointment order to be sent for verification to concerned Board/ Universities. Pay will not be released by the DDO Concerned until and unless notification to this effect is issued by this office that their certificates are verified, anyone found producing bogus, forged documents his appointment order shall stand automatically cancelled from the date of his appointment order & will be reported to law enforcing agencies.
10. They shall obtain Medical fitness certificate from Medical Superintendent / Civil Surgeon DHQ Hospital Battagram within seven days from the date of taking over charge.
11. The competent authority has the right to rectify the errors / omissions if any noted / observed at any stage.
12. Before handing over charge, once again their documents may be checked by the DDO concerned.
13. The prescribed qualification for appointment of CT as per appointment Policy in vogue during 1996-97¹⁵ Intermediate or equivalent qualification from a recognized Board with CT Certificate / ADE from a recognized University / Institute. Candidates not in possession of requisite training shall acquire the same within 03 Three years from the date of issuance of this appointment order, failing which their appointment order shall stand cancel automatically, in the light of Judgment passed by the Peshawar High Court Abbottabad bench dated: 24-05-2016 upheld by the Supreme Court of Pakistan vide order dated: 24-05-2017.
14. They shall join their post within 30 days of the issuance of this appointment order If no willingness or response is received / failed to assume the charge of his/ their post within stipulated period, their / his candidature will stand automatically cancelled and the next senior sacked employee shall be considered for appointment in the light of section 7(3) of Khyber Pakhtunkhwa SACKED Employees (Appointment) Act, 2012.
15. Charge reports should be submitted to all concerned.
16. No TA/DA is allowed.

Jehan Muhammad
District Education Officer (M)
Battagram

Endst No 1765-74 /EB-II/ CT Sacked

Dated 28/02/2018

Copy forwarded for information and necessary action to the:-

1. Additional Registrar Peshawar High Court Abbottabad Bench w/r to Judgment passed in W.P No.516-A / 2013 announced on 24.05.2016.
2. Director E&SE Khyber Pakhtunkhwa, Peshawar.
3. PS to the Secretary to Govt. Khyber Pakhtunkhwa E&SE Department Peshawar.
4. Deputy Commissioner Battagram.
5. District Accounts Officers Battagram.
6. District Monitoring Officer IMU Battagram.
7. All the Principals/HMs of the concerned schools
8. B&AO Local Office
9. Teachers Concerned.
10. Master File.




District Education Officer (M)
Battagram

P-35
Annex
-D

بخدمت جناب ڈائریکٹر صاحب ایلمنٹری اینڈ سیکنڈری ایجوکیشن خیبر پختونخواہ پشاور

عنوان: درخواست برائے ادائیگی سابقہ تقاضات و سروس

جناب عالی!

گزارش ہے کہ سائل کوکالگریڈ (C.T) پوسٹ پر بھرتی کیا گیا تھا۔ پھر 1997ء کو سیاسی بنیاد پر ملازمت سے برطرف کیا گیا۔ اور بعد ازاں وفاقی حکومت نے 1997ء کے برطرف ملازمین بحالی کیلئے ایک صدارتی آرڈیننس 11 of 2009 جاری کیا۔ جس کے تحت سائل کی بحالی 1997ء سے تھی۔ جبکہ صوبہ خیبر پختونخواہ حکومت نے 2012ء میں Sacked Employees 2012 Act جاری کیا لیکن سائل کے بارہا درخواستیں دینے کے باوجود DEO بگرام نے بحال نہیں کیا۔ بلکہ DEO صاحب بگرام نے 28 فروری 2018ء آرڈر نمبر 74-1765 کو نئے سرے سے تعینات کیا۔ جبکہ سائل نے 2012ء ایکٹ کے تحت بحال ہوا اور نہ صدارتی آرڈیننس کے تحت مراعات دیئے۔ استدعا ہے کہ سائل کو صدارتی آرڈیننس 2009ء کے تحت مراعات و سروس کے احکامات جاری فرمانے کا حکم صادر فرمایا جاوے۔

المرقوم: 018-3-018

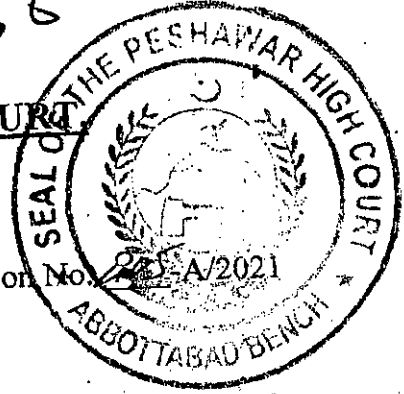
العارض۔

اللہ

ڈائریکٹر
خیبر پختونخواہ
پشاور
M. Anwar

① P-36

**BEFORE THE PESHAWAR HIGH COURT
ABBOTTABAD BENCH**



Annex-E

Writ Petition No. 2021

- (1) Mohammad Farhad, CT Government Middle School Gangwal, Tehsil & District Battagram. (2) Muhammad Anwar, CT (3) Said Muhammad, CT, (4) Zain ul Abdin, CT, (5) Abdul Qadar PST, (6) Jameela widow of Ameer Muhammad PST, (7) Anwarullah PST, (8) Syed Wahab Shah PST, (9) Muhammad Umar PST, (10) Sabir Alam PST, (11) Jamel ur Rehman PST, (12) Muhammad Astam PST, (13) Atiq ur Rehman PST, (14) Muhammad Javid PST, (15) Mati Ullah PST, (16) Badri Zaman PST, (17) Momin Khan PST, (18) Muhammad Fayyaz PST, (19) Zulfiqar Ali PST, (20) Taji Zarren ul Haq PST, (21) Niaz Muhammad CT, (22) Haji Muhammad CT, (23) Muhammad Sultan PST, (24) Inamullah PST, (25) Muhammad Saleem PST, (26) Khayal Muhammad CT, (27) Abdul Wahad PST, (28) Atta Ullah PST, (29) Shah Dozam PST, (30) Liaqat Ali Khan PST, (31) Fazal ur Rehman PST, (32) Ameer Muhammad PST, (33) Gulfam PST, (34) Abdul Ghaffar PST, Battagram, through District Education Battagram, (35) Nusrat Bibi PST, through District Education Officer (Female) District Mansehra.

...PETITIONERS

VERSUS

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 Battagram.
4. District Education Officer (Female) District Mansehra.

...RESPONDENTS

**WRIT PETITION UNDER ARTICLE 199 OF THE
CONSTITUTION OF ISLAMIC REPUBLIC OF
PAKISTAN 1973 FOR DECLARATION TO THE
EFFECT THAT THE PETITIONERS REINSTATED
IN SERVICE WITH EFFECT FROM 28/02/2018**

VIDEY APPOINTMENT ORDER ENDST

No. 1019
13-02-21
FILED TODAY
ADDITIONAL REGISTRAR
PESHAWAR HIGH COURT
ABBOTTABAD BENCH
13/2/21

No. 1027
13-02-21
RE-FILED TODAY
ADDITIONAL REGISTRAR
PESHAWAR HIGH COURT
ABBOTTABAD BENCH
9/3/21

Certified to be True Copy
EXAMINER
10 NOV 2022
Peshawar High Court Adl Bench
Authorized to sign by: [Signature]

② P-37

NO. 1765-74/EB/II/CT SACKED DATED 28/02/2018
UNDER THE KHYBER PAKHTUNKHWA SACKED
EMPLOYEES APPOINTMENT ACT 2012, AS WELL
AS IN THE LIGHT OF JUDGEMENT OF PESHAWAR
HIGH COURT BENCH ABBOTTABAD IN WRIT
PETITION NO. 516-A/2013 DECIDED ON 24/05/2016
THE PETITIONERS WERE TO BE REINSTATED IN
SERVICE I.E. FROM THE DATE OF THEIR
TERMINATION FROM SERVICE I.E. 06/03/1996-97
WITH ALL SERVICE BACK BENEFITS AS PER
JUDGMENT OF THE APEX COURT DATED
27.03.2020 AND ORDER OF THIS HONOURABLE
COURT DATED 27.01.2021 IN REVIEW PETITION
NO. 31-A/18 BUT RESPONDENT NO.3 & 4
APPOINTED/ REINSTATED THE PETITIONERS IN
SERVICE W.E.F. THE DATE OF JUDGMENT
WHICH IS DISCRIMINATORY, PERVERSE
AGAINST THE LAW.

Certified to be True Copy
EXAMINER
10 NOV 2022
Peshawar High Court Ahd Bench
Abbottabad Under Sec. 14 F. of Ordins

PRAYER: ON ACCEPTANT OF THE INSTANT
WRIT PETITION, RESPONDENTS MAY
GRACIOUSLY BE DIRECTED TO REINSTATE THE
PETITIONER EITHER W.E.F 1996/97 WITH ALL
SERVICE BACK BENEFITS AND THE SAID
PERIOD MAY ALSO BE COUNTED TOWARDS

RE-FILED TODAY
ADDITIONAL REGISTRAR
PESHAWAR HIGH COURT
ABBOTTABAD BENCH
23/1/21

6

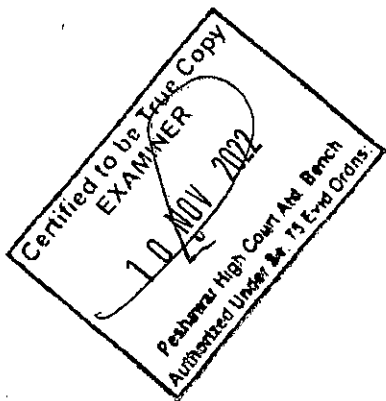
P-38

PENSIONARY BENEFITS OF THE PETITIONERS.
ANY OTHER RELIEF WHICH THIS HONOURABLE
COURT DEEMS APPROPRIATE MAY ALSO BE
GRANTED TO THE PETITIONER.

Respectfully Sheweth;-

Brief Facts of the case are as under:-

1. That the Petitioner were appointed as CT & PST w.e.f 23/06/1996 and was terminated from service in the year 1997/98. Copies of appointment order and termination order are annexed as Annexure "A" & "B".
2. That Govt. of Khyber Pakhtunkhwa announced KPK Sacked Employees Appointment Act, 2012 wherein all the sacked employees who were appointed in the year 1993-1996 and terminated from service in the year 1997-1998 are to be reinstated in service. Copy of Khyber Pakhtunkhwa Sacked Employment Act, 2012 is attached as Annexure "C".

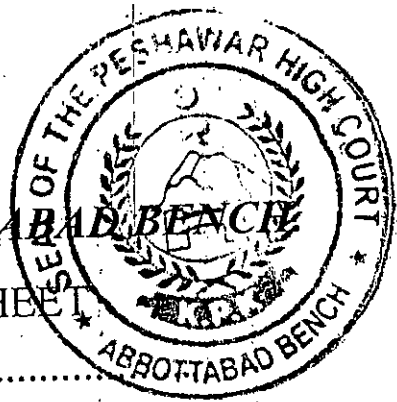


RE-FILED TODAY
ADDITIONAL REGISTRAR
PESHAWAR HIGH COURT
ABDUL KADIR BENCH
22/2/21

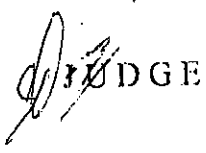
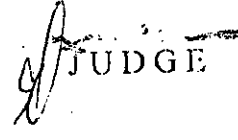
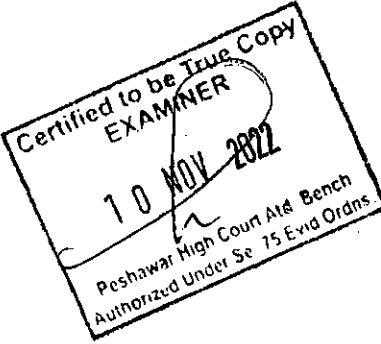
That the respondent No. 3 did not appoint the petitioner as per KPK Sacked Employees Act, 2012 in time. Hence, some of the Petitioner filed

PESHAWAR HIGH COURT, ABBOTTABAD BENCH

FORM OF ORDER SHEET



Court of.....
Case No.....of.....

Date of Order of Proceedings	Order or other Proceedings with Signature of Judge (s)
1	2
03.11.2022.	<p><u>WP No. 205-A/2021.</u></p> <p>Present: Mr. Muhammad Arshad Khan Tanoli, Advocate for petitioners.</p> <p style="text-align: center;">***</p> <p>WIQAR AHMAD, J. After arguing the case to some extent, learned counsel for petitioners on second though requested for withdrawal of the main writ petition with permission to approach the concerned departmental authority.</p> <p>In view of the above, this writ petition is dismissed as withdrawn with permission to petitioners to approach proper forum but in accordance with law.</p> <div style="text-align: right; margin-top: 20px;">  JUDGE </div> <div style="text-align: right; margin-top: 20px;">  JUDGE </div> <div style="text-align: center; margin-top: 20px;">  </div>

Annex - 3

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BEFORE THE PESHAWAR HIGH COURT,
ABBOTTABAD BENCH

W.P No. 137 -A/2015

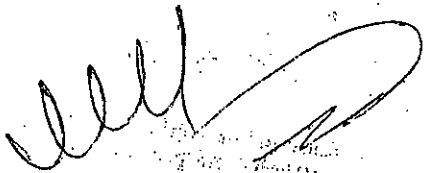
Ashfaq Ahmed son of Jadaid Khan, resident of Kuza Hijra, P.O Chakesar, District Shangla.

...PETITIONER

VERSUS

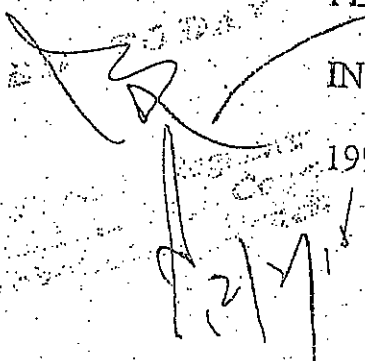
1. Govt. of Khyber Pakhtunkhwa through Secretary Education (E&SE), Peshawar.
2. Director Education (E&SE) Khyber Pakhtunkhwa, Peshawar.
3. District Education Officer (Male), District Kohistan.

...RESPONDENTS



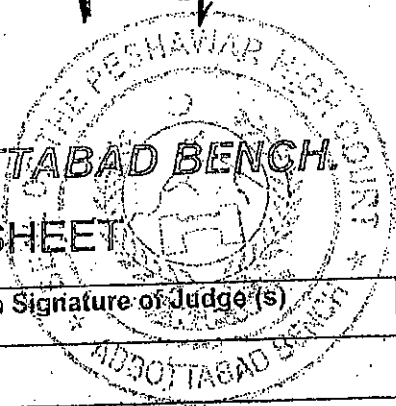
WRIT PETITION UNDER ARTICLE 199 READ
WITH ARTICLE 25 OF THE CONSTITUTION OF
ISLAMIC REPUBLIC OF PAKISTAN, 1973 FOR A
DECLARATION TO THE EFFECT THAT THE
PETITIONER WAS APPOINTED AS CT TEACHER
IN 1995 AND HIS SERVICE WAS TERMINATED IN
1997-98 BY THE RESPONDENTS. LATER ON,

No. 552
12.02.15



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PESHAWAR HIGH COURT, ABBOTTABAD BENCH.
FORM OF ORDER SHEET



Date of Order of Proceedings.	Order or other Proceedings with Signature of Judge (s)
1	2
03.04.2018	<p><u>W.P.No. 131-A/2015.</u></p> <p>Present: Mr. Muhammad Arshad Khan Tanoli, Advocate, for the petitioner.</p> <p>Mr. Yasir Zahoor Abbasi, Assistant A.G alongwith representatives of the respondents.</p> <p style="text-align: center;">***</p> <p><u>LAL JAN KHATTAK, J.-</u> Through this single judgment we shall also decide connected writ petitions bearing No. 976-A/2015, 1102-A/2015, 1154-A/2015, 781-A/2015, 690-A/2016, 731-A/2016, 738-A/2016, 740-A/2016, 986-A/2016 and 316-A/2018 as common questions of law and facts are involved in all the petitions wherein the petitioners have prayed this court for issuance of a writ, directing the respondents to reinstate them in service on the ground that they were illegally fired from service by the respondents.</p> <p>2. Facts of the case need no reiteration as at the very outset, learned Assistant Advocate General stated at the bar that if the petitioners approach the concerned offices of District Education Officers and produce before them their termination orders and other relevant documents, then their cases will be considered according to law, to which learned counsel for the petitioners readily agreed.</p>

gan

Stamp: Peshawar High Court, Abbottabad Bench. Includes a signature and some illegible text.

IN THE SUPREME COURT OF PAKISTAN
(APPELLATE JURISDICTION)

Annex 6

P. 42

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

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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

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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.

ISLAMABAD.

27.03.2020.

ZR/

'Not Approved For Reporting'

[Handwritten signature]
17/4/20

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کورٹ فیس

وکالت نامہ ۲۰۲۵

Service Tribunal APK Peshawar بعدالت

Muhammad Anwar نام Govt of KPK عنوان

Appel منجانب:

Service Appel نوعیت مقدمہ:

باعث تحریر آنکہ

مقدمہ مندرجہ میں اپنی طرف سے واسطے پیروی و جواب دہی کل کارروائی متعلقہ آل مقام

کو وکیل مقرر کر کے اقرار کرتا ہوں کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا نیز وکیل صاحب موصوف کو کرنے راضی نامہ و تقرر ثالث و فیصلہ بر حلف و دینے اقبال دعویٰ اور بصورت دیگر ڈگری کرانے 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 کارروائی 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 پرداختہ مجھ کو منظور قبول ہوگا۔ دوران مقدمہ جو خرچہ و ہرجانہ 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 بمراد استجارت نالش بصیغہ مفلسی کے دائر کرنے اور اس کی پیروی کا بھی صاحب موصوف کو اختیار ہوگا۔

لہذا وکالت نامہ تحریر کیا تا کہ سند رہے۔

المقوم:

بمقام:



BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE

TRIBUNAL CAMP COURT ABBOTTABAD

SERVICE APPEAL No. of 2023

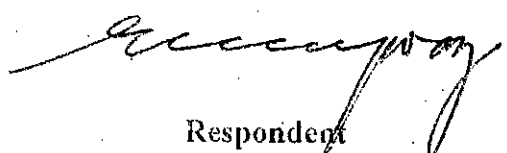
Muammad AnwarAppellant

VERSUS

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

Index

S. No	Description /Documents	Annexure	Pages
1	Comments		1 to 3
2	Affidavit		4
3	Copy of Sacked Employees Act 2012	A	
4	Copy of Judgment	B	


Respondent

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

SERVICE APPEAL No. of 2023

Muammad Anwar.....Appellant

VERSUS

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

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

Respectfully Sheweth:

Preliminary Objections

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

maintainable and liable to be dismissed without further proceedings.

ON FACTS


1. Para No. 1 of the appeal is correct. Pertaining to the appointment and further termination of the appellant; hence needs no comments.
2. In reply of Para No. 2, it is submitted that the appellant was appointed as a fresh appointee along with others in the light of Khyber Pakhtunkhwa Sacked employees Appointment Act 2012.
3. Para No. 5 of the appeal is incorrect and denied. As per Section 5 of Khyber Pakhtunkhwa Sacked Employees (Appointment) Act 2012, it is clearly mentioned that "a sacked employee appointed under Section 3. shall not be entitled to any claim of seniority, promotion or other back benefits and his appointment shall be considered as fresh appointment". Hence the plea of the appellant is against the law/act and also the judgments of this Hon'able Court in this regard. (Copy of the Act and Judgment of Service Tribunal are attached as "Annex. A & B").
4. The appellant has no cause of action.

ON GROUNDS:

- a. Ground "a" of the appeal is incorrect, hence denied. The appellant is appointed in the light of Sacked Employees Appointment Act 2012 and it is clearly mentioned in the Act that this appointment shall be a fresh appointment and the appointee shall not be entitle for any kind of back benefits, hence respondents are not bound to obey the demands of the appellant in contrary with the Act.
- b. Ground "b" of the appeal is incorrect. Detailed reply is given in the preceding paras.
- c. Ground "c" of the appeal is incorrect. Detailed reply is given in the preceding paras..
- d. Respondents seek permission of this Honour able Court to agitate other legal and factual ground at the time of arguments.


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

RESPONDENT NO. 3




District Education Officer (Male)
- Battagram

RESPONDENT NO. 2



Director Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

RESPONDENT NO. 1



Secretary Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE

TRIBUNAL CAMP COURT ABBOTTABAD

SERVICE APPEAL No. of 2023

Muammad AnwarAppellant

VERSUS

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

AFFIDAVIT

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

[Handwritten Signature]

DEPENDENT

CNIC: 6110118839553



(5)

Annex - A

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

CONTENTS

PREAMBLE

SECTIONS

1. Short title, extent and commencement.
2. Definitions.
3. Appointment of sacked employees.
4. Age relaxation.
5. Sacked employees shall not be entitled to claim seniority and other back benefits.
6. Preference on the basis of age.
7. Procedure for appointment.
8. Removal of difficulties.
9. Act to override other laws.
10. Power to make rules.

(6)

**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 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;

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 of the Khyber Pakhtunkhwa and who possessed the prescribed qualification and experience for the said post at that time, during the period from 1st day of November 1993 to the 30th day of November, 1996 (both days inclusive) and was dismissed, removed, or terminated from service during the period from 1st day of November 1996 to 31st day of December 1998 on the ground of irregular appointments;

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

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

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

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

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

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

7. Procedure for appointment.—(1) A sacked employee, may file an application, to the concerned Department within a period of six months 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.

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 purposes of this Act.

(69)

Annex - B

Service Appeal No. 691/2019 titled "Muhammad Miskeen-vs-Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Peshawar and others", Service appeal No. 577/2019 titled "Afreen Khan-vs- Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Peshawar and others", Service appeal No. 578/2019 titled "Ghulam Yousaf-vs- Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Peshawar and others" and Service Appeal No. 579/2019 titled "Abdul Aziz-vs- Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Peshawar and others" decided on 21.07.2022 by Division Bench comprising Kalim Arshad Khan, Chairman, and Salah Ud Din, Member Judicial, Khyber Pakhtunkhwa Service Tribunal, Camp Court Abbottabad.

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.**

BEFORE: **KALIM ARSHAD KHAN ... CHAIRMAN**
SALAH UD DIN ... MEMBER (JUDICIAL)

Service Appeal No.691/2019

Mohammad Miskeen S/O Abdul Latif Khan, presently Serving SPST
GPS, Thaya District Battagram.

.....(Appellant)

Versus

1. Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Peshawar.
2. Director (Estab) Elementary & Secondary Education, Khyber Pakhtunkhwa.
3. District Education Officer (Elementary & Secondary Education) Male Primary Battagram.
4. District Account Officer, Battagram.

.....(Respondents)

Present:

Abdul Aziz Khan Tanoli,
Advocate.....For appellant.

Mr. Kabiruallah Khattak,
Additional Advocate General,

Mr. Noor Zaman Khattak,
District Attorney.....For respondents

Date of Institution.....03.05.2019
 Dates of Hearing.....21.07.2022
 Date of Decision.....21.07.2022

Service Appeal No.577/2019

Afreen Khan S/O Tor Khan. R/O presently serving as Junior Clerk
GGHS, Gul Muhammad Abad, District Battagram.

.....(Appellant)

Service Appeal No. 691/2019 titled "Muhammad Miskeen-vs-Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Peshawar and others", Service appeal No. 577/2019 titled "Afrin Khan-vs- Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Peshawar and others". Service appeal No. 578/2019 titled "Ghulam Yousaf-vs- Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Peshawar and others" and Service Appeal No. 579/2019 titled "Abdul Aziz-vs- Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Peshawar and others" decided on 21.07.2022 by Division Bench comprising Kulim Arshad Khun, Chairman, and Salah Uld Din Member Judicial Khyber Pakhtunkhwa Service Tribunal, Camp Court Abbottabad

Versus

- 5. Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Peshawar.
- 6. Director (Estab) Elementary & Secondary Education, Khyber Pakhtunkhwa.
- 7. District Education Officer (Elementary & Secondary Education) Male Primary Battagram.
- 8. District Account Officer, Battagram.

.....(Respondents)

Present:

Abdul Aziz Khan Tanoli,
Advocate.....For appellant.

Mr. Kabirullah Khattak,
Additional Advocate General,

Mr. Noor Zaman Khattak,
District Attorney.....For respondents

Date of Institution.....03.05.2019

Dates of Hearing.....21.07.2022

Date of Decision.....21.07.2022

Service Appeal No.578/2019

Ghulam Yousaf S/O Molvi Khan Wali R/O Presently Serving SPST GPS, Dood Pati, District Battagram.

.....(Appellant)

Versus

- 9. Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Peshawar.
- 10. Director (Estab) Elementary & Secondary Education, Khyber Pakhtunkhwa.
- 11. District Education Officer (Elementary & Secondary Education) Male Primary Battagram.
- 12. District Account Officer, Battagram.

Service Appeal No 691/2019 titled "Muhammad Miskeen-vs-Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Peshawar and others", Service appeal No. 577/2019 titled "Afræn Khan-vs- Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Peshawar and others", Service appeal No. 578/2019 titled "Ghulam Yousof-vs- Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Peshawar and others" and Service Appeal No. 579/2019 titled "Abdul Aziz-vs- Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Peshawar and others" decided on 21.07.2022 by Division Bench comprising Kalim Arshad Khan, Chairman, and Salah Ud Din, Member Judicial, Khyber Pakhtunkhwa Service Tribunal, Camp Court Abbottabad.

.....(Respondents)

Present:

Abdul Aziz Khan Tanoli,
Advocate.....For appellant.

Mr. Kabiruallah Khattak,
Additional Advocate General,

Mr. Noor Zaman Khattak,
District Attorney.....For respondents

Date of Institution.....03.05.2019

Dates of Hearing.....21.07.2022

Date of Decision.....21.07.2022

Service Appeal No.579/2019

Abdul Aziz S/O Haji Abdullah R/o presently serving PST GPS,
Gulibagh, District Battagram.


.....(Appellant)

Versus

- 13. Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Peshawar.
- 14. Director (Estab) Elementary & Secondary Education, Khyber Pakhtunkhwa.
- 15. District Education Officer (Elementary & Secondary Education) Male Primary Battagram.
- 16. District Account Officer, Battagram.

.....(Respondents)

Present:

 Abdul Aziz Khan Tanoli,
Advocate.....For appellant.

Mr. Kabiruallah Khattak,
Additional Advocate General,

Mr. Noor Zaman Khattak,



Service Appeal No. 691/2019 titled "Muhammad Miskeen-vs-Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Peshawar and others", Service appeal No. 577/2019 titled "Afreen Khan-vs- Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Peshawar and others", Service appeal No. 578/2019 titled "Ghulam Yousaf-vs- Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Peshawar and others" and Service Appeal No. 579/2019 titled "Abdul Aziz-vs- Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Peshawar and others" decided on 21.07.2022 by Division Bench comprising Kalim Arshad Khan, Chairman, and Salah Ud Din, Member Judicial, Khyber Pakhtunkhwa Service Tribunal, Camp Court Abbottabad.

District Attorney.....For respondents

Date of Institution.....03.05.2019
Dates of Hearing.....21.07.2022
Date of Decision.....21.07.2022

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST APPELLANT IS WORKING IN THE RESPONDENTS DEPARTMENT AND HIS SERVICES WERE TERMINATED ON 28.07.1997 THEREAFTER UNDER THE KHYBER PAKHTUNKHWA ACT XVII 2012 AND IN THE LIGHT OF JUDGMENT PESHAWAR HIGH COURT ABBOTTABAD BENCH DATED 17.01.2013 THE APPELLANT WAS APPOINTED AS PST IN BPS-12, VIDE ORDER DATED 15.02.2013, THE APPELLANT IS ENTITLED FOR BACK BENEFITS FROM THE DATE OF TERMINATION I.E 28.07.1997 TO THE DATE OF ORDER DATED 15.02.2013 BUT THE RESPONDENTS DID NOT GRANTED ALL CONSEQUENTIAL BACK BENEFITS FROM THE DATE OF TERMINATION TO THE ORDER DATED 15.02.2013 WHICH IS AGAINST THE PROVISIONS OF SAID ACT, AS WELL AS DISCRIMINATION AS OTHER DEPARTMENTS ALLOWED THE BACK BENEFITS TO THE OTHER EMPLOYEES AS WELL. THE CONDUCT OF THE RESPONDENTS TOWARDS THE APPELLANT IS ILLEGAL, MALAFIDE, UNLAWFUL, WITHOUT LAWFUL AUTHORITY, WITHOUT JURISDICTION, ARBITRARY, PERVERSE, HARSH, VOID AB-INITIO AND AGAINST THE PRINCIPLE OF NATURAL JUSTICE INEFFECTIVE UPON RIGHT OF THE APPELLANT.

CONSOLIDATED JUDGMENT

KALIM ARSHAD KHAN CHAIRMAN: This judgment shall dispose of the instant service appeal as well as connected service appeals No.577/2019 titled "Afreen Khan -vs- Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Peshawar and others", appeal No. 578/2019 titled "Ghulam Yousaf-vs- Government of Khyber

Service Appeal No. 691/2019 titled "Muhammad Miskoon-vs-Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Peshawar and others", Service appeal No. 577/2019 titled "Afron Khan-vs- Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Peshawar and others", Service appeal No. 578/2019 titled "Ghulam Yousaf-vs- Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Peshawar and others" and Service Appeal No. 579/2019 titled "Abdul Aziz-vs- Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Peshawar and others" decided on 21.07.2022 by Division Bench comprising Kalim Arshad Khan, Chairman, and Salah Ud Din, Member Judicial, Khyber Pakhtunkhwa Service Tribunal, Camp Court Abbottabad.

Pakhtunkhwa through Secretary Elementary & Secondary Education Peshawar and others" and appeal No. 579/2019 "titled Abdul Aziz-vs-Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Peshawar and others" as similar questions are involved in all these appeals.

2. The facts surrounding the appeals are that the appellants of this appeal and of the connected appeals were appointed as PST (BS-07) and Junior Clerk by the respondent-department; that they were terminated/dismissed vide impugned order; that again they were was appointed as PST (BS-12) and Junior Clerk (BS-07) vide order dated 15.02.2013 on the basis of the Khyber Pakhtunkhwa Sacked Employees (Appointment) Act, 2012 as well as judgment of the Hon'ble Peshawar High Court, Abbottabad Bench dated 17.01.2013, but without back benefits; that some conditions were mentioned in the appointment orders of the appellants by the respondent-department that the appellant will not claim back benefits but later on the said terms and conditions were withdrawn by the respondent-department; that the appellants were terminated without any reason, therefore, they were entitled for back benefits for the period they remained out of service; that the appellant filed departmental appeals which were not responded within the statutory period of ninety days, compelling them to file these appeals.

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21.7.22

ATTENDED
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SECRETARY
KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
CAMP COURT ABBOTTABAD

Service Appeal No. 691/2019 titled "Muhammad Miskeen-vs-Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Peshawar and others", Service appeal No. 577/2019 titled "Afreem Khan-vs- Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Peshawar and others", Service appeal No. 578/2019 titled "Ghulam Yousof-vs- Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Peshawar and others" and Service Appeal No. 579/2019 titled "Abdul Aziz-vs- Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Peshawar and others" decided on 21.07.2022 by Division Bench comprising Kulin Arshad Khan, Chairman, and Salah Ud Din, Member Judicial, Khyber Pakhtunkhwa Service Tribunal, Camp Court Abbottabad.

3. On receipt of the appeals and their admission to full hearing, the respondents were summoned, who, on putting appearance, contested the appeal by filing written reply raising therein numerous legal and factual objections. The defence setup was a total denial of the claim of the appellants.

4. We have heard learned counsel for the appellants and District Attorney as well as learned Additional Advocate General for the respondents.

5. The learned counsel for the appellants reiterated the facts and grounds detailed in the memo and grounds of the appeals while the learned AAG controverted the same by supporting the impugned order.

6. It is not disputed that initially the appellants were appointed as PSTs and Junior Clerk. Later on when it came to the notice of the respondents that their appointments were made in violation of rules, they were terminated vide the impugned orders. In the meanwhile the Provincial Government promulgated the Khyber Pakhtunkhwa Sacked Employees Appointment Act 2012. When grievances of the appellants were not redressed at the departmental level he resorted to litigation by filing writ petition in the Hon'ble Peshawar High Court, Abbottabad Bench. Finally in pursuance of the directions of the Hon'ble Peshawar high Court, Abbottabad Bench they were appointed as PSTs and Junior Clerk with immediate effect vide order dated 15.02.2013. The

Service Appeal No. 691/2019 titled "Muhammad Miskeen-vs-Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Peshawar and others", Service appeal No. 577/2019 titled "Afsreen Khan-vs- Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Peshawar and others", Service appeal No. 578/2019 titled "Ghulam Yousof-vs- Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Peshawar and others" and Service Appeal No. 579/2019 titled "Abdul Aziz-vs- Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Peshawar and others" decided on 21.07.2022 by Division Bench comprising Kallim Arshad Khan, Chairman, and Salah Ud Din, Member Judicial, Khyber Pakhtunkhwa Service Tribunal, Camp Court Abbottabad

appellants are asking for reappointment from the date of their termination from service. But Section-5 of the aforementioned Act, lays down that the sacked employee should not be entitled to claim seniority and other back benefits. The relevant provision is reproduced below for ready reference:-

"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"

7. When the learned counsel for the appellants was confronted with the above provision of law, he did not defend the situation and rightly so because he does not defend which is indefensible.

8. As a resultant consequence, this and the connected appeal being groundless are dismissed. Costs shall follow the event. Copy of this judgment be placed in the connected files. Consign.

9. *Pronounced in open Court at Abbottabad and given under our hands and the seal of the Tribunal on this 21st day of July, 2022.*



[Signature]
KALIM ARSHAD KHAN
Chairman
Camp court Abbottabad

[Signature]
SALAH UD DIN
Member (Judicial)
Camp court Abbottabad

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