


FORM OF ORDER SHEET

Court of _____

Appeal No. 1934/2024


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  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. 1934 / 2024

Sher Baz Khan 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	8
6	Copies of Schools attendance Register dated 31-05-2014 of appellants	C	9
7	Copies of Regularization Order of appellants	D	10-12
8	Copies of Promotion Order of appellants	E	13-17
9	Copies of applications/request to SDEO/DEO	F	18-
10	Copy of SDEO Letter to DEO	G	19-
11	Copy of same identical nature case service appeal No- 7597/2021 decided on dated 06-11-2023 by Kp Service Tribunal	H	20-20
12	Copies of Departmental Appeal	I	21
13	Wakalat Nama		22

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. 1934 /2024

Sher Baz Khan S/O Abdullah Khan (SPST, BPS-14) Government Primary School
Hasan zai, 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 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 BENEFITS 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.

2

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.

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 la 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 *Sherbaz*
 Sher Baz Khan

Through Counsel *Muhammad - Iqbal*

[Signature]

Advocate

[Signature]

BEFORE THE KHYBER PAKHTUN KHWA SERVICE TRIBUNAL PESHAWAR

5

SERVICE APPEAL NO _____/2024

Sher Baz Khan S/O Abdullah Khan(SPST, BPS-14) Government Primary School
Hasan zai , Shabqadar District Charsadda

VERSUS

The Director Education Khyber Pakhtun Kluwa 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


Sher Baz Khan

Through Counsel

Mulommed - Ismail
Advocate.

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL
PESHAWAR

Service Appeal No. _____ / 2024

Sher Baz Khan S/O Abdullah Khan (SPST, BPS-14) Government Primary School
Hasan zai, Shabqadar District Charsadda

.....Appellant

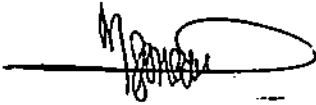
VERSUS

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, Sher Baz Khan S/O Abdullah Khan (SPST, BPS-14) Government Primary School
Hasan zai, 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.



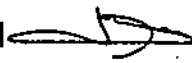


Deponent 

IDENTIFIED BY
Muhammad Ismail
Advocate High Court



Through counsel

Ismail Khan 
Umar Khan 
Amjid Khan Mohmand 
Advocates High court Peshawar

OFFICE OF THE
DISTRICT EDUCATION OFFICER
(MALE) CHARSAJDA

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
51/144	SHER BAZ KHAN 17101-9168708-7	GPS Spinkai-2	Katozai	105.58

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.

42A

Appointment Order - PST (M) Ad hoc - Based

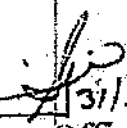
13. His appointment is made on School based. He will have to serve at the place of posting, and his service is not transferable to any other station.
14. Before handing over charge once again their document may be checked if they have not the required qualification, they may not be handed over charge.

(Siraj Muhammad)
District Education Officer
(Male) Charsadda

Enlist: 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


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

31/5/2014

Head Master
P.S. Spunkl No. 3
Shabdar

31/5/2014

Handwritten signature

Handwritten signature
PST

Handwritten text: ... 21/5/2014 ...

Handwritten text: ... 21/5/2014 ...

Handwritten text: ... 31-5-2014 ...

Handwritten text: ... 4807-4958 ... 31-5-2014

Handwritten text: ... 31/5/2014 ...

Handwritten signature

Handwritten mark

Handwritten mark

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) CHARSADDA

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 / 511 /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 17, on the same posts 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.

Sr	Roll No. 2018	Name and Father Name	CNIC No	Name of School	Total Marks out of 300	U/C	Appointment order No. & Date	Date of Taking Over Charge	License No. & Date
1	1560039	Muhammad Khalid S/O Yousaf Ali	17102-6537007-5	GPS Station KMB	132.89	Absazi	4807-4958 Dated:31/05/2014	01-09-14	23938-74078 Dated:28/04/2017
2	1560071	Mariyam Ali S/O Saeed Gul	17101-9756071-5	GPS Sheikh KMB	121.23	Agra	4807-4958 Dated:31/05/2014	01-09-14	23938-74078 Dated:28/04/2017
3	1560014	Mian Aadi Shah S/O Mian Khatay Ullah	17101-6844013-5	GPS Agra Bal	116.33	Agra	4807-4958 Dated:31/05/2014	01-09-14	23938-74078 Dated:28/04/2017
4	1561340	Muhammad Amin S/O Iqbal Muhammad	17101-9188159-3	GPS Agra Bal	114.58	Agra	4807-4958 Dated:31/05/2014	02-09-14	23938-74078 Dated:28/04/2017
5	1560163	Illawat Shah S/O S. Waqayat Shah	17101-0113694-5	GPS Mandrial	133.59	Battagram	4807-4958 Dated:31/05/2014	01-09-14	23938-74078 Dated:28/04/2017
6	1560941	Muhammad Shoab S/O Fida Muhammad	17101-0315548-7	GPS Askara	129.66	Battagram	4807-4958 Dated:31/05/2014	01-09-14	23938-74078 Dated:28/04/2017
7	1560994	Shah Anwar S/O Rahim Khan	17101-0399895-5	GPS Marwal	124.24	Battagram	4807-4958 Dated:31/05/2014	01-09-14	23938-74078 Dated:28/04/2017
8	1560125	Muhammad Asim S/O Pervez Khan	17101-7492491-7	GPS Mathra New	121.43	Battagram	4807-4958 Dated:31/05/2014	01-09-14	23938-74078 Dated:28/04/2017
9	1561110	Shah Khalid S/O S. J. Nar Shah	17301-4432180-5	GPS Mathra Qadim	119.9	Battagram	4807-4958 Dated:31/05/2014	01-09-14	23938-74078 Dated:28/04/2017
10	1560007	Nasir Khan S/O Nadir Khan	17101-0307693-1	GPS Khairo Khan KMB	135.48	Bahkole	4807-4958 Dated:31/05/2014	01-09-14	23938-74078 Dated:28/04/2017
11	1560845	Muhammad Ishaq S/O Muhammad Nabil	17101-3765891-7	GPS Mian Shah No.6	132.34	Bahkole	4807-4958 Dated:31/05/2014	01-09-14	23938-74078 Dated:28/04/2017
12	1561037	Yaseen Khan S/O Farooq Khan	17101-2716399-8	GPS Shahredan	132.18	Bahkole	4807-4958 Dated:31/05/2014	01-09-14	23938-74078 Dated:28/04/2017
13	2761564	Nizam Ullah S/O Usaid Ullah	17101-6376689-5	GPS Islam Abad Dargal	125.83	Dargal	4807-4958 Dated:31/05/2014	01-09-14	23938-74078 Dated:28/04/2017
14	1561254	Muhammad Ali S/O Faqir Jan	17101-0300786-9	GPS Nahard	118.45	Deulat Pura	4807-4958 Dated:31/05/2014	01-09-14	23938-74078 Dated:28/04/2017
15	1560109	Karam Ul Haq S/O Abdul Dayan	17101-6170115-7	GPS Ambedker-1	116.29	Deulat Pura	4807-4958 Dated:31/05/2014	01-09-14	23938-74078 Dated:28/04/2017
16	1560214	Asif Ullah S/O Nourqat Ali Shah	17101-0826588-1	GPS Deulat Pura	134.31	Deulat Pura	4807-4958 Dated:31/05/2014	01-09-14	23938-74078 Dated:28/04/2017
17	1560275	Umar Gul S/O Zurat Gul	17101-6375764-1	GPS Auz Abad-2	121.86	Cheril Zarded	4807-4958 Dated:31/05/2014	01-09-14	23938-74078 Dated:28/04/2017
18	1561322	Abdurahman S/O Rehman Gul	17101-0342715-1	GPS Jan Abad	114.33	Cheril Zarded	4807-4958 Dated:31/05/2014	01-09-14	23938-74078 Dated:28/04/2017
19	1560954	Deewad Masood S/O Faraz Masood	17101-0328797-7	GPS Kalyas	104.54	Cheril Zarded	4807-4958 Dated:31/05/2014	01-09-14	23938-74078 Dated:28/04/2017
20	1560938	Zulfi Ali S/O Muhammad Ali	17101-0260821-7	GPS Dosehra 3	116.17	Dosehra	4807-4958 Dated:31/05/2014	01-09-14	23938-74078 Dated:28/04/2017
21	1560990	Muhammad Zulzar S/O Muzza Khan	17101-7739656-1	GPS Haryana 2	111.12	Dosehra	4807-4958 Dated:31/05/2014	01-09-14	23938-74078 Dated:28/04/2017
22	1561448	Farooq Muhammad S/O Abd Muhammad	17101-1171323-1	GPS Shah Uhand	117.17	Dosehra	4807-4958 Dated:31/05/2014	01-09-14	23938-74078 Dated:28/04/2017
23	1561166	Mahesh Ahmad S/O Farooq Shah	17102-7470651-9	GPS Karimo Banda	123.06	Gandhari	4807-4958 Dated:31/05/2014	01-09-14	23938-74078 Dated:28/04/2017
24	1561177	Waqar Khan S/O Mustaza Khan	17101-5363178-1	GPS Mulla Dheri	116.56	Gandhari	4807-4958 Dated:31/05/2014	01-09-14	23938-74078 Dated:28/04/2017

Mian / Mr.

(17)

Sl No	Roll No	Name	Age	Religion	Category	Percentage	Rank	Exam Date	Result Date
27	1560135	Rehmanullah S/O Harneer Khan	17103-0354098-1	GPS Ocha Wala-1	122.25	Hajj Zai	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
28	1561823	All Gauhar S/O Zameer Gul	17103-0371185-7	GPS Mahmood Abad	117.8	Hajj Zai	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
29	1961757	Anwar Zeb S/O Umar Khan	17102-3704269-7	GPS Inzar Gul Kih	124.53	Harichand	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
30	1560094	Jawed Ali S/O Khan Sher	17101-1927862-5	GPS Khubai	128.94	Hassan Zai	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
31	1560844	Muhammad Iqbal S/O Ali Rahman	17101-3845983-7	GPS Hassan Zai	123.63	Hassan Zai	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
32	1560864	Naseem Khan S/O Fasil Malik	17101-0395647-3	GPS Sakhta-1	121.31	Hassan Zai	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
33	1561581	Arshad Khan S/O Gulzar Khan	17101-8562252-7	GPS Kotak	115.33	Hassan Zai	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
34	1560056	Shahid Khan S/O Gul Roz	17102-2870458-1	GPS MS Gul Qila	129.64	Husara Mehra	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
35	1561043	Sher Ali S/O Hafiz Ullah	17101-0836640-3	GPS Kangra	131.62	Kangra	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
36	1560959	Noor Ullah Jan S/O Roohullah Jan	17101-0167274-9	GPS Ghurambak-1	124.02	Kangra	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
37	1560097	Fathul Amin S/O Rooh Ul Amin	17101-9343851-3	GPS D. Sikandar Khan	116.54	Kangra	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
38	1561449	Shad Muhammad S/O Jan Muhammad	17101-7588487-3	GPS Haryana	115.98	Kangra	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
39	1560052	Naeem 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 Rafi Jan S/O Mohi Abdul Sami	17101-6321182-5	GPS Sarda Garhi-3	98.35	Katozai	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 Sarda Garhi	96.43	Katozai	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
42	1561772	Bakht Taj Gul S/O Sartaj	17101-2528410-5	GPS Dherai Kor	122.51	Katozai	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
43	1560178	Zia Rafiq S/O Muhammad Rafiq	17101-0377826-3	GPS Katozai-1	120.85	Katozai	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
44	1561165	Sher Buz Khan S/O Abdullah Khan	17101-9168708-7	GPS Spinkai-2	105.58	Katozai	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
45	1560131	Zulfqar Ali S/O Hazrat Umar	17101-0910390-9	GPS Chernyaran	128.51	Khan Mahi	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
46	1560150	Amrooz Khan S/O Saif Ullah Khan	17102-2651149-1	GPS Landi Roud	122.07	Kor 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	Kor 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 Ishtabed Deobandi	119.22	Kor Behram Dheri	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
49	1561341	Nazir Ahmad S/O Habib Ul Haq	17102-6036836-7	GPS Mardha No.3	112.46	Kor Behram Dheri	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
50	1560796	Wisal Ahmad S/O Wazir Zada	17103-0948097-5	GPS M. Rustam Kheh	131.51	M.M Kheh	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
51	1561038	Abdus Salam S/O Abid Ullah	17301-3407039-1	GPS Matta Mughal Kheh	124.18	M.M Kheh	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
52	1561357	Saeed Khan S/O Man Gul	17101-7276529-5	GPS Matta Mughal Kheh	114.32	M.M Kheh	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
53	1560748	Wisal Ahmad S/O Ullah Gul	17101-4418397-3	GPS Hassan Gul Kor	106.07	M.M Kheh	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
54	1561192	Rahim, Shid Khan S/O Sher Buz Khan	17101-9461238-9	GPS Krappa Muhammad Khan	105.96	M.M Kheh	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
55	1914055	Syed Nasuddin Badshah S/O Moler S. Bad Shuh	17101-0275214-9	GPS Daryab Kor	104.98	M.M Kheh	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
56	1560743	Yusuf Khan S/O Nasir Khan	17102-7872837-3	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 Israr Uld Din	17102-0407188-7	GPS Tangi No.3	123.96	MC Tangi	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
58	1561150	Muhammad Dawood Khan S/O Sarfaraz Khan	17102-7433487-7	GPS Tangi No.1	114.34	MC Tangi	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017

177
Shahid Khan

12

S.No	Roll No	Name	GPS No	Category	Grade	Post	GPS No	Grade	Post	Date	Remarks
422	2031001233	Soyel Khan S/O Ali Akbar	17102-9394848-195	GPS Spinet Tangi	116.54	Shodeg	20762-856			Dated:28/03/2017	08-04-17
423	2035001449	Nadeem Jan S/O Khan Bahader	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.3	111.76	Tarnab	20762-856			Dated:28/03/2017	08-04-17
425	2035001107	Mazhar Ali S/O Istikhar Ali	17102-9394848-198	GPS Umarzai No.1	134.95	Umarzai	20762-856			Dated:28/03/2017	08-04-17
426	201701521	Muhammad Zohaib 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	2012001161	Abdul Majid S/O Abdul Bari	17102-9394848-200	GPS Mubeen Korocne SKF	120	Hasanzai	27462-71			Dated:20/05/2017	17-05-17
428	2017000267	Irfan Ullah S/O Yousof Gul Mujeeb Ur Rehman	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-11 Charsadda	27462-71			Dated:20/05/2017	22-05-17
430	202300325	Hazrat Ullah S/O Alamsaid	17102-9394848-203	GPS Arat KIB	106.74	Koizshran/Dheri	27530-34			Dated:23/05/2017	01-09-17
431	2033001129	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 Sier Shah	17102-9394848-205	GPS Halder Kili	109.59	Shodeg	28873-76			Dated:15/07/2017	01-09-17
433	2031000963	Nafya Jan S/O Habbar Khan	17102-9394848-206	GPS Mahmood Abad	121.61	Chandrodag	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 officiation 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

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

- Copy forwarded for information to the -
1. Director, E&T Deptt. Khyber Pakhtunkhwa Peshawar.
 2. District Naib Charsadda
 3. Deputy Commissioner Charsadda
 4. District Monitoring Officer (SI) Charsadda
 5. MEO (M) Charsadda
 6. MEO (M) Tangi
 7. MEO (M) Shabkadar
 8. District Education Officer Charsadda
 9. Official concerned
 10. M.O. file

(Signature)
12/03/18

Dy. DISTRICT EDUCATION OFFICER

13

185



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

091-9220481 mnitcharsadda@yahoo.com

ADL 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 2412-2512 / 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.15180-1770-S0280) 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.

Sl	NAME	PRESENT SCHOOL	POSTED AT	REMARKS
1	SHER MUHAMMAD KHAN	GPS GANDERI DALA	GPS DALAY DOBAND	AVP
2	MIRHAJ ULLAH	GPS AMBA UHERI NO.2	GPS AMBA UHERI NO.2	AVP
3	ADAM ALI KHAN	GPS CHEENA	GPS CHEENA	AVP
4	ZUBAIR	GPS PLA DHERAI	GPS PLA DHERAI	AVP
5	ADHAN	GPS KHULY	GPS KHULY	AVP
6	FAZAL MANAN	GPS KHAT KILLI SHOLGARA	GPS KHAT KILLI SHOLGARA	AVP
7	ABID QAYUM	GPS MALIK ABAD	GPS MALIK ABAD	AVP
8	IFTIKHAR ULLAH	GPS MARCHAKI	GPS MARCHAKI	AVP
9	MUCLIN SHAH	GPS INAM KILLI	GPS JANDAI SHAN	AVP
10	MUHAMMAD YOUSAF	GPS KULA DHER NO.1	GPS KULA DHER NO.1	AVP
11	ASLAMI KHAN	GPS KHORA ABAD	GPS KHORA ABAD	AVP
12	AJHTAR ALI	GPS ANGAR KOROONA	GPS ANGAR KOROONA	AVP
13	RIZAM ULLAH	GPS ISLAM ABAD DARGAI	GPS ISLAM ABAD DARGAI	AVP
14	HAEM JAN	GPS KASS KOROONA	GPS KASS KOROONA	AVP
15	NASIR KHAN	GPS KHISRO KHAN KILLI	GPS SHAHNAWAZ KILLI	AVP
16	TRAWAT SHAH	GPS MANDEZAI	GPS MANDEZAI	AVP
17	MUHAMMAD KHALID	GPS STATION KOROONA	GPS GHULAM FARID KILLI	AVP
18	WAJID ULLAH	GPS PALOSA JADEED	GPS PALOSA JADEED	AVP
19	MUHAMMAD ISHTIAQ	GPS MERA SHAH- NO.8	GPS BEHLOLA	AVP
20	ABDUL MUSAWWI	GPS ANGAR KOROONA	GPS ANGAR KOROONA	AVP
21	SHER ALI	GPS KANGRA	GPS KANGRA	AVP
22	SABBI SHAH	GPS ZUHRAB GUL KILLI NO.1	GPS ZUHRAB GUL KILLI NO.1	AVP
23	SHEHER GHAYAS KHAN	GPS PARAO NISATTA	GPS PARAO NISATTA	AVP
24	MUHAMMAD SHQAID	GPS ASHARA BATTAGRAM	GPS ASHARA BATTAGRAM	AVP
25	SHAHJEE KHAN	GPS MIAN SAHIB GUL KILLI	GPS MIAN SAHIB GUL KILLI	AVP
26	JAWAD ALI	GPS KHUBAI	GPS KHUBAI	AVP
27	ZULFIQAR ALI	GPS CHAMYARAN	GPS CHAMYARAN	AVP
28	KARAM ELAHI	GPS AJONH KILLI	GPS AJONH KILLI	AVP
29	MUDASIR SHAH	GPS RIZWAN ABAD	GPS RIZWAN ASAD	AVP
30	YASIR KHAN	GPS INAM KILLI	GPS INAM KILLI	AVP
31	ZUBAIR KHAN	GPS SHAHBAZ KHAN	GPS SHAHBAZ KHAN	AVP

32	FAZAL AMIN	GPS EWAS KILLI	GPS EWAS KILLI	A.V.P
33	ISHTIQ 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 DATTAGRAM	GPS ASHARA BATTAGRAM	A.V.P
38	KHALIL ULLAH	GPS UTMARZAI NO.3	GPS UTMARZAI NO.3	A.V.P
39	HOOR 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	SHAH ANWAR	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	MOAZAM JAN	GPS QAZI KHEL-2	GPS QAZI KHEL-2	A.V.P
46	BARHT TAL 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	ANROOZ 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 ODIGHAM	A.V.P
51	NANUL 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 KORDONA	GPS ARAT KORDONA	A.V.P
62	SHAH KHALID	GPS MATHRA QADEEM	GPS MATHRA QADEEM	A.V.P
63	MURQATAR ULLAH	GPS ISLAM ABAD DOBANDI	GPS ISLAM ABAD DOBANDI	A.V.P
64	TAHIRALI SHAH	GPS SHAKAR DHAND	GPS HOOMAT 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	QASIR 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 KILLI	GPS RUSTAM KHAN KILLI	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 KHAN	GPS SHAH AFZAL ABAD	GPS SHAH AFZAL ABAD	A.V.P
74	ALAM ZEB KHAN	GPS NAJI ABAD UMARZAI	GPS NAJI 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	AVP

77	JAWAD MUHAMMAD	GPS SHAH DHAND	GPS SHAH DHAND	A.V.P
78	USMAN ALI	GPS SHEKH ABAD RAJJAR	GPS SHEKH ABAD RAJJAR	A.V.P
79	WAGAR KHAN	GPS MALKA DHER	GPS MALKA DHER	A.V.P
80	FATHUL AMIN	GPS DHERI SIKANDER KHAN	GPS DHERI SIKANDER KHAN	A.V.P
81	MIAN ADIL SHAH	GPS AGRA BALA	GPS AGRA BALA	A.V.P
82	IKRAMUL HAQ	GPS AMBA DHER NO.1	GPS AMBA DHER NO.1	A.V.P
83	ZAFAR ALI	GPS DOSEHRA-NO.3	GPS DOSEHRA-NO.3	A.V.P
84	ASIF SHAH	GPS SHALMANO KILLI	GPS SHALMANO KILLI	A.V.P
85	SHAD MUHAMMAD	GPS HARYANA	GPS HARYANA	A.V.P
86	NAEEM JAN	GPS YAKH KOHI	GPS YAKH KOHI	A.V.P
87	MUHAMMAD SHAHZAD KHAN	GPS KASS KOROONA	GPS KASS KOROONA	A.V.P
88	AZMAT HUSSAIN	GPS MARCHAKI-2	GPS MARCHAKI-2	A.V.P
89	IHSAN ULLAH ALIAS ASAD	GPS UMAR ABAD CHD	GPS UMAR ABAD CHD	A.V.P
90	ARSHAD KHAN	GPS KOTAK	GPS KOTAK	A.V.P
91	MUHAMMAD YFESHAN	GPS KHAT KILLI PRANG	GPS KHAT KILLI PRANG	A.V.P
92	KAMRAN ULLAH	GPS MALKA DHER	GPS MALKA DHER	A.V.P
93	RASOOL SHAH	GPS PRANG- NO.3	GPS PRANG- NO.3	A.V.P
94	MUHAMMAD AMIN	GPS AGRA BALA	GPS AGRA BALA	A.V.P
95	SHAH MUHAMMAD	GPS YAR JAN KOROONA	GPS YAR JAN KOROONA	A.V.P
96	ABDUR RAHMAN	GPS JAN ABAD	GPS JAN ABAD	A.V.P
97	SAEED KHAN	GPS MTTA MUGHAL KHEL	GPS MTTA MUGHAL KHEL	A.V.P
98	ASIF ULLAH	GPS DAULAT PURA	GPS GAGER	A.V.P
99	MUHAMMAD SAJJAD	GPS GHUNDAI KOROONA	GPS GHUNDAI KOROONA	A.V.P
100	DILAWAR SHAH	GPS BOSA KHEL PRANG	GPS BOSA KHEL PRANG	A.V.P
101	ISHTIQA AHMAD	GPS MIAN SAHIB GUL QALA	GPS DILDAR GARHI	A.V.P
102	ROOHUL AMIN	GPS DAGSHAMOZAI	GPS DAGSHAMOZAI	A.V.P
103	ATTA ULLAH NOOR	GPS NISHAN ABAD	GPS NISHAN ABAD	A.V.P
104	ZIA ULLAH	GPS INZER QALA	GPS INZER QALA	A.V.P
105	YASIR KHAN	GPS MANDANI	GPS MANDANI	A.V.P
106	NAZIR AHMAD	GPS MARDHAND NO.-1	GPS MARDHAND NO.-1	A.V.P
107	QWAIS ULLAH	GPS SULAI KAMAR	GPS SULAI KAMAR	A.V.P
108	ZAINUL ABIDEEN	GPS SARKI TITARA-NO.1	GPS SARKI TITARA-NO.1	A.V.P
109	JAMIL MUHAMMAD KHAN	GPS TARIQ ABAD	GPS TARIQ ABAD	A.V.P
110	MUHAMMAD QULZAI	GPS SHAH DHAND	GPS SHAH DHAND	A.V.P
111	SHAHAB ALI	GPS GANGOO	GPS GANGOO	A.V.P
112	MANZOOR ALI	GPS GUJRANO KILLI	GPS GUJRANO KILLI	A.V.P
113	MAJIID SHAH	GPS RHMAT ULLAH KOROONA	GPS RHMAT ULLAH KOROONA	A.V.P
114	AFTAB AHMAD	GPS CHITLA DHERI	GPS HAJI ABAD UMARZAI	A.V.P
115	ASFANDIYAR	GPS PRANG- NO.3	GPS PRANG- NO.3	A.V.P
116	ZAKHOOR AHMAD	GPS SHERPAO NO.1	GPS SHERPAO NO.1	A.V.P
117	FARHAD ALI	GPS KATIGAN	GPS KATIGAN	A.V.P
118	MUHAMMAD BASIR	GPS WARDAGA- NO.1	GPS WARDAGA- NO.1	A.V.P
119	ADNAN KHAN	GPS CHECK RAJJAR	GPS CHECK RAJJAR	A.V.P
120	KHAN MUHAMMAD	GPS RASHAKAI	GPS RASHAKAI	A.V.P
121	AMJID ALI	GPS DARGAI	GPS DARGAI	A.V.P

(15)

188

122	WISAL AHMAD	GPS HASSAN GUL KOROONA	GPS HASSAN GUL KOROONA	A.V.P
123	RAHAM SHID KHAN	GPS KRAPA MUHAMMO KHAN	GPS KRAPA MUHAMMO KHAN	A.V.P
124	GHAMSUL HAQ	GPS HAZ KHAN KILLI	GPS HAZ KHAN 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 KALYAB	GPS KALYAB	A.V.P
128	MUHAMMAD ADR 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 ATTAKI NO.2	GPS ATTAKI NO.2	A.V.P
131	SAYYED MASOOD AHMAD	GPS ATTAKI NO.3	GPS ATTAKI NO.3	A.V.P
132	HAZ ALI KHAN	GPS ATTAKI NO.3	GPS ATTAKI NO.3	A.V.P
133	ZAFAR KHAN	GPS SHABQADAR FORT	GPS SHABQADAR FORT	A.V.P
134	ABDUR RFI JAN	GPS BADAR GARHI-NO.3	GPS BADAR GARHI-NO.3	A.V.P
135	TARIQ JAN	GPS ATTAKI NO.3	GPS ATTAKI NO.3	A.V.P
136	ZAHHEER 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	HISSAN ALI	GPS ATTAKI NO.3	GPS ATTAKI NO.3	A.V.P
139	MUSTAFA ZEB	GPS MIAN KILLI	GPS MIAN KILLI	A.V.P
140	ABDULLAH KHAN	GPS ZARYAR KHAN KOR	GPS ZARYAR KHAN KOR	A.V.P
141	HAZ 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 SHEKHANO KOROONA	GPS SHEKHANO KOROONA	A.V.P
146	MAHZOOR 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	KHAR AHMAD	GPS KHAT KILLI PRANG	GPS KHAT KILLI PRANG	A.V.P
149	HISSAN MUHAMMAD	GPS KODAI SARDARYAB	GPS KODAI SARDARYAB	A.V.P
150	MAZULLAH KHAN	GPS HASSAN ABAD	GPS HASSAN ABAD	A.V.P
151	AL-GSODOO JAN	GPS GUL ABAD MERA	GPS GUL ABAD MERA	A.V.P
152	MUHAMMAD FARDOO	GPS ZAHID ABAD	GPS ZAHID ABAD	A.V.P
153	MUHAMMAD SHOAB	GPS ABAZAI	GPS ABAZAI	A.V.P
154	JAUNAR 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 CHANCHAND KHAT	GPS CHANCHAND 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 CERAI	GPS QAZI CERAI	A.V.P
160	ANVAR UL HAQ	GPS STARNAB SKF	GPS STARNAB SKF	A.V.P
161	HIMAYAT ULLAH	GPS DAMAN BATTAGRAM	GPS DAMAN BATTAGRAM	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-Se-Seniority on lower post will remain intact.

17

184

- 6. No TA/DA is allowed for joining their duty.
- 7. They will give an undertaking to this effect to be recorded in their service books.
- 8. No application for any change regarding Posting/Transfer shall be entertained.

ADJUSTMENT

Adjustment/transfer of the following teachers is also hereby ordered on their own pay & scale in the schools mentioned against each in the interest of public service with immediate effect.

S.NO	NAME & DESIGNATION	PRESENT SCHOOL	POSTED AT	REMARKS
1	Riaz Ali SPST	GPS Kass Koroon	GPS Tala Shah	Single teacher school
2	Khurshad Alam SPST	GPS Gul Shah Killi	GPS Dari Band	Adjusted being 4/plus
3	Jawad Khan SPST	GPS Kagan	GPS Sufe Bari Band	Adjusted being 4/plus
4	Abdul Bari Jaa SPST	GPS Ghulam Farid Killi	GPS No.1 Sadar Garhal	N.Basis
5	Muhammad Sajjad SPST	GPS Ghulam Koroon	GPS Bando Rashakai	Adjusted being 4/plus
6	Muslin Khan SPST	GPS Mirza Dher No.1	GPS Hassanai	N.Basis
7	Bahar Rahman SPST	GPS Rafi Ullah Koroon	GPS Bachyano Killi	N.Basis
8	Muzaf Ali SPST	GPS Landi Shah	GPS Arat Koroon	Being disable
9	Zahir Ullah SPST	GPS Shabara No.1	GPS Sukkar	N.Basis
10	Muhammad Zafar SPST	GPS Shah Nawaz Killi	GPS Behlola Bala	N.Basis
11	Aziz ur Rahman SPST	GPS Azim Gul Mian Killi	GPS Saifi Absad	N.Basis
12	Hubaib Akhtar SPST	GPS Khan Khel	GPS Gonda	N.Basis
13	Shah Jehan PST	GPS Nimora Baba	GPS Shera Killi	N.Basis
14	Abdur Rahman SPST	GPS Risdar Killi No.2	GPS Garhi Hameed Gul	N.Basis

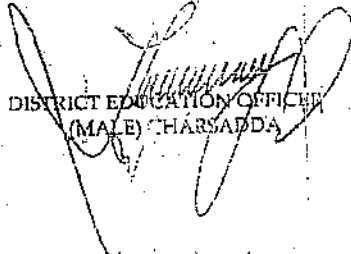
NOTE:-

- * No TA, DA is allowed
- * Charge report should be submitted to all concerned

(JHANGIR KHAN)
DISTRICT EDUCATION OFFICER
(MALE) CHARSADDA

Indst No. 5420-5602 / F.No. (Promotion 2020) / Dated 19/05/2020

- Copy for information to the:
1. Director (E&SE) Khyber Pakhtunkhwa Peshawar.
 2. Deputy Commissioner Charsadda.
 3. District Accounts Officer Charsadda.
 4. District Monitoring Officer (IMU) Charsadda.
 5. Sub-Divisional Education Officer (Male) Charsadda.
 6. Sub-Divisional Education Officer (Male) Tangi.
 7. Sub-Divisional Education Officer (Male) Shabqadar.
 8. Official concerned.
 9. Office file.

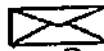

DISTRICT EDUCATION OFFICER
(MALE) CHARSADDA

18

Office of the Sub Divisional Education Officer
(Male) Shabqadar Charsadda

ADP H

No. 10021

 sdeopri@gmail.com
Dated 22/4/2024

To

The District Education Officer
(Male) Charsadda

SUBJECT: APPLICATION FOR THE GRNAT OF INCREMENT FOR THE YEAR
2014 AND SALARIES FOR THE MONTHS OF JUNE, JULY & AGUST
2014

Memo:

Enclosed please find herewith a self-explanatory applications along with other relevant documents of the following officials is submitted for your kind perusal and necessary action please.

Ser #	Name of Official	Designation	School Name
1	Tariq Jan	SPST	GPS No,3 Attaki
2	Sherbaz Khan	SPST	GPS, Hassanzai Shabqadar
3	Syed Zaheer Abbas	SPST	GPS Spinkai No,1 Shabqadar
4	Abdur Rafi Jan	SPST	GPS Katozai No.2.
5	Rahm Shid Khan	SPST	GPS Krapa Muhmmad Khan
6	Zia Rafiq	SPST	GPS, Katozai No.3.
7	Naseem Khan	SPST	GPS Mir Zai
8	Zubair Khan	SPST	GPS Shahbaz Khan Kor
9	Mustafa Zeb	SPST	GPS, Mian killi Shabqadar
10	Gul Raj Khan	SPST	GPS, Kodai No 1
11	Sadeeq Ullah	SPST	GPS, Kodai No.2
12	Muhammad Sajjad	SPST	GPS, Banda Rashakai
13	Khan Muhammad.	SPST	GPS, Rashakai
14	Zakir Ullah	SPST	GPS, No1,Kodai
15	Shah Muhammad	SPST	GPS Shabaz Khan Killi

(19)

(234)



Office of the Sub Divisional Education Officer
(Male) Shabqadar Charsadda

16	Ihsan Ali	SPST	GPS,
17	Muhammad Izhar	SPST	GPS, Hassanzai
18	Asif ullah	SPST	GPS, Sandasar
19	Fathul Amin	SPST	GPS, Haryana
20	Tilawat Shah	SPST	GPS, No1, Sohta
21	Muhammad Asim	SPST	GPS Haji AbadSreekh
22	Shah Khalid	SPST	GPS, Haji AbadSreekh
23	Syed Masood Ahmad	SPST	GPS, NO2 Attaki
24	Mohibullah	SPST	GPS. NO 2. Attaki
25	Bakht Taj Gul	SPST	GPS Kabaley Shabqadar
26	Syed Ziauddin Badshah	SPST	GPS Daryab Korona
27	Seeed Khan	SPST	GPS Matta Mughal Khel
28	Wasal Ahmad SPST	SPST	Hassan Gul Korona
29	Sher Ali	SPST	GPS Kangra Nahaqqi
30	Muhammad Shoaib	SPST	GPS Ashara Battagram
31	Arshad Khan	SPST	GPS, Kotak
32	Adnan Hussain	SPST	GPS, Gonda

Incl. As Above

[Signature]
Sub Divisional Education Officer
(Male) Shabqadar

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

PESHAWAR

APPEAL NO. 7597 /2021

201

ABDUL MUSAWIR V/S EDUCATION DEPTT.

INDEX

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.
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 REGRETTED 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 Sheroeth,

FACTS:

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

ATTESTED

[Signature]
29/7/21

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 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

ATTESTED



(234)
(22)

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

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

- (239) (24)
- 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

CERTIFICATE


(240) (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




DEPONENT

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 7597/2021

BEFORE: MRS. RASHIDA BANO
MR. MUHAMMAD AKBAR KHAN

MEMBER (J)
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 Elementary Education, 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

ATTES

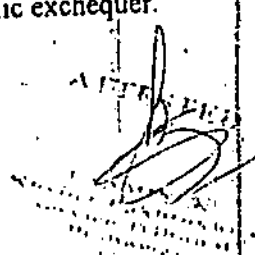
ED

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.



A. I. KHAN
District Attorney
District Court
District of

(27)

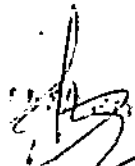
6. Perusal of record reveals that appellant was appointed as Primary School Teacher vide appointment order dated 31.05.2014 and it is admitted fact that appellant submitted his arrival report on the same day i.e. 31.05.2014. He was regularized from the date of his appointment vide notification dated 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)



 20/7/24


Date of Presentation of Application 30/7/24
 Number of Pages 7-8
 Page No. 35
 Page No. 4
 Page No. 10
 Name of Cop
 Date of 30/7/24
 Date of Delivery of 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)

29

30

To

THE DISTRICT EDUCATION OFFICER (MALE)
District Charsadda.

207

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.

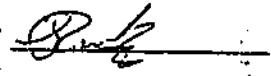
Obediently Yours

Name: Sherbaz Khan

Designation: SPST

School: Gps Hassanzai Tehsil shabqadar

Contact No: 03469084580

Signature: 

Date: 20-04-2024

31

To

The Director Education

Elementary and Secondary Education KP Peshawar.

262

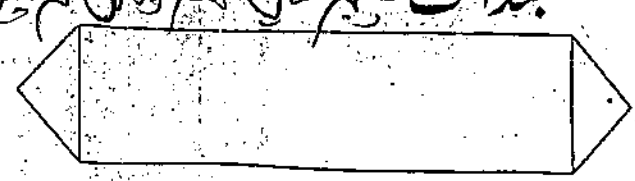
Departmental Appeal

- 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-44. (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 came 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

Sher Baz Khan S/O Abdullah Khan
(SPST, BPS-14) Government Primary
School Hasan zal, Shabqadar District
Charsadda

بعدالت صبر سن السن وسن السن بسول (P) ~



Appeller
ڈی ایچ ایف ایف ڈی مفسر

2 پنجاب
بندیم ناز خان بنام

موردہ
مقدمہ
دعویٰ
جرم

باعث تحریر آنکہ

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

محمد الساعیل خان، احمد صبر

آن مقام (P) کیلئے محن الساعیل خان (P) ختم کارروائی مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کابل اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ پر حلف دیئے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ عرضی دعویٰ اور درخواست ہر قسم کی تصدیق و زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز بصورت عدم پیروی یا ڈگری یک طرفہ 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 کارروائی 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 باختیارات حاصل ہوں گے اور اس کا ساختہ پر داخہ منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جائزہ 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۔

محمد ناز خان و محمد الساعیل خان

Accepted
Accepted

20

ماہ

المرقوم

کے لئے منظور ہے۔

۱۳۹۹

مقام
۲