BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,PESHAWAR
AT CAMP COURT ABBOTTABAD.

Service Appeal No. 1377/2015

Date of Institution ... 10.12.2015

Date of Decision ... 20.02.2019

Syed Naveed Shah son of Muazzam Shah, PST, Govt: Primary School Maira Hajaam, District Mansehra. ... (Appellant)

VERSUS

Govt: of Khyber Pakhtunkhwa, through Secretary Elementary and Secondary Education, Peshawar and two others. ... (Respondents)

MR. MUHAMMAD ARSHAD KHAN TANOLI, Advocate --- For appellant.

MR. MUHAMMAD BILAL, Deputy District Attorney --- For respondents

MR. AHMAD HASSAN, --- MEMBER(Executive)
MR. MUHAMMAD AMIN KHAN KUNDI --- MEMBER(Judicial)

JUDGMENT

AHMAD HASSAN, MEMBER:- Arguments of the learned counsel for the parties heard and record perused.

ARGUMENTS

2. Learned counsel for the appellant argued that he joined the Education Department as PST on 22.11.1994. That his services were terminated vide order dated 13.02.1997. After promulgation of Khyber Pakhtunkhwa Sacked Employees Appointment Act 2012, all the employees who were appointed in the year 1993-96 and terminated in 1997-98 were reinstated. As the appellant was not reinstated so he filed writ petition no. 401-A/2012 before the Peshawar High Court, Abbottabad bench. Judgment of the Peshawar High Court Abbottabad bench dated 22.05.2013 was not implemented by the respondents so C.O.C no. 70-A/2013 was filed. Resultantly, vide impugned order dated 01.07.2015, the appellant was reinstated in service with immediate effect. Feeling aggrieved, he filed

departmental appeal on 29.07.2015 which was not responded within the stipulated period, hence, the present service appeal. The appellant is required to give all service benefits w.e.f 03.02.1997 to 01.07.2015.

3. Learned Deputy District Attorney argued that as the appellant was appointed in violation of invogue rules, hence, his services were terminated vide order dated 13.02.1997. Under the Khyber Pakhtunkhwa Sacked Employees Appointment Act 2012, he was reappointed as PST vide order dated 01.07.2015. According Section-5 of the said Act sacked employees shall not be entitled to claim seniority and other back benefits. Appellant was treated according to law and rules.

CONCLUSION.

4. It is not disputed that initially the appellant was appointed as PST at GPS Dam Nalla on 22.02.1994. Later on when it came to the notice of the respondents that his appointment was made in violation of rules, hence, his services were terminated vide order dated 13.02.1997. In the meanwhile the provincial government promulgated Khyber Pakhtunkhwa Sacked Employees Appointment Act 2012. When grievances of the appellant were not redressed at departmental level he resorted to litigation by filing writ petition in Peshawar High Court, Abbottabad Bench. Finally in pursuance of the directions of the Peshawar high Court, Abbottabad Bench he was appointed as PSt at GPS Mira Hajam with immediate effect vide order dated 01.07.2015. The appellant is asking for reappointment from the date of his termination from service dated 03.02.1997. Attention is drawn to Section-5 of the aforementioned Act, wherein it is clearly laid down that the sacked employee shall not be entitled to claim seniority and other back benefits. The relevant provision is reproduced below:-

> **"A sacked employee appointed under Section-3, shall not be entitled to any claim of seniority, promotion or other back benefits and his appointment shall be considered as fresh appointment"**

5. As a sequel to above, the appeal is dismissed. Parties are left to bear their own costs. File be consigned to the record room.

(AHMAD HASSAN)
Member
Camp Court Abbottabad.

(MUHAMMAD AMIN KHAN KUNDI)
Member

ANNOUNCED
20.02.2019

Order

20.02.2019 Counsel for the appellant present. Mr. Muhammad Bilal, Deputy District Attorney alongwith Mr. Muhammad Touseef, ADO for respondents present. Arguments heard and record perused.

Vide our detailed judgment of today of this Tribunal placed on file, the appeal is dismissed. Parties are left to bear their own cost. File be consigned to the record room.

Announced:
20.02.2019

(Ahmad Hassan)
Member
Camp Court Abbottabad

(Muhammad Amin Khan Kundi)
Member

17.09.2018 Appellant in person present. Due to general strike of the bar, the case is adjourned. To come up for arguments on 12.11.2018 before the D.B at camp court, Abbottabad.

Member

Chairman
Camp Court, A/Abad

12.11.2018 Due to retirement of the Hob'ble Chairman the Service Tribunal is incomplete. Tour to Camp Court Abbottabad has been cancelled. To come up for the same on 14.01.2019 at camp court Abbottabad.

Reader
A/Abad

14.01.2019 Appellant in person and Mr. Muhammad Bilal learned Deputy District Attorney alongwith Muhammad Toseef ADO present. Appellant seeks adjournment as his counsel is not in attendance. Adjourn. To come up for arguments on 20.02.2019 before D.B at Camp Court Abbottabad.

Member

Member
Camp Court Abbottabad

21.05.2018 **Appellant Syed Naveed Shah alongwith Mr. Muhammad Arshad Tanoli Advocate present. Mr. Usman Ghani District Attorney alongwith Muhammad Touseef ADO Litigation for the respondents present.**

Arguments on application for permission to file written reply/comments heard and available record perused.

During the course of arguments learned counsel for the appellant straight away showed no objection on the acceptance of the application for the reason that the matter had already been delayed. So on one hand the application is allowed and on the other hand the respondents also submitted reply/comments. Learned counsel for the appellant desired to submit rejoinder to written reply/comments, as such case to come up for rejoinder and arguments on 28.06.2018 before the D.B at camp court, Abbottabad.

Member **Chairman**
Camp court, A/Abad

28.06.2018 Mr. M. Daud, clerk of counsel for the appellant present. Mr. M. Touseef, ADEO alongwith Mr. Ziaullah, Deputy District Attorney for the respondents present. Clerk of counsel for the appellant submitted rejoinder. Case to come up for arguments on 17.09.2018 before D.B at camp court, Abbottabad.

Member Chairman
Camp court, A/Abad

19.09.2017 Counsel for the appellant and Mr. Muhammad Bilal, Deputy District Attorney for the respondents present. Counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 19.12.2017 before D.B at camp court, Abbottabad.

Member

Chairman
Camp court, A/Abad.

19.12.2017 Counsel for the appellant present. Mr. Kabirullah Khattak, Additional AG for the respondents also present. Learned counsel for the appellant requested for adjournment. Adjourned. To come up for arguments on 21.02.2018 before D.B at Camp Court Abbottabad.

(Gul Zeb Khan)
Member (Executive)
Camp Court Abbottabad

(Muhammad Amin Khan Kundi)
Member (Judicial)
Camp Court Abbottabad

21.02.2018 Counsel for the appellant and Addl. AG alongwith Muhammad Zahoor, SI (Legal) for the respondents present. The learned AAG seeks time as he is not in possession of the record of the present appeal. Adjourned. To come up for arguments on 21.05.2018 before the D.B at camp court, Abbottabad. Again application for submitting reply by A.A.G. To come up for arguments on application.

Member

Chairman
Camp court, A/Abad.

22.12.2017 Counsel for the appellant and Mr. Muhammad Siddique, Sr.GP for the respondents present. Learned Sr.GP informed the Tribunal that neither the respondents are interested in pursuing the cases nor regular in attending the court. He therefore requested for adjournment. Since last opportunity was granted to the respondents and since morning none of the representative of the respondents appeared before the court however keeping in view the request of the learned Sr.GP one more opportunity is granted to the respondents subject to cost of Rs. 2000/- which shall borne by the respondents from their own pockets on the next date. To come up for written reply/comments and cost on 16.03.2017 before S.B at camp court, Abbottabad.

Chairman
Camp court, A/Abad

16.03.2017 Appellant in person and Mr. Muhammad Siddique Sr.GP present. None of the representatives of the respondents is present. Numerous opportunities including last opportunity were granted to the respondents which was further extended subject to payment of cost of Rs. 2000/- but the respondents failed to submit written statement. As such no further opportunities are extended. The appeal is assigned to D.B for final hearing on 19.09.2017 at camp court, Abbottabad.

Chairman
Camp Court, A/Abad

1377/16

20.07.2016 Appellant in person and Mr. Nughman, Junior Clerk alongwith Mr. Muhammad Siddique Sr.GP for the respondents present. Seeks adjournment. Adjourned for written reply/comments on 20.10.2016 before S.B at camp court, Abbottabad.

Chairman
Camp court, A/Abad,

20.10.2016 None for the appellant present. Mr. Muhammad Siddique, Sr.GP for the respondents present. Requested for further adjournment. Last opportunity granted. To come up for written reply/comments on 22.12.2016 before S.B at camp court, Abbottabad.

Chairman
Camp Court, A/Abad

17.02.2016 Appellant in person present. Seeks adjournment as his counsel is not in attendance.. Adjourned for preliminary hearing to 16.3.2016 before S.B at Camp Court A/Abad.

Chairman
Camp Court A/Abad

16.03.2016 Counsel for the appellant present. Learned counsel for the appellant argued that the appellant was initially appointed as PST on 22.11.1994 when his services were terminated vide order dated 13.2.1997. That on the strength of Sacked Employees Act, 2012, appellant re-agitated his case and vide judgment of the august Peshawar High Court Abbottabad Bench dated 22.5.2013 followed by contempt petition No. 70-A/2013 vide judgment dated 2.7.2015 appellant was reinstated in service on 2.7.2015 where-against he preferred departmental appeal on 29.7.2015 which was not responded and hence the instant service appeal on 10.12.2015.

That the appellant is entitled to reinstatement in service with effect from the date of termination i.e. 13.2.1997 and as such entitled to all service benefits.

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 20.7.2016 before S.B at Camp Court A/Abad.

Appellant Deposited
Security & Process Fee

Chairman
Camp Court A/Abad

Form- A

FORM OF ORDER SHEET

Court of_____

Case No. 1377/2015

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	10.12.2015	The appeal of Syed Naveed Shah received today by post through Mr. Muhammad Arshad Khan Tanoli Advocate may be entered in the Institution register and put up to the Worthy Chairman for proper order. REGISTRAR
2	11-12-2015	This case is entrusted to Touring Bench A/Abad for preliminary hearing to be put up thereon 20-01-2016 CHAIRMAN
	20.01.2016	Counsel for the appellant present. Seeks adjournment. To come up for preliminary hearing on 17.2.2016 before S.B at Camp Court A/Abad. Chairman Camp Court A/Abad

BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA, PESHAWAR

Service Appeal No. 1377 /2015

Syed Naveed Shah son of Syed Muazzam Shah, PST, Govt. Primary School Maira Hajaam, District Mansehra.

....APPELLANT

VERSUS

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

....RESPONDENTS

SERVICE APPEAL

INDEX

...APPELLANT

Through

Dated: _____/2015

(Muhammad Arshad Khan Tanoli)
Advocate High Court, Abbottabad
0321-9976599

BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA, PESHAWAR

Service Appeal No. 1377 /2015

Syed Naveed Shah son of Syed Muazzam Shah, PST, Govt. Primary School Maira Hajaam, District Mansehra.

....APPELLANT

VERSUS

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

....RESPONDENTS

SERVICE APPEAL UNDER SECTION 4 OF KPK SERVICE TRIBUNAL ACT 1974, TO THE EFFECT THAT THE APPELLANT WAS REINSTATED IN SERVICE WITH EFFECT FROM 01/07/2015 VIDE APPOINTMENT ORDER ENDST NO. 9278-95 DATED 01/07/2015 UNDER KPK SACKED

EMPLOYEES APPOINTMENT ACT, 2012 AS WELL AS IN THE LIGHT OF JUDGMENT OF PESHAWAR HIGH COURT, BENCH ABBOTTABAD IN WRIT PETITION NO. 401-A/2012 DECIDED ON 02/05/2013 AND CONTEMPT OF COURT PETITION NO. 70-A/2013. THE APPELLANT WAS TO BE REINSTATED IN SERVICE W.E.F HIS DATE OF TERMINATION FROM SERVICE I.E 13/02/1997 WITH ALL SERVICE BACK BENEFITS, BUT RESPONDENT NO. 3 APPOINTED/ REINSTATED THE APPELLANT IN SERVICE W.E.F 01/07/2015 WHICH IS DISCRIMINATORY, PERVERSE, AGAINST THE LAW.

==========

PRAYER: ON ACCEPTANCE OF THE INSTANT APPEAL, RESPONDENTS MAY GRACIOUSLY BE DIRECTED TO REINSTATE THE APPELLANT W.E.F THE DATE OF HIS TERMINATION I.E 13/02/1997 INSTEAD OF 01/07/2015 WITH ALL SERVICE BACK BENEFITS. ANY OTHER RELIEF WHICH THIS HONOURABLE TRIBUNAL DEEMS APPROPRIATE MAY ALSO BE GRANTED TO THE APPELLANT.

==========

Respectfully Sheweth: -

Following are the facts, giving rise to the instant appeal;-

1. That the appellant was appointed in Education Department as PST w.e.f 22/11/1994 and was terminated from service w.e.f 13/02/1997. Copies of appointment order and termination order are attached as Annexure "A" & "B".

2. That Govt. of Khyber Pakhtunkhwa announced KPK Sacked Employees Appointment Act, 2012 wherein all the sacked employees who were appointed in the year 1993-1996 and terminated from 1997-1998. Copy of Khyber Pakhtunkhwa Sacked Employees Appointment Act, 2012 is attached as Annexure "C".

3. That respondent No. 3 did not appoint the petitioner as per Khyber Pakhtunkhwa Sacked Employees Appointment Act, 2012 in time. Hence, the appellant filed writ petition No. 401-A/2012 before Honourable High Court, Bench Abbottabad

for his appointment under the said Act. Copy of writ petition is attached as Annexure "D".

4. That the Honourable Peshawar High Court, Bench Abbottabad decided writ petition No. 401-A/2012 on 22/05/2013. Copy of judgment of Peshawar High Court, Bench Abbottabad dated 22/05/2013 is attached as Annexure "E".

5. That inspite of judgment of Honourable High Court, Abbottabad bench respondent No. 3 with malafide intention did not appoint the appellant as per judgment of Honourable High Court, Bench Abbottabad as mentioned in para 4 above.

6. That the appellant as a last resort filed contempt of court petition against the respondents before Honourable High Court, Bench Abbottabad vide COC No. 70-A/2013. Copy of COC No. 70-A/2013 is attached as Annexure "F".

7. That, ultimately respondent No. 3 appointed the appellant as PST under KPK Sacked Employees Appointment Act, 2012 as well as direction of Honourable High Court, Bench Abbottabad on

01/07/2015 vide impugned appointment order Endst No. 9278-95 dated 01/07/2015. Copy of impugned appointment order dated 01/07/2015 is attached as Annexure "G".

8. That respondent No. 3 also appointed some similar employees under the said Act in the year 2012-13 but appointed the appellant w.e.f 01/07/2012 which is discriminatory, perverse, against the law and the appointment order of the appellant should have been issued w.e.f the date of termination from service i.e 03/02/1997. The appellant filed departmental appeal to respondent No. 2 for redressal of his grievance on 29/07/2015 but respondent No. 2 did not bother to reply the appellant so far. Copy of departmental appeal is attached as Annexure "H".

9. That feeling aggrieved, the instant appeal is filed, inter-alia, on the following grounds;-

GROUNDS;

a. That respondent No. 3 was supposed to appoint the appellant under KPK Sacked

Employees Appointment Act, 2012 as promulgation but respondent No. 3 finally issued appointment order of the appellant w.e.f 01/07/2015 which is against the law and discriminatory. Hence the appellant is entitled to have all service back benefits as has been granted by the Federal Govt. in the year, 2010.

b. That respondent No. 3 appointed some similar employees who are junior in age from the appellant in the year 2013 whereas the appellant has been appointed/ reinstated w.e.f 01/07/2015 which is discriminatory and against the principle of equality. Copies of similar employees who have been appointed by respondent No. 3 in the year 2014 are attached as Annexure "I".

c. That District Education Officers under the control of respondents No. 1 & 2 issued appointment orders of similar employees in other districts under the said Act in the year 2013. Copies of similar employees who

were appointed in other districts are attached as Annexure "J"

d. That the appellant is to be given all service back benefits i.e salary w.e.f the date of terminated and period of service w.e.f 03/02/1997 to 01/07/2015 may be counted towards length of qualifying service for pension.

e. That respondents department has led the appellant to the place which is utterly unknown to the principle of jurisprudence and natural justice. The appellant hence to be treated at par with other employees under the control of respondents.

f. That when law prescribe something which is to be done in a particular manner that must be done in that manner and not otherwise.

g. That there is no other speedy, efficacious and adequate remedy available to the appellant, except the present appeal.

h. That other points shall be raise before this Honourable Tribunal at the time of arguments.

It is, therefore, humbly prayed that on acceptance of the instant appeal, respondents may graciously be directed to reinstate the appellant w.e.f the date of his termination i.e 13/02/1997 instead of 01/07/2015 with all service back benefits. Any other relief which this Honourable Tribunal deems appropriate may also be granted to the appellant.

...APPELLANT

Through

Dated: _____/2015

(Muhammad Arshad Khan Tanoli)
Advocate High Court, Abbottabad

VERIFICATION: -

Verified on oath that the contents of forgoing appeal are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honourable Court.

...APPELLANT

BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA, PESHAWAR

Service Appeal No. _____/2015

Syed Naveed Shah son of Syed Muazzam Shah, PST, Govt. Primary School Maira Hajaam, District Mansehra.

....APPELLANT

VERSUS

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

....RESPONDENTS

SERVICE APPEAL

ADDRESSES OF THE PARTIES

Respectfully Sheweth;-

Addresses of the parties are as under;-

Syed Naveed Shah son of Syed Muazzam Shah, PST, Govt. Primary School Maira Hajaam, District Mansehra.

....APPELLANT

VERSUS

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

....RESPONDENTS

...APPELLANT

Through

Dated: _____/2015

(Muhammad Arshad Khan Tanoli)
Advocate High Court, Abbottabad

BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA, PESHAWAR

Service Appeal No. _____/2015

Syed Naveed Shah son of Syed Muazzam Shah, PST, Govt. Primary School Maira Hajaam, District Mansehra.

....APPELLANT

VERSUS

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

....RESPONDENTS

SERVICE APPEAL

AFFIDAVIT

I, Syed Naveed Shah son of Syed Muazzam Shah, PST, Govt. Primary School Maira Hajaam, District Mansehra, do hereby solemnly affirm and declare that the contents of forgoing appeal are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honourable Court.

DEPONENT

Identified by;

(Muhammad Arshad Khan Tanoli)
Advocate High Court, Abbottabad

ATTESTED
Sardar Maqbool-ur-Rehman Advocate
Oath Commissioner
Entry No. 9706
L.No. S.Ch.Qdl/H/14/10
Dated 3/12/2015 to 31/12/2015
Abbottabad

BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA, PESHAWAR

Service Appeal No. _____/2015

Syed Naveed Shah son of Syed Muazzam Shah, PST, Govt. Primary School Maira Hajaam, District Mansehra.

....APPELLANT

VERSUS

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

....RESPONDENTS

SERVICE APPEAL

APPLICATION FOR CONDONATION OF DELAY OF 10 DAYS OF THE TITLED APPEAL.

Respectfully Sheweth;-

1. That the above titled appeal is being filed before this Honourable Tribunal, ingredients of the same may please be read as an integral part of this application.

2. That appellant has brought a good prima facie case and balance of convenience also lies in his favour. Moreover there is every likelihood of his success.

3. That act of respondent No. 3 towards the appellant is malafide, discriminatory. The question of back benefits i.e payment etc. is involved in the main appeal.

4. That the appellant being not aware about the law could not calculate and understand the exact date of filing of

the said appeal. Hence the appeal is time barred by 10 days.

5. That the delay in filing of instant appeal is not willful but due to ignorance of law on the subject. The valuable rights of the appellant are involved.

It is, therefore, humbly prayed that on acceptance of instant application, condonation of delay of 10 days in filing of service appeal beyond the prescribed period of limitation may graciously be condoned for deciding the present appeal on merit.

...APPELLANT

Through

Dated: _____/2015

(Muhammad Arshad Khan Tanoli)
Advocate High Court, Abbottabad

AFFIDAVIT:-

I, Syed Naveed Shah son of Syed Muazzam Shah, PST, Govt. Primary School Maira Hajaam, District Mansehra, do hereby solemnly affirm and declare that the contents of foregoing application are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Court.

DEPONENT

Identified by;

(Muhammad Arshad Khan Tanoli)
Advocate High Court, Abbottabad

ATTESTED

Sardar Maqbool-ur-Rehman Advocate
Oath Commissioner
Enrol No. 1476
L.No. S.O.(J)/HC/P&L/1690
Dated 31/12/2010 to 31/12/2015
Abbottabad

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

P-12

OFFICE ORDER NO. 88
DATED 22/11/1994.

Annex - A,

APPOINTMENT

Consequent upon the finalization of the lists of un-trained candidates duly approved by the Minister for Primary Education N.W.F.P, the following candidates are hereby appointed in BPS-7 @ Rs.1480 fixed per month plus usual allowances as admissible under the rules w.e.f. the date of their taking over the charge against the vacant posts in the interest of public service:

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

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

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

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

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

TERMS AND CONDITIONS

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

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

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

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

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

Serial 75 Appt. order No. 88 22/11/94
Endst No = 2485-2626 22-11-94 P-17

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

Termination order

Annex-B

NO.5
Dated February 13, 1997

OFFICE ORDER

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

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

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12.	Gazanfar Rehman S/O Haider Zaman	Gali Gadral	GPS Daroo
13.	Muhammad Parvaiz S/O Muhammad Akbar	Kala Mera	Msq:Sinjeliyala
14.	Muhammad Mushtaq S/O Sher Muhammad	Pangarhi	Msq:Khamari
15.	Muhammad Arian S/O Muhammad Zaman	Gali Gadral	GPS Lubar
16.	Muhammad Saeed S/O Muhammad Ayub	Shakooki	GPS Sinjal Bandi
17.	Muhammad Younis S/O Fazal-ur-Rehman	Mando	Msq:Turimar
18.	Muhammad Riaz S/O Kala Khan	Hari Doga	GPS Chamial
19.	Muhammad Tariq S/O Abdur Rehman	Chansair	GPS Suni
20.	Muhammad Haroon S/O Ghulam Haider	Moorat Mera	GPS Suni
21.	Lal Khan S/O Fazal-ur-Rehman	Tarmang	GPS Tarmang
22.	Abdus Sattar S/O Maroof	Kalas	GPS Seri Gali
23.	Niaz Ali Shah S/O Farman Ali Shah	Darband	Msq:Chakli Miangan
24.	Muhammad Ishaq S/O Ghulam Qadir	Makan Glai	GPS Chatta
25.	Aftab Ahmad S/O Abdul Qadir	Hari doga	GPS Chatta
26.	Abdul Malik S/O Rehmatullah	Chansair	GPS Bai
27.	Muhammad Shameer S/O Omar Zaman	Jasgran	GPS Sokal
28.	Naheem Anwar S/O Muhammad Anwar	Shangli	GPS Neel Batla
29.	Muhammad Haroon S/O Khalil ur Rehman	Kukaira	GPS Neel Batla

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30.	Abid Hussain Shah S/O Hussain Shah	Ismail Bandi	GPS Nawan Sher
31.	Shakeel S/O Abdul Jabar	Sokal	GPS Sokal
32.	Rashid Manan S/O Abdul Manan	Lassan Nawab	GPS Sokal
33.	Taj Muhammad S/O Sher Dil	Chakli	GPS Namshera
34.	Shuakat Ali S/O Gohar Rehman	Darband	GPS Namshera
35.	Abdur Rashid S/O Abdul Kaliq	Jand Seri	GPS Namshera
36.	Javaid S/O Fazal-ur-Rehman	Shanotta	GPS Khudian
37.	Muhammad Arshid S/O Sher Muhammad	Sahaki	GPS Khudian
38.	Muhammad Fayaz S/O Niaz Muhammad	Bandi Mera	GPS Garwal
39.	Muhammad Arif S/O Wali Muhammad	Roorla	Msq: Parkhain
40.	Muhammad Gulab S/O Sikandar Khan	Rafri	Msq: Jorian
41.	Abdus Sadiq S/O Behram	Kalas	GPS Minjahani
42.	Muhammad Ali S/O Taj Muhammad	Taqia Shahmiskeen	GPS Dham Nalla
43.	Naeem Kausar S/O Ghulam Sarwar	Lassan Nawab	GPS Hallan
44.	Muhammad Humayun S/O Habib-ur-Rehman	Bandian	GPS Matserian
45.	Muhammad Parvez S/O Muhammad Zaman	Tharmang	GPS Miana Gali
46.	Zulfiqar S/O Ghulam Sarwar	Darband	Msq: Karam

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47.	Habib-ur-Rehman S/O Jamil-ur-Rehman	Gali Badra	GPS Chuntran
48.	Muhammad Saeed S/O Muhammad Israil	Kalas	Msq:Mohar Khurd
49.	Muhammad Bukhtiar S/O Khan Zaman	Roria	GPS Miana Gali
50.	Ittikhar S/O Ghulam Haider	Gojra	GPS Kahawa
51.	Fida Hussain S/O Aziz Muhammad	Chor Bandi	GPS Mad Serian
52.	Ghulam Mustafa S/O Hafizullah	Chamial	GPS Nikka Pani
53.	Zulfiqar S/O Duri Aman	Sinjliyala	Msq:Doga
54.	Muhammad Bashir S/O Abdul Akbar	Machral	Msq:Hari Doga
55.	Sher Muhammad S/O Taj Muhammad	Fateh Bandi	Msq:Kaloo Basthi
56.	Shah Feroz S/O Ferdoss	Jaman Moori	Msq:Thakkra Pain
57.	Munawar S/O Masood	Lassan nawab	GPS Tarmang
58.	Ghulam Abas S/O Abdus Sattar	Dehori	Msq: Batangi
59.	Muhammad Azam S/O Khawaj Muhammad	Khatian Arian	GPS Karka
60.	Anwar Zeb S/O Sikandar Khan	Sharotta	GPS Hallah
61.	Akram S/O Suleman	Sharotta	GPS Mera Khairoo
62.	Nazir Muhammad S/O Sher Muhammad	Phulghar	Msq: Nalbori
63.	Chiria Khan S/O Abdur Rehman	Jhangi	GPS Sinjliyala
64.	Muhammad Tariq S/O Parvez	Sohal	GPS Shanaya payeen

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

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983.	Muhammad hanif S/O Ghulam Sarwar	Sokal	Mera Khairoo
984.	Nazir Ahmad S/O Ghulam Sarwar	Batal Pain	Msq: Khajambar
985.	Ali Munsif S/O Ali Zaman	Doga	GPS Bradarh
986.	Sarfaraz S/O Alizaman	Jangi	GPS Thathi Kalan
987.	Iqbal S/O Yaqoob	Larri	Msq: Shanaya Pain
988.	Muhammad Afzal S/O Ayub	Tangarh	Msq: Kharan
989.	Hakim Khan S/O Gohar Rehman	Khaliala	GPS Mera Khairoo
990.	Zaman Shah S/O Gulab Shah	Shergarh	GPS Seri Gorla
991.	Saleem S/O Samandur	Shanaya	Msq: Bradar
992.	Munib ur Rehman S/O Muhammad Zaman	Kandar	GPS Kandar
993.	Sajid S/O Habib ur Rehman	Phulra	GPS Kajla
994.	Muhammad Haroon S/O Ali Zaman	Bai Buhal	GPS Batdoga
995.	Muhammad Javaid S/O Aurang Zeb	Jhanda	GPS Gali Badral
996.	Muhammad Ismail S/O Muhammad Zaman	Gorha	GPS Theri
997.	Muhammad Riaz S/O Rafiullah	Bandi Mera	Msq: Shamian
998.	Naveed Shah S/O Muazam Shah	Shah Kot	GPS Dam Nulla
999.	Muhammad Nazir S/O Muhammad Aseem	Nikka Pain	GPS Naei Gatla
1000.	Muhammad Azam S/O Sher Muhammad	Bandian	GPS Nara Doga

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101. Abid Hussain S/O Abdur Rehman	Pakoona	GPS Chaniyal
102. Muhammad Asif S/O Wali Jan	Munda Gucha	GPS Chilyani
103. Nahib Ahmad S/O Ghulam Nabi	Jabori	GPS Sundi
104. Muhammad Naeem S/O Attai Khan	Phalai	GPS Neel Dan
105. Muhammad Naveed S/O Muhammad Ayub	Sachan Kalan	GPS Bahadra
106. Muhammad Shakeel S/O Muhammad Musa	Sachan Kalan	GPS Said Abad
107. Ghulam Hassan S/O Muhammad Ishaq	Nalla Jabbar	GPS Nalla Jabbar
108. Muhammad Khalid Aziz ur Rehman	Munda Gocha	GPS Munda Gocha
109. Gul Dad S/O Mughaldad	Punjool	GPS Sukian
110. Muhammad Aslam S/O Muhammad Alam	Gali Jabbar	GPS Jabbar
111. Ghulam Nabi S/O Arsala Khan	Keeri Bala	GPS Sattan Gali
112. Akhtar Nawaz S/O Haq Nawaz Khan	Sucha Kalan	GPS Kodar
113. Gul Niaz S/O Sarfaraz Khan	Ruz Kola	GPS Banda Geesach
114. Ghulam Nabi S/O Qadai	Chotta Kala	GPS Mohri
115. Javed Iqbal S/O Ahmad Jee	Punjool	GPS Mohra
116. Ashiq Hussain shah S/O Mumtaz Ali shah	Jai Bala	GPS Thatta
117. Sajid Hussain Shah S/O Hayat Shah	Kot Chattar	GPS Dheri Nambardar

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

Contd:Page No.....9

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

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

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

Copy forwarded to the :-

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

DISTRICT EDUCATION OFFICER,
(MALE) PRIMARY MANSEHRA.

Attested

EXTRAORDINARY

GOVERNMENT

REGISTERED NO. P.III

GAZETTE

Annex- C

P-26

KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, THURSDAY, 20TH SEPTEMBER, 2012.

PROVINCIAL ASSEMBLY SECRETARIAT, KHYBER PAKHTUNKHWA

NOTIFICATION

Dated Peshawar, the 20th September, 2012.

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

THE KHYBER PAKHTUNKHWA SACKED EMPLOYEES (APPOINTMENT) ACT, 2012

(KHYBER PAKHTUNKHWA ACT NO. XVII OF 2012)

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

AN
ACT

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

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

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

Attested

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

It is hereby enacted as follows:

1. **Short tile, extent and commencement.**---(1) This Act may be called the Khyber Pakhtunkhwa Sacked Employees (Appointment)Act, 2012.

(2) It shall apply to all those sacked employees, who were holding various civil posts during the period from 1st day of November, 1993 to 30th day of November, 1996 (both days inclusive).

(3) It shall come into force at once.

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

(a) "civil post" means a post created by the Finance Department of Government for the members of civil service of the Province;

(b) "Department" means the Department and the Attached Department as defined in the Khyber Pakhtunkhwa Government Rules of Business,1985, including the Divisional and District offices working thereunder;

(c) "Government" means the Government of the Khyber Pakhtunkhwa;

(d) "Prescribed" means prescribed by rules;

(e) "Province" means the Province of the Khyber Pakhtunkhwa;

(f) "rules" means the rules made under this Act; and

(g) "sacked employee" means a person who was appointed on regular basis to a civil post in the Province and who possessed the prescribed qualification and experience for the said post at that time, during the period from 1st day of November, 1993 to the 30th day of November, 1996 (both days inclusive) and was dismissed, removed, or terminated from service during the period from 1st day of November, 1996 to 31st day of December, 1998 on the ground of irregular appointments.

Attested

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

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

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

P-28 3

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

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

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

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

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

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

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

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

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

Attested

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

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

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

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4-

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

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

BY ORDER OF MR. SPEAKER

PROVINCIAL ASSEMBLY OF KHYBER PAKHTUNKHWA

Attested

(AMANULLAH)
Secretary
Provincial Assembly of Khyber Pakhtunkhwa

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

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Annex- D

BEFORE THE PESHAWAR HIGH COURT BENCH

ABBOTTABAD

Writ Petition No. 401 /2013

1. Muhammad Saddique (Ex-PTC) GPS Shahkot District Mansehra.
2. Naveed Shah (Ex-PTC) GPS Shahkot District Mansehra.
3. Nadeem Ashraf (Ex-CT) GMS Nikka Pani District Mansehra and others.
4. Muhammad Bashir (Ex-PTC) GPS Bara Walla District Mansehra.
5. Khushid Ex-PTC GPS Mohar District Mansehra,
6. Muhammad Aslam (Ex-PTC) GPS Patian District Mansehra.
7. Muhammad Shakeel (EX-PTC) GPS Sokal District Mansehra.
8. Muhammad Ijaz (Ex-PTC) GPS Dhanakha Lassa District Mansehra.
9. Sher Muhammad (Ex-PTC) GMS Marra Doga District Mansehra.
10. Muhammad Tariq (Ex-PTC) GPS Sokal District Mansehra.
11. Matloob Ahmad (Ex-CT) GHS Sakhi Bala District Mansehra.
12. Chirya Khan (Ex-PTC) GPS Deedal District Mansehra.
13. Muhammad Jehangir (Ex-PTC) GPS Darra Bela District Mansehra.
14. Muhammad Miskeen (TT) GHS Khanwari Distirct Mansehra.
15. Shoukat Ali Khan (Ex-CT) GHS Khawari District Mansehra.
16. Muhammad Tahir Farooq (Ex-CT) GMS Allai Shall Band District Mansehra.
17. Muhammad Akbar Khan (Ex-CT) GMS Chovar Banda District Mansehra.
18. Muhammad Ayaz (Ex-CT) GHS Gattal District Mansehra.
19. Liaqat Ali Khan (Ex-PTC) GPS Shinkiari District Mansehra.
20. Qari Saeed-ur-Rehman (Ex-QT) GHS Dilbori District Mansehra.
21. Riffat Begum (Ex-CT) GMS Batta Mohri District Battagram.

.....PETITIONERS

VERSUS

1. Govt. of KPK Secretary Education (E&SE) Khyber Pakhtoonkhawa Peshawar.
2. Director Education (E&SE) KPK Peshawar.
3. EDO (Male) E&SE Mansehra.

.....RESPONDENTS

Certified to be True Copy
24.5.13
Peshawar High Court
Abbottabad Bench
Authorized Under Qanun-e-Shahadat Order 1984
No 1497
18-5-13

WRIT PETITION UNDER ARTICLE 199 OF THE CONSTITUTION OF ISLAMIC REPUBLIC OF PAKISTAN, 1973 READ WITH ARTICLE 25 OF THE CONSTITUTION TO THE EFFECT THAT THE PETITIONERS WERE TERMINATED IN THE YEAR 1996-97 BY THE RESPONDENTS AND GOVT. OF KPK INTRODUCED KHYBER PAKHTUNKHAW SACKED EMPLOYEES (APPOINTMENT) ACT 2012 WHEREIN RESPONDENTS ARE BOUND TO RE-INSTATE THE PETITIONERS BUT THE RESPONDENTS ARE NOT ISSUING RE-INSTATEMENT ORDERS OF SACKED EMPLOYEES WHEREAS SIMILAR SACKED EMPLOYEES HAVE BEEN RE-INSTATED IN DIFFERENT DISTRICTS OF

KPK VIZ DISTICT MARDAN AND DISTRICT BATTAGRAM ETC, WHICH IS MALA FIDE, AGAINST THE LAW, DISCRIMINATORY AGAINST THE NATURAL JUSTICE.

PRAYER ON ACCEPTANCE OF THE INSTANT WRIT PETITION, THE RESPONDENTS MAY BE DIRECTED TO RE-INSTATE THE PETITIONERS FORTHWITH AS MORE THAN EIGHT MONTHS HAVE ELAPSED AFTER THE PROMULGATION OF THE SAID ACT.

Respectfully Sheweth:

1. That the petitioners were appointment by the respondents according to the prescribed method of recruitment and their services were illegally terminated by them in the year 1996-97. Copies of appointment orders are attached as Annexure "A".

2. That as per Sacked Employees (Appointment) Act 2012 of KPK, the respondents are bound to re-instate the petitioners as per criteria mentioned in the said Act but the respondents did not re-instate the petitioners in spite of the fact that more than hundreds posts are lying vacant in different cadres on the establishment of respondent No 3. The conduct of the respondents towards the petitioners is perverse, callous, mala fide and also speaks of ulterior motives. Hence, the petitioners field instant writ petition inter alia on the following grounds.

GROUNDS:

a. That once an act, law and notification is issued by the competent authorities, all the state functionaries are bound to implement the said Act, rules and notification, but the respondents are not implementing the provision of the said Employees Act in letter and spirits which amounts to misconduct. It is the mandate of good governance that the conduct of any officer or authority can be looked into in case that official / authority does not implement the rules / act.

b. That the said act has been promptly implemented by the concerned authorities in other District of KPK and appointed the Sacked Employees under Sacked Employees Appointment Act 2012. Copies of appointment order of similar employees of District Swabi and Battagram are attached as Annexure "B&C".

c. That respondents are violating the provision of the said act and they are bound to appoint the petitioners without further delay but the indolence, negligent behavior in implementing the law is illegal and accountable.

d. That all the authorities / state functionaries are bound to act according to law when a law prescribes something which is to be done in a particular manner that must be done according to that law and not otherwise.

e. That the KPK Sacked Employees (Appointment) Act 2012 has been promulgated on 20.09.22012 but the respondents have fully failed to implement the said law and re-instate the petitioners as Teachers in Education Department within a period of more than eight months.

f. That it is a sorrow state of affairs that whenever, the petitioners visit the office of respondent No 3 who is not providing plausible reasons for causing delay.

g. That the respondents are continuously creating delay to torture the petitioners mentally and the petitioners are being discriminated by respondents as well, which is clear violation of article 25 of the Constitution of Islamic Republic of Pakistan 1973.

h. That the respondents are exploiting the petitioners, which is totally against the Article 4 of the Constitution as no one can exploit any person illegally and respondents are bound to discharge their duties and obligations towards the petitioners without further delay.

i. That the petitioners previously filed writ petition No 592/10 before the passing of KPK Sacked Employees (Appointment) Act 2012 and the said writ petition was converted into a representation by this Honourable Court on 03.05.2012 but the respondents did not act upon the directions which were rendered by this Honourable Court. Copy of order of this Honourable Court dated 03.05.2012 in writ petition No 592/10 is attached as Annexure "D".

j. That there is no other prompt and efficacious remedy available to the petitioners except the invocation of Constitutional Jurisdiction of this Honourable Court.

k. Court fee worth Rs.500/- is affixed with the writ petition.

(5) P-34

It is, therefore, humbly prayed that on acceptance of the instant writ petition, that the respondents may be directed to re-instate the petitioners forthwith as more than eight months have elapsed after the promulgation of the said Act.

.....PETITIONERS

Muhammad Siddique

Through

Dated: 17/5/2013

(MUHAMMAD ARSHAD KHAN TANOLI)

&

(Sardar Muhammad Asif)

&

(Yasir Zahoor Abbasi)

Advocate High Court Abbottabad

Certified to be True Copy

Peshawar High Court
Abbottabad Bench
Authorized Under Article 87 of the Qanun-e-Shahadat Order

TODAY

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BEFORE THE PESHAWAR HIGH COURT BENCH ABBOTTABAD

Writ Petition No. 401 /2013

Muhammad Siddique (Ex-PTC) GPS Shah Kot District Mansehra and others.

.....PETITIONERS

VERSUS

Govt of KPK through Secretary Education (E&SE) Peshawar and others.

....RESPONDENTS

WRIT PETITION

AFFIDAVIT

I, Muhammad Arshad Khan Tanoli Khan Advocate do hereby solemnly affirm and declare on oath that the contents of the foregoing Writ Petition, as per information of my clients, are correct to the best of my knowledge and belief and nothing has been concealed from the Honourable Court.

1819/2010 210

Muhammad Arshad Khan Tanoli. Advocate

Dated: _____ 2013 DEPONENT

Certified to be True Copy
24.5.13
Peshawar High Court
Abbottabad Bench
Authorized Under Article 87 of QSO DAY

Annex-E,

JUDGMENT SHEET

IN THE PESHAWAR HIGH COURT, ABBOTTABAD BENCH
JUDICIAL DEPARTMENT

W.P No: 401-A of 2013

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JUDGMENT

Date of hearing.....22-05-2013.....

Appellant(s)/Petitioner (s)..M. Saddique & others by M. Arshad Khan Tanoli, Advocate

Respondent (s).....Govt & KPK.....

*****

YAHYA AFRIDI,J: Muhammad Saddique, and 20 others, petitioners seek the constitutional jurisdiction of this Court, praying that;

> **"The respondents may be directed to re-instate the petitioners forthwith as more than eight months have elapsed after the promulgation of the said Act".**

2. In essence, the grievances of the petitioners are that they have not been properly dealt with under the enabling provisions of Civil Servant (Amendment) Act, 2012 and others similarly placed have been granted the said relief while the petitioners have been deprived thereof.

3. In this regard the apex Court in *"Government of Punjab, through Secretary Education, Civil*

Secretariat, Lahore and others Vs. Sameena Parveen and others" (2009 SCMR 1) held that;

> "It was held by this Court in the case of ***Hameed Akhtar Niazi Vs. The Secretary, Establishment Division, Government of Pakistan and others*** (1996 SCMR 1185) that if a Tribunal or this Court decides a point of law relating to the terms and conditions of a civil servant who litigated, and there were other civil servants, who may not have taken any legal proceedings, in such a case, the dictates of justice and rule of good governance demand that the benefit of the said decision be extended to other civil servants also, who may not be parties to that litigation instead of compelling them to approach the Tribunal or any other legal forum. This view was reiterated by this Court in the case of ***Tara Chand and others V. Karachi Water and Sewerage Board, Karachi and others*** (2005 SCMR 499) and it was held that according to Article 25 of the Constitution of Islamic Republic of Pakistan, 1973 all citizens are equal before law and entitled to equal protection of law".

4. Accordingly, following the '*ratio decidendi*' of the aforementioned judgment of the apex Court, we direct the respondents to consider the case of the petitioners and in case their grievances are at par with others, 'similarly placed', who have already been granted relief, the same relief be also granted to the present petitioners.

5. The needful be done within a period of thirty days, if not earlier, from the date of receipt of this judgment. In case the relief sought by the present petitioners cannot be positively considered or resolved within the stipulated period, the petitioners be provided reasons in writing for the same, within the aforementioned stipulated period.

6. This petition is disposed of in the above terms.

Announced:
22.05.2013

Sd/- Judges

Certified to be True Copy
24.5.13
Peshawar High Court
Abbottabad Bench
Authorized Under Sec 75 Arts Ordrs

Annex- F

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BEFORE THE PESHAWAR HIGH COURT

ABBOTTABAD BENCH

COC 70-A/13
in
Writ petition No.401-A/2013

1. Muhammad Siddique (Ex-PTC) GPS Shahkot District Mansehra.
2. Naveed Shah (Ex-PTC) GPS Shahkot District Mansehra.
3. Nadeem Ashraf (Ex-CT) GMS Nikka Pani District Mansehra.
4. Muhammad Bashir (Ex-PTC) GPS BARA Wala District Mansehra.
5. Khushid (Ex-PTC) GPS Mohar District Mansehra.
6. Muhammad Aslam (Ex-PTC) GPS GPS Patian District Mansehra.
7. Muhammad Shakeel (Ex-PTC) GPS Sokal District Mansehra.
8. Muhammad Ijaz (Ex-PTC) GPS Dhanaka Lassa District Mansehra.
9. Sher Muhammad (Ex-PTC) GMS Marra Doga District Mansehra.
10. Muhammad Tariq (Ex-PTC) GPS Sokal District Mansehra.
11. Matloob Ahmad (Ex-CT) GHS Sakhi Bala District Mansehra.
12. Chirya Khan (Ex-PTC) GPS Deedal District Mansehra.
13. Muhammad Jehangir (Ex-PTC) GPS Darra Bela District Mansehra.
14. Muhammad Miskeen (TT) GHS Khawari District Mansehra.
15. Shoukat Ali Khan (Ex-CT) GHS Khawari District Mansehra.
16. Muhammad Tahir Farooq (Ex-CT) GMS Allai Shall Banda District Mansehra.
17. Muhammad Akbar Khan (Ex-CT) GMS Chovar Canda District Mansehra.
18. Muhammad Ayaz (Ex-CT) GHS Gattal District Mansehra.
19. Liaqat Ali Khan (Ex-PTC) GPS Shinkiari District Mansehra.
20. Qari Saeed-ur-Rehman (Ex-QT) GHS Dilbori District Mansehra.
21. Riffat Begum (Ex-CT) GMS Battal Mohri District Battagram.

.....PETITIONERS

VERSUS

Abdul Basit District Education Officer (Elementary & Secondary) District Mansehra.

...ACCUSED/RESPONDENT

CONTEMPT OF COURT

APPLICATION FOR INITIATING OF CONTEMPT OF COURT PROCEEDINGS AGAINST THE RESPONDENTS / ACCUSED FOR NON-COMPLIANCE OF ORDER / JUDGMENT OF THE

Certified to be True Copy
Examiner
Peshawar High Court
Abbottabad Bench
Authorized Under Secs75 Acts Ordns
8.11.13

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6

HONOURABLE HIGH COURT BENCH ABBOTTABAD

Respectfully Sheweth:

1. That the Govt of KPK announced KPK Sacked Employee (Appointment) Act 2012 on 20.09.2012 wherein all the employees who were sacked during 1997-98 by the then Govt are to be re-instated in service on regular basis.

2. That the respondent/ contemnor did not bother to act upon the said Act, of 2012.

3. That the petitioners filed writ petition No 592-A/10 before this Hon' able Court prior to the promulgation of Sacked Employees, (Appointment) Act, 2012 which was decided on 03.05.2012. Copy of the same is attached as Annexure "A".

4. That on 20.09.2012, the Govt of KPK promulgated Sacked Employees (Appointment) Act, 2012 for the appointment of the petitioners. Therefore after the said act, the petitioners filed COC No 56-A/13 which was decided on 24.01.2013 wherein the then EDO Mansehra made statement before the Hon' able court and

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assure that the petitioners shall be appointed according to the prescribed law. Copy of COC is attached as Annexure "B".

5. That the then EDO Mansehra Male did not appoint the petitioners as per Sacked Employees Act, 2012. Therefore the petitioner filed another writ petition No 401-A/13 for the issuance of directions to the respondents to act upon KPK Sacked Employees (Appointment) Act, 2012. Copy of writ petition No 401-A/13 is attached as Annexure "C".

6. That following this, this Hon' able High Court bench directed the respondent to re-instate the petitioners within a period of 30 days from the date of receipt of the judgment dated 22.05.2013 of this Hon' able High Court. Copy of judgment of this Hon' able Court is attached as Annexure "D"

7. That the said judgment of this Hon' able High Court Bench Abbottabad was got received in the office of respondent / accused's predecessor by hand. Besides, Registrar of this High Court Bench Abbottabad also forwarded the judgment of this Hon' able court for implementation but the respondent / accused did not implement the

 P-42

8

judgment dated 22.05.2013. Now the previous respondent / accused has been succeeded by the present respondent / accused. Therefore, judgment of this Hon' able Court has been submitted through Leopards Courier Services (LSC) No 52563306 dated 22.10.2013. Copy of receipt is attached as Annexure "E". But the respondent / contemnor is not implementing Sacked Employees Act 2012 as well as judgment of this Hon' able Court dated 22.05.2013 which amounts to contempt of court.

RAYER: It is prayed that contempt of court proceedings may be initiated against the respondent / contemnor for non compliance of judgment dated 22.05.2013 of this Hon' able Court and respondent / contemnor for be punished for committing contempt of court.

Dated: _____/2013

.....**PETITIONERS**

Muhammad Suddique

Through

(MUHAMMAD ARSHAD KHAN TANOLI)

&

(SARDAR MUHAMMAD ASIF)

&

(Yasir Zahoor Abbasi)

Advocates High Court Abbottabad

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PESHAWAR HIGH COURT ABBOTTABAD BENCH
FORM 'A'
FORM OF ORDER SHEET

Date	Order of the court with signature of Hon'ble Judge/Judges
1	2
21.05.2015	CoC No.70/13 Present: Mr. Muhammad Arshad Khan Tanoli advocate for the petitioners. Mr. Abdullah DEO(M) alongwith AAG. The latter states that he will look into the case of the petitioners after giving them full hearing, if they attend his office and in case their case comes within the ambit of law, policy on the subject and if they are found similarly placed like those, who have already been given relief by this Court, then their grievance will be redressed accordingly. In this view of the matter, petitioners are directed to visit the office of the respondent on 15.06.2015, who, after hearing them, shall decide their case in accordance with law on the subject and in the light of the order of this Court dated 22.05.2013. Adjourned to 23.06.2015. Sd/- Judges Certified to be True Copy Examiner Peshawar High Court Abbottabad Bench Authorized Under Secat 5 Acts Orders

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PESHAWAR HIGH COURT ABBOTTABAD BENCH.

FORM "A"

FORM OF ORDER SHEET

Serial No of order or proceeding	Date of Order or Proceeding	ORDER OF THE COURT WITH SIGNATURE (s) OF HON'BLE JUDGE (s)
1	2	3
	23.06.2015	**COC No.70-A/2013** **Present**: M/S Muhammad Arshad Khan and Yasir Zahoor Abbasi, Advocates for the petitioners. Mr.Abdullah, District Education Officer (Male) alongwith AAG. **** The latter states that case of the petitioners has been finalized and a week time be given to him to pass an appropriate order on the case of the petitioners, to which the former has got no objection. In view of above, case to come up for 02.07.2015. Sd/ Judges

SEAL OF THE PESHAWAR HIGH COURT ABBOTTABAD BENCH

Certified to be True Copy
Examiner
Peshawar High Court
Abbottabad Bench
Authorized Under Secn75 Acts Orders

/MSA/

 P-45

PESHAWAR HIGH COURT ABBOTTABAD BENCH

JUDICIAL DEPARTMENT

JUDGMENT SHEET

C.o.C. No. 70-A/2013

Date of hearing: 02-07-2015

Petitioner: Muhammad Sadiqque by M/s M. Arshad Tanoli and Yasir Zahoor Abbasi, Advocates

Respondents No.1 in person along with Mr. M. Naeem Ullah Abbasi, Addl. Advocate General.

***

LAL JAN KHATTAK, J. The former stated at the bar that grievance of the petitioners have been redressed, as their appointment orders have been issued by the respondents in compliance with the orders of this Court, and the instant petition has achieved its object.

2- In view of the above, this petition having become infructuous is dismissed as such.

Announced.
02.07.2015.

Certified to be True Copy
Peshawar High Court
Abbottabad Bench
Authorized Under Sec 75 Act I of 1984

Muhammad Rustam,

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) MANSEHPA

Annex – G, P-46

NOTIFICATION:

In pursuance of Khyber Pakhtunkhwa Sacked Employee (Appointment) Act 2012 and decision passed by Peshawar High Court Abbottabad Bench in W/P No 497/2013 dated 25/06/2013 and in W/P No 401-A/2013 dated 22/05/2013 and also in compliance of COC No 70-A 2013 in W/P No 401-A/2013 vide order dated 21/05/2015 and 23/06/201 and consequent upon recommendation by the Departmental Selection Committee in its meeting held on 25/06/2015, the competent authority in the E&SE District Mansehra is pleased to order the appointment of the following sacked employee in BPS-12 (Rs.7000-500-22000) plus usual allowances as admissible under the rules against the post of Primary School Teacher and post them against the vacant position in the schools mentioned against their names with immediate effect, on the terms and condition given:-

S.#	Name	Father's Name	D.O.B	Posted AT	Remarks
1.	Sher Muhammad	Behram	14-11-1971	GPS Kalwal	A/V Post
2.	Chiriya Khan	Abdul Rehman	01-01-1972	GPS Kharyala	A/V Post
3.	Muhammad Siddique	Haider Zaman	16-04-1972	GPS Mund Gran	A/V Post
4.	Muhammad Khursheed	Faqeer Muhammad	02-01-1974	GPS Dhair	A/V Post
5.	Muhammad Aslam	Muhammad Zaman	11-02-1974	GPS Kangar Doga	A/V Post
6.	Muhammad Shakeel	Abdul Jabbar	07-04-1974	GPS Khand Gran	A/V Post
7.	Muhammad Tariq	Muhammad Pervez	14-04-1974	GPS Kalas	A/V Post
8.	Liaqat Ali Khan	Sher M. Khan	01-03-1975	GPS Bajna	A/V Post
9.	S. Naveed Shah	S. Mohazam Shah	02-04-1975	GPS Maira Hajam	A/V Post
10.	Muhammad Bashir	Abdul Rehman	20-02-1975	GPS Tarhari Phulra	A/V Post
11.	Muhammad Ejaz	Umar Zaman	26-06-1976	GPS Thakra II	A/V Post

TERMS & CONDIATIONS

1. *NO TA/DA etc is allowed.*
2. *Charge reports should be submitted to all concerned in duplicate.*
3. *Their appointment are subjected to the condition that their* ***Certificates/ Documents And Domicile Be Verified From The Concerned Authority Before Release Of Their Salary*** *in the light of section 3 of the said ACT*
4. *They will be governed by such rules and regulations enforced and as may be prescribed by the Government from time to time for the category of the Government servants to which they belong.*
5. *Their appointments have been made in pursuance of Khyber Pakhtunkhwa, Sacked Employees (Appointment) Act 2012. Hence under* ***Section 5 of the said Act they shall Not be entitled to claim any of seniority, promotion and other back benefits****.*
6. *They should obtain Medical Fitness certificate from the Medical Superintendent/ Civil Surgeon DHQ Hospital Mansehra.*
7. *Their Appointment has been made in pursuance of Khyber Pakhtunkhwa, Sacked Employees (Appointment) Act 2012. Hence under* ***Section 4 of the said Act the period during which they remained dismissed, removed or terminated from service, till the dated of their Appointment shall have been deemed automatically relaxed****.*
8. *In case they failed to assume the charge of their post within 15 days of their appointments, their candidature-ship will be stand automatically cancelled.*
9. *They will be on probation for a period of one year extendable to another one year keeping in view their performance.*
10. *They have not served in any other Department/ Corporation/ Agency etc.*
11. *The principal/ DDO should not release pay of the teacher till the pay release order by the District Education Officer (M) Mansehra. After verification of their documents.*
12. *The Principal/Head Master/DDOs concerned is directed to submit their degrees/certificates etc for verification from the concerned Board/University/Institute before any payment made to them.*
13. *In case their documents are found Fake/ Bogus on verification from the issuing authority, the service of the official shall be terminated and an FIR be lodged against him under the relevant law.*
14. *Their services are liable to termination on one month prior notice from either side in case of resignation without prior notice; his one month pay/allowances shall be forfeited to Government treasury.*
15. *If their performance is found un-satisfactory, they will be proceeded under E&D Rules.*
16. *In case of having less qualification which ever is prescribed intermediate /FA for PST as well as PST certificate as professional the candidate must be qualified both the academic / professional qualification with in three years after issue of this Appointment order, failing which their appointment order shall stand terminated automatically, without any further notice.*
17. *Their appointment is made on school based. They will have to serve at the place of posting and their service is not transferable to any other station.*

Attested

18. They will took over the charge in case schools falls in summer zones areas w.e.f. 01/09/2015 and in case of winter zones areas w.e.f 01/08/2015.

19. The Competent Authority resume to right to rectify by the errors/omission if any noted/observed at any stage in instant order issued erroneously.

-Sd-
DISTRICT EDUCATION OFFICER,
(MALE)MANSEHRA

Endst: No. 9278-95 /File No.____/PST/Sacked/appointment/Dated Mansehra the 01/7/2015

Copy forwarded for information and necessary action to the: -

1. Registrar Peshawar High Court Abbottabad Bench Peshawar.
2. Secretary to Government of Khyber Pakhtunkhwa E&SE Department Peshawar
3. Director, Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
4. District Accounts Officer Mansehra.
5. District Monitoring Officer Mansehra.
6. Sub Divisional Education Officer (Male) Mansehra.
7. Official Concerned.
8. Office File

DY: DISTRICT EDUCATION OFFICER,
(MALE) MANSEHRA

Attested

Annex-H

P-47

To,

The Director Elementary & Secondary Education (ESE)

Subject: **DEPARTMENTAL APPEAL / REPRESENTATION**

1. Reference is made to appointment order Endst: No.9278-95/File No. PST/CT/Sacked/appointment/ dated 01-07-2015. Copy of appointment order is attached herewith.
2. It is submitted that applicant has been appointed / Re-instated in service as per KPK Sacked Employees Appointment Act 2012. In this regard Writ Petition No. 497/2013 dated 25-06-2012 and 401-A/2012 Dated 22.05.2013 and COC No.70-A/2013, on the subject refer.
3. It is further submitted that applicant was eligible for appointment as PST under the KPK Sacked Employees Appointment Act 2012. Therefore District Education Officer (Male) Mansehra should have issued appointment order of the appellant in the year 2012 instead of 01-07-2015 with all service back benefits.
4. That Federal Govt. Re-instated similar employees in the year 2010 and they have been granted / paid

Attested

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arrears of pay w.e.f. with the date of their termination and their termination period has also been counted towards qualifying service for pension.

Therefore the appellant is also entitled for arrear of pay for his period of termination to the date of appointment / re-instatement under Sacked Employees Appointment Act 2012. Besides termination period is to be counted towards length of qualifying of service of the appellant.

It is prayed that termination period may graciously be ordered to be counted towards qualifying service, with all service back benefits in terms of pay etc. and date of appointment of the appellant under the Sacked Employees Appointment Act 2012 be made effective w.e.f. 2012 instead of 01-07-2015.

Yours truly

Naveed S. 29/07/2015

S. Naveed Shah
S/O S. Mohazam Shah
GPS Maira Hajam

Attested

No. 1125

For Insurance Notices see reverse.
Stamps affixed except in case of uninsured letters of not more than the initial weight prescribed in the Post Office Guide or on which no acknowledgement is due.

Rs. 35 Ps.

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Attested

eceived a registered* _____
ddressed to _____

Da[illegible]

*Write here "letter", "postcard", "p[illegible]el" with the word "insured" before it when necessary.

itials of Receiving Officer

Insured for Rs. (in figures) _____ *(in words)* _____

Insurance fee Rs. _____ *Ps.* _____ *Weight (in words)* _____ *Kilo Grams* 30

Name and address of sender _____

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(15)

OFFICE OF THE DISTRICT EDUCATION OFFICER (M) MANSEHRA

NOTIFICATION:

In pursuance of Khyber Pakhtunkhwa, Sacked Employees (Appointment) Act 2012 and decision passed by the Peshawar High Court Abbottabad Bench in W/P No.497/2013 dated 25 June 2013 and in W/P No.401-A/2013 dated 22nd May 2013 and consequent upon their recommendations by the Departmental Selection Committee in its meeting held on 04/09/2014, the competent authority in the E&SE District Mansehra is pleased to order the appointment of the following sacked employees in BPS- 12 (7000-500-22000) plus usual allowances as admissible under the Rules against the post of Primary School Teacher and post them against the vacant positions in the schools mentioned against their names with immediate effect on the terms and conditions given below.

S.No	NAME	FATHER NAME	D.O.B	POSTED AT	REMARK
1	Mohammad Younis	Dost Muhammad	01/02/69	GMPS Jabba Balarian	A.V.P
2	Mohammad Jahangir	Malik Aman	08/04/74	GPS Takoi Mera	A.V.P
3	Makhan Khan	Muhammad Zaman	15/04/74	GPS Sinjihala	A.V.P
4	Mohammad Aslam	Faqir Muhammad	25/04/74	GPS Lassal Thakral	A.V.P
5	Mohammad Hanif Khan	Mohammad Anwar Khan	01/01/76	GMPS Banda Maloga	A.V.P
6	Aseem Khan	Miskeen Khan	04/03/77	GPS Ghanian	A.V.P

TERMS AND CONDITIONS:

1. NO TA/DA is allowed.
2. Charge report should be submitted to all concerned in duplicate.
3. Their appointments are subject to the condition that their CERTIFICATES/ DOCUMENTS AND DOMICILE BE VERIFIED FROM THE CONCERNED AUTHORITY BEFORE RELEASE OF THEIR SALARY in the light of section 3 of the said ACT.
4. They will be governed by such rules and regulations enforced and as may be prescribed by the Government from time to time for the category of the Government servants to which they belong.
5. Their appointments have been made in pursuance of Khyber Pakhtunkhwa, Sacked Employees (Appointment) Act 2012. Hence under SECTION 5 OF THE SAID ACT THEY SHALL NOT BE ENTITLED TO ANY CLAIM OF SENIORITY, PROMOTION AND OTHER BACK BENEFITS.
6. They should obtained Medical Fitness certificate from the Medical Superintendent/Civil Surgeon DHQ Hospital Mansehra.
7. Their appointments have been made in pursuance of Khyber Pakhtunkhwa, Sacked Employees (Appointment) Act 2012. Hence under SECTION 4 OF THE SAID ACT THE PERIOD DURING WHICH THEY REMAINED DISMISSED, REMOVED OR TERMINATED FROM SERVICE, TILL THE DATE OF THEIR APPOINTMENT SHALL HAVE BEEN DEEMED AUTOMATICALLY RELAXED.
8. In case they failed to assume the charge of their posts within 15 days of their appointments, their candidature-ship will be stand automatically cancelled.
9. They will be on probation for a period of one year extendable to another one year keeping in view their performance.
10. They have not served in any other Department/Corporation/Agency etc.
11. The Principal /DDO should not released pay of the teachers till the pay release order by the District Education Officer (M) Mansehra after verification of their documents.
12. The Principal/Head Master concerned is directed to submit their degrees/certificates etc for verification from the concerned Board/University/Institution before any payment made to them.
13. In case their documents are found Fake /Bogus on verification from the issuing authority, the service of the official shall be terminated and an FIR be lodged against him under the relevant law.
14. Their services are liable to termination on one month prior notice from either side in case of resignation without prior notice; his one month pay/allowances shall be forfeited to Government Treasury.
15. If their performance is found un-satisfactory, they will be proceeding under E&D Rules.

-SD-
DISTRICT EDUCATION OFFICER

Endst: No. 12342-57/F. No.AE/1/Sacked Emp:/PST /Estt: dated 17/10/2014
Copy forwarded to the:-

1. Registrar Peshawar Higher Court Abbottabad Bench Abbottabad
2. Secretary to Government of Khyber Pakhtunkhwa E&SE Department Peshawar.
3. Director E&S Education Khyber Pakhtunkhwa Peshawar.
4. District Accounts Officer, Mansehra.
5. SDEO (M) Mansehra.
6. ASDEO Circle Concerned.
7. Teacher concerned.
8. Master File.

Attested

17/10/2014

DY; DISTRICT EDUCATION OFFICER

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OFFICE OF THE DISTRICT EDUCATION OFFICER (M) MANSEHRA

NOTIFICATION:

In pursuance of Khyber Pakhtunkhwa, Sacked Employees (Appointment) Act 2012 and decision passed by the Peshawar High Court Abbottabad Bench in W/P No.497/2013 dated 25 June 2013 and in W/P No.401-A/2013 dated 22nd May 2013 and consequent upon their recommendations by the Departmental Selection Committee in its meeting held on 04/09/2014, the competent authority in the E&SE District Mansehra is pleased to order the appointment of the following sacked employees in BPS- 12 (7000-500-22000) plus usual allowances as admissible under the Rules against the post of Primary School Teacher and post them against the vacant positions in the schools mentioned against their names with immediate effect on the terms and conditions given below

S.No	NAME	FATHER NAME	D.O.B	POSTED AT	REMARKS
1	Mohammad Shoukat	Muhammad Husain	15/05/75	GMPS Khalai Gul Mera	A.V.P
2	Muhammad Idrees	Muhammad Ayub	12/03/75	GPS Nakka Jared	A.V.P

TERMS AND CONDITIONS:

1. NO TA/DA is allowed.
2. Charge report should be submitted to all concerned in duplicate.
3. Their appointments are subject to the condition that their CERTIFICATES/ DOCUMENTS AND DOMICILE BE VERIFIED FROM THE CONCERNED AUTHORITY BEFORE RELEASE OF THEIR SALARY in the light of section 3 of the said ACT.
4. They will be governed by such rules and regulations enforced and as may be prescribed by the Government from time to time for the category of the Government servants to which they belong.
5. Their appointments have been made in pursuance of Khyber Pakhtunkhwa, Sacked Employees (Appointment) Act 2012. Hence under SECTION 3 OF THE SAID ACT THEY SHALL NOT BE ENTITLED TO ANY CLAIM OF SENIORITY, PROMOTION AND OTHER BACK BENEFITS.
6. They should obtained Medical Fitness certificate from the Medical Superintendent/Civil Surgeon DHQ Hospital Mansehra.
7. Their appointments have been made in pursuance of Khyber Pakhtunkhwa, Sacked Employees (Appointment) Act 2012. Hence under SECTION 4 OF THE SAID ACT THE PERIOD DURING WHICH THEY REMAINED DISMISSED, REMOVED OR TERMINATED FROM SERVICE, TILL THE DATE OF THEIR APPOINTMENT SHALL HAVE BEEN DEEMED AUTOMATICALLY RELAXED.
8. In case they failed to assume the charge of their posts within 15 days of their appointments, their candidature-ship will be stand automatically cancelled.
9. They will be on probation for a period of one year extendable to another one year keeping in view their performance.
10. They have not served in any other Department/Corporation/Agency etc.
11. The SDEO should not released pay of the teachers till the pay release order by the District Education Officer (M) Mansehra after verification of their documents
12. The SDEO/ ASDEO concerned is directed to submit their degrees/certificates etc for verification from the concerned Board/University/Institution before any payment made to them.
13. In case their documents are found Fake /Bogus on verification from the issuing authority, the service of the official shall be terminated and an FIR be lodged against him under the relevant law.
14. Their services are liable to termination on one month prior notice from either side in case of resignation without prior notice; his one month pay/allowances shall be forfeited to Government Treasury.
15. If their performance is found un-satisfactory, they will be proceeding under E&D Rules.

-SD-
DISTRICT EDUCATION OFFICER

Endst: No. 12029-38 /F. No.AE/1/Sacked Emp/PST /Estt: dated 25/10/2014

Copy forwarded to the:-

1. Registrar Peshawar Higher Court Abbottabad Bench Abbottabad
2. Secretary to Government of Khyber Pakhtunkhwa E&SE Department Peshawar.
3. Director E&S Education Khyber Pakhtunkhwa Peshawar.
4. District Accounts Officer, Mansehra.
5. SDEO (M) Mansehra.
6. ASDEO Circle Concerned.
7. Teacher concerned.
8. Master File.

Attested

DY. DISTRICT EDUCATION OFFICER

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17

OFFICE OF THE DISTRICT EDUCATION OFFICER (M) MANSEHRA

NOTIFICATION:

In pursuance of Khyber Pakhtunkhwa, Sacked Employees (Appointment) Act 2012 and decision passed by the Peshawar High Court Abbottabad Bench in W/P No.497/2013 dated 25 June 2013 and in W/P No.401-A/2013 dated 22nd May 2013 and consequent upon their recommendations by the Departmental Selection Committee in its meeting held on 04/09/2014, the competent authority in the E&SE District Mansehra is pleased to order the appointment of the following sacked employees in BPS-15 (8500-700-29500) plus usual allowances as admissible under the Rules against the post of Certified Teacher and post them against the vacant positions in the schools mentioned against their names with immediate effect on the terms and conditions given below.

S.NO	NAME	FATHER NAME	D.O.B	POSTED AT	REMARKS
1	Ishtiaq Ahmad	Mohammad Akbar	14/03/68	GMS Khanian	A.V.P
2	Farid Khan	Mohammad Ayub Khan	20/04/68	GHSS Bandi Shungli	A.V.P
3	Mohammad Maroof	Abdul Jalil	02/05/68	GHS Bat Doga	A.V.P
4	Nizam- ud- Din	Khalil Ur Rehman	12/08/71	GMS Badal Gran	A.V.P
5	Mohammad Afzal	Mohammad Umer Khan	02/12/71	GMS Nallah Jabbar	A.V.P
6	Mir Zaman	Gul Zaman	15/02/72	GHS Bela Manoor	A.V.P

TERMS AND CONDITIONS:

1. NO TA/DA is allowed.
2. Charge report should be submitted to all concerned in duplicate.
3. Their appointments are subject to the condition that their **CERTIFICATES/ DOCUMENTS AND DOMICILE BE VERIFIED FROM THE CONCERNED AUTHORITY BEFORE RELEASE OF THEIR SALARY** in the light of section 3 of the said ACT.
4. They will be governed by such rules and regulations enforced and as may be prescribed by the Government from time to time for the category of the Government servants to which they belong.
5. Their appointments have been made in pursuance of Khyber Pakhtunkhwa, Sacked Employees (Appointment) Act 2012. Hence under **SECTION 5 OF THE SAID ACT THEY SHALL NOT BE ENTITLED TO ANY CLAIM OF SENIORITY, PROMOTION AND OTHER BACK BENEFITS.**
6. They should obtained Medical Fitness certificate from the Medical Superintendent/Civil Surgeon DHQ Hospital Mansehra.
7. Their appointments have been made in pursuance of Khyber Pakhtunkhwa, Sacked Employees (Appointment) Act 2012. Hence under **SECTION 4 OF THE SAID ACT THE PERIOD DURING WHICH THEY REMAINED DISMISSED, REMOVED OR TERMINATED FROM SERVICE, TILL THE DATE OF THEIR APPOINTMENT SHALL HAVE BEEN DEEMED AUTOMATICALLY RELAXED.**
8. In case they failed to assume the charge of their posts within 15 days of their appointments, their candidature-ship will be stand automatically cancelled.
9. They will be on probation for a period of one year extendable to another one year keeping in view their performance.
10. They have not served in any other Department/Corporation/Agency etc.
11. The Principal /DDO should not released pay of the teachers till the pay release order by the District Education Officer (M) Mansehra after verification of their documents.
12. The Principal/Head Master concerned is directed to submit their degrees/certificates etc for verification from the concerned Board/University/Institution before any payment made to them.
13. In case their documents are found Fake /Bogus on verification from the issuing authority, the service of the official shall be terminated and an FIR be lodged against him under the relevant law.
14. Their services are liable to termination on one month prior notice from either side in case of resignation without prior notice; his one month pay/allowances shall be forfeited to Government Treasury.
15. If their performance is found unsatisfactory, they will be proceeding under E&D Rules.

Attested

-SD-
DISTRICT EDUCATION OFFICER

Endst: No. 12329- 41 /F. No.AE/1/Sacked Emp:/C.T /Estt: dated Mansehra the 17 /10/2014

Copy forwarded to the:-

1. Registrar Peshawar Higher Court Abbottabad Bench Abbottabad
2. Secretary to Government of Khyber Pakhtunkhwa E&SE Department Peshawar.
3. Director E&S Education Khyber Pakhtunkhwa Peshawar.
4. District Accounts Officer, Mansehra.
5. Head Master of GMS/ GHS Concerned.
6. Teacher concerned.
7. Master File.

17/10/2014

DY; DISTRICT EDUCATION OFFICER,

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OFFICE OF THE DISTRICT EDUCATION OFFICER (M) MANSEHRA

NOTIFICATION:

In pursuance of Khyber Pakhtunkhwa, Sacked Employees (Appointment) Act 2012 and decision passed by the Peshawar High Court Abbottabad Bench in W/P No.497/2013 dated 25 June 2013 and in W/P No.401-A/2013 dated 22nd May 2013 and consequent upon their recommendations by the Departmental Selection Committee in its meeting held on 04/09/2014, the competent authority in the E&SE District Mansehra is pleased to order the appointment of the following sacked employees in BPS-15 (8500-700-29500) plus usual allowances as admissible under the Rules against the post of Theology Teacher and post them against the vacant positions in the schools mentioned against their names with immediate effect on the terms and conditions given below.

S.No	Name	Father Name	D.O.B	Posted at	Remarks
1	Abdul Hakeem	Mehmood	04/03/69	GMS Kharyala	A.V.P
2	Mohammad Saddique	Aziz ur Rehman	1970	GMS Beense Beerian	A.V.P
3	Hamed ud Din	Wali Ullah	04/01/70	GHS Mohar	A.V.P
4	Mohammad Tariq Gulfam	Mohammad Mumtaz	09/06/71	GHS Bela Manoor	A.V.P
5	Abdul Razaq	M Ismail	09/04/72	GHS Batdoga	A.V.P
6	Mohammad Miskeen	Ahmed Jee	02/02/73	GMS Noori	A.V.P

TERMS AND CONDITIONS:

1. NO TA/DA is allowed.
2. Charge report should be submitted to all concerned in duplicate.
3. Their appointments are subject to the condition that their **CERTIFICATES/ DOCUMENTS AND DOMICILE BE VERIFIED FROM THE CONCERNED AUTHORITY BEFORE RELEASE OF THEIR SALARY** in the light of section 3 of the said ACT.
4. They will be governed by such rules and regulations enforced and as may be prescribed by the Government from time to time for the category of the Government servants to which they belong.
5. Their appointments have been made in pursuance of Khyber Pakhtunkhwa, Sacked Employees (Appointment) Act 2012. Hence under **SECTION 5 OF THE SAID ACT THEY SHALL NOT BE ENTITLED TO ANY CLAIM OF SENIORITY, PROMOTION AND OTHER BACK BENEFITS.**
6. They should obtained Medical Fitness certificate from the Medical Superintendent/Civil Surgeon DHQ Hospital Mansehra.
7. In case ~~they~~ failed to assume the charge of their posts within 15 days of their appointments, their candidature-ship will be stand automatically cancelled.

Attested

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8. They will be on probation for a period of one year extendable to another one year keeping in view their performance.
9. They have not served in any other Department/Corporation/Agency etc.
10. The Principal /DDO should not released pay of the teachers till the pay release order by the District Education Officer (M) Mansehra after verification of their documents.
11. The Principal/Head Master concerned is directed to submit their degrees/certificates etc for verification from the concerned Board/University/Institution before any payment made to them.
12. In case their documents are found Fake /Bogus on verification from the issuing authority, the service of the official shall be terminated and an FIR be lodged against him under the relevant law.
13. Their services are liable to termination on one month prior notice from either side in case of resignation without prior notice; his one month pay/allowances shall be forfeited to Government Treasury.
14. If their performance is found un-satisfactory, they will be proceeded under E&D Rules

-SD-
DISTRICT EDUCATION OFFICER

Endst: No. 12043-55 /F. No.AE/1/Sacked Emp:/T.T /Estt: dated Mansehra the 15/10/2014

Copy forwarded to the:-

1. Registrar Peshawar Higher Court Abbottabad Bench Abbottabad
2. Secretary to Government of Khyber Pakhtunkhwa E&SE Department Peshawar.
3. Director E&S Education Khyber Pakhtunkhwa Peshawar.
4. District Accounts Officer, Mansehra.
5. Head Master of GMS/ GHS Concerned.
6. Teacher concerned.
7. Master File.

DY. DISTRICT EDUCATION OFFICER

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(18)
(13)

OFFICE OF THE DISTRICT EDUCATION OFFICER (M) MANSEHRA

NOTIFICATION:

In pursuance of Khyber Pakhtunkhwa, Sacked Employees (Appointment) Act 2012 and decision passed by the Peshawar High Court Abbottabad Bench in W/P No.497/2013 dated 25 June 2013 and in W/P No.401-A/2013 dated 22nd May 2013 and consequent upon their recommendations by the Departmental Selection Committee in its meeting held on 04/09/2014 the competent authority in the E&SE District Mansehra is pleased to order the appointment of the following sacked employees in BPS-12 (7000-500-22000) plus usual allowances as admissible under the Rules against the post of Qari and post them against the vacant positions in the schools mentioned against their names with immediate effect on the terms and conditions given below.

S.No	Name	Father Name	D.O.B	Posted at	Remarks
1	Akhtar Nawaz	Ali Bahadar	17/10/69	GHS Dilbori	A.V.P
2	Saeed- ur-Rehman	Muhammad Ayub/	15/03/71	GHS Sum	A.V.P
3	Muhammad Niaz	Ghulam Nabi	18/04/76	GHS Shohal Mazola	A.V.P

TERMS AND CONDITIONS:

1. NO TA/DA is allowed.
2. Charge report should be submitted to all concerned in duplicate.
3. Their appointments are subject to the condition that their **CERTIFICATES/ DOCUMENTS AND DOMICILE BE VERIFIED FROM THE CONCERNED AUTHORITY BEFORE RELEASE OF THEIR SALARY** in the light of section 3 of the said ACT.
4. They will be governed by such rules and regulations enforced and as may be prescribed by the Government from time to time for the category of the Government servants to which they belong.
5. Their appointments have been made in pursuance of Khyber Pakhtunkhwa, Sacked Employees (Appointment) Act 2012. Hence under **SECTION 5 OF THE SAID ACT THEY SHALL NOT BE ENTITLED TO ANY CLAIM OF SENIORITY, PROMOTION AND OTHER BACK BENEFITS.**
6. They should obtained Medical Fitness certificate from the Medical Superintendent/Civil Surgeon DHQ Hospital Mansehra.
7. In case they failed to assume the charge of their posts within 15 days of their appointments, their candidature-ship will be stand automatically cancelled.
8. They will be on probation for a period of one year extendable to another one year keeping in view their performance.
9. They have not served in any other Department/Corporation/Agency etc.

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10. The Principal /DDO should not released pay of the teachers till the pay release order by the District Education Officer (M) Mansehra after verification of their documents.
11. The Principal/Head Master concerned is directed to submit their degrees/certificates etc for verification from the concerned Board/University/Institution before any payment made to them.
12. In case their documents are found Fake /Bogus on verification from the issuing authority, the service of the official shall be terminated and an FIR be lodged against him under the relevant law.
13. Their services are liable to termination on one month prior notice from either side in case of resignation without prior notice; his one month pay/allowances shall be forfeited to Government Treasury.
14. If their performance is found un-satisfactory, they will be proceeded under E&D Rules

-SD-
DISTRICT EDUCATION OFFICER

Endst: No. 12031-42 /F. No.AE/1/Sacked Emp:/Qari /Estt: dated Mansehra the 15/10/2014

Copy forwarded to the:-

1. Registrar Peshawar Higher Court Abbottabad Bench Abbottabad
2. Secretary to Government of Khyber Pakhtunkhwa E&SE Department Peshawar.
3. Director E&S Education Khyber Pakhtunkhwa Peshawar.
4. District Accounts Officer, Mansehra.
5. Head Master of GHS Concerned.
6. Teacher concerned.
7. Master File.

15/10/2014
DY. DISTRICT EDUCATION OFFICER,

Attested

OFFICE OF THE DISTRICT EDUCATION OFFICER (M) MANSEHRA

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NOTIFICATION:

In pursuance of Khyber Pakhtunkhwa, Sacked Employees (Appointment) Act 2012 and decision passed by the Peshawar High Court Abbottabad Bench in W/P No.497/2013 dated 25 June 2013 and W/P No.401-A/2013 dated 22nd May 2013 and consequent upon the recommendations of the District Selection Committee, the competent authority in the E&SE District Mansehra is pleased to order the appointment of Mr. Rashed Jahangir S/O Fida Ahmad Khan Date of Birth 15th January Nineteen Hundred Seventy Three R/O Village & Post office Jared Tehsil Balakot District Mansehra as Lab: Assistant at GHSS Jared in BPS-7 (5800-320-15400) (non pensionable) plus usual allowances as admissible under the Rules against the vacant post with immediate effect on the terms and conditions given below.

TERMS AND CONDITIONS:

1. NO TA/DA is allowed.
2. Charge report should be submitted to all concerned in duplicate.
3. His appointment is subject to the condition that his **CERTIFICATES/ DOCUMENTS AND DOMICILE BE VERIFIED FROM THE CONCERNED AUTHORITY BEFORE RELEASE OF HIS SALARY** in the light of section 3 of the said ACT.
4. He will be governed by such rules and regulations enforce and as may be prescribed by the Government from time to time for the category of the Government servants to which he belong.
5. His appointment has been made in pursuance of Khyber Pakhtunkhwa, Sacked Employees (Appointment) Act 2012. Hence under **SECTION 5 OF THE SACKED ACT HE SHALL NOT ENTITLE TO ANY CLAIM OF SENIORITY, PROMOTION AND OTHER BACK BENEFITS.**
6. He should obtained medical fitness certificate from the Medical superintendent/civil surgeon DHQ Hospital Mansehra.
7. In case he failed to assume the charge of his post within 15 days of his appointment, his candidature-ship will be stand automatically cancelled.
8. He will be on probation of one year extendable to another one year keeping in view his performance.
9. The Principal /DDO GHSS Jared should not released pay of the official till the pay release order by the District Education Officer (M) Mansehra after verification of documents of the official.
10. The DDO is directed to submit his degree/certificate etc for verification from the concerned Board/University/Institution before any payment made to him.
11. In case his documents are found Fake /Bogus on verification from the issuing authority, the service of the official shall be terminated and an FIR be lodged against him under the relevant law.
12. His services are liable to termination on one month prior notice from either side in case of resignation without prior notice, his one month pay/allowances if any shall be forfeited to Government Treasury.
13. His services can be terminated at any time in case of his performance is found un-satisfactory; he will be proceeded against under the removal from service under E&D Rules.

-SD-
DISTRICT EDUCATION OFFICER (M)

Endst: No.10018-23/F. No.AE/1/Sacked Employee/Lab Asstt:/Estt: dated Mansehra the 6th September 2014
Copy forwarded to the:-

1. Registrar Peshawar Higher Court Abbottabad Bench Abbottabad
2. Secretary to Government of KPK E&SE Department Peshawar.
3. Director E&S Education KPK Peshawar.
4. District Accounts Officer, Mansehra.
5. Principal GHSS Jared Mansehra.
6. Official concerned.
7. Master File.

Attested

6/9/2014
DY; DISTRICT EDUCATION OFFICER,

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OFFICE OF THE DISTRICT EDUCATION OFFICER (M) MANSEHRA

NOTIFICATION:

In pursuance of Khyber Pakhtunkhwa, Sacked Employees (Appointment) Act 2012 and decision passed by the Peshawar High Court Abbottabad Bench in W/P No.497/2013 dated 25 June 2013 and in W/P No.401-A/2013 dated 22nd May 2013 and consequent upon their recommendations by the Departmental Selection Committee in its meeting held on 04/09/2014, the competent authority in the E&SE District Mansehra is pleased to order the appointment of the following sacked employees in BPS-11 (6600-460-20400) plus usual allowances as admissible under the Rules as Junior Clerk and post them against the vacant positions in the schools mentioned against their names with immediate effect on the terms and conditions given below.

S.No	Name	Father Name	D.O.B	Posted at	Remarks
1	Mohammad Saleem	Muhammad Miskeen	10/03/71	GHS Bela Manoor	A.V.P
2	Mohammad Rafique	Bana Khan	17/03/73	GHS Chamiyal	A.V.P
3	Mohammad Azahar Khan	Mohammad Asif Khan	02/04/74	GHS Phagal	A.V.P

TERMS AND CONDITIONS:

1. NO TA/DA is allowed.
2. The Clerk having less qualification shall acquire/obtain B.A Degree with in three years failing which their appointment shall stand terminated automatically.
3. Charge report should be submitted to all concerned in duplicate.
4. Their appointments are subject to the condition that their CERTIFICATES/ DOCUMENTS AND DOMICILE BE VERIFIED FROM THE CONCERNED AUTHORITY BEFORE RELEASE OF THEIR SALARY in the light of section 3 of the said ACT.
5. They will be governed by such rules and regulations enforced and as may be prescribed by the Government from time to time for the category of the Government servants to which they belong.
6. Their appointments have been made in pursuance of Khyber Pakhtunkhwa, Sacked Employees (Appointment) Act 2012. Hence under SECTION 5 OF THE SAID ACT THEY SHALL NOT BE ENTITLED TO ANY CLAIM OF SENIORITY, PROMOTION AND OTHER BACK BENEFITS.
7. They should obtained Medical Fitness certificate from the Medical Superintendent/Civil Surgeon DHQ Hospital Mansehra.
8. In case they failed to assume the charge of their posts within 15 days of their appointments, their candidature will be stand automatically cancelled.

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9. They will be on probation for a period of one year extendable to another keeping in view their performance.
10. They have not served in any other Department/Corporation/Agency etc.
11. The Principal /DDO should not released pay of the teachers till the pay release order by the District Education Officer (M) Mansehra after verification of their documents.
12. The Principal/Head Master concerned is directed to submit their degrees/certificates etc for verification from the concerned Board/University/institution before any payment made to them.
13. In case their documents are found Fake /Bogus on verification from the issuing authority, the service of the official shall be terminated and an FIR be lodged against him under the relevant law.
14. Their services are liable to termination on one month prior notice from either side in case of resignation without prior notice; his one month pay/allowances shall be forfeited to Government Treasury.
15. If their performance is found un-satisfactory, they will be proceeded under E&D Rules

-SD-
DISTRICT EDUCATION OFFICER

Endst: No.11970-81 /F. No.AE/1/Sacked Emp:/J.C /Estt: dated Mansehra the 15/10/2014

Copy forwarded to the:-

1. Registrar Peshawar Higher Court Abbottabad Bench Abbottabad
2. Secretary to Government of Khyber Pakhtunkhwa E&SE Department Peshawar.
3. Director E&S Education Khyber Pakhtunkhwa Peshawar.
4. District Accounts Officer, Mansehra.
5. Head Master of GHS Concerned.
6. Teacher concerned.
7. Master File.

Attested

BY; DISTRICT EDUCATION OFFICER,

AT

P- 60

OFFICE OF THE DISTRICT EDUCATION OFFICER (M) MANSEHRA

NOTIFICATION:

In pursuance of Khyber Pakhtunkhwa, Sacked Employees (Appointment) Act 2012 and decision passed by the Peshawar High Court Abbottabad Bench in W/P No.497/2013 dated 25 June 2013 and in W/P No.401-A/2013 dated 22nd May 2013 and consequent upon their recommendations by the Departmental Selection Committee in its meeting held on 04/09/2014, the competent authority in the E&SE District Mansehra is pleased to order the appointment of the following sacked employees in BPS-15 (8500-700-29500) plus usual allowances as admissible under the Rules against the post of Arabic Teacher and post them against the vacant positions in the schools mentioned against their names with immediate effect on the terms and conditions given below.

S.No	Name	Father Name	D.O.B	Posted at	Remarks
1	Muhammad Shoukat	Sher Muhammad	11/10/64	GHS Bat Doga	A.V.P
2	Mir Afzal	Khani Zaman	13/03/74	GMS Sathan Gali	A.V.P
3	Muhammad Shoaib	Muhammad Din	14/07/75	GMS Bela Sacha	A.V.P
4	Ashfaq Ahmed	Abdul Sadiq	1976	GMS Devel	A.V.P

TERMS AND CONDITIONS:

1. NO TA/DA is allowed.
2. Charge report should be submitted to all concerned in duplicate.
3. Their appointments are subject to the condition that their CERTIFICATES/ DOCUMENTS AND DOMICILE BE VERIFIED FROM THE CONCERNED AUTHORITY BEFORE RELEASE OF THEIR SALARY in the light of section 3 of the said ACT.
4. They will be governed by such rules and regulations enforced and as may be prescribed by the Government from time to time for the category of the Government servants to which they belong.
5. Their appointments have been made in pursuance of Khyber Pakhtunkhwa, Sacked Employees (Appointment) Act 2012. Hence under SECTION 5 OF THE SAID ACT THEY SHALL NOT BE ENTITLED TO ANY CLAIM OF SENIORITY, PROMOTION AND OTHER BACK BENEFITS.
6. They should obtained Medical Fitness certificate from the Medical Superintendent/Civil Surgeon DHQ Hospital Mansehra.
7. Their appointments have been made in pursuance of Khyber Pakhtunkhwa, Sacked Employees (Appointment) Act 2012. Hence under SECTION 4 OF THE SAID ACT THE PERIOD DURING WHICH THEY REMAINED DISMISSED, REMOVED OR TERMINATED FROM SERVICE, TILL THE DATE OF THEIR APPOINTMENT SHALL HAVE BEEN DEEMED AUTOMATICALLY RELAXED.
8. In case they failed to assume the charge of their posts within 15 days of their appointments, their candidature-ship will be stand automatically cancelled.
9. They will be on probation for a period of one year extendable to another one year keeping in view their performance.
10. They have not served in any other Department/Corporation/Agency etc.
11. The Principal /DDO should not released pay of the teachers till the pay release order by the District Education Officer (M) Mansehra after verification of their documents.
12. The Principal/Head Master concerned is directed to submit their degrees/certificates etc for verification from the concerned Board/University/Institution before any payment made to them.
13. In case their documents are found Fake /Bogus on verification from the issuing authority, the service of the official shall be terminated and an FIR be lodged against him under the relevant law.
14. Their services are liable to termination on one month prior notice from either side in case of resignation without prior notice; his one month pay/allowances shall be forfeited to Government Treasury.
15. If their performance is found un-satisfactory, they will be proceeding under E&D Rules.

-SD-
DISTRICT EDUCATION OFFICER

Endst: No. 12563- 74 /F. No.AE/1/Sacked Emp:/A.T /Estt: dated Mansehra the 22/10/2014

Copy forwarded to the:-

1. Registrar Peshawar Higher Court Abbottabad Bench Abbottabad
2. Secretary to Government of Khyber Pakhtunkhwa E&SE Department Peshawar.
3. Director E&S Education Khyber Pakhtunkhwa Peshawar.
4. District Accounts Officer, Mansehra.
5. Head Master of GMS/ GHS Concerned.
6. Teacher concerned.
7. Master File.

Attested

22/10/2014

DY: DISTRICT EDUCATION OFFICER,

Annex - J P-61

(7)

DIRECTORATE OF ELEMENTARY EDUCATION,
KHYBER PAKHTUNKHWA PESHAWAR.

No 2403 /Dated Pesh the 13/2/13

To

The District Education Officer,
(Male) (E & S) Education Battagram.

SUBJECT;- APPOINTMENT.

Memo;-

I am directed to enclose herewith the application of Muhammad Tahir Farooq Ex- PET GMS Asharban (Allai) Battagram & to ask you to consider his application for appointment in your District under Saction 5 of the Khyber Pakhtunkhwa Schools Emloyees(appointment Act 2012.

13/2/2013

Deputy Director (Establishment),
Directorate of Elementary & Secy
Education Khyber Pakhtunkhwa Pesh
13/2/2013

Attested

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(8)

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) BATTAGRAM.

ORDER

Consequent upon the recommendation of the Departmental Selection Committee and approval of the competent authority(Deputy Commissioner) Battagram in the light of Khyber Pakhtunkhwa Act XVII 2012 and Honorable Court Judgment Peshawar High Court Abbottabad Bench dated 17-01-2013 Mr.Muhammad Tahir Kaloon S/O Muhammad Karoon R/O (Manschra) is hereby appointed as PET in BPS 15 (Rs:8500-700-29500) plus usual allowances as admissible under the rules against the vacant post at Govt: Middle School Dhondoora (Allai) in the interest of public service with effect from the date of his taking over charge

NOTE The Drawing and disbursing officer is directed to verify their Degrees/Certificates from the concerned Board/University/Institutions.

TERMS AND CONDITIONs:-

1. The appointment is made purely on temporary basis and liable to termination at any time without assigning any reason or notice.
2. His service will be on regular basis but not pensionable and he will contribute to CP Fund.
3. He will be abide by the rules and regulation issued from time to time by the Provincial Govt:
4. His appointment has been made in the Act of Sacked Employees Appointments Act ,No XVII,2012.
5. He should obtain Medical fitness Certificate from the Medical Superintendent DHQ Hospital Battagram.
6. In case of resignation from Govt: service one month notice will be served otherwise the pay of one month will be forfeited to the Govt: treasury.
7. He should take over charge within in 15 days after the issuance of this appointment order otherwise the order of appointment shall stand cancel after 15 days.
8. Charge report should be submitted to all concerned.
9. The DDO is directed to obtain an affidavit on stamp paper duly attested by the Ist Class Magistrate that ,
   (a) He will served the Education department for more then five (5) year countiniously.
   (b) He is not served any other Department/Corporation/Agency.
   (c) His previous services if any will be treated as EOL (without Pay).
   (d) He will not go in the court for their previous service benefits.
10. The Re-appointment order issued in the light of Director (E&SE) Khyber Pakhtunkhwa Peshawar letter No,2403,dated 18-02-2013.
11. No TA/DA etc is allowed to any one.

DEPUTY COMMISSIONER BATTAGRAM
(CHAIRMAN)

Endst:No 7887-92/EB/AE-II/Apptt:Sacked:Emp: DATED [redacted]/2013

Copy for information and necessary action to the:

1. Registrar High Court Bench Abbottabad.
2. Deputy Commissioner Battagram.
3. District Accounts Officer Battagram.
4. Head Master concerned School.
5. D.D.E.O (Male) Battagram.
6. Candidates concerned.
7. Office file.

ALI

Attested

DY. DISTRICT EDUCATION OFFICER
(MALE) BATTAGRAM

P-63

(9)

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) BATTAGRAM

ORDER

Consequent upon the recommendation of the Departmental Selection Committee and approval of the competent authority (Deputy Commissioner) Battagram, in the light of Khyber Pakhtunkhwa Act XVII 2012 and Honorable Court Judgment Peshawar High Court Abbottabad Bench dated 17-01-2013 the following Sacked employee are hereby appointed as PST in BPS-12 (Rs:7000-500-22000) (Non pensionable)plus usual allowances as admissible under the rules against the vacant post at the schools mentioned against each in the interest of public service with effect from the date of theirs taking over charge

S. No	Name of Candidates	Father's Name	Address	Posted at*	Remarks
1	Sardar Mohd: Khan	Hazrat Younas	Thaya Banian BTM	GPS Batkool Sarhadi	Against V/Post
2	Ghulam Haider Shah	Pir Ali Shah	Kuz Madan BTM	GPS Kar Patay Pashto	Against V/Post
3	Bahadar Khan	Ali Gohar Khan	Dharian BTM	GPS Kanai	Against V/Post
4	Ghulam Yousaf	Molvi Khan Wali	Shamlai BTM	GPS Hill Bach	Against V/Post
5	Muhammad Hayat	Muhammad Noor	Trand BTM	GPS Kaloota	Against V/Post
6	Hosherwan	Noor ul Hassan	Gijbori BTM	GPS Malkot	Against V/Post
7	Zeebal Khan	Mubaras Khan	Thakot BTM	GPS Piza Batkool	Against V/Post
8	Duraj Khan	Hukmat Khan	Pokal Allai	GPS Mangri	Against V/Post
9	Pervez Khan	Saif ullah	Ajmera BTM	GPS Beran Gantar	Against V/Post
10	Imdad Ullah	Musa Khan	Gidri Khairabad BTM	GPS Barmai	Against V/Post
11	Shahi Khan	Bai Khan	Peshora BTM	GPS Mala Bateela	Against V/Post
12	Abdul Aziz	Haji Abdullah	Gulibagh BTM	GPS Battagram	Against V/Post
13	Muhammad Miskeen	Abdul Latif Khan	Takia BTM	GPS Thaya	Against V/Post
14	Munammad Riaz	Ghulam Hussain	Banser Shamlai BTM	GPS Koshgram	Against V/Post
15	Khurshed Khan	M.Arshad Khan	Biari Allai	GPS Chapri Karg	Against V/Post
16	Furhad Khan	Murad	Ajmera BTM	GPS Nathoo.	Against V/Post
17	Momin Khan	Bilal Khan	Kuzabanda BTM	GPS Nehar Qasim.	Against V/Post
18	Islam Shah	Mian Gul Shah	Bandigo BTM	GPS Sar Nasim.	Against V/Post
19	Rustam Khan	Palas Khan	Phagora BTM	GPS Ajlay Shahroom	Against V/Post
20	Rustam Khan	Begrah khan	Thakote BTM	GPS Nehray Thakot	Against V/Post
21	Muhammad Shafiq	Atiqullah	Dabri Paimal BTM	GPS Trangar	Against V/Post
22	Anwar Faraz	Abdul Wahab Khan	Banian BTM	GPS Jabba Asharban	Against V/Post

NOTE The Drawing and disbursing officer are directed to verify theirs Degrees/Certificates from the concerned Board/University/Institutions from the quarter concerned .

TERMS AND Conditions:-

1 The appointment is made purely on temporary basis and liable to termination at any time without assigning any reason or notice.

2 Theirs service will be on regular basis but not pension able and they will contribute to CP Fund.

3 They will be abide by the rules and regulation issued from time to time by the Provincial Govt:

4 Their appointment has been made in the Act of Sacked Employees Appointments Act ,No XVII,2012.

5 They should obtain Medical fitness Certificate from the Medical Superintendent DHQ Hospital Battagram.

6 In case of resignation

7 The candidates having less qualification will acquire requisite training and obtain FA qualification within three years failing which their appointment shall stand terminated automatically.

8 They should take over charge within in 15 days after the issuance of this appointment order otherwise the order of appointment shall stand cancel after 15 days.

Attested

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(10)

9 Charge report should be submitted to all concerned.

10 The DDO is directed to obtain an affidavit on stamp paper duly attested by the 1st Class Magistrate that ,

(a) They will served the Education department for more then five(5) year countiniously .

(b) They are not served any other Department/Corporation/Agency.

(c) Their previous services if any will be treated as EOL (without Pay).

(d) They will not go in the court for their previous service benefits.

11 No TA/DA etc is allowed to any one.

DEPUTY COMMISSIONER
(CHAIRMAN)
BATTAGRAM

Endst:No 7825-31 /EB/AE-II/Apptt:Sacked:Emp: DATED 15/02/2013

Copy for information and necessary action to the:

1 Deputy Commissioner Battagram.
2 Registrar Honorable High court Peshawar
3 District Accounts Officer Battagram.
4 Head Master concerned School.
5 D.D.E.O (Male) Battagram.
6 Candidates concerned.
7 Office file.

Assistant District Education Officer
Litigation Battagram

Attested

(12)

OFFICE OF THE DISTRICT EDUCATION OFFICER (M) MANSEHRA

P-65

NOTIFICATION:

In pursuance of Khyber Pakhtunkhwa, Sacked Employees (Appointment) Act 2012 and decision passed by the Peshawar High Court Abbottabad Bench in W/P No.497/2013 dated 23 June 2013 and in W/P No.401-A/2013 dated 22nd May 2013 and consequent upon their recommendations by the Departmental Selection Committee in its meeting held on 04/09/2014, the competent authority in the E&SE District Mansehra is pleased to order the appointment of the following sacked employees in BPS-11 (6600-460-20400) plus usual allowances as admissible under the Rules as Junior Clerk and post them against the vacant positions in the schools mentioned against their names with immediate effect on the terms and conditions given below.

S.No	Name	Father Name	D.O.B	Posted at	Remarks
1	Mohammad Saleem	Muhammad Miskeen	10/03/71	GHS Bela Manoor	A.V.P
2	Mohammad Rafique	Bana Khan	13/03/73	GHS Chamiyal	A.V.P
3	Mohammad Azahar Khan	Mohammad Asif Khan	02/04/74	GHS Phagal	A.V.P

TERMS AND CONDITIONS:

1. NO TA/DA is allowed.
2. The Clerk having less qualification shall acquire/obtain B.A Degree with in three years failing which their appointment shall stand terminated automatically.
3. Charge report should be submitted to all concerned in duplicate.
4. Their appointments are subject to the condition that their CERTIFICATES/ DOCUMENTS AND DOMICILE BE VERIFIED FROM THE CONCERNED AUTHORITY BEFORE RELEASE OF THEIR SALARY in the light of section 3 of the said ACT.
5. They will be governed by such rules and regulations enforced and as may be prescribed by the Government from time to time for the category of the Government servants to which they belong.
6. Their appointments have been made in pursuance of Khyber Pakhtunkhwa, Sacked Employees (Appointment) Act 2012. Hence under SECTION 5 OF THE SAID ACT THEY SHALL NOT BE ENTITLED TO ANY CLAIM OF SENIORITY, PROMOTION AND OTHER BACK BENEFITS.
7. They should obtained Medical Fitness certificate from the Medical Superintendent/Civil Surgeon DHQ Hospital Mansehra.
8. In case they failed to assume the charge of their posts within 15 days of their appointments, their candidature-ship will be stand automatically cancelled.

Attested

25/9/2014

9. They will be on probation for a period of one year extenda... keeping in view their performance. P-66

10. They have not served in any other Department/Corporation/Agency etc.

11. The Principal /DDO should not released pay of the teachers till the pay rele... by the District Education Officer (M) Mansehra after verification of their docume...

12. The Principal/Head Master concerned is directed to submit their degrees/certificates etc for verification from the concerned Board/University/Institution before any payment made to them.

13. In case their documents are found Fake /Bogus on verification from the issuing authority, the service of the official shall be terminated and an FIR be lodged against him under the relevant law.

14. Their services are liable to termination on one month prior notice from either side in case of resignation without prior notice; his one month pay/allowances shall be forfeited to Government Treasury.

15. If their performance is found un-satisfactory, they will be proceeded under E&D Rules

-SD-

DISTRICT EDUCATION OFFICER

Endst: No.11970-81 /F. No.AE/1/Sacked Emp:/J.C /Estt: dated Mansehra the 15/10/2014

Copy forwarded to the:-

1. Registrar Peshawar Higher Court Abbottabad Bench Abbottabad
2. Secretary to Government of Khyber Pakhtunkhwa E&SE Department Peshawar.
3. Director E&S Education Khyber Pakhtunkhwa Peshawar.
4. District Accounts Officer, Mansehra.
5. Head Master of GHS Concerned.
6. Teacher concerned.
7. Master File.

Attested

17/10/2014

DY. DISTRICT EDUCATION OFFICER,

(11)

R 87

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) DIR LOWER

OFFICE ORDER:

In pursuance of section 3 read with section 2(g) Section 4,5&7 of the Khyber Pakhtun Khwa sacked employees (Appointment) act 2012 and recommendation / approval of the Departmental Selection Committee (Elementary & Secondary Education) Dir Lower in its meeting held on09/07/2013,the following Male sacked employees of the Elementary & secondary Education Department Dir Lower are hereby appointed as Primary School teachers against the 30% vacant posts in BPS 12 (Rs;7000/-p.m fixed Plus usual allowances as admissible) under the rules),and place of posting shown against their names from the date of their taking over the charge on the terms and conditions given below in the interest of public service;

S#	Name,Father,s name	Residence	D/O birth	School where appointed	Remarks
1.	Sher Bahadar Khan	Dalgram	02/03/1961	GPS Gumbat Banda	A.V.Post
2.	Lal Hassan	Ziarat Talash	03/02/1965	GPS Sar Banda	A.V.Post
3.	Rahmanullah	Warsallay(M)	18/03/1965	GPS Kando Machla	A.V.Post
4.	Fazli Subhan	Miangano Dehrai Maidan	15/03/1967	GPS Kargha	A.V.Post
5.	Mohammad Salim Khan	Rani	21/03/1967	GPS Dood Khana	A.V.Post
6.	Nisar Ahmad	Thall Manial	20/04/1968	Safari Maidan	A.V.Post
7.	Hayatullah	Sheikh Banda	19/08/1969	GPS Malai	A.V.Post
8	Said Mula Khan	Hayasell	02/01/1972	GPS Sangolai Bala	A.V.Post
9.	Mohmmad Zada	Dehri Talash	09/02/1972	GPS Tango Manz	A.V.Post
10	Asamud-Din	Ziarat Talash	02/01/1976	GPS Danda Rabat	A.V.Post
11	Mushtaq Ahmad	Khungi Payeen	10/04/1978	GPS Misar Khani	A.V.Post

TERMS AND CONDITIONS:

1. Their services will be considered regular and shall be entitled to the benefits as provided under section19 (1)(2)(3) and(4)substituted under section 2 of the Khyber Pakhtunkhwa civil servants (amendment)Act 2012.
2. They will be governed by such rules and regulations as may be prescribed by the government from time to time for the category of government servants to which they belong.
3. Their appointments are purely on temporary basis liable to termination at any time without notice. In case leaving the service, they shall be required to submit one month prior notice OR deposit one month's pay in to government treasury in lieu thereof.
4. They are directed to produce their Health & Age certificate from the Civil Surgeon Dir lower at Timergara.
5. The appointment of the candidates mentioned above is subject to the condition that they are domiciled in District Dir Lower.

Attested

District Education Officer

Rahmanullah

6. NO TA/DA will be paid to them on joining the post.
7. Charge reports should be submitted to all concerned.
8. Drawing & Disbursing Officers concerned are directed to collect photo copies of their testimonials along with verification fees and submit the same to the office of the undersigned for further verification from the institutions concerned.
9. Their salary should not be drawn unless and until a clearance certificate regarding verification of of documents and release of pay issue by this office.
10. This order is issued, errors and omissions accepted, as a notice only.
11. They shall be on probation for a period of two years which is extendible to one year more.
12. The period during which these sacked employees remained dismissed, removed or terminated from service till the date of their appointment shall be deemed to have been automatically relaxed and there shall be no further relaxation under any rules for the time being in force as provided under section 4 of the ibid act.
13. These sacked employees shall not be entitled to any claim of seniority, promotion or other back benefits and their appointment shall be considered as fresh appointment.
14. They are directed to complete their qualification within three years i.e from the date of announcement of court decision 25/4/2011.Otherwise they will be automatically considered terminated from service.

(MUHAMMAD IBRAHIM)
DISTRICT EDUCATION OFFICER (M)
DIR LOWER AT TIMERGARA

Endst; No. 10677-83 Dated Timergara the 10/07/2013

Copy of the above is forwarded to:

1. The PS to Secretary Elementary & Secondary Education Department Khyber Pukhtunkhwa, Peshawar.
2. The Director Elementary & Secondary Education Khyber Pukhtunkhwa, Peshawar.
3. The Deputy Commissioner, Dir Lower.
4. The District Account Officer, Dir Lower.
5. The Deputy Distt; Education Officer (M) Local office.
6. The Sub-Divisional Edu; Officer(M) Dir Lower.
7. The Sacked employee concerned.

Attested

DISTRICT EDUCATION OFFICER (M)
DIR LOWER AT TIMERGARA

(68)

وکالت نامہ

کورٹ فیس

بعدالت Before The K. Service Tribunal KPK Peshawar

عنوان: Syed Naveed Shah بنام Govt & ors etc

منجانب: Appellant

نوعیت مقدمہ Service Appeal

باعث تحریر آنکہ

مقدمہ مندرجہ میں اپنی طرف سے واسطے پیروی و جواب دہی کل کاروائی متعلقہ آں مقام

M. Arshad Khan Tanoli Adv HC Ath

کو وکیل مقرر کر کے اقرار کرتا ہوں کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا نیز وکیل صاحب موصوف کو کرنے راضی نامہ وتقرر ثالث وفیصلہ برحلف ودینے اقبال دعویٰ اور بصورت دیگر ڈگری کرانے اجراء وصولی چیک روپیہ وعرضی دعویٰ کی تصدیق اور اس پر دستخط کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ مذکور کی کل یا کسی جزوی کاروائی کے لئے کسی اور وکیل یا مختار صاحب قانونی کو اپنے ہمراہ اپنی بجائے تقرر کا اختیار بھی ہوگا اور صاحب مقرر شدہ کو بھی وہی اور ویسے ہی اختیارات ہوں گے اور اس کا ساختہ پرداختہ مجھ کو منظور و قبول ہوگا۔ دوران مقدمہ جو خرچہ و ہرجانہ التوائے مقدمہ کے سبب ہوگا اس کے مستحق وکیل صاحب ہوں گے۔ نیز بقایا رقم وصول کرنے کا بھی اختیار ہوگا۔ اگر کوئی پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب موصوف پابند ہوں گے کہ پیروی مقدمہ مذکورہ کریں اور اگر مختار مقرر کردہ میں کوئی جزو بقایا ہو تو وکیل صاحب موصوف مقدمہ کی پیروی کے پابند نہ ہوں گے۔ نیز درخواست بمراد استجارت نالش بصیغہ مفلسی کے دائر کرنے اور اس کی پیروی کا بھی صاحب موصوف کو اختیار ہوگا۔

لہذا وکالت نامہ تحریر کر دیا تاکہ سند رہے۔

بمقام: المرقوم: _____

العبد

Attested

Accepted

Mohammad Arshad Khan Tanoli
Adv HC Abbottabad

Before the Honourable Service Tribunal Camp Court Abbottabad

Naveed Hassan shah ..... (1377/2016) VS. Govt of KPK.

Subject: Application for permission to file written comments in reply.

Respectfully Sheweth:

That the respondents humbly submit as under.

1. Neither respondent were placed Ex-Party nor did the defence of the respondents were struck off.

Now the respondents are seeking permission of the Honourable Tribunal to file the written reply.

It is therefore requested that the application may be allowed.

Respondents No. 1, 2, 3
Through Litigation Officer.

21/02/2018

21/2/18

(Original copy)

BEFORE THE HONOURABLE SERVICE TRIBUNAL KPK PESHAWAR CAMP COURT ABBOTTABAD.

Appeal No, 1377 /2015

Naveed Hussain Shah.....APPELLANT.

VERSUS

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

PARAWISE COMMENTS / WRITTEN REPLY ON BEHALF OF RESPONDENTS NO 1 ,2 AND 3.

Place on file
21.5.2018

INDEX

S.No	Description of documents	Annexure	Pages
1.	Comments of Respondents		1-3
2.	Affidavit		4
3.	Copy Of Appointment order	A	5-9
4.	Copy Of termination order	B	10-18
5.	Copy Of Judgment order	C	19-21
	Copy of COC	D	22-24
6	Copy of the appointment order	E	25-28
7	Copy of Act	F	29-32

DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

BEFORE THE HONOURABLE SERVICE TRIBUNAL KPK PESHAWAR CAMP COURT ABBOTTABAD.

Service Appeal No.1377 of 2015

Naveed Hussain Shah.....Appellant.

VERISUS

Govt: of KPK and others.....Respondents

PARA WISE COMMENTS/WRITTEN REPLY ON BEHALF OF RESPENDENTS No.1 2 AND 3 AS UNDER:-

PRELIMINERY OBJECTIONS.

1. That the appellant has got no cause of action locus standi.
2. That the appellant has concealed material facts from his Honorable Tribunal in the instant service appeal. Hence not entitled for any relief and appeal is liable to be dismissed without any further proceeding.
3. That the instant service appeal is based on malafide intentions.
4. That the appellant has not come to this Honorable Tribunal with clean hands.
5. That the appellant is not entitled for the relief he has sought from this Honorable Tribunal.
6. That the instant service appeal is against the prevailing law and rules.
7. That the appeal is based on malafide intentions just to put extra pressure on the Respondents for gaining illegal service benefits.
8. That the instant service appeal is not maintainable in its present form.
9. That the service appeal of the Appellant is not maintainable as per Khyber Pakhtun Khawa sacked employee appointment Act, 2012. Under section 5, wherein sacked Employee shall not be entitled to claim seniority and other back benefits. Hence bound by Law.

FACTUAL OBJECTIONS.

1. Para No.1 is correct, Petitioner was appointed as PST at GPS Dam Nalla on 22.11.1994 and later on their appointment may be consider contrary to law and policy, then such irregularly appointees were letter on declared illegal and were terminated on 13.02.1997. (*Copy of Appointment Order and Termination Order are Annexed as Annexure A and B*).

Para No.2 is correct to the extent that the government of Khyber Pakhtun Khawa promulgated Khyber Pakhtun Khawa Sacked Employee Act, 2012.

3. Para No.3 is correct to the extent that the Appellant filed a Writ Petition No.401-A/2012 before Honorable High Court Abbottabad Bench, which was decided on 22-5-2013, and also a filed COC No 70-A/2013 against non compliance of the judgment ibid, wherein respondent Department appointed the appellant as PST under KPK Sacked Employee Act, 2012, as well as the direction of Honorable High Court Abbottabad Bench, on 01-07-2015.

4. Para No.4 of the appeal is correct. That the judgment of Honourable Peshawar High Court Bench Abbottabad was decided on 22.05.2013. (***Copy of the judgment is Annexed as Annexure C***)

5. Para No.5 of the appeal is incorrect; detail reply has already been given in Para No.3.

6. Para No.6 of the appeal is correct; the appellant has filed COC before Honourable Peshawar High Court Bench Abbottabad (***copy of COC no.70-A/2013 is annexed as annexure D***)

7. Para No.7 of the appeal is correct; that the appellant was appointed as PST at GPS Maira Hajam vide Endst No.9278-95 date 01.07.2015 on 01.07.2015 under KPK Sacked Employee Act, 2012. (***Copy of the appointment order is annexed as annexure E)***

8. Para No.8 of the appeal is correct to the extent that *as per sacked Employee appointment Act, 2012, under section 5,* ***sacked Employee shall not be entitled to claim seniority and other back benefits:*** *A* sacked Employee appointment under section 3, shall not be entitles any claim seniority, promotion or other back benefits and his appointment shall be considered as fresh appointment. (***Copy of the act is Annexed as Annexure F***)

9. Para No.9 of the appeal is incorrect, that the appellant is not aggrieved person in the meaning sacked Employee Act, 2012, inter-alia, on the following grounds.

GROUNDS:-

A. Incorrect and denied; that appointment order of the appellant was made subject to availability of vacant post as per section 3 of sacked Employee Act 2012, wherein the sacked Employee shall be appointed against thirty percent of the available vacancies in the Department.

B. Incorrect and denied, the appellant was appointed in the light of sacked Employee Act 2012, as per rules and policy and also direction of Honourable Peshawar High Court Abbottabad Bench. that the appointment order of the appellant was issued in accordance with the rules, Act and policy of the Government.

C. Para is pertaining to the record of the Appellant.

D. Para No.D is incorrect; detail reply has already been given in Para No.8 of the appeal, wherein the appellant is not entitled to any claim of the back benefits.

E. Incorrect and denied, the appellant has been treated as per law and rules & act, wherein no question of violation of law, rules & policy.

F. Legal Right of the Appellant.

G. Incorrect and denied.

7. Incorrect & misleading. However the Respondents seek leave of this Honorable Tribunal to submit addition grounds & record at the time arguments before this Honorable Bench.

In the view of above made submissions, it is requested that this Honorable Tribunal may very graciously be pleased to dismiss the instant service appeal with cost in favor of the Respondent Department in the interest of justice.

The Secretary
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar.

The Director,
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar.
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

The District Education Officer,
(Male) Mansehra

AFFIDAVIT

I, Mr. Muhammad Touseef Assistant District Education officer on Behalf of District Education Officer (M) Mansehra do, hereby solemnly affirm and declare that the Para wise comments of the Service Appeal No.1377/2015 titled Naveed Hussain Shah versus Govt, is true to the best of my conviction and belief and nothing has been concealed from this Honourable Court.

DEPONENT_____

DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA.

(5) 'A'

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

OFFICE ORDER NO. 86
DATED 22/11/1994.

APPOINTMENT

Consequent upon the finalization of the lists of un-trained candidates duly approved by the Minister for Primary Education N.W.F.P, the following candidates are hereby appointed in BPS-7 @ Rs.1480 fixed per month plus usual allowances as admissible under the rules w.e.f. the date of their taking over the charge against the vacant posts in the interest of public service:

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

SUPRINTENDENT(I)
Estt: Branch (DEO)
(Male) Mansehra.

Next page/2

(8)

97-	Naveed Shah s/o Muazam Shah	Shah Kot	GPS Dhan Nalla	-do-
98-	Muhammad Nazir s/o Muhammad Aseem	Pika Pani	GPS Neel Batla	-do-
99-	Muhammad Azam S/o Sher Muhammad .	Bandian	GPS Nara Doga	-do-
100-	Abid Hussain s/o Abdur Rehman.	Pakoona	GPS Chaniyal	-do-
101-	Muhammad Asif s/o Wali Jan	Munda Gucha	GPS Chilyani	-do-
102-	Nabid Ahmad s/o Ghulam Nabi	Jaboori	GPS Sundi	-do-
103-	Muhammad Naeem s/o Attai Khan	Phalai	GPS Neelban	-do-
104-	Muhammad Naveed s/o Muhammad Ayub.	Sucha Kalan	GPS Bahadra	-do-
105-	Muhammad Shakil s/o Muhammad Mussa	Sucha Kalan	GPS Said Abad	-do-
106-	Ghulam Hassan s/o Muhammad Ishaq	Nalla Jabbar	GPS Nalla Jabbar	-do-
107-	Muhammad Khalid s/o Azizur Rehman.	Munda Gocha	GPS Munda Gocha	-do-
108-	Gul Dad s/o Mughal Dad	Punjool	GPS Sukian	-do-
109-	Muhammad Aslam s/o Muhammad Alam	Gali Jabbar	GPS Jabbar	-do-
110-	Ghulam Nabi s/o Arsala Khan	Keeri Bala	GPS Sattan Gali	-do-
111-	Akhtar Nawaz s/o Haq Nawaz Khan.	Sucha Kalan	GPS Kodar	-do-
112-	Gul Niaz s/o Sarfaraz Khan	Buz Bela	GPS Banda Gee Sach	-do-
113-	Ghulam Nabbi s/o Sadai.	Chatta Bala	GPS Mohri	-do-
114-	Javed Iqbal s/o Ahmad Jee.	Punjool	GPS Mohri	-do-
115-	Ashiq Hussain Shah s/o Mumtaz Ali Shah.	Bai Bala	GPS Chatta	-do-
116-	Sajid Hussain Shah s/o Hayat Shah	Kot Chattar	GPS Dheri Nambardar	-do-
117-	Muhammad Fayaz s/o Abdul Wahab.	Nilkot	GPS Deri Haleem	-do-
118-	Javed Hussain Shah s/o Nawab Said Shah.	Lachi Mang	GPS Deri Nambardaran	-do-
119-	Zulfiqar Ali Shah s/o Sadiq Shah.	Bai Bala	GPS Shangreta	-do-
120-	Abdul Ghaffar Ali Shah s/o Pir Bad Shah	Saloona	Gps Chinar Kot.	-do-
121-	Ijaz Hussain Shah s/o Shah Said Shah.	Bhumla Chattar	GPS Khotri	-do-
122-	Qaisar Rauf s/o Abdur Rauf Khan.	Sucha Kalan	GPS Keeri Nawaz Abad.	-do-
123-	Dahshat Khan s/o Haji Farid Khan.	Shar Kool	GPS Deri Haleem	-do-
124-	Muhammad Saeed s/o Miskeen	Karan	GPS Mat Serian	-do-
125-	Abdur Razaq s/o Mir Hussain	Makan Gali	GPS Dokal	-do-
125-	Muhammad Ijaz s/o Omar Zaman	Dhanaka	Mos;Pagora	-do-
126-A	Muhammad Aslam s/o Omar Zaman	Gundan	GPS Battian	-do-
127-	Abdus Sattar s/o Abdur Rehman	Dhaman	GPS Chatta	-do-
128-	Muhammad Yousef s/o Aurangzeb	Seri Gali	GPS Shanaya	-do-
129-	Fariddud Din s/o Abdul Hai	Mat Seri	GPS Jiggi	-do-

Next page/5

129- Shafique s/o Haider Zaman	Purni	GPS Hariyala	A.V.Post.
130- Azmat Ayub S/o Muhammad Ayub.	Naryala	GPS Chameyari Ghazi Kot.	A.V.Post
131- Said Sad Shah s/o Mudassar Shah.	Sarori K.D.		K.D.
132- Muhammad Mustafa s/o Yasin Khan.	Judba		K.D.
133- Abdul Bashir s/o Gulraiz.	Uthlair		K.D.
134 Fanoos Shah s/o Syed Azeem Shah	Bongaly		K.D.
135- Syed Wahab s/o Muhammad Mustaffa.	Jatka		K.D.
136- Pir Mukamil Shah s/o Pir Ahmad Shah.	Jatka		K.D
137- Liaqat Ali s/o Sher Muhammad Khan	Chinkiari		K.D.
138- Safdar Zaman s/o Shah Izat Khan.	Deri Paka Khel		K.D.

TERMS AND CONDITIONS

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

SUPRINTENDENT (I)
Estt: Branch (DEO)
(Male) Mansehra.

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

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

Copy forwarded to the:

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

I/C DISTRICT EDUCATION OFFICER
(MALE) PRIMARY MANSEHRA

Send to

Endst No = 2485-2626
22-11-96

(10)

'B'

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) PRIMARY MANSEHRA

Termination Order.

NO.5
Dated February 13, 1997

OFFICE ORDER

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

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

Contd:Page No. 2

SUPRINTENDENT(I)
Estt: Branch (DEO)
(Male) Mansehra

Page No.

47.	Habib-ur-Rehman S/O Jamil-ur-Rehman	Gali Badra	GPS Chuntran
48.	Muhammad Saeed S/O Muhammad Israil	Kalas	Msq:Mohar Khurd
49.	Muhammad Bukhtiar S/O Khani Zaman	Roria	GPS Miana Gali
50.	Iftikhar S/O Ghulam Haider	Gojra	GPS Kahawa
51.	Fida Hussain S/O Aziz Muhammad	Chor Bandi	GPS Mad Serian
52.	Ghulam Mustafa S/O Hafizullah	Chamial	GPS Nikka Pani
53.	Zulfiqar S/O Duri Aman	Sinjiyala	Msq:Doga
54.	Muhammad Bashir S/O Abdul Akbar	Machral	Msq:Hari Doga
55.	Sher Muhammad S/O Taj Muhammad	Fateh Bandi	Msq:Kaloo Basthi
56.	Shah Feroz S/O Fergoss	Jaman Moori	Msq:Thakkra Pain
57.	Munawar S/O Masood	Lassan nawab	GPS Tarmang
58.	Ghulam Abbas S/O Abdus Sattar	Dehori	Msq: Batangi
59.	Muhammad Azam S/O Khawaj Muhammad	Khaian Artan	GPS Karka
60.	Anwar Zeb S/O Sikandar Khan	Sharotta	GPS Hallah
61.	Akram S/O Suleman	Sharotta	GPS Mera Khairoo
62.	Nazir Muhammad S/O Sher Muhammad	Phuldhar	Msq: Nalbori
63.	Chiria Khan S/O Abdur Rehman	Jhangi	GPS Sinjiyala
64.	Muhammad Tariq S/O Parvez	Sokai	GPS Shanaya payeen

Contd:Page No.

65.	Dost Muhammad S/O Mir Muhammad	Khair Abad	Msq:Dolarian
66.	Jehangir S/O Fazal Karim	Nal Kaloo	GPS Hariyala
67.	Manzoor Ahmad S/O Maqbool-ur-Rehman	Chandoor	Msq:Chandoor
68.	Lal Khan S/O Sher Muhammad	Jhanda	Msq:Chandoor
69.	Sultan S/O Rehmatullah	Nara Doga	GPS Gora
70.	Duri Aman S/O Wazir Muhammad	Sharotta	Msq:Kamari
71.	Salar Khan S/O Abdul Akbar	Karrori	GPS Akhun Bandi
72.	Iftikhar Ahmad S/O Ali Zamon	Shakokki	GPS Kandal
73.	Mubarak S/O Haider Zaman	Pakoona	GPS Maserian
74.	Sabir S/O Muhammad Yaqoob	Pakoona	GPS Ghazi Kot
75.	Didar S/O Faqir Muhammad	Mohar	Msq:Belan
76.	Rafique S/O Sikandar	Bandian	GPS Bandi Khan Khel
77.	Shakeel Ahmad S/O Ayub	Khalwal	Msq:Kotla darwaza
78.	Sadique S/O Farid	Jahand	Msq: Gudi
79.	Khurshid S/O Faqir Muhammad	Chitti Moori	GPS Chontra
80.	Muhammad Farooq S/O Kala Khan	Kajla	GPS Kajla
81.	Nazar Hussain S/O Ghulam Haider	Nikka Pani	Msq: Gali Tendki
82.	Sarwar S/O Abdul Nabi	Thanda	GPS Chaniyal

Contd:Page No.....6

Attested

SUPRINTENDENT(I)
Estt: Branch (DEO)
(Male) Mansehra.

83.	Muhammad Hanif S/O Ghulam Sarwar	Sokal	Mera Khairoo
84.	Nazir Ahmad S/O Ghulam Sarwar	Batal Pain	Msq: Khajambar
85.	Ali Munsaf S/O Ali Zaman	Doga	GPS Bradarh
86.	Sarfaraz S/O Alizaman	Jangi	GPS Thathi Kalan
87.	Iqbal S/O Yaqoob	Larri	Msq:Shanaya Pain
88.	Muhammad Afzal S/O Ayub	Tangarh	Msq:Kharan
89.	Hakim Khan S/O Gohar Rehman	Khaliara	GPS Mera Khairoo
90.	Zaman Shah S/O Gulab Shah	Shargarh	GPS Geri Gorla
91.	Saleem S/O Samandur	Shanaya	Msq:Bradar
92.	Munib ur Rehman S/O Muhammad Zaman	Kandar	GPS Kandar
93.	Sajid S/O Habib-ur-Rehman	Phulra	GPS Kalla
94.	Muhammad Haroon S/O Ali Zaman	Bai Buhal	GPS Batdoga
95.	Muhammad Javaid S/O Aurang Zeb	Jhanda	GPS Gali Badral
96.	Muhammad Ismail S/O Muhammad Zaman	Gorha	GPS Theri
97.	Muhammad Riaz S/O Rafiullah	Bandi Mera	Msq:Khamian
98.	Naveed Shah S/O Muazam Shah	Shah Kot	GPS Dam Nulla
99.	Muhammad Nazir S/O Muhammad Aseem	Nikkal Pani	GPS Naal Batta
100.	Muhammad Azam S/O Sher Muhammad	Bandian	GPS Nara Doga

Contd:Page No.....7

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

Contd:Page No.....9

101. Abid Hussain S/O Abdur Rehman	Pakoona	GPS Chaniyal
102. Muhammad Asif S/O Wali Jan	Munda Gucha	GPS Chilyani
103. Nahib Ahmad S/O Ghulam Nabi	Jabori	GPS Gundi
104. Muhammad Naeem S/O Attai Khan	Phalai	GPS Neel Ban
105. Muhammad Naveed S/O Muhammad Ayub	Sachan Kalan	GPS Bahadra
106. Muhammad Shakeel S/O Muhammad Mussa	Sachan Kalan	GPS Said Abad
107. Ghulam Hassan S/O Muhammad Ishaq	Nalla Jabbar	GPS Nalla Jabbar
108. Muhammad Khalid Aziz ur Rehman	Munda Gocha	GPS Munda Gocha
109. Gul Dad S/O Mughaldad	Punjool	GPS Sukian
110. Muhammad Aslam S/O Muhammad Alam	Gali Jabbar	GPS Jabbar
111. Ghulam Nabi S/O Arsala Khan	Keeri Bala	GPS Sattan Gali
112. Akhtar Nawaz S/O Haq Nawaz Khan	Sucha Kalan	GPS Kodar
113. Gul Niaz S/O Sartaj Aziz Khan	Ruz Bala	GPS Banda Geesach
114. Ghulam Nabi S/O Qadai	Chotta Nala	GPS Mohri
115. Javed Iqbal S/O Ahmad Jee	Punjool	GPS Mohri
116. Asnid Hussain Shah S/O Mumtaz Ali shah	Bai Bala	GPS Thatta
117. Sajid Hussain Shah S/O Hayat Shah	Kot Chattar	GPS Dheri Nambardar

Contd Page No. 8

SUPRINTENDENT(I)
Estt: Branch (DEO)

135. Muhammad Mustafa S/O Yasin Khan	Judb	Msq:Kalala
136. Abdul Bashir S/o Gul Raiz	Uthlair	Msq:Mohri Danna
137. Fanoos Shah S/O Syed Azeem Shah	Rongaiy	Msq:Soormal Madda Khail
138. Syed Wahab S/O Muhammad Mustafa	Jatka	Msq:Laka Tiga
139. Pir Mukarri Shah S/O Pir Ahmad Shah	Jatka	Msq:Tara Madda Khail
140. Liaqat Ali S/O Sher Muhammad Khan	Shinkiari	Msq:Jhangri
141. Sardar Zaman S/O Shah Izat Khan	Deri Kaka Khail	Msq:Markharain

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

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

Copy forwarded to the :-

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

DISTRICT EDUCATION OFFICER,
(MALE) PRIMARY MANSEHRA.

SUPRINTENDENT
Estt: Branch (DEO)
(Male) Mansehra.

(19)

'C'

Annex-C

JUDGMENT SHEET

IN THE PESHAWAR HIGH COURT, ABBOTTABAD BENCH
JUDICIAL DEPARTMENT

W.P No: 401-A of 2013

P-36

JUDGMENT

Date of hearing.....22-05-2013.....

Appellant(s)/Petitioner (s)..M. Saddique & others by M. Arshad Khan Tanoli, Advocate

Respondent (s).....Govt. of KPK.....

*****

YAHYA AFRIDI,J: Muhammad Saddique, and 20 others, petitioners seek the constitutional jurisdiction of this Court, praying that;

> **"The respondents may be directed to re-instate the petitioners forthwith as more than eight months have elapsed after the promulgation of the said Act".**

2. In essence, the grievances of the petitioners are that they have not been properly dealt with under the enabling provisions of Civil Servant (Amendment) Act, 2012 and others similarly placed have been granted the said relief while the petitioners have been deprived thereof.

3. In this regard the apex Court in *"Government of Punjab, through Secretary Education, Civil*

Secretariat, Lahore and others Vs. Sameena Parveen and others" (2009 SCMR 1) held that;

> "It was held by this Court in the case of *Hameed Akhtar Niazi Vs. The Secretary, Establishment Division, Government of Pakistan and others* (1996 SCMR 1185) that if a Tribunal or this Court decides a point of law relating to the terms and conditions of a civil servant who litigated, and there were other civil servants, who may not have taken any legal proceedings, in such a case, the dictates of justice and rule of good governance demand that the benefit of the said decision be extended to other civil servants also, who may not be parties to that litigation instead of compelling them to approach the Tribunal or any other legal forum. This view was reiterated by this Court in the case of *Tara Chand and others V. Karachi Water and Sewerage Board, Karachi and others* (2005 SCMR 499) and it was held that according to Article 25 of the Constitution of Islamic Republic of Pakistan, 1973 all citizens are equal before law and entitled to equal protection of law".

4. Accordingly, following the '*ratio decidendi*' of the aforementioned judgment of the apex Court, we direct the respondents to consider the case of the petitioners and in case their grievances are at par with others, 'similarly placed', who have already been granted relief, the same relief be also granted to the present petitioners.

5. The needful be done within a period of thirty days, if not earlier, from the date of receipt of this judgment. In case the relief sought by the present petitioners cannot be positively considered or resolved within the stipulated period, the petitioners be provided reasons in writing for the same, within the aforementioned stipulated period.

6. This petition is disposed of in the above terms.

Announced:
22.05.2013

SD. JUDGES

Certified to be True Copy
24.5.13
Examiner
Peshawar High Court
Abbottabad Bench
Authorized Under Secs. 75 Arts Ordrns

(22)

"D"

P-43

PESHAWAR HIGH COURT ABBOTTABAD BENCH
FORM 'A'
FORM OF ORDER SHEET

Date	*Order of the court with signature of Hon'ble Judge/Judges*
1	2
21.05.2015	CoC No.70/13 Present: Mr. Muhammad Arshad Khan Tanoli advocate for the petitioners. Mr. Abdullah DEO(M) alongwith AAG. The latter states that he will look into the case of the petitioners after giving them full hearing, if they attend his office and in case their case comes within the ambit of law, policy on the subject and if they are found similarly placed like those, who have already been given relief by this Court, then their grievance will be redressed accordingly. In this view of the matter, petitioners are directed to visit the office of the respondent on 15.06.2015, who, after hearing them, shall decide their case in accordance with law on the subject and in the light of the order of this Court dated 22.05.2013. Adjourned to 23.06.2015. Sd/- Judges Judge

Certified to be True Copy
Examiner
Peshawar High Court
Abbottabad Bench
Authorized Under Secat 75 Acts Orders

23

P-44

PESHAWAR HIGH COURT ABBOTTABAD BENCH.
FORM "A"
FORM OF ORDER SHEET

Serial No of order or proceeding 1	Date of Order or Proceeding 2	ORDER OF THE COURT WITH SIGNATURE (s) OF HON'BLE JUDGE (s) 3
	23.06.2015	**COC No.70-A/2013** **Present:** M/S Muhammad Arshad Khan and Yasir Zahoor Abbasi, Advocates for the petitioners. Mr.Abdullah, District Education Officer (Male) alongwith AAG. **** The latter states that case of the petitioners has been finalized and a week time be given to him to pass an appropriate order on the case of the petitioners, to which the former has got no objection. In view of above, case to come up for 02.07.2015. Sd/ Judges

SEAL OF THE PESHAWAR HIGH COURT ABBOTTABAD BENCH

Certified to be True Copy
Examiner
Peshawar High Court
Abbottabad Bench
Authorized Under Sec 75 Acts Orders

/MSA/

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PESHAWAR HIGH COURT ABBOTTABAD BENCH

JUDICIAL DEPARTMENT

JUDGMENT SHEET

C.o.C. No. 70-A/2013

Date of hearing: 02-07-2015

Petitioner Muhammad Sadiq etc. by M/s M. Arshad Tanoli and Yasir Zafoor Abbasi, Advocates.

Respondents No.1 in person along with Mr. M. Nawaz Khan Abbasi, Addl. Advocate General.

***

LAL JAN KHATTAK, J. The former stated at the bar that grievance of the petitioners have been redressed, as their appointment orders have been issued by the respondents in compliance with the orders of this Court, and the instant petition has achieved its object.

2- In view of the above, this petition having become infructuous is dismissed as such.

Announced.
02.07.2015.

Sd/- Judges

Certified to be True Copy
Peshawar High Court
Abbottabad Bench
Authorized Under Sec 75 Acts Order

Muhammad Rustam,

(25)

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) MANSEHRA.

E

NOTIFICATION:

In pursuance of Khyber Pakhtunkhwa Sacked Employee (Appointment) Act 2012 and decision passed by Peshawar High Court Abbottabad Bench in W/P No 497/2013 dated 25/06/2013 and in W/P No 401-A/2013 dated 22/05/2013 and also in compliance of COC No 70-A 2013 in W/P No 401-A/2013 vide order dated 21/05/2015 and 23/06/201 and consequent upon recommendation by the Departmental Selection Committee in its meeting held on 25/06/2015, the competent authority in the E&SE District Mansehra is pleased to order the appointment of the following sacked employee in BPS-12 (Rs.7000-500-22000) plus usual allowances as admissible under the rules against the post of Primary School Teacher and post them against the vacant position in the schools mentioned against their names with immediate effect, on the terms and condition given:-

S.#	Name	Father's Name	D.O.B	Posted AT	Remarks
1.	Sher Muhammad	Behram	14-11-1971	GPS Kalwal	A/V Post
2.	Chiriya Khan	Afzal Ur Rehman	01-01-1972	GPS Kharyala	A/V Post
3.	Muhammad Siddique	Haider Zaman	16-04-1972	GPS Mund Gran	A/V Post
4.	Muhammad Khursheed	Faqeer Muhammad	02-01-1974	GPS Dhair	A/V Post
5.	Muhammad Aslam	Muhammad Zaman	11-02-1974	GPS Kangar Doga	A/V Post
6.	Muhammad Shakeel	Abdul Jabbar	07-04-1974	GPS Khand Gran	A/V Post
7.	Muhammad Tariq	Muhammad Pervez	14-04-1974	GPS Kalas	A/V Post
8.	Liaqat Ali Khan	Sher M. Khan	01-03-1975	GPS Bajna	A/V Post
9.	S. Naveed Shah	S. Mehazam Shah	02-04-1975	GPS Maira Hajam	A/V Post
10.	Muhammad Bashir	Abdul Rehman	20-02-1975	GPS Tarhari Phulra	A/V Post
11.	Muhammad Ejaz	Umar Zaman	26-06-1976	GPS Thakra II	A/V Post

TERMS & CONDIATIONS

1. NO TA/DA etc is allowed.
2. Charge reports should be submitted to all concerned in duplicate.
3. Their appointment are subjected to the condition that their **Certificates/ Documents And Domicile Be Verified From The Concerned Authority Before Release Of Their Salary** in the light of section 3 of the said ACT
4. They will be governed by such rules and regulations enforced and as may be prescribed by the Government from time to time for the category of the Government servants to which they belong.
5. Their appointments have been made in pursuance of Khyber Pakhtunkhwa, Sacked Employees (Appointment) Act 2012. Hence under **Section 5 of the said Act they shall Not be entitled to claim any of seniority, promotion and other back benefits**.
6. They should obtain Medical Fitness certificate from the Medical Superintendent/ Civil Surgeon DHQ Hospital Mansehra.
7. Their Appointment has been made in pursuance of Khyber Pakhtunkhwa, Sacked Employees (Appointment) Act 2012. Hence under **Section 4 of the said Act the period during which they remained dismissed, removed or terminated from service, till the dated of their Appointment shall have been deemed automatically relaxed**.
8. In case they failed to assume the charge of their post within 15 days of their appointments, their candidature-ship will be stand automatically cancelled.
9. They will be on probation for a period of one year extendable to another one year keeping in view their performance.
10. They have not served in any other Department/ Corporation/ Agency etc.
11. The principal/ DDO should not release pay of the teacher till the pay release order by the District Education Officer (M) Mansehra. After verification of their documents.
12. The Principal/Head Master/DDOs concerned is directed to submit their degrees/certificates etc for verification from the concerned Board/University/Institute before any payment made to them.
13. In case their documents are found Fake/ Bogus on verification from the issuing authority, the service of the official shall be terminated and an FIR be lodged against him under the relevant law.
14. Their services are liable to termination on one month prior notice from either side in case of resignation without prior notice; his one month pay/allowances shall be forfeited to Government treasury.
15. If their performance is found un-satisfactory, they will be proceeded under E&D Rules.
16. In case of having less qualification which ever is prescribed intermediate /FA for PST as well as PSE certificate as professional the candidate must be qualified both the academic / professional qualification with in three years after issue of this Appointment order, failing which their appointment order shall stand terminated automatically, without any further notice.
17. Their appointment is made on school basis. They will have to serve at the place of posting and their service is not transferable to any other station.

18. *They will took over the charge in case schools falls in summer zones areas w.e.f. 01/09/2015 and in case of winter zones areas w.e.f 01/08/2015.*
19. *The Competent Authority reserves to right to rectify by the errors/omission if any noted/observed at any stage in instant order issued erroneously.*

-Sd-
DISTRICT EDUCATION OFFICER,
(MALE)MANSEHRA

Endst: No. 9278-95 */File No.___/PST/Sacked/appointment/Dated Mansehra the* 01/7/ *2015*

Copy forwarded for information and necessary action to the: -

1. *Registrar Peshawar High Court Abbottabad Bench Peshawar.*
2. *Secretary to Government of Khyber Pakhtunkhwa E&SE Department Peshawar*
3. *Director, Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.*
4. *District Accounts Officer Mansehra.*
5. *District Monitoring Officer Mansehra.*
6. *Sub Divisional Education Officer (Male) Mansehra.*
7. *Official Concerned.*
8. *Office File*

DY: DISTRICT EDUCATION OFFICER,
(MALE)MANSEHRA

MINUTES OF THEMEETING HELD ON 25/06/2015 TO DECIDE THE RECRUITMENTS OF SACKED EMPLOYEE GOVERNMENT SERVANT IN DISTRICT MANSEHRA

A meeting of Department selection committee for the appointment of Sacked Employees (Appointment) act 2012, the suitability or eligibility of sacked employees is to be determined by the District /Departmental selection committee. In the light of decision passed by Honourable Peshawar High Court Abbottabad Bench vide W/P No 497/2013 dated 25/06/2013 & w/p No 401-A/2013 dated 22/05/2013 and also compliance of COC No.70-A of 2013 and W/P No 401/2013 dated 21/05/2015 and 23/06/2015. Whereby Honourable Peshawar High Court Abbottabad Bench clearly directed that the case of petitioners are at par with the others, Similarly placed as District Dir and Battagram who were already issued appointment orders of untrained sacked employees the respondent i.e. District Education Officer Male Mansehra is directed to issue appointment order of untrained sacked employees as similarly placed with the others District of Khyber Pakhtunkhwa with in a week time and according to section 2 (g) of KPK sacked employees, (Appointment) Act 2012, where by sacked employees means a person who was appointed on regular basis to a civil post in the Province and who possessed the prescribed qualification and experience for the said post at that time, during the period from 1st day of November 1993 to the 30th day of November 1996(both days inclusive)and was dismissed, removed or terminated from service during the period from 1st day of November 1996 to 31st day of December1998 on the ground of irregular appointment , Whereas per section 7, Sub Section 4 of the sacked employees (appointment) Act 2012, the suitability or eligibility of sacked employees is to be determined by the District/Departmental Selection Committee. According to the meeting of DSC which was held on 25/06/2015 under the chairman ship of the DEO Male Mansehra (Respondent) whereas the appointment of sacked employees, where made, who possess the prescribed qualification and experience for the said post at the time of their appointment and also in the pursuance of Judgment passed by the Honourable Peshawar High Court Abbottabad Bench vide dated 22/05/2013 in COC No.70-A of 2013 Orders Dated 21/05/2015 and 23/06/2015, It is pertinent to mention here, that as per section 2 (d) of the act ibid, prescribed means prescribed by rules at that time the untrained candidates were also be appointed in District Mansehra, The advertisement for recruitment of teachers vide dated 09/07/1994 is annexed as Annexure A.

The following attended the meeting.

1. Abdullah DEO (M) Mansehra ..... Chairman
2. Nawab Ali DDEO (M) Mansehra ..... Member
3. Khurshid Ahmed SDEO (M) ..... Member
4. Sarfraz Khan ADEO (M) DEO (M)..... Member
5. Amir Shahzad ADEO Litigation DEO (M) ..... Member
6. Abdur Rehman Superintendent DEO (M) ..... Member
7. Representative of Director.....Member

The Meeting Start With The Recitation of Holy Quran.

The Agenda of the meeting pertained to the recruitment of Sacked Employee through judgment of Honorable High Court Peshawar Abbottabad Bench vide writ petition No 401/13 as well as COC No 70/2013 announced on 21/06/2015, against vacant posts in District Mansehra. Before this there was constituted an scrutiny committee consisting upon 3 senior Principals namely 1) Naseem Khan Principal GHSS Behali 2) Sher Muhammad Principal GHS Ghandian 3) Ali Nawaz Khan Principal GHS No 2 Mansehra who have deeply scrutinized all the relevant documents of the following sacked employees and given their report duly signed by them which placed on record as evidence.

All the application along with connected papers required for the purpose was minutely securitized by the committee. The committee members discussed all the applications on case to case basis & unanimously approved the following candidates for appointment against the institutions mention against each.

S.No	Name	Father's Name	Residence	Designation	Place of Posting	Remarks
1.	Sher Muhammad	Behram	Phulra	PST	GPS Kalwal	Recommended
2.	Chariya Khan	Abdul Rehman	Perhinna	PST	GPS Kharyala	Recommended
3.	M. Sadique	Haidr Zaman	Phulra	PST	GPS Mund Gran	Recommended
4.	M. Khurshid	Faqir Muhammad	Mohar	PST	GPS Dhair	Recommended
5.	M. Aslam	M.Zaman	Sehra Gali Mohar	PST	GPS kangar Doga	Recommended
6.	M.Shakeel	Abdul Jabbar	Sokal	PST	GPS Khand Gran	Recommended
7.	M.Tariq	M. Perwaiz	Sokal	PST	GPS Kalas	Recommended
8.	Liaquat Khan	Sher M. Khan	Shinkiari	PST	GPS Bajna	Recommended
9.	S.Naveed Shah	S.Mohazim Shah	Sawan Mera	PST	GPS Maira Hajaam	Recommended
10	M.Bashir	Abdul Rehman	Nawan Sher Bara	PST	GPS Tarhari	Recommended
11.	M. Ijaz	Umer Zaman	Lassan Nawab	PST	GPS Thakra-II	Recommended

The decision has been made keeping in view the criteria framed by the Government for the recruitment of Sacked Employee Government servant in the District.

The meeting ended with the vote of thanks.

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SIGNATURE OF THE COMMITTEE.

1. Abdullah DEO (M) Mansehra ..... Chairman
2. Nawab Ali DDEO (M) Mansehra ..... Member
3. Khurshid Ahmed SDEO (M) ..... Member
4. Sarfraz Khan ADEO (M) DEO (M) ..... Member
5. Amir Shahzad ADEO Litigation DEO (M) ..... Member
6. Abdur Rehman Superintendent DEO (M) ..... Member
7. Representative of Director ..... Member

Endst No 9256-65 /Estt:(M)/Sacked/Minutes/Dated Mansehra the 01/7 /2015

Copy to the:

1. Registrar Honorable High Court Peshawar Bench at Abbottabad with reference to the COC No 70/2013 dated 21/06/2015.
2. PS to the Secretary to Government of Khyber Pakhtunkhwa Education Department Peshawar.
3. PA to Director Education Khyber Pakhtunkhwa Peshawar.

DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

(29)

EXTRAORDINARY

GOVERNMENT

REGISTERED NO. P.III

GAZETTE

KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, THURSDAY, 20TH SEPTEMBER, 2012.

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PROVINCIAL ASSEMBLY SECRETARIAT, KHYBER PAKHTUNKHWA

NOTIFICATION

Dated Peshawar, the 20th September, 2012.

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

THE KHYBER PAKHTUNKHWA SACKED EMPLOYEES (APPOINTMENT) ACT, 2012

(KHYBER PAKHTUNKHWA ACT NO. XVII OF 2012)

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

AN
ACT

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

Presumed qualification for w.e.f 1/11/1993 to 30/11/1996 Removed for service during 1/11/96 to 31/12/98

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

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

Attested

(30)

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

It is hereby enacted as follows:

1. Short tile, extent and commencement.---(1) This Act may be called the Khyber Pakhtunkhwa Sacked Employees (Appointment)Act, 2012.

(2) It shall apply to all those sacked employees, who were holding various civil posts during the period from 1st day of November, 1993 to 30th day of November, 1996 (both days inclusive).

(3) It shall come into force at once.

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

(a) "civil post" means a post created by the Finance Department of Government for the members of civil service of the Province;

(b) "Department" means the Department and the Attached Department as defined in the Khyber Pakhtunkhwa Government Rules of Business,1985, including the Divisional and District offices working thereunder;

(c) "Government" means the Government of the Khyber Pakhtunkhwa;

(d) "Prescribed" means prescribed by rules;

(e) "Province" means the Province of the Khyber Pakhtunkhwa;

(f) "rules" means the rules made under this Act; and

(g) "sacked employee" means a person who was appointed on regular basis to a civil post in the Province and who possessed the prescribed qualification and experience for the said post at that time, during the period from 1st day of November, 1993 to the 30th day of November, 1996 (both days inclusive) and was dismissed, removed, or terminated from service during the period from 1st day of November, 1996 to 31st day of December, 1998 on the ground of irregular appointments.

Attested

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

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

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

(31)

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

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

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

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

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

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

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

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

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

Attested

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

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

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

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4-

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

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

BY ORDER OF MR. SPEAKER

PROVINCIAL ASSEMBLY OF KHYBER PAKHTUNKHWA

Attested

(AMANULLAH)
Secretary
Provincial Assembly of Khyber Pakhtunkhwa

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

BEFORE HONOURABLE SERVICE TRIBUNAL, KPK, CAMP COURT ABBOTTABAD.

Service Appeal No.1377/15

Syed Naveed Shah PST GPS Maira Hajam, District Mansehra.

...APPELLANT

V E R S U S

Govt. of KPK & others.

...RESPONDENTS

REJOINDER ON BEHALF OF APPLICANT

Respectfully Sheweth;

REJOINDER ON PRELIMINARY OBJECTIONS:

i) Para No.1 of preliminary objection is incorrect and denied, valuable rights of the appellant are involved and the appellant is entitled to have his service counted from the date of promogulation of KPK sacked employees appointment ACT 2012 and also entitled for back benefits in terms of pay and length of service w.e.f the date of his termination dated 13.02.1997.

ii) Para No.2 of preliminary objection is incorrect and denied detailed reply has already been given in Para No.1.

iii) Para No.3 is incorrect and denied.

iv) Para No.4 is incorrect, no material fact has been canceled by the appellant.

v) Para No.5 is incorrect and denied, appellant claim is right as per sacked employees appointment Act 2012.

vi) Para No.6 is incorrect and denied.

vii) Para No.7 is incorrect and denied.

viii) Para No.8 is incorrect and denied. The matter relates to terms and conditions of service. Therefore appeal of appellant is maintainable in it's present form.

ix) Para No.9 is incorrect and denied, detailed reply has been given in Para No.1 above.

ON FACTS:-

1. Para No.1 of facts needs no replay.

2. Para No.2 also needs no reply.

3. Para No.3 is correct.

4. Para No.4 of the appeal of the appellant has been admitted as correct by the respondents'.

5. Para No.5 of the facts is incorrect and denied.

6. Para No.6 needs no reply.

7. Para No.7 needs no reply.

8. Para No.8 of the appeal is correct whereas para No.8 of the comments is incorrect.

9. Para No.9 is incorrect and denied.

ON GROUNDS:-

a) Para (a) incorrect. It is submitted that as per sacked employee appointment Act 2012 the appellant was to be appointed as per 30% of the total posts in the year 2012 but respondents' department refused to appoint the petitioner therefore, on the direction of worth high court respondents' department issued appointment order on 01..07.2015, which should have been w.e.f 2012 as per section 3 of the Act. Besides, Federal Government allowed back benefits to it's employees from the date of their termination of the employee and the appellant is also eligible for back benefits in terms of service w.e.f the date of his termination dated 13.02.1997.

b) Para (b) of the ground of the appellant is correct. The appellant has not been appointed as per sacked employee appointment Act 2012.

c) Para (c) of the appeal of the applicant is correct.

d) Para (d) is incorrect and denied.

e) Para (e) is incorrect and denied. The appellant has not been treated according to law in the subject.

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

...APPELLANT

Through:

Dated:-_____/2018

(ARSHAD KHAN TANOLI)
Advocate High Court,
Abbottabad.

VERIFICATION:

Verified that the contents of the foregoing ***Rejoinder*** are true and correct to the best of my knowledge and belief and that nothing material has been suppressed from this honorable court.

Dated:-_____/2018

...APPELLANT