


FORM OF ORDER SHEET

Court of _____

Appeal No. 1930/2024


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,

Dt. 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. 1930 / 2024

Rehman Ullah VERSUS The District Education Officer (Male) District Charsadda.

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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

①

SERVICE APPEAL NO 1930 /2024

Rehman Ullah S/O Hameed Khan (SPST, BPS-14) Government Primary School Ocha Wala No-1, 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/RELEASEING 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 APPELLANTS.

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 Appellants 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)

3

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.

GROUND:

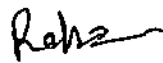
- A. That the act and omission of the Respondents by illegally deducting annual increment for the year 2014, and not releasing the monthly salary for the month of June, July and August 2014, is against the law, facts material available on records and norms of natural justice hence not tenable in the 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 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.

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- 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



Rehman Ullah

Through Counsel

Muhammad - [Signature]



Adoost.



5

BEFORE THE KHYBER PAKHTUN KHWA SERVICE TRIBUNAL PESHAWAR

SERVICE APPEAL NO _____/2024

Rehman Ullah S/O Hameed Khan (SPST, BPS-14) Government Primary School Ocha Wala No-1, 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

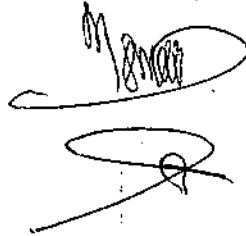


Rehman Ullah

Through Counsel

Muhammad - Iqbal

Advocate



BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL
PESHAWAR

Service Appeal No. _____ / 2024

(6)

Rehman Ullah S/O Hameed Khan (SPST, BPS-14) Government Primary School Ocha Wala No-1, 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, Rehman Ullah S/O Hameed Khan (SPST, BPS-14) Government Primary School Ocha Wala No-1, 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 Rehman Ullah

IDENTIFIED BY
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

(59)

7

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	U/C	Score
10/11	REHMANULLAH 7103-0354096-1	GPS Ocha Wala-1	Haji Zai	122.25

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.

Appointment Order PST (M) Ad hoc -Based


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 E&SE 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. M/File


District Education Officer
(Male) Charsadda



31/12/50
11/11/50

6/12/50

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10

15

Note:- The entries in this page should be renewed or re-attested at least every five years and the signature to lines 9 and 10 should be dated.

1. Name: REHMAN ULLAH

2. Race: AFGHAN

3. Residence: Village Mahzara P/O Haji Zai Tehsil Shabqadar District Charsadda

4. Father's name and residence: HAMEED KHAN

5. Date of birth by Christian era as nearly as can be ascertained: (16-01-1991)

6. Exact height by measurement: 5'-10"

7. Personal marks for identification:

8. Left hand thumb and finger impression of (Non-Gazetted) officer:

Little Finger



Ring Finger



Middle Finger



Fore Finger



Thumb



Signature of Government Servant:

9. Signature and designation of the Head of the Office, or other Attesting Officer.

ASD (M)
Shabqadar
Circle (Chd)

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NOTICE OF THE DISTRICT EDUCATION OFFICER (MALE) ATRAKOTANDA
NOTIFICATION

In pursuance of The Khyber Pakhtunkhwa Employees of the Elementary & Secondary Education (Appointment and Regularization of Services) Act, 2017 (Khyber Pakhtunkhwa Act No.1 of 2018) and Elementary & Secondary Education Department Govt. of Khyber Pakhtunkhwa Notification No. SO (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 BPS-12, on the same posts in Teaching Cadre on the terms and conditions given below with effect from the date of their appointment as mentioned against each in the interest of public service.

Sl	Roll No. NTS	Name and Father Name	CNIC No	Name of Town	Total Marks out of 100	Post	Appointment order No. & Date	Date of Taking Over Charge	Enrolment No. & Date
1	1560139	Muhammad Khalid S/O Yusuf Ali	17101-6137002-5	GPS Station KIR	131.99	Abatal	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
2	1560271	Martin Ali S/O Saad Gul	17101-9766071-5	GPS Sheikh KIR	121.21	Agra	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
3	1560014	Mian Aftab S/O Mian Afzal Ullah	17101-6844011-5	GPS Agra Bala	125.33	Agra	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
4	1561310	Muhammad Amin S/O Izzat Muhammad	17101-9126159-3	GPS Agra Bala	114.58	Agra	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
5	1560163	Tawad Shah S/O S. Waheed Shah	17101-0333694-5	GPS Mandrol	138.29	Balagram	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
6	1560041	Muhammad Shoaib S/O Idris Muhammad	17101-0315588-7	GPS Agher	139.68	Balagram	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
7	1560999	Shah Anwar S/O Rahim Khan	17101-0399835-3	GPS Motoral	124.24	Balagram	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
8	1560275	Muhammad Asim S/O Pervez Khan	17101-7492451-7	GPS Mathra New	121.45	Balagram	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
9	1561110	Shah Khalid S/O Sajjad Shah	17101-4432260-9	GPS Mathra New	119.21	Balagram	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
10	1560007	Hafiz Khan S/O Nadir Khan	17101-0307853-1	GPS Shikha Khan	135.48	Behlola	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
11	1560845	Muhammad Ishaq S/O Muhammad Nabl	17101-3765893-7	GPS Khan Shahr No.5	137.34	Behlola	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
12	1561037	Yaseen Khan S/O Fawad Khan	17101-2766395-9	GPS Shaheedan	131.18	Behlola	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
13	1761564	Miram Qureshi S/O Ubaid Ullah	17101-6178685-5	GPS Nizam Ahd	135.83	Dargal	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
14	1561254	Muhammad Ali S/O Faqir Jan	17101-0300786-9	GPS Rahad	118.45	Dawal Pura	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
15	1560109	Iqbal Haq S/O Abdul Qadir	17101-6170115-7	GPS Ambardar	116.29	Dawal Pura	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
16	1560214	Asifullah S/O Mansoor Ali Shah	17101-0276588-1	GPS Dawlat Pura	114.31	Dawal Pura	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
17	1560175	Umar Gul S/O Izzat Gul	17101-6375704-1	GPS Ali Ahd	121.66	Dawal Pura	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
18	1561321	Abdurahman S/O Rehman Gul	17101-0342725-7	GPS Jan Ahd	114.33	Dawal Pura	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
19	1560354	Dawood Masood S/O Fazal Masood	17101-0328797-7	GPS Kahar	104.56	Dawal Pura	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
20	1560938	Zafar Ali S/O Muhammad Ali	17101-0260811-7	GPS Dargal	116.17	Dawal Pura	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
21	1560980	Muhammad Qadir S/O Mirza Khan	17101-2396616-1	GPS Narva	111.12	Dawal Pura	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
22	1561448	Iqbal Muhammad S/O Asif Muhammad	17101-1071314-1	GPS Shah Dargal	117.17	Dawal Pura	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
23	1561200	Muhammad Qadir S/O Izzat Shah	17101-4408511-9	GPS Kahar	123.06	Dawal Pura	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
24	1560085	Waqar Khan S/O Mustafa Khan	17101-5163178-3	GPS Kahar Dargal	116.58	Chunda Park	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
25	1560064	Imran Ullah S/O Aftab Rahman	17101-0318190-5	GPS Kahar Dargal	115.08	Chunda Park	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017

(SIRAJ MUHAMMAD)
 DISTRICT EDUCATION OFFICER
 (MALE) CHARSAADA

F.N.U. (Regulation PST 2018) Dated: 12.03.2018

- 1.) Their services shall be governed by the Kyber Pakhtunkhwa Civil servants Act, 1973, the Kyber Pakhtunkhwa (Appointment, Deposition, Posting & Transfer of Teachers, Lecturers, Inspectors & 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 / deduction of C/P Fund in terms of the Kyber Pakhtunkhwa (Civil Servants Act, 1973) as amended in 2013.
- 3.) Their services are liable to termination on one month's notice from either side in case of resignation without notice, their one month's pay, if any, shall be forfeited to the Govt.
- 4.) They shall possess the same qualification and experience required for a regular post.
- 5.) The 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 submitted from the concerned Board/University by the SDC concerned.
- 8.) The employees whose services are regulated under The Kyber Pakhtunkhwa Employees of the Elementary and Secondary Education (Appointment and Regulation of Services) Act, 2017 (Kyber Pakhtunkhwa Act No. 1 of 2018) or in the process of issuing services in the commencement of The Kyber Pakhtunkhwa Employees of the Elementary and Secondary Education (Appointment and Regulation of Services) Act, 2017 (Kyber 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 Kyber Pakhtunkhwa Employees of the Elementary and Secondary Education (Appointment and Regulation of Services) Act, 2017 (Kyber Pakhtunkhwa Act No. 1 of 2018) and shall also rank junior to such other persons (if any) who, in pursuance of the commencement of the (Appointment and Regulation of Services) Act, 2017 (Kyber Pakhtunkhwa Act No. 1 of 2018), are to be appointed to the respective service or cadre, irrespective of their actual date of appointment.
- 9.) The seniority interest of the employees, whose services are regulated under this Act within the same service or cadre, shall be determined on the basis of their continuous service in cadre, provided that if the date of continuous service of two or more employees is the same, the employees offer in age shall rank senior to the younger one.

TERMS & CONDITIONS

Sl. No.	Name	Grade	Category	Age	Qualification	Experience	Remarks	Date
423	Sayed Khan S/O Ali Akbar	193	GPS Special Temp	116.54	116.54	Shading		08-04-17
424	Muhammad Ali S/O Zahir	197	GPS Temp No.1	112.76	112.76	Temp		08-04-17
425	Muhammad Ali S/O Zahir	197	GPS Temp No.1	112.76	112.76	Temp		08-04-17
426	Muhammad Zohab S/O	199	GPS Temp No.1	112.95	112.95	Temp		08-04-17
427	Abdul Mujib S/O Abdul	200	GPS Temp No.1	118	118	Temp		17-05-17
428	Wahid S/O Tariq	201	GPS Temp No.1	120.14	120.14	Temp		12-05-17
429	Imdad S/O Zahir	202	GPS Temp No.1	121.32	121.32	Temp		12-05-17
430	Muhammad Ali S/O	203	GPS Temp No.1	120.74	120.74	Temp		02-09-17
431	Ali S/O Zahir	204	GPS Temp No.1	111.59	111.59	Temp		01-09-17
432	Sayed Wahid S/O	205	GPS Temp No.1	120.53	120.53	Temp		05-09-17
433	Sayed Farah S/O	206	GPS Temp No.1	120.53	120.53	Temp		05-09-17
434	Yasir S/O Durrani	208	GPS Temp No.1	121.61	121.61	Temp		01-09-17

12/03/18
 Siraj Muhammad

1. This is to certify that the information furnished by the...
 2. This is to certify that the information furnished by the...
 3. This is to certify that the information furnished by the...
 4. This is to certify that the information furnished by the...
 5. This is to certify that the information furnished by the...
 6. This is to certify that the information furnished by the...
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 8. This is to certify that the information furnished by the...
 9. This is to certify that the information furnished by the...
 10. This is to certify that the information furnished by the...

(Signature)



(15) *pro*

**OFFICE OF THE DISTRICT EDUCATION OFFICER
(MALE) E&SE CHARSADDA**

☎ 091-9220481 ✉ amtschmsrddda@yahoo.com

S.K.F

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 GANDERI BALA	GPS PALAY DURGANDI	A.V.P
2	MINHAJ ULLAH	GPS AMBA DHERI NO.2	GPS AMBA DHERI NO.2	A.V.P
3	ASIM ALI KHAN	GPS CHEENA	GPS CHEENA	A.V.P
4	ZUBAIR	GPS PLA DHERAI	GPS PLA DHERAI	A.V.P
5	ADNAN	GPS KHULY	GPS KHULY	A.V.P
6	FAZAL MANAN	GPS KHAT KILLI SHOLGARA	GPS KHAT KILLI SHOLGARA	A.V.P
7	ABID QAYUM	GPS MALIK ABAD	GPS MALIK ABAD	A.V.P
8	IFTIKHAR ULLAH	GPS MARCHAKI	GPS MARCHAKI	A.V.P
9	MUSLIM SHAH	GPS INAM KILLI	GPS LANUAI SHAH	A.V.P
10	MUHAMMAD YOUSAF	GPS KULA DHER NO.1	GPS KULA DHER NO.1	A.V.P
11	ASLAM KHAN	GPS KHORA ABAD	GPS KHORA ABAD	A.V.P
12	AKHTAR 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 KHISRO KHAN KILLI	GPS SHAHNAWAZ KILLI	A.V.P
16	TRAWAT 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	SHER ALI	GPS KANGRA	GPS KANGRA	A.V.P
22	SABIR SHAH	GPS ZUHRAB GUL KILLI NO.1	GPS ZUHRAB GUL KILLI NO.1	A.V.P
23	SHEHER GHAYAS KHAN	GPS PARAO NISATTA	GPS PARAO 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 AJOOD KILLI	GPS AJOOD 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	
33	ISMTHAQ 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
36	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	SHAKIL AHMAD	GPS KARIMO BANDA	GPS CHAKSOR	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	MOAZAM 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	REHMAN 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	INAMUL 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	NASEEM KHAN	GPS MIRZAI	GPS MIRZAI	A.V.P
58	ZIA RAFIQ	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 KOROONA	GPS ARAT KOROONA	A.V.P
62	SHAH KHALID	GPS MATHRA QADEEM	GPS MATHRA QADEEM	A.V.P
63	MUKHTAR 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 RAJ KHAN	GPS KODAI NO.1	GPS KODAI NO.1	A.V.P
67	MUHAMMAD ALI	GPS NAHAQI	GPS NAHAQI	A.V.P
68	CAISAR ALI	GPS MUHAMMAD NARI	GPS MUHAMMAD NARI	A.V.P
69	IRFAN ULLAH	GPS ZARIN ABAD	GPS ZARIN ABAD	A.V.P
70	YOUSAF KHAN	GPS RUSTAM KHAN KILI	GPS RUSTAM KHAN KILI	A.V.P
71	MUHAMMAD DAWOOD KHAN	GPS TANGI NO.1	GPS TANGI NO.1	A.V.P
72	FAWAD AHMAD	GPS JALAL KILLI-2	GPS JALAL KILLI-2	A.V.P
73	SHAHID KILIAN	GPS SHAH AFZAL ABAD	GPS SHAH AFZAL ABAD	A.V.P
74	ALAM ZEB 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

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122	WISAL AHMAD	GPS HASSAN GUL KOROONA	GPS HASSAN GUL KOROONA	A.V.P
123	RAHAM SHID KHAN	GPS KRAPA MUHAMMAD KHAN	GPS KRAPA MUHAMMAD KHAN	A.V.P
124	SHAMSUL HAQ	GPS RAZ MIAN KILLI	GPS RAZ MIAN KILLI	A.V.P
125	SHERBAZ KHAN	GPS SPINKAI NO.2	GPS SPINKAI NO.2	A.V.P
126	SYED ZIAUDDIN BAD SHAH	GPS DARYAB KOROONA	GPS DARYAB KOROONA	A.V.P
127	DAWOOD MASOOD	GPS KALYAS	GPS KALYAS	A.V.P
128	MUHAMMAD ADIL JAN	GPS BOSA KHEL- NO.2	GPS BOSA KHEL- NO.2	A.V.P
129	NUSRAT ALI	GPS ISLAM ABA CHD	GPS ISLAM ABA CHD	A.V.P
130	MOHIB ULLAH	GPS ATTAJI NO.2	GPS ATTAJI NO.2	A.V.P
131	SAYYED MASOOD AHMAD	GPS ATTAJI NO.2	GPS ATTAJI NO.2	A.V.P
132	NAZ ALI KHAN	GPS ATTAJI NO.3	GPS ATTAJI NO.3	A.V.P
133	ZAFAR KHAN	GPS SHABQADAR FORT	GPS SHABQADAR FORT	A.V.P
134	ABDUR RFI JAN	GPS SADAR GARHI-NO.3	GPS SADAR GARHI-NO.3	A.V.P
135	TARIQ JAN	GPS ATTAJI NO.3	GPS ATTAJI NO.3	A.V.P
136	ZAHEER ABBAS	GPS SARDAR GAHRI	GPS SARDAR GAHRI	A.V.P
137	SADEEQ ULLAH	GPS KODAI NO.2	GPS KODAI NO.2	A.V.P
138	IHSAN ALI	GPS ATTKAI NO.3	GPS ATTKAI NO.3	A.V.P
139	MUSTAFA ZEB	GPS MIAN KILLI	GPS MIAN KILLI	A.V.P
140	ABDULLAH KHAN	GPS ZARWAR KHAN KOR	GPS ZARWAR KHAN KOR	A.V.P
141	NAZ MUHAMMAD	GPS MATHRA NEW	GPS MATHRA NEW	A.V.P
142	NOOR-UL-ISLAM	GPS DARGAI	GPS DARGAI	A.V.P
143	MEER ALAM	GPS HAMISH GUL KILLI	GPS HAMISH GUL KILLI	A.V.P
144	TILA MUHAMMAD	GPS HAMISH GUL KILLI	GPS HAMISH GUL KILLI	A.V.P
145	SHAH SAUD	GPS SHEIKHANO KOROONA	GPS SHEIKHANO KOROONA	A.V.P
146	MANZOOR KHAN	GPS AKHONZADGON	GPS AKHONZADGON	A.V.P
147	UBAID ULLAH JAN BACHA	GPS PRANG NO.3	GPS PRANG NO.3	A.V.P
148	NIHAR AHMAD	GPS KHAT KILLI PRANG	GPS KHAT KILLI PRANG	A.V.P
149	IHSAN MUHAMMAD	GPS KODAI SARDARYAB	GPS KODAI SARDARYAB	A.V.P
150	HAZULLAH KHAN	GPS HASSAN ABAD	GPS HASSAN ABAD	A.V.P
151	MAQSOOD JAN	GPS GUL ABAD MERA	GPS GUL ABAD MERA	A.V.P
152	MUHAMMAD FAROOQ	GPS ZAHID ABAD	GPS ZAHID ABAD	A.V.P
153	MUHAMMAD SHOAB	GPS ABAZAI	GPS ABAZAI	A.V.P
154	JALIHAR UDDIN	GPS MUSLIM ABAD	GPS MUSLIM ABAD	A.V.P
155	INAYATUR RAHMAN	GPS HASSAN ABAD	GPS HASSAN ABAD	A.V.P
156	JEHAN ZEB KHAN	GPS CHANCHANO KHAT	GPS CHANCHANO KHAT	A.V.P
157	KASHIF KHAN	GPS GANJI DAG NO.1	GPS GANJI DAG NO.1	A.V.P
158	SANI RAHMAN	GPS LANDI SHAH	GPS LANDI SHAH	A.V.P
159	GULAB NOOR	GPS QAZI SERAJ	GPS GANDHERI PAYAN NO.2	A.V.P
160	ANWAR UL HAQ	GPS STARNAB SKF	GPS STARNAB SKF	A.V.P
161	HIMAYAT ULLAH	GPS DAMAN BATTAGRAIM	GPS DAMAN BATTAGRAIM	A.V.P

TERMS & CONDITIONS:

1. They would be on probation for a period of one year extendable for another one year.
2. They will be governed by such rules and regulations as may be issued from time to time by the Government.
3. Their services can be terminated at any time, in case their performance is found unsatisfactory during probationary period, in case of misconduct, they shall be proceeded under the rules framed from time to time.
4. Charge report should be submitted to all concerned.
5. Their Inter-Seniority on lower post will remain intact.

18

122	WISAL AHMAD	GPS HASSAN GUL KOROONA	GPS HASSAN GUL KOROONA	A.V.P
123	RAHAM SHIR KHAN	GPS KRAPA MUHAMMD KHAN	GPS KRAPA MUHAMMD KHAN	A.V.P
124	SHAMSUL HAQ	GPS BAZ MIAN KILLI	GPS BAZ MIAN KILLI	A.V.P
125	SHERBAZ KHAN	GPS SPINKAI NO.2	GPS SPINKAI NO.2	A.V.P
126	SYED ZIAUDDIN BAD SHAH	GPS DARYAB KOROONA	GPS DARYAB KOROONA	A.V.P
127	DAWOOD MASOOD	GPS KALYAS	GPS KALYAS	A.V.P
128	MUHAMMAD ADIL JAN	GPS BOSA KHFL- NO.2	GPS BOSA KHFL- NO.2	A.V.P
129	NUSRAT ALI	GPS ISLAM ABA CHD	GPS ISLAM ABA CHD	A.V.P
130	MOHIB ULLAH	GPS ATTAQI NO.2	GPS ATTAQI NO.2	A.V.P
131	SAYYED MASOOD AHMAD	GPS ATTAQI NO.2	GPS ATTAQI NO.2	A.V.P
132	NAZ ALI KHAN	GPS ATTAQI NO.3	GPS ATTAQI NO.3	A.V.P
133	ZAFAR KHAN	GPS SHABQADAR FORT	GPS SHABQADAR FORT	A.V.P
134	ABDUR RFI JAN	GPS SADAR GARHI-NO.3	GPS SADAR GARHI-NO.3	A.V.P
135	TARIQ JAN	GPS ATTAQI NO.3	GPS ATTAQI NO.3	A.V.P
136	ZAHEER ABBAS	GPS SARDAR GAHRI	GPS SARDAR GAHRI	A.V.P
137	SADEEQ ULLAH	GPS KODAI NO.2	GPS KODAI NO.2	A.V.P
138	IHSAN ALI	GPS ATTAQI NO.3	GPS ATTAQI NO.3	A.V.P
139	MUSTAFA ZEB	GPS MIAN KILLI	GPS MIAN KILLI	A.V.P
140	ABDULLAH KHAN	GPS ZARWAR KHAN KOR	GPS ZARWAR KHAN KOR	A.V.P
141	NAZ MUHAMMAD	GPS MATHRA NEW	GPS MATHRA NEW	A.V.P
142	NOOR-UL-ISLAM	GPS DARGAI	GPS DARGAI	A.V.P
143	MEER ALAM	GPS HAMISH GUL KILLI	GPS HAMISH GUL KILLI	A.V.P
144	TILA MUHAMMAD	GPS HAMISH GUL KILLI	GPS HAMISH GUL KILLI	A.V.P
145	SHAH SAUD	GPS SHEIKHANO KOROONA	GPS SHEIKHANO KOROONA	A.V.P
146	MANZOOR KHAN	GPS AKHONZADGON	GPS AKHONZADGON	A.V.P
147	UBAID ULLAH JAN BACHA	GPS PRANG NO.3	GPS PRANG NO.3	A.V.P
148	NIHAR AHMAD	GPS KHAT KILLI PRANG	GPS KHAT KILLI PRANG	A.V.P
149	IHSAN MUHAMMAD	GPS KODAI SARDARYAB	GPS KODAI SARDARYAB	A.V.P
150	MAZULLAH KHAN	GPS HASSAN ABAD	GPS HASSAN ABAD	A.V.P
151	MAQSOOD JAN	GPS GUL ABAD MERA	GPS GUL ABAD MERA	A.V.P
152	MUHAMMAD FAROOQ	GPS ZAHID ABAD	GPS ZAHID ABAD	A.V.P
153	MUHAMMAD SHOAB	GPS ABAZAI	GPS ABAZAI	A.V.P
154	JAUHAR UDDIN	GPS MUSLIM ABAD	GPS MUSLIM ABAD	A.V.P
155	INAYATUR RAHMAN	GPS HASSAN ABAD	GPS HASSAN ABAD	A.V.P
156	JEHAN ZEB KHAN	GPS CHANCHANO KHAT	GPS CHANCHANO KHAT	A.V.P
157	KASHIF KHAN	GPS GANJI DAG NO.1	GPS GANJI DAG NO.1	A.V.P
158	SANI RAHMAN	GPS LANDI SHAH	GPS LANDI SHAH	A.V.P
159	GULAB NOOR	GPS QAZI SERAJ	GPS GANDHERI PAYAN NO.2	A.V.P
160	ANWAR UL HAQ	GPSTARNAB SKF	GPSTARNAB SKF	A.V.P
161	HIMAYAT ULLAH	GPS DAMAN BATTAGRAM	GPS DAMAN BATTAGRAM	A.V.P

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19

To

THE DISTRICT EDUCATION OFFICER (MALE)
District Charsadda



Subject

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

Respected/Sir,

Most respectfully, it is stated that I am working under your kind control in District Charsadda. I was appointed as PST (BPS-12) vide order Endst No. 4807-4958 dated 31-05-2014. After performing duty for sufficient time my service was regularized with the promulgation of the Act of 2017.

While our official service commencement date was 31/05/2014, the government began issuing our salaries from 01/09/2014, and according to the said salary our increment for the year 2014 was not allowed to me.

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

In the light of this precedent and the principle of equal treatment for all employees, I am respectfully requesting that the department extends the same consideration to me as the said petitioner and I have been appointed with the same Endst Number and on same date, May 31, 2014.

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

Thank you for your time and consideration.

Obediently Yours

Name Rehmanullah

Designation: SPST

School: GPS No. 1 Ocha wala

Contact No: 0300-9749472

Signature: [Signature]

Date: 20/04/2024

23-4-2024 تاریخ

محترم سربراہ ایف ڈی سی
محکمہ اعلیٰ تعلیم اور کونسل برائے اعلیٰ تعلیم

انوار

محترم

جان

میں نے آپ کو اس سے متعلق جاننے کے لیے

آپ سے رابطہ کیا ہے تاکہ آپ کو

موجودہ سہ ماہی کے بارے میں جان سکوں۔

2014

انوار کے بارے میں جاننے کے لیے

میں نے آپ سے رابطہ کیا ہے تاکہ

آپ کو

ایف ڈی سی

(20)

(20)

23-4-2024 25

مجلس شورای اسلامی
کمیسیون آموزش و تحقیقات

مجلس شورای اسلامی
کمیسیون آموزش و تحقیقات

امضاء

مجلس شورای اسلامی

تاریخ

مجلس شورای اسلامی در جلسه مورخه 2014

مجلس شورای اسلامی

مجلس شورای اسلامی

مجلس شورای اسلامی

مجلس شورای اسلامی
2014

مجلس شورای اسلامی

(21)

مجلس شورای اسلامی



20-4-2024

پروفیسر ڈاکٹر محمد رفیق

پروفیسر ڈاکٹر محمد رفیق
پتو پورہ
پتو پورہ

محترم

میں نے آپ کے پاس (پتو پورہ) اور (پتو پورہ) کے بارے میں جاننا چاہتا ہوں۔
آپ کے پاس (پتو پورہ) اور (پتو پورہ) کے بارے میں جاننا چاہتا ہوں۔
آپ کے پاس (پتو پورہ) اور (پتو پورہ) کے بارے میں جاننا چاہتا ہوں۔

میں نے

میں نے (پتو پورہ) کے بارے میں جاننا چاہتا ہوں۔

میں نے (پتو پورہ) کے بارے میں جاننا چاہتا ہوں۔

میں نے (پتو پورہ) کے بارے میں جاننا چاہتا ہوں۔

میں نے (پتو پورہ) کے بارے میں جاننا چاہتا ہوں۔

میں نے

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میں نے

میں نے (پتو پورہ) کے بارے میں جاننا چاہتا ہوں۔

229

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. 7597 /2021

(22)

ABDUL MUSAWIR

V/S

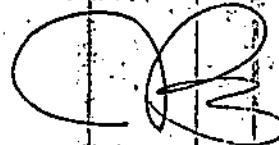
EDUCATION DEPTT.

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 Road, 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,
c/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
APPELATE 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

Sh. [Signature]
[Illegible text]

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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.

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

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

- (27)
- 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 earnings of individuals including persons in the various services 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.

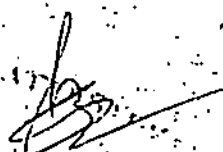
Dated: 15-10-2021

APPELLANT


ABDUL MUSAWIR

Through:


MUHAMMAD MAAZ MADNI
Advocate High Court, Peshawar


Advocate
High Court, Peshawar


CERTIFICATE

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.


ADVOCATE

ATTENDED


KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

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 Elmer 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:

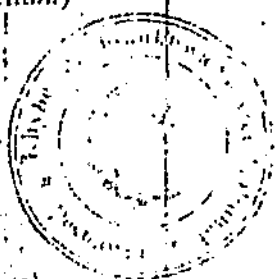
"On acceptance of this appeal, the inaction of the respondents by not allowing the annual increment for the year 2014 and releasing outstanding salaries for the month of June, July & August 2014 may very kindly be declared illegal and the respondents may kindly be directed and also release the outstanding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

ATTESTED



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R

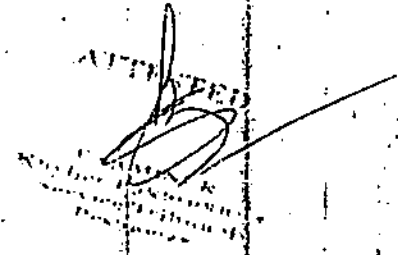
to the post of Senior Primary School Teacher (BPS-14) vide order dated 12.03.2018. The appellant facing huge discrepancy in the monthly salary due the reason that increment for the year 2014 was not allowed and the salaries for the month of June, July and August 2014 was not released. Despite the factum 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.

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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.



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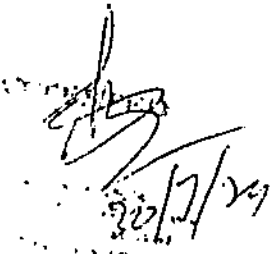
6. Perusal of record reveals that appellant was appointed as Primary School Teacher vide appointment order dated 31.05.2014 and it is admitted fact that appellant submitted his arrival report on the same day i.e. 31.05.2014. He was regularized from the date of his appointment vide notification dated 15.01.2018. 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 30/7/24
 Number of Words 7 P
 Copy Fee 25/-
 Urgent 4/-
 Total 40/-
 Name of Cop. ...
 Date of Completion of ... 30/7/24
 Date of Delivery of Copy 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.

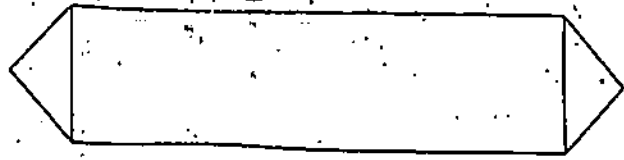


Departmental Appeal

- 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 corial 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-27. (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

Rehman Ullah S/O Hameed Khan
(SPST, BPS-14) Government Primary
School Ocha Wala No-1, Shabqadar District
Charsadda



(Appellate)

2 پنجاب

مورد
مقدمہ
دعویٰ
جرم

رحمان اللہ بنام علی الرحمہ ESEB ڈسٹرکٹ

باعث تحریر آنکہ

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

محمد اسحاق خٹک، اجماع

آن مقام (Pvt) کے لیے محلی (السمائل) حلیمہ - حیر خانہ کی مقرر کر کے اتر لیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ پر حلف دینے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء اور وصولی چیک دروپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق ذرائع 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 مختار ہوگا۔ از بصورت ضرورت مقدمہ مذکور کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ با اختیار حاصل ہوں گے اور اس کا ساختہ پرداختہ منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ 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 لکھد یا کہ سند ہے۔

رحمان اللہ و محمد خٹک

Accepted for

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واہ
کے لئے منظور ہے۔