

BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL  
PESHAWAR.

SERVICE APPEAL NO. 149/2014

Date of institution ... 27.01.2014

Date of judgment ... 13.06.2016

Abdur Rahim PSHT, GPS Rakwan, Shakardara,  
Tehsil & District Kohat.

... (Appellant)

VERSUS

1. DEO (Male) Kohat.
2. Director Education, Khyber Pakhtunkhwa, Peshawar.
3. DDEO (M) Kohat.
4. SDEO (Male) Kohat.
5. Jehan Zeb PSHT, GPS, Gurgore Tehsil & District Kohat,

... (Respondents)

APPEAL UNDER SECTION 4 OF THE NWFP SERVICE TRIBUNAL  
ACT, 1974 AGAINST THE ORDER DATED 03.10.2013, ORDER NO.  
7105-8, THROUGH WHICH APPELLANT WAS TRANSFER FROM  
GPS, GURGORE TO GPS RAKWAN AND DEPARTMENTAL APPEAL  
WAS NOT RESPONDED.

Mr. Muhammad Amin Khattak Lachi

... For appellant

Mr. Usman Ghani, Senior Government Pleader

... For respondents.

MR. ABDUL LATIF

... MEMBER (EXECUTIVE)

MR. PIR BAKHSH SHAH

... MEMBER (JUDICIAL)

JUDGMENT

ABDUL LATIF, MEMBER:- Facts giving rise to the instant appeal are that the appellant was serving as PSHT in Government Primary School Gurgore. That vide impugned order dated 03.10.2013 he was transferred from Government Primary School Gurgore to Government Primary School Rakwan. That the appellant is disable and is unable to serve in far-flung area from his home due to disability. That appellant is the age

of 55, 56 years and is about retiring age so appellant requested for cancellation of impugned order. That against the impugned order dated 03.10.2013 appellant filed department appeal on 05.10.2013 which was not responded and hence the instant service appeal with a prayer that on acceptance of this appeal the impugned order may be set-aside and the appellant may be allowed to service at Gurgore.

2. The learned counsel for the appellant argued that the impugned order dated 03.10.2013 was against the law, rules and material on record and was liable to be set-aside. He further argued that the appellant was disable and was therefore unable to serve in a far-flung area and further added that he was nearing the age of retirement and under the policy of the government should have been placed at a station nearest to place of his residence. He further argued that the appellant had served for a long period to the entire satisfaction of the superior and the impugned order was based upon political interference on behalf of private respondent No. 5 the impugned order was therefore not sustainable under the law. He prayed that the appeal may be accepted and the impugned order may be set-aside.

3. The learned Senior Government Pleader resisted the appeal and argued that both the station where the appellant was working earlier and the new station of his duty fall in the domain of Union Council Shakardara Rural which was his parent Union Council. He further argued that the appellant had spent a long tenure in the previous station of duty and being Primary School Head Teacher (BPS-15) the law regulating posting transfer of PST was not attracted to his case. He prayed that the appeal being devoid of any merits may be dismissed.

4. Argument of learned counsels for the parties heard and record perused.

5. After hearing the pro & contra arguments and after perusal of the record it transpired that the appellant was transferred from Government Primary School Gurgore to Government Primary School Rakwan. The learned counsel for the appellant agitated the said transfer on two counts, firstly on account of his disability to travel the long distant from his residence to new place of duty and secondly being at the verge of retirement he was to be posted near to his place of residence. He further contended that

A.F.I.

private respondent No. 5 brought into the place of appellant did not belong to this Union Council and keeping in view the peculiar condition of the appellant, the latter had preferential rights of posting in the nearest station. The record reveals that transfer of the appellant from GPS Gurgore to GPS Rukwan was not in deviation of the rules/laws as both the stations fall in the domain of the same Union Council to which the appellant belongs. There is however another aspect of the issue such as evident disability of the appellant and he being at the verge of retirement which issue could better be examined and decided by the departmental authority. We therefore deem it proper to remit the instant appeal to the appellate authority where departmental appeal of the appellant is pending decision with direction to respondents to examine the case on humanitarian grounds keeping in view the peculiar condition and circumstances of the appellant and make a decision thereon within a period of one month after the receipt of this judgment. Parties are, however, left to bear their own costs. File be consigned to the record room.

ANNOUNCED  
13.06.2016



(PIR BAKHSH SHAH)  
MEMBER



(ABDUL LATIF)  
MEMBER

13.06.2016

Appellant with counsel and Mr. Muhammad Ilyas, SDEO  
alongwith Mr. Usman Ghani, Sr.GP for respondents present.

Vide our detailed judgment of today consist of three pages placed on file, we therefore deem it proper to remit the instant appeal to the appellate authority where departmental appeal of the appellant is pending decision with direction to respondents to examine the case on humanitarian grounds keeping in view the peculiar condition and circumstances of the appellant and make a decision thereon within a period of one month after the receipt of this judgment. Parties are, however, left to bear their own costs. File be consigned to the record room.

ANNOUNCED  
13.06.2016

  
(PIR BAKHSH SHAH)  
MEMBER

  
(ABDUL LATIF)  
MEMBER

20.05.2014

Appellant present in person Mr. Muhammad Jan, GP with Muhammad Ilyas SDEO and Ghulam Qasim DEO for the Respondents present. Written reply received on behalf of the respondents 1 to 4. Notice be issued to the respondent No. 5 for submission of written reply on 13.08.2014.

  
MEMBER

  
MEMBER

13.08.2014

Junior to counsel for the appellant, and Mr. Muhammad Jan, GP with Muhammad Ilyas, SDEO for official respondents present who already filed written reply. None available on behalf of respondent No. 4. Fresh notice be issued to him. To come up for written reply of respondent No. 4 positively on 6.11.2014.

  
MEMBER

06.11.2014

Counsel for the appellant and Mr. Muhammad Adeel Butt, AAG with Muhammad Ilyas, SDEO for the official respondents present who already filed written reply. None is available on behalf of private respondent No. 5. Fresh notice be issued to him. To come up for written reply of respondent No. 5 positively on 21.1.2015.

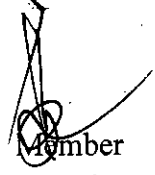
  
MEMBER

Appeal No. 149/2014  
Mr. Abdul Rehim

3. 05.03.2014

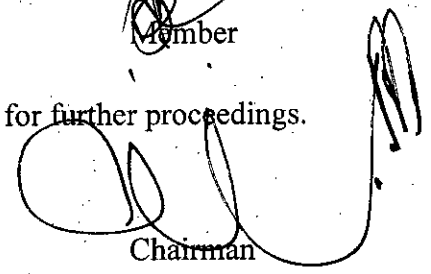
Appellant with counsel present. Preliminary arguments heard and case file perused. Counsel for the appellant contended that the appellant has not been treated in accordance with law/rules. Against the impugned transfer order dated 03.10.2013, he filed departmental appeal on 05.10.2013, which has not been responded within the statutory period of 90 days, hence the instant appeal on 27.01.2014. He further contended that the appellant has been transferred to another Union Council other than his Home Union Council. The impugned transfer order is illegal and politically motivated. Points raised at the Bar need consideration. The appeal is admitted to regular hearing subject to all legal objections. The appellant is directed to deposit the security amount and process fee within 10 days. Thereafter, Notices be issued to the respondents. Appellant has also submitted an application for suspension of the impugned order dated 03.10.2013. Notice of application should also be issued to the respondents for reply/argument. To come up for written reply/comments on main appeal on 20.05.2014 as well as reply/arguments on stay application on 31.03.2014.

Appellant deposited  
of process fee & security.  
Rs. 2200/- Balance Receipt  
attached with file.

  
Member

4. 05.03.2014

This case be put before the Final Bench  for further proceedings.

  
Chairman

31.3.2014

Appellant in person and Syed Ihsanullah, ADO with Ziaullah GP for official respondent present and requested for time. None is available on behalf of private respondent No. 5. Fresh notice be issued to him. To come up for written reply on main appeal as well as reply/arguments on stay application on 20.5.2014.

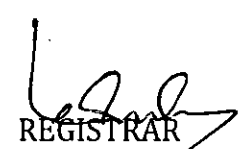

  
MEMBER

  
MEMBER

Form-A  
FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No. 149/2014


S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	06/02/2014	<p>The appeal of Mr. Abdul Rahim resubmitted today by Mr. Muhammad Amin Khattak Advocate may be entered in the Institution register and put up to the Worthy Chairman for preliminary hearing.</p> <p style="text-align: right;"> REGISTRAR</p>
2	10-2-2014	<p>This case is entrusted to Primary Bench for preliminary hearing to be put up there on <u>5-3-2014</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>

The appeal of Mr. Abdul Rahim PSHT, GPS Pakwan Shakardara Distt. KOhat received today i.e. on 27.01.2014 is incomplete on the following scores which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Law under which appeal is filed is wrong.
- 2- Annexures of the appeal may be annexed serial wise as mentioned in the memo of appeal.

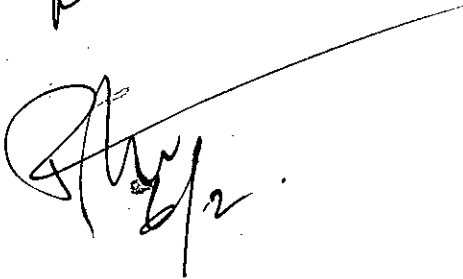
No. 130 /S.T,

Dt. 28/01/2014.

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Muhammad Amin Khattak Adv. Pesh.

01/2/14  
Resubmitted after compliance

  
2/2



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

Service Appeal No. 149 /2014

Abdur Rahim . . . . .Appellant

**Versus**

DEO (Male) Kohat, and others . . . . . Respondents

**I N D E X**

S.No	Description of Documents	Annexure	Pages
1.	Service appeal along with affidavit		1-4
2.	Application for suspension		5
3.	Affidavit		6
4.	Copy of departmental appeal along with receipts	A	7-9
5.	Copy of order dated 03.10.2013	B	10
6.	Copy of medical certificates	C	11-12
7.	Copy of order dated 10.10.2013		13
8.	Office order		14
9.	Wakalatnama		15

Appellant  
Through

Date: /01/2014

**Muhammad Amin Khattak Lachi**  
Advocate,  
Supreme Court of Pakistan  
Office: City Gate Plaza, Room No.203,  
Near Tabaq Hotel, G.T, Road, Peshawar  
Cell:0301-8904498

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

Service Appeal No. 149 /2014

Stamp: Peshawar  
110  
27-1-2014

Abdur Rahim PSHT, GPS Rakwan, Shakardara,  
Tehsil & District Kohat . . . . . Appellant

**Versus**

1. DEO (Male) Kohat.
2. Director Education, KPK, Peshawar.
3. DDEO (M) Kohat.
4. SDEO (Male) Kohat.
5. Jehan Zeb PSHT, GPS, Gurgore  
Tehsil & District Kohat. . . . . Respondents

ex parte  
8-4-15

= = = = =

**SERVICE APPEAL UNDER SECTION 4 OF THE**  
**SERVICE TRIBUNAL ACT, 1974.**  
**RELEVANT RULES**

**AGAINST THE ORDER DATED 03.10.2013, ORDER**  
**No.7105-8, THROUGH WHICH APPELLANT WAS**  
**TRANSFER FROM GPS, GURGORE TO GPS RAKWAN**  
**AND DEPARTMENTAL APPEAL WAS NOT RESPOND**

= = = = =

**PRAYER:**

*On acceptance of this appeal the impugned order may be set aside and the appellant may be allowed to service it gurgore.*

Stamp: Peshawar  
27/01/2014

re-submitted to  
and filed;

Stamp: Peshawar  
7/2/14

= = = = =

2

**Respectfully Sheweth:**

1. That appellant is serving as a PSHT and was transferred GPS Gurgore to GPS Rakwan.
2. That against this order the appellant filed departmental appeal but no relief was given to the appellant (Annexure "A") finding no alternative this appeal is filed on the following grounds;

**GROUNDS:**

- A. That the impugned order dated 03.10.2013, is against the law and facts and is liable to be set aside.
- B. That the appellant is disable and is unable to serve in for flong area from his home due to disability (Copy of medical certificate is attached is as annexure "C").
- C. That appellant is the age of 55,56 years and is about retiring age so appellant requested for cancellation of impugned order.
- D. That appellant serve to the entire satisfaction of their superior and there is no complaint against the appellant either departmentally or public side.
- E. That the impugned order is based upon political and through which another PST Zarif Khan was adjusted (Copy of the order is attached Annexure "B").
- F. That superior court held that political transfer should be discourage because it would effected the efficiency of civil servant.

3

G. That some other grounds may be adduced during the course of arguments.

It is, therefore, prayed that on acceptance of this appeal the impugned order may be set aside and the subsequently order dated 10.10.2013, may also be declared illegal and based upon malafide.

*Muhammad Amin*  
Appellant  
Through

Date: /01/2014

**Muhammad Amin Khattak Lachi**  
Advocate,  
Supreme Court of Pakistan.

&

*Ibrahim Shah*  
**Ibrahim Shah**  
Advocate, High Court,  
Peshawar

(14)

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

Service Appeal No. \_\_\_\_\_/2014

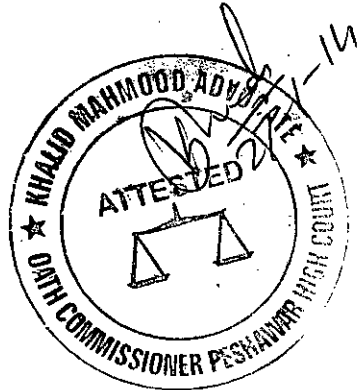
Abdur Rahim ..... Appellant

**Versus**

DEO (Male) Kohat, and others ..... Respondents

**A F F I D A V I T**

I, Abdur Rahim PSHT, GPS Rakwan, Shakardara, Tehsil & District Kohat, do hereby solemnly affirm and declare that the contents of the accompanying Writ Petition are true and correct to the best of my knowledge and belief and nothing has been concealed from this learned court.



*Abdur Rahim*  
Deponent

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

Service Appeal No. \_\_\_\_\_/2014

Abdur Rahim . . . . .Appellant

**Versus**

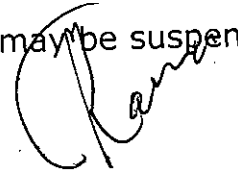
DEO (Male) Kohat, and others . . . . . Respondents

**APPLICATION FOR SUSPENSION OF THE IMPUGNED**  
**JUDGMENT/ ORDER DATED 03.10.2013**

**Respectfully Sheweth:**

1. That the above titled case is being filed in which no date of hearing is fixed so for.
2. That for the purpose of suspension the grounds of appeal may be consider the integral part of this application.

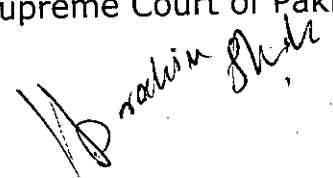
It its, therefore, prayed that on acceptance of this application the impugned order may be suspended till the decision of this appeal.

  
Appellant  
Through

Date: /01/2014

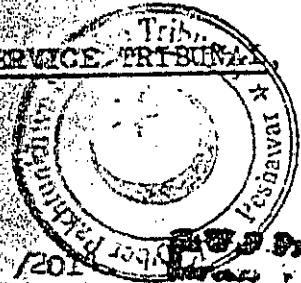
**Muhammad Amin Khattak Lachi**  
Advocate,  
Supreme Court of Pakistan.

&

  
**Ibrahim Shah**  
Advocate, High Court,  
Peshawar

BEFORE THE KHUBER PUKHTUN KHAWA SERVICE TRIBUNAL

PESHAWAR.



SERVICE APPEAL NO. 103/2013

Handwritten notes: 79, 16-07-14

Muhammad Afzal Son of Muhammad Abbas Khan, P.S.T.  
(BPS-14) Government Primary School Sori Saghri, Shakardara,  
Kohat . . . . . APPELLANT).

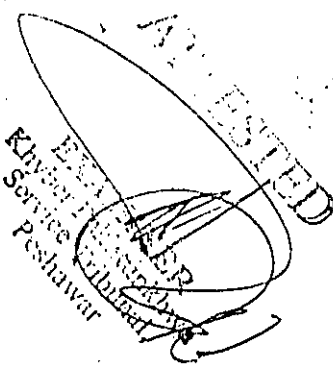
VERSUS.

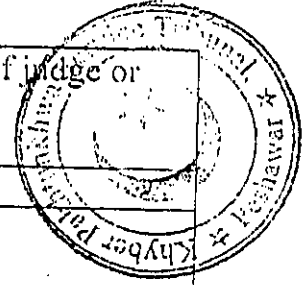
1. Government of K.P.K. through Secretary Elementary & Secondary Education , Peshawar.
2. Director Elementary & Secondary Education , Peshawar.
3. District Education Officer (Male ) Elementary & Secondary Education, Kohat.
4. Sub Divisional Education Officer (Lachi ) Elementary & Secondary Education, Kohat.
5. Shafiq ur Rahman ,PST, (Teacher) govt: primary school, soor gul, Shakardara, Kohat..... RESPONDENTS.

APPEAL U/S 4 OF THE K.P.K. SERVICE TRIBUNAL ACT, 1974, AGAINST THE IMPUGNED ORDER OF TRANSFER No. 7101-4 DATED 3/10/2013 WHILE THE DEPARTMENTAL APPEAL FILED BY THE APPELLANT ON 9/10/2013, (REGIST HAS NO RESPONSE / REPLY.

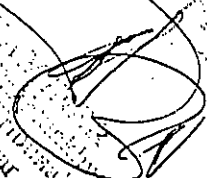
Handwritten notes: 16/1/2014

PRAYER IN APPEAL: On acceptance of this appeal , the impugned order dated 3/10/2013, PASSED by the Respondent No. 3, on the proposal of Respondent No. 4 may kindly be set-aside and Respondents may kindly





S.No.	Date of order/ proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
	09.02.2014	<p align="center"><u>KHYBER PAKHTUNKHWA SERVICE TRIBUNAL</u></p> <p align="center">Service Appeal No. 103/2014, Muhammad Afzal Versus Govt of KPK, through Secretary, Elementary &amp; Secondary Education, Peshawar etc.</p> <p align="center"><u>PIR BAKHSH SHAH, MEMBER.-</u> Appellant with counsel, and Mr. Muhammad Jan, GP with Afzal Khan, SDEO for the official respondents present.</p> <p>2. The appellant was serving as PST at GPS Bori Baghri, Shakardara Kohat and was transferred therefrom to GPS No. 1 Sur Gul Shakardara vide impugned order dated 3.10.2013. His departmental appeal dated 09.10.2013 was not responded by the competent authority, hence this appeal.</p> <p>3. Written reply of the respondent department is also available on file.</p> <p>4. Arguments heard and record perused.</p> <p>5. It was submitted by the learned counsel for the appellant that the appellant is PST and he has been transferred far away from his residence/Union Council in violation of Section 3 of the Khyber Pakhtunkhwa (Appointment, Deputation, Promotion, Posting and Transfer of Teachers, Lecturers, Instructors and Doctors) Regulatory Act, 2011. It was further submitted that the impugned order being politically motivated as evident from the impugned order and not justifiable, is</p>

  
 Khyber Pakhtunkhwa  
 Service Tribunal,  
 Peshawar



liable to be set aside.

6. Perusal of the entire record would show that no rationalization for the impugned order has been worked out by the respondent-department. Section 3 sub-section (4) of the above law lays down that on passing of one year of the law, all Primary School Teachers should be appointed in their respective Union Councils. There is nothing on record to show as to why this law was not taken into account by the respondent-department at the time of the impugned order. Conspicuously being in conflict with the above law, the Tribunal has no option but to set aside the impugned order. We are also mindful of the precious time of the students, therefore, without out rightly cancellation of the impugned order, we would like to direct the respondent-department to consider transfer of the appellant from the school in his Union Council strictly in accordance with Section 3 of the said law, within a period of one month failing which the impugned order shall automatically stand cancelled. Parties are left to bear their own costs. File be consigned to the record.

7. This order will also dispose of another connected appeal No. 104/2014, Muhammad Khursheed Versus Government of KPK through Secretary Elementary & Secondary Education, Kohat having common question of law and facts, in the same manner.

ANNOUNCED  
9.2.2015

*Edt- Mr. Bahadur Ghaffar*  
*Edt- Abdul Latif*

*Certified to be true copy*  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

Par

*13.2.2015*  
*10.2.2015*  
*13.2.2015*  
*12.02*  
*13.2.2015*

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

Service Appeal No. \_\_\_\_\_/2014

Abdur Rahim .....Appellant


**Versus**

DEO (Male) Kohat, and others ..... Respondents

**A F F I D A V I T**

I, Abdur Rahim PSHT, GPS Rakwan, Shakardara, Tehsil & District Kohat, do hereby solemnly affirm and declare that the contents of the accompanying Writ Petition are true and correct to the best of my knowledge and belief and nothing has been concealed from this learned court.



  
Deponent

(7)

Annex A

بخدمت جناب ڈائریکٹر ایجوکیشن خیبر پختونخوا پشاور

اپیل برخلاف DEO Kohat آرڈر نمبر 8-7105 مورخہ 03-10-2013 جو سیریل نمبر 18 جو کہ عبدالرحیم  
PHST کو GPS گرگرہ سے GPS راہکون صادر فرمایا ہے۔ **PSHT**

استدعا اپیل:

ممنظوری اپیل ہذا آرڈر رقم مورخہ 03-10-2013 جناب DEO کوہاٹ منسوخ کیا جا کر اپیلانٹ کو GPS گرگرہ بحال رکھا  
جاوے۔

موجبات اپیل:

- ۱۔ یہ کہ سائل اپیلانٹ گاؤں گیری کارہاشی ہے۔ اور GPS گرگرہ سائل کے گاؤں سے تقریباً 3 کلومیٹر کے فاصلہ پر واقع ہے۔
- ۲۔ یہ کہ سائل 2004 سے اسی سکول میں اپنی ڈیوٹی نہایت خوش اسلوبی کے ساتھ کر رہا ہے۔ جس کا زندہ مثال ہے کہ اپیلانٹ گاؤں کا وفد پیش کر سکتا ہے۔ تاکہ وہ حلفاً گواہی دے۔ گراپیلانٹ کے خلاف کوئی شکایت موجود نہیں ہے۔
- ۳۔ یہ کہ اپیلانٹ ایک معذور شخص ہے۔ دایاں بازو مکمل نہیں ہے۔ اگر اپیلانٹ کو GPS رکھوان میں رہائش اختیار کرے۔ رکھوان دریاے سندھ کے کنارے واقع ہے۔ جو کہ سائل کے گھر سے کم از کم 30 کلومیٹر دور ہے۔ جہاں جانے کے لیے دو ہی راستے ہیں۔ آدھا راستہ کشتی پر سے چلتا پڑتا ہے۔ اور آدھا راستہ پیدل ہے۔ اور دوسری طرف مکمل پیدل راستہ ہے۔ اور نہ ہی سائل وہاں رہنے کے لیے کھانے پینے کا بندوبست کر سکتا ہے۔ حالانکہ اپیلانٹ کے ساتھ میڈیکل سٹوفیکٹ بھی موجود ہے۔ جو کہ لف کیا جاتا ہے۔ اس لیے بھی حکم مذکورہ قابل منسوخی ہے۔
- ۴۔ یہ کہ اپیلانٹ کی جگہ جو استاد GPS گرگرہ کو تبدیل کیا ہے اس کا گھر بھی سکول ہذا سے 30 کلومیٹر کے فاصلے پر ہے۔ اس کے لیے GPS گرگرہ اور GPS رکھوان ایک جیسا ہے۔ لیکن اپیلانٹ کو مفت میں تکلیف دیا جا رہا ہے۔ جو غیر قانونی اور سراسر ناانصافی یعنی درحقیقت سیاست کا کھیل ہے۔ حالانکہ اپیلانٹ نے آج تک کسی قسم کی کوئی سیاست نہیں کی ہے۔ بلکہ ہمیشہ اپنی ملازمت کا خیال رکھا ہے۔
- ۵۔ یہ کہ ایجوکیشن پالیسی کے مطابق بھی اپیلانٹ حقدار ہے کہ GPS گرگرہ نزدیک پڑتی ہے۔ بدیں وجہ بھی جناب DEO صاحب کا حکم قابل منسوخی ہے۔
- ۶۔ یہ کہ اپیلانٹ 54 سالہ شخص ہے۔ اور اپیلانٹ 8 بچوں کی کفالت اور تعلیمی اخراجات برداشت کرتا ہے۔ بوجہ عمر رسیدہ ہونے کی بناء پر بھی حقدار ہے کہ ٹرانسفر آرڈر مورخہ 03-10-2013 کو منسوخ کیا جاوے۔

(8)

۷۔ یہ کہ ایپلانٹ کے پانچ بچے زیر تعلیم ہیں۔ سائل راپیلانٹ کی ٹرانسفر کی صورت میں بچوں کی تعلیم پر بھی کافی بُرا اثر پڑے گا۔ علاوہ ازیں تنخواہ ہذا میں سائل راپیلانٹ بمشکل گزارہ ہو رہا ہے۔

۷۔ یہ کہ ایپیل ہذا اندر معیاد ہے۔

لہذا استدعا ہے کہ منظور ری ایپیل ہذا حکم و آرڈر جناب DEO مورخہ 03-10-2013 کو ہاٹ منسوخ کیا جا کر ایپلانٹ کو اپنی جگہ GPS گرگرہ میں بحال رکھا جاوے۔

مورخہ 05-10-2013



عبدالرحم PSHT

GPS گرگرہ تحصیل لاجی ضلع کوہاٹ

بیان حلفی!

حلفاً بیان ہے کہ موجبات ایپیل میرے علم و یقین کے مطابق صحیح و درست ہے۔ کوئی امر مبنی بر دودغ گوئی ہے۔

العبد

عبدالرحیم PSHT



کاپی نو:

۱۔ جناب DEO صاحب کوہاٹ

۲۔ جناب SDEO میل سرکل لاجی

(10)  
Annexure-B

**OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) KOHAT**  
**TRANSFER**

Consequent upon the approval of the competent authority, as per proposed by SDEO(M) Lachi the following PST are hereby transferred on their own pay and grade in the interest of public service, their name & school name noted against each

No TA/DA is allowed

Charge report should be submitted to all concerned

S#	Name & Designation	From	To	Remarks
1	Nafees Ahmad, PST	GPS Kirrori Sam	GPS Kirrori Killa	VSNo.3
2	Muhammad Khurshid, PST	GPS Kirrori Killa <i>Baile Sam</i>	GPS Banda Fetha Khan	VSNo.13
3	Mazal Haq, PST	GPS Kirrori Killa	GPS Shawaki	VSNo.8
4	Muhammad Shafiq, PST	GPS Maindina Colony	GPS Nandraka	V>S>1c.17
5	Muhammad Ismail, PST	GPS No.1 S/Dara	GPS Mianjiana Colony	V.S.No.4
6	Muhammad Rauf, PST	GPS Dh:Amir Shah	GPS No.2 Chorlaki	VSNo.
7	Muhammad Saeed, PST	GPS No.2 Chorlaki	GPS Dh:Rauf Shah	VSNo.5
8	Muhammad Khushid, PST	GPS Shawaki	GPS S/Dara No.4	VSNo.5
9	Zareef Khan, PST	GPS Spinmari	GPS Gurgura ✓	V.S.No.18
10	Jahanzib, PST	GPS Rakwan	GPS Spinmari ✓	VSNo.9
11	Saeed ur Rehman, PST	GPS No.2 Androni Chashmi	GPS Bori Saghri	VSNo.12
12	Amir Sultan, PST	GPS Bori Saghri	GPS Androni Chashmi	VSNO.11
13	Shakir Hussain, PST	GPS Banda Fetha Khan	GPS Badasam	VSNo.2
14	Sajjad Nazim, PST	GPS Gul Shah Khel	GPS Kiroam	VSNo.1
15	Abdul Hamid, PST	GPS Ghurzi Payan	GPS Dhand Bakhawara	VSNo.16
16	Muhammad Saeed, PSHT	GPS Dhand Bakhawara	GPS Ghurzi Payan	VSNo.15
17	Muhammad Kamran, PSHT	GPS Nandraka	GPS Gul Shah Khel	VSNo.14
18	M.Rahim, PSHT	GPS Gurgura	GPS Rakwan	VSNo.10

(ZAHID RASHID)  
DISTRICT EDUCATION OFFICER  
(MALE) KOHAT

Endst.No. 7105-8 dated 31/10/2013

Copy to the:-

1. District Accounts Officer Kohat
2. SDEO (M) Kohat & Lachi with the proposal 7-2-11-16-2013
3. ASDEC Circle concerned
4. Head Teacher concerned

DY-DISTRICT OFFICER  
(MALE) KOHAT

*Adel*

Surgeon

Dr. Sahib Khan Khattak

M.B.B.S., F.C.P.S

Associate Professor

KUST Institute of Medical Sciences Kohat

Ph (Hos): 0922-511311



Emergency

Contact No.

0334-8281470



Ammeek  
ڈاکٹر صاحب خان خٹک

ایم بی بی ایس، ایف سی پی ایس

ایسوسی ایٹ پروفیسر

کے ایم یو انسٹیٹیوٹ آف میڈیکل سائنسز کوہاٹ

فون ہسپتال: 0922-511311

Pt. Name

Abdur Ralim

Age 54

Sex M

Date

4.10.13

Clinical Record

Rx

To Whom it may concern

This is to certify that I have examined Mr. Abdur Ralim by Sardan Khan. He has "Above Elbow Amputation of Rt Arm" and is using Artificial Arm. Thus he is a handicapped person. He can not travel long, without ~~the~~ support of a person, neither he can drive himself motorcycle or a car.

NOT VALID FOR COURT OF LAW.

Handwritten signature and initials

Assist. Prof.  
Dr. Sahib Khan Khattak  
MBBS, FCPS  
KUST Institute of Medical Science  
Kohat (KIMS)

ناغہ بروز اتوار

کلینک: کوہاٹ میڈیکل سائنس، نزد کمال پلازہ کوہاٹ

Handwritten signature

18

TB02

### Tuberculosis Patient Card

Patient's Name: Abdul Rehman

Address: Gabri - P.O. Rehman Abad

Sex: M  F  Age: 47 yrs

District TB No: 991/069

Diagnostic Center: F.B. ASS

Treatment Center: F.B. Association

Date Treatment Started: 13 8 07  
Day Month Year

Disease Classification  
Pulmonary  Extra-pulmonary   
Site:

Type of Patient  
New  Relapse  Transfer in   
Treatment After Failure   
Treatment After Default   
Others SS+   
Specify:

### مریض کے لئے ضروری ہدایات

- 1- یہ ایک بہت اہم کارڈ ہے اس کو اپنے پاس حفاظت سے رکھیں۔
- 2- ڈاکٹر سے ملاقات، دوا کے حصول اور بلغم کا معائنہ کروانے کے لئے یہ کارڈ اپنے ہمراہ لائیں۔
- 3- ٹی ٹی قابل علاج مرض ہے۔
- 4- کامیاب علاج کے لئے اپنے ڈاکٹر کی ہدایات پر عمل کریں۔
- 5- کامیاب علاج کے لئے باقاعدگی سے دوا کھانا ضروری ہے۔
- 6- اپنے گھر کے نزدیک ہی مرکز صحت سے ٹی ٹی کی دریافت حاصل کرنے کا نائدہ اٹھائیے۔
- 7- مقررہ تاریخ پر مرکز صحت پر ضرور دیکھ لیا جائے۔
- 8- اگر آپ اپنے علاج میں تعاون کریں گے تو انشاء اللہ آپ مکمل طور پر صحت یاب ہو جائیں گے۔

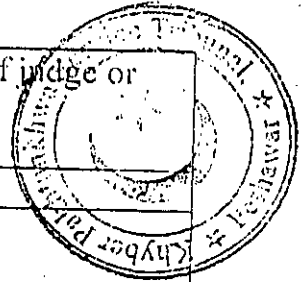
### بلغم کا معائنہ کروانے کی تاریخ

تاریخ	بلغم کا معائنہ کروانے کا مقام
نتیجہ	علاج روکنے کی تاریخ

*Handwritten signature*







S.No.	Date of order/proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
	09.02.2014	<p style="text-align: center;"><u>KHYBER PAKHTUNKHWA SERVICE TRIBUNAL</u></p> <p style="text-align: center;">Service Appeal No. 103/2014, Muhammad Afzal Versus Govt of KPK, through Secretary, Elementary &amp; Secondary Education, Peshawar etc.</p> <p style="text-align: center;"><u>PIR BAKHSH SHAH, MEMBER.-</u> Appellant with counsel, and Mr. Muhammad Jan, GP with Afzal Khan, SDEO for the official respondents present.</p> <p>2. The appellant was serving as PST at GPS Bori Baghri, Shakardara Kohat and was transferred therefrom to GPS No. 1 Sur Gul Shakardara vide impugned order dated 3.10.2013. His departmental appeal dated 09.10.2013 was not responded by the competent authority, hence this appeal.</p> <p>3. Written reply of the respondent department is also available on file.</p> <p>4. Arguments heard and record perused.</p> <p>5. It was submitted by the learned counsel for the appellant that the appellant is PST and he has been transferred far away from his residence/Union Council in violation of Section 3 of the Khyber Pakhtunkhwa (Appointment, Deputation, Promotion, Posting and Transfer of Teachers, Lecturers, Instructors and Doctors) Regulatory Act, 2011. It was further submitted that the impugned order being politically motivated as evident from the impugned order and not justifiable, is</p>

Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

13

*[Handwritten signature]*

**OFFICE OF THE DISTRICT OFFICER EDUCATION (MALE) KOHAT**

**ADJUSTMENT**

Consequent upon the approval of the competent authority, the following adjustment are hereby ordered on their own pay and grade in the interest of public service with immediate effect.

S#	Name of Official	From	To	Remark
1	Zareef Khan ,PSHT GPS Speen Mari	Under transfer to GPS Gurgura	GPS Speen Mari	M/Trf:V
2	Jehanzeb,PSHT GPS Rakwan	Under transfer to GPS Speen Mari	GPS Gurgura	VSNo.1

No TA/DA is allowed

Charge report should be submitted to all concerned

(ZAHID RASHEED)  
DISTRICT EDUCATION OFFICER  
(MALE) KOHAT

Endst.No. 2866-69 date 10 / 10 / 2013

- Copy to the:-
1. DAO Kohat
  2. SDEO (M) Lachi
  3. Head Teacher Concerned

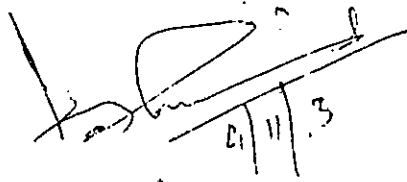
*[Handwritten signature]*

*[Handwritten signature]*  
7/10/13  
BY DISTRICT EDUCATION OFFICER  
(MALE) KOHAT

Office of the D.E.O (in) Khat.

(14)

Mr. Jehangir Khan PST under transfer to SPS  
Suzgura is hereby directed to report SPS  
Spondhara Shikardara till further order



District Education Officer  
(in) Khat

1. SD B.O. (in) Luchai  
C.O. SPS



TERMINATION OF SERVICE  
CERTIFICATE

(To be filled in by Record Office unit  
in both languages.)  
Pakistan Combatants & Non-Comba-  
tants (Enrolled).

WARNING

Great care must be taken of this  
certificate. If it is lost, the O/C  
Records of the Regt/Corps of the  
Individual concerned must be Inform-  
ed immediately stating cause of loss.  
No duplicate can be supplied but  
PAFY - 1964 - A will be issued at the  
discretion of O/C Records.

ضروری اطلاع

اس سرٹیفکیٹ کو بڑی احتیاط سے رکھنا چاہئے۔ اگر یہ ختم  
ہو جائے تو آفیسر انچارج ریکارڈز کو فوراً اطلاع دینی چاہئے۔ اس  
کی دوسری نقل نہیں مل سکتی لیکن آفیسر انچارج ریکارڈز اگر  
چاہے تو پی ایس ایف والی ۱۹۶۴ء دے سکتا ہے۔ اس لئے  
جب بھی یہ سرٹیفکیٹ کھو جائے تو آفیسر انچارج ریکارڈز  
کو اس کی گمشدگی کی وجہ لکھ بھیجینی چاہئے۔



Stamp by Record Office

Printed at The Times Press, Karachi

is charge

4. Transferred to Reserve on 10-5-80  
 Discharged/Dismissed on \_\_\_\_\_  
 In consequence of\* DDA Rule-12025 chr  
Beq Medical unfit for further mil  
 after serving 2 years 4 months  
6 days with colours and \_\_\_\_\_ years  
 \_\_\_\_\_ months \_\_\_\_\_ days, in the reserve.

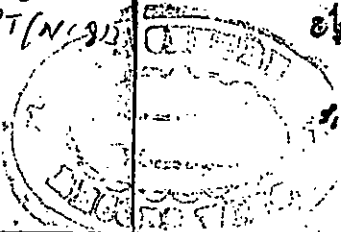
Total non-qualifying service \_\_\_\_\_

5. Character as assessed vide AR (I)  
 No. 172 EXEMPLARY

6. Fit/Not Fit for civil employment\*\*  
Fit

7. Date of completion of reserve  
 liability \_\_\_\_\_

\*Insert the condition from which a  
 person discharged on medical grounds  
 is suffering as entered in the Proceed-  
 ings of the Medical Board RAF FORC A RM  
1948. With COMPOUND FRACTURE BOTH  
FEET AND ULNA  
 \*\*Soldiers awarded unsatisfactory RT (N.G.)  
 gradings of character will not be  
 recommended for civil employment.



۴۔ ریٹرو میں بھیجے جانے کی تاریخ  
 تمکدراج کے جانے (ڈوگری سے نکالے جانے کی تاریخ)

۵۔ ڈسچارج کے جانے (ڈوگری سے نکالے جانے کی تاریخ)

ڈوگری کی مدت \_\_\_\_\_ سال \_\_\_\_\_

دن حاضر ڈوگری میں اور \_\_\_\_\_ سال

\_\_\_\_\_ ہونے اور \_\_\_\_\_ دن ریٹرو میں

شمارہ ہونے والی ڈوگری کی مدت \_\_\_\_\_

۵۔ چال چین بوجب لے۔ آر ڈا کی نمبر \_\_\_\_\_

۶۔ سول لائسنس کے لئے موزوں ہے / نہیں ہے

۷۔ ریٹرو میں سروس کب ختم ہوگی

۸۔ بی۔ اے۔ ایف۔ ڈا کی ۱۹۴۸ میں میڈیکل بورڈ نے ڈسچارج  
 کرتے وقت جو بیماری تشخیص کی ہے۔ یہاں دستخط کیجئے۔  
 جن کو فرسٹی بخش چال چین کا معیار دیا گیا ہو  
 وہ سول لائسنس کے لئے موزوں نہ ہوں گے۔

## 13. CERTIFICATES : —

a. Highest Military Education Certificate : —

1. Roman Urdu \_\_\_\_\_

2. English \_\_\_\_\_

b. Highest Education (Civil)

9th class

c. Degree of proficiency in reading and/or writing : —

(1) English \_\_\_\_\_

(2) Roman Urdu \_\_\_\_\_

(3) Any other language \_\_\_\_\_

d. Army Trade \_\_\_\_\_  
Highest trade qualifications with date

Class (Four)

e. Any other qualifications \_\_\_\_\_

۱۳۔ یہ فارم جس جوان کو دیا گیا ہے اس کے پاس کون کون سے سرٹیفکیٹ ہیں۔

(الف) فوج کا سب سے اونچا تعلیمی سرٹیفکیٹ۔

۱۔ رومن اردو \_\_\_\_\_

۲۔ انگریزی \_\_\_\_\_

(ب) غیر فوجی تعلیم کا سب سے اونچا سرٹیفکیٹ۔

\_\_\_\_\_

\_\_\_\_\_

(ج) پڑھنے اور/یا لکھنے کی مہارت۔

۱۔ انگریزی \_\_\_\_\_

۲۔ رومن اردو \_\_\_\_\_

۳۔ کوئی اور زبان \_\_\_\_\_

\_\_\_\_\_

(د) فوجی ٹریڈ \_\_\_\_\_

ٹریڈ میں سب سے اونچی قابلیت ہوتا تاریخوں کے۔

\_\_\_\_\_

(لا) کوئی اور قابلیت \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

ذمہ داری ہے یہ سرٹیفکیٹ صرف تمہیں ملازمت تلاش کرنے میں مدد دے گا۔ مگر تمہیں اس بات کے لئے تیار رہنا چاہیے کہ تم غیر فوجی ملازمتوں کی تنخواہ پر ملازمت منظور کرو اور دوسرے غیر فوجیوں کی طرح تمہارے ساتھ برتاؤ کیا جائے۔

۶۔ (الف) تمام ریزرو سٹ بمطابق ریزرو رول نمبر ۴۴ پاکستان آرمی ریزرو رول ۱۹۵۳ (ترمیم شدہ) تبدیلی پتہ کی لئے کمانڈنگ آفیسر کو اطلاع دیں گے۔ (ب) کوئی ریزرو سٹ اپنے متعلقہ حکام بمطابق رول نمبر ۴۴ پاکستان آرمی ریزرو رول نمبر ۱۹۵۳ (ترمیم شدہ) کی پہلے اجازت لئے بغیر اپنے ملک کو نہیں چھوڑے گا۔

5. You should not regard this form as a guarantee for employment or as an order to the civil authorities to find your employment. It will help you to find work but you must be ready to accept work at normal civilian rates and to be treated in the way as any other civilian.

6. a. All reservists will intimate change of their addresses to their COs as required vide Rule 44 of the Pakistan Army Reserve Rules, 1953, as amended.  
b. A reservist will not leave the country without prior permission of the competent authorities as required

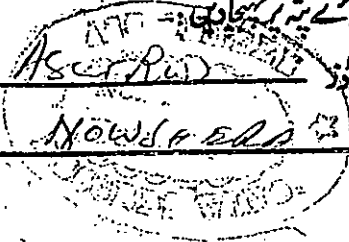
P. 6123 Foreign Foundation No

Any person finding this certificate is requested to forward it to the OIC Records.\*

R. 6123

اگر یہ سرٹیفکیٹ کسی صاحب کو مل جائے تو وہ براہ مہربانی

اسے نیچے دیتے ہوئے تہہ پہنچا دیا۔  
افیسر انچارج ریکارڈز  
بمقام



\*Enter Trg Centre/Record and Cantt Unit etc.

بہان ریکارڈز آفس و چھاؤنی اور یونٹ کا نام لکھو۔

بند سومین شریعتی

15

Appellant

مجانِب

بنام اچھو کھٹک ریسٹریٹ

مقدمہ: عبدالرحمن

دعویٰ / جرم: 7A

باجت نحریم رینڈہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے بیروی مقدمہ جواب دہی وکل کارروائی متعلقہ مقدمہ

مقام ایڈووکیٹ محمد آمین خٹک لاجی ایڈووکیٹ اپنا وکیل و صدر برسرہ صدر

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا، وکیل صاحب کو راضی نامہ کرنے تقرر ثالث فیصلہ برحلاف و دیگر جواب دہی اقبال دعویٰ بصورت ڈگری کرنے اجراء وصولی چیک و رقم تصدیق عرضی دعویٰ اور متفرق درخواست با پر بیان حلفی یا تصدیق اور دستخط کرنے کا اختیار ہوگا۔ بصورت عدم بیروی یا ڈگری یکطرفہ مقدمہ اپیل کی برآمدگی، منسوخی یکطرفہ، دائر کرنے اپیل، ہجرائی، نظر ثانی یا متفرق پیشینہ دائر کرنے کا اختیار ہوگا۔ بصورت ضرورت مقدمہ ہذا کے کل یا جزوی کارروائی کے واسطے وکیل یا قانونی اختیار اپنے ہمراہ یا بجائے خود تقرر کرنے کا اختیار ہوگا اور صاحب موصوف مقرر شدہ کو کبھی وہی جملہ مذکورہ بالا اختیارات حاصل ہوں گے اور اس کے جملہ ساختہ پرداختہ مجھے انہیں منظور و قبول ہوگا۔ دوران مقدمہ جو خرچہ و ہرجانہ بوجہ التوا کے مقدمہ ہوگا۔ وہ مجھے منظور ہوگا جو بھی تاریخ پیشی بابت مقدمہ ہذا ہوگی وکیل صاحب یا بند ہوں گے کہ بیروی کرے۔

لہذا وکالت نامہ لکھ دیا کہ سند رہے۔

Accepted & attested by M. Amin Khattak

۱۵ دسمبر

المرقوم:

العبد

گواہ

العبد

مقام کسٹومر کے لیے مجھے منظور ہے۔

دستخط و تصدیق وکیل

العبد

Signature

Add: 11-A, Bilal Plaza,, Shuba Bazar, Peshawar

Cell: 0300-9151041

Ph#: 091-2570209

Accepted by Ibrahim Shah



Application in S.A 149/14

7.5.2014

Appellant with counsel, Mr. Muhammad Jan, GP with Khursheed Khan, SO, Sajjad Rashid, AD, Syed Ihsan Shah, ADO and Abdul Jalil, Assistant for respondents present. Respondent No. 4 in person also present. Arguments on application for release of salary heard and record perused. Since the appellant has not obeyed the order, therefore, his application for release of salary is rejected. To come up for written reply on main appeal as well as reply arguments on stay application on 20.5.2014.

MEMBER

MEMBER

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

Service Appeal No. 149 /2014

273  
07-04-14

Abdur Rahim .....Appellant

**Versus**


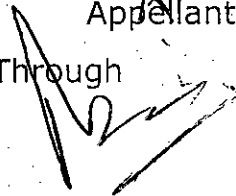
DEO (Male) Kohat, and others ..... Respondents

**APPLICATION FOR RELEASE OF SALARY**

**Respectfully Sheweth:**

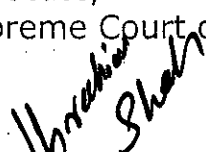
1. That appellant field Service Appeal before this tribunal in which notices has been issued in interim relief as well as in the main case.
2. That the impugned order dated 03.10.2013, is challenged before this tribunal since in interim relief notices has been issued and appellant still serving in GPS Gorgore and the respondent/ department attached the salary of the appellant.
3. That appellant performing his duty in Gorgore and respondent/ department wrongly attached the salary of the appellant.

It is, therefore, prayed that on acceptance of this application the salary of the appellant may be released.

  
Appellant  
Through  


Date:04.04.2014

**Muhammad Amin Khattak Lachi**  
Advocate,  
Supreme Court of Pakistan.

&  
  
**Ibrahim Shah**  
Advocate, High Court,  
Peshawar

Notice be issued to opposite party for 07.05.14  
10.04.14

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

Service Appeal No. 149 /2014

Abdur Rahim..... Appellant

**Versus**

DEO (Male) Kohat, and others..... Respondents

**A F F I D A V I T**

I, Abdur Rahim PSHT, GPS Rakwan, Shakardara, Tehsil & District Kohat, do hereby solemnly affirm and declare 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 learned court.



*Rahim*  
Deponent

NO. 1291 /

Dated 28 / 8 / 2013.

To

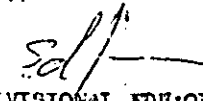
The District Education Officer,  
(Male) Kohat.

Subject: TRANSFER/PROPOSAL

Reference:-


It is stated for your kind information that honourable Dy:Speaker Mr. Iftikhar Qureshi have sent transfer proposal of PST teachers BPS. 12, BPS. 14 & 15 working under the control of this office for further adjustment in the schools noted against each individual. As your good aware of the fact that proposal for adjustment in BPS. 12, BPS. 14 & 15 have already been sent to your office for further necessary action.

The present list conveyed by above name Dignatory has also been submitted for consideration as he is pressing very hard for issuing adjustment order while the indulgence of such order does not fall under the competency of this Sub Division with out your good consent. The original proposal list of transfer recommended by Honourable Dy:Speaker KPK are enclosed herewith for further n/a please.

  
SUB DIVISIONAL EDUCATION OFFICER  
(MALE) PRIMARY LACHI (KOHAT).

✓ Enclosing: 1291 /

Copy forwarded to the Dy:Speaker KPK for further information please.

  
SUB DIVISIONAL EDUCATION OFFICER  
(MALE) PRIMARY LACHI (KOHAT).



TB02

## Tuberculosis Patient Card

Patient's Name: Abdul RaheemAddress: GabviSex M  F  Age: 47 yrsDistrict TB No: 991/069Diagnostic Center: T.B. ASS:Treatment Center: T.B. ASS:Date Treatment Started: 13-8-07  
Day Month Year

## Disease Classification

Pulmonary  Extra-pulmonary   
Site: \_\_\_\_\_

## Type of Patient

New   
Relapse   
Transfer (i)   
Treatment After Failure   
Treatment After Default   
Others SS+   
Specify: \_\_\_\_\_

## مریض کے لئے ضروری ہدایات

- 1- یہ ایک بہت اہم کارڈ ہے اس کو اپنے پاس حفاظت سے رکھیں۔
- 2- ڈاکٹر سے ملاقات، دوا کے حصول اور بلغم کا معائنہ کروانے کے لئے یہ کارڈ اپنے ہمراہ لائیں۔
- 3- نبی قابض علاج مرض ہے۔
- 4- کامیاب علاج کے لئے اپنے ڈاکٹر کی ہدایات پر عمل کریں۔
- 5- کامیاب علاج کے لئے باقاعدگی سے دوا لکھنا ضروری ہے۔
- 6- اپنے گھر کے نزدیکی مرکز صحت سے نبی کی دوا مفت حاصل کرنے کا ساندہ اٹھائیے۔
- 7- مقررہ تاریخ پر مرکز صحت پر ضرور تشریف لائیے۔
- 8- اگر آپ اپنے علاج میں تعاون کریں گے تو انشاء اللہ آپ مکمل طور پر صحت یاب ہو جائیں گے۔

## بلغم کا معائنہ کروانے کی تاریخ

تاریخ	بلغم کا معائنہ کروانے کا مقام
نتیجہ	علاج روکنے کی تاریخ



# اسٹریٹجی، خواتین کے فرائض اور اسپین ڈیگر فرائض اور صدیوں کا

تقریباً ایک ماہ قبل زورہ بیگم نے ایک ماہرہ کی موت کو خودکشی کا رنگ دیکر فرائض کو دیکھا تھا، پولیس نے عدالت سے قبر کشائی کی اجازت لی، قبر کشائی کے بعد راز کھل گیا

خاتون کو تشدد کر کے قتل کیا گیا تھا، پوسٹ مارٹم رپورٹ سے معلوم ہوا کہ ایس ایچ او شوکت بیگم کی بیوی تین خاتون سمیت باغی ٹرمان مخالف مقدمہ درج کیا گیا ہے۔ ایس ایچ او شوکت بیگم کی بیوی تین خاتون سمیت باغی ٹرمان مخالف مقدمہ درج کیا گیا ہے۔ ایس ایچ او شوکت بیگم کی بیوی تین خاتون سمیت باغی ٹرمان مخالف مقدمہ درج کیا گیا ہے۔

کوہاٹ: ایس ایچ او فرحان احمد بخش کے چشم کشا انگشتاں کے قتل کی تیس سالہ یادگار ہے۔ ایس ایچ او فرحان احمد بخش کے چشم کشا انگشتاں کے قتل کی تیس سالہ یادگار ہے۔ ایس ایچ او فرحان احمد بخش کے چشم کشا انگشتاں کے قتل کی تیس سالہ یادگار ہے۔

کوہاٹ: ایس ایچ او فرحان احمد بخش کے چشم کشا انگشتاں کے قتل کی تیس سالہ یادگار ہے۔ ایس ایچ او فرحان احمد بخش کے چشم کشا انگشتاں کے قتل کی تیس سالہ یادگار ہے۔ ایس ایچ او فرحان احمد بخش کے چشم کشا انگشتاں کے قتل کی تیس سالہ یادگار ہے۔

کوہاٹ: ایس ایچ او فرحان احمد بخش کے چشم کشا انگشتاں کے قتل کی تیس سالہ یادگار ہے۔ ایس ایچ او فرحان احمد بخش کے چشم کشا انگشتاں کے قتل کی تیس سالہ یادگار ہے۔ ایس ایچ او فرحان احمد بخش کے چشم کشا انگشتاں کے قتل کی تیس سالہ یادگار ہے۔

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Daily

## BEBAAK AWAZ Kohat

روزانہ 4

# بے باک آواز

پندرہواں نمبر

جلد 03

بند 30 دسمبر 2013

15 روپے

کوہاٹ: ہیرا پھیری کا ملزم سلماخوں کے پیچھے، ایک سال قید

کوہاٹ: ایس ایچ او فرحان احمد بخش کے چشم کشا انگشتاں کے قتل کی تیس سالہ یادگار ہے۔ ایس ایچ او فرحان احمد بخش کے چشم کشا انگشتاں کے قتل کی تیس سالہ یادگار ہے۔ ایس ایچ او فرحان احمد بخش کے چشم کشا انگشتاں کے قتل کی تیس سالہ یادگار ہے۔

کوہاٹ: ایس ایچ او فرحان احمد بخش کے چشم کشا انگشتاں کے قتل کی تیس سالہ یادگار ہے۔ ایس ایچ او فرحان احمد بخش کے چشم کشا انگشتاں کے قتل کی تیس سالہ یادگار ہے۔ ایس ایچ او فرحان احمد بخش کے چشم کشا انگشتاں کے قتل کی تیس سالہ یادگار ہے۔

# تحریک انصاف کی چھری سلاخیں سر حال گری

آئے روز سیاسی مخالفین اساتذہ کو جس جین کر جیل کیا جا رہا ہے جو شکر وہ کی پرانی روایت ہے مگر اس بار تو جماعت تحریک انصاف کی تبدیلی سے حیران رہ گئے جب کہ اس فورٹاز میں بھی زیر عتاب آگئے اس بار وہ اس میں سے کیونکہ جتنے دن اسلام آباد کے تعلق تحریک انصاف اور شکر وہ سے تھا کہ حسب سابق سیاسی مخالفین اس کے لئے تیار تھے۔

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

Service Appeal No. 149 /2014

Abdur Rahim . . . . .Appellant

**Versus**

DEO (Male) Kohat, and others . . . . . Respondents

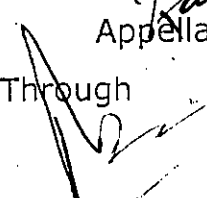
**APPLICATION FOR RELEASE OF SALARY**

**Respectfully Sheweth:**

1. That appellant filed Service Appeal before this tribunal in which notices has been issued in interim relief as well as in the main case.
2. That the impugned order dated 03.10.2013, is challenged before this tribunal since in interim relief notices has been issued and appellant still serving in GPS Gorgore and the respondent/ department attached the salary of the appellant.
3. That appellant performing his duty in Gorgore and respondent/ department wrongly attached the salary of the appellant.

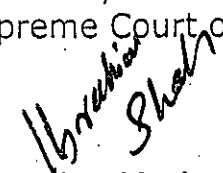
It is, therefore, prayed that on acceptance of this application the salary of the appellant may be released.

  
Appellant

Through  


Date:04.04.2014

**Muhammad Amin Khattak Lachi**  
Advocate,  
Supreme Court of Pakistan.

&   
**Ibrahim Shah**  
Advocate, High Court,  
Peshawar



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

Service Appeal No. 149 /2014

Abdur Rahim .....Appellant

**Versus**

DEO (Male) Kohat, and others ..... Respondents

**A F F I D A V I T**

I, Abdur Rahim PSHT, GPS Rakwan, Shakardara, Tehsil & District Kohat, do hereby solemnly affirm and declare 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 learned court.



*Rahim*

Deponent

**BEFORE THE HON'ABLE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR.**

Appeal No. 149/2014


Mr. Abdur Rahim PSHT GPS Rukwan Shakardara Tehsil Lachi District Kohat. ....Appellant

VERSUS

1. District Education Officer (Male) Kohat.. Respondent.
2. Director Elementary & Secondary Education Peshawar.
3. Dy. District Officer (Male) Kohat.
4. SDEO (M) Kohat.
5. Jahanzeb PSHT GPS Gurgura Tehsil Lachi District Kohat..... Respondants.

**I N D E X**

S.No.	Description of Documents	Annex.	Pages
1	Affidavit		1
2	Para wise comments signed by Secretary, Director, DEO(M) Kohat and SDEO (M) PRY.LACHI		2-3
3	Para wise comments vetted by Govt. Pleeder.		4-5
3	Enquiry Report (Proof)		6-9

  
Sub Divisional Education Officer  
(Male) Primary Lachi Kohat

**BEFORE THE HON'ABLE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR.**

Appeal No. 149/2014

Mr. Abdur Rahim PSHT GPS Rukwan Shakardara Tehsil Lachi District Kohat. ....Appellant

VERSUS

1. District Education Officer (Male) Kohat.. Respondent.
2. Director Elementary & Secondary Education Peshawar.
3. Dy. District Officer (Male) Kohat.
4. SDEO (M) Kohat.
5. Jahanzeb PSHT GPS Gurgura Tehsil Lachi District Kohat..... Respondants.

**AFFIDAVIT**

I **Muhammd Ilyas Khan** SDEO (M) Primary Tehsil Lachi (Kohat) do hereby solemnly affirm and declare on oath that the contents of the accompanying **Para Wise Comments** on behalf of respondent No.1 are true and correct to the best of my knowledge and belief and that nothing has been concealed from this honorable Tribunal.

DEPONENT

CNIC No. 14202-1324299-7

*M. Ilyas*  
Sub. Divisional  
Edu: Officer (Male)  
Lachi

**BEFORE THE HON'ABLE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR.**

Appeal No. 149/2014

Mr. Abdur Rahim PSHT GPS Rukwan Shakardara Tehsil Lachi District Kohat. ....Appellant

VERSUS

1. District Education Officer (Male) Kohat.. Respondent.
2. Director Elementary & Secondary Education Peshawar.
3. Dy. District Officer (Male) Kohat.
4. SDEO (M) Kohat.
5. Jahanzeb PSHT GPS Gurgura Tehsil Lachi District Kohat..... Respondants.

**REPLY ON BEHALF OF RESPONDENT.****PRELIMINARY OBJECTIONS:**

1. That the appellant has got no cause of action/locus standi to file the present appeal.
2. That the appellant has not come to the honorable service tribunal with clean hands.
3. That the appellant has suppressed/concealed material facts from the honorable service tribunal.
4. That the appeal is barred by time.
5. That the present appeal is bad in its present form, hence not maintainable and liable to be dismissed with cost.

**Facts**

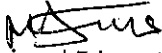
1. Pertains to record.
2. Incorrect, no appeal has been received.

**Grounds.**

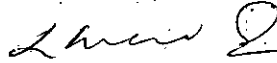
- a) Incorrect, the impugned order is according to law, facts and liable to upheld.
- b) Incorrect, he has not been appointed on disable quota. No entry in service book. Moreover competent authority has not issued any disability certificate.
- c) Incorrect, the contention of the appellant in this para is irrelevant and baseless.
- d) Incorrect, (proof attached)

- e) Incorrect the applicant has been transferred in the interest of public service and not on political motivated ground.
- f) Incorrect, as explained in para "e".
- g) That some other grounds may be adduced during the course of arguments with permission of tribunal.

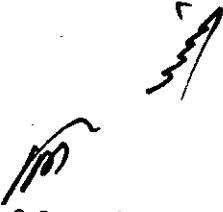
It is therefore humble prayed that on acceptance of this reply instant appeal may very kindly be dismissed with cost.



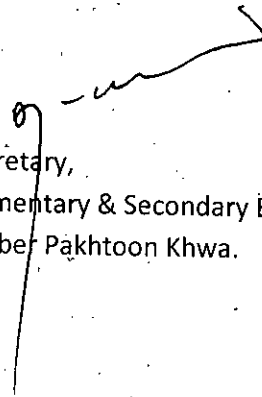
Sub Divisional Education Officer,  
(Male) Primary Lachi Kohat.



District Education Officer  
(Male) Kohat.



Director,  
Elementary & Secondary Education,  
Khyber Pakhtoon Khwa.



Secretary,  
Elementary & Secondary Education,  
Khyber Pakhtoon Khwa.

**BEFORE THE HON'ABLE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR.**

Appeal No. 149/2014

Mr. Abdur Rahim PSHT GPS Rukwan Shakardara Tehsil Lachi District Kohat.....(Appellant)

VERSUS

1. District Education Officer (Male) Kohat.. Respondent.
2. Director Elementary & Secondary Education Peshawar.
3. Dy. District Officer (Male) Kohat.
4. SDEO (M) Kohat.
5. Jahanzeb PSHT GPS Gurgura Tehsil Lachi District Kohat.....(Respondants)

**REPLY ON BEHALF OF RESPONDENT.**

**PRELIMINARY OBJECTIONS:**

1. That the appellant has got no cause of action/locus standi to file the present appeal.
2. That the appellant has not come to the honorable service tribunal with clean hands.
3. That the appellant has suppressed/concealed material facts from the honorable service tribunal.
4. That the appeal is barred by time.
5. That the present appeal is bad in its present form, hence not maintainable and liable to be dismissed with cost.

Facts

1. ~~Correct and accepted.~~ *perkaris to record*
2. Incorrect, no appeal has been received.

Grounds.

- a) Incorrect. *The impugned order is according to law, facts and liable to be upheld.*
- b) Incorrect, he has not been appointed on disable quota. ~~No entry in service book. Moreover competent authority has not issued any disability certificate~~
- c) ~~Correct but he could not mention definite date for retirement which is necessary to be considered before indulgence of such order~~ *incorrect. The contentions of the appellant in this para is irrelevant and baseless.*
- d) Incorrect, ~~proof attached~~  
*(proof attached)*

- e) Incorrect, the applicant has been transferred in the interest of public service not on political motivated ground.
- f) Incorrect its explained vide para "e" as explained para "e"

g) That some other grounds may be adduced during the course of arguments with permission of tribunal. It is therefore humble prayed that on acceptance of this reply instant appeal may very kindly be dismissed with cost.

*[Signature]*  
District Education Officer  
(Male) Kohat.

*[Signature]*  
Sub Divisional Education Officer  
(Male) Primary Lachi (Kohat).

CPI  
Pl. vet

*[Signature]* 6/5/14

vet subject to correct,  
attachment of all annex, affidavit  
and approval of SFCIP

*[Signature]*  
6/5/2014  
Govt: Pleader  
Khyber Pakhtoon Khwa  
Svc: Tribunal Peshawar

Approved  
*[Signature]* 6/5

No. 101

Dated Lachi the 18/10/2011

18

To,

The Executive District Officer,  
E&SE Kohat.

Subject: ENQUIRY AGAINST Mr. ABDUR RAHIM PST GPS GURGURA  
DATE OF ENQUIRY: 05-10-2011.  
PLACE OF ENQUIRY: GPS GURGURA.

Reference your office Memo. No. Nil Dated 20-02-2011; marked to the undersigned an enquiry against Mr. Abdur Rahim PST GPS Gurgura Tehsil Lachi, in connection with application against him by Mr. Amin Ullah s/o Haji Abdul Majeed resident of village Gabri Tehsil Lachi District Kohat.

PROCEEDINGS.

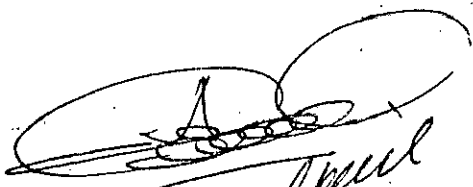
Mr. Abdur Rahim PST as well as the applicant was informed and an enquiry to this effect was conducted by Mr. Abdul Jalil Assistant of this office on my behalf for the said enquiry. The statements of all the concerned were taken down and perused.


During enquiry questionnaires in which all the objections/ points of complainant in written was handed over to Mr. Abdur Rahim PST on the spot, to ensure enquiry officer that being a government servant complaint against you is baseless or quite OK.

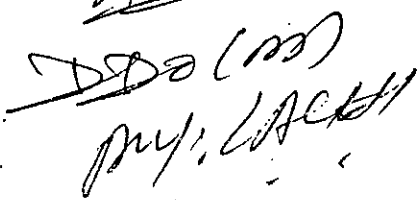
- a) Mr. Abdur Rahim took over charge in October 2004 as a Head Teacher of the said school.
- b) All PTC record was thoroughly checked i.e vouchers, income expenditure register, pupil fund register, cheque book, chairman PTC signatures and physical checking of the school building. An amount Rs 18000/- for the year 2011-12 was allocated from PTC fund in which Rs. 12914 was utilized and the Balance amount Rs. 5080/- is available in the pass book/bank. The record was maintained properly according to the PTC rules and also observed codel formalities by Parents Teachers Council.
- c) School building, old material, auction papers were scrutinized and checked from which the amount Rs. 3750/- was deposited in the National Bank Shakardara vide Challan No.01 Dated 14-10-2004 and sanction for auction was obtained from higher authorities (copies enclosed herewith). Moreover an amounting to Rs. 9000/- was spent on boundary wall of the school under the supervision of PTC chairman and committee members which was physically seen and found satisfactory. All process was made according to the government rules and regulations.
- d) Both (Ex. and present) PTC chairmen were found present during enquiry and they were asked about the complainant, they admitted that this application has been sent to the higher authorities on grievances basis between the two parties for which the questionnaires were adopted (copies enclosed herewith).

FINDINGS:

Keeping in view I came to the conclusion that both the parties have their own grievances and now they brought them into school environment for creating disturbance. The people of locality brought this matter in my notice that the two teachers namely Mr. Abdur Rahim Head teacher and Mr. Abdur Rehman PST of the said school are guilty and problem creators. They verbally requested that to solve the dispute both the above mentioned teacher may be transferred/ adjusted in any other school for sake of innocent children. Your good self is therefore, requested that approval for transfer/adjustment of both the teachers may please be issued in the interest of public. It is further added that this school is functioning in the premises of Middle School so the responsibility may be fixed upon Head Master GMS Gurgura in future.

  
Abdul Jalil  
ASST

  
DY: DISTRICT OFFICER (M/F)  
(E&S) EDU, LACHI.

  
Mr. Lachi



DANS DYPOLM  
Lach  
Edmore

کے طور پر ایڈریجیشن فیلو کوڈٹ

جناب علی

موجودہ گذشتہ ہے کہ سائل گاؤں گہری ڈاکھنی رحمان آباد تحصیل لاجپور ضلع کوڈٹ کا باشندہ ہے

حسب ذیل عرض کیا ہے۔

وہ یہ کہ ہمارے علاقہ گڑھ میں ایک پرائمری سکول ہے جس میں اول مدرس عبدالرحیم جو گزشتہ

تین سالوں سے سکول بنیاد میں متعین ہے۔ اس سکول میں گزشتہ سال

وہ یہ اس سکول میں پرائمری عمارت مدرسے سامان کی بنیاد ہی ہے جس میں کھلی

بنیاد ہی میں پالے بالے جس کی تعداد اب میں بقول گیا ہوں۔ لیکن 8000 ہزار اخوی ٹوبلی

یہ سامنے ہوئی۔ اول مدرسے نے عوام کے سامنے اس فنڈ کو پالے دینے کو کہا۔ جبکہ

بعد میں اس کے منکر ہو گیا۔ اور بالے اپنے تحویل دئے معلوم نہیں کہ اس حکومت کو کتنے پوچھے گئے ہیں

پتھر کھلی بنیاد ہی میں اخوی ٹوبلی 7500 روپے ہو چکی تھی۔ اور ہمارے سامنے پتھر ان کے جانے گئے

اب ان سے دریافت کریں کہ اس حکومت کو کتنے روپے جمع کئے ہیں۔

کروڑوں اور سربا بھی بندم کئے ہیں معلوم نہیں کہ اس کتنے روپے جمع کئے ہیں۔ ان سارے اقوام میں

بیشک اس کے دسواں حصہ ہی حکومت کو جمع نہیں کیا ہے۔ اس کے علاوہ گزشتہ تین سال میں اس کو

کھلی رہی ہے جس میں جو روپے ملے ہیں اس میں چونا کر آیا گیا ہے۔ باقی رقم خورد برد ہے۔ رسیدات

کل رقم کے فرق ہونے کی تیار کئے ہیں۔ موجودہ ریویو میں اس کو جو روپے ملے ہیں۔ اس میں صرف اور

صرف چونا تازہ کیا ہے۔ باقی اس کے حسیب میں پڑا ہے۔ رسیدات سارے رقم فرق کرنے کے تیار کئے ہوں

اس کے علاوہ اس کے P.T.A. میں جو فنڈ ہے۔ وہ صرف کرنے میں اس کے ساتھ ہے۔ اور اس کے

اولاد میں سے ایک کیم ہی سکول میں تیسرے تعلیم نہیں ہے۔ جبکہ ٹھکانہ زولنگ کے مطابق صرف

کئی فردی ہے۔ کہ اس کے سکول میں زیر تعلیم ہوتے ہیں۔ اس کے علاوہ سکول میں کپ شیب کا بازار

میں ریگم رہتا ہے۔ جبکہ طلباء کی تعلیمی حالت انتہائی کمزور ہے۔

ابھیان گڑھ میں اکثر خوبی مسلم پیشہ افراد ہیں۔ ان کے بچے صرف سکول آتے اور جاتے ہیں

لنڈیم متعلق کوئی پوچھ گچھ نہیں۔

نہا استدعا ہے کہ مذکورہ بالا مدرسے کے خلاف سخت حکمانہ کارروائی عمل میں لائی جائے

اور اس کے کسی دوسرے سکول میں تبدیل کیا جائے

زائدہ م کے عین ادارہ میں ہوگی

تاریخ 7 اکتوبر 2011

P.P.O

Supdt  
Engineering  
Muzaffargarh  
District  
Muzaffargarh





جنوبی صوبہ ڈیپٹی ڈسٹرکٹ آفیسر صاحب ریجنل ایجوکیشنل آفیسر ایجوکیشن سیکرٹری ایجوکیشن

قبائلیہ

موردیہ گڈ اسٹریٹ اور سید صاحب مدرسین میں لڑائی گورنمنٹ پرائمری سکول گرگڑہ سے  
میں آیا ہے۔ اپنا من مانی کرتا ہے۔ میری ایڈ بات پر عمل نہیں کرتا ہے۔ سال میں  
میں نے اس کو پانچویں کلاس میں چلنے کا آرڈر دیا تھا۔ چند روز بعد مذکورہ استاد نے  
کلاس میں چلنے سے انکار کیا۔ میں نے بااثر جمہوری کلاس میں کو پیر پڑوانے چلنے کا  
مضیلا کیا۔ لیکن پھر بھی وہ ایڈک اپنا پیر پڑوانے لیتا ہے۔ بچوں کو بجائے  
پڑھانے کے گامبیاں دیتا ہے۔ پورا پورا دن سڑال سکول میں بیٹھا رہتا ہے  
جب آتا ہے۔ ترقی پیل کے ساتھ بیٹھا رہتا ہے۔ کلاس میں کو نہیں جاتا ہے۔ اگر  
میں کچھ کہتا ہوں تو پھر لڑنے کو تیار رہتا ہے۔

قبائلیہ والا۔ حال ہی میں جو درخواست میرے ارد میں سکول کے صدر پر ہے  
اس میں مکمل اس کا حق ہے۔ سکول کی سٹاف کی سیکورٹی لوز کرتا ہے۔  
ایڈ قانونی جسم ہے۔ دیر سے سکول آتا ہے۔ اور وقت سے پہلے چل جاتا ہے۔  
اس کے لئے من مسائل بحیثیت اول مدرسین صورت سے استوری کرتا ہے۔

مذکورہ نامیہ مدرسین کل بچہ سکول میں یا سکول ریکارڈ پڑھا مسئلہ بھی

کوئی رمت دینے ہے۔  
میتھا اس کے ساتھ سکول سے کسی اور سکول تبدیل کیا جائے

Abdur-Rahman  
Principal of Government  
Primary School  
Grardh  
District  
Faisalabad  
14/10/2011

Received on 14/10/2011

Handwritten signature

اول مدرسین عبدالرحیم گورنمنٹ پرائمری سکول گرگڑہ۔ برقی۔ 14/10  
(مستشرقان آباد)

Enclosed report

Handwritten signature

18/10

**BEFORE THE HON'ABLE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR.**

Appeal No. 149/2014


Mr. Abdur Rahim PSHT GPS Rukwan Shakardara Tehsil Lachi District Kohat. ....Appellant

VERSUS

1. District Education Officer (Male) Kohat.. Respondent.
2. Director Elementary & Secondary Education Peshawar.
3. Dy. District Officer (Male) Kohat.
4. SDEO (M) Kohat.
5. Jahanzeb PSHT GPS Gurgura Tehsil Lachi District Kohat..... Respondants.

**I N D E X**

S.No.	Description of Documents	Annex	Pages
1	Affidavit		1
2	Para wise comments signed by Secretary, Director, DEO(M) Kohat and SDEO (M) PRY.LACHI		2-3
3	Para wise comments vetted by Govt. Pleeder.		4-5
3	Enquiry Report (Proof)		6-9

  
Sub Divisional Education Officer  
(Male) Primary Lachi Kohat

①

**BEFORE THE HON'ABLE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR.**

Appeal No. 149/2014

Mr. Abdur Rahim PSHT GPS Rukwan Shakardara Tehsil Lachi District Kohat, .....Appellant

VERSUS

1. District Education Officer (Male) Kohat.. Respondent.
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3. Dy. District Officer (Male) Kohat.
4. SDEO (M) Kohat.
- 5: Jahanzeb PSHT GPS Gurgura Tehsil Lachi District Kohat..... Respondants.

**AFFIDAVIT**

I Muhammd Ilyas Khan SDEO (M) Primary Tehsil Lachi (Kohat) do hereby solemnly affirm and declare on oath that the contents of the accompanying Para Wise Comments on behalf of respondent No.1 are true and correct to the best of my knowledge and belief and that nothing has been concealed from this honorable Tribunal.

DEPONENT

CNIC No. 14202-1324299-7

*M. Ilyas*  
Sub. Divisional  
Edu: Officer (Male)  
Lachi

**BEFORE THE HON'ABLE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR.**

Appeal No. 149/2014

Mr. Abdur Rahim PSHT GPS Rukwan Shakardara Tehsil Lachi District Kohat. ....Appellant

VERSUS

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3. Dy. District Officer (Male) Kohat.
4. SDEO (M) Kohat.
5. Jahanzeb PSHT GPS Gurgura Tehsil Lachi District Kohat..... Respondants.

**REPLY ON BEHALF OF RESPONDENT.**

**PRELIMINARY OBJECTIONS:**

1. That the appellant has got no cause of action/locus standi to file the present appeal.
2. That the appellant has not come to the honorable service tribunal with clean hands.
3. That the appellant has suppressed/concealed material facts from the honorable service tribunal.
4. That the appeal is barred by time.
5. That the present appeal is bad in its present form, hence not maintainable and liable to be dismissed with cost.

Facts

1. Pertains to record.
2. Incorrect, no appeal has been received.

Grounds.

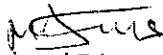
- a) Incorrect, the impugned order is according to law, facts and liable to upheld.
- b) Incorrect, he has not been appointed on disable quota. No entry in service book. Moreover competent authority has not issued any disability certificate.
- c) Incorrect, the contention of the appellant in this para is irrelevant and baseless.
- d) Incorrect, (proof attached)


3


22

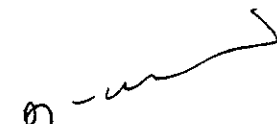
- e) Incorrect the applicant has been transferred in the interest of public service and not on political motivated ground.
- f) Incorrect, as explained in para "e".
- g) That some other grounds may be adduced during the course of arguments with permission of tribunal.

It is therefore humble prayed that on acceptance of this reply instant appeal may very kindly be dismissed with cost.

  
Sub Divisional Education Officer,  
(Male) Primary Lachi Kohat.

  
District Education Officer  
(Male) Kohat.

  
Director,  
Elementary & Secondary Education,  
Khyber Pakhtoon Khwa.

  
Secretary,  
Elementary & Secondary Education,  
Khyber Pakhtoon Khwa.



BEFORE THE HON'ABLE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR.

Appeal No. 149/2014

Mr. Abdur Rahim PSHT GPS Rukwan Shakardara Tehsil Lachi District Kohat. ....(Appellant)

VERSUS

- 1. District Education Officer (Male) Kohat.. Respondent.
- 2. Director Elementary & Secondary Education Peshawar.
- 3. Dy. District Officer (Male) Kohat.
- 4. SDEO (M) Kohat.
- 5. Jahanzeb PSHT GPS Gurgura Tehsil Lachi District Kohat.....(Respondants)

REPLY ON BEHALF OF RESPONDENT.

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- 1. That the appellant has got no cause of action/locus standi to file the present appeal.
- 2. That the appellant has not come to the honorable service tribunal with clean hands.
- 3. That the appellant has suppressed/concealed material facts from the honorable service tribunal.
- 4. That the appeal is barred by time.
- 5. That the present appeal is bad in its present form, hence not maintainable and liable to be dismissed with cost.

Facts

- 1. ~~Correct and accepted.~~ *pertains to record*
- 2. ~~Incorrect,~~ no appeal has been received.

Grounds.

- a) ~~Incorrect.~~ *The impugned order is according to law, facts and liable to be upheld.*
- b) ~~Incorrect,~~ he has not been appointed on disable quota. ~~No entry in service book. Moreover competent authority has not issued any disability certificate~~
- c) ~~Correct but he could not mention definite date for retirement which is necessary to be considered before indulgence of such order.~~ *incorrect. The contention of the appellant in this para is irrelevant and baseless.*
- d) ~~Incorrect, proof attached.~~  
*(proof attached).*

No. 101Dated Lachi the 18/10/2011. (6)

To,

The Executive District Officer,  
E&SE Kohat.Subject: ENQUIRY AGAINST Mr. ABDUR RAHIM PST GPS GURGURA.  
DATE OF ENQUIRY: 05-10-2011.  
PLACE OF ENQUIRY: GPS GURGURA.

Reference your office Memo. No. Nil Dated 20-02-2011, marked to the undersigned an enquiry against Mr. Abdur Rahim PST GPS Gurgura Tehsil Lachi, in connection with application against him by Mr. Amin Ullah s/o Haji Abdul Majeed resident of village Gabri Tehsil Lachi District Kohat.

PROCEEDINGS.


Mr. Abdur Rahim PST as well as the applicant was informed and an enquiry to this effect was conducted by Mr. Abdul Jalil Assistant of this office on my behalf for the said enquiry. The statements of all the concerned were taken down and perused.

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- d) Both (Ex. and present) PTC chairmen were found present during enquiry and they were asked about the complainant, they admitted that this application has been sent to the higher authorities on grievances basis between the two parties for which the questionnaires were adopted (copies enclosed herewith).

FINDINGS:

Keeping in view I came to the conclusion that both the parties have their own grievances and now they brought them into school environment for creating disturbance. The people of locality brought this matter in my notice that the two teachers namely Mr. Abdur Rahim Head teacher and Mr. Abdur Rehman PST of the said school are guilty and problem creators. They verbally requested that to solve the dispute both the above mentioned teacher may be transferred/ adjusted in any other school for sake of innocent children. Your good self is therefore, requested that approval for transfer/adjustment of both the teachers may please be issued in the interest of public. It is further added that this school is functioning in the premises of Middle School so the responsibility may be fixed upon Head Master GMS Gurgura in future.

  
Abdul Jalil  
ASST.

DDO (M)  
Myl. Lachi

  
DY: DISTRICT OFFICER (M/F)  
(E&S) EDU. LACHI.



الفصل

آمین اللہ ولہابی عبدالمجید سکندر گہری ڈالنی نہ رحمان آباد تحصیل و ضلع گوجی کی

کتابی برائے اصلاح و ضروری کاروائی رسائل قلمت ہے

کتاب - عربی و فارسی فقیر و محتو نچراہ کت اور

۲۱ ایم بی - اے حلقہ بی الف ۹۳۱ گوجی کی صاحب ڈاکٹر افضل قندھار

۲۲ ڈی ڈی ڈاکٹر ابرار کونڈن نوری صاحب میر اسماعیل انبند سکندر گہری ڈاکٹر کونڈن سکندر لداکی



DARS DYPOL (M)  
Lachar  
Kumar  
Kumar

جناب ونگلے پٹیو اور جی۔ لکھری ایڈریجوشن فیلو کوڈٹ

9/1/2011

جناب علی

موجودہ گذریش ہے کہ سائل گاؤں گہری ڈاکخانہ رحمان آباد میں تحصیل لاپی مہلہ کوڈٹ کا باشندہ ہے

حسب ذیل مرض صاف ہے۔

وہ یہ کہ ہمارے عدوم گمرہ میں ایک پرائمری سکول ہے جس میں اول مدرس عبدالرحیم جوہر گزشتہ

تین سالوں سے سکول بنائے متعین ہے۔ اس سکول میں گزشتہ ماہ تک

وہ یہ اس سکول میں پرائمری درجہ کے سامان کی نیندھی کی ہے جس میں کئی

نیندھی میں پالے جانے والے جس کی تعداد اب میں بقول لگتا ہوں۔ لیکن 8000 ہزار اخوی ٹولی

پر سامنے ہوئی۔ اول مدرس نے عوام کے سامنے اس شخص کو پالے دینے کو کہا۔ جبکہ

لہذا اس سے منکر ہو گیا۔ اور پالے اپنے تھوڑے معلوم نہیں کہ اس حکومت کو کتنے روپے جمع کئے ہیں

پتھر کئی نیندھی میں اخوی ٹولی 7500 روپے ہوا چکی تھی۔ اور ہمارے سامنے پتھر ان کے والے کے گئے

اب ان سے دریافت کریں کہ اس حکومت کو کتنے روپے جمع کئے ہیں۔

گورنری اور سرکاری نیندھی بند کئے ہیں۔ معلوم نہیں کہ اس کتنے روپے جمع کئے ہیں۔ ان سارے رقوم میں

مشکل اس کے سوال قصہ لپی حکومت کو جمع نہیں کیا ہے۔ اس کے علاوہ گزشتہ تعلیمی سال میں اس کو

کھائی رہی ہے۔ جو روپے ملے ہیں اس میں جو نام لگایا ہے۔ باقی رقم خود بردار ہے۔ رسیدات

صرف چونا تازہ کیا ہے۔ باقی اس جیب میں پڑا ہے۔ رسیدات سارے رقم خرچ کرنے کے تیار کئے ہوں

اس کے علاوہ اس کے P.T.A. میں جو شخص بن گیا ہے۔ وہ ہر روپے کرنے میں اس کا ساتھی ہے۔ اور اس کے

اولاد میں سے ایک بچہ بھی سکول میں زیر تعلیم نہیں ہے۔ جبکہ حکمانہ رولنگز کے مطابق پتھر

کئی فروری۔ نہ اس کے سکول میں زیر تعلیم ہو گئے۔ اس کے علاوہ سکول میں کپ شیب کا بازار

بندر قائم رہتا ہے۔ جبکہ طلبہ کی تعلیمی حالت انتہائی کمزور ہے۔

اہلیان گمرہ میں اکثر خوبی ملزم پیشہ افراد ہیں۔ ان کے بچے صرف سکول آتے اور جاتے ہیں۔

لہذا کے متعلق کوئی خرچہ جمع نہیں۔

نہ اس کے عدالت۔ کہ مذکورہ بالا مدرس کے خلاف سخت حکمانہ کارروائی عمل میں لائی جائے

اور اس کے کسی دوسرے سکول میں تبدیل کیا جائے

زیادہ مہینوں کو اس کو چھوٹی

تاریخ 7 اکتوبر 2011

P.T.O

supdt  
Engg. Govt. P.T.A.  
Malka and  
Submitt  
Khyber Pakhtunkhwa  
20/1/2011

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

Service Case No.149/2014

Abdur Rahim . . . . . Appellant

Versus

District Education Officer, & others . . . . . Respondents

= = = = =

**REJOINDER ON BEHALF OF THE APPELLANT**

= = = = =

**Respectfully Sheweth:**

**Preliminary Objection:**

All the preliminary objections taken by the respondent are baseless and without lawful footing.

1. That appeal is within time and this court has got the jurisdiction.

**PARA WISE REPLY ON FACTS:**

1. Para No.1 is not disputed.
2. Para No.2 is wrongly denied, the appellant filed departmental appeal copies attached with the appeal.

**GROUND:**

- A. Grounds "A" of comments is incorrect, the impugned order is not according to law.
- B. Para "B" of comments is incorrect, appellant is disable disability certificate is attached with the petition.

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

No. 1105 /ST

Dated 29/6/2016

To

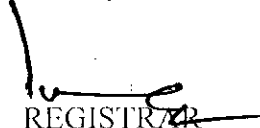
The D.E.O (M),  
Kohat.

Subject: -

**JUDGMENT**

I am directed to forward herewith a certified copy of Judgement dated 13.6.2016 passed by this Tribunal on the above subject for strict compliance.

Encl: As above

  
REGISTRAR  
KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL  
PESHAWAR.