


FORM OF ORDER SHEET

Court of _____

Appeal No. 1543 /2024

| S.No. | Date of order proceedings | Order or other proceedings with signature of judge |
|-------|---------------------------|---|
| 1 | 2 | 3 |
| 1- | 20/09/2024 | <p>The appeal presented today by Mr. Akhunzada Ahmad Saeed Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 30.09.2024. Parcha Peshi given to counsel for the appellant.</p> <p>By order of the Chairman</p> <p> REGISTRAR</p> |

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

In Re:

Service Appeal No. 1543 /2024

Alam Shah.....**Appellant**

V E R S U S

The Director E&SE & other.....**Respondents**

APPLICATION FOR FIXATION OF TITLED
APPEAL BEFORE THE PRINCIPAL SEAT AT
PESHAWAR.

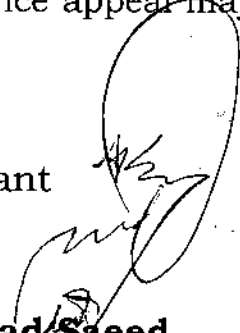
Respectfully Sheweth:

1. That the applicant/appellant has filed the instant service appeal in which no date is fixed so far.
2. That case of the applicant/appellant is urgent in nature and therefore be fixed before the principal seat at Peshawar.
3. That the counsel for the applicant/appellant is doing legal practice at Peshawar as well as the addresses of the main respondents i.e. Director (E&SE) are also at Peshawar and the appellant also wants to pursue his case at the principal seat at Peshawar.
4. That it will be convenient for the counsel as well as for the applicant/appellant to fix the instant service appeal at principal seat at Peshawar.

It is therefore most humbly prayed that on the acceptance of this application, the instant service appeal may kindly be fixed at principal seat at Peshawar

Applicant/Appellant

Through


Akhunzada Ahmad Saeed
Advocate High Court

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No. 15613/2024

Alam Shah. **APPELLANT**

VERSUS


The Director, E&SE, & others. **RESPONDENTS**

I N D E X

| S.No. | Description of Documents | Annex | Pages |
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| 1. | Service Appeal with Affidavit | | 1-5 |
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| 4. | Copy of the Appointment Order | A | 9 |
| 5. | Copy of the Notification dated 01.09.2023 | B | 10-13 |
| 6. | Copies of the Extract from Service Book and Pay Slip | C & D | 14-16 |
| 7. | Copy of the Notification dated 15.12.2023 | E | 17-18 |
| 8. | Copy of the Departmental Appeal | F | 19-20 |
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~~Appellant~~

Through


Akhunzada Ahmad Saeed
Advocate High Court(s)
Office: B-15, Haroon Mansion,
Khyber Bazar, Peshawar
(Cell #: 0333-2902529)

Dated: 10.09.2024

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No. 1543/2024

Alam Shah S/o Muhammad Zar (SPST)
GMHSS Khar, District Bajaur.

.....APPELLANT.

VERSUS

1. The Director,
Elementary & Secondary Education,
Khyber Pakhtunkhwa, Peshawar.
2. The District Education Officer (Male),
District Bajaur.
3. The District Accounts Officer,
District Bajaur.

.....RESPONDENTS

**SERVICE APPEAL UNDER SECTION 4 OF THE KHYBER
PAKHTUNKHWA SERVICES TRIBUNAL ACT, 1974,
AGAINST THE IMPUGNED NOTIFICATION DATED
15.12.2023, WHEREBY THE PROMOTION ORDER/
NOTIFICATION DATED 11.08.2023 IN RESPECT OF THE
APPELLANT WAS CANCELLED/WITHDRAWN AND
INACTION OF RESPONDENT NO.1, WHEREBY THE
DEPARTMENTAL APPEAL OF THE APPELLANT WAS
NOT DECIDED WITHIN STIPULATED PERIOD OF
NINETY (90) DAYS.**

Respectfully Sheweth:

1. That the appellant was initially appointed against the post of Primary School Teacher (PST). (Copy of Appointment Order is attached as annexure **"A"**).
2. That since his initial appointment order, the appellant is serving the department with full commitment, zeal, devotion, punctuality and with the entire satisfaction of his high-ups.
3. That the appellant being eligible in all respect, and that too on the basis of seniority-cum-fitness, the working papers of the appellant were sent to Departmental Promotion Committee to consider him for promotion against the post of SPST (BPS-14), the appellant was duly considered by the Departmental Promotion Committee, recommended the appellant for promotion against the post of SPST (BPS-14) as the appellant was then promoted against the post of SPST (BPS-14) through impugned notification dated 11.08.2023 and the adjustment order against the promoted post of SPST (BPS-14) was then issued on 01.09.2023. (Copy of Notification dated 01.09.2023 is attached as annexure **"B"**).
4. That, thereafter, entries regarding promotion were made in the service book, pay slip of promoted scale was also released in favour of appellant. (Copies of Extract from Service Book and Pay Slip are attached as annexure **"C"** & **"D"** respectively).
5. That the appellant had gained all benefits of promoted scale for a considerable long period, but all

of a sudden the promotion order dated 11.08.2023 was cancelled/withdrawn through impugned notification dated 15.12.2023. (Copy of Notification dated 15.12.2023 is attached as annexure "E").

6. That the aforementioned impugned Notification dated 15.12.2023 was received by the appellant on 06.06.2024, the appellant then submitted a departmental appeal on 13.06.2024, but the same was not decided within stipulated period of ninety days. (Copy of Departmental Appeal is attached as annexure "F").
7. That the appellant, being aggrieved, now prefers this service appeal for the following amongst other grounds:-

G R O U N D S :


- A. That as stated in the body of service appeal, that the impugned notification dated 15.12.2023, whereby the promotion notification dated 11.08.2023 in respect of the appellant was withdrawn in a manner that is arbitrary, unjust and in violation of the principles of natural justice and is liable to be set aside and the promotion notification dated 11.08.2023 is liable to be restored with all back/consequential benefits.
- B. That the respondents have acted beyond their powers in withdrawing the promotion order without any lawful justification.

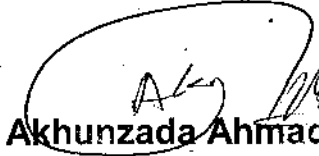
- C. That once after fulfilling all the codal formalities, the promotion order was issued, entries were made in the service book, pay slip of promoted scale was released, and the appellant then gained all the benefits of promoted scale for a considerable long time, then a vested right was created in his favour which could not be cancelled/withdrawn in an inconsiderate/unusual manner.
- D. That neither any fault or defect of the appellant was pointed out nor any oversight or error on the part of DPC members or its composition or jurisdiction which could result an unceremonious withdrawal of promotion order after considerable period.
- E. That the department is not vested with the authority to withdraw or cancel an order if same has taken effect created certain legal rights in favour of appellant.
- F. That the appellant has been treated against the law and he has also been deprived of equal protection of law.
- G. That any other ground with permission of this Hon'ble Tribunal, will be raised at the time of arguments.

It is, therefore, most humbly prayed that by accepting this service appeal, the impugned notification dated 15.12.2023, whereby the promotion order/notification dated 11.08.2023 in respect of the appellant was cancelled/withdrawn,

may please be set aside and consequently the promotion order/notification dated 11.08.2023 may please be restored, with all back/consequential benefits.

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


Appellant
Through

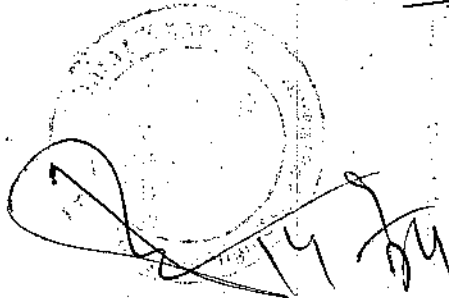

Akhunzada Ahmad Saeed,
Advocate High Court(s)

Dated: 10.09.2024

AFFIDAVIT

I, **Alam Shah** S/o Muhammad Zar (SPST), GMHSS Khar, District Bajaur, do hereby solemnly affirm and declare on oath that the contents of the accompanying **Service Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.


DEPONENT



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

C.M No. _____/2024

In

S.A No. _____/2024

Alam Shah. | **APPLICANT/APPELLANT**

VERSUS

The Director, E&SE, & others. **RESPONDENTS**

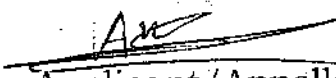
APPLICATION FOR SUSPENDING THE OPERATION
OF THE IMPUGNED NOTIFICATION DATED
15.12.2023 AS WELL AS RESTRAINING THE
RESPONDENTS TO MAKE ANY RECOVERY/
DEDUCTION FROM THE SALARY OF THE
APPLICANT/ APPELLANT TILL THE FINAL
DISPOSAL OF MAIN SERVICE APPEAL.

Respectfully Sheweth:

1. That the titled service appeal is being filed before this Hon'ble Tribunal, in which no date of hearing is fixed.
2. That the grounds of main appeal may be considered as integral part of this application.
3. That the balance of convenience also lies in favour of the applicant/appellant.
4. That the applicant/appellant has a good prima facie case and all three ingredients are in favour of the applicant/appellant.

5. That if the operation of the impugned notification dated 15.12.2023 is not suspended as well as the respondents are not restrained to make any recovery/deduction from the salary of applicant/appellant, then the applicant would suffer irreparable loss.

It is, therefore, most humbly prayed that by accepting this application, the operation of the impugned notification dated 15.12.2023 may please be suspended as well as the respondents may please be restrained to make any deduction/recovery from the salary of the applicant/appellant, till the final disposal of the main appeal and status quo may please be maintained.


Applicant/Appellant

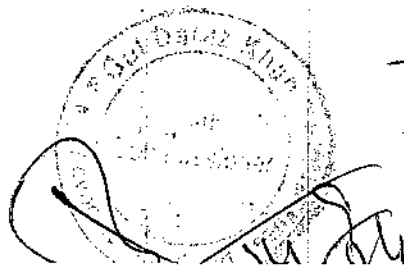
Through


Akhunzada Ahmad Saeed
Advocate High Court(s)

Dated: 10.09.2024

AFFIDAVIT

I, **Alam Shah** S/o Muhammad Zar (SPST), GMHSS Khar, District Bajaur, do hereby solemnly affirm and declare on oath that the contents of the accompanying **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.




DEPONENT

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No. _____/2024

Alam Shah. APPELLANT

VERSUS

The Director, E&SE, & others. RESPONDENTS

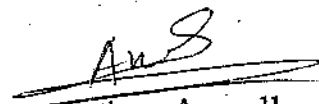
ADDRESSES OF THE PARTIES

APPELLANT:

Alam Shah S/o Muhammad Zar (SPST)
 GMHSS Khar, District Bajaur.

RESPONDENTS:

1. The Director,
 Elementary & Secondary Education,
 Khyber Pakhtunkhwa, Peshawar.
2. The District Education Officer (Male),
 District Bajaur.
3. The District Accounts Officer,
 District Bajaur.


 Appellant
 Through


Akhunzada Ahmad Saeed
 Advocate High Court(s)

Dated: 10.09.2024



(9) ¹⁸ ⁹ ⁴
Ammed A

OFFICE OF THE AGENCY EDUCATION OFFICER BAJAUR
AGENCY AT KHAR

APPOINTMENT ORDER

Consequent upon the recommendation of the Departmental Selection Committee, the following male candidates of Bajaur Agency are hereby appointed against vacant PST posts in Tehsil Barang at the schools noted against their names in BPS-12 @ (13320-960-42120) plus usual allowances as admissible under the rules from the date of their taking over charge in the interest of public service.

| Sr# | Name | Father Name | School where Appointed | Remarks |
|-----|----------------|-----------------|-------------------------|---------|
| 1 | Sharif Ullah | Aarab Khan | GPS Pinda khel Targhaw | AVP |
| 2 | Jamal Uddin | Sida Gul | GPS Solni Barang | AVP |
| 3 | Dawood Khan | Gran | GPS Mana Kama Dara | AVP |
| 4 | Bahder Sher | Shamsher Gul | GPS Shukar | AVP |
| 5 | Zafar Khan | Musa Jan | GPS Kabalo Sar | AVP |
| 6 | Khizab Gul | Muhammad Gul | GPS Andarai | AVP |
| 7 | Laiq Zada | Shah Zada | GPS Bar Saporal | AVP |
| 8 | Kirammat Khan | Aman Ullah Khan | GPS Lar Kandu | AVP |
| 9 | Abdur Ralman | Ahmad | GPS Mana Kama Dara | AVP |
| 10 | Amir Khuro | Muhammad Saleem | GPS Kohi Barang | AVP |
| 11 | Muhammad Naeem | Said Qayum | GPS Dandokai G/Shamozai | AVP |
| 12 | Gul Sabir Khan | Yad Qayum | GPS Rug | AVP |
| 13 | Alam Shah | Muhammad Zar | GPS Sar Mina Targhaw | AVP |
| 14 | Nasar Khan | Salim Khan | GPS Seri Sar | AVP |
| 15 | Umar Zada | Umar Zaman | GPS Seya | AVP |
| 16 | Tal Gul | Shiekh | GPS Saporal Targhaw | AVP |
| 17 | Rahman Shoh | Amir Zaman | GPS Bagh | AVP |
| 18 | Muhammad Khan | Gul Zada | GPS Kohi Sar Barang | AVP |
| 19 | Shafi Ullah | Shah Nazar Khan | GPS Nemakoi | AVP |
| 20 | Gul Ahmad Khan | Mudiri Khan | GPS Band Chinar | AVP |
| 21 | Farman Ullah | Hassan Gul | GPS Sika Dand | AVP |
| 22 | Amjad Ali | Saif Ullah | GPS Majal | AVP |

TERMS AND CONDITIONS

1. The appointment of the candidates is being made purely on temporary basis and is liable to termination at any time without assigning any reason.
2. They will not be entitled to get pension/gratuity benefits however CP fund will be deducted as per rules as a case of fresh candidate.
3. Charge report should be submitted to all concerned in duplicate.
4. Health and age certificate should be produced to this office obtained from the Agency Surgeon Bajaur.
5. They should not be handed over charge of the post if they are below 18 years or above 45 years of age.
6. If they failed to report of their arrival within 15 days, their appointment order will be automatically considered as cancelled.
7. All academic / professional documents / domiciles / CNICs will be verified from the concerned boards / universities / authorities and if found bogus / fake at any stage, their services will be considered as terminated from the date of appointment against the said post.

Sd/-
Mr. Amrullah Wazir
Agency Education officer
Bajaur Agency

Endst No: 11931-36 Dated 25/7/17 2017.

1. Copy of the above is forwarded to the;
2. Director of Education FATA Peshawar.
3. Political Agent Bajaur Agency.
4. Agency Accounts officer Bajaur Agency.
5. AAEO concerned.
6. Candidates concerned.

Amrullah
Agency Education officer
Bajaur Agency

Composed By: Rahmat Wali DEO AEO Office Bajaur

Scrutinized: Sherin Zada Principal GHS Raghagan

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Ames B



**District Education Office Male
District Bajaur**

E-Mail aeobajaur@gmail.com Ph. No. 0942-220395

ADJUSTMENT OF SPST MALE BPS-14

Consequent upon the Promotion Notification issued vide this Office Endst: No. 19935-41 dated 11-08-2023 the following male SPST BPS-14 are hereby adjusted at the Schools noted against their names with immediate effect in the best interest of public service.

| S# | Name of Official | Present Place of Posting | CNIC# | School Name Where Adjusted | Remarks |
|-----|-------------------|-------------------------------|----------------|-------------------------------|------------------|
| 1. | Habib Ullah | GPS Sahib Abad | 2110323036641 | GPS Sahib Abad | Already occupied |
| 2. | Sher Ali Khan | GPS Inam Khwaro Chinagai | 2110421662921 | GPS Inam Khwaro Chinagai | Already occupied |
| 3. | Ihsanullah | GPS Barsafaray | 2110224732351 | GPS Barsafaray | Already occupied |
| 4. | Amir Zaman Khan | GPS Loi Killi | 2110640266611 | GPS Letai | AVP |
| 5. | Fazal Amin | GPS Barsadin Sro Wano | 2110604459989 | GPS Barsadin Sro Wano | Already occupied |
| 6. | Sher Wali Khan | GPS Momin Khan kalay Batmalai | 2110690282077 | GPS Momin Khan kalay Batmalai | Already occupied |
| 7. | Wali Rahman | GPS Kassai | 2110623166471 | GPS Kassai | Already occupied |
| 8. | Hazrat Hassan | GPS Marchai | 2110209144413 | GPS Marchai | Already occupied |
| 9. | Muhammad Salim | GPS Kaga No.4 | 2110421659543 | GPS Kaga No.4 | Already occupied |
| 10. | Fazal Wahab | GPS Bandarai | 2110421629135 | GPS Bandarai | Already occupied |
| 11. | Muhammad Riaz | GPS Ilmano Killi | 211067856019 | GPS Ilmano Killi | Already occupied |
| 12. | Khan Zarin | GPS Loi Baba | 2110395517899 | GPS Sara Maina | Already occupied |
| 13. | Badshah Noor | GPS Kohi Barang | 2110209165781 | GPS Kohi Barang | Already occupied |
| 14. | Noor Badshah | GPS Tarr Barang | 2110209127991 | GPS Tarr Barang | Already occupied |
| 15. | Taj Muhammad Said | GPS Shukar Targhaw | 2110609147047 | GPS Shukar Targhaw | Already occupied |
| 16. | Karim Ullah | GPS Kabalo Sar | 2110249634503 | GPS Kabalo Sar | Already occupied |
| 17. | Awal Din | GPS Rabat Dehrai | 2110242598971 | GPS Rabat Dehrai | Already occupied |
| 18. | Amanullah | GPS Raghagan | 2110388095557 | GPS Raghagan | Already occupied |
| 19. | Rahat Shah | GPS Walai Arang | 2110737216615 | GPS Walai Arang | Already occupied |
| 20. | Jamal ud Din | GPS Karkanai Charmang | 21105542666871 | GPS Karkanai Charmang | Already occupied |
| 21. | Miraj Khan | GPS Ranai | 2110695046267 | GPS Ranai | Already occupied |

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|-----|------------------|---------------------------|---------------|----------------------------|------------------------------|
| 22. | Muhammad Younas | GPS Kamar | 2110474437331 | GPS Kamar | Already occupied |
| 23. | Sadiq Ullah | GPS Bargatkai Mamund | 2110427093301 | GPS Mukha No.2 | AVP |
| 24. | Sanullah | GPS Malangai | 2110435937457 | GPS Malangai | AVP |
| 25. | Ihsanullah | GPS Shah Dand | 2110696750793 | GPS Shah Dand | Already occupied |
| 26. | Muhammad Wahab | GPS Tang Khatta | 2110638208335 | GPS Tang Khatta | Already occupied |
| 27. | Abdul Ghani | GPS Kamangara Charmang | 2110508358219 | GPS Saida Shah Charmang | AVP |
| 28. | Zahid Khan | GPS Tarano | 2110625155655 | GPS Tarano | Already occupied |
| 29. | Muhammad Ismail | GPS Shahzada Tangi | 2110657850433 | GPS Shahzada Tangi | Already occupied |
| 30. | Jamal Ud Din | GPS Moredara | 2110238199663 | GPS Moredara | Already occupied |
| 31. | Rahmanud Din | GPS Shinger Gul | 2110634888593 | GPS Salih Muhammad Odigram | AVP |
| 32. | Fazal Manan | GPS Ghakhai No.1 Salarzai | 2110638256011 | GPS Safaray Salarzai | AVP |
| 33. | Sartaj Khan | GPS Ghozano Shah | 2110334820973 | GPS Ghozano Shah | Already occupied |
| 34. | Dawood Khan | GPS Kama Dara | 2110249191787 | GPS Kama Dara | Already occupied |
| 35. | Muhammad Siyab | GPS Andarai | 1540295525259 | GPS Seya | w.e.f Abdul Qayum retirement |
| 36. | Sarfaz Khan | GPS Civil Colony Nawgai | 1710265799641 | GPS Civil Colony Nawgai | Already occupied |
| 37. | Inayat ur Rahman | GMHSS Khar | 2110679695153 | GMHSS Khar | Already occupied |
| 38. | Mustaqeem Khan | GPS Khan Salay Barang | 1540196405839 | GPS Khan Salay Barang | Already occupied |
| 39. | Zahidullah | GPS Sharif Khana No.1 | 2110564304641 | GPS Sharif Khana No.1 | Already occupied |
| 40. | Fazal Subhan | GPS Babara No.1 | 2110534313795 | GPS Babara No.1 | Already occupied |
| 41. | Abdur Rahman | GPS Bara Nawagai | 2110598996615 | GPS Bara Nawagai | Already occupied |
| 42. | Muhammad Ilyas | GPS Khair Abad Nawagai | 2110571574801 | GPS Khair Abad Nawagai | Already occupied |
| 43. | Abdul Shakoor | GPS Gedar Shai | 2110613591941 | GPS Bagandil | AVP |
| 44. | Hawaldar | GPS Asghar Charmang | 2110588775667 | GPS Asghar Charmang | Already occupied |
| 45. | Gul Qadem | GPS Salih Muhammad killi | 2110672907387 | GPS Shinger Gul | AVP |
| 46. | Abdur Rauf | GMPS Mala Said | 2110640032141 | GMPS Mala Said | Already occupied |
| 47. | Matiullah | GPS Bara Dara | 2110662692891 | GPS Bara Dara | Already occupied |
| 48. | Abdul Hadi | GPS Muslim Bagh | 2110660525401 | GPS Muslim Bagh | Already occupied |
| 49. | Bahadar Sher | GPS Dag Qila Ali jan | 2110287784389 | GPS Dag Qila Ali jan | Already occupied |
| 50. | Tariq Ahmad | GPS Malkana Salarzai | 2110306169335 | GPS Malkana Salarzai | Already occupied |
| 51. | Zafar Khan | GPS Kabalo Sar | 2110256825749 | GPS Sari Begham | AVP |
| 52. | Salah Muhammad | GPS Loya Shah | 2110375783673 | GPS Loya Shah | Already occupied |
| 53. | Shahid | GPS Chargo Salarzai | 2110623784949 | GPS Pashat | AVP |
| 54. | Kirammat Khan | GPS Sharbatai | 1540206878289 | GPS Sharbatai | Already occupied |

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|-----|-----------------|---------------------------|---------------|---------------------------|------------------|
| 55. | Ajmir | GPS Loi Killi Salarzai | 2110680878517 | GPS Loi Killi Salarzai | Already occupied |
| 56. | Laiq zada | GPS Bar Sapari | 2110246889217 | GPS Seri Sar | Already occupied |
| 57. | Abdul Wahab | GPS Pajigarm Bar Trass | 2110691104725 | GPS Pajigarm Bar Trass | Already occupied |
| 58. | Abdul Wahid | GPS Gulo Shah | 2110673829653 | GPS Gulo Shah | Already occupied |
| 59. | Shahfiur Rahman | GPS Rasha Derai | 2110677955069 | GPS Rasha Derai | Already occupied |
| 60. | Abdur Rahman | GPS Mana Barang | 2110222492271 | GPS Mana Barang | Already occupied |
| 61. | Muhammad Tayyeb | GMHSS Khar | 2110670589521 | GMHSS Khar | Already occupied |
| 62. | Umar Badshah | GPS Jan Khan Dehrai | 2110358957653 | GPS Arkanai | Already occupied |
| 63. | Habib ur Rahman | GPS Soordagai | 2110622575199 | GPS Malkana Batwar | Already occupied |
| 64. | Amir Khisro | GPS Takht | 2110209186387 | GPS Takht | Already occupied |
| 65. | Muhammad Naeem | GPS Dandokai Ghar Shamoza | 2110271805903 | GPS Dandokai Ghar Shamoza | Already occupied |
| 66. | Imran Khan | GPS Nazakai | 2110607877351 | GPS Nazakai | Already occupied |
| 67. | Alam Shah | GMHSS Khar | 2110690594703 | GMHSS Khar | Already occupied |
| 68. | Nasar Khan | GPS Kohi sar Barang | 2110243172875 | GPS Kohi sar Barang | Already occupied |
| 69. | Umar zada | GPS Nakhtar Bar Sapari | 1540221854171 | GPS Nakhtar Bar Sapari | Already occupied |
| 70. | Ghulam Ishaq | GPS Dara Banda | 2110691720967 | GPS Dara Banda | Already occupied |
| 71. | Muhammad Riaz | GPS Baro No.2 | 2110462040967 | GPS Baro No.2 | Already occupied |
| 72. | Burhanduddin | GPS Khuna | 2110674341363 | GPS Khuna | Already occupied |
| 73. | Taj Gul | GPS Safaray Asilo Targhaw | 2110201034121 | GPS Safaray Asilo Targhaw | Already occupied |
| 74. | Rahman Shah | GPS Nazar Mena Barang | 2110275406385 | GPS Nazar Mena Barang | Already occupied |
| 75. | Shaukat Khan | GPS Barsadin Sro Wano | 2110641511131 | GPS Jabrara | AVP |
| 76. | Bashir Ullah | GPS Markhanai Mandal | 2110618574565 | GPS Markhanai Mandal | Already occupied |
| 77. | Muhammad Khan | GPS Mozamin Khan kalay | 2110393232443 | GPS Mozamin Khan kalay | Already occupied |
| 78. | Badshah Sherin | GPS Mian Khan Dara | 1540188475797 | GPS Mian Khan Dara | Already occupied |
| 79. | Jazaz ullah | GPS Balam Khar No.2 | 2110646032095 | GPS Balam Khar No.2 | Already occupied |
| 80. | Zahid Hussain | GPS Kandro Barthrus | 2110705935239 | GPS Kandro Barthrus | Already occupied |
| 81. | Sher Nawab | GPS Sango Dehrai | 2110641268979 | GPS Sango Dehrai | Already occupied |
| 82. | Shafiullah | GPS Nimaki | 1540157284459 | GPS Nimaki | Already occupied |
| 83. | Gul Ahmad Khan | GPS Kohi sar Barang | 2110292240943 | GPS Kohi sar Barang | Already occupied |
| 84. | Farman ullah | GPS Qambar | 1540112437071 | GPS Qambar | Already occupied |
| 85. | Amjad Ali | GPS Sar Mina Asil Targhaw | 2110264217091 | GPS Sar Mina Asil Targhaw | Already occupied |
| 86. | Nawar Khan | GPS Saduzai Chamarkand | 1620208340451 | GPS Saduzai Chamarkand | Already occupied |
| 87. | Ghufran Khan | GPS Changaro | 2110677319541 | GPS Changaro | Already occupied |

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|-----|--------------------|------------|---------------|------------|------------------|
| 88. | Syed Kamal Badshah | GPS Gardai | 2110314807063 | GPS Gardai | Already occupied |
|-----|--------------------|------------|---------------|------------|------------------|

CONSEQUENTIAL

| S# | Name of Official | Present Place of Posting | CNIC# | School Name Where Adjusted | Remarks |
|-----|----------------------|--------------------------|---------------|----------------------------|--------------------------------------|
| 1. | Muhammad Azam PST | GPS Sari Begham | 2110207330019 | GPS Andarai | AVP |
| 2. | Atta Ullah PST | GPS Rag | 2110297185457 | GPS Barsafaray | AVP |
| 3. | Inayat Khan PST | GPS Kama Dara | | GPS Wara Ghakhunko | AVP |
| 4. | Tahir Shah PST | GPS Bararo | 1540244992535 | GPS Solai Barang | AVP |
| 5. | Sartaj Khan PST | GPS Barani Kandaro | | GPS Chillargam | AVP |
| 6. | Muhammad Idrees PST | GPS Letai | 2110379433369 | GPS Chargo | AVP |
| 7. | Aman Ullah PST | GPS Kohi | | GPS Shah Dand | Till the arrival of Ihsan Ullah-SPST |
| 8. | Abdullah PST | GPS Malkana Batwar | 2110688051441 | GPS Lakyan | AVP |
| 9. | Masihullah PST | GPS Jararai | | GPS Ilmano | AVP |
| 10. | Farman Ullah PST | GPS Lara Dagai | | GPS Damano | AVP |
| 11. | Said Hakim PST BS-13 | GPS Dandokai | | GPS Barsadin | AVP |
| 12. | Hidayat Ullah PST | GPS Arkanai | | GPS Jan Khan Dehrai | AVP |

Note:

- 1- No TA/DA is allowed for joining duty.
- 2- Charge report should be submitted to all concerned.
- 3- Terms and conditions will remain same issued in District Education Office Male Elementary & Secondary Education Bajaur Notification No. 19935-41 dated 11-08-2023.

(Shireen Zada)
District Education Officer
Bajaur
Dated 01/10/2023

Endst: No. 20845-51
Copy forwarded to the :-

1. Director E&SE Khyber Pakhtunkhwa Peshawar.
2. District Accounts Officer Bajaur.
3. DMO (EMA) Bajaur.
4. SDEOs Nawagai/Khar concerned.
5. Accountant of the local office.
6. HRMIS
7. Official Concerned.

District Education Officer
Bajaur

(14)

Annex C

The entries on this page should be reviewed and re-attested as least every five years or the signature to lines 12 should be dated

Name Mr. Alam Shah

NIC No. 21106-9059470-3

Race Islam / Pakistani 4. District of Domicile Bajaur Agency

Residence Vill. Babar Shah Sahib Abad Sahyuni Bajaur Agency


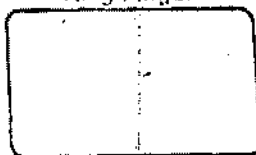
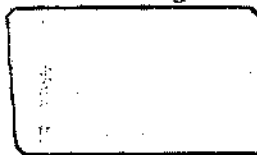
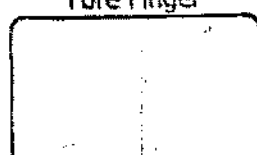

Father name and residence Muhammad Far

Date of Birth by Christian era or nearly as can be ascertained: (27-04-1985) Twenty Seventh April Nin Eighty Five

Exact height by measurement: 5-4

Personal Marks for Identification: NIL

Left Hand Thumb and Finger Impression of (Non Gazetted Officer)

| | | |
|---|--|--|
| Little Finger | Ring Finger | Middle Finger |
|  |  |  |
| Fore Finger | Thumb | |
|  |  | |

Signature of Government Servant: [Signature]

Signature & Designation of the Head of the Office, or other attesting officer: [Signature]
[Designation]

11:11 AM

16

Annex D

← Salary slip (50381404 July , 202...

Divl. Govt. KP-Provincial
District Accounts Office Bajaur of Khar
Monthly Salary Statement (July-2024)



Personal Information of Mr ALAM SHAH (son of MURHAMMAT ZAM)
Personal Number: 50381404 CNIC: 2110900594701 NTN:
Date of Birth: 27/04/1985 Entry into Govt. Service: 26/09/2017 Length of Service: 06 Years 10 Months 08 Days

Employment Category: Active Temporary
Designation: SENIOR PRIMARY SCHOOL TEACHER 6062967-DISTRICT GOVERNMENT KHYBER
DDO Code: 10/0654Khar Tribal District Bajaur
Payroll Section: 001 **GPF Section:** 001 **Cash Center:**
GPF ACC No: **GPF Interest applied:** **GPF Balance:** 247,921.00 (approximate)
Vendor Number: -
Pay and Allowances: **Pay scale: BPS Bar - 2022** **Pay Scale Type: Civil BPS 14** **Pay Stage: 2**

| Wage Type | Amount | Wage Type | Amount |
|----------------------------------|-----------|---------------------------------|----------|
| 0010 Basic Pay | 31,200.00 | 1000 House Rent Allowance 4% | 1,248.00 |
| 1210 Clothing Allowance 20% | 6,240.00 | 1200 Medical Allowance | 1,500.00 |
| 1520 Constructive Area Allow | 1,000.00 | 2010 Teaching Allowance 2021 | 6,240.00 |
| 2200 Dirgr. Relief Ad 15% 2022KP | 4,680.00 | 2400 Adhoc Rel Ad 15% 2022PS(7) | 4,680.00 |
| 1170 Adhoc Relief Ad 2021 15% | 5,040.00 | 2401 Adhoc Relief Ad 2021 15% | 5,040.00 |

Deductions - General

| Wage Type | Amount | Wage Type | Amount |
|-----------------------------------|----------|----------------------|----------|
| 3010 GPF Subscriptions | 1,500.00 | 1501 Benevolent Fund | 1,500.00 |
| 1504 B. Ben. A. Death Comp. Fresh | 200.00 | 1504 Income Tax | 200.00 |

Deductions - Loans and Advances

| Loan | Description | Principal amount | Interest | Balance |
|------|--------------------------|------------------|----------|-----------|
| 0505 | GPF Loan Principal total | 90,000.00 | 2,000.00 | 78,000.00 |

Deductions - Income Tax
Payable: 9,732.24 Recovered till 03/07/2024: 000.00 Exempted: 2413.20 Recoverable: 6,000.00

Gross Pay (Rs.): 66,220.00 **Deductions (Rs.): -8,976.00** **Net Pay (Rs.): 57,244.00**

Payee Name: ALAM SHAH
Account Number: 009900107011
Bank Details: BANK AL HADITH LIMITED, 3620 Khar Branch, Bajaur Agency Khar Branch, Bajaur Agency, Bajaur Agency

Leaves: **Opening Balance:** **Availed:** **Earned:** **Balance:**

Permanent Address:
City: EDUCATION DEPARTMENT **Domicile:** **Housing Status:** No Official
Temp Address:
City: **Email:** alamshah2004016@gmail.com

System generated document in accordance with APPM 4.5.11.9-5686-0626-07-2024-101
* All amounts are in PKR Rupees
* Please do not hesitate to report any discrepancy to the system administrator.

(17)

Annex E



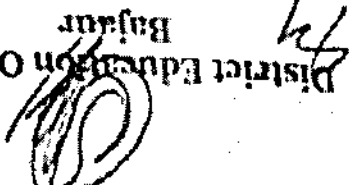
District Education Office Male District Bajaur

E-Mail: edobajaur@gmail.com Ph. No. 0942-220395

NOTIFICATION:

Consequent upon the decision taken in a meeting with Finance Department NMDs-II held on 12-12-2023, 56 Nos of position IDs of SPST have been downgraded from BPS-14 to BPS-12. Therefore the Promotion Order issued vide this Office Order Endst No. 19935-41 dated 11-08-2023 in respect of the following SPSTs is hereby cancelled/withdrawn from the date of issuance in the best interest of Public Service.

| S# | S.L No. | Name of Official | Place of Posting | Remarks |
|-----|---------|------------------|--------------------------|---------------------------|
| 1. | 79 | Dawood Khan | GPS Kama Dara | Due to less sanction post |
| 2. | 80 | Muhammad Siyab | GPS Kambela | Due to less sanction post |
| 3. | 81 | Sarfurz Khan | GPS Civil Colony Nawgai | Due to less sanction post |
| 4. | 82 | Inayat ur Rahman | GMHSS Khar | Due to less sanction post |
| 5. | 83 | Mustaqeem Khan | GPS Khan Salay Barang | Due to less sanction post |
| 6. | 84 | Zahidullah | GPS Sharif Khana No.1 | Due to less sanction post |
| 7. | 85 | Fazal Subhan | GPS Babara No.1 | Due to less sanction post |
| 8. | 86 | Abdur Rahman | GPS Bara Nawagai | Due to less sanction post |
| 9. | 87 | Muhammad Ilyas | GPS Khair Abad Nawagai | Due to less sanction post |
| 10. | 88 | Abdul Shakoor | GPS Cedar Shai | Due to less sanction post |
| 11. | 89 | Hawaldar | GPS Asghar Charmang | Due to less sanction post |
| 12. | 90 | Gul Qadem | GPS Salih Muhammad killi | Due to less sanction post |
| 13. | 91 | Abdur Rauf | GMPS Mala Said | Due to less sanction post |
| 14. | 92 | Matiullah | GPS Bara Dara | Due to less sanction post |
| 15. | 94 | Abdul Hadi | GPS Muslim Bagh | Due to less sanction post |
| 16. | 95 | Bahadar Sher | GPS Dag Qila Ali jan | Due to less sanction post |
| 17. | 96 | Tariq Ahmad | GPS Malkana Salarzai | Due to less sanction post |
| 18. | 97 | Zafar Khan | GPS Kabalo Sar | Due to less sanction post |
| 19. | 99 | Saleh Muhammad | GPS Loya Shah | Due to less sanction post |
| 20. | 100 | Shahid | GPS Chargo Salarzai | Due to less sanction post |
| 21. | 101 | Kiramat Khan | GPS Sharbatai | Due to less sanction post |
| 22. | 102 | Ajmir | GPS Loi Killi Salarzai | Due to less sanction post |
| 23. | 103 | Laiq zada | GPS Bar Sapari | Due to less sanction post |
| 24. | 104 | Abdul Wahab | GPS Pajigarm B/Trass | Due to less sanction post |
| 25. | 105 | Abdul Wahid | GPS Gulo Shah | Due to less sanction post |
| 26. | 106 | Shahfiur Rahman | GPS Rasha Dera | Due to less sanction post |
| 27. | 107 | Abdur Rahman | GPS Mana Barang | Due to less sanction post |
| 28. | 109 | Muhammad Tayyeb | GMHSS Khar | Due to less sanction post |
| 29. | 110 | Umar Badshah | GPS Jan Khan Dehrai | Due to less sanction post |
| 30. | 111 | Habib ur Rahman | GPS Soordagai | Due to less sanction post |


 District Education Officer
 Bajaur

1. Director F&SE Khyber Pakhtunkhwa Peshawar.
2. District Accounts Officer Bajaur.
3. DMO (FMA) Bajaur.
4. SDEO Khar/SDEO Nawagai with direction to make necessary entries in their service books and recovery from the concerned.
5. Accountant of the local office.
6. HRMIS
7. Official Concerned.

(Shireen Zada)
 District Education Officer
 Bajaur
 Dated 15/10/2023

Endrs: No. 754-60
 Copy forwarded to the:

| | | | |
|-----|--------------------|---------------------------|---------------------------|
| 117 | Amir Khairo | GPS Takht | Due to less sanction post |
| 118 | Muhammad Naveen | GPS Dandokai G/Shamozai | Due to less sanction post |
| 119 | Imran Khan | GMSS Khar | Due to less sanction post |
| 120 | Mam Shah | GPS Khar | Due to less sanction post |
| 121 | Nasir Khan | GPS Khar | Due to less sanction post |
| 122 | Umar Zada | GPS Nakhair Bar Sapari | Due to less sanction post |
| 123 | Muhammad Ishaq | GPS Dara Banda | Due to less sanction post |
| 124 | Muhammad Riaz | GPS Baro No.2 | Due to less sanction post |
| 125 | Murhammadulhaq | GPS Khuma | Due to less sanction post |
| 126 | Raj Gul | GPS Asilo Targhaw | Due to less sanction post |
| 127 | Tejman Shah | GPS Nazar Mena Barang | Due to less sanction post |
| 128 | Shaukat Khan | GPS Barsadin Sro Wano | Due to less sanction post |
| 129 | Bashir Ullah | GPS Markhamai Mandai | Due to less sanction post |
| 130 | Muhammad Khan | GPS Mozzamin Khan Kalay | Due to less sanction post |
| 131 | Badshah Sherin | GPS Minn Khan Dara | Due to less sanction post |
| 132 | Jazaz Ullah | GPS Balam Khar No.2 | Due to less sanction post |
| 133 | Zahid Hussain | GPS Kandro | Due to less sanction post |
| 134 | Sher Nawab | GPS Sango Dehrai | Due to less sanction post |
| 135 | Shaukullah | GPS Nimaki | Due to less sanction post |
| 136 | Gul Ahmad Khan | GPS Khar Barang | Due to less sanction post |
| 137 | Farman Ullah | GPS Gambar | Due to less sanction post |
| 138 | Amyad Ali | GPS Sar Mina Asil Targhaw | Due to less sanction post |
| 139 | Nawar Khan | GPS Suduzai Chamarkand | Due to less sanction post |
| 140 | Ghufan Khan | GPS Changaro | Due to less sanction post |
| 141 | Syed Kamal Badshah | GPS Gardai | Due to less sanction post |

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Annex F

No. 1622

Dated 13-6-24
Directorate of Education
Merged Areas KEK Peshawar

To

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

Subject: DEPARTMENTAL APPEAL AGAINST THE IMPUGNED NOTIFICATION DATED 15.12.2023 WHEREBY THE PROMOTION ORDER / NOTIFICATION DATED 11.08.2023 IN RESPECT OF THE APPELLANT WAS CANCELLED / WITHDRAWN.

Respected Sir,

The appellant most humbly submits as under:-

1. That the appellant was initially appointed against the post of Primary School Teacher (PST).
2. That the appellant has served the department as PST with full commitment, zeal, devotion, punctuality and with the entire satisfaction of his high-ups.
3. That the appellant being eligible in all respect, and that too on the basis of seniority-cum-fitness, the working papers of the appellant were sent to Departmental Promotion Committee to consider him for promotion against the post of SPST (BPS-14), the appellant was duly considered by the Departmental Promotion Committee, the Departmental Promotion Committee recommended the appellant for promotion against the post of SPST (BPS-14) as the appellant was then promoted against the post of SPST (BPS-14) through notification dated 11.08.2023 and the adjustment order against the promoted post of SPST (BPS-14) was also issued on 01.09.2023. (Copy of the Notification dated 01.09.2023 is attached as annexure "A").
4. That, thereafter, entries regarding promotion were made in the service book and pay slip of promoted scale was also released in favour of appellant. (Copies of Service Book and Pay Slip are attached as annexure "B" & "C" respectively).
5. That the appellant had gained all benefits of promoted scale for a considerable long period, but all of a sudden the promotion order dated 11.08.2023 was cancelled/ withdrawn through impugned notification dated 15.12.2023 and the same was communicated to the appellant on 06.06.2024. (Copy of the Notification dated 15.12.2023 is attached as annexure "D").

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6. That once after fulfilling all the codal formalities, the promotion order was issued, entries were made in the service book, pay slip of promoted scale was released, and the appellant then gained all the benefits of promoted scale for a considerable long time, then a vested right was created in his favour which could not be cancelled/withdrawn in an inconsiderate/usual manner.
7. That neither any fault or defect of the appellant was pointed out nor any oversight or error on the part of DPC members or its composition or jurisdiction which could result an unceremonious withdrawal of promotion order after considerable period.
8. That the department is not vested with the authority to withdraw or cancel an order if same has taken effect created certain legal rights in favour of appellant.

It is, therefore, most humbly requested that by accepting this departmental appeal, the impugned notification dated 15.12.2023, whereby the promotion order/notification dated 11.08.2023 in respect of the appellant was cancelled/withdrawn, may please be set aside and consequently the promotion order/notification dated 11.08.2023, may please be restored with all back/consequential benefits.

Appellant

Ans
Alam Shah
S/o Muhammad Zar
GMHSS Khar
District Bajaur.

Dated: 13/06/2024

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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

**WAKALATNAMA
(Power Of Attorney)**

Alam Shah

(Petitioner)
(Plaintiff)
..... (Applicant)
(Appellant)
(Complainant)
(Decree Holder)

VERSUS

The Director

(Respondent)
(Defendant)
(Accused)
(Judgment Debtor)

I/ We, _____ The undersigned _____ in the above noted

Appeal do hereby appoint **Mr. Akhuzada Ahmad Saeed**, Advocate to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our counsel in the above noted case and with the authority to engage /appoint an other Advocate/Counsel on my/our behalf in my/our case and that my/our counsel will not appear whenever a strike call is made by the PBA, PHCBA, KP Bar Council, Pakistan Bar Council or by any other representative body of the lawyers' community, Furthermore, my/our counsel shall not be liable for any acts on my/our behalf, if I/we have furnished an incorrect information or mis-statement and that my/our counsel shall not be liable for any disciplinary action in case of his default in the aforesaid delegated authority, matter, without any liability for their default and with the authority to engage/ appoint any other Advocate/Counsel at my/our matter.

Attested & Accepted By.

Alam Shah
Signature of Executants

Alam Shah

AK

Akhuzada Ahmad Saeed (bc-11-1885)
Advocate High Court, Peshawar
Office: 15-B, Haroon Mansion, Khyber Bazar,
Peshawar
Cell.No.0333-2902529
CNIC No. 15705-5473448-3