

27.06.2022

SCANNED
KPST
Peshawar

Learned Member (Executive), is on leave.
Therefore, the case is adjourned to 04.08.2022 for
the same as before.





READER

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- _____ 236/2022

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	01/03/2022	<p>The appeal of Mr. Amanullah resubmitted today by Mr. Jamil Khan Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR</p>
2-		<p>This case is entrusted to S. Bench at Peshawar for preliminary hearing to be put there on <u>06-04-2022</u>.</p> <p> CHAIRMAN</p>
	06.04.2022	<p>Clerk of learned counsel for the appellant present. Mr. Kabirullah Khattak, Addl; AG for respondents present.</p> <p>Clerk of learned counsel for the appellant seeks adjournment on the ground that learned counsel is not available today due to general strike of the bar. Adjourned. To come up for preliminary hearing on 27.06.2022 before S.B.</p> <p> (MIAN MUHAMMAD) MEMBER(E)</p>

The appeal of Mr. Amanullah resident of Shah Khan Tangi Post Office Yousaf Khel Tehsil Upper Mohmand District Mohmand received today i.e. on 16.02.2022 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Appeal has not been flagged/marked with annexures marks.
- 2- Annexures of the appeal are not in sequence which may be annexed serial wise as mentioned in the memo of appeal.
- 3- Law under which appeal is filed is not mentioned.
- 4- Copies of orders/letters dated 1.6.2021 and 30.01.2020 (Annexure-D&H) mentioned in para- 5&10 of the memo of appeal respectively are not attached with the appeal which may be placed on it.

No. 482 /S.T,

Dt. 17-2- /2022


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Jamil Khan Adv. Pesh.

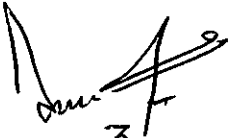
note Re-submitted

① objection no has remove the filed and appeal has been flagged.

② objection has also be removed.

③ The law has been mentioned

④ That objection regarding letters has mention correctly ⁱⁿ memo of appeal.


dt 1-3-
22

BEFORE THE HON'BLE SERVICES TRIBUNAL
KHYBER PAKHTUNKHWA, PESHAWAR

Service Appeal No. 236 of 2022

SCANNED
2022
Peshawar

Aman Ullah son of Nishaan Khan

..... Appellant

Versus

Secretary to the Government of Khyber Pakhtunkhwa
E & SE Department and other

..... Respondents

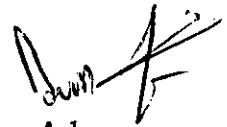
I N D E X

S#	Description of documents	Annex	Page(s)
1	Memo of Appeal	---	1-5
2	Copy of application for interim relief	---	6-7
3.	Copy of departmental Appeal/ representation dated: 18.10.2021	A	8-12
4.	Copy of Appointment order of the appellant dated: 29.06.2021	B	13
5.	Copy of the Appointment order of Respondent No. 3/Ihsan Ullah dt:	C	14
6.	Copy of Office Order dated: 11.10.2021 of cancellation of appointment of appellant	D	15
7.	Copy of Memorandum dated: 15.04.2021	E	16
8.	Copy of Verification dated: 19.04.2021	F	17
9.	Copy of Notification No. 1190-99 dt: 06.08.2021	G	18
10.	Copy of Inquiry report dt: 17.08.2021	H	19
11.	Copy of Notification No. 1614 dt: 02.09.2021	K	20
12.	Copy of Report by D.E.O Mohmand	L	21-24
13.	Copy of Affidavit by the Elders	M	25

S#	Description of documents	Annex	Page(s)
14.	Copy of Notification No. 466-70 dt: 14.01.2021	N	27
15.	Copy of Domicile Certificate and CNIC	O	28
16.	Copy of Notification of appointment of Inquiry Committee dated: 10.11.2021	P	29
17.	Wakalatnama	---	

Through

Appellant



Jamil Khan Adv

Chambers:- 10-A, Cantonment Building
 Seokarno Square, Khyber Bazar,
 Peshawar. Cell:- 0300 2738911
 Email: munim_marwat@yahoo.com

BEFORE THE HON'BLE SERVICES TRIBUNAL
KHYBER PAKHTUNKHWA, PESHAWAR

①

Service Appeal No. _____ of 2022

Aman Ullah son of
Resident of Shah Khan Tangi, P.O. Yousaf Khel
Tehsil Upper Mohmand, District Mohmand.

..... Appellant

Versus

1. Secretary to the Government of Khyber Pakhtunkhwa
Elementary & Secondary Education Department
Civil Secretariat, Peshawar, Khyber Pakhtunkhwa
2. District Education Officer
Mohmand Tribal District.
3. Ihsan Ullah Khan son of Pati Khan
Chowkidar GPS Bagi Kor, Sooran Dara, Baizai,
District Mohmand.

..... Respondents

**Service Appeal u/s 4 of the Khyber Pakhtunkhwa
Services Tribunal Act, 1974 against the Order No. 3213-
17 dated: 11.10.2021, whereby the appointment order
of appellant was withdrawn and Order No. 3323-30
dated:13.10.2021 whereby Mr. Ihsan Ullah s/o Pati
Khan/respondent No.3 was appointed in GPS Bagi Kore
Suram, Mohmad Tribal District.**

Respectfully Sheweth:-

1. That the District education officer advertise a post of Chowkidar in newspaper "Daily Mashriq dated:09.01.2021. The undersigned/appellant Mr. Aman Ullah S/o Nishan Khan, Ex Chowkidar GPS Bagi Kor, Sooran Dara, Baizai applied through application attached and appeared before the Departmental

Selection Committee (DSC) on 22.01.2021 for the post of Chowkidar .

2

2. That the DSC recommended the appellant/ candidate for the appointment against the post of Chowkidar after observing/fulfilling all the codal formalities (Annexure B). It is pertinent to note that the appellant was on merit list of "Open Merit" as well as "Retired Employees Son" quota.
3. That before the recruitment/appointment of the appellant, one Mr. Wahid Ullah submitted a complaint against the appointment of Mr. Aman Ullah by saying that the land of the school is our joint property, therefore, he may also be considered for the said mentioned post.
4. That on receiving complaint, the matter was referred to Deputy Commissioner for resolving the issue through Tribal District vide No. 2843-44 dated 19/04/2021.
5. That the Deputy Commissioner "Mohmand Tribal District" recommended the appellant for the post as per the recommendation of Assistant Commissioner Baizai vides its letter No. 3726-27 dated: 01/06.2021.
6. That after observing all the codal formalities the undersigned was appointed vide Notification No. 652-63 dated 29/06/2021.
7. That after the appointment, once again Mr. Wahid Ullah (the Complainer) came to District Education Officer and tried to politically influenced authorities through the political members of the localities by saying that the appointment is illegal without observing the codal formalities and that he had been sent by the Secretary Education with the direction that the DEO will cancel the appointment and will transfer the whole office if his candidate had not been appointed.
8. That District Education Officer conducted an impartial inquiry against the appointment order vide No. 657-63 dated 29.06.2021.
9. That the inquiry committee comprised of Mr. Shireen Khan Principal GHS No. 10 (BPS 17) and Mr. Bakht Ali Head Master GHS Ghazi Baig (BPS 17), conducted impartial inquiry and found all the relevant record correct and upto the rules.

5

If is, therefore, requested that on acceptance of this application, the operation of the impugned office order dated 13.10.2021 may kindly be suspended till the final decision of the instant appeal.

Petitioner/ Appellant

Through

Jamil Khan
Advocate High Court



AFFIDAVIT

I, do hereby affirm and declare on oath that the contents of the accompanying Application are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal

Deponent
16-5-2021

Khalid Mahmood
Oath Commissioner
Peshawar High Court



CHIC 2108-322136-7



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar

No. SO(PE)E&SED/5-19 /Re-instatement/2021
Dated Peshawar the, October 20th, 2021

To

The Director,
Elementary & Secondary Education,
Khyber Pakhtunkhwa.

(2)

"A"

Subject:- **DEPARTMENTAL APPEAL AGAINST THE ORDER NO.3213-17 DATED 11.10.2021, WHEREBY THE APPOINTMENT ORDER OF APPELLANT WAS WITHDRAWN AND ORDER NO.3323-30 DATED 13.10.2021 WHEREBY MR. IHSAN ULLAH S/O PATI KHAN WAS APPOINTED IN GPS BAGI KORE SURAM, MOHMAND TRIBAL DISTRICT.**

I am directed to refer to the subject noted above and to enclose herewith a copy of self-explanatory appeal/application alongwith its enclosures, received from Mr. Aman Ullah, r/o Shah Khan Tangi, P.o Yousaf Khel Tehsil Upper Mohmand, District Mohmand, for further necessary action under relevant rules/policy.

Encl: as above.

Yours faithfully,


(Mian Hussain Din)
SECTION OFFICER (P.E)

Copy forwarded to the:-

1. PS to Secretary E&SE, Khyber Pakhtunkhwa.
2. Mr. Aman Ullah, r/o Shah Khan Tangi, P.o Yousaf Khel Tehsil Upper Mohmand, District Mohmand.


SECTION OFFICER (P.E)

1. Worthy Secretary
Elementary & Secondary Education
Civil Secretariat, Peshawar.
Khyber Pakhtunkhwa
Peshawar.
2. District Education Officer
Mohmand Tribal District.
Through proper channel.



Subject: Departmental Appeal against the Order No. 3213-17 dated: 11.10.2021, whereby the appointment order of appellant was withdrawn and Order No. 3323-30 dated: 13.10.2021 whereby Mr. Ihsan Ullah s/o Pati Khan was appointed in GPS Bagi Kore Suram, Mohmad Tribal District..

Respected Sir,

1. That the District education officer advertise a post of Chowkidar in newspaper "Daily Mashriq dated 09.01.2021. The undersigned/appellant Mr. Aman Ullah S/o Nishan Khan, Ex Chowkidar GPS Bagi Kor, Sooran Dara, Baizai applied through application attached and appeared before the Departmental Selection Committee (DSC) on 22.01.2021 for the post of Chowkidar .
2. That the DSC recommended the appellant/ candidate for the appointment against the post of Chowkidar after observing/fulfilling all the codal formalities (Annexure B). It is pertinent to note that the appellant was on merit list of "Open Merit" as well as "Retired Employees Son" quota.
3. That before the recruitment/appointment of the appellant, one Mr. Wahid Ullah submitted a complaint against the appointment of Mr. Aman Ullah by saying that the land of the school is our joint property, therefore he may also be considered for the said mentioned post.
4. That on receiving complaint, the matter was referred to Deputy Commissioner for resolving the issue through Tribal District vide No. 2843-44 dated 19/04/2021.

3445
18/10/21
e. Secondary

[Handwritten signature]
20/10/21

5. That the Deputy Commissioner "Mohmand Tribal District" recommended the appellant for the post as per the recommendation of Assistant Commissioner Baizai vide its letter No. 3726-27 dated: 01/06.2021 (Annexure D). 10
6. That after observing all the codal formalities the undersigned was appointed vide Notification No. 652-63 dated 29/06/2021.
7. That after the appointment, once again Mr. Wahid Ullah (the Complainer) came to District Education Officer and tried to politically influenced the authorities through the political members of the localities by saying that the appointment is illegal without observing the codal formalities and that he had been sent by the Secretary Education with the direction that the DEO will cancel the order and will transfer the whole office if his candidate had not been appointed.
8. That District Education Officer conducted an impartial inquiry against the appointment order vide No. 657-63 dated 29.06.2021.
9. That the inquiry committee comprised of Mr. Shireen Khan Principal GHS Navi Kilt (BPS 18) and Mr. Bakht Ali Head Master GHS Ghazi Baig (BPS 17), conducted impartial inquiry and found all the relevant record correct and upto the rules.
10. That Mr. Wahid Ullah (the complainer) submitted documents in which AC Baizai had sent a letter to Deputy Commissioner for resolving the issue vide No. 114 dated: 30.01.2020 (Annexure H) which are of no use for the cancellation of the appointment order as the letter was addressed to Deputy Commissioner and not to DEO, and was shown to be issued on 30.06.2021, while Deputy Commissioner recommended Mr. Aman Ullah for the said post on 01.06.2021 vide letter No. 3726-27.
11. That the once again the District education officer conducted an impartial inquiry against the appointment order, but the inquiry officers failed to submit inquiry report within the stipulated period. The committee consists of Mr. Alam Zeb Khan principal GHS

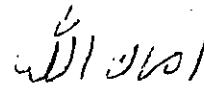
Subhan Khwarr, Mr. Illyas Khan Principal GHS Dab Kor and Mr. Inayat Ur Rehman Head Master GHS Akhunzadagaan. (11)

12. That on 11.10.2021, the District Education Officer, Mohmand Tribal District through Office Order No. 3213-17 cancel/withdrawn the appointment No. 657-63/DSC-22/01/2021 dated: 29.06.2021 with immediate effect without assigning any reasons.
13. That the District Education Officer, Mohmand Tribal District through Office Order No. 3323-30 dated: 13.10.2021, appointed Mr. Ihsan Ullah Khan son of Pati Khan on the directions of Secretary Elementary & Secondary Education Department and recommendations of District Selection Committee (meeting held on 22.01.2021) as Chowkidar at GPS Bagi Kore Suran against the vacant post.
14. That the appellant impugned his appointment cancellation order dated: 11.10.2021 and appointment of Mr. Ihsan Ullah Khan through order dated: 13.10.2021 on the following grounds:-
 - a. That the appointment of the appellant was made on the recommendation of the District Selection Committee after fulfilling all codal formalities according to law and merit.
 - b. That the District Selection Committee in its meeting held on 22.01.2021, only three candidates were recommended for appointment on three different vacant posts as evident from the Appointment Notification No. 657-63/DSC-22-01-2021 dated: 29.06.2021, and the letter of appointment dated: 13.10.2021 of the Ihsanullah Khan son of Pati Khan allegedly issued on recommendation of District Selection Committee is totally against facts and void ab intio illegal void and result of political influenced decision.
 - c. That record of the District Education Officer and minutes of the District Selection committee clearly shows that Mr. Ihsan Ullah Khan failed even to apply for the post of chokidar as advertised by the DEC but was included in the list due to the

pressure of sitting Member of Provincial Assembly on the day of interview by the committee. (12)

- d. That the land given for the school was exclusively owned and given by father of the appellant and he served on the post of chowkidar in GPS Bagi kore till his retirement on 14.01.2021, and no dispute of land was raised by any person since his appointment on 11.12.1995 till his retirement. It is pertinent that the appointment of the appellant was made on the retired employee son quota and Mr. Ihsan Ullah Khan is not son of retired employee, thus his appointment as well as cancellation of appointment of the appellant are illegal and unlawful influenced by the politically engineered. The ownership of land and elders of the locality had given affidavit in favour of the appellant.
- e. That both the orders are politically engineered and it is well settled proposition that the competent authority have to act according to the law and any act in violation of law has no force and against the fundamental principal of transparency and fundamental rights as safeguarded by the constitution.

In view of the aforesaid submissions, it is humbly prayed that on acceptance of this appeal, the Office Order No. 3213-17 cancel/withdrawn the appointment No. 657-63/DSC-22/01/2021 dated: 29.06.2021 and Order No. 3323-30 dated: 13.10.2021 whereby Mr. Ihsan Ullah Khan was appointed may kindly be set aside and Order of appointment of appellant i.e Order 657-63/DSC-22/01/2021 dated: 29.06.2021 may kindly restored accordingly.



(AMAN ULLAH)
CNIC No. 21406-3759136-7
Shah Khan Tangi, P.O. Yousaf Khel
Tehsil Upper Mohmand, District
Mohmand.
Cell No. 03059095140/03085651884



OFFICE OF THE DISTRICT EDUCATION OFFICER
MOHMAND TRIBAL DISTRICT

Ph. No. : 0924-290180

FAX : 924290180

Email : -deomohmand@gmail.com



13

APPOINTMENT

B/1

Consequent upon the approval of the District Selection Committee in its meeting held on 22-01-2021, the competent authority has been pleased to appoint the following candidates as Class IVs against vacant posts on regular basis in BPS-03 of the basic pay scale @ Rs. (9610-390-21310) plus usual allowances as admissible under the rules in the school mentioned against each their names on the terms and conditions given below with effect from their date of taking over charge.

S.#	Name	Father's/Hus/Name	Appointed as.	Place of posting.	Remarks
1.	Nabila Khan	Abdul Samad	Sweeper	GGHS Ekka Ghund	AVP
2.	Usman	Jan Muhammad	Chowkidar	GGPS Janda Masood	AVP
3.	Aman Ullah	Nishan	Chowkidar	GPS Bagi Kore Suran	AVP

TERMS & CONDITIONS

1. Charge reports should be submitted to all concerned in duplicate.
2. They will be governed by such rules and regulations as prescribed by the Govt. from time to time for the category of government servants to which they belong.
3. In case of resignation, one-month prior notice should be given by the official concerned otherwise one month pay will be forfeited in lieu thereof.
4. Appointment is subject to the condition that certificates / degrees / Domicile etc must be verified from the concerned authorities by Principals / Head Masters Concerned if any documents found bogus/fake/forged, he will be terminated and his case will be reported to the law enforcing Department / agencies for further action.
5. They should take charge of their post within 30 days after the issuance of this order.
6. They will produce health fitness and age certificate from the concerned civil surgeon.
7. Their pay shall be released after proper verification of documents & testimonials from the concerned agencies by Principals / Head Masters Concerned.

(NOOR HASSAN KHAN)
District Education Officer
Mohmand Tribal District

Endst: No. 652631 DSC- 22-01-2021 / Dated: 29 / 06 / 2021
Copy to the: -

1. Director of Education Elementary & Secondary Khyber Pakhtunkhwa Peshawar.
2. Deputy Commissioner Mohmand Tribal District.
3. District Account Officer Mohmand Tribal District.
4. ADEOs concerned.
5. Candidates Concerned.
6. Office record.

District Education Officer
Mohmand Tribal District



OFFICE OF THE DISTRICT EDUCATION OFFICER
MOHMAND TRIBAL DISTRICT
Ph. No. 0924-290180
FAX 0924290180
Email: deomohmand@gmail.com



APPOINTMENT ORDER

Consequent upon the approval of the District Selection Committee & Direction of Honorable Secretary Elementary & Secondary, in its meeting held on 22-01-2020, the competent authority has been pleased to appoint the following candidate as Class IV against vacant posts on regular basis in BPS-03 of the basic pay scale @ Rs. (9610-390-21310) plus usual allowances as admissible under the rules in the school mentioned against each his name on the terms and conditions given below with effect from their date of taking over charge.

S.#	Name	Father's Name	Appointed as	Place of posting	Remarks
1	Mizan Ullah Khan	Pali Khan	Chowkdar	GPS Baji Kore Suran	AVP

TERMS & CONDITIONS

1. NO TA/DA etc is allowed.
2. Charge report should be submitted to all concerned in duplicate.
3. They will be governed by such rules and regulations as prescribed by the Govt: from time to time for the category of government servants to which they belong.
4. In case of resignation, one-month prior notice should be given by the official concerned otherwise one month pay will be forfeited in lieu thereof.
5. Appointment is subject to the condition that certificates / degrees/ Domicile etc must be verified from the concerned authorities by Principals / Head Masters Concerned if any documents found bogus/fake/forged, he will be terminated and his case will be reported to the law enforcing Department / agencies for further action.
6. They should take charge of his post within 30 days after the issuance of this order.
7. They will produce health fitness and age certificate from the concerned civil surgeon.
8. His pay shall be released after proper verification of documents & testimonials from the concerned agencies by Principals / Head Masters Concerned.

(Note):

Appointment order shall be verified by the concerned Drawing and Disbursing officers personally from the office of the undersigned before handing over charge to the official.

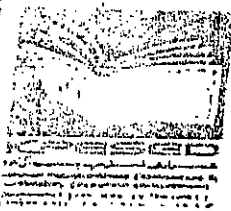
(NOOR HASSAN KHAN)
District Education Officer
Mohmand Tribal District

Endst: No. 3323-30 / Appointments File /DSC- 22-01-2020 / Dated: 18/1/2021

Copy to the: -

1. Director of Education Elementary & Secondary Khyber Pakhtunkhwa Peshawar.
2. Director of Education NMD Secretariat Peshawar.
3. Deputy Commissioner Mohmand Tribal District.
4. District Account Officer Mohmand Tribal District.
5. ADEOs concerned.
6. Candidates Concerned.
7. EMIS Section Local Office.
8. Office record.

District Education Officer
Mohmand Tribal District



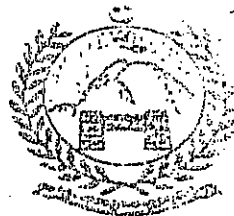
OFFICE OF THE DISTRICT EDUCATION OFFICER
MOHMAND TRIBAL DISTRICT

Ph. No. : 0924-290180

FAX : 0924290180

Email : deomohmand@gmail.com

No. _____ -Dated _____ / _____ /2021



OFFICE ORDER

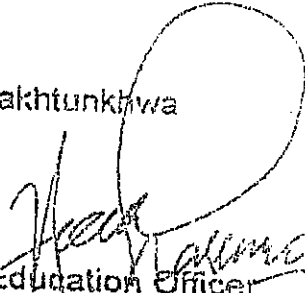
The competent authority is pleased to cancel/withdrawn the appointment order issued in r/o Mr. Aman Ullah S/O Nishan Chowkidar GPS Bagi Kor Sooran vide this office No. 657-63/DSC-22/01/2021 dated 29/06/2021 at S.No. 03 with immediate effect in the interest of public service.

District Education Officer
Mohmand Tribal District

Encl No 3213-17 Dated 11/1/2021

Copy for information

1. Director Education Elementary & Secondary Khyber Pakhtunkhwa
2. Additional Director NMDs.
3. DMO Mohmand Tribal District.
4. Official Concerned.
5. Office record only.


District Education Officer
Mohmand Tribal District

ASSISTANT COMMISSIONER BAIZAI
MOHMAND TRIBAL DISTRICT
Phone 0924-290225 / li-mail: apabatza@gmail.com

No: 1578/AC/Baizai
Dated: 15/04/2021.

To: Deputy Commissioner
Mohmand Tribal District.

16

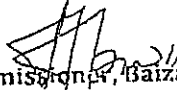
Subject: - APPLICATION

Memorandum:

Enclosed please find herewith an application submitted by Malik Nishan resident of Suran Bagi Kor, Tehsil Baizai requesting therein for appointment of his son namely Aman Ullah as Class-IV in GPS Bagi Kor, Suran Dara Tehsil Baizai.

Applicant Mr. Nishan Khan has been retired from the post of Class-IV in the said School. Now applicant is requesting to appoint his son as Class-IV on the vacant post. In this regard local elders has executed an affidavit that Mr. Nishan Khan has work as Class-IV and now requesting to appoint his son on his place (Copy of affidavit is enclosed).

In light of the above it is requested application of the applicant may kindly be forwarded District Education Officer Mohmand for appointment in light of the rules, regulation and SOPs of Education Department please.


Assistant Commissioner, Baizai
Mohmand Tribal District

Cc:- District Education Officer Mohmand for information please.



OFFICE OF THE DISTRICT EDUCATION OFFICER
MOHMAND TRIBAL DISTRICT

Ph. No. : 0924-290180

FAX : 0924290180

Email : - deomohmand@gmail.com



NO _____ dated ____/____/2021

To

The Deputy Commissioner
Mohmand Tribal District

(117) F

Subject:-

VERIFICATION.

Memo:

Reference to the subject cited above, your good self is requested to verify the following school and their land owner in order to appoint/recruit the right one.

The detail is as under

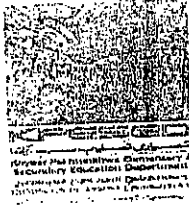
S.No	Name of School	Tehsil	Name of applicant	Name of complainer	Remarks
	CPS Bagi Kore Suran Dara	Raizai	Aman Ullah Pat Khan	1. Wahid Ullah S/O Haji Gul Mohammad 2. Rahmat Ullah S/O Khateen 3. Ihsan Ullah S/O Pati Khan	

District Education Officer
Mohmand Tribal District

Endst No 2843-44 dated 19/1/2021

1. Additional District NMDs Directorate KPK Peshawar.

District Education Officer
Mohmand Tribal District



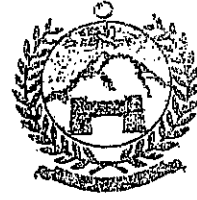
OFFICE OF THE DISTRICT EDUCATION OFFICER
MOHMAND TRIBAL DISTRICT

Ph. No. ☎: 0924-290180

FAX ☎: 0924290180

Email ✉: - deomohmand@gmail.com

NO. _____ / DATED _____ / 2021



NOTIFICATION

Inquiry committee comprising following officers is hereby constituted to conduct impartial inquiry against the appointment orders issued vide this office no.657-63 dated 29/06/2021. Copy of the appointment order is attached for ready reference. TORs are as under:

1. To find out whether the recruitment is purely based on merit or otherwise?
2. AND also to find out whether all the formalities have been observed/followed or otherwise which are essential for recruitment?

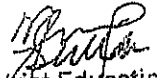
The inquiry committee is directed to dig out actual/factual position without any discrimination and submit inquiry report along with recommendation within seven (07) days under the above mentioned TORs. Inquiry Officers Are:

1. Mr. Sherine Khan Principal GHS Navi Kili Prang Ghar (Chairman).
2. Mr. Bakht Ali H/M GHS Ghazi Baig (Member).

District Education Officer,
Tribal District Mohmand

Endst: No. 1190-99 ADEO (M&E) Enquiry Dated 06 08/2021.

1. Director of Education (E & SE) KPK Peshawar.
2. Additional Director of Education (NMD) KPK Peshawar.
3. DMO Mohmand Tribal District.
4. Officials Concerned.
5. Office Copy


District Education Officer,
Tribal District Mohmand

(2)

**ENQUIRY REPORT REGARDING MR. AMAN ULLAH (CLASS IV) S/O
NISHAN KHAN GPS BAGI KORE SURAN DARA DISTRICT MOHMAND**

The DEO Mohmand constituted an enquiry committee to dig out the factual position regarding the appointment of Mr. Aman Ullah (Chowkidar) at GPS Bagi Kore Surran Dara in the light of TOR,s under endst: No. 1190-94 dated 06/08/2021.

The committee was comprised on the following officers.

- 01 Mr. Shireen Khan Principal GHS Navi Killi Tehsil Prang Ghar (Chairman)
- 02 Mr. Bakht Ali Head Master GHS Ghazi Baig (Member)

The undersigned arrived at DEO office Ghallanai on 17/08/2021 to dig out the factual position regarding the appointment of Mr. Aman Ullah Chowkidar The enquiry committee called and heard members of the District Selection Committee (DSC) in person. The DSC was asked to provide all the required documents regarding the appointment of the concerned candidates.

Findings:-

After detailed investigation and digging out the factual position the committee reached on the following fact finding report.

01. The concerned posts have been advertised in the Daily Mashriq newspaper dated 09/01/2021 Annexure A
02. The concerned candidate has been properly called for interview on dated 22/01/2021. Annexure B
03. The DSC has appointed Mr. Aman Ullah S/O Nishan Khan subject to verification of Deputy Commissioner(DC) Mohmand. Annexure B
04. The DEO Office has corresponded with Deputy Commissioner DC Mohmand for disputed verification of the said candidate vide letter No 2843-44 dated 19-04-2021 Annexure B
05. The local committee of the elders has also given affidavit in respect of Mr. Aman Ullah S/O Nishan Khan Annexure C
06. Assistant Commissioner (AC) Baizai has also recommended Mr. Aman Ullah S/O Nishan Khan on the request of local elders vide letter No. 1578/AC/Baizai. to DC Mohmand. Annexure C
07. Deputy Commissioner (DC) Mohmand has recommended Mr. Aman Ullah vide letter No. 3726-27/M dated 01/06/2021 to DEO Mohmand. Annexure C.

Conclusion:-

After checking all the relevant record regarding Mr. Aman Ullah S/O Nishan Khan Chowkidar appointment the undersigned have reached the conclusion that all the codal formalities have been observed in the appointment of the above mentioned Class IV The report is forwarded for your perusal please.

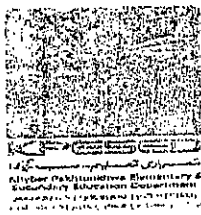
Committee members:-

Sign: 17-08-2021
1. Shireen Khan (Chairman)
Principal GHS Navi Killi
District Mohmand

*Seen and File for
office record*

[Signature]
31/08/21

Sign: 17-08-2021
2. Mr. Bakht Ali (Member)
Head Master GHS Ghazi Baig
District Mohmand



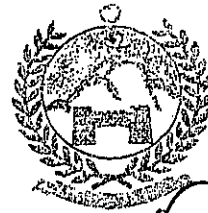
OFFICE OF THE DISTRICT EDUCATION OFFICER
MOHMAND TRIBAL DISTRICT

Ph. No. : 0924-290180

FAX : 0924290180

Email : - deomohmand@gmail.com

NO. _____ / DATED _____ / 2021



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NOTIFICATION

Inquiry committee comprising following officers is hereby constituted to conduct impartial inquiry in the light of the complaint submitted by the local community against the appointment order of Mr. Aman Ullah Chowkidar GPS Soran Dara Baizai issued vide this office no.657-63 dated 29/06/2021. TORs are as under:

1. To find out whether the recruitment is purely based on merit or otherwise.
2. AND also to find out whether all the codal formalities have been observed/ followed or otherwise.
3. AND also to find out who had been recommended by the worthy Deputy Commissioner for the said post.

The inquiry committee is directed to dig out actual/factual position without any discrimination and submit inquiry report along with recommendation within seven (07) days under the above mentioned TORs.

Inquiry Officers Are:

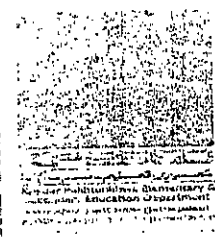
1. Mr. Alam Zeb Khan Principal GHS Subhan Khwarr (Chairman).
2. Mr. Ilyas Khan Principal GHS Dab Kor (Member).
3. Mr. Inayat ur Rahman Head Master GHS Akhunzadgaan (Member).

District Education Officer,
Tribal District Mohmand

Endst: No. 1614/21 ADEO (M&E) Enquiry Dated 22/09/2021.

1. Director of Education (E & SE) KPK Peshawar.
2. Additional Director of Education (NMD) KPK Peshawar.
3. PS to Secretary Education E & SE Khyber Pakhtunkhwa Peshawar.
4. DMO Mohmand Tribal District.
5. Officials Concerned.
6. Pay Clerk with the direction to avoid releasing the salaries till the inquiry report.
7. Office Copy


District Education Officer,
Tribal District Mohmand



OFFICE OF THE DISTRICT EDUCATION OFFICER
MOHMAND TRIBAL DISTRICT

Ph. No. : 0924-290180

FA : 0924290180

Email : deco.mahd@gmail.com

No. _____ -Dated _____ / _____ /2021



2

To

The Secretary Elementary & Secondary Education,
Khyber Pakhtunkhwa Peshawar.

Subject: BRIEF HISTORY ABOUT THE APPOINTMENT OF MR. AMANULLAH CHOWKIDAR
GPS BAGI KOR SOORAN DARA BAIZAI.

Memo:

Reference to the subject cited above, the undersigned wants to clarify the case and place some observation before your good self for your information and perusal please.

1. WHEREAS after advertisement in newspaper Daily Mashriq dated 09/01/2021 Mr. Aman Ullah S/O Nishan Khan Chowkidar GPS Bagi Kor Sooran Dara Baizai appeared before the Departmental Selection Committee (DSC) dated 22/01/2021 for the post of Chowkidar as his father was retired from the said post (Annexure A).
2. AND WHEREAS the DSC recommended the said candidate for the above mentioned post after observing/fulfilling all the codal formalities (Annexure B).
3. AND WHEREAS before the recruitment/appointment Mr. Wahid Ullah submitted a complaint against the appointment of Mr. Aman Ullah by saying that the land of the school is our joint property, therefore he may also be considered for the said mentioned post.
4. AND WHEREAS for resolving the issue the undersigned sent the case to DC Mohmand Tribal District vide No. 2843-44 dated 19/04/2021 (Annexure C).
5. AND WHEREAS the Deputy Commissioner Mohmand Tribal District recommended Mr. Aman Ullah S/O Nishan Khan for the post as per the recommendation of AC Baizai vide letter No. 3726-27 dated 01/06/2021 (Annexure D).
6. AND WHEREAS after observing all the codal formalities the undersigned appointed Mr. Aman Ullah S/O Nishan Khan vide No. 652-63 dated 29/06/2021 (Annexure E).
7. AND WHEREAS after the appointment Mr. Wahid Ullah (the Complainer) once again came to DEO office and threatened the undersigned by saying that the appointment is illegal without observing the codal formalities and that he had been sent by the honorable Secretary Education with the direction that the DEO will cancel the order and will transfer the whole office if his candidate had not been appointed.
8. AND WHEREAS the undersigned conducted an impartial inquiry against the appointment order vide no. 657-63 dated 29/06/2021 (Annexure F). And verbally directed Mr. Wahid Ullah to bring recommendation or cancellation from Deputy Commissioner.
9. AND WHEREAS the inquiry committee comprised of Mr. Shireen Khan Principal GHS Navi Kili (BPS 18) and Mr. Bakht Ali Head Master GHS Ghazi Baig (BPS 17), conducted impartial inquiry and found all the relevant record correct and upto the rules (Annexure G).
10. AND WHEREAS Mr. Wahid Ullah (the complainer) submitted documents in which AC Baizai had sent a letter to Deputy Commissioner for resolving the issue vide no. 114 dated 30/01/2020 (Annexure H) which are of no use for the cancellation of the appointment order as the letter was to DC not to DEO and dated was 30/01/2020 while DC recommended Mr. Aman Ullah for the said post dated 01/06/2021 vide no. 3726-27 (Annexure D).

(22)

11. AND WHEREAS Mr. Wahid Ullah again came to DEO Office and use vulgar language by saying that the appointment is totally based on bribe and he had been deprived from his right.

12. AND WHEREAS the undersigned once again conducted an impartial inquiry against the order, but the inquiry officers failed to submit inquiry report within the stipulated period of time. The committee consists of Mr. Alam Zeb Khan Principai GHS Subhan Khwarr (BPS 19), Mr. Ilyas Khan Principal GHS Dab Kor (BPS 18) and Mr. Inayat Ur Rahman Head Master GHS Akhunzadgaan (BPS 17).

The whole case is hereby forwarded for your perusal and further instruction please.

District Education Officer
Mohmand Tribal District

Endst No _____ Dated ____/____/2021

Copy for information

1. Director Education Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar.
2. Deputy Commissioner Mohmand Tribal District.
3. Additional Director NMDs Khyber Pakhtunkhwa Peshawar
4. Office record only.

District Education Officer
Mohmand Tribal District

LS,
22
Vila
T



OFFICE OF THE DISTRICT EDUCATION OFFICER
MOHMAND TRIBAL DISTRICT

Ph. No. : 0924-290180

FA : 0924290180

Email : deomohmand@gmail.com

No. _____ -Dated ____/____/2021



To

(23)

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

Subject: **BRIEF HISTORY ABOUT THE APPOINTMENT OF MR. AMANULLAH CHOWKIDAR
GPS BAGI KOR SOORAN DARA BAIZAI.**

Memo:

Reference your letter No. 13998 dated 12/10/2021 about the subject cited above, the undersigned wants to clarify the case and place some observation before your good self for your information and perusal please.

1. **WHEREAS** after advertisement in newspaper Daily Mashriq dated 09/01/2021 Mr. Aman Ullah S/O Nishan Khan Chowkidar GPS Bagi Kor Sooran Dara Baizai appeared before the Departmental Selection Committee (DSC) dated 22/01/2021 for the post of Chowkidar as his father was retired from the said post (Annexure A).
2. **AND WHEREAS** the DSC in which the chairman was Mr. Sultan Muhammad Principal GHSS Ghallanai, the committee recommended the said candidate for the above mentioned post after observing/fulfilling all the codal formalities (Annexure B).
3. **AND WHEREAS** before the recruitment/appointment Mr. Wahid Ullah submitted a complaint against the appointment of Mr. Aman Ullah by saying that the land of the school is our joint property, therefore he may also be considered for the said mentioned post.
4. **AND WHEREAS** for resolving the issue the undersigned sent the case to DC Mohmand Tribal District vide No. 2843-44 dated 19/04/2021 (Annexure C).
5. **AND WHEREAS** the Deputy Commissioner Mohmand Tribal District recommended Mr. Aman Ullah S/O Nishan Khan for the post as per the recommendation of AC Baizai vide letter No. 3726-27 dated 01/06/2021 (Annexure D).
6. **AND WHEREAS** after observing all the codal formalities the undersigned appointed Mr. Aman Ullah S/O Nishan Khan vide No. 652-63 dated 29/06/2021 (Annexure E).
7. **AND WHEREAS** after the appointment Mr. Wahid Ullah (the Complainer) once again came to DEO office and threatened the undersigned by saying that the appointment is illegal without observing the codal formalities and that he had been sent by the honorable Secretary Education with the direction that the DEO will cancel the order and will transfer the whole office if his candidate had not been appointed.
8. **AND WHEREAS** the undersigned conducted an impartial inquiry against the appointment order vide no. 657-63 dated 29/06/2021 (Annexure F). And verbally directed Mr. Wahid Ullah to bring recommendation or cancellation from Deputy Commissioner.
9. **AND WHEREAS** the inquiry committee comprised of Mr. Shireen Khan Principal GHS Nal Kili (BPS 18) and Mr. Bakht Ali Head Master GHS Ghazi Baig (BPS 17), conducted an impartial inquiry and found all the relevant records correct and up to the rules (Annexure G).
10. **AND WHEREAS** Mr. Wahid Ullah (the complainer) submitted documents in which AC Baizai had sent a letter to Deputy Commissioner for resolving the issue vide no. 114 dated 30/01/2020 (Annexure H) which are of no use for the cancellation of the appointment order.

- as the letter was to DC not to DEO and dated was 30/01/2020 while DC recommended Mr. Aman Ullah for the said postdated 01/06/2021 vide no. 3726-27 (Annexure G).
11. **AND WHEREAS** Mr. Wahid Ullah again came to DEO Office and use vulgar language by saying that the appointment is totally based on bribe and he had been deprived from his right.
12. **AND WHEREAS** the undersigned once again conducted an impartial inquiry vide No.1614-21 dated 02/09/2021 against the order, but the inquiry officers failed to submit inquiry report within the stipulated period of time. The committee consists of Mr. Alam Zeb Khan Principal GHS Subhan Khwarr (BPS 19), Mr. Ilyas Khan Principal GHS Dab Kor (BPS 18) and Mr. Inayat Ur Rahman Head Master GHS Akhunzadgaan (BPS 17) (Annexure H).
13. **AND WHEREAS** now the undersigned withdraw/cancel the order vide No.3213-17 dated 11/10/2021 in order to resolve the issue (Annexure I).

The whole case is hereby forwarded for your perusal and further instruction please.

District Education Officer
Mohmand Tribal District

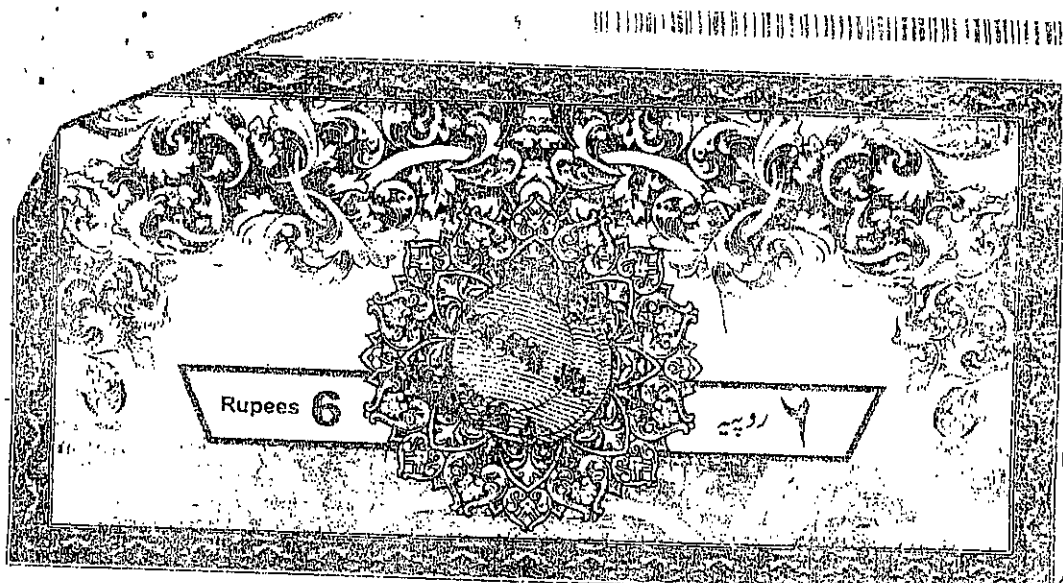
(24)

Endst No. 3376-80 Dated 18/10/2021

Copy for information

1. Director Education Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar.
2. Deputy Commissioner Mohmand Tribal District.
3. Additional Director NMDs Khyber Pakhtunkhwa Peshawar
4. Office record only.

District Education Officer
Mohmand Tribal District



Annex 2

بیان حلی

هم درجہ ذیل جملہ مشران تقرر کر کے نکلے دیئے جاتے ہیں۔
 کہ جی، بی، ایس، ایچ، ایس اور سوڈان ملک نشان کی ملکیت
 ہے۔ اور میں ملک نشان مذکورہ سکول میں مقرر ہوئے ہیں اور اس کی
 ذمہ داری ہے۔ اب چونکہ میں نشان ریٹائر ہو چکا ہوں اور اس کی
 حکم اس قابیلا امان اللہ کو لگانا چاہتا ہوں۔
 اگر درجہ بالا بیان میں کسی قسم کی غلطی ہوئی ہوگی۔ تو ہم جملہ
 مشران وعدہ دے رہے ہیں۔
 بیان نکلے دیئے جانے کے لئے۔

تاج محمد خان
 21406-82594027
 دور اتناج بہار
 [Signature]

الشمس رزاق
 21406-8494087
 سہیل خان
 الہ آباد
 [Signature]

4
 امیر حسین
 العیسیٰ
 [Signature]

[Signature]

21406-7288957-5
 عابد الرحمن
 عابد خان
 [Signature]

37405-2211776
 الہ آباد
 [Signature]

21406-1671805-3
 الہ آباد
 [Signature]

21406-99778
 الہ آباد
 [Signature]

الہ آباد
 21406-4372256-9
 الہ آباد
 [Signature]



OFFICE OF THE DISTRICT EDUCATION OFFICER
MOHMAND TRIBAL DISTRICT

Ph. No. : 0924-290180

FAX : 0924290180

Email : deomohmand@gmail.com



NOTIFICATION

Without prejudice to legal remedies available to Provincial Government and in pursuance of judgment of the Peshawar High Court dated 19-02-2020 in WP No.5673-P/2019, Mr. Nishan Khan S/O Mr. Said Karim Chowkidar (BPS No.4) GPS Suran Darra Bagi Kor Tehsil Baizai Mohmand Tribal District shall stand retired from Govt. Service with effect from 31-12-2020 (AN) on **Pre-Mature Retirement** as his date of birth is (05-12-1970), Subject, to CPLA/Appeal of the Provincial Government against aforementioned judgment of Peshawar High Court and any order contrary as and when issued by the apex Court of Pakistan.

Lengthen of Service : 25 Years 00 Months 20 Days

His Date of Birth is 05-12-1970

His Date of 1st Appointment is 11-12-1995.

Date of Retirement 31-12-2020. (AN)

His Personal No. 102975

Note:

1. Necessary entries to this effect should be made in his Service Book.

(NOOR HASSAN KHAN)
District Education Officer
Mohmand Tribal District

Endst: No. 466-70 / Estb: 1/Retirement File
Copy forwarded to the:-

Dated. 14/1/2021.

- 1:-Additional Director Education (NMD) Khyber Pkhtunkhwa Peshawar.
- 2:-District Accounts Officer Mohmand Tribal District.
- 3:-ADEO (M) concerned.
- 4:-EMIS Concerned.
- 5:-Official concerned.

District Education Officer
Mohmand Tribal District

OFFICE OF THE
POLITICAL AGENT MOHMAND AGENCY
Domicile Certificate



715-40-B
11/07/17

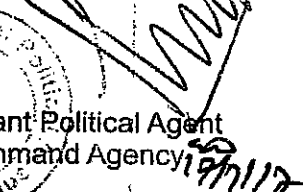


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Certified that Mr. / Miss ✓ Amanullah
Son/Daughter/Wife of Nishan Khan
Resident of Village Shah Khan Tangi Tehsil Upper Mohmand Mohmand Agency
belongs to recognized tribe section Beri Zari sub section Musa Khel.
His / her father / spouse is a permanent bonafide resident of the tribal areas of Mohmand
Agency in Category: (2). He / She is entitled to any privilege extended to FATA
subject to eligibility and Government policies.


Political Tehsildar
Naib Tehsildar

No. 1501 Dated 13/07/2017


Assistant Political Agent
Mohmand Agency

No. 5431 Dated 17/07/17

Countersigned


Political Agent
Mohmand Agency

No. 4514 Dated 24/7/2017

بیان حلفی

میں مسی اسماءہ بنت عبد اللہ ولد بنت ازوجہ _____ حلفیہ اقرار کرتا کرتی ہوں کہ میں مہندہ
 ایجنسی کے قبیلہ _____ سکندریہ _____ تحصیل _____ سے تعلق رکھتا رکھتی ہوں
 سائل اسمائکہ نے ابھی تک کسی اور ایجنسی یا ضلع کا ڈومیسائل حاصل نہیں کیا ہے۔

بیان ملکات قوم

- (1) سائل اسمائکہ کا موجد ملک _____ تو رتبر _____ کے ساتھ برابر کا کی شریک ہے۔
 - (2) سائل اسمائکہ مستقل طور پر ایجنسی کے علاقہ _____ میں رہائش پذیر ہے۔
 - (3) سائل اسمائکہ دو کورہ ہے اور دوسرا گھر علاقہ سرکار _____ میں واقع ہے۔
 - (4) سائل اسمائکہ نے کوئی دوسرا ڈومیسائل سرٹیفیکیٹ حاصل نہیں کیا ہے۔
 - (5) سائل اسمائکہ ایجنسی کے ہر نفع اور نقصان میں برابر کا کی شریک ہے۔
- اگر مذکورہ بالا بیان میں کوئی غلطی پائی گئی تو ہم جملہ ملکات حکومت کو پانچ لاکھ (5,00,000) روپے بطور جرمانہ ادا کریں گے۔
 سن کر درست تسلیم کیا۔



(2)

[Handwritten signature]

(1) ملک _____

شخصی کارڈ نمبر _____

شخصی کارڈ نمبر _____

شخصی کارڈ نمبر _____

[Handwritten signature]

(4) ملک _____

(3) ملک _____

شخصی کارڈ نمبر _____

شخصی کارڈ نمبر _____

شخصی کارڈ نمبر _____

ATTESTED
 PT / PNT



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

Dated Peshawar the November 10, 2021

NOTIFICATION

NO.SO(SM)E&SED/11-1/2020/complaint The Competent Authority is pleased to nominate Mr. Misri Khan, Deputy District Education Officer (M) Charsadda, to conduct fact finding inquiry against District Education Officer Mohmand in connection with a letter received from the Deputy Director (F&A), Directorate of Merged Areas, Khyber Pakhtunkhwa regarding appointment of Class-IV Mr. Amanullah Chowkidar. (Copy attached).

2. The inquiry Officer shall submit report to the Competent Authority within fifteen days positively.

Encl: As Above

SECRETARY TO GOVT OF KHYBER AKTHUNKHWA
E&SE DEPARTMENT

Copy forwarded to the:

1. The Director E&SE Khyber Pakhtunkhwa Peshawar.
2. Mr. Misri Khan, Deputy District Education Officer (M) Charsadda.
3. The District Education Officer (Male) Mohmand.
4. Deputy Director (F&A), Directorate of Merged Areas, Khyber Pakhtunkhwa w/r to his letter No. 14648 dated 27.10.2021
5. Office file.

(HAFEEZ-UR RAHMAN SHAH)
SECTION OFFICER (SCHOOLS MALE)

Handwritten notes and signatures at the bottom left of the page.

بعد الت سروس ٹریبونل لٹاؤ



موزخہ

مقدمہ

دعویٰ

جرم

آمان اللہ

۲۰ بجانب

بنام سکرٹری

ایڈمنسٹریٹو ایڈوائزمنٹ
KPK

باعث تحریر آنکھ

مقدمہ مشدخ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ
آن مقام سروس کیلئے عبدالمنعم خان نے عمل کیا اور وہ جان اور ولید
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 ثالثہ فیصلہ برحلف دیئے جواب دہی اور اقبال دعویٰ اور
بصورت ڈگری کرنے اجراء اور صولی چیک دروپیہ عرضی دعویٰ اور درخواست ہر قسم کی تصدیق
زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخ
نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور
کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار
ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ
پرواختہ منظور 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 وکالت نامہ لکھ دیا کہ سند ہے۔

آمان اللہ

المرتوم _____ ماہ _____ 20

العبد _____ واہ العبد _____

کے لئے منظور ہے۔

بمقام

عبدالمنعم خان ایڈوائزمنٹ حکام کو

عبدالمنعم خان ایڈوائزمنٹ

0346-9261826

0300-2738911