

5.5.2015

Appellant with counsel and Mr. Muhammad Zubair, Sr.G.P for respondents present. Learned counsel for the appellant informed the Court that the appellant has been promoted as SST (BPS-16) and as such the appeal has become infructuous.

In the afore-stated circumstances, learned counsel for the appellant requested for withdrawal of appeal which is, therefore, dismissed as withdrawn. File be consigned to the record.

ANNOUNCED

5.5.2015


Chairman
Camp Court Swat . 15

05.05.15

11- 2-12-14:

Appellant in person & G.P for official
respondents & counsel for private respondents
No-4 present. The Tribunal is incomplete.
To come up for argument at camp court
Swat on 03-03-2015.

[Signature]
Rashid

12 3.3.2015

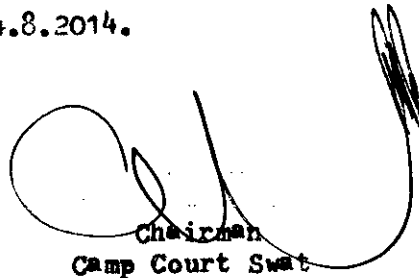
Appellant in person and Mian Amir Qadir, G.P for
respondents present. Arguments could not be heard as the
Bench is incomplete. To come up for final hearing before
D.B on 5.5.2015 at camp court Swat.

[Signature]
Chairman
Camp Court Swat

8-

7.7.2014

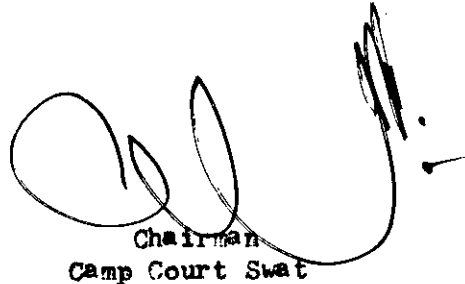
Appellant with counsel, Mr. Fiaz-ud-Din, ADO on behalf of official respondents No.1 to 3 with Mian-Amir Qadir, G.P and private respondent No.4 in person present. Written replies on behalf of official respondents No.1 to 3 and private respondent No.4 received, copies whereof are handed over to the learned counsel for the *applet for* rejoinder at camp court Swat on 4.8.2014.


Chairman
Camp Court Swat

9-

4.8.2014

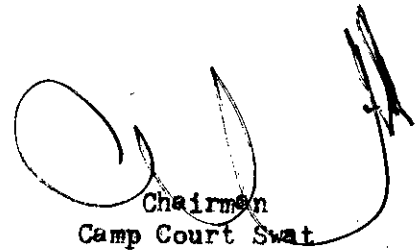
Appellant in person ~~Mr.~~ Mr. Muhammad Zubair, Sr.G.P for official respondents No.1 to 3 and private respondent No.4 in person present. Rejoinder has not been received, and request for further time made on behalf of the appellant. Another chance is given for rejoinder at camp court Swat on 01.9.2014.


Chairman
Camp Court Swat

10-

01.9.2014

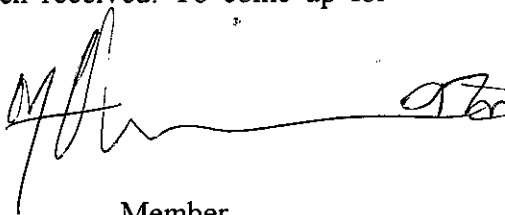
Appellant in person, Mr. Muhammad Zubair, Sr.G.P for official respondents No.1 to 3 and private respondent, Neer Habib with Mr. Shah Nawaz, Advocate present. Fresh Wakalat Nama filed on behalf of private respondent No.4. Rejoinder received on behalf of the appellant, copies whereof are handed over to the learned Sr.G.P and learned counsel for private respondent No.4 for arguments at camp court Swat on 2.12.2014.


Chairman
Camp Court Swat

5

01.4.2014

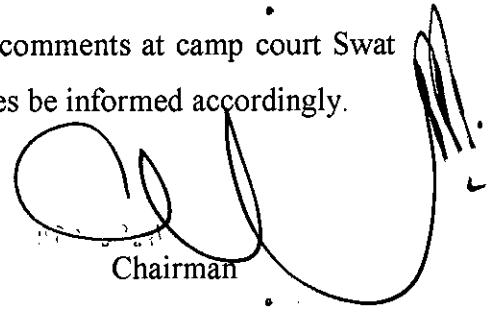
Appellant with counsel (Arbab Saif-ul-Kamal, Advocate), Mr. Fayaz-ud-Din, ADO for official respondents No. 1 to 3 with AAG and private respondent No. 4 in person present. Wakalat Nama filed on behalf of private respondent No. 4. Written reply has not been received. To come up for written reply on 1.7.2014.


Member

6

8.5.2014

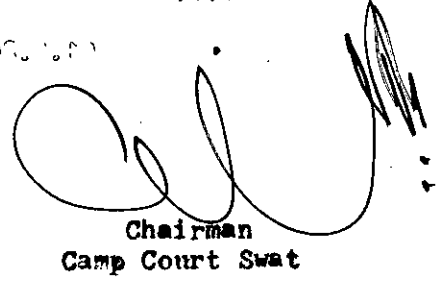
To come up for written reply/comments at camp court Swat on 2.6.2014 instead of 1.7.2014. Parties be informed accordingly.


Chairman

7

2.6.2014

Appellant in person, Mr. Zaheer-ud-Din, ADO Circle on behalf of official respondents No. 1 to 3 with Mian Amir Qadir, G.P and private respondent No. 4 in person present. Written replies on behalf of official as well as private respondent have not been received, and they requested for further time. Another chance is given for written replies/comments, positively, at camp court Swat on 7.7.2014.


Chairman
Camp Court Swat

Appeal No. 1282/2013
Mr. Fiaz Tahir Khan.

20.11.2013

Appellant with counsel present and heard. Counsel for the appellant contended that the appellant has not been treated in accordance with law/rules. The appellant has been adjusted vide order dated 30.04.2013 in a place far away from his residence in violation of policy as circulated by the department vide order dated 18.01.2013 that Senior Most PHST(BPS-15) etc according to the seniority list may be retained in the school of their present posting. He filed departmental appeal on 18.05.2013 which has not been responded within statutory period of 90 days, hence the present appeal on 17.09.2013. 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 for submission of written reply on 07.01.2014.

3. Appellant deposited security & process fee Rs 200/- Bank receipt is attached with file

Mah

Member.

20.11.2013

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

Chairman

The Hon'ble bench is on leave, therefore case is adjourned to 1-4-14



Reed

4.

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 1382/2013


S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	03/10/2013	<p>The appeal of Mr. Faiz Talab resubmitted today by Mr. Saadullah Khan Marwat 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	29-10-2013.	<p>This case is entrusted to Primary Bench for preliminary hearing to be put up there on <u>20-11-2013</u></p> <p style="text-align: right;"> CHAIRMAN</p>

The appeal of Mr. Fiaz Talab Khan PST, GPS Katton Payeen Dir received today i.e. on 17.09.2013 is incomplete on the following scores which is returned to the counsel for the appellant for completion and resubmission within 15 days.

1. Appeal may be got signed by the appellant. ✓
2. Index of the appeal may be prepared. ✓
3. Copy of Impugned Transfer order dated 30.4.2013 is not attached with the appeal ✓ which may be placed on it.
4. Copy of order dated 16.5.2013 mentioned in para-2 of the memo of appeal is not attached with the appeal which may be placed on it.
5. Copy of promotion Policy mentioned in para-3 of the memo of appeal is not attached with the appeal which may be placed on it.
6. Copy of departmental appeal is not attached with the appeal which may be placed on it.
7. Annexures of the appeal may be attested.
8. Six more copies/sets of the appeal alongwith annexures i.e. complete in all respect may also be submitted with the appeal.

No. 1326 /S.T.

Dt. 18/09 /2013


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR

Mr. Saadullah Khan Marwat Adv. Pesh.

su
Remitted after completion. As
regard obj. No. 4, at present, it is of no avail
the deptt will bring the same, if this date
was objected by the respondents.

submitted for record and action.

by

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

S.A. No. 1389/2013

Fiaz Talab Khan

Versus

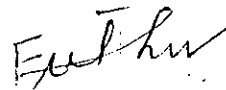
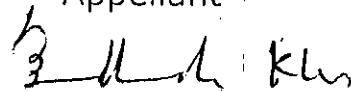
DEO & others

I N D E X

S.No	Documents	Annex	P.No.
1.	Memo of Appeal		1-3
2.	Promotion order	"A"	4-7
3.	Adjustment/transfer order	"B"	8-10
4.	Policy	"C"	11-12
5.	Representation	"D"	13

Dated. .09.2013

Through


Appellant

Saad Ullah Khan Marwat
Advocate.
21-A Nasir Mension,
Shoba Bazar, Peshawar.

Ph: 0300-5872676

BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 1389 /2013

Dir. P. Peshawar
Date: 17-9-13
Page No. 1386
Case No. 17-9-13

Fiaz Talab Khan S/o Said Mohammad Khan
P.S.T, GPS Katton Payeen, Doshan Khel,
Timergara Dir Pyana.....Appellant


VERSUS

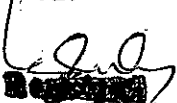
- 1) District Education Officer (M), District Dir Lower.
- 2) Director, Elementary and Secondary Education KPK, Peshawar
- 3) Secretary Elementary and Secondary Education, Peshawar.
- 4) Noor Hasib S/o Shar Malik
R/o Katton Bala, Bagh Doshan Khel Lower Dir, Timergara.
.....Respondents

SERVICE APPEAL U/S 4 OF SERVICE TRIBUNAL
ACT, 1974 AGAINST OFFICE ORDER NO.7991-95
DATED 30.04.2013 OF RESPONDENT NO.1
WHEREBY APPELLANT WAS POSTED/ADJUSTED
AT LARKANDAY BALO KHAN (MAIDAN) AND
RESPONDENT NO.4 WAS ADJUSTED BEING
JUNIOR MOST AT THE POST OF APPELLANT AT
GPS KATTON PAYEEN DIR

Prayer:

*That on acceptance of the appeal the impugned office order
dated 30.04.2013 of respondent No.1 be set aside/ modified
and appellant be adjusted/ posted at his home station with
all service benefits.*

Co-submitted to 
and filed.


3/10/13

Respectfully Sheweth:-

Appellant humbly submits as under

- 1) That appellant is serving the Education Department since the year 1994 and was performing his duties at GPS Catton Payan.
- 2) That being senior and eligible appellant was awarded pay scale 14/15 vide order dated 16.05.2013, and was then posted at GPS Narkandy Balo Khan which is far away of 150 kilometers from the house of appellant.
- 3) That the Provincial Government formulated promotion policy due to which Senior Teachers would be posted at his home station and junior teacher would be posted some where else provided both belongs to home station.
- 4) That respondent No.1 posted appellant far away from his home station at a distance of 150 kilometers and respondent No.4 was adjusted at his home station being most junior.
- 5) That on 18.05.2013 appellant submitted representation before the authority for review/ modification of order dated 30.04.2013 but in vain.

Hence, this appeal, inter alia, on the following grounds:-

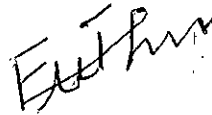
GROUND.

- A. That appellant is serving the department as PST since the year 1994 while respondent No.4 since the year 1990, so appellant is senior than respondent No.4, so appellant is senior than respondent No.4.
- B. That as per invoke policy, appellant should have been adjusted at his same station after gaining promotion/ upgradation while respondent No.4 being most junior have been adjusted at any nearby school.

- C. That for ulterior motive, respondent No.4 was adjusted at his home station while appellant was posted far away of about 150 Kilometers from his home station.
- D. That appellant has serious problem at his back bone and was directed by the consultant to avoid long journeys.

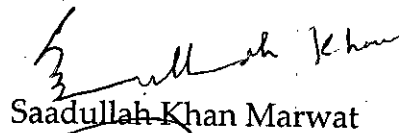
It is, therefore, prayed that on acceptance of the appeal the impugned office order dated 30.04.2013 of respondent No.1 be set aside/ modified and appellant be adjusted/ posted at his home station with all service benefits.

Any other relief, which this hon'ble Tribunal deems appropriate in the circumstances of the case though not specifically asked for, may kindly also be granted.



Appellant

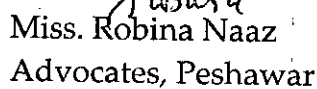
Through



Saadullah Khan Marwat

Arbab Saif-ul-Kamal

&



Miss. Robina Naaz
Advocates, Peshawar

VERIFICATION

Verified on Oath that the contents of the above appeal are true and correct to the best of my knowledge and belief and nothing material has been concealed from this hon'ble Tribunal.



Appellant

Annexure "A" 40

27-2-13

0945-9250081
0945-9250082OFFICE OF THE
DISTRICT EDUCATION OFFICER
(M) DISTRICT DIR LOWER

Tel:



Office Order

Consequent upon the recommendation of the Departmental Promotion Committee and in pursuance of the Govt. of Khyber Pakhtunkhwa L&SE Department Notification No. SO (B&A)/ 1-18/ E&SE/ 2012 Dated 11/07/2012 and Finance Department Endorsement No. SO (FR)/ FD/ 10:22 (E)/ 2010: Dated 16-07-2012, the following Senior Primary School Teacher (MALE) PST-B-14 are hereby promoted to the post of Primary School Head Teachers PSHT B-15 (8500-700-29500) plus usual allowances as admissible under the rules on regular basis under the existing policy of the Provincial Government, on the terms and condition given below with immediate effect:-

S. No	S.L. No.	Name of Official	Present Place of Posting
1	10	Said Mehmood	GPS Timergara
2	14	Dil Nawaz Khan	GPS Badwan No.2
3	18	Fazal Noor	GPS Shako
4	20	Dilawar Jan	GPS Karakar Mirgam
5	22	Mir Alam Khan	GPS Bagh No. 1
6	31	Naseeb Ullah	GPS Rahim Abad
7	33	Muhammad Saeed Badshah	GPS Chikho
8	35	Muhammad Nawaz Khan	GPS Bansafarai Siar
9	37	Shams Ul Haq	GPS Chinar
10	38	Sultan Muhammad	GPS Sangar Rani
11	39	Anwar Badshah	GPS Kharkai Siar
12	40	Abdul Hamid	GPS Karamai
13	41	Fazal Muhammad	GPS Manz Banda
14	42	Rashid Ahmad	GPS Chikho
15	44	Hussain Muhammad	GPS Mayar No. 1
16	48	Said Akber Khan	GPS Timergara
17	49	Bakht Zaman	GPS Osakai
18	50	Jan Muhammad	GPS Rasha Dherai
19	51	SALIM KHAN	GPS Darmal Payeen
20	52	Shah Zullah Khan	GPS Shalkandai
21	53	Inzar Gul	GPS Ganderay
22	54	Gul Ali Khan	GPS Palaso Dag
23	55	Muhammad Shad	GPS Bandagai Talash
24	56	Rahman Alam	GPS Shamshi Khan
25	59	Fazal Subhan	GPS Sia
26	60	Muhammad Rahim	GPS Danwa
27	61	Muhammad Rasool	GPS Shakar Tangai
28	63	Zahir Badshah	GPS Haji Abad No. 2

INTD
G.O. No. 1000/2013
Timergara

Attested

73	123	Dilawar Khan	GPS Rehan Pur
74	124	Nusr Ullah Jan	GPS Baroon
75	125	Dost Muhammad	GPS Shnai
76	126	Saeed Ur Rahman	GMPS Umer Kot
77	127	Nawsher Rawan	GPS Muhammad Abad
78	128	Sardaraz Khan	GPS Shadas
79	129	Khan Badshsh	GPS Lalko
80	132	Ayoub Khan	GPS Khan Pur
81	133	Muhammad Darwaish	GPS Kamal Khan
82	135	Hakim Ullah	GPS Shaban
83	136	Behar Ahmad	GPS Kolkay Midan
84	137	Sher Muhammad Din	GPS Charmango
85	138	Ghulam Muhammad	GPS Sugyar
86	140	Mahi Uddin	GPS Garrah
87	143	Gul Nawaz Khan	GPS Malakand Payeen No. 2
88	144	Rozi Khan	GPS Matoor
89	145	Wahid Jan	GPS Asbanr
90	146	Liaqt Dyar	GPS Paloso
91	148	Abdul Wadood	GPS Kakas
92	149	Noor Zaman	GPS Kolki Qila
93	151	Hafiz Ullah	GPS Begham Dara
94	152	Mian Mehmood	GPS Thanda Chena No 2
95	153	Faiz Talab Khan	GPS Katan Payeen
96	154	Hidayat Ur Rahman	GPS Sia Gawnt
97	155	Ali Akbar	GPS Bakht Belanda
98	156	Shahabud Din	GPS Zafar Abad
99	157	Abdul Fatah	GPS Khair Abad
100	159	Shafeeq Ahmad	GPS Mian Brangola
101	160	Sultan	GPS Samar Bagh No. 2
102	161	Inayatullah	GMPS Naqri Bala
103	162	Muhammad Tahir	GPS Qilagai Koto
104	163	Amin Ul-Haq	GPS Gumbat Kay
105	164	Amir Abdur Rahman	GPS Balambat
106	165	Faqir Muhammad	GMPS Gidaro Bala
107	166	Naqeeb Ahmad	GPS Kotigram No. 1
108	167	Zar Zamin Khan	GPS Ahmad Galai No. 1
109	170	Hanif Ullah	GPS Swara Gwandai
110	171	Hussain Ahmad	GPS Ajaby
111	172	Hafiz Ullah	GPS Kassoo
112	173	Amir Nawshad	GPS Sar Chenarona
113	174	Aziz Ur Rehman	GPS Walo Obo Sadar Kalay
114	175	Hamish Sulltan	GPS Kala Dherai
115	176	Badshah Rahim	GPS Rehan Pur
116	177	Israr Ud Din	GPS Kassoo

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Attested

337	484	Muhammad Qasim	GPS Bishgram
338	485	Mukhtiya un Nabi	GPS Marwandai
339	486	Naseeb Khan	GPS Pakhtano Khadagzai
340	487	Zahid Iqbal	GPS Jabagai Ouch
341	488	Noor Habib Khan	GPS Katan Payeen
342	489	Qasim Khan	GPS Mashe
343	490	Muhammad Irshad	GPS Bagh No.2
344	491	Subhani Gul	GPS Khatkay Maidan
345	492	Hamayoun Said	GPS Khall No.1
346	493	Izhar Ul Haq	GPS Maniyal No. 1
347	494	Said Mula Khan	GPS Ganderay
348	495	Fazal Maula	GPS Shontala
349	496	Said Liaq Jan	GPS Banr Munda
350	497	Rehman Gul	GPS Mayar No. 1
351	498	Abid Ullah	GPS Khall No.1
352	499	Shahbud Din	GPS Andiri
353	500	Khaista Rahman	GPS Timer Dheri
354	501	Sami Ullah	GPS Shalfalam
355	502	Ghous Ur Rahman	GPS Ajo Talash
356	503	Badshah Jehan	GPS Khatkay Maidan
357	504	Sami Ul Haq	GPS Kamar Tall
358	505	Subhan Ullah	GPS Markhanai Maidan
359	506	Shah Faisal	GPS Ouch No. 3
360	509	Amanullah Khan	GPS Darbar
361	510	Muhammad Sharif	GPS Galgut
362	512	Hamid Akber	GPS Tazagram
363	513	Noor Rahman	GPS Thrai No. 2
364	514	Muhammad Husain Khan	GPS Ghiligay
365	516	Lal Bahadur	GPS Banr Munda
366	517	Muhammad Qadar	GPS Shalfalam
367	518	Lal Uddin	GPS Islam Dherai
368	519	Sultan Muhammad	GPS Danwa
369	520	Shah Zamin	GPS Timergara
370	521	Mujib Ul Haq	GPS Sangar Malakand
371	522	Dilaram Khan	GPS Bandai Shah
372	526	Waris Khan	GPS Darmaal Payeen
373	528	Muhammad Arif	GPS Gulo Tangai
374	529	Wahid Jan	GPS Bota
375	531	Haji Muhammad	GMPS Salo Band
376	532	Said Kamil Jan	GPS Ali Sher
377	533	Muhammad Irshad	GPS Paloso Dag
378	534	Hidayat Ullah	GPS Kotki Qila
379	535	Ahmad Jan	GPS Kambal No. 1
380	536	Muhammad Ishaq	GPS Mangoo Toormang

INSTRUMENT

Attested

645	841	Gul Nawaz Khan	GPS Khall No.4
646	842	Habib Ur Rahaman	GPS Shaheed Abad
647	843	Fazal Wahid	GPS Luqman Banda No-2
648	844	Muhammad Rashid	GPS Toormang No.2
649	845	Syed Javed Shah	GPS Khall No.3
650	846	Aziz Ur Rahman	GPS Bandagai Maidan
651	848	Aain Ul Haq	GPS Shaban
652	849	Shah Alam Khan	GPS Rabat
653	851	Ihsan Ullah	GPS Safarni Malakand
654	852	Muhammad Azim	GPS Kandaro Shah Alam Baba
655	853	Muhammad Karim Khan	GPS Chalpat Bala
656	855	Muhammad Ibrahim	GPS Dhero Payeen

Terms and Conditions:-

1. They would be on probation for a period of one year extendable for another one year.
2. They will be governed by such rules and regulations as may be issued from time to time by the Govt.
3. Their services can be terminated at any time in case his/her performance is found unsatisfactory during probationary period. In case of misconduct, he/she shall be proceeded under the rules framed from time to time.
4. Charge report should be submitted to all concerned.
5. Their Inter-Sc-seniority on lower post will remain intact.
6. They will give an under taking to be recorded in their service book to the effect that if any over payment is made to him/her in light of this order will be recovered and if he/she is wrongly promoted he/she will be reversed.
7. Their further adjustment will be done in light of the guide lines issued vide Director of E&SE Khyber Pakhtunkhwa Peshawar Notification No. 2412-2542/ Promotion/ Estab: Dated, 21/01/2013.
8. No TA/DA is allowed for joining his/her duty.

347
 Muhammad Muttahir
 District Education Officer
 (M) District Dir Lower.

Endst: No. 2519-348?

Dated Timergara the 27/09/2013.

Copy forwarded for information and necessary action to the:-

1. District Account Officer District Dir Lower.
2. Sub Divisional Education Officers (M) Timergara & Samar Bagh.
3. PA to the Director E&SE Khyber Pakhtunkhwa, Peshawar.
4. Officials Concerned.
5. M/File.

District Education Officer
 (M) District Dir Lower.

Attested



OFFICE OF THE
DISTRICT EDUCATION OFFICER (M)

Tel:

0945-9250081

DISTRICT DIR LOWER.

0945-9250082

Office Order

Consequent upon the promotion of Senior Primary School Teacher (SPSTs) Male B-14 to Primary School Head Teacher B-15 on regular basis already issued Vide this office Order No. 2519-3478 Dated 27-02-2013 (effective from the date of issue). The following Male Primary School Head Teachers B-15 are here by adjusted/ Posted in the schools mentioned against their names w.e.f. 13-05-2013 after completion of the election process.

Slr	Name of Teacher(PSHTs)	BPS	Place of Posting	Posted/ Adjusted At	Remarks
1	WAFU JAN	15	GPS ASBARI	GPS ASBARI	ALREADY OCCUPIED
2	HAMID ASHARI	15	GPS TAJA GRAM	GPS AWAI SHAH	VICE NO. 913
3	MUHAMMAD NISAR	15	GPS CHIKO	GPS BAGHI NO 2 SHORSHING ADAN ZAI	AVP
4	ABDULLAH	15	GPS ASBARI	GPS BANDA SHAH ADANZAI	VICE NO. 914
5	FAZLULLAH	15	GMPS MARO BANDA	GPS BAMBOLAI (P) ADENZAI	VICE NO. 660
6	FAZAL MAULA	15	GSP BAMBOLAI BALA ASBARI	GPS BAMBOLAI BALA ASBARI	ALREADY OCCUPIED
7	AH U. HAQ	15	GPS SHABAN	GPS DERAN (ASBARI)	VICE NO. 661
8	AMIR ZAMAN	15	GPS SHAH ALAM BABA	GPS CHERAI KASHMIR NO. 1	AVP
9	MUHAMMAD PERVIZ	15	GPS OSARAI	GPS HAMZA BANDA	VICE NO. 662
10	HACHA ZADA	15	GPS KHAIR AHAD	GPS JALATAI	VICE NO. 663
11	NASIB KHAN	15	GPS PUKHTANO KADAGZAI	GPS JAWARD ADENZAI	VICE NO. 664
12	ABDUL HAMID	15	GPS KARANAI	GPS KARANAI	ALREADY OCCUPIED
13	KAFIQ UR RAHMAN	15	GPS OSARAI	GPS KASHMIR DEBRI NO. 2	VICE NO. 665
14	SHAH RAZA	15	GPS SEHSADA CHAKDARA	GPS KASKA ASBARI	VICE NO. 666
15	HAROOPI UR RASHID	15	GPS OSARAI	GPS KHAWAS	VICE NO. 667
16	WALI ULAH	15	GPS OSARAI	GPS KUMBAR ASBARI	VICE NO. 668
17	ROZI KHAN	15	GPS MATOOR	GPS MATOOR	ALREADY OCCUPIED
18	SHAH JE MUHAMMAD	15	GPS MATOOR	GPS NARAI MANZAI	VICE NO. 669
19	ABDUL HAKIM	15	GPS TAZAGRAM	GPS NAWAGAI	AVP
20	ZAMIR KHAN	15	GPS ASBARI	GPS QILA ASBARI	AVP
21	MUHAMMAD WARIS KHAN	15	GPS CHIKO	GPS RAGBANI ADENZAI	VICE NO. 670
22	ATTAILAH	15	GPS OSARAI	GPS SHARGAI INGRORABA	VICE NO. 671
23	JEHANGIR	15	GPS ISLAM ABAD KADAGZAI	GPS SHARAI SHAMTOORI	AVP

Intikhat Photo

Near No.

Rajiv

Phone No.

8000000000

Fax No. 021-94, Mob: 6.

Intikhat Photo

Near No.

Phone No.

Fax No. 021-94, Mob: 6.

Attested

126	MUHAMMAD HUSSAIN KHAN	15	GPS GHALAGAI	GPS GHALAGAI	ALREADY OCCUPIED
127	KHALID KHAN	15	GPS SEHSADDA	GPS SEHSADDA	ALREADY OCCUPIED
128	MUHAMMAD IDREES	15	GPS CHKDARA NO. 1	GPS RAMORA SERAI	VICE NO. 698
129	FAZAL SUKHAN	15	GPS SHARAH KOHAI	GPS SHARAH KOHAI	ALREADY OCCUPIED
130	SARDAR ALI	15	GPS ALI MASTI CHAKHARA	GPS ALI BANDA	VICE NO. 699
131	FAZAL WAHID	15	GPS DARANGAI	GPS BALODA	VICE NO. 700
132	SAYED HAKIM ULLAH	15	GPS KAMBAT NO. 1	GPS BERARI	VICE NO. 701
133	AURANG ZEB	15	GPS BADIWAN PAYLEN	GPS GANJLA MASKINI	AVP
134	WAHID JAN	15	GPS BOTA	GPS BOTA	ALREADY OCCUPIED
135	ABDUL WAHID	15	GPS KHIRAGAI	GPS DINJARAI	VICE NO. 702
136	KHURSHAD AHMAD	15	GPS DRANGAL	GPS DRANGAL	ALREADY OCCUPIED
137	ADSHAH RAHMAN	15	GPS GAWAR DESH	GPS GAWAR DESH	ALREADY OCCUPIED
138	ALI MUHAMMAD	15	GPS SOGYAR	GPS IJARA	VICE NO. 703
139	SHAH ZAMAN	15	GPS JAWZO	GPS JAWZO	ALREADY OCCUPIED
140	RAHIM SHAH	15	GPS KAHAMAT BALA	GPS NAVAI KALAI	VICE NO. 704
141	NOOR IJABBI KHAN	15	GPS KATAN PAYLEN	GPS KATAN PAYLEN	ALREADY OCCUPIED
142	SAID JAVED SHAH	15	GPS KHALL NO. 1	GPS ROKHINA SHAH	VICE NO. 706
143	SAID MUHAMMAD KHAN	15	GPS BAGH DUSHKHEIL NO. 2	GPS SHAHI	VICE NO. 707
144	FAZAL HASAN	15	GPS HASAN BANDA	GPS SHALKHOKASS	VICE NO. 708
145	MUHAMMAD PERVIZ	15	GPS SHAR BANI	GPS SHAR BANI	ALREADY OCCUPIED
146	IMADUDDIN	15	GPS BADIWAN NO. 2	GPS TIMTAI	VICE NO. 709
147	AZIZ ULLAH	15	GPS ZANGAIN KAMBAT	GPS ZANGAIN KAMBAT	ALREADY OCCUPIED
148	MUHAMMAD FAHIM	15	GPS BAGH DUSHKHEIL	GPS BAGH DUSHKHEIL NO. 1	ALREADY OCCUPIED
149	HASAN BASHAH	15	GPS BAGH DUSHKHEIL NO. 2	GPS BAGH DUSHKHEIL NO. 2	ALREADY OCCUPIED
150	ALI AKBAR	15	GPS BAKHAT BILANDA	GPS BAKHAT BILANDA	ALREADY OCCUPIED
151	AMIR NAWSAD	15	GPS SAR CHINARODNA	GPS SAR CHINARODNA	ALREADY OCCUPIED
152	MUHAMMAD ZAMAN	15	GPS BAKHAT BILANDA	GPS CHINARONA (D)	VICE NO. 710
153	BACHA ZADA	15	GPS TAWDA CHINA NO. 1	GPS GIDARO DUSHKHEIL	VICE NO. 711
154	FAQIR GUL	15	GPS GUL ANGAS	GPS GULANGAS	ALREADY OCCUPIED
155	ABDUR RAHMAN	15	GPS KATAN (HIALA)	GPS KATAN (HIALA)	ALREADY OCCUPIED
156	FAIZ TALAB KHAN	15	GPS KATTAN PAYLEN (D)	LARKANDAY BALO KHAN (MAIDAN)	AVP
157	MISHAF UR RAHMAN	15	GPS MANOGAI (D)	GPS MANOGAI (D)	ALREADY OCCUPIED
158	NAIK MUHAMMAD KHAN	15	GPS MANKAI DUSHKHEIL	GPS MANKAI DUSHKHEIL	ALREADY OCCUPIED
159	ABDUL BASHIR	15	GPS BAKHAT BILANDA	GPS MANZAI DUSHKHEIL	VICE NO. 713

Attested

904	ASLAM PERVIZ	12	GPS KAMAL KHAN	GPS SAFROONA	AVP
905	FAZAL WADOOD	14	GPS SIA	GPS BIRAND	
906	LUQMAN ALI	12	GPS KHAN PUR	GPS CHIKHO	VICE NO. 321
907	HAKIM KEJIAN	14	GPS CHARRAY	GPS CHIKHO	VICE NO. 324
908	MUHAMMAD AKBAR	12	GPS SHAWA NO.2 ADINZAI	GPS THIRAI BADWAN	VICE NO. 46
909	MUHAMMAD IQRAH	14	GPS SHILIZADI	GPS TIMER DHERAI	AVP
910	MUHAMMAD RIAZ	12	GPS BAMBOLAI (P) ADINZAI	GPS MIANO BANDA	VICE NO. 5
911	MCHIBOOB UR RAHMAN	12	GPS GANJLA MSAKINI	GPS SADBAR KALAY	AVP
912	FAZAL GHANI	12	GPS MARDAL	GPS SADBAR KALAY	AVP
913	RAFI ULLAH	12	GPS AWAI SHAH	GPS MINA BATAN NO. 2	AVP
914	ABDUL HAQ	12	GPS BANDA SHAH ADANZAI	GPS ASHANR	VICE NO. 3

Terms and Conditions:-

1. They would be on probation for a period of one year extendable for another one year.
2. They will be governed by such rules and regulations as may be issued from time to time by the Govt.
3. Their services can be terminated at any time, in case his performance is found unsatisfactory during probationary period. In case of misconduct, he shall be proceeded under the rules framed from time to time.
4. Charge report should be submitted to all concerned.
5. Their Inter-Se-seniority on lower post will remain intact.
6. They will give an under taking to be recorded in their service book to the effect that if any over payment is made to him/her in light of this order will be recovered and if he/she is wrongly promoted he/she will be reversed.
7. The teacher will perform their duties on the present station till the completion of election process i.e 11th May 2013.
8. No TADA is allowed for joining his/her duty.


Muhammad Muttahir
 District Education Officer
 (M) District Dir Lower.

Endst: No. 7991-95

Dated Timergara the 30/6/2013.

Copy forwarded for information and necessary action to the:-

1. District Account Officer District Dir Lower.
2. All the SDEOs Concerned.
3. PA to the Director E&SE Khyber Pakhtunkhwa, Peshawar.
4. Officials Concerned.
5. M/ file.


 District Education Officer
 (M) District Dir Lower.

دیر پاکی

Attested

دیر پاکی



**Directorate of Elementary and Secondary Education
 Khyber Pakhtunkhwa Peshawar**

PH No. 091-9201389, 9210938,
 9210437, 9210957, 9210468
 Fax 091-9210936 0800-33857
 No. 2412-354A / Promotion / Estab
 Dated Peshawar the 31/01/2013.

SD No (117)
 Ok
 2/2

To All the District Education Officers,
 (Male & Female), in Khyber Pakhtunkhwa.

Subject:- Guidelines for Posting of PST B-12 on Promotion to the post of Senior PST B-14 and PSHT B-15. OAI B-12 to B-15. CT B-15 to Senior CT B-16. AT B-15 to Senior AT B-16. TT-15 to Senior TTE-16. DM B-15 to Senior DM B-16 and PET B-15 to Senior PET B-16.

Memo: I am directed to refer to the subject noted above and to clarify that posts of PST B-12 /Senior PST B-14/PSHT B-15 may be rationalized and re-distributed among the Primary schools in the following manner and on Promotion of PST B-12 to the post of Senior PST B-14 and PSHT B-15, may be posted as under:-

Executive District Office
 No. 505
 19-2-13
 Peshawar

Up gradation of Posts in Primary Schools (Female) After Rationalization @ 1-40 ratio

S.No	School Code	Name of Primary School	Total Enrolment	Sanctioned Posts after Rationalization							
				SST B-16	CT B-15	PSHT B-15	SPST B-14	PST B-12	NQ	Callar	Chow
1	25288	GGPMS A (JICA)	208	1	2	0	2	3	1	1	1
2	25048	GGPMS B (JICA)	306	1	2	0	2	6	1	1	1
3	25143	GGPMS C	173	1	0	0	2	3	1	1	1
4	30056	GGPS D	110	0	0	1	0	1	0	0	1
5	25224	GGPS E	160	0	0	1	1	1	0	0	1
6	25244	GGPS F	160	0	0	1	1	2	0	0	1
7	25277	GGPS G	198	0	0	1	1	3	0	0	1
8	25221	GGPS H	240	0	0	1	2	3	0	0	1
9	32912	GGPS I	285	0	0	1	2	4	0	0	1
10	25097	GGPS J	320	0	0	1	2	5	0	0	1
11	25138	GGPS K	360	0	0	1	2	6	0	0	1
12	32606	GGPS L	400	0	0	1	3	6	0	0	1
13	25278	GGPS M	440	0	0	1	3	7	0	0	1
Total			3250	3	4	10	23	50	3	3	13

Att. of J
 H
 0
 Ac-IV

Up gradation of Posts in Primary Schools (Male) After Rationalization @ 1-40 ratio

S.No	School Code	Name of Primary School	Total Enrolment	Sanctioned Posts after Rationalization			
				PSHT B-15	SPST B-14	PST B-12	Chow
1	30056	GPS A	110	1	0	1	1
2	25224	GPS B	160	1	1	1	1
3	25244	GPS C	160	1	1	2	1
4	25277	GPS D	198	1	1	3	1

Attested

(12)

17

5	25221	GPS E	240				
6	32912	GPS F	285	1	2	3	1
7	25097	GPS G	320	1	2	4	1
8	25138	GPS H	360	1	2	5	1
9	32606	GPS I	400	1	2	6	1
10	25278	GPS J	440	1	3	6	1
Total			2563	10	17	38	10

Note:-

1. Each Primary School (except JICA & Community Model School where SST post is sanctioned) will have one post of PSHT B-15.
2. There will be no post of PSHT B-15 & SPST B-14 in MPS.
3. No of posts of PSHT B-15, SPST B-14 & PST B-12 will not exceed the already communicated sanctioned posts.

Posting on Promotion

4. On Promotion of PST B-12 to the post of Senior PST B-14 and PSHT B-15, may be posted in the same UCs Subject to the provisions of sanctioned post;
5. Senior most PSHT B-15, SPST B-14 & PST B-12 (According to the Seniority list) may be retained in the school of their present posting and junior most may be transferred to other schools.
6. In their promotion order it should be mentioned that their Inter-se-Seniority on lower post will remain intact.
7. If anyone forego promotion, Entry to this effect may be made if his/hier Service book.
8. Minimum qualifications for the above posts have already been prescribed in the Service Rules notified vide Government of Khyber Pakhtunkhwa Elementary and Secondary Education Department Notification No. SO (PE) 4-5/SSRC/Meeting/2012/Teaching Cadre Dated the November 13, 2012.

I am further directed to further clarify that:

1. On promotion Qari B-12 to the post of Senior Qari B-15, CT B-15 to Senior CT B-16, AT B-15 to Senior AT B-16, TT-15 to Senior TT B-16, DM B-15 to Senior DM B-16 and PET B-15 to Senior PET B-16, will be posted in High and Higher Secondary Schools
2. 1/3 Qari B-12 posts will be upgraded to Senior Qari B-15, CT B-15 to Senior CT B-16, AT B-15 to Senior AT B-16, TT-15 to Senior TT B-16, DM B-15 to Senior DM B-16 and PET B-15 to Senior PET B-16 in , High and Higher Secondary Schools only in Elementary and Secondary Education Department at District Level.
3. No post of CT B-15, PET B-15, AT B-15, DM B-15, TT-15, will be upgraded to B-16 in Middle Schools.
4. Senior most Senior CT B-16, Senior AT B-16, Senior DM B-16, Senior PET B-16, Senior TT B-16. (According to the Seniority list) may be retained in the schools of their present posting and junior most may be transferred to other schools.
- 5.

[Signature]
Dy: Director (Estab)
Elementary and Secondary Education
Khyber Pakhtunkhwa Peshawar.

Endst: No. / File No. 1/A-88/KC/S.list: Dated Peshawar the 18/01/2013.

- Copy forwarded for information and necessary action to the:-
1. PS to the Secretary to Govt: Khyber Pakhtunkhwa E&SE Department.
 2. PA to the Director E&SE Khyber Pakhtunkhwa, Peshawar.
 3. M/File

[Signature]
Dy: Director (Estab)
Elementary and Secondary Education
Khyber Pakhtunkhwa Peshawar

[Handwritten marks and signatures]

خدمت ضابطہ سربراہ حکومت پنجاب اور قلم کارانہ ضابطہ سربراہ وزارت داخلہ

850

18-5-013

دہلی ضابطہ سربراہ قلم کارانہ ضابطہ سربراہ وزارت داخلہ
7991-95

مسائل صاحبان قلم کارانہ ضابطہ سربراہ وزارت داخلہ

ضابطہ عالی

1 یہ ضابطہ عالی کو قلم کارانہ ضابطہ سربراہ قلم کارانہ ضابطہ سربراہ وزارت داخلہ

2 یہ ضابطہ عالی کو قلم کارانہ ضابطہ سربراہ قلم کارانہ ضابطہ سربراہ وزارت داخلہ

3 یہ ضابطہ عالی کو قلم کارانہ ضابطہ سربراہ قلم کارانہ ضابطہ سربراہ وزارت داخلہ

4 یہ ضابطہ عالی کو قلم کارانہ ضابطہ سربراہ قلم کارانہ ضابطہ سربراہ وزارت داخلہ

5 یہ ضابطہ عالی کو قلم کارانہ ضابطہ سربراہ قلم کارانہ ضابطہ سربراہ وزارت داخلہ

6 یہ ضابطہ عالی کو قلم کارانہ ضابطہ سربراہ قلم کارانہ ضابطہ سربراہ وزارت داخلہ

7 یہ ضابطہ عالی کو قلم کارانہ ضابطہ سربراہ قلم کارانہ ضابطہ سربراہ وزارت داخلہ

8 یہ ضابطہ عالی کو قلم کارانہ ضابطہ سربراہ قلم کارانہ ضابطہ سربراہ وزارت داخلہ

9 یہ ضابطہ عالی کو قلم کارانہ ضابطہ سربراہ قلم کارانہ ضابطہ سربراہ وزارت داخلہ

10 یہ ضابطہ عالی کو قلم کارانہ ضابطہ سربراہ قلم کارانہ ضابطہ سربراہ وزارت داخلہ

11 یہ ضابطہ عالی کو قلم کارانہ ضابطہ سربراہ قلم کارانہ ضابطہ سربراہ وزارت داخلہ

12 یہ ضابطہ عالی کو قلم کارانہ ضابطہ سربراہ قلم کارانہ ضابطہ سربراہ وزارت داخلہ

13 یہ ضابطہ عالی کو قلم کارانہ ضابطہ سربراہ قلم کارانہ ضابطہ سربراہ وزارت داخلہ

14 یہ ضابطہ عالی کو قلم کارانہ ضابطہ سربراہ قلم کارانہ ضابطہ سربراہ وزارت داخلہ

15 یہ ضابطہ عالی کو قلم کارانہ ضابطہ سربراہ قلم کارانہ ضابطہ سربراہ وزارت داخلہ

16 یہ ضابطہ عالی کو قلم کارانہ ضابطہ سربراہ قلم کارانہ ضابطہ سربراہ وزارت داخلہ

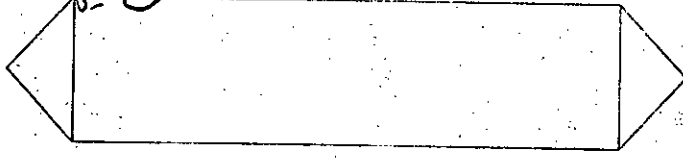
17 یہ ضابطہ عالی کو قلم کارانہ ضابطہ سربراہ قلم کارانہ ضابطہ سربراہ وزارت داخلہ

18 یہ ضابطہ عالی کو قلم کارانہ ضابطہ سربراہ قلم کارانہ ضابطہ سربراہ وزارت داخلہ

Attest

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بعد الت سروس نر سونل لن در



2013 منجانب اسلام آباد
مستحق لمستحق بنام قلم تیلی

مورخہ
مقدمہ سروس
دعویٰ اصل

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کارروائی متعلقہ
آں مقام کے لئے سود انوفض در دراز با سبب سوال / من سوسن نازکو

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز
وکیل صاحب کو رضی نامہ کرنے و تفریق ثالثہ فیصلہ پر حلف دینے جواب دہی اور اقبال دعویٰ اور
بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ اسرضش دعویٰ اور درخواست ہر قسم کی تصدیق
زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برابری
اور منسوخی نیز دائر کرنے اپیل نگرانی و نظرتانی و پیروی کرنے کا مختار ہوگا۔ از بصورت ضرورت
مقدمہ مذکور کے کل یا جزوی کارروائی 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 پرداخت منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے
سبب سے وہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا عد سے باہر ہو تو وکیل صاحب پابند ہوں
گے۔ کہ پیروی اندک اور کریں۔ لہذا وکالت نامہ لکھد یا کہ سندر ہے۔

2013

سبر

ماہ

16

المرقوم

العبد العبد العبد

کے لئے منظور ہے

مقام

20193
Adv. 0345
Pabna
Advocati

Advocati

11 mi

BEFORE THE KPK, SERVICE TRIBUNAL, PESHAWAR

Faiz Talab

Versus

DEO & others

833
24/10/13

⇔⇔⇔⇔⇔⇔⇔⇔⇔⇔

**APPLICATION FOR SUSPENSION OF THE OPERATION OF THE
IMPUGN ORDER TILL FINAL DISPOSAL OF MAIN APPEAL.**

⇔⇔⇔⇔⇔⇔⇔⇔⇔⇔

Respectfully Sheweth:

1. That the petitioner has filed appeal in this Hon'able Tribunal in which no date of hearing has been fixed.
2. That the petitioner has a prima facie case and is hopeful about his success.
3. That the petitioner is senior to the private respondent but surprisingly the respondent is adjusted instead of petitioner in the union council.
4. That due to the illegal order of respondents, the petitioner is suffering a lot.
5. That the fact and grounds of main appeal may kindly be considered part and parcel of this application.

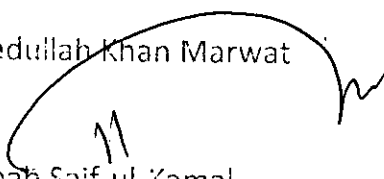
It is, therefore, prayed that on the acceptance of this application the operation of the impugn order be suspended till the final disposal of the main appeal.


Petitioner

Through

Saadullah Khan Marwat

&


Arbab Saif-ul-Kamal

Advocates,

Dated: .10.2013

BEFORE THE KPK, SERVICE TRIBUNAL, PESHAWAR

Faiz Talab

Versus

DEO & others

↔<=>↔<=>↔<=>↔<=>↔

APPLICATION FOR SUSPENSION OF THE OPERATION OF THE
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Petitioner

Through

Saadullah Khan Marwat

&

Arbab Saif-ul-Kamal

Advocates,

Dated: .10.2013

BEFORE THE KPK, SERVICE TRIBUNAL, PESHAWAR

Faiz Talab

Versus

DEO & others

⇔⇔⇔⇔⇔⇔⇔⇔⇔⇔

**APPLICATION FOR SUSPENSION OF THE OPERATION OF THE
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&

Arbab Saif-ul-Kamal

Advocates,

Dated: .10.2013

BEFORE THE KPK, SERVICE TRIBUNAL, PESHAWAR

Faiz Talab

Versus

DEO & others

↔<=>↔<=>↔<=>↔<=>↔

**APPLICATION FOR SUSPENSION OF THE OPERATION OF THE
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Petitioner

Through

Saadullah Khan Marwat

&

Arbab Saif-ul-Kamal

Advocates,

Dated: .10.2013

BEFORE THE KPK, SERVICE TRIBUNAL, PESHAWAR

Faiz Talab

Versus

DEO & others

↔<=>↔<=>↔<=>↔<=>↔

**APPLICATION FOR SUSPENSION OF THE OPERATION OF THE
IMPUGN ORDER TILL FINAL DISPOSAL OF MAIN APPEAL.**

↔<=>↔<=>↔<=>↔<=>↔

Respectfully Sheweth:

1. That the petitioner has filed appeal in this Hon'able Tribunal in which no date of hearing has been fixed.
2. That the petitioner has a prima facie case and is hopeful about his success.
3. That the petitioner is senior to the private respondent but surprisingly the respondent is adjusted instead of petitioner in the union council.
4. That due to the illegal order of respondents, the petitioner is suffering a lot.
5. That the fact and grounds of main appeal may kindly be considered part and parcel of this application.

It is, therefore, prayed that on the acceptance of this application the operation of the impugn order be suspended till the final disposal of the main appeal.

Petitioner

Through

Saadullah Khan Marwat

&

Arbab Saif-ul-Kamal

Advocates,

Dated: .10.2013

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA AT PESHAWAR.

SERVICE APPEAL NO.1382/2013

Faiz Talab PST Dir Lower

..... Appellant

VERSUS

The Secretary Elementary & Secondary Education Department Khyber
Pakhtunkhwa, Peshawar & Others Respondents

PARA WISE COMMENTS / REPLY FOR AND ON BEHALF OF THE RESPONDENTS No:
1, 2, 3 & 4.

Respectfully Sheweth:-

Preliminary objections

- 1 The appellant has no cause of action/locus standi.
- 2 The instant appeal is badly time barred.
- 3 The appellant has concealed the material fact from this Hon! Able Tribunal hence liable to be dismissed.
- 4 The appellant has not come to Honorable Tribunal with clean hands.
- 5 The present appeal is liable to be dismissed for non-joinder/mis-joinder for parties.
- 6 The appellant has filed the instant appeal on malafide motives.
- 7 The instant appeal is against the prevailing laws & rules.
- 8 The appellant is estopped by his own conduct to file in present appeals.
- 9 Honorable Tribunal has no jurisdiction to adjudicate the present appeal.

ON FACTS

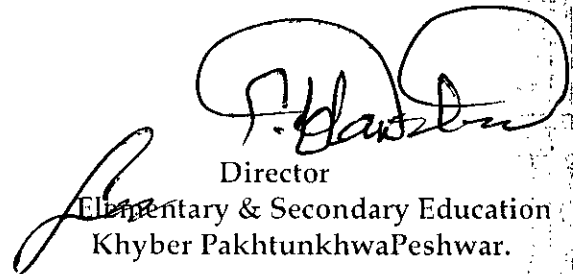
- 1 Pertains to record.
- 2 The appellant was senior promoted and transferred to Narkanday Balo Khan because he severely punished a student. The news was circulated in the Newspapers like Daily Mashriq and the Daily Dawn which are annexed as A & B. To give him the minimum punishment to mend his way, he was transferred and posted at the mentioned school during placement of the up graded teachers.
- 3 Incorrect. The Government policy was followed in letter and spirit but the posting of the appellant was made on administrative grounds due to his heinous crime of punishing an innocent child.
- 4 Respondent No. 1 was posted due to his own behavior and on the recommendations of the inquiry, conducted against him by DEO (F) Dir Upper which is annexed as from 01 to 14. Respondent No. 4 is Junior to him but after the transfer of the appellant he was the most senior and eligible to be posted at his home station. (Annex: "C")
- 5 Incorrect and denied.

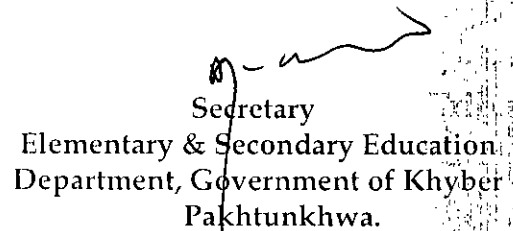
ON GROUNDS.

- A. Is true the appellant is senior but the transfer was made on administrative grounds.
- B. After the transfer of the appellant respondent No. 4 was the most senior teacher in the school hence adjusted in the same school.
- C. Incorrect. The Department has followed the policy in its true spirit. The posting of the appellant is just and according to law.
- D. Incorrect, if the appellant has serious problem at his back bone then how he punished a kid so severely which became a stigma for the Education Department of the District.

Cutting of the News Papers, Detailed inquiry Report have attached so it is requested to set aside the appeal.

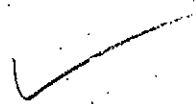
In view of the above submission, it is requested that his Hon' able Tribunal may very graciously be pleased to dismiss the appeal with cost in favour of the respondent Department.


Director
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshwar.


Secretary
Elementary & Secondary Education
Department, Government of Khyber
Pakhtunkhwa.


District Education Officer (M)
E & SE District Dir (Lower)

جمعہ، 19 اگست، 2013



The Abuse of Authority by School Teacher

دریافت میں پھرنے
 بچے کو جستانہ تشدد کا نشانہ بناوا
 برصغیر (معاذ شوق) جسکی اداروں میں حکومت
 کی طرف سے جستانہ ہزار ہائیڈری کے واقعہ احکامات
 کے وجود کو مسترد کر کے سکول کاٹن پائین ڈریگن
 کے بچے نے دو ہزاروں بچوں کو تشدد کا نشانہ
 بنایا جس میں نوسال کا مران اللہ کے جسم پر تشدد کے
 (بقیہ 39 صفحہ 10)

بقیہ نمبر 39
 واقعہ تشدد
 واقعہ تشدد پائین ڈریگن کے بچے نے اپنے والد ہوشیار مان اور بچے
 سید مان نے تیار کر دیے گاں ٹیو کے ساتھ معمولی
 شراکت کے نتیجے میں پھر پیش طلب ہے ان کے دو کس
 بچے کا مران اللہ اور یحسان اللہ عمارت ہزار کو تشدد کا نشانہ بناوا
 تشدد کا نشانہ بنایا اور ان یحسان اللہ نے ہمارے کئی بچوں کو
 تشدد کا نشانہ بناوا اور ان کے جسم پر تشدد کے واقعہ
 تشدد کا نشانہ بنایا۔

4th grader faints after torture by teacher

9250050

By Haleem Asad

TIMERGARA, April 16. A student of 4th grade lost consciousness after a teacher subjected him to severe corporal punishment here on Tuesday.

Badshah Khan, father of Kamranullah, 9 told reporters at the Timergara Press Club here that his son was brutally beaten up by his teacher Faz Talab.

Showing marks of violence on the child's back, he said Kamranullah fell unconscious after severe corporal punishment.

He demanded inquiry against the teacher over violation of ban on corporal punishment in educational institutions.

District coordinator of Child Rights Committee, Makhdoom, who was also present on the occasion, expressed concern about the incident.

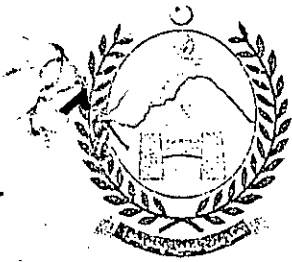
He said despite ban on corporal punishment, it was rampant in government schools.

Meanwhile the Malakand Chamber of Merchant Association (MMA) Ghakdara on Tuesday demanded restoration of the previous procedure of timber auction and warned that if that didn't happen, its members would boycott timber auction in future.

MMA president Mohammad Yaq Khan and general secretary Mohammad Naeem Rughani told a news conference here that the Forest Development Corporation had changed the procedure of timber auction causing unrest among timber merchants.

They said timber was being classified and no one was ready to purchase low quality of timber.

They said the old auction procedure should be restored otherwise the association would boycott the April 23 timber auction.



Registered

1117
24/6/013

(24)

Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.

No. 164 / F.No 13/Corporal punishment

Dated Peshawar the 27/6/2013

To

The District Education Officer
(Male) Dir Lower

Subject:-
Memo;

INQUIRY REPORT AGAINST FAIZ TALAB.

Newsstand

Amay
27/6/13

I am directed to enclose herewith a copy of the inquiry report against the teacher concerned and to ask you to suspend the teacher concerned and he may also be transferred to other school.

I am further directed to ask you to issue charge sheet and impose penalty against the teacher concerned under intimation to this office as soon as possible.

Deputy Director (Establishment)
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

27/6/2013
4/6/13



Registered

1117
24/6/13 (24)

Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
Dated Peshawar the 24/6/2013

No. 164 / F.No 13/Corporal punishment

To The District Education Officer
(Male) Dir Lower

Nawshad

Amir

27/6/13

Subject:-
Memo;

INQUIRY REPORT AGAINST FAIZ TALAB.

I am directed to enclose herewith a copy of the inquiry report against the
and to ask you to suspend the teacher concerned and he may also

Charge sheet and impose penalty
Deputy Director as possible.
Elementary & Secondary
Khyber Pakhtunkhwa Peshawar

4/6/13

(C) 3 14

29/

Inquiry: against Faiz Talab PST teacher District Dir lower

Inquiry officer: Nadeemana Sardar DEO (F) Dir Upper

Date: May 7, 2013

Procedure:

DEO (M) Lower Dir was requested a week ago to make arrangement for the inquiry officer on the mentioned date so that the inquiry could be carried out smoothly and in time. He has been cooperative enough to make the required arrangements.

Inquiry participants: the inquiry participants were

- The victim (student)
- Teacher (abuser)
- Students of class four (class fellows)
- ADO concerned
- DEO concerned
- Head master
- Parents of victim
- School teachers (other than abuser)
- Doctor

Documents: Attendance register of the teacher and the doctor prescription

Venue: GPS cotton paeen dir lower

On may 7, the undersigned along with the DEO male and the ADO concerned proceeded towards the venue. All the inquiry participants were present at the aforementioned venue. The inquiry procedure included interviews from all the members one by one and for that a separate questionnaire was developed for all the inquiry participants (copy attached as annexure 1). All the participants were asked questions and their statements were recorded question after question (attached as annexure 2).

After listening to all the participants it appeared that the incident took place when a quarrel started between the victim Kamranullah and his class fellow Nadeem and kamranullah caught nadeem by collar. Nadeem started crying and went to the teacher who was in another class. The teacher initially did not respond to nadeem and he went again to the teacher. The teacher, who himself is headmaster and has recently been promoted to BPS: 15, habitually beats up students came up with a stick in his hand called the student in verandah and started beating kamranullah. He hit him on the back and later 7(seven) dark marks were seen by the students as well as by the parent on the left scapula of the victim. The student came back to the class crying and after an hour went home after pack up time. It was quite disappointing that the teacher after beating the minor student brutally did not bother to see how he was doing in the class. Kamanullah after reaching home told his mother who informed the father and the father initially went to the local DEO office and having not been listened to went to media and then

without punishment. Tracing about human rights will help teachers to change their mind.

- Father Badshah Khan(Ranger emploce at Karachi on a days on leave).
- 1) Yes.
 - 2) Never before this incident as he has been in Maktab and recently shifted to this school.
 - 3) No.

to the police station. The victim was later taken to shamshi khan where a doctor Khaista rehman took care of him. He prescribed a few medicines and since the victim was not bleeding so he was sent home.

Despite efforts, the inquiry officer could not meet with the required doctor, nor could the parents produce the prescriptions as they had handed it at the police station. Back at home the concerned ADO made reconciliation between the abuser (teacher) and the parents of the victim through Jirga. The EDO concerned was informed about the incident on the second day as he was in a meeting in peshawar, and he immediately suspended the teacher and initiated an inquiry and the inquiry officer proposed the transfer of the teacher to a far flung area

Conclusion

After having a discussion with the teacher (Faiz Talib) it appeared that he was having a degree of MA B.ED privately while his only regular education was till matriculation. The issue here is that how can a matriculate teacher understand the self esteem of a student while beating him in virandah in front of all the school students and how can he understand the impacts of such like punishment on holistic development of a student.

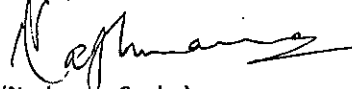
He appeared to be a traditional teacher who believes that punishment is the only way of bringing an improvement in students and therefore, he habitually beats the students for this purpose

The aforementioned conclusion is a thought for the policy makers in future especially for the primary education

Recommendations

Based on all the discussions the undersigned came up with the following recommendations;

1. Faiz Talib should be kept posted in that far flung school and tenure policy should strictly be implemented in his case and a strict check should be kept on him regularly.
2. His suspension and the reason of transfer should be mentioned in his service book with the signature of the EDO concerned.
3. He should be served with a warning that in case he repeats this practice in future strict disciplinary action would be started against him under KP child protection and welfare act 2010.



(Naghmana Sardar),
Chairman/District Education Officer
(Female) District Dir Upper.

without punishment. Teaching about human rights will help teachers to change their mind.

Father Badshah Khan(Ranger emploce at Karachi on a days on leave).
1) Yes.
2) Never before this incident as he has been in Maktab and recently shifted to this school.
3) No

(C) 12 21

STATEMENTS OF STUDENTS/TEACHER AND OTHERS.

Student: Kamranullah

- 1)- Teacher does not teaches them
- 2)- Teacher is ok.
- 3)- Never punished.
- 4)- Stick was used and it was thick.
- 5)- Student was beaten in verandah and no one stopped the teacher as there was no other teachers in school.(two teachers are posted).
- 6)- He came weeping into class and went to school after one hour after school pick up. He informed his mother about the incident and she called his father, who took him in the nearby Doctor.

Reason 7)- Two student were quarrelling and kamran caught Nadeem by collar.

Student 1) Asad Ahmad/Hussain Ali/Shahzeb.

- 2) The teacher beats habitually.
- 3) Yes.
- 4) Two students, started quarrelling and Nadeem complaint first time, and after no response repeated complaint. Then Kamran was called by teacher.
- 5) Teacher was holding stick in his hand and started beating.
- 6) Stick.
- 7) He came back to his class while weeping. On checking * four or five dark marks were inprinted on left scapula.
- 8) Nothing
- 9) He himself is Head Master.

Teacher(i) Falz Talab Khan, Head Teacher promoted to BPS:15(02-13)(MA.Bed).

- 1) Student came from nearby Maktab recently i.e, 08-04-2013
- 2) New to teacher, does not know.
- 3) I responded due to complaint.
- 4) As Kamran beat Nadeem so, I beat Kamran.
- 5) No
- 6) He thinks punishment, brings improvement. He expressed his views that he punished children at home as this is the only was.
- 7) Student remained in school till pick up time and he did not know about Kamran till next day.
- 8) After this incident and issues he felt that there should be no punishment as one has to be accountable for that.

Teacher Noor Habib

- 1) Since childhood.
- 2) No
- 3) Once in a while.
- 4) I was absent
- 5) Timergara
- 6) ---
- 7) ---

Abdul Muneem was absent.

Zaheerud Deen ADO

Teachers habitually punish students and sometimes they beat. This is because they are traditional teachers and tracing do not have any impact. Teacher's thick learning is not possible without punishment. Tracing about human rights will help teachers to change their mind.

Father Badshah Khan(Ranger emploce at Karachi on a days on leave).

- 1) Yes.
- 2) Never before this incident as he has been in Maktab and recently shifted to this school.
- 3) No

- ②
11 20/
- 4) Does not teach.
 - 5) Position holder in previous school.
 - 6) The step mother told father about the incident. Female from neighbor hood were crying, looking students back. He wrote an application against teacher at office, then went to press club and informed media, Then took Kamran to Shamshi Khan village at a clinic of Mr, Khaista Rahman. (7) marks were there.
 - 7) Next day through ADO reconciliation between father & teacher was done.

DEO(Sb) The DEO(Male) stated that he was engaged in Departmental training at PITE Peshawar during the incident, when he informed about the incident, He directed that the teacher may be suspended and detailed inquiry may be conducted in this regard. In later on the teacher was transferred to far flung area.

(C)

10/19

CORPORAL PUNISHMENT

Name of teacher:- Faiz Talab.

School:- GPS Cotton Payeen

QUESTIONNAIRE

- 1- How long do you know this student?
- 2- How is his academic position in class?(which subject do you teach?).
- 3- What happened to you on that particular day(at family).
- 4- What particular did student do on that day that made you to beat/punish him.
- 5- Did you ever beat/punish him before?
- 6- What do you think that punishment might help that student in changing him in the way you wanted him to be ?
- 7- What happened to the student after that punishment?
- 8- Did you feel any thing after words?

Student:

- 1- Which subject does this teacher teach you?
- 2- What is your opinion about this teacher?(His teaching /attitude).
- 3- Did he ever beat you in past.
- 4- How did he beat you.
- 5- Where did he beat you.
- 6- Did any one stop him from beating you?
- 7- What happened to you after words?

Head Master

- 1- How long does this teacher teach in this school.
- 2- How long are you are familiar him with.
- 3- What is your opinion about this teacher?(teaching/attitude).

4/28 9/18

4- What is your opinion about corporal punishment?

Does corporal punishment exist in your school.

6- What do you think of this particular incident?(its causes).

7- Where were you when you take after words.

Students of class IV

1- Name

2- What is your opinion about the teacher(Teaching/attitude).

3- Does he beat/punish?

4- What happened on that day?

5- Did the teacher beat?

6- How did he beat?

7- What happened to student?

8- What did the teacher do after that?

9- What did other people (students, teachers, Head master)do after words?

Parents of victim

1- Do you know the teacher?

2- Did your child ever complaint about corporal punishment in the class?

3- Did your child ever complaint of any teacher?

4- Which subject does this teacher teach your child?

5- What do you know about his (child)academic position overall and particularly in subject that this teacher teaches him?

6- When and how were you informed about the incident?

7- What did you notice?

8- What did you know?

Teachers of school.

- 1- How long do you know this teacher?
- 2- What do you know about his teaching.
- 3- Does he usually beat?
- 4- What do you think happened to the teacher that made him beat?
- 5- Where were you when this happened?
- 6- What did you do after words? *words*
- 7- What was students condition after words?

DOCTOR

- 1- How was the student doing when you saw him after punishment?
- 2- What did you notice?
- 3- How did he was brought to you?
- 4- What did you prescribe?

PARTICIPANTS

- 1- Student (victim)
- 2- Teacher (Abuser).
- 3- Class fellows (Class IV).
- 4- Head Master.
- 5- Parents (Victim).
- 6- Teacher (School).
- 7- Doctor
- 8- PTC (School).

Documents

Hospital record.



OFFICE OF THE
DISTRICT EDUCATION OFFICER
(MALE) DISTRICT DIR LOWER

Tel: 0945-9250081
9250082

E. Mail: edosdir@yahoo.com

No. 9554 / Dated Timergara the 6/6/2013

To, The Director (E&SE)
Khyber Pakhtunkhwa Peshawar.

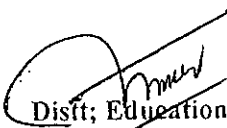
Subject:- CORPORAL PUNISHMENT CASE IN GOVT; PRIMARY
SCHOOL KATAN(P) DIR LOWER

Memo:-

Kindly refer to your letter No,1008 dated 9/5/2013, along with its enclosure, on the subject noted above.

It is stated for your kind information that the teacher named Faiz Talab PSI GPS Katan Payeen, has already been suspended from service vide this office No,7193-95 dated 17/4/2013, and transferred from the school to a far flung area i.e GPS Larkanday Balo Khan dated 30/4/2013.

Moreover your goodself has also conducted an inquiry in the matter through Distt; Education Officer (F) Dir upper, but result/decision of the said inquiry is awaited. As and when decision in the said case is received from the high ups, will be implemented in letter and spirit.


Distt; Education Officer
(Male) Dir Lower

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Directorate of Elementary & Secondary Education,
Khyber Pakhtunkhwa, Peshawar.
No. 1008 /PA/MOE.
Dated Peshawar the 9/5 /2013.

To

The District Education Officer
(Male) Dir Lower.

Subject:

CORPORAL PUNISHMENT CASE IN GOVT PRIMARY SCHOOL COTTON
PAYEEN DIR LOWER.

Memo:

I am directed to enclose herewith a copy of complaint lodged by the Child
Right Committee District Dir Lower which is self explanatory on the subject noted above
received through Minister for Education Khyber Pakhtunkhwa for further necessary action
please.

[Signature]
9/5/2013

Deputy Director, (Estt)
Directorate of E& Secy Education
Khyber Pakhtunkhwa, Peshawar.

ADD (Estt)
Necessary action has already
against the teacher has already
been taken. However the
C.R.C coordinator is a teacher
(reported by) if a serious
teacher is working for other organizations
proven the case against him as
per the rules/policy.

U. S. W. S.
Issue show cause to
the teacher.

[Signature]
28/5/13



OFFICE OF THE
DISTRICT EDUCATION OFFICER
(M/LE) DISTRICT DIR LOWER

Tel: 0945-9250081
9250082

E. Mail: edosdir@yahoo.com

No. 9553
To,

/Dated Timergara the 01/06/2013

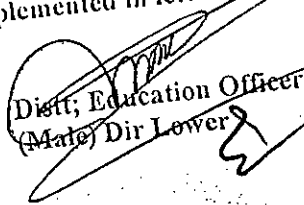
Khaola Batool,
Government of Pakistan
Ministry of Human Rights Islam Abad.

Subject;- I) THE ABUSE OF AUTHORITY BY SCHOOL TEACHER
II) 4TH GRADER FAINTS AFTER TORTURE BY TEACHER

Memo;- Kindly refer to your letters No.F.No,2(3)2012-AD(HR-II) dated 18/4/2013, and dated 23/4/2013, on the subject noted above.

It is stated for your kind information that the teacher named Faiz Talab PST GPS Katan Paycen, has already been suspended from service vide this office No,7193-95 dated 17/4/2013, and transferred from the school to a far flung area i.e GPS Larkanday Balo Khan datd 30/4/2013.

Moreover the Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar also conducted an inquiry in the matter through Distt; Education Officer(F) Dir upper, but result/decision of the said inquiry is awaited. As and when decision in the said case is received from the high ups, will be implemented in letter and spirit.


Distt; Education Officer
(Male) Dir Lower

Government of Pakistan
MINISTRY OF HUMAN RIGHTS

State Life Building No. 5,
China Chowk, Blue Area

Islamabad, the 23rd April, 2013

F.No.2(3)/2012-AD(HR-II)

From : Khaola Batool,
Assistant Director (HR-II).

To : The District Education Officer,
Government of Khyber Pakhtunkhwa,
Dir Lower.

Subject: - THE ABUSE OF AUTHORITY BY SCHOOL TEACHER.

Dear Sir,

I am directed to forward a copy of pressing clipping on the above subject, obtained from the daily newspaper Mashriq dated 19th April, 2013.

2. It is requested to kindly look into the matter and take necessary action on the issue under reference as per law. It is also requested to provide a comprehensive report on the subject matter to this Ministry.

Enclosed: As above.

Yours faithfully,

K. Batool

(KHAOLA BATOOL)

Suppl DA
m. a. k.
18/5/13

Government of Pakistan
MINISTRY OF HUMAN RIGHTS

State Life Building No. 5,
China Chowk, Blue Area
Islamabad, the 18th April, 2013

F.No.2(3)/2012-AD(HR-II)

From : Khaola Batool,
Assistant Director (HR-II).

To : The District Education Officer,
Dir Lower.

Subject: - 4TH GRADER FAINTS AFTER TORTURE BY TEACHER.

Dear Sir,

I am directed to forward a copy of pressing clipping on the above subject, obtained from the daily newspaper Dawn dated 17th April, 2013.

2. It is requested to kindly look into the matter and take necessary action on the issue under reference as per law. It is also requested to provide a comprehensive report on the subject matter to this Ministry at the earliest.

Enclosed: As above.

Yours faithfully,

K. Batool
(KHAIOLA BATOOL)

Smpat/Nostrad
on m/a
J
07/13

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No. 5215 /dated Timergara the: 20/4/2013.

From:- The Sub Divisional Edu: officer(M)
Timergara.

To: The District Edu: Officer(M)
Bir Lower at Timergara.

Subject:- TRANSFER PROPOSAL OF MR. FAIZ TALAB PST,
GPS. KATTAN PAYEEN TO GPS. LARKANDAY BALQ KHAN(M)

Re:- Reference your letter No. 7193-95, dated 17-4-2013
and as per proposal of the Asstt: Sub Divl: Edu: Officer(M) concern
circle, Mr. Faiz Talab PST GPS. Kattan Payeen is hereby proposed to
GPS. Larkanday Balq Khan (Maidan) on vacant post of PST.

Encl: (original copy of Transfer Proposal)

Sub Divl: Edu: Officer(M)
Timergara.

(C) 2/

OFFICE OF THE DISTT EDUCATION OFFICER(M) DISTRICT DIR LOWER.
OFFICE ORDER.

Consequent upon the Inquiry report, and on going through its recommendation of the inquiry officer, Mr, Faiz Talab PST GPS Katan Payeen who beat the school student harshly, is hereby suspended from service till further order, as the Govt; has strictly banned the corporal punishment.

Note; - Necessary entry to this effect should be made in his service Book accordingly.

(Muhammad Muttahir)
DISTT: EDUCATION OFFICER
(MALE) DIR LOWER

Endst; No, 7193-95 / Dated Timergara the 17 / 4 / 2013

- Copy of the above is forwarded to; -
1. The Director (E&SE) Khyber Pakhtun Khwa Peshawar.
 2. The P/S to Secretary Elementary & Secy; Edu; Deptt; Khyber Pakhtunkhwa.
 3. The Deputy Commissioner Dir Lower.
 4. The Sub-Divisional Education Officer (M) Timergara. He is further directed to submit transfer proposal of the teacher to a for plunge area school within two days.
 5. The Teacher concerned.

*Received
C. H.*

Re: 7193-95
DISTT: EDUCATION OFFICER
(MALE) DIR LOWER

Puc No, 17-24

(C)
12

Referring inquiry report conducted against Mr. Faiz Talab M.T. SPS (D) Head Town Directorate of E & SE U.P.K. Patna. The report is self explanatory & part of the present case of the under M.

Suppl

2

A 07/07/000

The punishment recommended by the Inquiry Officer have already been given by this office. For this more charge sheet may also be issued to the teacher & copies thereof may be submitted to the Director B.S.S.B. as directed
M. Talab
3/9/77

O.E.O - Suspension from service and the reason of transfer may be mentioned in the service book of the concerned P.S.T, please
M. Talab

Puc —

Reply to the Govt. Commission
notice need, for Mr. Abdul
Munaim not by S. Katar (C),
which is self explanatory
and put up as per
for the order Mr.

Copy
Report
may be considered as
if agreed to ...
absence period as per
7/6

D.E.O - pay of the period during
which he remained absent
may be deducted from his
salary. He may be warned to be

Careful in future, please

Get report/opinion from
SDEO/ADD (C) of

6/6/2012

with the order Mr.
7

The DDO (M) (E & SE)

Dir Lower

Dated 30/4/2013

Subject: Transfer Proposal of
Mr. Faiz Talab PST
UPS Katan Payeen

Sir,

As per your office directive

No. 7193-95 dated 17/4/2013

It is proposed to transfer

The said Teacher to UPS

Larkande Balokhan against
vacant post.

ADDO Circle
Kumbar
Verify the vacancy
Proposed for the transfer
of the said teacher to
said post.

Certified that
Balokhan is still
PST Teacher.
30.04.13
30/4/2013


30/4/2013

Yours Obediently

30/4/13

Zahur Molk

ADDO

Chakdara

Circle

(C)
a

~~DEP~~

Speak.

Nawshat

Ammy
30/7/13

Discussed | Do the needful
in accordance with
the engine report.

Ammy
30/7/13

— / —

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

In Re:

Service Appeal No. 1382/2013

Faiz Talab Khan.....(Appellant)

VERSUS

District Equation Officer (M) District Dir Lower
and others.....(Respondents)

WRITTEN REPLY ON BEHALF OF
RESPONDENT NO. 4

Respectfully Sheweth:

Written reply on behalf of respondent No. 4 is as under:

Preliminary objections:

1. That the appeal of the appellant is not maintainable in law, hence liable to be dismissed summarily.
2. That the appellant has no locus standi to file the instant appeal.
3. That the appellant is estopped by his conduct and acquiescence to file the appeal.

4. That the appellant has not approached the Hon'ble Tribunal with clean hands, as the appeal of the appellant is based on malafide.

Reply On Facts:

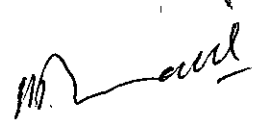
1. Para-1 needs no reply.
2. In reply to Para-2 of the appeal it is submitted that the appellant has been posted to the above said place which is at a distance of not more than 30/40 K.M. it is incorrect the place of his posting is 150 K.M. away from his home under the law a Civil Servant when and where is transferred he is duty bound to serve their in the interest of public.
3. In reply to Para-3, it is submitted that the appellant was never transferred and posted under the promotion policy, but he has been posted and transferred on a savior complaint which is evident from the record of his fine.
4. Para-4 of the appeal is incorrect and baseless. There was a case against the appellant by torturing a child student of his School the notice of which was also taken by the Human Rights Department and the Education Department as well on the basis of the publications in various newspapers in the country. So much so that an inquiry was initiated against him and he was found guilty as such he was posted out as a punishment.

5. Para-5 of the appeal needs proof.

Reply to the Grounds:

- A. Ground "A" of the appeal needs proof.
- B. Ground "B" of the appeal is incorrect and misconceived. The appellant was never transferred and posted out on the basis of the policy, but as stated above there was a case against the appellant by torturing a child student, and after the inquiry conducted by the competent authority against the appellant, the appellant was found guilty as such the appellant as a punishment was posted out. (Copies of some of the news papers, inquiry report and Human Rights watch report are annexed herewith).
- C. Ground "C" of the appeal is also incorrect and baseless.
- D. Para "D" of the grounds is also incorrect and baseless, if the appellant is so seriously ill and cannot continue his duties, he may medically board out himself.

It is, therefore, humbly prayed, that the appeal of the appellant may please be dismissed with cost throughout.



Respondent No. 4

Through



Salah ud Din Khan
Advocate, Peshawar.

Dated: 24/06/2014

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

In Re:

Service Appeal No. 1382/2013

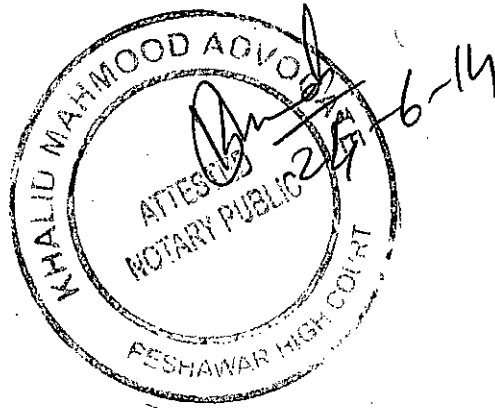
Faiz Talab Khan.....(Appellant)

VERSUS

District Equation Officer (M) District Dir Lower
and others.....(Respondents)

AFFIDAVIT

I, **Noor Habib Khan** S/o Sher Malik R/o Katton Khush
Khel, District Dir Lower, do hereby solemnly affirm and
declare that all the contents of the accompanying **Written**
Reply are true and correct to the best of my knowledge and
belief and nothing has been concealed from this Hon'ble
Court.



Handwritten signature

DEPONENT

صفت 500 کا ...

نصف لکھ ...

... کا ...

... کا ...

... (ورثہ کا ...)

... کا ...

... کا ...

... کا ...

... کا ...

... کا ...

-6-

ADD Zaheruddin

Conduct enquiry & submit detail

Report with in two days to the office for further

16/4/2013

DISTRICT OFFICER (M)H
ELE/SECY: EDUCATION
D. LOWER 2013

(M)H
M. B. Khan

15302-0906555-1

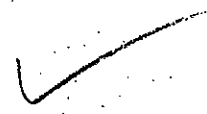
M. B. Khan

15302-0906555-1

M. B. Khan

ATTESTED
M. B. Khan
S. No. 425
Date 16/4/2013
Dist. Court

پجے ، 19 ، ایس دی ، 2013



The Abuse of Authority by School Teacher

دیروں میں پجے
پجے کو وحشت و تشدد کا نشانہ بنانا

لاہور (پرائم ٹائم) ایسی اداروں میں صورت
 کی طرف سے جسٹس میاں عزیز احمد کی راجح احکامات
 کے باوجود وحشت برائے سرکاری سکول کا سربراہان دیروں
 کے پجے نے دیروں میں وحشت و تشدد کا نشانہ
 بنایا جس میں لوہار کا مران اللہ کے جسم پر تشدد کے
 (بقیہ 39 صفحہ 10)

39	پجے	پجے
----	-----	-----

راجح احکامات سے پجے نے والدین اور شاہان اور پجے
 سطر تانے پیمانہ کہ دور سے کلان پیلو کے ساتھ معمولی
 عزت کے پجے میں پجے میں طلب نے ان کے دور سن
 پجے کا مران اللہ اور نفعان اللہ حضرت ہمارے کو تشدد کا
 نشانہ بنایا جس میں لوہار کا مران اللہ نے ہمارے کو مران پجے کی
 جگہ کا مران اللہ پر تشدد کیا جس کے جسم پر تشدد کے دوران
 تشدد موجود ہیں۔

DAWA
17/4/2013

9250050

4th grader faints after torture by teacher

By Haleem Asad

TIMERGARA, April 16: A student of 4th grade lost consciousness after a teacher subjected him to severe corporal punishment here on Tuesday.

Badshah Khan, father of Kamranullah, 9, told reporters at the Timergara Press Club here that his son was brutally beaten up by his teacher, Fay Talab.

Showing marks of violence on the child's back, he said Kamranullah fell unconscious after severe corporal punishment.

He demanded inquiry against the teacher for violation of ban on corporal punishment in educational institutions.

District coordination of Child Rights Committee Makranidra, who was also present on the occasion, expressed concern about the incident.

They said despite ban on corporal punishment, it was rampant in government schools.

Meanwhile, the Malakand Timber Merchants Association (MTMA) Ghakhar, on Tuesday, demanded restoration of the previous procedure of timber auction and warned that if that didn't happen, its members would boycott timber auction until...

MTMA president Mohammad Yaq Khan and general secretary Mohammad Naem Ruzhani told a news conference here that the Forest Development Corporation had changed the procedure of timber auction, causing unrest among timber merchant.

They said timber was being classified and no one was ready to purchase low quality of timber.

They said the old auction procedure should be restored, otherwise the association would boycott the April 23 timber auction.

Inquiry: against Faiz Talab PST teacher District Dir lower

Inquiry officer: Nazimana Sardar DEO (F) Dir Upper

Date: May 7, 2013

Procedure:

DEO (M) Lower Dir was requested a week ago to make arrangement for the inquiry officer on the mentioned date so that the inquiry could be carried out smoothly and in time. He has been cooperative enough to make the required arrangements.

Inquiry participants: the inquiry participants were

- The victim (student)
- Teacher (abuser)
- Students of class four (class fellows)
- ADO concerned
- DEO concerned
- Head master
- Parents of victim
- School teachers (other than abuser)
- Doctor

Documents: Attendance register of the teacher and the doctor prescription

Venue: GPS cotton paeen dir lower

On may 7, the undersigned along with the DEO male and the ADO concerned proceeded towards the venue. All the inquiry participants were present at the aforementioned venue. The inquiry procedure included interviews from all the members one by one and for that a separate questionnaire was developed for all the inquiry participants (copy attached as annexure 1). All the participants were asked questions and their statements were recorded question after question (attached as annexure 2).

After listening to all the participants it appeared that the incident took place when a quarrel started between the victim Kamranullah and his class fellow Nadeem and kamranullah caught nadeem by collar. Nadeem started crying and went to the teacher who was in another class. The teacher initially did not respond to nadeem and he went again to the teacher. The teacher, who himself is headmaster and has recently been promoted to BPS: 15, habitually beats up students came up with a stick in his hand called the student in verandah and started beating kamranullah. He hit him on the back and later 7(seven) dark marks were seen by the students as well as by the parent on the left scapula of the victim. The student came back to the class crying and after an hour went home after pack up time. It was quite disappointing that the teacher after beating the minor student brutally did not bother to see how he was doing in the class. Kamanullah after reaching home told his mother who informed the father and the father initially went to the local DEO office and having not been listened to went to media and then

without punishment. Tracing about human rights will help teachers to change their mind.

Father: Badshah Khan(Ranger emploce at Karachi on a days on leave).

1) Yes.

2) Never before this incident as he has been in Maktab and recently shifted to this school.

3) No

10

22

to the police station. The victim was later taken to shamshi khan where a doctor Khaista rehman took care of him. He prescribed a few medicines and since the victim was not bleeding so he was sent home.

Despite efforts, the inquiry officer could not meet with the required doctor, nor could the parents produce the prescriptions as they had handed it at the police station. Back at home the concerned ADO made reconciliation between the abuser (teacher) and the parents of the victim through Jirga. The EDO concerned was informed about the incident on the second day as he was in a meeting in peshawar, and he immediately suspended the teacher and initiated an inquiry and the inquiry officer proposed the transfer of the teacher to a far flung area.

Conclusion

After having a discussion with the teacher (Faiz Talib) it appeared that he was having a degree of MA B.ED privately while his only regular education was till matriculation. The issue here is that how can a matriculate teacher understand the self esteem of a student while beating him in virandah in front of all the school students and how can he understand the impacts of such like punishment on holistic development of a student.

He appeared to be a traditional teacher who believes that punishment is the only way of bringing an improvement in students and therefore, he habitually beats the students for this purpose.

The aforementioned conclusion is a thought for the policy makers in future especially for the primary education.

Recommendations

Based on all the discussions the undersigned came up with the following recommendations;

1. Faiz Talib should be kept posted in that far flung school and tenure policy should strictly be implemented in his case and a strict check should be kept on him regularly.
2. His suspension and the reason of transfer should be mentioned in his service book with the signature of the EDO concerned.
3. He should be served with a warning that in case he repeats this practice in future strict disciplinary action would be started against him under KP child protection and welfare act 2010.


(Naghmana Sardar),

Chairman/District Education Officer
(Female) District Dir Upper.

without punishment. Training about human rights will help teachers to change their mindset.

Father Badshah Khan (Ranger employee at Karachi on 3 days on leave).

1) Yes.

2) Never before this incident as he has been in Maktab and recently shifted to this school.

3) No

-11- 12 21

STATEMENTS OF STUDENTS/TEACHER AND OTHERS.

Student: Kamranullah.

- 1)- Teacher does not teaches them
- 2)- Teacher is ok.
- 3)- Never punished.
- 4)- Stick was used and it was thick.
- 5)- Student was beaten in verandah and no one stopped the teacher as there was no other teachers in school.(two teachers are posted).
- 6)- He came weeping into class and went to school after one hour after school pick up. He informed his mother about the incident and she called his father, who took him in the nearby Doctor.

Reason 7)- Two student were quarrelling and kamran caught Nadeem by collar.

Student 1) Asad Ahmad/Hussain Ali/Shahzeb.

- 2) The teacher beats habitually.
- 3) Yes.
- 4) Two students, started quarrelling and Nadeem complaint first time, and after no response repeated complaint. Then Kamran was called by teacher.
- 5) Teacher was holding stick in his hand and started beating.
- 6) Stick.
- 7) He came back to his class while weeping. On checking * four or five dark marks were inprinted on left scapula.
- 8) Nothing
- 9) He himself is Head Master.

Teacher(i) Faiz Talab Khan, Head Teacher promoted to BPS:15(02-13)(MA.Bed).

- 1) Student came from nearby Maktab recently i.e,08-04-2013
- 2) New to teacher, does not know.
- 3) I responded due to complaint.
- 4) As Kamran beat Nadeem so, I beat Kamran.
- 5) No
- 6) He thinks punishment, brings improvement. He expressed his views that he punished children at home as this is the only was.
- 7) Student remained in school till pick up time and he did not know about Kamran till next day.
- 8) After this incident and issues he felt that there should be no punishment as one has to be accountable for that.

Teacher Noor Habib

- 1) Since childhood.
- 2) No
- 3) Once in a while.
- 4) I was absent
- 5) Timergara
- 6) —
- 7) —

Abdul Muneem was absent.

Zaheerud Deen ADO

Teachers habitually punish students and sometimes they beat. This is because they are traditional teachers and tracing do not have any impact. Teacher's thick learning is not possible without punishment. Tracing about human rights will help teachers to change their mind.

Father Badshah Khan(Ranger emploce at Karachi on a days on leave).

- 1) Yes.
- 2) Never before this incident as he has been in Maktab and recently shifted to this school.
- 3) No

- 4) Does not teach.
- 5) Position holder in previous school.
- 6) The step mother told father about the incident. Female from neighbor hood were crying, looking students back. He wrote an application against teacher at office, then went to press club and informed media, Then took Kamran to Shamshi Khan village at a clinic of Mr, Khaista Rahman. (7) marks were there.
- 7) Next day through ADO reconciliation between father & teacher was done.

DEO(Sb) The DEO(Male) stated that he was engaged in Departmental training at PITE Peshawar during the incident, when he informed about the incident, He directed that the teacher may be suspended and detailed inquiry may be conducted in this regard. In later on the teacher was transferred to far flung area.

CORPORAL PUNISHMENT

Name of teacher:- Faiz Talab.

School:- GPS Cotton Payeen

QUESTIONNAIRE

- 1- How long do you know this student?
- 2- How is his academic position in class?(which subject do you teach?).
- 3- What happened to you on that particular day(at family).
- 4- What particular did student do on that day that made you to beat/punish him.
- 5- Did you ever beat/punish him before?
- 6- What do you think that punishment might help that student in changing him in the way you wanted him to be ?
- 7- What happened to the student after that punishment?
- 8- Did you feel any thing after words?

Student:

- 1- Which subject does this teacher teach you?
- 2- What is your opinion about this teacher?(His teaching /attitude).
- 3- Did he ever beat you in past.
- 4- How did he beat you.
- 5- Where did he beat you.
- 6- Did any one stop him from beating you?
- 7- What happened to you after words?

Head Master

- 1- How long does this teacher teach in this school.
- 2- How long are you are familiar him with.
- 3- What is your opinion about this teacher?(teaching/attitude).

14 9

- 4- What is your opinion about corporal punishment?
- Does corporal punishment exist in your school.
- 6- What do you think of this particular incident?(its causes).
- 7- Where were you when you take after words.

Students of class IV

- 1- Name _____
- 2- What is your opinion about the teacher(Teaching/attitude).
- 3- Does he beat/punish?
- 4- What happened on that day?
- 5- Did the teacher beat?
- 6- How did he beat?
- 7- What happened to student?
- 8- What did the teacher do after that?
- 9- What did other people (students, teachers, Head master)do after words?

Parents of victim

- 1- Do you know the teacher?
- 2- Did your child ever complaint about corporal punishment in the class?
- 3- Did your child ever complaint of any teacher?
- 4- Which subject does this teacher teach your child?
- 5- What do you know about his (child)academic position overall and particularly in subject that this teacher teaches him?
- 6- When and how were you informed about the incident?
- 7- What did you notice?
- 8- What did you know?

Teachers of school.

- 17
2
- 15-
- 1- How long do you know this teacher?
 - 2- What do you know about his teaching.
 - 3- Does he usually beat?
 - 4- What do you think happened to the teacher that made him beat?
 - 5- Where were you when this happened?
 - 6- What did you do after words?
 - 7- What was students condition after words?

DOCTOR

- 1- How was the student doing when you saw him after punishment?
- 2- What did you notice?
- 3- How did he was brought to you?
- 4- What did you prescribe?

PARTICIPANTS

- 1- Student (victim)
- 2- Teacher (Abuser).
- 3- Class fellows (Class IV).
- 4- Head Master.
- 5- Parents (Victim).
- 6- Teacher (School).
- 7- Doctor
- 8- PTC (School).

Documents

Hospital record.

To

The DDO (M) (E & SE)

Dir Lower -16-

Dated 30/4/2013

Subject: Transfer Proposal of
Mr. Faiz Talab PST
UPS Katan Payeen.

Sir,

As per your office directive
No. 7193-95 dated 17/4/2013

It is proposed to transfer
The said Teacher to UPS

Larkande Balo Khan against
vacant post.

ADO Circle
Kumbar
Verify the vacancy
Proposed for the transfer
of the teacher to the
said post. 13.04.13
Certified that
Balo Khan is still meant for
UPS Larkande
30/4/2013

Yours Obediently
30/4/13
Zahid Mulla
ADO
Chakdarga
Circle

- 17 -

2/

OFFICE OF THE DISTT: EDUCATION OFFICER(M) DISTRICT DIR LOWER.
OFFICE ORDER.

Consequent upon the Inquiry report, and on-going through its recommendation of the inquiry officer, Mr, Faiz Talab. PST GPS Katan Payeen who beat the school student harshly, is hereby suspended from service till further order, as the Govt; has strictly banned the corporal punishment.

Note;- Necessary entry to this effect should be made in his service Book accordingly.

(Muhammad Muttahir)
DISTT: EDUCATION OFFICER
(MALE) DIR LOWER

Endst; No, 7193-95 / Dated Timergara the 17 / 4 / 2013

- Copy of the above is forwarded to:-
1. The Director (E&SE) Khyber Pakhtun Khwa Peshawar.
 2. The P/S to Secretary Elementary & Secy; Edu; Deptt; Khyber Pakhtunkhwa.
 3. The Deputy Commissioner Dir Lower.
 4. The Sub-Divisional Education Officer (M) Timergara. He is further directed to submit transfer proposal of the teacher to a for plunge area school within two days.
 5. The Teacher concerned.

*Received
C. H.*

Re: 12000
DISTT: EDUCATION OFFICER
(MALE) DIR LOWER



OFFICE OF THE
DISTRICT EDUCATION OFFICER
(MALE) DISTRICT DIR LOWER

Tel: 0945-9250081
9250082

E. Mail: edosldlr@yahoo.com

No. 9554 /Dated Timergara the 6 /06/2013

To, The Director (E&SE)
Khyber Pakhtunkhwa Peshawar.

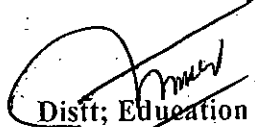
Subject;- CORPORAL PUNISHMENT CASE IN GOVT; PRIMARY
SCHOOL KATAN(P) DIR LOWER

Memo;-

Kindly refer to your letter No,1008 dated 9/5/2013, along with its enclosure on the subject noted above.

It is stated for your kind information that the teacher named Faiz Talab, PST GPS Katan Payeen, has already been suspended from service vide this office No,7193-95 dated 17/4/2013, and transferred from the school to a ~~for~~ ~~frung~~ area i.e GPS Larkanday Balo Khan datd 30/4/2013.

Moreover your goodself has also conducted an inquiry in the matter through Distt; Education Officer(F) Dir upper, but result/decision of the said inquiry is awaited. As and when decision in the said case is received from the high ups, will be implemented in letter and spirit.


Distt; Education Officer
(Male) Dir Lower

19 - 973
29.5.13 10

Directorate of Elementary & Secondary Education,
Khyber Pakhtunkhwa, Peshawar.
No. 1008 /PA/MOE.
Dated Peshawar the 9/5 /2013.

To

The District Education Officer
(Male) Dir Lower.

Subject:

CORPORAL PUNISHMENT CASE IN GOVT PRIMARY SCHOOL COTTON
PAYEEN DIR LOWER.

Memo:

I am directed to enclose herewith a copy of complaint lodged by the Child
Right Committee District Dir Lower which is self explanatory on the subject noted above
received through Minister for Education Khyber Pakhtunkhwa for further necessary action
please.

[Signature]
9/5/2013

Deputy Director, (Estt)
Directorate of E & Secy Education
Khyber Pakhtunkhwa, Peshawar.

ADD (Estt)
Necessary action has already
been taken against the teacher
(reported by) if C.R.C. coordinator is a teacher
process is working for a serving organization.
per the rules/policy against him as

U. B. W. G.
Issue show cause to
the teacher.

[Signature]
28/5/13

- 20 -

No. 5215 /dated Timergara the: 20/4/2013.


From:- The Sub Divisional Edu: Officer(M)
Timergara.

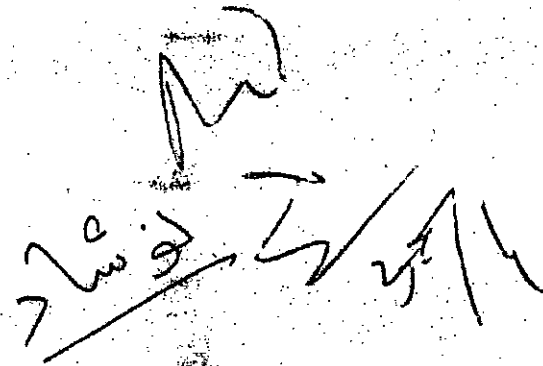
To: The District Edu: Officer(M)
Bir Lower at Timergara.

Subject:- TRANSFER PROPOSAL OF MR. FAIZ TALAB PST,
GPS. KASTAN PAYEEN TO GPS. LARKANDAY BALO KHAN (M)

Ref:- Reference your letter No. 7193-95, dated 17-4-2013
and as per proposal of the Asstt: Sub Divl: Edu: Officer(M) concern
of the Mr. Faiz Talab PST GPS. Kastan Payeen is hereby proposed to
GPS. Larkanday Balo Khan (Maidan) on vacant post of PST.

Encl: (original copy of Transfer Proposal)


Sub Divl: Edu: Officer(M)
Timergara.





OFFICE OF THE
DISTRICT EDUCATION OFFICER
(MALE) DISTRICT DIR LOWER

Tel: 0945-9250081
9250082

E. Mail: edosldir@yahoo.com

No. 9600 / Dated Timergara the 6 / 6 2013

To,

The Headmaster,
GHS Dir Lower.

Subject;- CORPORAL PUNISHMENT CASE IN GOVT; PRIMARY
SCHOOL KATAN(P) DIR LOWER

Memo;-

Reportedly One Mr, Fakhrud-Din CT B-16 of your school is working as
Coordinator of Child Right Committee Dir Lower, if so how a serving teacher is working for
other organization.

Please explain the reasons within a week period to proceed further in to the
matter under the rules.

Endst; No, 9601

Copy of the above is forwarded to;-

1. The Director (E&SE) Khyber Pakhtunkhwa Peshawar for information please.

Distt, Education Officer
(Male) Dir Lower

Distt; Education Officer
(Male) Dir Lower





www.sparcn

CHILD RIGH COMMITTEE DISTRICT LOWER DIR

April 17, 2013

Dated:

Mrs. Mussarat Qadeem
Minister for Elementary & Secondary Education
Khyber Pakhtunkhwa

Timergara Distt; Dir

Lower:

Fakhrud Din CRC
Coordinator opp: Fazal
Rahman Children Hospital
Dir Road Timergara Dir
Lower. Contact: 03449221212
03329221212, 0945825200(Res)
e.mail: fdnaa@yahoo.com
crc_dirlower@yahoo.com

Peshawar:

62, Khyber Colony-II,
Tehkal Payan, University
Road, Peshawar, Pakistan.

+92 (91) 5845010

+92 (91) 5711843

peshawar@sparcpk.org

Islamabad:

P.O Box 301, House No.151.B
Street No.37, F10/1
Islamabad Pakistan.

Tel: +92 (51) 229 1553.

+92 (51) 229 1559

Fax: +92 (51) 229 1680

Email: ed@sparcpk.org,

islamabad@sparcpk.org

Lahore:

7-A Jail Road, Mazang
Chongi, Adjucent to Akhter
Rasool's House.

Tel: +92 (42) 37569427

Fax: +92 (42) 37569426

Email: lahore@sparcpk.org

Karachi:

NO.304, 3rd Floor, kashif
Center, Sharah-e-faisal.

Tel: +92 (21) 3566 1731

Fax: +92 (21) 3566 1732

Email: karachi@sparcpk.org

Quetta:

No.13 A First Floor, Swiss
Plaza M.A Jinnah Road,
Cannt:

Tel: +92 81 2865629

Telefax: +92 81 2865631

Email: quetta@sparcpk.org

Re: CORPORAL PUNISHMENT CASE IN GOVT; PRIMARY SCHOOL COTTON PAYEN DIR LOWER.

Respected Sir,

SPARC Child Rights Committee Dir lower is working since 2010 on district level exclusively on child related issues.

Pakistan has ratified UN Convention on the Rights of the Child (UNCRC). According to its article 37 it's the state responsibility to protect children from all kind of abuse and exploitation. Furthermore under the Khyber Pakhtunkhwa Child Protection & Welfare Act 2010 rights of children are safeguarded.

With reference to violation of the UN CRC and KPK Child Protection Act, SPARC would like draw your kind attention towards the case of a Grade IV child who has been punished by his teacher; according to news the child wounded on his back and fell unconscious after sever corporal punishment. (For reference please find the news clipping as annexed herewith this letter)

As the government of Khyber Pakhtunkhwa prohibited corporal punishment at education institutions, also corporal punishment in any sitting is the clear violation of the UN Convention on the Rights of the Child (UNCRC) and under the Child Protection & Welfare Act 2010, any one commits such offence will be punished for six months imprisonment and fine, which may extend to Rs.50,000/- or both.

It is, therefore, you are requested, to take immediate notice and initiate action in the said case to avoid future such like incidents, for the ends of justice and best interest of the children.

Your prompt action and interest in this matter shall be highly appreciated.

Thank you

Fakhrud Din
Coordinator CRC Dir Lower

CC,

- Child Protection & Welfare Commission KP
- Provincial Ombudsman KP
- EDO (E&SE) Dir Lower



OFFICE OF THE
DISTRICT EDUCATION OFFICER,
(MALE) DISTRICT LOWER

Tel: 0945-9250081
9250082

E. Mail: edosldir@yahoo.com

No. 9553
To,

/Date Timergara the 01/08/2013

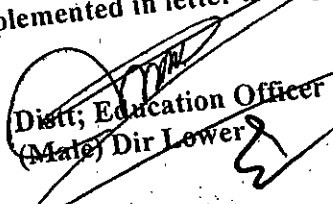
Khaola Batool,
Government of Pakistan
Ministry of Human Rights Islam Abad.

Subject;- I) THE ABUSE OF AUTHORITY BY SCHOOL TEACHER
II) 4TH GRADER FAINTS AFTER TORTURE BY TEACHER

Memo;- Kin refer to your letters No, F.No, 2(3)2012-AD(HR-II) dated 18/4/2013, and dated 23/4/2013, on the subject noted above.

It is stated for your kind information that the teacher named Faiz Talab PST GPS Katan Payee, has already been suspended from service vide this office No, 7193-95 dated 17/4/2013, and transferred from the school to a far flung area i.e GPS Larkanday Balo Khan dated 3/4/2013.

Moreover the Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar also conducted an inquiry in the matter through Distt; Education Officer (F) Dir upper, but result/decision of the said inquiry is awaited. As and when decision in the said case is received from the high ups, will be implemented in letter and spirit.


Distt; Education Officer
(Male) Dir Lower

-24- 7/

683
7.5.2013

Government of Pakistan
MINISTRY OF HUMAN RIGHTS

State Life Building No. 5,
China Chowk, Blue Area
Islamabad, the 18th April, 2013

F.No.2(3)/2012-AD(HR-II)

From : Khaola Batool,
Assistant Director (HR-II).

To : The District Education Officer,
Dir Lower.

Subject: - 4TH GRADER FAINTS AFTER TORTURE BY TEACHER.

Dear Sir,

I am directed to forward a copy of pressing clipping on the above subject, obtained from the daily newspaper Dawn dated 17th April, 2013.

2. It is requested to kindly look into the matter and take necessary action on the issue under reference as per law. It is also requested to provide a comprehensive report on the subject matter to this Ministry at the earliest.

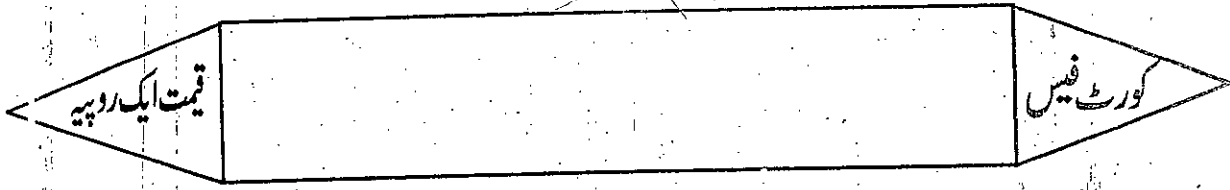
Enclosed: As above.

Yours faithfully,

K. Batool
(KHIAOLA BATOOL)

Smpat/No. had
in m/a
[Signature]
07/05/13

بعد الت ضام مع سرور سید بنوئل / سید کورہ سہا



مورخہ
مقدمہ
دعویٰ
جرم

سید منجانب ریسیانہ ٹرانسٹریڈ
مینس گلبرہ خان بنام
DEO ضلع دیپلر ڈسٹر وکرا

باعث تحریر آنکھ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کارروائی

متعلقہ آن مقام گلبرہ مندو شریک کے بی شہادہ نواز خان ایڈووکیٹ

مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل

اختیاط ہوگا۔ نیز وکیل صاحب کو راضی نامہ و تقرر ثالث و فیصلہ پر حلف دینے جواب

دی اور اقبال دعویٰ اور درخواست ہر قسم کی تصدیق زرا اور اس پر دستخط کرنے کا اختیار ہوگا۔

نیز بصورت عدم پیروی یا ڈگری ایک طرف یا اپیل کی برآمد ہوگی اور منسوخ مذکور کے نسل

یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنی ہمراہ یا اپنی بجائے تقرر کا اختیار ہوگا۔

اور صاحب مقررہ شدہ کو بھی جملہ مذکورہ بالا اختیارات حاصل ہونگے اور اس کا ساختہ

برداشتہ منظور و قبول ہوگا۔ اور دوران مقدمہ میں جو خرچہ و ہرجانہ التوا ایسے مقدمہ کے

سبب سے ہوگا اسکے مستحق وکیل صاحب ہونگے۔ نیز بقایا و خرچہ کی وصولی کر پتے

وقت کا بھی اختیار ہوگا اگر کوئی تاریخ پیشی مقام دورہ ہر ہو یا حد سے باہر ہو تو وکیل

صاحب پابند نہ ہونگے کی پیروی مقدمہ مذکور لہذا وکالت نامہ لکھ دیا ک سند رہے

المرقوم 1 ماہ ستمبر ۲۰۱۲

المعدود گواہ شہادہ العبد

مقام کے لئے منظور ہے

Accepted by
Shah Nawaz Khan
Advocat
High Court

BEFORE THE HON'BLE SERVICE TRIBUNAL K.P.K PESHAWAR

SVC Appeal No-1382/2013

Faiz Talab Khan

V/S

D E O and others

REJOINDER ON BEHALF OF APPELLANT TO THE COMMENTS FILED BY THE RESPONDENTS.

On Preliminary objections;

All the Objections raised by the respondents in their comments are totally incorrect and against the fact and circumstances.

Misconceived and Mis-leading objections have been raised for the sake of more objections only. The objections are nothing but callus attempt to side the main issue, whereby the preferred and referred document has no concerning with the impugned order one way or the other. The concealment, failure and un satisfactory reply by the respondents clearly speaks the innocence of the appellant and show the personal grudges of the respondents with the appellant.

ON FACTS;

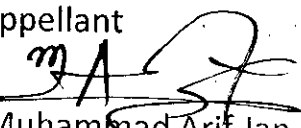
1. Para-1 correct and admitted hence needs no reply moreover the year 1994 is wrongly entered/written instead of 1984 which may read as 1984.
2. Para-2 of the comments filed by the respondents is totally incorrect against the facts and circumstances, infact, it is admitted by the respondents, that the appellant was promoted then transferred where the transferred order is also salient in respect of punishment or any disciplinary action. Further the respondent No- 4 also admitted in his reply the policy of Civil Servant but himself afraid to honor and abide the same. If the appellant was punished then way he was promoted, the whole story is false and fabricated just to adjust junior to appellant his place.
3. Para-3 of the comments is incorrect the respondents are not bother to see the impugned order or they intentionally concealed the same from the Honble Tribunal, no administrative ground whatsoever been taken but in fact it was general order just of accommodate a man their own choice in place of appellant.

4. Para-4 of the appeal is correct while incorrect the comments filed by the respondents, it is admitted by the respondents, that the appellant was Senior most then^a respondent No-4 but without any justification the appellant was transferred and the real facts intentionally not brought on the record.
5. Para-5 of the appeal is correct while the respondent No-1 is duty bound to pass an order on the representation of the appellant in light of the Law rules and regulation governing the subject matter.

GROUND:

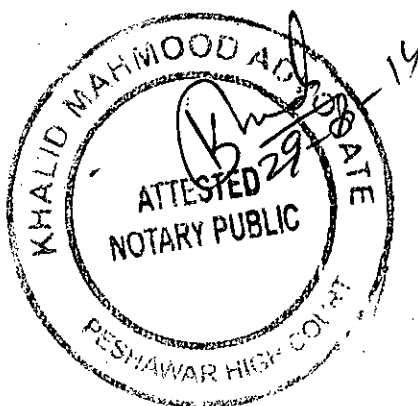
Para A to D of the grounds are totally incorrect. Grounds are bolder unsubstantiated and baseless. Denial of the legal grounds been raised in the comments would not absolve the respondents from their duties. The appellant was senior most and was transferred without any reason or justification but just to accommodate the respondent No-4 more over no inquiry whatsoever been pending, the matter of punishment a student has already been patched up and nothing has been left. Further the impugned order is also salient in respect of the order. The respondents bring little on the surface and concealed more in pipelines for nothing but just to give a soft way of adjustment to respondent No-4.

It is therefore most humbly prayed that on acceptance of the re-joinder the comments filed by the respondents may kindly be rejected and the appeal of the appellant may kindly be allowed as prayed for.

Appellant
Through 
Muhammad Arif Jan
Advocate Peshawar

Affidavit

I do here by solemnly affirm and declared on oath that, the contents of the re-joinder are true and correct with the best of my knowledge.




DEPONENT

Before the Honible Chairman Service Tribunal

K.P.K Peshawar

S-A No. 1382/2013

Faiz Lalab Ichan vs DEO & others

Subject: Application for early hearing and Transfer

Respected Sir.

- 1- That the above cited case is pending before this Honible Tribunal fixed on 1-07-2014.
- 2- That the applicant belongs Swat and it is not possible / convenient for him to attend the court on each hearing in Peshawar.
- 3- That the respondent, also belongs to Swat and this Honible Tribunal also visiting Swat on monthly tours.

It is therefore most humbly Prayed that the above cited case shall be transferred to Swat and may kindly be fixed for early hearing in Swat.

Appellant/Applicant

Through

M. Anwar Jan

Date: 18-4-2014

(Next date of hearing is 01-07-2014)

0333 221243