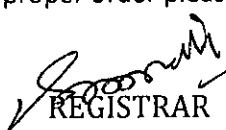



Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 7725 /2021

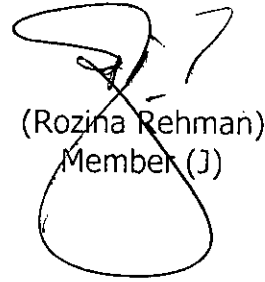
S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	04/11/2021	<p>The appeal of Mr. Muhammad Alam Khan presented today by Mr. Noor Muhammad Khattak Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p> <p>This case is entrusted to S. Bench at Peshawar for preliminary hearing to be put up there on <u>03/01/21</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>

03.01.2022

Junior to counsel for the appellant present. Preliminary arguments heard. Record perused.

Points raised need consideration. The appeal is admitted for hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments 10.03.2022 before the S.B.

Appellant Deposited
Security & Process Fee
10/1/22


(Rozina Rehman)
Member (J)

10.03.2022


Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 30.05.2022 for the same as before.


Reader.

30th May, 2022

Counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General respondents present.

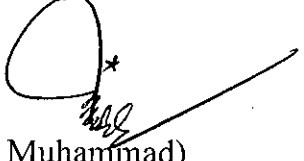
Written reply/comments not submitted. Learned AAG seeks time to submit written reply/comments on the next date. Granted but as a last chance. To come up for written reply/comments on 21.06.2022 before the S.B.


(Kalim Arshad Khan)
Chairman

21.06.2022

Learned counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Reply/comments on behalf of respondents are still awaited. Learned Additional Advocate General requested for time to submit reply/comments. Last opportunity is extended till the next date. In case, the respondents failed to submit reply/comments on the next date, their right for submission of reply/comments shall be deemed as struck off. Adjourned. To come up for reply/comments on 29.07.2022 before S.B.


(Mian Muhammad)
Member (E)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

SERVICE APPEAL NO. _____/2021

M. ALAM KHAN

V/S

EDUCATION DERTT:

I N D E X

S.N	DOCUMENTS	ANNEXURE	PAGE
1	Memo of appeal	1-3
2	Affidavit	4
2	Judgment	A	5-8
3	Re-instatement	B	9
4	Charge report	C	10
5	Education testimonial	D	11-20
6	Service book	E	21-24
7	Impugned order	F	25
8	Departmental	G	26
9	Wakalat Nama	27

Dated: _____11.2021

APPELLANT

Through:

NOOR MOHAMMAD KHATTAK
ADVOCATE

FLATE NO. 04, 2ND FLOOR,
JUMA KHAN PLAZA, NEAR FATA SECRETARIAT,
WARSAK ROAD, PESHAWAR

0345-9383141

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. _____/2021

Mr. Muhammad Alam Khan Ex: Junior Clerk
GHS Chappari, District Kurram.

..... **APPELLANT**

VERSUS

- 1- Secretary E&S Education Department, Khyber Pakhtunkhwa, Peshawar.
- 2- The Director E&S Education Department, Khyber Pakhtunkhwa, Peshawar.
- 3- The District Education Officer, District Kurram.

..... **RESPONDENTS**

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED ORDER DATED 15.07.2021 WHEREBY THE APPOINTMENT ORDER OF THE APPELLANT HAS BEEN CANCELLED BY THE RESPONDENTS AND AGAINST NO ACTION TAKEN ON THE DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS

PRAYER:

That on acceptance of this appeal the impugned order dated 15.07.2021 may very kindly be set aside and the appellant may kindly be re-instated into service with all consequential back benefits. Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the appellant.

R/SHWETH:

ON FACTS:

- 1- That the appellant was employee of your Department and was initially appointed as Junior Clerk BPS-11 at GHS Makhizai District Kurram vide order dated 21-01-2013 on the proper recommendation of departmental selection committee. That in response the appellant got himself medically examined and also submitted arrival report. That where



after the appellant started performing his duty at the concerned station quite efficiently and up to the entire satisfaction of his superiors.

- 2- That the respondent without any justification removed the appellant from service vide order dated 11.12.2015. That appellant feeling aggrieved filed departmental appeal followed Service Appeal No.377/2016 which was decided/disposed of vide Judgment dated 09.04.2019 in favor of appellant and the appellant was reinstated. Copy of the Judgment is attached as annexure..... **A.**
- 3- That in pursuance to the above mentioned Judgment of the Honorable Service Tribunal the appellant was reinstated into service vide reinstatement Notification/Order dated 03/10/2019 with effect from 01-08-2019 and posted at GHS Chapri against vacant post. Copy of the re-instatement order is annexed as annexure **B.**
- 4- That after reinstatement the appellant submit his charge report on 02.08.2019 and the department dully verified the educational documents prepared Service Book of the appellant and posted him as Junior Clerk at GHS Chapri District Kurram. That where after the appellant started performing his duty at the concerned station quite efficiently and up to the entire satisfaction of his superiors. Copies of Charge report, Educational Documents and service book are attached as annexure..... **C, D & E.**
- 5- That astonishingly the respondent issued the impugned notification/order dated 15/07/2021 where by the appointment order of the appellant was canceled. Copy of the impugned order is attached as annexure..... **F.**
- 6- That, the appellant feeling aggrieved from the impugned order dated 17.05.2021 filed Departmental appeal before the appellate authority but the same has not been responds till date. Copy of the Departmental appeal is attached as Annexure **G.**
- 7- 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 the impugned order 17.05.2021 issued by the respondents are void in nature against the law, facts and norms of natural justice hence not tenable and is liable to be set aside.
- 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 codal formalities required for the major penalty has not been fulfilled by the respondents while issuing the impugned order dated 17.05.2021.
- D- That neither notice nor chance of personal hearing/defense has been provided to the appellant before issuing the impugned order.
- E- That the enquiry officer neither recorded any statement of witnesses in the presence of the appellant nor was afforded an opportunity to cross-examine them, the appellant was condemned unheard thus the impugned order is illegal.
- F- That, the respondent Department acted in arbitrary and malafide manner while issuing the impugned order dated 17.05.2021.
- G- That, no regular inquiry has been conducted in the matter which is pre-requisite as per the judgments of the Apex Supreme Court of Pakistan in punitive matters.
- 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:3.11.2021

APPELLANT 

MUHAMMAD ALAM KHAN

THROUGH:


NOOR MOHAMMAD KHATTAK
& 
UMAR FAROOQ MOHMAND
ADVOCATES

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

SERVICE APPEAL NO. _____/2021

MUHAMMAD ALAM KHAN VS EDUCATION DEPTT:

AFFIDAVIT

Stated on oath that the contents of the accompanying service appeal are correct to best of my knowledge and belief and nothing has been concealed from this Honorable Service Tribunal.



[Handwritten Signature]
DEPONENT

CERTIFICATE:

Certify that no earlier service appeal has been filed by the appellant in the instant matter before this Honorable Service Tribunal.

[Handwritten Signature]
CERTIFICATION

ANNEXURE - A"

(5)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

Service Appeal No. 293/2016

Date of Institution 28.03.2016

Date of Decision 09.04.2019

Zubair Khan Ex-Junior Clerk S/o Ghaloor Khan R/o Village Bagan.

Appellant

Versus

1. Additional Chief Secretary FATA, FATA Secretariat Warsak Road Peshawar.
2. Director of Education (FATA) Khyber Pakhtunkhwa Warsak Road, Peshawar.
3. Add: Agency Education Officer Sadda Kurram Agency.
4. Agency Account Officer Parachinar.
5. Political Agent Kurram Agency.
6. Assistant Political Agent Central Kurram.

Respondents

09.04.2019

Mr. Muhammad Hamid Mughal-----Member (J)

Mr. Ahmad Hassan-----Member (E)

JUDGMENT

MUHAMMAD HAMID MUGHAL, MEMBER: - Noor

Muhammad Khattak, learned counsel for the appellants and Mr.

Muhammad Jan, learned Deputy District Attorney for respondents

Present

This single common judgment in the above captioned serv

is hereby pronounced in appeal No. 295/2016 filed by S

ATTESTED

Dia. bearing No.297/2016 filed by Muhammad Sadiq, bearing No.376/2016 filed by Sajid Rehman and appeal bearing No.377/2016 filed by Muhammad Alam Khan being identical in nature having arisen from the single order dated 11.12.2015.

3. The appellants have filed the present service appeal u/s 4 of the Khyber Pakhtunkhwa Service Tribunal Act 1974 being aggrieved against the order dated 11.12.2015 whereby the appellants were terminated from service from the date of their appointments on the basis of decision of oversight committee.

4. Learned counsel for the appellant argued that the appellants were appointed as Junior Clerks vide appointment orders issued in the month of January 2013; that the appellants were appointed in the prescribed manner after participation in the test & interview; that the appellants also served their department about 34 months but without pay; that to the utter surprise of the appellants the respondent No.3 issued the impugned order dated 11.12.2015 whereby the services of the appellants were terminated with retrospective effect; that the appellants were appointed in the light of Appointment, Promotion & Transfer Rules after qualifying the test & interview including the typing test; that the appellants were terminated without regular inquiry and issuance of Show Cause Notice; that the departmental appeals of the appellants against the termination order dated 11.12.2015 were not responded; that the appellants have been condemned unheard and no chance of hearing was provided to them before passing the impugned termination order; that the order dated

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

ATTESTED

1. 14/2/2013 is against law, ethics and norms of justice, hence liable to be struck down.

5. As against that learned Deputy District Attorney argued that Mr. Moeen Gul, Additional Agency Education Officer - Lower Kurram/Central Kurram made illegal appointments and resultant committee was constituted to trace out the illegal appointments, that the committee submitted its report and picked out those candidates who were appointed unlawfully, that the appellants were failed in the typing test hence their termination orders were rightly issued.

6. Arguments heard. File perused.

7. It is very unfortunate that the officer who allegedly made illegal appointments was not taken to task.

8. There is no denying the fact that the appointment orders were issued to the appellants.

9. It appeared that the appointment of the appellants was disputed from the day one as admittedly the appellants have not received any salary.

10. During the recruitment process, typing test was also conducted and allegation against the appellants is that they failed the typing test.

11. Plea of the learned counsel for the appellants is that the appellants have qualified all the test & interview including the typing test.

12. It is not disputed that termination order was issued without affording the appellants any opportunity of defense and personal

notice as show Court Notice was issued to the

17/10/2019

ATTESTED

EXAMINER
Chavez Fahimullah
Service Tribunal
Peshawar

ATTESTED

appellants prior to the issuance of the impugned order.

13. In the light of above, this Tribunal is constrained to set aside the impugned order. Respondent department is directed to reinstate the appellants, for the purpose of inquiry, without back benefits. Respondent department to conduct proper inquiry against the appellants and conclude the same in accordance with law & rules on the subject. The present service appeal and the connected service appeals as mentioned in the para-2 of this judgment are partially accepted in the above terms. Parties are left to bear their own costs.

File be consigned to the record room.

(Ahmad Hassan)
Member

(Muhammad Hamid Mughal)
Member

ANNOUNCED
09.04.2019

ed to be true copy
MEMBER
Peshawar

Date of Presentation of Application	25-4-2019
Number of Words	1600-
Copying Fee	10-
Urgent	2-
Total	12-
Name of Copyist	So
Date of Completion of Copy	25-4-2019
Date of Delivery of Copy	25-4-2019

ATTESTED



ANNEXURE B

9

Addl: District Education Officer Lower
Central Kurram Satta

No _____ / Edu:

Dated _____ / _____ / 2019

Ph 0926-520674 Mail: educationsatta@gmail.com

REINSTATEMENT.

In Pursuance to the Directorate of Education Merged Districts Peshawar vide letter No 351 Dated Peshawar the 06-05-2019 and Honorable court Khyber Pakhtunkhwa Service Tribunal Peshawar No 889/ST Dated 07.05.2019, service appeal No 293/2016, 295/2016, 297/2016, 376/2016 filed by Zubair Khan /Implementation of Judgment dated 09.04.2019 and recommendation of the inquiry committee, The following appellants are hereby reinstated without back benefits as Junior clerk in the following institutions with effect from the reinstatement for the purpose of inquiry order vide No 2086-95/Edu dated 01.08.2019.

S#	Name	Father Name	Desig:	Institution	Remarks
1	Zubair Khan	Ghafoor Khan	J/Clerk	GHS Paloseen	Against vacant J/C Post.
2	Siraj U Din	Walayat Khan	J/ Clerk	GGDC Satta	Against vacant J/C Post
3	Muhammad Saddiq	Gul Mar Jan	J/ Clerk	GHS Manatoo	Against vacant J/C Post
4	Sajid Rehman	Said Aslam Khan	J/ Clerk	GHS Khanano Kali (Pirgayum)	Against vacant J/C Post
5	Muhammad Alam Khan	Salam Khan	J/ Clerk	GHS Chappri	Against vacant J/C Post

Terms/Condition:

1. No Payment will be made to the appellant until and unless their academic certificates are got verified from the concerned issuing authority.
2. Charge report should be submitted to all concerned.

Addl: District Education Officer
Lower & Central Kurram Satta

No 2640-46 / Edu: Dated 03 / 10 / 2019

Copy for information to the: -

1. Director of Education Merged Districts Peshawar.
2. Deputy Commissioner Tribal District Kurram.
3. District Account Officer Kurram Parachinar.
4. Assistant Commissioners Lower & Central Kurram Satta.
5. Principals/Headmasters Concerned.
6. Officials concerned.
7. Office file.

ATTESTED

Addl: District Education Officer
Lower & Central Kurram Satta

HEAD MASTER
GHS Chappri
Lower Kurram

ATTESTED

ANNEXURE

C
10

OFFICE OF THE HEADMASTER G.H.S CHAPPRI

District Lower Kurram

CHARGE REPORT

Certified that Mr. Muhammad Alam Khan S/O Salam Khan on this day dated 02-08-2019 for noon took over charge of Junior Clerk (BPS-11) at Govt.High School Chappri District Kurram with reference to vide No.2086-95/Edu: Dated 01/08/2019.

Signature of Relieved Govt Servant: [Signature]
Name of Relieved Govt Servant: Sadar Ayub
Designation of Relieved Govt Servant: T/L

Signature of Govt. Servant Receiving Charge: [Signature]
Name of Govt. Servant Receiving Charge: Muhammad Alam Khan
Designation of Govt. Servant Receiving Charge: Junior Clerk BPS-11

The Charge of the Post of Junior Clerk (BPS-11) was transferred from Mr. Sadar Ayub to Mr. Muhammad Alam Khan S/O Salam Khan on the fore noon on this day dated: 02-08-2019

Endstt: No. 684-90 G.H.S Chappri, dated 02-08-2019

[Signature]
Headmaster
G.H.S Chappri District Kurram

Copies forwarded for information

1. Director of Elementary & Secondary Education KPK Peshawar
2. Director of Education Merged District Peshawar.
3. Deputy Commissioner Tribal District Kurram.
4. District Account Offices Parachinar District Kurram.
5. Add: DEO L& C Kurram Sadda.
6. Headmaster Office Concerned
7. Office File

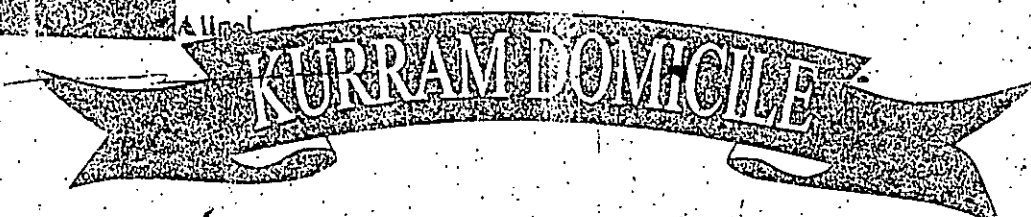
[Signature]
Headmaster
G.H.S Chappri District Kurram

ATTESTED

OFFICE OF
G.H.S.

No. 33/A Ag. Dated Parachinar the 13.5.08

OFFICE OF THE POLITICAL AGENT KURRAM AGENCY



Certified that Mr./Mrs. MOHAMMAD ALAM KHAN
Son/Daughter of Mr. SALAM KHAN Belongs
to a recognized Tribe of ZEMOSHT DRAKZAI Section WATIZAI
Sub Section BAHADER NAWASI and his/her father is/was a permanent
bonafide resident of village LOWER MANDURI Kurram Agency.

He/She is an eligible candidate to avail himself/herself of the seats reserved for
Tribal Areas Kohat Division Kohat Backward Area Kurram Agency

Tehsildar Manal P.T. Alizai
PN 7 (R) Yezul, Lower
Kurram Agency

Asstt. Political Agent
Kurram Agency
Lower Kurram Section

Political Agent
Kurram Agency



Zahid Phosphate Service Kachhi P & A Chinar

Head Master
G.P. Chinar
Kurram Agency

ATTESTED

12

S.No. KB 216860

بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ

Roll No. 66631

BOARD OF INTERMEDIATE & SECONDARY EDUCATION



KOHAT

(N.W.F.P. Pakistan)

Secondary School Certificate Examination

Session: 2005 (ANNUAL)

This is to Certify that MUHAMMAD ALAM KHAN
Son/Daughter of SALAM KHAN and a
student of SIR SYED PUBLIC HIGH SCHOOL ALIZAI KURRAM AGENCY

has passed the *Secondary School Certificate Examination* of the Board of Intermediate and Secondary Education, Kohat held in MARCH, 2005 as a REGULAR candidate. He/She obtained 776 Marks out of 1050 and has been placed in Grade A Representing EXCELLENT

The Candidate passed in the following subjects:

- | | | | |
|----------------|------------|--------------|----------------|
| 1. English | 2. Urdu | 3. Islamiyat | 4. Pak Studies |
| 5. Mathematics | 6. PHYSICS | 7. CHEMISTRY | 8. BIOLOGY |

Date of birth according to admission form is 05-Mar-1989

Asstt. Secretary

HEAD MASTER
G.H.S Nahaqi
Mohmand Agency

Secretary

This certificate is issued without alteration or pressure

ATTESTED

ATTESTED

13

S.No. KB _____

بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ

Roll No. 30521

BOARD OF INTERMEDIATE & SECONDARY EDUCATION



KOHAT

(N.W.F.P. Pakistan)

INTERMEDIATE EXAMINATION

PRE-MEDICAL GROUP
Session 2007 (Annual)

This is to Certify that Muhammad Alam Khan
Son/Daughter of Salam Khan
and a student of Govt Degree College Bagan Kurram Agency

Registered No 003-BK/GDCBKA-2005 has passed the Intermediate Examination
of the Board of Intermediate & Secondary Education, Kohat held in May, 2007
as a Regular candidate. He/She obtained 631 marks out of 1100 and has
been placed in C Grade Representing Good

The Examination was taken as a whole / in parts.

[Signature]
Asslt. Secretary

[Signature]

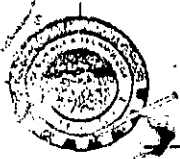
Secretary

This certificate is issued without alteration or erasure

MUHAMMAD BAKHT AWAN
FOR SECRETARY
Lecturer In Pashto
GDC BAGGAN KA

ATTESTED

[Signature]
ATTESTED



B.A Part-II Annual Examination, 2012	2009-SKG-05	Rokhana	Shah Wali Khan
B.A Part-II Annual Examination, 2011	2009-SKG-10	Fozia	Abdul Janan
B.A Part-II Annual Examination, 2009	2007-GCB-03	Zia Ur Rehman	Mazdigar Gul
B.A Part-II Annual Examination, 2010	2008-GDCSK-33	Ihsan Ullah	Muhammad Ghulam
B.A Part-II Annual Examination, 2011	2010-PCKU-1778	Sadiq Rehman	Looth Khan
B.A Part-II Annual Examination, 2010	2007-GDCSK-04	Khaista Rehman	Fazilat Khan
B.A Part-II Annual Examination, 2012	2009-PCKU-1837	Noor Zaman	Noor Jamal
B.A Part-II Annual Examination, 2010	2008-GCB-15	Imran Gul	Haji Miraj Gul
B.A Part-II Annual Examination, 2010	2008-GCB-20	Mohammad Usman	Haji Shah Wazir
B.A Part-II Annual Examination, 2010	2008-GDCSK-34	Abid Ullah	Muhammad Ghulam
B.A Part-II Annual Examination, 2012	2009-PCKU-1965	Khial Bat Khan	Haibat Khan
B.Sc Part-II Annual Examination, 2011	2009-GDCSK-22	Muhammad Saeed	Zarbat Khan
B.Sc Part-II Annual Examination, 2011	2009-GDCSK-32	Shahid Mahmood	Haji Sher Shah
B.A Part-II Annual Examination, 2012	2011-PCKU-2113	Zia Ul Alam	Muhammad Noor Alam
B.A Part-II Annual Examination, 2009	2007-GCB-09	Gul Hassan	Khan Bahadar
B.A Part-II Annual Examination, 2010	2009-PCKU-1867	Kifayat Ullah	Mir Jehan
B.Sc Part-II Annual Examination, 2012	2010-GDCSK-01	Siraj Ud Din	Walayat Khan
B.A Part-II Annual Examination, 2008	2005-SKG-01	Amina Qurashi	Zahir Shah
B.A Part-II Annual Examination, 2009	2007-GCB-20	Muhammad Alam Khan	Salam Khan
B.Sc Part-II Annual Examination, 2012	2010-GDCSK-26	Muhammad Sharif	Moien Shah
B.A Part-II Annual Examination, 2011	2009-SKG-06	Bibi Hajira	Nasir Khan
B.A Part-II Annual Examination, 2012	2011-PCKU-2066	Munib Rehman	Jarnil Khan
B.Sc Part-II Annual Examination, 2009	2007-GDCSK-36	Ishaq Khan	Malik Jan
B.A Part-II Annual Examination, 2008	2006-PCKU-1255	Sabir Gul	Noor Gul

ATTESTED

Serial No. 002020

Roll No. 14575

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Registration No. 2007-GCB-20

Kohat University of Science & Technology, Kohat (Pakistan)

(51)

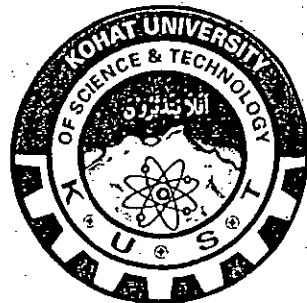
Session 2007-2009

MUHAMMAD ALAM KHAN son of SALAM KHAN and a student
of GOVT DEGREE COLLEGE BAGAM KUBBAH AGENCY having passed the prescribed
examination held in JULY 2009, is this day admitted by

The Kohat University of Science & Technology, Kohat
to the Degree of
Bachelor of Arts
in the FIRST Division

The Examination was taken as a whole / ~~in parts~~

Admitted on OCTOBER 24, 2009



Attested by
[Signature]

[Signature]
Controller of Examinations

Countersigned

[Signature]
Vice Chancellor

ATTACHED

Pakistan
Detailed Marks Certificate

Master of Arts in Political Science
Final

Annual Examination 2011

Department of Political Science, University of Peshawar

Name: MUHAMMAD ALAM KHAN
Father's Name: SALAM KHAN

Gender: Male
Registration No: 2009-11-6: 89

Papers	Marks	In Figures	Percentage
Political Development Social Change & Research Methodology-VI(P-Old)	100	73	Seventy Three
Muslim World & its Political Dynamics-VII(Old-P)	100	76	Seventy Six
Political & Institutional Development in Pakistan-VIII(B)	100	58	Fifty eight
Economy of Pakistan-IX(B)	100	61	Sixty one
Pakistan in World Affairs-X(B)	100	83	Eighty three
Viva Voce	100	85	Eighty five
Previous 3052: Annual-2010	300	303	101
Final	1000	719	71.9

Checked with record & found correct

DMC Assit: [Signature]
Programmer Secretary
Countersigned

[Signature]
Controller of Examination
University of Peshawar

Errors & omissions are subject to subsequent rectification
The Examination was taken As a Whole
Examination held From 14-Jul-2011 to 04-Aug-2011
Result Declared on Saturday, January 14, 2012
Issue Date: 16-Jan-2012

[Signature]

Head Officer
L. Murrain Agency

ATTACHED

S.No. KS 216360

بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ

Roll No. 66631

17

INTERMEDIATE & SECONDARY
KOHAT
(N.W.F.P. Pakistan)
18/6/05
CHECKED
SECRETARY

Secondary School Certificate Examination
Session: 2005 (ANNUAL)

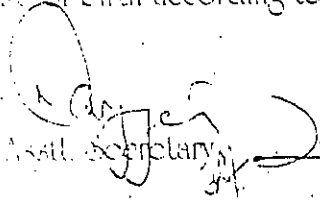
This is to Certify that MUHAMMAD ALAM KHAN
Son/Daughter of SALAM KHAN and a
student of SIR SYED PUBLIC HIGH SCHOOL ALIZAI KURRAM AGENCY

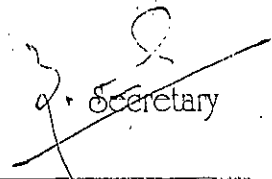
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Intermediate and Secondary Education, Kohat held in MARCH, 2005 as a
REGULAR candidate. He/She obtained 776 Marks out of 1050 and
has been placed in Grade A Representing EXCELLENT.

The Candidate passed in the following subjects:

- | | | | |
|----------------|------------|--------------|-----------------|
| 1. English | 2. Urdu | 3. Islamiyat | 4. Pak. Studies |
| 5. Mathematics | 6. PHYSICS | 7. CHEMISTRY | 8. BIOLOGY |

Date of birth according to admission form is 05-Mar-1989


Asst. Secretary


Secretary

This certificate is issued without alteration or erasure

ATTESTED

S.No. KB

43540

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Roll No. 30521

18

BOARD OF INTERMEDIATE & SECONDARY EDUCATION



CHECKED & VERIFIED
Amjad

KOHAT

(N.W.F.P. Pakistan)

INTERMEDIATE EXAMINATION

PRE-MEDICAL GROUP

Session 2007 (Annual)

This is to Certify that Muhammad Alam Khan

Son/Daughter of Salam Khan

and a student of Govt Degree College Bagan Kurram Agency

Registered No 003-BK/GDCBKA-2005 has passed the Intermediate Examination

of the Board of Intermediate & Secondary Education, Kohat held in May, 2007

as a Regular candidate. He/She obtained 631 marks out of 1100 and has

been placed in C Grade Representing Good

The Examination was taken as a whole / in parts.

Assistant Secretary

Secretary

This certificate is issued without alteration or erasure

2. DMC must be sent to Assistant Controller Secrecy.

Assistant Secretary (Certification)
Board of Intermediate & Secondary Education
Kohat

ATTACHED

University of Peshawar

Pakistan

Annual 2011

MUHAMMAD ALAM KHAN

son of

SALAM KHAN

and a

Student Of

Department of Political Science, University of Peshawar having Passed the

prescribed examination held in July 2011 is this day admitted by the University Of Peshawar to

the Degree of Master of Arts in Political Science in 1st Division

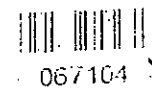
The examination was taken as a Whole

Registration No. 2009-U-6889

Roll No. 7598

U.C. No. 21302-7710045-1

Date of Admission January 14, 2012



Verified and Found Correct

Controller of Examinations
University of Peshawar

Signature and Date: 24/7/11

Signature and Date: 24/7/11

Signature and Date: 24/7/11

Signature and Date: 24/7/11

ATTACHED

19

Serial No: 002629

Roll No. 14575

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Registration No.

Kohat University of Science & Technology, Kohat (Pakistan)

Session 2007-2009

MUHAMMAD ALAM KHAN

SON

of

SALAM KHAN

and a student

of GOVT DEGREE COLLEGE BAGAN KURBAN AGENCY

having passed the prescribed

examination held in

JULY

2009

is this day admitted by

The Kohat University of Science & Technology, Kohat

Verified

&

Found Correct

to the Degree of

Bachelor of Arts

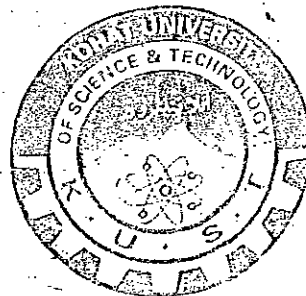
in the

FIRST

Division

Controller of Examinations
Kohat University of Science
& Technology Kohat

The Examination was taken as a whole / in parts



Controller of Examinations

Countersigned

Vice Chancellor

Result declared on

OCTOBER 24, 2009

ATTESTED

26

1. Name (نام) Muhammad Alam Khan
2. Nationality and Religion Pakistani (Islam)
(قومیت اور مذہب)
3. Residence Village Mandauri i/o Bagan District Kussam
(مستقل رہائش)
4. Father's name and residence Salam Khan (As Above)
(والد کا نام اور پتہ)
5. Date of birth by Christian era as nearly as
can be ascertained 05-03-1989 (Fifth March Nineteen Hundred
Eighty nine)
(تاریخ پیدائش مطابق سن عیسوی)
6. Exact height by measurement 5-8"
(قد و قامت)
7. Personal mark of identification Nil
(نشان شناخت)
8. Left hand/right hand thumb and finger impressions of (Non-gazetted officer)
(مرد کی صورت میں بائیں اور عورت کی صورت میں دائیں ہاتھ کی انگلیوں کے نشانات)



Little Finger
(چھنگلیا)



Ring Finger
(چھنگلیا کے ساتھ انگلی)



Middle Finger
(انگشت میاں)



Fore Finger
(انگشت شہادت)



Thumb
(انگوٹھا)

9. Signature of Government Servant [Signature]
(سرکاری ملازم کے دستخط)
10. Signature and designation of the Head of
the office or other Attesting officer _____

HEAD MASTER
G.H.S. Chappri
Lower Kussam

(تصدیق کنندہ افسر کے دستخط اور مہر)

Note: The entries in this page should be renewed or re-attested at least every five years and the signatures in Lines 9 and 10 should be dated. Finger prints need not be taken after every 5 years under this rule.

اس صفحہ کے مندرجات کم از کم پانچ سال بعد تصدیق ہونا ضروری ہیں اور نمبر 9 اور 10 میں دستخطوں کے نیچے تاریخ لکھنی چاہئے۔
انگلیوں کے نشانات کے لئے ہر پانچ سال کے بعد تصدیق کی ضرورت نہیں۔

TESTED

3.

4.

5.

6.

7.

8.

Name of Post

Whether Substantive or officiating and whether permanent or temporary

If officiating state (i) substantive appointment or (ii) whether service counts for pension under rule 3.20 of C.S.R (Pb.) Volume II
اگر عارضی ہو تو رول کے مطابق پینشن کا مستحق ہے؟

Pay in substantive Position

Additional pay for Officiating

Other emoluments falling under the term pay
ماسوائے
تنخواہ
دیگر
الائوس

Date of appointment

Signature of Government servant

درجہ ملازمت

عارضی مستقل
یا
قائم مقامتنخواہ بطور
عارضی ملازمتزائد تنخواہ
بطور قائم مقام

تاریخ تقرری

دستخط
سرکاری ملازمJ/Clerk
Post at G.H.S. Chappal
LK

Rs.

Ps.

Rs.

Ps.

23

Rs. 12570/-

08
2019

[Signature]

[Signature]

ANNEXURE..F

25

Deputy District Education Officer Male
Lower & Central Kurram Sadda

No _____ / Edu:

Dated _____ / _____ / 2021

Ph 0926-520674 Mail: education@sadda@gmail.com

NOTIFICATION.

1. WHEREAS Mr Muhammad Alam Khan Junior Clerk GHS Chappri District Kurram was reported as willful absent since 06.11.2019 upto now vide HM letter No 732-36 dated 10.08.2020.
2. AND WHEREAS Mr. Muhammad Alam Khann Junior Clerk GHS Chappri, District Kurram was served with a Show Cause / Willful Absence Notice vide this office No: 1364-67/Edu ated 23.09.2020 for being absentee without proper permission of the competent authority.
3. AND WHEREAS Mr. Muhammad Alam Khan Junior Clerk GHS Chappri District Kurram did not appear for personal hearing in response to the show cause served upon him.
4. NOW THEREFORE In exercise of the powers conferred under Rules 4 (a) (iii) of Khyber Pakhtunkhwa Government Servant (Efficiency and Discipline) Rules 2011, the competent Authority, the District Education Officer Kurram, is pleased to impose Major penalty of "cancellation of appointment" upon Mr. Muhammad Alam Khan Junior Clerk GHS Chappri, District Kurram with effect from his reinstatement order vide no 2640-46/Edu: Dated 03.10.2019 on account of his being willful absentee.

Deputy District Education Officer
Lower & Central Kurram Sadda

No 7230-38 /Edu: Dated 15 / 7 / 2021

Copy for information to the:-

1. Director of Elementary & Secondary Education KPK Peshawar.
2. Director of Education Merged Distracts area Peshawar.
3. Deputy Commissioner Tribal District Kurram
4. Additional Deputy Commissioner Tribal District Kurram
5. Headmaster GHS Chappri District Kurram.
6. Assistant Commissioner Lower Kurram Sadda.
7. ASDEO Concerned.
8. Official Concerned.

Deputy District Education Officer
Lower & Central Kurram Sadda

ATTC

ANNEXURE "9"

26

To

The Director,
Elementary & Secondary Education,
Khyber Pakhtunkhwa, Peshawar.

Subject:

DEPARTMENTAL APPEAL AGAINST THE NOTIFICATION DATED 15-07-2021
WHERE BY THE APPOINTMENT ORDER OF APPELLANT WAS CANCELLED

Sir,

Most respectfully it is stated that:

Appellant is the employee of your good self Department and was initially appointed as Junior Clerk BPS-11 at GHS Sakhi Ahmad Shah District Kurram vide order dated 21-01-2013 on the proper recommendation of departmental selection committee. That in response the appellant got himself medically examined and also submitted arrival report. That where after the appellant started performing his duty at the concerned station quite efficiently and up to the entire satisfaction of his superiors.

That the authority without any justification removed the appellant from service vide order dated 11.12.2015. That appellant feeling aggrieved filed departmental appeal followed Service Appeal No.293/2016 which was decided/disposed of vide Judgment dated 09.04.2019 in favor of appellant and the appellant was reinstated into service by the august service Tribunal.

That in pursuance to the above mentioned Judgment of the Honorable Service Tribunal the appellant was reinstated into service vide reinstatement Notification/Order dated 03/10/2019 with effect from 01-08-2019.

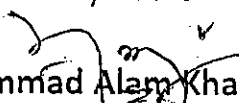
That after reinstatement the appellant submitted charge report on 02.08.2019 and the department dully verified the educational documents prepared Service Book of the appellant and posted him as Junior Clerk at GHS Chapri District Kurram. That where after the appellant started performing his duty at the concerned station quite efficiently and up to the entire satisfaction of his superiors.

That astonishingly the respondent issued the impugned notification/order dated 15/07/2021 where by the appointment order of the appellant was cancelled without any reason and regular inquiry.

It is therefore most humbly requested that on acceptance of this Departmental appeal the impugned Notification dated 15/07/2021, may kindly be set aside and the appellant may be re-instated into service with all back benefits.

Dated: 30.7.2021

Sincerely Yours


Muhammad Alam Khan,
Ex: Junior Clerk
GHS Chappri District
Kurram

ATTESTED

VAKALATNAMA

27

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

APPEAL NO: _____ OF 2021

M. Alam Khan

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

Education Deptt.

(RESPONDENT)
(DEFENDANT)

I/We M. Alam Khan

Do hereby appoint and constitute **NOOR MUHAMMAD KHATTAK Advocate, Peshawar** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

Dated. ____/____/2021



CLIENTS

ACCEPTED

NOOR MUHAMMAD KHATTAK

KAMRAN KHAN

UMER FAROOQ MOHMAND

SAID KHAN

&

**HAIDER ALI
ADVOCATES**

"B"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD, S.B
PESHAWAR.

No.

Appeal No. 7725 of 20 21
M. Alam Khan Appellant/Petitioner

Recd

Secy: ERSE KPK Versus Respondent

Respondent No. 3

Notice to: —

The Distt. Education Officer
Distt. Kurram

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 10/3/22 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. ~~Copy of appeal~~ has already been sent to you vide this office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this 12th

Day of Jan 20 22

(for Reply)



Registrar,
 Khyber Pakhtunkhwa Service Tribunal,
 Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
 2. Always quote Case No. While making any correspondence.

"B"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR. S.B

No.

Appeal No. 7725 of 20 21

M. Alam Khan Appellant/Petitioner

Versus

Secy. ERSE KPN Respondent

Respondent No. 1

Jan
B/1

Notice to: —

Secretary ERSE KPN Peshawar.

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 10/3/22 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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Day of Jan 20 22

(For Reply)

[Signature]
Registrar.

Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
 2. Always quote Case No. While making any correspondence.

[Handwritten Signature] "B"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR,
JUDICIAL COMPLEX (OLD), KHYBER ROAD, S.B.
PESHAWAR.

No.

Appeal No. 7725 of 20 21

M. Alam Khan Appellant/Petitioner

Secy: ERSE KPK Versus Respondent

Respondent No. 2

Notice to: The Director ERSE Deptt: KPK
Peshawar

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 10/3/22 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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Day of Jan 20 22

(For Reply)

[Handwritten Signature]
Registrar,

Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

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