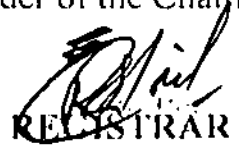


FORM OF ORDER SHEET

Court of _____

Appeal No. 1918 /2024


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	11/10/2024	<p>The present appeal resubmitted today by Muhammad Ismial Khan Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 17.10.2024. Parcha Peshi given to the counsel for the appellant.</p> <p>By order of the Chairman</p> <p> REGISTRAR</p>

The joint appeal of Mr. Mustafa Zeb and 33 others received today i.e. on 03.09.2024 is in complete on the following score which is returned to the counsel for the appellants for completion and resubmission within 15 days.

- 1- Memorandum of appeal be signed by the appellants.
- 2- Check list is not attached with the appeal.
- 3- Annexures of the appeal are not attested.
- 4- Sub-rule- 2 of rule-3 of the appeal rules 1986 requires that every affected civil servant shall prefer the appeal separately. Therefore, the appeal of the above named appellants may be filed separately/individually.
- 5- Annexures of the appeal are illegible be replaced by legible/better one.
- 6- Three copies/sets of the appeal along with annexures i.e. complete in all respect for Tribunal and one for each respondent may also be submitted with the appeal.

No. 774 /Inst./2024/KPST,

DL 12/9 /2024.


OFFICE ASSISTANT
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Muhammad Ismail Khan Adv.
High Court Peshawar.

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL
PESHAWAR

Service Appeal No. 1918 / 2024

Jawad Ali VERSUS The District Education Officer (Male) District Charsadda.

INDEX SHEET

S.No	Descriptions	Annexure	P.No
1	Memo of Appeal		1-5
2	Affidavit		6
3	Notices to Parties		
4	Copies of appointments orders of Appellants dated 31-05-2014	A	7-8
5	Copies of appellants Charges Reports dated 31-05-2014	B	9
6	Copies of Regularization Order of appellants	C	10-12
7	Copies of Promotion Order of appellants	D	13-15
8	Copies of applications/request to SDEO/DEO	E	16
10	Copy of SDEO Letter to DEO	F	17-19
11	Copy of same identical nature case service appeal No- 7597/2021 decided on dated 05-11-2023 by Kp Service Tribunal	G	20-29
12	Copies of Departmental Appeal	H	30
13	Wakalat Nama		31

Appellant

Through counsel

Muhammad Ismail Khan

Amin Ullah Jan

Amjid Khan Mohmand

Advocates High court Peshawar

Office: Al Mansoor Hotel opposite Gulbahar Police Station Near BRT Stop
Main GT Road Peshawar. 0346-9192028

BEFORE THE KHYBER PAKHTUN KHWA SERVICE TRIBUNAL PESHAWAR

SERVICE APPEAL NO. 1918 /2024

Jawad Ali S/O Khan Sher (SPST, BPS-14) Government Primary School Khubaj,
Shabqadar District Charsadda

.....Appellant...

Versus

1. The Director Education Elementary and Secondary Education Khyber Pakhtun Khwa Near Govt Higher Secondary School No-1 GT Road Peshawar.
2. The District Education Officer (DEO) Male District Charsadda.
3. The Sub District Education Officer (SDEO) Shabqadar District Charsadda.
4. The Accountant General AG office Khyber Pakhtun Khwa Fort Road Peshawar.

.....Respondents

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUN KHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE INACTION OF THE RESPONDENTS BY NOT ALLOWING/RELEASING THE OUTSTANDING SALARIES FOR THE MONTH OF JUNE, JULY AND AUGUST 2014, AND ALSO REQUEST FOR ALLOWING THE INCREMENT FOR YEAR 2014, AND AS WELL AS AGAINST THE DEPARTMENTAL APPEAL WHICH SUBMITTED ON DATED 08-05-2024 WHICH NOT DECIDED IN STIPULATED PERIOD, WHICH IS THE INACTION OF THE DEO MALE CHARSADEA, WHEREAS THE DEPARTMENT NOT GIVEN ANY RESPONSE TO APPELLANT.

PRAYERS.

ON ACCEPTANCE OF THE INSTANT SERVICE APPEAL, THE INACTION OF THE RESPONDENTS BY NOT DECIDING THE DEPARTMENTAL APPEAL WITHIN THE STIPULATED PERIOD AND NOT ALLOWING THE ANNUAL INCREMENT FOR THE YEAR 2014 AND NOT RELEASING THE OUTSTANDING SALARIES FOR THE MONTH OF JUNE, JULY AND AUGUST 2014, MAY VERY KINDLY BE DIRECTED TO ALLOWING THE INCREMENT FOR THE YEAR 2014 WITH ALL BACK BENIFITS AND ALSO RELEASE THE OUTSTANDING SALARIES FOR THE MONTH OF JUNE, JULY AND AUGUST 2014. OR ANY OTHER REMEDY/RELIEF WHICH THIS HON'BLE COURT/TRIBUNAL DEEMS FIT AND APPROPRIATE. MAY KINDLY ALSO BE AWARDED/PASSED IN FAVOUR OF APPELLANTS, AS THE SAME ISSUE AND QUESTION IN IDENTICAL NATURE CASE IN SERVICE APPEAL NO 7597 OF 2021 ALSO BEEN ALLOWED AND DECIDED ON DATED 06-11-2023 BY THIS HON'BLE COURT.

Respectfully Sheweth.

The Appellant humbly submits as under.

FACTS.

Brief facts of the Appeal are as under.

1. That the Appellants are the employee of the education Department, and were initially appointed as Primary School Teacher PST BPS-12 on ADHOC Basis after fulfilling all the legal and codal formalities required for the post under the law and Rules Regulation.

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2. That all the Appellants after scrutiny and through proper channel by the Departmental Selection Committee DSC Under the supervision of DEO Male and other respected members of the committee appointed the appellants as primary school teacher PST BPS-12 on dated 31-05-2014.

(Copies of Appointments Orders dated 31-05-2014 is attached and annexed as A)

3. That the Respondent issued the appointments orders for the post of PST to all the Appellants, and when all the appellants received the appointment orders on dated 31-05-2014, they submitted their arrival reports and took over Charge reports of the PST Posts assigned in the appointments orders on dated 31-05-2014, and made entry in the Attendance Register in the school, since then the appellants are working with full zeal and according to their efficiency and with full devotion satisfaction of the School Head.

(Copies of Charge Reports dated 31-05-2014 annexed as B and attendance Register Attached as C)

4. That Service Book of the Appellants was also prepared and necessary entries were made therein in the service books from the date of initial appointments till date.

(Copies of Service Books are attached and annexed as D)

5. That after satisfactory duties of all the Adhoc Teachers, the Govt of Kp through Regularization Act 2017 including appellants in the year 2018 they all were regularized from the date of their initial appointments orders i.e. 31-05-2014. the date which is 31-05-2014 is also mentioned in the heading of the regularization order of the Appellants as well as other candidates of PST.

(Copy of Regularization Order annexed as E)

6. That thereafter the appellant were also promoted from the Post of PST BPS-12 to post of Senior Primary School Teacher SPST BPS-14 by the Departmental Promotion Committee DPC under the supervision of DEO and other officials, Vide order dated 19-05-2020. And the Appellants were in at Serial No

(Copy of Promotion orders annexed as F)

7. That the appellant were facing huge financial discrepancy in their monthly salaries due to the reasons that increment for the year 2014 were not allowed and also the salaries for month of June July and August 2014, were not released for which the appellants made several visits and request verbally as well in shape of applications appeals etc.

(Copies of application and appeals annexed as G)

8. That at last the Respondent No-3 SDEO Shabqadar send one letter to DEO Male Charsadda on dated 22-04-2024, for further action but despite applications reminders to Respondents, they are not given positive response.

(Copies of SDEO Male letter to DEO annexed as H)

9. The service appeal decision in the same nature issue and matter had came to the knowledge of the appellants, which also mentioned in the application, title case ABDUL MUSAWIR VS EDUCATION DEPARTMENT service appeal No- 7597 of 2021, which was decided by the Hon'ble Bench Member of Service Tribunal Peshawar on dated 06-11-2023, whereas the same relief given and granted to one teaching cadre who also appointed with the appellants as PST and later he regularized and also promote as SPST BPS-14.

(Copy of same identical nature case and Court order of KP service Tribunal dated 06-11-2023 annexed as I)

10. That after the above said mentioned process, when no such relief given to appellants, then the appellants filed departmental appeal to Directorate Education, and attached all the relevant documents correspondence, but till now, no such response/relief given to appellants.

(Copies of Departmental appeals to Directorate annexed as J)

11. That the appellants were also visited to concern quarter of accounts office to allow and include the same increment as well as salaries to appellants, but till date the same is neither included nor been allowed in the appellants salaries slip records.

12. That feeling aggrieved from the inaction of the respondents to not decide the departmental appeal and by not allowing the annual increment for year 2014 as well as the salaries of the month of June July and August 2014, the repeatedly visits applications requests and at last departmental and same identical nature service decided case/appeal, the respondents on no grounds And without showing any reasons were silent on the appellant appeals.

13. That feeling aggrieved by all the appellants, and having no other remedy except filing this service appeal on the followings grounds.

GROUNDS:

- A. That the act and omission of the Respondents by illegally deducting annual increment for the year 2014, and not releasing the monthly salary for the month of June, July and August 2014, is against the law, facts material available on records and norms of natural justice hence not tenable in the eyes of law and is liable to be struck down.
- B. That the appellants has not been treated by the respondents department in accordance with law and rules on the subject noted above and as such the Respondents violated article 4 and 5 of the Constitution of Islamic Republic of Pakistan 1973.
- C. That the Appellant has properly submitted his charge report and made attendance Register of the school on dated 31-05-2014, and as such the appellant has spent 180 days on 1st December, that the entitles the appellant for the annual increment of the year 2014.
- D. That the act of the Respondents by illegally deducting annual increment for the year 2014, and not releasing the monthly salary for the month of June, July and August 2014, is against the prevailing Law and Rules.
- E. That the Respondents violated Article 38(E) of the constitution of the Islamic Republic of Pakistan 1973, according to which *"The state is bound to eliminate disparity in the income and earning of individuals including persons in the various service of Pakistan"*. Thus in light of above the Respondents are duty bound to release the annual increment for the year 2014 as well as the monthly salaries for the month of June, July and August 2014.

F. That the Respondents acted in arbitrary and malafide manner, while illegally deducting the annual increment for the year 2014, and not releasing salaries for the month of June July and August 2014.

G. That the Act and omission of the Respondents by illegally deducting annual increment for the year 2014, and not releasing of the monthly salaries for the month of June, July and August 2014, is nothing but depriving the appellant from the legal rights of livelihood.

H. That the appellant seeks permission to advance other grounds and proofs evidence at the time of hearing and arguments.

I. That other ground will be discussed at the time of arguments with prior permission of this Hon'ble Court.

IT IS THEREFORE HUMBL Y PRAYED THAT, ON ACCEPTANCE OF THE INSTANT SERVICE APPEAL, THE INACTION OF THE RESPONDENTS BY NOT ALLOWING THE ANNUAL INCREMENT FOR THE YEAR 2014 AND NOT RELEASING THE OUTSTANDING SALARIES FOR THE MONTH OF JUNE, JULY AND AUGUST 2014, AND NOT DECIDED THE DEPARTMENTAL APPEAL WITHIN STIPULATED PERIOD, THE RESPONDENTS MAY VERY KINDLY BE DIRECTED TO ALLOW THE INCREMENT FOR THE YEAR 2014 WITH ALL BACK BENIFITS AND ALSO RELEASE THE OUTSTANDING SALARIES FOR THE MONTH OF JUNE, JULY AND AUGUST 2014. OR ANY OTHER REMEDY/RELIEF WHICH THIS HON'BLE COURT/TRIBUNAL DEEMS FIT AND APPROPRIATE MAY KINDLY ALSO BE AWARDED/PASSED IN FAVOUR OF APPELLANTS, AS THE SAME ISSUE AND QUESTION IN IDENTICAL NATURE CASE IN SERVICE APPEAL NO-7597 OF 2021 ALSO BEEN ALLOWED AND DECIDED ON DATED 06-11-2023 BY THIS HON'BLE COURT, And any other relief and remedy deems justified by this Hon'ble Tribunal may also be passed in favour of the appellant for the interest of justice.

APPELLANT

Jawad

Jawad Ali

Through Counsel

Muhammad Ismail

[Signature]

Advocate

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BEFORE THE KHYBER PAKHTUN KHWA SERVICE TRIBUNAL PESHAWAR

SERVICE APPEAL NO _____ /2024

Jawad Ali S/O Khan Sher (SPST, BPS-14) Government Primary School, Khubai,
Shabqadar District Charsadda

VERSUS

The Director Education Khyber Pakhtun Khuwa Peshawar and others.

Certificate:

It is certified that, no such like appeal has been file of pending on the subject matter
between the parties before this Hon'ble Tribunal.

APPELLANT

Jawad

Jawad Ali

Through Counsel

Muhammad Ismail

Muhammad Ismail

Advocate

(6)

**BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL
PESHAWAR**

Service Appeal No. _____ / 2024

Jawad Ali S/O Khan Sher (SPST, BPS-14) Government Primary School Khubai,
Shabqadar District Charsadda

.....Appellant

VERSUS

1. The District Education Officer (Male) District Charsadda.
2. The Secretary Elementary and Secondary Education, KP Peshawar
3. The Director Education Directorate of Elementary and Secondary Education Peshawar
4. The SDEO Male Shabqadar District Charsadda.

.....Respondents

AFFIDAVIT

I, Jawad Ali S/O Khan Sher (SPST, BPS-14) Government Primary School Khubai,
Shabqadar District Charsadda, do hereby solemnly affirm and states on oath that the
contents of accompanying appeal are true and correct to the best of my knowledge and
belief and nothing has been concealed from this Hon'ble Tribunal.

Deponent Jawad

IDENTIFIED BY Muhammad Ismail
Muhammad Ismail
Advocate-High Court



Through counsel

Ismail Khan
Umar Khan
Amjid Khan Mohmand
Advocates High court Peshawar

Appointment Order PST (M) Ad hoc -Based

OFFICE OF THE
DISTRICT EDUCATION OFFICER
(MALE) CHARSADDA

APPOINTMENT

Consequent upon recommendation of the District Selection Committee, appointment of the following candidates are hereby ordered against the post of PST School based/UC based in BPS-12 (Rs: 7000-500-22000) @Rs: 7000/= fixed plus usual allowances as admissible under the rules on ad hoc basis on Contract under the existing policy of the Provincial Government, in Teaching Cadre on the terms and condition given below with effect from the date of their taking over charge :-

S.#	Name	School Name	D/C	Score
31/441	JAWAD ALI 17101-1922862-5	GPS Khubai	Hassan Zai	128.94

TERMS & CONDITIONS.

1. NO TA/DA etc is allowed.
2. Charge reports should be submitted to all concerned in duplicate.
3. Appointment is purely on temporary & contract basis initially for one year.
4. They should not be handed over charge if they exceed 35 years or below 18 years of age.
5. Appointment is subject to the condition that the certificate/documents must be verified from the concerned authorities by the DEO(concerned) Any one found producing bogus Certificate will be reported to the law enforcing agencies for further action.
6. His services are liable to termination on one month's notice from either side. In case of resignation without notice his one-month pay/allowances shall be forfeited to the Government.
7. Pay will not be drawn until and unless a certificate to the effect by DEO(concerned) is issued that his certificates are verified.
8. He should join his post within 10 days of the issuance of this notification. In case of failure to join their post within 10 days of the issuance of this notification, his appointment will expire automatically and no subsequent appeal etc shall be entertained.
9. Health and Age Certificate should be produced from the Medical Superintendent concerned before taking over charge.
10. Before handing over charge he will sign an agreement with the department, otherwise this order will not be valid.
11. He will be governed by such rules and regulations as may be issued from time to time by the Govt.
12. His services shall be terminated at any time, in case his performance is found unsatisfactory during his contract period. In case of misconduct, he shall be proceeded under the rules framed from time to time.

Jawad Ali Hassan Zai, chx

f. B. Khan
HEAD MASTER
Govt. Primary School
KHUBAI

(8)

Appointment Order PST (M) Ad hoc - Based

2


13. His appointment is made on School based. He will have to serve at the place of posting, and his service is not transferable to any other station.
14. Before handing over charge once again their document may be checked if they have not the required qualification, they may not be handed over charge.

(Siraj Muhammad)
District Education Officer
(Male) Charsadda

Endst: No: 4807-4958 / Dated: Charsadda the 31/5/2014

Copy forwarded for information and necessary action to the:-

1. Director ESSE Deptt: Khyber Pakhtunkhwa Peshawar.
2. Deputy Commissioner Charsadda
3. District Accounts Officer Charsadda
4. SDEO (M) Charsadda
5. SDEO (M) Tangi
6. Official Concerned
7. B/File


31/5/14
District Education Officer
(Male) Charsadda

fzk
LEAD MASTER
Govt Primary School
KRUBI

HEAD MASTER
G.R.S KHINDI
Teh: Shadqad

31-5-2019
Jimmilof

قاری جی 0
PSHT جوادی
GPS

قاری جی 0
PSHT جوادی
GPS

- آئی اے ایف جی کے لئے
- آئی اے ایف جی کے لئے
PST-BPS-12

~~یہ ایک سرکاری دستاویز ہے اور اسے محفوظ رکھنا ضروری ہے۔~~

آئی اے ایف جی کے لئے
31-05-2014

آئی اے ایف جی کے لئے
31-5-2014

آئی اے ایف جی کے لئے
DEO (M)

آئی اے ایف جی کے لئے
PST جوادی

آئی اے ایف جی کے لئے

(b)

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) CHARSAKDA

(10)

NOTIFICATION

In pursuance of the Khyber Pakhtunkhwa Employees of the Elementary & Secondary Education (Appointment and Regulation of Services) Act, 2017 (Khyber Pakhtunkhwa Act No. 2 of 2018) and Elementary & Secondary Education Department Govt. of Khyber Pakhtunkhwa Notification No. 50 (S/F/E & SED/3-2/2018 / SITT /Contract dated Peshawar the 16/02/2018, services of the following (433) Primary School Teachers appointed through NTS on Adhoc basis on Contract w.e.f (31-05-2014 to 15-07-2017), are hereby regularized in UPS-12, on the same basis in Teaching Cadre on the terms and condition given below with effect from the date of their appointment as mentioned against each in the interest of public service.

Sl. No.	Roll No. NTS	Name and Father's Name	CNIC No.	Name of School	Total Marks out of 200	M/C	Appointment order No. & Date	Date of Taking Over Charge	Examination No. & Date
1	156038	Muhammad Khalid S/O Tawal Ali	17102-0577002	GPS Station XIII	172.89	Alumni	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
2	1560071	Muhammad Ali S/O Saeed Gul	17101-9260071	GPS Shohab XIII	171.23	Alumni	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
3	1560014	Muhammad Adil Shah S/O Mian	17101-6844013	GPS Agra XIII	170.33	Alumni	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
4	1561340	Muhammad Arif S/O	17101-9188158	GPS Agra XIII	174.58	Alumni	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
5	1560163	Thawat Shah S/O S. Waliyar Shah	17101-0118964	GPS Mandirani	133.58	Alumni	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
6	1560941	Muhammad Shoaib S/O Rida Muhammad	17101-0315588	GPS Aghara	129.66	Alumni	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
7	1560940	Shah Anwar S/O Rahim Khan	17101-0398939	GPS Marial	124.24	Alumni	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
8	1560125	Muhammad Asim S/O Pervez Khan	17101-7492491	GPS Mithra New	121.45	Alumni	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
9	1561110	Shah Shahid S/O S. Jilani	17301-4432184	GPS Mithra Godeem	119.3	Alumni	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
10	1560007	Nasir Khan S/O Muzaf Khan	17101-0307693	GPS Khairo Khan KMI	135.48	Alumni	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
11	1560549	Muhammad Khilaf S/O Muhammad Habi	17101-3765893	GPS Mithra No.6	132.34	Alumni	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
12	1561032	Yaseen Khan S/O Fawad	17101-2710399	GPS Shababan	132.18	Alumni	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
13	1561564	Muhammad Usman S/O Usaid Ullah	17101-6376689	GPS Islam Abad	135.83	Alumni	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
14	1561234	Muhammad Ali S/O Faqir Jan	17101-0300786	GPS Rahaqi	118.45	Alumni	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
15	1560109	Muhammad Usman S/O Abdul Karim Ullah S/O Deyan	17101-6120115	GPS Ambarthar-1	116.29	Alumni	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
16	1560714	Muhammad Usman S/O Muhammad Ali Shah	17101-0826588	GPS Doulat Khura	114.13	Alumni	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
17	1560125	Imam Gul S/O Zahir Gul	17101-6376764	GPS Amir Abad-2	121.66	Alumni	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
18	1561321	Abdurhaman S/O Rehman Gul	17101-0427215	GPS Jan Abad	114.38	Alumni	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
19	1560954	Dawood Masood S/O Fazal Masood	17101-0228797	GPS Kalyar	104.56	Alumni	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
20	1560938	Zahir Ali S/O Muhammad Ali	17101-0260221	GPS Dastar-3	116.17	Alumni	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
21	1560890	Muhammad Gulzar S/O Akira Khan	17101-2239656	GPS Dargah-2	113.12	Alumni	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
22	1561648	Imdad Muhammad S/O Akira Khan	17101-071324	GPS Shah Bhand	112.17	Alumni	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
23	1561306	Shakeel Ahmad S/O Tariq Shah	17102-7470651	GPS Kalyan	123.06	Alumni	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
24	1561025	Waqar Khan S/O Iqbal Khan	17101-5363178	GPS Maska Dher	116.56	Alumni	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
25	1560504	Muhammad Usman S/O Anwar Rehman	17101-11319290	GPS Maska Dher	115.69	Alumni	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017

26	1561059	Shams Ul Haq S/O Saifur Rahim	17101-1857298-9	GPS Dar Mian Kili	105.7	Ghunda Karkana	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
27	1560135	Kehmanullah S/O Hameed Khan	17103-0354095-1	GPS Ocha Wala-1	122.25	Haji Zal	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
28	1561823	Ali Gauhar S/O Zameer Gul	17103-0371185-7	GPS Mahmood Abad	117.8	Haji Zal	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
29	2961757	Anwar Zeb S/O Umar Khan	17102-3704269-7	GPS Inzar Gul Kili	124.53	Hari Chand	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
30	1560094	Jawad Ali S/O Khan Sher	17101-1922852-5	GPS Khubal	128.94	Hassan Zal	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
31	1560844	Muhammad Ishaq S/O Ali Rahman	17101-3845983-7	GPS Hassan Zal	123.83	Hassan Zal	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
32	1560864	Naseem Khan S/O Fazil Malik	17101-0395647-3	GPS Sokhta-1	121.11	Hassan Zal	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
33	1561581	Ashad Khan S/O Guizer Khan	17101-8362252-7	GPS Kotak	115.33	Hassan Zal	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
34	1560056	Shahid Khan S/O Gul Roz	17102-2870859-1	GPS MS Gul Qila	129.44	Hisra Nehri	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
35	1561043	Sher Ali S/O Hafiz Ullah	17101-8836540-3	GPS Kangra	131.62	Kangra	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
36	1560559	Noor Ullah Jan S/O Roshul Jan	17101-0167174-9	GPS Ghurambak-1	124.02	Kangra	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
37	1560097	Fahul Amin S/O Rooh Ul Amin	17101-9349851-3	GPS D. Sikander Khan	116.54	Kangra	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
38	1561443	Shad Muhammad S/O Jan Muhammad	17101-7588487-3	GPS Haryana	113.98	Kangra	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
39	1560052	Naseem Jan S/O Ghani Khan	17101-9764384-5	GPS Haryana	115.19	Kangra	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
40	1560105	Abdur Raif Jan S/O Mohd Ashdul Sami	17101-6321182-5	GPS Sadar Garhi	99.35	Katozal	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
41	1561211	Syed Zaheer Abbas S/O Syed Sikandar Shah	17101-0960254-5	GPS Sardar Garhi	86.43	Katozal	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
42	1561772	Bakht Taj Gul S/O Sartaj	17101-2518410-3	GPS Dhural Kur	122.51	Katozal	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
43	1560178	Zia Rafiq S/O Muhammad Rafiq	17101-0377970-3	GPS Katozal-1	170.86	Katozal	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
44	1561165	Sher Baz Khan S/O Abdullah Khan	17101-9168708-7	GPS Spinkai-7	105.58	Katozal	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
45	1560131	Zulqar Ali S/O Hazrat Umar	17101-0810390-9	GPS Chamyaran	128.51	Khan Mela	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
46	1560150	Amrooz Khan S/O Saif Ullah Khan	17102-2651249-1	GPS Landi Road	122.07	Kot Behram Dheri	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
47	1560715	Majid Khan S/O Dost Muhammad	17102-7714899-5	GPS Arat Kili	119.64	Kot Behram Dheri	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
48	1561513	Mukhtar Ullah S/O Shah Zarin	17102-1163877-1	GPS Islamabad Deobandi	119.22	Kot Behram Dheri	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
49	1561341	Nasir Ahmad S/O Habib Ul Haq	17102-6036836-7	GPS Marchand No.1	112.46	Kot Behram Dheri	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
50	1560796	Wasaal Ahmad S/O Wazir Zada	17103-0348097-5	GPS M. Rustam Khel	131.51	M.M Khel	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
51	1561038	Abdus Salam S/O Abid Ullah	17301-3407038-1	GPS Matta Mughal Khel	124.18	M.M Khel	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
52	1561357	Saeed Khan S/O Mian Gul	17101-7276529-5	GPS Matta Mughal Khel	114.32	M.M Khel	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
53	1560748	Wasaal Ahmad S/O Ullah Gul	17101-4418397-3	GPS Hassan Gul Kor	106.07	M.M Khel	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
54	1561192	Rahim Shid Khan S/O Sher Baz Khan	17201-9461238-9	GPS Kropa Muhammad Khan	105.96	M.M Khel	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
55	2960955	Syed Ziauddin Badshah S/O Molvi S. Badshah	17101-0275214-9	GPS Daryab Kor	104.08	M.M Khel	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
56	1560743	Yasir Khan S/O Nasir Khan	17102-2872837-3	GPS Mandani	112.51	Mandani	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
57	1560886	Muhammad Ismail Shahid S/O Iqbal Ud Din	17102-0407138-7	GPS Tangi No.3	123.96	MC Tangi	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
58	1561250	Muhammad Dawood Khan S/O Suriaz Khan	17102-7433487-7	GPS Tangi No.1	118.34	MC Tangi	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017

11

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12

422	2031001233	Sybil Khan S/O Afi Akbar	17102-9394848-195	GPS Spmal Tangi	116.54	Shodog	20762-856 Dated:28/03/2017	08-04-17
423	2035001449	Nadeem Jan S/O Khan Bahادر	17102-9394848-196	GPS Tarnab No.2	112.6	Tarnab	20762-856 Dated:28/03/2017	08-04-17
424	2031001023	Muhammad Ali S/O Zait Ullah Khan	17102-9394848-197	GPS Tarnab No.1	111.76	Tarnab	20762-856 Dated:28/03/2017	08-04-17
425	2035001107	Mazhar Ali S/O Ishtihar Ali	17102-9394848-198	GPS Umarzal No.1	134.95	Umarzal	20762-856 Dated:28/03/2017	08-04-17
426	201701921	Muhammad Zehab S/O Muhammad Yousof	17102-9394848-199	GPS Dheri Zardad No.1	112.95	Dheri Zardad	20762-856 Dated:28/03/2017	08-04-17
427	2032001161	Abdul Majid S/O Abdul Bari	17102-9394848-200	GPS Mubeen Korowia SKF	126	Hassanzel	27462-71 Dated:20/05/2017	22-05-17
428	2017000247	Irfan Ullah S/O Yousof Gul Mubeen Uf Rahman	17102-9394848-201	GPS No.1 Tangi	120.14	MC- Tangi	27462-71 Dated:20/05/2017	22-05-17
429	2017000286	(Disable Quota) S/O Zahid Ullah	17102-9394848-202	GPS No.1 Charsadda	121.32	MC-III Charsadda	27462-71 Dated:20/05/2017	22-05-17
430	202300325	Mazrat Ullah S/O Alamsaid	17102-9394848-203	GPS Arai Killi	106.74	KutBahramDheri	27530-34 Dated:23/05/2017	01-09-17
431	2033001179	Asif Ur Rehman(Disable Quota) S/O Gul Rehman	17102-9394848-204	GPS Dhakki	121.59	Dhakki	27547-51 Dated:23/05/2017	01-09-17
432	201700483	Syed Wilayat Shah S/O Syed Farah Siar Shah	17102-9394848-205	GPS Haidor Killi	109.59	Shodog	28873-75 Dated:15/07/2017	01-09-17
433	2031000563	Yahya Jan S/O Dilbar Khan	17102-9394848-206	GPS Mahmood Abad	121.61	Chindrodag	28877-80 Dated:15/07/2017	01-09-17

TERMS & CONDITIONS

- 1.) Their services shall be governed by the Khyber Pakhtunkhwa Civil servants Act, 1973, the Khyber Pakhtunkhwa (Appointment, Deputation, Posting & Transfer of Teachers, Lecturers, Instructors & Doctors) Regulatory Act, 2011 and such rules & regulations as may be issued from time to time by the Government.
- 2.) Their services shall be considered regular and they shall be eligible for pension / dedication of GPFund in terms of the Khyber Pakhtunkhwa Civil Servants Act, 1973 as amended in 2013.
- 3.) Their services are liable to termination on one months' notice from either side in case of resignation without notice, their one month's pay/allowances shall be forfeited to the Govt.
- 4.) They shall possess the same qualification and experience required for a regular post.
- 5.) Their regularization shall not affect the promotion quota of existing holders of posts in respective service cadres.
- 6.) The regularization will not be in favour of those, who have not taken over charge or has remained absent from duty or resign, terminated from service and also not for those who are under disciplinary proceedings.
- 7.) Their pay shall be released subject to verification of academic documents/testimonial from the concerned Board/University by the SDEO concerned.
- 8.) The employees whose services are regularized under The Khyber Pakhtunkhwa Employees of the Elementary and Secondary Education (Appointment and Regularization of Services) Act, 2017 (Khyber Pakhtunkhwa Act No.1 of 2018) or in the process of attaining service at the commencement of The Khyber Pakhtunkhwa Employees of the Elementary and Secondary Education (Appointment and Regularization of Services) Act, 2017 (Khyber Pakhtunkhwa Act No.1 of 2018) shall rank junior to all civil servants belonging to the same service or cadre, as the case may be, who are in service on regular basis on the commencement of The Khyber Pakhtunkhwa Employees of the Elementary and Secondary Education (Appointment and Regularization of Services) Act, 2017 (Khyber Pakhtunkhwa Act No.1 of 2018), and shall also rank junior to such other persons, if any, who, in pursuance of the recommendation of the Commission made before the commencement of this Act, are to be appointed to the respective service or cadre, irrespective of their actual date of appointment.
- 9.) The seniority inter-se of the employees, whose services are regularized under this Act within the same service or cadre, shall be determined on the basis of their continuous official service in such service or cadre.
- 10.) Their seniority shall be determined on the basis of their continuous service in cadre, provided that if the date of continuous service in the case of two or more employees is the same, the employees older in age shall rank senior to the younger one.

(SIRAJ MUHAMMAD)
DISTRICT EDUCATION OFFICER
(MALE) CHARSADDA

Enclst: No: 19747-20188 F.NO. (Regularization PST 2018) Dated: 12/03/2018

- Copy forwarded for information to the:-
1. Director E&SE Dept: Khyber Pakhtunkhwa Peshawar.
 2. District Nazim Charsadda
 3. Deputy Commissioner Charsadda.
 4. District Monitoring Officer IMU Charsadda
 5. SDEO (M) Charsadda
 6. SDEO (M) Tangi
 7. SDEO (M) Shabqadar
 8. District Account Officer Charsadda.
 9. Official concerned.
 10. Office file.

Dy: DISTRICT EDUCATION OFFICER
5 (MALE) CHARSADDA

(13)

Maseem Khan

S.No. 5758



OFFICE OF THE DISTRICT EDUCATION OFFICER JAWAD ALI
(MALE) EASE CHARSADDA

091-9220481 emischarsadda@yahoo.com

CAF

OFFICE ORDER

Consequent upon recommendation of the Departmental Promotion Committee and in pursuance of the Government of Khyber Pakhtunkhwa Elementary and Secondary Education Notification No.2412-2542 / Promotion / Estab. Dated Peshawar, the 21/01/2013, the following Primary School Teachers (BPS-12) are hereby promoted to the post of SPST (BPS-14) (RS-15180,1170-50280) plus usual allowances as admissible under the rules on regular basis under the existing policy of the Provincial Government in Teaching cadre on the terms and conditions given below with immediate effect and further posted in the school noted against each.

S#	NAME	PRESENT SCHOOL	POSTED AT	REMARKS
1	SHER MUHAMMAD KHAN	GPS GANDER BALA	GPS PALAY DOBANDI	A.V.P
2	MINHAJ ULLAH	GPS AMBA DHERI-NO.2	GPS AMBA DHERI-NO.2	A.V.P
3	JASIM ALI KHAN	GPS CHEENA	GPS CHEENA	A.V.P
4	ZUBAIR	GPS PLA DHERAI	GPS PLA DHERAI	A.V.P
5	JADNAN	GPS KHULY	GPS KHULY	A.V.P
6	FAZAL MANAN	GPS KHAT KILLI SHOLGARA	GPS KHAT KILLI SHOLGARA	A.V.P
7	ABD QAYUM	GPS MALIK ABAD	GPS MALIK ABAD	A.V.P
8	IRTIKHAR ULLAH	GPS MARCHAKI	GPS MARCHAKI	A.V.P
9	MUSLIM SHAH	GPS INAM KILLI	GPS LANDAISHAH	A.V.P
10	MUHAMMAD YOUSAF	GPS KULA DHERI NO.1	GPS KULA DHERI NO.1	A.V.P
11	ASLAM KHAN	GPS KHORA ABAD	GPS KHORA ABAD	A.V.P
12	AJHTAR ALI	GPS ANGAR KOROONA	GPS ANGAR KOROONA	A.V.P
13	NIZAM ULLAH	GPS ISLAM ABAD DARGAI	GPS ISLAM ABAD DARGAI	A.V.P
14	NAEEM JAN	GPS KASS KOROONA	GPS KASS KOROONA	A.V.P
15	NASIR KHAN	GPS KHISPO KHAN KILLI	GPS SHAHNAWAZ KILLI	A.V.P
16	ILAWAT SHAH	GPS MANDEZAI	GPS MANDEZAI	A.V.P
17	MUHAMMAD KHALID	GPS STATION KOROONA	GPS GHULAM FARID KILLI	A.V.P
18	WAJID ULLAH	GPS PALOSA JADEED	GPS PALOSA JADEED	A.V.P
19	MUHAMMAD ISHTIAQ	GPS MERA SHAKH- NO.6	GPS BEHLOLA	A.V.P
20	ABDUL MUSAWIR	GPS ANGAR KOROONA	GPS ANGAR KOROONA	A.V.P
21	GHIER ALI	GPS KANGRA	GPS KANGRA	A.V.P
22	SADIR SHAH	GPS ZUHRAB GUL KILLI NO.1	GPS ZUHRAB GUL KILLI NO.1	A.V.P
23	SHEHER GHAYAS KHAN	GPS PARAD NISATTA	GPS PARAD NISATTA	A.V.P
24	MUHAMMAD SHOAB	GPS ASHARA BATTAGRAM	GPS ASHARA BATTAGRAM	A.V.P
25	SHAHID KHAN	GPS MIAN SAHIB GUL KILLI	GPS MIAN SAHIB GUL KILLI	A.V.P
26	JAWAD ALI	GPS KHUBAI	GPS KHUBAI	A.V.P
27	ZULFIQAR ALI	GPS CHAMYARAN	GPS CHAMYARAN	A.V.P
28	KARAM ELAHI	GPS AJOON KILLI	GPS AJOON KILLI	A.V.P
29	MUDASSIR SHAH	GPS RIZWAN ABAD	GPS RIZWAN ABAD	A.V.P
30	YASIR KHAN	GPS INAM KILLI	GPS INAM KILLI	A.V.P
31	ZUBAIR KHAN	GPS SHAHBAZ KHAN	GPS SHAHBAZ KHAN	A.V.P

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32	FAZAL AMIN	GPS EWAS KILLI	GPS EWAS KILLI	A.V.P
33	NISHTIAQ AHMAD	GPS RASOOL KHAN KILLI	GPS RASOOL KHAN KILLI	A.V.P
34	MURAD ALI	GPS PAINDA KHEL TARNAB	GPS PAINDA KHEL TARNAB	A.V.P
35	MUHAMMAD IMRAN	GPS SHEIKH MUNAF KILLI	GPS SHEIKH MUNAF KILLI	A.V.P
38	ANWAR ZEB	GPS INZAR KILLI	GPS INZAR KILLI	A.V.P
37	SHAH ANWAR	GPS ASHARA BATTAGRAM	GPS ASHARA BATTAGRAM	A.V.P
38	KHALIL ULLAH	GPS UTMANZAI NO.3	GPS UTMANZAI NO.3	A.V.P
39	NOOR ULLAH JAN	GPS GHURMBAK NO.1	GPS GHURMBAK NO.1	A.V.P
40	MUHAMMAD ISMAIL SHAHID	GPS TANGI NO.3	GPS TANGI NO.3	A.V.P
41	MUHAMMAD IZHAR	GPS HASSANZAI	GPS HASSANZAI	A.V.P
42	SHAHJAHAN MADHANI	GPS KARIMO BANDA	GPS SHAKOOR	A.V.P
43	MIRZA ALI KHAN	GPS DALAZAK NO.1	GPS DALAZAK NO.1	A.V.P
44	ROSHAN KHAN	GPS ALI JAN KILLI	GPS ALI JAN KILLI	A.V.P
45	QAZAM JAN	GPS QAZI KHEL-2	GPS QAZI KHEL-2	A.V.P
46	BAKHT TAJ GUL	GPS DHERAI KOR KATOZAI	GPS DHERAI KOR KATOZAI	A.V.P
47	BEHMAN ULLAH	GPS OCHA WALA NO.1	GPS OCHA WALA NO.1	A.V.P
48	AMROOZ KHAN	GPS LANDI ROAD	GPS LANDI ROAD	A.V.P
49	ADNAN HUSSAIN	GPS GONDA	GPS GONDA	A.V.P
50	MUHAMMAD YASIR	GPS ODIGRAM	GPS ODIGRAM	A.V.P
51	SAMUD HASSAN	GPS KULA DHER NO.1	GPS KULA DHER NO.1	A.V.P
52	UMAR GUL	GPS AZIZ ABAD NO.2	GPS AZIZ ABAD NO.2	A.V.P
53	SHAH AYAZ UDDIN	GPS RAJJAR NO.1	GPS RAJJAR NO.1	A.V.P
54	MUHAMMAD ASIM	GPS KOTAK	GPS KOTAK	A.V.P
55	WAQAR ALI SHAH	GPS UMARZAI NO.1	GPS UMARZAI NO.1	A.V.P
56	MARJAN ALI	GPS SHABRA NO.1	GPS SHABRA NO.1	A.V.P
57	WASEEM KHAN	GPS MIRZAI	GPS MIRZAI	A.V.P
58	ZIA RAJID	GPS KATOZAI NO.1	GPS KATOZAI NO.3	A.V.P
59	SHAHID ALI	GPS DILDAR GARHI	GPS CHEENA	A.V.P
60	IRSHAD ALI	GPS QALARY	GPS QALARY	A.V.P
61	MAJID KHAN	GPS ARAT KORODNA	GPS ARAT KORODNA	A.V.P
62	SHAH KHALID	GPS MATHRA QADEEM	GPS MATHRA QADEEM	A.V.P
63	MUKHTYAR ULLAH	GPS ISLAM ABAD DOBANDI	GPS ISLAM ABAD DOBANDI	A.V.P
64	TAHIR ALI SHAH	GPS SHAKAR DHAND	GPS HIKMAT ABAD	A.V.P
65	WASIQ JAN	GPS UMARZAI NO.2	GPS UMARZAI NO.2	A.V.P
66	GUL HAJI KHAN	GPS KODAI NO.1	GPS KODAI NO.1	A.V.P
67	MUHAMMAD ALI	GPS NAHQI	GPS NAHQI	A.V.P
68	QASIR ALI	GPS MUHAMMAD NARI	GPS MUHAMMAD NARI	A.V.P
69	IRFAN ULLAH	GPS ZARIN ABAD	GPS ZARIN ABAD	A.V.P
70	MOUSAFI KHAN	GPS RUSTAM KHAN KILLI	GPS RUSTAM KHAN KILLI	A.V.P
71	MUHAMMAD DAWOOD KHAN	GPS TANGI NO.1	GPS TANGI NO.1	A.V.P
72	FAYAD AHMAD	GPS JALAL KILLI-2	GPS JALAL KILLI-2	A.V.P
73	SHAHID KHAN	GPS SHAH AFZAL ABAD	GPS SHAH AFZAL ABAD	A.V.P
74	HAJI ABAD KHAN	GPS HAJI ABAD UMARZAI	GPS HAJI ABAD UMARZAI	A.V.P
75	ALI GOUHAR	GPS MEHMOOD ABAD SKF	GPS MEHMOOD ABAD SKF	A.V.P
76	ZAKIR ULLAH	GPS KODAI NO.1	GPS KODAI NO.1	A.V.P

Date: 22/04/2024

Signature: [Signature]

Contact No: 0312-0940325

School: GPS KHUBA 1

Designation: SPST

Name: TAJUDDIN ALI

Obediently Yours

Thank you for your time and consideration.

the principles of justice and fairness, please.

August 2014 and increment for the year 2014 may kindly be allowed to me in line with in this respect, it is therefore requested that salaries for the months of June, July &

same date, May 31, 2014.

as the said petitioner and I have been appointed with the same Endst Number and on am respectfully requesting that the department extends the same consideration to me in the light of this precedent and the principle of equal treatment for all employees.

date

withheld salaries and corresponding increments in alignment with initial appointment case was graciously allowed. As a result, the department issued the petitioner with all approached Khyber Pakhtunkhwa Service Tribunal Peshawar to rectify this issue and his one of my colleagues namely Abdul Musawir successfully pursued legal action and Furthermore, I wish to highlight a recent development within our department wherein

the year 2014 was not allowed to me.

issuing our salaries from 01/09/2014, and according to the said salary our increment for While our official service commencement date was 31/05/2014, the government began

with the promulgation of the Act of 2017.

dated 31.05.2014. After performing duty for sufficient time my service was regularized District Charadda I was appointed as PST (BPS-12) vide order Endst No. 4807-1958

Most respectfully, it is stated that I am working under your kind control in

Respected/Sr,

Subject: APPLICATION FOR THE GRANT OF INCREMENT FOR THE YEAR 2014 AND SALARIES FOR THE MONTHS OF JUNE, JULY & AUGUST 2014.

District Charadda.

THE DISTRICT EDUCATION OFFICER (MALE)

[Signature]

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23/4/2011

Dr. J. S. Khosla

Dr. J. S. Khosla

Dr. J. S. Khosla

Dr. J. S. Khosla

Dr. J. S. Khosla

Dr. J. S. Khosla

Dr. J. S. Khosla

Dr. J. S. Khosla

Dr. J. S. Khosla

Dr. J. S. Khosla

Dr. J. S. Khosla

Dr. J. S. Khosla

Dr. J. S. Khosla (SDF)

17

22-4-2014

پروگرام کے تحت مختلف شعبوں کے افسران کو
مختلف امور پر آگاہ کیا گیا۔

پروگرام کے تحت مختلف شعبوں کے افسران کو
مختلف امور پر آگاہ کیا گیا۔

پروگرام کے تحت مختلف شعبوں کے افسران کو
مختلف امور پر آگاہ کیا گیا۔

پروگرام کے تحت مختلف شعبوں کے افسران کو
مختلف امور پر آگاہ کیا گیا۔

پروگرام کے تحت مختلف شعبوں کے افسران کو
مختلف امور پر آگاہ کیا گیا۔

پروگرام کے تحت مختلف شعبوں کے افسران کو
مختلف امور پر آگاہ کیا گیا۔

23/4/2014

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GPS Khubai

SPST de ...

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2014
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(19)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. 7597 /2021

ABDUL MUSAWIR

V/S

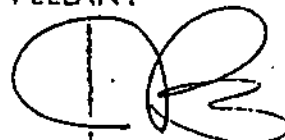
EDUCATION DEPTT:

I N D E X

S. NO.	DOCUMENTS	ANNEXURE	PAGE
1.	Memo of appeal		1 - 5
2.	Appointment Order dated 31.05.2014	A	6 - 7
3.	Charge Report dated 31.05.2014	B	8
4.	Attendance Register	C	9
5.	Service Book	D	10 - 17
6.	Pay Rolls	E	18 - 19
7.	Departmental Appeal dated 09.07.2021	F	20
8.	Appellate Order Dated 16.09.2021	G	21
9.	Wakalatnama		22

APPELLANT

Through:



MUHAMMAD MAAZ MADNI,
ADVOCATE HIGH COURT, PESHAWAR
KHATTAK LAW ASSOCIATES,
Juma Khan Plaza, Warsak Raod, Peshawar
0333-9313113, 0345-9090737
muhammad.m3adv@gmail.com

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

APPEAL NO. 7597 /2021

ABDUL MUSAWIR s/o Muhammad Ali, SPST (BPS-14),
Govt. Primary School, Angar Kali, Charsadda,
r/o Amir Abad, PO Rajjar, Tehsil & District Charsadda.

APPELLANT

VERSUS

1. THE DIRECTOR EDUCATION, Khyber Pakhtunkhwa,
near Govt. Hasnain Shaheed High School, Firdous, Peshawar.
2. THE DISTRICT EDUCATION OFFICER,
District Charsadda.
3. THE ACCOUNTANT GENERAL, KHYBER PAKHTUNKHWA,
Fort Road, Peshawar Cantt.

RESPONDENTS

APPEAL UNDER SECTION 4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST
THE INACTION OF THE RESPONDENTS BY NOT
ALLOWING INCREMENT FOR THE YEAR 2014 & ALSO NO
RELEASING OUTSTANDING SALARIES FOR THE MONTH
OF THE JUNE, JULY & AUGUST 2014 AND AGAINST
APPELLATE ORDER DATED 16-09-2021 (Communicated to the
appellant through register post on 21-09-2021) WHEREBY THE
DEPARTMENTAL APPEAL DATED 09-07-2021 OF THE
APPELLANT WAS REGRETTEED ON NO GOOD GROUNDS

PRAYER:

That on acceptance of the instant service appeal the inaction
of the respondents by not allowing the annual increment for
the year 2014 and not releasing outstanding salaries for the
month of June, July & August 2014 may very kindly be
declared illegal and the respondents may kindly be directed
to allowing increment for the year 2014 with all back benefits
and also release the outstanding salaries for the month of
June, July & August 2014. Any other remedy which this
august Tribunal deems appropriate that may also be awarded
in favor of the appellant.

Respectfully Sheweth,

FACTS:

Brief facts giving raise to the instant appeal are as under:

ATTESTED

20/9/21

1. That appellant is the employee of the respondent Department and was initially appointed as Primary School Teacher (PST) (BPS-12) on adhoc basis after fulfilling all the legal and codal formalities required for the post vide order dated 31-05-2014.

Copy of Appointment Order dated 31.05.2014 is attached as Annexure A.

2. That the appellant after receiving the appointment order dated 31-05-2014 submitted his arrival report and took over the charge of the post assigned in the appointment order on 31-05-2014 and made entry in the attendance register of the school since then the appellant is working quite efficiently, whole heartedly with full devotion and upto the entire satisfaction of his high ups.

Copy of Charge Report dated 31.05.2014 & Attendance Register is attached as Annexure B & C.

3. That service book of the appellant was also prepared and necessary entry was made therein in the service book from the date of initial appointment till date.

Copy of Service Book are attached as Annexure D.

4. That service of all the adhoc teachers were regularized vide Regularization Act of 2017 and accordingly the services of the appellant was also regularized from the date of appointment vide order dated 12-03-2018, the entry of which was properly incorporated on page-7 of the service book already annexed above as annexure-D.

5. That presently the appellant is working as Senior Primary School Teacher (BPS-14) as in the year 2020 the appellant is promoted from the post of Primary School Teacher (BPS-12) to the post of Senior Primary School Teacher (BPS-14) vide order dated 19-05-2020 at serial no. 20, the entry of which has also been made in the service book on page-09 of the service book attached at annexure-D.

6. That appellant was facing huge discrepancy in the monthly salary due the reason that increment for the year 2014 was not allowed and the salaries for the month of June, July & August 2014 was not released for which the appellant made several request before the respondents by knocking the doors of various forum and accordingly the fixation party of

ATTACHED

Respondent no. 3 allowed the increment for the year 2014 but till date the same is neither been included nor been allowed in the salary of the appellant.

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Copy of Pay Rolls are attached as Annexure..... E.

7. That the appellant feeling aggrieved from the inaction of the respondents by not allowing increment for the year 2014 and not releasing the monthly salary for the month of June, July & August 2014, the appellant file Departmental Appeal dated 09-07-2021 before the competent authority which was rejected vide appellate order dated 16-09-2021 on no good ground and the same is communicated to the appellant through registered post on 21-09-2021.

Copy of Departmental Appeal dated 09.07.2021 & Appellate Order Dated 16.09.2021 is attached as Annexure..... F & G.

8. That appellant feeling highly aggrieved and having no other remedy but to file the instant appeal on the following grounds amongst the others:

GROUND:

- A- That act & omission of the respondents by illegally deducting annual increment for the year 2014 and not releasing the monthly salary for the month of June, July & August 2014 is against the law, facts, material available on record and norms of natural justice hence not tenable in the eye of Law and is liable to be struck down.
- B- That appellant has not been treated by the respondent Department in accordance with law and rules on the subject noted above and as such the respondents violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.
- C- That the appellant has properly submitted his charge report & made attendance in the attendance register of the school on 31-05-2014 and as such the appellant has spent 180 days on 01st December that entitles the appellant for the annual increment of the year 2014.
- D- That act of the respondents by illegally deducting annual increment for the year 2014 and not releasing the monthly



salary for the month of June, July & August 2014 is against the prevailing Law & Rules.

- E- That respondents violated Article 38(e) of the Constitution of Islamic Republic of Pakistan 1973, according to which *"the state is bound to eliminate disparity in the income and allowances of individuals including persons in the various service of Pakistan"*, thus in light of the above the respondents are duty bound to release the annual increment for the year 2014 as well as the monthly salaries for the month of June, July & August 2014.
- F- That, the respondents acted in arbitrary and malafide manner while illegally deducting annual increment for the year 2014 and not releasing the monthly salary for the month of June, July & August 2014.
- G- That act & omission of the respondents by illegally deducting annual increment for the year 2014 and not releasing the monthly salary for the month of June, July & August 2014 is nothing but depriving the appellant from legal right of livelihood.
- H- That appellant seeks permission to advance other grounds and proofs at the time of hearing.

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

Dated: 15-10-2021

APPELLANT:

ABDUL MUSAWIR

Through:

MUHAMMAD MAAZ MADNI
Advocate High Court, Peshawar

THE ATTORNEY GENERAL
GOVERNMENT OF PAKISTAN
ISLAMABAD

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CERTIFICATE


~~210~~ (25)

No, such like appeal has been filed or pending on the subject matter between the parties before this Honourable Tribunal.


ADVOCATE

AFFIDAVIT

I, Mr. ABDUL MUSAWIR s/o Muhammad Ali, do hereby solemnly affirm on oath that the contents of the appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Tribunal.


DEPONENT
17101-3401857-5

NOTE:

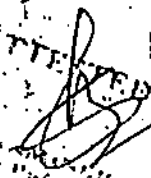
Addresses of parties mentioned in the heading of the appeal is correct and sufficient for service.


ADVOCATE

LIST OF BOOKS:

1. Constitution of Pakistan, 1973.
2. Service Laws
3. Other relevant case Laws





KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

~~11~~ (26)

Service Appeal No. 7597/2021

BEFORE: MRS. RASHIDA BANO ... MEMBER (J)
MR. MUHAMMAD AKBAR KHAN ... MEMBER (E)

Abdul Musawair S/O Muhammad Ali, SPST, BPS-14, GPS Anar Kali,
Charsadda, R/O Amir Abad, P.O Rajjar, Tehsil & District Charsadda
..... (Appellant)

VERSUS

1. The Director Elemer .. Secondary Education Department, Peshawar.
2. The District Education Officer (M), Charsadda.
3. The Accountant General, Khyber Pakhtunkhwa, Peshawar Cant.
..... (Respondents)

Mr. Muhammad Maaz Madani
Advocate ... For appellant

Mr. Muhammad Jan
District Attorney ... For respondents

Date of Institution.....15.10.2021
Date of Hearing.....06.11.2023
Date of Decision.....06.11.2023

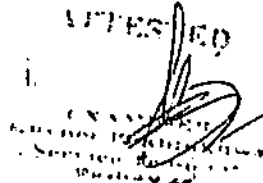
JUDGMENT

RASHIDA BANO, MEMBER (J): The instant service appeal has been
instituted under section 4 of the Khyber Pakhtunkhwa Service Tribunal, Act
1974 with the prayer copied as below:

“On acceptance of this appeal, the inaction of the respondents
by not allowing the annual increment for the year 2014 and
releasing outstanding salaries for the month of June, July &
August 2014 may very kindly be declared illegal and the
respondents may kindly be directed and also release the
outstanding salaries for the months of June, July & August
2014.”

2. Brief facts of the case, as given in the memorandum of appeal, are that
appellant was initially appointed as Primary School Teacher (BPS-12) on adhoc
basis vide order dated 31.05.2014. Later on services of the appellant was
regularized in the year 2017 from the date of his appointment. He was promoted

APPELLED



(23)

to the post of Senior Primary School Teacher (BPS-14) vide order dated 12.03.2018. The appellant facing huge discrepancy in the monthly salary due the reason that increment for the year 2014 was not allowed and the salaries for the month of June, July and August 2014 was not released. Despite the factum of pay fixation party of respondent No.3 allowed the increment for the year 2014 but till date the same is neither been included nor been allowed in the salary of the appellant. Feeling aggrieved, he filed departmental appeal which was rejected, hence the instant service appeal.

3. Respondents were put on notice who submitted written replies/comments on the appeal. We have heard the learned counsel for the appellant as well as the learned District Attorney and perused the case file with connected documents in detail.

4. Learned counsel for the appellant argued that appellant has not been treated in accordance with law and rules and respondents violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan, 1973. He further argued that the act and omission of the respondents by illegally deducting annual increment for the year 2014 and not releasing salaries is against the law, facts, material available on record and norms of natural justice hence not tenable in the eye of law is liable to be struck down. He submitted that appellant has properly submitted his charge report and mark his attendance in the attendance register on 31.05.2014 and he is held entitled for annual increment for the year 2014.


5. Learned District Attorney contended that the appellant has been treated in accordance with law and rules. He further contended that initially the appellant was appointed on 31.05.2014, but the appointment order of the appellant and his colleagues were amended and in this regard a corrigendum was issued. The amended order directed the appointees to take charge from 01.09.2014, because of long summer vacations to save the public exchequer.


District Attorney
District Court
District Office


6. Perusal of record reveals that appellant was appointed as Primary School Teacher vide appointment order dated 31.05.2014 and it is admitted fact that appellant submitted his arrival report on the same day i.e 31.05.2014. He was regularized from the date of his appointment vide notification dated 15.03.2018. According to the terms and conditions as mentioned in the appointment order of the appellant, he could draw his pay with effect from 01.09.2014, however in view of section 17 of Civil Servants Act, 1973 and FR17 the appellant is entitled for the payment of his salaries with effect from 31.05.2014, the date on which he submitted his arrival report. The appellant is thus entitled to receive salary for the months of June, July and August 2014. Moreover, while counting their service from 31.05.2014, six months service period as required for grant of annual increment stood completed and the appellant is also held entitled for the annual increment of 2014. So far as the question of limitation is concerned, suffice it is stated that being a financial matter, the appellant is having a continual cause of action, therefore, limitation will not have any adverse implication on the claim of the appellant.

7. For what has been discussed above, the appeal in hand is allowed as prayed for and the appellant is held entitled to all back benefits. Costs shall follow the events. Consign.

8. *Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal on this 6th day of November, 2023.*


(MUHAMMAD AKBAR KHAN)
Member (E)


(RASHIDA BANO)
Member (J)


30/7/24

Date of Presentation of Application
Number of Words 7-P
Copy Fee 35/-
Urgent 9/-
Total 44/-
Name of Cop...
Date of Change...
Date of Delivery of Cop...


30/7/24
30/7/24
30/7/24

ORDER
06.11.2023

1. Learned counsel for the appellant present. Mr. Muhammad Jan learned District Attorney for the respondents present.

2. Vide our detailed judgement of today placed on file, the appeal in hand is allowed as prayed for and the appellant is held entitled to all back benefits. Costs shall follow the event. Consign.

3. *Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal on this 6th day of November, 2023.*


(Muhammad Akbar Khan)
Member (E)


(Rashida Bano)
Member (J)

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To

The Director Education

Elementary and Secondary Education KP Peshawar.

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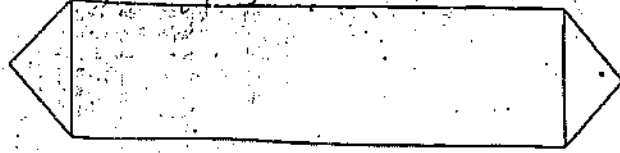
Departmental Appeal

- i. The Appellants are the employee of the education Department, and were initially appointed as Primary School Teacher PST BPS-12 on ADHOC Basis after fulfilling all the legal and codal formalities required for the post under the law and Rules Regulation.
- ii. Appellants after scrutiny and through proper channel by the Departmental Selection Committee DSC Under the supervision of DEO Male and other respected members of the committee appointed the appellants as primary school teacher PST BPS-12 on dated 31-05-2014. (Copies of Appointment Order dated 31-05-2014 is attached)
- iii. the DEO has Issued the appointments orders for the post of PST to all candidates, and when all the candidates received the appointment orders on dated 31-05-2014, they submitted their arrival reports and took over Charge reports of the PST Posts assigned in the appointments orders on dated 31-05-2014 and made entry in the Attendance Register in the respective quarters school, since then the appellant working with full zeal and according to the efficiency and with full devotion satisfaction of the School Head.
(Copies of Charge Reports dated 31-05-2014 and Register Attached)
- iv. Service Book of the Appellants also prepared and necessary entries were made therein in the service books from the date of initial appointments till date.
(Copies of Service Books are attached)
- v. after satisfactory duties of all the Adhoc Teachers, the Govt of Kp through Regularization Act 2017 including appellant in the year 2018 all were regularized from the date of their initial appointments orders i.e 31-05-2014. The date which is 31-05-2014 is also mentioned in the heading of the regularization order of the Appellant as well as other candidates of PST, and the appellants were placed at Serial No-30. (Copy of Regularization Order attached)
- vi. Thereafter the appellant also promoted from the Post of PST BPS-12 to post of Senior Primary School Teacher SPST BPS-14 by the Departmental Promotion Committee DPC under the supervision of DEO and other officials, Vide order dated 19-05-2020.
(Copy of Promotion orders attached)
- vii. the appellant facing huge financial discrepancy in monthly salaries due to the reasons that increment for the year 2014 were not allowed and also the salaries for month of June July and August 2014 not released for which the appellants made several visits and request verbally as well in shape of applications appeals etc. (Copies of application and appeals)
- viii. At last the SDEO Shabqadar send one letter to DEO Male Charsadda on dated 22/04/2024 for further action and process the applications, but despite applications reminders to department, they are not given positive response.
(Copies of applications and SDEO Male letter to DEO attached)
- ix. the service appeal decision in the same nature issue and matter had come to the knowledge of the appellants in the title case ABDUL MUSAWIR VS EDUCATION DEPARTMENT service appeal No- 7597 of 2021, which was decided by the Hon'ble Bench Member of Service Tribunal Peshawar on dated 06-11-2023, whereas the same relief given and granted to one teaching cadre who also appointed with the appellant as PST and later he regularized and also promoted as SPST BPS-14
(Copy of same identical nature case of service Tribunal dated 06-11-2023 attached)
- x. The appellants were also visited to concern quarter of accounts office to allow and include the same increment as well as salaries to appellant, but till date the same is neither included nor been allowed in the appellants salaries slip records.
- xi. feeling aggrieved from the inaction of the DEO Office by not allowing the annual increment for year 2014 as well as the salaries of the month of June July and August 2014, the repeatedly visits applications requests and at last departmental and same identical nature service decided case/appeal, the DEO office on no grounds And without showing any reason were silent on the appellant request applications appeal, and having no other remedy except filing this departmental appeal for speedy remedy and justice.

APPELLANT

Jawad Ali S/O Khan Sher
(SPST, BPS-14) Government Primary
School Khubal, Shabqadar District
Charsadda

بعدالت صبح سے صبح لسم سے لسم میں (Appellat) ۱۰/۱۰



2 پنجاب
بنام شیخ عبدالرشید ESED و شیخ
جواد علی

مورث
مقدمہ
دعویٰ
جرم

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ

محمد اسماعیل ضلع، اہم مندر

کیلئے محمد اسماعیل ضلع، محمد فاروق

آن مقام پر مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کمال اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ کرنے و تقریر ثالث و فیصلہ پر حلف دینے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق و فراہم سازی پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقریر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ بالا اختیارات حاصل ہوں گے اور اس کا ساختہ پر داخست منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانبہ التوائے مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی مذکور کریں۔ لہذا کالت نامہ لکھ دیا کہ سندر ہے۔

Issued

جواد علی ضلع خانیسہ

Accepted

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[Signatures]

المرقوم ماہ