


FORM OF ORDER SHEET

Court of

Appeal No. 2180 /2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	23/10/2023	<p>The instant appeal presented today by Mr. Khaled Rehman Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on Parcha Peshai is given to the counsel for the appellant.</p> <p>By the order of Chairman  REGISTRAR</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 2180/2023

Muhammad Ghufraan Appellant

Versus

The Govt. of KPK and others Respondents

INDEX

S.#	Description of Documents	Date	Annexure	Pages
1.	Memo of Service Appeal with Affidavit			1-6
2.	Appointment order of appellant	22.01.2003	A	7-10
3.	Service Book of appellant		B	11-16
4.	Letter for issuance of Notice	15.11.2010	C	17
5.	Letter directing the Agency Education Officers to terminate the services of teaching and non-teaching staff of the Community Schools	13.12.2010	D	18-19
6.	Circular letter	12.01.2011	E	20-22
7.	Circular for re-opening of Functional Community Schools	12.09.2011	F	23
8.	Circular for re-opening of Functional Community Schools in the first week of October 2011	06.10.2011	G	24
9.	Minutes of the Standing Committee of the National Assembly on SAFRON held on 21.12.2011	21.12.2011	H	25-28
10.	Minutes of the Senate Standing Committee on SAFRON held on 09.03.2012	09.03.2012	I	29
11.	Summary for the approval of the Governor for regularization of Community School Teachers	30.04.2012	J	30-32
12.	Notification by the Ex-FATA Secretariat for regularization of Community School Teachers	11.05.2012	K	33
13.	Letters issued by the Ex-FATA Secretariat	02.09.2013 29.10.2013	L	34-35
14.	Regularization/adjustment order of appellant	25.11.2016	M	36
15.	Departmental Appeal		N	37
16.	Impugned order	29.08.2018	O	38
17.	Writ Petition No.4597-P/2018	17.09.2018	P	39-57
18.	Judgment in Writ Petition No.4597-P/2018	03.11.2022	Q	58-60
19.	Circular letter whereby untrained period of service was subsequently counted for the purpose annual increments	30.10.2009	R	61
20.	Wakalat Nama			62

Through

Appellant

Khaled Rahman
Advocate, Supreme Court

&

Muhammad Amin Ayub

&

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Off: Tel: 091-2592458

Dated: ___/08/2023

1

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 2180/2023

Muhammad Ghufan,
PST GPS Muhammad Amin, Tehsil Ghulam Khan District North Waziristan..... Appellant

Versus

1. The Govt. of Khyber Pakhtunkhwa
through Secretary, Elementary & Secondary Education,
Civil Secretariat, Peshawar.
2. The Director,
Elementary & Secondary Education,
Khyber Pakhtunkhwa.
3. The District Education Officer (Male),
District North Waziristan Respondents

SERVICE APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNALS ACT, 1974 AGAINST THE IMPUGNED ORDER DATED 29.08.2018 WHEREBY DEPARTMENTAL REPRESENTATION OF THE APPELLANT DATED 22.03.2017 FOR COUNTING OF HIS PREVIOUS SERVICE FOR THE PURPOSE OF PENSION, INCREMENTS, PAY PROTECTION ETC. WAS UNLAWFULLY REGRETTEED.

PRAYER:

On acceptance of the instant appeal, the impugned order dated 29.08.2018 may kindly be set aside and Respondents be directed to act in the matter in accordance with law and to count the previous service of the appellant for the purpose of pension, increments, pay-protection etc. with all back benefits.

Respectfully Sheweth,

Facts giving rise to the present writ petitions are as under-

1. That way back in 1998, the Govt. of Pakistan launched a Project i.e. *Opening Community Schools in FATA* under the Annual Development Program. Since then till 20.10.2010 as many as 956 Community Schools were opened throughout ex-FATA wherein 1912 teachers at the ratio of 02 teachers/per School were appointed. The appellant being eligible was also appointed as Primary School Teacher BPS-7 vide order dated 22.01.2003 (*Annex:-A*) after observing all the codal formalities.
2. That after appointment of the appellant, he performed his duty to the entire satisfaction of high-ups inspite of the meager salaries and during his stint no complaint whatsoever was voiced against him from any quarter. Moreover, the Department also prepared proper Service Book (*Annex:-B*) wherein all the necessary entries were made from time to time including Annual Increments.

3. **That** during 2009, the ex-FATA in particular and the adjoining settled areas in general were immersed in devastating terrorism at the hands of miscreants. Many Schools in the ex-FATA were blown up and people at the area became IDPs as immediately thereafter military operation was launched in the area. Many Community Schools became non-functional and thus were closed down and the teachers therein were directed to be issued Notices of one month as is evident from the letter dated 15.11.2010 (*Annex;-C*). Similarly, rumors erupted in the area that many Community Schools are ghost Schools without any physical presence. In view of the situation *ibid*, all Agency Education Officers were directed *vide* letter dated 13.12.2010 (*Annex;-D*) to terminate the services of all teaching and non-teaching staff of the Community Schools irrespective of the fact whether the Schools were functional or non-functional.
4. **That** after a few days, thereafter, scrutiny of the working Community Schools was started *vide* circular letter dated 12.01.2011 (*Annex;-E*) whereby it was decided to carry out meaningful scrutiny/verification of Community Schools all over ex-FATA. The Committees were constituted under the Chairmanship of Political Agent/ Additional Political Agent with Members comprising of Representative of LEA, Agency Education Officer and Member from the teaching community. Fixed timeline was given for the entire verification process. The TORs of the Committee were to ascertain the functional Schools, to physically verify the enrolment of students in those Schools and to physically check the presence of teachers.
5. **That** granted that some Community Schools were non-functional but instead of closing down same, the entire Community Schools were closed down and all the teaching/non-teaching staff was laid off indiscriminately. Thus the Community School Teachers who regularly performed their duties and whose Schools were never non-functional like appellant and others, agitated the matter before the high-ups. A large number of teachers staged a sit-in before the National Assembly at Islamabad for several months. Similarly, the local elders of ex-FATA also raised the issue of closing down Schools in their areas adversely affecting their kids without any just reasons. However, the matter was delayed *inspite* of the timeline given in the letter *ibid*.
6. **That** finally the Scrutiny Committees completed the process of verification and made recommendations for re-opening of the Schools. In pursuance of the recommendations *ibid*, out of 956, 742 functional Community Schools were reopened. Consequently, the ex-FATA Secretariat *vide* letter dated 12.09.2011 (*Annex;-F*) directed all the Agency Education Officers to re-appoint those Community School Teachers who were working in the operational Community Schools but closed on 31.12.2010 without any fresh recruitment process and fresh appointment order. Later on another circular dated 06.10.2011 (*Annex;-G*) was also issued by the Directorate of Education FATA Secretariat. It will not be out of place to mention that the Department was required to have first carried out verification process and then to close down the non-functional Schools and terminate the teachers therein.
7. **That** the issue of Community School Teachers was also debated in the Standing Committee of the National Assembly on SAFRON held on 21.12.2011 (Minutes *Annex;-H*) wherein in Para No.10, the Committee raised concern over the plight of Community School Teachers and

directions were made to regularize their services including their past service and grant of graded pay to them. Similarly, the Senate Standing Committee on SAFRON also discussed the issue in its meeting held on 09.03.2012 (Minutes *Annex;-I*) and directed for solving the problem of their dues and regularization. In the meanwhile, a Summary (*Annex;-J*) was also processed for the approval of the Governor Khyber Pakhtunkhwa for regularization of Community School Teachers which was approved on 30.04.2012 and duly notified vide Notification dated 11.05.2012 (*Annex;-K*) with the following directions:-

1. *The available regular vacant PST (BS-7) posts in the Primary/Middle Schools in FATA will be filled up from amongst the Community School Teachers and no fresh candidate considered for recruitment till all the eligible Community School Teachers are absorbed against regular posts in their respective Agencies/FRs.*
 2. *The non-local eligible Community School Teachers shall be considered for re-appointment against the regular vacant posts of PST (BS-7) after adjustment of local qualified teachers.*
 3. *The services of the un-qualified teachers shall be dispensed with.*
 4. *The Community Schools whose teachers are appointed and shifted to other Schools against regular posts, would be closed down.*
 5. *The respective Community Schools students would be shifted to nearby regular schools and no further recruitment of Community School teachers will be made.*
8. That thereafter in the light of the Policy *ibid*, subsequent letters dated 02.09.2013, 29.10.2013 (*Annex;-L*), regularization process started and the Community School Teachers were appointed from time to time against the regular sanctioned posts. The appellant was also regularized/adjusted vide order dated 25.11.2016 (*Annex;-M*). However, after regular appointment the same Service Book was continued.
9. That since the previous long continuous service of the appellant was altogether ignored without any just and legal cause resulting into loss to the appellant, therefore, he preferred a Departmental Appeal (*Annex;-N*) to the Director Education FATA which was processed and accordingly referred to an Appellate Committee for recommendations. The appeal was however, rejected on the recommendations of the Appellate Committee and communicated to the appellant vide impugned order dated 29.08.2018 (*Annex;-O*).
10. That the appellant and his other colleagues being aggrieved of the impugned order *ibid*, filed Writ Petition No.4597-P/2018 (*Annex;-P*) on 17.09.2018 before the Peshawar High Court, Peshawar which remained pending for about four long years and vide Judgment dated 03.11.2022 (*Annex;-Q*) the Writ Petition was disposed of with the following directions:-

- “6. *Accordingly, by now the Petitioners have acquired the status of civil servants and the relief claimed through the instant petition relates to enforcement of their terms and conditions of service. This Court under Article 212 of the Constitution of Islamic Republic of Pakistan, 1973 has no jurisdiction to interfere in the matter. However, this case is pending before this Court since 2018, therefore, instead of dismissing this petition on question of jurisdiction, this petition be transmitted to worthy Khyber Pakhtunkhwa Service Tribunal for adjudication on*

merit. Copy of this petition be retained in office while the original file along with the annexure be sent to the worthy Tribunal."

11. That appellant being aggrieved of the impugned order dated 29.08.2018, files the instant Service Appeal inter-alia on the following grounds:-

GROUNDS:

- A. That Respondents have not treated appellant in accordance with law, rules and policy on subject and acted in violation of Article 4 of the Constitution of Islamic Republic of Pakistan, 1973 and unlawfully refused to count the previous service of the appellant for the purpose of pension, increments, pay protection etc. which is unjust, unfair and hence not sustainable in the eye of law.
- B. That under Rule 2.3 of the pension Rules 1963 "temporary and officiating Service followed by confirmation counts for pension." Interestingly under Rule 2.5 of the Rules ibid ½ of the period of apprenticeship, qualify for pension. Likewise period of training, leave, Deputation, suspension for pension as per ibid Rules 2.6, 2.7, 2.9, 2.10. The same issue has been decided by the Peshawar High Court in numerous Judgments with direction to Respondents to pay pension to the families of deceased civil servants while for the retired employees whose cases were referred to the Department for extending the same relief to them. Thus the appellant is also entitled for the same relief under the law of consistency and equality before law. Moreover, the Government of Khyber Pakhtunkhwa Finance Department by means of Notification dated 22.05.2019 has taken decision in light of Judgments passed by this Peshawar High Court in identical cases.
- C. That this Tribunal has also rendered judgements in numerous service appeals filed by similarly placed community school teachers claiming the same benefits and the Tribunal has allowed those appeals and granted the same relief to those community school teachers, therefore, appellant is also entitled for the same relief under the law laid down by the Tribunal. There are also judgments on the same subject-matter delivered by the Hon'ble Supreme Court of Pakistan.
- D. That in 1990s the Provincial Govt. had formulated the policy of appointing untrained teachers due to non-availability of trained teachers on fixed pay basis and later on would allow graded pay on acquiring the requisite qualification. The untrained period of service was subsequently counted for the purpose annual increments vide circular dated 30.10.2009 (Annex;-R). Thus the fixed pay service has to be considered for the purpose of annual increments and consequently countable towards pension as done in the case of large number of other teachers.
- E. That there is no service break from the date of initial appointment till date with the slight break which was due to the inadvertence on the part of the Respondents because the Community School of the appellant was never non-functional. However, mistakenly the same was closed down on 31.12.2010 but immediately thereafter the survey was started on 12.01.2011 and it was clarified that the School of the appellant was functional and therefore, the appellant was restored to his service on 28.10.2011 without fresh process of recruitment.

Thus the appellant has at his credit more than 20 year service which is pensionable under the law.

- F. **That** appellant has served the Department since date of his initial appointment with full dedication and is entitled for the pensionary benefits under the law but then Respondents have unlawfully refused the same to the appellant which is unlawful, arbitrary and hence not maintainable under the law.
- G. **That** the case of appellant which is identical in nature with those cases where similarly employees have been extended the same benefit by the Tribunal as well as High Court and Supreme Court of Pakistan, therefore, the appellant is also entitled to the same relief as per the judgments in the cases of "*Hameed Akhtar Niazi ...Vs...The Secretary Establishment Division, Government of Pakistan and others*" reported in 1996 SCMR 1185 and in the case of "*Tara Chund and others...Vs... Karachi Water and Sewerage Board, Karachi and others*" reported in 2005 SCMR 499 and another Judgment reported in 2009 SCMR 1 & 2022 PLC (CS) 610 (SC) wherein it has been laid down that when a Tribunal or Court decides a point of law relating to the terms of service of a civil servant which covered not only the case of the civil servants who litigated, but also of other civil servants, who might have not taken any legal proceedings, the dictates of justice and rules of good governance demand that the benefits of the decision be extended to the other civil servants, who might not be parties to the litigation instead of compelling them to approach the Tribunal or any other forum.
- H. **That** appellant would like to offer some other additional grounds during the course of arguments when the stance of the Respondents is known to the appellant.

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

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

Muhammad
Appellant

Through

Khaled Rahman
Khaled Rahman
Advocate, Supreme Court

&

Muhammad Amin Ayub
Muhammad Amin Ayub

&

Muhammad Ghazanfar Ali
Muhammad Ghazanfar Ali
Advocates, High Court

Dated: ___/08/2023

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. _____/2023

Muhammad Ghufan Appellant

Versus

The Govt. of KPK and others Respondents

AFFIDAVIT

I, Muhammad Ghufan, S/o Inayatullah, PST GPS Muhammad Amin, Tehsil Ghulam Khan District North Waziristan, do hereby solemnly affirm and declare on oath that the contents of this Appeal are true and correct to the best of my knowledge, and nothing has been concealed from this Hon'ble Tribunal.

Muhammad
Deponent

[Signature]
06/9/23

A-7

3 copy
15OFFICE OF THE AGENCY EDUCATION OFFICER N.W. AGENCYREAPPOINTMENT ORDER:

Consequent upon the approval political administration North Waziristan Agency miran shah, the following local candidates are hereby appointed against PTC posts in communal schools in widely.

OPENED AREA OF SHAWAL/MADDA KHEL, Noted against their names purely on contract and post specific basis, RS: 2220/Pm Fixed Puls allownces as admissible to them under rules for the project period.

These order should take effect on the re-opening of schools after long winter vacation 2003:-

<u>S.No.</u>	<u>Name of candidate / Fathers Name</u>	<u>Name of school where posted</u>	<u>Remarks</u>
<u>13 (communal school Bakke Khel & Shoi Khel)</u>			
✓ 1.	Mohd Zaman S/O Hazrat Khan Shoi Khel Bakke Khel	MCS Haji Rehman S/O Mir suleman Shoi Khel (DTK)	N/Created
✓ 2.	Shah Wazir S/O Yaqub Khan Wazir Shoi Khel Narmat Khel	do do	do
✓ 3.	Noor Saleh Khan S/O Yaqub Khan Shoi Khel Bakke Khel	MCS Gul Rawas S/O Gul Dil Shoi Khel, The : D.T. Khel	
4.	Falak Naz S/O Sardar Ali Shoi Khel Bakke Khel	do do	
✓ 5.	Javed Iqbal S/O Tehsil Khan Junai Bakke Khel	MCS Nawab Khan S/O Ali Jan Shoi Khel Teh: DTK:	
6.	Sher Afzal S/O Sher Mohd Jono Bakke Khel	do do	
7.	Khan Zada S/O Hayat Khan Sardi Khel Bakke Khel	MCS Mohd Mitam Khan S/O Shad Amir Shoi Khel Teh: DTK:	
8.	Dil Baz S/O Ali Khan Sardi Khel Bakke Khel	do do	
9.	Zain Ullah S/O Atta Ullah Jono Bakke Khel	MCS Attiqur Rehman S/O Juma Khan Shoi Khel Teh: DTK:	
10.	Masood Ur Rehman S/O Zafar Ali Narmi Khel Bakke Khel	do do	
11.	Roz Ali S/O Gul Raip Takhti Khel Bakke Khel	MCS Gul Kem S/O Sher Ali Shoi Khel Teh: DTK:	
12.	Shah Ijaz S/O Amir Nawab Moieb Khel Bakke Khel	do do	
✓ 13.	Amal Khan S/O Mohd Nawaz Normi Khel Bakke Khel	MCS Bakim Khan Bakke Khel Teh: DTK:	
14.	Salim Khan S/O Atlas Khan Takhti Khel Bakke Khel	do do	
15.	Amin Khan S/O Amir Taib Moieb Khel Bakke Khel	MCS Gul Razam S/O Faqir Shoi Khel Teh: DTK:	
16.	Mast Ali S/O Ismail Khan Bakke Khel	do do	
✓ 17.	Mohd Ilyas S/O Badi Zaman Bakke Khel	MCS Piaho S/O Din Sheikh Shoi Khel Teh: DTK:	

A-10

✓ 18. Afra Sayab S/O Akhtar Ali Normi Khel Bakke Khel	do	do	
19. Tehsil Khan S/O Bakhil Jan Bakke Khel	MCS Ghazi Merjan S/O Fateh Mir Shoi Khel Teh: DTK:		
20. Nor Zali S/O Ghulam Jali Khan Bakke Khel	do	do	
21. Gul Wali Jan S/O Ghulam Jan Bakke Khel	MCS Naqab Khan S/O Gul Khan M/C post Bakke Khel Teh: DTK:		
22. Attaul Muhammad S/O Ghulam Mohd Bakke Khel	do	do	
23. Haq Nawaz S/O Mohd Nawaz Bakke Khel	MCS Mohd Ghani S/O Bay Gul Bakke Khel Teh: DTK:	do	
24. Shah Hakim S/O Mir Sarwar Bakke Khel	do	do	do
25. Nakib Ahmad S/O Nasrullah Bakke Khel	MCS Gul Faraz S/O Naeem Shoi Khel Teh: DTK:		do
26. Mir Sardar S/O Ghani Sardar Bakke Khel	do	do	do

(9- c COMMUNAL SCHOOLS JANI KHEL & GUL BAZ)

27. Muhammad Sajid S/O Sher Wali Jan Jani Khel	MCS , Barakat S/O Muhabat Jani Khel Teh: DTK:		do
28. Noor Sherullah S/O Maji Khan Jani Khel	do	do	do
29. Ghufran Ullah S/O Khanbat Khan Jani Khel	MCS Muni Khan S/O Sher Khan Shawal Jani Khel Teh: DTK:		do
30. Taibullah S/O Gul Salim Jani Khel	do	do	do
31. M. Abdullah S/O Gul Sarwar Jan Jani Khel	MCS Sherin Gul S/O Wardi Gul Shawal Jani Khel Teh: DTK:		do
32. Irfan Ullah S/O Mohd Sher Jani Khel	do	do	do
33. Mohd Tufail S/O Lal Gul Jani Khel	MCS, Gul Jannat S/O Somanai Shawal Jani Khel Teh: DTK:		do
34. Abdul Salam S/O Shah Ajam Khan Jani Khel	MCS, do	do	do
35. Mohd Jaseem S/O Sher Mohd Jani Khel	MCS, Zainullah Khan S/O Mia Khan Shawal Jani Khel Teh: DTK:		do
36. Hafeez Anayat Ullah S/O Qadar Khan (Jani Khel)	do	do	do
37. Hafizur Rehman S/O Mohd Saeed Jani Khel	MCS, Nasib Mohd S/O Akbar Malik Shawal Jani Khel Teh: DTK:		do
38. Hafiz Ullah S/O Ghani Rehman Jani Khel	do	do	do
✓ 39. Mohd Ghufran S/O Anayat Ullah Jani Khel Bakke Khel	MCS, Gul Rai Khan S/O Sherin Khan Shawal Jani Khel Teh: DTK:		
40. Farman Ullah S/O Nasrullah Jani Khel	do	do	do
41. Umar Nawaz S/O Akhtar Gul Gurbaz Shawal	MCS, Shaizal S/O Ramil Gur Baz Shawal Teh: DTK:		do

42. Sabzali S/O Rakim Khan Gurbaz Shawal	do	do	do
43. Jamil Khan S/O Tareen Khan Gubaz Shawal	MCS, Khaist Gul S/O Sheetak Gur Baz Shawal Teh: DTK:		do
44. Aziz Ullah S/O Payal Khan Gurbaz Shawal	do	do	do
<u>(7 Nos MCS of Madda Khel) + NOS MCS Khader Khel</u>			
45. Gul Rauf S/O Saida Mir Madda Khel	MCS Guloop Khan S/O Gul Mir Khan Vill Dawa Madda Khel Khar Tangi Macha Made Khel The: DTK		
46. Shah Nawaz S/O Shah Nazar Khan Madda Khel	do	do	do
47. Farid Ullah S/O Saeed Ullah Madda Khel	MCS Payaz Jan S/P Madda Khel		IC Post
48. Akhir Zaman S/O Zafar ali Madda Khel	do	do	do
49. Humayun S/O Badshah Mir	MCS, Mohd Salam S/O Ilyas Plaley Kot Sur Killa Maizer Khwaja Khel Khader Khel Teh: Datta Khel		do
50. Shah Nawaz S/O Qader Khan Madda Khel	MCS, Zahedin S/O Umar Khan Burman Khazer Khel Madu Khel		do
51. Ashraf Khan S/O Sharif Khan Madda Khel	do	do	do
52. Muhammad Mureed S/O Gul Shaeer Khan Madda Khel	MCS Dawlat Khan S/O Juma Khan Tawda Chena Lakey Macha Madda Khel		do
53. Rasul Manan S/O Mohibullah Madda Khel	MCS, Akbari Inzar Kach Khazer Khel Madda Khel		do
54. Zardam Khan S/O Zarmamit Madda Khel	do	do	do
55. Mustafa Khan S/O Gul Azam Madda Khel	MCS, Warim Khan S/O Madas Khan Macha, Mada Khel <u>(Khadder Khel)</u>		do
56. Khan Muhammad S/O Abbas Khan Khader Khel	MCS, Ghani Mama Mohd Zyarat Khader Khel Teh: DTK		do
57. Taj Muhammad S/O Mir Shah Zada Khader Khel	do	do	do
<u>(COMMUNAL SCHOOLS MIAMI KABAL KHEL)</u>			
58. Sami Ullah S/O Paidal Khan Miami Kabal Khel	MCS, Najib Khan S/O Nazar Miami Kabal Khel Teh: DTK		do
59. Sharif Ullah S/O Khawari Miami Kabal Khel	MCS, Latif Kham S/O Kisan Miami Kabal Khel		do
60. Gul Dad Khan S/O Gul Sitar Miami Kabal Khel	do	do	do
61. Asghar Khan S/O Gul Samad Miami Kabal Khel	MCS, Shah Mehmood S/O Amin Khan Miami Kabal Khel		
62. Abdur Rehman S/O Zarna Jan	MCS, Amin Jan S/O MOhd		

LD

- Miami Kabal Khel
- 63. Mohd Amin S/O Bakhta Jan
Miami Kabal Khel
- 64. Gul Shah Zada S/O Mir Azam
Miami Kabal Khel
- 65. Gul Abbas Khan S/O Sard Khan
Miami Kabal Khel

- Darya Khan Miami Kabal Khel
do do do
- MCS, Shoor Khan S/O Janood Mir
Miami Kabal Khel do
- do do do

MIAMI KABAL KHEL

- 66. Mukhtiar Khan S/O Mirabat Khan
Miami Kabal Khel
- 67. Mohd Ihsan Khan S/O Sherin Khan
Miami Kabal Khel
- 68. Amir Saleh Khan S/O Sherin Khan
Miami Kabal Khel
- 69. Amir Nawaz Khan S/O Akbar Khan
Miami Kabal Khel
- 70. Saifur Rehman S/O Darya Khan
Miami Kabal Khel
- 71. Khaliq Noor S/O Fazad Khan
Miami Kabal Khel
- ✓ 72. Noor Hayat S/O Nawab Khan
Miami Kabal Khel
- ✓ 73. Janat Khan S/O Mir Azam Khan
Miami Kabal Khel
- 74. Rehmat Khan S/O Ratte Khan
Miami Kabal Khel
- 75. Sarfaraz Khan S/O Gul Rahim
Miami Kabal Khel
- ✓ 76. Farman Ullah S/O Toor Jan
Miami Kabal Khel
- 92/1 Zaman 77. Ahsan Zaman S/O Khusirtal Khan
Miami Kabal Khel
- 78. Abdu Sattar Khan S/O Jehan Khan
Miami Kabal Khel
- 79. Jehan Dad S/O Karim Khan
Miami Kabal Khel
- 80. Hayat Ullah S/O Miroon Khan
Miami Kabal Khel
- ✓ 81. Zahid Ullah S/O Maeenud din
Miami Kabal Khel
- 82. Shola Jan S/O Alam Jan
Miami Kabal Khel
- 83. Bahadar Nawaz S/O Hakim Zad
Miami Kabal Khel
- 84. Zain Ullah S/O Rahim Khan
Miami Kabal Khel
- 85. Kamil Khan S/O Rahim Khan
Miami Kabal Khel

- MCS, Shad Akbar
Miami Kabal Khel DTK N/C Post
- MCS, Sherin Khan S/O Mahi Khan
Miami Kabal Khel
- do do
- MCS, Sherin Jan S/O Khona Jan
Miami Kabal Khel Teh: DTK
- do do
- MCS, Mirza Khan S/O Mohd Azim
Miami Kabal Khel
- do do
- MCS, Rasim Khan S/O Qadram Khan
Miami Kabal Khel
- do do
- MCS, Shah Habib S/O Alam Gul
Miami Kabal Khel
- do do
- MCS, Badshah Noor S/O Hazrat Gul
Miami Kabal Khel
- do do
- MCS, Shah Mohd S/O Sahib Ahmad
Miami Kabal Khel Teh: DTK
- do do
- Miami Kabal Khel
- MCS, Ahmad Kalim S/O
Miami Kabal Khel
- MCS, Sultan Khan S/O Miradat Khan
Miami Kabal Khel
- MCS, Jamal Khan S/O Haji Khan
Miami Kabal Khel
- do do
- MCS, Gul Hawas S/O Swade Khan
Miami Kabal Khel

92/1 Zaman

Zahid Ullah

- 10
86. Daud Khan S/O Abbas Khan do do
Miami Kabal Khel
87. Fazal Rehman S/O Ibrahim Khan MCS, Saibat Khan S/O Amin Khan
Miami Kabal Khel Miami Kabal Khel
88. Sayed Khan S/O Qadim Khan do do
Miami Kabal Khel

(TERMS & CONDITIONS)

1. They will be governed by the service rules and course.
2. No TA/DA is allowed.
3. Charge report be submitted to this office for ref: and record
4. They are directed to their health and age certificate from the medical Supdt: Agency Head Quarter ...
5. Services are being made purely on contract basis and can be terminated without assigning any reason.
6. If they wishes to resign they will give one month prior notice or one month pay will be forfeited lieu thereof.
7. They will not be entitled for annual increments.
8. Their services can be terminated at any time, In case their performance are found unsatisfactory and they will be proceeded against the removal from service (special power ordinance 2000) E&D Rules 1973.
9. They will neither contribute any amount of GPF not they shall be entitled to any benefit GPF scheme.
10. They will not be transferred under thy circumstances.
11. They should produce their NIC to the AAEO circle concerned.
12. If they fail to join their duty within 15 days, after reopening of schools then their appointment order shall stand cancelled.
13. They should not be taken over charge of his Posts if they are below 18 years or above 33 years age.

(GULAWAZ KHAN MASOOD)
Agency Education Officer
North Waziristan Agency

Endst: No 234-329 / AEO / NWA / Apptt: / PTC /Shawal

Dated: 22/01/2003

Copy to:-

1. The director of education FATA, NWFP, Peshawar.
2. The Political Agent North Waziristan Agency.
3. The Asstt: Political Officer North Waziristan Agency.
4. The Agency Accounted Officer North Waziristan Agency.
5. The AAEO Circle concerned
6. Accounted local office.
7. 101. Candidates concerned.

Agency Education Officer
North Waziristan Agency

OFFICE OF THE AGENCY EDUCATION OFFICER, NORTH WAZIRISTAN AGENCY

APPOINTMENT ORDER

Consequent upon the approval of Political Administration North Waziristan Agency Miran Khel, the following Local Candidates are hereby appointed against PTC Posts in Communal Schools in NEWLY OPENED AREA OF SHAWAL/MADDA KHET, noted against their names purely on CONTRACT and Post specific basis, O.R.C. 2220/PM Fixed Pula usual Allowance as admissible to them under the rules for the Project Period.

These order should take effect on the re-opening of Schools after Long Winter Vacation 2003:-

S.No.	Name of Candidate/Father's Name	Name of School Where Posted	Remarks
(13 Communal Schools Bakka Khel & Shol Khel)			
1.	Mohd Zaman S/O Hazrat Khan Shol Khel Bakka Khel	MCS Haji Rehman S/O Mir Guleman Shol Khel (DTK)	R/Created
2.	Shah Wazir S/O Yaqub Khan Wazir Shol Khel Nardak Khel	-do-	-do-
3.	Noor Saleh Khan S/O Yaqub Khan Shol Khel Bakka Khel	MCS Gul Raouf S/O Gul Dil Shol Khel Teh: D.T. Khel	
4.	Faizk Naza S/O Sardar Ali Shol Khel Bakka Khel	-do-	-do-
5.	Javed Iqbal S/O Tehsil Khan Jhang Bakka Khel	MCS Nawab Khan S/O Ali Jan Shol Khel Teh: DTK	
6.	Shah Afzal S/O Sher Mohd Jang Bakka Khel	-do-	-do-
7.	Khan Zoda S/O Hayat Khan Sandi Khel Bakka Khel	MCS Mohd Nisar Khan S/O Shad Ali Shol Khel Teh: DTK	
8.	Dil Baz S/O Ali Khan Sarai Khel Bakka Khel	-do-	-do-
9.	Zainullah S/O Attaullah Jang Bakka Khel	MCS Attiqur Rahman S/O Jama Khan Shol Khel Teh: DTK	
10.	Masoodur Rehman S/O Zaffar Ali Harmi Khel Bakka Khel	-do-	-do-
11.	Raz Ali S/O Gul Raif Takhti Khel Bakka Khel	MCS Gul Kam S/O Sher Ali Shol Khel Teh: DTK	
12.	Shah Ijaz S/O Amir Nawab Moib Khel Bakka Khel	-do-	-do-
13.	Amal Khan S/O Mohd Nawaz Harmi Khel Bakka Khel	MCS Bakim Khan Bakka Khel Teh: Datto Khel	
14.	Salim Khan S/O Atlas Khan Takhti Khel Bakka Khel	-do-	-do-
15.	Amir Khan S/O Amir Taib Moib Khel Bakka Khel	MCS Gul Razam S/O Faqir Shol Khel Teh: DTK	
16.	Mast Ali B/O Ismail Khan Bakka Khel	-do-	-do-
17.	Mohd Ilyas S/O Badi Zaman Bakka Khel	MCS Pishoo S/O Din Sheikh Shol Khel Teh: DTK	
18.	Afra Sayab S/O Akhter Ali Naymi Khel Bakka Khel	-do-	-do-
19.	Tehsil Khan S/O Bakhil Jang Bakka Khel	MCS Ghazi Mar Jan S/O Patch Mir Shol Khel Teh: DTK	
20.	Noor Zali S/O Ghulam Jali Khan Bakka Khel	-do-	-do-

Contd: Page... 2

22-01-2003

Attah Muhammad S/O GhulamMohd Bakka Khel

-do- -do-

23. Haq Nawaz S/O Mohd Nawaz Bakka Khel

MCS Mohd Ghani S/O Bay Gul Bakka Khel Teh: DTK

24. Shah Hakeem S/O Mir Marwar Bakka Khel

-do- -do-

25. Naqib Ahmed S/O Nasrullah Bakka Khel

MCS Gul Faraz S/O Madam Shol Khel Teh: DTK

26. Mir Sardar S/O Ghani Sardar Bakka Khel

-do- -do-

(9- COMMUNAL SCHOOLS JANI KHEL & GURBAZ)

27. Muhammad Sojjad S/O Sherwali Jan Jani Khel.

MCS, Barezkat S/O Mohbat Jani Khel Teh: DTK.

28. Noor Sherullah S/O Meji Khan Jani Khel.

.do. .do.

29. Ghufuranullah S/O Khanbat Khan Jani Khel.

MCS, Manj. Khan S/O Sher Khan Shawal Jani Khel Teh: DTK

30. Taibullah S/O Gul Saleem Jani Khel.

.do. .do.

31. Abdullah S/O Gul Sarwar Jan Jani Khel.

MCS, Sherin Gul S/O Wera Gul Shawal Jani Khel Teh: DTK

32. Irfanullah S/O Sher Mohd Jani Khel.

.do. .do.

33. Mohd Tufil S/O Lal Gul Jani Khe..

MCS, Gul Janat S/O Semanal Shawal Jani Khel Teh: DTK

34. Abdul Salam S/O Sheh Ajam Khan Jani Khel.

MCS, .do. .do.

35. Mohd Jasseem S/O Sheh Mohd Jani Khel.

MCS, Zindullah Khan S/O Misal Khan Shawal Jani Khel DTK

36. Hafiz Inayatullah S/O Sadar Khan (Jani Khel).

.do. .do.

37. Hafiz-ur-Rehman S/O Mohd Saeed Jani Khel.

MCS, Nasib Mohd S/O Akbar Wali Shawal Jani Khel Teh: DTK

38. Hafizullah S/O Ghani Rehman Jani Khel.

.do. .do.

39. Mohd-Ghufuran S/O Inayatullah Jani Khel Bakka Khel

MCS Gul Rai Khan S/O Sherin Khan Shawal Jani Khel Teh: DTK

40. Farmanullah S/O Nasrullah Jani Khel

.do. .do/

41. Umar Nawaz S/O Akhter Gul Gurbez Shawal

MCS Shaizal S/O Remil Gurbez Shawal Teh: DTK

42. Sabz Ali S/O Rakim Khan Gurbez Shawal

.do. .do.

43. Jamil Khan S/O Tarzen Khan Gurbez Shawal

MCS Khaies Gul S/O Shestak Gurbez Shawal Teh: DTK

44. Azizullah S/O Fayal Khan Gurbez Shawal

.do. .do.

(7 Nos MCS of Madda Khel) + 6 Nos MCS Khader Khel

45. Gul Rauf S/O Saida Mir Madda Khel

MCS Guloop Khan S/O Gul Mir Khan Vill: Dawe Madai Khel Khar Tangi Macha Madai Khel Teh: DTK

46. Sheh Nawaz S/O Sheh Nozar Khan Modda Khel

.do. .do.

Contd: Page...3

Endst No 1234-329 dt 22-01-03

- 47. Faridullah S/O Saeedullah
Madda Khel MCS Payaz Jan S/O
Madda Khel W/C Pa
- 48. Amir Zaman S/O Zafran Ali
Madda Khel .do. .do. .do.
- 49. Mumayun S/O Bad Shah Mir
Madda Khel MCS Mehd Salam S/O Ilyas
Palaley Kot Sur Killa
Makher Khawaja Khel Khuley .do.
- 50. Saah Nawaz S/O Qader Khan
Madda Khel MCS Mehdi S/O Umar Khan
Bursan Khazir Khel .do.
- 51. Amraf Khan S/O Sharif Khan
Madda Khel .do. .do. .do.
- 52. Muhammad Huseed S/O Gul Shoor Khan
Madda Khel MCS Daulat Khan S/O Jina Khan
Tawla China Lakey Maola .do.
- 53. Rasool Hanan S/O Mohibullah
Madda Khel MCS Akbaray Inzar Khel
Khazir Khel Madda Khel .do.
- 54. Zardan Khan S/O Zarmait
Madda Khel .do. .do. .do.
- 55. Mustafa Khan S/O Gul Azam
Madda Khel MCS Wareem Khan S/O
Madda Khel Madda Khel .do.
- 56. Khan Muhammad S/O
Abbas Khan Khazir Khel MCS Mehd Zhan Mama Ziarat
Khazir Khel Teh: DTS .do.
- 57. Taj Muhammad S/O
Mir Shah Zada Khader Khel .do. .do. .do.
- 58. Saadullah S/O Faidul Khan
Miami Kabal Khel (COMMUNAL SCHOOLS MIAMI KABAL KHIL)
- 59. Sharifullah S/O Khawaja
Miami Kabal Khel MCS Mujib Khan S/O Makar Kad
Miami Kabal Khel Teh: DTS .do.
- 60. Gul Dad Khan S/O Gul Sattar
Miami Kabal Khel MCS Lati Khan S/O Kisan
Miami Kabal Khel .do.
- 61. Asghar Khan S/O Gul Samand
Miami Kabal Khel .do. .do. .do.
- 62. Abdur Rehman S/O Zarna Jan
Miami Kabal Khel MCS Shah Mahmood S/O Amin Khan
Miami Kabal Khel .do.
- 63. Mohd Amin S/O Bahata Jan
Miami Kabal Khel MCS Amin Jan S/O Mehd
Dakya Khan Miami K. Khel .do.
- 64. Gul Shah Zada S/O Mir Anwar
Miami Kabal Khel .do. .do. .do.
- 65. Gul Abbas Khan S/O Sardul Khan
Miami Kabal Khel MCS Shoor Khan S/O Janood Mir
Miami Kabal Khel .do.



4. They are directed to...
3. Change reports should be updated to this office for...
2. No WA/DV to allowed...
1. They will be reviewed by the Service Rules in force.

(TERMS & CONDITIONS)

- 86. [Name] S/O [Name]
- 87. [Name] S/O [Name]
- 88. [Name] S/O [Name]
- 89. [Name] S/O [Name]
- 90. [Name] S/O [Name]
- 91. [Name] S/O [Name]
- 92. [Name] S/O [Name]
- 93. [Name] S/O [Name]
- 94. [Name] S/O [Name]
- 95. [Name] S/O [Name]
- 96. [Name] S/O [Name]
- 97. [Name] S/O [Name]
- 98. [Name] S/O [Name]
- 99. [Name] S/O [Name]
- 100. [Name] S/O [Name]

Handwritten signature or initials on the right side of the list.

10

43

25

Page... 5

3. Their Services are being made purely on CONTRACT basis and can be terminated without assigning any reason.
6. If they wishes to resign they will give One Month Prior notice Or One Month Pay will be forfeited in lieu thereof.
7. They will not be entitled for Annual increments.
8. Their Services can be terminated at any time, in case their performance are found unsatisfactory and they will be proceeded against the removal from Service (SPECIAL POWER ORDINANCE 2000) and the E&D Rules 1973.
9. They will neither contribute any amount of GPF nor they shall be entitled to any benefit GPF Scheme.
10. They will not be transferred under any circumstances.
11. They should produced their NIC to the AAEO Circle concerned.
12. If they failed to join their duties within 15 days after re-opening of School then their appointment order shall stand cancelled.
13. They should not be taken over charge of his Post, if they are below 18 Years Or above 35 Years age.


SAJ
 ATRAZ KHAN MASOOD
 Agency Education Officer
 North Waziristan Agency.

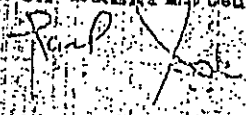
Encl: No. 234-329 / AEO/NWA/ Apptt: P/C/ Shawal Dated 22/1/2003.
 Copy to:-

234-329
 dated 22/1/2003
 per
 24/1/03

1. The Director of Education FATA, NWFP, Peshawar.
2. The Political Agent North Waziristan Agency.
3. The Asstt. Political Officer North Waziristan Agency.
4. The Agency Accounts Officer North Waziristan Agency.
5. The AAEO Circle concerned.
6. Accountant Local Office.
- 7-10. Candidates concerned.

Agency Education Officer
 North Waziristan Agency.

Attested




- 1- Name (نام) Mohammed Ghaffar
- 2- Nationality and Religion Pakistan / Islam
(قومیت اور مذہب)
- 3- Residence Mali Khel Jami Khel F.R.
(مستقل رہائش)
- 4- Father's name and residence Muhammad B. Ahmad
(والد کا نام اور پتہ)
- 5- Date of birth by Christian era as 01-4-1979 (First
nearly as can be ascertained April 14, H and Security No.
(تاریخ پیدائش مطابق سن عیسوی)
- 6- Exact height by measurement 5-6
- 7- Personal mark of identification wound marks on right leg

8. Left hand/right hand thumb and finger-impressions of (Non-gazetted officer)
(مرد کی صورت میں بائیں اور عورت کی صورت میں دائیں ہاتھ کی انگلیوں کے نشانات)

Little Finger
(پہلی انگلی)



Ring Finger
(پہلیا کے ساتھ کی انگلی)



Middle Finger
(اگلیت میانہ)



Fore Finger
(اگلیت پشتات)



Thumb
(انگڑھا)



Signature
Re-attested

9. Signature of Govt. Servant
(سرکاری ملازم کے دستخط)

Signature

10. Signature and designation of the Head of the Office or other Attesting officer
(تصدیق کنندہ افسر کے دستخط اور صہ)

Agency Attesting Officer
North Waziristan Agency

Note: The entries in this page should be renewed or re-attested at least every five years and the signatures in lines 9 and 10 should be dated. Finger prints need not be taken after every 5 years under this rule.

اس صفحہ کے مندرجہ کم از کم ہر پانچ سال بعد تجدید ہونا ضروری ہیں اور نمبر 9 اور 10 میں دستخطوں کے نیچے تاریخ لکھنی چاہیے۔
انگلیوں کے نشانات کے لیے ہر پانچ سال کے بعد تجدید کی ضرورت نہیں۔

1	2	3	4	5	6	7	8	9
Name of Post	Whether Substantive or officiating and whether permanent or temporary	If officiating state- (i) substantive appointment or (ii) whether service counted for pension under rule 3-20 of C.S.R. (Pb.) Volume II	Pay in substantive position	Additional pay for officiating	Other emoluments falling under the term pay	Date of appointment	Signature of Govt. servant	Signature and designation of Head of the office or other attesting officer (column 1 to 8)
روپ ملازمت	عارضی مستقل قائم مقام	اگر عارضی ہے تو بدل کے مطابق پیش آئے ہیں	تعمولہ بطور عارضی ملازمت B-7	زائد تعمولہ بطور قائم مقام 2220/-	سوائے تعمولہ دیگر سروس ایڈوانس	تاریخ تقرری	دستخط سرکاری ملازم	دستخط افسر مجاز
MCS, Gul Nohar			B-7			1-3-2003		
General Transport (NWR)	Temporary		2220/- PM Control					A.E.O. N.W.R.
			Rs. 2340/PM			1-12-2003		A.E.O. N.W.R.
			AS 2460/PM			1-12-2004		A.E.O. N.W.R.
Pay Revised - B.P. 500-7-RS			2595-140-6255					
			AS-2835/PM			1-7-2005		A.E.O. N.W.R.
			AS-2975/PM			1-12-2005		A.E.O. N.W.R.
			AS-3115/PM			1-12-2006		A.E.O. N.W.R.
Pay Revised - B.P. 500-7-RS			2940-160-7240					
			AS 3580/PM			1-7-2007		A.E.O. N.W.R.
			AS 3710/PM			1-12-2007		A.E.O. N.W.R.

8	9	10	11	12	13	14	15	
Date of appointment	Signature of Head of the office or other attesting officer	Date of termination or appointment	Reason of termination (such as promotion, transfer, dismissal etc.)	Signature of the head of the office or other attesting officer	Nature and duration of leave taken	Allocation of period of leave of average pay up to four months (or earned leave not exceeding 120 days) to which leave salary is debit to another Government	Signature of the Head of the office or other attesting Officer	Reference to any recorded punishment or censure, reward or praised of the Government servants
تاریخ تقرری	دستخط سرکاری ملازم	تاریخ انتقال ملازمت	وجوہات انتقال ملازمت یا برطرفی	دستخط سرکاری ملازم	رضعتی نوعیت و مہینوں	ہمارا ہر مہینہ کی رخصت کے لئے اوسط گوارا کا قہقہ	دستخط افسر ملاز	سزا یا جزیاء غیر منسلب کارکردگی کا ریکارڈ
					Period	Government to which debit to be made		
3/03	AEO NWA Miranshab	30/03/2003	Transfer	AEO NWA Miranshab				Appointed on P.T.C post on Contract basis under A.F.O. NWA No 234-329
12/003	AEO NWA Miranshab	30/04/2004	Transfer	AEO NWA Miranshab			Agency Education Officer North Waziristan Agency	
12/004	AEO NWA Miranshab	30/05/2005	Transfer	AEO NWA Miranshab			Appointed SSC Examin. from BISE	Became during the session 1995 under Roll No 55108 obtaining 490/500 Marks
7/005	AEO NWA Miranshab	30/05/2005	Transfer	AEO NWA Miranshab			Passed Intermediate Examin. (Civil Engineering) from BISE	Became under Roll No 65801 during the session 1999 obtaining 521/600 Marks in final division
12/005	AEO NWA Miranshab	30/06/2006	Transfer	AEO NWA Miranshab			Physical P.T.C. Examin. from A.F.O. 9th division under Roll No. J-61886 during the session 2001, obtaining 54% marks	
12/006	AEO NWA Miranshab	30/07/2007	Pay Raise	AEO NWA Miranshab				
12/007	AEO NWA Miranshab	30/07/2007	Transfer	AEO NWA Miranshab			Agency Education Officer North Waziristan Agency	
12/008	AEO NWA Miranshab	30/08/2008	Pay Raise	AEO NWA Miranshab				

1 Name of Post	2 Whether Substantive or officiating and whether permanent or temporary	3 If officiating state- (i) substantive appointment or (ii) whether service counts for pension under rule 3-20 of C.S.R (Pb.) Volume II	4 Pay in substantive position		5 Additional pay for officiating		6 Other emoluments falling under the term pay	7 Date of appointment	8 Signature and designation of the Head of the Office or other officiating officer attestation of Government servant
			Rs.	Ps.	Rs.	Ps.			
دورہ ملازمت	عارضی مستقل یا قائم مقام	اگر عارضی ہے تو رول کے مطابق پیش کیا جاتا ہے؟	تعمولی بطور عارضی ملازمت		زائد تعزوا بطور قائم مقام		ساوائے تعزوا دیگر الاؤنس	تاریخ تقرری	دستخط افسر عارضی ملازم
Page Reversed. B.A. 500-7-RS 3530-190-9230									
PST Post			RS 4680/PM					12/2008	AEO N.W.A
do			RS 4670/PM					12/2008	AEO N.W.A
do			RS 4860/PM					12/2008	AEO N.W.A
do			RS 5050/PM					12/2010	AEO N.W.A
do			8360					12/11	AEO N.W.A
do			5940/PM					12/2009	AEO N.W.A
do			8680/PM					12/2011	AEO N.W.A
do			9000/PM					12/2012	AEO N.W.A
do			9320/PM					12/2013	AEO N.W.A

1	2	3	4	5	6	7	8	9
Name of Post	Whether Substantive or officiating and whether permanent or temporary	If officiating state- (i) substantive appointment or (ii) whether service counts for pension under rule 3-20 of C.S.R. (Pb.) Volume II	Pay in substantive position	Additional pay for officiating	Other emoluments falling under the term pay	Date of appointment	Signature Government servant	Signature and designation of the Head of the office or other attesting officer in attestation of column 1 to 8
رہنما ملازمت	عارضی مستقل یا قائم مقام	اگر عارضی ہے تو رول کے مطابق پیش کیا سنج ہے؟	تخواہ بطور عارضی ملازمت	زائد تخواہ بطور قائم مقام	بموائے تخواہ دیگر	تاریخ تقریری	دستخط سرکاری ملازم	دستخط افسر ملازم
پست			Rs. Ps.	Rs. Ps.	لاڈلہ	7		
APS Model Amer kat	BPS 12			Rs. 12880/-		15 12 11 26/2016		Agency NW Agency
	R/BPS 12	(13320 - 960 - 42194)						
				Rs. 13320/-		2 2017		Agency NW Agency
				Rs. 16280/-		12 2017		Agency North

9	10	11	12	13	14	15		
Signature of Government servant	Signature and designation of the Head of the office or other attesting officer in attestation of column 1 to 8	Date of termination or appointment	Reason of termination (such as promotion, transfer, dismissal etc)	Signature of the head of the office or other Attesting officer	Nature and duration of leave taken	Allocation of period of leave of average pay up to four months (or earned leave not exceeding 120 days) to which leave salary is debitable to another Government	Signature of the Head of the office or other attesting Officer	Reference to any recorded punishment or censure, reward or praised of the Government servants
<p>دستخط سرکاری ملازم</p>	<p>دستخط افسر مجاز</p>	<p>تاریخ انتقال ملازم</p>	<p>وجوہات انتقال ملازمت ترقی جلد یا برعکس</p>	<p>دستخط افسر مجاز</p>	<p>رفتگی زیمت</p>	<p>ہزارہ کی رخصت کے لئے اوسا خزاہ کا تین</p>	<p>دستخط افسر مجاز</p>	<p>سزایا گیا غیر مناسب کارکردگی کا ریکارڈ</p>
<p>Agency Education Officer NW Agency Miranshah</p>		<p>Re-Appointment against</p>		<p>Government to which debitable</p>		<p>Service Verified w.e.f. 1-12-2009 to 20-11-2010 from Office Record</p>		<p>Agency Education Officer E.W. Agency Miranshah</p>
<p>Agency Education Officer NW Agency Miranshah</p>		<p>ND=1235-LD dt 25/11/2016</p>		<p>Service verified w.e.f. 1-12-2009 to 20-11-2010 from Office Record</p>		<p>Service verified w.e.f. 1-12-2009 to 20-11-2010 from Office Record</p>		<p>Agency Education Officer E.W. Agency Miranshah</p>
<p>Agency Education Officer NW Agency Miranshah</p>		<p>T-179 dt 13.4.17 received.</p>		<p>Service verified w.e.f. 1-12-2009 to 20-11-2010 from Office Record</p>		<p>Service verified w.e.f. 1-12-2009 to 20-11-2010 from Office Record</p>		<p>Agency Education Officer NW Agency Miranshah</p>
<p>Agency Education Officer North Waziristan Agency</p>		<p>T.No: 1262 13/9/2017</p>		<p>Service verified w.e.f. 26-11-2016 to 30-11-2017 from the office record</p>		<p>Service verified w.e.f. 26-11-2016 to 30-11-2017 from the office record</p>		<p>Agency Education Officer North Waziristan Agency</p>
<p>Agency Education Officer North Waziristan Agency</p>		<p>Drawn Arrear of pay as allowed on</p>		<p>Service verified w.e.f. 26-11-2016 to 30-11-2017 from the office record</p>		<p>Service verified w.e.f. 26-11-2016 to 30-11-2017 from the office record</p>		<p>Agency Education Officer North Waziristan Agency</p>
<p>Agency Education Officer North Waziristan Agency</p>		<p>Amounting to Rs=70244/-</p>		<p>Service verified w.e.f. 26-11-2016 to 30-11-2017 from the office record</p>		<p>Service verified w.e.f. 26-11-2016 to 30-11-2017 from the office record</p>		<p>Agency Education Officer North Waziristan Agency</p>

1	2	3	4	5	6	7	8	9
Name of Post	Whether Substantive or officiating and whether permanent or temporary	If officiating state- (i) substantive appointment or (ii) whether service counts for pension under rule 3-20 of C.S.R. (Pb.) Volume II	Pay in substantive position	Additional pay for officiating	Other emoluments falling under the term pay	Date of appointment	Signature of Head of the Government or other serving officer attestation of column 1 to 8	Signature and designation of Government or other serving officer attestation of column 1 to 8
			Rs.	Ps.	Rs.	Ps.		
درج ملازمت PST Post	عارضی مستقل یا قائم مقام	زائد عارضی ہے تو نہا کے مطابق پیش کیا جائے گا	تختوانہ بطور عارضی ملازمت	زائد تختوانہ بطور قائم مقام	سہرائے تختوانہ دیگر الادیس	تاریخ تقریری	دستخط سرکاری انڈم	دستخط سربراہ
GPS Muhammad								
Amin Kot Teh		BPS-12 =		R = 14280/-		12/2017		
Ahulam Khan								
<p>Consequent upon Transfer order Issued vide Directorate of Edu. FATA Peshewar Endst No 11017-22 Dtd 27/08/18 Muhammad Shauq ^{an} Khan PST is hereby adjusted at GPS Naval Serdikhel against vacant post</p> <p>GPS-Naval Serdikhel.</p> <p>FR Basir R = 14280/- 9/2018</p>								
				R = 15240/-		12/2018		Agency

8	9	10	11	12	13	14	15
Signature and designation of the Head of the office or other attesting officer (column 1 to 8)	Date of termination or appointment	Reason of termination (such as promotion, transfer, dismissal etc.)	Signature of the head of the office or other Attesting officer	Nature and duration of leave taken	Allocation of period of leave of average pay up to four months (for earned leave not exceeding 120 days) to which leave salary is debitible to another Government	Signature of the Head of the office or other attesting Officer	Reference to any recorded punishment or censure, reward or praised of the Government servants
					Period	Government to which debitible	
Signature of Government Servant	تاریخ اختتام ملازمت	دلیل اختتام ملازمت	دستخط افسر مجاز	نوع و مدت و عیار ملازمت	فہرست روزوں کی تفصیل کے لئے درجہ ذیل کے حکومتوں کے نام	دستخط افسر مجاز	سزا یا جزا یا غیر مناسب کارکردگی کا ریکارڈ
		Transfer to Disposal of District					
		Education Officer Tribal District Bannu North Waziristan Agency					
		D.E (FATA) & Pk Peshawar office					
		Endst No: 11/017-22 dt: 27/8/2018					
		Education Officer North Waziristan Agency					
							Passed B.A examination from Gomal university under Roll no: 3548 Session 2002 and obtained 247/550 marks result declared on 31-8-2002
							Agency Education Officer North Waziristan Agency
							Service Verified up to 12/2017 To 31/8/2018 from A/Poll & other office record.
							Education Officer North Waziristan Agency
							Service verified up to 17/9/2018 to 30/11/18 from A/Poll and other office record.
							Agency Education Officer F.R Bannu
							Agency Education Officer F.R Bannu

Signature of Government Servant

Signature of Government Servant

Signature of Government Servant

Signature of Government Servant

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Signature of Government Servant

Signature of Government Servant

Handwritten signatures and initials at the bottom of the table.

1	2	3	4		5		6	7	8	9
Name of Post درجہ ملازمت	Whether Substantive or officiating and whether permanent or temporary عارضی مستقل یا قائم مقام	If officiating state- (i) substantive appointment or (ii) whether service counts for pension under rule 3-20 of C.S.R. (Pb.) Volume II اگر عارضی ہے تو بدل کے مطابق پیش آیا ستن ہے؟	Pay in substantive position. تنخواہ بطور عارضی ملازمت		Additional pay for officiating زائد تنخواہ بطور قائم مقام		Other emoluments falling under the term pay اسوائے تنخواہ دیگر الاؤنس	Date of appointment تاریخ تقرری	Signature of Government servant دستخط سرکاری ملازم	Signature and designation of Head of the office or other attesting officer دستخط افسر عیاز
Ref. No. - 11			Rs.	Ps.	Rs.	Ps.				
Sd/- M. M. Khan										
Sd/- M. M. Khan										
Sd/- M. M. Khan										

8 Signature of Government servant دستخط سرکاری ملازم	9 Signature and designation of the Head of the office or other attesting officer in attestation of column 1 to 8 دستخط افسر مجاز	10 Date of termination or appointment تاریخ اختتام ملازمت	11 Reason of termination (such as promotion, transfer, dismissal etc.) وجوہات اختتام ملازمت ترقی یا برطرفی	12 Signature of the head of the office or other Attesting officer دستخط افسر مجاز	13 Allocation of period of leave of average pay up to four months (or earned leave not exceeding 120 days) to which leave salary is debitable to another Government. ہزارہ تک کی رخصت کے لئے اوسط عتزاؤں کا تعین Period Government to which debitable دور حکومت جسے دستمزد ہونی		14 Signature of the Head of the office or other attesting Officer دستخط افسر مجاز	15 Reference to any recorded punishment or censure, reward or praised of the Government servants سزا یا جزا یا غیر مناسب کارکردگی کا ریکارڈ
								<p>Service verified def 1-12-2018 to 30-11-2019 for A/Roll and other record of this Office.</p>
								<p>M. S. an ✓</p>
								<p>Service Verified under 1-12-2019 to 30-11-2020 from the office recorded.</p>

DA
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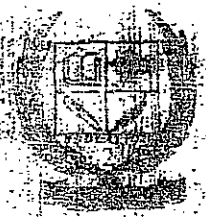
8	9	10	11	12	13		14	15
Signature of Government servant	Signature and designation of the Head of the office or other attesting officer in attestation of column 1 to 8	Date of termination or appointment	Reason of termination (such as promotion, transfer, dismissal etc)	Signature of the head of the office or other Attesting officer	Nature and duration of leave taken	Allocation of period of leave of average pay up to four months (or earned leave not exceeding 120 days) to which leave salary is debitible to another Government ہارہا تک کی رخصت کے لئے اوسط عوام کا ضامن Period گورنمنٹ کے جسے رخصت ادا ہوں	Signature of the Head of the office or other attesting Officer	Reference to any recorded punishment or censure, reward or praised of the Government servants سزا یا سزا غیر مناسب کارکردگی کا ریکارڈ
دستخط سرکاری ملازم	دستخط انسپیکٹر	تاریخ انتقال ملازمت	وجوہات انتقال ملازمت ترقی تبادلہ یا برطرفی	دستخط انسپیکٹر	رخصت کی نوعیت و معیار	<p>Passed M.A Islamiyat under R. No. 75847 from U.S.T Baran by obtaining B.56/1100 Marks result declared on 13-2-2020.</p>	دستخط انسپیکٹر	
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3880								
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District Education Officer
Sub Division Wazir Eannu

C-17

FAR NO. : 5200467

16 Nov. 2010 09:41AM P1



FATA SECRETARIAT
 DIRECTORATE OF EDUCATION
 SHYAM FARIDKOTIYA, HAKSAR ROAD PESHAWAR, FAYISTAN
 PHONE: 091-9110144 FAX: 091-9210714
 No. /
 Date Recd: 15/11/2010

All the Agency Education Officers
In FATA.

Subject: Closure of Non functional Community Schools in FATA

Memo:

The Community Schools in some areas i.e Bara Tehsil of Khyber Agency, Baizai Tehsil in Mohmand Agency, Shawal Area of NWA, Mahsood Area of SWA, some pockets in Bajaur and Orakzai Agencies, and FR Kohat/Peshawar were closed and teachers of these closed Community Schools get their salaries at homes without performing their duties, which is a huge burden on Govt exchequer and development budget. It has therefore been decided by the Competent Authority to close the Community Schools and terminate the services of Community Schools teacher/class IV working in these schools with one month notice under intimation to this office.

I am therefore directed to request you to immediately issue notices to teaching/non teaching staff of the non functional Community Schools in the closed areas on OR before 30.11.2010 for termination of their services w.e.f. 31.12.2010 and report compliance to this office.

Dy: Director (P&M)

Encl: No. 2109-271

Copy to :-

1. All Political Agents in FATA.
2. DCO Peshawar, Kohat, Lakki, Bamu, Tank, D.I.Khan
3. PS to Additional Chief Secretary FATA
4. PS to Secretary A&C FATA
5. PS to Secretary Finance FATA
6. PS to Secretary P&D FATA
7. PA to Director Education FATA

Dy: Director (P&M)



FATA SECRETARIAT
DIRECTORATE OF EDUCATION
WARSAK ROAD PESHAWAR, PAKISTAN
PHONE 091-9210166 FAX 091-9210216
No. 88-37 Dated. 13/12/2010

To

All the Agency Education Officer
in FATA

Subject:

**CLOSURE OF ALL COMMUNITY SCHOOLS IN FATA W.E.F
21.12.2010**

Memo.

I am directed to convey the policy of decision of the competent authority on the above noted subject and to ask to close all the community schools in FATA w.e.f 31.12.2010. the teachers and class-IV working in these schools should be given a notice to the effect that their services will be dispensed with 31.12.2010. however they may be given preference in recruitment against regular posts be given experience marks for his service rendered in community schools as per policy. The regular vacant posts be advertised immediately and recruitment process completed as per prescribed procedure on priority.

-sd-

Deputy Director (P&M)

Endst. No. 8888-89

1. Additional Chief Secretary FATA.
2. Secretary Governor Khyber Pakhtunkhwa.
3. Secretary AI&C Department FATA.
4. Secretary P&D FATA Secretariat Peshawar.
5. Secretary LAW & Order FATA Secretariat Peshawar.
- 6-12. All the political Agents in FATA.
- 13-18. Districts Coordination Officers Peshawar, Kohat, Bannu, Lakki, Tank and DI Khan.
19. AGPR sub Office Peshawar.
- 20-26. All Agency Account Officers.
- 27-32. District Account Officers, Kohat, Lakki, Bannu, DI Khan, Tank.
33. PA to Director Education FATA.

ATTESTED

-sd-

Deputy Director (P&M)

E-20

FROM : J

FRX NO. : 5200467

13 Jan. 2011 01:01PM P1

DIRECTORATE OF EDUCATION
FATA K.P.K PESHAWAR

No. 9769-78 / 1

Dated: - 12/01/2011

To,

All the Agency Education Officer,
in FATA.

SUBJECT:- SCRUTINY VERIFICATION OF WORKING COMMUNITY SCHOOLS.

Memo

I am directed to enclose herewith a copy of letter No. PS/SO(Edu)/1-0/Misc/2010/194-210 dated 12.01.2011 of FATA Secretariat on the above noted subject for information and necessary action at your end on priority.

Dy: Director (P&M)

Endst: No. _____ /

Copy to the:-

1. PS to Secretary A&C, FATA.
2. P.A to Director Education FATA.

E



of (Admin & Co.)

21
FATA SECRETARIAT
PESHAWAR

No. IS/50(24)/1-0/Misc/2
12-01-2011 / 194-210

All Political Agents in FATA/DCOs FRs

Subject: Scrutiny verification of working Community Schools.

After receiving a lot of reports from the Political Agents and other official sources, the Fata Secretariat, with the approval of the competent authority, has decided to carry out a meaningful scrutiny verification of Community Schools all over FATA. This is more so important to ensure efficiency and efficacy in the utilization of public money especially in education sector where the problems of ghost schools and teachers have been reported often. In such circumstances the following Committee stands constituted in order to carry out such verification in the order as given at Para 2:-

Scrutiny Committee

- Political Agent/ Additional Political Agent
- Representative of LEAs
- Agency Education Officer
- Member from Teachers Association/Press
- **Scrutiny Schedule**

- **0-10 days:** Verification of actual presence of teachers by the Committee: On or before 20-01-2010 and collection of academic certificates. The teachers are to be asked to appear before the Committee on the given day with their CNICs and educational certificates.

- **11-20 days:** Verification of academic certificates. The Certificates are to be got verified from the concerned Boards through special messengers.

- **21-30 days:** Submission of names by verified community school teachers with verified credentials to Fata Secretariat/Directorate of Education. During this same time Community Teachers would be asked to provide names and particulars of students studying in gher School.

- **31-45 days:** Submission of Form B of Such students by the Community School Teachers.

- **46 - 60 days:** Final scrutiny by the committee and submission of report to FATA Secretariat.

It must be noted that on physical verification of a Community School Teacher's presence, the educational qualification forming the basis of his appointment and the presence of required students in the School would the spy and emoluments of such a teacher be released. You are therefore to ensure that the scrutiny verification is carried out swiftly but properly with involvement of all stake holders.

Timely action is expected please.


(Muhammad Abid Majeed)
Secretary A&C FATA

Copy to :

- 1- ✓ Director Education FATA
- 2- PS to ACS FATA



To: All the Agency Education Officers in FATA

Subject: Re-Opening of Functional Community Schools at Agency/FR Level

Memo:

In partial modification of this office letter No.5795-5810 dated 20.8.2011 on the above cited subject, I am directed to state that all the teachers who had been working in the operational community schools closed on 31.12.2010 may be reappointed in their respective schools w.e.f the date of approval of the scheme for reopening of functional community schools under ADP 2011-12 at each Agency/FR level without going into fresh recruitments, as they have rendered valuable service/experience in community schools.

Addl. Director (P&M)
 Fax No.091-3200467

Encl: No. _____

- Copy forwarded to:-
- 17. All the Political Agents in FATA.
 - 18-13. The District Coordination Officers Peshawar, Kohat, Bannu, Lakki, Tank, D.I.Khan.
 - 14. P.S to Secretary A&C, FATA Secretariat.
 - 15. PS to Secretary P&D, FATA Secretariat.
 - 16. P.A to Director Education FATA.

Addl. Director (P&M)

BETTER COPY OF THE PAGE NO.
FATA SECRETARIAT
DIRECTORATE OF EDUCATION

23

Dated, Pesh the 12/09/2011

To,

All the Agency Education Officers
In FATA

Subject:

RE-OPENING OF FUNCTIONAL COMMUNITY SCHOOLS AT
AGENCY/FR LEVEL

Memo:

In partial modification of this office letter No. 5796-5810 dated 26.8.2011 on the above cited subject, I am directed to state that all the teachers who had been working in the operational community schools closed on 31.12.2010 may be reappointed in their respective schools W.E.F the date of approval of the scheme for reopening of functional community schools under ADP 2011-12 at each Agency/FR level without going into fresh recruitments, as they have rendered valuable service/experience in community schools.

Addl: Director (P&M)
FaxNo: 091-5200467

Endst No. _____/

Copy forwarded to:

- 1-7. All Political Agents in FATA.
- 8-13. The District Coordination Officers Peshawar, Kohat, Bannu, Lakki, Tank, D.I.Khan.
14. PS to Secretary A&C, FATA Secretariat.
15. PS to Secretary P & D, FATA Secretariat, Peshawar.
16. P.A to Director Education FATA.

Dy Director (P&M)

F



All the Agency Education Officers
in FATA.

Subject: **REOPENING OF FUNCTIONAL COMMUNITY SCHOOLS IN FATA
IN THE 1ST WEEK OF OCTOBER 2011**

Memo:

I am directed to refer to the above noted subject and to ask you to reopen all the functional community schools strictly in accordance with the recommendations of the Scrutiny Verification Committees of your respective Agency / FR and direct all the teaching / non-teaching staff of concerned schools to make sure their presence in their respective schools and start academic activities with immediate effect. These schools should immediately be provided Student Attendance registers and free textbooks as per actual enrolment of the students.

You are further directed to process PC-1s of the scheme "Reopening of functional community schools" by including pay of the staff w.e.f 1.10.2011 and process the same for approval of the competent forum within Three days, positively.

Addl: Director (P&M)

Endst No. _____

Copy to the:-

1. All the Political Agents in FATA.
2. District Coordination Officers Peshawar, Kohat, Bannu, Lakki, Tank and DI Khan.
3. PS to Additional Chief Secretary FATA.
4. PS to Secretary Admn: & Coord: FATA Secretariat.
5. PS to Secretary P&D FATA Secretariat.
6. PA to Director Education FATA.

Addl: Director (P&M)

IMMEDIATELY FAX
NATIONAL ASSEMBLY BUSINESS

No.F.11(1)-TAF/2011
GOVERNMENT OF PAKISTAN
STATES AND FRONTIER REGIONS DIVISION

Islamabad, the 23rd December, 2011.

To

The Additional Chief Secretary (FATA),
FATA Secretariat,
Peshawar.

Attention Mr. Muhammad AH (PRO).

SUBJECT: MEETING OF THE NATIONAL ASSEMBLY STANDING COMMITTEE ON STATES AND FRONTIER REGIONS HELD ON 21st DECEMBER, 2011 AT 10.30 A.M. IN PARLIAMENT HOUSE, ISLAMABAD.

Dear Sir,

I am directed to enclose a copy of National Assembly Standing Committee's finding/recommendations on the above subject.

It is therefore, requested that the further necessary action may be taken accordingly.

Encl: As above.

Yours faithfully

Zo
Wakilwan
(ZIR-UR-REHMAN)
Section Officer (TA)

1594
23-12-2011

Circular
3 memo
[Signature]

For info

SAFE
[Signature]
28/12 29/12

Dy Secy (Coord)
Dairy No. 1348
Date 27/12/11
SO _____
RO _____

on case
[Signature]
29/12

Subject: MEETING OF SAFRON HELD ON THE WEDNESDAY 21st DECEMBER, 2011 AT 12:30 PM IN COMMITTEE ROOM NO. 7, PARLIAMENT HOUSE, ISLAMABAD.

Mr. Sajid Hussain Turf, MNA chaired the meeting on Wednesday 21st December, 2011 at 12:30 PM in Committee Room No. 7, Parliament House, Islamabad. The agenda of meeting was as under:-

Following

1. Further discussion on Sanctioned New Employees (SNEs) of all departments lying pending in FATA Secretariat (as decided in the meeting of the Committee held on 02nd December, 2011 that Secretary Finance will brief the Committee on this agenda item).
2. Further discussion on justification for non - release of funds of Rupees 14 billions for creation of 4945 posts of FATA Secretariat since 2009, (as decided in the meeting of the Committee held on 02nd December, 2011 that Secretary Finance will brief the Committee on this agenda item).
3. Status of Community Schools in FATA in light of the decision taken by the Governor KPK and Parliamentarians.
4. Briefing on the performance of Sports Directorate, FATA.
5. Any other item with the permission of the Chair.

2. Mr. Jawed Hussain, MNA, and Malik Asma Gulish, MNA, attended the meeting. Besides Engineer Shaukatullah, Minister for State and Frontier Regions, Mr. Muzib Khan Orakzai, MNA, Mr. Muhammad Kamran Khan, MNA, Mr. Nasir-Haq Qadir, MNA, Mr. Zahir Ullah, MNA and Mr. Hamidullah Jan Akhri, MNA as a Special Invitee and Mr. Habibullah Khan, Secretary, SAFRON, Mr. Arshad Ahmad, FA (SAFRON), Mr. Nadir Ahmad Khan, DFA (SAFRON), Shih Sahib, Secretary, Finance, FATA, Mr. Fozil Memon, Director Education, FATA, Mr. Faizal Jamil Shah, Project Director, Sports (FATA), Mr. Muhammad Jamil, Chairman Community Training also participated.

3. The meeting started with the recitation of Holy Quran. After a long deliberations following findings/recommendations were made:-

Mr. J.S (SAFRON)

Please discuss

Phase

Total 3 cases

Dismissed

Forwarded

follow-up

SECRETARY

11/11

SECRETARY

JOHN O. JOHNSON (SAFRON)
 Dy. Secy. (SAFRON)
 Office: 2011-13772
 Secy. H. H. R. Building

Secretary Office
 Dy. Secy. (SAFRON)
 Office: 2011-13772

FINDINGS/RECOMMEND

4. Ministry of Finance delayed the case for 6 to 6 years for not releasing the funds of 4338 SNEs of FATA Secretariat. Whereas Mr. Arshad Ahmed and Mr. Nadeem Ahmed stated that FATA Secretariat is responsible for delay. Secretary, Ministry of SAFRON will hold meeting and fix the responsibility and inform the Committee. The Committee noted that case is pending since 2002 and FATA Secretariat as well as Ministry of Finance has done nothing.

5. The criteria for distribution of 1200 posts of Education and Health Department should be transparent, rationalized and allocated after consultation of Parliamentarians.

6. The Committee recommended that it is irony that social formalities were completed and relevant FCs were submitted but funds were not released. The allocation for development budget with non-development budget is not rational and it should be decided to increase the budget of non development fund at appropriate level. The funds for FCR tribunal should be released without further delay. Secretary, Ministry of Finance, SAFRON and FATA Secretariat should resolve the issues within one month.

7. The Committee expressed concern that no Additional Secretary from Ministry of Finance has come to attend the meeting. Action will be taken under Rule 237 Rules of Procedure and Conduct of Business of the National Assembly, 2007.

8. The Committee recommended Secretary, Ministry of Finance to regularize/clear 2000 SNEs within week and rest of posts should be cleared without further delay. The agenda was deferred. Next meeting will be held on 5th January, 2011. Secretary, SAFRON, Secretary, Ministry of Finance, FA, DFA and FATA Secretariat will hold meeting before 5th January, 2011 and inform to the Committee.

9. The Committee expressed serious concern for delay by Ministry of Finance relating to "Multi Donor Funds" for FATA which were under consideration since two years and five programs were approved whereas Finance Division has advised to get these funds from ADP, FATA. This item will be discussed in the meeting scheduled to be held on 5th January, 2011.

10. The Committee expressed concern that 871 Community Schools in FATA were closed from 01-01-2011 and the services of all Community School teachers were displaced on 13-10-2010. FATA Secretariat should regularize the services of teachers

3

including their previous services and pay graded salaries as per previous practices without further delay. FATA Secretariat should carry regular visits of schools and make verifications with consultation of MNAs. There is no monitoring system in FATA Secretariat to increase the efficiency and level of education. Secretary, Ministry of SAFRON to look into the matter and direct the concerned quarters.

11. The Committee recommended that Sport Directorate FATA Should furnish agency wise distribution of funds to the Committee Secretary, Ministry of Finance.

*caused
Jan*

12. Minister SAFRON informed that all work in FATA with regard to sports activities was done by himself when he was Minister sports. Every Agency has Sports Complex, mostly are operational. Recently construction of Benazir Bhutto Shahsed Sports Complex including Boxing court Badminton Hall and Fitness Gymnasium hall with allied facilities at Bajaur Agency has been inaugurated by Honorable Engr. Shaukatullah Khan, Federal Minister SAFRON.

13. The meeting ended with vote of thanks.

6





1-29
SENATE SECRETARIAT

Most Immediat

No. F. 2(2)/2011-Com-II

Islamabad, the 12th March, 2012.

Senate Standing Committee on States and Frontier Regions in its meeting held on 9th March, 2012 has advised that the Ministry of Finance and Planning Division should provide Rs.15 billion (as promised) to the FATA Secretariat for the financial year 2011-2012 for the completion of various development schemes in FATA.

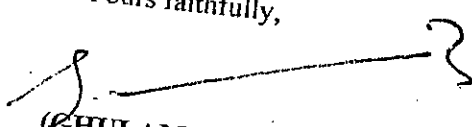
2. Besides the Committee recommended that ex-Parliamentarians of FATA must be invited in official functions/meetings/Jirgas to be held in their respective areas regarding FATA issues.

3. It was also decided that FATA Disaster Management Authority will take all necessary steps to re-settle the flood affectees as well as internally displaced persons (IDPs) due to operation in FATA according to international standard.

4. Finally the Committee advised that problems of the teachers serving in FATA schools may be solved by clearing their all dues and regularization of their services etc.

With regards.

Yours faithfully,


(GHULAM MURTAZA)
JS/Secretary Committee
Ph.No.9212636

The Secretary,
Ministry of States and Frontier Regions,
Government of Pakistan,
Islamabad.

The Secretary,
Ministry of Finance,
Government of Pakistan,
Islamabad.

The Secretary,
Planning Division,
Government of Pakistan,
Islamabad.

Additional Chief Secretary,
FATA Secretariat,
Peshawar.

J-30
23

30-4-12



FATA SECRETARIAT
(SOCIAL SECTORS DEPARTMENT)

SUMMARY FOR GOVERNOR, KHYBER PAKHTUNKHWA

Subject: RECRUITMENT OF COMMUNITY SCHOOL TEACHERS
AGAINST REGULAR POSTS IN FATA

In order to raise literacy level in FATA and make the education available at the doorstep, the project of opening community schools was launched under FATA Annual Developmental Program in 1998. During 1998-2010, 956 Community Schools were opened throughout FATA wherein 1912 teachers (02 per school) were appointed on contract basis.

After receiving reports about the non-functional community schools in FATA, the community schools project was closed and the services of teaching/non-teaching staff working in these schools were terminated with effect from 01.01.2011.

However, on the persistent demand of Teachers Associations and local agents, the FATA Secretariat constituted scrutiny committees under the chairmanship of Political Agents/Additional Political Agents in each Agency/FR to verify the status of closed community schools in FATA and to recommend reopening of functional community schools. A scheme at each Agency/FR level was included in ADP 2011-12. Based on the recommendation of prescribed committees, 742 community schools were reopened throughout FATA, and teachers working in these functional community schools were reappointed on contract basis (Agency wise list of reopened functional community schools is attached at F/A).

It is worth mentioning that the community school teachers in FATA have rendered more than 10 years service on contract basis and have lodged repeated appeals and protests mentioned in the Newspapers for regularization of their services (1/13)

In addition, the National Assembly / Senate Standing Committees for States and Frontier Regions have also recommended the regularization of the services of community school teachers in their meetings held 21.12.2011 and 23.2.2012 in Parliament House, Islamabad (FIC & FAD)

K A



FATA SECRETARIAT
(SOCIAL SECTORS DEPARTMENT)

SUMMARY FOR GOVERNOR, KHYBER PAKHTUNKHWA

10. The proposal contained in Para 09/N is submitted for approval of the Governor, Khyber Pakhtunkhwa, please

A. Usman 30/4/2012
Secretary Social Sectors, FATA

Secretary Finance, FATA (con leave)

Finance Department, 1003, Islamabad para-9/N

[Signature]

ADDITIONAL SECRETARY
Finance Department
Secretariat

Addl. Chief Secretary, FATA

12. *Para - 9/N is submitted for approval.*

[Signature]
Additional Secretary
FATA

Governor, Khyber Pakhtunkhwa

13. *Para 9 approved.*

[Signature]
Governor
Khyber Pakhtunkhwa

[Signature]
~~ACS~~

[Signature]

D.E.

[Signature]
4/5

[Signature]

9/5



SUMMARY FOR GOVERNOR, KHYBER PAKHTUNKHWA

i) The total working strength of community school teachers in FATA is 1432 (846 female + 586 male) as per Agency Education Officer break up given at F/15. 15 of them are untrained and not qualified for regular posts vide F/17. Similarly, 259 female teachers are non-local and can only be considered for appointment against regular posts after adjustment of local qualified females F.G. Under the directions of ACS, FATA, the Additional Political Agents have been directed to reverify the existence of the Community Schools, presence of teachers and enrolment of students. These verification reports will be received in a few days and the lists of schools and teachers will be updated/corrected accordingly.

ii) There are 303 existing vacant PTC (BS-7) posts in FATA SNE for creation of 542 PTC posts has been sent to SAFRON Division, Islamabad while that of 192 posts is under process with Finance Department, FATA Secretariat as per details given at F/17 which are expected in the near future.

iii) A similar issue of adjustment of community school teachers against regular PTC posts had been resolved in the year 2007 by moving a summary for approval of the Governor with the proposal to adjust those community school teachers against regular posts who had been selected on merit and possessed the prescribed professional and academic qualification with more than 03 years service at their credit. The services of those who did not possess the prescribed qualification and experience for PTC posts were dispensed with (F/17). The proposal was very kindly approved by the Governor and instructions issued to all Agency Education Officers accordingly (F/17).

iv) Keeping in view their long teaching experience and services rendered for the promotion of literacy in FATA, it is proposed that the community school teachers, who qualify to be posted against the PTC (BS-7) may be considered for appointment against regular posts in phased manner purely on merit basis as per existing recruitment criteria but in relaxation of upper age limit. The available 303 regular vacant posts in the newly constructed Primary/Middle schools in FATA will be filled up from amongst the community school teachers and no fresh candidates considered for recruitment till all the community school teachers are absorbed against regular posts in FATA. The 259 non-local teachers will be considered for appointment after adjustment of local qualified teachers. The services of unqualified teachers shall be dispensed with. This entails that the community schools would be closed down & teachers would shift to constructed schools, not necessarily in the same location. The respective community schools students would be shifted to nearby regular schools. No further recruitment of community school teachers will be made.



FATA SECRETARIAT
Social Sectors Department
Warsak Road Peshawar

K-33

Notification

No. SO(E)/SSD/CSTR/99-108/ The Governor Khyber Pakhtunkhwa in his capacity as the Competent Authority has been pleased to approve the re-appointment of Community School Teachers who qualify to be posted against the regular posts of PST (BS-7) in phased manner at the respective Agencies & FRs, purely on merit basis in accordance with the existing recruitment criteria but in relaxation of upper age limit with immediate effect as specified below.

1. The available regular vacant PST (BS-7) posts in the Primary/Middle Schools in FATA will be filled up from amongst the Community School Teachers and no fresh candidate considered for recruitment till all the eligible Community School Teachers are absorbed against regular posts in their respective Agencies/FRs.
2. The non-local eligible Community School Teachers shall be considered for re-appointment against the regular vacant posts of PST (BS-7) after adjustment of local qualified teachers.
3. The services of the un-qualified teachers shall be dispensed with.
4. The Community Schools whose teachers are appointed and shifted to other schools against regular posts, would be closed down.
5. The respective Community Schools students would be shifted to nearby regular schools and no further recruitment of Community School teachers will be made.

Secretary
Social Sectors Department,
FATA Secretariat, Peshawar

Endst No. Even Dated Peshawar the 11/05/2012

Copy forwarded to the:-

1. Secretary to Governor, Khyber Pakhtunkhwa Peshawar.
2. Addl: Accountant General (PR) Sub Office Peshawar.
3. Director Education FATA, Peshawar.
4. All Political Agents in FATA.
5. DCO Peshawar, Kohat, Bannu, Lakki, D.I.Khan & Tank.
6. Agency/ District Accounts Officers concerned
7. All the Agency Education Officer in FATA
8. PS to Additional Chief Secretary FATA Peshawar.
9. PS to Secretary Social Sectors Department, FATA Secretariat, Peshawar.
10. PS to Secretary P&D, FATA Secretariat, Peshawar.

Azd/W
Section Officer (Edu) SSD
FATA Secretariat, Peshawar

2012

2-34



FATA SECRETARIAT
 DIRECTORATE OF EDUCATION
 WARSAK ROAD PESHAWAR, PAKISTAN
 PHONE: 091-9210100 FAX: 091-9210110
 No. 10380
 Date Pesh: the 02/09/2013.

To
 The Agency Education Officer,
 Khyber Agency.

Subject:- Guidance for Regularization of Community School Teachers.

Memo.- I am directed to refer to your letter No.4596 dated 23.8.2013 on the subject cited above and to state that ban is only for initial recruitment not on adjustment/regularization.

Re-appointment of Community Teachers are adjustment/regularization as per governor's policy.

RVD

[Signature]
 Asst: Director (P&D)

Encls. No. _____

Copy forwarded to the:-

1. P.A to Director Education FATA Peshawar.

[Signature]
 Asst: Director (P&D)

2013

71

35



29-10-15

FATA SECRETARIAT
DIRECTORATE OF EDUCATION
WARSAK ROAD PESHAWAR, PAKISTAN
PHONE 091-9210166 FAX 091-9210216
NO. _____ DATED 29/10/2015

Notification

Consequent upon approval of the Competent Authority the adjustment of Community School Teachers who qualify to be posted against the regular posts of PST (BPS-7) is allowed against regular vacant PST posts purely on merit basis in accordance with the existing approved policy regarding re-appointment of Community School Teachers with immediate effect.

Secretary Social Sectors FATA

Endst. No. 2085-90

Copy forwarded for information to the:-

1. PS to Additional Chief Secretary FATA
2. PS to Secretary SSD FATA.
3. PS to Secretary AI&C FATA.
4. Agency Education Officers in FATA.
5. Agency Account Officers in FATA.
6. P.A to Director Education FATA

Addl: Director (P&M)

2013

M-36

محمد غفران




OFFICE OF THE AGENCY EDUCATION OFFICER NORTH WAZIRISTAN AGENCY MIRANSHAH

RE-APPOINTMENT ORDER

Consequent upon the notification Vide No. SO/(E)/SSD/CSTR/99-108 dated 11/5/2012 and recommendation by Departmental Selection Committee, Court decision dated 17/5/2016 of the W.P No.367/B/2015 Mr. Muhammad Ghufan S/o Anayafullah trained PTC Teacher of Communal Schools in N.W Agency is hereby Re-Appointed against vacant PTC post at GPS Muhammad Amin Tehsil Ghulam Khan (N.W A) against vacant post in BPS-07 @ Rs.(9220-510-24520) per month plus usual allowances as admissible under the rules with immediate effect from the date of his taking over charge in the interest of Public service.

TERMS & CONDITIONS:

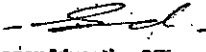
8. His Re-appointment has been made on temporary basis subject to terms and condition framed by the Government from time to time. Moreover his Re-Appointment can be withdraw & is liable to termination without any notice, if any legal, clerical or other kind of mistake arises therein. If she wishes to resign from service, she will be given one month's prior notice of one month's fully pay will be forfeited in lieu thereof.
9. In case she failed to acquire the prescribed professional/academic qualification within stipulated time. Her re-appointment order will stand cancelled automatically.
10. If she failed to resume her charge within 15 days his re-appointment order will be considered as cancelled.
11. His pay will not be drawn till the verification from the concerned University/ Board/ Institution. Moreover she will be terminated if her Certificate/ Degree are found fake/ bogus or tampered with at any stage.
12. The Re-Appointee will be entitled to the benefits as admissible to civil servants.
13. If the Re-Appointees concealed or submitted wrong information, disciplinary action will be initiated against him.
14. Charge Report should be submitted in duplicate to all concerned.


Agency Education Officer
North Waziristan Agency

Ends: No. 1235-40 / Re-Appointment/PTC/AEO/NWA Dated: 25/11/2016.

Copy to the:

7. Director of Education (FATA) NWFP Peshawar, for information please.
8. Political Agent NWA Miranshah.
9. The Register High Court Peshawar Bannu Banch Bannu.
10. Agency Accounts Officer Miranshah.
11. Accountant local office.
12. Candidates Concerned.


Agency Education Officer
North Waziristan Agency

M-1

محضوری جناب ڈائریکٹر ایجوکیشن صاحب خیبر پختونخواہ پشاور

درخواست برائے سابقہ سروس Benifit and increments بحالی

کتاب عالی

مہربان گزارش ہے کہ ہم سرسبز کی گزار PST اساتذہ کرام ہی سالوں سے زائد سروس کے تسلسل کے ساتھ باکس اصلاح کے کی پیش کمال پرائیڈ میں
 تعلیمات میں رہیں۔ بارہ اخیر بعد مسلسل کے بعد پار لیجان کی کارکن کیٹیورن براہ سطر ان ذویان اور دیگر انزیشن کینی کے سفارشات اور گورنر خیبر پختونخواہ کے احکامات کے
 و سوں کی پیش کی اساتذہ کی سروس اور سروس اپنے صحت (صحت کی رعایت) کے ساتھ ہوتی رہی۔ لیکن پار لیجان کے کارکن کیٹیورن برائے سطر ان اور دیگر انزیشن کینی کے سفارشات اور
 گورنر خیبر پختونخواہ کے احکامات کے برخلاف اساتذہ کی کٹگریٹ صحت کو موجودہ تعمیراتی (Inatal Recrutment) قرار دے کر سابقہ سروس، مراعات واجبات واجبات سے سروس فراہم کر کے ان
 اساتذہ کو بحال و متقبل میں سیداری پر موشن اور رکارڈ منٹ کے وقت پیش کرے مگر بحال کے حقوق سے محروم رکھا۔ حالانکہ برطانیہ و دیگر انزیشن کینی کے
 نمبر 100-SO(E)SSD/CSTR99-11-05-2012 اور گورنر اعلیٰ حکم نامہ نمبر SO-1/1-1GS/2012 کے مطابق کینی اساتذہ کی سروس مستحق ہیں۔
 کٹگریٹ اپرائیڈ سروس کے بنیاد پر ہوتی ہے۔ جبکہ KPK میں دیگر پرائیڈ اساتذہ کے سابقہ سروس بانیٹ کے حق میں پشاور ہائیڈروٹ اپریٹنگ اساتذہ کی سروس
 ملتا ہے۔ جس کے متعلق قانونی و اخلاقی اور شوٹ یہ ہیں۔

GOVT of KPK, FINANCE DEPARTMENT (REGULATION WING) Endsi No.FD(PRC) 5-2/2002 Dated Peshawar The dated 30-10-2009

(1) GRANT OF ANNUAL INCREMENT TO FIX PAY TEACHERS IN THE LIGHT OF SUPREME COURT JUDGMENT (That all those teachers who were appointed on fix pay and were subsequently regularized against their posts, on acquiring completing requisite training successfully, would be entitled for such benefits of annual increments from the date of their first appointments as such but without arrears

(2) As per S No 10 of the recommendation of the standing committee of SAFRON held on 21 st December, 2011 at the Parliament House Islamabad (F/A) FATA Secretariat should regularize the service of the Community School Teachers according to their previous services and granted salaries as per previous practice without further delay

(3) As per S No 4 of the senate standing committee of SAFRON date 09-03-2012 finaly committee advised that problems of contractual teachers serving in FATA school may be solved by clearing their all dues and regularization of their services and

Countable, 5994, 6059 مورخہ 12-10-2011 کی پیش سکرول پرائیڈ میں دوبارہ تعمیرات اساتذہ کی سابقہ پرائیڈ اساتذہ کی سروس کو Valueable

10380 مورخہ 02-09-2013 میں وضاحت موجود ہے۔ کہ کینی اساتذہ کی سروس مستحق ہیں۔
 2015-16 مورخہ 29-10-2015 اور اس نمبر 10380 مورخہ 02-09-2013 میں وضاحت موجود ہے۔ کہ کینی اساتذہ کی سروس مستحق ہیں۔
 (Inatal Recrutment) نہیں۔ جبکہ گورنر پالیسی کے مطابق سروس ریگولرایڈ صحت ہے
 اساتذہ کی سروس میں ان اساتذہ کے سابقہ سروس مع واجبات واجبات کے اذکارات حاد و قمرہ ترانسف کا یوں ہونا چاہئے
 میں توازن ہوگی۔

P

درخواست برائے سابقہ سروس Benefit and increments بحالی

مودبانہ گزارش ہے کہ ہم عرضی گزار PST اساتذہ کرام دس سال سے زائد عرصہ تک تسلسل کے ساتھ قابل اضلاع کے کیوٹل سکول پراجیکٹ میں خدمات سرانجام دیتے رہیں۔ بالآخر جہد مسلسل کے بعد پارلیمان کی قائمہ کمیٹیوں برائے سیران ڈویژن اور ریگولر ایزیشن کمیٹی کے سفارشات اور گورنر خیبر پختونخوا کے احکامات کی روشنی میں کیوٹل سکول پراجیکٹ اساتذہ کو ان کی پراجیکٹ میں ابتدائی تقرری کے مدت سے مع واجبات و بقایا جات سروس ریگولر ایزیشن کمیٹی کا حق تسلیم کیا گیا، جس کی رو سے دستیاب PST پوسٹوں پر کیوٹل اساتذہ کی مرحلہ وار سروس ایڈجسٹمنٹ (حد کی عمر کی رعایت) کے ساتھ ہوتی رہی لیکن پارلیمان کے قائمہ کمیٹیوں برائے سیران اور ریگولر ایزیشن کمیٹی کے سفارشات اور گورنر خیبر پختونخوا کے احکامات برعکس ان اساتذہ کی کنٹریکٹ عرصہ ملازمت سروس کو ابتدائی پراجیکٹ سروس سے سابقہ سروس Valuable/Countable تسلیم کرنے کے بجائے ان اساتذہ کی سروس ریگولر ایزیشن کمیٹی کو موجودہ تعیناتی (In tail Recruitment) قرار دے کر سابقہ سروس مراعات واجبات و بقایا جات سے محروم کر کے ان اساتذہ کو حال و مستقبل میں سناریٹی پر موشن اور ریٹائرمنٹ کے وقت پنشن گریجویٹی حقوق سے محروم رکھا، حالانکہ بمطابق ریگولر ایزیشن نوٹیفکیشن نمبر SO(E)SSD/CSTR99-109 مورخہ 11/05/2012 اور گورنر انتظامی حکمانہ نمبر SO-1/1-1GS/2012 کے مطابق کیوٹل اساتذہ کی سروس مستقلی ان کی کنٹریکٹ پراجیکٹ سروس کے بنیاد پر ہوئی ہے جبکہ KPK میں دیگر پراجیکٹ / کنٹریکٹ ملازمین کے سابقہ سروس بینیفٹ کے حق میں پشاور ہائیکورٹ اسپریم کورٹ بھی فیصلے دے چکی ہے، جس کے متعلق حقائق و دلائل اور ثبوت یہ ہیں۔

GOVT of KPK, FINANCE DEPARTMENT (REGULATION WING) Endst No.FD(PRC) 5-2/2002
Dated Peshawar The dated 30-10-2009

(1) GRANT OF ANNUAL INCREMENT TO FIX PAY TEACHERS IN THE LIGHT OF SUPREME COURT JUDGMENT (That all those teachers who were appointed on fix pay and were subsequently regularized against their posts, on acquiring completing requisite training successfully, would be entitled for such benefits of annual increments from the date of the first appointments as such but without arrears

(2) As per S No. 10 of the recommendation of the standing committee of SAFRON held on 21 st December, 2011 at the parliament House Islamabad (FIA) FATA Secretariat should regularize the service of the Community School Teachers including their previous services and granted salaries as per previous practice without further delay

(3) As per S No 4 of the senate standing committee of SAFRON date 09-03-2012 finally committee advised that problem of communal teachers serving in FATA school may be solved by clearing their all duse and regularization of their service etc

(4) مراسلہ نمبر 5994-6006 مورخہ 12/10/2011 کیوٹل سکول پراجیکٹ میں دوبارہ تعینات اساتذہ کی سابقہ پراجیکٹ / کنٹریکٹ سروس کو Valuable/Countable تسلیم کیا گیا۔

(5) مراسلہ نمبر 2085-90 مورخہ 29/10/2015 اور مراسلہ نمبر 10380 مورخہ 02/09/2013 میں وضاحت موجود ہے کہ کیوٹل اساتذہ سروس مستقلی ابتدائی تعیناتی (Initial Rrecruitment) نہیں بلکہ گورنر پالیسی کے مطابق سروس ریگولر ایزیشن کمیٹی ہے۔

لہذا مندرجہ بالا شواہد و حقائق کے روشنی میں ان اساتذہ کے سابقہ سروس مع بقایا جات ادا کیگی کے احکامات صادر فرما کر انصاف کا بول بالا کیا جائے۔
عین نوازش ہوگی۔



0-38

DIRECTORATE OF EDUCATION
NEWLY MERGED TRIBAL DISTRICTS
WARSAK ROAD PESHAWAR, PAKISTAN
PHONE: 091-9210166 FAX 091-9210167
No. /Date Pesh: the /

NOTIFICATION.

The Competent Authority is pleased to regret the appeal of the commuted teachers for their regularization from retrospective effect on the recommendations of the appellate committee in the meeting held on 20/7/2017 as not admissible under the rules and policy.

Endst: No. 11096-99 /-

Copy forwarded to the:-

1. District Education Officer, Khyber District.
2. PA to Director Education NMTD.
3. Teachers concerned.

DIRECTOR EDUCATION NMTD

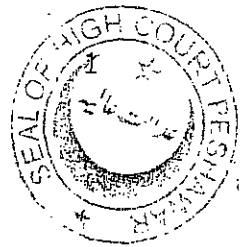
Dated Pesh: the 29/08 /2018.


Deputy Director (Estab.)



P-39

IN THE PESHAWAR HIGH COURT, PESHAWAR



W.P No. 14597 2018

1. Anzar Gul S/O Zar Din, PST,
Government Primary School,
Saeed Ullah Jan Kalley,
Bara Khyber Agency.
2. Sadiq Ahmad S/O Sher Jan, PST,
Government Primary School
Toor Dara Jamrood Khyber Agency.
3. Khial Gul S/O Zahir Shah, PST,
Government Primary School Toor Dara,
Jamrood Khyber Agency.
4. Mohibullah S/O Ihsan Ullah, PST,
Government Primary School Toora
Tara Jamrood Khyber Agency.
5. Irat Khan S/O Ilyas Khan, PST,
Government Primary School Jani Khel,
Jamrood Khyber Agency
6. Muhammad Jan S/O Allah Baz, PST,
Government Primary School Nazar
Kalley, Landi Kotal Khyber Agency
7. Arman Gul S/O Lal Mat Khan, PST,
Government Primary School
Rekaley Jamrood Khyber Agency.
8. Ameen Shah S/O Mustan Shah, PST,
Government Primary School
Choorra No. 03, Jamrood Khyber Agency.
9. Rehman Gul S/O Ghirat Gul, PST,
Government Primary School Attari,
Jamrood Khyber Agency.
10. Sabit Khan S/O Gul Mar Jan, PST,
Government High School Choorra,
Jamrood Khyber Agency.

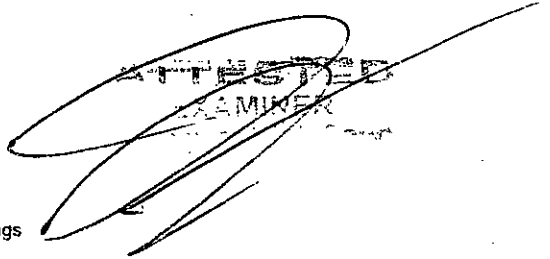
ATTESTED
EXAMINER
Peshawar High Court

11. Shah Wali S/O Payo Noor, PST,
Government Primary School
Flazoo Kalley, Jamrood Khyber Agency.
12. Sajid Ahmad S/O Payo Khel, PST,
Government Primary School Wazir
Dand, Jamrood Khyber Agency.
13. Noorat Khan S/O Awal Khan, PST,
Government Primary School
Jawara Manla, Jamrood Khyber Agency.
14. Mushtaq Ullah S/O Abdul Qahar, PST,
Government Primary School
Nawar Manla, Jamrood Khyber Agency.
15. Tariq Khan S/O Khan Sahib Khan, PST,
Government Primary School Khan Mast
Kalley, Jamrood Khyber Agency.
16. Shufqat Ullah S/O Gul Sald Khan, PST,
Government Primary School Khadim
Kalley, Jamrood Khyber Agency.
17. Jam Dad Khan S/O Jan Muhammad Khan,
PST, Government Primary School Wallo Milla,
Jamrood Khyber Agency.
18. Sher Zali S/O Khan Badshah, PST,
Government Primary School Meer
Ahmad Shah Kalley, Jamrood Khyber Agency.
19. Umar Khan S/O Lal Mat Khan, PST,
Government Primary School Redi Gul
Kalley, Jamrood Khyber Agency.
20. Saleh Jan S/O Khaista Meer, PST,
Government Primary School
Lashora Jamrood Khyber Agency.
21. Abdul Qadir S/O Abdul Jalil, PST,
Government Middle School Sher
Afzal Kalley, Jamrood Khyber Agency.
22. Muhammad Wakeel S/O Abdul Jalil, PST,
Government Primary School Kambila
Malagori, Khyber Agency.

ATTESTED
EXAMINER
Peshawar High Court

23. Fazale Rehman S/O Masooz Khan, PST,
Government Primary School Mian
Jaffar Shah Kalley, Jamrood Khyber Agency.
24. Istekhar Khan S/O Rooh Khan, PST,
Government Primary School Pastoki,
Landi Kotal Khyber Agency.
25. Farid Ullah S/O Kabal Sher, PST,
Government Primary School Gulab
Kalley, Landi Kotal Khyber Agency.
26. Serfarz Khan S/O Anwar Khan, PST,
Government Primary School Jawara
Mela, Malagori Khyber Agency.
27. Janab Khan S/O Shoghli Maan Khan,
PST, Government Primary School
Lashora Jamrood Khyber Agency.
28. Samad Meer S/O Muhammad Said,
PST, Government Primary School Lal
Mat Kalley, Jamrood Khyber Agency.
29. Islam Gul S/O Nabat Khan, PST,
Government Primary School Fazal
Ahmad Kalley, Jamrood Khyber Agency.
30. Gulab Sher S/O Aqal Meer, PST,
Government Primary School
Malak Sardar Meer Kalley,
Jamrood Khyber Agency.
31. Muhammad Saeed Khan S/O
Enzar Gul, PST, Government Primary
School Zabit Khan Kalley,
Jamrood Khyber Agency.
32. Umar Said S/O Sir Meer Khan, PST,
Government Primary School
Chapari, Jamrood Khyber Agency.
33. Hunar Said S/O Sir Meer Khan, PST,
Government Primary School Kambilla,
Jamrood Khyber Agency.
34. Anzal Khan S/O Kazam Baig, PST,
Government Primary School
Gujjar Dand, Jamrood Khyber Agency.

ATTESTED
EXAMINER



35. Fazal Rabi Khan, S/O Ghulam Nabi, PST,
Government Primary School, Ali Masjid,
Jamrood Khyber Agency.
36. Mir Habib S/O Fazal Khan, PST,
Government High School Badshah
Meer Kalley, Jamrood Khyber Agency.
37. Wazir Khan S/O Said Ullah Khan,
PST, Government Primary School
Sandana, Bara Khyber Agency.
38. Khyal Batt Khan S/O Doulat Khan, PST,
Government Higher Secondary School
Speen Dand, Jamrood Khyber Agency.
39. Samin Gul S/O Zar Khalil, PST,
Government Primary School Sher
Bahadar Kalley, Bara Khyber Agency.
40. Yar Muhammad S/O Mirza Gul, PST,
Government Primary School Zareef Kalley,
Bara Khyber Agency.
41. Muhammad Khan S/O Shaus Khan, PST,
Government Primary School Raza Khan,
Bara Khyber Agency,
42. Miraj Gul S/O Zain Gul, PST,
Government Primary School Kotkal
Tirah, Bara Khyber Agency.
43. Abid Khan S/O Zain Gul, PST,
Government Primary School Zafar Khan
Kalley, Bara Khyber Agency.
44. Hujat Khan S/O Samand Khan, PST,
Government Primary School Azam Din,
Bara Khyber Agency.
45. Said Ghani S/O Anar Gul, PST,
Government Primary School Kotaki,
Bara Khyber Agency.
46. Siraj Akbar S/O Muqeem Khan, PST,
Government Primary School Mamal Mela,
Bara Khyber Agency.

ATTESTED
EXAMINER
Peshawar High Court

47. Karna Khel S/O Talib Shah, PST,
Government Primary School
Mashkanara Mela, Bara Khyber Agency.
48. Syed Ahmad S/O Lal Madar, PST,
Government Middle School
Sheen Kamar, Bara Khyber Agency.
49. Hameed Ullah S/O Afsar Khan, PST,
Government Primary School Choorra,
Bara Khyber Agency.
50. Iqbal Hussain S/O Zar Muhammad,
PST, Government Primary School
Zangal Bara Khyber Agency.
51. Shahid Khan S/O Muqam Din, PST,
Government High School Jafar Khan Kalley,
Bara Khyber Agency.
52. Suleman Shah S/O Gul Badshah,
PST, Government Primary School Pastokl,
Bara Khyber Agency.
53. Shah Je Khan S/O Gul Zameer, PST,
Government Primary School Zafar Kalley,
Bara Khyber Agency.
54. Abdul Qayum S/O Rehmat Gul, PST,
Government Primary School Gulab Khel,
Bara Khyber Agency.
55. Gul Amin S/O Angar Khan, PST,
Government Primary School
Khuramtan Kalley, Bara Khyber Agency.
56. Gul Zaman S/O Storee Khan, PST, *stori Khel.*
Government Primary School
Yar Hamza Kalley, Bara Khyber Agency.
57. Raj Muhammad S/O Zahir Shah,
PST, Government Primary School
Kotkai, Bara Khyber Agency.
58. Bakht Mar Jan S/O Qandahar Khan, PST,
Government Primary School Habib Shah,
Bara Khyber Agency.

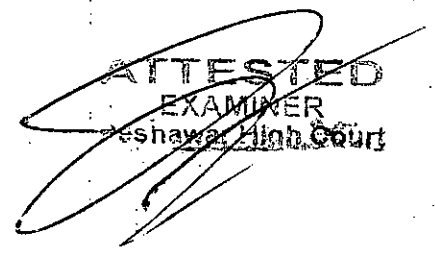
ATTESTED
EXAMNER
Peshawar High Court

59. Raees Khan S/O Nauroz Khan, PST,
Government Primary School
Jafar Khan Kalley, Bara Khyber Agency.
60. Mir Akbar S/O Gul Akbar, PST,
Government Primary School Zangai,
Bara Khyber Agency.
61. Muhammad Raziq S/O Noor Zada,
PST, Government Primary School
Baber Khel Kalley, Bara Khyber Agency.
62. Gull Jan S/O Baghwan Gul, PST,
Government Primary School
Zafar Kalley, Bara Khyber Agency.
63. Shariat Khan S/O Lal Mar Jan, PST,
Government Primary School
Zafar Kalley, Bara Khyber Agency.
64. Abdul Rehman S/O Paya Khan, PST,
Government Primary School
Bine Bara Khyber Agency.
65. Irfan Ullah S/O Chaman Khan, PST,
Government Primary School Zangi,
Bara Khyber Agency.
66. Khaista Noor S/O Waliyat Shah, *waliyat shah*
PST, Government Primary School
Hayat Mir, Bara Khyber Agency.
67. Gul Hameed S/O Noor Zaden, PST,
Government Primary School
Hukam Shah, Bara Khyber Agency.
68. Sa'eeda Jehanzeb D/O Jehanzeb, PST,
Government Girls Primary School
Yar Gul Khel Kalley, Bara Khyber Agency.
69. Sajid Ullah S/O Gul Samand, PST,
Government Primary School
Sandana, Bara Khyber Agency.
70. Zenat D/O Abdul Qayum, PST,
Government Girls Primary School
Hayat Shah, Bara Khyber Agency.

ATTESTED
EXAMINER
Peshawar High Court

- 71. Nadia Tabasum D/O Fazal Rahim,
PST, Government Girls Primary School
Sandana, Bara Khyber Agency.
- 72. Farzana Jabeen D/O Qamar Din, PST,
Government Girls Primary School
Sultan Khel, Bara Khyber Agency.
- 73. Roeeda Gul D/O Zareen Khan, PST,
Government Girls School Islam Gul,
Bara Khyber Agency.
- 74. Rubina Shaheen D/O Faqir Muhammad,
PST, Government Girls Primary School
Amir Khan Kalley, Bara Khyber Agency.
- 75. Shakeela Bano D/O Ghulam Muhammad,
PST, Government Girls Primary School
Kapar Tangi, Bara Khyber Agency.
- 76. Salma Khan D/O Dr. Khan, PST,
Government Girls Primary School
Mkkhar Kot, FR Tank.
- 77. Basroo D/O Muhammad Zaman, PST,
Government Girls Primary School
Payo Kot, FR Tank.
- 78. Zainab Bibi D/O Hussain, PST,
Government Girls Primary School
Nawaz Khan Korona, FR Tank.
- 79. Taj Bibi D/O Qalam Khan, PST,
Government Girls Primary School
Mussam Khan, FR Tank.
- 80. Amna Bibi D/O Esa Khan, PST,
Government Girls Primary School
Akram Khan, FR Tank.
- 81. Zaheena Sayed D/O Noor Muhammad Khan,
PST, Government Girls Primary School
Denak, FR Tank.
- 82. Ambareen Bibi D/O Ghulam Qadir, PST,
Government Girls Primary School
Ghulam Sahee, FR Tank.

ATTESTED
EXAMINER
 Peshawar High Court



83. Bilal Khan S/O Mamid Khan, PST,
Government Primary School
Shahbaz Kot, North Waziristan Agency.
84. Abdul Ghafoor Khan S/O Gul Abad Khan,
PST, Government Primary School
Neik Umar Kot, NWA.
85. Afrasiyab Khan S/O Akhtar Ali Khan,
PST; Government Primary School
Surma Jan Kot, NWA.
86. Aziz Ullah S/O Payel Khan, PST,
Government Primary School
Macha Khel, NWA.
87. Nor Zali Khan S/O Ghulam Jalil Khan,
PST, Government Primary School
Dewgar Saidgi, NWA.
88. Abdul Mutalib Khan S/O Sakhi Mar Jan,
PST; Government Primary School
Issor Kot, NWA.
89. Muhammad Ilyas S/O Badruzaman,
PST, Government Primary School
Nimat Kot, NWA.
90. Muhammad Ghufuran S/O Inayat Ullah Khan,
PST, Government Primary School
Muhammad Amin Kot, NWA.
91. Ubaid Ullah Khan S/O Niaz Bat Khan,
PST, Government Primary School
Khwaja Wani, NWA.
92. Gul Attaullah S/O Umar Khan, PST,
Government Primary School
Muhammad Amin, NWA.
93. Hamid Ullah S/O Amir Muhammad, PST,
Government Primary School
Fazal Rehman, NWA.
94. Muhammad Zaman S/O Hazrat Khan,
PST, Government Primary School
Jalalabad Kot, NWA.

ATTESTED
EXAMINER
Peshawar High Court

- 95. Tehsil Khan S/O Bakhel Jan, PST,
Government Primary School
Payo Jan Kot, NWA.
- 96. Muhammad Aslam Khan S/O Gul Rehman,
PST, Government Primary School
Wali Mad Khan Kot, NWA.
- 97. Noor Sala Khan S/O Yaqoob Khan, PST,
Government Primary School
Niamat Kot, NWA.
- 98. Shah Wazir S/O Yaqoob Khan, PST,
Government Primary School
Mir Ali Camp, NWA.
- 99. Baz Muhammad Khan S/O
Muhammad Azam Khan,
PST, Government Primary School
Rai Khan Kot, NWA.
- 100. Abid Ullah Khan S/O Mir Kalam Khan,
PST, Government Primary School
Abdi Khel, NWA.
- 101. Javid Iqbal S/O Amir Akbar, PST,
Government Primary School
Fateh Khan Kot, NWA.
- 102. Amal Khan S/O M. Nawaz Khan,
PST, Government Primary School
Rai Khan, NWA.
- 103. Atta Muhammad S/O Ghulam Muhammad,
PST, Government Middle School
Khair Khel Kalley, NWA.
- 104. Khan Walli S/O Mir Sali Khan, PST,
Government Primary School
Darpa Khel Kot, NWA.
- 105. Pawan Din S/O Gul Zaman, PST,
Government Primary School
Zar Jam Khel, NWA.
- 106. Nazar Gul S/O Ajeeb Gul, PST,
Government Primary School
Hangu Kot, NWA.

ATTESTED
EXAMINER
 Peshawar High Court

107. Amir Nawaz Khan S/O Akbar Khan,
PST, Government Primary School
Sakhi Marjan, NWA.
108. Arif Nawaz S/O Akbar Khan, PST,
Government Primary School
Mushki Alam, NWA.
109. Muhammad Ayaz Khan S/O Arsala Khan,
PST, Government Primary School
Noor Khan, NWA.
110. Jahan Baz Khan S/O Rameez Khan,
PST, Government Primary School
Hakeem Kot, NWA.
111. Hidayat Ullah S/O Pakhar, PST,
Government Middle Primary School
Patas Kot, NWA.
112. Aqal Zaman S/O Khushal Khan,
PST, Government Primary School
Abdullah Din, NWA.
113. Mir Shah jehan S/O Khyal Khan,
PST, Government Primary School
Sakhi Mar Jan, NWA.
114. Zahid ud Din S/O Ahmad Kaleem,
PST, Government Primary School
Syed Khan Kot, NWA.
115. Janat Khan S/O Mir Azam Khan,
PST, Government Primary School
Shahadat Kot, NWA.
116. Amir Salah Khan S/O Sharen Khan,
PST, Government Primary School
Usman Khel, NWA.
117. Hazrat Ullah S/O Sahib Khan, PST,
Government Primary School
Garyum, NWA.
118. Muhammad Ihsan S/O Sharen Khan,
PST, Government Primary School
Muhammad Daraz, NWA.

ATTESTED
EXAMINER
Peshawar High Court

119. Nor Hayat Khan S/O Nawab Khan,
PST, Government Primary School
Zaman Khan Kot, NWA.
120. Ata Ullah Jan S/O Maiz Ullah Khan,
PST, Government Primary School
Walli Mad Khan, NWA.
121. Farmanullah S/O Toor Jan, PST,
Government Primary School
Zaman Khan, NWA.
122. Sarfaraz S/O Gul Raheem, PST,
Government Primary School
Noor Khan, NWA.
123. Muhammad Kamal Khan S/O M. Alam,
PST, Government Primary School
Gulab Khel, NWA.
124. Muhammad Asghar S/O Sayed Wali,
PST, Government High School
Ghondi Jamrood Khyber Agency.
125. Ezat Shah S/O Nooram Shah, PST,
Government Primary School
Arak, Kurram Agency.
126. Multan Aurang S/O Gul Samand,
PST, Government Primary School
Chapre, Kurram Agency.
127. Daulat Khan S/O Bahadar Khan,
PST, Government Primary School
Kamal Baza, Kurram Agency.
128. Nor Mar Jan S/O Gul Mar Jan, PST,
Government Primary School
Mir Bagh, Kurram Agency.
129. Shughla Hussain D/O Ghulam Hussain,
PST, Government Girls Primary School
Dogar, Kurram Agency.
130. Muhammad Zubair S/O Dilbar Khan,
PST, Government Primary School
Dagari No. 03, Kurram Agency.

ATTESTED
EXAMINER
Peshawar High Court

131. Gul Halder Jan S/O Ghazi Mar Jan,
PST, Government Primary School
Dagari, Kurram Agency.
132. Noor Khan S/O Zari Gul, PST,
Government Primary School
Mir Bagh, Kurram Agency.
133. Shareef Gul S/O Gul Mar Jan, PST,
Government Primary School
Kalat Mir Bagh, Kurram Agency.
134. Tahir Gul S/O Akhtar Gul, PST,
Government Primary School
Pastwan, Kurram Agency.
135. Wasim Shah S/O Sayed Anwar,
PST, Government Primary School
Super Kot, Kurram Agency.
136. Maqbool Ahmad S/O Muhammad Jan,
PST, Government Primary School
Sher Khan Mir Bagh, Kurram Agency.
137. Gohar Simab W/O Doost Muhammad,
PST, Government Girls Primary School
Shahbaz Samma, Kurram Agency.
138. Riffat Naz W/O Sheeren Badshah, PST,
Government Girls Primary School
Shahbaz Samma, Kurram Agency.
139. Gul Zahra D/O Zameen Akbar, PST,
Government Girls Primary School
Kagawaga, Kurram Agency.
140. Hussan Par D/O Nasir Hussain, PST,
Government Girls Primary School
Dall, Kurram Agency.
141. Nighat Naseem D/O Laiq Hussain, PST,
Government Girls Primary School
Lar Zar, Kurram Agency.
142. Fozia Afzal D/O Muhammad Afzal, PST,
Government Girls Primary School
Luqman Khan, Kurram Agency.

ATTESTED
EXAMINER
Peshawar High Court



143. Naveeda Asghar D/O Asghar Jan, PST,
Government Girls Primary School
Adil Colony, Kurram Agency.
144. Shakeel Khatoon D/O Rehmat Hussain,
PST, Government Girls Primary School
No. 01 Para Chinar, Kurram Agency.
145. Nageena D/O Ali Mohgib, PST,
Government Girls Primary School
Amal Kot, Kurram Agency.
146. Bibi Masooma D/O Sayed Agzal, PST,
Government Girls Primary School
Para Chinar, Kurram Agency.
147. Salma Bangesh D/O Rajab Ali, PST,
Government Girls Primary School
Luqman Khel Sehra, Kurram.
148. Shamal Jan Afridi S/O Sayal Khan Afridi,
PST, Government Primary School Dada Nika,
Bara Khyber Agency.
149. Fateh Khan S/O Mula Khel, PST,
Government Primary School Mashkano
Mela, Bara Khyber Agency.
150. Shakir Ullah S/O Shah Bahader,
PST, Government Primary School
Sheen Kamar, Bara Khyber Agency
151. Najida D/O Tahseen Ullah, PST,
Government Girls Primary School
Shekmal Khel, Bara Khyber Agency.
152. Alia Begium D/O Ghulam Jan, PST,
Government Girls Primary School
Musa Khan, Landi Kotal.
153. Najma Begium D/O Hameed Khan,
PST, Government Girls Primary School
Turkistan Kalley, Bara Khyber Agency.
154. Naz Gul D/O Mehar Dil, PST,
GFCS Mulagori, Jamrood
Khyber Agency.

ATTESTED
EXAMINER
Peshawar High Court

155. Ghulam Mustafa S/O Sharbat Khan,
PST, Government Primary School
Nasir Kalley, Jamrood Khyber Agency.
156. Nighat D/O Yar Muhammad, PST,
Government Girls Primary School
Khyal Gul Kalley, Landi Kotal.
157. Fatmia Habib D/O Ghulam Habib, PST,
Government Girls Primary School
Kose Wali Khel, Landi Kotal
158. Khan Malik S/O Amir Jan, PST,
Government Primary School Kotki,
Bara Khyber Agency.
159. Shahid S/O Muhammad Sarwar,
PST, Government Primary School
Jaffar Khan Kalley, Bara Khyber Agency.
160. Noor Jamal S/O Shamal Jan, PST,
Government Primary School Mastk,
Bara Khyber Agency.
161. Waris Khan S/O Naseer Khan, PST,
Government Primary School
Khana Zyarat, Bara Khyber Agency.
162. Naveeda Robi D/O Madad Khan, PST,
Government Girls Primary School
Hayat Khan Kalley, Jamrood Khyber Agency.
163. Shabana D/O Masal Khan, PST,
Government Girls Primary School
Neki Khel, Landi Kotal Khyber Agency.

All C/O Petitioner No. 1. Petitioners

VERSES

1. Director of Education, FATA Secretariat,
Warsak Road Peshawar.
2. Agency Education Officer,
Khyber Agency at Jamrud.

ATTESTED
EXAMINER
Peshawar High Court

- 3. Agency Education Officer,
North Waziristan Agency.
- 4. Agency Education Officer,
FR Tank at D.I. Khan.
- 5. Agency Education Officer,
Kurram Agency at Parachinar. Respondents

⇔⇔⇔⇔⇔⇔⇔⇔⇔⇔⇔⇔⇔⇔⇔⇔⇔⇔⇔

WRIT PETITION UNDER ARTICLE
199 OF THE CONSTITUTION OF
ISLAMIC REPUBLIC OF PAKISTAN,
1973:

⇔⇔⇔⇔⇔⇔⇔⇔⇔⇔⇔⇔⇔⇔⇔⇔⇔⇔⇔

Respectfully Sheweth:

- 1. That in order to raise literacy level in FATA and make the education available at the door step, the Project of opening Community Schools was launched under FATA Annual Development Program in the year 1998. Since 1998 till 20-10-2010, 956 Community Schools were opened throughout FATA wherein 1912 teachers (02 per schools) were appointed and for the purpose, petitioners were appointed as PST since 2003, etc. (Copies as annex "A")
- 2. That petitioners after appointment in due course of law i.e. advertisement, etc. used to perform satisfactory services to the department and no complaint, whatsoever, was made against them but their performance was highly appreciated.
- 3. That it happened so, and was / is in the knowledge of everyone that Settled area generally and FATA areas particularly faced worst law and order situation at the un-mercy hands of miscreants. Government machinery was totally failed as the miscreants were not only ruling the area but the kidnapped, beheaded and blasted Govt. assets, especially educational institutions was the main target. Petitioner's schools came under the said dilemma as many schools were blown up.



ATTESTED
EXAMINER
 Higher Education Department
 FATA

Regarding the aforesaid aspects of the schools after receiving reports to the authorities about the destructions of the schools reports were made about its none functional of the schools in FATA and it was decided to close the same because the teachers were getting their salaries without performing duties in the schools. The authorities terminated their services of teachers and other staff.

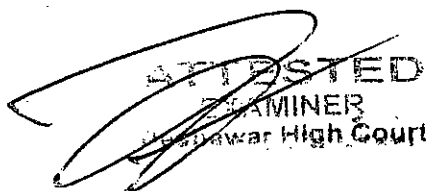
4. That after the said action, teachers the local elders and its union made efforts to save the services of the teachers and other staff vide letter dated 15-11-2010, as by then, the wave of miscreants to some extent was released. (Copy as annex "B")

5. That Standing Committee of SAFRAN held meeting on 21-12-2011 at Parliament House Islamabad to regularize services of petitioners and it was recommended that FATA Secretariat should regularize the services of Community School Teachers including their previous services and graded pay as per previous practice without further delay. Summary will be also moved for approval of Governor KP, for relaxation in recruitment rules and regularization of the Community School Teachers from the date of initial recruitment against the posts vide letter dated 16-01-2012, followed by subsequent letter dated 26-04-2012. (Copies as annex "C")

6. That on 30-04-2012, Summary for the purpose was submitted before the Governor KP and approved the same to regularize services of the Community School Teachers and other staff. (Copy as annex "D")

7. That on 11-05-2012, Secretary, Social Sectors department FATA Secretariat, Peshawar issued notification, stating therein that the Governor has approved the appointment of the Community School Teachers against regular posts of PST B-07 in respective Agencies and FRs purely on merit basis with some terms and conditions mentioned therein. (Copy as annex "E")

8. That on 29-10-2015, Secretary Social Sector, FATA issued subsequent notification regarding adjustment of Community School Teachers against regular posts of PST was allowed on merit basis in accordance with policy. (Copy as annex "F")


ATTORNEY
EXAMINER
Peshawar High Court

- 9. That after taking into account all aspects, of the case, the authority was pleased to regularize services of petitioners vide order dated 02-11-2015, 07-01-2016, 08-01-2016, 20-07-2016, 20-07-2016, etc. (Copies as annex "G")
- 10. That petitioners rendered services in the schools on contract basis for more than 10 years but no benefit of the same was extended to them to count the same for pensionary benefits, so submitted representation before Director Education - FATA Secretariat, Peshawar on 22-03-2017, but the same was regretted for no legal reason vide notification dated 29-08-2018. (Copies as annex "H" & "I")

Hence this Writ Petition, inter alia, on the following grounds:

GROUND

- a. That admittedly petitioners served the department after initially appointing them in the schools from the date of their appointment in the schools and served the department devotedly.
- b. That the schools were closed due to law and order situation by the authorities while on the other hand, petitioners never refused to perform duty and such aspect of the case shall not be attributed to them.
- c. That as and when services of petitioners were regularized, the same should have been from the date of initial appointment and not with immediate effect as at the same time, petitioners performed their duty like other regular employees of the department.
- d. That fresh vacancies were created at the time of appointment of petitioners in the schools. There was no difference in the duties of the contract employees as well as of the regular employees, thus petitioners were not treated at par and discriminated.
- e. That petitioners seek relief of the rendered services to be counted towards pensionary benefits and none else.
- f. That petitioners file the petition in hand before this honorable court to adjudicate upon as no term and condition of the existing service is violated, so the honorable court has the exclusive jurisdiction in the matter.

TESTED
 MINER
 High Court

g. That services of some of the employees of the Community schools have been regularized / counted towards the present service, petitioners also deserves the said treatment.


h. That by not treating petitioners at par with other colleagues / regular employees of the department by the authority is not only discrimination but such act is based on malafide.

It is, therefore, most humbly prayed that on acceptance of the Writ Petition, in exercise of the extraordinary constitutional jurisdiction, this hon'ble Court may graciously be pleased to:

- a. Declare notification dated 29-08-2018 of the R. No. 01 to be illegal, improper, unjust, discriminatory, malafide, without lawful authority and of no legal effect.
- b. Direct the authority to regularize the initial service of the petitioners rendered in the Community Schools to the regular service for pensionary and other benefits;

AND / OR

c. Any other writ/order/direction deemed proper and just in the circumstances of the case be also issued/ordered/given.

Petitioners
Through 
Saadullah Khan Marwat

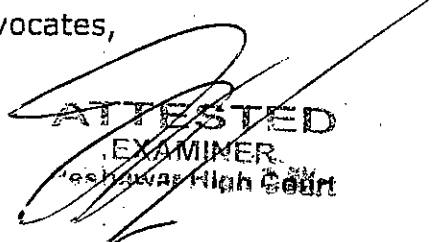
Amjad Khan
Advocates,

Dated: 17-09-2018

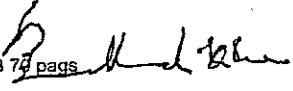
LIST OF BOOKS:

- 1. Constitution
- 2. W.P. No. 2307/13

CERTIFICATE:


ATTESTED
EXAMINER
Peshawar High Court

As per instructions of my client, certified that no such like Writ Petition was earlier filed by the petitioner before this Honorable Court. (it's a DB case)

wp4597 2018 Anzar Gull vs DG USB 74 pages 
Advocate

IN THE PESHAWAR HIGH COURT, PESHAWAR

W.P No. _____/2018

Anzar Gul & Others versus Director & Others

AFFIDAVIT

I, Anzar Gul S/O Zar Din, PST, Government Primary School Saeed Ullah Jan Kalley, Bara Khyber Agency, (Petitioner No. 01) do hereby solemnly affirm and declare that the contents of the **Writ Petition** are true and correct to the best of my knowledge and belief.

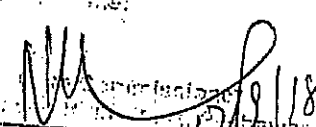
Identified By:

Saadullah Khan

Saadullah Khan
Advocate,

Anzar Gul
DEPONENT

CNIC#: 21201-2701312-5

No.....	6600
Certified that my name was verified on entry affirmation below on the _____ day of _____ 17	
day of	Sep 18 Anzar Gul
at	Zar Din Bara Khyber Agency
who was	Saadullah Khan
who is present	
	
Date: 17/9/18	

CERTIFIED TO BE TRUE COPY
[Large signature]

Nadra Verified

Q-58

PESHAWAR HIGH COURT, PESHAWAR
(JUDICIAL DEPARTMENT)

WP No. 4597-P/2018

Anzar Gul and others

.....Petitioners

V/s

Director of Education,
FATA Secretariat,
Peshawar and others.

.....Respondents.

For the Petitioners:

Mr. Saadullah Khan Marwat,
Advocate.

For the Respondents:

Syed Sikandar Hayat Shah,
AAG.

Date of hearing:

03.11.2022

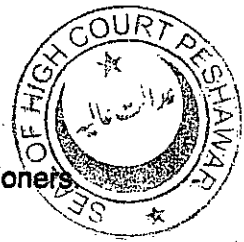
JUDGMENT

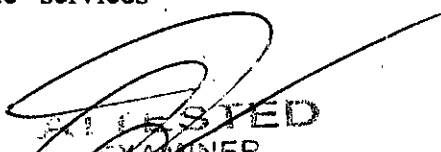
SYED ARSHAD ALLI, J:- The petitioners, through the instant constitutional petition, have approached this Court praying that:-

"It is, therefore, most humbly prayed that on acceptance of the Writ Petition, in exercise of the extraordinary constitutional jurisdiction, this hon'ble Court may graciously be pleased to:

- a. *Declare notification dated 29.08.2018 of R. No.01 to be illegal, improper, unjust, discriminatory, malafide, without lawful authority and of no legal effect.*
- b. *Direct the authority to regularize the initial service of the petitioners rendered in the*
 - c. *Community Schools to the regular service for pensionary and other benefits; AND/OR*
- c. *Any other writ/order/direction deemed proper and just in the circumstances of the case be also issued/ordered/given."*

2. Short but relevant facts of the case as alleged in petition are that the petitioners were appointed as Community School Teachers in a Project on contract basis and later, their services were regularized against the regular posts of PST vide orders dated 02.11.2015, 07.01.2016, 08.01.2016 & 20.07.2016, however, it is the claim of petitioners that the services




REGISTERED
EXAMINER

rendered by them on contract basis for more than ten years have not been counted towards pensionary benefits, against which, they filed representation before the Director Education FATA Secretariat, Peshawar on 22.03.2017, but, the same was regretted vide Notification dated 29.08.2018; hence, the instant Writ Petition.

3. Respondents No. 1, 2 & 5 have furnished their comments wherein it is alleged that the petitioners were appointed as Community School Teachers in a Project, however, the said Project was closed on 31.12.2010. Later, after revised PC-1, the community schools were reopened in the year, 2011-2012 and the petitioners were adjusted against regular posts in view of Notification dated 11.05.2012. The said Notification was challenged by some other persons before this Court through various constitutional petitions and this Court vide judgment dated 06.08.2013 rendered in WP No. 2662/2012 declared the said Notification as policy for recruitment of new candidates in future; hence, this petition is hit by principle of resjudicata and requested for its dismissal.

4. Arguments heard and record perused.

5. Perusal of the record reveals that the petitioners were appointed against the project posts of PTC and were posted as Communal School Teachers in Boys Communal Schools at different places in the erstwhile FATA. Initially, contract/project posts were for a period of three years which was then extended from time to time; however, in view of the wave of militancy and then Army operation, these community's schools became non-functional and were closed and the services of the Communal School Teachers were terminated w.e.f. 31.12.2010. It is pertinent to mention here as alleged by the respondent that most of the appointees were not holding the prescribed qualification at the relevant time. Later, it was decided vide Notification dated 29.10.2015 to appoint/adjust the Communal School Teachers against the regular posts of PST in case they are holding the prescribed

5..
ATTESTED
EXAMINER
Peshawar High Court

qualification and that it was in view of the decision of the Government that the petitioners were regularized/ adjusted through different letters available on the file. In the instant case, the petitioners have two main claims i.e. regularization from retrospective effect and counting of their previous project/contract service for the purpose of pension.

6. Admittedly, by now the petitioners have acquired the status of civil servants and the relief claimed through the instant petition relates to the enforcement of their terms and conditions of service. This Court under Article 212 of the Constitution of Islamic Republic of Pakistan, 1973 has no jurisdiction to interfere in the matter. However, this case is pending before this Court since 2018, therefore, instead of dismissing this petition on question of jurisdiction, this petition be transmitted to Worthy Khyber Pakhtunkhwa Service Tribunal for adjudication on merit. Copy of this petition be retained in office while the original file along with the annexure be sent to the Worthy Tribunal.

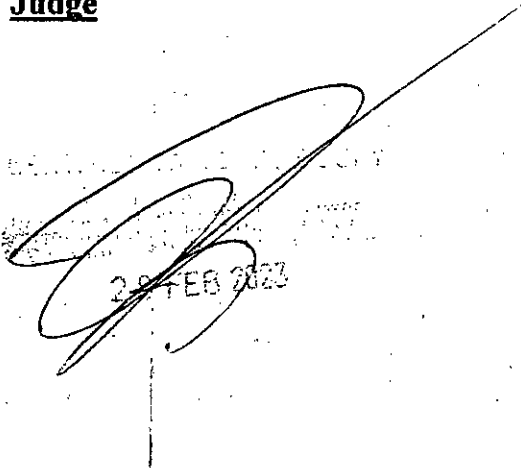
7. Disposed of in the above terms.

ANNOUNCED.
03.11.2022


Chief Justice


Judge

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05/11/2023
08/21/2023
08/21/2023
11/9/2023


29 FEB 2023



GOVERNMENT OF N.W.F.P.
FINANCE DEPARTMENT
(REGULATION WING)

NO. FD (PRC) 5-2 /2002
Dated Peshawar the 30-10-2009

To:

The Secretary to Govt. of NWFP,
Elementary & Secondary Education Department,
Peshawar.

Subject:

**GRANT OF ANNUAL INCREMENT / RUNNING PAY TO
UNTRAINED TEACHERS IN THE LIGHT OF SUPREME
COURT JUDGMENT.**

Dear Sir,

I am directed to refer to this Department letter No.FD (PRC) 5-2/2002 dated 30-03-2009 on the subject noted above and to say that certain quarters have raised some queries about the subject matter which are clarified as under:-

- i. All those untrained teachers who were appointed on fix pay and were subsequently regularized against their posts, on acquiring / completing requisite training successfully, would be entitled for such benefits of annual increments from the date of their first appointments as such, but without arrears.
- ii. The above benefit would also be admissible to all those retired teachers who fulfil the above conditions.
- iii. The above benefit would not be admissible to those who themselves resigned, or were removed / terminated from service.

2. This Department letter of even number dated 30-03-2009 shall be deemed to have been modified to the above extent.

Yours faithfully,

(SFAUKAT ULLAH)
SECTION OFFICER (SR-1)

Encls: of even No. & date

Copy for information and necessary action:-

1. Accountant General, NWFP.
2. All District Coordination Officers, NWFP.
3. All District / Agency Accounts Officers, NWFP / PATA

SECTION OFFICER (SR-1)

BETTER COPY OF THE PAGE NO.
GOVERNMENT OF N.W.F.P
FINANCE DEPARTMENT
(REGULATION WING)

61

No. FD(PRC)5-2/2002

Dated Peshawar the: 30-10-2009

To,

The Secretary to Govt. of NWFP,
Elementary & Secondary Education Department,
Peshawar.

Subject: **GRANT OF ANNUAL INCREMENT/RUNNING PAY TO UNTRAINED TEACHERS IN THE LIGHT OF SUPREME COURT JUDGMENT**

Dear Sir,

I am directed to refer to this department letter NO. FD (PRC) 5-2/2002 dated 30-03-2009 on the subject noted above and to say that certain quarters have raised some quarries about the subject matter which are clarified as under:

- i. All those untrained teachers who were appointed on fix pay and were subsequently regularized against their posts, on acquiring/ completing requisite training successfully, would be entitled for such benefits of annual increments from the date of their first appointments as such, but without arrears.
- ii. The above benefit would also be admissible to all those retired teachers who fulfill the above conditions.
- iii. The above benefit would not be admissible to those who themselves resigned, or were removed/terminated from service.

2. This Department letter of even number dated 30/03/2009 shall be deemed to have been modified to the above extent.

Yours Faithfully

(SHAUKAT ULLAH)
SECTION OFFICER (SR-I)

Endst: of even No. & date

Copy for information and necessary action:

1. Accountant General, NWFP.
2. All District Coordination Officers, NWFP.
3. All District/Agency Accounts Officers, NWFP/FATA.

SECTION OFFICER (SR-I)

WAKALAT NAMA

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Muhammad Ghazan

Appellant(s)/Petitioner(s)

VERSUS

The Govt. Of Khyber Pakhtunkhwa and others

Respondent(s)

I/We APPELLANT do hereby appoint **Mr. Khaled Rehman**, Advocate, Supreme Court, **Mr. Muhammad Amin Ayub & Muhammad Ghazanfar Ali**, Advocates in the above mentioned case, to do all or any of the following acts, deeds and things.

1. To appear, act and plead for me/us in the above mentioned case in this Court/Tribunal in which the same may be tried or heard and any other proceedings arising out of or connected therewith.
2. To sign, verify and file or withdraw all proceedings, petitions, appeals, affidavits and applications for compromise or withdrawal or for submission to arbitration of the said case, or any other documents, as may be deemed necessary or advisable by them for the conduct, prosecution or defence of the said case at all its stages.
3. To receive payment of, and issue receipts for, all moneys that may be or become due and payable to us during the course of proceedings.

AND hereby agree:-

- a. That the Advocate(s) shall be entitled to withdraw from the prosecution of the said case if the whole or any part of the agreed fee remains unpaid.

In witness whereof I/We have signed this Wakalat Nama hereunder, the contents of which have been read/explained to me/us and fully understood by me/us this _____

Attested & Accepted by

Muhammad
Signature of Executants

Khaled Rahman,
Advocate,
Supreme Court of Pakistan

&

Muhammad Amin Ayub
Advocate, High Court

&

Muhammad Ghazanfar Ali
Advocate, High Court

4-B, Haroon Mansion
Khyber Bazar, Peshawar
Off: Tel: 091-2592458