


FORM OF ORDER SHEET

Court of _____

Appeal No. 1915/2024


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

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

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

No. 774 /Inst./2024/KPST,

Dt. 12/9/2024.


OFFICE ASSISTANT
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Muhammad Ismail Khan Adv.
High Court Peshawar.

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL
PESHAWAR

Service Appeal No. 1915 / 2024

Zakir Ullah

VERSUS The District Education Officer (Male) District Charsadda.

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Appellant

Through counsel

Muhammad Ismail Khan
Amin Ullah Jan
Amjid Khan Mohmand
Advocates High court Peshawar

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

BEFORE THE KHYBER PAKHTUN KHWA SERVICE TRIBUNAL PESHAWAR

SERVICE APPEAL NO 1915 /2024

Zakir Ullah S/O Mustan Shah (SPST, BPS-14) Government Primary School kodai No-1, Shabqadar District Charsadda

.....Appellant...

Versus

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

.....Respondents

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

PRAYERS.

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

Respectfully Sheweth.

The Appellant humbly submits as under.

FACTS.

Brief facts of the Appeal are as under.

1. That the Appellant 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)

(14) 3

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

(Copies of Departmental appeals to Directorate annexed as J)

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

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

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

GROUND:

- A. That the act and omission of the Respondents by illegally deducting annual increment for the year 2014, and not releasing the monthly salary for the month of June, July and August 2014, is against the law, facts material available on records and norms of natural justice hence not tenable in the eyes of law and is liable to be struck down.
- B. That the appellants has not been treated by the respondents department in accordance with law and rules on the subject noted above and as such the Respondents violated article 4 and 5 of the Constitution of Islamic Republic of Pakistan 1973.
- C. That the Appellant has properly submitted his charge report and made attendance Register of the school on dated 31-05-2014, and as such the appellant has spent 180 days on 1st December, that 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.

- (4) (5)
- 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

Zakir Ullah

Through Counsel

Muhammed - Iqbal
Advocate

5 6

BEFORE THE KHYBER PAKHTUN KHWA SERVICE TRIBUNAL PESHAWAR

SERVICE APPEAL NO _____/2024

Zakir Ullah S/O Mustan Shah (SPST, BPS-14) Government Primary School kodai No-1, Shabqadar District Charsadda

VERSUS

The Director Education Khyber Pakhtun Khuwa Peshawar and others

Certificate.

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

Appellant

APPELLANT

Zakir Ullah



Through Counsel

Muhammad - Ismail.



Advocate.



(6) (7)

**BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL
PESHAWAR**

Service Appeal No. _____ / 2024

Zakir Ullah S/O Mustan Shah (SPST, BPS-14) Government Primary School kodai No-1, Shabqadar District Charsadda

.....Appellant

VERSUS

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

.....Respondents

AFFIDAVIT

I, Zakir Ullah S/O Mustan Shah (SPST, BPS-14) Government Primary School kodai No-1, Shabqadar District Charsadda, do hereby solemnly affirm and states on oath that the contents of accompanying appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.

Deponent



IDENTIFIED BY
Muhammad Ismail
Advocate High Court



Through counsel

Ismail Khan
Umar Khan
Amjid Khan Mohmand
Advocates High court Peshawar

Appointment Order PST (M) Ad hoc -Based

OFFICE OF THE
DISTRICT EDUCATION OFFICER
(MALE) 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
121/144	ZAKIR ULLAH 21407-5670864-5	GPS Banda Rashakai	Rashakai	117.43

TERMS & CONDITIONS:

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



Appointment Order PST (M) Ad hoc -Based

2


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

(Siraj Muhammad)
District Education Officer
(Male) Charsadda

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

Copy forwarded for information and necessary action to the:-

1. Director 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


31/5/2014
District Education Officer
(Male) Charsadda

Head Master
G.P.S. Banda Rashki
Distt. Chitradurga

31-05-2014

f A m m

[Handwritten signature]

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(Make D.E.O.)

31-05-2014

4807-4958

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9
9

10

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

1. Name: ZAKIR ULLAH

2. Race: Afghan

3. Residence: Mian Killy (Babain) Tehsil Shabqadar District Charsadda (Council Rashakai)

4. Father's name and residence: MUSTAN SHAH - As above

5. Date of birth by Christian era as nearly as can be ascertained: (02-02-1988) Two February N. Eighty Eight

6. Exact height by measurement: 5.8"

7. Personal marks for identification:

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

Little Finger [Impression] Ring Finger [Impression]

Middle Finger [Impression] Fore Finger [Impression]

Thumb [Impression]

9. Signature of Government Servant: Zakir Ullah

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

ASD EO (M) Shabqadar Circle (Chd)

S.D. EO (M) Charsadda

1980 09-2014

Under Roll placed

Under filed

University Date placed

352/RU/Security

2000-2014

tion

10 - 11

8 Signature of Government Servant	9 Signature and Designation of the head of the office or other attesting officer in attestation of columns 1 to 8	10 Date of termination or appointment	11 Reason of termination such as promotion, transfer, dismissal, etc.)	12 Signature of the head of the office or other attesting officer	13 Leave		14 Signature of the head of the office or other attesting officer	15 Reference to any recorded punishment or censure or praise of the Government Servant.
					Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government		
						Period		
<i>Fazil</i>	<i>M. J. Sub Divisional Education Officer (Male) Siabqadaf</i>	30/11/2018	<i>M.A.</i>	<i>M. J.</i>				
<i>Fazil</i>	<i>M. J. Sub Divisional Education Officer (Male) Siabqadaf</i>	30/11/2018	<i>M.A.</i>	<i>M. J.</i>				
<i>Fazil</i>	<i>M. J. Sub Divisional Education Officer (Male) Siabqadaf</i>	30/11/2019	<i>M.A.</i>	<i>M. J.</i>				
<i>Fazil</i>	<i>M. J. Sub Divisional Education Officer (Male) Siabqadaf</i>	30/11/2018	<i>M.A.</i>	<i>M. J.</i>				
<i>Fazil</i>	<i>M. J. Sub Divisional Education Officer (Male) Siabqadaf</i>	30/11/2018	<i>M.A.</i>	<i>M. J.</i>				

7-20687, u/g
Regularization of
NTS Services 15/11/18

NOTIFICATION

(Appointment and regularization of the services) Act, 2017 (Khyber Pakhtunkhwa Act no.1 of 2018) and Elementary & Secondary Education Department Govt: of Khyber Pakhtunkhwa Notification No. SO(S/F) & SED/3-2/2018/SITT/ Contract dated Peshawar the 16/02/2018, services of the following(433) primary School Teachers appointed through NTS on Adhoc basis on contract w.e.f (31-05-2014 to 1-07-2017), are hereby regularized in BPS-17 on the same posts in Teaching cadre vide: J1 (16) Chd Endst:No 19747-2018 dated 12-03-2018.

M. J.
Sub Divisional Education Officer (Male) Siabqadaf

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) CHARSAKDA

(13)

NOTIFICATION
 In pursuance of The Khyber Pakhtunkhwa Employees of the Elementary & Secondary Education (Appointment and Regulation of Services) Act, 2017 (Khyber Pakhtunkhwa Act No. 1 of 2018) and Elementary & Secondary Education Department Govt. of Khyber Pakhtunkhwa Notification No. 50 (S/P/E & S/D/3-2/2018 / 5111 /Contract dated Peshawar the 16/02/2018, services of the following (43) 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.

Sl No	Roll No. NTS	Name and Father Name	GNCR No	Name of School	Total Marks out of 200	UIC	Search and Select No. Date of Taking Over Charge
1	1500738	Muhammad Yousaf S/O Yousaf Ali	17101-0319296	GPS Station KRI	112.88	Muzaffar	4807-4958 Dated: 31/05/2014 01-07-10
2	1500711	Muhammad S/O Saadullah	17101-0319297	GPS Station KRI	121.21	Agha	4807-4958 Dated: 31/05/2014 01-07-10
3	1500714	Muhammad S/O Mubashir	17101-0319298	GPS Station KRI	116.32	Agha	4807-4958 Dated: 31/05/2014 01-07-10
4	1501340	Muhammad Ahsan S/O Mubashir	17101-0319299	GPS Station KRI	116.58	Agha	4807-4958 Dated: 31/05/2014 01-07-10
5	1500150	Muhammad S/O Mubashir	17101-0319300	GPS Station KRI	116.58	Agha	4807-4958 Dated: 31/05/2014 01-07-10
6	1500941	Muhammad S/O Mubashir	17101-0319301	GPS Station KRI	129.05	Balochistan	4807-4958 Dated: 31/05/2014 01-07-10
7	1500991	Muhammad S/O Mubashir	17101-0319302	GPS Station KRI	129.24	Balochistan	4807-4958 Dated: 31/05/2014 01-07-10
8	1500125	Muhammad Ahsan S/O Mubashir	17101-0319303	GPS Station KRI	121.45	Balochistan	4807-4958 Dated: 31/05/2014 01-07-10
9	1501110	Muhammad S/O Mubashir	17101-0319304	GPS Station KRI	119.3	Balochistan	4807-4958 Dated: 31/05/2014 01-07-10
10	1500007	Muhammad S/O Mubashir	17101-0319305	GPS Station KRI	115.48	Balochistan	4807-4958 Dated: 31/05/2014 01-07-10
11	1500845	Muhammad S/O Mubashir	17101-0319306	GPS Station KRI	122.34	Balochistan	4807-4958 Dated: 31/05/2014 01-07-10
12	1501057	Muhammad S/O Mubashir	17101-0319307	GPS Station KRI	132.18	Balochistan	4807-4958 Dated: 31/05/2014 01-07-10
13	1501150	Muhammad S/O Mubashir	17101-0319308	GPS Station KRI	155.83	Balochistan	4807-4958 Dated: 31/05/2014 01-07-10
14	1501240	Muhammad S/O Mubashir	17101-0319309	GPS Station KRI	138.45	Balochistan	4807-4958 Dated: 31/05/2014 01-07-10
15	1500109	Muhammad S/O Mubashir	17101-0319310	GPS Station KRI	116.28	Balochistan	4807-4958 Dated: 31/05/2014 01-07-10
16	1501214	Muhammad S/O Mubashir	17101-0319311	GPS Station KRI	114.31	Balochistan	4807-4958 Dated: 31/05/2014 01-07-10
17	1500175	Muhammad S/O Mubashir	17101-0319312	GPS Station KRI	121.56	Balochistan	4807-4958 Dated: 31/05/2014 01-07-10
18	1501221	Muhammad S/O Mubashir	17101-0319313	GPS Station KRI	134.33	Balochistan	4807-4958 Dated: 31/05/2014 01-07-10
19	1500954	Muhammad S/O Mubashir	17101-0319314	GPS Station KRI	104.56	Balochistan	4807-4958 Dated: 31/05/2014 01-07-10
20	1500928	Muhammad S/O Mubashir	17101-0319315	GPS Station KRI	116.17	Balochistan	4807-4958 Dated: 31/05/2014 01-07-10
21	1500990	Muhammad S/O Mubashir	17101-0319316	GPS Station KRI	121.17	Balochistan	4807-4958 Dated: 31/05/2014 01-07-10
22	1501149	Muhammad S/O Mubashir	17101-0319317	GPS Station KRI	117.17	Balochistan	4807-4958 Dated: 31/05/2014 01-07-10
23	1501158	Muhammad S/O Mubashir	17101-0319318	GPS Station KRI	123.06	Balochistan	4807-4958 Dated: 31/05/2014 01-07-10
24	1501005	Muhammad S/O Mubashir	17101-0319319	GPS Station KRI	116.56	Balochistan	4807-4958 Dated: 31/05/2014 01-07-10
25	1500964	Muhammad S/O Mubashir	17101-0319320	GPS Station KRI	115.09	Balochistan	4807-4958 Dated: 31/05/2014 01-07-10

92	1561701	Muhammad Khan S/O	17101-034085	GPS Device	121.66	Panipat	Dated:31/05/2014	4807-4958	2398-2408	Dated:28/04/2017
93	1560976	Shah Muhammad S/O	17101-034205	GPS Device	121.66	Panipat	Dated:31/05/2014	4807-4958	2398-2408	Dated:28/04/2017
94	1560860	Muhammad S/O Ali	17101-037745	GPS Device	124.92	Rajpuri	Dated:31/05/2014	4807-4958	2398-2408	Dated:28/04/2017
95	1560730	Muhammad Ali	17101-030157	GPS Device	122.1	Rajpuri	Dated:31/05/2014	4807-4958	2398-2408	Dated:28/04/2017
96	1561550	Owais Ullah S/O Faruq	17101-032058	GPS Device	122.43	Rajpuri	Dated:31/05/2014	4807-4958	2398-2408	Dated:28/04/2017
97	1561728	Shah Ayaz Ullah S/O	17101-037184	GPS Device	122.43	Rajpuri	Dated:31/05/2014	4807-4958	2398-2408	Dated:28/04/2017
98	1560118	Fahd Ali Shah S/O Abdul	17101-037088	GPS Device	118.74	Rajpuri	Dated:31/05/2014	4807-4958	2398-2408	Dated:28/04/2017
99	1560529	Muhammad Ali S/O Muhammad	17101-031938	GPS Device	109.71	Rajpuri	Dated:31/05/2014	4807-4958	2398-2408	Dated:28/04/2017
100	1561109	Muhammad Farid S/O	17101-034081	GPS Device	107.55	Rajpuri	Dated:31/05/2014	4807-4958	2398-2408	Dated:28/04/2017
101	1560987	Sahar Ullah S/O	17101-032075	GPS Device	96.2	Rajpuri	Dated:31/05/2014	4807-4958	2398-2408	Dated:28/04/2017
102	1561304	Muhammad Zubair Khan	17101-030413	GPS Device	92.93	Rajpuri	Dated:31/05/2014	4807-4958	2398-2408	Dated:28/04/2017
103	1561566	Abdullah Khan S/O	17101-037721	GPS Device	87.29	Rajpuri	Dated:31/05/2014	4807-4958	2398-2408	Dated:28/04/2017
104	1560225	Qazi Fahd Khan S/O	17101-032544	GPS Device	118.53	Rajpuri	Dated:31/05/2014	4807-4958	2398-2408	Dated:28/04/2017
105	1561335	Zahir Ullah S/O	17101-037054	GPS Device	117.43	Rajpuri	Dated:31/05/2014	4807-4958	2398-2408	Dated:28/04/2017
106	1561452	Muhammad Saif S/O	17101-032584	GPS Device	114.17	Rajpuri	Dated:31/05/2014	4807-4958	2398-2408	Dated:28/04/2017
107	1562532	Muhammad S/O	17101-032134	GPS Device	107.21	Rajpuri	Dated:31/05/2014	4807-4958	2398-2408	Dated:28/04/2017
108	1560943	Karam Khan S/O	17101-032452	GPS Device	127.52	Rajpuri	Dated:31/05/2014	4807-4958	2398-2408	Dated:28/04/2017
109	1562732	Muhammad S/O	17101-032491	GPS Device	124.92	Rajpuri	Dated:31/05/2014	4807-4958	2398-2408	Dated:28/04/2017
110	1561235	Fahd Muhammad S/O	17101-032540	GPS Device	118.25	Rajpuri	Dated:31/05/2014	4807-4958	2398-2408	Dated:28/04/2017
111	1560856	Khaled Ali S/O	17101-032454	GPS Device	120.41	Rajpuri	Dated:31/05/2014	4807-4958	2398-2408	Dated:28/04/2017
112	1561021	Zahid Khan S/O	17101-032533	GPS Device	112.05	Rajpuri	Dated:31/05/2014	4807-4958	2398-2408	Dated:28/04/2017
113	1561540	Jamil Muhammad Khan	17101-032280	GPS Device	111.2	Rajpuri	Dated:31/05/2014	4807-4958	2398-2408	Dated:28/04/2017
114	1560941	Muhammad S/O	17101-032580	GPS Device	124.92	Rajpuri	Dated:31/05/2014	4807-4958	2398-2408	Dated:28/04/2017
115	1560800	Shahid Ali S/O	17101-032459	GPS Device	110.7	Rajpuri	Dated:31/05/2014	4807-4958	2398-2408	Dated:28/04/2017
116	1561489	Muhammad Khan S/O	17101-032081	GPS Device	126.59	Rajpuri	Dated:31/05/2014	4807-4958	2398-2408	Dated:28/04/2017
117	1561271	Muhammad Ali S/O	17101-032422	GPS Device	121.13	Rajpuri	Dated:31/05/2014	4807-4958	2398-2408	Dated:28/04/2017
118	1561401	Zahid Khan S/O	17101-032185	GPS Device	112.87	Rajpuri	Dated:31/05/2014	4807-4958	2398-2408	Dated:28/04/2017
119	1560931	Muhammad Khan S/O	17101-032136	GPS Device	121.89	Rajpuri	Dated:31/05/2014	4807-4958	2398-2408	Dated:28/04/2017
120	1560736	Muhammad S/O	17101-032581	GPS Device	118.65	Rajpuri	Dated:31/05/2014	4807-4958	2398-2408	Dated:28/04/2017
121	1561702	Muhammad Khan S/O	17101-032021	GPS Device	112.59	Rajpuri	Dated:31/05/2014	4807-4958	2398-2408	Dated:28/04/2017
122	1561805	Muhammad Khan S/O	17101-032018	GPS Device	113.3	Rajpuri	Dated:31/05/2014	4807-4958	2398-2408	Dated:28/04/2017
123	1561257	Muhammad Khan S/O	17101-032638	GPS Device	109.25	Rajpuri	Dated:31/05/2014	4807-4958	2398-2408	Dated:28/04/2017
124	1561261	Muhammad Khan S/O	17101-032597	GPS Device	120.56	Rajpuri	Dated:31/05/2014	4807-4958	2398-2408	Dated:28/04/2017

2398-2408

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422	2031001233	Sayed Khan S/O Ali Akbar	17102-9394848-195	GPS Splemai Tangi	116.54	Shodag	20762-856	Dated: 28/03/2017	08-04-17
423	2035001449	Muddeem Jan S/O Khan Buhader	17102-9394848-196	GPS Tarnab No.2	112.6	Tarnab	20762-856	Dated: 28/03/2017	08-04-17
424	2031001025	Muhammad Ali S/O Zait Ullah Khan	17102-9394848-197	GPS Tarnab No.1	111.76	Tarnab	20762-856	Dated: 28/03/2017	08-04-17
425	2035001107	Muddeem AS S/O Hishar Ali	17102-9394848-198	GPS Umarza No.1	134.95	Umarza	20762-856	Dated: 28/03/2017	08-04-17
426	201701921	Muhammad Zahab S/O Muhammad Yousef	17102-9394848-199	GPS Dhari Zardad No.1	112.95	Dhari Zardad	20762-856	Dated: 28/03/2017	08-04-17
427	2032001181	Abdul Majid S/O Abdul Bari	17102-9394848-200	GPS Malizen Karwana SKF	126	Hasanai	27462-71	Dated: 28/03/2017	22-05-17
428	2017009247	Muhammad Ullah S/O Yousef Gul Mujeeb Ur Rehman	17102-9394848-201	GPS No.3 Tangi	120.14	MC-Tangi	27462-71	Dated: 28/03/2017	22-05-17
429	2017000286	(Disable Quota) S/O Zahid Ullah	17102-9394848-202	GPS No.1 Charsadda	121.33	MC-It Charsadda	27462-71	Dated: 28/03/2017	22-05-17
430	203300315	Hazrat Ullah S/O Afrazaid	17102-9394848-203	GPS Arat Kibi	106.74	Kandahar/Ghant	27330-34	Dated: 28/03/2017	01-09-17
431	2033001129	Asif Ur Rehman (Disable Quota) S/O Gul Rehman	17102-9394848-204	GPS Dhokki	121.59	Dhokki	27447-51	Dated: 28/03/2017	01-09-17
432	201700483	Syed Wilayat Shah S/O Syed Farah Siaz Shah	17102-9394848-205	GPS Haidor Kibi	103.59	Shodag	28773-76	Dated: 25/07/2017	01-09-17
433	2031002963	Yahya Jan S/O Dilbar Khan	17102-9394848-206	GPS Mahmood Abad	121.61	Chandrag	28777-10	Dated: 25/07/2017	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 & deduction of GP Fund 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 have 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/statement 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 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) 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

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

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

District Education Officer

DISTRICT EDUCATION OFFICER
MADURAI, TAMIL NADU

[Signature]

- 1 Director EkSE Kshetra, Sakshiniksha Padavali
- 2 District Monitoring Office (DMO) Cherasada
- 3 Sub Divisional Education Officer (SDEO) Cherasada/Tangal/Shahgoda
- 4 Office file

Ends: No. 18274-304
Date: 04/9/2019

(FINANCIAL HEAD)
DISTRICT EDUCATION OFFICER
MADURAI, TAMIL NADU

- 1 No P.A. is allowed
- 2 Charge report should be submitted to all concerned
- 3 PSHT should be handed over after getting clearance of officials regarding P.T.C. and other funds.

NOTE

26	Female (18th SPST)	GPS Chinnaiyodug	GPS Chinnaiyodug	V.S.No.25
25	Male (18th SPST)	GPS Rani Chinnaiyodug	GPS Chinnaiyodug	V.S.No.26
24	Male (18th SPST)	GPS Aiyon Kudi	GPS Aiyon Kudi	V.S.No.23
23	Female (18th SPST)	GPS Chinnaiyodug	GPS Chinnaiyodug	V.S.No.24
22	Male (18th SPST)	GPS Rani Chinnaiyodug	GPS Chinnaiyodug	V.S.No.21
21	Female (18th SPST)	GPS Chinnaiyodug	GPS Chinnaiyodug	V.S.No.22
20	Male (18th SPST)	GPS Chinnaiyodug	GPS Chinnaiyodug	V.S.No.19
19	Female (18th SPST)	GPS Chinnaiyodug	GPS Chinnaiyodug	V.S.No.20
18	Male (18th SPST)	GPS Chinnaiyodug	GPS Chinnaiyodug	V.S.No.17
17	Female (18th SPST)	GPS Chinnaiyodug	GPS Chinnaiyodug	V.S.No.18
16	Male (18th SPST)	GPS Chinnaiyodug	GPS Chinnaiyodug	V.S.No.15
15	Female (18th SPST)	GPS Chinnaiyodug	GPS Chinnaiyodug	V.S.No.16
14	Male (18th SPST)	GPS Chinnaiyodug	GPS Chinnaiyodug	V.S.No.14
13	Female (18th SPST)	GPS Chinnaiyodug	GPS Chinnaiyodug	V.S.No.13
12	Male (18th SPST)	GPS Chinnaiyodug	GPS Chinnaiyodug	V.S.No.12
11	Female (18th SPST)	GPS Chinnaiyodug	GPS Chinnaiyodug	V.S.No.11
10	Male (18th SPST)	GPS Chinnaiyodug	GPS Chinnaiyodug	V.S.No.10
9	Female (18th SPST)	GPS Chinnaiyodug	GPS Chinnaiyodug	V.S.No.9
8	Male (18th SPST)	GPS Chinnaiyodug	GPS Chinnaiyodug	V.S.No.8
7	Female (18th SPST)	GPS Chinnaiyodug	GPS Chinnaiyodug	V.S.No.7
6	Male (18th SPST)	GPS Chinnaiyodug	GPS Chinnaiyodug	V.S.No.6
5	Female (18th SPST)	GPS Chinnaiyodug	GPS Chinnaiyodug	V.S.No.5
4	Male (18th SPST)	GPS Chinnaiyodug	GPS Chinnaiyodug	V.S.No.4
3	Female (18th SPST)	GPS Chinnaiyodug	GPS Chinnaiyodug	V.S.No.3
2	Male (18th SPST)	GPS Chinnaiyodug	GPS Chinnaiyodug	V.S.No.2
1	Female (18th SPST)	GPS Chinnaiyodug	GPS Chinnaiyodug	V.S.No.1

(FINANCIAL HEAD)
DISTRICT EDUCATION OFFICER
MADURAI, TAMIL NADU



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

☎ 091-9220451 ✉ emischarsadda@yahoo.com

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SAFE

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. 2072-2512 / Promotion / Estab Dated Peshawar the 21/01/2013, the following Primary School Teachers (BPS-12) are hereby promoted to the post of ST/ST (BES-14) (Rs.15180-1170-50280) plus usual allowances as admissible under the rules on regular basis under the existing policy of the Provincial Government in Teaching cadre on the terms and conditions given below with immediate effect and further posted in the school noted against each.

Sl#	NAME	PRESENT SCHOOL	POSTED AT	REMARKS
1	SHER MUHAMMAD KHAN	GPS GARDERI DALA	GPS PALAY DOBANDI	AVP
2	MIRHAJ ULLAH	GPS AMBA DHERI NO.2	GPS AMBA DHERI NO.2	AVP
3	ASIM ALI KHAN	GPS CHEENA	GPS CHEENA	AVP
4	ZUBAIR	GPS PLA DHERAI	GPS PLA DHERAI	AVP
5	ADHAN	GPS KIRULT	GPS KIRULT	AVP
6	FAZAL MANAN	GPS KHAT KILLI SHOLGARA	GPS KHAT KILLI SHOLGARA	AVP
7	ABU QAYUM	GPS MALIK ABAD	GPS MALIK ABAD	AVP
8	IFTIKHAR ULLAH	GPS MARCHAKI	GPS MARCHAKI	AVP
9	MUCLIM SHAH	GPS INAM KILLI	GPS LANDAI SHAH	AVP
10	MUHAMMAD YOUSAF	GPS KULA DHER NO.1	GPS KULA DHER NO.1	AVP
11	ASLAM KHAN	GPS KHORA ABAD	GPS KHORA ABAD	AVP
12	AGHTAR ALI	GPS ANGAR KOROONA	GPS ANGAR KOROONA	AVP
13	NIZAM ULLAH	GPS ISLAM ABAD DARGAI	GPS ISLAM ABAD DARGAI	AVP
14	HADEM JAN	GPS KASS KOROONA	GPS KASS KOROONA	AVP
15	NASIR KHAN	GPS KHISRO KHAN KILLI	GPS SHAHNAWAZ KILLI	AVP
16	TILAVAT 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 SHAQI NO.2	GPS DEH DAI	AVP
20	ABDUL RAJSAWIR	GPS ANGAR KOROONA	GPS ANGAR KOROONA	AVP
21	SHER ALI	GPS KANGRA	GPS KANGRA	AVP
22	SABIR SHAH	GPS ZUHRAB GUL KILLI NO.1	GPS ZUHRAB GUL KILLI NO.1	AVP
23	SHHEER GHAYAS KHAN	GPS PARAO NISATTA	GPS PARAO NISATTA	AVP
24	MUHAMMAD SHOAB	GPS ASHARA BATTAGRAM	GPS ASHARA BATTAGRAM	AVP
25	SHAHID KHAN	GPS MIAN SAHIB GUL KILLI	GPS MIAN SAHIB GUL KILLI	AVP
26	JAWAD ALI	GPS KHUBAI	GPS KHUBAI	AVP
27	ZULFIQAN ALI	GPS CHAMYARAN	GPS CHAMYARAN	AVP
28	KAMAM ELAHI	GPS AJOOH KILLI	GPS AJOOH KILLI	AVP
29	MUDASSIR SHAH	GPS RIZWAN ABAD	GPS RIZWAN ABAD	AVP
30	YASER 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	ISHTEAQ AHMAD	GPS RASOOL KHAN KILLI	GPS RASOOL KHAN KILLI	A.V.P
34	MURAD ALI	GPS PAINDA KHEL TARNAB	GPS PAINDA KHEL TARNAB	A.V.P
35	MUHAMMAD IMRAN	GPS SHEIKH MUNAF KILLI	GPS SHEIKH MUNAF KILLI	A.V.P
36	ANWAR ZEB	GPS INZAR KILLI	GPS INZAR KILLI	A.V.P
37	SHAH ANWAR	GPS ASHARA BATTAGRAM	GPS ASHARA BATTAGRAM	A.V.P
38	KHALIL ULLAH	GPS UTRANZAI NO.3	GPS UTRANZAI NO.3	A.V.P
39	NOOR ULLAH JAN	GPS GHURMBAK- NO.1	GPS GHURMBAK- NO.1	A.V.P
40	MUHAMMAD ISMAIL SHAHID	GPS TANGI NO.3	GPS TANGI NO.3	A.V.P
41	MUHAMMAD IZHAR	GPS HASSANZAI	GPS HASSANZAI	A.V.P
42	SHAHAL AHMAD	GPS KARIMO BANDA	GPS CHAKOOR	A.V.P
43	MIRZA ALI KHAN	GPS DALAZAK NO.1	GPS DALAZAK NO.1	A.V.P
44	ROSHAN KHAN	GPS ALI JAN KILLI	GPS ALI JAN KILLI	A.V.P
45	MOAZAM JAN	GPS QAZI KHEL-2	GPS QAZI KHEL-2	A.V.P
46	BAKHT TAJ GUL	GPS DHERAI KOR: KATOZAI	GPS DHERAI KOR: KATOZAI	A.V.P
47	REHMAN ULLAH	GPS OCHA WALA-NO.1	GPS OCHA WALA-NO.1	A.V.P
48	AMROOZ KHAN	GPS LANDI ROAD	GPS LANDI ROAD	A.V.P
49	ADNAN HUSSAIN	GPS GONDA	GPS GONDA	A.V.P
50	MUHAMMAD YASIR	GPS ODIGRAM	GPS ODIGRAM	A.V.P
51	INAMUL HASSAN	GPS KULA DHER NO.1	GPS KULA DHER NO.1	A.V.P
52	UMAR GUL	GPS AZIZ ABAD NO.2	GPS AZIZ ABAD NO.2	A.V.P
53	SHAH AYAZ UDDIN	GPS RAJJAR NO.1	GPS RAJJAR NO.1	A.V.P
54	MUHAMMAD ASBI	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 DOKAR GARHI	GPS CHEENA	A.V.P
60	IRSHAD ALI	GPS QALARY	GPS QALARY	A.V.P
61	MAJID KHAN	GPS ARAT KOROONA	GPS ARAT KOROONA	A.V.P
62	SHAH KHALID	GPS MATHRA QADEEM	GPS MATHRA QADEEM	A.V.P
63	MUKHTAR ULLAH	GPS ISLAM ABAD DOBANDI	GPS ISLAM ABAD DOBANDI	A.V.P
64	TAHIR ALI SHAH	GPS SHAKAR DHAND	GPS HIJMAT 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	QASAR 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	A.V.P

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77	JAWAD MUHAMMAD	GPS SHAH DHAND	GPS SHAH DHAND	A.V.P
78	USMAN ALI	GPS SHEKH ABU RAZZAK	GPS SHEKH ABU RAZZAK	A.V.P
79	MUQDAR 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	IKRAM UL HAQ	GPS AMBA DHER NO.1	GPS AMBA DHER NO.1	A.V.P
83	ZAFAR ALI	GPS BOUCHHANO.3	GPS BOUCHHANO.3	A.V.P
84	ASHI 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 KORONA	GPS KASS KORONA	A.V.P
88	AZMAT HUUJAJ	GPS MARCHAKI-2	GPS MARCHAKI-2	A.V.P
89	IRSAN 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 ZEESHAN	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 KORONA	GPS YAR JAN KORONA	A.V.P
96	ABDUR RAHMAN	GPS JAN ABAD	GPS JAN ABAD	A.V.P
97	SAFED 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 CHUNDAI KORONA	GPS CHUNDAI KORONA	A.V.P
100	DILAWAR SHAH	GPS BOSA KHEL PRANG	GPS BOSA KHEL PRANG	A.V.P
101	ISHFAQ AHMAD	GPS MIAN SANHU GUL QALA	GPS DILEM K GARHI	A.V.P
102	ROOHUL AMIN	GPS BAGSHAMOZAI	GPS BAGSHAMOZAI	A.V.P
103	ATTA ULLAH RAZVI	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	HAZIR AHMAD	GPS MAROHAND NO-1	GPS MAROHAND NO-1	A.V.P
107	YASIR 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 GUL ZAFI	GPS SHAH DHAND	GPS SHAH DHAND	A.V.P
111	SHAH ALI	GPS SANGOO	GPS SANGOO	A.V.P
112	MANZOOR ALI	GPS GUJRANO KILLI	GPS GUJRANO KILLI	A.V.P
113	MAJID SHAH	GPS RHMAT ULLAH KORONA	GPS RHMAT ULLAH KORONA	A.V.P
114	AFTAB AHMAD	GPS CHITLA DHERI	GPS HAJI ABAD UMARZAI	A.V.P
115	ASFAANDIYAR	GPS PRANG- NO.3	GPS PRANG- NO.3	A.V.P
116	ZAHOOR AHMAD	GPS SHERPAO NO.1	GPS SHERPAO NO.1	A.V.P
117	FARHAD ALI	GPS KATIGAN	GPS KATIGAN	A.V.P
118	MUHAMMAD BASIH	GPS WARDAGA- NO.1	GPS WARDAGA- NO.1	A.V.P
119	AFAN KHAN	GPS CHECK RAZZAK	GPS CHECK RAZZAK	A.V.P
120	KHAN MUHAMMAD	GPS RASHAKAI	GPS RASHAKAI	A.V.P
121	AMJID ALI	GPS BANGAI	GPS BANGAI	A.V.P

(19)

122	WISAL AHMAD	GPS HASSAN GUL KOROONA	GPS HASSAN GUL KOROONA	A.V.P
123	RAHAM SHID KHAN	GPS KRAPA MUHAMMAD KHAN	GPS KRAPA MUHAMMAD KHAN	A.V.P
124	SHAMSUL HAQ	GPS BAZ MIAN KILLI	GPS BAZ MIAN KILLI	A.V.P
125	SHEREAZ 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 MASDOD	GPS KALYAS	GPS KALYAS	A.V.P
128	MUHAMMAD ADIL JAN	GPS BOSA KHPL-NO.2	GPS BOSA KHPL-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.2	GPS ATTAKI NO.2	A.V.P
132	NAZ ALI KHAN	GPS ATTAIG NO.3	GPS ATTAIG 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 ATTKAI NO.3	GPS ATTKAI NO.3	A.V.P
139	MUSTAFA ZEB	GPS MIAN KILLI	GPS MIAN KILLI	A.V.P
140	ABDULLAH KHAN	GPS ZARWAR KHAN KOR	GPS ZARWAR KHAN KOR	A.V.P
141	NAZ MUHAMMAD	GPS MATHRA NEW	GPS MATHRA NEW	A.V.P
142	NOOR-UL-ISLAM	GPS DARGAI	GPS DARGAI	A.V.P
143	MEER ALAM	GPS HAMISH GUL KILLI	GPS HAMISH GUL KILLI	A.V.P
144	TILA MUHAMMAD	GPS HAMISH GUL KILLI	GPS HAMISH GUL KILLI	A.V.P
145	SHAH SAUD	GPS SHEIKHANO KOROONA	GPS SHEIKHANO KOROONA	A.V.P
146	MANZOOR KHAN	GPS AKHONZADGON	GPS AKHONZADGON	A.V.P
147	UBAID ULLAH JAN BACHA	GPS PRANG NO.3	GPS PRANG NO.3	A.V.P
148	NIHAR AHMAD	GPS KHAT KILLI PRANG	GPS KHAT KILLI PRANG	A.V.P
149	IHSAN MUHAMMAD	GPS KODAI SARDARYAB	GPS KODAI SARDARYAB	A.V.P
150	MAZULLAH KHAN	GPS HASSAN ABAD	GPS HASSAN ABAD	A.V.P
151	MAQSOOD JAN	GPS GUL ABAD MERA	GPS GUL ABAD MERA	A.V.P
152	MUHAMMAD FAROOQ	GPS ZAHID ABAD	GPS ZAHID ABAD	A.V.P
153	MUHAMMAD SHOAB	GPS ABAZAI	GPS ABAZAI	A.V.P
154	JAUHAR UDDIN	GPS MUSLIM ABAD	GPS MUSLIM ABAD	A.V.P
155	INAYATUR RAHMAN	GPS HASSAN ABAD	GPS HASSAN ABAD	A.V.P
156	JEHAN ZEB KHAN	GPS CHANCHANO KHAT	GPS CHANCHANO KHAT	A.V.P
157	KASHIF KHAN	GPS GANJI DAG NO.1	GPS GANJI DAG NO.1	A.V.P
158	SANI RAHMAN	GPS LANDI SHAH	GPS LANDI SHAH	A.V.P
159	GULAB NOOR	GPS QAZI SERAI	GPS GANDHERI PAYAN NO.2	A.V.P
160	ANWAR UL HAQ	GPS STARNAB SKF	GPS STARNAB SKF	A.V.P
161	HIMAYAT ULLAH	GPS DAMAN BATTAGRAIM	GPS DAMAN BATTAGRAIM	A.V.P

TERMS & CONDITIONS:

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

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- 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.

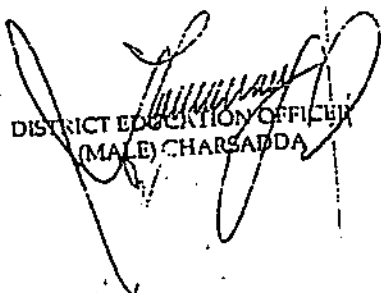
S.NO.	NAME & DESIGNATION	PRESENT SCHOOL	POSTED AT	REMARKS
1	Riaz Ali SPST	GPS Kass Korona	GPS Tala Shah	Single teacher school
2	Khurshad Alam SPST	GPS Gul Shah Killi	GPS Bari Band	Adjusted being 4/plus
3	Jawad Khan SPST	GPS Kagan	GPS Safa Bari Band	Adjusted being 4/plus
4	Abdul Bari Jan SPST	GPS Ghulam Ferid Killi	GPS No.1 Sedar Garhal	N.Basis
5	Muhammad Sejad SPST	GPS Ghundal Kwoona	GPS Banda Rashakai	Adjusted being 4/plus
6	Muhammad Khan SPST	GPS Mirza Dher No.1	GPS Harmanzal	N.Basis
7	Bahar Rafiqan SPST	GPS Rafi Ullah Korona	GPS Bachyano Killi	N.Basis
8	Nisar Ali SPST	GPS Landi Shah	GPS Arat Korona	Being disable
9	Zahir Ullah SPST	GPS Shabara No.1	GPS Sukkar	N.Basis
10	Muhammad Zahoor PST	GPS Shah Nawaz Killi	GPS Pehlota Bala	N.Basis
11	Aziz ur Rahman SPST	GPS Azim Gul Milan Killi	GPS Sati Abad	N.Basis
12	Hubab Akhtar SPST	GPS Khan Khet	GPS Gonda	N.Basis
13	Shah Jehan PST	GPS Mineral Bano	GPS Sneh Killi	N.Basis
14	Abdur Rahman SPST	GPS Risoldar Killi No.2	GPS Garhi Harneed Gul	N.Basis

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

(JEHANGIR KHAN)
DISTRICT EDUCATION OFFICER
(MALE) CHARSAZZA

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

- Copy for information to the:
1. Director (Ed&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) CHARSAZZA

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: ZAKIRULLAH

Designation: SPST

School: GPS Kodai No-2

Contact No: 0333-9026129

Signature: Fazirullah


Date: 20/04/2024

(22)
~~22~~

APX H

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

No. 10021

 sdeopri@gmail.com
Dated 22/7/2024

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 Krapa Muhammad 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

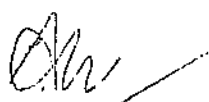
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Office of the Sub Divisional Education Officer
(Male) Shabqadar Charsadda

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	Saeed Khan	SPST	GPS Matta Mughal Khel
28	Wasai 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

Fact As Above


Sub Divisional Education Officer
(Male) Shabqadar

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

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APPEAL NO. 7597 /2021

ABDUL MUSAWIR V/S EDUCATION DEPTT.

I N D E X

S. NO.	DOCUMENTS	ANNEXURE	PAGES
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 Kalif, Charsadda.
s/o Amir Abad.-PO Rajjar, Tehsil & District Charsadda.

APPELLANT

VERSUS

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

RESPONDENTS

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

PRAYER:

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

Respectfully Shrovetth,

FACTS:

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

ATTESTED

[Signature]
20/11/21

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.

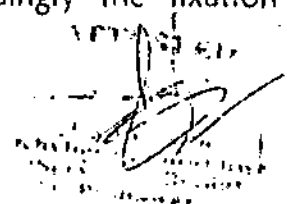
Copy of Service Book are attached as Annexure..... D.

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

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

Copy of Pay Rolls are attached as Annexure E.

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

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

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

GROUND:

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

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

(28)

- 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

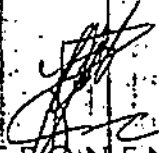
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No. such like appeal has been filed or pending on the subject matter between the parties before this Honourable Tribunal.


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
17101-3401857-5-21


NOTE:

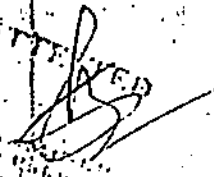
Addresses of parties mentioned in the heading of the appeal is correct and sufficient for service.


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

(Respondents)

Mr. Muhammad Maaz Madani
Advocate

For appellant

Mr. Muhammad Jan
District Attorney

For respondents

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


JUDGMENT

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

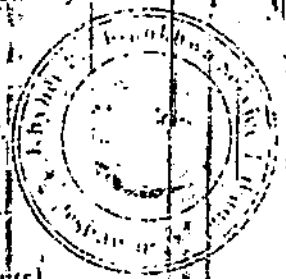
"On acceptance of this appeal, the inaction of the respondents by not allowing the annual increment for the year 2014, and releasing outstanding salaries for the month of June, July & August 2014 may very kindly be declared illegal and the respondents may kindly be directed and also release the outstanding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

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

ATTESTED


Secretary

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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.

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

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

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


 (MUHAMMAD AKBAR KHAN)
 Member (E)


 (RASHIDA BANO)
 Member (J)


 30/7/24


Date of Presentation of Application 30/7/24
 Number of Pages 7-8
 Cost of Case 35/-
 Fee 5/-
 Total 40/-
 Date of Filing 30/7/24
 Date of Delivery 30/7/24


ORDER
06.11.2023

1. Learned counsel for the appellant present: Mr. Muhammad
Jun 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 appellants held
entitled to all back benefits. Costs shall follow the event. Consign.

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


(Muhammad Akbar Khan)
Member (E)


(Rashida Bano)
Member (J)

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To

The Director Education
Elementary and Secondary Education KP.Peshawar.

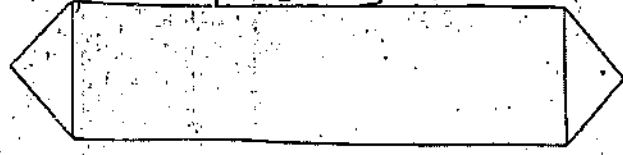
Departmental Appeal

- i. The Appellants are the employee of the education Department, and were initially appointed as Primary School Teacher PST BPS-12 on ADHOC Basis after fulfilling all the legal and 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-105. (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)
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

Zakir Ullah S/O Mustan Shah
(SPST, BPS-14) Government Primary
School kodai No-1, Shabqadar District
Charsadda

بعدالت حدیث میں لکھنے والی چیزیں



Appeal: 2 منجانب (ذات اللہ)

بنام عالی شان عدالت عالیہ

مورد
مقدمہ
دعوی
جرم

باعث تحریر آنکے

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

اسما علیہ السلام

آن مقام (۱۵) اور کیلئے عدالت (اسما علیہ السلام) حکم جاری کیا۔ 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 و زرائع پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت 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 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 اختیارات حاصل ہوں گے اور اس کا ساختہ پر داخست 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۔

ذات اللہ و ملہ مسلمان داد

Accepted and Accepted

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ماہ

الرقوم

العبد گدگ واہ العبد کے لئے منظور ہے۔

مقام (۱۵)