




Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 1090 /2020

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	20/02/2020	<p>The appeal of Mr. Sabir Sultan received today by post through Mr. Muhammad Arshad Khan Tanoli Advocate may be entered in the Institution Register and put up to the Learned Member for proper order please. decrease</p> <p style="text-align: right;"> REGISTRAR</p> <p>This case is entrusted to touring S. Bench at A.Abad for preliminary hearing to be put up there on <u>17-04-2020</u></p> <p style="text-align: right;"> MEMBER</p> <p>Due to covid ,19 case to come up for the same on / / at camp court abbottabad.</p> <p style="text-align: right;">Reader</p> <p>Due to summer vacation case to come up for the same on <u>23/10/20</u> at camp court abbottabad.</p> <p style="text-align: right;"> Reader</p>

23.10.2020

Counsel for appellant present. Preliminary arguments heard. File perused.

Points raised need consideration. Admitted to regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter notices be issued to respondents for written reply/comments. To come up for written reply/comments on 18.01.2021 before S.B at Camp Court, Abbottabad.

Appellant Deposited
Security & Process Fee

27/10/20

(Rozina Rehman)
Member (J)
Camp Court, A/Abad

18.01.2021

Due to COVID-19, the case is adjourned for the same on 17.02.2021 before D.B.

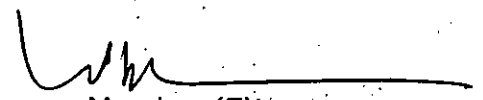

READER

17.02.2021

Counsel for appellant present.

Noor Zaman Khattak learned District Attorney for respondents present.

Written reply of respondents is still awaited. Representative of respondents is not available. Notice be issued to respondents for reply/comments for 14.06.2021 before S.B at Camp Court, Abbottabad.


Member (E)
Camp Court, A/Abad.

14.06.2021

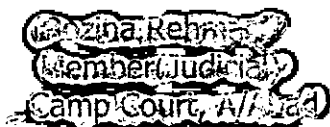
Due to cancellation of tour, Bench is not available. Therefore, case to come up for the same as before on 29.09.2021.


Reader

29.09.2021

Counsel for the appellant and Mr. Muhammad Adeel Butt, Addl. AG for the respondents present.

No representative of the respondents is present. Written reply as directed to be filed on previous date is still awaited. Learned AAG shall take the respondents on board for filing of the written reply within 10 days in office. If the respondents fail to submit the reply/comments within the stipulated time their right of submission of written reply shall be deemed as struck off. To come up for arguments before the D.B on 17.01.2022 at Camp court, Abbottabad


Mazina Rehman
Member/Judicial
Camp Court, A/Abad


Chairman
Camp Court, A/Abad

17.01.2022

Counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General for the respondents present and requested that time may be granted for submission of written reply/comments on behalf of respondents. The request is acceded, however subject to payment of costs of Rs. 2000/-. Learned Additional Advocate General shall contact respondents for submission of reply as well as payment of cost on the next date positively, otherwise their right for submission of written reply/comments shall be deemed as struck off. Adjourned. To come up for submission of written reply/comments as well as costs of Rs. 2000/- on behalf of respondents on 19.04.2022 before the S.B at Camp Court Abbottabad.



(Salah-ud-Din)
Member (J)
Camp Court A/Abad

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR
AT CAMP COURT ABBOTTABAD.

Service Appeal No. 1090/2020

Date of institution 20.02.2020

Sabir Sultan S/o Abdul Razzak, R/o Village Badhora Tehsil & District
Haripur.

VERSUS

Government of Khyber Pakhtunkhwa, through Secretary Elementary
& Secondary Education Khyber Pakhtunkhwa Peshawar and two
others.

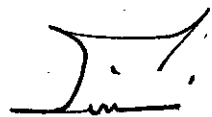
ORDER
19.04.2022

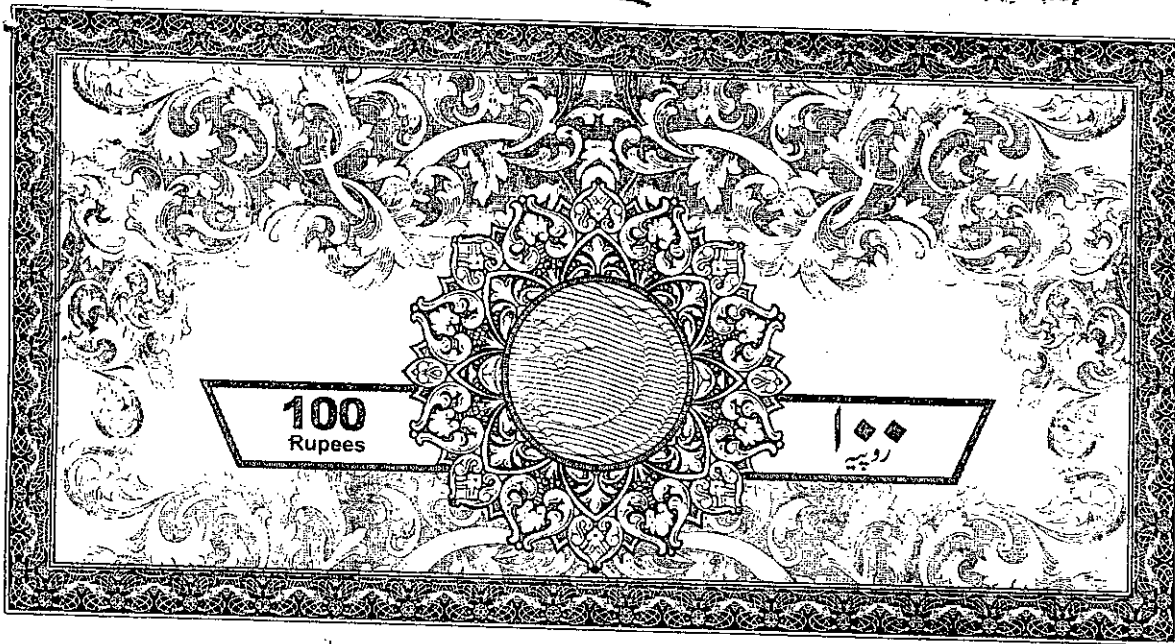
Appellant alongwith his counsel namely Mr. Muhammad Arshad
Khan Tanoli, Advocate, present. Mr. Noor Zaman Khattak, District
Attorney for the respondents present.

Learned counsel for the appellant stated at the bar that the
appellant has been reinstated in service, therefore, he wants to
withdraw the instant service appeal. In this respect, learned counsel
for the appellant submitted an application, which is placed on file.

In view of the above, the appeal in hand stands dismissed as
withdrawn. Parties are left to bear their own costs. File be consigned
to the record room.

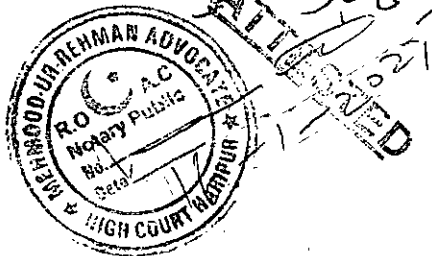
ANNOUNCED
19.04.2022


(SALAH-UD-DIN)
MEMBER (JUDICIAL)
CAMP COURT ABBOTTABAD



بیان حلفی

محکمہ صابر سلطان ولد عبد الزراق شافق کارڈ نمبر 5-5520504-13302
 ساکنہ بدھوڑہ تحصیل ضلع بہاولپور ضلعاً بیانِ حلفی میری تعیناتی بطور ملازمین نور
 گورنمنٹ ہائی سکول (بوائز) بدھوڑہ تحصیل ضلع بہاولپور میں محکمہ تعلیم بہاولپور
 نے ماہ جون 2020ء میں کی۔ لیکن بعد ازیں کسی سبب کی وجہ سے میرا کارڈ
 منسوخ کر دیا گیا۔ جس کے خلاف میں نے سر دس ٹریبیونل میں اپیل دائر
 کی تھی۔ جس کا نمبر 2020/09/1 ہے۔ لیکن بعد ازیں دائری اپیل ختم نہ ہونے
 دوبارہ بحال کر دیا۔ جس بنا پر میں کسی اپیل کو Pursue کرنے کا
 کو ایمان نہ رکھوں۔ لہذا میرا ہائی وٹا کر اپیل خارج و سبکی ہو گیا ہے۔
 حلفی لکھتی ہے۔



الع

صابر سلطان ولد عبد الزراق ساکنہ بدھوڑہ تحصیل ضلع بہاولپور

گواہ برکہ

صابر سلطان

گواہ برکہ
 ولد اسحاق خان انیسویں گولڈ
 کورٹ رومنٹ باہر بہاولپور
 1-233-666-13101
 سید

راجہ طاہر نور ساکنہ بدھوڑہ تحصیل ضلع بہاولپور
 13302-2366127-3
 سید

**BEFORE THE SERVICE TRIBUNAL, KHYBER
PAKHTUNKHWA PESHAWAR**

Service Appeal No. 1090 /2020

Sabir Sulatn son Abdul Razzak resident of Village Badhora Tehsil & District Haripur.

...APPELLANT

VERSUS

Government Khyber Pakhtunkhwa, through Secretary E&SE KP Peshawar & others.

....RESPONDENTS

SERVICE APPEAL APPEAL

INDEX

S. #	Description	Page #	Annexures
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2.	Copy of appointment order	7 to 10	"A"
3.	Copy of corrigendum order dated 16/07/2019	11 to 15	"B"
4.	Copy of withdrawal order	12 to 15	"C"
5.	Copy of salary slip	16-18	"D"
6.	Copy of medical certificate and charge report	19-20	"E"
7.	Wakalatnama	21	

(Signature)
...APPELLANT

Through

Dated: _____ /2020

(Signature)
(Muhammad Arshad Khan Tanoli)
Advocate High Court, Abbottabad

Muhammad Arshad Khan Tanoli
Advocate High Court
Office No 33 Adjacent to
Dist Bar Abbottabad

1

**BEFORE THE SERVICE TRIBUNAL, KHYBER
PAKHTUNKHWA PESHAWAR**

Service Appeal No. 1090 /2020

Sabir Sulatn son Abdul Razzak resident of Village Badhora Tehsil & District Haripur.

...APPELLANT
Khyber Pakhtunkhwa
Service Tribunal

VERSUS

Case No. 1251

Dated 21/02/2020

1. Government Khyber Pakhtunkhwa, through secretary E&SE KP Peshawar.
2. Director E&SE KP Peshawar.
3. DEO (Male) District Haripur.

....RESPONDENTS

SERVICE APPEAL UNDER SECTION 4 OF SERVICE TRIBUNAL ACT, 1974, FOR DECLARATION TO THE EFFECT THAT THE APPELLANT WAS APPOINTED AS LAB ATTENDANT IN GOVERNMENT HIGH SCHOOL BADHORA VIDE ORDER DATED 22/06/2019 AND THEREAFTER ISSUED CORRIGENDUM ORDER DATED 16/07/2019 WHEREIN THE POST OF THE PETITIONER WAS CONVERTED INTO THE POST OF CHOWKIDAR, RESPONDENT NO. 3 WITHOUT ANY INQUIRY OR LAWFUL

Filed to-day
[Signature]
Registrar
20/2/2020

JUSTIFICATION WITHDREW APPOINTMENT ORDER OF THE APPELLANT VIDE IMPUGNED WITHDRAWAL ORDER DATED 12/10/2019 WHICH IS MALAFIDE WITHOUT ANY INQUIRY AND LIABLE TO BE SET-ASIDE.

PRAYER: ON ACCEPTANCE OF THE INSTANT SERVICE APPEAL, THE IMPUGNED WITHDRAWAL ORDER 12/10/2019 MAY GRACIOUSLY BE ORDERED TO BE SET-ASIDE AND THE APPELLANT MAY REINITIATED IN SERVICE W.E.F THE DATE OF WITHDRAWAL ORDER AND BACK BENEFIT MAY ALSO BE ORDER TO BE GRANTED TO THE APPELLANT.

Respectfully Sheweth:-

That the facts forming the background of the instant service appeal are arrayed as under;-

1. That the appellant was appointed as lab attendant in Government High School Badhora vide order dated 22/06/2019. Copy of appointment order is attached as Annexure "A".

2. That respondent No. 3 converted the post of the appellant from Lab attendant to chowkidar vide corrigendum order dated 16/07/2019. Copy of corrigendum order dated 16/07/2019 is attached as Annexure "B".

3. That respondent No. 3 with malafidely intention withdrew appointment order dated 22/06/2019 of the appellant vide impugned withdrawal order dated 22/06/2019. Copy of withdrawal order is attached as Annexure "C". Hence, the appellant filed department appeal on 21/10/2019 which is yet to be replied by the respondent department. Hence, the service appeal is filed inter-alia on the following grounds.

GROUND:-

- a) That the appellant was appointed as Lab attendant against vacant post in Government High School Badhora thereafter, the post of appellant was converted into the post of chowkidar vide order dated 16/07/2019. In the mean while, the appellant received the salary till September 2019. Copy of salary slip is attached as Annexure "D". Valuable

rights of service were accrued to the appellant which cannot be rescinded.

- b) That as per law, proper inquiry is sine quo non for taking any adverse action against the appellant. But respondent No. 3 in a cursory manner on the basis of hypothesis and surmises withdrew appointment order of the appellant. Hence, the same is liable to be set-aside.
- c) That the appellant was appointed according to the prescribed criteria and procedure. Hence, medical certificate and charge report are attached as Annexure "E".
- d) That the appellant was firstly appointed as Lab attendant in Government High School Badhora and thereafter, respondent No. 3 at his own whim and wishes converted the post of the appellant into chowkidar. The act of withdrawal of appointment order of the appellant is malafidely, discriminatory, without proper inquiry and show cause notice etc. and the impugned order is liable to be set-aside.

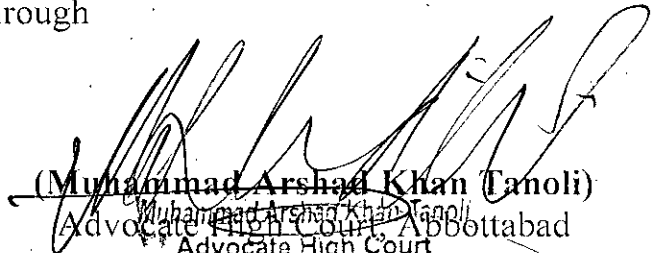
- e) That the matter relates to the terms and conditions of service. Therefore Service Tribunal has jurisdiction to entertain the instant service appeal.
- f) That others points shall be raised at the time of arguments.

It is therefore most humbly prayed that on acceptance of the instant service appeal, the impugned withdrawal order 12/10/2019 may graciously be ordered to be set-aside and the appellant may reinitiated in service w.e.f the date of withdrawal order and back benefit may also be order to be granted to the appellant.


...APPELLANT

Through

Dated: _____/2020


(Muhammad Arshad Khan Tanoli)
Advocate High Court, Abbottabad
Office No 33 Adjacent to
Dist Bar Abbottabad

VERIFICATION:-

Verified on oath that the contents of foregoing service appeal are true and correct to the best of our knowledge and belief and nothing has been concealed therein from this Honourable tribunal.


...APPELLANT

**BEFORE THE SERVICE TRIBUNAL, KHYBER
PAKHTUNKHWA PESHAWAR**

Service Appeal No. _____/2020

Sabir Sulatn son Abdul Razzak resident of Village Badhora Tehsil & District Haripur.

...APPELLANT

VERSUS

Government Khyber Pakhtunkhwa, through Secretary E&SE KP Peshawar & others.

....RESPONDENTS

SERVICE APPEAL

AFFIDAVIT

I, Sabir Sulatn son Abdul Razzak resident of Village Badhora Tehsil & District Haripur, do hereby solemnly affirm and declare that the contents of foregoing service appeal are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honourable Court.

سبیر سلطان

DEPONENT





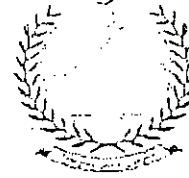
OFFICE OF THE DISTRICT EDUCATION OFFICER (M)

HARIPUR

Ph. No. 0995-610178, 510268

Email: deomalehrp@gmail.com

Annex A



P-7

APPOINTMENT ORDER:

Consequent upon the approval of the Departmental Selection Committee, in its meeting held on 20-06-2019, the appointments of following C-IV candidates are hereby ordered in BPS-03 (9610-390-21310) plus usual allowances as admissible to them under the rules on regular basis against the C-IVs Servant Posts in the Male Schools of District Haripur noted against their Names on terms & conditions given below in the interest of public service with effect from 01-07-2019 and onward the date of taking over their charge.

75 % Open merit PK-40 (S.No.1 to 23)

S. No	Name of Candidate	Father's Name	Date of Birth	Address of Candidates	Name of School where Posted	Remarks
1	Touqeer Hussain Shah	Syed Sabeel Husain Shah	05-02-1992	Village Kakotri	GHSS Kakotri	A.V.P of L/Att
2	Muhammad Ejaz	Muhammad Akram	06-03-1985	Village Darwesh	GHS Darwesh	A.V.P of Chowkidar
3	Abdul Rehman	Ghufran	23-03-1992	Village Darwesh	O/O DEO (M) Office HRP	A.V.P of N/Qasid
4	Mian Dad	Soba Khan	18-10-1989	Village Jam	GHS Jam	A.V.P of L/Att
5	Muhammad Yasir	Ali Zaman	15-04-1992	Village Jam	GHS Jam	A.V.P of Chowkidar
6	Khizar Muhammad	Khushal Muhammad	08-04-1998	Village Kalinjer	GHS Kalinjer	A.V.P of Chowkidar
7	Rashid Khan	Munsif Khan	28-03-1996	Village Kalinjer	GPS No.1 Kalinjer	A.V.P of Chowkidar
8	Aamir Khan	Muhammad Irfan	10-04-1995	Village Lader Mang	GPS Badhora	A.V.P of Chowkidar
9	Sabir Sultan	Abdul Razaq	04-02-1981	Village Badhora	GHS Badhora	A.V.P of L/Att
10	Usman Qamar	Mumtaz Ahmed	28-11-1995	Mohalla Ramzani	GHS No.2 HRP	A.V.P of N/Qasid
11	Nasir Khan	Gustasib Khan	03-01-1985	Village Pandak	GPS Pandak	A.V.P of Chowkidar
12	Abid Jamil	Jamil Akhter	18-02-1990	Village Moonan	GMS Moonan	A.V.P of N/Qasid
13	Adeel Sultan	Javed Akhter	08-10-1994	Village Durrannian	GPS Durrannian	A.V.P of Chowkidar
14	Syed Muhammad Aftab Hussain Shah	Ashfaq Hussain Shah	02-12-1991	Village Kamalpur	GPS Kamalpur	A.V.P of Chowkidar
15	Nadeem	Muhammad Saleem	13-01-1998	Village Nartopa	GHS P.H.Khan	A.V.P of L/Att
16	Muhammad Safeer	Muhammad Zaman	10-12-1979	Village Simla Negar	GPS Simla Negar	A.V.P of Chowkidar

Attested

 Muhammad Arshad Khan Tanoli
 Advocate High Court
 Office No. 23 Adjacent to
 Dist. Jail Abbottabad

17	Shoaib Malik	Abdul Razak	05-10-1998	Village Changi Bandi	GHS Laban Bandi	A.V.P of Behshri
18	Saad Ibrahim	Muhammad Ibrahim	31-03-1998	Sarai Salah	GHSS Sarai Salah	A.V.P of N/Qasid
19	Abdul Raqib	Abdul Rashid	01-01-1983	CHANGI BANDI	GHS Laban Bandi	A.V.P of L/Att:
20	Muhammad Sajjad	Fazal Dad	26-02-1986	Shah Maqsood	GMS Shah Maqsood	A.V.P of N/Qasid
21	Nehmat Shah	Syed Sakhi Shah	25-05-1987	Mohallah Eid Gah	GHS No.3 HRP	A.V.P of L/Att:
22	Sajid Mahmood Khan	Arshad Khan	15-10-1984	Village Pir Kot	GPS Pirkot	A.V.P of Chowkidar
23	Shaheen	Muhammad Sharif	18-04-1990	Village Changi Bandi	O/O DEO (M) HRP	A.V.P of N/Qasid

75 % Open merit PK-41(S.No.1 to 41)

S. No	Name of Candidate	Father's Name	Date of Birth	Address of Candidates	Name of School where Posted	Remarks
1	Zahid Khan	Khanwaiz Khan	15-03-1997	Phulla Galli	GPS Jabbi	A.V.P of Chowkidar
2	Muhammad Amjad	Farman	06-02-1996	Karwala	GHS Karwala	A.V.P of L/Att
3	Muhammad Sajjad	Chan Fiaz	31-01-2000	Village Karlan	GPS Karlan	A.V.P of Chowkidar
4	Muhammad Naem	Abdul Hameed	03-03-1991	Karwala	GHS Karwala	A.V.P of Chowkidar
5	Yasir Khan	Khaliqdad Khan	15-10-1983	Village Bagra	GHSS Bagra	A.V.P of L/Att:
6	Muhammad Shakeef	Muhammad Younis	16-01-1996	Ghumawan	GHS Ghumawan	A.V.P of Sweeper
7	Jawad Khan	Muhammad Ayub	04-10-1990	Ghari Serian	GMS Ghari Serian	A.V.P of N/Q
8	Muhammad Riaz	Kala Khan	17-10-1988	Kiyan	GPS Kiyan	A.V.P of Chowkidar
9	Afzal Ahmed	Muhammad Ashraf	18-02-1982	Jorrian	GMS Qulba	A.V.P of N/Q
10	Muhammad Shafique	Muhammad Idrees	06-01-1981	Padni	GPS Padni	A.V.P of Chowkidar
11	Naveed Ahmed	Muhammad Saleem	10-03-1995	Neelan Bhoto	GPS Phareela	A.V.P of Chowkidar
12	Yasir Jahangir	Jahangir Khan	12-04-1991	Barkote	GHS Barkote	A.V.P of Cook
13	Muhammad Shahbaz	Muhammad Irfan	05-11-1992	Kharian	GHS Kharian	A.V.P of Chowkidar
14	Mazhar Ali	Muhammad Miskeen	04-02-1994	Neelan Bhoto	GPS Neelan Bhoto	A.V.P of Chowkidar

Attested

Muhammad Arshad Khan Tanoli
 Advocate High Court
 Office No 33 Adjacent to
 Dist. Bar Abbottabad

15	Muhammad Imran	Ghulam Habib	18-02-1982	Laddha	GHS Laddha	A.V.P of Belishti
16	Hassnain Ali	Dil Nawaz	18-08-2000	Shadi	GHS Shadi	A.V.P of Sweeper
17	Umair Ali	Rukan Zaman	08-10-1997	Rarrian	GHS Hattar	A.V.P of Sweeper
18	Naseer Gul	Gul Zaman	15-02-1986	Hattar	GHS Hattar	A.V.P of W/Att:
19	Changaiz Khan	Muhammad Jaraj	21-05-1985	Shadi	GHS Shadi	A.V.P of N/Qasid
20	Mukhtiar Ahmad	Muhammad Gulzar	30-12-1983	Halli	GHS Halli	A.V.P of Chowkidar
21	Ghareeb Nawaz	Muhammad Nawaz	01-01-1990	Rajgan Khanpur	O/O SDEO (M) Khanpur	A.V.P of N/Qasid
22	Muhammad Shabir	Rehamt Din	02-01-1981	Khanpur	O/O SDEO (M) Khanpur	A.V.P of Sweeper
23	Attique Hussain Shah	Syed Abdul Latif	04-08-1993	Khanpur	GHS Khanpur	A.V.P of Mali
24	Raja Jabran	Muhammad Saeed	25-03-1999	Mohra Ghazan	GPS Mohra Ghazan	A.V.P of Chowkidar
25	Kamran Khan	Pervaiz Khan	14-03-1985	Kholian Bala	GPS Kholian Bala	A.V.P of Chowkidar
26	Muhammad Ismail Khan	Chan Zeb Khan	14-01-1989	Chitti Dhaki	GMS Chitti Dhaki	A.V.P of N/Qasid
27	Zahid Khan	Azmat Khan	11-02-1982	Toru Dhoke	GPS Toru Dhoke	A.V.P of Chowkidar
28	Abdul Qadir	Munshi Khan	16-01-1985	Qazi Maira	GPS Qazi Maira	A.V.P of Chowkidar
29	Muhammad Zahid	Muhammad Sadiq	10-03-1993	Awan Abad Kot Najibullah	GPS Maira Sheeni	A.V.P of Chowkidar
30	Sadaqat Khan	Ellahi Dad	06-03-1983	Sangian	GPS Sangian	A.V.P of Chowkidar
31	Raja Noshawan	Raja Muhammad Riaz	06-03-1998	Garamthon	GHS Garamthoon	A.V.P of Behshii
32	Muhammad Fareed	Noor Zaman	23-02-1992	Khoi Bagran	GPS Khoi Bagran	A.V.P of Chowkidar
33	Ghareeb Khan	Khani Zaman	29-03-1983	Pakshai	GHS Pakshahi	A.V.P of Chowkidar
34	Aamir Abbasi	Zarcen Gul	10-03-1985	Khanpur	GHS Dartian	A.V.P of Chowkidar
35	Yasir Arfat	Akhter Zaman	08-03-1983	Choi	GHS Choi	A.V.P of Chowkidar
36	Muhammad Akhter	Ghulam Sarwar	30-12-1986	Choi	GPS Choi	A.V.P of Chowkidar

[Handwritten Signature]

Muhammad Arshad Khan Tanoli
Advocate High Court
Office No 23 Adjacent to
Distt Bar Abbottabad

P-10

27	Usman Ali	Zulfiqar Ahmed	26-04-1999	Dartian	GPS Dartian	A.V.P of Chowkidar
38	Muhammad Aftab	Abdul Jabbar	01-12-1995	Sarri Bang	GPS Chapprian	A.V.P of Chowkidar
30	Muhammad Zameer	Ghulam Dini	17-03-1985	Chajjian	GPS Chajjian	A.V.P of Chowkidar
40	Tariq Mehmood	Mir Afzal	25-03-1990	Kali Tarar	GPS Kali Tarar Gharbi	A.V.P of Chowkidar
41	Zeshan Tariq	Tariq Mehmood	15-05-1995	Tufkian	GHS Tufkian	A.V.P of Behshti

TERMS & CONDITIONS.

1. Their services will be considered as regular and they will be entitled to gratuity and pension etc as per existing rules.
2. They will get pay i.e. initial pay of BPS-03 of the post including usual allowances as admissible under the rules.
3. Their services can be terminated at any time, in case their performance is found unsatisfactory.
4. In case of misconduct they will be proceeded under Efficiency & Discipline Rules 2011, and rules framed from time to time by Govt:
5. If they want to resign from the service, they will have to serve one month prior notice, failing which they will have to deposit one month pay in lieu of such notice, in the Govt: treasury.
6. They should join their post within 15 days of issuance of this order.
7. They will bound to produce Health & Age certificate issued by the Medical Superintendent: DHQ Haripur within 07 days of taking over charge, in case of Ist: appt: in this Department.
8. Charge Reports should be submitted to all concerned.
9. No TA / DA are allowed.

-----sd-----
 District Education Officer (Male)
 Haripur.

Endst: No. 4605-4611/Appt/Class IV Case:

Dated: 22-06-2019.

Copy of the above is submitted for information to the:-

1. The Senior District Accounts Officer Haripur.
2. The Manager Employment Exchange KTS Haripur.
3. PA to Director Elementary & Secondary Education KPK Peshawar.
4. PA to Deputy Commissioner Haripur.
5. The Principals/ Head Masters of the concerned Schools.
6. SDEO (M) Haripur & Khanpur.
7. Candidates concerned.
8. Officer record file.

[Signature]
 Assistant District Education Officer (Male)
 Establishment Haripur.

[Signature]
 Muhammad Arshad Khan Tanoli
 Advocate High Court
 Office No 33 Adjacent to
 Dist Bar Abbottabad



OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE)
HARIPUR.

Annex-B

P-11

Corrigendum

Please read Chowkidar instead of L/Atd at S.No 09 against the name of Sabir Sultan S/O Abdul Razaq in connection with appointment order issued under this office Endst: No 4605-4611 / Appt/class IV dated 22/06/2019, 75% PK 40on usual terms and conditions.

.....sd/.....
District Education Officer (M)
Haripur

Even No. & Date

Copy for information and necessary action to:-

1. The Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar
2. The Senior District Account Officer Haripur.
3. The District Monitoring Officer Haripur.
4. The principal concerned.
5. Office Record file.

Asst: District Education Officer (M)
Haripur.

Allest

Muhammad Arshad Khan Tanoli

Muhammad Arshad Khan Tanoli
Advocate High Court
Office No 33 Adjacent to
Distt Bar Abbottabad



OFFICE OF THE DISTRICT EDUCATION OFFICER (M)

HARIPUR

Ph. No. 0995-920150, 920151, 920152

Email: deomaleh@gmail.com



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Annex-e

Notification

P.No.5-2/GB/Withdraw of C-IVs Order. & C-IVs Dated. 12/07/2012

WHEREAS Mr. Sabir Sultan S/O Abdul Razaq resident of Badhora, was appointed as Chowkidar at GHS Badhora vide this office order Enist No.4605-4611/Apptt. of C-IV Dated 22-06-2019 at S No.9 against the resultant vacancy, due to the retirement of Muhammad Fiaz Chowkidar of GHS Badhora

WHEREAS retirement Sanction was accorded to said Chowkidar Muhammad Fiaz vide this office No 6046-48/F-4-5/GB/C-IV Retirement dated 05-08-2019 on his written submitted request /application in this office for his premature retirement

WHEREAS the District Account Officer has returned the pension case of Mr. Muhammad Fiaz chowkidar in the light of the Khyber Pakhtunkhwa Civil Servant (Amendment) Act, 2019(Khyber Pakhtunkhwa Act No. XXX of 2019) that the qualifying age for premature retirement is attaining the age of 55 years

WHEREAS the already stated vacancy remained no more vacant due to re adjustment of Mr. Muhammad Fiaz Chowkidar after cancellation of his retirement sanction vide this office No.8461-64/FNo 4-1/GB/C-IVs(M) Dated Haripur the 09-10-2019

NOW THEREFORE the District Education Officer (M), being competent authority is pleased to withdraw the appointment under the name Sabir Sultan S/O Abdul Razaq Chowkidar GHS Badhora at S No.9 in this office order No.4605-4611/Apptt. C-IV dated 22-06-2019 with effect from its date of issuance

-----Sd/-----

District Education Officer (Male)
Haripur

Muhammad Arshad Khan Tangoo
Advocate High Court
Office No. 23 Adjacent to
Q. Sitt Bar Abbottabad

Endst: of Even No. & Date:

Copy for information to;

1. The Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar
2. The Senior District Account Officer Haripur.
3. The District Monitoring Officer Haripur
4. The Head Master GHS Badhora Haripur
5. The concerned Chowkidar.

Dy: District Education Officer (Male)
Haripur

Handwritten signature at the top right of the page.

Handwritten signature of Muhammad Arshed Khan Tanoli.

Muhammad Arshed Khan Tanoli
Advocate High Court
Office No-33 Adjacent
Distt

P-14

The Director E&SE
Khyber Pakhtunkhwa
Peshawar.

To
Subject: DEPARTMENTAL APPEAL AGAINST THE
IMPUGNED WITHDRAWAL ORDER NO. F-5/2-GB
WITHDRAWAL OF C-IV ORDER 8682-86 DATED
12/10/2019.

Sir,

1. Reference is made to impugned withdrawal order dated 12/10/2019. Copy of the order dated 12/10/2019 is attached.
2. It is intimated that the appellant was appointed as Lab Attendant in GHS Badhora Tehsil and District Haripur vide appointment order dated 22/06/2019 against the vacant post. Copy of appointment order of the appellant is attached.
3. That, District Education Officer Haripur issued corrigendum order dated 16/07/2019 wherein post of appellant as Lab Attendant was converted to post of Chowkidar. Copy of corrigendum order dated 16/07/2019 is attached.
4. That, thereafter, the appellant took over the charge of the post and started ~~res~~erving with devotion dedication. Charge report is attached.
5. That, it is not out of place to mention here that the appellant received his salary from July 2019 to September 2019. Copy of salary slips are attached.
6. That DEO(Male) Haripur without following codal formalities under E&D rules 2011, without any lawful justification and without any fault of the appellant, my appointment order dated 22/06/2019 has been withdrawn vide impugned order referred in para 1 above.
7. That the DEO(M) Haripur mentioned in withdrawal order that one Mr. Muhammad Fiaz Chowkidar cannot apply for premature retirement unless he attains 55 years of age as per civil servant amendment Act 2019. It is further submitted that the DEO(M) Haripur could not understand properly the said Act. The said act is in fact applicable

with effect from 31/07/2019 and the appointment order of appellant was issued on 22/06/2019. Besides the appellant was initially appointed as Lab Attendant and subsequently his cadre was converted from Lab Attendant to Chowkidar on 16/07/2019.

- 8. The appellant has no concern with one Mr. Muhamamd Fiaz Chowkidar because the said person was transferred from GHS Badhora to GPS Saigapur hence, the appellant was appointed against vacant post and his appointment order cannot be withdrawn on the whims and wishes of DEO. Therefore withdrawal order dated 12/10/2019 is not maintainable at law and the same is to be set aside
- 9. That, the DEO(M) Haripur has led the appellant to the place which is utterly unknown to the principles of jurisprudence service laws and natural justice. The withdrawal order has been issued without conducting any enquiry, show cause notice and charge sheet ^{per bona} hearing which are sine qua non for taking any adverse action.

In view of above it is prayed that impugned order/ withdrawal order dated 12/10/2019 be set aside and the appellant may be reinstated in service from the date of withdrawal with all service benefits:

Dated: 21-10/2019

(SABIR SULTAN)
S/o Abdul Razzak
R/o Village Badhora
Tehsil and District Abbottabad

Muhammad Arshad Khan Tanoli
Advocate High Court
Office No-33 Adjacent to
Dist. Office Abbottabad

**Dist. Govt. NWFP-Provincial
District Accounts Office Haripur
Monthly Salary Statement (September-2019)**

Annex D

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Personal Information of Mr SABIR SULTAN d/w/s of ABDUL RAZZAQ

Personnel Number: 00918068 CNIC: 1330255205045 NTN:
Date of Birth: 04.02.1981 Entry into Govt. Service: 22.07.2019 Length of Service: 00 Years 02 Months 010 Days

Employment Category: Active Temporary

Designation: CHOWKIDAR 80002149-DISTRICT GOVERNMENT KHYBE

DDO Code: HR6027-HEADMASTER GHS BADHORA HARIPUR

Payroll Section: 002

GPF Section: 001

Cash Center:

GPF A/C No:

Interest Applied: Yes

GPF Balance:

1,540.00

Vendor Number: -

Pay and Allowances:

Pay scale: BPS For - 2017

Pay Scale Type: Civil

BPS: 03

Pay Stage: 0

Wage type		Amount	Wage type		Amount
0001	Basic Pay	9,610.00	1000	House Rent Allowance	1,413.00
1210	Convey Allowance 2005	1,785.00	1300	Medical Allowance	1,500.00
1516	Dress/ Uniform Allowance	150.00	1567	Washing Allowance	150.00
1968	Incentive Allowance 20%	1,000.00	2211	Adhoc Relief All 2016 10%	804.00
2224	Adhoc Relief All 2017 10%	961.00	2247	Adhoc Relief All 2018 10%	961.00
2264	Adhoc Relief All 2019 10%	961.00			0.00

Deductions - General

Wage type		Amount	Wage type		Amount
3003	GPF Subscription	-770.00	3501	Benevolent Fund	-300.00
3990	Emp.Edu. Fund KPK	-60.00	4004	R. Benefits & Death Comp.	-451.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance

Deductions - Income Tax

Payable: 0.00 Recovered till September-2019: 0.00 Exempted: 0.00 Recoverable: 0.00

Gross Pay (Rs.): 19,295.00 Deductions: (Rs.): -1,581.00 Net Pay: (Rs.): 17,714.00

Payee Name: SABIR SULTAN

Account Number: 26027-00-1

Bank Details: THE BANK OF KHYBER, 080019 G.T.ROAD HARIPUR G.T.ROAD HARIPUR, HARIPUR

Leaves: Opening Balance: Aailed: Earned: Balance:

Permanent Address: VILLAGE & P.O BADHORA

City: HARIPUR

Domicile: NW - Khyber Pakhtunkhwa

Housing Status: No Official

Temp. Address:

City:

Email:

Attested
[Signature]

Muhammad Arshad Khan Tanoli
Advocate High Court
Office No 33 Adjacent to
Distt Bar Abbottabad

(711049/07.10.2019/18-46:26) 2) All amounts are in Pak Rupees 3) Errors & omissions excepted

Dist. Govt. NWFP-Provincial
District Accounts Office Haripur
Monthly Salary Statement (August-2019)



Personal Information of Mr SABIR SULTAN d/w/s of ABDUL RAZZAQ

Personnel Number: 00918068 CNIC: 1330255205045 NTN:
 Date of Birth: 04.02.1981 Entry into Govt. Service: 22.07.2019 Length of Service: 00 Years 01 Months 011 Days

Employment Category: Active Temporary

Designation: CHOWKIDAR 80002149-DISTRICT GOVERNMENT KHYBE

DDO Code: HR6027-HEADMASTER GHS BADHORA HARIPUR

Payroll Section: 002 GPF Section: 001 Cash Center:

GPF A/C No: Interest Applied: Yes **GPF Balance: 770.00**

Vendor Number: -

Pay and Allowances: Pay scale: BPS For - 2017 Pay Scale Type: Civil BPS: 03 Pay Stage: 0

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Wage type		Amount	Wage type		Amount
0001	Basic Pay	9,610.00	1000	House Rent Allowance	1,413.00
1210	Convey Allowance 2005	1,785.00	1300	Medical Allowance	1,500.00
1516	Dress/ Uniform Allowance	150.00	1567	Washing Allowance	150.00
1968	Incentive Allowance 20%	1,000.00	2211	Adhoc Relief All 2016 10%	804.00
2224	Adhoc Relief All 2017 10%	961.00	2247	Adhoc Relief All 2018 10%	961.00
2264	Adhoc Relief All 2019 10%	961.00			0.00

Deductions - General

Wage type		Amount	Wage type		Amount
3003	GPF Subscription	-770.00	3501	Benevolent Fund	-300.00
3990	Emp.Edu. Fund KPK	-60.00	4004	R. Benefits & Death Comp:	-451.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance

Deductions - Income Tax

Payable: 0.00 Recovered till August-2019: 0.00 Exempted: 0.00 Recoverable: 0.00

Gross Pay (Rs.): 19,295.00 Deductions: (Rs.): -1,581.00 Net Pay: (Rs.): 17,714.00

Payee Name: SABIR SULTAN

Account Number:

Bank Details: , ,

Leaves: Opening Balance: Availed: Earned: Balance:

Permanent Address: VILLAGE & P.O BADHORA

City: HARIPUR

Domicile: NW - Khyber Pakhtunkhwa

Housing Status: No Official

Temp. Address:

City:

Email:

Attested

Muhammad Arshad Khan Tanoli

Muhammad Arshad Khan Tanoli
 Advocate High Court
 Office No 33 Adjacent to
 Distt Bar Abbottabad

(711049/07.09.2019/12:48:06) 2) All amounts are in Pak Rupees 3) Errors & omissions excepted



Controller General of Accounts, Pakistan Islamabad

DDO's OPEN & FILLED POSTS

Government ID: HR6027 SEARCH

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Details

View: [Standard View] Print Version Export

Personnel No	Employee Name	Employee Group	POSITION	DESCRIPTION	ID of related object	Job Description	BPS	OPEN/FILLED
214415	AJAB KHAN	1	80168925	CERTIFICATED TEACHER	00100560	CERTIFICATED TEACHER	15	FILLED
250327	TARIQ MEHMOOD	1	80168976	HEAD MASTER	00101306	PRINCIPAL	17	FILLED
918068	SABIR SULTAN	7	80168978	CHOWKIDAR	00100648	CHOWKIDAR	03	FILLED
249720	ABDUL RASHEED	7	80168979	BEHISHTI	00100479	BEHISHTI	03	FILLED
250248	MUHAMMAD AZAM KHAN	1	80168980	SENIOR CERTIFIED TEACHER	00102728	SENIOR CERTIFIED TEACHER	16	FILLED
250512	FAKHRUL HASSAM	1	80168981	SENIOR ARABIC TEACHER	00102775	SENIOR ARABIC TEACHER	16	FILLED
252752	MUHAMMAD RIAZ	7	80168982	NAIB QASID	00101698	NAIB QASID	03	FILLED
252854	MIR MUHAMMAD	1	80168983	SENIOR CERTIFIED TEACHER	00102728	SENIOR CERTIFIED TEACHER	16	FILLED
285961	MUHAMMAD NAWAZ	1	80168984	CERTIFICATED TEACHER	00100560	CERTIFICATED TEACHER	15	FILLED
730655	ASHFAQ-UR-REHMAN	7	80168985	THEOLOGY TEACHER	00102467	THEOLOGY TEACHER	15	FILLED
895765	AFZAL AHMED ABBASI	7	80168986	LABORATORY ATTENDANT	00101495	LABORATORY ATTENDANT	03	FILLED
252143	MUHAMMAD IRSHAD	7	80168987	SECONDARY SCHOOL TEACHER	00102727	SECONDARY SCHOOL TEACHER	16	FILLED
247238	MUHAMMAD KHALID	7	80168988	SECONDARY SCHOOL TEACHER	00102727	SECONDARY SCHOOL TEACHER	16	FILLED
901161	WADAS AHMAD	7	80372313	SECONDARY SCHOOL TEACHER	00102727	SECONDARY SCHOOL TEACHER	16	FILLED
912649	MUHAMMAD SAQIB	1	80397393	Physical Education Teacher	00101806	PHYSICAL EDUCATION TEACHER	15	FILLED
845963	ABID SALEEM	7	80426298	JUNIOR CLERK	00101411	JUNIOR CLERK	11	FILLED
756985	MUBASHAR AHMAD	7	80494317	SWEEPER	00102429	SWEEPER	03	FILLED
		1	80168977	SENIOR DRAWING MASTER	00102732	SENIOR DRAWING MASTER	16	OPEN
		7	80372312	SECONDARY SCHOOL TEACHER	00102727	SECONDARY SCHOOL TEACHER	16	OPEN
		1	80397394	Qari	00101992	QARI	12	OPEN

Muhammad Arshad Khan Tanoli

Muhammad Arshad Khan Tanoli

Muhammad Arshad Khan Tanoli
Advocate High Court
Office No. 23 Adjacent to
Diyar-e-Abbottabad

OFFICE OF THE MEDICAL SUPERINTENDENT DHQ HOSPITAL HARIPUR



Amra E

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HEALTH AND AGE CERTIFICATE

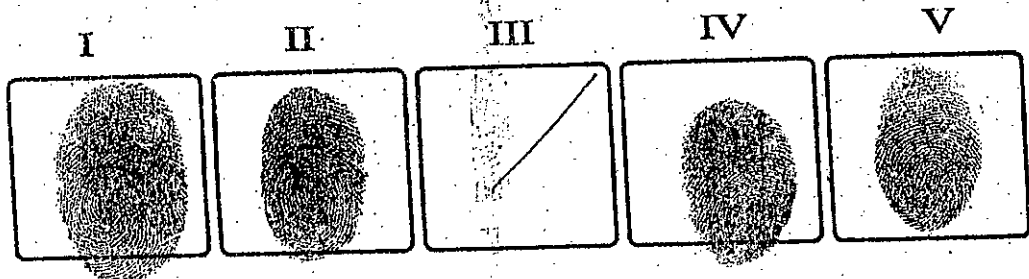
Name of Official: Sabir Sultan 13302-SS20504-5
 Cast of race: Tanali Father's Name: Abdul Razaq
 Residence: Village Badhora Tehsil and District Haripur
 By Birth was born: 04-02-1981 KPK, Pakistan Exact Hight: 6'2"
 Personal mark of Identification: Nil
 Signature of Official: [Signature]
 Signature of Head of Department: _____

I do hereby certify that I have examined Mr./Miss./Mrs. Sabir Sultan
 A candidate for employment in the office of the: D.E.O (Male) Haripur
 and can't discover that he/she had any disease communicable or other
 constitutional affection or bodily infirmity except: cut middle finger of hand

I do not consider this as disqualification for employment in the office of the:
D.E.O (Male) Haripur

His age according to his own statement: 38 Years and by
 appearance about 38 years.

LEFT HAND THUMB AND FINGER IMPRESSIONS



Dated: 04/07/2019

Medical Superintendent
 DHQ HOSPITAL HARIPUR

[Signature]

Muhammad Arshad Khan Tanoli
 Advocate High Court
 Office No 33 Adjacent to
 Dist. Cor. Abbotabad

Charge Report

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Mr. Sabin Sultan S/O Ahmed Razaq took over at
GHS Badhora Haripur as Chowkidar on 22-07-2019 before Noon vide
Endorsement No. 4605-4611/APPE/cias IV dated
22/06/2019 office of the District Education Officer (Male) District Haripur
Corrigendum on dated 16/07/2019

Hand Over

Ullah
Taken Over

97
Headmaster
GHS Badhora Haripur
HEAD MASTER
Govt. High School
Badhora Haripur

No: 3396

Dated: 22-07-19

Copy to:

1. DAO Haripur
2. DEO District Haripur
3. Directorate E&SE Peshawar
4. Office File

Allested

Muhammad Arshad Khan Tanoli

Muhammad Arshad Khan Tanoli
Advocate High Court
Office No 33 Adjacent to
Distt Bar Abbottabad

کورٹ فیس

وکالت نامہ

۲

Service Tribunal KPLC Peshawar

عنوان: Govt KPLC etc بنام Sabir Sullay

مخانب: Appellant

نوعیت مقدمہ: Service Appeal

باعث تحریر آنکہ

مقدمہ مندرجہ میں اپنی طرف سے اسے پیروی و جواب دہی کل کارروائی متعلقہ آن مقام

Muhammad Arshad Khan Tano

Advocate High Court

Office No: 33 Adjacent

کو وکیل مقرر کر کے اقرار کرتا ہوں کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا مکمل اختیار ہوگا نیز وکیل صاحب موصوف کو کرنے راضی نامہ و تقرر ثالث و فیصلہ بر حلف دینے اقبال دعویٰ اور بصورت دیگر ڈگری کرانے اجراء وصولی چیک روپیہ و عرضی دعویٰ کی تصدیق اور اس پر دستخط کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ مذکور کی کل یا کسی جزوی کارروائی کے لئے کسی اور وکیل یا مختار صاحب قانونی کو اپنے ہمراہ اپنی بجائے تقرر کا اختیار بھی ہوگا اور صاحب مقرر شدہ کو بھی وہی اور ویسے ہی اختیارات ہوں گے اور اس کا ساختہ پر داختم مجھ کو منظور و قبول ہوگا۔ دوران مقدمہ جو خرچہ و ہرجانہ التوائے مقدمہ کے سبب ہوگا اس کے مستحق وکیل صاحب ہوں گے۔ نیز بقایا رقم وصول کرنے کا بھی اختیار ہوگا۔ اگر کوئی پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب موصوف پابند ہوں گے کہ پیروی مقدمہ مذکورہ کریں اور اگر مختار مقرر کردہ میں کوئی جزو بقایا ہو تو وکیل صاحب موصوف مقدمہ کی پیروی کے پابند نہ ہوں گے۔ نیز درخواست برآمد استجارت نائش بصیغہ مفلسی کے دائر کرنے اور اس کے پیروی کا بھی صاحب موصوف کو اختیار ہوگا۔

لہذا وکالت نامہ تحریر کر دیا تاکہ سند رہے۔

المرقوم: ۱۹ فروری ۲۰۱۸

بمقام: ATD

Acceptance
Advocate High Court
Office No: 33 Adjacent to
Distt Bar Abbottabad