

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 1367/2015

Date of Institution ... 07.12.2015

Date of Decision ... 13.12.2021

Mr. Aurangzeb Khan, PST (BPS-12), Government Primary School Mewa Kheil, District Bannu. ... (Appellant)

VERSUS

The Government of Khyber Pakhtunkhwa through Secretary E&SE Department, Khyber Pakhtunkhwa Peshawar and two others. ... (Respondents)

Noor Muhammad Khattak,
Advocate

... For Appellant

Kabirullah Khattak,
Additional Advocate General

... For Respondents

SALAH-UD-DIN

...

MEMBER (JUDICIAL)

ATIQ-UR-REHMAN WAZIR

...

MEMBER (EXECUTIVE)

JUDGMENT

ATIQ-UR-REHMAN WAZIR MEMBER (E):-

Brief facts of the

case are that respondent No. 3 advertized the posts of Primary School Teachers on 20-12-2004 in light of Peshawar High Court judgment dated 28-04-2004 regarding 25% quota in age relaxation of candidates, who belonged to the batch of 1999 and who obtained PTC certificate from Allama Iqbal Open University Islamabad. The appellant being candidate of the batch of 1999 applied for the said post and stood at serial No. 2 of the merit list, whereas another candidate from another union counsel was placed first in the merit list. The candidate from other union counsel was selected vide order dated 09-03-2005 and the appellant was ignored, but the selected candidate did not join. Feeling aggrieved, the appellant filed departmental appeal, which was not responded. The appellant filed

Writ Petition No. 383/2009 in Peshawar High Court, which was decided vide judgment dated 15-06-2010 and case of the appellant was remanded to respondents for disposal strictly on law and merit. In light of judgment of Peshawar High Court, the appellant was appointed as PST vide order dated 30-08-2010. The appellant filed departmental appeal dated 20-08-2015 seeking seniority from 09-03-2005, but was not responded within the statutory period, hence the instant appeal with prayers that the appellant may be allowed seniority and other financial benefits with effect from 09-03-2005 instead of 30-08-2010.

02. Learned counsel for the appellant has contended that the inaction of respondents by not allowing seniority and back benefits to the appellant is against law, facts and norms of natural justice, hence not tenable in the eye of law; that ~~the~~ the appellant has not been treated in accordance with law, as such the respondents violated Article-4 and 25 of the Constitution; that the respondents acted in arbitrary manner by not adjusting the appellant on the post of PST with effect from 09-03-2005.

03. Learned Additional Advocate General for respondents has contended that in light of judgment dated 15-06-2010 of Peshawar High Court in Writ Petition No. 383/2009, the appellant was appointed against the post of PST vide order dated 31-08-2010 with immediate effect; that Peshawar High Court while disposing writ petition mentioned above, did not held the appellant entitled for back benefits as well as seniority; that keeping in view the established and admitted fact and principle that when there is no work, there is no pay, the appellant is not entitled for back benefits as well as seniority.

04. We have heard learned counsel for the parties and have perused the record.

05. Record reveals that in 1999, candidates including the appellant, who had obtained PTC certificates from Allama Iqbal Open University, were ignored in the

recruitment process. The issue was agitated at the level of Peshawar High Court and Peshawar High Court vide judgment dated 28-04-2004 granted relief to such candidates regarding 25% quota to the batch of 1999 and who obtained PTC certificates from Allama Iqbal Open University. In light of judgment of Peshawar High Court, such posts were advertized vide publication dated 20-12-2004 and the appellant applied for the post of PTC. The appellant stood at serial No 2 of the seniority list in his respective union counsel, whereas one Mr. Ismail stood first in seniority list, but as per record, he belonged to other union counsel. The appellant objected that Mr. Ismail does not belong to his constituency, hence the appellant may be considered first in the seniority list, but his request was not taken into consideration and Mr. Ismail was appointed as PST to the post at union counsel level. ~~Mr. Ismail however did not join his duty and the appellant submitted an application for his appointment, now being at serial No. 1 of the merit list. Placed on record is a letter of Executive District Officer addressed to DCO Bannu, which shows that Mr. Ismail did not join, hence the executive district officer had requested the DCO for permission to consider other candidates from the available merit list, where the appellant stood first but record is silent as to what was response of the DCO, but in the meanwhile the appellant filed Writ Petition No. 383/2009 in Peshawar High Court, which was decided vide judgment dated 15-06-2010 and case of the appellant was remanded to respondents to consider his case on merit. The respondents examined his case and found that the appellant deserved to be appointed, hence he was appointed as PST vide order dated 30-08-2010 with immediate effect.~~

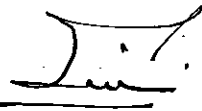
06. Stance of the appellant is correct to the extent that he was considered for the post of PST but was not selected and another candidate from other constituency was selected, who however did not join. In a situation, if stance of the respondents is accepted that the appellant was at serial No. 2 of the merit list and after selection and subsequent absence of the selected candidate, the

appellant was required to be considered at that particular time, but he was not considered inspite of his repeated requests. Peshawar High Court vide judgment dated 15-06-2010 remanded his case for consideration on merit and respondents consider his case and was offered him appointment letter dated 30-08-2010, which shows that the appellant was entitled to be appointed as PST at that particular time.

07. In view of the foregoing discussion, it transpires that the appellant was not treated in accordance with law and he was deprived from appointment with effect from 09-03-2005, when his other counterparts were appointed, hence he was deprived of seniority position accrued to him. In view of the situation, the instant appeal is accepted to the extent that the appointment of the appellant shall be considered from 09-03-2005 for the purpose of seniority only. Since the appellant did not actually resume any duty from 2005 to 2010, hence is not entitled to financial benefits. Parties are left to bear their own costs. File be consigned to record room.

ANNOUNCED

13.12.2021



(SALAH-UD-DIN)
MEMBER (J)



(ATIQ-UR-REHMAN WAZIR)
MEMBER (E)

ORDER

13.12.2021

Mr. Noor Muhammad Khattak, Advocate for the appellant present.
Mr. Kabirullah Khattak, Additional Advocate General for respondents present. Arguments heard and record perused.

Vide our detailed judgment of today, separately placed on file, the instant appeal is accepted to the extent that the appointment of the appellant shall be considered from 09-03-2005 for the purpose of seniority only. Since the appellant did not actually resume any duty from 2005 to 2010, hence is not entitled to financial benefits. Parties are left to bear their own costs. File be consigned to record room.

ANNOUNCED

13.12.2021



(SALAH-UD-DIN)
MEMBER (J)



(ATIQ-UR-REHMAN WAZIR)
MEMBER (E)

30-9-21 Due to non Availability of The
Concerned DB the case is adjourned
to 13-12-2022


Reader



1-1 .2020


Due to summer vacation, case is adjourned to
19.3 .2021 for the same as before.


Reader

19.03.2021

Mr. Afrasiyab Wazir, Advocate for appellant and Mr. Noor Zaman Khattak, District Attorney for the respondents present.

Former requests for adjournment due to illness of learned senior counsel for the appellant. The case pertains to the year 2015, therefore, last chance is given for arguments. The proceedings are adjourned to 19.05.2021 before D.B.


(SALAH-UD-DIN)
MEMBER (JUDICIAL)


CHAIRMAN

19.5.2021

Due to covid 19, the case is adjourned
to 3.8.21 for the same



Reader


03.08.2021

Counsel for the appellant present.

Mr. Kabirullah Khattaki, Additional Advocate General for respondents present.

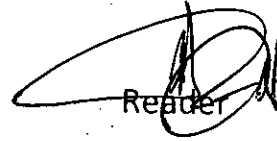
Learned A.A.G requests for adjournment as the instant case had been entrusted to Mr. Asif Masood Ali Shah, Deputy District Attorney, who is on leave due to death of his close relative. Adjourned. To come up for arguments on 30.09.2021 before D.B.


(Atiq-Ur-Rehman Wazir)
Member (E)


(Rozina Rehman)
Member (J)

27.4.2020

Due to COVID19, the case is adjourned to
10/7/2020 for the same as before.


Reader

10.07.2020

Due to COVID-19, the case is adjourned to 24.08.2020
for the same.


Reader

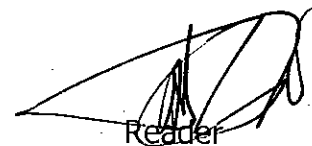
24.08.2020

Due to summer vacation case to come up for the
same on 30.10.2020 before D.B.


Reader

30.10.2020

Due to public holiday, the matter is adjourned to
1.1.2021 for arguments before the D.B.


Reader


04.03.2020

Counsel for the appellant present. Addl: AG for respondents present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 27.04.2020 before D.B.

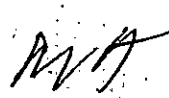

Member


Member

26.07.2019 Learned counsel for the appellant present. Mr. Muhammad Jan learned Deputy District Attorney for the respondents present. Learned counsel for the appellant seeks adjournment . Adjourned. To come up for arguments on 22.10.2019 before D.B.



(Hussain Shah)
Member

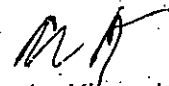


(M. Amin Khan Kundi)
Member

22.10.2019 Junior to counsel for the appellant present.. Mr. Riaz Khan Paindakhel learned Assistant Advocate General for the respondents present. Junior to counsel for the appellant seeks adjournment on the ground that senior counsel for the appellant is busy before the Hon'ble Peshawar High Court Peshawar. Adjourned. To come up for arguments on ~~26~~ 12.2019 before D.B.



(Hussain Shah)
Member

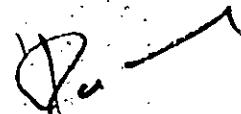


(M. Amin Khan Kundi)
Member

27.12.2019 Appellant absent. Learned counsel for the appellant absent. Mr. Muhammad Jan learned Deputy District Attorney present. Adjourn. To come up for arguments on 04.03.2020 before D.B. Appellant be put to notice for the date fixed.




Member




Member

22.01.2019


Junior to counsel for the appellant and Mr. Zia Ullah learned Deputy District Attorney for the respondents present. Junior to counsel for the appellant requested for adjournment as senior counsel for the appellant is not in attendance. Adjourned. To come up for arguments on 27.03.2019 before D.B


(Hussain Shah)
Member


(Muhammad Amin Khan Kundi)
Member

27.03.2019

Junior counsel for the appellant and Mr. Riaz Ahmad Paindakheil, Assistant AG for the respondents present. Junior counsel for the appellant seeks adjournment on the ground that learned senior counsel is busy in the Hon'ble Peshawar High Court. Adjourned. To come up for arguments on 31.05.2019 before D.B.


(HUSSAIN SHAH)
MEMBER


(M. AMIN KHAN KUNDI)
MEMBER

31.05.2019


Learned counsel for the appellant and Mr. Muhammad Jan learned Deputy District Attorney present. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 26.07.2019 before D.B.



Member


Member

04.09.2018

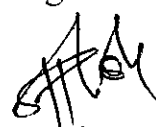
Junior to counsel for the appellant and Mr. Muhammad Jan learned Deputy District Attorney present. Junior to counsel for the appellant seeks adjournment as senior counsel is not in attendance. Adjourned. To come up for arguments on 12.10.2018 before D.B.

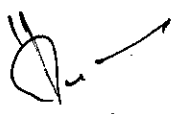

(Muhammad Amin Kundi)
Member


(Muhammad Hamid Mughal)
Member

12.10.2018

Junior to counsel for the appellant and Mr. Zia Ulah learned Deputy District Attorney for the respondents present. Junior to counsel for the appellant seeks adjournment on the ground that his senior counsel is not in attendance. To come up for arguments on 28.11.2018 before D.B.



Member



Member

28.11.2018

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

The former requests for adjournment ~~that~~^{as} brief in the instant appeal could not be prepared due to over-load. Adjourned to 22.01.2019 before the D.B.


Member


Chairman

04.09.2018

Appellant with counsel and Mr. Muhammad Jan learned Deputy District Attorney alongwith Hussai Zada Inspector for the respondents present. Upon query by this Tribunal, appellant stated that he was in Saudi Arabia but settled back in Pakistan one year back. Representative of the respondents seeks adjournment to furnish IBM Travel History of the appellant. Adjourned. To come up for further proceedings/arguments on 23.10.2018 before D.B.

(Muhammad Amin Kundi)
Member

(Muhammad Hamid Mughal)
Member

?

07.02.2018


Learned counsel for the appellant and Mr. Riaz Pinda Kheil, learned Assistant Advocate General for the respondents present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 27.03.2018 Before D.B



(Gul Zeb Khan)
MEMBER


(Muhammad Hamid Mughal)
MEMBER

27.03.2018

Appellant present. Learned counsel for the appellant is absent. Mr. Ziaullah, Deputy District Attorney for the respondents present. Appellant seeks adjournment on the ground that his counsel is not available today. Adjourned. To come up for arguments on 29.05.2018 before D.B.


(Muhammad Amin Khan Kundi)
Member


(Muhammad Hamid Mughal)
Member

29.05.2018


Neither appellant nor his counsel present. Mr. Ziaullah, Deputy District Attorney for the respondents present. Case to come up for further proceedings on 04.09.2018 before the D.B.


Member


Chairman

10.04.2017

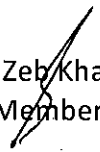
Appellant in person present. Mr. Imtiaz Khan, DEO (Bannu) alongwith Mr. Ziaullah, Government Pleader for respondents also present. Appellant requested for adjournment on the ground that his counsel has gone abroad for performing of Umra. Adjourned. To come up for arguments on 28.07.2017 before D.B.



(Ahmad Hassan)
Member


(Muhammad Amin Khan Kundi)
Member

28.07.2017


Learned counsel for the appellant and Mr. Muhammad Jan, Deputy District Attorney for the respondents present. Learned counsel for the appellant requested for adjournment. Adjournment granted. To come up arguments on 08.12.2017 before D.B.



(Gul Zeb Khan)
Member


(Muhammad Hamid Mughal)
Member

08.12.2017

Counsel for the appellant present. Mr. Muhammad Jan, Deputy District Attorney for the respondents also present. Counsel for the appellant seeks adjournment. Adjourned. To come up for order on 07.02.2018 before D.B.


(Ahmad Hassan)
Member (E)


(Muhammad Amin Khan Kundi)
Member (J)

1367/2015

26.05.2016

Agent of counsel for the appellant and Mr. Intiazul Haq DEO (Male) Bannu alongwith Addl. AG for the respondents present. Written reply not submitted despite lost opportunity. Requested for further adjournment. Last opportunity is further extended subject to cost of Rs. 1000/- which shall be borne by the respondents from their own pockets. To come up for written reply/comments and cost on 08.08.2016 before S.B.


Chairman

08.08.2016

Counsel for the appellant and Mr. Barkat Ali, Assistant Litigation alongwith Additional AG for respondents present. Para-wise comments on behalf of respondents No. 1 to 3 submitted. Cost of Rs. 1000/- also paid and receipt thereof obtained from learned counsel for the appellant. To come up for rejoinder and arguments on 30.11.2016 before D.B.


Member

30.11.2016

Counsel for the appellant and Mr. Barkat Ali, Litigation Officer alongwith Mr. Ziaullah, GP for respondents present. Learned counsel for the appellant submitted rejoinder, copy whereof handed over to learned GP. To come up for arguments on 10.4.17 before D.B.


(ABDUL LATIF)
MEMBER


(PIR BAKHSH SHAH)
MEMBER

26.1.2016

Counsel for the appellant present. Learned counsel for the appellant argued that on the basis of advertisement made on 20.12.2014, test and interview appellant surfaced on the top of the list but was not appointed constraining his to prefer Writ Petition No. 383/2009 on the strength whereof he was appointed as PST with immediate effect on 30.8.2010 where-against he preferred departmental appeal on 20.8.2015 which was not responded and hence the instant service appeal on 7.12.2015.

That the appellant is entitled to appointment and other financial benefits with effect from 9.3.2005 i.e the date on which other aspirants/candidates were appointed as PSTs.

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 29.3.2016 before S.B.

Appellant Deposited
Security & Process Fee

11-12-12


Chairman

29.03.2016

Appellant in person, M/S Khurshid Khan, SO and Hameed-ur-Rehman, AD (lit.) alongwith Assistant A.G for respondents present. Written reply not submitted. Requested for adjournment. Last opportunity granted. To come up for written reply/comments on 26.5.2016 before S.B.


Chairman





29-3-16



Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 1367/2015

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	07.12.2015	<p>The appeal of Mr. Aurang Zeb Khan presented today by Mr. Noor Muhammad Khattak Advocate may be entered in the Institution register and put up to the Worthy Chairman for proper order.</p> <p style="text-align: right;"> REGISTRAR</p>
2	11-12-15	<p>This case is entrusted to S. Bench for preliminary hearing to be put up thereon <u>11-12-15</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
	11.12.2015	<p>None present for appellatant. The appeal be relisted for preliminary hearing for 23.12.2015 before S.B.</p> <p style="text-align: right;"> Chairman</p>
	23.12.2015	<p>Clerk to counsel for the appellatant. Seeks adjournment. Adjourned for preliminary hearing to 26.1.2016 before S.B.</p> <p style="text-align: right;"> Member</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. 1367 /2015

AURANGZEB KHAN VS EDUCATION DEPTT:

INDEX

S. NO.	DOCUMENTS	ANNEXURE	PAGE
1.	Memo of appeal	1- 3.
2.	Advertisement	A	4.
3.	Appointment order	B	5.
4.	Representation	C	6- 7.
5.	Letter dated 26.3.2005	D	8.
6.	Merit list	E	9.
7.	Other documents	F	10- 16.
8.	Judgment	G	17- 22.
9.	Appointment order	H	23- 24.
10.	Departmental appeal	I	25- 27.
11.	Vakalat nama	28.

APPELLANT

THROUGH:
NOOR MOHAMMAD KHATTAK
ADVOCATE

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. 1367 /2015

K.W.P. Province
Service Tribunal

Diary No. 1424

Dated 07-12-2015

Mr. Aurangzeb Khan, PST (BPS-12),
Govt: Primary School Mewa Kheil, District Bannu

..... **Appellant**

VERSUS

- 1- The Government of Khyber Pakhtunkhwa through Secretary E&SE Department, Khyber Pakhtunkhwa Peshawar.
- 2- The Director (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
- 3- The District Education Officer (M) Bannu, District Bannu.

..... **Respondents**

APPEAL UNDER SECTION 4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974
AGAINST THE INACTION OF THE RESPONDENTS BY
NOT ALLOWING SENIORITY AND OTHER BENEFITS TO
THE APPELLANT W.E.F. 09-03-2005 AND AGAINST NOT
TAKING ACTION ON THE DEPARTMENTAL APPEAL OF
THE APPELLANT WITHIN THE STATUTORY PERIOD OF
NINETY DAYS

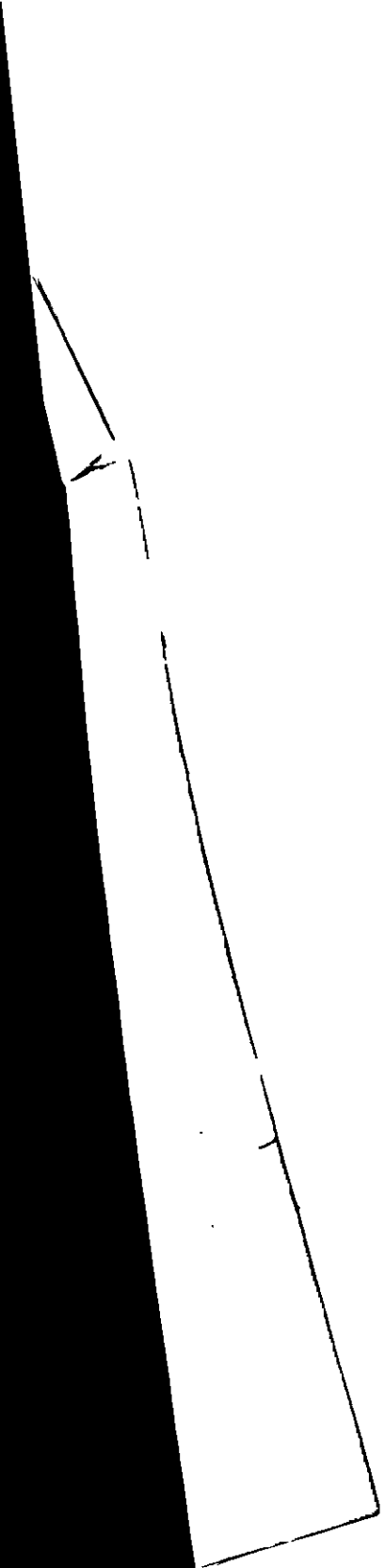
Prayer:

That on acceptance of this appeal the respondents may be directed to allow seniority and other financial benefits to the appellant w.e.f. 09-03-2005 instead of 30-08-2010. Any other remedy which this august Court deems fit may also be awarded in favor of the appellant.

R/SHEWETH:
ON FACTS:

- 1- That the respondent No.3 advertised the posts of PST's both male and female through advertisement published in daily Mashriq dated 20-12-2004 in light of the Hon'ble Peshawar High Court Peshawar judgment dated 28-04-2004 regarding 25% quota in age relaxation of those candidates who belongs to the batch of 1999 and who secured/obtained PTC certificate from Allama Iqbal Open University Islamabad. Copy of the advertisement is attached as annexure

..... **A.**



- 2- That the appellant being one of the candidate of the batch of 1999 applied for the sasid post from union council Sikandar Khel Bala District Bannu. That astonishingly when the respondent No.3 issued the appointment orders vide dated 09-03-2005 ignored the appellant inspite having Top position in the merit list and one namely Mr Ismail Khan S/O Muhammad Hanan who belongs to union council Laloza, District Bannu was illegally appointed against the the post of PST BPS-12. Copy of the appointment order is attached as annexure.....**B.**
- 3- That the appellant feeling aggrieved filed representation before the District Coordination Officer Bannu and respondent No.3. That on the said application the respondent No.3 submitted his comments before the District Coordination Officer Bannu vide dated 26-03-2005. That in the said comments the respondent No.3 has clearly admitted that the person namely Mr Ismail Khan does not belong to union council Sikandar Khel District Bannu and also failed to join the post with in 15 days after issuance of appointment order and has strongly recommended the appellant for appointment to the post of PST BPS-12. Copies of the representation, letter dated 26-03-2005, merit list and other connected documents are attached as annexure..... **C, D, E & F.**
- 4- That inspite of clear position the respondent No.3 ignored the appellant from appointment, feeling aggrieved the appellant prefer writ petition No.383/2009 in the circuit bench of Peshawar High Court at D.I.Khan which resultantly decided in favor of the appellant vide judgment dated 15-06-2010. Copy of the judgment is attached as annexure.....**G.**
- 5- That in light of the said judgment the respondent No.3 appointed the appellant as PST BPS-12 at Govt Primary School Pak Ismail Khel District Bannu vides dated 30-03-2010 instead of 09-03-2005. Copy of the appointment order is attached as annexure
- 6- That appellant feeling aggrieved filed Departmental appeal dated 20-08-2015 before the respondent No.3 but it has not been received so far. Hence the instant appeal is pending amongst the others. Copy of the Departmental appeal is attached as annexure.....

GROUND:

- A- That the inaction of the respondent No.3 by not providing seniority and back benefits to the appellant



1941
1942
1943

1944
1945
1946

1947
1948
1949

1950
1951
1952

1953
1954
1955

1956
1957
1958

1959
1960
1961

1962
1963
1964

law, facts, norms of natural justice and materials on the record hence not tenable and liable to be set aside.

- B- That the appellant has not been treated by the respondent Department in accordance with law and rules on the subject noted above and as such the respondents violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.
- C- That the respondent Department acted in arbitrary and malafide manner by not adjusting the appellant on the post of PST BPS-12 w.e.f. 09-03-2005 with all back benefits.
- D- That the appellant have highly been discriminated and not treated in accordance with law and rules on the subject noted above by the respondents and as such the respondents violated the law of natural justice.
- E- That appellant seeks permission to advance other grounds and proofs at the time of hearing.

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

APPELLANT

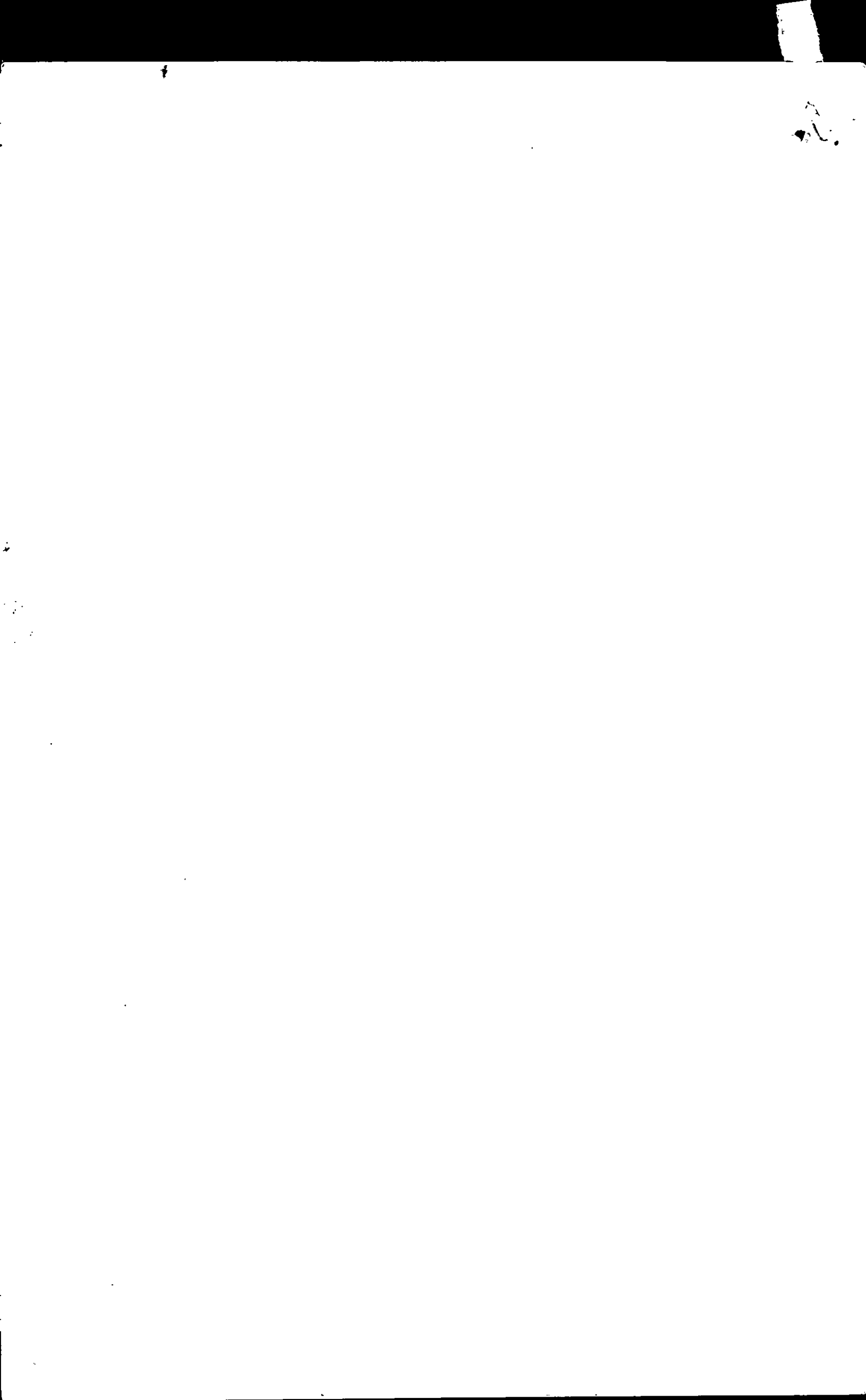


AURANGZEB KHAN

THROUGH:



**NOOR MOHAMMAD KHATTAK
ADVOCATE**



OFFICE OF THE EXECUTIVE DISTRICT OFFICER SCHOOLS & LITERACY BANNU.

APPOINTMENT ORDER of 09-03-2005

B-5

Consequent upon the approval of Competent Authority, the undersigned is pleased to issue Appointment / Posting order in respect of the following PTC/PST (Male) candidates District Level, UIC Level & Disabled from the Merit List on Contract Basis against the vacant posts in BPS- 07 plus usual allowances in the schools mentioned against each their names in compliance of the decision passed by Honourable High Court Peshawar (D.I. Khan Bench) Dated: 28-04-2004 regarding A.I.O.U. 1999 Candidates in the best interest of public service with effect from their date of taking over charge, subject to the terms & conditions given below.

S.No.	NAME	FATHER NAME	ADDRESS	D.P.S	DISTRICT LEVEL UNION COUNCIL LEVEL	PLACE OF POSTING	REMARKS
1	Rehmandil ✓	Onstagir	Manush Khel	07	Distt: Level Merit	GPS Gash Taji Abbas Khan	S.T.
2	Muhammad Numan	Shabir Ahmad	M.C Bannu	07	Distt: Level Merit	GPS Zair Nawaz Baka Khel	
3	Shakar Ayaz	Musa Khan	Kakki	07	Distt: Level Merit	GPS Lakki Qamar Din	S.T
4	Kamal Bahadar Khan	Khan Bahadar	Kakki	07	Distt: Level Merit	GPS Moeenullah Umer Zai	C.T No 2 Hys
5	Mohd: Rafiq	Sher Daraz	Kakki	07	Distt: Level Merit	MPS Syed Ayaz Laniwan	صالح
6	Farmanullah	Saifullah	Khwajamad	07	Distt: Level Merit	GPS Sarwar Jan Pirba Khel	صالح
7	Bilawar Khan	Gul Wali Khan	S.K Bala	07	Distt: Level Merit	GPS Ghani Khel Domel	صالح
8	Khalid Nawaz	Mohd: Roshan	Falima Khel	07	Distt: Level Merit	GPS Chatta Khel	
9	Javed Khan	Azad Khan	Landidak	07	Distt: Level Merit	GPS Qamar Killa	
10	Rahmat Ayaz	Awal Khan	Mitha Khel	07	Mitha Khel	MPS A Ghani Sarwar Faleli Khel	
11	Muhammad Ali Shah	M. Daraz Shah	Piran Daud Shah	07	Daud Shah	GPS M. Saied Daud Shah	صالح
12	Fakhar Zaman	Noor Zaman	Dazida Karam Khan	07	Lalozai	GPS Ghora Waziran	صالح
13	Abdul Khaliq	Abdus Sattar	Near F.C Line	07	Mozam Dharma Khel	MPS Rafiullah Koti Sadal	صالح
14	Muhammad Khan	M. Hanan	Hubak Killa Shah	07	S.K Bala	GPS Sakhi Killa F. I. Q. L. Khel	
15	M. Hassan Khan	Sher Afzal Khan	Jandu Khel	07	Asperka Waziran	GPS Mawaz Bukal Khel	H.A of eligible candidate in Asperka
16	Ghulam-Ali Khan	Ajab Khan	Noor-Mali	07	Asperka Waziran	GPS Sherai Khel Tarkhoba	H.A of eligible candidate in Asperka
17	Abdul Karim Khan	Sher Gul Khan	Jandu Khel	07	Asperka Waziran	GPS Zaidar Bodin Khel	H.A of eligible candidate in Asperka
18	Amangir Ali Shah	Amir Dar Ali Shah	Adami Piran	07	Bizen Khel	GPS Dostar Umer Zai	H.A of eligible candidate in Bizen Khel
19	Infaq Ali Shah	Mumtaz Ali Shah	Adami Piran	07	Bizen Khel	GPS Taziri Bizen Khel	H.A of eligible candidate in Bizen Khel
20	M. Humayun Hussain Shah	Asghar Ali Shah	Jandu Khel	07	Jandu Khel	GPS Jandu Khel No.1	
21	Qaiser Khan	M. Nawaz	Domel	07	A. Hathi Khel No.1 Domel	GPS Taza Khan Chashmi	
22	Ataur Rahman	Khol Gul	Domel	07	A. Hathi Khel No.1 Domel	GPS Zindi Killa	
23	Maliullah Khan	Mir Taj Ali Khan	Koti Sadal	07	A. Hathi Khel No.2	GPS Landi Killa	H.A of eligible candidate in A.H. Khel No.2
24	Rafiullah Shah	Mazhar Shah	Tola Killa	07	A. Hathi Khel No.2	GPS Masti Khel Patol Khel	H.A of eligible candidate in A.H. Khel No.2
25	Naqibullah Shah	Syed Shah	Koti Sadal	07	A. Hathi Khel No.2	GPS Domel Khas	H.A of eligible candidate in A.H. Khel No.2
26	Khan Zada Khan	Abdur-Rahman	Mir Amin Killa	07	Zeraki Pirba Khel	MPS Aisar Khan Wazir	
27	Gohar Zaman	Sah Muhammad Khan	Azim Killa	07	Zeraki Pirba Khel	GPS Sanzar Khel Murghani	H.A of eligible candidate in Zeraki Pirba Khel
28	Faizullah Khan	Fazal Subhan	Mir Baz Barakzai	07	Nurar	GPS M. Anwar Narmi Khel	H.A of eligible candidate in Dulla Khel
29	Shah Alam	Sardaraz	Nurar	07	Takhli Khel	GPS Zaruni Ghora Baka Khel	H.A of eligible candidate in Takhli Khel
30	Ghulam Ishaq	Daraz Khan	Nurar	07	Takhli Khel	GPS Zaray Khan Baka Khel	
31	Hidayatullah Khan	Saifullah Khan	Mirbaz Barakzai	07	Nurar	GPS Shah Dew Khas	
32	Abdus Sattar	Sher Abbas Khan	Kotka Gul Sherin	07	Mama Khel	MPS Toor Khan Mama Khel	
33	Javed Khan	Azad Khan	Kashmir Dardaree	07	Haved	GPS Haved Khas	
34	Nisar Ali	Mir Sardar Khan	Nurar	07	Hindi Khel	GPS Nasrullah Jani Khel	

ATTESTED

TERMS & CONDITIONS FOR CONTRACT CANDIDATES.

- The appointment of the candidates mentioned above is subject to the condition that they are the domiciled Bannu District.
- Their appointment is on Contract Basis. The entitled period of CONTRACT APPOINTMENT will be Three Years, after which, the contract may be renewed, keeping in view the performance / result of the teacher.
- In case of resignation without notice, their One Month Pay and allowance shall be forfeited to the government.
- The Candidates should join their posts within 15 days of the issuance of this order. The head of institutions concerned should furnish a certificate to the effect that the candidates have joined the posts otherwise, after 15 days of the issuance of this order, failing which, their order will be treated as cancelled.

- 6- Candidates will be required to sign the contract agreement on the prescribed proforma before taking charge in their schools.
- 7- No pay will be paid to the concerned till the verification of all documents.
- 8- In case of any wrong Calculation of Merit Score/Fake Certificates & Degrees detected later on, the undersigned reserves the right of amendment in the appointment order accordingly.
- 9- Head of the office is directed to check and verify the Degrees / Certificates before handing over charge.
- 10- Charge report should be submitted to all concerned.
- 11- Their services can be terminated at any time, in case their performance is found unsatisfactory and they will be proceeded against under the removal from service (special powers) Ordinance 2000.
- 12- The appointees are directed to perform their duties in their respective schools noted against their names for a minimum period of Three Years and they will not be transferred from schools where appointed.
- 13- They are required to produce Health & Fitness Certificate from the Medical Board / M.S concerned before taking over charge.
- 14- The Over Age Cases will be dealt under the rules.
- 15- No TAVDA etc are allowed.

(MUHAMMAD ISMAIL SHAH)
Executive District Officer
School & Literacy Bannu

Endost. No. 5668 - 5815 / A.E-I (Male/Pry)/PST/Appit: Dated: 09-03-2005
09-03-2005

Copy for Information & Necessary Action to:-

- 1- District Nazim Bannu.
- 2- District Coordinating Officer Bannu.
- 3- Director Schools & Literacy N.W.F.P., Peshawar.
- 4- Deputy District Officer (Male) Primary, Bannu.
- 5- District Accounts Officer, Bannu.
- 6- Regional Director Information Bannu.
- 7- Manager Employment Exchange Bannu.
- 8- Head Teachers concerned.
- 9- All concerned (Appointee).

(Signature)
DISTRICT OFFICER
(Male) Bannu.

جاوید خان/یک ایجنڈ

فونڈ سٹیٹ نرسون

0928 - 012748

پتہ: جاوید خان ایجنڈ برادری

پتہ: پرمیٹرک ٹا ہی لے فونڈ سٹیٹ نرسون

ACO
Signature

The D.C.O. Bannu.

C-6

Subject: Illegal appointment at P.T.C
Post of M. Ismail Khan (S/o
M. Hanan) Haibak Mateek Shah
S.No. 14 in 1999 list.

DCO Bannu
6.5.2008

EDo (2)
To meet for
R/sir.

With profound respect, it is stated that I have passed M.Sc (Eco) in 1996 and P.T.C 1998 from A.I.O.U. Islamabad. I belong to the council of Sk. Bala and I am at the top of the list in 1999 in my council.

The above appointee at P.T.C post does not belong to the council of Sk. Bala, but he belongs to the council of Lalozai. He is abroad and did not take charge of P.T.C post uptill now. The proof of councils (surani) and voter copies are attached with the application.

The rectified list of candidates are prepared for final sign, but they do not sign on the list of rectified candidates. I request you to compel the Executive E.D.O and E.D.O (Primary) for sign on the list of rectified candidates. Because I am unemployed and go to the High Court after that and I became overage.

Yours Expectant,
Aurangzeb S/o Sherin Jan,
vill: Pak Ismail Khel (Surani)
and council Sk. Bala Bannu.

Date: 06-05-05

The E.D.O S/L

District Bannu.

Subject:- Illegal appointment at P.T.C
Post of M. Ismail S/o M. Hanan
village Hibak Maleek Shah Surani Bannu
in 1999 list S.No 14.

(7)

R/Sir,

With profound respect, it is stated that my score is 48.28 in 1999 list and belonged the council of SK. Bala Bannu. Because I am at the top of the list in 1999 in my council.

The above appointee at P.T.C post does not belong to the council of SK. Bala, but he belongs to the council of Lalozai. He is abroad and not present at village. He did not take charge of P.T.C post up till now. I request you to cancel his order. The report of EPS Saleh Khan F. Haq Malwana teacher is written on the back side of the application.

I request your goodhonour, that my case may be consider sympathetically, so that I may get my legal right.

Yours expectant,

Aurangzeb S/o Sherin Jan

village Pak Ismail Khel/Surani
Council SK. Bala Bannu.

Date: 05-04-05.

P.T.O

①

Rectification in
appointment order dated

09-03-2005

OFFICE OF THE EXECUTIVE DISTRICT OFFICER SCHOOLS & LITERACY

BANNU

No. 7567-68

Dated 26-3-05

Handwritten notes: 20 April / 12, 10-2-04, 16-2-06

The District Coordination Officer
Bannu.

Subject: RECTIFICATION IN APPOINTMENT ORDER OF PTC / PST ISSUED
VIDE NO. 5668 - 5815, DATED 09-03-2005.

Memo:

It is brought into your kind notice that this office framed a Complaint Cell in the office for receiving complaints and appeals regarding the appointment orders within a week time.

After lapse of one week, the committee reviewed their cases on Merit after thorough / minute checking. The following rectification / amendments and recommendations of existing deserving candidates from merit list are hereby submitted for approval please.

However, it is further added that as per terms and conditions Para-4 of appointment orders of PTC / PST (Male) that if a candidate fails to join the post within 15 days of issuance of order, his order will be treated as cancelled. Thus it untreated that this office may be given the approval to consider appointment of candidates from the Merit List already submitted to your goodself as regards to PST (Male / Female) to fill up vacant posts so as to avoid further delay in appointments please.

EXECUTIVE DISTRICT OFFICER
SCHOOLS & LITERACY
BANNU

Enclosed, as above.

Copy to:

Director S & L, NWFP, Peshawar for information.

ATTESTED

EXECUTIVE DISTRICT OFFICER
SCHOOLS & LITERACY
BANNU

Handwritten notes: 29/3/05, 29/3/05, and other illegible scribbles.

Merit List of 09-03-2005
 note = Appointment in 09-03-05

(Merit List of U.C S.K Bala)

OFFICE OF THE EXECUTIVE DISTRICT OFFICER (SCHOOLS & LITERACY) BANNU
 UNION COUNCIL LEVEL MERIT LIST OF CANDIDATES OF A.I.O.U. 1999 FOR PTC / PST (MALE), 2004-05

Et Pw/2
 Bannu

E-09

Sl. No.	Roll No.	NAME	FATHER NAME	ADDRESS	UNION COUNCIL	D.O. BIRTH			AGE			SEC			PTC			F.A			B.A			M.A			TOTAL SCORE	REMARKS
						d	m	y	d	m	y	Tot. Marks	Obt. Marks	Merit Score	Tot. Marks	Obt. Marks	Merit Score	Tot. Marks	Obt. Marks	Merit Score	Tot. Marks	Obt. Marks	Merit Score	Tot. Marks	Obt. Marks	Merit Score		
1	1478	M. Ismail Khan	M. Hanan	Hezak Malak Shah	S.K. Bala	4	4	1973	13	8	31	650	578	20.33	900	570	15.83	3400	1896	11.15	550	277	5.04				52.35	52.35
2	1485	Aurangzeb	Sherin Jan	Pak Ismail Khel	S.K. Bala	12	10	1968	2	2	35	850	432	15.25	900	520	14.44	1100	514	9.35	550	289	5.20	1700	765	4.5	46.98	48.28
3	1470	Sherin Farman	Sherin Jan	Pak Ismail Khel	S.K. Bala	1	10	1975	15	2	29	850	499	17.56	900	507	14.08	1100	471	8.56	550	247	4.49				44.71	
4	1471	Shenullah Khan	M. Saadud Din	Wala Khel	S.K. Bala	15	8	1959	5	4	35	850	428	16.52	900	513	14.25	1100	510	9.27	550	247	4.49				44.53	

No. of Vacancies to be filled:- 01

CERTIFICATE

Certified that the above entries made in the merit list are checked / verified and found correct.

Members	Name / Designation	Signature
1	Umer Ayaz Khan Supt. I.C.	[Signature]
2	Umer Zaman Khan H.S.T.	[Signature]
3	Abdul Haq Khan Dy. D.O. (M)	[Signature]
4	Fazal Saadiq Khan D.O. (M)	[Signature]

Signature of Executive District Officer
 S & L Bannu

D.O (Male) Bannu

EXECUTIVE DISTRICT OFFICER
 S & L BANNU

Asstt: Co-ordination Officer
 BANNU

Handwritten notes and signatures on the left margin, including dates like 31/5/05 and 26/4/56.

اوین فیرٹ

روزنامہ نام: روزنامہ (پانی)

37

اوین فیرٹ

1578

F-10

MoH MAD ISMAIL KHAN نام (آرڈر اور انگریزی میں) محمد اسماعیل خان

Mohammad KHANAN. ولایت (آرڈر اور انگریزی میں) محمد خان

155-91-133577 امیدوار کے قومی شناختی کارڈ کا نمبر

ڈویسمنٹ بنوں دی، گاؤں ہدیہک، ضلع سوات، سوڈان دی، پونڈن کوئٹہ سیکنڈری اسکول

دی، سوڈان حلقہ پی ایف 58 دن تحصیل بنوں دی، ضلع بنوں

تاریخ پیدائش: 04-04-1973
تفصیلی قابلیت: BA

52.34

یہ کالم دفتری استعمال کیے گئے ہوتے	کانٹریبٹر	کانٹریبٹرز کا نام (آرڈر نمبر)	سال پائی آرڈر	امتحان
20.32 $\frac{30\% \times 576}{850}$	850	576	1990	میٹرک
15.83 $\frac{25\% \times 570}{900}$	900	570	1996	پی ایس سی
11.15 $\frac{20\% \times 1896}{3400}$	3400	1896	1995	ایف اے / این ایس سی
5.04 $\frac{10\% \times 277}{550}$	550	277	1998	ایس اے / بی ایس سی
52.34				ایم اے / ایم ایس سی
				ٹوٹل

ادارے کا نام جہاں سے 576 کا امتحان پاس کیا ہے، علاوہ اقبال اوین یونیورسٹی اسلام آباد

سرکاری نیم سرکاری سکولوں میں تدریسی بقیہ سے از ... تا ... کا مدت

تدریسی بقیہ سے کامرٹیکٹ منسک کریں

Handwritten signatures and notes at the bottom of the page.

Annexure D

1998 U/C proof Bannu

CERTIFICATE.

127

It is hereby certified that there is no increase/decrease in the number of wards in my jurisdiction. The number of wards as according to the 1991 Delimitation and 1998 Delimitation are as under:-

Name of Local Councils.	No. of Wards according to Delimitation-91.	No. of Wards according to Delimitation-98.
1) Aral Hathi Khel.	7	7
2) Azim Kale.	5	5
3) Karab Kala.	6	6
4) Jhando Khel.	6	6
5) Lalozai.	7	7
6) Sikandar Khel Bala.	6	6
7) Shahbaz Azmat Khel.	5	5
8) Fatima Khel Kalan.	7	7
9) Kala Khel Masti Khan.	5	5
10) Amandi.	6	6
11) Hinjal.	5	5
12) Asperka Waziran.	6	6
13) Nar Jaffar Khan.	6	6
14) Mira Khel.	5	5
15) Khojari.	5	5
16) Kakki.	9	9
17) Ghoriwala.	7	7
18) Shamshi Khel.	7	7
19) Nizam Dharma Khel.	7	7
20) Bazar Ahmad Khan.	6	6
21) Bharat.	5	5
22) Mandan.	5	5
23) Khawjamad.	5	5
24) Mohammad Khel Wazir.	5	5
25) Daud Shah.	5	5
26) Mamash Khel.	6	6
27) Mita Khel.	5	5
28) Zargar Mama Khel.	5	5
29) Landidak.	5	5
30) Nurar.	7	7
31) Jani Khel.	5	5
32) Baka Khel.	5	5
	<u>186</u>	<u>186</u>

ATTESTED

S. U. J. S.
Assistant Director,
Delimitation Officer,
LG & Rural Dev: Deptt: Bannu.

Countersigned
Divisional Director, LG &
Rural Dev: Deptt: Bannu Divn: Bannu.

PROVINCIAL

Union Councils

Rural Councils

of District, Bannu.

Name of Tehsil.	Name of Union Council.	Name / Numbers of Electoral Wards.	Particulars of Wards.
Bannu.	1. Aral Nathi Khel.	1. <u>KHURGAI.</u>	Khurgai, Zeraki Maibat Khan, Watan Killa, Gul Khan Killa, Titi Killa, Bada Killa, Aukhunde Khan Killa, Jangdeed Killa, Abadi Kora Khan Killa, Abadi Gulab, Abadi Saifal, Alam Gul Killa, Jangi Killa, Woodin Gul Hill, Sher Dae Killa, Abadi Jandak Killa, Gundi Killa, Jan Khani Killa.
		2. <u>CHISHMI.</u>	Chamshi Khurd, Chamshi Kalan, Mani Killa, Easa Gul Killa.
		3. <u>BAKAR KHEL.</u>	Bakar Khel, Walgai Killa, Alim Khan Killa, Selo Killa, Abadi Aspin, Abadi Mohd Bari Khel, Jabbarin Killa, Gula Mir Killa, Mukram Killa, Ghulam Hussain Killa, Lewat Killa, Janan Gul Killa, Sher Zaman Killa, Zafari Killa, Abadi Sarwar Woolgai.
		4. <u>DOMEL.</u>	(Domel), Abadi Aleem Khan, Abadi Naseem Shah, Abadi Zakim, Abadi Shah Zafin, Ghani Gul, Quli Khel.
		5. <u>Aqleem Khan Killa.</u>	Aqleem Khan Killa, Abadi Haji Yar Dood, Abadi Qadar Dood, Abadi Abdul Haq, Saiful Killa, Wali Ya Din Killa, Lyla Killa, Nazray Killa, Khattak Killa, Mir Abass Khan Killa, Noyabat Killa, Makand Killa, Mawar Killa, Badshah Khan Khel Abdul Khel.
		6. <u>Daulat Khel.</u>	Daulat Khel, Hawas Khel, Abadi Shamal Dibi, Abadi Warshmin.
		7. <u>Udgal Khel.</u>	Udgal Khel, Kotka Zalin, Umer Khan, Wali Zar Killa, Saidar Jan Killa, Woodin Gul, Mir Azam Baik Khel, Kotan, Mamat, Khamadi, Manzar.
	2. <u>AZIM KILLA.</u>	1. <u>AZIM KILLA.</u>	Azim Killa, Agri Killa, Ghani Khel, Sultan Mahmood Killa, Woodin Killa, Habibullah Khan Killa, Saifullah Khan Killa, Haji Ghulam Sarwar Killa, Gul Patool Khel.
		2. <u>LANDI JALANDER.</u>	Landi Jalander.

ATTESTED

[Signature]

S. W. J.

Name of District.		Bannu.		Particular of Wards.
S.No.	Name of Tehsil.	Name of Union Councils.	Name/Numbers of Electoral Ward.	
			<u>3. DANDI.</u>	Gul Diwa, Aimal Killa, Mohd Killa, Dandi Killa, Raqeeb Killa, Ashi Nariwa Patool Khel, Kitka Abad Jan, Dakhli Khandar Khan Khel.
			<u>4. CHATWA Khel.</u>	Kitka Aukhandan, Mohd Jan, Chat Khel Killa, Bander Killa, Gul Killa, Dakhli Khandar Khan Khel, Mir Yar Killa, Sheikh Payoo Killa.
			<u>5. GADI TAP.</u>	Didan Killa, Mir Ali Killa, Nari Khan Killa, Awal Khan Killa, Jalander Shah Killa, Darya Kh Killa, Toofan Killa, Mir Akbar Mir Yanin Killa (Barmi Khel), Dakhli Khandar Khan Khel.
		<u>3. KARAB KILLA.</u>	<u>1. MUSA KHEL WOOLGAI.</u>	Musa Khel Woolgai, Abadi Khadis, Abadi Mir Sher Khan, Zareed Khan, Mir Qand, Akbar Z Mira Bat Killa, Sher Zak, Sand Awal Din, Meri Killa.
			<u>2. NAZAR DIN KILLA.</u>	Zabi Khel, Abu Samand Killa, Gul Dood Killa, Nazar Din Killa, Banda Killa, Mali Saifal Khel Killa, Wali Zar Sheikh Killa, Killa, Mando Killa, Juma Gul K Saifal Killa.
			<u>3. KARAB KILLA.</u>	Shoqa Din Killa, Sahib Din Killa, Karab Killa, Ayub Khan, Nawazi Killa, Gul Khan Killa, Zar Kha Killa, Kati Khel Killa, Wazir Waik Killa, Dakhli Khandar Khan Khel.
			<u>4. ZENKAI.</u>	Qamar Killa, Mushraf Killa, Sh Moin Killa, Mohd Din Killa, Ad Killa, Sadi Khel Killa, Zara K Killa, Banochi, Abad Khel, Musa Killa, Lohar Juma Dar Killa.
			<u>5. PIR BA KHEL.</u>	Khani Killa, Zarin Killa, Ahmad Killa, Alam Gul Killa, Lapri K Sheri Killa, Bakar Khel, Wate Khel, Aukhandan, Tajak Killa, Mohd Khel Killa, Mian Gul Killa, Abadi Mohd araz, Lali Killa, Zar Gul Lohar, Saifal Killa, Babli Killa, Gul Zarin Killa, Izat Killa.
			<u>6. SIRKI KHEL.</u>	Sirki Khel.

(Contd: on page 3).....

S. C. J.
 Assistant Director Local Govt.
 Rural Devt. In-charge Deptt.

Divisional Director,
 LG & Rural Dev: Deptt:
 Bannu Divn: Bannu.

PROGRAM

District.	Bannu.	Particular of Wards.
No of Councils.	Name of Local Councils.	Name/Numbers of Electoral Ward.
Ad Killa, Ashi, a, Abdu Khel.	4. <u>JANDU KHEL.</u>	1. <u>SADRAWAN.</u> Khan Bahadar Ghazi Mar Ja Janat Mir Killa, Gul Poor Jan Killa, Ahmad Din Killa, Khan Killa, Nazar Din Killa, Syed Ghulam Killa, Barlashtai, Qasam Khan Killa.
n, Chat, Gul an Khe yoo Ki	2. <u>SADA KHEL.</u>	Sada Khel.
la, War lla, ya Kh Akbar (hel) e l.	3. <u>JANDU KHEL.</u>	Jandu Khel Khas, From Centre Line toward east Abadi, Kotka Alam Zar Alam Killa, Sawan Killa, Gat Killa, Others Kotka Jat.
Abassi Khan, abar 2, Sand	4. <u>MIR MALI.</u>	Jandu Khel Khas, from Central Street toward west Abadi School Lawara Mela Nir Mali.
Killa in Killa Khel Killa, Gul K	5. <u>ADAMI.</u>	Adami, Titar Khel.
Din Killa Jawazi ar Kha jazir ler Kh	6. <u>PAINDA KHEL.</u>	Spin Tangi, Mira Madi Killa, Shah Mir an Killa, Painsda Khel Khas, Kitka Juma Afzal, Gul Mir Khan Killa, Aziz Khan Killa, Abass Khan Killa, Kotka Raip Khan
lla, Sh lla, An Zara K l, Kuma lla.	5. <u>LALOZAI.</u>	1. <u>BAZID MANDOZAI.</u> Bazid Mandozai, Panak Zai. 2. <u>KACHKOT ASAD KHAN.</u> Kachkot Asad Khan, Mirza Beg.
s, Ahmad pri K, Wate lla, al Killa lla, lla.	3. <u>LALOZAI.</u>	Lalo Zai, Wandah Khel Chaffar, Kachkoto Sadi.
Assistant Inspector Local Councils Bannu	5. <u>TORKA.</u>	Torka.
	6. <u>BAZIDA KOKAL KHEL.</u>	Bazida Kokal Khel, Sadat Madak Shah.
	7. <u>BASIA KHEL.</u>	Basia Khel Khole, Kotka Bazid Jan Killa.
	6. <u>SIKANDER KHEL- BALA.</u>	Sikander Khel Bala, Mala Khel.
	1. <u>S.K. BALA.</u>	Wala Khel, Haibak Shera Bat Kha,
	2. <u>WALA KHEL.</u>	Musa Khel Wala Khel, Haibak Musa Jani.
	3. <u>HAIBAK SHERZA KHA.</u>	Pak Ismail Khel, Nasar Dil, Sher Dil, Haibak Sherza Khan
	4. <u>FAZAL HAQ MALWANA.</u>	Fazal Haq Malwana, Kotka Daulat Khan, Dakhli Haibak Sherza Khan.

ATTESTED

[Signature]

[Signature]

Assistant Inspector Local Councils Bannu

Name of District.

Bannu.

S.No.	Name of Tehsil.	Name of Local Councils.	Name/Numbers. Electorol Wards.	Particulars of Wards.
			5. <u>HASSANI.</u>	Hassani, Mewa Khel, <u>Haibak-Malik</u> ^{Shah}
			6. <u>DEGAN SHADI KHAN.</u>	Degan Shadi Khan, Degan Sha Jalal, <u>Bazida.</u>

7. AHAN BAZ AZMAT KHEL.

1. SALEMA SIKANDER KHEL. Salema Sikander Khel, Kotka Dakas.

2. AIMAL KHEL. Aimal Khel, Mardi Khel, Kotka Behram Shah.

3. KOTKA KHAN SHERIN. Kotka Khan Sherin, Abad Gamber, Abadi Kamaran, Abadi Ghulan Cadar, Kot Faiz Talab, Kotka Khalil Dad, Kotka Mir Baz, Azma Khel, with Kotka Jat.

4. SHAH BAZ AZMAT KHEL JANABI(1). Southern Side, of Shah Baz Azmat Khel Khas, Abadi Aujhandan, Gani Machan Kh

5. SHAH BAZ AZMAT KHEL SHAMLI(2). Notherin Side of Shah Baz Azmat Khel Khas.

8. FATMA KHEL KALAN.

1. Fatma Khel Kalan. Kotka Biland, Kotka Sakhi Abadi Tarknan, Kotka Mohd Zaman (Zaman), Kotka Ali Abass, Lo Chowk, Malik Chowk, Bar Cho Kotka Qamar Ali Khan (Sard Ali Khan), Chowk Quizan, Ab Akbar Khan, Kotka Zeri Gul From Chowk Mir Dal to hou of Mir Baz easterin side. Kocho Yousaf Shah from Ka Cali to Abadi Faqiran Cen area with Kocho Jat Amir Shah, Shah Jehan, Abadi Aja Khan, waliyat, Bahadar Gul Jehan Rooshan. 2. Chowk Q Jan to Vial Belkal, Metal road both side up to Koh road Abadi. 3. From Gul S to house Umer Hayat with Kocho Mureeb Khan up to Zafrullah, Kocho Noor Baz Amanullah.

2. Kot Adil SHERQI.

3. Kot Adil Sharbi.

1. From house of Mir Bad Shah house of Malik Sardar with Tang, Kocho Maleek, Kocho Sha
2. From house of Sardar Khan house of Ajam Khan with Ko Mir Saudad, Kocho Talab Jan Kocho Raqeeb, Kocho Khan Ba
3. From house of Gul Ajam, Kha house of Noor Akbar Khan wsterin side Kocho Yousaf (ain Street).

Divisional Director,
LG & Rural Dev. Deptt:
Bannu Divn: Bannu.

(Contd Page 5.....)

Divisional D
LG & Rural
Bannu Divn:

Note

10

Bannu

12

NO AND COMPOSITION OF UNION COUNCILS IN DISTRICT BANNU CONSTITUTED UNDER THE PROVISION OF SECTION-3 OF LOCAL GOVERNMENT ELECTIONS ORDINANCE-2000-1999 DISTRICT BANNU (Ordinance 4/1999 - 2000) - 11/Councils - (Annex-1)

15

S No.	Name of Tehsil	Name of Union Councils.	Name of Patwar Circle / Mouzziat included in Composition	Population
1	Bannu	AHAL HATHI KHEL	Ahal Hathi Khel Taraf Awal	
2	Bannu	DOMEL	Ahal Hathi Khel Taraf doom	16384
3	Bannu	ZERAKI PIRDA KHEL	Zeraki Pirba Khel Sirki Khel, Musa Khel Waligai	13434
4	Bannu	KHANDAR KHAN KHEL	Eidal Khel Khandar Khan Khel	15462
5	Bannu	ASPERKA WAZIRAN	Asperka Taraf Awal Asperka Taraf Doom	17914
6	Bannu	BIZEN KHEL	Bizen Khel Umerzai Wazir	20396
7	Bannu	JHANDU KHEL	Jhandu Khel, Noormali Adhami, Titar Khel Alam Michan Khel, Degan, Shigi Midan Khel Torkhi Wala Fazal Shah Torkhi Wala Khas	19120
8	Bannu	SIKANDAR KHEL BALA	Fazal Haq Malwana, Halbak Musa Jani, Halbak Sherabat Khan, Halbak Sherza Khan, Mula Khel, Musa Khel-Wala Khel, Nasra Din Sherdil, Pak Ismail Khel, Sikandar Khel Bala, Wala Khel.	16285
9	Bannu	LALOZAI	Bazida Kokil Khel, Bangi Khel, Komkotka Saqi, Lalozai, Mandori Datal Shah, Sadat Madak Shah, Torka, Wanda Khel Ghaffar, Bassia Khel, Bazida, Degan shadi Khan, Degan shah Jalal, Halbak Malook Shah, Hassan, Kochkot Asad Khan, Kalka Bazi, Mawa Khel, Mirza Khan	12341
10	Bannu	NEZAM DHERMA KHEL	Dherma Khel, Ismail Khani Khel, Kachozai, Kotka Feroz, Nizam Khan, Poroz Khani Khel, Doza Khel, Hassan Datta Shah, Kuti Sada, Zakir Khel Ibrahim Gud	24020
11	Bannu	FATMA KHEL KALAN.	Fatma Khel Kalan, Kot Bah, Kot Dama.	24670
12	Bannu	GARIH SHER AHMED	Garih Sher Ahmad, Haji Khel Anwar Shah, Kafshi Khel Baboian Urban census Circles No. 6 AND 4	17952
13	Bannu	BAZAR AHMAD KHAN	Bazar Ahmad Khan, Gul Ahmad Shah, Hassan Khel Isaki, Kotka Sherzad, Shah Jehan Shah, Sharif Shah.	14445
14	Bannu	SHAHBAZ AZMAT KHEL	Eimal Khel, Ghani Michan Khel, Mordi Khel, Shahbaz Azmat Khel, Gaudak, Kotka Behram Shah, Kotka Dakas, Naseem Akbar Shah, Siema Sikandar Khel.	16877
15	Bannu	KALA KHEL MASTI KHAN.	Kala Khel, Ismail Khani, Hejam Khan, Sadat Hassanani Sera Bada Khel.	16850
16	Bannu	MIRA KHEL	Mira Khel, Taji Khel, Chak Dadan, Fatma Khel Korad, Khujram Khel, Mandori Patal Shah, Musa Khel, Nohizar & Ismail Khel.	16282
17	Bannu	GHORIWALA.	Kot Mehtar, Ghoriwala.	22970
18	Bannu	SHAMSHI KHEL	Shamshi Khel, Ghazali Michan Khel, Momin Mughal Khel, Kotparsha, Amin Mughal Khel, Balo Michan Khel, Bhanji Khan Mughal Khel, Dala Michan Khel, Gandarwala Feroz, Nar dilasa Shah, Nar Mengraj, Haki Sarkar Surkainand Khel, Mughal Khel, Torri Michan Khel.	14113
19	Bannu	NAR JAFFAR KHAN	Nar Jaffar Khan, Nar Bastan, Nar Fazallah, Nar Mir Abbas Shah, Nar Mir Alam, Nar Mohid Ayaz, Nar Najub, Nar Shermast, Nar Shakir Ullah, Nar Aziz Abad, Nar Sher Khan.	16107

TESTED

Handwritten signature

37	Bannu	JANI KHEL	Jani Khel Mushtarika.	
38	Bannu	HINDI KHEL WAZIR.	Hindi Khel Wazir, Edia Khel Wazir, Malak Shahi.	13671
39	Bannu	UNION COUNCIL No.1 Bannu (Urban)	Circle No.1 Block 1 to 6. Circle No.5 Block 1 to 5	14286

39	Bannu	UNION COUNCIL No.1 Bannu (Urban)	Circle No.1 Block 1 to 6. Circle No.5 Block 1 to 5.	14286
----	-------	----------------------------------	---	-------

12

13

16

Name of Tehsil	Name of Union Councils.	Name of Patwar Circle / Mouzziat included in (composition)	Population
Bannu	KAKKI	Kakki Taraf Awal, Landidak Mohd Khan, Oasuria Landidak Chalwishtagan, Kakki Taruf Doam, Landi Dak Gulzada, Landi Dad Sheikh Landak.	26587
Bannu	BHARAT	Bharat, Landidak Bharat, Landidak Shahdev, Tughal Khel, Amber shah, Dalo Khel Zalem Hathi Khel Banochi, Nagashband.	17420
Bannu	KHUJAR!	Khujari Khas, Khujari Babar, Khujari Jana, Kot Qalandar, hassan Khel Jaffar Khan, Ibrahim Khan Mughal Khel, Jan Badar Land, Kot Azad Mughal Khel, Maja Khel, Sadat Rehmat Shah.	19821
Bannu	MANDAN	Bangash Khel, Dolo Khel Abdur Rahim, Dolo Khel Naurang, Oasim Khel Inayat, Suba Khel Khattak, Shakrullah Hussain.	12627
Bannu	KAWAJAMAD	Khawajamad, Abbas Khel, Boden Khel Mir Khawas, Bahadar Khel Mir Azam, Berri Khel, Faiz Talab Abas, FeteH Khel Kausar, Kafshi Khel Muzafar Khan Korri Sheikhan, Manak Khel, Mian Khel Hakim, Yarak Khel, Zulqadir Mandan.	20421
Bannu	MITA KHEL	Dad Kachkot, Fateh Khel Feroz, Fateh Khel Sarwar, Kingar Jan Bahadar, Kingar Lar Mast, Lochi Khel Abbas, Lochi Khel Fazal shah, Lochi Khel Taimour Shah, Mita Khel Khan Suba, Mita Khel Maleek, Mita Khel Samand, Shaijehan Wazir.	13806
Bannu	HINJAL	Baist Khel, Hirjil Nawab, Hinjal Sherza Khan, Hinjal Noorbaz, Madazam Dhanda Khel, Sokari Jabbar, Sokari Karim Khan, Sokari Zahra Khan.	22898
Bannu	AMANDI.	Amandi, Garhi Piran, Nusrat Shal Khel and Sokari Hassan Khel.	12447
Bannu	DAUD SHAH	Daud Shah, Bozi Khal, Garhi Sajdan, Ladha Khel and Mushar.	13317
Bannu	MOHAMMAD KHEL WAZIR.	Mohammad Khel Wazir	13203
Bannu	MAMASH KHEL	Mamash Khal Sadat and Mamash Khel Nogarhi.	15167
Bannu	NURAR.	Nurar, Mandev and Shahdev.	21721
Bannu	MUMBATI BARIKZAI.	Mumbati Barikzai, Mirbaz Barikzai, Tapi Ghulam Qadir, Zonda Ghaibi.	12325
Bannu	MAMA KHEL.	Mama Khel and Hassan Khel Shah Dew.	11686
Bannu	HAVID LANDI DAK.	Havid Khas, Landi Dak Havid, Landi Dak Lewan Wazir, Landi Dak Multani, Dredariz, Landi Dak Barikzai, Landi Dak Bazid, Landi Dak Khan Suba, Landi Dak Khawja Mad, Landi Dak Mamash Khel, Landi Dak Mama Khel, Landi Dak Mamat Wazir, Landi Dak Nemat Gar, Landi Dak Sardi Khel, Landi Dak Shahnajeb.	17795
Bannu	FAKHTI KHEL WAZIR.	Fakhti Khel Wazir.	15024
Bannu	BAKA KHEL WAZIR.	Baka Khel Wazir, Landi Dak Gulbadeen, Landi Dak Mandak Wazir, Landi Dak Mandew.	12522
Bannu	JANI KHEL	Jani Khel Mushtarika.	12216
Bannu	HINDI KHEL WAZIR.	Hindi Khel Wazir, Edia Khel Wazir, Malak Shahi.	13671
Bannu	UNION COUNCIL No.1	Circle No.1 Block 1 to 6. Circle No.5 Block 1 to 5.	14286

ATTACHED

BEFORE THE PESHAWAR HIGH COURT
BENCH D.I.KHAN.

Writ Petition No. 383 / of 2009.

Aurangzeb Khan son of Shareen Jan r/o Pak Ismail Khan
Union Council Sikandar Khel Bala Khan Surani, Bannu

(Petitioner)

Versus

1. Director (School & Lit:) NWFP, Peshawar.
2. District co-Ordination Officer, Bannu.
3. Executive District Officer (School & Literacy) Bannu.
4. Deputy Education Officer Primary Bannu.
5. District Officer Primary D.I.Khan. **Bannu.**
6. Assistant Co-ordination Officer, Bannu.
7. Establishment Head Clerk Education Bannu.

(Respondents)

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

RESPECTFULLY SHEWETH:

1/ That the petitioner has passed his MSC in economics in the year 1995 and has also passed his PTC in the year 1998 from Allama Iqbal Open University, Islamabad and the petitioner is permanent resident of Union counsel Sikander Khel Bala, Bannu.

2/ That in the year 2004 respondent No.3 advertised PTC Post for the entire District in which the petitioner also appeared and according to statement of the official, respondent's **one** seat was reserved for union counsel Sikandar Khel Bala out of **25%** of the total seats for the District as per **dictum of Honourable** Peshawar High Court.

ATTESTED
EXAMINOR
Peshawar High Court
D.I Khan Bench 18/8



Case No. 2301
Filed 0-0-09
25/8/09

3/ That with mala fide intention one Ismail was shown as resident of Sikandar Khel Bala and was placed at S.No.1, while petitioner was shown on S.No. 2. Ismail was appointed, but he did not joined his services , as he was abroad, and the same post remain vacant and the petitioner was not appointed despite the fact that the petitioner was on merit, and all the requests of petitioner were in vain.

4/ That in the year 2005 once again the education department advertised PTC posts in District Bannu, but mala fidely no post of Union Council Sikandar Khel was specified, particularly when the post on which appointment order of Muhammad Ismail (ibid) were issued and which is still lying vacant, even then some posts lying vacant.

5/ That the discrimination and mala fide on the part of respondent No.3 speaks volume from the above circumstances and by not advertising the post of PTC of union counscl Sikandar Khel, despite the clear vacancy.

Handwritten notes and signatures on the left margin, including "22/1" and "23/8/08".

6/ That in this regard writ petition No.352/2006, was filed wherein para wise comments requisitioned from respondent No.3, who admitted the appoint of Muhammad Ismail. Copy of writ petition is enclosed as annexure-A.

Handwritten signature on the left margin.

7/ That the writ petition was disposed off with the observation that the petitioner will be at liberty to apply afresh when occasion arise, who will be considered strictly n merits and according to the government policy.

8/ That in the year 2004, petitioner was ignored to appoint. Despite the fact that from 2004 to date in 2009, after lapse of five years, many appointments were made, but inspie of vacaut post in his Union Council, respondents are not appointing the petitioner.

ATTESTED
EXAMINOR
Deshwar High Court
18/10

ATTESTED
Handwritten signature

9/ That the petitioner being feeling aggrieved, having only remedy of writ petition to seek indulgence of this august court, inter alia, on the following grounds.

GROUND:-

1. That petitioner is/ was on top of merit, but mala fide intention other person Muhammad Ismail of other Union counsel made on the top of merits, who was appointed once, but due to his absence and not assuming the charge, he was terminated, despite the fact the petitioner was mala fidely not appointed at this vacant post. That very post is still vacant. But, till now despite various applications, respondents ignoring the petitioner.
2. That till 2004, to date i.e. 2009 after lapse of five years, many persons were appointed on PTC post but through back door, but when petitioner requests for his appointment, he deals with harsh hands.
3. That the very post of PTC pertains to Union council of petitioner and still vacant, due to this petitioner has right to be appointed at that very post. While respondents are reluctant to do so.
4. That it is very much astonishing that after laps of five years no advertisement made, and the vacant posts are filling through back door, due to which total vacant posts are so less to be advertised and by this act of respondents, actual persons are depriving from their seats.
5. That vacant posts are filled by this way on the basis of mala fide, by giving No objection certificates and post availability certificates to those persons/servants who are out of district and due to this the persons of out of district transferred in Bannu District and by this way the right of candidates belongs to Bannu collapse. Which should be treated stone hands.

Case No - 2301
File No - 301
25/8/09

[Handwritten signature]

ATTESTED
[Signature]
EXAMINOR
Peshawar High Court
D Khan Bannu
18/8

ATTESTED
[Signature]

- 6. That due to this conduct of respondents and by not appointing the petitioner despite he deserves, the petitioner is going to be overage. which fact will effect the life of petitioner and his whole career.
- 7. That the petitioner belongs to a poor family. have spend whole amount on his education, having no source of income. despite the hope that he will be appointed.
- 8. That the counsel for the petitioner may graciously be allowed to raise additional grounds during the course of arguments.

It is, therefore, respectfully prayed that on acceptance of this instant Writ petition, the respondents may kindly be directed to appoint the petitioner at vacant post of Sidander Khela bala, as PTC. Any other relief deemed appropriate in the circumstances may also be granted.

YOUR HUMBLE PETITIONER.

Aurangzeb
Aurangzeb Khan
Through counsel

M. D. Alvi
M. D. Alvi Advocate

Dated 24/9/2009

Case No. 2381
Filed on 24/9/09
24/9/09

AFFIDAVIT

I, Aurangzeb Khan son of Sharen Jan r/o Pak Ismail Khel Union Council Sikandar Khel Bala Khan Surani, Bannu Petitioner, do hereby solemnly afire and declare on oath that the contents of writ petition are true and correct to the best of my knowledge and belief and nothing has been concealed from this honourable Court.

Identified by
M. D. Alvi

M. D. Alvi

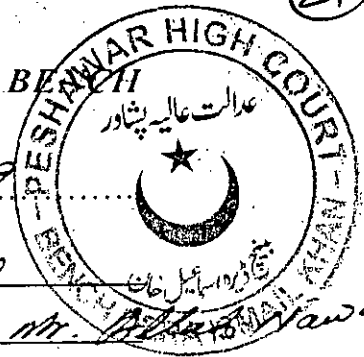
Aurangzeb
Deponent
11101-3869471-3

ATTESTED
[Signature]
EXAMINOR
Peshawar High Court
D. Khan Bandi 18/8

[Signature]

JUDGMENT SHEET
PESHAWAR HIGH COURT, D.I. KHAN BENCH
JUDICIAL DEPARTMENT

21



M.P. No. 383 of 2009

Date of hearing 15-06-2010

Appellant-petitioner (Aurangzeb) By Mr. Attaullah Khan Advocate

Respondent (Director of Education) Memo.

ATTAULLAH KHAN J.-Through this

Constitutional petition filed under Article 199 of the Constitution of Islamic Republic of Pakistan

1973, Aurangzeb Khan petitioner has prayed for declaring him entitled for appointment as PTC in

the Union Council, Sikander Khel Bala Bannu on the grounds mentioned therein.

2. Without entering into the merits/demerits of the case, it would be in the interest of justice that this writ petition be treated as representation on behalf of the petitioner and remitted to respondent No.3 for disposal strictly on law and merits, to which learned counsel for the petitioner candidly agreed.

3. We order accordingly. The original copy of the writ petition and the documents

Attaullah Khan
ATTESTED
EXAMINOR
Peshawar High Court
D.I. Khan Bench 8/8

ATTESTED
Attaullah Khan

22

annexed therewith be sent to respondent No.3 and its photo copies be retained on the file.

4. The writ petition is disposed off accordingly.

ANNOUNCED
15/6/2010.

[Signature]
JUDGE

[Signature]
JUDGE

ISSUE

[Signature]
Addl Registrar
Date 16.6.10

Office
16/6

ATTESTED
[Signature]
EXAMINOR
Peshawar High Court
DI Khan Bench 18/6

ANNOUNCED

[Signature]

na

OFFICE OF THE EXECUTIVE DISTRICT OFFICER SCHOOLS & LITERACY BANNU

APPOINTMENT ORDER of 30-08-2010

H-23

In compliance with the Hon: Peshawar High Court Bench D.I.Khan Judgment dated;15-06-2010 and Consequent upon the recommendation of the Departmental Requirement committee, the undersigned is pleased to appoint the below mentioned Male PST in BPS mentioned against him plus usual allowances as admissible under the existing rules/ policy in the schools noted against each candidate with effect from the date of taking over charge in the best interest of public service subject to the terms /conditions given below.

S /No	Name	Father's Name	Address	Place of Posting	Scale	Remarks
1	Aurangzeb Khan.	Shareen Jan Khan	U/C S.K.Bala	GPS Pak Ismail khel	BPS-7	Against Vacant Post

TERMS & CONDITIONS

1. His service will be considered regular but without pension & gratuity in term of Section-19 of NWFP, civil servant Act.1973 as amended vide NWFP, civil servant (Amendment) Act, 2005. He will however be entitled to co tributary provident Fund in such a manner and such rates may be prescribed by the Government
2. His services will be liable to termination on one month's notice from either side, in case of resignation without notice their/ his two mantis's pay/ allowances shall be forfeited to Govt.
3. The appointee should submit their charge report to all concerned.
4. His services can be terminated at any time, in case their performance is found unsatisfactory during probationary period. In case of misconduct they will be proceeded against under the NWFP removal from service Special ordinance 2000 & the rules framed from time to time.
5. The candidate should join their post with in 15 days. The head of the institution concerned should furnish a certificate to the effect that the candidate has joined the post or otherwise, after 15 days of the issuance of this order, failing which, their/ his order will be treated as cancelled.
6. Charge should not be handed over if age of the candidate is below 18 years or above 35 years as per policy issued on 23-02-2003.
7. The appointees are directed to perform their/ her duties in their/ her respective school noted against their names for a minimum period of three years & they /She will not be transferred from school where appointed.
8. In case of fake certificates/ Degree or any other mistake in the said appointment order detected later on the undersigned reserves the right of amendment in the appointment order accordingly.
9. The appointment of the candidates mentioned above will be subject to the conditions that they are the domicile of Bannu.
10. He will produce Health & Fitness certificates from Medical Superintendent concerned before taking over charge.
11. No TA/DA etc is allowed

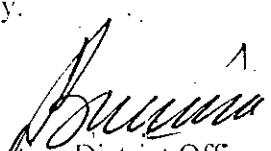
BAKHTULLAH SHAH
Executive District Officer
Elementary & Secy: Edu: Bannu

Endstt No 12081-85 /AE-I (M) Prry:

Dated Bannu the 30/8/2010.

Copy For information & necessary action to:-

- 1- The District Coordination Officer Bannu
2. Director Elementary & Secondary Edu: NWFP, Peshawar.
- 3 Dy.DO (M) Bannu with the remarks that their pay may not be drawn until & unless his testimonials are not verified from concerned Board/University.
- 4 District Account officer, Bannu.
- 5 District Officer (M) E & S Edu: Bannu .


Executive District Officer
Elementary & Secy: Edu: Bannu
EXECUTIVE DIST. OFFICER
Elementary & Secy: Education
BANNU

24

**OFFICE OF THE EXECUTIVE DISTRICT OFFICER (E & S) EDUCATION
BANNU**

SANCTION FOR UPER AGE RELEXATION

In complaiance with the Hon: Peshawar High Court D.I.Khan Bench Judgement dated: 15-6-2010. the undersigned being a competent authority is pleased to accord sanction for the upper age relexation in respect of the above name PST candidate as per specification given below:

S.No	Name of candidate	F/Name	D/O Birth	category	Prescribed age of PST	Last date of application as per advertisement	Over age by D- M- Y
1-	Aurang Zeb Kh	Sherin Jan	12-10-1968	PST	35 years	20-12-2004	08-02-01

ed/z
EXECUTIVE DISTRICT OFFICER
(E & S) EDUCATION BANNU

Endst:No 12072-75 Dated: 30/8/ 2010.

- Copy for information & n/a to the:-
- 1- Dy:District Officer (M) Pry: Bannu.
 - 2- District Account Officer Bannu.
 - 3- Candidate concerned.

[Signature]
EXECUTIVE DISTRICT OFFICER
(E & S) EDUCATION BANNU
EXECUTIVE DIST: OFFICER
Elementary & Secy: Education
BANNU

ATTESTED
[Signature]

Annexure D

P.No: 1

To

I- (25)

The Executive EDO,
E and S education,
Schools and Literacy (male) Bannu.

Subject: Application for seniority from 09-03-05 PTC teachers appointment order instead of M.ismail khan S/o M.Hanan on S.No. 14

Respected Sir,

With profound respect it is stated that I have passed M.Sc (Economics) in 1995 from Gomal University D.I Khan and also passed PTC from (AIOU) Islamabad in 1998. I have also passed CT and B.Ed from Gomal University.

IN 1999 PTC teachers interview M.Ismail Khan S/O M.Hanan on S.No 1 and plaintiff Aurangzeb khan on S.No 2 on U/C S.K Bala Bannu Merit list. The 1999 PTC teacher interview was postponed due to Honourable Peshawar High Court Bench D.I Khan.

The Honourable Peshawar High Court Bench D.I Khan was decided on 28-04-2004 about 1999 PTC teacher interview candidates, they have passed PTC from (AIOU) Islamabad.

In this decision, 25% Quota and age relaxation was given by Honourable High Court Bench D.I Khan to 1999 interview candidates, they had passed PTC from (AIOU) Islamabad.

Respected Sir,

ATTESTED



After this decision, the Executive EDO Bannu (R.No.3) was advertised PTC teachers seats on 20-12-2004 and one PTC teacher seat was specified for U/C S.K Bala Bannu in 25% Quota. M. Ismail Khan S/O M. Hanan village Hibak Malik Shah was appointed on U/C S.K Bala Bannu on S.No 14 in 09-03-2005 PTC teacher appointment order, and Fakhar Zaman S/O Noor Zaman village Bazida was appointed on U/C Lalozai on S.No 12 in 09-03-2005 PTC teachers appointment order.

These both candidates were related with U/C S.K Bala Bannu in 1998. After 1998 these both candidates were related with U/C Lalozai in 1999. The proof 1998 and 1999 about U/C S.K Bala Bannu and Lalozai are attached with the application. In 1998 these both villages Bazida and Hibak Malik Shah were related with U/C S.K Bala Bannu and in 1999 these both villages were related with U/C Lalozai. Please, you check these both villages Bazida and Hibak Malik Shah in 1998 and 1999 U/C proof.

Respected Sir,

The EDO Bannu was corrected the 1999 PTC teacher form of Fakhar Zaman village Bazida and was written U/C Lalozai instead of S.K Bala in advertisement 20-12-2004 PTC teachers interview Bannu and was appointed on U/C Lalozai on S.No 12 in 09-03-2005 PTC teachers appointment order.

The EDO Bannu was not corrected the 1999 PTC teacher form of M. Ismail Khan S/O M. Hanan village Hibak Malik Shah and was not written U/C Lalozai instead of S.K Bala on S.No 14 in 09-03-2005 PTC teachers appointment order. Because M. Ismail Khan S/O M. Hanan was abroad during PTC teachers appointment order and He was not appeared in 20-12-2004 PTC teachers interview . He was appointed on U/C S.K Bala Bannu against rules and regulation and it was great blunder of EDO Bannu. The judge No VI Bannu Statement is attached with the application.

ATTESTED



Respected Sir,

After 09-03-2005 PTC teacher's appointment order lapse five years the Honourable High Court Bench D.I Khan was decided on 15-06-2010 about the plaintiff Aurangzeb Khan S/O Sherin Jan village Pak Ismail Khel U/C S.K Bala Bannu. After this decision, the plaintiff Aurangzeb Khan S/O Sherin Jan was appointed on U/C S.K Bala Bannu as a PTC teachers instead of M.Ismail Khan S/O M.Hanan U/C Lalozai village Hibak Malik Shah on S.No 14 in 09-03-2005 PTC teachers appointment order. The 09-03-2005 PTC teacher appointment order and appointment order 30-08-2010 in the Light of Hon:Peshawar High Court D.I Khan Judgement dated 15-06-2010 advertisement 20-12-2004 of PST Bannu. Application for rectification in appointment order of PTC/PST Bannu issued vides No5668 Dated 09-03-2005 are attached with application.

I request with great humbleness to give me seniority from 09-03-2005 PTC teachers appointment order instead of M.Ismail Khan S/O M.Hanan village Hibak Malik Shah on S.No 14 in 09-03-2005 PTC teachers appointment order.

Dated: 20-08-2015

Aurazh
Yours obediently,

Teacher Aurangzeb Khan
S/O Sherin Jan village Pak
Ismail Khel Surani U/C S.K
Bala Bannu.

ATTESTED



VAKALATNAMA

IN THE COURT OF MPK Service Tribunal Peshawar

OF 2015

Aurangzeb Khan

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

Education Department

(RESPONDENT)
(DEFENDANT)

I/We Aurangzeb Khan

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

Dated. ___/___/2015

Be

CLIENT

N

ACCEPTED

**NOOR MOHAMMAD KHATTAK
(ADVOCATE)**

OFFICE:

Room No.1, Upper Floor,
Islamia Club Building, Khyber Bazar,
Peshawar City.

Phone: 091-2211391

Mobile No.0345-9383141

BEFORE THE KHYBER PAKHTOONKHWA SERVICE TRIBUNAL
PESHAWAR.

SERVICE APPEAL NO. 1367/2015

Aurangzeb Khan

Appellant

Versus

Govt: Of Khyber Pakhtoonkhwa

Respondent.

Para wise comments in joint on behalf of respondent's No. 1 to 3

Respectfully sheweth

Preliminary objections on appeal.

- 1- That the appellant has got no cause of action and locus standi.
- 2- That the instant appeal is not maintainable in its present form.
- 3- That the appeal of appellant is badly time barred.
- 4- That the appellant is not entitled in any case for granting back benefits / Seniority, as he has not performed single day of his Govt: duty.
- 5- That the appellant has been appointed in 2010, while he claims back benefits for such period wherein he has not performed single day of his Govt: duty.
- 6- That the appellant is intentionally wasting the valuable time of this honourable court as well as Govt: functionary bodies.
- 7- That the appellant has been appointed in light of representation remitted to respondent by the Honourable Peshawar High Court Bench at D.I.Khan with immediate effect in 2010, hence the appellant cannot be entitled for seniority/back benefits.
- 8- That the services appeal of the appellant is suffering from legal as well as factual and procedural defects.
- 9- That the instant appeal is also bad for mis joinder and non joinder of the necessary parties as the appellant's appeal roams around the one Mr. Ismail Khan S/O Muhammad Hanan while appellant has not impleaded him in the penal of respondents as a necessary party. Hence against the rules 6 (a) of service Tribunal rules, 1974.

FACTS.

- 1- That 1st Para is related to office as well as court record.
- 2- Incorrect: it is relevant to mentioned here that at the time of advertisement there was no vacant post in the appellant respective union council meaning thereby that no candidate had been appointed from appellant union council. Again, for redressal of his grievances, the appellant had filed writ petition No. 383 of 2009 decided on 15-6-2010 by treating writ of the petitioner, now appellant as representation for disposing the same strictly in accordance of Law and rules, to which learned counsel of the petitioner now appellant candidly conceded. Hence, the appellant then called petitioner was appointed in light Honourable High Court Representation with immediate effect on 31-8-2010. It would not be out of place to mention here that the Honourable High Court while disposing of writ petition mentioned above did not entitle the petitioner now appellant for back benefits as.

well as seniority. That keeping in view the established and admitted fact and principle "when there is no Work, there is no Pay", the appellant is not entitled for back benefits as well as seniority as he is claiming the same for such period wherein he has not performed duty for a single day. He even did not challenged his appointment order dated 31-8-2010.

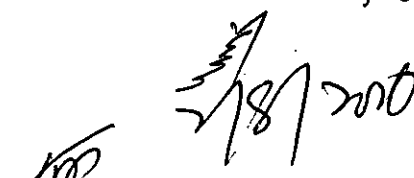
- 3- That the Para pertains to office record, however, the one Mr. Ismail Khan had been appointed out of denied/affected candidates of 1999 under 25% quota on the direction of Honourable Peshawar High Court Bench at D.I.Khan in writ petition No. 75 of 2003 decided on 28-4-2004 while the appellant could not be appointed out of 75% Union Council Wise Quota on account of non availability of vacant post at that time in his respective Union Council. Again, the appellant is junior in session to Mr. Ismail Khan. copy of judgment is "A" & copy of the denied list is as "B"
- 4- That as explained in detail in Para No. 2 of the facts.
- 5- Incorrect appellant than petitioner had been appointed in BPS NO.7 in light of representation passed in writ petition No. 383/2009 and thereafter, the appellant was promoted to BPS No. 12 in July, 2012. However the appellant has not challenged any of the order.
- 6- Pertains to record.

GROUND.

- A- Incorrect: the appellant has been appointed with immediate effect in light of representation transmitted to respondents by the Honourable Court hence the appellant is not entitled for seniority as well as back benefits, the act of respondents are in accordance with law.
- B- Incorrect the appellant has been treated in all respects in accordance with Law, Rules and facts.
- C- Incorrect the respondents department has acted in light of court representation as well as factual position.
- D- Incorrect, no ill-treatment or discrimination has been done with the appellant by respondents.
- E- The counsel for the respondents seeks permission to raise further grounds at the time of final argument.

It is therefore, very humbly prayed that on acceptance of these Para wise comments/reply in response to Service Appeal No.1367 of 2015 this Honourable Tribunal may very graciously be pleased to dismiss the same with heavy costs throughout.


DISTRICT EDUCATION OFFICER,
(MALE), BANNU


DIRECTOR,
ELEMENTARY & SECONDARY EDUCATION,
KHYBER PAKHTOONKHTWA, PESHAWAR.


SECRETARY,
2/8/16

ELEMENTARY & SECONDARY EDUCATION,
KHYBER PAKHTOONKHTWA, PESHAWAR



1954
1955
1956

AUTHORITY

I do hereby authorized Mr. Barkat Ali
Litigation Officer to appear before the Honourable Service Tribunal
Peshawar on behalf of the undersigned in the Service Appeal No.

_____ Title _____ V/S

Govt: of K.P.K.


DISTRICT EDUCATION OFFICER
(MALE) BANNU

BEFORE THE KHYBER PAKHTOONKHWA SERVICE TRIBUNAL PESHAWAR.
SERVICE APPEAL NO. 1367/2015

Aurangzeb Khan Versus
Govt. Of Khyber Pakhtoonkhwa

Appellant

Respondent.

AFFIDAVIT.

1 Barkat Ali Khan. Liti-officer

Legal representative of District Education Officer (Male) Bannu do hereby solemnly affirm and declare on oath that contents of the these Para wise Reply are true and correct to the best of my knowledge and nothing has been concealed from the Honourable court.

Deponent

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL No.1367/2015

AURANGZEB KHAN

VS

EDUCATION DEPTT:

REJOINDER ON BEHALF OF APPELLANT IN RESPONSE
TO THE REPLY SUBMITTED BY THE RESPONDENTS

R/SHEWETH:

1 TO 9:

All the preliminary objections raised by the respondents are incorrect, baseless and not in accordance with law and rules rather the respondents are estopped due to their own conduct to raise any objection at this stage of the appeal.

ON FACTS:

1 TO 6:

- 1- Admitted correct by the respondents hence need no comments.
- 2- Incorrect and not replied accordingly. That the respondent Department advertised the post of PST's both male and female in daily newspaper Mashriq vide dated 20.12.2004. That appellant was also applied for the said post from Union Council Sikandar Khel Bala District Bannu in light of the judgment dated 28.04.2004 passed by the Hon'ble Peshawar High Court Peshawar regarding 25% quota in age relaxation for those candidates who belongs to the batch of 1999 and who secured/obtained PTC certificate from Allama Iqbal Open University Islamabad. That the name of the appellant was enlisted at the top of the merit list. That the District Education Officer (Male) Bannu issued appointment orders vide dated 09.03.2005 in which the appellant was totally ignored from the said appointment inspite of having top position in the merit list. That one namely Mr. Ismail Khan S/O Muhammad Hanan who belongs to Union Council Lalozei, District Bannu was illegally appointed on the post of PST (BPS-12).
- 3- Incorrect and not replied accordingly. That appellant was the top position holder and also belongs to the batch of 1999. That appellant is single candidate from Union Council Sikandar Khel Bala District Bannu who applied for the post of PST (BPS-12). That appellant was fully entitled for the said

PST post from UC Sikandar Khel Bala District Bannu but the District Education Officer District Bannu appointed his blue eyed person Mr. Ismail Khan on the said post who belongs to Union Council Lalozi, District Bannu. That feeling aggrieved appellant filed writ petition No.383/2009 in the circuit bench of Peshawar High Court at D.I. Khan which was decided in favor of the appellant vide judgment dated 15.06.2010. That in light of the above mentioned judgment appellant was appointed on the post of PST BPS-12 vide dated 30.8.2010 but immediate effect while the appellant was entitled for appointment on the above mentioned post w.e.f. 09.03.2005.

- 4- Incorrect and not replied accordingly hence denied.
- 5- Incorrect and not replied accordingly. That appellant was appointed as PST (BPS-12) in light of the judgment of Peshawar High Court bench at D.I. Khan. That the appointment order of the appellant is attached with the appeal of the appellant as annexure-H on page No. 24.
- 6- Admitted correct hence need no comments.

GROUND:
(A to E):

All the grounds of main appeal are correct and in accordance with law and prevailing rules and that of the respondent are incorrect and baseless. That appellant has not been treated by the respondent Department in accordance with law and rules. That the respondent department acted in arbitrary and malafide manner appointed the appellant w.e.f. 30.8.2010 instead of 09.03.2005. That the appellant have highly been discriminated and not treated in accordance with law and rules and as such the respondents violated the law of natural justice.

It is therefore most humbly prayed that on acceptance of this rejoinder the appeal of the appellant may be accepted in favor of the appellant.

APPELLANT

Aurangzeb Khan

AURANGZEB KHAN

THROUGH:

Noor Mohammad Khattak

NOOR MOHAMMAD KHATTAK
ADVOCATE

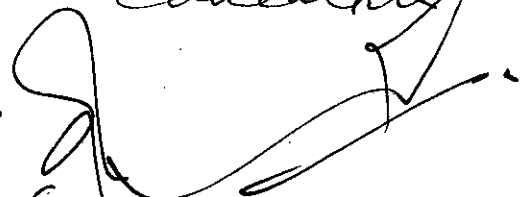
Before the chairman bench, Service Tribunal; KPSC

Received Rs 1000/- in respect of

Cost- in appeal in 1367/15

titled Aurang Zeb vs Educational

today dated 8/8/16.


Syed Inadad Hassan
Advocate

Counsel for the
Appellant.



**KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR**

No. 296 /ST

Dated: 08/02 /2022

All communications should be addressed to the Registrar KPK Service Tribunal and not any official by name.

Ph:- 091-9212281
Fax:- 091-9213262

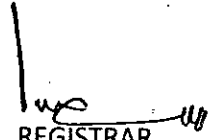
To

The District Education Officer Male,
Government of Khyber Pakhtunkhwa,
Bannu.

Subject: JUDGMENT IN APPEAL NO. 1367/2015 MR. AURANG ZEB.

I am directed to forward herewith a certified copy of Judgement dated 13.12.2021 passed by this Tribunal on the above subject for compliance please.

Encl: As above


REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR