


FORM OF ORDER SHEET

Court of _____

Appeal No. 1941/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	14/10/2024	<p>The appeal of Mr. Raham Shid Khan resubmitted today by Mr. Muhammad Ismail 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 appeal of Mr. Raham Shid Khan received today i.e on 11.10.2024 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

1- Copy of departmental appeal is not attached with the appeal be placed on it.

No. 900 /Inst./2024/KPST,

Dt. 11/10 /2024.

Amirullah
ADDITIONAL REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Muhammad Ismail Adv.
High Court at Peshawar.

Respected sir

Objectives of plead and returned by

departmental appeal is attached as

p. No. 24 please.

Respect

[Signature]
14/10/24

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL
PESHAWAR

Service Appeal No. 1941 / 2024

Raham Shid 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 Report dated 31-05-2014	B	9
6	Copies of Schools attendance Register dated 31-05-2014 of appellants	C	10
7	Copies of Service Books of appellants	D	11-12
8	Copies of Regularization Order of appellants	E	13-15
9	Copies of Promotion Order of appellants	F	16-20
10	Copies of applications/request to SDEO/DEO	G	21
11	Copy of SDEO Letter to DEO	H	22-23
12	Copy of same identical nature case service appeal No- 7597/2021 decided on dated 06-11-2023 by Kp Service Tribunal	I	24-32
13	Copies of Departmental Appeal	J	33-34
14	Wakalat Nama		35

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 1941 /2024

Raham Shid Khan S/O Sher Baz Khan (SPST, BPS-14) Government Primary School
Krapa Muhammad Khan, 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 CHARSADE, 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.

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

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

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

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

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

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

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

(Copy of Regularization Order annexed as E)

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

(Copy of Promotion orders annexed as F)

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

(Copies of application and appeals annexed as G)

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

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

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

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

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

(Copies of Departmental appeals to Directorate annexed as J)

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

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

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

GROUNDS:

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

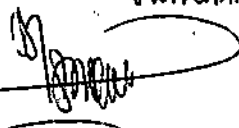
E. That the Respondents violated Article 38(E) of the constitution of the Islamic Republic of Pakistan 1973, according to which **"The state is bound to eliminate disparity in the income and earning of individuals including persons in the various service of Pakistan"**. Thus in light of above the Respondents 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 
 Raham Shid Khan

Through Counsel


 Muhammad Ismail
 Advocate.

5

BEFORE THE KHYBER PAKHTUN KHWA SERVICE TRIBUNAL PESHAWAR

SERVICE APPEAL NO _____/2024

Raham Shid Khan S/O Sher Baz Khan (SPST, BPS-14) Government Primary School
Krapa Muhammad Khan, 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



Raham Shid Khan

Through Counsel

Muhammad Ismail
Advocate



(6)

**BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL
PESHAWAR**

Service Appeal No. _____ / 2024

Raham Shid Khan S/O Sher Baz Khan (SPST, BPS-14) Government Primary School
Krapa Muhammad Khan, Shabqadar District Charsadda

.....Appellant

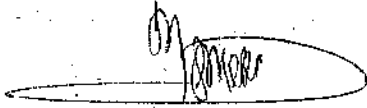
VERSUS

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, Raham Shid Khan S/O Sher Baz Khan (SPST, BPS-14) Government Primary School
Krapa Muhammad Khan, 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.



IDENTIFIED BY
Muhammad Ismail
Advocate High Court




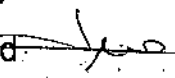
Deponent



Through counsel

Ismail Khan 

Umar Khan 

Amjid Khan Mohmand 

Advocates High court Peshawar

OFFICE OF THE
DISTRICT EDUCATION OFFICER
(MALE) CHARSADDA

APPOINTMENT

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

S.#	Name	School Name	U/C	Score
62/144	RAHAM SIDDI KHAN 17101-9461233-9	GPS Krapa Muhammad Khan	M.M Khel	105.96

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.

8

2

Appointment Order PS Ad hoc based

- 13. His appointment is on School based, He will have to serve at the place of posting, and his appointment is not transferable to any other place.
- 14. Before handing over the charge once again their documents 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: UKSO/49/13 / 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

[Signature]
 31/5/14
 District Education Officer
 (Male) Charsadda

HEAD MASTER
GPS Krapa Muhammad Khan
Tehsil: Shabqadar
Distt: Charsadda

31-05-2014

Hijab

کارچہ دینے

17101-9461238-9

ولہ شہزاد خان

محمد شہزاد خان

کارچہ دینے

میں سے کارچہ دینے

ایک مدرسہ (PST) میں سے کارچہ دینے

میں سے کارچہ دینے

GPS کارچہ دینے

4807-4958
31/05/2014

DEO (مدرسہ) میں سے کارچہ دینے

میں سے کارچہ دینے

کارچہ دینے



9

Sl. No.	Name	Grade	Subject	Mark	Percentage	Remarks
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

F.A. PST
 F.A. C.T.
 2014
 May 11

(10)

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.

(11) (12)

Name: Raham Shid Khan

Race: Alghar

Residence: Village 8 P/O Matta maghal khel, Teh Shabqadar
Distt Charsadda

Father's name and residence: Sher Baz Khan

Date of birth by Christian era as nearly as can be ascertained: (15-04-1984) -
Fifteenth April Nineteen eighty four.

Exact height by measurement: 5-6

Personal marks for identification: Mark on mustache

Left hand thumb and Finger impression of (Non-Gazetted) officer:

Little Finger:  Ring Finger: 

Middle Finger:  Fore Finger: 

Thumb: 

Signature of Government Servant: R. Shid

D. Signature and designation of the Head of the Office, or other Attesting Officer: [Signature]

S
AS DEO (m)
Shabqadar
Circle (Chd)

ISE Peshawar
Verified
in dated 11/2/04

Index Roll No.
dated on 31/7/2004
at/inter/BISE

Date
2006 and
verified

total 19/8/2004

Day in
ad on
2/Rec/Secretary
ation

ad in 2008
out at 900
/41009 on

(M)
data

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 / S111 /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 condition given below with effect from the date of their appointment as mentioned against each in the interest of public service.

13

Sr	Roll No. NTS	Name and Father Name	CNIC No	Name of School	Total Marks out of 200	U/C	Appointment order No. & Date	Date of Taking Over Charge	Latention No. & Date
1	1560039	Muhammad Khalid S/O Yousaf Ali	17102-6537002-5	GPS Station Killi	132.89	Abazai	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
2	1560071	Marjan Ali S/O Saeed Gul	17101-9766071-5	GPS Sheikh Killi	121.21	Agra	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
3	1560014	Mian Adil Shah S/O Mian Kifayat Ullah	17101-6844013-5	GPS Agra Bala	116.33	Agra	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
4	1561340	Muhammad Amin S/O Israr Muhammad	17101-9188159-3	GPS Agra Bala	114.58	Agra	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
5	1560163	Tilawat Shah S/O S.Waliyat Shah	17101-0119694-5	GPS Mandizai	133.59	Battagram	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
6	1560941	Muhammad Shoaib S/O Fida Muhammad	17101-0315588-7	GPS Ashora	129.66	Battagram	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
7	1560994	Shah Anwar S/O Rahim Khan	17101-0399895-3	GPS Marozai	124.24	Battagram	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
8	1560125	Muhammad Asim S/O Pervez Khan	17101-7492491-7	GPS Mathra New	121.45	Battagram	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
9	1561310	Shah Khalid S/O S.Jaffer Shah	17301-4432180-5	GPS Mathra Qadeem	119.3	Battagram	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
10	1560007	Nasir Khan S/O Nadur Khan	17101-0307693-1	GPS Khairo Khan Killi	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 Nabi	17101-3765891-7	GPS Mian Shakh No.6	132.34	Behlola	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
12	1561037	Yaseen Khan S/O Fawad Khan	17101-2716399-9	GPS Shaheedan	132.18	Behlola	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
13	2761564	Nizam Ullah S/O Ubaid Ullah	17101-6378689-5	GPS Islam Abad Cargal	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 Nahaqi	118.45	Daulat Pura	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
15	1560109	Ikram Ul Haq S/O Abdul Dayan	17101-6170115-7	GPS Ambadher-1	116.29	Daulat Pura	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
16	1560214	Asif Ullah S/O Noorqat Ali Shah	17101-0826588-2	GPS Daulat Pura	114.31	Daulat Pura	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
17	1560275	Umar Gul S/O Ziafat Gul	17101-6375764-1	GPS Aziz Abad-2	121.66	Dheri Zardad	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
18	1561371	Abdurahman S/O Rehman Gul	17101-0342715-1	GPS Jan Abad	114.33	Dheri Zardad	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
19	1560954	Dawood Masood S/O Faraz Masood	17101-0328797-7	GPS Kalyas	104.56	Dheri Zardad	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
20	1560978	Zafar Ali S/O Muhammad Ali	17101-0260821-7	GPS Dosehra-3	116.17	Dosehra	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
21	1560990	Muhammad Gulzar S/O Maira Khan	17101-2739656-1	GPS Haryana-2	111.12	Dosehra	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
22	1561448	Jawad Muhammad S/O Abd Muhammad	17101-1671324-1	GPS Shah Dhand	117.17	Dosehra	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
23	1561124	Shakeel Anniad S/O Farooq Shah	17102-7470651-9	GPS Karimo Banda	173.06	Gandheri	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
24	1560207	Wasim Khan S/O Mustafa Khan	17101-5163178-1	GPS Malka Dher	116.56	Ghunda Karkana	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017
							4807-4958		23938-24078

Mian / etc.

24

Sl. No.	Roll No.	Name	Registration No.	GPS No.	Area	Station	Station No.	Date	Category	Remarks
17	1560135	Rehmanullah S/O Hammed Khan	17103-0354096-1	GPS Ocha Wala-1	122.25	Haji Zai	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017	
18	1561023	Ali Gauhar S/O Zameer Gul	17103-0371185-7	GPS Mahmood Abad	117.8	Haji Zai	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017	
19	2961757	Anwar Zeb S/O Umar Khan	17102-3704269-7	GPS Intar Gul Kili	124.53	Harichand	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017	
20	1560094	Jawad Ali S/O Khan Sher	17101-1922862-5	GPS Khubai	128.94	Hassan Zai	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017	
21	1560944	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	
22	1560864	Naseem Khan S/O Faizi Malik	17103-0395647-3	GPS Sokhta-1	121.11	Hassan Zai	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017	
23	1561581	Arshad Khan S/O Gulzar Khan	17101-8382252-7	GPS Kotak	115.33	Hassan Zai	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017	
24	1560056	Shahid Khan S/O Gul Reh	17102-2870858-1	GPS MS Gul Qila	129.44	Hizara Mehr	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017	
25	1561048	Sher Ali S/O Haliz Ullah	17101-8236540-3	GPS Kangra	131.62	Kangra	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017	
26	1560959	Noor Ullah Jan S/O Roohullah Jan	17101-0167274-9	GPS Churambak-1	124.02	Kangra	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017	
27	1560097	Fathul Amin S/O Rooh Uf 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	
28	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	
29	1560051	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	
30	1560105	Abdur Rafiq Jan S/O Molvi Abdul Sami	17101-6321182-5	GPS Sadar Garhi-3	99.35	Katozai	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017	
31	1561221	Syed Zaher Abbas S/O Syed Sikandar Shah	17101-0960254-5	GPS Sadar Garhi	96.43	Katozai	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017	
32	1561772	Bakht Taj Gul S/O Saetai	17101-2528410-5	GPS Dharai Kor	122.51	Katozai	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017	
33	1560178	Zia Rafiq S/O Muhammad Rafiq	17101-0377826-3	GPS Katozai-1	120.86	Katozai	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017	
34	1561165	Sher Baz 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	
35	1560131	Zulfiqar Ali S/O Hazrat Umar	17101-0310390-9	GPS Chamaryan	128.51	Khan Mahi	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017	
36	1560150	Amrooz Khan S/O Saif Ullah Khan	17102-2651249-1	GPS Landi Roud	122.07	Koz Behram Dheri	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017	
37	1560715	Majid Khan S/O Dost Muhammad	17102-7714899-5	GPS Arat Kili	119.64	Koz Behram Dheri	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017	
38	1561513	Mukhtar Ullah S/O Shah Zarin	17102-1163877-1	GPS Islamabad Deobandi	119.22	Koz Behram Dheri	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017	
39	1561341	Nazir Ahmad S/O Habib Uf Haq	17102-6036836-7	GPS Mardhand No.1	112.46	Koz Behram Dheri	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017	
40	1560796	Wisal Ahmad S/O Wazir Zada	17103-0348097-5	GPS M. Rustam Khel	131.51	M.M Khel	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017	
41	1561038	Abdus Salam S/O Abid Ullah	17101-3407039-1	GPS Matta Mughal Khel	124.18	M.M Khel	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017	
42	1561357	Saeed Khan S/O Mian Gul	17101-7276529-5	GPS Matta Mughal Khel	114.32	M.M Khel	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017	
43	1560748	Wisal Ahmad S/O Ullah Gul	17101-4418397-3	GPS Hassan Gul Kor	106.07	M.M Khel	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017	
44	2961192	Hassan, Iqbal Khan S/O Sher Bar Khan	17101-9401238-9	GPS Krota Muhammad Khan	105.96	M.M Khel	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017	
45	2961055	Syed Ziauddin Badshah S/O Molvi S Bad Shah	17101-0275214-9	GPS Daryab Kor	104.98	M.M Khel	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017	
46	1560741	Yasir Khan S/O Nasir Khan	17102-2877837-3	GPS Mandani	112.51	Mandani	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017	
47	1560886	Muhammad Ismail Shahid S/O Faraz Ud 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	
48	1561250	Muhammad Dawood Khan S/O Sarfaraz Khan	17102-7433487-7	GPS Tangi No.1	118.34	MC Tangi	4807-4958 Dated:31/05/2014	01-09-14	23938-24078 Dated:28/04/2017	

27/04/17

15

422	2031001233	Sayed Khan S/O Ali Akbar	17102-9394848-195	GPS Spital Tangi	116.54	Shodag	20762-856	Dated: 22/03/2017	08-04-17
423	2035001449	Nadeem Jan S/O Khan Bahader	17102-9394848-196	GPS Tarnab No.2	112.6	Tarnab	20762-856	Dated: 22/03/2017	08-04-17
424	2031001023	Muhammad Ali S/O Zali Ullah Khan	17102-9394848-197	GPS Tarnab No.1	111.76	Tarnab	20762-856	Dated: 22/03/2017	08-04-17
425	2035001107	Mazhar Ali S/O Istahar Ali	17102-9394848-198	GPS Umarzal No.1	134.95	Umarzal	20762-856	Dated: 22/03/2017	08-04-17
426	201701921	Muhammad Zohaib S/O Muhammad Yousof	17102-9394848-199	GPS Dhari Zardai No.1	111.95	Dhari Zardai	20762-856	Dated: 22/03/2017	08-04-17
427	2031001161	Abdul Majid S/O Abdul Bari	17102-9394848-200	GPS Mubeen Korooni S/O	126	Muzanzai	27462-71	Dated: 20/05/2017	21-05-17
428	2017002247	Wafa Ullah S/O Yousof Gul Majeed Uf Rahman (Disable Quota) S/O Zahid Ullah	17102-9394848-201	GPS No.1 Tarnab	120.14	MC- Tarnab	27462-71	Dated: 20/05/2017	21-05-17
429	2017000280	Mazhar Ullah S/O Alamsah	17102-9394848-202	GPS No.1 Charsadda	121.32	MC-III Charsadda	27462-71	Dated: 20/05/2017	21-05-17
430	202300325	Asif Ur Rehman (Disable Quota) S/O Gul Rehman	17102-9394848-203	GPS Arat IDB	106.74	Korbetram/Dhari	27530-34	Dated: 23/05/2017	21-05-17
431	2031001129	Syed Wajayat Shah S/O Syed Feroz Siaz Shah	17102-9394848-204	GPS Dharki	111.59	Dharki	27547-51	Dated: 23/05/2017	21-05-17
432	201700483	Syed Wajayat Shah S/O Syed Feroz Siaz Shah	17102-9394848-205	GPS Haidar GB	109.53	Shodag	28875-76	Dated: 15/07/2017	01-09-17
433	2031000963	Tahya Jan S/O Imbar Khan	17102-9394848-206	GPS Mahmood Abad	121.61	Chindrodag	28877-80	Dated: 15/07/2017	01-09-17

TERMS & CONDITIONS

- 1.) Their services shall be governed by the Khyber Pakhtunkhwa Civil servants Act, 1973, the Khyber Pakhtunkhwa (Appointment, Deputation, Posting & Transfer of Teachers, Lecturers, Instructors & Doctors) Regulatory Act, 2011 and such rules & regulations as may be issued from time to time by the Government.
- 2.) Their services shall be considered regular and they shall be eligible for pension / dedication of GPFund in terms of the Khyber Pakhtunkhwa Civil Servants Act, 1973 as amended in 2013.
- 3.) Their services are liable to termination on one month's 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 in 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) CHARSAKKA

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

- 1. Copy forwarded for information to the -
- 1. Director, E.S.M. Deptt. Khyber Pakhtunkhwa Peshawar.
- 2. District Education Officer, Charsadda
- 3. Deputy Commissioner, Charsadda
- 4. District Management Officer, IPR, Charsadda
- 5. MHO, M. Charsadda
- 6. MHO, M. Tarnab
- 7. MHO, M. Sharsadda
- 8. District Education Officer, Charsadda
- 9. District Education Officer, Charsadda
- 10. Office file

(Signature)
12/03/18
Dy: DISTRICT EDUCATION OFFICER

66

188



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

091-9220451 emischarsadda@yahoo.com

ADLF

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.15190-1170-50280) 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.

Sr	NAME	PRESENT SCHOOL	POSTED AT	REMARKS
1	SHER MUHAMMAD KHAN	GPS BANDERI BALA	GPS PALAY DOBANDI	A.V.P
2	MIRHAI ULLAH	GPS AMBA DHERI-NO.2	GPS AMBA DHERI-NO.2	A.V.P
3	AJIM 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 LAWDAI 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	AJHTAR ALI	GPS ANGAR KOROONA	GPS ANGAR KOROONA	A.V.P
13	NIZAM ULLAH	GPS ISLAM ABAD DARGAI	GPS ISLAM ABAD DARGAI	A.V.P
14	HAHEEM JAN	GPS KASS KOROONA	GPS KASS KOROONA	A.V.P
15	IBSIR KHAN	GPS KHISRO KHAN KILLI	GPS SHAHMAWAZ KILLI	A.V.P
16	TILAWAT 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 MEHA SHAKH- NO.6	GPS BEHLOLA	A.V.P
20	ADDUL 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 KIAN	GPS MIAN SAHIB GUL KILLI	GPS MIAN SAHIB GUL KILLI	A.V.P
26	JAWAD ALI	GPS KHUBAI	GPS KHUBAI	A.V.P
27	ZULFIQAR ALI	GPS CHAMYARAN	GPS CHAMYARAN	A.V.P
28	KARAM ELAHI	GPS AJOON KILLI	GPS AJOON KILLI	A.V.P
29	MUDASSIR SHAH	GPS RIZWAN ABAD	GPS RIZWAN ABAD	A.V.P
30	YASIR KHAN	GPS INAM KILLI	GPS INAM KILLI	A.V.P
31	ZUBAIR KHAN	GPS SHAHBAZ KHAN	GPS SHAHBAZ KHAN	A.V.P

32	FAZAL AMIN	GPS EWAS KILLI	GPS EWAS KILLI	A.V.P
33	ISHTIAQ 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 MIRAN	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 UTMARZAI NO.3	GPS UTMARZAI NO.3	A.V.P
39	KHOOR 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	SHANIL AHMAD	GPS KARMO 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	BAHGT 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	WAZAR 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	MADDEM 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 CADEEM	GPS MATHRA CADEEM	A.V.P
63	MUQHTAR ULLAH	GPS ISLAM ABAD DOBANDI	GPS ISLAM ABAD DOBANDI	A.V.P
64	TAHIR ALI SHAH	GPS SHAKAR DHAND	GPS HJOMAT 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	QAISAR ALI	GPS MUHAMMAD NARI	GPS MUHAMMAD NARI	A.V.P
69	IRFAH ULLAH	GPS ZARIN ABAD	GPS ZARIN ABAD	A.V.P
70	YOUSAF KHAN	GPS KUSIAM KHAN KILLI	GPS RUSTAI 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 RAJI ABAD UMARZAI	GPS RAJI 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	JAFAR MUHAMMAD	GPS SHAH DIHANG	GPS SHAH DIHANG	A.V.P
78	QURAN ALI	GPS SHEHRI ABUL HASAN	GPS SHEHRI ABUL HASAN	A.V.P
79	MARSHAD 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 DALA	GPS AGRA DALA	A.V.P
82	IKRAM UL HAQ	GPS AMBA DHER NO.1	GPS AMBA DHER NO.1	A.V.P
83	ZAFAR ALI	GPS BOSCHUMNO.3	GPS BOSCHUMNO.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	NAGEM 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	IBSAN ULLAH ALIAS ASAD	GPS UMAR ABAD CHO	GPS UMAR ABAD CHO	A.V.P
90	ARSHAD KHAN	GPS KOTAK	GPS KOTAK	A.V.P
91	MUHAMMAD ZAFER KHAN	GPS RHAT KILLI PRANG	GPS RHAT KILLI PRANG	A.V.P
92	KAMRAN ULLAH	GPS MALKA DHER	GPS MALKA DHER	A.V.P
93	RASDOL 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 CHUNDI KOROONA	GPS CHUNDI KOROONA	A.V.P
100	DILAWAR SHAH	GPS BOSA KHEL PRANG	GPS BOSA KHEL PRANG	A.V.P
101	ISHIAQ AHMAD	GPS MIAN SAHIB GUL DALA	GPS DILJAN GARNI	A.V.P
102	ROOHUL AMIN	GPS DAGSHAMOZAI	GPS DAGSHAMOZAI	A.V.P
103	AFIA ULLAH NOOR	GPS NISHAN ABAD	GPS NISHAN ABAD	A.V.P
104	ZIA ULLAH	GPS INZER DALA	GPS INZER DALA	A.V.P
105	YASIR KHAN	GPS MANDANI	GPS MANDANI	A.V.P
106	HAZIR AHMAD	GPS MARDHAND NO.1	GPS MARDHAND NO.1	A.V.P
107	SAJID ULLAH	GPS SULA KAMAK	GPS SULA KAMAK	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 QUTUB	GPS SHAH DIHANG	GPS SHAH DIHANG	A.V.P
111	SHAMIR ALI	GPS GARGOO	GPS GARGOO	A.V.P
112	MANZOR ALI	GPS GUJRANO KILLI	GPS GUJRANO KILLI	A.V.P
113	MAJID SHAH	GPS RHMAT ULLAH KOROONA	GPS RHMAT ULLAH KOROONA	A.V.P
114	AFTAB AHMAD	GPS CHITLA DHER	GPS HAJI ABAD UMARZAI	A.V.P
115	ASEFANDIYAR	GPS PUNNO- NO.3	GPS PUNNO- NO.3	A.V.P
116	ZAHOR 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 WARDACA- NO.1	GPS WARDACA- NO.1	A.V.P
119	AMIR KHAN	GPS CHECK TAJDIR	GPS CHECK TAJDIR	A.V.P
120	KHAN MUHAMMAD	GPS RASHAKAI	GPS RASHAKAI	A.V.P
121	AMJID ALI	GPS DARGAI	GPS DARGAI	A.V.P

122	WISAL AHMAD	GPS HASSAN GUL KOROONA	GPS HASSAN GUL KOROONA	A.V.P
123	RAHAM SHID KHAN	GPS KRAPA MUHAMMD KHAN	GPS KRAPA MUHAMMD KHAN	A.V.P
124	SHAMSUL HAQ	GPS HAZ MIAN KILLI	GPS HAZ 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 KHFI - NO.2	GPS BOSA KHFI - NO.2	A.V.P
129	MUSRAT 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.2	GPS ATTAKI NO.2	A.V.P
132	NAZ 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 SADAR GARHI-NO.3	GPS SADAR GARHI-NO.1	A.V.P
135	TARIQ JAN	GPS ATTAKI NO.3	GPS ATTAKI 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 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 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	NIFAR 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	MASOOD JAN	GPS GUL ADAD MERA	GPS GUL ADAD MERA	A.V.P
152	MUHAMMAD FARDOQ	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	BANI RAHMAN	GPS LANDI SHAH	GPS LANDI SHAH	A.V.P
159	GULAB NOOR	GPS QAZI SERAI	GPS GANDHERI-PAYAN NO.2	A.V.P
160	ANWAR UL HAQ	GPSTARNAB SKF	GPSTARNAB 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-Se-Seniority on lower post will remain intact.

- 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 Kars Korona	GPS Tala Shah	Single teacher school
2	Khusnah Alam SPST	GPS Gul Shah KBI	GPS Bari Band	Adjusted being 3/plus
3	Jawed Khan SPST	GPS Kagan	GPS Safo Bari Band	Adjusted being 3/plus
4	Abdul Bari Jan SPST	GPS Ghulam Farid Kili	GPS No.1 Sadar Garhal	N.Basis
5	Muhammad Sajjad SPST	GPS Ghundal Korona	GPS Danda Rashakai	Adjusted being 4/plus
6	Muhammad Khan SPST	GPS Mirza Dher No.1	GPS Hassanzal	N.Basis
7	Bahar Rahman SPST	GPS Raif Ullah Korona	GPS Achyso Kili	N.Basis
8	Riaz Ali SPST	GPS Landi Shah	GPS Arat Korona	Being disabled
9	Zahir Ullah SPST	GPS Shabara No.1	GPS Sukkar	N.Basis
10	Muhammad Zahoor SPST	GPS Shah Nawaz Kili	GPS Pehlota Bala	N.Basis
11	Aziz ur Rahim SPST	GPS Azim Gul Milan Kili	GPS Saif Abad	N.Basis
12	Muhammad Akhtar SPST	GPS Khan Khe	GPS Gonda	N.Basis
13	Shah Jehan SPST	GPS Munirul Daba	GPS Sheikh Kili	N.Basis
14	Abdur Rahman SPST	GPS Risalder Kili No.2	GPS Garhi Hammed Gul	N.Basis

NOTE

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

(JEHANGIR KHAN)
DISTRICT EDUCATION OFFICER
(MALE) CHARSADDA

Encl: 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 Mentoring Officer (MU) 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

(21)

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

(17)

AMX 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 & AUGUST
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 Krāpa 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, Rashaki
14	Zakir Ullah	SPST	GPS, No1,Kodai
15	Shah Muhammad	SPST	GPS, Shabaz Khan Killi

22

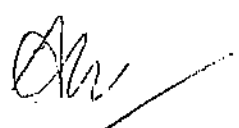
234



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 Atttaki
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

Encl. As Above


Sub Divisional Education Officer
(Male) Shabqadar

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR.

APPEAL NO. 7597 /2021

ABDUL MUSAWIR V/S EDUCATION DEPTT.

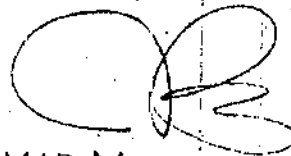
23

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,
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
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 Shrooth,

FACTS:

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

[Handwritten signature and date 20/7/21]

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

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

20

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.

(Handwritten mark)

(Handwritten mark)

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

(Handwritten mark)

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

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

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

Dated: 15-10-2021

APPELLANT

ABDUL MUSAWIR

Through:

MUHAMMAD MAAZ MADNI
Advocate High Court, Peshawar


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
- 



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-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

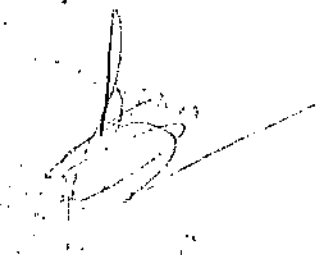
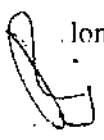
to the post of Senior Primary School Teacher (BPS-14) vide order dated 12.03.2018. The appellant facing huge discrepancy in the monthly salary due the reason that increment for the year 2014 was not allowed and the salaries for the month of June, July and August 2014 was not released. Despite the factum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


30



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)

Registration


 30/7/24

Date of Presentation of Petition
 Number of Petition 780
 Date of Filing 25/7/24
 Date of Hearing 30/7/24
 Date of Judgment
 Date of Delivery

30/7/24

30/7/24
 30/7/24


ORDER


06.11.2023

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

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

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


(Muhammad Akbar Khan)
Member (E)


(Rashida Bano)
Member (J)

32

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: Raham Shid Khan
Designation: SPST
School: GPS Krapa Muhammad Khan
Contact No: 03339367906
Signature: Raham
Date: 22/4/2024

To

The Director Education

Elementary and Secondary Education KP Peshawar.

Departmental Appeal

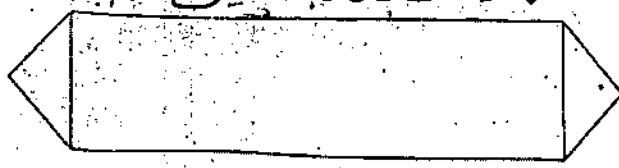
- i. The Appellants are the employee of the education Department, and were initially appointed as Primary School Teacher PST BPS-12 on ADHOC Basis after fulfilling all the legal and codal formalities required for the post under the law and Rules Regulation.
- ii. Appellants after scrutiny and through 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-54. (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

Raham Shid Khan S/O Sher Baz Khan
(SPST, BPS-14) Government Primary
School Krapa Muhammad Khan,
Shabqadar District Charsadda

Raham

بعدالت حجاب حسین صہن لیسٹریس لیسٹریس لیسٹریس



35

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ
 کیلئے جن (اسحاق علی خان) کی - حکم ماہی
 مقرر کر کے اقرار کیا 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 و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق
 زرائیں 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 باختیارات حاصل ہوں گے
 اور اس کا ساختہ پرداختہ منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانب 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 سند ہے۔

عجل اللہ علیہم کلہم، احمد حسین

لکھنؤ خان و مدینہ باڑھاں

Accepted

Handwritten signature and stamp area.